

Minutes of the Syracuse Planning Commission Work Session, October 4, 2016

Minutes of the Syracuse City Planning Commission Work Session held on October 4, 2016, at 6:00 p.m., in the Conference Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present:

Commission Members: Ralph Vaughan, Chairman
Dale Rackham, Vice Chairman
Greg Day
Grant Thorson
Troy Moultrie
Gary Bingham

City Employees: Noah Steele, Planner
Royce Davies, Planner
Paul Roberts, City Attorney
Stacy Adams, Commission Secretary

City Council: Councilman Gailey
Councilman Maughan

Excused: Commissioner McCuiston

Visitors:

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1. **Department Business:**

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a. City Council Liaison Report

Councilman Gailey stated wanted to thank the Commission for the way that they addressed that issue on that last item on the HOA, think that could be explosive and think what did was gather some people together with someone who can really answer their questions so thanks for takin the time to make the suggestion to go into a quick public hearing was a smart thing to do. Doesn't have a lot to report just a couple of issues that may be of interest to the Commission. As part of the cleanup from the storm that occurred last Thursday night, Wasatch Integrated Waste opened the landfill on Sunday, to back up the question was whether the landfill would allow green waste to come from Cities at no charge from Wasatch Integrated Waste, there was no time to assemble a board and he sits on that board so the decision that was made was to allow the Cities if they opted in to allow residents to come and move green waste to the landfill from Thursday night of the storm to October 8th. So green waste will be accepted at the landfill until October 8th at 5pm when that will cease, those that have waste that would like to take it just mention are from Syracuse City and present an ID that shows are the City and the City has agreed to foot the bill for that for the exchange of green waste. The present time, think the City's liability for that is about \$1700.00. On the agenda is a discussion about park strip and think kind of got couched in an idea about xeriscaping park strips and water. The City Council is planning in its work session at the end of the month to dedicate a great portion of that work session to a discussion of secondary water. Once the water is off for this year are going to look at secondary water from top to bottom and one of the things would like the Commission to look at here is the impact if xeriscaping would be on park strips and maybe if wouldn't mind having some discussion about what that would look like, defining park strips that are xeriscape and how the City would manage that and what should a park strip look like with xeriscaping. If would also when having a discussion about that think the interest of the City Council is a little broader than just xeriscaping park strips because one of the things that was discussed in their last meeting was the whole regulation of park strips and thin the general consensus of their Council right now is that there are some restrictions on park strips that would like the Commission to look at and maybe could loosen them some and are talking about for example is campaign signage and think that maybe that if the land owners owns that land that the City has an easement there and they have to maintain it and were some concerns about First Amendment Rights, should they have a right of expression and so would like to have the Commission look at that too as look at park strips. The other thing would like to bring to the Commissions attention as the resident that spoke from Sunset Park Villas was talking about the liquor store, that was a hot agenda item at the last meeting. Boyer Company has disallowed access to the first and preferred site behind McDonald's on Antelope, they have placed a price tag on the easement to allow the liquor store to be behind McDonald's and access it through their parking lot at a price that is just prohibitive to the State and are just not willing to entertain that at all. So as a second solution to that was to move the liquor store out onto 1000 W into that business strip that has been created along there. They received a lot of feedback from individuals from the Villas and it was a public hearing and there were a lot of complaints from the Villas and the big issue that they made was traffic, just like it was made tonight was traffic. That area is zoned commercial and whatever commercial goes in there is going to create a dramatic traffic impact and want to make the Commission aware that at the end of the meting Director Mellor was going to go back and doesn't know if he had any more info but was going to sit down with the State and sit down with the land owner and see what could be worked out in the initial first site if there wasn't some access that could be granted off of that somehow, so that is still in the process of working that through. The only other thing he would suggest and mentioned this in City Council meeting last time the City really has no regulations on HOA's that is aware of. Is wondering if ought to since HOA seem to be a thing, like Craig Estates and the Trails Edge HOA and wondering if it would be wise to sit down and think about, is it time that the City

