



SYRACUSE CITY

Syracuse City Council

Work Session Notice ****AMENDED****

October 22, 2013 – 6:00 p.m.

Municipal Building, 1979 W. 1900 S.

Notice is hereby given that the Syracuse City Council will meet in a work session on Tuesday, October 22, 2013, at 6:00 p.m. in the large conference room of the Municipal Building, 1979 W. 1900 S., Syracuse City, Davis County, Utah. The purpose of the work session is to discuss/review the following items:

- a. Public comments.
- b. Budget opening discussion
- c. Surplus property discussion.
- d. Discuss Special Meeting Agenda item 3, proposed ordinance amending Title Three relative to Arts Council Appointments.
- e. ~~Discuss Special Meeting Agenda item 5, Proposed annexation of property located at 4000 W. 1200 S.~~ ***This item has been postponed until November 12, 2013.***
- f. Discuss Special Meeting Agenda item 6, Proposed ordinance amending Titles 8 and 10 of Syracuse City Code.
- g. Council business.

~~~~~  
In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

#### CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 18<sup>th</sup> day of October, 2013 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examiner on October 18, 2013.

CASSIE Z. BROWN, CMC  
SYRACUSE CITY RECORDER



# COUNCIL AGENDA

October 22, 2013

Agenda Item #b                      Discussion regarding potential budget opening.

## *Factual Summation*

- Any questions about this agenda item may be directed at Finance Director Stephen Marshall.
- I have closed the books for FY2013 and am currently awaiting the financial auditors to complete their audit. Our unrestricted fund balance in the general fund at June 30, 2013 increased to \$1,828,234 or approximately 19.30% of budgeted revenues. State Code requires that our fund balance be between 5-25%. Administration's philosophy is to maintain a healthy fund balance between 10-14%. Council recommendation is to keep fund balance around 14%. This allows the city to maintain a healthy rainy day fund but also allows a portion of fund balance to be used in operations for our most critical needs.
- We also have projected revenues in FY2014 that are going to exceed original budgeted amounts. I have tasked each of the department heads to brainstorm and come up with several needs and options for using these excess revenues & fund balance.
- Please review the power point presentation and updated list of recommended capital projects for FY2014.

## **Recommendation:**

Administration recommends that the excess revenues & fund balance be used for suggested options within the power point slide. Administration also recommends that we move forward with the additional capital improvements projects.



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# Fund Balance Presentation

October 22th, 2013

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## FACTS

- Per Utah Code section 10-6-116 sections 2 & 4, the general fund balance is required to be between 5 – 25% of the next fiscal year's budgeted revenues.
  - General Fund balance at June 30, 2013 = \$1,828,234. The FY2014 budgeted revenues = \$9,471,005. Fund balance = 19.30%.
-



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## FACTS

- FY2013 General Fund balance increased \$373,847 over FY2012 balance. We had budgeted to draw the fund balance down to 14% and use \$280,800 in the October 2012 budget opening and to fund the critical needs of the city. Total increase = \$656,647. Combination of increased revenues (i.e. sales tax) and departments under spending budgets by 3-5%.
-



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# HISTORICAL FACTS

- **Fund balance over last 6 years:**
    - FY2008 = \$430,008 or approximately 7%
    - FY2009 = \$285,445 or approximately 5%
    - FY2010 = \$625,253 or approximately 10%
    - FY2011 = \$1,017,689 or 14.49%
    - FY2012 = \$1,454,387 or 17.26%
    - FY2013 = \$1,828,234 or 19.30%
-



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# ADMINISTRATION PHILOSOPHY

- Maintain a healthy fund balance that acts as a rainy day fund for any unforeseen emergencies and/or expenses.
  - Utilize and execute excess fund balance into operations where it is needed the most (i.e. roads, capital needs).
  - Belief that fund balance should remain between 10 - 14% with a median of 12% as a general rule and practice.
  - Council recommendation to keep fund balance around 14%.
-



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# General Fund Balance

## General Fund Balance Calculation

|                                 |                 |        |
|---------------------------------|-----------------|--------|
| FY2014 Budgeted Revenues        | \$ 9,471,005.00 |        |
| Fund Balance @ 6/30/2013        | \$ 1,828,234.00 | 19.30% |
| Target Fund Balance @ ~ 14%     | \$ 1,328,234.00 | 14.02% |
| Excess to be used in operations | \$ 500,000.00   |        |



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# ADMINISTRATION PHILOSOPHY

- Philosophy of budgeting conservatively on revenues and liberal on expenses has resulted in an increased fund balance over last 4 years.
  - **Invest in departments/systems; spend money to make money.**
  - Credit to Departments for spending conservatively and finding ways to cut costs (i.e. operating more efficiently).
-



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# FY2014 Budget

- Started with a budget surplus of \$73,205.
  - No use of fund balance.
  - Sales tax revenues kept flat with FY2013 final numbers.
  - Conservative estimates on revenues & liberal on expenses.
  - Some revenue estimates = exceed expectations.
  - Some items need to be added for carryover from prior fiscal year.
-



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# FY2014 Revenues

## FY2014 Estimated Increase in Revenues:

|                                   |                   |
|-----------------------------------|-------------------|
| Sales Tax @ 4% increase           | 118,000.00        |
| Building Permit revenue           | 100,000.00        |
| Plan Check and review fees        | 50,000.00         |
| Increase in Fire Revenue          | 34,000.00         |
| Sundry – Trade-in for Tasers      | 1,700.00          |
| Sundry – General Liability Rebate | \$17,400.00       |
| <b>Total Estimated Increase</b>   | <b>321,100.00</b> |



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# FY2014 Revenues

## FY2014 Estimated Increase in Revenues:

|                                    |                       |
|------------------------------------|-----------------------|
| <del>Sales Tax @ 4% increase</del> | <del>118,000.00</del> |
| Building Permit revenue            | 100,000.00            |
| Plan Check and review fees         | 50,000.00             |
| Increase in Fire Revenue           | 34,000.00             |
| Sundry – Trade-in for Tasers       | 1,700.00              |
| Sundry – General Liability Rebate  | \$17,400.00           |
| <b>Total Estimated Increase</b>    | <b>203,100.00</b>     |



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# Available Funds

## Available Funds

|                                   |                      |
|-----------------------------------|----------------------|
| Excess Fund Balance @ 6/30/2013   | \$ 500,000.00        |
| Budget Surplus for FY2014         | 73,205.00            |
| Building Permit Revenue           | 100,000.00           |
| Plan Check and Review Fees        | 50,000.00            |
| Increase in Fire Revenue          | 34,000.00            |
| Sundry – Trade-in for Tasers      | 1,700.00             |
| Sundry – General Liability Rebate | 17,400.00            |
| <b>Total Available</b>            | <b>\$ 776,305.00</b> |



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# Required Funding

## Required Funding:

|                                                                           |                      |
|---------------------------------------------------------------------------|----------------------|
| Attorney Salary and Benefits                                              | (25,000.00)          |
| Professional & Technical – Contract Attorney<br>(July & ½ of August 2013) | (7,500.00)           |
| Prof. & Tech. - Wetlands Restoration                                      | (6,500.00)           |
| City Manager – Payout of Vacation                                         | (10,000.00)          |
| Service Contract for Fizio – Fire equipment                               | (4,500.00)           |
| Livescan Maintenance Contract                                             | (2,000.00)           |
| Recording Software and Equipment                                          | (20,000.00)          |
| <b>Total</b>                                                              | <b>\$(75,500.00)</b> |
| <b>Remaining Funding Available</b>                                        | <b>\$700,805.00</b>  |



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# Menu Options

## Options for Funding:

|                                                                                            |                  |
|--------------------------------------------------------------------------------------------|------------------|
| 1 New Police Officer*                                                                      | \$ (75,000.00)   |
| *Waiting on grant opportunity for officer                                                  |                  |
| New Tasers for Police Department                                                           | \$ (26,000.00)   |
| Plat File Cabinet – Store Subdivision Plats                                                | \$ (3,000.00)    |
| Crack Seal Machine and Materials                                                           | \$ (\$55,000.00) |
| New Ambulance to replace 2002 model                                                        | \$ (130,000.00)  |
| Transfer to Class C Roads Fund**                                                           | \$ (410,000.00)  |
| **Use monies for crack seal repair, surface treatments, and roads reconstruction projects. |                  |



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## Menu Options - Continued

### Options for Funding - Parks:

|                                                                                                                                               |                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Chloe's Sunshine Park Improvement*                                                                                                            | \$ (200,000.00) |
| *We are waiting on a grant opportunity to start phase I of this project. This is the estimated amount of funding needed to completed phase I. |                 |
| Rock Creek Park Restrooms                                                                                                                     | \$ (100,000.00) |
| Ranchettes Park Restrooms                                                                                                                     | \$ (100,000.00) |
| Equestrian Park Restrooms                                                                                                                     | \$ (100,000.00) |
| Equestrian Park Lighting                                                                                                                      | \$ (15,000.00)  |
| Equestrian Park Ground Improvements                                                                                                           | \$ (10,000.00)  |



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## Police Officers & Equipment

- A request from the police chief to add one additional police officer to the force.
  - Benchmark of 1 officer to every 1000 residents. Currently have 19 officers with 25,000 residents.
  - Additional police officer would be tasked to enforce traffic violations.
  - We are still waiting to hear about grant opportunity to pay for a portion of the salary and benefits.
-



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# Crack Seal Machine

- We currently bid out and contract for all services related to crack seal improvements within the City.
  - We have an opportunity to purchase a crack seal machine and save on the costs of contracting to a 3<sup>rd</sup> party.
  - Estimated payback period would be 3-5 years depending on the amount of crack seal improvements that are made in our city.
-



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# Ambulance Request

- We currently have two ambulance vehicles in our fire department. One is a 2002 model the other is a 2008 model.
  - The average life expectancy of an ambulance is 10 years.
  - This would be a one time purchase with one time monies.
-



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# Park Improvements

- The Park Improvements listed is not an all inclusive list. Funding for Park Improvements should be done through our Park Development Impact Fees if eligible.
  - Park Impact Fee Fund has a positive fund balance for the first time since 2005.
  - Recommendation to evaluate park improvements and prioritize those improvements in a separate meeting.
-



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## Capital Projects - FY2013

- Final budget of \$7,101,527 set for FY2013.
  - Completed project costs at June 30, 2013  
= \$3,350,072.
  - Estimated costs remaining on FY2013 projects  
that need to be carried over to FY2014  
= \$3,553,000.
  - Total estimated cost of all FY2013 projects  
= \$6,903,072 or a savings of ~ \$200,000.
-



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## Capital Projects - FY2014

- Original budget of \$1,848,000 set for FY2014.
  - Carryover from FY2013 projects that were not completed by June 30, 2013 = \$3,553,500.
  - Add 2000 West Road Widening Project by Trailside Park ~ \$120,000.
  - Add Class C Road Funds Transfer to Capital Projects List ~ \$410,000.
  - Recommendation to increase the FY2014 budget to \$5,931,500.
-



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## Capital Projects - FY2014

- I have included with this discussion a detail spreadsheet that includes all carryover projects and a total proposed expense sheet for all utility funds as well as the Class C roads Fund.
  - The items in **blue** are the proposed carryover projects from FY2013.
  - The items in **green** are the projects already approved in the budget for FY2014.
-



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## Class C Roads Fund

- Recommendation that we transfer funds to the Class C Roads fund to aid in our road projects.
  - Estimate that between \$1,261,000 and \$1,715,000 will be executed in Class C road projects in FY2014.
  - Does not include Road Impact Fee money that we plan to spend in FY2014.
-

**CAPITAL IMPROVEMENT PROPOSED BUDGET SUMMARY FOR FISCAL YEAR 2014**

|                                                    | 204070                | 204044             | 501670                | 301670              | 401670              | 531670              | 21-40-70            | 51-1670             | 31-1670              | 41-1670                |                       |
|----------------------------------------------------|-----------------------|--------------------|-----------------------|---------------------|---------------------|---------------------|---------------------|---------------------|----------------------|------------------------|-----------------------|
| Project                                            | Class C Capital       | Class C Ramps      | Culinary              | Secondary           | Storm Drain         | Sewer Capital       | Road Impact Fee     | Culinary Impact Fee | Secondary Impact Fee | Storm Drain Impact Fee | Project Total         |
| 1000 West Cul & Sec (2700 South To Bluff)          | \$45,000.00           | -                  | \$430,000.00          | \$290,000.00        | -                   | -                   | -                   | -                   | \$126,000.00         | -                      | \$891,000.00          |
| 1000 West Culinary (1700 S to Tank)                | \$50,000.00           |                    | \$70,000.00           |                     |                     |                     |                     | \$88,000.00         |                      |                        | \$208,000.00          |
| 700 South 2500 West                                | \$77,000.00           |                    | \$33,000.00           | \$262,000.00        |                     | \$126,000.00        | \$830,000.00        |                     |                      | \$150,000.00           | \$1,478,000.00        |
| 2400 West Road Project                             | \$218,000.00          |                    |                       |                     |                     |                     |                     |                     |                      |                        | \$218,000.00          |
| Marilyn Acres Culinary Phase I                     | \$38,000.00           |                    | \$95,000.00           |                     |                     |                     |                     |                     |                      |                        | \$133,000.00          |
| Marilyn Acres Culinary Phase II                    | \$123,000.00          |                    | \$417,000.00          | \$5,500.00          | \$80,000.00         |                     |                     |                     |                      |                        | \$625,500.00          |
| Trailside Road Widening                            | \$44,000.00           |                    | \$16,000.00           | \$8,000.00          | \$2,000.00          |                     | \$50,000.00         |                     |                      |                        | \$120,000.00          |
| Tranfser to Class C Roads - Various Projects       | \$410,000.00          |                    |                       |                     |                     |                     |                     |                     |                      |                        | \$410,000.00          |
| 1525 West Street Culinary                          | -                     | -                  | \$400,000.00          | -                   | -                   | -                   | -                   | -                   | -                    | -                      | \$400,000.00          |
| Doral Drive Road Project                           | \$310,000.00          | -                  | -                     | -                   | -                   | -                   | -                   | -                   | -                    | -                      | \$310,000.00          |
| Surface Treatments                                 | \$300,000.00          | -                  | -                     | -                   | -                   | -                   | -                   | -                   | -                    | -                      | \$300,000.00          |
| Silver Lakes Land Drain Upsize                     | -                     | -                  | -                     | -                   | \$78,000.00         | -                   | -                   | -                   | -                    | -                      | \$78,000.00           |
| 3000 West Enviornmental/30% Design                 | \$100,000.00          | -                  | -                     | -                   | -                   | -                   | -                   | -                   | -                    | -                      | \$100,000.00          |
| Widen east half of 3000 W. from 2495 S. to 2700 S. |                       |                    |                       |                     |                     |                     | \$105,000.00        |                     |                      |                        | \$105,000.00          |
| 2700 South Storm Drain Outfall                     |                       |                    |                       |                     |                     |                     |                     |                     |                      | \$100,000.00           | \$100,000.00          |
| 3000 West - new line from 2495 S to 2700 S         |                       |                    |                       |                     |                     |                     |                     |                     |                      | \$135,000.00           | \$135,000.00          |
| Sliplining                                         | -                     | -                  | -                     | -                   | -                   | \$300,000.00        | -                   | -                   | -                    | -                      | \$300,000.00          |
| Class C Ramps                                      | -                     | \$20,000.00        | -                     | -                   | -                   | -                   | -                   | -                   | -                    | -                      | \$20,000.00           |
| <b>Funding Source Total</b>                        | <b>\$1,715,000.00</b> | <b>\$20,000.00</b> | <b>\$1,461,000.00</b> | <b>\$565,500.00</b> | <b>\$160,000.00</b> | <b>\$426,000.00</b> | <b>\$985,000.00</b> | <b>\$88,000.00</b>  | <b>\$126,000.00</b>  | <b>\$385,000.00</b>    | <b>\$5,931,500.00</b> |



# COUNCIL AGENDA

October 22, 2013

Agenda Item #c Surplus Property Discussion.

### *Factual Summation*

- Police Chief Garret Atkin and Public Works Director Robert Whiteley have each compiled and attached a list of items that the City would like to dispose of. Staff will be present to review the list of items with the Governing Body as well as answer any question regarding this action.
- If the Governing Body is comfortable with moving forward with the disposal of the surplus items, a public hearing will be set for November 12 in order for the Council to formally vote on the matter.

### *Police Department Surplus Equipment*

The following equipment with description is proposed for surplus sale or disposal.

| Item                   | Make          | Model / Description                           | QTY | Color  |
|------------------------|---------------|-----------------------------------------------|-----|--------|
| Battery Charger        | Motorola      | 5 spot chargers for obsolete radios           | 4   | Black  |
| Battery Charger        | Mobile Vision | Mic charger for obsolete video system         | 1   | Black  |
| Black Box              | Motorola      | Miscellaneous parts for obsolete radio system | 2   | Black  |
| Christmas Tree Holder  |               | Damaged                                       | 1   | Green  |
| Computer Stand         |               | Does not fit current vehicles                 | 3   | Black  |
| Console Box            |               | Does not fit current vehicles                 | 3   | Black  |
| Cup Holder             |               | Does not fit current vehicles                 | 1   | Black  |
| Digital Box            |               | Recorder (Mobile)                             | 1   | Black  |
| Fuse Box Kit           |               | Does not fit current vehicles                 | 1   | Black  |
| Head Lights            |               | Does not fit current vehicles                 | 4   | Clear  |
| Light Bars (8inches)   |               | No LEDs                                       | 7   | Black  |
| Lighter Plug           |               | Obsolete equipment                            | 1   | Black  |
| Max Tree               | Motorola      | Holder for obsolete radios                    | 1   | Black  |
| Maxon                  |               | Obsolete radios                               | 3   | Black  |
| Lapel mic systems      | Motorola      | Obsolete equipment                            | 11  | Black  |
| Lapel mic systems      | Motorola      | Obsolete equipment                            | 1   | Metal  |
| Plastic Container (LG) |               | Large storage / No Lids                       | 3   | Black  |
| Power Supply           | Strobe        | Cigarette adapter                             | 1   | Silver |
| Radios                 | Motorola/Icom | Hand Held                                     | 7   | Black  |
| Radio Antenna          |               | Obsolete equipment                            | 9   | Silver |

|                             |        |                                           |   |       |
|-----------------------------|--------|-------------------------------------------|---|-------|
| Siren Kit                   |        | Obsolete equipment                        | 1 | Black |
| Vehicle                     | Toyota | Over 200K miles/Has been used a long time | 1 | White |
| Vehicle Antenna (w/7 wires) |        | Broken                                    | 1 | Black |
| Video Box                   |        | Obsolete equipment                        | 2 | Black |
| Vision System               | Mobile | Obsolete equipment                        | 1 | Black |

***Public Works Surplus Equipment***

- 1) 2007 Ditch Witch FX60 Vac Trailer



# COUNCIL AGENDA

October 22, 2013

## Agenda Item #2

Public Hearing – Proposed Ordinance 13-16 amending Chapter Nine, Title Three of the Syracuse City Code relative to Syracuse City Arts Council Appointments.

### *Factual Summation*

During the work session meeting of October 8, 2013, the Council expressed a desire to amend Section 3.09.020(B) of the Syracuse City Code to make the appointment procedure for the Syracuse City Arts Council less restrictive. Staff has drafted an ordinance and noticed a public hearing in order to allow the Council to formally make the desired change.

Any question regarding this agenda item may be directed at City Attorney Clint Drake.

**ORDINANCE NO. 13-16**

**AN ORDINANCE AMENDING CHAPTER NINE OF TITLE THREE OF THE SYRACUSE CITY CODE RELATIVE TO SYRACUSE CITY ARTS COUNCIL APPOINTMENT PROCEDURES.**

**WHEREAS**, Chapter Nine of Title Three of the Syracuse City Code provides rules and regulations for the Syracuse City Arts Council; and

**WHEREAS**, Section 3.09.020(B) provides a process for appointing or reappointing members to the Syracuse City Arts Council; and

**WHEREAS**, the Syracuse City Council desires to amend Section 3.09.020(B) in a manner that makes the appointment process less restrictive.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF SYRACUSE DAVIS COUNTY, STATE OF UTAH, AS FOLLOWS:**

**SECTION 1: Amendment.** Section 3.09.020 (B) of the Syracuse City Code is hereby amended as follows:

3.09.020(B) Terms of Office. The terms of office for the five (5) Board members, who are not a member of the Recreation Department, shall be for five (5) years. These members' terms shall be staggered so that no more than one (1) member's term expires at the same time. The terms of office for at-large and ex-officio members shall be five (5) years from the date of appointment. The term of office for the Recreation Department staff designated as a member of the Board shall be as determined by the Department Director. Appointments to the Board shall be made no later than the first City Council meeting in July of each year. **In circumstances where appointments are not made prior to the first City Council meeting in July of each year, said appointments shall be made as soon as reasonably possible thereafter.**

**SECTION 2: Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**SECTION 3: Effective Date.** This Ordinance shall become effective immediately upon publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 22<sup>nd</sup> DAY OF OCTOBER 2013.**

**SYRACUSE CITY**

ATTEST:

\_\_\_\_\_  
Cassie Z. Brown, City Recorder

\_\_\_\_\_  
Mayor Jamie Nagle

Voting by the City Council:

|                          | “AYE” | “NAY” |
|--------------------------|-------|-------|
| Councilmember Peterson   | _____ | _____ |
| Councilmember Lisonbee   | _____ | _____ |
| Councilmember Duncan     | _____ | _____ |
| Councilmember Johnson    | _____ | _____ |
| Councilmember Shingleton | _____ | _____ |



# COUNCIL AGENDA

October 22, 2013

