MAY 23, 2007

SYRACUSE CITY, UTAH

STORM WATER IMPACT FEE UPDATE

IMPACT FEE DETERMINATION

May 2007

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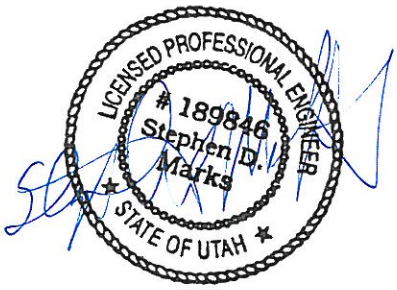
SYRACUSE CITY

STORM DRAIN SYSTEM

IMPACT FEE DETERMINATION

PUBLIC REVIEW DRAFT



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ACKNOWLEDGMENTS

Successful completion of this study was made possible by the cooperation and assistance of the Syracuse City Staff, as shown below. We sincerely appreciate the cooperation and assistance provided by these individuals.

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SYRACUSE CITY

STORM DRAIN SYSTEM IMPROVEMENTS

EXECUTIVE SUMMARY

Based on an estimated growth of 1,735 net acres within the City in the next twenty four years and a cost of **$11,163,744** for capital facility improvements to expand the storm drain system to accommodate this growth, an updated Storm Drain Impact Fee is calculated per net developed square footage as follows:

R-1	=	$0.109/sf
R-2	=	$0.116/sf
R-3	=	$0.127/sf
R-4	=	$0.145/sf
PRD	=	$0.138/sf
C-1	=	$0.261/sf
C-2	=	$0.246/sf
I-1	=	$0.261/sf
A-1	=	$0.069/sf

SYRACUSE CITY

STORM DRAIN SYSTEM IMPROVEMENTS
IMPACT FEE DETERMINATION

INTRODUCTION

The purpose of this report is to provide a Capital Facility Plan for the City of Syracuse to update the City's Storm Drain Impact Fees to meet the cost of improvements required due to future growth within the City. This plan consists of the following: first, a projection of growth that will occur during the planning period; second, a storm drain capacity analysis of current and future storm water flows in the system; and third, a determination of the location and required sizing of future piping and detention facilities. The Capital Facility Plan will conclude with a calculation of the costs to construct the proposed improvements. These costs are then used in the subsequent Impact Fee Determination Report to calculate the impact fee required to pay for the cost of said improvements.

The Storm Drain Capital Facility Plan is part of the 2007 Storm Drain Master Plan, which discusses in greater detail planned improvements required to maintain the existing storm drain network at a required Level of Service (LOS). The improvements presented in this report are required to provide the same Level of Service for future development. The Capital Facility Improvements presented in this report are required only for future growth and were added to the storm drain model after all existing LOS issues were resolved.

IMPACT FEE DEFINITION

Syracuse City's Storm Drain impact fees are to be established in a manner consistent with Utah statutory guidelines and are intended to finance the improvements identified in the City's Storm Drain Capital Facility Plan. An impact fee within the State of Utah is defined as:

> "A one-time charge on new development for the purpose of raising revenue for new or expanded public facilities necessitated by that development."

The Utah State Legislature established Senate Bill 4, effective 1 July 1995 concerning the methodology to be used in constructing impact fees. The Bill, embodied in Title 11, Chapter 35 of the Utah Code, solidified local government's authority to impose impact fees in their jurisdictions by regulating those fees within their individual boundaries. However, it also mandates procedural requirements for local governments to follow when establishing and collecting an impact fee.

The purpose of an impact fee is to equitably apportion the cost of constructing capital facilities required

by new development, so that existing customers (residences) are not caused to subsidize the construction of the new infrastructure. The methodology is also intended to avoid overcharging new development, a situation which would result if there was a subsidy of existing customers. The impact fee may consider the cost of existing facilities which provide needed capacity for growth, as well as the cost of new expansion projects to accommodate that growth.

