

Minutes of the Syracuse Planning Commission Work Session, March 17, 2015

Minutes of the Syracuse City Planning Commission Work Session held on March 17, 2015, at 6:00 p.m., in the Conference Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present:

Commission Members: TJ Jensen, Chairman
Ralph Vaughan, Vice-Chairman
Dale Rackham
Greg Day

City Employees: Jenny Schow, Planner
Jackie Manning, Admin Professional
Terry Palmer, Mayor

City Council: Mike Gailey

Excused: Curt McCuiston
Trevor Hatch
Troy Moultrie

Visitors: Jake Davies
Sam Nicole

Brackton Hoffman
Carter Hatch

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1. **Department Business:**

Planner Schow announced the applications so far received for the next Planning Commission Meeting:

- Steeds Lakeview Farms - Final Application
- Elmore Plaza - Extension Request for Site Plan
- Storage Units - Site Plan
- Proposed Amendments – Temporary turn around and water sheds. Requested by Public Works.

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2. **Commissioner Reports:**

Commissioner Vaughan requested the Fire Marshall attend the work session to discuss the temporary turn around proposal by public works. Planner Schow confirmed the deputy fire chief would be in attendance. Commissioner Rackham suggested getting waivers for set-backs on temporary turn-arounds versus keeping them at the standard set-back.

Commissioner Vaughan stated he has received complaints regarding a need for a noise ordinance that pertain to construction and in general. He suggested having hours set aside for construction. Chairman Jensen stated Industrial and Business Park Zones due have noise standards, but the other zones do not. He recommended addressing that through title ten.

Commissioner Rackham stated the General Plan Subcommittee has a meeting next Wednesday at 6:30pm and they will continue to review the General Plan.

Chairman Jensen attended the WFRC (Wasatch Front Regional Council) Transportation Meeting last week. On June 18, 2015 there will be an event called road respect to promote active transportation. They may even tie into the Emigrant Trail.

The state legislature passed a transportation bill that affects the gas taxes. The county has an option of putting 25 percent to cover infrastructure tax and the city will get a portion. There is flexibility with the funds that as long as it is tied into a road project the city may use the funds for bike lanes.

Chairman Jensen stated Commissioner McCuiston, Commissioner Moultrie and Commissioner Hatch are all out and Commissioner Day will need to leave by 7:00PM.

3. **Upcoming Agenda Items:**

This item was discussed during Department Business.

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4. **Discussion Items:**

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a. **Title X Code Amendments: pertaining to PRD (Planned Residential Development) Zone.**

Commissioner Rackham provided updated language to staff to be added as an exhibit to the minutes. Commissioner Rackham reviewed the updated language.

There was a discussion regarding conditional use permits pertaining to home occupations within PRD zones. There

was a discussion regarding business license requirements for home occupations that do not have customers coming to the home. There was a general consensus to draft language to allow non-impacting home businesses within PRD zones.

Commissioner Rackham expressed caution regarding home businesses that are exempt from conditional use permits. He provided the example of fire arm assembly where there are no customers going to the home, so per the current ordinance the applicant would not require a conditional use permit. Chairman Jensen gave direction to revise the language for more impactful home businesses to continue to have conditional use permits.

Commissioner Rackham discussed common space. In order for a detention pond to be considered common space it would require an amenity on it. There was a discussion regarding the definitions for common space versus open space as seen in the attachment.

Commissioner Day called attention to the playground amenities and questioned if it may be too specific. Planner Schow stated they are in the middle of the parks master plan and redefining parks classifications. The definitions will include detention basins and uses as open space. Planner Schow stated the master plan will apply to the entire city, so she questioned whether it should be called out within this section. Chairman Jensen stated the parks committee will address the definition for the playground amenities. Planner Schow suggested replacing the playground amenities with "it must be approved with amenities as recommended by the planning commission and approved by the city council."

