

Minutes of the Syracuse Planning Commission Work Session, June 21, 2016

Minutes of the Syracuse City Planning Commission Work Session held on June 21, 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
TJ Jensen
Curt McCuiston
Greg Day
Troy Moultrie
Grant Thorson

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

City Council:

Excused: Commissioner Rackham
Councilman Mike Gailey

Visitors: Spencer Brimley

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1. **Training Video (David Church OPMA 30 mins) Provided by CED Director Mellor**

https://www.youtube.com/watch?v=kypp7wv_1AU

Planner Steele discussed future trainings and ideas and asked Commissioners for training topics would like to be addressed.

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2. **Department Business:**

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a. City Council Liaison Report

Councilman Gailey was not present. Commissioner Vaughan asked if staff received any communication from him on items to be brought forward to them. Planner Steele stated hadn't heard from Councilman Gailey besides giving them the green light to discuss the items on the agenda tonight.

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b. City Attorney Updates

City Attorney Roberts stated no updates for them.

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c. Upcoming Agenda Items

Planner Steele stated staff has received a Plat Amendment application for San Melia and have a lot of concept plans working on but are in between concept and preliminary stage at this point. Planner Steele stated City Council accepted a petition for Annexation at their last meeting, Woodside Homes is purchasing a large track of land in Syracuse and will be working on a potential new zone depending on the Council approval and staff will be working on soon. Staff spoke with Ivory Homes today about the Simpson property that had a recent zone change, a lot of stuff going on and staff is busy, there is going to be a lot of home development.

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3. **Discussion Items:**

a. Open Space PRD Ordinance Revision

Planner Steele stated took comments from last meeting about really protecting the City to ensure that don't have the spider web or spaghetti bowl and to allow developers to include clubhouses in the acreage and possibly have some sort of point system for superior amenities, also increasing the common space percentage and also increasing the open space percentage.

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Commissioners and staff discussed Open space/Common space ordinance revision:

10.75.040 Minimum lot standards.

All lots shall be developed and all structures and uses shall be placed on lots in accordance with the following standards:

(A) Density: overall density of six dwelling units per gross acre.

(1) The development shall provide a standard road right-of-way of 60 feet which shall include curb, gutter, and sidewalk improvements;

~~(2) Open space/common space shall be a minimum 50 percent of the total land area, excluding roadways, buildings, acreage and excluding any above ground City infrastructure. Of that 50 percent, 30 percent shall be in open space and 20 percent~~

~~in common space;~~

(2) A minimum of **20%** of the gross acreage of the project shall be developed as common space. Common space areas shall:

- i. be landscaped by the developer with turf, trees, shrubs, ground cover, amenities, and an automatic sprinkling system unless part of an environmental/natural area which is to be preserved.
- ii. be equally accessible and distributed for all residents of the **community**.
- iii. be generally contiguous, not a collection of remnants.
- iv. create an open atmosphere where development does not feel overly intense.
- v. not include required front, side, and rear, yard areas towards common space acreage
- vi. be held in common and administered by an active homeowners association
- vii. be permanently restricted from future development
- viii. include multiple amenities from the following list: club house, tennis court, pickleball court, basketball court, playground, community garden, picnic shelter, swimming pool, park benches, walking trails, outdoor exercise equipment, dog park, or splash pad. City council must approve all proposed amenities and may approve an amenity not included in this list.
- ix. include approved amenities in each segment of common area, landscaping alone does not qualify a segment as common space.

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Commissioner Jensen stated wanted to bring up another item in the PRD ordinance, the way they wrote the PRD ordinance as he understood it was they wanted to require a roadway access to an arterial and doesn't think the language is saying that because a developer is thinking they just need to connect to the arterial but don't need to connect a road. Planner Steele stated they will be crossing this bridge soon. Commissioner Jensen asked the Commissioners if want a street connection to the arterial and if so does it need to say that in PRD language. Planner Steele stated in general with a broad brush in planning terms want to group the most dense areas closer to the services, grocery stores, libraries, etc. and then if they do have a higher intensity footprint for traffic counts want them to be closer to the arterial roads so are not going through the single family neighborhoods and creating traffic problems and so that was probably the intent of being connected to an arterial is coming from but with the application they are going to have before them, Jackson Court, they are going to be part of another HOA that already has access to an arterial.

