

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on January 21, 2014, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present:

Commission Members:	Curt McCuiston, Chairman Tyler Bodrero, Vice-Chairman Wayne Kinsey TJ Jensen Dale Rackham Ralph Vaughan Sean Dixon Anne Greeson
City Employees:	Sherrie Christensen, Community & Economic Development Director Jenny Schow, Planner Clint Drake, City Attorney Terry Palmer, Mayor
Excused:	None
City Council:	Craig Johnson
Visitors:	Gary Pratt

1. Meeting Called to Order

- a. **Invocation or Thought** – Commissioner Vaughn
- b. **Pledge of Allegiance** – Commissioner Rackham
- c. **Adoption of Meeting Agenda**

COMMISSIONER JENSEN MOTIONED TO ADOPT THE SYRACUSE CITY PLANNING COMMISSION AGENDA FOR JANUARY 21, 2014 AS AMENDED TO HOLD THE WORK SESSION IN THE COUNCIL CHAMBERS. COMMISSIONER RACKHAM SECONDED THE MOTION; ALL VOTED IN FAVOR, THE MOTION PASSED.

2. Public Hearing, City Municipal Code Amendment, Title 10-Accessory Dwelling Units

Director Christensen stated that the requested amendments from the last work session have been incorporated into the proposed document regarding the accessory dwelling units, basements apartments and duplexes.

[6:05:22 PM](#)

Public Hearing Open, No Comment Public Hearing Closed

Commissioner McCuiston opened the topic up for discussion among the commissioners. Commissioner Jensen expressed his thanks for the change regarding primary owner occupancy being allowed in either the main building or accessory unit. Commissioner Vaughn stated for the record that these ordinance amendments have been in progress with the Planning Commission for several months and it has received multiple levels of input and hard work. He said that staff has been very compliant to make numerous revisions.

Commissioner McCuiston expressed the possibility of adopting the new ordinance as a conditional use for a limited period of time in order to how it is running and if there were any holes left. Commissioner Jensen said that one nice thing about making Accessory buildings a major conditional use is that it gives people who cannot make it into the City office during the day an opportunity to approach the planning commission when they get off of work to express their concerns essentially to any accessory building going in next to them, regarding issues such as utilities and traffic patterns. He would like to see this left as major conditional use permit.

Commissioner Greeson asked if the date should be set now, or left until it becomes burdensome, she preferred to set a date to review the minor versus major conditional use permit requirement.

Commissioner Vaughn asked if there have been previous ordinances with a review date set. He also suggested that staff track any complaints and variance requests regarding the issue. He said that as the City has an automatic review or certain areas and certain sections for the plan that come forward anyway every couple of years such as signs, it would automatically come up for review over time in that section of the code. Director Christensen is not aware of any ordinance with a sunset clause. She stated that she is confident that staff is capable of handling the reviews and that they are pretty ordinary and regular. It also fixes the problem of residents receiving a notice and then coming to a meeting thinking they can sway the Planning Commission to deny it for personal reasons and not because it doesn't meet the code. However, if they want to continue to make it a major conditional use permit, she respects and appreciates that.

Commissioner Bodrero stated that the current language calls for a minor permit, and that they are making the changes so that it is very capable to be left in the hands of City staff to administer the ordinance.

Commissioner Jensen said that he is struggling with Title 10 pages 32 & 33, Approval Standards 10-4-080(E)5. The land use authority shall review and consider the following factors in determining whether to approve, approve with conditions, or deny a conditional use application. He said the one he is struggling with is b. on the next page which says the proposed use at a particular location which is necessary or desirable to provide a service or facility that will contribute to the wellbeing of the neighborhood and the community, and wonders what does that mean? Attorney Drake said that the hard work the Planning Commission has put in and the parameters that have set forth in creating this ordinance spells out whether or not it meets the ordinance. Commissioner Jensen said the previous two duplex's that were approved weren't necessarily in that location and the residents didn't feel they were desirable. He feels it's arbitrary and may open the City up for lawsuit. Attorney Drake agreed and said is based upon the particular parameters that have been spelled out.

Commissioner Bodrero stated that if you have a macro view that could open up some concern, but where we have gone micro on item 10-6-020(12) Design Guidelines, we've spelled out some very specific items, a-g that reference his issue. They have been specific with images spelling out this not that, and giving specific examples of rooflines and other architectural elements and the facades being broken up. He feels they have been collectively specific in what they want in this ordinance to generate future development of the city. He is comfortable with the ordinance as written to set the conditional use as minor.

Commissioner McCuiston took a poll to see how all the commissioners felt about the minor vs. major permit issue. All of the Commissioner are good with the minor, except Commissioner Jensen.

COMMISSIONER GREESON MADE MOTION TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE PROPOSED AMENDMENTS TO THE SYRACUSE CITY MUNICIPAL CODE TITLE 10 REGARDING ACCESSORY DWELLING UNITS WITH THE FINDING THAT THE PROPOSED AMENDMENTS ARE CONSISTENT WITH THE GOALS, OBJECTIVES AND POLICIES OF THE CITIES GENERAL PLAN , SECONDED BY COMMISSIONER VAUGHN; ALL VOTED IN FAVOR, THE MOTION PASSED.

3. Adjourn

COMMISSIONER JENSEN MADE A MOTION TO ADJOURN INTO WORK SESSSION IN COUNCIL CHAMBERS.

Curt McCuiston, Chairman

Jenny Schow, Planner

Date Approved: