



Syracuse City Planning Commission Meeting October 6, 2015

Begins at 6:00 p.m. in the City Council Chambers
1979 West 1900 South, Syracuse, UT 84075

Regular Meeting Agenda

PLANNING COMMISSIONERS

CHAIR

Ralph Vaughan

VICE CHAIR

Dale Rackham

T.J. Jensen
Curt McCuistion
Greg Day
Troy Moultrie
Grant Thorson

1. **Meeting Called to Order**
 - Invocation or Thought
 - Pledge of Allegiance
 - Adoption of Meeting Agenda
2. **Meeting Minutes** July 21, 2015 Regular Meeting and Work Session
August 4, 2015 Regular Meeting and Work Session
September 1, 2015 Regular Meeting and Work Session
September 15, 2015 Regular Meeting and Work Session
3. **Public Comment**, This is an opportunity to address the Planning Commission regarding your concerns or ideas, regarding items that have not been scheduled for a public hearing on this agenda. Please limit your comments to three minutes.
4. **Public Hearing, Rezone** Andrew Sherman, from R-1 to Neighborhood Services, property located at 1317 S 2000 W (rescheduled from September 15, 2015)
5. **Adjourn**

Work Session

1. **Department Business**
2. **Commissioner Reports**
3. **Upcoming Agenda Items**
4. **Discussion Items**
 - a. **Municipal Code Title X Amendments pertaining to residential zoning.**
 - b. **Municipal Code Title X Amendments pertaining to noticing**
5. **Adjourn**

NOTE

If you wish to attend a particular agenda item, please arrive at the beginning of the meeting. In compliance with the Americans Disabilities Act, those needing auxiliary communicative aids and services for this meeting should contact the City Office, at 801-614-9626, at least 48 hours prior to the meeting.

CERTIFICATE OF POSTING

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PLANNING COMMISSION AGENDA

October 6, 2015

Agenda Item # 2

Meeting Minutes

July 21, 2015 Regular and Work Session

August 4, 2015 Regular and Work Session

September 1, 2015 Regular and Work Session

September 15, 2015 Regular and Work Session

Suggested Motions:

Grant

I move to approve the meeting minutes dated for the regular meeting and work session planning commission meeting, as amended...

Deny

I move to deny the meeting minutes dated for the regular meeting and work session planning commission meeting with the finding...

Table

I move to deny the meeting minutes dated for the regular meeting and work session planning commission meeting until ...

Minutes of the Syracuse Planning Commission Regular Meeting, July 21, 2015

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on July 21, 2015, at 6:00 p.m., in the Council Chambers, 1979 west 1900 south, Syracuse City, Davis County, Utah.

Present:

Commission Members: Ralph Vaughan, Chairman
Dale Rackham, Vice-Chair
TJ Jensen
Curt McCuiston
Troy Moultrie
Greg Day
Grant Thorson

City Employees: Brigham Mellor, Director of Community Development
Noah Steele, Planner
Jenny Schow, Planner
Brian Bloemen, City Engineer
Jo Hamblin, Deputy Fire Chief

City Council:

Excused: Mike Gailey, City Council

Visitors: Mike McBride George Heike Bell
Adam Bernard Josh Hughes
Chris Semrod Richard Cowley
Nicole Call Bruce Shofield
Shaun Johnson

[6:08:14 PM](#)

1. **Meeting Called to Order:**

Commissioner Vaughan began the meeting with a thought on Leadership. There is a myth that great leaders are always in the spotlight, to quote a recent article from Forbes Magazine, "It is true that if you are a leader of the organization, there is an expectation that you would also be organizations spokesman. But leadership comes in many forms, you don't have to be on the organizations executive team to be a leader. True leaders, whether they are at the helm or not, are humble. They don't care much about spotlight, they care about the results and that comes from focus. Some of the greatest leaders of our time," and this City especially," were simple men who shied away from limelight and yet have transformed their organization." and this City, "to new heights." I hope this Planning Commission will follow that great example as to be great leaders, not in the spotlight but with true focus on what we have before us. The Pledge of Allegiance was led by Commissioner Thorson.

MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR JULY 21, 2015 MEETING. COMMISSIONER JENSEN PROPOSED THAT THEY ADOPT THE AGENDA WITH ONE MINOR CHANGE, THE CHAIRMAN SHOULD SHOW RALPH VAUGHAN AND VICE CHAIR SHOULD SHOW DALE RACKHAM. THE MOTION WAS SECONDED BY COMMISSIONER JENSEN. ALL WERE IN FAVOR; THE MOTION CARRIED.

Commissioner Vaughan wanted to introduce new Community Development Director Brigham Mellor. They will be hearing and seeing from him a lot in the future, Brigham brings much education, experience and knowledge to the table and they look forward to working with him.

[6:11:35 PM](#)

2. **Public Comment:** This is an opportunity to address the Planning Commission regarding your concerns or ideas, regarding items that have not been scheduled for a public hearing on this agenda. Please limit your comments to three minutes.

No public comments were made.

[6:12:05 PM](#)

3. **Public Hearing:**

Commissioner Vaughan stated that how public hearings will run, first they will have a presentation by staff, if Commissioners have any questions of staff, they will respond and then engage in brief conversation. After that the applicant will be allowed to come forward and make their presentation and any questions of the applicant at that time. Then they would then call for anyone that would like to speak in favor of the proposition by the applicant and after those people have spoken, they will then call for people that might be opposed to the proposition. If there are any speakers in opposition, we will afford the applicant the opportunity for a brief period of rebuttal on those particular items. After that they will close the public hearing and the Commission will go into discussion of the items and after that a vote will follow.

[6:13:03 PM](#)

65 **Public Hearing- General Plan Amendment from Neighborhood Services to Professional Office to Business Park Zone,**
66 **property located at 3600 W 1700 S.**

67 Planner Schow stated the item before them is both a General Plan and Rezone, property is 8.57 acres located on
68 Antelope Drive, just in front of the Golf Course, approximately 3600 W. The request is to change the Commercial zoning
69 from Professional Office to Business Park. The applicant, in regards to concerns for Commercial Development in this
70 area, is also the same owner of the Golf Course, so there will be a strong desire to make sure that this a nice project. As
71 far as the current General Plan, as mentioned it was Professional Office, they're requesting Business Park and there are
72 no concerns on the end of staff for this request.

73 [6:14:29 PM](#)

74 Michael McBride, Syracuse, Managing member of Sunquist Development, the applicant in this case, which is also
75 majority owner of the Golf Course. Michael McBride stated the reason he had requested a change was they had some
76 people, some citizens in the City who currently have small businesses, particularly contractors, who are running them out
77 of their garages and their homes and their backyards and running out of room for their vehicles and the supplies that they
78 have for their business. They've tried to find a place in Syracuse to move, to find a Business Park or some kind of
79 Industrial area that they can park their trucks and things and have their supplies and there is very little available, most of its
80 up on the east end, across the street from America First Credit Union in that area there, but it's such a small amount that
81 there's a large list of people waiting to try to get in there. And looking around the City, he didn't see other similar kind of
82 areas for small businesses. There's a lot of larger businesses being built, but for small businesses and in talking with
83 Planner Noah Steele, we looked at the options the City has for that kind of business and Business Park is the best option
84 for the, to be able to allow that kind of thing. It doesn't fit into a Professional Office zone and doesn't really fit well into a
85 Commercial zone. Together we decided that the best thing to do was to try to change the General Plan and rezone it to
86 Business Park, which would allow us to put in buildings there that will accommodate those kinds of services.

87 [6:17:13 PM](#)

88 Public Hearing open for those in favor.

89 [6:17:22 PM](#)

90 George Bell, lives diagonal from there, his question pertains to what the impact would be on the environment. What
91 kind of storage would be there, will there be chemicals or will there be construction equipment. How is it gonna be hidden
92 from the public where it won't distract from his property and bring his house value down, plus others in my neighborhood
93 that, there is a brand new house straight across the street from him and how would that impact them. If they put up
94 buildings and they have companies there, now it's gonna detract from our neighborhood.

95 [6:18:21 PM](#)

96 Planner Schow stated those are all items that will have to be addressed when the applicant comes in with a site plan .

97 [6:18:35 PM](#)

98 Commissioner Vaughan stated that's correct, all of the concerns that Mr. Bell has, they'll be numerous restrictions
99 and privileges granted to someone under this particular zone. The City will make sure that all of those requirements are
100 strictly enforced and followed, as far as that, the environment is something that is very serious here in Syracuse.

101 [6:19:12 PM](#)

102 Michael McBride stated that one of the requirements of the Business Park is to have an architectural theme, which
103 they will develop and follow, which will provide the exterior of the buildings will be kept in an attractive manner. Plus there
104 will be complete landscaping along Antelope Drive with trees and grass. All storage will be interior storage, there will be
105 nothing stored outside, whether it is vehicles or any supplies, everything will be on the inside of the buildings. It should
106 with the attractiveness of the buildings as well as the landscaping, it should really enhance the neighborhood verses
107 making it less attractive.

108 [6:20:07 PM](#)

109 Commissioner Jensen wanted to make a quick comment, essentially with the applicant requested to change it to a
110 Business Park zone and our Business Park zone is actually one of our more restricted zones as far as look of the
111 buildings and what's basically what's allowed around those buildings and such, so it should generate a pretty good looking
112 product.

113 [6:20:35 PM](#)

114 Commissioner Thorson asked to the applicant, about the sidewalk along Antelope Drive, it's a pretty big way for kids
115 to get to the Elementary School to the south. What was your thought about that sidewalk, is there, you talked about trees
116 along Antelope, leave the sidewalk alone and build only north of it.

117 [6:21:00 PM](#)

118 Michael McBride stated the sidewalk is actually not in the correct position, the City installed that, essentially to
119 provide that access, since it is a State Highway, they'll have to build according to their specifications and the sidewalk has
120 likely got to be moved a little bit and may actually may have to be, in speaking with Robert Whitely yesterday, it may
121 actually have to be repositioned vertically as well, because it may not be at the right elevation but there will still be a
122 sidewalk and there will still be landscape inside the sidewalk with the trees on the inside of the sidewalk, so the sidewalk
123 will still be available for anybody to be able to walk up and down.

124 [6:21:52 PM](#)

125 COMMISSIONER MCCUISTION MOVES TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE
126 GENERAL PLAN AND REZONE REQUEST TO BUISNESS PARK, SUNQUIST DEVELOPMENT, PROPERTY
127 LOCATED AT APPROXIMATLEY 3600 W 1700 S, SUBJECT TO ALL APPLICABLE REQUITEMTNS OF THE CITY'S
128 MUNICIPAL CODES AND CITY'S STAFF REVIEWS. SECONDED BY COMMISSIONER RACKHAM. ALL IN FAVOR.
129 THE MOTION CARRIED WITH A UNANNOUMOUS VOTE.

130 [6:22:43 PM](#)

131 4. **Public Hearing - General Plan Amendment from Neighborhood Services to Professional Office and Rezone from R-1**
132 **Residential to Professional Office, property located at 1373 S 2000 W.**

133 Planner Schow stated that before she gets started, she wanted to inform the Commission that the applicant was
134 unable to make the meeting tonight, they did talk to her ahead of time. Any questions can be directed towards her. This
135 property is located just on 2000 W adjacent or north of the Elementary School, Syracuse Elementary, for this piece, the
136 applicant is proposing to do an assisted living center. He owns the parcel that is directly to the south of what's shown on
137 the map. Because of the layout and in working with the Fire Department, the applicant has gone ahead and purchased
138 some additional land in order to make a site plan work properly with access. Planner Schow has a concept site plan that
139 came in today a more updated one than what was submitted. What the applicant is asking is just the same thing, General
140 Plan and Rezone this piece of property from Neighborhood Services to Professional Office, which is what the existing
141 parcel owned by the applicant has already been rezoned to. The zoning map hasn't been updated as of yet. This was the
142 site plan that was included in the packet, this is what the applicant initially was trying to work on, but as mentioned due to
143 fire access, they purchased additional land and are proposing, which this will come back before you for site plan approval
144 also. Something similar to this in pushing that building to the north and then allowing that drive isle through and then were
145 not impeding anything with a covered port.

146 [6:25:29 PM](#)

147 Commissioner McCuiston asked if this would come back before them, will the whole site plan come back again.
148 Planner Schow stated yes, tonight we're just acting on the General Plan and Rezone request, so just amending the City
149 maps. Planner Schow sated they had already done it once for the majority of this is just that little bit to the north that
150 they've gone ahead and added, so that we can come back and we'll see the site plan at a completely different time with a
151 different application. Commission Jensen asked what is the property that is immediately to the north of this, what is going
152 on with that. Planner Schow stated it is residential; it has an existing home on it. Planner Schow stated all three of the
153 properties immediately to the north all have homes on them. Commissioner Vaughan stated that the parcel they were
154 talking about tonight is 1/3 of an acre, it's not a large parcel, it used to be an assemblage of something that already exists.

155 [6:27:00 PM](#)

156 Richard Cowley, owner of the property in question here. Richard Cowley stated Mr. Craythorn approached him about
157 buying a piece of that so it would better enable him to better position those buildings in there, that's property's been so
158 narrow it's been real difficult for him to do anything with. So all this is, is taking 60 ft. off the south end of our existing
159 property and we'd retain the rest. Anyway, as you can see it would enable him to be able to better position those buildings
160 to be more adequately serviced by everyone. Commissioner Jensen asked if he lives in the house immediately north of
161 this, Richard Cowley stated yes. Commissioner Jensen stated that he is the one who is going to be impacted. Richard
162 Cowley stated it's immediately north, yes the house on the upper left is theirs, it was an acre but this will take off about a
163 1/3.

164 [6:28:12 PM](#)

165 Public Hearing opened for those in favor of this project. None

166 [6:28:21 PM](#)

167 Public Hearing opened for those in opposition of this project.

168 [6:28:29 PM](#)

169 Shaun Johnson, Syracuse resident, I'm not necessarily in opposition, just wanted to make sure that everything's done
170 to maintain the neighborhood and I don't want it to detract from the neighborhood, is my concern. His property is actually
171 just north of this property. His biggest concern is he doesn't want, eventually he'd like to see another home on that, just to
172 the east of Rick Cowley's, so as long as it does not detract from the neighborhood.

173 [6:29:09 PM](#)

174 Commissioner Vaughan asked if anyone would like to speak in opposition. None.

175 [6:29:23 PM](#)

176 Public Hearing closed.

177 [6:29:27 PM](#)

178 Commissioner Jensen stated since, one of the houses that's to the north of this has spoken and indicated that since
179 he owns the property he is willing to accept the additional impact that will bring upon him, there are two other houses
180 there to the east of him as well and we've heard from one of those. Commissioner Jensen sated he thinks that trying to
181 unify the property and make it work is probably a good thing.

182 [6:30:18 PM](#)

183 COMMISSIONER DAY MOVED TO MAKE A MOTION, MOVE TO RECOMMEND THE APPROVAL TO CITY
184 COUNCIL OF THE GENERAL PLAN FROM NEIGHBORHOOD SERVICES TO PROFESSIONAL OFFICE AND

185 REZONE FROM R-1 TO PROFESSIONAL OFFICE, ERIC CRAYTHORN PROPERTY LOCATED AT APROXIAMTELY
186 1373 S 2000 W, SUBJECT TO ALL APPLICABLE REQUITEMTNS OF THE CITY'S MUNICIPAL CODES, CITY STAFF
187 REVIEWS, ETC. COMMISSIONER THORSON SECONDED THE MOTION. ALL IN FAVOR, MOTION CARRIED
188 UNANIMOUSLY.

189 [6:31:03 PM](#)

190 5. **Final Subdivision-** Trails Edge Phase 3-5, property located at 3500 W 700 S, R-3 Zone

191 Planner Schow stated that phase 1 & 2 are moving right along with trails edge, the first phase will be sent down to the
192 Recorder tomorrow and they are ready to start work on phases 3 through 5. Planner Schow states City staff reports came
193 out with very minor details, that would not prohibit approval of this project tonight. Staff has no outstanding issues for the
194 property is located off of 700 S and they are proposing a total of, broken down by phase, just under 50 lots for these 3
195 phases.

196 [6:32:40 PM](#)

197 Commissioner Vaughan noted on engineering plan review dated June 29, 2015 that lot 503 could not be built until the
198 dead end in the cul-de-sac had been removed and wondered if the applicant has made any contact and understands and
199 accepts that. Planner Schow stated she has been in contact quite often recently with the applicant and have not had any
200 concerns brought regarding that item. Commissioner Jensen asked that everything they had before them the applicant
201 understands and accepts, Planner Schow agreed.

202 [6:33:48 PM](#)

203 CHAIRMAN VAUGHAN MADE A MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF TRAILS
204 EDGE PHASE 3-5, FINAL MAP, MARK SANDBERG, PROPERTY LOCATED AT APPROXIMATELY 3500 W 700 S,
205 SUBJECT TO ALL APPLICABLE REQUITEMTNS OF THE CITY'S MUNICIPAL CODES, CITY STAFF REPORTS AND
206 ADDITIONS THAT HAVE BEEN ATTACHED BY STAFF.

207 [6:34:15 PM](#)

208 Commissioner McCuiston asked if it was lot 503 or 305. Commissioner Vaughan stated 503, he believes, on the 3rd
209 map. Commissioner Vaughan stated it's the triangular shaped map on the right side against the church property. Planner
210 Schow stated the city recently addresses temporary turn arounds, so this is following the new code that was recently
211 amended, in order to keep from a lot having that temporary turn around and a home constructed on it and then that cost
212 getting shifted off the developer down the road and onto the City.

213 [6:34:58 PM](#)

214 MOTION MADE BY COMMISSIONER MCCUISTION AND A SECOND BY COMMISSIONER DAY. ALL IN FAVOR,
215 MOTION CARRIED UNANIMOUSLY.

216 [6:35:14 PM](#)

217 6. **Final Subdivision-** Spring Haven Estates, Josh Hughes, property located at 1840 S 3475 W, R-1 Zone.

218 Planner Schow stated this final subdivision application for the small 7 lot subdivision. The applicant since the time
219 the packet went out, has actually amended their drawings and has addressed the City staff report issues. There is one still
220 outstanding item that a hydrant needs to be moved, it now has been included on the drawings but we do need to have
221 them move it, prior to start of construction, so we'll make sure that occurs. Planner Schow stated that he has actually
222 spoken with the City Engineer in regards to that matter.

223 [6:36:33 PM](#)

224 Commissioner Jensen asked the applicant if he was going to address the concerns with the fire hydrant they
225 requested. Josh Hughes stated, correct, the drawings now show the fire hydrant, but they want it moved on a separate lot
226 line, between lot 4 - 5 and they want it between lot 3 - 4, which won't be a problem at all. Planner Schow stated that move
227 was just for snow removal purposes, cause it's at the end of the cul-de-sac.

228 [6:37:09 PM](#)

229 Commissioner McCuiston stated he remembers previously when this came before them, they talked about the
230 property to the north and they were told that an attempt had been made to purchase that property and it couldn't be
231 negotiated, so we've considered pushing that street through and unfortunately that couldn't happen. Commissioner
232 Jensen stated he was in attendance and the City Council had the same concerns that they did and they felt that since the
233 property owner to the north had been contacted and had indicated that it wasn't an issue, as for the property to the east,
234 which was the other property they were concerned about, there is a possibility that they might be able to work something
235 out with property owners to the east of them, to the road to the east.

236 [6:38:32 PM](#)

237 COMMISSIONER MCCUISTION MADE A MOTION TO RECOMMEND APPROVAL OF THE FINAL SUBDIVISION
238 OF SPRING HAVEN ESTATES, LOCATED AT APPROXIMATELY 1840 S 3475 W, R-1 ZONE, SUBJECT TO ALL
239 APPLICABLE REQUIREMENTS OF THE CITY'S MUNICIPAL CODES, CITY STAFF REVIEWS, INCLUDING THE FIRE
240 HYDRANT MODIFICATIONS. SECONDED BY COMMISSIONER JENSEN. ALL IN FAVOR, MOTION CARRIED
241 UNANIMOUSLY.

242 [6:39:28 PM](#)

243 Commissioner Day excused himself due to conflict of interest on this particular item.

244 [6:39:43 PM](#)

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7. **Final Subdivision- Tivoli Gardens Phase 2, Wright Development Group, property located at 1875 S 1000 W, R-3 Zone.**
Planner Schow stated Phase 1 is very close to being paved which she believes is actually occurring tomorrow, they are ready to start selling lots here really quickly and so the development would like to get a move on Phase 2. Planner Schow stated the engineer has also been in contact with City staff and is working on the updates from the plans, the hydrants have been moved and that has been reviewed by our Fire Department, Deputy Fire Chief Jo Hamblin unfortunately could not be here tonight, but he did communicate with staff that he is satisfied with how the drawings have been amended and submitted since the packet went out. Planner Schow stated other than the minor things on City staff reports for planning and engineering, there are no major hold backs on Phase 2.

[6:41:15 PM](#)

Commissioner Jensen wanted to make the comment that this is pretty much the continuation on of what they'd seen before and there are no screaming changes or anything like that and where the Fire Department concerns had been addressed.

[6:41:36 PM](#)

COMMISSIONER THORSON MADE A MOTION TO APPROVE TIVOLI GARDENS, PHASE II FINAL PLAN REQUEST FROM THE WRIGHT DEVELOPMENT GROUP & ASSOCIATES, LOCATED APPROXIMATELY 1000 W 1900 S, R-3 RESIDENTIAL ZONE, SUBJECT TO ALL APPLICABLE REQUIREMENTS OF THE CITY'S MUNICIPAL CODES AND STAFF COMMENTS. SECONDED BY COMMISSIONER RACKHAM. ALL IN FAVOR, MOTION CARRIED UNANIMOUSLY.

8. **Adjourn.**

[6:42:19 PM](#)

COMMISSIONER JENSEN ASKED FOR A 5 MINUTE RECESS BEFORE ADJOURNING INTO WORK SESSION. SECONDED BY COMMISSIONER MCCUITION. ALL IN FAVOR, MOTION CARRIED UNANIMOUSLY.

Ralph Vaughan, Chairman

Stacy Adams, Admin Professional

Date Approved: _____



Minutes of the Syracuse Planning Commission Work Session, July 21, 2015

Minutes of the Syracuse City Planning Commission Work Session held on July 21, 2015, at 6:00 p.m., in the Council Chambers, 1979 west 1900 south, Syracuse City, Davis County, Utah.