Agenda Item “f” Title VIII & X Amendments-Various

## ***Factual Summation***

Please see the attached:

- a. Proposed Ordinance 13-15, amendment to Title VIII & X
- b. Redline Title VIII
- c. Redline Title X

Any question regarding this agenda item may be directed at Sherrie Christensen, Community & Economic Development Director.

## **Background**

The Planning Commission has been reviewing the Cluster Subdivision Ordinance for the past few months in order to clarify open space requirements, provide further clarification on minimum lot standards, and refine the requirements for density bonus.

Staff has identified various minor code changes to Title VIII and Title X in the administration of the code that will alleviate confusion, provide clarification and streamline processes.

The Planning Commission held a public hearing on the proposed amendments on September 17, 2013. At a public meeting that same night the Planning Commission recommended to the City Council the adoption of the proposed amendments.

## **Summary of Amendments**

|                   |                                                                                                                                                                        |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 8.02.020  | Provides for the City Engineer to approve installation of infrastructure prior to recording final plat, changes inspection from Building Official to City Engineer.    |
| Section 8.04.010  | Specifies number of copies to be provided                                                                                                                              |
| Section 8.05.010  | Specifies number of copies to be provided                                                                                                                              |
| Section 8.06.030  | Specifies number of copies to be provided, clarifies the procedure to record final plat to conform with current procedures, specify when a final plat approval expires |
| Section 10.02.040 | Define cluster subdivision-currently 5 acres in Chapter 2 and 10 acres in Chapter 16                                                                                   |

|                       |                                                                                                                                                |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 10.04.090(D)1 | Add provision for landscape architect signature                                                                                                |
| Table 1, Chapter 4    | Change public hearing notice to 10 days for plat amendments, consistent with other public hearing notice requirements                          |
| Section 10.06.060     | Clarify maximum height of fences in front setback, current language is subjective and unenforceable.                                           |
| Section 10.08.030     | All the Planning Commission to permit parking in front of a building in Multi-family, Industrial, or Commercial uses.                          |
| Chapter 9             | Change heading to reflect chapter content                                                                                                      |
| Section 10.16.020(C)  | Correct grammar error                                                                                                                          |
| Section 10.16.020(E)  | Add minimum lot standards for single family lots                                                                                               |
| Section 10.16.020(G)  | Clarify where measurement is taken                                                                                                             |
| Section 10.16.020(H)  | Specify open space shall be provided for all residents of subdivision                                                                          |
| Section 10.16.020(I)  | Specify that HOA be professionally managed                                                                                                     |
| Section 10.16.040     | Clarify required and optional elements to qualify for bonus density, remove inconsistent language, add optional moderate income housing bonus. |
| Section 10.16.070(A)  | Remove the word “generally”                                                                                                                    |
| Section 10.16.070(E)  | Add professionally managed HOA                                                                                                                 |
| Section 10.16.070(F)  | Require developer to fund HOA for 3 years and pay dues for lots when owning less than 40% of the lots                                          |
| Section 10.25.020     | Require sensitive lands documents with application for preliminary plat                                                                        |
| Section 10.26.080     | Allow a reduction in cell tower setback, provided an equivalent fall zone easement is obtained from adjacent property                          |

**Recommendation for City Council Approval of Ordinance 13-15, Various Sections of Title VIII and Title X**

The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 13-15, Amending Title VIII & Title X.

**ORDINANCE NO. 13-15**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE VIII & TITLE X OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING LAND USE.**

**WHEREAS**, due to the pace of growth in the City there are from time to time small proposed changes to various City ordinances that are warranted; and

**WHEREAS**, these small proposed changes come to the attention of the Planning Commission through varied means including but not limited to questions, concerns or complaints from the general public and or from developers that are seeking clarification on the language in the City code; and

**WHEREAS**, the Planning Commission takes each question or concern under consideration and addresses it on case-by-case basis in a fair and judicious manner paying specific attention to the reasonableness and legality of the request as well as the reasonableness and legality of the City's own ordinances; and

**WHEREAS**, after such consideration Planning Commission will either support and sustain current ordinances as adopted or in other cases have staff research and address each proposed change and put forth amendments to existing ordinances; and

**WHEREAS**, the Planning Commission now hereby wishes to amend various sections of Title VIII & Title X to address such proposed changes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1. Amendment.** The following sections of Syracuse City Municipal Code are hereby amended as follows:

Section 8.02.020

3. Construction and inspection. No construction of public improvements shall proceed until the final plat has been approved by the City Council and filed for record in the office of the County Recorder, except that the City Engineer may conditionally approve the installation of off-site improvements as described in Section 8.07.030(D)(1). All public improvements shall commence within six (6) months and be completed within one (1) year of the date the final plat was approved, and the City Engineer, or designee, shall inspect the construction as it proceeds. A construction punch list shall be made up by the City Engineer, or designee indicating the items missed or needing correction prior to acceptance of the improvements by the City, and all required replacements or repairs shall be completed by the subdivider, at his expense, prior to acceptance by the City.
4. As Built Drawings. At the completion of construction, or at the end of one year, whichever comes first, the City Engineer, or designee, shall make an inspection of all improvements and inform the Subdivider and City Administrator of the results of the

inspection. At the completion of construction, the subdivider shall call for inspection by the City Engineer, or designee and said inspection shall be made within ten (10) days of the request thereof. The subdivider shall provide the City with record drawings accurately defining for permanent record the surface improvements and underground utilities as they were actually constructed and shall provide one mylar copy, which indicates any changes from the original approved final drawings. All sewer and land drain manhole flow lines shall be verified. (Ord. 13-02)

5. Inspection. All construction work involving the installation of improvements in subdivisions shall be subject to inspection by the City Engineer, or designee. Certain types of construction shall have continuous inspection, while others shall have periodic inspections. The City may request the services of the Special Inspectors or testing firms to assist in inspection if it is deemed necessary.

**8.04.010:Procedures and Requirements for Submission** Submit four (4) standard 22" x 34" copies, one (1) reduced to 11" x 17" (1/2 scale) copy plus one (1) PDF copy of a Sketch Plan to the Planning commission for review and discussion of plan and general scope and conditions. The Plan must be submitted at least two weeks prior to the next regularly scheduled meeting of the Planning Commission and shall include the following items:

### **8.05.010 Preliminary Plat**

The Preliminary Plat shall comply with the following requirements:

1.Submission Requirement: Submit Four (4) standard 22" x 34" copies (see standard drawing #1), One (1) reduced to 11" x 17" (1/2 scale) copy, plus one (1) pdf copy of the preliminary plat, plan and profile sheets to the Planning Commission for review at least two weeks prior to the next regularly scheduled meeting of the Planning Commission. The Planning Commission may, if said copies are not so submitted beforehand, postpone its consideration thereof until its next regularly scheduled meeting.

### **8.06.030 Final Approval**

1. Submittal: Submit Four (4) standard 22" x 34" copy of plat and plan & profile sheets, one (1) copy of each reduced to 11" x 17" (1/2 scale), plus one pdf copy to the city, together with a cost estimate of off-site improvements and storm drain calculations.
2. Engineer Review: City Engineer will review submitted documents and transmit his conclusions and recommendations to the Planning Commission, including cost estimate for off-site improvements required by City ordinance.
3. Approval: Upon receipt of the approved plans from the City Engineer the Planning Commission shall forward to the City Council their recommendation to either approve or reject the final plat or shall table action for the next regular meeting or until the specified deficiency has been corrected..

If the Planning Commission does not approve the Final Plat, disapproval shall be indicated by written notice stating the reasons for disapproval, in which case the decision can be appealed to the City Council whose decision will be final.

Approval of final plats by the City Council will extend for a period of (12) twelve months. If work or subsequent action by the subdivider to proceed with offsite construction does not occur within the

(12) twelve month period following initial approval, the plat and construction drawings must be re-submitted and become subject to re-approval under the latest City ordinances and specifications. (1999) (Ord. 13-02)

4. Construction of off-site Improvements: No construction of off-site improvements shall commence until the subdivider has completed a preconstruction meeting with the city planning, engineering, and public works departments, at which time a review of construction project and expectations of the city will be discussed. Such conference shall be scheduled with the city and all affected utility companies will be invited to attend. (Ord. 13-02)
5. Approval to Record Subdivision: Before any subdivision plat will be recorded, the subdivider shall furnish a corporate surety bond or cash escrow in amount as finally determined by the City Engineer to secure the performance of the public improvements in a workmanlike manner and according to specifications established by the Syracuse City Subdivision Standards {See Section 8.02.020}. Some of the public improvements are as follows:
  - a. Paving of streets
  - b. Curb, gutter and sidewalks
  - c. Sewer and water lines, including irrigation lines
  - d. Storm and subsurface drainage
  - e. Street signs, monuments, lighting, fences and street trees
  - f. Removal or relocation of any easements which may affect the use of the dedicated streets by the City.
  - g. Utility development connection fees
6. Recording. Once final plat approval has been obtained the developer shall submit a 22"X 34" mylar of the Final Plat to the City engineer. If all documents, submittals, and payment of fees are in order, the City Engineer will sign the mylar indicating approval of the subdivision. Complete submittal shall include the following:
  - a. Development Agreements,
  - b. Escrow Agreement
  - c. Title Report
  - d. Street Light Agreement,
  - e. Off-Site Improvement Agreement,
  - f. Water Share Certificate,
  - g. Storm Water Activity Permit,
  - h. Stormwater Maintenance Agreement
  - i. Payment of all required development and inspection fees,
  - j. Approved construction drawings or as-built drawings,
  - k. Surety and Improvement Guarantee,
  - l. Easements and any other documents deemed necessary by the City Engineer or conditioned for approval by the Planning Commission or City Council.

After approval and signature of the Final Plat, the City Engineer shall submit the plat to the Community Development Director, or designee, who shall obtain the signatures of the City Attorney, Planning Commission Chair, and Mayor. The Final Plat, bearing all official signatures as

above required, shall be deposited in the office of the City Recorder, who shall cause the plat to be recorded in the office of the County Recorder. Final plats not recorded within twelve (12) months of final approval, shall be deemed null and void. No plat shall be recorded in the office of the County Recorder until the plat is approved and signed. Lots included in such plat shall not be sold or exchanged, and no offer shall be made to sell or exchange any such lots unless and until the plat is recorded. (1997)

Section 10.02.040 Definitions

CLUSTER SUBDIVISION: A subdivision approved by the City, as allowed within a particular zone, which meets all the requirements of Chapter 16 of this Title with other standards as determined by the City Council by means of a development agreement.

Section 10.04.090(D)1

(h) Each sheet shall be signed and stamped by a Professional Engineer or Professional Landscape Architect, as applicable. (Ord. 08-11) (Ord. 09-09)

Table 1 of Chapter 4

|                                              |      |                                                                       |              |                                                                       |
|----------------------------------------------|------|-----------------------------------------------------------------------|--------------|-----------------------------------------------------------------------|
| Vacations or amendments of Subdivision Plats | None | Planning Commission (public hearing and ten [10]-day notice required) | City Council | District Court (thirty [30] days from decision by Land Use Authority) |
|----------------------------------------------|------|-----------------------------------------------------------------------|--------------|-----------------------------------------------------------------------|

Section 10.06.060 Miscellaneous Requirements and Provisions

(A) Height of Fences, Walls, and Hedges in Residential Zones. Property owners may erect fences, walls, and hedges to the permitted building height in the zone in which they are located provided they are not within any required yard space. Fences, walls, or hedges in any required side and rear yard shall not exceed six (6) feet in height. Fences within the required front yard setback or side street setback shall not exceed three (3) feet in height and shall comply with the requirements of Section 10-6-060(B). Where a retaining wall is reasonable and necessary, located on the line separating lots, such retaining wall may include a fence, wall, or hedge on top to the same height that would otherwise be permitted if no retaining wall existed. (Ord. 08-07)

Section 10.08.030 General Provisions

(C) Prohibited Locations. It shall be unlawful to park a motor vehicle, trailer, or boat in a front yard area, as defined in Section 10-2-040, on any residential property or on areas not improved for parking. No one shall develop any portion of a front yard, as required in this Title, as a public parking area in conjunction with a permitted multi-family, commercial, or industrial use without approval by the Planning Commission at site plan review. No one shall pave or improve any portion of a required front yard, other than approved parking and driveways leading directly to or adjacent to a garage, so as to encourage or make possible the parking of vehicles therein. Residents may use paved driveways leading directly to or adjacent to a garage as an approved parking area for additional vehicles to meet the requirements of this Chapter. (Ord. 09-10)

Chapter 9  
SIGN REGULATIONS

**10-16-020: DEVELOPMENT REQUIREMENTS**

- (C) The Land Use Authority shall require that the arrangement of structures and open spaces be developed in such a manner as to prevent any adverse effects on adjacent properties.
- (E) Approval of the development plan shall determine lot area, lot width, setbacks, and lot coverage regulations for multi-family structures, with a minimum separation of sixteen (16) feet between structures.  
 Single family detached lots shall have the following minimum lot standards:
  - 1. Lot Area           6,000 sq. ft.
  - 2. Lot Width         60 feet
  - 3. Setbacks:
    - a. Front             15 feet
    - b. Garage           20 feet
    - c. Side              8 feet (both sides)
    - d. Rear              20 feet
- (G) A clear area, thirty (30) feet wide measured from back of curb, shall be maintained along both sides of all streets in a Cluster Subdivision for the location of utilities.
- (H) Every Cluster Subdivision shall provide open space within the development. Such required open space shall not include streets, driveways, common space, or parking areas, but shall be totally landscaped or utilized as agricultural or recreation areas. Non-Agriculture and non-wetlands preserve open space shall be developed for the enjoyment and use of all residents of the development and/or the public.
- (I) The developer shall landscape all common space around or adjacent to building lots, and a lawfully organized and professionally managed home owners' association shall maintain said common space from the onset.

**10-16-040: BONUS DENSITY INCENTIVES**

- (A) Bonus Density. The City shall consider additional units per acre for a development that complies with the Bonus Density Requirements. In no case shall the bonus density exceed the maximum allowed for the zone. To calculate the bonus density, add the incentive density to the standard density permitted in the proposed location. The awarded incentives are shown below: (Ord. 08-07)

| <b>ZONE DENSITY</b> | <b>INCENTIVE DENSITY</b> | <b>STANDARD DENSITY</b> | <b>MAXIMUM DENSITY</b> |
|---------------------|--------------------------|-------------------------|------------------------|
| <b>A-1</b>          | <b>2.0</b>               | <b>0.5</b>              | <b>2.5</b>             |
| <b>R-1</b>          | <b>1.85</b>              | <b>2.9</b>              | <b>4.75</b>            |

(Ord. 11-13)

- (B) Bonus Density Calculations. For a permitted project to develop with a density greater than the zone allows, the density incentives must at a minimum contain items 1-4 as outlined below: (Ord. 08-07)

|    |                                                                                                                                                                                                                   |              |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| 1. | <b>Open Space Preservation</b>                                                                                                                                                                                    | <b>Bonus</b> |
|    | <b>A-1 Zone</b><br><i>Fifty (50) percent of the developed land</i>                                                                                                                                                | <b>.80</b>   |
|    | <b>R-1 Zone</b><br><i>Twenty-five (25) percent of the developed land</i>                                                                                                                                          | <b>.65</b>   |
| 2. | <b>Building Design Standards</b><br><i>The placement of restrictive covenants within the subdivision that facilitate superior design elements.</i>                                                                | <b>.40</b>   |
| 3. | <b>Landscaping of Park Strips</b><br><i>Planting approved trees species (min two- [2]" inch Caliper) every fifty (50) feet in park strips together with moving the sidewalk four (4) feet closer to the homes</i> | <b>.20</b>   |
| 4. | <b>Amenities to Open Space</b><br><i>The funding and placement of approved amenities to open space or common areas</i>                                                                                            | <b>.25</b>   |
| 5. | <b>Moderate Income Housing</b><br><i>Provision of five (5%) percent of dwellings dedicated to moderate income housing.</i>                                                                                        | <b>.10</b>   |
| 6. | <b>Landscaped Entrance Ways</b><br><i>The development of entranceways to the subdivision development including subdivision identification signs</i>                                                               | <b>.15</b>   |
| 7. | <b>Trail System/Walking Paths</b><br><i>Development of walking paths connecting to the City's trail system</i>                                                                                                    | <b>.10</b>   |

- (C) Development of open or common space shall comply with the following standards:
2. Open Space. Property designated as open space on the landscaping plan shall be for the full use and enjoyment of all the residents of the development or community at large. The developer shall develop and improve open space that is not in the ownership of the City or maintain it for agricultural use or grazing. The developer must complete the open space landscaping prior to approval of the next consecutive phase of subdivision development, or within negotiated phasing per the development agreement. Open space that is designated for agricultural use is required to have a recorded perpetual conservation easement.

**10-16-070: DEVELOPMENT PLAN AND AGREEMENT REQUIREMENTS.** (Added by Ord. 11-13)

- (A) Subdivision Ordinance requirements shall apply to Cluster Subdivisions except where negotiated within the development agreement. The developer shall submit a residential development plan of all project phases for City consideration and approval and shall integrate the proposed development plan into a development agreement between the developer and City. The development agreement shall undergo an administrative review process to ensure compliance with adopted City ordinances and standards with approval by the City Council. The subdivider shall develop the property in accordance with the development agreement and current City ordinances, including the development requirements as identified within this Chapter, in effect on the approval date of the agreement, together with the requirements set forth in the agreement, except when Federal, State, County, and/or City laws and regulations, promulgated to protect the public's health, safety, and welfare, require future modifications under circumstances constituting a rational public interest. The Land Use Authority shall use the submitted development plan and agreement with the design amenities and unique development features and merits of the development to

determine overall development dwelling-unit density up to a maximum as determined by the bonus density calculations. (Ord. 11-13)

- (E) A Cluster Subdivision community shall be of sufficient size, composition, and arrangement to enable its feasible development as a complete unit, professionally managed by a legally-established owners' association and governed by enforceable, duly recorded CC&Rs. (Ord. 11-13)
- (F) Developer shall prepare a budget for the Home Owner's Association operation and facilities maintenance. Developer shall establish a dedicated operating fund for the collection of home owner dues and shall provide funding for said maintenance for the first three (3) year's operating expenses of the home owner's association or until developer owns less than 40% of the lots. When the developer owns less than 40% of the lots, developer shall pay dues on his remaining lots in accordance with the CC&R's and fee schedule adopted by the Home Owner's Association. The CC&R's will provide in the budget a depreciation estimate and provide for the collection of fees sufficient to meet the depreciation of infrastructure under control of the Home Owner's Association

Chapter 25 (Sensitive Lands Overlay)

**10-25-020: PRELIMINARY REQUIREMENTS.** Any proposed development within this Zone as identified shall include the following items with a completed application and plans for preliminary plat or site plan approval:

- (A) Wetland delineation approved by the Army Corps of Engineers of all the property within the ownership or control of the developer within the proposed development area.
- (B) A detailed soil analysis, completed by a licensed geotechnical engineer that includes soil types and conditions as well as ground-water level test results, monitored for not less than six (6) months.
- (C) A geotechnical engineered plan for construction and installation of all off-site improvements including, but not limited to, ground and road stabilization as well as design standards for all structure development within the overlay zone.
- (D) Proposed method of routing irrigation or drainage water that is currently being collected from the property.
- (E) Proposed lot drainage plan as required by Section 10-25-040.

Section 10.26.080

(C) Monopoles with no platform.

1. Maximum Height and Width. The maximum height of the monopole antenna shall be seventy-five (75) feet, although the approving body may allow an antenna or antenna-support structure up to one hundred ten (110) feet in height if the applicant demonstrates to the satisfaction of the approving body that the additional height is necessary to obtain coverage or allow co-location and that the applicant has taken steps to mitigate adverse effects on the surrounding neighborhood. The entire antenna structure mounted on the monopole shall not exceed three (3) feet in width. The antenna itself shall not exceed ten (10) feet in height.
2. Setback. Monopoles shall be set back a minimum one hundred ten (110) percent of the height of the monopole from any lot line, measured from the base of the monopole to the nearest residential lot line. Exceptions to this setback requirement may be approved by the Planning Commission conditioned upon the acquisition of an equivalent fall zone easement on the adjacent property. Under no circumstances shall residential structures or otherwise occupied structures be permitted within the fall zone easement. Construction of non-occupied accessory structures may be permitted within the easement at the sole risk of the property owner.

(D) Monopoles with Platform.

1. Maximum Height and Width. The maximum height of the monopole antenna shall be seventy-five (75) feet, although the approving body may allow an antenna or antenna-support structure up to one hundred ten (110) feet in height if the applicant demonstrates to the satisfaction of the approving body that the additional height is necessary to obtain coverage or allow co-location and that the applicant has taken steps to mitigate adverse effects on the surrounding neighborhood. The antennas and antenna-mounting structures on the monopole shall not exceed eight (8) feet in height or fifteen (15) feet in width. The antenna itself shall not exceed ten (10) feet in height.