Commissioner Day called attention to section F and gave a personal experience pertaining to maximum height limitations of 30 feet in the city of Centerville. He referred to the limitation of design for a maximum height of 30 feet for certain roof pitches. Planner Schow suggested discussing building height averages with the building official. There was a discussion regarding roof pitches with an emphasis on the maximum height for buildings. Chairman Jensen requested a recommendation from the building official regarding maximum building heights. Commissioner Vaughan offered to survey various cities to find an average.

There was a discussion regarding landscaping improvements and home owner's association management with an emphasis on maintaining trees. Commissioner Day suggested including landscaping in the warranty. Planner Schow discussed the tracking difficulties associated with disposal of dead trees. She stated if it was included in the warranty it would also need to be included in the bond. Commissioner Rackham clarified the point of the proposed language was to ensure the HOA maintains the landscaping and properly disposes dead trees. Planner Schow state she will review the code further.

Chairman Jensen gave the direction to staff to have a percentage of land the phase represents, that the developer has to complete as much open space as appropriate for the phase. He provided the example of 25 percent of the development being developed, then 25 percent of the total open space would also need to be completed before the phase is signed off for that phase. Chairman Jensen discussed usable open space. Commissioner Day stated landscaping could be handled in a development agreement.

Chairman Jensen gave direction to staff to have this item on the advertised for a public hearing for the first meeting in April as long as the updated proposal is submitted to staff in time to advertise for the newspaper.

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b. Title X Code Amendments: pertaining to Accessory Structures.

Commissioner Rackham provided a physical copy to city staff to be submitted as an exhibit in the meeting minutes for reference. Commissioner Rackham read through the document.

There was a discussion regarding set-backs for accessory structures 200 square feet and larger. Planner Schow recommended adding language pertaining to fire rating to be consistent with building code. There was a discussion regarding changing the minimum set-back to 5 feet to eliminate the fire code requirement. There was a general consensus to adapt the 5 foot set-back.

There was a brief discussion regarding pools and hot tubs. Planner Schow asked for direction regarding hot tubs on whether or not they should be regulated. There was a general consensus to exclude hot tubs. Chairman Jensen suggested requiring a building permit if the pool or hot tub had significant electrical and was a permanent structure. Planner Schow stated she will look into building code for pools to allow for consistency.

Chairman Jensen gave direction to have the accessory structures on the next work session meeting to allow for further discussion.

c. Title X Code Amendments: pertaining to Metal Buildings in the Industrial Zone.

d. Title X Code Amendments: pertaining to the Land Use Matrix.

Commissioner Day excused himself; due to lack of quorum the Planning Commissioners adjourned without discussing items c and d on the Work Session Agenda.

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5. **Adjourn.**

Exhibits:

PRD Ordinance – Drafted by Commissioner Rackham
Accessory Structures – Drafted by Commissioner Rackham

Chapter 10.10 DEFINITIONS

10.10.040 Definitions.

~~“Common space” means land area within a development not individually owned or dedicated for public use, for which its design and intended use as an amenity shall be for the direct benefit of the residents in such development. Common space may be either natural or functional as a designed element of a development that has a functionally described and planned benefit. Examples include landscaped areas that provide visual relief, shade, screening, buffering, or another environmental amenity and nature trails, exercise trails, and facilities, e.g., swimming pools, tennis courts, club houses, pavilions, and golf courses.~~

~~“Common Space” means land area with an amenity whose dedicated purpose is shared equally by all the residents of that community or the public.~~

~~“Open space” means any area of land characterized by openness that provides for that portion of the human environment, through dedication to preservation of said openness, in order to enhance urban, suburban, or rural areas, and provide important physical, recreational, conservation, aesthetic, or economic value or assets.~~

~~(1) “Functional open space” means any area of land improved and dedicated for public or private use and designed as an amenity for the benefit of the residents of a development or citizens of the City. Examples include landscaped aesthetic areas, City parks, playgrounds, and ball fields.~~