Present: Commission Members: Ralph Vaughan, Chairman
Dale Rackham, Vice-Chair
TJ Jensen
Curt McCuiston
Troy Moultrie
Grant Thorson

City Employees: Brigham Mellor, Director of Community Development
Jenny Schow, Planner

City Council:

Excused: Greg Day, Commissioner

Visitors:

[6:58:54 PM](#)

Work Session continued in Council Chambers

[6:58:59 PM](#)

Commissioner Jensen asked if Commissioner Day was going to return. Planner Schow stated he had left for the evening and Commissioner Rackham should be returning shortly. Commissioner Vaughan stated he had a family emergency during the meeting and graciously stayed to finish the meeting attending to his family.

[6:59:22 PM](#)

1. Department Business:

Planner Schow stated again wanted to reiterate how excited they are to have a Director back in the Community Development Department, Brigham Mellor. This is the first day working with him and the atmosphere in the office has improved dramatically already, so that's nice. Planner Schow stated as far as Department business goes we are also working on getting the Admin position filled, hopefully we'll have good news for that at the next meeting and that way we can get the minutes caught up and back before you for approval and get current back on those. We do not have any application in for business items for the next meeting, per discussion with our Chair, we are going to take some time to update our Director and then decide what we want to do with our time for the next meeting and whether or not we will hold that meeting.

[7:00:40 PM](#)

Commissioner Vaughan asked if the new Director would like to address the Commission. Brigham Mellor stated that he is excited to be here. The last 2 years he's been with Salt Lake County as the Economic Development Director for Unincorporated Salt Lake County, which is technically the 2nd largest municipality in the State. Prior to that, he worked for the State Economic Development Agency and was there for 5 years, he is happy to be here. Commissioner Jensen stated they are lucky to have him.

[7:01:32 PM](#)

2. Commissioner Reports:

Commissioner Jensen stated his usual one. The Davis County Act of Transportation Committee meeting for this month has been cancelled. Commissioner Jensen stated he noticed that UDOT has put out an update recently talking about the preferred alternative and also where they're at with the shared alternative solution as well. The other thing he wanted to point out really quick, he's not sure how many other Commissioner actually went, but a couple weeks ago, we had the Antelope Island ride by night, moonlight that happened and to those of you who still have rabbit ears, TV, you can tune into channel 19, there's a program called Crowd Surfing and the two people who do that program were out there interviewing the people that were there, including Barry Burton, from Davis County and Jeff Oyler was also there as well as Commissioner Petroff and new Commissioner Smith. If you want to watch some amusing TV and watch some people being silly in interviews and 'Back to the Future' costumes and such, tune into channel 19.

[7:03:04 PM](#)

3. Upcoming Agenda Items:

Planner Schow stated none. Lots of things on the horizon, just no official applications in at this time. Planner Schow wanted to take a minute to pull up Google Earth, regarding a call she received today on a property that is on 1000 W, it at one point had animal rights, the zoning is now R-2, just wanting to get the Commission's opinion on this as to. So this piece here, this northern long parcel with the open space and that kind of parking pavement in the back. The two parcels to the south of it have maintained animals on the property throughout the Re-Zone, this particular piece the animals have been off the land long enough that the grandfathering would basically be gone. They are wanting to sell and R-2 zone doesn't allow animal rights and they were asking how the City would feel about Re-Zoning it back to R-1 so that they could have animal rights to sell it that way. Not sure in how to answer their questions and wondered what the

64 Commission's thoughts were, because really can't do anything with it development wise, they'd have to come in as a
65 group down the road.

66 [7:04:59 PM](#)

67 Commissioner Jensen's only thoughts on that would be essentially the houses around there have an R-2 density but
68 guessing that particular parcel wasn't included when they added up their R-2, so personally wouldn't have a problem with
69 downgrading the zoning, not sure how the other Commissioners would feel.

70 [7:05:32 PM](#)

71 Commissioner Vaughan asked if all the animals have been removed. Planner Schow stated on this lot, but the two
72 lots to the south of it still have farm animals and it's still fenced and everything for horses, they just haven't been on there
73 for a couple years, a few years. Commissioner Vaughan stated he just had attended a wedding reception on one of the
74 houses on the street, I believe that's 2075, the street to the north and there were lots of animals running around on those
75 properties when he was there and that was a week ago. Planner Schow stated there are wild birds out there living on the
76 property, but as far as actually owned by this particular property owner, there aren't any at this current time.

77 Commissioner Jensen stated that per our ordinance, don't have anything in the ordinance that says any zone change has
78 to conform with the General Plan, that's currently not languaged in our ordinance. That's something that General Plan
79 committee is proposing going forward, but right now if they were to come in and ask for an R-1, if the City Council wanted
80 to go along with it, there's nothing in the ordinance to stop them from doing that. Planner Schow stated thank you.

81 Commissioner Jensen stated that he also believes it states in the code it says if they forfeited their right to be able to do
82 something then they'd have to reapply and that's a precedence that's been set throughout the City.

83 [7:07:09 PM](#)

84 4. **Discussion Items:**

85 a. **General Plan Update**

86 Commissioner Jensen stated Planner Schow was getting some stuff that actually should have been in a packet two
87 weeks ago, she can pull this up too. Commissioner Jensen asked if anyone knew where Commissioner Rackham went.
88 Planner Schow stated she didn't know and wondering if someone should go check on him. Director Mellor stated he could
89 do it. Commissioner Jensen stated that he wanted to point out that they talked about it last time, that there's actually a
90 draft for the General Plan language itself, but apparently that hasn't made it into the packet or Dropbox and hopefully we
91 can get that into the next packet. Cause we've talked about but apparently the Commission as a whole had not actually
92 seen the newly drafted General Plan that's proposed, so that would be very good to have for discussion. Planner Schow
93 stated it may even be prudent to convene tonight and use the next meeting specifically for this project so that could
94 maybe have everything put together properly, just a suggestion. Commissioner Jensen asked if she was proposing that
95 they discuss the General Plan at their next meeting. Planner Schow stated they'll have time if that's something that the
96 Commission would like to do. Commissioner Jensen stated that if everyone was looking at the 7 documents, if there were
97 any documents that anybody wanted to open up at this time and discuss. 10.20.50 changes or the establishment zone,
98 agricultural zone changes, etc.

99 [7:09:36 PM](#)

100 Commissioner Vaughan asked to take a 2 minute break to retrieve something from his vehicle. Commissioner Jensen
101 stated no problem since they were still waiting on Commissioner Rackham.

102 [7:12:19 PM](#)

103 Continuation of General Plan Update. Commissioner Rackham stated it is a large document, 4GB. Commissioner
104 Rackham stated they took the document and reworded everything, updated everything and then reformatted everything.
105 So hopefully, they haven't had a chance to review it, but would you put that in their Dropbox, now they can see it for real.
106 Planner Schow stated yes, she will have to step away for a moment to take care of that, but will be happy to go do it.
107 Planner Schow also offered since they don't have any agenda items for the next meeting, that they could also postpone
108 and do this at the next meeting as well, if everyone wants time to read it. Commissioner Rackham stated the rezoning, the
109 zone changes, he thought they should go over those. Commissioner Rackham stated they just put in the introduction with
110 the purpose, the mission statement, master goals and then for each area in the document, they tried to define what it is
111 today and the goals of where they'd like it to be, so that's how it's somewhat laid out. It's a long document, we'll put it your
112 Dropbox tonight and you can read it. As soon as Planner Schow comes back, we'll go to the Title X documents.

113 Commissioner Rackham stated it was on the email. You'll notice some font change, this is where Commissioner Jensen
114 had comments. Commissioner Jensen stated they'd get to that in a minute. Commissioner Rackham stated basically what
115 they've done is say "A noticing 90 days prior to the General Plan review and a map review" so we separated the
116 documents so the General Plan gets opened on a 5 year basis for review, the General Plan map every other year. We left
117 it so a unanimous vote of the City Council can open it during an unscheduled opening. Basically if they want to change,
118 they have to submit it at least 10 days prior and it will not remain open more than, the General Plan will not remain open
119 for more than 6 months once it is opened. Separate from the map, it's opened in odd numbered years, for no longer than
120 3 months, the applications have to be in at least 10 days prior to the opening, which is advertised 90 days prior, January
121 through March.

122 [7:17:55 PM](#)

123 Commissioner Jensen stated he had a couple changes to 10.20.080, but he'll send those to Planner Schow and she
124 can include those in the next packet.

125 [7:18:03 PM](#)

126 Commissioner Vaughan stated at the very beginning they talked about authorizing the opening of the General Plan,
127 who sets the date and says the General Plan is open, is it the Planning Commission, The City Council, the City Manager,
128 Community Development Director or how is that done. Second, if it's not done by Planning Commission, do we have the
129 opportunity to review everything before its submitted for the official opening. Commissioner Rackham stated there's a
130 Utah Code that dictates how often you should review a General Plan, the Planning Commission can open it up and review
131 it, they're the ones that can do that. The General Plan, if it's unscheduled off the 5 year or 2 year mark, then it's a
132 unanimous vote by the City Council, they're the only ones that can open it, out of cycle. When it's in cycle the Planning
133 Commission can open it. Commissioner Vaughan asked if there was a calendar date where they hit that cycle, hit it on the
134 statutory requirement or as opposed to where we voluntarily want to open it. Commissioner Rackham stated he thought
135 they said odd years for the map and then the General Plan itself is 5 years from the date it's closed. Commissioner
136 Vaughan stated so whenever they decided to do it this year. Commissioner Rackham stated yes. Commissioner Vaughan
137 asked if he would recommend that they review everything before we officially open it or should they open it and then look
138 at it. Because this is a major rewrite, this isn't just substituting words, redlining 6 words and replace them with 3, we're
139 doing a major rewrite and just thinking it might be nice to see what the changes are almost on a side by side comparison
140 to see what before and what is now proposed so that when they do open it up, so he can feel like he's intelligent and can
141 speak on the document when the public asks him questions. Commissioner Rackham stated as far as reviewing it before
142 they open it, that would probably been a good idea, it would not have been opened so long, for what we have now just to
143 review it. See if there are changes, if there are no changes, you don't have to open the document, if there are changes
144 then you can open it.

145 [7:21:15 PM](#)

146 Commissioner Thorson stated nothing will be considered unless submitted 10 days prior. Commissioner Rackham
147 stated no, that's the cut off, so they can submit it anytime during that whole time. Commissioner Thorson stated the 10
148 day cut off, is there any way for applicants to respond to each other's requests during the open time period. So applicant
149 A adjacent to applicant B they need to either talk to each other outside or submit line and maybe modify their application
150 during or not. Commissioner Rackham stated no, didn't think it's going to get into that depth. What you're going to get and
151 this is 99.9% of what we have, they want to change the map to fit their zoning request and what we're saying is you either
152 build what's in the current zoning or the General Plan zoning, they're not going to keep giving ya everything into R-3,
153 that's what it's kinda saying.

154 [7:22:25 PM](#)

155 Commissioner Jensen stated it does raise an interesting point though, the way that the map timeline is supposed
156 work is essentially January 1st of the odd numbered year is when the map would be opened and if there were no
157 applications at that time, the Planning Commissioner could simply say, well we have no changes so let's go ahead and
158 close it and that would be it. In that 2 year period between openings or well, let's say 21 months between openings it
159 would be essentially, I'm sure you're going to have multiple people coming in with applications and the idea is that those
160 will just be collected by staff until they're ready to do the next opening. It would be a very good idea to Commissioner
161 Thorson's point is if maybe 30 days in advance, if there could be a map published that shows here's the changes we have
162 to this point, if you have any other changes you'd like to see, you need to get them in, in the next 20 days.

163 [7:23:19 PM](#)

164 Commissioner Thorson asked if there's a way to make those applications public. Commissioner Jensen stated well
165 essentially the changes on the map could be made public, but they wouldn't get the actual application necessarily, but
166 essentially staff would put together a map saying here's the proposed changes and put that out for the public review and
167 then, the reason to bring that up, if that goes out early enough then the neighbor your talking about says I don't know he
168 wanted to get R-2, maybe I want R-2 too, that gives them a time period where they can try to get their application in
169 before the deadline. Commissioner Thorson wasn't sure how they could do that.

170 [7:23:53 PM](#)

171 Commissioner Vaughan asked Planner Schow is there a noticing requirement, if there's a General Plan change
172 request, it's got to be noticed. Planner Schow stated yes, it's the 10 days as it's outlined in here. Commissioner Vaughan
173 stated they'll get it 10 days prior, that's the noticing requirement by law. Planner Schow stated we are required to notice all
174 property owners within 300 feet of the requested property change. So we mail letters in addition we post a sign 10 days in
175 advance on the property, every street frontage has a sign, so if it's a corner lot it has 2 signs on it at minimum. In addition,
176 we put it on the City website, we put it on the Utah Public Notice website, we put it on a board in our office and also
177 outside in front of City Hall posted on a board and that's all required by law. Commissioner Thorson stated but that notice
178 only comes 10 days before and in 10 days the neighbors can't respond with a new application. Commissioner Vaughan
179 stated that's all they get now, they didn't change it. Commissioner Jensen stated that the difference is that right now the
180 General Plan can be opened at any time. Commissioner Rackham stated it can. Commissioner Jensen stated what he's
181 saying is the neighbor next door puts in an application for R-2, he gets a notice 10 days in advance unless he goes
182 screaming down to City Hall that day and say I want R-2 also and then the City has to notice that as well so there's a
183 second set of noticing going out. That's why I think we need to have a period in here that says 30 days in advance.
184 Commissioner Thorson asked if they've had troubles in the past, he's not sure if they'd run into them like they say, but he
185 just sees that happening if they have if they have a group of people after 21 months that want to respond to changes in
186 the world, that they have to coordinate with each other outside. Commissioner Rackham stated most of them are

187 developers wanting to develop their property different than what it's zoned. There's always the unanimous, they can go to
188 the City Council and petition them to open it. Commissioner Jensen stated it is a valid concern. Commissioner Rackham
189 is open to better wording.

190 [7:26:33 PM](#)

191 Commissioner Rackham stated on the font change, they took everything from 'net to gross', instead of deducting 20%
192 off the number. Commissioner Jensen stated he thought that's what they currently do. Commissioner Rackham stated
193 right now they take the gross acreage times .8 and then .8 times the density and so we just did the .8 in the density.
194 Commissioner Jensen stated it doesn't happen until you hit those numbers. Planner Schow stated it's weird to see the
195 2.3. Commissioner Jensen stated that's just matched with the 3. . Commissioner Jensen said they could take it to 2.5, that
196 would be a thought, their concern was taking it down to 2 was actually lower the density from the existing R-1.
197 Commissioner Rackham stated 2 would be the preference but, we didn't change the number. Commissioner Jensen
198 stated he was going to point out on the 3, that 4.0 is a little lower than the 5.44 but as he's pointed out in a couple
199 Planning Commission meetings previous, because of the minimum lot size it was almost physically impossible for
200 developer to hit that 5.44 anyways, they were getting closer to 5 and so that new 4.0 is basically comparable density to
201 what they could actually hit. The only way they could hit the 5.44 before, was we were allow flag lots and things like that
202 and that's actually not allowed in the ordinance right now.

203 [7:28:39 PM](#)

204 Commissioner Rackham stated they changed this, the heading to the fit the change they just talked about and then in
205 accessory buildings we changed that to fit what was just approved by the City Council. That's the only changes to these
206 documents. Commissioner Jensen stated there was one other change to it. Commissioner Rackham stated the front yard
207 setback was changed, they talked about making it 30 feet. Planner Schow stated she's in favor of leaving it at 25 feet, for
208 the record. Commissioner Rackham stated he is too, he knows Commissioner Day is also. Commissioner Rackham
209 stated the committee voted, the committee voted and he was outvoted. Planner Schow asked if they had enough that
210 want to recommend to change that back. Commissioner Jensen stated that the committees thought on that is that the
211 reason they wanted to go to 30 is because it's a larger lot size, it can accommodate the extra 5 feet and for construction
212 from here on out, the build out, the thought was that pushing the houses back a little further that would make those, that
213 particular zone feel a little more roomy, they wouldn't have house so close to the sidewalk, that was kind of the intent of
214 the committee there was just try to create a more open zone and that's also why they changed the minimum to 12 as well,
215 to try to create that more open feel for the R-1, that's their thought.

216 [7:30:32 PM](#)

217 Commissioner Rackham stated that is another change, they went from 10,000 to 12,000 so there was more of a
218 distinction from R-1 to R-2. Right now the only difference is the frontage. Planner Schow stated her only concern with
219 pushing that back, is that we have a lot of areas with shallow service already and so to add another 5 feet in order to get
220 service out that might cause problems. Commissioner Rackham stated one thing they might not be aware of it they're
221 taking that setback from the back of the sidewalk. Commissioner Jensen agreed. Commissioner Rackham stated there is
222 already 10 feet on it and on a cul-de-sac one, it's going to create a big problem, if ya don't deal with that cul-de-sac and ya
223 make that change. Commissioner Rackham stated he is inclined to say 25 feet, if they wanted to take a straw poll.

224 [7:31:31 PM](#)

225 Commissioner Vaughan stated he shares the same concern, the problem is going to pop up on cul-de-sacs.
226 Commissioner Rackham agreed they should do 25 feet. Commissioner Thorson stated in his neighborhood houses end
227 up being longer and skinnier because they can't be deeper because of that and it looks like a more dense neighborhood,
228 because the side yards shrink to minimum because they have to make the front yard deeper. Commissioner Rackham
229 asked if everyone was okay with the 12,000. Commissioner Jensen stated the average lot size for R-1 is 15,000, just so
230 everyone knows, it's like 15,280 or something like that. Commissioner Rackham stated that was it for that one.
231 Commissioner Vaughan asked, it's really fine tuning, when they're talking about cul-de-sacs do you mean the entire street
232 or just the bulb of the. Commissioner Rackham stated just the turnaround part. Commissioner Vaughan stated okay, just
233 those lots that are on a radius. Commissioner Rackham stated once that radius starts, the house still has to go back and it
234 gives them kind of a hard time to make the back yard and the front yard setbacks as they are. Planner Schow stated
235 especially with the new width, it's really difficult. Commissioner Rackham agreed. Commissioner Vaughan asked if the
236 language is in place here, that it specifically mentions the radius. Commissioner Rackham stated the radius is on the
237 street ones, he believes. Commissioner Vaughan stated, he meant as far as the 25 foot setback applies only to those lots
238 that are on. Commissioner Rackham stated no, the 25 foot setback is the whole development. Commissioner Vaughan
239 stated the whole thing and there's no differentiation for those homes that are on the curve. Commissioner Rackham stated
240 currently there is not. Commissioner Jensen stated if they wanted to do a compromise, they could say 30 foot for most of
241 the subdivision but for those in the radius of the cul-de-sac get 25 feet. Planner Scow stated she would highly prefer that
242 they don't do that, when they're doing building permit reviews, that would be so complicated. Commissioner Jensen stated
243 that would be the compromise, but he thinks the Commission kind of say they want to leave it at 25 feet, so that solves
244 that.

245 [7:34:11 PM](#)

246 Commissioner Rackham stated that was the only changes on there. Moving on to R-2, it's the same, they changed it
247 from a 'net to gross', updated the accessory building and that was it for the changes. Commissioner Jensen said they
248 made a couple changes on there. Commissioner Rackham stated on R-3, no that was it. Commissioner Rackham stated

249 and then on cluster. There was a recommendation, this is where there were some changes, there was a recommendation
250 to eliminate cluster, there was talk about making an incentive if they wanted to add an amenity, which basically had
251 conditional use cluster so left the cluster and cleaned it up. So there's a lot of changes, we took it out of A-1 and left it just
252 in R-1, said it had to be contiguous property. Planner Schow stated she thought they had already amended that to make it
253 contiguous and no additional phases, she thought they already did that when they did the amendment last time.
254 Commissioner Jensen stated this may have been older language. Commissioner Rackham stated he didn't know, he
255 pulled it off the website, if the website wasn't updated. Planner Schow stated she'll try to find the most current, because
256 she's pretty positive that they had already done that, its fine, it's just reaffirming what we did before. Commissioner
257 Rackham stated he thought they had too, but he knows they talked about it, he doesn't recall it being voted on.
258 Commissioner Vaughan stated he thought they did it in between phases 18 & 19 on whatever that one division was out
259 there by Still Water. Planner Schow and Commissioner Jensen both stated Trail Side. Planner Schow stated they did it
260 after Trail Side 8 so that subdivision would be complete, but maybe we did it just as a part of that specific development.
261 Commissioner Jensen stated he made the motion specifically for that development, maybe that's where we did use.
262 Planner Schow stated they did do that. Commissioner Rackham stated okay, one of the changes went from 6,000 to
263 7,000 square foot lots, so a little bit bigger lots. They put in a corner side setback, because there was nothing in there.
264 They increased the park width to 15 feet instead of 10 feet. Planner Schow stated in this case, that would put it at an
265 overall 30 feet. Commissioner Jensen stated the idea is create a 10 foot park strip. Planner Schow stated 25 feet vs. 35
266 feet so it's still shorter, but it's nicer. Commissioner Rackham stated it puts it 30 feet back, which its fine, it's not as much
267 as R-1, we can adjust that.

268 [7:37:40 PM](#)

269 Commissioner Rackham stated they cleaned up the common space and they have to have common space.
270 Commissioner Jensen stated this was the definition, this is using the definitions that were approved for parity, correct.
271 Commissioner Rackham stated those are using the approved City definitions now, so they cleaned that up to match what
272 the definition section is. Planner Schow stated backing up just a second, to in the blue, let's just make that match what the
273 public works standards are now called. That's what's you're referring to here, right, with pavement within utilities.
274 Commissioner Rackham stated yes. Planner Schow stated let's just refer it to the public works standards. Commissioner
275 Rackham stated they weren't sure exactly what it was called. Planner Schow stated she will get the proper wording for
276 that, if that's okay. Commissioner Rackham stated Planner Steele thought that's what it was, I think, if it's not, that's fine,
277 they can correct it. Commissioner Rackham stated one of the things is, they took out fencing. They're not allowed to fence
278 in their yard, they're only allowed to fence in, put a cover around their patio and their patio can't be more than half their
279 backyard, that's a lot of patio, but we had to put a limit on it, the width of the house and half the backyard.