2. Setback. Monopoles shall be set back a minimum one hundred ten (110) percent of the height of the monopole from any lot line, measured from the base of the monopole to the nearest residential lot line. Exceptions to this setback requirement may be approved by the Planning Commission conditioned upon the acquisition of an equivalent fall zone easement on the adjacent property. Under no circumstances shall residential or otherwise occupied structures be permitted within the fall zone easement. Construction of non-occupied accessory structures may be permitted within the easement at the sole risk of the property owner.

**Section 2. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**Section 3. Effective Date.** This Ordinance shall become effective immediately after publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 22<sup>nd</sup> DAY OF October, 2013.**

**SYRACUSE CITY**

ATTEST:

\_\_\_\_\_  
Cassie Z. Brown, City Recorder

\_\_\_\_\_  
Mayor Jamie Nagle

Voting by the City Council:

|                          | "AYE" | "NAY" |
|--------------------------|-------|-------|
| Councilmember Peterson   | _____ | _____ |
| Councilmember Lisonbee   | _____ | _____ |
| Councilmember Duncan     | _____ | _____ |
| Councilmember Johnson    | _____ | _____ |
| Councilmember Shingleton | _____ | _____ |

## Proposed Title 8 amendments

### Section 8.02.020

3. Construction and inspection. No construction of public improvements shall proceed until the final plat has been approved by the City Council and filed for record in the office of the County Recorder, except that the City ~~Engineer Council~~ may conditionally approve the installation of off-site improvements as described in Section 8.0-7.0-30(D)(1). All public improvements shall commence within six (6) months and be completed within one (1) year of the date the final plat was approved, and the ~~City Engineer, or designee, Building Official~~ shall inspect the construction as it proceeds. A construction punch list shall be made up by the ~~City Engineer, or designee, Building Official~~ indicating the items missed or needing correction prior to acceptance of the improvements by the ~~City Building Official~~, and all required replacements or repairs shall be completed by the subdivider, at his expense, prior to acceptance by the City.
4. As Built Drawings. At the completion of construction, or at the end of one year, whichever comes first, the ~~City Engineer, or designee, Building Official~~ shall make an inspection of all improvements and inform the Subdivider and City Administrator of the results of the inspection. At the completion of construction, the subdivider shall call for inspection by the ~~City Engineer, or designee, Building Official~~ and said inspection shall be made within ten (10) days of the request thereof. The subdivider shall provide the City with record drawings accurately defining for permanent record the surface improvements and underground utilities as they were actually constructed and shall provide one mylar copy, which indicates any changes from the original approved final drawings. All sewer and land drain manhole flow lines shall be verified. (Ord. 13-02)
5. Inspection. All construction work involving the installation of improvements in subdivisions shall be subject to inspection by the ~~City Engineer, or designee, Building Official~~. Certain types of construction shall have continuous inspection, while others shall have periodic inspections. The City may request the services of the Special Inspectors or testing firms ~~City Engineer~~ to assist in inspection if it is deemed necessary.

(Sketch plat)

**8.04.010: Procedures and Requirements for Submission** Submit ~~four (4) one (1)~~ standard 22" x 34" ~~copy~~ copies, ~~plus one (1)~~ plus one (1) reduced to 11" x 17" (1/2 scale) copy plus one (1) PDF copies-copy of a Sketch Plan to the Planning commission for review and discussion of plan and general scope and conditions. The Plan must be submitted at least two weeks prior to the next regularly scheduled meeting of the Planning Commission and shall include the following items:

### 8.05.010 Preliminary Plat

The Preliminary Plat shall comply with the following requirements:

1. Submission Requirement: Submit Four (4) standard 22" x 34" copies (see standard drawing #1), ~~plus One (1)~~ reduced to 11" x 17" (1/2 scale) copy, plus one (1) pdf copy of the preliminary plat, plan and profile sheets to the Planning Commission for review at least two weeks prior to the next regularly scheduled meeting of the Planning Commission. The

Planning Commission may, if said copies are not so submitted beforehand, postpone its consideration thereof until its next regularly scheduled meeting.

### 8.06.030 Final Approval

1. 4-Submittal: Submit Four (4) ~~one (1)~~ standard 22" x 34" copy of plat and plan & profile sheets, ~~plus one (1) copy of each reduced to 11" x 17" (1/2 scale),~~ plus one pdf copy to the city, ~~Submit three (3) standard 22" X 34" copies of plat and plan & profile sheet,~~ together with a cost estimate of off-site improvements and, ~~storm drain calculations.~~
2. Engineer Review: City Engineer will review submitted documents and transmit his conclusions and recommendations to the Planning Commission, including cost estimate for off-site improvements required by City ordinance. ~~If documents are in order, City Engineer will sign the mylar indicating his approval of the subdivision. After approval and signature of the Final Plat, the City Engineer shall submit the plat, along with his comments of review and approval to the Planning Commission.~~
3. Approval: Upon receipt of the approved plans from the City Engineer the Planning Commission shall forward to the City Council their recommendation to either approve or, reject the final plat, or shall table action for the next regular meeting or until the specified deficiency has been corrected. the Final Plat. ~~If the final plat is approved, the Planning Commission Chairman shall sign the plat and forward it to the City Council for approval and signature, which action shall be taken in a regularly scheduled meeting of the City Council.~~

If the Planning Commission does not approve the Final Plat, disapproval shall be indicated by written notice stating the reasons for disapproval, in which case the decision can be appealed to the City Council whose decision will be final.

Approval of final plats by the City Council will extend for a period of (~~€12~~) six-twelve months. If work or subsequent action by the subdivider to proceed with offsite construction does not occur within the (~~€12~~) six-twelve month period following initial approval, the plat and construction drawings must be re-submitted and become subject to re-approval under the latest City ordinances and specifications. (1999) (Ord. 13-02)

4. Construction of off-site Improvements: No construction of off-site improvements shall commence until the subdivider has completed a pre-construction meeting with the city planning, engineering, and public works ~~building~~ departments, at which time a review of construction project and expectations of the city will be discussed. Such conference shall be scheduled with the city and all affected utility companies will be invited to attend. (Ord. 13-02)
5. Approval to Record Subdivision: Before any subdivision plat will be recorded, the subdivider shall furnish a corporate surety bond or cash escrow in amount as finally determined by the City Engineer to secure the performance of the public improvements in a workmanlike manner and according to specifications established by the Syracuse City Subdivision Standards {See Section 8.02.020-2-3}. Some of the public improvements are as follows:
  - a. Paving of streets
  - b. Curb, gutter and sidewalks
  - c. Sewer and water lines, including irrigation lines
  - d. Storm and subsurface drainage

- e. Street signs, monuments, lighting, fences and street trees
  - f. Removal or relocation of any easements which may affect the use of the dedicated streets by the City.
  - g. Utility development connection fees
6. Recording. Once final plat approval has been obtained the developer shall submit a 1922"X 3034" mylar of the Final Plat to the City engineer. If all documents, submittals, and payment of fees are in order, the City Engineer will sign the mylar indicating approval of the subdivision. Complete submittal shall include the following:
- a. Development Agreements,
  - b. Escrow Agreement
  - c. Title Report
  - d. Street Light Agreement,
  - e. Off-Site Improvement Agreement,
  - f. Water Share Certificate,
  - g. Storm Water Activity Permit,
  - h. Stormwater Maintenance Agreement
  - i. Payment of all required development and inspection fees.
  - j. -Approved construction drawings or as-built drawings,
  - k. Surety and Improvement Guarantee,
  - a.l. Easements and any other documents deemed necessary by the City Engineer or conditioned for approval by the Planning Commission or City Council.

After approval and signature of the Final Plat, the City Engineer shall submit the plat to the Community Development Director, or designee, who shall obtain the signatures of the City Attorney, Planning Commission Chair, and Mayor. The Final Plat, bearing all official signatures as above required, shall be deposited in the office of the City Recorder, who shall cause the plat to be recorded in the office of the County Recorder. Final plats not recorded within twelve (12) months of final approval, shall be deemed null and void. No plat shall be recorded in the office of the County Recorder until the plat is approved and signed. ~~and~~ Lots included in such plat shall not be sold or exchanged, and no offer shall be made to sell or exchange any such lots unless and until the plat is ~~so approved, and signed and~~ recorded. (1997)

**Title 10-Proposed Amendments**

Section 10.02.040 Definitions

CLUSTER SUBDIVISION: A subdivision approved by the City, as allowed within a particular zone, which meets all the requirements of Chapter 16 of this Title with other standards as determined by the City Council by means of a development agreement. ~~Homes grouped together on at least five (5) acres of land, exempt from the minimum lot size requirements of a regular subdivision, grouped in a manner that allows for common open space at the same density allowed by zone.~~

Section 10.04.090(D)1

(h) Each sheet shall be signed and stamped by a Professional Engineer or Professional Landscape Architect, as applicable. (Ord. 08-11) (Ord. 09-09)

Table 1 of Chapter 4

|                                              |      |                                                                                                      |              |                                                                       |
|----------------------------------------------|------|------------------------------------------------------------------------------------------------------|--------------|-----------------------------------------------------------------------|
| Vacations or amendments of Subdivision Plats | None | Planning Commission (public hearing and <del>fifteen</del> <u>ten [10]</u> [15]-day notice required) | City Council | District Court (thirty [30] days from decision by Land Use Authority) |
|----------------------------------------------|------|------------------------------------------------------------------------------------------------------|--------------|-----------------------------------------------------------------------|

Section 10.06.060 Miscellaneous Requirements and Provisions

(A) Height of Fences, Walls, and Hedges in Residential Zones. Property owners may erect fences, walls, and hedges to the permitted building height in the zone in which they are located provided they are not within any required yard space. Fences, walls, or hedges in any required side and rear yard shall not exceed six (6) feet in height. Fences within the required front yard setback or side street setback shall not exceed three (3) feet in height nor impede visibility of sidewalks and streets from adjacent driveways and shall comply with the requirements of Section 10-6-060(B). Where a retaining wall is reasonable and necessary, located on the line separating lots, such retaining wall may include a fence, wall, or hedge on top to the same height that would otherwise be permitted if no retaining wall existed. (Ord. 08-07)

Section 10.08.030 General Provisions (Parking)

(C) Prohibited Locations. It shall be unlawful to park a motor vehicle, trailer, or boat in a front yard area, as defined in Section 10-2-040, on any residential property or on areas not improved for parking. No one shall develop any portion of a front yard, as required in this Title, as a public parking area in conjunction with a permitted multi-family, commercial, or industrial use without approval by the Planning Commission at site plan review. No one shall pave or improve any portion of a required front yard, other than

approved parking and driveways leading directly to or adjacent to a garage, so as to encourage or make possible the parking of vehicles therein. Residents may use paved driveways leading directly to or adjacent to a garage as an approved parking area for additional vehicles to meet the requirements of this Chapter. (Ord. 09-10)

Chapter 9

SIGN AND ~~LIGHTING~~ REGULATIONS

**10-16-020:DEVELOPMENT REQUIREMENTS**

- ~~\_(C)~~ The Land Use Authority shall require that the arrangement of structures and open spaces be developed in such a manner as to prevent any adverse ~~affects~~ effects on adjacent properties.
- ~~\_(E)~~ Approval of the development plan shall determine lot area, lot width, setbacks, and lot coverage regulations for multi-family structures, with a minimum separation of sixteen (16) feet between structures.

Single family detached lots shall have the following minimum lot standards:

- 1. Lot Area            6,000 sq. ft.
- 2. Lot Width           60 feet
- 3. Setbacks:
  - a. Front                15 feet
  - b. Garage              20 feet
  - c. Side                 8 feet (both sides)
  - d. Rear                 20 feet

- (G) A clear area, thirty (30) feet wide measured from back of curb, shall be maintained along both sides of all streets in a Cluster Subdivision for the location of utilities.
- (H) Every Cluster Subdivision shall provide open space within the development. Such required open space shall not include streets, driveways, common space, or parking areas, but shall be totally landscaped or utilized as agricultural or recreation areas. Non-Agriculture and non-wetlands preserve open space shall be developed for the enjoyment and use of all residents of the development and/or the public.
- (I) The developer shall landscape all common space around or adjacent to building lots, and a lawfully organized and ~~fully functional~~ professionally

professionally managed home owners' association shall maintain said common space from the onset.

**10-16-040: BONUS DENSITY INCENTIVES**

(A) Bonus Density. The City shall consider additional units per acre for a development that complies with the Bonus Density Requirements. In no case shall the bonus density exceed the maximum allowed for the zone. To calculate the bonus density, add the incentive density to the standard density permitted in the proposed location. The awarded incentives are shown below: (Ord. 08-07)

| ZONE DENSITY | INCENTIVE DENSITY | STANDARD DENSITY | MAXIMUM DENSITY |
|--------------|-------------------|------------------|-----------------|
| A-1          | 2.0               | 0.5              | 2.5             |
| R-1          | 1.85              | 2.9              | 4.75            |

(Ord. 11-13)

(B) Bonus Density Calculations. For a permitted project to develop with a density greater than the zone allows, the density incentives must accrue in numerical order at a minimum contain items 1-4 as outlined below: (Ord. 08-07)

|                         |                                                                                                                                                                                                                                                                                                                                | Bonus                     |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 1.                      | <b>Open Space Preservation</b>                                                                                                                                                                                                                                                                                                 |                           |
|                         | <b>A-1 Zone</b><br><i>Fifty (50) percent of the developed land</i>                                                                                                                                                                                                                                                             | <b>.80</b>                |
|                         | <b>R-1 Zone</b><br><i>Twenty-five (25) percent of the developed land</i>                                                                                                                                                                                                                                                       | <b>.65</b>                |
| 2.                      | <b>Building Design Standards</b><br><i>The placement of restrictive covenants within the subdivision requiring a minimum seventy (70) percent brick or rock on exterior finishes for homes within the development and the construction of front porches that accommodate seating that facilitate superior design elements.</i> | <b><del>.35</del> .40</b> |
| 3.                      | <b>Landscaping of Park Strips</b><br><i>Planting approved trees species (min two- [2]" inch Caliper) every fifty (50) feet in park strips together with moving the sidewalk four (4) feet closer to the homes or by using serpentine sidewalks in a fashion to "meander" through the park strip and front yard areas</i>       | <b>.20</b>                |
| <u>4.</u>               | <b>Amenities to Open Space</b><br><i>The funding and placement of approved amenities to open space or common areas</i>                                                                                                                                                                                                         | <b><u>.25</u></b>         |
| <del>4.</del> <u>5.</u> | <del>Home Owners Association</del> <b>Moderate Income Housing</b><br><i>Creating a Home Owners Association to maintain landscaped entrance ways and common space. Provision of five (5%) percent of dwellings dedicated to moderate income housing.</i>                                                                        | <b><del>.30</del> .10</b> |
| <del>5.</del> <u>6.</u> | <b>Landscaped Entrance Ways</b><br><i>The development of entranceways to the subdivision development including subdivision identification signs</i>                                                                                                                                                                            | <b>.15</b>                |
| <del>6.</del> <u>7.</u> | <del>Amenities to Open Space</del><br><i>The funding and placement of approved amenities to open space or common areas</i>                                                                                                                                                                                                     | <b><del>.10</del></b>     |
| <u>7.</u>               | <b>Trail System/Walking Paths</b><br><i>Development of walking paths connecting to the City's trail system</i>                                                                                                                                                                                                                 | <b>.10</b>                |

- (C) Development of open or common space shall comply with the following standards:
2. Open Space. Property designated as open space on the landscaping plan shall be for the full use and enjoyment of all the residents of the development or community at large. The developer shall develop and improve open space that is not in the ownership of the City or maintain it for agricultural use or grazing. The developer must complete the open space landscaping prior to approval of the next consecutive phase of subdivision development, or within negotiated phasing per the development agreement. Open space that is designated for agricultural use is required to have a recorded perpetual conservation easement.

**10-16-070: DEVELOPMENT PLAN AND AGREEMENT REQUIREMENTS.**

(Added by Ord. 11-13)

- (A) Subdivision Ordinance requirements shall ~~generally~~ apply to Cluster Subdivisions except where negotiated within the development agreement. The developer shall submit a residential development plan of all project phases for City consideration and approval and shall integrate the proposed development plan into a development agreement between the developer and City. The development agreement shall undergo an administrative review process to ensure compliance with adopted City ordinances and standards with approval by the City Council. The subdivider shall develop the property in accordance with the development agreement and current City ordinances, including the development requirements as identified within this Chapter, in effect on the approval date of the agreement, together with the requirements set forth in the agreement, except when Federal, State, County, and/or City laws and regulations, promulgated to protect the public's health, safety, and welfare, require future modifications under circumstances constituting a rational public interest. The Land Use Authority shall use the submitted development plan and agreement with the design amenities and unique development features and merits of the development to determine overall development dwelling-unit density up to a maximum as determined by the bonus density calculations. (Ord. 11-13)
- (E) A Cluster Subdivision community shall be of sufficient size, composition, and arrangement to enable its feasible development as a complete unit, professionally managed by a legally-established owners' association and governed by enforceable, duly recorded CC&Rs. (Ord. 11-13)
- (F) Developer shall prepare a budget for the Home Owner's Association operation and facilities maintenance. Developer shall establish a dedicated operating fund for the collection of home owner dues and shall provide

funding for said maintenance for the first three (3) year's operating expenses of the home owner's association or until developer owns less than 40% of the lots. When the developer owns less than 40% of the lots, developer shall pay dues on his remaining lots in accordance with the CC&R's and fee schedule adopted by the Home Owner's Association. The CC&R's will provide in the budget a depreciation estimate and provide for the collection of fees sufficient to meet the depreciation of infrastructure under control of the Home Owner's Association

Chapter 25 (Sensitive Lands Overlay)

**10-25-020:PRELIMINARY REQUIREMENTS.** Any proposed development within this Zone as identified shall include the following items with a completed application and plans for ~~sketch~~ preliminary plat or site plan approval:

- (A) Wetland delineation approved by the Army Corps of Engineers of all the property within the ownership or control of the developer within the proposed development area.
- B) A detailed soil analysis, completed by a licensed geotechnical engineer that includes soil types and conditions as well as ground-water level test results, monitored for not less than six (6) months.
- (C) A geotechnical engineered plan for construction and installation of all off-site improvements including, but not limited to, ground and road stabilization as well as design standards for all structure development within the overlay zone.
- (D) Proposed method of routing irrigation or drainage water that is currently being collected from the property.
- (E) Proposed lot drainage plan as required by Section 10-25-040.

Section 10.26.080

- (C) Monopoles with no platform.
  - 1. Maximum Height and Width. The maximum height of the monopole antenna shall be seventy-five (75) feet, although the approving body may allow an antenna or antenna-support structure up to one hundred ten (110) feet in height if the applicant demonstrates to the satisfaction of the approving body that the additional height is necessary to obtain coverage or allow co-location and that the applicant has taken steps to mitigate adverse effects on the surrounding neighborhood. The entire antenna structure mounted on

the monopole shall not exceed three (3) feet in width. The antenna itself shall not exceed ten (10) feet in height.

2. Setback. Monopoles shall be set back a minimum one hundred ten (110) percent of the height of the monopole from any residential lot line, measured from the base of the monopole to the nearest residential lot line. Exceptions to this setback requirement may be approved by the Planning Commission conditioned upon the acquisition of an equivalent fall zone easement on the adjacent property. Under no circumstances shall residential structures or otherwise occupied structures be permitted within the fall zone easement. Construction of non-occupied accessory structures may be permitted within the easement at the sole risk of the property owner.

(D) Monopoles with Platform.

1. Maximum Height and Width. The maximum height of the monopole antenna shall be seventy-five (75) feet, although the approving body may allow an antenna or antenna-support structure up to one hundred ten (110) feet in height if the applicant demonstrates to the satisfaction of the approving body that the additional height is necessary to obtain coverage or allow co-location and that the applicant has taken steps to mitigate adverse effects on the surrounding neighborhood. The antennas and antenna-mounting structures on the monopole shall not exceed eight (8) feet in height or fifteen (15) feet in width. The antenna itself shall not exceed ten (10) feet in height.

2. Setback. Monopoles shall be set back a minimum one hundred ten (110) percent of the height of the monopole from any residential lot line, measured from the base of the monopole to the nearest residential lot line. Exceptions to this setback requirement may be approved by the Planning Commission conditioned upon the acquisition of an equivalent fall zone easement on the adjacent property. Under no circumstances shall residential or otherwise occupied structures be permitted within the fall zone easement. Construction of non-occupied accessory structures may be permitted within the easement at the sole risk of the property owner.



## SYRACUSE CITY

**Syracuse City Council Special Meeting Agenda **\*\*AMENDED\*\*****  
**October 22, 2013 – immediately following the Work Session Meeting,**  
**which begins at 6:00 p.m.**

City Council Conference Room  
Municipal Building, 1979 W. 1900 S.

1. Meeting called to order  
Adopt agenda
2. Approval of minutes:
  - a. Work Session Meeting of October 8, 2013.
  - b. Regular Meeting of October 8, 2013.
3. Public Hearing – Proposed Ordinance 13-16 amending Chapter Nine of Title Three of the Syracuse City Code relative to Syracuse City Arts Council appointments.
4. Proposed Resolution R13-25 making appointments to the Syracuse Arts Council.
5. ~~Proposed Ordinance 13-14 declaring the annexation of 20.061 acres of property located at approximately 4000 West and 1200 South into the City of Syracuse, Davis County, Utah, and establishing zoning for the property.~~ ***This item has been postponed until November 12, 2013.***
6. Proposed Ordinance 13-15 amending various sections of Title Eight and Title Ten of the Syracuse City Municipal Code pertaining to land use.
7. Adjourn