have some kind of regulation of HOA's and some kind of standard expect them to live up to in the City. Sometime if could put that on the agenda and come back with some suggestions to the Council on HOA's. the only other thing has and then is going to defer the rest of this to City Attorney Roberts. There is kind of a supposed conflict with the election on November 8th with City Council meeting that night and what would like to throw on the table is a matter of discussion is the need for the Planning Commission meeting on November 15th, if the City Council could take over that evening. City Attorney Roberts stated the only issue is late in the month there is thanksgiving and the week after Thanksgiving and a lot of people are out of town so are planning on just 1 City Council meeting in November but with it being election night that is just a conflict so the thought is maybe could have Planning Commission on November 1st and then no meeting on Tuesday November 8th and then City Council on November 15th and then that is all. Councilman Gailey stated if they could hatch that out, would appreciate it and all they do.

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Commissioner Vaughan stated before launch into the next item would they be out of line to respond to Councilman Gailey on that possibility in case he has to leave. Commissioner Vaughan asked Planner Davies if have anything in the que for November. Planner Davie stated the only thing would be the Woodside project and haven't looked at the specific schedule for that day and not sure what have planned on that but that could throw their schedule of a little bit so it is not something that would think could recover from. Commissioner Vaughan stated that is a continuing project anyway so it is not an urgent item. Commissioner Vaughan stated the Chair would have no problem giving the date away. Commissioner Rackham stated he would support it. Commissioner Thorson stated if there are not multiple applications would rather not meet and so don't think going from the first week to the first week of any month is a violation of the rules or in offense of anyone's due process so suggest to let it go. Commissioner Vaughan stated that is also his acclimation. Commissioner Vaughan stated to Councilman Gailey that the night of November 15th is available for the City Council. Councilman Gailey stated thank you. Commissioner Vaughan stated if staff could work out with Commission the meeting details in November 1st.

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Commissioner Rackham asked Councilman Gailey he wasn't at the last Planning Commission meeting and wanted to know if there was anything that occurred on the new zone ordinance that made the recommendation on. Councilman Gailey asked if he was talking about the rezone, no. In fact, that is the last he had heard there were still a lot of loose ends in the air and think that from the prospective of the City the City is still in a bargaining position there and kind of put that on the back burner until know for sure the developer is on board. They are still in negotiations so the Council hasn't discussed it, it may be on the work session agenda, but they didn't discuss that at all in the last meeting. Commissioner Vaughan stated he attended that meeting and the political sign questions was the very first thing that was brought up by members of the Council in regards to the park strip and then also brought up the xeriscaping so think that is a fair representation, is not throwing anything new to the Commission or acting out of place. Councilman Gailey stated keep him honest.

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b. City Attorney Updates

City Attorney Roberts stated he has some training, just basic training on as Commissioners what they do and just some guides that hopefully can follow as they make decisions.

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c. Upcoming Agenda Items

Planner Davies stated the Jackson Court development has filed a final application and will be on the next meeting on October 18th as long as get staff reviews in time and no other applications.

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2. Discussion Items: Water Wise Landscaping and Park Strips

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Commissioner Vaughan stated might want to divide this up first item in regards to talking about the verge or the **Park Strip**, the first thing that the Council brought up was the political signs as to whether or not can or cannot put a political sign in the park strip. City Attorney Roberts stated the current code currently prohibits any sort of signs in the right of way, which the park strip is the right of way, the argument that was raised there was if a person, they aren't the owners of the park strip the City is the owner of it and will revert back to them if the City ever vacated that street but are the fee simple owners because dedicated to the City. Own it but of course every citizen is required to maintain their park strip in front of their yard mostly because if didn't do that then taxes would be a lot higher because the City would have to hire people to go out and clean all the park strips in the City. So it is really more of a fiscal issue than a maintenance issue. As far as whether that maintenance would entitle them to some sort of First Amendment right to post a sign, is not aware of a case that says that and certainly can go out and can hold a sign if wanted to go and stand in your yard or on any sidewalk in the City can go an demonstrate. Posting temporary signs as far as he knows it wouldn't be a First Amendment protection that is associated with property rights, now there is nothing in the law that says that have to have that prohibition, if as a City want to remove that restriction from having temporary signs in park strips that is their call. One thing that they cannot do anymore after the Gilbert Arizona v. Reed case a couple years ago the Supreme Court decided, they said cannot make content based decisions, so what can't do is say can put political temporary signs in a park strip but not any other temporary signs, so if are going to allow temporary signs, have to allow them all, so if an open house or sale then it