280 [7:39:05 PM](#)

281 Commissioner Rackham stated they changed the densities up a little bit. The bonuses to fit the numbers above and
282 took out the A-1. One of the things they did, and not sure where it is in here, is they said the developer has to come in with
283 the entire development upfront, he can't buy property and phase in extra developments. Under the current cluster
284 subdivision, you basically would calculate your bonus density and then you would multiply that into the entire acreage, but
285 then you're only actually developing half of it, so you're in effect doubling the density on half the acreage with no density
286 on the other half, so it's like you jump from a 3.0 to a 6. Commissioner Rackham stated the wording is calculated based
287 on the 50%, not the 100% of the development. So 50% of it has to be common space, then you take that 50% and that's
288 how you get the densities. Planner Schow asked them to confirm, if they have 10 acres, a 10 acre development, 5 acres
289 has to be in common space or open space. Commissioner Rackham stated common. Planner Schow asked then the
290 density bonus is applied to the remaining 5 acres. Commissioner Rackham stated yes. So in there it talks about that one,
291 the very top of the document, they didn't put it in there, the maximum density is then multiplied by one half of the gross
292 acreage. Commissioner Jensen stated that is significantly less than what is allowed now. Commissioner Rackham stated
293 it is, what they tried to do in the committee was make cluster, what cluster was intended to be, not to pack in a whole
294 bunch of homes and build a ski lake or a few. They wanted to create kind of a big open feeling and preserve that property.
295 That's what cluster was intended, that's why they decided to work on cluster rather than throw it out and do other things.
296 Planner Schow stated that they're really just barely getting over one unit increase, the only concern and not advocating for
297 or against this at all by any means, but just wondering from a developers point of view is one extra unit density worth that
298 50% open space rather than just applying for R-3 like a lot of them have typically been doing. Commissioner Rackham
299 stated that's what they've got to decide that they may own the whole thing but only a portion of its developed so, the
300 Planning Commission can increase the bonus density based on the General Plan committee felt the City should have.
301 Commissioner Jensen states that's certainly something that as a Commission they can discuss maybe bumping that
302 number up. Commissioner Thorson stated it's a different lifestyle that's why it has an appeal to people. Planner Schow
303 states it will definitely appeal to people, it will not appeal to a developer's pocket book. Therefore if they can sell the
304 homes without doing all that, they will. Commissioner Rackham stated if they wanted to do what the intent of it was and
305 that is to put half their development into a horse farm or half their development into ski lakes and then homes around it,
306 that's what its intended for. Planner Schow stated it gives the option for that dreamer out there that wants to do that.
307 Commissioner Rackham stated yes the one specialty one not one that wants to come in and pack the homes in and leave
308 a little bit of open space.. Commissioner Jensen stated the other thing it does, not that we have very difficult terrain in
309 Syracuse, but for that one weird property owner that's got part of his land that because of Army Corp of Engineers or
310 whatever, he can't develop, this might be an option for him. Planner Schow stated she thinks they might want to look at
311 the density just a little bit. Commissioner Rackham agreed. Commissioner Jensen stated he thought the 3.5 is a little bit

312 lower than what he'd like to see. Commissioner Rackham stated this is what they proposed, they voted on it. Planner
313 Schow stated that's okay, she's not advocating one way or the other, just thinking like a developer for the moment, having
314 to answer the developer's questions. Planner Schow stated she just wants to understand the code.

315 [7:45:05 PM](#)

316 Commissioner Rackham stated the open space, you can have a privacy fence around the patio. Planner Schow
317 stated in that case you couldn't put a split rail fence around it, so it would still be open but somewhat sectioned off.
318 Commissioner Rackham in the way it's written now, no, but if they want to make that change, this is document.
319 Commissioner Jensen stated the intent of the committee here was is what they didn't want to see was partitioned off lots,
320 so the idea of not having fences all the way through the subdivision, that creates partitioning, which defeats the purpose of
321 what an open development, what the committee felt an open development should feel like. Planner Schow asked what
322 about when it conflicts with our buffer zone that does require fencing against adjacent uses. Commissioner Rackham
323 stated that's on the outside, the outside of the buffer zone, that's different all together. Commissioner Vaughan asked on
324 10.80.050 the patio, will they run into any conflict or difficulty should an applicant want to build a garage in the back corner
325 of their property and then run a paved driveway. Commissioner Rackham stated a 7,000 square foot lot, they'd be hard
326 pressed to do that. They wouldn't have the setbacks according to the 5 foot setback they have now. Commissioner
327 Vaughan asked if there is a distinction between the patio and a parking pad for a vehicle. Commissioner Rackham stated
328 no. Commissioner Vaughan stated so he can call it a pad to park my trailer on, my pop up trailer or a 3rd or 4th vehicle and
329 it just happens to be directly beside what other people call a patio. Commissioner Rackham stated yes, he found a loop
330 hole. Planner Schow stated they just need to define patio. Commissioner Vaughan stated or do they define driveway or
331 parking area, just wondering how that would come up. Planner Schow stated they do have some definition for parking and
332 driveway but not having it memorized them might want to take a look at it and then probably define patio. Vaughan in the
333 interest of disclosure his current home has such a situation where he has a 2,000 square foot pad, a patio in his backyard,
334 because he has a driveway and parking area going back and it just happened to be contiguous with a patio on one side.
335 Commissioner Jensen stated he didn't think he was in a cluster. Commissioner Rackham stated the only thing it talks
336 about is the patio itself can't extend past the house, no bigger than the width of the home. If they wanted to put driveway
337 all the way back to the backyard. Commissioner Jensen stated as long as it's not chewing into the common space.
338 Commissioner Rackham stated just they couldn't put a fence around that side. Commissioner Jensen asked if they had
339 talked about accessory structures, wasn't there something the committee changed on that or cluster subdivisions. That
340 might have been PRD. Commissioner Rackham stated it was PRD's that had the exception. Planner Schow stated they
341 should take whatever they put in PRD and use that there as well, we can take a look at it, but it's probably applicable.
342 Commissioner Rackham stated that one had quite a few changes. Commissioner Jensen stated where they took it out of
343 A-1, he wanted to point out that most of the A-1 properties right now are in a situation where they only have sewer in
344 about 1/3 of the property, a good number of them are half or something like that. In that incidence, cluster actually makes
345 a lot of sense. The committee said no cluster in A-1 but thinks they do need to write up some type of thing to address that
346 situation because there are multiple parcels of A-1 right now that are on the market, they could do the half acre lots on
347 half of it and keep the other half open and try to make it fit into A-1 it is, the cluster subdivision ordinance really is well
348 suited for that situation. Planner Schow stated she agrees with Commissioner Jensen, looking at some of the properties
349 that have been coming in and meeting with her, west of the Bluff, there are quite a few areas that will fall into a situation
350 where they could create open space and the cluster would apply to A-1. Commissioner Rackham stated they could either
351 look at putting A-1 in or tell them. Planner Schow stated most likely they're going to rezone to R-1 to get higher density to
352 begin with. Commissioner Rackham agreed that they would most likely do, go to R-1. Planner Schow stated this was the
353 document that they don't have a side by side comparison for the changes, they were too extensive, it was easier to
354 rewrite. Commissioner Rackham agreed. Commissioner Jensen stated they added pictures too.

355 [7:43:07 PM](#)

356 Planner Schow stated this would be good to read thoroughly before hand. Commissioner Rackham agreed.
357 Commissioner Jensen asked if it can be sent to the Commissioners. Planner Schow stated it was already in the Dropbox,
358 in the new General Plan update folder inside Packets folder. Commissioner Rackham stated what's not in there is General
359 Plan map, he'll get with Noah. Planner Schow stated hopefully Planner Steele is going to start opening back up now that
360 Brigham, so it's going to be more realistic to get him working back on this project again. Commissioner Rackham asked if
361 there were any questions on anything. Commissioner Vaughan stated excellent job as usual. Commissioner Jensen
362 stated they've got the usual ones that are loose ends. Metal Buildings and Industrial Zone that's out there and eventually
363 tackle conditional uses, the General Plan takes precedence, definitely want to see those get done within the next year.
364 Planner Schow wanted to put a request out there for each Commissioner individually, to email her on the ones they are
365 interested in. There are some sign changes, maybe to look at some parking amendments, if they would all, it'd be a lot
366 easier to track and then also bring new Director up to speed on some of the issue they've been wanting to tackle.
367 Commissioner Jensen wanted to make a comment about something that came up on a recent application and pointed out
368 at the last meeting and Commissioner Vaughan certainly responded to it on the Facebook, since they don't have a noise
369 ordinance standard for residential right now, that's definitely they'll want to look at. If they were going to try to draft some
370 sort of ordinance likes something that kicks into DB limit after a certain time like 10 o'clock at night or something and then
371 stats enforced until like 6 or 8 in the morning. Not a 24 an hour a day ordinance, but thinks most people are going to
372 complain if the people are running their chainsaw at 2 in the morning. Planner Schow asked Commissioner Jensen to
373 email that to her. Commissioner Rackham questions he has on those updates they talked about, they are independent of
374 the general plan, it was kind of involved with it, but they can stand alone without the general plan update. Planner Schow

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stated they should adopt it all together. Commissioner Jensen stated they may come across some changes as they're looking through the general plan language that they might want, rather they'd tackle them, keep them all work session until it's all ready. Planner Schow stated they are just code amendments though so if they just want to move forward and make that recommendation to the Council. Commissioner Rackham stated they are and if they make a change to them, they just need to make sure the change doesn't impact the general plan and if it does, just make that amendment in the general plan. Most of the things in the general plan, they put lot size, densities, things like that, but they didn't do any setbacks, any other changes. They took out A-1 from the cluster. Planner Schow stated the cluster was the only one that had a significant number of changes in it, the others were pretty simple and straight forward. Commissioner Rackham stated his preference would be that they send them to the noticing and vote on them next time. Planner Schow stated she has enough time to advertise if that's what the Planning Commission would like to do. Commissioner Jensen would suggest maybe holding back the cluster but there's no reason not to put that through. If we're going to notice it, might as well notice it all at once get the maximum bang for out buck. Commissioner Rackham asked Commissioner Jensen if his changes that he's talking about in 10.20.050 and 060. Commissioner Jensen stated they are in 10.20.080. That they hadn't got into them yet, they're not included in the changes they have. Commissioner Jensen will send those changes to Planner Schow. They're essentially just breaking down, essentially saying that the general plan changes have to conform with the general plan map as far as on the second section, then the first, second, just minor adjustments to the language to dovetail with what the committee has proposed here. Commissioner Vaughan made a motion to adjourn.

[8:00:55 PM](#)

5. **Adjourn.**

DRAFT

Minutes of the Syracuse Planning Commission Regular Meeting, August 4, 2015

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on August 4, 2015, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Commission Members: Ralph Vaughan, Chairman
Dale Rackham, Vice-Chair
TJ Jensen
Curt McCuiston
Troy Moultrie
Greg Day
Grant Thorson

City Employees: Noah Steele, Planner
Jenny Schow, Planner
Brian Bloemen, City Engineer
Jo Hamblin, Deputy Fire Chief

City Council: Mike Gailey, Councilman

Excused:

Visitors: Heidi Ray Zaugg
Adam Bernard

1. Meeting Called to Order:

Invocation was given by visitor Heidi. The Pledge of Allegiance was led by Commissioner Moultrie.

PLANNER SCHOW ASKED IF THEY COULD AMEND THE AGENDA TO HOST IN WORK SESSION CONFERENCE ROOM AND NOT IN THE CITY COUNCIL CHAMBERS DUE TO PROJECTOR TECHNICAL ISSUES. COMMISSIONER JENSEN MADE A MOTION TO AMEND THE AGENDA LOCATION. THE MOTION WAS SECONDED BY COMMISSIONER RACKHAM. ALL WERE IN FAVOR; THE MOTION CARRIED. (No time stamps from CD audio recording)

2. Public Comment: This is an opportunity to address the Planning Commission regarding your concerns or ideas, regarding items that have not been scheduled for a public hearing on this agenda. Please limit your comments to three minutes.

No public comments were made.

3. Public Hearing- Municipal Code Title X Amendments pertaining to residential zoning.

Planner Schow stated from the last meeting they opted to go ahead and move them to public hearing tonight and for the Commission to act on a motion. The code amendments are listed and as requested the general plan separately on the work session. One that might need to be revisited is the cluster subdivision ordinance. Commissioner Jensen stated he did have items on section 10.20.070 (E) that were not in the packet. Commissioner Rackham stated there was an R-1 setback that was discussed regarding it being changed to 30 and change it back to 25. Commissioner Jensen suggested they take the 10.20 items until further review, with the redline copy. 10.20.050 & 10.20.060 are in the packet. Commissioner Jensen stated he made some changes to 10.20.070, under 2, adding that any changes made are also consistent with general plan map and updating the language. Commissioner Vaughan asked if they were comfortable discussing 10.20.070 since it was not in the packet. Commissioner Rackham stated they should wait until next meeting to discuss the changes. Commissioner Vaughan states he thinks the Community & Economic Development Director should also be present to go through the code changes. Commissioner Jensen also stated it would be beneficial for the new City Attorney to weigh in on all the changes as well.

Commissioner Jensen stated the numbering changes slightly because of the standards were broken up for the general plan and general plan map and changes are consistent with both as well as updating language to be more specific. Commissioner Rackham stated these changes should be in the zoning map and not the general plan map. Commissioner Jensen stated the language should be changed in the zoning map making sure it conforms with the general plan, that the standards make more sense and not just universal for both. Changing the language in what the City Council should consider when looking at zoning changes. Commissioners and Planners agreed to table items on 10.20.070 until next meeting for the City Attorney to be available for review.

Planner Schow stated the first section is regarding Noticing, 10.20.050. Commissioner Moultrie stated it has to be voted on by the full City Council and unanimous, all members, all in favor to open it back up. Commissioner Rackham stated if it's not on the scheduled opening. Commissioner Thorson stated that's a pretty high bar to meet. Commissioner Rackham and Planner Schow stated that was the intention, so they don't add another step to open it up every time. Commissioner Jensen stated in far of the map, that every other year was sufficient for the map and 5 year from the general plan language, but the general plan language isn't changed all that often, the map changes more often.

66 Commissioner Thorson asked about on section 10.20.060 new section C, new part stated 'only applications submitted at
67 least 10 days prior' is for the plan. Is there an application process to change the plan or just a backlog of amendments that
68 they have going and not really applications. Commissioner Jensen and Vaughan stated correct, that's how it used to be
69 done. Commissioner Rackham and Planner Schow stated there is an application on the website that's used mainly for the
70 map, but could be used for wither one, but they have never had anyone want to change language in the general plan.
71 Commissioner Thorson asked if they have a backlog of changes, do they have to fill out an application. Planner Schow
72 stated no the City doesn't have to. Planner Schow if they were only allowing a 10 day opening for applying. Commissioner
73 Rackham stated applications can be submitted anytime up to 10 days, but at 10 days prior it is closed. Commissioner
74 Rackham stated the application currently online can be used for both. Commissioner Rackham asked if the 10 days is
75 adequate time to notice. Planner Schow stated probably not, but there will be different factors that will depend on the type
76 of application, they might not all be on the same agenda. Commissioner Rackham stated it was just a cutoff date.
77 Commissioner Jensen stated they would usually have joint meeting with the Council and Planning Commission in trying to
78 draft the final proposal.

79 Commissioner Rackham asked if they wanted to vote on each amendment or as a packet. Commissioner Vaughan
80 stated they should vote on item per item because if they try to do it all at the same time, is going to be a giant mess.
81 Commissioner Vaughan stated that they should postpone it until the new Community Development Director is online and
82 has an opportunity to review all of it and fluent enough to talk to the existing Planning staff as well as the new City
83 Attorney who starts on August 10th, has the opportunity to review certain key things and questions that may be brought
84 up. Commissioner Vaughan stated it might put them back but it might be better to have the two people who will be dealing
85 with the document the most in the future online at the beginning, so they are party to what the old was and what the
86 proposed is. Commissioner Vaughan stated this is something they only want to submit to the Council one time.

87 Planner Schow stated something to consider is that the next meeting is on August 18th, which gives another meeting
88 before the Council meets on 25th to review. Commissioner Vaughan stated it would be prudent to outline the issues or
89 changes so they can be up to speed on those items. Planner Schow stated she thought they were pretty confident in what
90 they had gone through last time. Commissioner Rackham agreed. Commissioner Rackham stated if the City Council won't
91 get it until the 25th, they can vote on them with the exception of 10.20.70 that will be included in the packet for the next
92 meeting so the recommendations can be sent at the same time.

- 93 • 10.50, establishments of zones, no changes.
- 94 • 10.55, no changes.
- 95 • 10.60 R-1, changing setback from 30 feet back to 25 feet.
- 96 • 10.60 A-1, Commissioner Jensen is okay with it being .5 per gross acre, since it is a zone that doesn't get
97 developed very much anyway and makes the calculations easier. Most wanted to keep it the same.
- 98 • R-1, 10.60.030 had a formatting issue, paragraph instead of list.
- 99 • R-2, no changes.
- 100 • R-3, no changes.
- 101 • Cluster, lot size 1,000 smaller than R-3, but density is bigger. Cluster was created for an open space for a
102 common use for all the residents. Changing open to common was also another change since in cluster and PRD
103 they were backwards and the definition section had them overlapping. Multiple discussions on common space
104 percentages, bonus densities and development uses. Commissioner Rackham stated his recommendation is to
105 take out the bonus density table and just use verbiage.

106 Commissioner Rackham would like table removed and would be okay with moving the density up to R-1.

107 Commissioner Jensen states he would like to increase the bonus incentive to 4.75 for the trails.

108 Commissioner McCuiston stated he would like to raise the density up as well.

109 Commissioner Moultrie stated likes what was proposed but to change language of 1-3 as requirements and 4 & 5
110 as bonus incentives and might increase the density.

111 Commissioner Thorson stated leave it how it is and increase it to 4.75, the City get some amenities from that.

112 Commissioner Vaughan stated he likes the proposed numbers and strengthening it, making it simpler to
113 understand and tighter on the developer on the standards.

114 Commissioner Jensen asked about other incentives that could be added, regarding trails. Planner Schow stated the
115 City has a Trails Master plan and anybody developing within that plan should be required to install that section of the trail
116 as part of their development instead of getting little bit and pieces of trails for a bonus density that might not connect to
117 anything may not actually be beneficial. In the general plan update it should be clear that if developed in the Master Trail it
118 should be started in phase one and required to go in and documentation should be more strict.

119 Commissioner Rackham asked regarding Trail Side, some of their trails don connect to anything and who is
120 responsible for them. Planner Schow stated the HOA and that is an item Director Mellor has notes on, a lot of HOA's went
121 under during the recession and asked about what recourse the City has in the event a developer goes belly up in the
122 essence of the HOA.

123 Commissioner Vaughan stated it's easy to defend Commissioner Jensen's desire to have the trail incentive because
124 they have the map, they know which open spaces are on that trail and they can put in there for the undeveloped
125 properties that fit into the trial system, they're allowed the incentive but if they are not in an area where they would be able
126 to connect with the trail then they don't qualify for. Commissioner Jensen stated that is why the density is the way it is,
127 walking paths connecting to the City trail, an island property that is nowhere near a City trail they wouldn't qualify for the

128 density bonus. Commissioner Vaughan stated that preserves a strong desire for all of them to want trails and this way
129 they are protecting it, so they get both.

130 Commissioner Jensen stated it applies to Cluster but it should be applied to all zones but has never been in the
131 ordinances. If a developer is going to be asked to pay to put in a City trail, there needs to be some mechanism to
132 incentivize them to do so and make sure the developer isn't being unduly charged to put that trail in for the City, it should
133 be actable and spelled out in the ordinance.

134 Commissioner Rackham stated it should go in all of the zones that they need to connect to the trail system, if it is in
135 the master plan.

136 Commissioner Jensen made a motion to table these items until the next meeting. Commissioner Vaughan stated
137 since it was a public hearing asked if anyone had any comments

138 Ray Zaugg, Syracuse, who was also on the zoning committee, stated one of the things they struggled with on the
139 Cluster subdivision, in reference to developers that all they want to do is maximize their density and people who want to
140 move to the City and have a nice size lot, so how do they incentivize the developer so they will build those lots for those
141 types of people will come to Syracuse. Also regarding people who have large trailers and RV's and would like to park
142 them in their lots, behind their house, next to their house but the way the setback are on the sides there isn't room,
143 especially with an R-3 where the developer is going to go 16 feet between the two houses and that is not enough room for
144 either person to put an RV in. Several people have mentioned they would like to find bigger lots, not just a big house on a
145 small lot but not enough space to recreate behind the lot. Cluster gives people the option to have open space without the
146 yardwork. That's why the committee tried to incentivize a little bit and thinks they should encourage larger lots for
147 developers, but they'll build what people will buy and there are a plethora R-3's and if they have a R-1 Cluster that is
148 equal to or more dense than an R-3, maybe they're defeating the purpose.

149 Adam Bernard, Syracuse, stated he had some concerns for the time frame on the general plan map. Construction for
150 these projects doesn't necessarily take two years to do in between phases and in changing the map, does that stop all
151 progress unless going to the Council and ask for a unanimous vote to get the project done, so it stops the progress of the
152 construction projects more or less. Also on Clusters, if the table is removed and take away the 50% and get this benefit,
153 don't really have the ability to say what is in that 50%, it's hard to say that in the language and suggests keeping the table
154 and incentivizing the amenities they want to a higher extent, like the trails raised up higher than the others, such as
155 requirements and incentivizing the trail system.

156 Commissioner Jensen stated when developers come in and propose subdivisions they get the zoning or their entire
157 subdivision before they start the phases and that wouldn't be too much of a road block but for the developer who is
158 jumping from one project to a second project to a third or fourth project and is not planning more than six months in
159 advance they may have to wait 6-18 months if they want to try to change the general plan that could be a problem but in
160 general most of the developers plan very far ahead and wouldn't be a problem.

161 Commissioner Rackham asked Commissioner Moultrie in bonus density calculations, it states 'the density incentives
162 must at a minimum contain 1-4 in the table' so it is there, the trail part is the extra.

163 Commissioner Moultrie stated he has seen developments with internal trails that are really nice and people go there
164 as a destination rather than. Commissioner Rackham stated it's an option rather than mandatory.

165 Commissioner Jensen stated they might want to add some options in the Cluster for the next meeting. Commissioner
166 Vaughan asked if Planner Schow could put together some numbers for the next meeting.

167 COMMISSIONER JENSEN MADE A MOTION TO TABLE THE CHANGES TO TITLE X UNTIL THE NEXT
168 MEETING AND INCORPORATE ALL THE CHANGES THAT WERE DISCUSSED. COMMISSIONER MCCUISTION
169 SECONDED THE MOTION. ALL IN FAVOR, COMMISSIONER RACKHAM VOTED NO. MOTION PASSES WITH A
170 MAJORITY VOTE.

171 **4. Adjourn.**

172
173 COMMISSIONER JENSEN ASKED FOR A 5 MINUTE RECESS BEFORE ADJOURNING INTO WORK SESSION.
174 SECONDED BY COMMISSIONER RACKHAM. ALL IN FAVOR, MOTION CARRIED UNANIMOUSLY.