~~(2) “Natural open space” means any area of land, essentially unimproved and not occupied by structures or manmade impervious surfaces, dedicated or reserved in perpetuity for public or private enjoyment as a preservation of open area.~~

~~(3) “Cluster subdivision open space” means open space, either natural or functional, provided to compensate for the lot size reductions from minimum lot size requirements or increases in overall gross density.~~

~~(4) “Public open space” means open space owned by a public agency, such as the City of Syracuse, and maintained by such agency for the use and enjoyment of the general public.~~

“Open Space” means any area of land without human-built structures; such as parks, recreational and natural areas or land not occupied by buildings. Open space does not include sidewalks, curb and gutter, driveways and roadways.

ADD:

“Gross Acreage” means the total land being developed

Chapter 10.75

PRD – PLANNED RESIDENTIAL DEVELOPMENT

Sections:

- 10.75.010 Purpose.
- 10.75.020 Permitted uses.
- 10.75.030 Conditional uses.
- 10.75.040 Minimum lot standards.
- 10.75.050 Development plan and agreement requirements.
- 10.75.060 Design standards.
- 10.75.070 Street design.
- 10.75.080 Off-street parking and loading.
- 10.75.090 Signs.

10.75.010 Purpose.

The purpose of this zone is to allow diversification in the relationship of residential uses to their sites and permit directed flexibility of site design. Further, its intent is to encourage a more efficient use of the land and the reservation of a greater proportion of common space for recreational and visual use than other residential zones may provide and to encourage a variety of dwelling units that allow imaginative concepts of neighborhood and housing options and provide variety in the physical development pattern of the City. This will allow the developer to more closely tailor a development project to a specific user group, such as retired persons.

The intent of this zone is to encourage good neighborhood design while ensuring compliance with the intent of the subdivision and zoning ordinances. All dwelling units are to be held in private individual ownership. However, the development shall contain common or open space and amenities for the enjoyment of the planned community that are developed and maintained through an active homeowners' association or similar organization with appointed management. [Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-15-010.]

(A) Density: ~~The City shall determine the dwelling unit density, building setbacks, and minimum lot size through a development plan based on the specific merits of the proposed development as well as on factors such as recreation facilities, greater open space, landscaping features, fencing type and design, signage, clubhouse provisions, homeowners' covenants, professional maintenance, trails/pathways, and quality of exterior building materials. However, condominium developments shall comply with the Utah Condominium Act, but in no case shall the Overall density of (6) dwelling units per net gross acre, without recommendation for approval by the Planning Commission and the consent and approval of the City Council.~~

~~The overall density of the development may exceed eight dwelling units per net acre and increase up to a maximum of 12 dwelling units per net acre only after receiving recommendation for approval by the Planning Commission and consent and approval by the City Council. The Planning Commission recommendation and City Council consent and approval, for a developer to exceed eight dwelling units per net acre, shall be subject to the ability of the development plan to meet the following criteria:~~

- ~~(4) The development area shall be a transitional residential buffer to commercial, industrial, and/or retail zones, as established in the general plan;~~
- ~~(2-1) The development shall provide a standard road right-of-way of 60 feet which shall include curb, gutter, and sidewalk improvements;~~
- ~~(3-2) The development shall provide a minimum of 35 30 percent parks and/or functional open space within the development based on the net acreage of the proposed development. For detention ponds to be considered open space they must include playground amenities.~~
- ~~(4-3) The aesthetic and landscaping proposals shall provide a superior residential development and environment; for trees and shrubs that break up the look of having the same building style duplicated throughout the development and shall be IAW the ARC.~~

development agreement and current City ordinances 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 of 12 dwelling units per net acre.~~

(B) A planned residential development must have a minimum of five acres ~~with a minimum of 20 percent of the acreage in common space area excluding required roadways, curbs, and other City infrastructure.~~

(C) The developer shall landscape and improve all open space ~~or common space~~ around or adjacent to building lots and common spaces and maintain the same through a lawfully organized homeowners' association, residential management company, or similar organization. The HOA shall warrant the trees used in landscaping.