doesn't really matter what is on the sign if allow for one then have to allow it for all. If would like to remove that restriction that is the Commission's prerogative and is totally fine. The City has a very active Code Enforcement Officer who is enforcing that code because as long as it is neutral as far as content as far as can tell it is constitutional under the existing cases, but if think it would be a good idea to allow temporary signs in the park strip and don't see a difference between the yard it is up to them. Commissioner Vaughan stated they can't take a vote on it tonight so are safe in expressing some opinions right off the bat any feelings from anyone or own personal opinions. Commissioner Day stated he is opposed to allowing it in the park strip. Commissioner Vaughan stated he kind of agrees with what City Attorney Roberts said if allow one allow them all and don't know if want to see real estate signs or commercial businesses that are operating in residences out there also. Commissioner Thorson stated he sees a couple problems that could come up in the case where he lives there is one main road by Bridgeway Island it has a park strip that is owned and maintained by the HOA kind of and that park strip is adjacent to a property but it is not really theirs they don't maintain it so in that case would have to draw that distinction. Also does it stop him from go putting a sign in a neighbor's park strip where they don't mow it, he does because it is just 4 square feet right on the edge of his property so mows it every time he mows anyway and can see a problem where public property and cab go put a sign in anyone's park strip and then they have to fight him over whether it is their choice to have a sign there or not. City Attorney Roberts stated anyone could just take any sign that they don't like and put their own in place of it. Commissioner Thorson or if someone doesn't like the content of the sign could get upset and rip it out. City Attorney Roberts stated would have to have some sort restriction that stated is allowed to post a sign in the park strip abutting your property but wouldn't be allowed to anyone else's. Commissioner Thorson stated would have to draw a very thin line there and that would be tough to do. Commissioner Bingham stated agrees, doesn't know if they want to open the door to allow whatever sign they want out there, can't control the content of it. Commissioner Thorson stated it also to some degree keeps them out of the site triangles, not completely out of the way but at least gives an extra 5-6 feet before a sign is blocking a turn. Commissioner Rackham stated as far as opening the one opens up to all, doesn't like that idea but if have to do that is not opposed to limiting the size of the sign, the height of the signs, placing some pretty strict limitations on it. Commissioner Vaughan stated could allow them to be 12x12 max. City Attorney Roberts stated could do a reasonable time and place restrictions when it comes to signage as long as it is content neutral that is the most important. City Attorney Roberts stated when it comes to someone's private property on the other side of the fence, they can put as many signs in their yard as they want and don't have a code that says they can't do that and wouldn't be in favor of one that would because that is their private property, but a park strip how many signs there are would depend on how much regulation want, currently it is a lot easier to enforce a no signs allowed at all then to have a measuring tape and make sure is the right size and number. Might have a property with a lot of frontage would it be per square foot or would it be a certain number allowed, it is a decision for the Commission to consider.