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City Attorney Roberts stated it would probably be better to discuss this later when the application is before them would hate to talk about it before them it is not really appropriate. Commissioner Jensen stated he didn't want to nail a specific developer just wanted to make sure the Planning Commission's intent was clear and make sure the language is in there and thinks the Planning Commission understood were talking a street connection not talking land connection talking street connection but if the language isn't tight enough and doesn't specifically say that this would be their opportunity to clarify that. Commissioner Vaughan stated they are joining another HOA probably for management but this is a free standing development and has to stand on its own because if they have excess acreage open space, common space. City Attorney Roberts stated again would recommend not discussing it they don't have an application before them and it wouldn't be fair to the developer to have a discussion when they are not present and able to participate. Commissioner Jensen stated just wanted to make sure the language is there. Commissioner Vaughan stated hypothetically if an applicant was going to merge with another place and that other development was designed and passed under different standards if 2 were merged and the other one had more excess space and open space or common space would there be a way to tighten this up to make sure what are doing right now is not diluted by the addition of a merged project. Planner Steele stated it is in section A, 5 and staff was charged with looking at open space but it is under A, density so think in a certain extent it is within the same section. Commissioner Jensen stated he would like to see it say 'direct street connection'. Planner Davies stated it might be worth looking into what that allowable density is now, currently with that type of land area still probably couldn't reach the maximum allowed density in PRD so currently what are seeing in PRD's is basically developers going for the maximum allowed density with a single family home type situation and are roughly at an R-3/R-2 density so maybe something to consider is it significantly more impactful than what is already allowed for zoning which doesn't require a direct connection to an arterial road. Commissioner Day stated Syracuse has 60 foot right of ways and our streets have a huge amount of capacity and are really underutilized and is hard pressed to think that a PRD would really over capacitate much of the local streets but don't see a lot of huge PRD's coming in and if that were the case maybe would have an issue but the streets are really wide. Planner Davies stated the most dense that currently allow is 4 attached units but if someone came in and wanted to do 4 row houses or whatever with the garage requirements and extra parking requirement and open space requirement as well don't think it is likely but would need a calculation on it to figure it out for sure to see how different it is from what is currently allowed, could understand if it was a really high density then would want to make sure it was connected directly to an arterial but if not much higher density than what an R-3 would allow there needs to be kind of a rational nexus for requiring that verses not requiring it in an R-3. Planner Steele stated since the broad brush they want PRD's to be closer to services and in reality 6 units per acre isn't exactly a very dense land use anyway but what if instead of saying having a direct connection what if gave it a distance to the arterial like within 500 feet of an arterial. Commissioner day stated if it is not close to services it shouldn't be rezoned to PRD and so the decision should be based off the property in a location that fits what an overall policy of the General Plan should be and then work through those sorts of details. Think that direct connection when the policy was made was really because wanted one location and a deal going on and that was to really restrict it to 1 or 2 properties but think if don't want to zone it PRD then don't zone it PRD and take it into account on the property. Commissioner Jensen stated

the main thought and there were several Commissioners involved in that decision but wanted to make sure that the traffic from the PRD was not going through a neighborhood and wanted it to dump onto at a major connector that was the point at the time that is why the language is the way it is, it didn't say direct street connection but from his perspective that was the intent.