This one-time charge is imposed on new development as a condition of service. The fees collected may only be applied within the system for which they are intended (e.g.. Storm Drain impact fees cannot fund Culinary Water or Street improvement projects). Not only can the fee fund new improvements to a system, but it can also be charged to recover system improvement costs previously incurred by the City for the benefit of future development for which the City has not previously received compensation from any other individual, group, or Government Agency. This is consistent with the statute in that new development benefits from already-existing capacity paid for by the City. The impact fee calculation must consider several factors:

1. The expected future demand on the system and the requirements that Syracuse's facilities, existing and planned, must meet;

2. The value of Syracuse's existing facilities from which new development benefits;

3. The cost of improving those facilities to increase capacity for development whose demand will exceed the limits of existing facilities; and

4. Any contributions that existing customers and new development have already paid toward the construction and/or improvement of existing and planned facilities.

This analysis has taken into account the statutory guidelines for developing a funding mechanism that supports Syracuse's growth. The study results in an equitable impact fee on future development to pay for the improvements necessary to handle their increased demand on the existing facilities and that will require Syracuse to expand facilities in order to meet its future need.

CAPITAL FACILITY PLAN

A Capital Facility Plan was completed for the Storm Drain System, identifying the System Improvements required to provide adequate storm drain detention and conveyance. The Capital Facility Plan identified 39 pipeline conveyance and 11 detention basin improvement projects costing a total of $11,163,744. The capital facility improvements are planned to be constructed as funds are available according to the priority assigned in the Capital Facility Plan.

System improvements, as defined in the Impact Fees Act, are improvements that "benefit the system as a whole." These improvements can be funded through Impact Fees. All capital projects listed in the Capital Facility Plan and funded in this Impact Fee analysis are considered to be system improvements.

IMPACT FEE

Impact Fee Basis

The impact Fee should be in a form that is flexible enough to be applied to several types of connections such as residential properties, apartments, commercial property, or industrial properties. For storm drain improvements, the costs incurred are a function of the storm water flows generated by the developed area. These flows are a function of the contributing area. For new development the contributing area is usually the entire area of the Subdivision, including the Lots as well as the streets. For the calculation of storm drain Impact Fees and the assessment of Fees to the new properties when they develop, the Net Developed area should be used. The Net Developed area is the Area of the Development minus the streets and other public areas, which is equal to the sum of the developed property Lots.

The stormwater runoff volume is not only a function of the contributing area but also of the amount of impermeable surface within the area. The impermeable surface is represented by the value C in the rational equation, shown in the Capital Facility Plan. Impermeable surfaces are surfaces such as asphalt roadway, concrete sidewalk and roofs that prevent the storm water from seeping into the ground and allow water to flow across the ground surface into the storm drain. Development with a larger percentage of the surface that is impermeable will contribute more storm water into the storm drain than equal areas with a lower percentage of impermeable surface. Study of the various zones within the City shows varying C values for each development zone. These C values for each zone is listed in Table 8 and are calculated in the Appendix.

The current City zoning schedule identifies 8 zones, as shown in Table 8 below. Table 8 also shows the required maximum Lot density for each residential zone.

TABLE 8
Syracuse Zoning

Zone	Zone Density (Units per Acre)	C
R-1	2.9	0.30
R-2	2.79	0.32
R-3	5.44	0.35
R-4	14.52	0.40
PRD	8.00	0.38
C-1	Varies	0.72
C-2	Varies	0.68
I-1	Varies	0.72
A-1	Varies	0.19

The Impact Fee is assessed based upon net developed area and the percent of impermeable surface. Because of this, the impact Fee shall vary by development zoning. The Impact Fee for each development type is weighted to the zoning C value by the following formula:

$$IMPACT_FEE_a = \left(\frac{COST * C_a}{\sum_1^a Cn * An} \right)$$

Where the Cost is the amount of money to be collected by the impact Fees, C_a is the C value for $Zone_a$ and A_a is the net developable area for the same zone.

Impact Cost Calculation

For the storm drain system in Syracuse, the cost to be collected by the Impact Fees is the Capital Facility Improvement cost calculated in the Capital Facility Plan minus the remaining available balance in the City's Storm Drain Impact Fee Fund. The total cost of the required Capital Facility projects is $11,163,744 and the current Fund balance is$81,386. Therefor, the COST is $11,082,358.

COST = $11,163,744 - $81,386.00 = $11,082,358

The Impact Fee equation is applied to each zone in Table 9. This Table shows the total net developable acres (area developed into Lots), the C value, C times the net area (A), and the Impact Fee per acre for each Zone.