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Commissioner Vaughan asked if they had an initial consensus but kind of a thought where might be headed. Commissioner Thorson asked Councilman Gailey what the City Council generally wants regarding this. Councilman Gailey stated 2 of them were not opposed to a discussion about it. Commissioner Thorson asked if people were coming and saying they want to put signs in the park strips. Councilman Gailey stated no think because City Council people are political people and want their signs out there. Commissioner Thorson stated they want their supporters to put their signs out there. Commissioner Bingham asked if there was a problem with how it works now with putting the signs on the other side of people's yards. City Attorney Roberts stated that is the problem, that we are telling people where to put their signs, that is the concern that they have so feel like if they want to express themselves by putting a sign in their park strip, those are their points of view. Commissioner Vaughan stated yes, it has a been an issue because have a Code Enforcement that really gets out there and isn't afraid to do his job and he has been removing a lot of signs and the season hasn't really officially started but now being October are getting closer to the elections so the signs have started to appear in the City, larger and larger signs in key locations. City Attorney Roberts stated when there is a clear property owner he will knock on their door and just say to be aware that signs aren't allowed in the park strips, so isn't just grabbing all the signs. Sometimes people just post them and it is in a field with no clear property owner that is right there and he will grab those but the ones with clear owners he will make contact. Councilman Gailey stated the Commission has discussed this more than they have and would think that a lot of the things that have been brought up and particularly about neutral content they were looking at it in a campaigning year with an election year and it would be nice to have signs in the park strips but one of the things he hadn't thought about at the time was that that would remove all restrictions about all kinds of signs all over the City and those signs could be in roundabouts and so doesn't know if the Council feels like want the Commission to remove all restrictions just wanted to discuss it, they talked about it maybe 3-4 minutes. City Attorney Roberts stated it was very brief and the idea was to bring it to the Commission and have the Commission discuss it. Commissioner Rackham stated from his point of view he was a Precinct Chair for several years and part of that would post signs notifying people of the meeting, the night and the location, if what are saying is restricted has no place to put them because can't put them anywhere, try to put them in a place where can see which is usually a park strip across from a stop sign or something so but doing what are doing might eliminate that and that would cause havoc to Precinct Chairs and voters. City Attorney Roberts stated the current code would prohibit that. Commissioner Thorson stated also relief society and Scout troops. Commissioner Rackham stated so think need to somehow allow certain restrictions. City Attorney Roberts stated that was the problem with the Redd case they had different definitions, they have political signs, ideological signs and directional signs and based on the content of the signs there were different rules and the Supreme Court said can't do it. Commissioner Rackham stated thinks currently if recall the ordinance is more lenient towards real estate than normal signs so are already leaning towards one side. City Attorney Roberts stated we are going to need to change the sign code, it needs attention, regardless. Commissioner Vaughan stated one of the things they could do, they can be buffalo and stand facing the winds or be cows and turn our backs to the winds, could continue this to the first

meeting in November which is after the election and then have no effect on the ordinance that stands in effect or can send something back with through the Council liaison in time for him to be able to report at their City Council meeting which is next week which would allow them the opportunity to put something on the books if they so choose if the Commission recommended. So would they like to stand on this tonight or like to just kind of take it easy and be able to discuss it at length with the political year over and in a neutral year. Commissioner Rackham stated his thought is know there are a lot of problems in the sign ordinance, was involved in the writing of it and didn't agree with a lot of what is in there now but it was voted and didn't win so his opinion is to hold off, say it is what it is today and hold off and do it right and don't rush it. Commissioner Vaughan asked if wanted to start in 2017. Commissioner Rackham stated he is okay with starting in November. City Attorney Roberts stated meant no offence to the drafters of it but the legal landscape has changed significantly with the Reed case so it is actually a pretty good sign code when it goes pre-read but it is post-read it needs some attention. Commissioner Day stated if they are going to go over the sign code think would separate 2 things one is the situation of park strips and putting his Planner hat on and don't think put any signs in the park strip and respect everyone's opinions and think that if are going by own personal opinions for maybe a relief society sign have an inclination towards that and say that is okay for a relief society sign but would also be okay if someone else puts an opposing sign so think in terms of just planning and in terms putting signs in the park strip think the clearest and easiest regulation for them would be to not do any, that is not to say is not a political person and don't think that is a whole different perspective so in terms of that is not really excited to do that. Talking about the sign ordinance if they need to address it then can do that and is in no rush. Commissioner Vaughan stated the Council has spoken few months back saying they don't want the Commission to initiate jumping into the sign ordinance without a specific request so if passed on this tonight wouldn't be talking about signs again until asked to do so, is happy to love with that. Anyone feel should be talking about it more possibly considering allowing it or at this point can they consider it a moot issue that they want to leave the statute the way it is at least for now. Commissioner Vaughan stated okay for now they are going to leave the statue the way it is, perhaps in 2017 might bring up signs in the park strip, if that sounds fair for everybody.