(D) The development plan submitted for review shall show the location and building elevations with exterior building materials, size, and general footprint of all dwelling units and other main buildings and amenities.

(E) The development plan submitted for review shall include landscaping, fencing, and other improvement plans for common or open spaces, with the landscaping designed in accordance with an approved theme to provide unity and aesthetics to the project. The plan shall include all special features, such as ponds, fountains, signs, walking paths, inviting entryways, etc., together with a landscape planting plan. ~~Open~~ Common ~~space and recreational areas~~ should be the focal point for the overall design of the development, with various community facilities grouped in places well related to the common ~~open~~ spaces and easily accessible to pedestrians.

(F) The proposed development shall show it will not be detrimental to the health, safety, or general welfare of persons residing adjacent to the proposed development.

(Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991;
Code 1971 § 10-15-090.]

10.30.010 Effect of chapter.

(B) Lot Coverage of Accessory Buildings, Structures, Parking Spaces. No accessory building, structure, or group of buildings or structures, excluding swimming pools, and no parking space in any residential zone shall cover more than 25 percent of the rear yard space.

(C) Accessory Buildings and Structures.

(1) General Requirements.

(a) No accessory building or structure shall be erected, located, used, or occupied until the erection of the principal use has commenced. No more than two accessory buildings shall be on any lot, unless it contains a minimum of half an acre. Lots with half an acre or more may qualify for approval of a third accessory building by complying with all other applicable requirements of this chapter. No accessory building may be located within a recorded easement unless authorized by the applicable easement holder through written approval.

(b) No accessory building or structure may encroach into a front yard.

(2) Accessory buildings or structures 200 square feet or less shall comply with the following requirements:

(a) Not larger than 200 square feet, which includes any awnings, carports or other attached features to the accessory structure:

(b) Not taller than 15 feet to the peak of the roof structure

(c) Concealed or otherwise located behind a privacy fence of at least six feet in height

(d) Located at least 10 feet from the primary structure and located at least three feet from any property lines.

(3) Accessory buildings or structures greater than 200 square feet shall comply with the following requirements.

(a) Building Permit. Requires approval for a minor conditional use permit and issuance of a building permit. Persons desiring to construct accessory buildings shall make application to the

stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the buildings, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smoke stacks, water tanks, television masts, silos, or similar structures above the stated height limits; provided, that no space above the height limit shall provide additional floor space.

(E) Additional Height Allowed. Public buildings or structures and churches authorized in a zone may be erected to any height provided the building is set back from each otherwise established setback line at least one foot for each additional foot of building height above the normal height limit required for the zone in which the building is erected.

(F) Satellite Dish Antennas. For the purpose of this title, satellite dishes may be located on any residential structure or in the rear yard as accessory structures.

(G) Swimming Pools. Any structure intended for swimming, recreational bathing, or wading that is over 48 inches deep shall require a building permit. The provisions of the adopted International Residential Building Code, Appendix (G), adopted by the City Council, shall govern the design and construction of swimming pools, spas, and hot tubs installed in or on the lot of a one- or two-family dwelling.

(H) All pools in any residential zone over 24 inches deep shall comply with the following conditions and requirements:

(1) It shall not be located closer than eight feet to any property line.

(2) The swimming pool shall be walled or fenced to no less than six feet in height to prevent uncontrolled access by children from adjacent properties.

(3) Hot tubs equipped with a lockable cover safety meeting the ASTM F1346-91 requirements are exempt from the fencing requirement. [Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 09-16 § 1 (Exh. A); Ord. 09-10 § 1 (Exh. A); Ord. 08-11 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 04-04; Ord. 03-18; Ord. 03-08; Code 1971 § 10-6-010.]