175
176 (Audio stopped)

177
178
179
180
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183 _____
184 Ralph Vaughan, Chairman

185 _____
186 Stacy Adams, Admin Professional

187 Date Approved: _____

Minutes of the Syracuse Planning Commission Work Session, August 4, 2015

Minutes of the Syracuse City Planning Commission Work Session held on August 4, 2015, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

- Present:**
- Commission Members: Ralph Vaughan, Chairman
Dale Rackham, Vice-Chair
TJ Jensen
Curt McCuiston
Troy Moultrie
Greg Day
Grant Thorson
 - City Employees: Noah Steele, Planner
Jenny Schow, Planner
Brian Bloemen, City Engineer
Jo Hamblin, Deputy Fire Chief
 - City Council: Mike Gailey, Councilman
 - Excused:
 - Visitors: Heidi Ray Zaugg
Adam Bernard

NO AUDIO RECORDED SUMMARY FROM PLANNER SCHOW

1. **Department Business:**
2. **Commissioner Reports:**
3. **Upcoming Agenda Items:**
4. **Discussion Items:**
 - a. **General Plan Update**
5. **Adjourn.**

Minutes of the Syracuse Planning Commission Regular Meeting, September 1, 2015

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on September 1, 2015, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present:

Commission Members:	Ralph Vaughan, Chairman	
	Dale Rackham, Vice-Chair	
	TJ Jensen	
	Curt McCuiston	
	Troy Moultrie	
	Greg Day	
City Employees:	Jenny Schow, Planner	
	Brian Bloemen, City Engineer	
	Jo Hamblin, Deputy Fire Chief	
	Stacy Adams, Admin Professional	
	Paul Roberts, City Attorney	
City Council:		
Excused:	Grant Thorson	
Visitors:	Mike Bastian	Lisa Spencer
	Mike Staples	Jessie Woods
	Joe Woods	Burton May

[6:01:37 PM](#)

1. **Meeting Called to Order:**

Invocation given by McCuiston, he relayed a quote from Nicolas Chamfort, stating 'in great matters men show themselves as they wish to be seen and in small matters as they are' and hopes tonight that they can understand that these matters might seem small to some but they are the most important item in some people's lives, so they need to take them with a grist of care and betray themselves in a manner in which they want to be seen. The Pledge of Allegiance was led by Commissioner Jensen.

COMMISSIONER JENSEN MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR SEPTEMBER 1, 2015 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER DAY. ALL WERE IN FAVOR; THE MOTION CARRIED.

[6:03:22 PM](#)

2. **Meeting Minutes:**

Commissioner Jensen stated on line 378 of the regular meeting minutes it has 'out he' and it should be 'lay the'. COMMISSIONER MCCUISTION MADE THE MOTION TO TABLE THE MINUTES SO THEY COULD BE REVIEWED AND THEN APPROVE THEM DURING THE NEXT REGULARLY SCHEDULED MEETING. COMMISSIONER JENSEN SECONDED TO TABLE THE MINUTES TO REVIEW FOR NEXT MEETING. ALL IN FAVOR, MOTION CARRIED UNANIMOUSLY.

[6:04:28 PM](#)

3. **Public Comment:** This is an opportunity to address the Planning Commission regarding your concerns or ideas regarding items that have not been scheduled for a public hearing on this agenda. Please limit your comments to three minutes.

None.

[6:05:12 PM](#)

4. **Public Hearing - Rezone from R-2 to R-1 Single Family Residential, property located at 2121 S 1000 W**

Planner Schow stated this is the project she mentioned at their last meeting, the property located on 1000 W is currently zoned R-2, the property is for sale and there is interest in turning this back to an R-1 zoning in order to allow for farm animals, currently there is no interest in the property owners to the south for any kind of development and so the applicant is asking to down zone the zoning from R-2 to R-1 for that purpose.

Commissioner Jensen asked how big the lot was. Planner Schow stated based on the lots above it, roughly 560 feet. Commissioner Jensen was wondering if it would be difficult to do a cul-de-sac there. Planner Schow stated the width would be the issue and there is potential to do a cul-de-sac one day but the property owners to the south to do a development together in order to have enough width for that and there is no interest at this time for that.

Mike Bastian, South Weber, is a real estate agent selling the property for his clients. He said it is kind of opposite for him, he's usually in front of Commission asking for an up zone, and tonight he's asking for an R-2 for and R-1. The neighbors to the south have horses and the best use for this property right now is horses or large animals. Commissioner Jensen stated it was unusual that he wasn't asking them to build a new house. Mike Bastian stated they originally talked about how they could develop it and laid it out every which way and until all three property owners subdivide at one time, there's not much that can be done with it, so best use for it would be for a horse.

65 Commissioner Vaughan asked what the dimensions of the property are. Mike Bastian stated the length is about 595
66 feet deep. Planner Schow stated from the center line of 1000 W, it's about 734 feet deep and 138 feet wide, counting the
67 house. Mike Bastian stated they would need at least 260-300 feet in width to do something.

68 Planner Schow wanted to mention to the Planning Commission that she had received input from two adjacent
69 neighbors and they were both in favor of the rezone for the farm animals and did not hear anything against or concerns for
70 the request.

71 Commissioner Rackham asked staff if this had any impact on water rights. Planner Schow stated no, the property
72 was used for farm animals previously and they just let the animals lapse and so they lost their grandfathering, unless it
73 goes to develop, it will stay as it is now.

74 Commissioner Vaughan asked staff about the unusual dimensions of the property and going to a down zone knowing
75 the City policy on flag lots, what is a projected division of this property, doesn't think there is room for a street down it.
76 Planner Schow stated there really isn't anything that could be done with it the way that it is developed to the north and the
77 east and unless the adjacent land owners to the south want to get together down the road one day and do something then
78 there will be a possibility but for right now the best use is farm animals. Commissioner vaughan asked outside of a
79 property assemblage to allow construction of a street in there, what purpose would be served in changing the zone.
80 Planner Schow changing from R-2 to R-1, the only purpose would be for farm animals, it still will meet the R-1 regulations
81 in terms of frontage and lot size, and there wouldn't be any disadvantages to it, unless they do divide down the road one
82 day.

83 City Attorney Roberts stated the question before the Commission is what is the highest and best use considering all
84 the circumstances and when looking at the current situation is it best to have a R-2 zone with a vacant lot that cannot be
85 used for anything or could the space be used for something, but they would not allow for flag lots. Is the best use to have
86 it sitting there vacant or for animals to be able to use it.

87 Commissioner Jensen stated looking at the lots in that area that it would be hard to get a road back there by using
88 the parcel in question you might be able to squeeze a road past the first house but realistically something would most
89 likely have to get torn down to make room for a road as it stands now, all those parcels are orphaned, unless the house is
90 removed.

91 [6:14:42 PM](#)

92 Commissioner Vaughan stated changing zoning is like changing any of the other codes, unless there is a
93 demonstrable reason for it or a cause or a benefit to the City, what purpose is served to the City to change the designation
94 of this zone. The subtle difference between an R-1 and R-2 particularly and what the proposed change is for R-1 and R-2
95 on the horizon, it might be even harder to make this R-1 from the R-2 with an assemblage something could be done there,
96 should this be retained as R-2 for now until assemblages are done and then try to have a rezone on a much larger parcel
97 rather than a rezone every time a domino wants to fall. Would they rezone the property to the south where the barn is, if
98 they decide to sell and then after the property beside that with the small farm structures are if they wanted to sell would
99 they come in for another rezone on this.

100 Commissioner Jensen stated the main difference between R-1 and R-2, for the purpose of this application, because
101 of the changes that were made to the animal ordinance several years, they cannot put, unless losing grandfathering, the
102 applicant cannot put farm animals unless they have a R-1. That is the major change that is why they need this change so
103 they can actually get use out of the lot other than try to develop it. Developing it at this time seems problematic, and the
104 highest and best use of that parcel right now is farm land.

105 Commissioner vaughan asked if farm animals had been on this property in the past. Commissioner Jensen stated
106 Planner Schow stated in the somewhat distant past they had, but once they stopped putting animals on that lot, they lost
107 their grandfathering on that. Commissioner Vaughan wanted to confirm that there definitely had been a cessation of
108 animals being kept on that property.

109 [6:17:49 PM](#)

110 Public Hearing opened.

111 [6:18:03 PM](#)

112 Public Hearing Closed.

113 [6:18:15 PM](#)

114 COMMISSIONER JENSEN MADE A MOTION TO APPROVE THE RECOMMENDATION TO THE CITY COUNCIL
115 OF THE REZONE OF THE PROPERTY LOCATED AT 2121 S 1000 W FROM R-2 TO R-1. SECONDED BY
116 COMMISSIONER MCCUISTION. ALL IN FAVOR, MOTION CARRIED UNANIMOUSLY.

117 [6:18:58 PM](#)

118 5. **Public Hearing - Municipal Code Title VIII Amendments regarding final approval performance security**

119 Planner Schow stated City staff has done due diligence of various guarantee requests from developers. Staff found
120 the proposed options to be low risk for performance security of required development improvements. The City would like
121 to accept these low risk options of guaranteeing development improvements to prevent the need for future special
122 approval on certain developments. In addition as the economy improves financials institutions have begun to ease up on
123 restrictions and limitations for irrevocable letters of credit which acts as a bond for entities viewed as low risk borrowers in
124 the eyes of credible lending institutions. As the City expands and creates more RDA's from current developments, the
125 RDA component will help facilitate different options to utilize tax increment to facilitate development. Planner Schow
126 states they have been approached by developers on stuff lately for different alternatives to the escrow agreement that

127 they traditionally collect for the security of the infrastructure installments. Director Mellor has done some research and has
128 experience in other municipalities with accepting the different forms of bonds and these were his recommendations. He
129 ran this by the City Financial Director Marshall and City Attorney Roberts. The basic differences are instead of just
130 allowing a surety bond, cash escrow, they are proposing to be able to accept irrevocable letters of credit, tax increment
131 incentives as part of the signed reimbursement agreement for the redevelopment agency and with those that is specific
132 experience that Director Mellor has had where the City is paying out from the RDA more than a developer would be
133 required to bond and so it's a way of using the RDA funds to cover the improvements instead of collecting more money
134 when they'd be paying them more money anyway. Commissioner Vaughan asked if staff had initiating the request for a
135 change in the wording as opposed to a developer that wants to bring a project forward. Planner Schow stated that is
136 correct, it was initiated by Director Mellor.

137 [6:22:23 PM](#)

138 Public Hearing opened

139 [6:22:33 PM](#)

140 Public Hearing Closed

141 [6:22:44 PM](#)

142 Commissioner Vaughan stated he supports staff recommendation, being initiated by the City and full City staff has
143 reviewed and believes it will better the City's ability to conduct business, he is all for it.

144 COMMISSIONER MCCUITION MADE MOTION TO RECOMMEND APPROVAL OF CODE AMENDMENTS TO
145 TITLE VIII, PERTAINING TO FINAL APPROVAL PERFORMANCE SECURITY TO THE CITY COUNCIL.
146 COMMISSIONER DAY SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

147 [6:23:42 PM](#)

148 6. **Final Plan - Keller Crossing Phase 1, Nilson Homes, property located at approximately 2000 S 1475 W, R-2 Zone**

149 Planner Schow stated Keller Crossing is located directly below the Antelope Run subdivision and the new
150 development to the east, Tivoli Gardens, phase 1 provides the much needed tie or connection of 1475 W. It consists of 17
151 lots and a cul-de-sac, there were a few outstanding items on the staff reports that they have been working with the
152 developer, they're aware of them and have been making the amendments to the drawings and per discussion with the
153 City Engineer and Deputy Fire Chief, there are no items that would prevent this moving forward that could not be easily
154 fixed prior to construction.

155 [6:25:17 PM](#)

156 Mark Staples, Nilson Homes, Ogden, they have been working on this with staff for a while and are looking forward to
157 the opportunity to making Keller Crossing a great community. They are going to use the low volume street profile there
158 and hope to have some street trees in there and make it a nice place for future residents to live.

159 Commissioner Jensen asked the applicant if he had seen the staff review and changes discussed and agrees to
160 incorporate those changes in their plans, the applicant stated yes.

161 Commissioner Rackham asked about the later phases if they tie into the Tivoli gardens, the applicant stated Phase 2
162 connects to the westerly street and Phase 3 will tie into the north. Planner Schow stated it will tie into 1275 W on the south
163 property line and then Tivoli has a stub street at that same location to the north so it will tie in there and a second sub
164 street even further east of 1275 W, so two more points of tie in for Phase 2.

165 [6:27:06 PM](#)

166 Commissioner Jensen asked Deputy Chief Hamblin regarding the temporary turn around and currently only 90 feet, is
167 the applicant addressed that. Deputy Chief Hamblin stated he hadn't seen anything or heard anything from the applicant
168 on that one. Planner Schow stated the applicant was aware that they need to add it and will be doing that, they just
169 haven't received amended drawing yet. Chief Deputy Hamblin stated the cul-de-sac and temporary turn around needs to
170 be 100 feet.

171 [6:28:09 PM](#)

172 COMMISSIONER DAY MADE A MOTION TO RECOMMEND APPROVAL OF THE FINAL SUBDIVISION PLAN
173 FOR KELLER CROSSING PHASE 1, LOCATED AT 1475 W 2000 S, R-2 ZONE, SUBJECT TO ALL APPLICABLE
174 REQUIREMENTS OF THE CITY'S MUNICIPAL CODES AND STAFF REVIEWS. COMMISSIONER RACKHAM
175 SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

176 [6:29:05 PM](#)

177 7. **Municipal Code Title X Amendments- pertaining to residential zoning**

178 Planner Schow stated these are the code amendments that they have been working on, they were tabled from the
179 last meeting, and there hasn't been any changes. The City Attorney Roberts has gone through them since then and has a
180 couple items to discuss with the Commission.

181 City Attorney Roberts stated he had some questions on changes to section 10.20.060, the amendments to the
182 general plan, the main idea is that the general plan should be done and they don't people to tinker with it until they are
183 ready to actually and do a full plan update again. A five year review for the general plan and then every other year review
184 for the map. Subsection B, where it says 'the Council may amend the general plan with the unanimous vote at the
185 Council'. City Attorney Roberts stated it is pretty rare to have a unanimous vote required by the Council, they are often
186 unanimous, but often knowing that it requires a unanimous vote could lead to a little more disagreement and people
187 digging in heels. Was the intention to the general plan any sort of amendment even during that open period which is

188 regularly scheduled every five year, needs a unanimous vote or if they want to open it outside of those usual times, then
189 the Council needs to be unanimous, what was the general intent.

190 [6:31:27 PM](#)

191 Commissioner Rackham stated the intent was during that five year period anytime during that, they could vote to
192 open it and have the Planning Commission change it or at five years they would review it without the unanimous vote.

193 City Attorney Roberts stated during that five year period or after they open it, do they want a unanimous vote in order
194 to make the change or just a regular majority vote. Commissioner Rackham stated while it is open, it is a regular vote. City
195 Attorney Roberts stated there may need to be a couple of changes to make that clear in the code, the way that it's written
196 now, any sort of amendment would require unanimous vote. He can make those changes and get them to the
197 Commission by the next meeting, just to capture what they're trying to do.

198 [6:32:19 PM](#)

199 Commissioner Jensen stated the idea was it also supposed to apply for the general plan map every other year and if
200 the circumstances arise that the Council feels that it needs to amended right then, they could agree unanimously to open
201 the plan, otherwise the idea is the map is only to be opened every other year and the actual language every five years.
202 City Attorney Roberts stated he can make the changes for the next meeting.

203 Commissioner Jensen asked City Attorney Roberts if they can vote on everything before them except for 10.20.060
204 and table it for future date. City Attorney Roberts stated they can make a motion and strike that specific amendment to
205 that section and move to amend with that part struck out of it. Commissioner Jensen stated he submitted some items that
206 should have been included in the packet, changes to 10.20.060 and 10.20.070 that didn't make the packet. The entire
207 10.20 section should be tabled to give them the opportunity to include the language that wasn't included this time. Cluster
208 subdivisions 10.80.040 bonus density incentives, at the work session they discussed doubling all the incentive bonuses,
209 the majority of Commission felt like that was a good idea and the total density would go from 3.5 essentially to 4.7, with
210 the bonus density incentives, by clustering they would end up with a lower density than building R-1, those changes are
211 not incorporated into the table.

212 [6:35:03 PM](#)

213 Planner Schow stated she hadn't made any changes to the code amendments at all, but does remember the
214 discussion from the last meeting but wasn't certain on if they wanted that change or not and wasn't sure if they were done
215 discussing the cluster code changes.

216 [6:35:47 PM](#)

217 Commissioner Vaughan asked if the Commission would like to keep it open or discuss what they have before them.
218 Commissioner Day stated it should probably be tabled until next time. Commissioner Jensen stated they should give
219 direction if they want that change or not included, maybe take a straw poll to confirm. Commissioner Vaughan stated he
220 would like to get as much of it done now so the next time they have any issues regarding Title X, it will be smaller and not
221 a 50 page attachment they have to go over every single section again. They can pull out section 10.20.060 for revision
222 and go through everything else tonight.

223 Commissioner Rackham stated his preference would be to address each one individually on a vote and table the
224 ones that need to be tabled, discuss them or pass them on to the City Council. Commissioner Vaughan asked
225 Commissioner Rackham due to his knowledge of the revisions, to keep track of those sections that they possibly want to
226 table to a later date. Commissioner McCuiston asked Commissioner Vaughan to take a straw poll for them to do it
227 individually or collectively.

228 Commissioner Jensen recommended pulling 10.80 and 10.20 sections and pull them until the next meeting, since
229 further discussion is needed. Commissioner Rackham stated they should vote individually on each section. Commissioner
230 McCuiston stated the only two he is concerned about are 10.20 and 10.80 and fine with sending the rest forward.

231 Commissioner Day stated he would like to send them all together collectively, so would prefer to get them all fixed and
232 then send them as a group to the City Council verses piece mailing them. Commissioner Vaughan asked if they could
233 approve them and then send them in a complete assemblage to the City Council. Commissioner Rackham asked staff if
234 they passed them tonight, when the City Council would get them. Planner Schow stated as of tonight anything has the
235 potential to be on next week agenda, but could hold off. Commissioner Moultrie stated he is fine with just pulling out the
236 two sections that need to be worked on. Commissioner Jensen stated he could go along with Commissioner Day's
237 suggestion of sending them all at once.

238 Commissioner Day asked regarding a unanimous vote at the Council is there any interest on the Planning
239 Commission to make that a majority instead of unanimous. Commissioner Jensen stated with the map being open every
240 other year anyway, the main reason this was proposed is to slow down the general plan amendments because staff is
241 basically just getting harried with requests to change the general plan, essentially every month, the idea is to nail down
242 those requests every other year.

243 [6:42:15 PM](#)

244 **1. 10.20.050 Noticing-** Changes accepted and tabled for City Attorney review until next meeting.

245 [7:12:01 PM](#)

246 **2. 10.20.060 General Plan Amendments-** Tabled for City Attorney further review until next meeting.

247 Commissioner Jensen stated they have up to 90 days to open it and at the end of 90 days it gets closed, can be
248 closed earlier if all the changes are completed and 6 months can be used if significant language changes need to be
249 made then they might need 6 months to be fully developed and can vote to keep it open for longer with a majority vote.

250 City Attorney Roberts stated there is a difference between opening it for amendment and for applications. 90 days
251 noticing to submit applications. When opened for amendments deadline for City Officials or deadline for applicants.

252 Planner Schow stated

253 Commissioner Day had concerns with the time frame of noticing for citizens and if it was enough time for citizens to
254 get applications in for changes and to be as transparent as possible. Commissioner Rackham stated there was a
255 discussion in the committee on the noticing time frame.

256 [7:24:48 PM](#)

257 Planner Schow stated regardless of when it opens or closes and when a citizen can apply and cannot apply, there
258 has to be a cutoff date at some point. The easier thing is to say the general plan is open for applications for this period to
259 this period and then the Commission has however long needed to act on those. So there is an open application period
260 and staff can work not hem as they come in but it closes and then staff finishes up on them and staff is done and doesn't
261 limit the Commission or Council or staff if more time is needed to review a specific application and its getting close to the
262 closing date, putting the deadline on applications, not on the Commission acting on it.

263 [7:27:01 PM](#)

264 Commissioner Rackham proposed to make a change in 10.20.060 section (B). 'Authority, The City Council, as the
265 Land Use Authority, may from time to time amend the general plan as provided in this section, **out of schedule cycle** with
266 a **majority unanimous** vote of the City Council. Such amendments may include any matter within the scope of the general
267 plan.' Commissioner Day stated that was a great clarification about the out of cycle. City Attorney Roberts stated he is
268 going to make some updates that will have a section specifically talks about opening it and then a sub section that talks
269 about outside of this cycle, this is how you can go about doing that and arrange it so it reads that way.

270 [7:29:02 PM](#)

271 Commissioner Jensen wanted to make a change on section C, regarding the 5 years because the other one is every
272 odd numbers years so there is going to be a time when they both intersect and that is not necessarily a good thing and
273 would like to make the proposal that the general plan is open for a 4 year review to occur in the 2 year cycle opposite the
274 mayoral election.

275 COMMISSIONER JENSEN MADE A MOTION TO TABLE 10.20 SECTION FOR FURTHER REVIEW BY CITY
276 ATTORNEY ROBERTS UNTIL THE NEXT MEETING. MOTION WAS SECOND BY COMMISSIONER RACKHAM. ALL
277 IN FAVOR, MOTION CARRIED UNANIMOUSLY.

278 [7:30:30 PM](#)

279 **3. 10.50.010 Establishment of Zones-** Tabled for City Attorney further review until next meeting.

280 [7:30:38 PM](#)

281 **4. 10.55 A-1 Agriculture Zone-** Tabled for City Attorney further review until next meeting.

282 Commissioner Jensen would like to make a change to A-1 from .4 to .5 it is easier to calculate; it's easier for people
283 to do in their head. That will increase the density slightly but still one house for every 2 acres, it used to be done that way,
284 at some point it changed from A-1 gross to net, so this would be changing it to the way it was before. At the .4, they have
285 seen almost no development of A-1 so a little bit of incentive to encourage that and taking it to .5 would be a little bit of
286 incentive. Commissioner Vaughan asked if all in favor of A-1 Agriculture .5 dwellings per gross acre, change approved.

287 [7:33:35 PM](#)

288 **5. 10.60 R-1 Residential Zone-** Changes accepted and tabled for City Attorney further review until next meeting.
289 (setbacks changed back to 25 feet)

290 [7:35:38 PM](#)

291 **6. 10.65 R-2 Residential Zone-** Changes accepted and tabled for City Attorney further review until next meeting.

292 [7:37:38 PM](#)

293 **7. 10.70 R-3 Residential Zone-** Changes accepted and tabled for City Attorney further review until next meeting.

294 [7:39:38 PM](#)

295 **8. 10.80 Cluster Subdivision-** Changes accepted and tabled for City Attorney further review until next meeting.