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Commissioner Vaughan stated can move onto **Water Wise Landscaping and Xeriscape** and thanks to staff for putting a fairly thick package together for them on this item. Planner Davies stated can thank Planner Steele he put it together and had a chance to brush over it and put together a presentation about water wise landscaping in general. Seems to be that this is the driving force behind this to his understanding, know have had some water issues this summer and living where we live want to try to do what we can to make sure are good.

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City Attorney Roberts stated thinks there may have been an understanding that xeriscaping was not allowed in the park strips but they are currently so don't have a prohibition or anything, don't say have to put grass in, that is just what developers put in because it is really cheap and easy and people like grass. Planner Davies stated his understanding is don't know if are wanting to say they have to xeriscape or have to put in less grass or whatever, the understanding is the Council was wanting the Commission to look at some options for regulations on this type of thing. City Attorney Roberts stated and think also ways to encourage the use of xeriscaping as a water conservation measure. Councilman Gailey stated and could someone who claimed 100% xeriscaping petition the City for a non-connection fee to secondary water and that was one of the things the Council wanted the Commission to discuss and how would that be handled, if they encourage xeriscaping at what point and time and how do they deal with that since they will probably have to water something outside at some time and would they be allowed to divert back to culinary water or how that would work. Right now every home owner has a secondary water bill, if they xeriscape could they opt to not have a secondary connection. Commissioner Day stated they would still need to have a connection installed but they just wouldn't utilize it. City Attorney Roberts stated they wouldn't have a fee. Commissioner Thorson stated the City does have a way where they credit home owners if they install a rain/water controller, believes, so if go buy a controller that hooks up to Wi-Fi and knows when it rained and shuts it off automatically think they get a credit back, but not sure. Commissioner Day and Planner Davies stated hadn't heard of that. Commissioner Bingham stated there would need to be some kind of incentive for xeriscaping. Commissioner Thorson asked if require every developer to bring water shares. Planner Davies stated yes. Commissioner Thorson stated because that could be an incentive as well, depending on how involved in the landscaping of each lot could relax maybe that requirement. Commissioner Rackham stated the problem with that is what is to stop the next guy to come in and bulldoze it over and put sprinklers and sod. City Attorney Roberts stated there would be restrictions, if did that would have to bring water shares to provide the water for it maybe. Commissioner Day stated has seen it done a couple different ways saw one done that way and think Toole County would be an example because out there can restrict on a lot how much to be landscaped and think they do that on the final plat or something, don't know how effective that is but that might be a way to do it. Think the trouble is going to be the successful owner after the initial owner because see xeriscaping, some may think it attractive and others may not, so that is what see as a challenge. Commissioner Thorson stated there are thousands that successfully limit how much, especially in St. George and Mesquite, they allow so much square footage of grass and that is hundreds, not thousands and so think there are ways to successfully do it. Commissioner Moultrie stated there are people who do it well and some people who shouldn't do it. Commissioner Thorson stated the ways to encourage it are along those lines, a secondary water rebate, no charge for connection or something or water shares, but would have to put restrictions on the plat itself on those lots because then it carries on. Planner Davies stated one challenge they would have if it is connected don't have a meter so wouldn't know if they were using it, hypothetically if had a good enough filter on swimming pool could have a totally xeriscaped yard and fill swimming with secondary water and filter though. City Attorney Roberts stated they can turn off connections and think could shut it