~~~~~

In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 18th day of October, 2013 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examiner on October 18, 2013.

CASSIE Z. BROWN, CMC
SYRACUSE CITY RECORDER

****Members of the public who desire to offer a thought or invocation at Syracuse City Council Meetings shall contact the City Administrator at least two (2) weeks in advance of the meeting. Request will be honored on a first come, first serve basis. In the event there are no requests to offer a comment or prayer, the Mayor may seek opening comment or prayer from those members of the public attending the meeting or from City Staff or City Council.**



COUNCIL AGENDA

October 22, 2013

Agenda Item #2

Approval of Minutes.

Factual Summation

- Please see the draft minutes of the following meetings:
 - a. Work Session Meeting of October 8, 2013.
 - b. Regular Meeting of October 8, 2013.

- Any question regarding this agenda item may be directed at Cassie Brown, City Recorder.

Minutes of the Syracuse City Council Work Session Meeting, October 8 2013.

Minutes of the Work Session meeting of the Syracuse City Council held on October 8, 2013, at 6:03 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan
Craig A. Johnson
Karianne Lisonbee
Larry D. Shingleton
Mayor Jamie Nagle
Acting City Manager/Finance Director Steve Marshall
City Recorder Cassie Z. Brown

Excused: Councilmember Douglas Peterson

City Employees Present:
Public Works Director Robert Whiteley
City Attorney Clint Drake
Fire Chief Eric Froerer
Police Chief Garrett Atkin
Community Development Director Sherrie Christensen

The purpose of the Work Session was to review the agenda for the business meeting scheduled to begin at 7:00 p.m., discuss proposed Arts Council Appointments, discuss an Architectural Review Committee Appointment, discuss the proposed annexation of proposed annexation of property located at 4000 W. 1200 S., review proposed resolution updating the Syracuse City Fee Scheduled, and discuss a proposed ordinance amending Titles 8 and 10 of the Syracuse City Code, and discuss Council business.

[6:00:57 PM](#)

Business Meeting Agenda review

Mayor Nagle reported that public comments and Council, Mayor, and City Manager reports were inadvertently left off the business meeting agenda and she asked that the motion to adopt the agenda include an amendment to add those items.

[6:01:23 PM](#)

Arts Council Appointments

A letter from Arts Council Chair Jamie Murray explained due to the loss of Heather Steed, Shannon Elmer, and Brandon Bills in the fall of 2012, the Syracuse City Arts Council needed new Board members. In January 2013, Darren Maxfield contacted many individuals about joining the Board, and Sam Porter, James Hansen, Mariah Bailey, and Jamie

1 Murray submitted letters of interest. After review and consideration during the January 29, 2013, Board meeting, Darren
2 Maxfield, Judy Merrill, and Kresta Robinson nominated all four volunteers to the Board. Judy Merrill offered to step down
3 from the Board but agreed to continue serving as Secretary. The former City Attorney, Will Carlson, conducted a Public and
4 Open Meetings training for the Board on June 4, 2013. During the August 7, 2013, Board meeting, Darren Maxfield pointed
5 out that he had been serving for more than a year as Chair and was resigning from the Board. Kresta Robinson, as Vice Chair,
6 then became the Chair Pro Tem. Jamie Murray advertised the need for new Board members on the Syracuse City Arts
7 Council web page. She also posted the needs on the following Facebook pages and group sites: SCAC Annie Cast, Clearfield
8 Three Musketeers Cast, Northern Utah Community Theater, Syracuse City Arts Council Theater Troupe, SCAC Summer
9 Musical, CPT Christmas Carol 2012 (Centerpoint Theater), SCAC Into the Woods & B4 Ever After, Syracuse Citizens, and
10 Syracuse City. Jamie Murray, James Hansen, Mariah Bailey, and Sam Porter also made phone calls, talked to neighbors, and
11 connected with current and former actors and previous Board members asking for referrals and letters of interest. The Board
12 received four letters of interest, from Jared Jensen, Becky Snarr, Melanie Rollins, and Spencer Rollins. On September 11,
13 2013, the Board reviewed these letters and asked questions of the interested volunteers. Jamie Murray proposed lightening
14 everyone's responsibilities and ensuring compliance with the Public and Open Meetings law by increasing the number of
15 Board members and accepting all four volunteers as nominees for appointment to the Syracuse City Arts Council along with
16 all those currently serving on the Board. Jamie Murray subsequently made that a motion, and all voted in favor. During this
17 same meeting, the Board also elected Jamie Murray as the new Syracuse City Arts Council Chair.

18 An additional staff memo explained eight members of the Arts Council are being appointed at this time and the term
19 expiration dates of each member are included in the proposed resolution. Syracuse City Code Title Three provides a process
20 for appointing members of the Arts Council as follows:

21 3.09.020(A) The Board shall consist of not less than six (6) voting members, including a member of the Recreation
22 Department staff assigned by the Department Director to oversee the Syracuse City Arts Council activities. The
23 Mayor shall appoint the remaining five (5) members with the advice and consent of the City Council. The Mayor
24 may appoint additional members to the Syracuse City Arts Council as voting at-large members with the advice and
25 consent of the City Council. All members of the Board must live within the Syracuse City limits. The Mayor may
26 appoint non-voting, ex-officio members with the advice and consent of the City Council. Each Board member

1 should demonstrate interest, competence, and knowledge in the operation and functions of the Syracuse City Arts
2 Council.

3 3.09.020(B) Terms of Office. The terms of office for the five (5) Board members, who are not a member of the
4 Recreation Department, shall be for five (5) years. These members' terms shall be staggered so that no more than
5 one (1) member's term expires at the same time. The terms of office for at-large and ex-officio members shall be
6 five (5) years from the date of appointment. The term of office for the Recreation Department staff designated as a
7 member of the Board shall be as determined by the Department Director. Appointments to the Board shall be made
8 no later than the first City Council meeting in July of each year.

9 Acting City Manager Marshall reviewed the packet documentation regarding the item.

10 [6:04:54 PM](#)

11 Council discussion ensued and the outcome was to table the proposed resolution until a time that the City Code can
12 be amended to allow appointments to the Board to be made at any time during the year rather than before July 1 of a given
13 year.

14

15 [6:13:37 PM](#)

16 **Architectural Review Committee Appointment**

17 A staff memo from Community Development Director Christensen explained the Architectural Review Committee
18 meets on an as needed basis to review commercial site plan reviews. At the previous meeting it has been noted that some
19 members do not attend regularly. Staff contacted those individuals and asked if they wished to continue to serve. Helen
20 Murdock has submitted a letter of resignation, citing her busy schedule and thanking the city for the opportunity to serve.
21 Staff approached the Mayor requesting that new appointees be found for the committee. Two applicants submitted letters of
22 interest, Nicholas Weber and Dan Schuler. The Mayor, requested that I meet with each of the candidates and make a
23 recommendation for appointment. Noah Steel and I interviewed applicants for the vacancies on the Architectural Review
24 Committee on October 1 and 2, 2013. Both candidates were very interested in serving on the ARC and contributing to the
25 community.

26 Mr. Weber is currently employed by Smith Hyatt Architects in Bountiful. He holds a Master's degree in
27 Architecture from North Dakota State University. He is currently preparing to take the licensing examination to be a licensed

1 Architect. He has a lot of practical experience with architectural design and projects in Davis County. Currently, Syracuse
2 City does not have anyone serving on the ARC with his experience in Architecture.

3 Mr. Schuler is currently employed by Clearfield City as the Storm Water Manager and Public Works Inspector. He
4 has 23 years of City experience and is very knowledgeable with public works systems. He is very willing to serve and
5 anxious to find a way to serve his community.

6 Ms. Christensen summarized her staff memo.

7

8 [6:15:04 PM](#)

9 **Proposed annexation of property located at 4000 W. 1200 S.**

10 A staff memo from the City Recorder explained on August 13, 2013 Con Wilcox filed a petition to annex into
11 Syracuse City 20.61 acres of property located at approximately 4000 West 1200 South. The City Engineer has reviewed the
12 annexation petition and his comments have been addressed by the petitioner. On August 27, 2013 the Council voted to
13 accept the annexation and I immediately began the certification process pursuant to the provisions of Title 10-2-403 of the
14 Utah Code Annotated. The annexation petition was certified shortly thereafter and a notice of certification was published in
15 the Standard-Examiner for three consecutive weeks; the notice was meant to outline the annexation protest process. The
16 same notice was also sent to all affected entities. The protest period expired October 3, 2013 and no valid protests were filed.
17 It is now appropriate to move to the next step in the process, which is to hold a public hearing to consider adopting an
18 ordinance approving the annexation petition. A draft ordinance has been prepared for Council consideration and all relevant
19 materials have been attached hereto.

20 [6:15:51 PM](#)

21 Council discussion regarding the proposed annexation ensued.

22

23 [6:28:23 PM](#)

24

25 **Proposed Resolution updating the Syracuse City Consolidated**

26 **Fee Schedule**

1 A staff memo from Acting City Manager Marshall explained staff periodically reviews and recommends changes to
2 the consolidated fee schedule. Staff recommends changes outlined in red in Exhibit A of the proposed resolution. Most
3 changes are minor with the exception of the plan check fee revision and the public works contracting service rate.

4 **Plan Check Fees:**

5 Recently the City has been questioned regarding the imposition of a plan check fee on building permits for
6 duplicate structures, ie. town homes. State Code makes the following limitations on the city:

7 10-9a-510. Limit on fees -- Requirement to itemize fees -- Appeal of fee --

8 Provider of culinary or secondary water.

9 (1) A municipality may not impose or collect a fee for reviewing or approving the plans for a commercial or
10 residential building that exceeds the lesser of:

11 (a) the actual cost of performing the plan review; and

12 (b) 65% of the amount the municipality charges for a building permit fee for that building.

13 (2) Subject to Subsection (1), a municipality may impose and collect only a nominal fee for reviewing and
14 approving identical floor plans.

15 Staff proposes to amend the consolidated fee schedule and add the following line under the heading Plan Check
16 Fee: Duplicate Multi-Family Structure = 50% of original plan check fee* *applicable within 1 year of first permit issuance
17 and within the same ICC code period.