296 [7:41:06 PM](#)

297 Commissioner Jensen stated they had discussed changing the densities in their last meeting and the majority
298 approved a higher density. Commissioner Jensen proposed changing R-1 incentive density to 2.4, leave the standard
299 density at 2.3 and the maximum density to 4.7. Commissioner Jensen stated it would double all bonus densities in section
300 B. Commissioner Rackham stated he is not in agreement with the proposed changes from Commissioner Jensen of the
301 increase of the density.

302 Commissioner Jensen asked Commissioner Vaughan to take a straw poll on changing the Cluster densities, the total
303 maximum density proposed of 4.7., 2 to 3 vote in favor of changing, without a majority vote. Commissioner Rackham
304 stated he could agree upon somewhere in between 3.5 and 4.7. Commissioner Rackham asked staff about taking the
305 table and changing it with 'shall' do this or requirements instead of bonuses. Commissioner Jensen stated the incentive
306 density would be 2.3, the maximum density would be 4.6 and the table would be combined into a paragraph with no
307 bonuses. Commissioner Rackham stated the incentive would go away, the standard would go away and the maximum
308 cluster density is 4.6. Commissioner Jensen stated they would have to do everything else required. All in favor, change
309 accepted.

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Commissioner Day made the suggestion that they keep the general plan map open for 3 months, that way the public has plenty of opportunity to respond. Limit applicants to 14 days after the opening of the map, the applicant can attend one meeting. Commissioner Jensen stated the Commission would need to discuss it as well as go to City Council, 90 days includes being approved by City Council. Commissioner Jensen stated he likes a 10 day notice sent out all proposed changes. Opens January 1st, applications accepted until January 15th or 5 pm on the following business day, open until March 1st.

8:06:55 PM

COMMISSIONER JENSEN MADE A MOTION TO TABLE ALL CHANGES TO 10.20 UNTIL NEXT MEETING. MOTION WAS SECONDED BY COMMISSIONER RACKHAM. ALL IN FAVOR, MOTION CARRIED UNANIMOUSLY.

COMMISSIONER JENSEN MADE A MOTION TO FORWARD THE REMAINING ITEMS IN TITLE X WITH APPROVED CHANGES TO CITY COUNCIL. MOTION WAS SECONDED BY COMMISSIONER RACKHAM. ALL IN FAVOR, MOTION CARRIED UNANIMOUSLY.

Planner Schow stated she can make the changes and send out an email for Commission to review and then put it on the City Council's 2nd meeting for approval. Commissioner Vaughan asked if they would like to table all items and send together as a packet the City Council.

8:09:00 PM

COMMISSIONER JENSEN AMENDED HIS MOTION TO TABLE THE REMAINING AMENDMENTS UNTIL NEXT MEETING, TO REVIEW THE REVISED LANGUAGE. COMMISSIONER RACKHAM SECONDED THE MOTION. ALL IN FAVOR, MOTION CARRIED UNANIMOUSLY.

8:09:16 PM

8. Adjourn.

COMMISSIONER JENSEN MADE A MOTION TO ADJOURN INTO WORK SESSION. COMMISSIONER MOULTRIE SECONDED THE MOTION. ALL VOTED IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

Ralph Vaughan, Chairman

Stacy Adams, Admin Professional

Date Approved: _____

Minutes of the Syracuse Planning Commission Work Session, September 1, 2015

Minutes of the Syracuse City Planning Commission Work Session held on September 1, 2015, 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-Chair
TJ Jensen
Curt McCuiston
Troy Moultrie
Greg Day
- City Employees: Jenny Schow, Planner
Brian Bloemen, City Engineer
Jo Hamblin, Deputy Fire Chief
Stacy Adams, Admin Professional
Paul Roberts, City Attorney
- City Council:
- Excused: Grant Thorson
- Visitors:

[8:17:46 PM](#)

1. **Department Business:**

Planner Schow wanted to introduce the two newest members of staff. City Attorney Paul Roberts who has been amazing to work with so far and nice to have an Attorney back on staff. City Attorney Roberts stated he was previously with South Salt Lake for the last 7 years, worked with their Planning Commission and Community Development for the last 6 of those 7 years, different planning environment there, mostly infill, looking at redevelopment more than undeveloped land. The residents were also very interested in having low density housing and saw benefits in urban setting of appropriately placed multi family. Ready to help where ever he can, in drafting ordinances or items changed and can put something together for the Commission. Commissioner Jensen asked how he liked the job so far. City Attorney Roberts stated people are wonderful to work with and it's a relay nice community and he likes it so far.

Planner Schow also introduced the new Administrative Professional, Stacy Adams, who came from Davis County and has been in City/County Government for over 20 years and very excited because so far she has been amazing. The Community and Economic Development Department has a new director and are fully staffed again, starting to get caught up on things, hopefully it will be visible to the Planning Commission in the near future. Please feel free to provide Stacy with any feedback or corrections on the minutes while she adapts to this format, we have complete faith in her as she has quickly adapted with everything else in our Department.

We are working on getting a trial in along Monterey Estates as part of the development, with Ninigret and the School and some commercial property on the very north end, something that we've gotten the ball rolling on and hope to have an agreement in place shortly. Domino's Pizza opened up over by the old Pizza Ready location by Walmart. Also a new bakery by the Wendy's, Scandinavian, next to the check cashing place, small bakery local only. It's nice to be fully staffed again, can't say that enough, how excited we are and how happy it makes us.

Commissioner Rackham asked Planner Schow is she knew the status is of the light at 3000 W and Antelope, the road is done, but no light there. Planner Schow stated by the school, it's coming, just don't know when, same thing by their other school, there will be a light there as well on 1550, but don't know when. Commissioner Rackham stated the portion that's left is a UDOT portion, putting in the light. Planner Schow stated that's a Public Works questions, really doesn't know and hasn't had an involvement in the process in getting that light approved, but can find out and send out an email.

[8:24:22 PM](#)

2. **Commissioner Reports:**

Commissioner Jensen stated the Act of Transportation Committee met on August 20th. Boyd Anderson from West Point talked about the West Point trail and they received from matching funds and government funds to help put the trail in. This trail extends from 2000 W where SR-193 ends down to essentially our Emigrant trail. The sales tax increase has been put on the ballot for use in trails and transportation alongside the school district funding. Clearfield City received funds to put a bridge across the tracks from Frontrunner train station to Freeport Center. Also discussion regarding cyclists and dog owners alternating days using the trails which might be an issue for Syracuse trails. Davis County Health Department put together some statistics talking about health issues for Davis County and broke it down for Cities, Syracuse was grouped with Fruit Heights and Kaysville with some interesting numbers, good information to know how healthy our citizens are. Also due to some of the recent storms Davis County was having some issues with trees and stuff being blown onto the trails and wanted to encourage our staff to make sure it wasn't an issue for Syracuse.

Commissioner Vaughan stated Commissioner McCuiston mentioned that the ReMax trailer formerly located on 2700 S just east of RC Willey has been moved. Planner Schow stated we have a new ordinance enforcement officer Ken

Sessions, they moved the position back in Community and Economic Development and he is doing a great job, so any code violations that are bothering anyone can contact Ken.

8:30:14 PM

3. **Upcoming Agenda Items:**

General Plan amendments and review

8:32:16 PM

4. **Discussion Items:**

Planner Schow stated Director Mellor has begun reviewing the amendments that the Commission has proposed and are also reviewing and set up a meeting with the City Manager and Planners and have been going through it and have also brought City Attorney Roberts in as well. City staff is still working on review of that and finish up on any proposal or recommendations that they have in addition to what has been brought forward. City Attorney Roberts stated he hadn't had a chance to review the proposed changes yet, but thinks it's good to reach out to the public and not sure what public outreach occurred before the general plan amendments were made, generally you want to make sure that everyone who is going to show up and complain that no one ever talks to them, has a chance to show up and talk before the changes are made. I've seen successful general plan changes where there are small communities meeting and get people's input and have interactive activities where they can say what their priorities are, is it parks, is it travel, is it open space, what is it and give them an opportunity, the people in the community, to come out, even neighborhood captains that go out and beat the bushes and get maximum citizen input. That's a strong recommendation, it makes for a more rigorous and more widely accepted general plan. Perhaps this could be something that we go out to the community and say here are what the proposed changes are, is this something that you agree with and encourage the community to participate that way. Sometimes people don't show up, that happens, people will complain after the changes are made but they don't bother to show up before. For a successful and accepted general plan make sure that the community gets plenty of opportunity to come and show up and then at least there is a record if they didn't show up to explain why the changes were made with no opposition. That is my recommendation to do as much outreach as possible and get the community involved in forming and reviewing the general plan.

Commissioner Jensen wanted to state since he was the previous Chairman, they did try to encourage a lot of citizen involvement in this plan but as is typical in these type of things, getting people to come out and stay interested the committee actually worked for about a year, so there was some effort, certainly the final product, that's worthy to have that reviewed but the main thing the general plan committee is as far as the actual general plan language was just trying to update the language, get rid of the redundant sections and make it easier to read, not really any wholesale changes to the existing plan, it was reformatted and made so it was easier to read. As well as a history section that was incorporated as well and thought that was valuable. Commissioner Rackham agreed it was reformatting, updating and adding sections that they felt had relevance. Commissioner Jensen stated they also added some placeholders for when the parks master plan comes online, ten that can be added to the general plan and any other plans the City has, try to make it a one stop document. Instead of scattered in several different documents, it makes it easier for citizens to go to one document instead of trying to hunt things down.

Commissioner Rackham stated one thing he found interesting, while they were doing the revisions, Syracuse has wordy documents, some cities have a paragraph or sentence and we have pages for the same things. So they tried to eliminate a lot of that out of the document.

City Attorney Roberts stated as staff goes through it and makes their recommendations they'll have him review them also, so it might be a little while before we're completely done going through it. There's been sort of a back log of attorney stuff that is all coming loose, but this is one of those that is important so it will be made a priority.

Commissioner Jensen stated there is no hurry on them passing the plan, if staff feels like they want to do some community outreach to have them come in for an open house to review, don't think that's a bad thing.

Commissioner Rackham stated it is a good idea, but there ought to be a push to get it closed because it's been open for a long time.

Planner Schow asked if closed for making amendments to it from developers or. Commissioner Rackham stated the whole thing, they've been working on it for a long time. Planner Schow agreed and said it would be nice for them to see the finished product. Commissioner Rackham stated he would like to get it set in stone and get the calendar going on the 2 year and 5 year.

Planner Schow asked if they could make some time to go through the code amendment that Commissioner Jensen had submitted, 10.20.070, it was added to the amended packet.

Commissioner Jensen stated essentially he broke the map apart from the language, or text. This is for the Title X Ordinance and the existing zoning map, not the general plan. Once the general plan is approved these are changes to the text of Title X and for the map and broke the text amendments into their own section and the rest applies to the map, trying to further differentiate the language from the map.

City Attorney Roberts asked in subsection 2 'any such changes must be consistent with the current general plan map' under state law of the general plan is an advisory document, so if Council wants to disregard it, it can, this seems to be removing that ability from the Council, is that the intent. Commissioner Jensen stated that was indeed the intent, essentially the previous Director directed that since the general plan is only guiding document, not a binding document, the City Council was under no obligation to follow the recommendation from that document, so this is codifying the general plan map and saying if they want to change it, it has to be consistent with the map. That was a deliberate intent from general plan committee.

128 Planner Schow asked if the Commission was okay with the recommended changes and put an advertisement in for
129 the next meeting to put a public hearing out for these changes. Commissioner Rackham stated there might be some
130 wording issues if they bring it to the whole group. Commissioner Vaughan stated 'schools' and they cannot consider
131 school, they are a state agency and not permitted to make a City decision based on schools. Commissioner Jensen
132 stated that was in the existing ordinance if they want to strike that.

133 City Attorney Roberts stated he needed more time to review the ordinance and can discuss more at the next meeting.
134 Planner Schow will advertise and notice for the next meeting.

135 Commissioner Rackham stated on the map there was a discussion on making an area open space, due to the Nature
136 Conservancy who owns the lots, and it will stay open space. Commissioner Rackham stated they discussed the changes
137 and gave the proposed changes to Planner Steele to review and he made some notes that have not been incorporated on
138 this map. Planner Schow stated they need to have Director Mellor review the map with the general plan. Commissioner
139 Rackham said they have Institutional on the map without code for it. Commissioner Jensen stated there is also open
140 space that doesn't have code for it as well. So there is a total of three zones that currently have no definitions. R-4 which
141 was deprecated, and has been removed from the ordinance, there has been some discussion about returning it to the
142 ordinance to govern the existing R-4's and open space has no governing and neither does institutional, technically if
143 someone were to try to build in any of those zones they could build whatever they want.

144 Commissioner Rackham stated one of the discussions was to take the R-4 zones and put them to R-3 on the general
145 plan map, but leave them as is on the zoning map. Planner Schow stated in order to do that they would have to send
146 notification to every single property owner within that zone. City Attorney Roberts stated regarding the zones that currently
147 have no governing ordinance if they were talking about eliminating those three categories. Commissioner Rackham stated
148 there are no zoning ordinance in the code. Commissioner Jensen stated they need to codify the zones and recodify R-4,
149 previous guidance has been that they need to put something back in place for the existing R-4's so that if something
150 happens in those zones they're still governed by some type of ordinance.

151 City Attorney Roberts stated they can either add language to the existing zone or can remove it and use the zones
152 that already have language for, question is if they want it to be treated differently or not, to down zone from R-4 to R-3.
153 Planner Schow stated the City decided they didn't want to allow R-4 any longer and so they rescinded the code instead of
154 just putting a stop on it, they removed it. Commissioner Jensen stated it applies to 10.50.050, clarification of zoning, that
155 any property for any reason that is not clearly zoned on the official zone map shall be subject to the requirements of the
156 agricultural zone, does that apply to these zones. City Attorney Roberts stated that they were clearly zoned as R-4 before
157 and can't just change the zone from R-4 down to agricultural without giving notice to the property owners either. City
158 Attorney Roberts stated he needs to review the ordinances further and put the language in or make a zone change, but it
159 will result in a large number of homes becoming non-conforming lots.

160 Planner Schow stated she can send out an email to other cities asking if they have dealt with codes being rescinded
161 and leaving zoning without any regulations. Commissioner Jensen stated his recommendation would be to recodify R-4
162 and put a deprecated not on it, saying it is for existing zones only and not to be used for new zones or how to add that
163 language. City Attorney Roberts asked if they wanted to change the text for existing zones, but not future zones. They
164 could amend the zoning map and say they are never gonna create new R-4 and if there was an existing R-4 they don't
165 have to expand it, if the Council or the Commission doesn't like R-4 zone then never approve it, that would dissuade
166 anyone from asking. Depending on the future landscape of the City you want to have that flexibility built in so the Council
167 has the ability to do it.

168 COMMISSIONER JENSEN MADE A MOTION TO ADJOURN.

169 [9:00:25 PM](#)

170 5. **Adjourn**

Minutes of the Syracuse Planning Commission Regular Meeting, September 15, 2015

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on September 15, 2015, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present:

Commission Members:	Ralph Vaughan, Chairman	
	Dale Rackham, Vice-Chair	
	TJ Jensen	
	Curt McCuiston	
	Troy Moultrie	
	Greg Day	
City Employees:	Jenny Schow, Planner	
	Paul Roberts, City Attorney	
	Stacy Adams, Admin Professional	
City Council:	Councilman Mike Gailey	
Excused:	Commissioner Dale Rackham	
Visitors:	Ray Zaugg	Adam Bernard
	Jeremy Hughes	James Clegg
	Melissa Johnson	Bill Johnson
	Andrew Sherman	

[6:04:25 PM](#)

1. **Meeting Called to Order:**

Invocation given by Commissioner Moultrie. The Pledge of Allegiance was led by Commissioner Vaughan. Commissioner Jensen wanted to point out on item #4 the property indicated on the aerial is different than what is indicated on the zoning map, it is a couple lots to the south.

COMMISSIONER JENSEN MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR SEPTEMBER 15, 2015 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER MCCUISTON. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

[6:06:23 PM](#)

2. **Meeting Minutes:**

July 7, 2015 Regular Meeting and July 7, 2015 Work Session Meeting

COMMISSIONER THORSON MADE A MOTION TO APPROVE REGULAR AND WORK SESSION MEETING MINUTES FOR THE JULY 7, 2015. COMMISSIONER JENSEN SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

[6:07:19 PM](#)

3. **Public Comment:** This is an opportunity to address the Planning Commission regarding your concerns or ideas, regarding items that have not been scheduled for a public hearing on this agenda. Please limit your comments to three minutes.

Ray Zaugg, Syracuse, stated he noticed on the agenda they are working on the zoning on the new revised general plan and noticed on agricultural properties it shows .5 per gross acre and believes they have .4. Commissioner Jensen stated that was he proposed change. Ray Zaugg stated it was still showing in the document as .4.

Mike Gailey, Syracuse, member of the City Council, would like to thank the Commission for their hard work on the general plan and the City Council is very eager to see what they've done and thank them for their hard work and work of the committee, the Council is eager to hear their input. Thank you for what you do.

Bill and Melissa Johnson, Syracuse, wanted to know if this is the only property that is being rezoned because they are in the house directly across the street to the north and are concerned about the lot behind that. Planner Schow stated the map is correct, the aerial is incorrect and what was sent out to the public was accurate.

[6:11:20 PM](#)

4. **Public Hearing - Rezone** Andrew Sherman, from R-1 to Neighborhood Services, property located at 1317 S 2000 W

Planner Schow stated at this time there are no concerns with the rezone request other than proper procedure for noticing requirements which unfortunately did not happen and will make sure that it is notified properly for the next meeting. The only saving grace with this is it would not go to Council any sooner than if they saw it at the next meeting. The aerial will be amended for the next meeting.

Commissioner Jensen asked if it was not noticed in time or the notice showed the incorrect parcel. Planner Schow stated she was out with a sick child on Wednesday and typically sends the newspaper notices out and didn't receive any notification that anything needed to go out and wasn't in the office. Commissioner Jensen stated the 10 day window wasn't met. Planner Schow stated the letters went out but didn't meet all the requirements, so unfortunately we want to make sure we follow legal procedure and get all the noticing out. Commissioner Jensen asked if they need to hold public

64 hearing again at the next meeting. Planner Schow stated she would recommend that they do and also listed it on the
65 agenda that they should. Commissioner Vaughan asked Planner Schow is she could address the citizen if their property
66 on the north side is involved in this particular application. Planner Schow stated only the properties that were shown in the
67 letter that went out, the two properties, the one with the house and the vacant property to the south.

68 Commissioner Vaughan stated because item #4 will be rescheduled, there will not be any discussion on the item, but
69 for the courtesy of the citizens who did show up because it was advertised as far as a public hearing, if anyone would like
70 to come forward and speak on this item they are welcome to do so and your comments will be added into the minutes
71 tonight and add them into the packet for the next meeting that is scheduled.

72 [6:15:24 PM](#)

73 Andrew Sherman, Syracuse, the property owner, the map is showing those are two separate parcels, they have
74 actually been combined. He runs an investment advisory firm and it will be his practice in there, himself and his assistants
75 throughout the day and an occasional client that comes in. The only difference neighbors will see is a sign will be out front
76 as per City code, if it does get rezoned. It fits the general plan for Syracuse of Neighborhood Service. Commissioner
77 Jensen asked if he was going to do any new construction on the lot, just work with existing buildings. Andrew Sherman
78 stated for now, down the road there might be a possibility of course, but doesn't have any plans for now and has not
79 submitted anything. Commissioner Jensen asked Planner Schow if this was the first official Neighborhood Services
80 request, Planner Schow stated she believes it is. Andrew Sherman stated that is why he bought it because the general
81 plan showed it. He is currently in the Raymond James office, the old Mia Design building, that UDOT is going to demolish
82 and has to be out within 4-5 months. He spent a lot of money on the inside of the building, it's really awesome, and invited
83 anyone to come see it before it gets demolished and is planning on doing the same thing to the house and get it up to
84 date and make it a wonderful place for the next 50 years. Commissioner Jensen stated Syracuse City thanks him for
85 keeping the business in the City. Andrew Sherman stated it's a beautiful property and they take care of it pretty well.
86 Andrew Sherman stated he will be back for the next meeting as well. Commissioner Vaughan apologized for any
87 inconvenience it may have caused, but it will be on the next meeting agenda.

88 [6:18:03 PM](#)

89 Bill Johnson stated that he's noticed that they have been working on the place back there, if this, has he been
90 approved for that or still wondering what is going on regarding the property. His question is why are we here if he has
91 already been approved for what he wants to do with the place. Commissioner Vaughan stated it depends on what type of
92 work he is talking about, whether it's regular maintenance or as far as anything major such as destruction and wholesale
93 reconstruction. Bill Johnson stated it looks like they are demolishing the place, looks like they are going through the
94 inside, like they have a demolishing crew out there and going through the whole inside of the place. Wondering if this is
95 the first step in something bigger is what his concern is, he doesn't want to be living behind a 7-11. Melissa Johnson
96 stated her concern is that it talks about Neighborhood use, but also in the notice that was sent to us indicated a special
97 permit could be applied for to change it to something else which could include things like a gas station or some type of
98 business. She doesn't have a problem with a small business like the applicant was talking about where there may be
99 some small traffic but they have 2 small children and it's only a chain link fence between them and whatever traffic the
100 applicant brings into his business. Right now it's zoned, or being proposed to zone as Neighborhood Services but that
101 doesn't indicate to them that later on it could not change, that is her concern. As well as the traffic, where they will be
102 parking, how many people will be coming in it is literally directly behind their house.

103 [6:19:35 PM](#)

104 Commissioner Vaughan stated at this time because it is just a public hearing and just taking comments from the
105 public the Commission is unable to respond to any questions at this time, but at the next meeting there will be a full
106 discussion, and reveal of what can and cannot be done there.

107 Melissa Johnson asked if the intent of the property would be indicated and disclosed at that time. Commissioner
108 Vaughan stated they will have a complete report from staff on what is anticipated for the aerial. Bill Johnson asked what is
109 going on right now, in regards to the work being done right now. Commissioner Vaughan stated that because they do not
110 have a complete packet they do not have all the information to conduct a formal hearing on the matter. Bill Johnson stated
111 his question right now is what exactly is going on right now. Commissioner Jensen stated the applicant can answer that
112 after public comment. Melissa Johnson asked when the next meeting will be. Commissioner Jensen stated in 3 weeks.