off and put a lock on it, like do with culinary, if someone doesn't pay their bill lock off their line. Commissioner Thorson stated shut off for secondary water is a little bit different but could figure something out. Commissioner Vaughan asked if they had any idea what the percentage of liters on secondary water is in the City, know it is not half but just wondering what it is, there are some homes that do have meters on their secondary water. City Attorney Roberts stated it is not required so if they did it then the City wouldn't know. Commissioner Thorson stated there are some secondary water providers that require meters on all new installations, or at least meter pits on all new installations. Commissioner Day stated Syracuse is not one of them. Councilman Gailey stated the City owns our own secondary water system so unless we would require it. Commissioner Thorson stated but that would be another \$500.00 for every lot of every home then. Commissioner Rackham asked how they keep the debris out of it because there is a lot of debris that comes down when turn it on and could see a lot of meters getting clogged up. Commissioner Vaughan stated it really depends on where live on the line, it really is. Commissioners Rackham stated his neighborhood has seen a lot. Commissioner Vaughan stated no one on his street has ever had a clogged filter, they all go out there on the same day and check at the same time and hold them up and show each other and not a single clog, but have to be sympathetic to the people that especially on Facebook are hating theirs up on a regular basis and it looks like they swept the floor in a barber shop. Commissioner Vaughan stated he has a rain catch system at his cabin in Alta, because they have no water during the snow season and use the cabin year-round, they collect 25,000 gallons of water and hold it on site in the backyard and it is nice to be able to do that and can have a great system for catching water. It doesn't cost anything to sign up for and works really well, have never run out, of course have signs restricting flushing unless really have to. Can say that water catching systems do work for landscape and other things, minor water usage, can really do a good job with collecting rain water.

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Commissioner Thorson stated this discussion was about water wise, do know that park strips specifically are very wasteful, they have so much perimeter and so much overspray and if could eliminate the park strips from people's watering that would be a lot of the waste right there. Commissioner Vaughan stated one of the easiest things to do on a park strip would be to require drip feeding, if required drip feeding on all new construction that would have an impact, could still have grass or whatever but just require soaker lines or drip. Commissioner Bingham stated it is not much more expensive than sprinklers. Commissioner Vaughan stated no. Commissioner Bingham stated but much more effective. Commissioner Vaughan stated that would take care of the 500 houses that are built next year but it wouldn't impact the 5,000 houses have already and can't order a retro-fit on it, because how many people retro-fit their sprinkler system. Commissioner Thorson stated could encourage a retro-fit. Commissioner Vaughan stated yes but then would create a City of bootleggers and don't know if want to do that. Commissioner Thorson stated doesn't know what that means. Commissioner Vaughan stated if required drip on sprinkler systems on certain areas and someone has a sprinkler that breaks and have to go in and repair it are they now required to go in and do a retro-fit on it and if they don't sign up for that then become a bad guy. Planner Davies stated there is no permitting process for sprinklers and no permitting process for landscaping, it is hard for staff to enforce it. Commissioner Day stated he is a bad guy because he likes grass and likes nice landscaping so is one of those bad guys, but think if want to encourage it have to come up with a plan, doesn't like xeriscape unless is in St. George then love it. Commissioner Vaughan stated in a park strip it is kind of tough, as they saw on the examples, a lot of it has to do with the style and design of the house. Commissioner Day stated he doesn't like red bark. Commissioner Thorson stated UDOT has the same problems with park strips, what it looks like, they don't like concrete because it takes away the opportunity for infiltration, they don't like gravel because it gets in the road and breaks windshields and hits cars, they don't like bark because it floats away and gets all over on the road, they don't like grass it is hard to maintain, there is no good option, they honestly said just put dirt and let the weeds grow on the last project, whatever grows, grows and will weed wack it twice a year. Commissioner Vaughan stated there have some jurisdictions that give a credit for xeriscape but it has to be a fairly large percent for example if xeriscaped 25% of lot could receive a credit on water bill, base water bill, if xeriscaped entire front property would that worthy of a 50% cut in base water bill. Commissioner Day stated think he is onto something actually, think that is the approach and would do more of that approach and would hope that his neighbor doesn't xeriscape the front yard but think that is a way to encourage it, a reward approach. Commissioner Thorson agreed, with connection credits. Commissioner Vaughan stated something like that is a top hat as opposed to a hard hat. City Attorney Roberts stated when give a credit, recognize that there is infrastructure that needs to be replaced and maintained so those costs are going to be the same and now someone is not paying into the system so that means collectively those who are not xeriscaping their fees will bear the brunt of that infrastructure, there may in fact be increases to encourage the xeriscaping maybe not if are able to use less water and are able to save money somehow on that end, just a thought if give a credit somewhere, someone has to pay for it. Commissioner Thorson asked if Syracuse water only serves residences or businesses as well and what about agricultural services. City Attorney Roberts stated there is a 1-acre amount. Councilman Gailey stated can't service anything more than an acre. Commissioner Day stated is gonna get kicked out of here for saying this but agricultural use the number one culprit, they flood irrigate. Commissioner Thorson stated by far the largest and by far the most use. Commissioner Day asked if that might be part of the solution too that needs to be discussed. Commissioner Vaughan stated yes, if developed all of the agricultural land then would cut down on water use. Commissioner Thorson stated that is why asked if had agricultural users and don't, so only gain is with shares. Commissioner Day stated we don't, okay, it's not the City's water. Commissioner Thorson stated the way they win is require them to provide shares and credit them for not using them. Commissioner Vaughan stated again that is top hat and not hard hat. City Attorney Roberts stated this is a top hat discussion and are going to be advising the Council in a legislative letter. Commissioner Day stated in terms of Planning Commission and establishing rules and how everything looks think that is a long discussion and a full discussion, finding consensus, broad consensus that is going to be tough. Commissioner Vaughan asked a general question to the whole Commission, is this a worthy discussion that they would like to undertake because if they deem it a worthy discussion they