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Planner Steele stated are they wanting to change the language or striking the language. Commissioner Jensen stated should change the language to direct street connection to make it absolutely clear that is what they want if that is what they want. Commissioner McCuiston stated everything is going to connect to a street. Commissioner Day stated is just on the other side of it. Commissioner Moultrie stated thinks should look at it case by case as well how many units are going in there and the impacts, not everything fits into a square boxes sometimes have to look to see what makes sense. Planner Steele stated they could change it to a number or a number of units have to have a direct connection to a street. Commissioner Jensen stated if are going to try to make it fluffy could say unless otherwise approved by the Planning Commission. Commissioner Day stated could tie it to a traffic report get a professional to give an opinion that might be something that would work. Commissioner Moultrie stated number of units wouldn't be bad either no more than 25 or something. Planner Steele stated just need to identify the threshold of how many units wouldn't create a significant impact so it is not just a guess and like that idea of basing it off a professional report. Planner Steele stated could say development design shall include a direct connection unless traffic report proves otherwise. Commissioner Thorson stated that isn't going to tell you whether it makes it, if live in a neighborhood and they do a traffic report that says there are going to be 300 extra cars doesn't say it is a yay or nay it says your life is going to suck. So it could say there needs to be a turn lane to make traffic move and need to upgrade the roads so don't fall apart and are going to have 2 more kids every 5 years die it can say things like that but it can't say whether should do it or not. Commissioner Thorson stated is hard pressed to interpret it any other way than a road connection but if need to add those words then wouldn't. Commissioner McCuiston stated could give a level of service required but that should be in the code anyways and that sort of traffic report would tell us. Commissioner Thorson stated don't think the whole neighborhood and existing neighbors should have to deal with against traffic getting through it and should have a way to get to a road. Commissioner Jensen stated hate to put it rudely but if a developer really wants a PRD that badly that is the price they pay for getting a PRD. Commissioner Thorson stated the hard part is asking him what he wants on his broccoli and doesn't want broccoli so would leave it there and make it hard. Commissioner Vaughan stated capacity is an important thing and think one of the things there might particularly be a project bumps up another adjacent property and they do have street access would be a shame to have road standards inside a development that are looking at right now that feeds into another development that has a smaller street standard than what the current street standard is and think that is unfortunate and that is in several places in Syracuse and one down the street where the street access onto 2000 W is one of the narrowest streets in town and runs all the way to Bluff. Planner Steele stated so just leave the street connection. Commissioner Vaughan stated yes. Commissioner Jensen stated as long as everyone is clear what is meant on that that is the main thing. Commissioner Thorson stated doesn't know how could connect a roadway without connecting the roadway it doesn't mean a right of way connection it means a road connection. Commissioner Jensen stated was thinking a trial connection. Commissioner Thorson stated it says roadway connection or major collector roadway. Commissioner Jensen stated it says connect to doesn't say what connecting to. Commissioner Thorson stated would interpret roadway to apply to all 3 of those items. Planner Steele stated there are a lot of roads in the City that would not qualify as an arterial or a collector. Commissioner Jensen stated the thought was at the time want them on 1000 W, 2000 W, 3000 W, 1700 S and 2700 S those are the collectors and don't think there are any roads or a road in between the mile blocks.

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Planner Steele stated to summarize is going to clarify community and what that means, public part of the community and the whole City or just that development. HOA managed or clarify whether or not HOA or City managed. Require that the amenities in open space be installed with each phase within 4 months or something to that effect. Commissioner Moultrie stated with a clubhouse if the development is 50% done think the clubhouse should be completed first. Commissioner McCuiston stated they will do that just to sell houses anyway. Daybreak built the entire lake before they did anything else just to draw people in, amenities is what makes people buy homes.

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Commissioner Day asked if this goes to the City Council for review. Commissioner Thorson stated the Commission will approve it and then send it to them. Planner Steele stated if want to see this in the next Regular meeting could or bring it to work session again next time. Commissioner Vaughan stated bring it bac k to work session next time.

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b. Text Amendment 10.30.050 Yard Encroachment

Planner Davies stated continuing their discussion from last time with a few minor changes, changing the width on the encroachments to 15 feet in width so not any deeper than currently allow. The current allowance is about 8 feet which is a bay window width and have had developers complaining that it doesn't work for them. Planner Steele stated thinks there might have been a little bit of misunderstanding last time with the 8 feet projecting from the house and want to clarify that it is not from the house into the setback but the width, the max it can go into the setback is 2 feet but this would be how wide say a bay window would be and a lot of bay windows and things like that are a little wider than 8 feet. Planner Davies stated the dimensions make a big difference because an 8 foot cantilever. Commissioner Jensen stated but decks and stuff that does go farther than 2 feet. Planner Davies stated with a deck can go 10 foot into the backyard or front yard and that is the second section there. Clarified that the side yard distance between 2 primary structures shouldn't be less than 10 feet so it is good to clear in the code. Commissioner Jensen stated applies to these sections but really doesn't want