TABLE 9
Syracuse Impact Fees

Zone	Net Area (Acres)	C	CA	Impact Fee ($/Net Acre)	Collected Fees ($)
COST = $11,082,357.75					
R-1	922.51	0.30	276.75	$4,737.00	$4,369,940.63
R-2	265.21	0.32	84.87	$5,052.80	$1,340,030.09
R-3	11.95	0.35	4.18	$5,526.50	$66,043.85
R-4	4.24	0.40	1.70	$6,316.00	$26,789.93
PRD	65.15	0.38	24.76	$6,000.20	$390,891.21
C-1	170.73	0.72	122.92	$11,368.79	$1,940,980.47
C-2	244.44	0.68	166.22	$10,737.19	$2,624,573.90
I-1	20.29	0.72	14.61	$11,368.79	$230,704.65
A-1	30.80	0.19	5.85	$3,000.10	$92,403.03
SUM	1731.28		∑CA= 701.00		$11,082,357.75

Impact Fees are typically calculated by the City when the owner of the Property acquires a building permit. The area used for the calculation is the Platted area of the developed property as shown on the Subdivision or development Plat. The area used for calculation is the square footage of the property shown on the plat. The acreage is not used because the area shown on the Plat is typically rounded to two significant digits, which rounds the area to approximately the nearest 400 square feet. As an example, the Impact Fee for Zone R-1 in dollars per square foot is calculated as follows:

$$\text{Impact Fee}_{R\text{-}1} = \$4{,}737/43{,}560 \text{ sf/ac} = \$0.109/\text{sf}$$

Therefor, the unit Impact Fee per net developed square footage for each Zone is as follows.

R-1	=	$0.109/sf
R-2	=	$0.116/sf
R-3	=	$0.127/sf
R-4	=	$0.145/sf
PRD	=	$0.138/sf
C-1	=	$0.261/sf
C-2	=	$0.246/sf
I-1	=	$0.261/sf
A-1	=	$0.069/sf

PROJECTED REVENUE

Projection of the Impact Fee funds collected by the proposed Impact Fees shows that sufficient funds will be collected to cover the required capital expenditures. An annual breakdown of expenditures and income are listed in Table 10 and shown in Figure 6.

APPLICATION OF IMPACT FEE CHARGES

Impact Fees are assessed to individual new residential Lots, commercial property and institutional property at the time such development is approved by the City. Impact fees are not charged to any existing residential connection within the City that has already paid any previous Storm Drain Impact Fee.

Impact Fees shall be effective the date specified in the enacting Ordinance as passed by the City Council. The Impact Fee shall apply to all newly constructed homes and Subdivisions whose Impact Fees are not paid on the date the Impact Fees are ratified.