18 Staff believes this is fair and nominal fee that covers the costs of nominal review that the plans are in fact
19 unchanged, the siting of the structure is in conformance with the adopted plat, materials or other conditions of site plan
20 approval have been met for each structure, and administrative processing. Time limits are imposed to ensure that duplicate
21 structures are built within a reasonable time frame and to accommodate any code changes or fee schedule changes that may
22 occur in between construction of multiple structures. An example of the Building Permit Fees based on valuation of the
23 structure are as follows:

24 Building Fee \$1,411.00

25 Plan Check Fee \$564.00

26 Duplicate structures would reduce the Plan Check fee to \$282

27 **Public Works Contracting Service Rate**

1 The City has encountered times when a contract service rate is needed for our public works department in order to
2 bill the work time on a job. Examples of this include our safety sidewalk project and the reimbursement of work hours for
3 insurance claims like the one we had for the power surge at our Freeport water tank.

4 The memo explained Mr. Marshall has calculated a rate for employee costs and also a rate for heavy equipment
5 costs based on actual costs to the city.

6 Staff recommends the adoption of proposed resolution R13-27 amending the Syracuse City Consolidated Fee
7 Schedule by making changes throughout.

8 Mr. Marshall reviewed his staff memo and provided a brief review of the proposed changes to the fee schedule.

9 [6:30:42 PM](#)

10 Council discussion regarding the proposal ensued and the Council ultimately decided to continue discussion during
11 the regular business meeting.

12

13 [6:51:33 PM](#)

14 **Proposed Ordinance amending Titles Eight and Ten of the Syracuse**
15 **City Code**

16 A memo from the Community Development Department explained the Planning Commission has been reviewing
17 the Cluster Subdivision Ordinance for the past few months in order to clarify open space requirements, provide further
18 clarification on minimum lot standards, and refine the requirements for density bonus.

19 Staff has identified various minor code changes to Title VIII and Title X in the administration of the code that will
20 alleviate confusion, provide clarification and streamline processes.

21 The Planning Commission held a public hearing on the proposed amendments on September 17, 2013. At a public
22 meeting that same night the Planning Commission recommended to the City Council the adoption of the proposed
23 amendments.

24 Summary of Amendments

25 Section 8.02.020 Provides for the City Engineer to approve installation of infrastructure prior to recording final plat,
26 changes inspection from Building Official to City Engineer.

- 1 Section 8.04.010 Specifies number of copies to be provided
- 2 Section 8.05.010 Specifies number of copies to be provided
- 3 Section 8.06.030 Specifies number of copies to be provided, clarifies the procedure to record final plat to conform
- 4 with current procedures, specify when a final plat approval expires
- 5 Section 10.02.040 Define cluster subdivision-currently 5 acres in Chapter 2 and 10 acres in Chapter 16
- 6 Section 10.04.090(D)1 Add provision for landscape architect signature Table 1, Chapter 4 Change public hearing
- 7 notice to 10 days for plat amendments, consistent with other public hearing notice requirements
- 8 Section 10.06.060 Clarify maximum height of fences in front setback, current language is subjective and
- 9 unenforceable.
- 10 Section 10.08.030 All the Planning Commission to permit parking in front of a building in Multi-family, Industrial,
- 11 or Commercial uses.
- 12 Chapter 9 Change heading to reflect chapter content
- 13 Section 10.16.020(C) Correct grammar error
- 14 Section 10.16.020(E) Add minimum lot standards for single family lots
- 15 Section 10.16.020(G) Clarify where measurement is taken
- 16 Section 10.16.020(H) Specify open space shall be provided for all residents of subdivision
- 17 Section 10.16.020(I) Specify that HOA be professionally managed
- 18 Section 10.16.040 Clarify required and optional elements to qualify for bonus density, remove inconsistent
- 19 language, add optional moderate income housing bonus.
- 20 Section 10.16.070(A) Remove the word “generally”
- 21 Section 10.16.070(E) Add professionally managed HOA
- 22 Section 10.16.070(F) Require developer to fund HOA for 3 years and pay dues for lots when owning less than 40%
- 23 of the lots
- 24 Section 10.25.020 Require sensitive lands documents with application for preliminary plat
- 25 Section 10.26.080 Allow a reduction in cell tower setback, provided an equivalent fall zone easement is obtained
- 26 from adjacent property
- 27 Ms. Christensen reviewed her staff memo.

1 [6:53:27 PM](#)

2 Council discussion of the item ensued and the Council determined to continue discussion of the item during the
3 regular business meeting.

4

5

6 The meeting adjourned at 7:01 p.m.

7

8

9

10

11 _____
12 Jamie Nagle
13 Mayor

Cassie Z. Brown, CMC
City Recorder

13

14 Date approved: _____

Minutes of the Syracuse City Council Regular Meeting, October 8, 2013.

Minutes of the Special meeting of the Syracuse City Council held on October 8, 2013, at 7:10 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan
Craig A. Johnson
Karianne Lisonbee
Larry D. Shingleton
Mayor Jamie Nagle
Acting City Manager/Finance Director Steve Marshall
City Recorder Cassie Z. Brown

Excused: Councilmember Douglas Peterson

City Employees Present:
Public Works Director Robert Whiteley
City Attorney Clint Drake
Fire Chief Eric Froerer
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Community Development Director Sherrie Christensen

Visitors Present:	Troy Teeples	Ryan Delham	Alex Teeples
	Brody Finlinson	Zach Teeples	Cooper Seamons
	Tim Delham	Ethan Jensen	Kade Montano
	Cassie Montano	Kayla Vansickle	Cheltzie Thomas
	Austin Pauli	Jamie Stoker	Spencer Stoker
	Alex Black		

1. Meeting Called to Order/Adopt Agenda

7:10:27 PM

Mayor Nagle called the meeting to order at 7:10 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. She asked all visitors present if any wished to provide an invocation or thought; Boy Scout Mason Cook offered an invocation. Boy Scout Brennan Chase then led all present in the Pledge of Allegiance.

7:12:42 PM

COUNCILMEMBER SHINGLETON MADE A MOTION TO ADD PUBLIC COMMENTS, COUNCILMEMBER REPORTS, MAYOR REPORT, AND CITY MANAGER REPORT TO THE AGENDA AND ADOPT THE AGENDA WITH THAT CHANGE. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR. Councilmember Peterson was not present when this vote was taken.

1 [7:13:03 PM](#)

2 2. Approval of Minutes:

3 The minutes of the Work Session and Regular Meetings of September 10, 2013 and the Work Session and Special
4 Meetings of September 24, 2013 were reviewed.

5 [7:13:13 PM](#)

6 COUNCILMEMBER SHINGLETON MADE A MOTION TO APPROVE THE MINUTES OF THE WORK
7 SESSION AND REGULAR MEETINGS OF SEPTEMBER 10, 2013 AND THE WORK SESSION AND SPECIAL
8 MEETINGS OF SEPTEMBER 24, 2013. COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED IN
9 FAVOR. Councilmember Peterson was not present when this vote was taken.

10

11 [7:13:37 PM](#)

12 2.5. Public Comments

13 [7:13:48 PM](#)

14 Nathaniel Richardson stated he thinks there should be a crosswalk on the north side of Syracuse Junior High because
15 there are a lot of people that jaywalk in that area.

16

17 [7:14:57 PM](#)

18 Paula Rowley stated she lives in the Bridgeway Island Subdivision and she wanted to comment regarding the
19 proposed ordinance 13-14 approving the annexation of property at approximately 4000 W. and 1200 S. She stated she just
20 found out about this issue today on Facebook. She stated she feels like this is a very inappropriate place to locate high
21 density housing; with standard urban planning there is usually rural property, followed by horse property, followed by large
22 residential lots, followed by medium sized lots, and ultimately small lots. She noted high density is placed close to public
23 transportation and this area is far from public transportation. She stated her son has a Utah Transit Authority (UTA) pass and
24 he uses it every day and it is a long walk from her home to the closest bus stop. She added Antelope Drive does not even
25 have sidewalks on the entire length and it is not very safe. She stated that it is necessary to look at urban planning; the City
26 needs high density housing in some spots as well as some retirement housing, but this location is not appropriate for those

1 types of uses. She added housing of this nature should have green space and, if the properties are intended to be rental
2 properties, large playground areas in order to prevent large roaming bands of children. She stated there are already roaming
3 bands of junior high children on the last day of school and they looked menacing walking down 4000 West a couple of weeks
4 ago. She stated the area needs ballparks and places to play, but definitely not high density housing by the lake.

5
6 [7:17:45 PM](#)

7 Sarah Nelson stated she and her young family just moved to Syracuse four months ago and the reason they are most
8 concerned about the proposed annexation is because she lives at 1216 S. 4000 W. and the proposed development would be
9 right in her backyard. She stated when she was contemplating moving to the area she called both West Point and Syracuse
10 City to inquire about the vacant parcel of ground and she was told by both cities that the property is not currently annexed
11 into either City and that in order for development to take place the annexation would need to take place. She stated she got
12 the feeling that West Point assumed the property would be annexed into Syracuse. She stated that she understands the reality
13 that an empty field will eventually be developed and she is not opposed to development, but she was told that the zoning
14 would be similar to the zoning in Bridgeway Island and a similar neighborhood with similar sized lots would be constructed
15 there. She stated she was not opposed to that type of development. She then stated that she received not notification of this
16 proposal other than the big 'for sale' sign posted on the property on 4000 West. She stated she walked across the street onto
17 the east side of 4000 West knowing those homes would be looking into the field and the homeowners there also had no idea
18 of this proposal and they were surprised.

19
20 [7:20:13 PM](#)

21 Michelle Banz stated she is also speaking about the same issue; she is shocked at how this has come about so
22 abruptly. She stated she has not heard anything about the proposal until today; she never heard a whisper of anything about
23 high density housing being located in West Syracuse. She stated she lived on 2000 West for years and moved to West
24 Syracuse two years ago to avoid the traffic and other issues that come along with living in central Syracuse. She stated she
25 wants to avoid all the 'yuck' that comes from high density housing. She stated she is shocked that she received no
26 notification; when she has applied for zoning issues in the past it was required to notify all of her neighbors and get their
27 approval before proceeding with the process. She asked why the neighborhood was not notified and stated she heard about it

1 in Facebook two hours ago. She stated it is very inconsiderate to the community that lives in the area. She stated there is
2 hardly anyone present from the community, but when people have such little notice it is hard for them to drop everything in
3 their lives in order to attend this type of meeting; otherwise, she is sure there will be a lot of people that are outraged.

4
5 [7:22:14 PM](#)

6 Terry Palmer stated he wants to talk about the Equestrian Park again; he is curious as to the status of constructing
7 restrooms at the Park and he asked if the City has talked with Merle Thurgood about the request. He asked that the Council
8 enlighten the public of the status of that request before adjourning the meeting.

9
10 [7:23:04 PM](#)

11 TJ Jensen stated there was a situation in the last Planning Commission meeting where some residents expressed their
12 displeasure regarding a conditional use permit for duplexes; the Planning Commission is in the situation where unless they
13 can find a compelling reason not to grant the permit, they must approve the application as long as the applicant meets the
14 conditions. He stated the Planning Commission's hands were tied and this is an issue the Commission wants to visit in the
15 future. He stated five neighbors living within two houses of the subject property commented on the application and at least
16 one neighbor commented on duplexes in other areas of the City. He reiterated the Planning Commission will discuss the
17 issue further and submit a recommendation to the City Council. He then stated relative to the proposed annexation, the
18 zoning being recommended for the parcel is the current recommendation included in the City's Master Plan; if the Council
19 decides to recommend a different zoning for the property, they would need to solicit a recommendation from the Planning
20 Commission per City ordinance.

21
22 [7:24:51 PM](#)

23 3. Proposed Resolution R13-25 making appointments to the Syracuse Arts Council.

24 A letter from Arts Council Chair Jamie Murray explained due to the loss of Heather Steed, Shannon Elmer, and
25 Brandon Bills in the fall of 2012, the Syracuse City Arts Council needed new Board members. In January 2013, Darren
26 Maxfield contacted many individuals about joining the Board, and Sam Porter, James Hansen, Mariah Bailey, and Jamie
27 Murray submitted letters of interest. After review and consideration during the January 29, 2013, Board meeting, Darren

1 Maxfield, Judy Merrill, and Kresta Robinson nominated all four volunteers to the Board. Judy Merrill offered to step down
2 from the Board but agreed to continue serving as Secretary. The former City Attorney, Will Carlson, conducted a Public and
3 Open Meetings training for the Board on June 4, 2013. During the August 7, 2013, Board meeting, Darren Maxfield pointed
4 out that he had been serving for more than a year as Chair and was resigning from the Board. Kresta Robinson, as Vice Chair,
5 then became the Chair Pro Tem. Jamie Murray advertised the need for new Board members on the Syracuse City Arts
6 Council web page. She also posted the needs on the following Facebook pages and group sites: SCAC Annie Cast, Clearfield
7 Three Musketeers Cast, Northern Utah Community Theater, Syracuse City Arts Council Theater Troupe, SCAC Summer
8 Musical, CPT Christmas Carol 2012 (Centerpoint Theater), SCAC Into the Woods & B4 Ever After, Syracuse Citizens, and
9 Syracuse City. Jamie Murray, James Hansen, Mariah Bailey, and Sam Porter also made phone calls, talked to neighbors, and
10 connected with current and former actors and previous Board members asking for referrals and letters of interest. The Board
11 received four letters of interest, from Jared Jensen, Becky Snarr, Melanie Rollins, and Spencer Rollins. On September 11,
12 2013, the Board reviewed these letters and asked questions of the interested volunteers. Jamie Murray proposed lightening
13 everyone's responsibilities and ensuring compliance with the Public and Open Meetings law by increasing the number of
14 Board members and accepting all four volunteers as nominees for appointment to the Syracuse City Arts Council along with
15 all those currently serving on the Board. Jamie Murray subsequently made that a motion, and all voted in favor. During this
16 same meeting, the Board also elected Jamie Murray as the new Syracuse City Arts Council Chair.

17 An additional staff memo explained eight members of the Arts Council are being appointed at this time and the term
18 expiration dates of each member are included in the proposed resolution. Syracuse City Code Title Three provides a process
19 for appointing members of the Arts Council as follows:

20 3.09.020(A) The Board shall consist of not less than six (6) voting members, including a member of the Recreation
21 Department staff assigned by the Department Director to oversee the Syracuse City Arts Council activities. The
22 Mayor shall appoint the remaining five (5) members with the advice and consent of the City Council. The Mayor
23 may appoint additional members to the Syracuse City Arts Council as voting at-large members with the advice and
24 consent of the City Council. All members of the Board must live within the Syracuse City limits. The Mayor may
25 appoint non-voting, ex-officio members with the advice and consent of the City Council. Each Board member
26 should demonstrate interest, competence, and knowledge in the operation and functions of the Syracuse City Arts
27 Council.

1 3.09.020(B) Terms of Office. The terms of office for the five (5) Board members, who are not a member of the
2 Recreation Department, shall be for five (5) years. These members' terms shall be staggered so that no more than
3 one (1) member's term expires at the same time. The terms of office for at-large and ex-officio members shall be
4 five (5) years from the date of appointment. The term of office for the Recreation Department staff designated as a
5 member of the Board shall be as determined by the Department Director. Appointments to the Board shall be made
6 no later than the first City Council meeting in July of each year.

7 Acting City Manager Marshall reviewed the packet documentation regarding the item.

8 [7:25:00 PM](#)

9 COUNCILMEMBER DUNCAN MADE A MOTION TO TABLE PROPOSED RESOLUTION 13-25 MAKING
10 APPOINTMENTS TO THE SYRACUSE ARTS COUNCIL. COUNCILMEMBER JOHNSON SECONDED THE
11 MOTION.

12 [7:25:11 PM](#)

13 Council and staff discussion regarding the motion ensued.

14 [7:29:13 PM](#)

15 Mayor Nagle stated there has been a motion and second to table the proposed resolution and she called for a vote.
16 ALL VOTED IN FAVOR. Councilmember Peterson was not present when this vote was taken.

17

18 [7:29:38 PM](#)

19 4. Proposed Resolution R13-26 appointing Nicholas Weber to the
20 Architectural Review Committee.

21 A staff memo from Community Development Director Christensen explained the Architectural Review Committee
22 meets on an as needed basis to review commercial site plan reviews. At the previous meeting it has been noted that some
23 members do not attend regularly. Staff contacted those individuals and asked if they wished to continue to serve. Helen
24 Murdock has submitted a letter of resignation, citing her busy schedule and thanking the city for the opportunity to serve.
25 Staff approached the Mayor requesting that new appointees be found for the committee. Two applicants submitted letters of
26 interest, Nicholas Weber and Dan Schuler.

1 The Mayor, requested that I meet with each of the candidates and make a recommendation for appointment. Noah
2 Steel and I interviewed applicants for the vacancies on the Architectural Review Committee on October 1 and 2, 2013. Both
3 candidates were very interested in serving on the ARC and contributing to the community.

4 Mr. Weber is currently employed by Smith Hyatt Architects in Bountiful. He holds a Master's degree in
5 Architecture from North Dakota State University. He is currently preparing to take the licensing examination to be a licensed
6 Architect. He has a lot of practical experience with architectural design and projects in Davis County. Currently, Syracuse
7 City does not have anyone serving on the ARC with his experience in Architecture.

8 Mr. Schuler is currently employed by Clearfield City as the Storm Water Manager and Public Works Inspector. He
9 has 23 years of City experience and is very knowledgeable with public works systems. He is very willing to serve and
10 anxious to find a way to serve his community.

11 [7:29:45 PM](#)

12 COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT PROPOSED RESOLUTION 13-26
13 APPOINTING NICHOLAS WEBER TO THE ARCHITECTURAL REVIEW COMMITTEE. COUNCILMEMBER
14 JOHNSON SECONDED THE MOTION. ALL VOTED IN FAVOR. Councilmember Peterson was not present when this
15 vote was taken.

16

17 [7:30:05 PM](#)

18 5. Public Hearing – Proposed Ordinance 13-14 declaring the
19 annexation of 20.061 acres of property located at approximately
20 4000 West and 1200 South into the City of Syracuse, Davis
21 County, Utah, and establishing zoning for the property.

22 On August 13, 2013 Con Wilcox filed a petition to annex into Syracuse City 20.61 acres of property located at
23 approximately 4000 West 1200 South. The City Engineer has reviewed the annexation petition and his comments have been
24 addressed by the petitioner. On August 27, 2013 the Council voted to accept the annexation and I immediately began the
25 certification process pursuant to the provisions of Title 10-2-403 of the Utah Code Annotated. The annexation petition was
26 certified shortly thereafter and a notice of certification was published in the Standard-Examiner for three consecutive weeks;
27 the notice was meant to outline the annexation protest process. The same notice was also sent to all affected entities. The

1 protest period expired October 3, 2013 and no valid protests were filed. It is now appropriate to move to the next step in the
2 process, which is to hold a public hearing to consider adopting an ordinance approving the annexation petition. A draft
3 ordinance has been prepared for your consideration and all relevant materials have been attached hereto.