113 [6:21:37 PM](#)

114 Planner Schow stated she can address the concerns right now. The zoning once it is changed to Neighborhood
115 Services does have a list of allowed uses per City code, so an applicant does have the ability to come in and apply for a
116 business of any of those types that are allowed in that code and then there is a secondary list which is called conditionally
117 permitted uses, that if an applicant wants to apply for something like that, they can come back before the Planning
118 Commission at another hearing and apply for that type of use and the Planning Commission has the ability to put special
119 regulations, within reason of course, on that type of use or to deny it. A gas station is not in the permitted uses in either list
120 of this type of zoning, if there are concerns, you could contact me in the office and not have to wait until the next meeting,
121 I'd be happy to direct you to the City code that tells you exactly what kind of businesses could be in. Since this is the first
122 of potentially, not in the near future, but potentially many Neighborhood Service businesses, the general plan, which is the
123 City's guiding document of where the City has determined what type of properties and type of uses are appropriate in
124 these different areas. On this aerial, all of the fronting property on 2000 W on the east side, all the way up to the large
125 open space, have all been designated as potential growth as Neighborhood Services zone. This is the first of many, there

126 is potential for more along that 2000 W corridor, it's definitely something to research and look into as you live near this
127 area. Please feel free to contact me to address any other questions as well.

128 [6:24:03 PM](#)

129 Commissioner Jensen stated the reason they created the Neighborhood Services zone and it is a new zone within
130 the City is they felt that professional office and general commercial were both a little bit too impactful such as
131 neighborhoods like these, so they wanted to create a low impact business zone that would allow people to do small
132 businesses along that but something that would not be overly impactful to the neighborhoods. Since the general plan
133 designates this as neighborhood services, the applicant cannot ask for anything else but neighborhood services, they
134 couldn't come in and ask for commercial or business park or anything else because it wouldn't meet the general plan. And
135 asking for a change to the general plan is a multi-step process and with the location where this is at, the City Council
136 wouldn't be too amenable to changing it anything other than what it is currently showing as.

137 [6:25:05 PM](#)

138 Jeremy Hughes, Syracuse, same neighborhood behind this lot, his main concern going forward is that it's a really
139 nice community and hate to look out his front window and see a high rise building or something crazy like that, not even
140 sure it could be done, but prefers it doesn't. As a small business man, he understands, but it is still a neighborhood and
141 his kids run around, so wants to keep it that way as much as possible.

142 [6:26:10 PM](#)

143 Commissioner Jensen wanted to make a correction about the properties north of the elementary, one of those they
144 recently zoned it as something else, so they could put in the Craythorn property and assisted living facility. Planner Schow
145 stated that is correct so from that property north.

146 [6:26:52 PM](#)

147 Public hearing closed.

148 [6:26:53 PM](#)

149 COMMISSIONER JENSEN MADE THE MOTION TO TABLE ITEM 4 SO IT CAN BE NOTICED PROPERLY UNTIL
150 THE NEXT MEETING, OCTOBER 6, 2015. COMMISSIONER MCCUISTION SECONDED THE MOTION. ALL IN
151 FAVOR, THE MOTION CARRIED UNANIMOUSLY.

152 [6:27:18 PM](#)

153 5. **Municipal Code Title X Amendments - pertaining to residential zoning**

154 Commissioner Vaughan stated this one of the most important things the Commission will be doing this year, one of
155 the most important documents they send to the City Council as a whole. Hopes everyone has had an opportunity to read
156 over everything, over 100 pages in the packet. They've been talking about it for some time, this is the key thing. Also in
157 keeping with that and to let us know of some of the importance on this item, on August 4, 2013 in a joint Planning
158 Commission meeting with the City Council we received some training from then City Attorney designee Steve Garside in
159 which they had quite a few comments on and one of the things that really stuck out was quoting from him "with the
160 general plan if they, the City Council, sees issues arising and they are concerned that the general plan is not addressing
161 an item sufficiently, the general plan even though the City ordinance and state law may differ, for the general plan to
162 strong defense for the City as development occurs, would recommend the only time it gets amended is under two
163 circumstances, one if there has been an error and two if there has been a significance change in circumstances since it
164 was adopted." He continued by saying "when you look at the general plan, it is where you want to see the City at build out,
165 this is a constant refining process".

166 Planner Schow stated there are a few changes and made the amendments that were discussed last time, in the
167 numbers. City Attorney Roberts has looked at a couple of sections and provided some recommendations, specifically
168 10.20.060. Commissioner Vaughan stated she brought up a very interesting point and asked City Attorney Roberts
169 recognizing he isn't able to do everything in the short period of time that he's been here. If he feels he has had a sufficient
170 amount of time to review the exiting general plan in this area and also the partial recommendations that they have before
171 them tonight and feel comfortable with what he's seen so far.

172 City Attorney Roberts stated he hasn't gone through the general plan that's been submitted yet, working through it
173 and will need to compare it to the prior general plan as well. The Community & Economic Development Department would
174 also like to review through that. He can walk them through some of the amendments he made to section 10.20.060. One
175 of his concerns here and seems like one of the components of both the general plan that he's seen so far and this
176 amendment, was that the Commission wanted to essentially have a short period of time when the general plan could be
177 amended and then cut it off and say no one can amend it anymore after this. There are some potential due process
178 concerns if they do that. When a person puts in an application for a general plan amendment, they have a due process
179 right to have that petition heard all the way to the end of the line, if they wanted to. So for the City to say, it would give this
180 body or the Council's body the ability to just table something into oblivion. Someone is entitled to a decision, either up or
181 down on a land use application or general plan amendment. In that case, he strongly suggests that they not have a cutoff
182 where they cannot consider it, even if has been, even if it was submitted in time during that open application period. So
183 has made a couple of changes dealing with that, so subsection 5, section 10.20.060, 'each timely application which is
184 submitted by an applicant shall be considered and given due consideration by the Commission and Council unless
185 withdrawn by the applicant' that ensures that they will be protected even if it takes 6 months, 9 months, they will hear it.
186 Do not have a problem with having a cutoff date where they have an open period where they can submit applications,
187 that's not a problem, the problem would be if they submitted it on time and then they were never given an answer, that

188 wouldn't be fair to them and it wouldn't be sustainable in court. Recommendation is that they have the cutoff periods for
189 applications, but not for the actual amendments. Subsection 6, 10.20.060, added this because in the next subsection and
190 the previous changes that have been made, the sentence that said 'the City Council, Planning Commission or Authorized
191 City Staff may initiate a general plan amendment at any time without submittal of an application or payment of any fee'
192 remained, so assumed the Commission is still open to general plan amendments coming up from this body, the Council or
193 Staff, if that is not correct then subsection 6 can change, but that's what he gathered from that sentence remained in the
194 next subsection. Was that the intent or did they want to have it be cut off for everyone except for that special City Council
195 opening.

196 [6:33:46 PM](#)

197 Commissioner Jensen stated the intent of what the committee proposed was that the only time that the Planning
198 Commission would consider changes was during the open period or upon authorization of the Council, that was the intent.
199 So the Planning Commission essentially has to wait two years just like everybody else.

200 City Attorney Roberts stated what he needs to do is change the next section also to make it clear that that's just
201 talking about the fees that they don't have to pay fees to the City as the City. There was a question also on the years that
202 they want to have the open amendment periods, that they wanted the map and the text amendments to be heard on the
203 same year.

204 Commissioner Jensen stated his recommendation was that they were offset, it was originally 5 years and that would
205 make it every other time it would be the same and then they would be different, so made a suggestion to lower it to every
206 4 years, because the map is every other year and the language could be every 4 years, and suggested to do opposite
207 years so they don't have overload between the map amendments and the text amendments, in the interest of workload.
208 Alternate the years even would be plan and odd would be map.

209 City Attorney Roberts stated it seems for practicality sake, if there is an applicant who wants a text amendment, they
210 might want a map amendment at the same time, that is something to consider, rather than making them wait another
211 year. Commissioner Vaughan asked Commissioner Jensen since the committee chair Commissioner Rackham was not
212 present, was that the feeling of the whole committee in regards the opening. Commissioner Jensen stated they have
213 changed it from the committee recommendation of 5 years and deviated a little from that, but as far as same year or
214 alternating years that's a question that should be put to the Commissioners.

215 [6:36:10 PM](#)

216 Commissioner Vaughan stated based on the comments from the City Attorney that he has a number of legal issues
217 he needs to work out for what they have proposed if they should hold all the items until he has an opportunity to go
218 through everything and then come back with his recommendations in which staff would have the opportunity to present to
219 the Commission or try to go ahead and not comment on any of the sections he feels that he needs to work on before it
220 comes back before them.

221 Commissioner Jensen asked Planner Schow if it was just a work session for City Council next meeting. Planner
222 Schow yes, there meeting is just work session. Commissioner Jensen stated they would not see these changes before
223 October 6th and is not opposed to tabling the items, but wouldn't mind discussing it while they were here and seeing if
224 there are any other changes that we want the City Attorney to look at. Commissioner Vaughan stated they can go through
225 the packet and if the City Attorney has any opinions or would like to review more and they can bypass those sections.
226 Commissioner Jensen stated he would like to ask the rest of the Commissioners what they think about doing the text
227 amendments on the same year as the map amendments or if they should do them separately.

228 Commissioner Vaughan asked if the other Commissioners had any thoughts on it and that Commissioner Rackham
229 was present because he was intimately involved with the changes and could relay the feelings on that. Commissioner
230 Vaughan asked Commissioner Jensen if he could relate how the committee felt as a whole on the issue. Commissioner
231 Jensen stated he could have Ray Zaugg address the Commission since he served on the committee.

232 Ray Zaugg stated he doesn't recall since they have changed it from what they put forth and doesn't remember what it
233 was at the time. Commissioner Vaughan asked Ray Zaugg what was the number of people that originally started with the
234 committee, the very first time, when they got down to business. Ray Zaugg stated 9 members. Commissioner Vaughan
235 asked what the current number of people who had been attending meetings regularly at the last few meetings. Ray Zaugg
236 stated there were 6 members towards the end and Planner Steele would show up occasionally, but wasn't considered a
237 committee member. Commissioner Vaughan stated his concern was whether or not they are still trying to uphold the basic
238 directions from the existing plan as far as having a fair representation and those numbers have held all the way through.
239 Ray Zaugg stated there were a couple people who started out on the committee but due to scheduling or unknown
240 reasons didn't attend meetings.

241 [6:40:51 PM](#)

242 Commissioner Jensen asked Commissioner McCuiston how he felt about doing the text amendments at the same
243 time as the map or alternating. Commissioner McCuiston stated how it can be a lot if the economy is busy to get through
244 everything, so wouldn't be opposed to alternating and is unable to come up with a reason why they would have to have
245 them on the same year and doesn't think having them alternate would present any problems that can foresee.

246 Commissioner Jensen asked Commissioner Moultrie in reference to his concern if there was an issue where text
247 amendments are rare to begin with, generally they are more of a guiding document and less of a strict document. The
248 map is the main thing they are concerned with, but if there was a situation that arose where an applicant may need to
249 make a general plan change, the Council could be approached and open it outside of the 2 year window, there is still a

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mechanism if that comes up. Text amendments generally are a big deal as far as what the language says but the map and text amendments are not tightly related, they're loosely related.

Commissioner Vaughan stated for the sake of discussion if they put it on alternating years then every year they would be discussing the general plan. Commissioner Jensen stated correct, except one year out of the four that they wouldn't. Commissioner Vaughan stated they'd be talking about the plan in one form or another basically every year, just a certain part, which in some ways is pretty close to what they were talking about with districts and the districts on a year plan. Commissioner Jensen stated they tried that approach before and somehow they got away from that. Commissioner Jensen stated looking at the proposed changes by the City Attorney is they struck #6, he is good with everything that is there.

City Attorney Roberts stated there are a couple other for instance in subsection 4, they need to have some standards as to how does the City Council make that decision to open up an enrollment period, instead of just at their discretion, there really should be some guidance in the ordinance that they make a finding of some kind. What are the types of things that are important enough to open up a general plan amendment outside of the period and try to capture that into this ordinance if possible. Otherwise every person who wants to make a change, will just go to the Council and ask, so if they can have at least a couple of really clear guidelines it might save off some of that. They had talked before about a really good RDA project and a tenant or someone who wants to come in, that might be a time where they open it up. What kind of guidance do they want to have in there for the Council when they make this decision.

[6:44:37 PM](#)

Commissioner Vaughan stated going back to the August 2013 training session, Steve Garside recommended that they only open it when there has been some type of a game changing event such as the opening of SR-193, which was a major change to an entire section of the City as opposed to doing it piece meal, if they are going to do a review it should be something on that and along the same line as a West Davis Corridor project. A final decision being made on that project whatever it is, that would be a game changing event.

Commissioner Jensen stated the two he can think of, one would be new transportation infrastructure put in place and a second one would be a catastrophic event, such as a fire that burns through an entire section of the City and the City may at that time decide that rather than putting R-3 back there maybe they want something else to rebuild it.

[6:46:36 PM](#)

City Attorney Roberts asked when it comes to an individual property say a parcel or a group of parcels that were hoping to put a major tenant in or something like that, is something to anticipate, they want to leave the door open for something like that, if it's a major benefit to the City. Commissioner McCuiston stated he would put the number of acres, if the application would affect 10 acres or 20 acres or more. Also change transportation changes to arterials only, rather than just smaller roads, additions to smaller roads. Or a number of applicants, a coalition of lots that want changes, then that would substantiate a request to the City Council, they can still shoot it down, but requirements for them to meet before they can apply to the City.

Commissioner Vaughan stated to do that then they have to be able to define what a game changing event is that would trigger something like that and not sure they can do that. As far as transportation is they are about to have 2000 W going north from Jr High and Elementary School that is going to be a game changing event when UDOT finally decides what they are going to do. UDOT has been back out on 2000 W from the school going north with the possibility of changing their overall plan for what they are doing because they've done a count on the number of house that would be impacted under the current plan and under a modified plan and rather than taking out an equal portion of either side and taking out a total of 58 house, if they shifted the road over to the east side, they would only take out 32 houses, so they are resurveying seeing if it would be more efficacious for them to take out one side of the road. That comes to mind as an event that would be an automatic trigger should that happen on any other roads, like 2700 S or Bluff Road. Commissioner Vaughan is looking for some direction from the City Attorney in regards to what he thinks would be an appropriate trigger for this based on his knowledge of general law in this particular area.

[6:49:46 PM](#)

Commissioner Jensen stated the simple way to phrase his idea would be a catastrophic event that decimates an area. City Attorney Roberts stated from the comments tonight he has some stuff to work with, he's got significant changes in the City's arterials or infrastructure, catastrophic event or a third category if it's at least 10 acres and has a potential to be a substantial benefit to the City then that's something they can make that finding and say this is a big enough project it's going to benefit the entire City that they are going to open it up for potential amendment, that gives the Council enough to make those findings and can be defended in court if needed to. These changes will need to come back for the next meeting for all the changes to this section. Also on section 10.20.050, made some changes but didn't make it into the packet. For the open amendment period, the noticing would happen 90 days before the opening happens, it would be published in the paper at least once, posted on the City website, posted on the Utah Public Notice website and posted in 3 locations throughout the City.

[6:51:16 PM](#)

Commissioner Jensen asked about putting it in the Newsletter as well, within the 90 days. Planner Schow stated no, they don't do any public noticing in the City Newsletter at all, just because the timing of when it goes out and the timing of the meetings, it is too difficult to make that work. Commissioner Jensen stated this would be for the 90 day advance notice that they are opening the plan. Planner Schow stated they might be able to do it for that. Commissioner Jensen stated sometime within that 90 days, maybe the Mayor could put it in the Mayor message. City Attorney Roberts asked if that

312 was something they wanted to add to the ordinance or something that would just be a practice that they would follow and
313 make that recommendation. Commissioner Jensen stated the Newsletter could go away, so there is no sense in putting it
314 in the ordinance, not mandated by code.

315 [6:52:10 PM](#)

316 Commissioner Vaughan stated he received a memo from staff today regarding R-4, the reinsertion of R-4 ordinance
317 and assuming that is something they will be inserting into 10.20.080 residential zoning section. Planner Schow stated she
318 wanted to put it on Commissions radar, the intent was to bring it to work session and put it on the next work session
319 agenda. There is zoning out there with no ordinance and need to either reinstate the R-4 ordinance or rezone all of that
320 property to a different zone. The code was added into the packet for review and what is was previously and would like
321 guidance on how they would like staff to go forward with it.

322 [6:54:02 PM](#)

323 Commissioner Jensen stated the purpose of putting the R-4 back in is just to cover the existing R-4, didn't have any
324 specific changes in mind other than just take the old ordinance an bring it back, unless there are any conditional uses they
325 want to take out of R-4 that might merit discussion but as far as the standards, don't think they want to mess with those at
326 all. Would like to have a note at the beginning of that section that says, this zone is included for existing zoning only and
327 not intended for new zoning, when residents are reading that zone they'll understand the reason it was brought back into
328 the ordinance is because they have to cover existing zoning, not the new zoning. The residents were pretty adamant
329 about taking out the R-4, a number of residents were complaining about that zone at the time. If they out it back in the
330 ordinance, it needs to be clear why it's being put back in the ordinance.

331 [6:55:10 PM](#)

332 Commissioner McCuiston asked if it would be more prudent path to rezone those properties so they don't have to
333 carry a legacy zoning in the ordinance until the end of days. Eventually someone will take it back out and they'll run into
334 the same problem and have to put it back in, not sure how difficult it would be to rezone everything. Planner Schow stated
335 there is definitely a positive and negative side for each option, the one downside of reinstating the R-4 carries a code that
336 the City does not want to use any further. The downside to rezoning all that property to a different zone is every one of
337 those lots now becomes legal nonconforming and a lot of citizens have issues with that being posted on their titles.

338 [6:56:02 PM](#)

339 Commissioner Jensen asked regarding legal nonconforming, if someone comes in with an R-4 zone and wants to put
340 an accessory structure, but it's just been changed to an R-3, what would happen then. City Attorney Roberts stated the
341 new zone would apply, legal nonconforming use can continue until it is abandoned or amortized. If there is a new use
342 such as an accessory structure that would go under the new zoning ordinance they wouldn't be forever grandfathered.
343 What they've been established as they can continue doing, if they want to use a new use, like an accessory structure,
344 conditional use or something like that then the current zoning at that time of the request would be used. Commissioner
345 Jensen asked if they could differentiate that enough that essentially they could ask for a change but would have to use the
346 R-3 setbacks. City Attorney Roberts stated yes, if they are in an R-3 zone and they want to establish some use that
347 requires a permit from the City, they would need to comply with R-3 zoning. If they were to knock down a house all the
348 way down and wanted to rebuild it, they would need to rebuild it as an R-3, they couldn't rebuild as an R-4. In the
349 nonconforming use, if there was a storm or the house was damaged or destroyed, they could build it back the way it was.

350 [6:57:42 PM](#)

351 Commissioner Jensen stated Planner Schow had brought up in the last meeting, they would have a lot of noticing to
352 do if they changed the R-4 to R-3. Planner Schow stated there might be a lot of noticing either way, they are looking into
353 the details of that as well. Commissioner Jensen stated if they do a language change that is just a general advertise for a
354 public hearing, it might be a little different. Planner Schow stated that would be simpler, but they are still discussing the
355 options on right way to go about that within the office.

356 [6:58:15 PM](#)

357 Commissioner Vaughan asked City Attorney which is easier from a legal standpoint and or more legally defensible,
358 reinserting R-4 back in the code or going back and rezoning each individual parcel. City Attorney Roberts stated they are
359 both equally defensible, it is a zoning decision the Commission can make. Putting in the text is a little simpler because it is
360 not directly impacting, not changing someone's zone without them asking for it, so might get less opposition that way. If
361 someone gets a letter stating the City is changing the zoning on their property, people tend to get a little more anxious.
362 Commissioner Jensen agreed that could be considered a little harsh if the letter said, the City was changing their zoning
363 and they have to go along with it, even though the City has the legal right to do so. City Attorney Roberts agreed, that is
364 what zoning power is, it's just a question as to what the Commission wants to do, they're both perfectly defensible and just
365 make sure everyone knows that R-4 is a one-time thing, or it is just in those spots that it exists or the zone is done, tried it
366 and didn't like it and going to move to R-3 so if the R-4 goes away an R-3 would need to be built there.

367 [6:59:44 PM](#)

368 Commissioner Vaughan asked Commission members fi they want to handle R-4 completely separate from the
369 changes in front of them and go ahead with the changes they have made knowing they will have to come back and
370 change it again to accommodate R-4. Commissioner Jensen stated there is another option with the R-4, it would be legal
371 nonconforming, but they could drop the density on the R-4 they approve, but it would essentially be an R-3 at that point.
372 Commissioner Vaughan stated in R-1, 2 & 3 they made quite a few changes in each individual zone, from lot size, virtually

373 every paragraph they changed something and probably are going to wind up doing the same thing on the same
374 paragraphs on R-4. Does the Commission want to submit the changes as a completed package discussing all R-1, 2, 3 &
375 4 at the same time to the Council or do they want to send the changes and have R-4 follow, it is my preference to send all
376 of them at the same time, so they can compare them side by side to see the changes.

377 [7:01:22 PM](#)

378 Commissioner McCuiston stated he doesn't believe the City Council is having a work session next meeting, so it
379 might not matter. Commissioner Jensen stated he thought he meant regarding having a work session regarding R-4 and
380 then the regular meeting, they could certainly reverse the order and do a quick work session to discuss the R-4 changes
381 and then put them on the regular meeting that night. Commissioner Vaughan asked staff if they would have enough time
382 to go through R-4 and basically red line and blue substitute in R-4 following what has been changed in R-1, 2 & 3 and
383 have it ready for the next meeting. Planner Schow stated yes, the basic changes regarding accessory structures and
384 small changes wouldn't be a problem for the next meeting. Commissioner Jensen mentioned the gross gets a little
385 complex, but essentially would be 11.6 gross. Planner Schow asked Commissioner Jensen to email her the calculations
386 for that and can update the changes and put it in the Dropbox as soon as it is ready for Commission to review.

387 [7:03:35 PM](#)

388 Commissioner Jensen asked Ray Zaugg if he remembered the committee's preference as far as changing it to an R-
389 3 or putting the zone back in. Ray Zaugg stated the discussion surrounded putting the R-4 back in as not something that
390 is active but only to cover what they currently had. In the discussion he cited an example up in Portland when a certain
391 section of houses were zoned one way there was a fire and they burned down and because in between while they were
392 existing homes, the city had changed the zone and so when they rebuilt them they had to comply with the brand new zone
393 and some people were very upset with that because it was single family dwelling and when it was rezoned and rebuilt as
394 apartments. That would be something that they would want to avoid and if they just made R-4 an inactive zone to cover
395 what is currently in the City, wouldn't need to adjust anything drastically in the verbiage.