anything in the side yard 3 feet don't care what it is because have an 8 foot minimum on an R-3 and so 3 feet of the 8 feet is plenty and if can't fit their 42" deck on the side because are right at the 8 foot setback that is there problem. Planner Davies stated currently the side yard the maximum is 2 feet. Commissioner Jensen stated below says can encroach and talks about keep the 10 feet between structures but that can be flexible because the first owner comes in and does 6 feet then the second owner has 0 feet. Planner Davies stated but code doesn't allow any more than the 2 feet. Commissioner Jensen stated unless are doing a deck. Planner Davies stated the decks cant encroach into the side yard anyway. Commissioner Jensen stated looking at it actually could. Planner Davies stated the code does say rear yard and side yard, so can specify that in that section and just make sure to say that. Commissioner Jensen stated was jumping ahead but as far as the width of the cantilevers the side yard bothers him a bit but the rear yard if it is 2/3 of the structure or something don't think need to specify 15 feet if it is the rear yard it could be the entire width of the rear yard as far as he is concerned but some people may not want to go that far but the concern at the time is don't want the encroachment and really for the side yards and the front yards it is a bigger deal but for the rear yard it's not such a big deal and so don't know if want to break it down like that. Planner Davies stated could make it the full width of the house had an application recently that was the full width of the house, 2 feet out and they basically had to move the house up. From a Planning perspective it is 2 feet and especially on the back of the house are not having a whole lot of difference in streetscape from a public perspective maybe backyard neighbors don't know if that would be a concern, honestly don't check out my neighbors cantilevers. Commissioner Jensen stated the once place that might come into play is the driveway from the garage so couldn't encroach into the driveway or something. Commissioner Vaughan stated would it be a fair statement that this Commission is interested in not loosening the standards for encroachments if anything are more of the feeling to tighten or greatly restrict encroachments into those setback area. Commissioner Moultrie stated when it comes to covered patios need to loosen those a little bit think they are way too tight, there are so m any small lots half of his neighbors can't even cover their patios because it is a 20 foot requirement and not having posts into the ground, think 10 feet should be plenty, if they don't have footings and foundations the patio is going to sink and then have an issue. Commissioner Day stated would like to get feedback from some of the builders and see what their current architectural. Commissioner Moultrie stated a lot for the builders are upset because they can't go very far and a lot of contractors are upset because they can't put covered patios on homes here in Syracuse because of the setbacks. Commissioner Jensen stated the code flat out says cannot extend closer than 20 feet to the required rear yard line that is the hard number and do they want to reduce that number. Commissioner Vaughan stated they can put a covered patio on if they design the footprint of their building differently. Commissioner Jensen stated the minimum rear yard setback is 20 feet. Planner Davies stated so the issue is because the standard or standard as the majority so have R-1, R-2 those ones all have a 30 foot rear yard setback so going to 20 feet from the property line means can encroach 10 feet into their rear yard setback. R-3 has a 20 foot rear yard setback so that is the limit 20 foot from the property line couldn't have a covered patio. So anyone who is in R-3 who is built to the setback which seems to be more and more common. Commissioner Jensen stated that would apply to Cluster or PRD. Planner Davies stated exactly and that is a whole different animal if have basically a pad that is just the property lines around the house but in the case of an R-3 think have a situation where the 20 foot rear yard is the 20 foot required setback for the covered patio so basically it is like the back of your house is as far as could extend a covered patio which means can't have one. What suggested here is to allow decks to encroach into 10 feet of that so allows people to just cover the deck and allow them to encroach 10 feet into the R-3 that doesn't change anything for R-1 and R-2 they would still just be 20 feet from the rear property line. In the case of an R-3 it would be 10 feet from the rear property line to allow them to cover the deck which is allowed to go 10 feet out. Commissioner Vaughan asked how would define that covering free standing pergolas. Planner Davies stated it depends on if it is attached to the house or not because that is what is talking about. Commissioner Vaughan stated was referring to free standing so there are ways to achieve coverage in a backyard. Planner Davies stated to an extent except it has to be, if it becomes a roof structure then it needs to be 6 feet from the house. Commissioner Vaughan stated there are issues and always someone who pushes the envelope particularly on new construction, the new home owner that is coming in that is going to try something verses the guy that has been there 10 years already. Commissioner McCuiston stated make it 10 foot all the way around. Planner Davies stated they could do that as well and the issue that allow the decks to go out 10 feet so if only allow 7 feet then have like 3 feet of uncovered deck potentially. Commissioner Jensen stated in code it says the deck or covered patio cannot cover more than 33% of the total structure and in an R-3 they are gonna lose that so could only have 21 feet worth of deck. Commissioner Jensen stated this was before his time on the Planning Commission back in 2005/2006 and previous administration and they were really trying to keep the backyards open for views that was part of their argument having the lots structured back there then it kind of destroys that sense of open space even if have a fence between 2 neighbors of course these days with vinyl fence can't even see neighbor yard anyways where could with chain link. Commissioner Moultrie stated have trees also. Planner Steele stated he can see how they wanted to protect the views as well. Commissioner Jensen stated if we're going to lower the 10 feet to 8 feet or something and then the full width that is 12 feet between the fence and whatever, 10 feels tight especially for a rear yard right at the rear setback. The builders have 8,000 square feet to work with so with a 1500 square foot house may not be right up against the rear setback all the time especially when a developer tries to minimize the front with then can maximize the use the road rather than try to make a wide lot that is not very deep want to make a deep lot that is not very wide so have more people use the same road. Planner Steele stated could do zero percent of the total width and 15 feet from property line. Commissioner Moultrie stated have 8 feet on the side and people plant trees all along their back yard cause want privacy. Commissioner Jensen stated instead of specify in 10 feet could say cannot encroach more than 33% into the rear setback, so an R-1 could encroach 10 feet. Commissioner Moultrie stated that would be pointless on half of his neighbor across the street. Commissioner Thorson stated like the way it is proposed right now. Planner Davies stated regarding the view thing as long as it is open on 3 sides they don't have it walled out then have views a little bit. Commissioner Thorson stated would