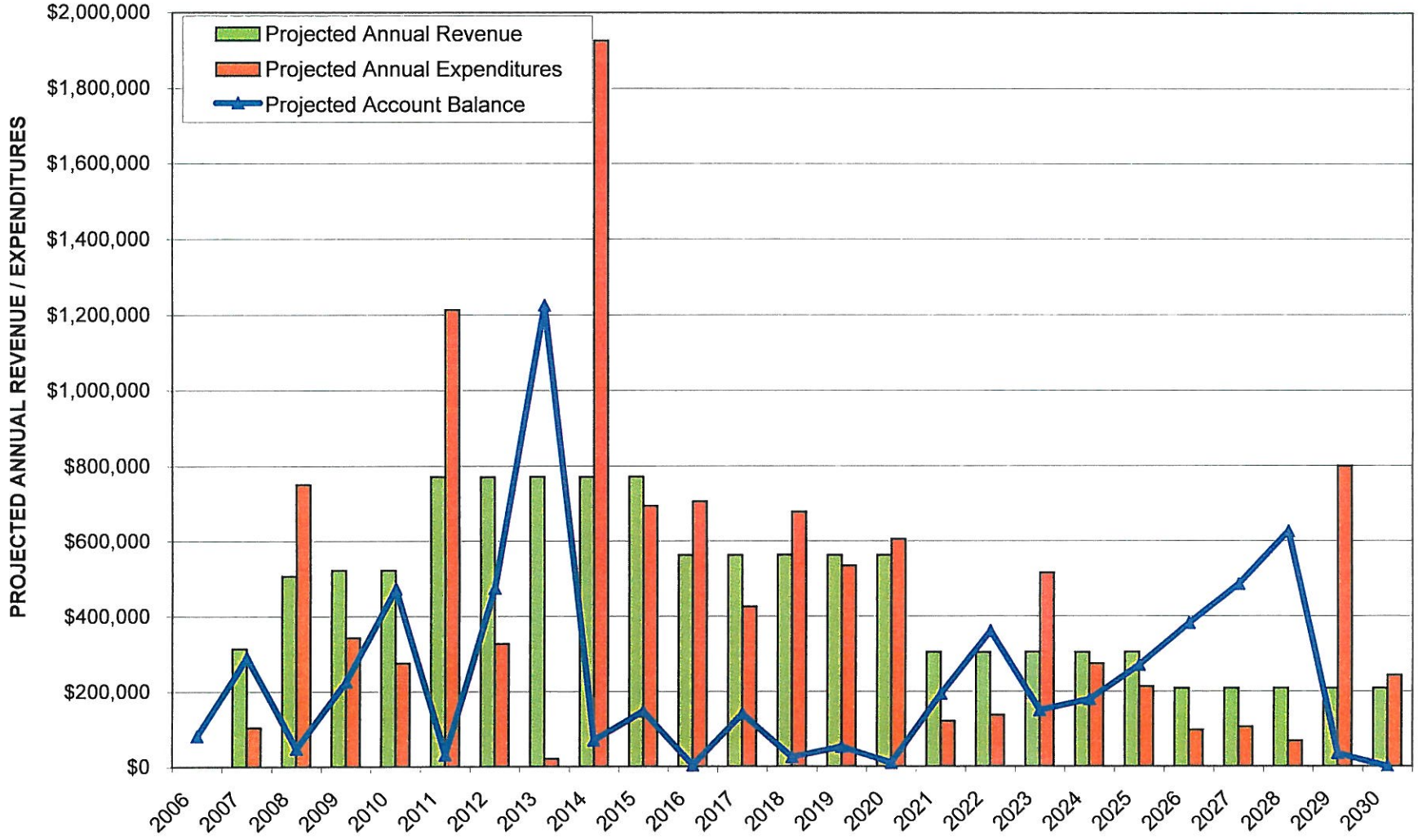
ANNUAL FEE UPDATES

The Impact Fees are calculated using current day construction costs for typical storm drain pipe installation and detention basin projects. Due to inflation and rising construction costs, this fee may not acquire sufficient funds to cover costs for projects to be completed years in the future. To keep the Impact Fee current and to provide for future increases in construction costs, the Impact Fee should be adjusted annually. Several construction industry entities, such as the Engineering News Record, collect information and tabulate typical construction unit costs and Indexes to track inflationary rate changes. It is proposed that the Impact Fee be adjusted annually according to the Construction Index inflationary rate change as published by Engineering News Record.

TABLE 10
Projected Impact Fee Revenue, 2007 through 2030

Year	Net Acres Developed	Annual Revenue	Total Revenue	Annual Expenditures	Total Expenditures	Projected Balance
2006	0.0	$ -	$ 81,386	$ -	$ -	$ 81,386
2007	49.0	$ 313,383	$ 394,769	$ 103,750	$ 103,750	$ 291,019
2008	79.1	$ 506,459	$ 901,228	$ 750,000	$ 853,750	$ 47,478
2009	81.5	$ 521,599	$ 1,422,827	$ 342,500	$ 1,196,250	$ 226,577
2010	81.5	$ 521,599	$ 1,944,427	$ 275,000	$ 1,471,250	$ 473,177
2011	120.4	$ 770,678	$ 2,715,104	$ 1,213,006	$ 2,684,256	$ 30,848
2012	120.3	$ 770,189	$ 3,485,294	$ 326,450	$ 3,010,706	$ 474,587
2013	120.4	$ 770,678	$ 4,255,971	$ 20,000	$ 3,030,706	$ 1,225,265
2014	120.3	$ 770,189	$ 5,026,161	$ 1,925,688	$ 4,956,394	$ 69,767
2015	120.4	$ 770,678	$ 5,796,838	$ 693,500	$ 5,649,894	$ 146,945
2016	87.7	$ 561,647	$ 6,358,486	$ 705,200	$ 6,355,094	$ 3,392
2017	87.7	$ 561,647	$ 6,920,133	$ 425,000	$ 6,780,094	$ 140,039
2018	87.8	$ 562,136	$ 7,482,268	$ 677,500	$ 7,457,594	$ 24,675
2019	87.7	$ 561,647	$ 8,043,916	$ 533,900	$ 7,991,494	$ 52,422
2020	87.7	$ 561,647	$ 8,605,563	$ 604,500	$ 8,595,994	$ 9,569
2021	47.5	$ 303,778	$ 8,909,341	$ 120,000	$ 8,715,994	$ 193,347
2022	47.4	$ 303,289	$ 9,212,630	$ 135,850	$ 8,851,844	$ 360,786
2023	47.5	$ 303,778	$ 9,516,408	$ 515,000	$ 9,366,844	$ 149,564
2024	47.4	$ 303,289	$ 9,819,698	$ 273,750	$ 9,640,594	$ 179,104
2025	47.5	$ 303,778	$ 10,123,475	$ 212,500	$ 9,853,094	$ 270,382
2026	32.5	$ 208,054	$ 10,331,529	$ 96,900	$ 9,949,994	$ 381,535
2027	32.5	$ 208,054	$ 10,539,583	$ 105,000	$ 10,054,994	$ 484,589
2028	32.5	$ 208,054	$ 10,747,636	$ 67,500	$ 10,122,494	$ 625,143
2029	32.5	$ 208,054	$ 10,955,690	$ 798,750	$ 10,921,244	$ 34,446
2030	32.5	$ 208,054	$ 11,163,744	$ 242,500	$ 11,163,744	$ 0
Totals	1731.3		$ 11,163,744		$ 11,163,744	$ 0