396 [7:05:02 PM](#)

397 Commissioner Jensen asked Planner Schow to make the simple changes and change the gross to 11. Planner
398 Schow stated she will also add language for existing zoning only not intended for new development. Commissioner
399 Jensen wanted to make sure his changes to 10.20.070 were updated as well.

400 [7:06:13 PM](#)

401 Planner Schow stated since they are making so many changes she would like to hold another public hearing at the
402 next meeting. Commissioner Vaughan asked City Attorney Roberts if he would have time to make his changes for the
403 next meeting and have a comprehensive package that could be discussed at one time. City Attorney Roberts stated he
404 thinks he can, the changes he is proposing to 10.20.050 and 060 shouldn't take too long. The general plan isn't being
405 changed as of yet and has some changes to that as well from the last meetings, otherwise doesn't have anything that
406 jumps out as a big red flag.

407 [7:07:25 PM](#)

408 Commissioner Vaughan stated it might be efficacious to bundle all of the changes and continue the discussion to the
409 next meeting as one package. Commissioner Jensen stated he wouldn't mind discussing the Cluster section because of
410 the change. Planner Schow would like to as well, making sure she made the changes they wanted. Planner Schow stated
411 for the cluster ordinance, per the direction they gave last time, the bonus density section and converted it from bonus
412 density to required items and bumped the density to what that max density was decided to be set at and wants to verify
413 that the numbers are correct at 4.6. Commissioner Jensen confirmed that is correct, it was 2.3 doubled. Regarding
414 acreage took the existing components under development requirements and blended in the bonus density requirements.
415 There were several places where the code talked about open space in one section and tried to without rewriting it or
416 changing anything, tried to just combine everything in an order that made sense and get the similar items together.
417 Wanted to know if the Commission had any questions on the changes, also City Attorney Roberts did go through it and
418 made a few comments, so there might need to be some clarification on a few notes. The yellow highlights are items she
419 added or had questions on or recommended to remove and tried to get the existing code in a logical order.

420 [7:10:37 PM](#)

421 Commissioner Vaughan stated he believes they can get through them quickly. Commissioner Jensen stated he had
422 comments on item K. Commissioner McCuiston subsection H, open space, the first number 3 and number 6 are a
423 duplicate. The second number 3, the open space should be totally landscaped wondering about wetlands. Planner Schow
424 stated the open space and common space were all over the place and tried to put all the open space together and all the
425 common space together, but not clear on the intent of what they are really after in those two areas and which is which.
426 Commissioner Jensen stated that the common space is space that is utilized by all of the residence that live in that
427 subdivision, open space is just open space. So the common space is the one that is designed to be developed with the
428 benefit of everyone in mind where as open space can be essentially as Commissioner McCuiston pointed out, wetlands
429 or anything like that. Planner Schow stated they had a minimum in PRD, open space/common space shall be a minimum
430 50% of the total land area excluding roadways, buildings, acreage and excluding any above ground City infrastructure of
431 that 50%, 30% shall be open space and 20% in common space.

432 [7:18:40 PM](#)

433 Commissioner McCuistion stated the only thing he worries about is the area of land that is developed by the lake will
434 have a lot of wetland areas and if we make them take 20% of that open space and make something out of it, we might
435 want to consider lowering that down a little bit. Commissioner Jensen agreed 20% might be a little high, maybe 10%.
436 Commissioner McCuistion stated that was what he was thinking of and should be doable, minimum of 10%.

437 [7:19:58 PM](#)

438 City Attorney Roberts stated when he looks at the definitions of common space and open space. Open space means
439 any area of land without human built structures such as parks, recreational and natural areas or land not occupied by
440 buildings, open space does not include curb and gutter, driveways and roadways. Common space is defined as land area
441 with an amenity in which the dedicated purpose is shared equally by all the residents of that community or the public. So
442 open space can include wetlands, it can include an undeveloped field, common space needs to have an amenity, so that
443 would be a trail, playground, or benches, so open space could be held in common but it wouldn't necessarily be common
444 space under the code.

445 [7:25:48 PM](#)

446 Planner Schow stated with the definitions being listed in the code, some of the items are duplicates. Private fencing
447 restrictions are another item in open space that needs to be kept in the language as well as landscaping requirements and
448 development agreements.

449 [7:37:30 PM](#)

450 Commissioner Jensen stated he would recommend Commissioner Rackham gets a copy of the updated draft.
451 Planner Schow stated she will and also sent him a copy of the changes in an email to give him an opportunity to make
452 comments since he was not going to be able to attend tonight. As soon as the draft is updated she will send a copy to the
453 Commission.

454 [7:39:05 PM](#)

455 Planner Schow stated in section J, landscaped plans shall be signed and stamped by a professional landscape
456 architect. They've tried to put this in the ordinance before, can't express the importance of this enough, there are some
457 serious drainage issues in a development and it would be nice to have an official stamped plan to go back to their
458 engineer if we needed to. Her recommendation for large projects, they should be getting professional landscaping as well
459 as professional engineering. Commissioner Jensen liked the recommendation. Commissioner Vaughan asked about
460 requiring a timeframe on completing landscaping. Planner Schow and Commissioner Jensen stated they would
461 recommend moving the section in common space about requiring landscaping to be completing before starting the next
462 phase of the development to the landscaping section.

463 [7:41:22 PM](#)

464 Planner Schow stated the trail system, walking paths was taken directly from the chart. Commissioner Jensen stated
465 for an R-1 it should be required, not when applicable. Planner Schow asked if they should put in a trail system of some
466 sort even if it doesn't tie into the City trail system. Commissioner Jensen most of the R-1's will have trails at some point, if
467 the developer can put in a trail they'll link into the next development and so on and so forth, eventually getting to the City
468 trail. Commissioner McCuistion agreed. Commissioner Vaughan asked if they have a contingency plan if a trail system or
469 walking path cannot be connected with another adjacent property due to physical hazard or obstruction or development of
470 an adjacent piece of property has precluded a connection, can they allow for a cul-de-sac or bulb at the end of a trail if it
471 has to dead end. Commissioner Jensen stated there is one trail in the City that dead-ends now. Planner Schow stated
472 that would be something to address in the City's engineering standards, because there are trail specifications in there, so
473 maybe add the addition that a dead end needs to be cul-de-sac for a turn around until further connection can be provided.
474 Commissioner Vaughan stated they can ask the City Engineer at the next meeting. Planner Schow stated that is
475 something she can run by Public Works. Commissioner Vaughan stated he would hate to have a trail system excluded if
476 there is no possibility of doing a through connection. Planner Schow asked is that is something they want, is trails
477 included even if there is no possible connection. Commissioner McCuistion stated if the trails are internally resolved, there
478 are a lot of trails in parts that don't connect to anything, that are great, if they are resolved in the subdivision or
479 development. Commissioner Jensen stated his recommendation would be to be incorporated into the City trails system
480 when possible.

481 [7:45:23 PM](#)

482 Planner Schow stated they can check to see if the trail is going to connect when they bring in preliminary plans, to
483 make sure the trail is fully enclosed internally if it is not going to expand. Commissioner Vaughan wanted to make sure a
484 trail doesn't connect up to a fence with no place to go. Commissioner Jensen stated he would like to the cul-de-sac set up
485 in such a way that when the next property goes to development then they can extend the trail at that time.

486 [7:46:04 PM](#)

487 Planner Schow had questions on whether they wanted landscaped entry ways and entry signs maintained by the
488 HOA included. Commissioner Jensen stated he thought they were getting away from those. Planner Schow stated they do
489 not want to maintain them as a City, if they are maintained by a HOA. Commissioner Vaughan asked which was more
490 beneficial to the City. Planner Schow stated the most beneficial thing is for the City not to be maintaining any of them.
491 Commissioner Jensen stated the only problem with that sometime there are some developments that start off with HOA
492 maintaining them and then at some point they just get forgotten, Commissioner McCuistion has mentioned several
493 examples in the past of certain entry ways where letters are falling off of the stone monuments. Planner Schow stated in

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standard subdivisions that is a real common problem, in the Cluster where they've already got 50% open space they're maintaining, that they have to have the HOA for that, it seems like an easy thing to add on. Commissioner Jensen asked how the Commission felt about entry ways. Commissioner McCuiston stated if they want them, they'll put them in, not sure if they need to require it. City Attorney Roberts stated they can change shall to may, and then if they want to do it they can and if they don't, they don't have to. Planner Schow stated that if they do decide to put them in they must be maintained by the HOA.

[7:48:44 PM](#)

Planner Schow stated the next section of sidewalks and park strips was confusing and wasn't sure of the intention. Commissioner Jensen stated that was not optional, with the idea from the committee on R-1 was they shall include a 15 foot park strip on each side, it's not an optional thing, park strip and sidewalk combination, that was intentional. Planner Schow stated they should set a minimum to make it clear. Commissioner Vaughan asked about meandering walks, that it would be an asset in these types of developments rather than straight lines. Commissioner Jensen stated the idea on the 15 foot park strip and sidewalk combination included trees in the park strip. Commissioner McCuiston stated if it states 15 foot park strip then don't need to tall hem to put the sidewalk that much closer. Planner Schow stated they can meander it or do a 10 foot park strip and a 5 foot sidewalk or 8 foot park strip and 7 foot sidewalk or whatever combination, is that the intent. Commissioner Jensen stated that wasn't the intent, but it's a good idea. Commissioner Vaughan stated if we are taking away their front yard, if we try to give it some visual appeal with the meandering walk that would compensate quite a bit.

[7:51:47 PM](#)

Planner Schow stated where it states they may deviate from the standard roadway section, should reword that to say it may deviate from the adopted engineering standards and specifications. Commissioner Jensen stated it should be changed to shall. Commissioner Jensen stated the 15 feet was mandatory it wasn't optional, if they wanted a cluster. Planner Schow stated if it says they can deviate, there should be a minimum sidewalk width. Commissioner Jensen agreed, sidewalk should be a minimum of 4 feet in width. Commissioner Jensen suggested including the adjusted cross section there for low volume local. The main goal with the extra park strip was to allow large caliper street trees.

[7:55:31 PM](#)

Planner Schow asked if street trees should fall under landscaping. Commissioner Vaughan would like it changed to 12 inches above ground level. Also added street trees shall be selected in accordance with the approved tree species and City code and street trees shall be planted every 50 feet in park strips. Commissioner Jensen asked if that was a minimum or flat out. Planner Schow stated the street trees are designated by park strip width. Commissioner Vaughan stated the landscape architect is supposed to review landscapes. Planner Schow stated it would say shall be planted a minimum of at least every 50 feet and if they select a smaller species they could be required to plant them closer. Commissioner Jensen would like the trees to be in regular intervals and adequate density.

[8:00:28 PM](#)

Planner Schow states in section 10.80.050 design standards, would they like these sent to the Architecture Review Committee. Commissioner Jensen stated he would not mind, since they had talked about sending PRD's to the committee. Planner Schow stated it currently says it shall be in accordance with the architectural review guide. Commissioner Jensen stated it should be the same as they are requiring in the PRD and the guide referred to also. Commissioner McCuiston agreed.

[8:02:51 PM](#)

Planner Schow stated she also added patios to this section, patios shall not extend beyond the width of the primary structure and shall not extend beyond half the rear setback, privacy fencing around a patio is allowed.

[8:05:07 PM](#)

COMMISSIONER JENSEN MADE A MOTION TO TABLE MUNICIPAL CODE TITLE X AMENDMENTS UNTIL THE NEXT MEETING AND READVERTISE THE ADJUSTED LANGUAGE FOR PUBLIC HEARING. COMMISSIONER MOULTRIE SECONDED THE MOTION. ALL VOTED IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

[8:05:47 PM](#)

6. **Adjourn.**

COMMISSIONER JENSEN MADE A MOTION TO ADJOURN INTO WORK SESSION. COMMISSIONER SECONDED THE MOTION. ALL VOTED IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

Ralph Vaughan, Chairman

Stacy Adams, Admin Professional

Date Approved: _____

Minutes of the Syracuse Planning Commission Work Session, September 15, 2015

Minutes of the Syracuse City Planning Commission Work Session held on September 15, 2015, 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-Chair
	TJ Jensen
	Curt McCuiston
	Troy Moultrie
	Greg Day
City Employees:	Jenny Schow, Planner
	Paul Roberts, City Attorney
	Stacy Adams, Admin Professional
City Council:	Councilman Mike Gailey
Excused:	Commissioner Dale Rackham
Visitors:	Ray Zaugg
	Adam Bernard

[8:14:24 PM](#)

1. **Department Business:**

Planner Schow stated there are a lot of inquiries and possible developments and future growth, but no official applications. Upcoming code amendments being generated by staff, the City is looking at changing the code to include all new developments to install meters on secondary water. The Mayor directed this code amendment to take through the Commission and Council to see if this is the direction the City wants to go and can start getting new development to install those and reduce that small amount cost on the City for remaining existing homes. Also an open and clean air act or clean water protection code that is coming down the line. The roundabout on 3000 W, they have started paving the road and getting closer to getting open. The street light went in on 1550 W by Syracuse Arts Academy, it's not running yet, but it is installed and getting close as well. Commissioner Vaughan stated Ninigret is the delay there, they have not signed over some documents to UDOT yet. There will be an amendment to Piper Glen coming soon, working with the developer on some minor change there. The Community & Economic Development Department has an ordinance enforcement officer back in the office and he seems to be really enjoying the work and has been very diligent and thorough, so if you do have any code enforcement issues definitely get in contact with Ken Sessions.

[8:18:34 PM](#)

2. **Commissioner Reports:**

Commissioner Jensen stated the City Council approved the subdivisions the Commission sent through. They have a new City Council member Corinne Bolduc. There were 9 people in the running including Commissioner Vaughn and myself. There were a lot of good candidates and the Council asked a lot of good questions, Corinne is in for the remainder of Brian Duncan's term, he was definitely a good asset to the City while he was here, he has a job in Brigham City now he's working for Box Elder County and lives there now, which is why he resigned from the Council. Doug Peterson after some interesting discussions was appointed to fill Brian Duncan's term on the sewer board until the first Council meeting in January in which time they will revisit that after the election. Commissioner Vaughan and myself will be attending the ULCT conference tomorrow and Planning Day on Thursday, so we will share what we learn with the group at the next meeting.

Commissioner Vaughan would entertain from the other Commissioners a proposed noise and light ordinance. The City needs something to be done on noise. Commissioner Jensen stated they have discussed trying to find an ordinance on that before and because of their last discussions on the basketball court and swimming pools, they need to have a fair ordinance. Would like to see a noise ordinance of low noise levels between 10 PM and 8 AM or something like that, basically so there is a higher threshold during the day, so kids can play and do their thing, but after a certain hour the City should have a noise ordinance. Commissioner Vaughan stated it might be helpful if another Commissioner would like to do a little research they would find out that Salt Lake has an outstanding noise ordinance in the State of Utah, it's patterned after some other jurisdictions to the west of the Utah State line. City Attorney Roberts stated Salt Lake County has a very good ordinance, not sure if that was the one referring to, it passed about 1-2 years ago and it is a very good ordinance. Commissioner Jensen stated they could bring that to the next work session as a starting point. Commissioner Vaughan stated with a few tweaks it could be very easily modified to fit the circumstances and unique character we have in Syracuse as opposed to a large metro area. Commissioner Vaughan also wanted to give thanks and admiration for the hard work that staff continually does on the behalf of the Commission, they make us look good by the materials they provide for them to discuss. Planner Schow stated thank you on behalf of all of staff.

[8:23:53 PM](#)

3. **Upcoming Agenda Items:**

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Planner Schow stated they are doing some research on code amendment noticing practices and making sure the City code is up to date with State code and also try to find a way to simplify how they are written in the City code so it is very clear and very easy to follow.

Commissioner Jensen made a recommendation to remove Black Island Farm photo from history section, since they are up for sale and may not stay in Syracuse City. Also would like to add a credit section at the beginning of the document for the members who worked on general plan committee and staff who put a lot of hard work on it. Commissioner Jensen will send Planner Schow a list of committee members.

[8:24:32 PM](#)

- 4. **Discussion Items:**
 - a. General Plan updates

[8:29:10 PM](#)

- 5. **Adjourn**

DRAFT



PLANNING COMMISSION

AGENDA

October 6th, 2015

Agenda Item # 4: Rezone from R-1 to Neighborhood Services

Factual Summation

Please review the following information. Any questions regarding this agenda item may be directed at Noah Steele, City Planner.

Location:	1317 S 2000 W
Current Zoning:	R-1 Residential
Requested Zoning:	Neighborhood Services
General Plan:	Neighborhood Services
Total Area:	0.98 Acres

Summary

The applicant intends to move his financial planning office from the current location in the old Mia Design to a new location at 1317 S 2000 W. The zoning for the new location is R-1 which does not allow offices. The General Plan is Neighborhood Services which does allow the office use. The applicant would like to rezone the current zoning to Neighborhood Services. The applicant plans on converting the house into an office. Possibly in the future, he will build a new office building.

Attachments:

- Aerial
- Zoning Map
- GP Map
- Neighborhood Services Zone Description
- R-1 Zone Description

Suggested Motions Grant

I move to recommend approval, to the City Council, to rezone property located at 1317 S 2000 W from R-1 to Neighborhood Services, subject to all applicable requirements of the City's municipal codes (and to the condition(s) that...)

Deny

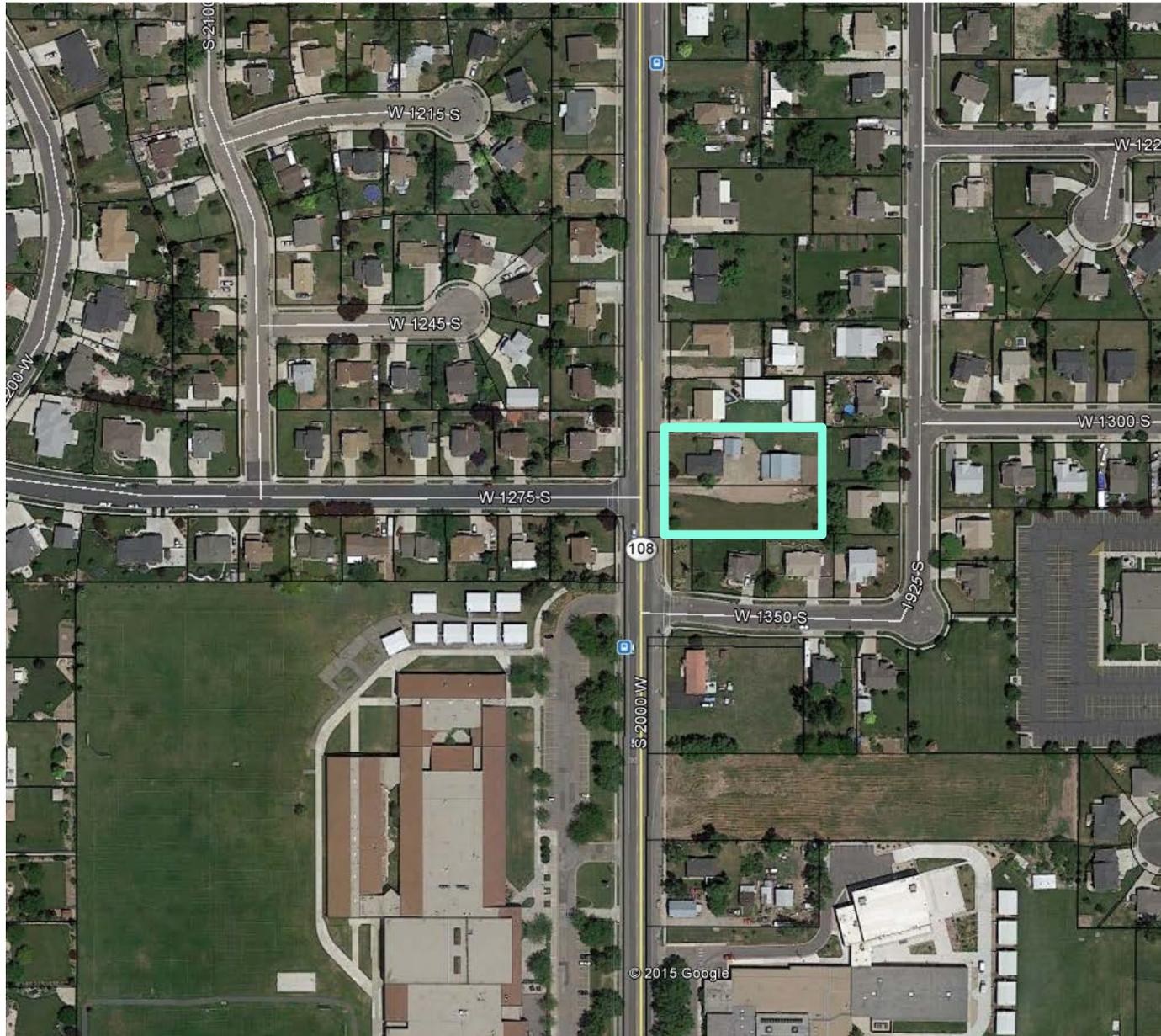
I move to recommend denial, to the City Council, to rezone property located at 1317 S 2000 W from R-1 to Neighborhood Services, based on...