are not going to be it all tonight. It is going to take multiple meetings and is just wondering, there are a couple possibilities, could task staff with coming back with a report for the next half dozen meetings before are able to act or the Chair could call a committee and task come citizens to do much the same way as the Vice Chair was involved with the General Plan committee for a while, don't know if want to do that or just want to still have informal discussions or just want to give lip service to the City Council and say are talking about and don't know what want to do. Think it is a worthy topic but aren't not going to do it tonight and think part of the thing to decide is how are they going to work on this in an effective way. Commissioner Day stated generally is opposed to it but would be in favor of it if they fence it in, don't think having work session discussions is going to solve it, would prefer not that route and would prefer fencing it in and getting a group of people together to make a proposal.

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Commissioner Vaughan stated that staff's opinion is of value here because if task staff on this Planner Davies would be chosen to assist on this and what is the reality of something like this where unfortunately where staff gets tasked with doing most of it. Planner Davies stated it depends on what result want, so if are going to do an incentive program that is a whole lot easier to set up than a code that says can plant this species here, etc. so it depends on what level want to go to, are they looking at doing a code change here because kind of set this up thinking that was what they would be doing but is not sure if that is what want and don't have to go one way or another. Commissioner Day stated he is much more in favor xeriscaping on commercial than residential, think it looks better and maybe that is some place they don't want to maintain, think it is low hanging fruit and as the City could incentivize and developers would do this all day, incentivize them someway they would put in xeriscape, so think that is low hanging fruit. Commissioner Thorson stated also think it is a committee issue to identify areas of the code that can modify to accomplish that. Commissioner Bingham stated he agrees with that and thinks it is a great idea, get a committee a group of people to identify areas that can be addressed. Commissioner Moultrie stated he will second that. Commissioner Rackham stated he is not totally positive on where the City Council asked them to funnel this. Planner Davies stated that is kind of what he was wondering as well. Commissioner Rackham stated so he would like a little more direction on what they expect from the Commission, is it an ordinance change, is it some recommendations, what exactly are they looking for before commit much time to this. Commissioner Vaughan asked staff and Councilman Gailey what would they prefer to be able to take back to the Council. Councilman Gailey stated think one of the things that they wanted to do was just increase the awareness of water usage and how was the best way to do that and thought as they were talking and discussing this they really have set aside a good portion of the next work session to talk about secondary water and how can manage it, what can do better long term. One of the things they discovered this year was that the City was not getting our fair share of the stream, during those periods of time when there was all that crud in the lines was because where sucking the bottom of the pond up and what realized was that wasn't the full measure of what was the City's allotment in water and to ask how discovered that, discovered that by a meter. The ditch companies put in some new meters and began monitoring what they were actually sending to the City and asked for a report and it was there in black and white that weren't getting the full value of the stream that should have had from them. Some of the problem this year has been rectified because our 2 big suppliers are now monitoring the stream by meter so know exactly that are getting the amount of the stream that should be getting where before it was just lifting a head gate and letting a little more in and thinking maybe that was better or whether it wasn't. So the City Council really wants to try to devise a long term plan and solution of what do to take the water shares