FIGURE 6 - SYRACUSE CITY
STORM DRAIN IMPACT FEE PROJECTED SPENDING



ADMINISTRATION OF CHARGES

The Impact Fees, when imposed, should be separately deposited and maintained from other City revenues and Impact Fees, and restricted to Storm Drain capital improvement purposes. This should be performed in a manner which provides a clear audit trail, which can demonstrate that they were used only for capital purposes within the system for which they were collected.

Whenever a developer constructs system facilities which are included in the capital improvement project list, Syracuse should compensate that developer through issuance of impact fee credits for those project costs, which the developer(s) may use toward their impact fees. Such credits shall be based on the portion of the project such as oversizing which provides general city benefit and are included in the impact fee bases. Such credits should have a finite life (e.g. ten years), be non-transferable, and be limited to the specific system for which issued (e.g. Storm Drain versus culinary water).

The City's compensation to the developer should be limited to the lesser of the developer's actual costs for the City share of the project, or the City Engineer's cost estimate.

REVIEW OF IMPACT FEE VERSES UTAH STATE CODE REQUIREMENTS

As part of the Impact Fee Written Analysis a comparison of the Impact Fee with the Utah Code was performed to show compliance with the Impact Fee Act. The attached tables summarize this comparison for the benefit of the reader.

EVALUATION OF UTAH STATE CODE VS. GENERATION OF SYRACUSE CITY STORM DRAIN WRITTEN ANALYSIS AND ENACTMENT

Utah Code Requirement		Addressed in Document
Code	**Requirement**	
11-36-201 (5) a	(i) Identify the impact on the City caused by the development	The City has constructed a Storm Drain system for transmission, storage and disposal of nuisance storm water. The Storm Drain system must be expanded to service developing areas of the City. To deal with Storm water in the City, new pipes, detention basins and outfalls will need to be constructed.
	(ii) Demonstrate how the impacts on the City are reasonably related to the development	The City has reviewed the amount of land that will develop within the City and the type and density of Lots that will develop on this land. Modeling of the storm drain system shows the need for extra detention and additional outfall lines, or upsizing existing storm drain lines to handle the additional storm flows that will be produced by the new development. The identified capital improvements are required specifically for increased future storm drain demands due to future development.