4 [7:30:20 PM](#)

5 Mayor Nagle convened the public hearing. There being no persons appearing to be heard, the public hearing was
6 closed.

7 [7:30:42 PM](#)

8 COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE PROPOSED ORDINANCE 13-14
9 DECLARING THE ANNEXATION OF 20.061 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 4000 WEST
10 AND 1200 SOUTH INTO THE CITY OF SYRACUSE, DAVIS COUNTY, UTAH, AND ESTABLISHING ZONING FOR
11 THE. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

12 [7:31:02 PM](#)

13 Council and staff discussion regarding the motion ensued.

14 [7:31:55 PM](#)

15 Mayor Nagle stated there has been a motion and second to table the proposed ordinance and she called for a vote.
16 ALL VOTED IN FAVOR. Councilmember Peterson was not present when this vote was taken.

17
18 [7:32:47 PM](#)

19 6. Public Hearing – Proposed Resolution R13-27 updating and
20 amending the Syracuse City Consolidated Fee Schedule.

21 A staff memo from Acting City Manager Marshall explained staff periodically reviews and recommends changes to
22 the consolidated fee schedule. Staff recommends changes outlined in red in Exhibit A of the proposed resolution. Most
23 changes are minor with the exception of the plan check fee revision and the public works contracting service rate.

24 Plan Check Fees:

25 Recently the City has been questioned regarding the imposition of a plan check fee on building permits for
26 duplicate structures, ie. town homes. State Code makes the following limitations on the city:

1 10-9a-510. Limit on fees -- Requirement to itemize fees -- Appeal of fee --

2 Provider of culinary or secondary water.

3 (1) A municipality may not impose or collect a fee for reviewing or approving the plans for a commercial or
4 residential building that exceeds the lesser of:

5 (a) the actual cost of performing the plan review; and

6 (b) 65% of the amount the municipality charges for a building permit fee for that building.

7 (2) Subject to Subsection (1), a municipality may impose and collect only a nominal fee for reviewing and
8 approving identical floor plans.

9 Staff proposes to amend the consolidated fee schedule and add the following line under the heading Plan Check
10 Fee: Duplicate Multi-Family Structure = 50% of original plan check fee* *applicable within 1 year of first permit issuance
11 and within the same ICC code period.

12 Staff believes this is fair and nominal fee that covers the costs of nominal review that the plans are in fact
13 unchanged, the siting of the structure is in conformance with the adopted plat, materials or other conditions of site plan
14 approval have been met for each structure, and administrative processing. Time limits are imposed to ensure that duplicate
15 structures are built within a reasonable time frame and to accommodate any code changes or fee schedule changes that may
16 occur in between construction of multiple structures. An example of the Building Permit Fees based on valuation of the
17 structure are as follows:

18 Building Fee \$1,411.00

19 Plan Check Fee \$564.00

20 Duplicate structures would reduce the Plan Check fee to \$282

21 Public Works Contracting Service Rate

22 The City has encountered times when a contract service rate is needed for our public works department in order to
23 bill the work time on a job. Examples of this include our safety sidewalk project and the reimbursement of work hours for
24 insurance claims like the one we had for the power surge at our Freeport water tank.

25

26 The memo explained Mr. Marshall has calculated a rate for employee costs and also a rate for heavy equipment
27 costs based on actual costs to the city.

1 Staff recommends the adoption of proposed resolution R13-27 amending the Syracuse City Consolidated Fee
2 Schedule by making changes throughout.

3 [7:32:58 PM](#)

4 Mayor Nagle opened the public hearing.

5 [7:33:20 PM](#)

6 Kyle Hamblin, Castle Creek Homes, stated he wanted to express his appreciation to the Council and staff; he enjoys
7 building in Syracuse and he hopes he is making a good contribution. He stated Mike Schultz, the owner of Castle Creek
8 Homes, asked him to attend and express some concerns, some of which have been expressed with staff. The only concern
9 Mr. Schultz had was relative to townhomes and the fee schedule assessing a fee per door, but that issue is being addressed
10 with this proposed resolution and he is confident a satisfactory resolution can be reached.

11 [7:34:07 PM](#)

12 There being no additional persons appearing to be heard, Mayor Nagle closed the public hearing.

13 [7:34:10 PM](#)

14 COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED RESOLUTION 13-27 UPDATING
15 AND AMENDING THE SYRACUSE CITY CONSOLIDATED FEE SCHEDULE, WITH THE FOLLOWING CHANGES:

- 16 ○ CHANGE A TYPOGRAPHICAL ERROR ON PAGE 9: CHANGE 2.1 ACRES TO 2 ACRES TO 2.1
17 ACRES TO 3 ACRES.
- 18 ○ CHANGE PUBLIC WORKS CONTRACTING SERVICE RATE ON PAGE 13 FROM \$50 TO \$75.

19 COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

20 [7:34:55 PM](#)

21 Council discussion regarding the motion ensued.

22 [7:36:45 PM](#)

23 COUNCILMEMBER JOHNSON MADE A MOTION TO FURTHER AMEND THE FEE SCHEDULE BY
24 REMOVING THE FEE FOR VEHICLE RESTORATION PERMIT APPLICATIONS. COUNCILMEMBER LISONBEE
25 SECONDED THE MOTION.

26 [7:38:33 PM](#)

1 Mayor Nagle stated there has been a motion and second to amend the original motion and she called for a vote.
2 ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER SHINGLETON WHO VOTED IN
3 OPPOSITION. Councilmember Peterson was not present when this vote was taken.

4 [7:38:48 PM](#)

5 Mayor Nagle stated there has been a motion and a second to adopt the proposed resolution and she called for a vote.
6 ALL VOTED IN FAVOR. Councilmember Peterson was not present when this vote was taken.

7

8 [7:39:06 PM](#)

9 8. Proposed Ordinance 13-15 amending various sections of
10 Title Eight and Title Ten of the Syracuse City Municipal Code
11 pertaining to land use.

12 A memo from the Community Development Department explained the Planning Commission has been reviewing
13 the Cluster Subdivision Ordinance for the past few months in order to clarify open space requirements, provide further
14 clarification on minimum lot standards, and refine the requirements for density bonus.

15 Staff has identified various minor code changes to Title VIII and Title X in the administration of the code that will
16 alleviate confusion, provide clarification and streamline processes.

17 The Planning Commission held a public hearing on the proposed amendments on September 17, 2013. At a public
18 meeting that same night the Planning Commission recommended to the City Council the adoption of the proposed
19 amendments.

20 Summary of Amendments

21 Section 8.02.020 Provides for the City Engineer to approve installation of infrastructure prior to recording final plat,
22 changes inspection from Building Official to City Engineer.

23 Section 8.04.010 Specifies number of copies to be provided

24 Section 8.05.010 Specifies number of copies to be provided

25 Section 8.06.030 Specifies number of copies to be provided, clarifies the procedure to record final plat to conform
26 with current procedures, specify when a final plat approval expires

- 1 Section 10.02.040 Define cluster subdivision-currently 5 acres in Chapter 2 and 10 acres in Chapter 16
- 2 Section 10.04.090(D)1 Add provision for landscape architect signature Table 1, Chapter 4 Change public hearing
- 3 notice to 10 days for plat amendments, consistent with other public hearing notice requirements
- 4 Section 10.06.060 Clarify maximum height of fences in front setback, current language is subjective and
- 5 unenforceable.
- 6 Section 10.08.030 All the Planning Commission to permit parking in front of a building in Multi-family, Industrial,
- 7 or Commercial uses.
- 8 Chapter 9 Change heading to reflect chapter content
- 9 Section 10.16.020(C) Correct grammar error
- 10 Section 10.16.020(E) Add minimum lot standards for single family lots
- 11 Section 10.16.020(G) Clarify where measurement is taken
- 12 Section 10.16.020(H) Specify open space shall be provided for all residents of subdivision
- 13 Section 10.16.020(I) Specify that HOA be professionally managed
- 14 Section 10.16.040 Clarify required and optional elements to qualify for bonus density, remove inconsistent
- 15 language, add optional moderate income housing bonus.
- 16 Section 10.16.070(A) Remove the word “generally”
- 17 Section 10.16.070(E) Add professionally managed HOA
- 18 Section 10.16.070(F) Require developer to fund HOA for 3 years and pay dues for lots when owning less than 40%
- 19 of the lots
- 20 Section 10.25.020 Require sensitive lands documents with application for preliminary plat
- 21 Section 10.26.080 Allow a reduction in cell tower setback, provided an equivalent fall zone easement is obtained
- 22 from adjacent property

23 [7:39:18 PM](#)

24 Ms. Christensen reviewed her staff memo.

25 [7:46:09 PM](#)

26 Council discussion regarding the proposed ordinance ensued.

27 [7:59:10 PM](#)

1 COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE PROPOSED ORDINANCE 13-15
2 AMENDING VARIOUS SECTIONS OF TITLES EIGHT AND TEN OF THE CITY CODE PERTAINING TO LAND
3 USE. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

4 [7:59:28 PM](#)

5 Council discussion regarding the motion ensued.

6 [7:59:51 PM](#)

7 Mayor Nagle stated there has been a motion and second to table the proposed ordinance and she called for a vote.
8 ALL VOTED IN FAVOR. Councilmember Peterson was not present when this vote was taken.

9

10 [7:59:58 PM](#)

11 8. Councilmember Reports

12 Councilmember Shingleton's report began at [8:00:08 PM](#). He was followed by Councilmembers Duncan,
13 Johnson, and Lisonbee.

14

15 [8:07:05 PM](#)

16 9. Mayor's report.

17 Mayor Nagle's report began at [8:07:16 PM](#).

18

19 [8:08:46 PM](#)

20 10. City Manager's Report.

21 Acting City Manager Marshall's report began at [8:08:49 PM](#).

22

23 [8:13:19 PM](#)

1 At [8:13:20 PM](#) p.m. COUNCILMEMBER LISONBEE MADE A MOTION TO ADJOURN.
2 COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR. Councilmember Peterson was
3 not present when this vote was taken.

4
5
6
7

8 _____
9 Jamie Nagle
10 Mayor

8 _____
9 Cassie Z. Brown, CMC
10 City Recorder

11 Date approved:



COUNCIL AGENDA

October 22, 2013

Agenda Item #3

Public Hearing – Proposed Ordinance 13-16 amending Chapter Nine, Title Three of the Syracuse City Code relative to Syracuse City Arts Council Appointments.

Factual Summation

During the work session meeting of October 8, 2013, the Council expressed a desire to amend Section 3.09.020(B) of the Syracuse City Code to make the appointment procedure for the Syracuse City Arts Council less restrictive. Staff has drafted an ordinance and noticed a public hearing in order to allow the Council to formally make the desired change.

Any question regarding this agenda item may be directed at City Attorney Clint Drake.

ORDINANCE NO. 13-16

AN ORDINANCE AMENDING CHAPTER NINE OF TITLE THREE OF THE SYRACUSE CITY CODE RELATIVE TO SYRACUSE CITY ARTS COUNCIL APPOINTMENT PROCEDURES.

WHEREAS, Chapter Nine of Title Three of the Syracuse City Code provides rules and regulations for the Syracuse City Arts Council; and

WHEREAS, Section 3.09.020(B) provides a process for appointing or reappointing members to the Syracuse City Arts Council; and

WHEREAS, the Syracuse City Council desires to amend Section 3.09.020(B) in a manner that makes the appointment process less restrictive.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF SYRACUSE DAVIS COUNTY, STATE OF UTAH, AS FOLLOWS:

SECTION 1: Amendment. Section 3.09.020 (B) of the Syracuse City Code is hereby amended as follows:

3.09.020(B) Terms of Office. The terms of office for the five (5) Board members, who are not a member of the Recreation Department, shall be for five (5) years. These members' terms shall be staggered so that no more than one (1) member's term expires at the same time. The terms of office for at-large and ex-officio members shall be five (5) years from the date of appointment. The term of office for the Recreation Department staff designated as a member of the Board shall be as determined by the Department Director. Appointments to the Board shall be made no later than the first City Council meeting in July of each year. **In circumstances where appointments are not made prior to the first City Council meeting in July of each year, said appointments shall be made as soon as reasonably possible thereafter.**

SECTION 2: Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

SECTION 3: Effective Date. This Ordinance shall become effective immediately upon publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 22nd DAY OF OCTOBER 2013.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Mayor Jamie Nagle

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Peterson	_____	_____
Councilmember Lisonbee	_____	_____
Councilmember Duncan	_____	_____
Councilmember Johnson	_____	_____
Councilmember Shingleton	_____	_____



COUNCIL AGENDA

October 22, 2013

Agenda Item #4

Arts Council Appointments

Factual Summation

Please see the attached memo from Syracuse City Arts Council Chair Jamie Murray and the draft resolution making appointments to the Arts Council.

Any question regarding this agenda item may be directed at Parks and Recreation Director Kresta Robinson or Ms. Murray.

Eight members of the Arts Council are being appointed at this time and the term expiration dates of each member are included in the proposed resolution. Syracuse City Code Title Three provides a process for appointing members of the Arts Council as follows:

- 3.09.020(A) The Board shall consist of not less than six (6) voting members, including a member of the Recreation Department staff assigned by the Department Director to oversee the Syracuse City Arts Council activities. The Mayor shall appoint the remaining five (5) members with the advice and consent of the City Council. The Mayor may appoint additional members to the Syracuse City Arts Council as voting at-large members with the advice and consent of the City Council. All members of the Board must live within the Syracuse City limits. The Mayor may appoint non-voting, ex-officio members with the advice and consent of the City Council. Each Board member should demonstrate interest, competence, and knowledge in the operation and functions of the Syracuse City Arts Council.
- 3.09.020(B) Terms of Office. The terms of office for the five (5) Board members, who are not a member of the Recreation Department, shall be for five (5) years. These members' terms shall be staggered so that no more than one (1) member's term expires at the same time. The terms of office for at-large and ex-officio members shall be five (5) years from the date of appointment. The term of office for the Recreation Department staff designated as a member of the Board shall be as determined by the Department Director. Appointments to the Board shall be made no later than the first City Council meeting in July of each year. **In circumstances where appointments are not made prior to the first City Council meeting in July of each year, said appointments shall be made as soon as reasonably possible thereafter. (If Ordinance 13-16 is adopted)**



Due to the loss of Heather Steed, Shannon Elmer, and Brandon Bills in the fall of 2012, the Syracuse City Arts Council needed new Board members. In January 2013, Darren Maxfield contacted many individuals about joining the Board, and Sam Porter, James Hansen, Mariah Bailey, and Jamie Murray submitted letters of interest. After review and consideration during the January 29, 2013, Board meeting, Darren Maxfield, Judy Merrill, and Kresta Robinson nominated all four volunteers to the Board. Judy Merrill offered to step down from the Board but agreed to continue serving as Secretary. The former City Attorney, Will Carlson, conducted a Public and Open Meetings training for the Board on June 4, 2013. During the August 7, 2013, Board meeting, Darren Maxfield pointed out that he had been serving for more than a year as Chair and was resigning from the Board. Kresta Robinson, as Vice Chair, then became the Chair Pro Tem.

Jamie Murray advertised the need for new Board members on the Syracuse City Arts Council web page. She also posted the needs on the following Facebook pages and group sites: SCAC Annie Cast, Clearfield Three Musketeers Cast, Northern Utah Community Theater, Syracuse City Arts Council Theater Troupe, SCAC Summer Musical, CPT Christmas Carol 2012 (Centerpoint Theater), SCAC Into the Woods & B4 Ever After, Syracuse Citizens, and Syracuse City. Jamie Murray, James Hansen, Mariah Bailey, and Sam Porter also made phone calls, talked to neighbors, and connected with current and former actors and previous Board members asking for referrals and letters of interest.

The Board received four letters of interest, from Jared Jensen, Becky Snarr, Melanie Rollins, and Spencer Rollins. On September 11, 2013, the Board reviewed these letters and asked questions of the interested volunteers. Jamie Murray proposed lightening everyone's responsibilities and ensuring compliance with the Public and Open Meetings law by increasing the number of Board members and accepting all four volunteers as nominees for appointment to the Syracuse City Arts Council along with all those currently serving on the Board. Jamie Murray subsequently made that a motion, and all voted in favor. During this same meeting, the Board also elected Jamie Murray as the new Syracuse City Arts Council Chair.

RESOLUTION R13-25

**A RESOLUTION OF THE SYRACUSE CITY COUNCIL
APPOINTING MEMBERS OF THE SYRACUSE CITY ARTS
COUNCIL.**

WHEREAS Title III of the Syracuse City Code provides for the establishment of a Syracuse City Arts Council; and

WHEREAS Section 3.09.020 of the Syracuse City Code dictates that no less than six (6) members of the community shall be appointed and serve on the Syracuse City Arts Council; and

WHEREAS Eight members of the community have expressed desire and willingness to serve on the Syracuse City Arts Council.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SYRACUSE CITY, UTAH, AS FOLLOWS:

Section 1. Appointment.

- Sam Porter and James Hansen are hereby appointed to serve on the Syracuse City Arts Council with their terms expiring July 1, 2015.
- Mariah Bailey and Jamie Murray are hereby appointed to serve on the Syracuse City Arts Council with their terms expiring July 1, 2016.
- Jared Jensen and Becky Snarr are hereby appointed to serve on the Syracuse City Arts Council with their terms expiring July 1, 2017.
- Melanie Rollins and Spencer Rollins are hereby appointed to serve on the Syracuse City Arts Council with their terms expiring July 1, 2018.

Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 22nd DAY OF OCTOBER, 2013.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

By: _____
Jamie Nagle, Mayor



COUNCIL AGENDA

October 22, 2013

Agenda Item # 6 Title VIII & X Amendments-Various

Factual Summation

Please see the attached:

- a. Proposed Ordinance 13-15, amendment to Title VIII & X
- b. Redline Title VIII
- c. Redline Title X

Any question regarding this agenda item may be directed at Sherrie Christensen, Community & Economic Development Director.

Background

The Planning Commission has been reviewing the Cluster Subdivision Ordinance for the past few months in order to clarify open space requirements, provide further clarification on minimum lot standards, and refine the requirements for density bonus.

Staff has identified various minor code changes to Title VIII and Title X in the administration of the code that will alleviate confusion, provide clarification and streamline processes.

The Planning Commission held a public hearing on the proposed amendments on September 17, 2013. At a public meeting that same night the Planning Commission recommended to the City Council the adoption of the proposed amendments.