that have and have 3 acre feet per acre, that is what have has because that is what the City requires. So do they need to discipline those that are watering more than 3 acre feet per acre a year on their lot, so that is what we're asking from the Commission. His suggestion would be to let him take it back to Council, may have the cart before the horse and may need to have the Council define terms a little better and that is what they are planning on doing in the next work session and may know the issues better as a Council and the concept, because it is land use, xeriscaping, one of the questions was what do they do regarding encourage xeriscaping or allow non-connection to secondary water system and wanted to discuss that and see what the Commission thought because there are a lot more heads here. If is okay with it, let him take it back to the Council and let him go back and say think need to give the Commission better direction but need to size up the problem and don't know that and really haven't gotten a report back from Public Works yet on the water for the year. Think there would be an impact to the City if all of the sudden everyone got on the xeriscaping bandwagon and wanted their connections cut and would still have to maintain that system. Commissioner Vaughan asked if everyone was comfortable with Councilman Gailey taking it back to the Council. City Attorney Roberts stated thinks the message is that are open to the idea, just need direction on if want them to craft a xeriscaping ordinance where have regulations and standards or what specifically want. Councilman Gailey stated remembers Planner Steele's name being mentioned in that discussion because of his landscaping background and think eventually it may need to be in code and have restrictions in it, they are just looking for solutions to the problem of how to manage secondary water system ongoing and better and xeriscaping is one piece of the puzzle that isn't the end or end all. Commissioner Rackham stated wanted to give a little experience on that, that brought up some memories from him, his neighbor decided to xeriscape his parking, they lived below him on a slope. The neighbor put in rock, looks good, get a little bit of rain it is okay, get snow it is okay, they had a major flood and all the water seeped right through down and washed out his driveway, so have to be careful when mandate some of these things. Councilman Gailey and what about children and rocks. Commissioner Day stated kids love them. Councilman Gailey stated that rock never stays where ya put it with children, it is all over the place. Commissioner Rackham stated so it may sound good on paper need to think in practical terms. Councilman Gailey stated he will take it back to the Council and have them better define it.

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3. Commissioner Reports

Commissioner Rackham stated nothing. Commissioner Bingham stated nothing. Commissioner Moultrie stated nothing. Commissioner Day stated nothing. Commissioner Thorson stated nothing. Commissioner Vaughan stated Commissioner Thorson did an excellent job and had an excellent idea to open up the Trails Edge to a public hearing, anytime anyone has an inspiration to something a little different or do something on behalf of the citizens, don't be shy about speaking up, want them to be the friendliest and supportive Commission that they possibly can to the citizens and to the Council. Councilman Gailey asked City Attorney Roberts if they call it a public hearing and it hasn't been noticed is that a legal issue rather than calling it a public comment. City Attorney Roberts stated no, the public hearing, there are certain land use applications for which a hearing is required and so as long as have held one then are okay top move forward. So if want to have a second round of people coming in and talking that is fine, in that case could just be called open to public comment it doesn't necessarily need to be called a hearing, maybe just say will allow public comment on this item for those who didn't take advantage at the beginning of the meeting, so it is semantics and really the important thing is that held a hearing at some point so are good.

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4. **Adjourn**

COMMISSIONER THORSON MADE A MOTION TO ADJOURN. COMMISSIONER RACKHAM SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.