EVALUATION OF UTAH STATE CODE VS. GENERATION OF SYRACUSE CITY STORM DRAIN WRITTEN ANALYSIS AND ENACTMENT

Utah Code Requirement		Addressed in Document
Code	**Requirement**	
11-36-201 (5) a	(iii) Estimate the proportionate share of the costs of impacts to the City that are reasonably related to the development	The Impact Fee is calculated by dividing the cost of constructing projects on the Capital Facility List by the number of future connections to the system. -**Future developments will only pay for items identified as specifically required for future development.** Capital improvements required to resolve any deficiencies in the existing system from providing the required Level of Service, and project improvements are explicitly excluded from the determined costs of this Impact Fee.
11-36-201 (5) b	(i) Identify (if applicable) -the cost of existing public facilities.	Not applicable.
	(ii) Identify (if applicable) the manner of financing existing public facilities.	Not applicable.
	(iii) Identify (if applicable) the relative extent that existing new developments have already contributed to the cost of existing facilities.	New existing development have paid their then current Impact Fee as defined in the previous Storm Drain Impact Fee Determination. Said fees have been used for the installation of capital improvements identified in the previous Capital Facility Plan. These improvements are now part of the existing facilities. New existing development has also installed additional project improvements that are now part of the City's existing storm drain system
	(iv) Identify (if applicable) the relative extent to which new developments will contribute to the cost of existing public facilities in the future	Not applicable. -The Impact Fee does not include costs of existing facilities that are not directly attributable to new development. All residential, commercial, industrial and institutional units within the City pay a monthly user charge for the operation and maintenance of the storm drain system.

EVALUATION OF UTAH STATE CODE VS. GENERATION OF SYRACUSE CITY STORM DRAIN WRITTEN ANALYSIS AND ENACTMENT

Utah Code Requirement		Addressed in Impact Fee Document
Code	**Requirement**	
11-36-201 (5) b	(v) Identify (if applicable) the extent to which new developments are entitled to a credit due to improvements which are or will be paid for by other means within the City.	Not applicable.
	(vi) Identify (if applicable) extraordinary costs, if any, in servicing the new development	**No extraordinary cost have been identified at this time.**
	(vii)Identify (if applicable) the time-price differential inherent in fair comparisons of amounts paid at different times.	**Not applicable to the Impact Fee:** -Costs of the proposed capital improvements are based on current day prices. -This plan does set forth the procedure for the City Council to reevaluate construction cost increases and impact fee assessments annually.
11-36-201 (5) c	Prepare a summary of the written analysis designed to be understood by a lay person	**A summary has been prepared and is at the beginning of the Enactment. -In addition, each section of the Written Analysis contains an executive summary.**
11-36-202 (2) a	Enactment establishes one -or more service areas for which the impact fees shall apply	**The Written Analysis describes and the Enactment establishes the entire City as the service area upon which the impact fee is assessed.**

11-36-202 (2) b	Enactment contains the formula used to calculate the impact fees	**A detailed narrative text and all calculations are provided to assist the reader in understanding and calculating the impact fees**

EVALUATION OF UTAH STATE CODE VS. GENERATION OF SYRACUSE CITY STORM DRAIN WRITTEN ANALYSIS AND ENACTMENT

Utah Code Requirement		Addressed in Impact Fee Document
Code	**Requirement**	
11-36-202 (2) c	Enactment contains a provision to (i) respond to unusual circumstances in specific cases, (ii) ensure that impact fees are imposed fairly	i) Enactment does contain a provision for the City to respond to unusual circumstances in specific cases if deemed necessary by the City Council or City Administrator. ii) Assessment of the impact fees is a function of the storm drain runoff produced by a development. The amount of runoff is a function of the area and the percent of impermeable surface in the development. Development within the same zoning category are assigned the same impermeable percentage, known as a C value. - This is a fair way to assess impact fees to all users based on the amount of storm water runoff contributed. iii) Enactment contains a provision for the City Council to assess a special project improvement fee for expansion of service to areas that are outside of the service area defined in the Capital Facility Plan.
11-36-202 (2) c	Enactment contains a provision that permits adjustment of the amount of the fee based upon studies and data submitted by the developer.	**Provisions have been included in the Enactment which allows adjustment of the amount of the fee based upon studies and data submitted by the developer.**

RESOURCES

1. **Syracuse General Plan**, *Syracuse City General Plan Committee*, 2006.

2. **Syracuse Storm Drain Impact Fee Written Analysis**, *Epic Engineering*, March 2002

3. **Secondary Water Distribution System, Impact Fee Analysis**, *Lewis, Young, Robertson & Burningham, Inc.*, May 2006.

4. **Utah Impact Fees Act, Title 11, Chapter 35, Sections 1-5**, *Utah State Legislature*, July 1995.