Summary of Amendments

Section 8.02.020	Provides for the City Engineer to approve installation of infrastructure prior to recording final plat, changes inspection from Building Official to City Engineer.
Section 8.04.010	Specifies number of copies to be provided
Section 8.05.010	Specifies number of copies to be provided
Section 8.06.030	Specifies number of copies to be provided, clarifies the procedure to record final plat to conform with current procedures, specify when a final plat approval expires
Section 10.02.040	Define cluster subdivision-currently 5 acres in Chapter 2 and 10 acres in Chapter 16

Section 10.04.090(D)1	Add provision for landscape architect signature
Table 1, Chapter 4	Change public hearing notice to 10 days for plat amendments, consistent with other public hearing notice requirements
Section 10.06.060	Clarify maximum height of fences in front setback, current language is subjective and unenforceable.
Section 10.08.030	All the Planning Commission to permit parking in front of a building in Multi-family, Industrial, or Commercial uses.
Chapter 9	Change heading to reflect chapter content
Section 10.16.020(C)	Correct grammar error
Section 10.16.020(E)	Add minimum lot standards for single family lots
Section 10.16.020(G)	Clarify where measurement is taken
Section 10.16.020(H)	Specify open space shall be provided for all residents of subdivision
Section 10.16.020(I)	Specify that HOA be professionally managed
Section 10.16.040	Clarify required and optional elements to qualify for bonus density, remove inconsistent language, add optional moderate income housing bonus.
Section 10.16.070(A)	Remove the word “generally”
Section 10.16.070(E)	Add professionally managed HOA
Section 10.16.070(F)	Require developer to fund HOA for 3 years and pay dues for lots when owning less than 40% of the lots
Section 10.25.020	Require sensitive lands documents with application for preliminary plat
Section 10.26.080	Allow a reduction in cell tower setback, provided an equivalent fall zone easement is obtained from adjacent property

Recommendation for City Council Approval of Ordinance 13-15, Various Sections of Title VIII and Title X

The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 13-15, Amending Title VIII & Title X.

ORDINANCE NO. 13-15

AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE VIII & TITLE X OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING LAND USE.

WHEREAS, due to the pace of growth in the City there are from time to time small proposed changes to various City ordinances that are warranted; and

WHEREAS, these small proposed changes come to the attention of the Planning Commission through varied means including but not limited to questions, concerns or complaints from the general public and or from developers that are seeking clarification on the language in the City code; and

WHEREAS, the Planning Commission takes each question or concern under consideration and addresses it on case-by-case basis in a fair and judicious manner paying specific attention to the reasonableness and legality of the request as well as the reasonableness and legality of the City's own ordinances; and

WHEREAS, after such consideration Planning Commission will either support and sustain current ordinances as adopted or in other cases have staff research and address each proposed change and put forth amendments to existing ordinances; and

WHEREAS, the Planning Commission now hereby wishes to amend various sections of Title VIII & Title X to address such proposed changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. The following sections of Syracuse City Municipal Code are hereby amended as follows:

Section 8.02.020

3. Construction and inspection. No construction of public improvements shall proceed until the final plat has been approved by the City Council and filed for record in the office of the County Recorder, except that the City Engineer may conditionally approve the installation of off-site improvements as described in Section 8.07.030(D)(1). All public improvements shall commence within six (6) months and be completed within one (1) year of the date the final plat was approved, and the City Engineer, or designee, shall inspect the construction as it proceeds. A construction punch list shall be made up by the City Engineer, or designee indicating the items missed or needing correction prior to acceptance of the improvements by the City, and all required replacements or repairs shall be completed by the subdivider, at his expense, prior to acceptance by the City.
4. As Built Drawings. At the completion of construction, or at the end of one year, whichever comes first, the City Engineer, or designee, shall make an inspection of all improvements and inform the Subdivider and City Administrator of the results of the

inspection. At the completion of construction, the subdivider shall call for inspection by the City Engineer, or designee and said inspection shall be made within ten (10) days of the request thereof. The subdivider shall provide the City with record drawings accurately defining for permanent record the surface improvements and underground utilities as they were actually constructed and shall provide one mylar copy, which indicates any changes from the original approved final drawings. All sewer and land drain manhole flow lines shall be verified. (Ord. 13-02)

5. Inspection. All construction work involving the installation of improvements in subdivisions shall be subject to inspection by the City Engineer, or designee. Certain types of construction shall have continuous inspection, while others shall have periodic inspections. The City may request the services of the Special Inspectors or testing firms to assist in inspection if it is deemed necessary.

8.04.010:Procedures and Requirements for Submission Submit four (4) standard 22" x 34" copies, one (1) reduced to 11" x 17" (1/2 scale) copy plus one (1) PDF copy of a Sketch Plan to the Planning commission for review and discussion of plan and general scope and conditions. The Plan must be submitted at least two weeks prior to the next regularly scheduled meeting of the Planning Commission and shall include the following items:

8.05.010 Preliminary Plat

The Preliminary Plat shall comply with the following requirements:

1.Submission Requirement: Submit Four (4) standard 22" x 34" copies (see standard drawing #1), One (1) reduced to 11" x 17" (1/2 scale) copy, plus one (1) pdf copy of the preliminary plat, plan and profile sheets to the Planning Commission for review at least two weeks prior to the next regularly scheduled meeting of the Planning Commission. The Planning Commission may, if said copies are not so submitted beforehand, postpone its consideration thereof until its next regularly scheduled meeting.

8.06.030 Final Approval

1. Submittal: Submit Four (4) standard 22" x 34" copy of plat and plan & profile sheets, one (1) copy of each reduced to 11" x 17" (1/2 scale), plus one pdf copy to the city, together with a cost estimate of off-site improvements and storm drain calculations.
2. Engineer Review: City Engineer will review submitted documents and transmit his conclusions and recommendations to the Planning Commission, including cost estimate for off-site improvements required by City ordinance.
3. Approval: Upon receipt of the approved plans from the City Engineer the Planning Commission shall forward to the City Council their recommendation to either approve or reject the final plat or shall table action for the next regular meeting or until the specified deficiency has been corrected..

If the Planning Commission does not approve the Final Plat, disapproval shall be indicated by written notice stating the reasons for disapproval, in which case the decision can be appealed to the City Council whose decision will be final.

Approval of final plats by the City Council will extend for a period of (12) twelve months. If work or subsequent action by the subdivider to proceed with offsite construction does not occur within the

(12) twelve month period following initial approval, the plat and construction drawings must be re-submitted and become subject to re-approval under the latest City ordinances and specifications. (1999) (Ord. 13-02)

4. Construction of off-site Improvements: No construction of off-site improvements shall commence until the subdivider has completed a preconstruction meeting with the city planning, engineering, and public works departments, at which time a review of construction project and expectations of the city will be discussed. Such conference shall be scheduled with the city and all affected utility companies will be invited to attend. (Ord. 13-02)
5. Approval to Record Subdivision: Before any subdivision plat will be recorded, the subdivider shall furnish a corporate surety bond or cash escrow in amount as finally determined by the City Engineer to secure the performance of the public improvements in a workmanlike manner and according to specifications established by the Syracuse City Subdivision Standards {See Section 8.02.020}. Some of the public improvements are as follows:
 - a. Paving of streets
 - b. Curb, gutter and sidewalks
 - c. Sewer and water lines, including irrigation lines
 - d. Storm and subsurface drainage
 - e. Street signs, monuments, lighting, fences and street trees
 - f. Removal or relocation of any easements which may affect the use of the dedicated streets by the City.
 - g. Utility development connection fees
6. Recording. Once final plat approval has been obtained the developer shall submit a 22"X 34" mylar of the Final Plat to the City engineer. If all documents, submittals, and payment of fees are in order, the City Engineer will sign the mylar indicating approval of the subdivision. Complete submittal shall include the following:
 - a. Development Agreements,
 - b. Escrow Agreement
 - c. Title Report
 - d. Street Light Agreement,
 - e. Off-Site Improvement Agreement,
 - f. Water Share Certificate,
 - g. Storm Water Activity Permit,
 - h. Stormwater Maintenance Agreement
 - i. Payment of all required development and inspection fees,
 - j. Approved construction drawings or as-built drawings,
 - k. Surety and Improvement Guarantee,
 - l. Easements and any other documents deemed necessary by the City Engineer or conditioned for approval by the Planning Commission or City Council.

After approval and signature of the Final Plat, the City Engineer shall submit the plat to the Community Development Director, or designee, who shall obtain the signatures of the City Attorney, Planning Commission Chair, and Mayor. The Final Plat, bearing all official signatures as

above required, shall be deposited in the office of the City Recorder, who shall cause the plat to be recorded in the office of the County Recorder. Final plats not recorded within twelve (12) months of final approval, shall be deemed null and void. No plat shall be recorded in the office of the County Recorder until the plat is approved and signed. Lots included in such plat shall not be sold or exchanged, and no offer shall be made to sell or exchange any such lots unless and until the plat is recorded. (1997)

Section 10.02.040 Definitions

CLUSTER SUBDIVISION: A subdivision approved by the City, as allowed within a particular zone, which meets all the requirements of Chapter 16 of this Title with other standards as determined by the City Council by means of a development agreement.

Section 10.04.090(D)1

(h) Each sheet shall be signed and stamped by a Professional Engineer or Professional Landscape Architect, as applicable. (Ord. 08-11) (Ord. 09-09)

Table 1 of Chapter 4

Vacations or amendments of Subdivision Plats	None	Planning Commission (public hearing and ten [10]-day notice required)	City Council	District Court (thirty [30] days from decision by Land Use Authority)
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Section 10.06.060 Miscellaneous Requirements and Provisions

(A) Height of Fences, Walls, and Hedges in Residential Zones. Property owners may erect fences, walls, and hedges to the permitted building height in the zone in which they are located provided they are not within any required yard space. Fences, walls, or hedges in any required side and rear yard shall not exceed six (6) feet in height. Fences within the required front yard setback or side street setback shall not exceed three (3) feet in height and shall comply with the requirements of Section 10-6-060(B). Where a retaining wall is reasonable and necessary, located on the line separating lots, such retaining wall may include a fence, wall, or hedge on top to the same height that would otherwise be permitted if no retaining wall existed. (Ord. 08-07)

Section 10.08.030 General Provisions

(C) Prohibited Locations. It shall be unlawful to park a motor vehicle, trailer, or boat in a front yard area, as defined in Section 10-2-040, on any residential property or on areas not improved for parking. No one shall develop any portion of a front yard, as required in this Title, as a public parking area in conjunction with a permitted multi-family, commercial, or industrial use without approval by the Planning Commission at site plan review. No one shall pave or improve any portion of a required front yard, other than approved parking and driveways leading directly to or adjacent to a garage, so as to encourage or make possible the parking of vehicles therein. Residents may use paved driveways leading directly to or adjacent to a garage as an approved parking area for additional vehicles to meet the requirements of this Chapter. (Ord. 09-10)

Chapter 9
SIGN REGULATIONS

10-16-020: DEVELOPMENT REQUIREMENTS

- (C) The Land Use Authority shall require that the arrangement of structures and open spaces be developed in such a manner as to prevent any adverse effects on adjacent properties.
- (E) Approval of the development plan shall determine lot area, lot width, setbacks, and lot coverage regulations for multi-family structures, with a minimum separation of sixteen (16) feet between structures.
 Single family detached lots shall have the following minimum lot standards:
 - 1. Lot Area 6,000 sq. ft.
 - 2. Lot Width 60 feet
 - 3. Setbacks:
 - a. Front 15 feet
 - b. Garage 20 feet
 - c. Side 8 feet (both sides)
 - d. Rear 20 feet
- (G) A clear area, thirty (30) feet wide measured from back of curb, shall be maintained along both sides of all streets in a Cluster Subdivision for the location of utilities.
- (H) Every Cluster Subdivision shall provide open space within the development. Such required open space shall not include streets, driveways, common space, or parking areas, but shall be totally landscaped or utilized as agricultural or recreation areas. Non-Agriculture and non-wetlands preserve open space shall be developed for the enjoyment and use of all residents of the development and/or the public.
- (I) The developer shall landscape all common space around or adjacent to building lots, and a lawfully organized and professionally managed home owners' association shall maintain said common space from the onset.

10-16-040: BONUS DENSITY INCENTIVES

- (A) Bonus Density. The City shall consider additional units per acre for a development that complies with the Bonus Density Requirements. In no case shall the bonus density exceed the maximum allowed for the zone. To calculate the bonus density, add the incentive density to the standard density permitted in the proposed location. The awarded incentives are shown below: (Ord. 08-07)

ZONE DENSITY	INCENTIVE DENSITY	STANDARD DENSITY	MAXIMUM DENSITY
A-1	2.0	0.5	2.5
R-1	1.85	2.9	4.75

(Ord. 11-13)

- (B) Bonus Density Calculations. For a permitted project to develop with a density greater than the zone allows, the density incentives must at a minimum contain items 1-4 as outlined below: (Ord. 08-07)

1.	Open Space Preservation	Bonus
	A-1 Zone <i>Fifty (50) percent of the developed land</i>	.80
	R-1 Zone <i>Twenty-five (25) percent of the developed land</i>	.65
2.	Building Design Standards <i>The placement of restrictive covenants within the subdivision that facilitate superior design elements.</i>	.40
3.	Landscaping of Park Strips <i>Planting approved trees species (min two- [2]" inch Caliper) every fifty (50) feet in park strips together with moving the sidewalk four (4) feet closer to the homes</i>	.20
4.	Amenities to Open Space <i>The funding and placement of approved amenities to open space or common areas</i>	.25
5.	Moderate Income Housing <i>Provision of five (5%) percent of dwellings dedicated to moderate income housing.</i>	.10
6.	Landscaped Entrance Ways <i>The development of entranceways to the subdivision development including subdivision identification signs</i>	.15
7.	Trail System/Walking Paths <i>Development of walking paths connecting to the City's trail system</i>	.10

- (C) Development of open or common space shall comply with the following standards:
2. Open Space. Property designated as open space on the landscaping plan shall be for the full use and enjoyment of all the residents of the development or community at large. The developer shall develop and improve open space that is not in the ownership of the City or maintain it for agricultural use or grazing. The developer must complete the open space landscaping prior to approval of the next consecutive phase of subdivision development, or within negotiated phasing per the development agreement. Open space that is designated for agricultural use is required to have a recorded perpetual conservation easement.

10-16-070: DEVELOPMENT PLAN AND AGREEMENT REQUIREMENTS. (Added by Ord. 11-13)

- (A) Subdivision Ordinance requirements shall apply to Cluster Subdivisions except where negotiated within the development agreement. The developer shall submit a residential development plan of all project phases for City consideration and approval and shall integrate the proposed development plan into a development agreement between the developer and City. The development agreement shall undergo an administrative review process to ensure compliance with adopted City ordinances and standards with approval by the City Council. The subdivider shall develop the property in accordance with the development agreement and current City ordinances, including the development requirements as identified within this Chapter, in effect on the approval date of the agreement, together with the requirements set forth in the agreement, except when Federal, State, County, and/or City laws and regulations, promulgated to protect the public's health, safety, and welfare, require future modifications under circumstances constituting a rational public interest. The Land Use Authority shall use the submitted development plan and agreement with the design amenities and unique development features and merits of the development to

determine overall development dwelling-unit density up to a maximum as determined by the bonus density calculations. (Ord. 11-13)

- (E) A Cluster Subdivision community shall be of sufficient size, composition, and arrangement to enable its feasible development as a complete unit, professionally managed by a legally-established owners' association and governed by enforceable, duly recorded CC&Rs. (Ord. 11-13)
- (F) Developer shall prepare a budget for the Home Owner's Association operation and facilities maintenance. Developer shall establish a dedicated operating fund for the collection of home owner dues and shall provide funding for said maintenance for the first three (3) year's operating expenses of the home owner's association or until developer owns less than 40% of the lots. When the developer owns less than 40% of the lots, developer shall pay dues on his remaining lots in accordance with the CC&R's and fee schedule adopted by the Home Owner's Association. The CC&R's will provide in the budget a depreciation estimate and provide for the collection of fees sufficient to meet the depreciation of infrastructure under control of the Home Owner's Association

Chapter 25 (Sensitive Lands Overlay)

10-25-020: PRELIMINARY REQUIREMENTS. Any proposed development within this Zone as identified shall include the following items with a completed application and plans for preliminary plat or site plan approval:

- (A) Wetland delineation approved by the Army Corps of Engineers of all the property within the ownership or control of the developer within the proposed development area.
- (B) A detailed soil analysis, completed by a licensed geotechnical engineer that includes soil types and conditions as well as ground-water level test results, monitored for not less than six (6) months.
- (C) A geotechnical engineered plan for construction and installation of all off-site improvements including, but not limited to, ground and road stabilization as well as design standards for all structure development within the overlay zone.
- (D) Proposed method of routing irrigation or drainage water that is currently being collected from the property.
- (E) Proposed lot drainage plan as required by Section 10-25-040.

Section 10.26.080

(C) Monopoles with no platform.

1. Maximum Height and Width. The maximum height of the monopole antenna shall be seventy-five (75) feet, although the approving body may allow an antenna or antenna-support structure up to one hundred ten (110) feet in height if the applicant demonstrates to the satisfaction of the approving body that the additional height is necessary to obtain coverage or allow co-location and that the applicant has taken steps to mitigate adverse effects on the surrounding neighborhood. The entire antenna structure mounted on the monopole shall not exceed three (3) feet in width. The antenna itself shall not exceed ten (10) feet in height.
2. Setback. Monopoles shall be set back a minimum one hundred ten (110) percent of the height of the monopole from any lot line, measured from the base of the monopole to the nearest residential lot line. Exceptions to this setback requirement may be approved by the Planning Commission conditioned upon the acquisition of an equivalent fall zone easement on the adjacent property. Under no circumstances shall residential structures or otherwise occupied structures be permitted within the fall zone easement. Construction of non-occupied accessory structures may be permitted within the easement at the sole risk of the property owner.

(D) Monopoles with Platform.

1. Maximum Height and Width. The maximum height of the monopole antenna shall be seventy-five (75) feet, although the approving body may allow an antenna or antenna-support structure up to one hundred ten (110) feet in height if the applicant demonstrates to the satisfaction of the approving body that the additional height is necessary to obtain coverage or allow co-location and that the applicant has taken steps to mitigate adverse effects on the surrounding neighborhood. The antennas and antenna-mounting structures on the monopole shall not exceed eight (8) feet in height or fifteen (15) feet in width. The antenna itself shall not exceed ten (10) feet in height.