like to recognize the irony that the very first thing that people do when they build outdoor space is try to make it indoor space. Commissioner Thorson stated he likes the way it is proposed. Commissioner Vaughan stated is there anyone that disagree with that or would like to see it more or less. Commissioner Jensen stated he likes 8 foot it is actually 7.33 for 1/3 is rounding up and being nice. Commissioner Vaughan stated how many like Commissioner Jensen's idea on that as opposed to Commissioner Thorson's, 10 foot or 8 foot. Commissioner Vaughan asked if this was brought to them for an action item to make a decision on it, could they live with what they see in red right now. Commissioner Moultrie stated would like to change the 33% to 75%. Commissioner Day stated the applications staff is receiving are they seeing 33% or what is staff seeing. Planner Davies stated he just had one today and want a 20 foot deck. Commissioner Thorson stated they can have uncovered the full width. Planner Davies stated yes they can go all the way out. Commissioner Thorson stated but with a covered deck are limiting to 20 foot covered deck. Commissioner Day asked from what staff is seeing is that okay with what people are submitting. Planner Davies stated the majority of the reviews he is doing are less than 50% but are usually around 40-45%. Commissioner Jensen stated 10.30.050, 2 says 'Unsupported cornices, eaves, gutters, and terraces may project 10 feet into any required front, rear, or side yard' would want to change that to 10 feet of front and rear and 3 feet in side yard. Commissioner Thorson stated would just get rid of side yard. Commissioner Vaughan asked staff if would bring this back on the next regular meeting agenda.

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Commissioner Vaughan stated for the information for the Commission this item came up under Council member comments under the last meeting and they had a brief discussion about it and was asked to come forward to give an opinion on it and told them were happy to do that ever the Council would like but would sure be nice if the Council could give them an idea if want it loosened, tightened or left alone and they said they might discuss that so at this next meeting now have this if Director Mellor happens to mention to certain people on there what the Commission is talking about here might be able to get the Council completely on board before the next Commission meeting.

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4. Commissioner Reports

Commissioner McCuiston stated nothing to report. Commissioner Day stated wanted to bring up one thing, would there be any way that they could have one meeting a month for Planning Commission and wanted to bring it up as an item for discussion. Planner Steele stated knows their beloved sister City of Clearfield does one meeting a month. Commissioner Vaughan stated like tonight where there were no regular agenda items. Commissioner Thorson stated if don't have 2 or 3 items on an agenda and are still within the review period to look at stuff that lump them to one meeting. Commissioner Day stated like the items in work session tonight could discuss them another night and not waste staff's time. Commissioner Jensen stated there have been meetings before where it felt like the agenda was too light but the only time would skip a meeting is when have an application is how it has been done in the past. Planner Steele states maybe could say if don't have any business items then wouldn't have a meeting. Commissioner Day stated the low hanging fruit where isn't anything the citizens need from them. Commissioner Jensen stated or something from City Council. Commissioner McCuiston stated said had nothing on the agenda and it still took us 2 hours, it is more of a time management problem. Commissioner Day stated he would just like to encourage that so are not expending resources. Commissioner Jensen stated that is up to the Chairman and staff. Planner Steele stated he likes that idea of low hanging fruit. Commissioner Vaughan stated it is an excellent idea. Planner Davies stated they could set a threshold and could say only have 2 items on the agenda this time unless something majorly pressing and could be the Chairman's call. Commissioner Jensen stated if there is an application would say yes if it is just code discussion and the City Council isn't burning for it then skip it. Commissioner Vaughan stated if the public needs to be served then hold a meeting if it is internal then judgment call. Commissioner Moultrie stated they need to be more time efficient and have a lot of dead time they limit the audience and should limit the Commissioners as well; 3 minutes and think should be able to speed up the process for citizens as well as staff's time they only can work so many hours per week. Commissioner Thorson stated noting to report. Commissioner Jensen stated the Davis County Active Transportation Committee met last week. Also attended the Chamber of Commerce meeting today and Randy Jefferies talked about 2000 W, SR-193 and West Davis Corridor.

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5. Adjourn

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