TITLE X

SYRACUSE CITY
LAND USE ORDINANCE

CHAPTER 1

GENERAL PROVISIONS

10-1-1: Title

10-1-2: Effect of Chapter

10-1-3: Declaration of Purpose

10-1-4: Scope of Ordinance

10-1-5: Interpretation

10-1-6: Separability and Validity Clause

10-1-7: Effect of Other Ordinances and Regulations

10-1-8: Effect of Private Covenants and Agreements

10-1-9: Establishment of Zones

10-1-10: Zoning of Territory Annexed Into the City

10-1-11: Requirements Declared As Minimums

10-1-12: Administrative Land Use Review of Permits

10-1-13: Land Use Decision and Appeal Process / Land Use Decision Table 1

10-1-14: Compliance Regarding Violation

10-1-15: Penalties

10-1-1: **TITLE.** This ordinance shall be known as the "Syracuse City Land Use Ordinance" and may be so cited and pleaded. (1991)

10-1-2: **EFFECT OF CHAPTER.** The provisions of this chapter are general in nature and as applied affect this entire ordinance. (1991)

10-1-3: **DECLARATION OF PURPOSE.** The purpose of this ordinance, and for which reason it is deemed necessary, and for which it is designated and enacted, is to preserve and promote the health, safety, convenience, order and the general welfare of the City of Syracuse, Utah, its present and future inhabitants and the public generally, and in particular, without limitation:

(l) To encourage and facilitate orderly growth and expansion.

(2) To secure economy.

interest and the City or its agents may not assume the responsibility for enforcement. (1991)

10-1-9: ESTABLISHMENT OF ZONES. The City is hereby divided into the following zones as shown on the map entitled "Syracuse City Zoning Map," which map and boundaries, notations, references, and other information shown thereon shall be as much a part of this ordinance as If the information and matters set forth by said map were all fully described herein.

A-1	Agriculture	(.5 dwellings per net acre)
R-1	Residential	(2.90 dwellings per net acre)
R-2	Residential	(3.79 dwellings per net acre)
R-3	Residential	(5.44 dwellings per net acre)
R-4	Residential	(14.52 dwellings per net acre)
PRD	Residential	(8.00 dwellings per net acre – (pending approval by the City Council of development agreement).
C-1	Commercial	
C-2	Commercial	
PO	Professional Office	
RP	Research Park	
ID	Industrial Development	

10-1-10: ZONING OF TERRITORY ANNEXED INTO THE CITY. All property hereafter annexed into Syracuse City shall be deemed to be zoned the most appropriate zone as recommended by the Planning Commission and approved by the City Council at the time of annexation.

10-1-11: REQUIREMENTS DECLARED AS MINIMUM. The uses and regulations which apply to each zoning district are established in accordance with a General Plan designed for the same purposes for which this Title is enacted. The requirements set forth herein are declared to be the minimums which are necessary to accomplish the purposes of this Title.

10-1-12: ADMINISTRATIVE LAND USE REVIEW OF PERIMTS. All applications for land use permits, rezone requests, conditional use permits, building permits or other land use permits shall be submitted to the Community Development Department for zoning review. Such review shall assure compliance with the requirements of this Code.

(1) Building permits review. The application for a building permit shall be accompanied by a plot plan showing lot lines and dimensions, setback distances, locations of structures, and improvements, building elevations, and all specification data necessary to insure provisions of this Code are met. The Community Development Department shall not issue any building permit until approved by the Syracuse City Building Official or his Agent.

(2) Site plan and architectural review. The Community Development Department shall receive all applications for Site Plan Review, as provided for in Chapter 7 of this Title. The Community Development Department shall receive all submittals, assure completeness, and prepare submittal for review by the appropriate reviewing body.

(3) Conditional use permit. Applications for a conditional use permit shall be submitted to the Community Development Department as provided for in Chapter 6. The Community Development Director shall assure completeness and prepare submittal for review and action by the Planning Commission. Permits approved by the Planning Commission shall be issued by the Community Development Director.

(4) Zoning amendments. Requests for amendments or changes to the zoning ordinance or zoning district map shall be initiated with the Community Development Director. The amendment process shall proceed as provided for in Chapter 4 of this Title.

(5) Home occupation permit. An application for a home occupation permit shall be presented for review and approval to the Community Development Director or if required, by this chapter approved by the City Council. Upon such approval, the Community Development Director is authorized to issue a permit, as described in Chapter 6 of this Title.