2. Setback. Monopoles shall be set back a minimum one hundred ten (110) percent of the height of the monopole from any lot line, measured from the base of the monopole to the nearest residential lot line. Exceptions to this setback requirement may be approved by the Planning Commission conditioned upon the acquisition of an equivalent fall zone easement on the adjacent property. Under no circumstances shall residential or otherwise occupied structures be permitted within the fall zone easement. Construction of non-occupied accessory structures may be permitted within the easement at the sole risk of the property owner.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective immediately after publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 22nd DAY OF October, 2013.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Mayor Jamie Nagle

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Peterson	_____	_____
Councilmember Lisonbee	_____	_____
Councilmember Duncan	_____	_____
Councilmember Johnson	_____	_____
Councilmember Shingleton	_____	_____

Proposed Title 8 amendments

Section 8.02.020

3. Construction and inspection. No construction of public improvements shall proceed until the final plat has been approved by the City Council and filed for record in the office of the County Recorder, except that the City ~~Engineer Council~~ may conditionally approve the installation of off-site improvements as described in Section 8.0-7.0-30(D)(1). All public improvements shall commence within six (6) months and be completed within one (1) year of the date the final plat was approved, and the ~~City Engineer, or designee, Building Official~~ shall inspect the construction as it proceeds. A construction punch list shall be made up by the ~~City Engineer, or designee, Building Official~~ indicating the items missed or needing correction prior to acceptance of the improvements by the ~~City Building Official~~, and all required replacements or repairs shall be completed by the subdivider, at his expense, prior to acceptance by the City.
4. As Built Drawings. At the completion of construction, or at the end of one year, whichever comes first, the ~~City Engineer, or designee, Building Official~~ shall make an inspection of all improvements and inform the Subdivider and City Administrator of the results of the inspection. At the completion of construction, the subdivider shall call for inspection by the ~~City Engineer, or designee, Building Official~~ and said inspection shall be made within ten (10) days of the request thereof. The subdivider shall provide the City with record drawings accurately defining for permanent record the surface improvements and underground utilities as they were actually constructed and shall provide one mylar copy, which indicates any changes from the original approved final drawings. All sewer and land drain manhole flow lines shall be verified. (Ord. 13-02)
5. Inspection. All construction work involving the installation of improvements in subdivisions shall be subject to inspection by the ~~City Engineer, or designee, Building Official~~. Certain types of construction shall have continuous inspection, while others shall have periodic inspections. The City may request the services of the Special Inspectors or testing firms ~~City Engineer~~ to assist in inspection if it is deemed necessary.

(Sketch plat)

8.04.010: Procedures and Requirements for Submission Submit ~~four (4) one (1)~~ standard 22" x 34" ~~copy~~ copies, ~~plus one (1)~~ plus one (1) reduced to 11" x 17" (1/2 scale) copy plus one (1) PDF copies-copy of a Sketch Plan to the Planning commission for review and discussion of plan and general scope and conditions. The Plan must be submitted at least two weeks prior to the next regularly scheduled meeting of the Planning Commission and shall include the following items:

8.05.010 Preliminary Plat

The Preliminary Plat shall comply with the following requirements:

1. Submission Requirement: Submit Four (4) standard 22" x 34" copies (see standard drawing #1), ~~plus One (1)~~ reduced to 11" x 17" (1/2 scale) copy, plus one (1) pdf copy of the preliminary plat, plan and profile sheets to the Planning Commission for review at least two weeks prior to the next regularly scheduled meeting of the Planning Commission. The

Planning Commission may, if said copies are not so submitted beforehand, postpone its consideration thereof until its next regularly scheduled meeting.

8.06.030 Final Approval

1. 4-Submittal: Submit Four (4) ~~one (1)~~ standard 22" x 34" copy of plat and plan & profile sheets, ~~plus one (1) copy of each reduced to 11" x 17" (1/2 scale), plus one pdf copy~~ to the city. ~~Submit three (3) standard 22" X 34" copies of plat and plan & profile sheet,~~ together with a cost estimate of off-site improvements and, ~~storm drain calculations.~~
2. Engineer Review: City Engineer will review submitted documents and transmit his conclusions and recommendations to the Planning Commission, including cost estimate for off-site improvements required by City ordinance. ~~If documents are in order, City Engineer will sign the mylar indicating his approval of the subdivision. After approval and signature of the Final Plat, the City Engineer shall submit the plat, along with his comments of review and approval to the Planning Commission.~~
3. Approval: Upon receipt of the approved plans from the City Engineer the Planning Commission shall forward to the City Council their recommendation to either approve or, reject the final plat, or shall table action for the next regular meeting or until the specified deficiency has been corrected. the Final Plat. ~~If the final plat is approved, the Planning Commission Chairman shall sign the plat and forward it to the City Council for approval and signature, which action shall be taken in a regularly scheduled meeting of the City Council.~~

If the Planning Commission does not approve the Final Plat, disapproval shall be indicated by written notice stating the reasons for disapproval, in which case the decision can be appealed to the City Council whose decision will be final.

Approval of final plats by the City Council will extend for a period of (~~€12~~) six-twelve months. If work or subsequent action by the subdivider to proceed with offsite construction does not occur within the (~~€12~~) six-twelve month period following initial approval, the plat and construction drawings must be re-submitted and become subject to re-approval under the latest City ordinances and specifications. (1999) (Ord. 13-02)

4. Construction of off-site Improvements: No construction of off-site improvements shall commence until the subdivider has completed a pre-construction meeting with the city planning, engineering, and public works ~~building~~ departments, at which time a review of construction project and expectations of the city will be discussed. Such conference shall be scheduled with the city and all affected utility companies will be invited to attend. (Ord. 13-02)
5. Approval to Record Subdivision: Before any subdivision plat will be recorded, the subdivider shall furnish a corporate surety bond or cash escrow in amount as finally determined by the City Engineer to secure the performance of the public improvements in a workmanlike manner and according to specifications established by the Syracuse City Subdivision Standards {See Section 8.02.020-2-3}. Some of the public improvements are as follows:
 - a. Paving of streets
 - b. Curb, gutter and sidewalks
 - c. Sewer and water lines, including irrigation lines
 - d. Storm and subsurface drainage

- e. Street signs, monuments, lighting, fences and street trees
 - f. Removal or relocation of any easements which may affect the use of the dedicated streets by the City.
 - g. Utility development connection fees
6. Recording. Once final plat approval has been obtained the developer shall submit a 1922"X 3034" mylar of the Final Plat to the City engineer. If all documents, submittals, and payment of fees are in order, the City Engineer will sign the mylar indicating approval of the subdivision. Complete submittal shall include the following:
- a. Development Agreements,
 - b. Escrow Agreement
 - c. Title Report
 - d. Street Light Agreement,
 - e. Off-Site Improvement Agreement,
 - f. Water Share Certificate,
 - g. Storm Water Activity Permit,
 - h. Stormwater Maintenance Agreement
 - i. Payment of all required development and inspection fees.
 - j. -Approved construction drawings or as-built drawings,
 - k. Surety and Improvement Guarantee,
 - a.l. Easements and any other documents deemed necessary by the City Engineer or conditioned for approval by the Planning Commission or City Council.

After approval and signature of the Final Plat, the City Engineer shall submit the plat to the Community Development Director, or designee, who shall obtain the signatures of the City Attorney, Planning Commission Chair, and Mayor. The Final Plat, bearing all official signatures as above required, shall be deposited in the office of the City Recorder, who shall cause the plat to be recorded in the office of the County Recorder. Final plats not recorded within twelve (12) months of final approval, shall be deemed null and void. No plat shall be recorded in the office of the County Recorder until the plat is approved and signed. ~~and~~ Lots included in such plat shall not be sold or exchanged, and no offer shall be made to sell or exchange any such lots unless and until the plat is ~~so approved, and signed and~~ recorded. (1997)

Title 10-Proposed Amendments

Section 10.02.040 Definitions

CLUSTER SUBDIVISION: A subdivision approved by the City, as allowed within a particular zone, which meets all the requirements of Chapter 16 of this Title with other standards as determined by the City Council by means of a development agreement. ~~Homes grouped together on at least five (5) acres of land, exempt from the minimum lot size requirements of a regular subdivision, grouped in a manner that allows for common open space at the same density allowed by zone.~~

Section 10.04.090(D)1

(h) Each sheet shall be signed and stamped by a Professional Engineer or Professional Landscape Architect, as applicable. (Ord. 08-11) (Ord. 09-09)

Table 1 of Chapter 4

Vacations or amendments of Subdivision Plats	None	Planning Commission (public hearing and fifteen <u>ten [10]</u> [15] -day notice required)	City Council	District Court (thirty [30] days from decision by Land Use Authority)
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Section 10.06.060 Miscellaneous Requirements and Provisions

(A) Height of Fences, Walls, and Hedges in Residential Zones. Property owners may erect fences, walls, and hedges to the permitted building height in the zone in which they are located provided they are not within any required yard space. Fences, walls, or hedges in any required side and rear yard shall not exceed six (6) feet in height. Fences within the required front yard setback or side street setback shall not exceed three (3) feet in height ~~nor impede visibility of sidewalks and streets from adjacent driveways~~ and shall comply with the requirements of Section 10-6-060(B). Where a retaining wall is reasonable and necessary, located on the line separating lots, such retaining wall may include a fence, wall, or hedge on top to the same height that would otherwise be permitted if no retaining wall existed. (Ord. 08-07)

Section 10.08.030 General Provisions (Parking)

(C) Prohibited Locations. It shall be unlawful to park a motor vehicle, trailer, or boat in a front yard area, as defined in Section 10-2-040, on any residential property or on areas not improved for parking. No one shall develop any portion of a front yard, as required in this Title, as a public parking area in conjunction with a permitted multi-family, commercial, or industrial use without approval by the Planning Commission at site plan review. No one shall pave or improve any portion of a required front yard, other than

approved parking and driveways leading directly to or adjacent to a garage, so as to encourage or make possible the parking of vehicles therein. Residents may use paved driveways leading directly to or adjacent to a garage as an approved parking area for additional vehicles to meet the requirements of this Chapter. (Ord. 09-10)

Chapter 9

SIGN AND ~~LIGHTING~~ REGULATIONS

10-16-020:DEVELOPMENT REQUIREMENTS

- ~~_(C)~~ The Land Use Authority shall require that the arrangement of structures and open spaces be developed in such a manner as to prevent any adverse ~~affects~~ effects on adjacent properties.
- ~~_(E)~~ Approval of the development plan shall determine lot area, lot width, setbacks, and lot coverage regulations for multi-family structures, with a minimum separation of sixteen (16) feet between structures.

Single family detached lots shall have the following minimum lot standards:

- 1. Lot Area 6,000 sq. ft.
- 2. Lot Width 60 feet
- 3. Setbacks:
 - a. Front 15 feet
 - b. Garage 20 feet
 - c. Side 8 feet (both sides)
 - d. Rear 20 feet

- (G) A clear area, thirty (30) feet wide measured from back of curb, shall be maintained along both sides of all streets in a Cluster Subdivision for the location of utilities.
- (H) Every Cluster Subdivision shall provide open space within the development. Such required open space shall not include streets, driveways, common space, or parking areas, but shall be totally landscaped or utilized as agricultural or recreation areas. Non-Agriculture and non-wetlands preserve open space shall be developed for the enjoyment and use of all residents of the development and/or the public.
- (I) The developer shall landscape all common space around or adjacent to building lots, and a lawfully organized and ~~fully functional~~ professionally

professionally managed home owners' association shall maintain said common space from the onset.

10-16-040: BONUS DENSITY INCENTIVES

- (A) Bonus Density. The City shall consider additional units per acre for a development that complies with the Bonus Density Requirements. In no case shall the bonus density exceed the maximum allowed for the zone. To calculate the bonus density, add the incentive density to the standard density permitted in the proposed location. The awarded incentives are shown below: (Ord. 08-07)

ZONE DENSITY	INCENTIVE DENSITY	STANDARD DENSITY	MAXIMUM DENSITY
A-1	2.0	0.5	2.5
R-1	1.85	2.9	4.75

(Ord. 11-13)

- (B) Bonus Density Calculations. For a permitted project to develop with a density greater than the zone allows, the density incentives must accrue in numerical order at a minimum contain items 1-4 as outlined below: (Ord. 08-07)

		Bonus
1.	Open Space Preservation	
	A-1 Zone <i>Fifty (50) percent of the developed land</i>	.80
	R-1 Zone <i>Twenty-five (25) percent of the developed land</i>	.65
2.	Building Design Standards <i>The placement of restrictive covenants within the subdivision requiring a minimum seventy (70) percent brick or rock on exterior finishes for homes within the development and the construction of front porches that accommodate seating that facilitate superior design elements.</i>	.35 .40
3.	Landscaping of Park Strips <i>Planting approved trees species (min two- [2]" inch Caliper) every fifty (50) feet in park strips together with moving the sidewalk four (4) feet closer to the homes or by using serpentine sidewalks in a fashion to "meander" through the park strip and front yard areas</i>	.20
<u>4.</u>	Amenities to Open Space <i>The funding and placement of approved amenities to open space or common areas</i>	.25
4. <u>5.</u>	Home Owners Association Moderate Income Housing <i>Creating a Home Owners Association to maintain landscaped entrance ways and common space Provision of five (5%) percent of dwellings dedicated to moderate income housing.</i>	.30 .10
5. <u>6.</u>	Landscaped Entrance Ways <i>The development of entranceways to the subdivision development including subdivision identification signs</i>	.15
6.	Amenities to Open Space <i>The funding and placement of approved amenities to open space or common areas</i>	.10
7.	Trail System/Walking Paths <i>Development of walking paths connecting to the City's trail system</i>	.10

- (C) Development of open or common space shall comply with the following standards:
2. Open Space. Property designated as open space on the landscaping plan shall be for the full use and enjoyment of all the residents of the development or community at large. The developer shall develop and improve open space that is not in the ownership of the City or maintain it for agricultural use or grazing. The developer must complete the open space landscaping prior to approval of the next consecutive phase of subdivision development, or within negotiated phasing per the development agreement. Open space that is designated for agricultural use is required to have a recorded perpetual conservation easement.

10-16-070: DEVELOPMENT PLAN AND AGREEMENT REQUIREMENTS.

(Added by Ord. 11-13)

- (A) Subdivision Ordinance requirements shall ~~generally~~ apply to Cluster Subdivisions except where negotiated within the development agreement. The developer shall submit a residential development plan of all project phases for City consideration and approval and shall integrate the proposed development plan into a development agreement between the developer and City. The development agreement shall undergo an administrative review process to ensure compliance with adopted City ordinances and standards with approval by the City Council. The subdivider shall develop the property in accordance with the development agreement and current City ordinances, including the development requirements as identified within this Chapter, in effect on the approval date of the agreement, together with the requirements set forth in the agreement, except when Federal, State, County, and/or City laws and regulations, promulgated to protect the public's health, safety, and welfare, require future modifications under circumstances constituting a rational public interest. The Land Use Authority shall use the submitted development plan and agreement with the design amenities and unique development features and merits of the development to determine overall development dwelling-unit density up to a maximum as determined by the bonus density calculations. (Ord. 11-13)
- (E) A Cluster Subdivision community shall be of sufficient size, composition, and arrangement to enable its feasible development as a complete unit, professionally managed by a legally-established owners' association and governed by enforceable, duly recorded CC&Rs. (Ord. 11-13)
- (F) Developer shall prepare a budget for the Home Owner's Association operation and facilities maintenance. Developer shall establish a dedicated operating fund for the collection of home owner dues and shall provide

funding for said maintenance for the first three (3) year's operating expenses of the home owner's association or until developer owns less than 40% of the lots. When the developer owns less than 40% of the lots, developer shall pay dues on his remaining lots in accordance with the CC&R's and fee schedule adopted by the Home Owner's Association. The CC&R's will provide in the budget a depreciation estimate and provide for the collection of fees sufficient to meet the depreciation of infrastructure under control of the Home Owner's Association

Chapter 25 (Sensitive Lands Overlay)

10-25-020:PRELIMINARY REQUIREMENTS. Any proposed development within this Zone as identified shall include the following items with a completed application and plans for ~~sketch~~ preliminary plat or site plan approval:

- (A) Wetland delineation approved by the Army Corps of Engineers of all the property within the ownership or control of the developer within the proposed development area.
- B) A detailed soil analysis, completed by a licensed geotechnical engineer that includes soil types and conditions as well as ground-water level test results, monitored for not less than six (6) months.
- (C) A geotechnical engineered plan for construction and installation of all off-site improvements including, but not limited to, ground and road stabilization as well as design standards for all structure development within the overlay zone.
- (D) Proposed method of routing irrigation or drainage water that is currently being collected from the property.
- (E) Proposed lot drainage plan as required by Section 10-25-040.

Section 10.26.080

- (C) Monopoles with no platform.
 - 1. Maximum Height and Width. The maximum height of the monopole antenna shall be seventy-five (75) feet, although the approving body may allow an antenna or antenna-support structure up to one hundred ten (110) feet in height if the applicant demonstrates to the satisfaction of the approving body that the additional height is necessary to obtain coverage or allow co-location and that the applicant has taken steps to mitigate adverse effects on the surrounding neighborhood. The entire antenna structure mounted on

the monopole shall not exceed three (3) feet in width. The antenna itself shall not exceed ten (10) feet in height.

2. Setback. Monopoles shall be set back a minimum one hundred ten (110) percent of the height of the monopole from any residential lot line, measured from the base of the monopole to the nearest residential lot line. Exceptions to this setback requirement may be approved by the Planning Commission conditioned upon the acquisition of an equivalent fall zone easement on the adjacent property. Under no circumstances shall residential structures or otherwise occupied structures be permitted within the fall zone easement. Construction of non-occupied accessory structures may be permitted within the easement at the sole risk of the property owner.

(D) Monopoles with Platform.

1. Maximum Height and Width. The maximum height of the monopole antenna shall be seventy-five (75) feet, although the approving body may allow an antenna or antenna-support structure up to one hundred ten (110) feet in height if the applicant demonstrates to the satisfaction of the approving body that the additional height is necessary to obtain coverage or allow co-location and that the applicant has taken steps to mitigate adverse effects on the surrounding neighborhood. The antennas and antenna-mounting structures on the monopole shall not exceed eight (8) feet in height or fifteen (15) feet in width. The antenna itself shall not exceed ten (10) feet in height.

2. Setback. Monopoles shall be set back a minimum one hundred ten (110) percent of the height of the monopole from any residential lot line, measured from the base of the monopole to the nearest residential lot line. Exceptions to this setback requirement may be approved by the Planning Commission conditioned upon the acquisition of an equivalent fall zone easement on the adjacent property. Under no circumstances shall residential or otherwise occupied structures be permitted within the fall zone easement. Construction of non-occupied accessory structures may be permitted within the easement at the sole risk of the property owner.