Table

I move to table discussions pertaining to the rezone request for property located at 1317 S 2000 W from R-1 to Neighborhood Services, until



Rezone Request 1317 S 2000 W





Rezone R-1 to Neighborhood Services 1317 S 2000 W



Existing Zoning Map

Proposed Zoning Request

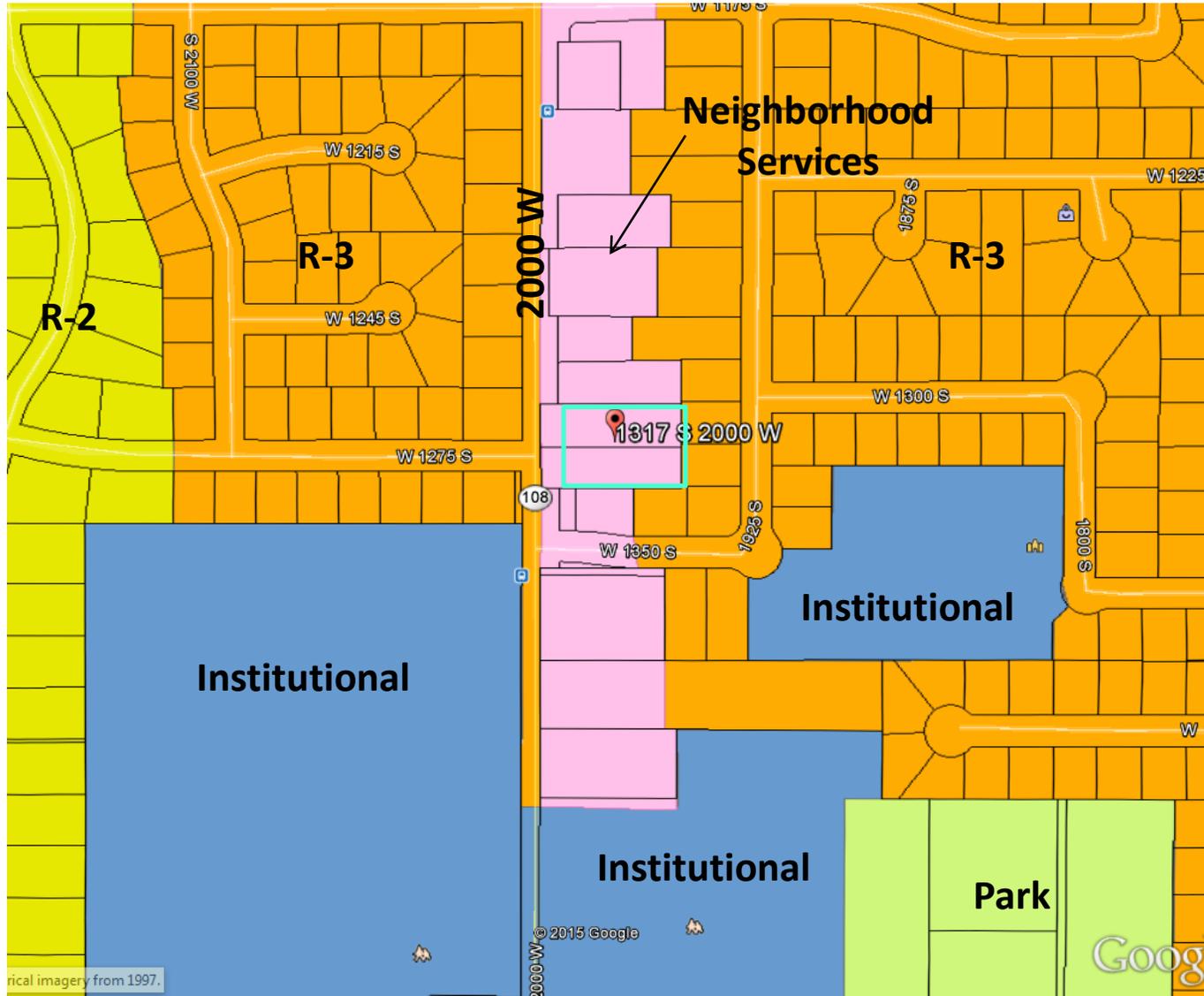


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|---|------------------------------------|---|--------------------------|
|  | Agriculture A-1 |  | Neighborhood Services |
|  | R-1 (2.90 dwellings per net acre) |  | General Commercial Zone |
|  | R-2 (3.79 dwellings per net acre) |  | Industrial Zone |
|  | R-3 (5.44 dwellings per net acre) |  | Town Center Overlay Zone |
|  | PRD (8.0 dwellings per net acre) |  | Sensitive Overlay Zone |
|  | R-4 (14.52 dwellings per net acre) |  | RDA & EDA Boundary |
|  | Professional Office | | |



General Plan Map

1317 S 2000 W



(16 hits)

Chapter 10.105 NS – NEIGHBORHOOD SERVICES ZONE

Sections:

- 10.105.010 Purpose.
- 10.105.020 Permitted uses.
- 10.105.030 Conditional uses.
- 10.105.040 Minimum lot standards.
- 10.105.050 Off-street parking and loading.
- 10.105.060 Signs.
- 10.105.070 Special provisions.

10.105.010 Purpose.

The purpose of this zone is to provide for a range of opportunities specifically identified as providing local neighborhood services. Uses in this zone are not meant to have a large footprint, or be overly invasive to neighboring uses. [Ord. 12-12 § 1; Code 1971 § 10-21-010.]

10.105.020 Permitted uses.

The following uses, and no others, are appropriate to this zone, compatible with each other, and a permitted right provided that the parcel and buildings meet all other provisions of this title, or any other applicable ordinances of Syracuse City, and receive site plan approval as provided in SCC 10.20.090:

- (A) Accessory uses and buildings (under 200 square feet).
- (B) Amusement and recreational activities (includes athletic or tennis club).
- (C) Animal clinics.
- (D) Business services and professional offices.
- (E) Car washes, self-service coin-operated style and full-service tunnel style.
- (F) Churches, synagogues, and temples.
- (G) Commercial outdoor recreational activities (family reunion center, outdoor reception facilities, picnic grounds, tennis courts, etc.).
- (H) Financial institutions.
- (I) Financial planning, investment planning, real estate, and general business offices.
- (J) Fruit and vegetable stands.
- (K) Greenhouses.

- (L) Marriage and family counseling services.
- (M) Optical shops.
- (N) Preschool centers.
- (O) Private parks and recreational activities.
- (P) Professional non-retail services.
- (Q) Public and quasi-public buildings.
- (R) Public parks.
- (S) Retail building materials, hardware, and farm equipment.
- (T) Uses considered similar and compatible by the land use administrator. [Ord. 12-12 § 1; Code 1971 § 10-21-020.]

10.105.030 Conditional uses.

The following, and not others, may be conditional uses permitted after application and approval as specified in SCC 10.20.080:

- (A) Accessory uses and buildings (200 square feet or greater) (minor).
- (B) Animal hospitals (major).
- (C) Automotive and engine repair services (excluding body repair) (major).
- (D) Automobile and truck sales and rental (major).
- (E) Automotive retail and routine maintenance services (major).
- (F) Cabinetmaking/woodworking (major).
- (G) Community or civic services (major).
- (H) Contract construction services (major).
- (I) Convenience store (major).
- (J) Day care centers (major).
- (K) Equipment rental, sales, service and repair (major).
- (L) Hotels and motels (major).
- (M) Light industrial uses (fabrication, assembly, treatment, or packaging operations conducted in a totally enclosed building using previously prepared materials) (major).
- (N) Medical and other health facilities (major).
- (O) Packaging operations/delivery facility (major).

- (P) Precision equipment repair (major).
- (Q) Printing and publishing industries (major).
- (R) Public utility substations, generating plants, pumping stations, and buildings (major).
- (S) Restaurants and fast food services (major).
- (T) Retail trade, including equipment sales, service and repair (major).
- (U) Schools, professional and vocational (major).
- (V) Storage facilities (major).
- (W) Temporary commercial uses (see SCC 10.35.050) (minor).
- (X) Temporary use of buildings (minor).
- (Y) Theaters and amusement facilities (major).
- (Z) Wireless communication towers (See Chapter 10.130 SCC) (major). [Ord. 12-12 § 1; Code 1971 § 10-21-030.]

10.105.040 Minimum lot standards.

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

- (A) Lot area: maximum of five acres.
- (B) Lot width: as required by site plan review.
- (C) Front yard: 20 feet.
- (D) Side yards: as required by site plan review.
- (E) Rear yard: as required by site plan review.
- (F) Building size: no greater than 20,000 square feet.
- (G) Building Height. Building height shall generally be no greater than 35 feet. However, building heights in excess of 35 feet may be equal to the horizontal distance from the nearest zone boundary line. Buildings within this zone may be no closer than 15 feet from the zone boundary.
- (H) Buffer Yards. All lots shall be subject to the general landscape requirements as prescribed in Table 2, Buffer Classification Requirements, found in SCC 10.30.080.
- (I) Minimum Lot Standards When Adjacent to Residential or Institutional Zones.
 - (1) Vehicles. Any new building that is constructed immediately adjacent to a residential zone shall be designed so that the loading and unloading of trucks is screened from that portion of the

zone by the building. Dock orientation is prohibited on the side of the building facing the immediately adjacent residential zone.

(2) Lighting. Any outdoor lighting is shielded so that the source is not directly visible from the residential zone and the lighting is directed down and away from the residential zone. [Ord. 12-12 § 1; Code 1971 § 10-21-040.]

10.105.050 Off-street parking and loading.

Off-street parking and loading shall be provided as specified in Chapter 10.40 SCC unless the Planning Commission requirements exceed those of Chapter 10.40 SCC. [Ord. 12-12 § 1; Code 1971 § 10-21-050.]

10.105.060 Signs.

Signs permitted in this zone shall be those allowed in industrial zones by Chapter 10.45 SCC. [Ord. 12-12 § 1; Code 1971 § 10-21-060.]

10.105.070 Special provisions.

(A) Landscaping. All lots, parcels, or sites shall have a minimum 15 percent of the total area landscaped, including all required front yards, and permanently maintained in good condition.

(B) Industrial Performance Standards. The following performance standards are intended to ensure that all industries will provide reasonable modern control methods to protect the City from hazards and nuisances; to set objective, quantitative standards for the maximum tolerated levels of frequently hazardous or annoying emissions; and to protect any industry from arbitrary exclusion or persecution based solely on the characteristics of that type of industry's past uncontrolled operation.

(1) General.

(a) No land or building devoted to uses authorized by this chapter shall be used or occupied in any manner that violates subsection (B)(2) of this section.

(b) Traditional practices are allowed to support each specific type of business. This includes, but is not limited to, transportation, hours of operation, maintenance, etc.

(c) In addition to meeting other application requirements for site plan approval or a conditional use permit, parties seeking approval for a neighborhood services zone use shall include in the application a description of the proposed machinery, products, and processes to be located at the development. If, in its opinion, the proposed use may violate subsection (B)(2) of this section, the Planning Commission may refer the application for investigation and report to one or more expert consultants qualified to advise as to whether a proposed use will conform to the applicable performance standards specified in subsection (B) of this section. Such consultant shall report as promptly as possible. A copy of such report shall be promptly furnished to the applicant. The cost of such expert report shall be borne by the applicant.

(d) Within 20 days after the Commission receives the aforesaid application or report, if a report was required, or within such period as agreed to by the applicant, the Commission shall determine whether reasonable measures are being employed to assure compliance with the applicable performance standards. On such basis, the Commission may approve or refuse to approve the use or may require a modification of the proposed plans, construction specifications, device or operation, and shall so inform the Building Official.

(e) Any approval so issued shall evidence only that reasonable measures are being taken. It shall not relieve the applicant of the responsibility of meeting such standards when the business is actually in operation; and, in case of a failure to perform in accordance with standards, whatever additional devices or modifications in process shall be necessary to achieve full compliance with the standards shall be the sole responsibility of the applicant.

(f) The Land Use Administrator shall investigate any purported violation of performance standards as set forth in subsection (B)(2) of this section; and, if necessary for such investigation, may request that the Planning Commission employ qualified experts. If, after public hearing and due notice, the Planning Commission finds that a violation has existed or does exist, it shall order the Land Use Administrator to serve notice that compliance with the performance standards must be achieved within a specified period of time or the business will be shut down. Should a violation of performance standards occur, the Planning Commission may order the offending plant to cease operation until proper steps are taken to correct the conditions causing the violation. The service of any qualified experts, employed by the Planning Commission to advise in establishing a violation, shall be paid by the violator if said violation is established, otherwise by the City.

(2) Performance Standards. The determination of the existence of any of the following elements shall be measured at the lot line of the establishment or use.

(a) Noise. No use shall emit or cause the emission of sound from a stationary source or ground transportation creating a ninetieth percentile sound pressure level (L90) for any measured period (not less than 60 minutes) that exceeds 70 dB(a) from 7:00 a.m. to 10:00 p.m. or 55 dB(a) from 10:00 p.m. to 7:00 a.m.

(b) Vibration. No vibration (other than from transportation facilities or temporary construction work) shall be permitted which is discernible without instruments specified in subsection (B)(2) of this section.

(c) Odors. No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air to four volumes of clean air at the points of measurement specified in subsection (B)(2) of this section or at the point of greatest concentration. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail.

(d) Glare. No direct or sky-reflected glare, whether from flood lights or from high temperature processes such as combustion or welding or otherwise, shall be permitted to be visible at the points of measurement specified in subsection (B)(2) of this section. This

restriction shall not apply to signs or lighting of buildings or grounds for advertising or protection otherwise permitted by the provisions of this chapter.

(e) Fire and Explosion Hazards. All activities involving, and all storage of, flammable and explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate fire fighting and fire suppression equipment and devices as required by the Uniform Fire Code, Uniform Fire Code Standards, and Life Safety Code.

(f) Air Pollution. No particulate or gaseous pollutants shall be emitted into the air in violation of the Utah Environmental Quality Code, its amendments, or resulting regulations.

(g) Liquid or Solid Wastes. No discharge at any point into a public sewer, public waste disposal system, private sewage system, or stream, or into the ground shall be allowed contrary to the Utah Environmental Quality Code, its amendments, or resulting regulations. [Ord. 12-12 § 1; Code 1971 § 10-21-070.]

The Syracuse City Code is current through Ordinance 15-15, passed July 14, 2015.

Disclaimer: The City Recorder's Office has the official version of the Syracuse City Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited above.

(22 hits)

Chapter 10.60 R-1 – RESIDENTIAL ZONE (2.9 LOTS PER NET ACRE)

Sections:

- 10.60.010 Purpose.
- 10.60.020 Permitted uses.
- 10.60.030 Conditional uses.
- 10.60.040 Minimum lot standards.
- 10.60.050 Off-street parking and loading.
- 10.60.060 Signs.
- 10.60.070 Special provisions.

10.60.010 Purpose.

The purpose of this zone is to promote and preserve, where conditions are favorable, areas for large lot development for families to engage in food production and, where adequate lot area exists, keep a limited number of farm animals and fowl. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-12-010.]

10.60.020 Permitted uses.

The following, and no others, are uses permitted by right provided the parcel and/or building meet all other provisions of this title and any other applicable ordinances of Syracuse City.

- (A) Accessory uses and buildings (under 200 square feet).
- (B) Agriculture.
- (C) Aviaries.
- (D) Churches, synagogues, and temples.
- (E) Dwellings, single-family.
- (F) Educational services.
- (G) Farm animal keeping (see SCC 10.30.040).
- (H) Fruit and vegetable stands (for sale of products produced on owner's premises).
- (I) Household pets.
- (J) Minor home occupations.
- (K) Public and quasi-public buildings.
- (L) Public parks.
- (M) Rabbits and hens.

(N) Residential facilities for persons with disabilities.

(O) Vietnamese potbellied pigs. [Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 04-12; Ord. 03-18; amended 1991; Code 1971 § 10-12-020.]

10.60.030 Conditional uses.

The following, and no others, may be conditional uses permitted after application and approval as specified in SCC 10.20.080:

(A) Accessory uses and buildings (200 square feet or greater) (minor).

(B) Apiaries (minor).

(C) Cluster subdivisions (major).

(D) Day care centers (major).

(E) Dog kennels (minor).

(F) Dwellings, accessory (major/minor, see SCC 10.30.020).

(G) Dwelling groups (major).

(H) Greenhouses (minor).

(I) Home occupations (major).

(J) Private parks and recreational activities (minor).

(K) Temporary commercial uses (see SCC 10.35.050) (minor).

(L) Temporary use of buildings (see SCC 10.30.100(A)(9)) (minor). [Ord. 14-01 § 1; Ord. 11-13 § 3; Ord. 11-10 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; amended 1991; Code 1971 § 10-12-030.]

10.60.040 Minimum lot standards.

All lots shall be developed and all structures and uses shall be placed on lots in accordance with the following standards. Lot area for properties fronting existing streets shall include all property as described on the most recent plat of record.

(A) Density. Minimum lot size 10,000 square feet, but in no case shall the density exceed 2.9 lots per net acre, unless the Land Use Authority grants additional density, per a major conditional use permit, up to a maximum of 4.75 lots per net acre.

(B) Lot width: 100 feet.

(C) Front yard: 25 feet.

(D) Side yards: 10 feet (both sides).

(E) Rear yard: 30 feet.

(F) Building height: as allowed by current building code.

(G) Variation of lot: the Land Use Authority may reduce the lot width requirement in particular cases when a property owner provides evidence they acquired the land in good faith and, by reason of size, shape, or other special condition(s) of the specific property, application of the lot width requirement would effectively prohibit or unreasonably restrict the ability to subdivide the property or a reduction of the lot width requirement would alleviate a clearly demonstrable hardship as distinguished from a special privilege sought by the applicant. The Land Use Authority shall approve no lot width reduction without a determination that:

- (1) The strict application of the lot width requirement would result in substantial hardship;
- (2) Adjacent properties do not share generally such a hardship and the property in question has unusual circumstances or conditions where literal enforcement of the requirements of the zone would result in severe hardship;
- (3) The granting of such reduction would not be of substantial detriment to adjacent property or influence negatively upon the intent of the zone;
- (4) The condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to detract from the intention or appearance of the zone as identified in the City's general plan. [Ord. 11-13 § 3; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Ord. 02-16; Code 1971 § 10-12-040.]

10.60.050 Off-street parking and loading.

Off-street parking and loading shall be provided as specified in Chapter 10.40 SCC. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-12-050.]

10.60.060 Signs.

The signs permitted in this zone shall be those allowed in residential zones by Chapter 10.45 SCC. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-12-060.]

10.60.070 Special provisions.

All pens, barns, coops, stables, and other similar enclosing structures to keep animals or fowl shall be located no less than 150 feet from a public street and no less than 100 feet from all dwellings on adjacent lots. (This provision shall not apply to pastures.) [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-12-070.]

The Syracuse City Code is current through Ordinance 15-15, passed July 14, 2015.

Disclaimer: The City Recorder's Office has the official version of the Syracuse City Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited.



PLANNING COMMISSION

AGENDA

October 6, 2015

Agenda Item # 4a Municipal Code Title X Amendments pertaining to Residential Zoning

Summary

The Planning Commission and General Plan Committee conducted a review of the Residential Zones in preparation for updating the General Plan. The amendments include changes in the following sections of Municipal Code Title X:

1. 10.20.050 Noticing
2. 10.20.060 General Plan Amendments
3. 10.20.070 Administrative and Development Review Procedures
4. 10.50 Establishment of Zones
5. 10.55 A-1 Agriculture Zone
6. 10.60 R-1 Residential Zone
7. 10.65 R-2 Residential Zone
8. 10.70 R-3 Residential Zone
9. 10.XX R-4 Residential Zone
10. 10.80 Cluster Subdivision

Upon the request from the General Plan committee to reduce Cluster Zoning to the R-1 Residential Zone, city staff is recommending to change to the cluster development from a conditional use to a permitted use in the R-1 zone with the minimum required conditions to achieve the bonus density as set by the planning commission. This code amendment has been included both as a conditional use permit and integrated into the R-1 zone for review and input. No additional changes have been made to the R-1 code beyond those requested in previous planning commission meetings.

R-4 zoning has also been included in this packet. The City Zoning Map includes the R-4 zone with no adopted code to accompany the zone. City staff is recommending two options. The first would be to readopt the code for the existing zone only, the second would be to rezone the properties currently zoned R-4.

Attachments

Proposed Codes still in review

1. 10.20.070 Administrative and Development Review Procedures
2. 10.80 Cluster Subdivision
3. 10.60 R-1 Residential Zone
4. 10.XX R-4 Residential Zone

10.20.70 Zoning map and text amendments.

(A)Purpose. This section sets forth procedures for amending the provisions of this title and the zoning map.

(B)Authority. The City Council, as the Land Use Authority, may from time to time amend the text of this title and the zoning map as provided in this section. Amendments may include changes in the number, shape, boundaries, or area of any zoning district, zoning district regulations or any other provision of this title. The provisions set forth herein shall not apply to temporary zoning regulations that the Council may enact without public hearing in accordance with Section 10-9a-504, Utah Code Annotated 1953, as amended.

(C)Initiation. The City Council, Planning Commission, or a property owner may initiate proposed amendments to the text of this title and the zoning map as provided in subsection (D) of this section.

(D)Procedure. The City shall process and consider zoning text and map amendments as provided in this subsection.

(1) An applicant shall submit a request to the Community Development Department on a form established by the Department, along with any fee established by the City's schedule of fees. The application shall include at least the following information:

- (a) Name and address of every person or company the applicant represents.
- (b) Requested amendment and reasons supporting the request.
- (c) If the proposed amendment requires a change in the zoning map, the application shall include:
 - (i) An accurate property map showing present and proposed zoning classifications;
 - (ii) All abutting properties showing present zoning classifications; and
 - (iii) An accurate legal description and an approximate common address of the area proposed for rezoning.
- (d) If the proposed amendment requires a change in the text of this title, the application shall include chapter and section references and a draft of the proposed text.

(2)After City staff determines completeness of the application, the Community Development Department, as the Land Use Administrator, shall prepare a staff report evaluating the application.

(3)The Planning Commission, as the Advisory Body, shall schedule and hold a public hearing on the application as provided in SCC 10.20.040 and 10.20.050. Following the public meeting the Planning Commission shall recommend approval, approval with modifications, or denial of the pro- posed amendment and submit its recommendation to the City Council for review and decision.

(4)The City Council may schedule and hold a public meeting on the application as provided in SCC 10.20.040 and 10.20.050. At the public meeting the City Council shall approve, approve with modifications, or deny the proposed amendment.

(E)Approval Standards. A decision to amend the text of this title or the zoning map is a matter of legislative discretion by the City Council and not controlled by any one standard. However, in making an amendment, the City Council should consider:

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(1)Whether it would be consistent with the goals, objectives, and policies of the City's general plan;

(2)Whether it would be harmonious with the overall character of existing development in the vicinity of the subject property;

(3)Whether it would be consistent with the standards of any applicable overlay zone;

(4)The extent to which it may adversely affect adjacent property; and

(5)The adequacy of facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

(6)Such changes shall be consistent with the current general plan.

(F)Appeal of Decision. Any party adversely affected by a decision of the City Council to amend the text of this title or the zoning map may, within 30 days after such decision, appeal to the District Court as provided in Section 10-9a-801 et seq., Utah Code Annotated 1953, as amended.

(G)Effect of Approval. Approval of an application to amend the provisions of this title or the zoning map shall not constitute an approval of any conditional use, site plan, or other permit. Obtaining approval of such permits shall be in accordance with applicable provisions of this title.

(H)Effect of Disapproval. City Council denial of an application to amend the provisions of this title or the zoning map shall preclude the filing of another application covering substantially the same subject or property, or any portion thereof, for one year from the date of the disapproval, unless the Planning Commission determines a substantial change in circumstances occurred to merit consideration of the application or the application is for a change to a different zone. The City Council or Planning Commission may propose any text or zoning map amendment at any time. [Ord. 11-02

§ 1 (Exh. A); Ord. 10-02 § 1 (Exh. A, B); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-4-070.]

Chapter 10.80

CLUSTER SUBDIVISION (MAJOR CONDITIONAL USE)

Sections:

- 10.80.010 Purpose.
- 10.80.020 Development requirements.
- 10.80.030 Permitted uses.
- 10.80.040 Bonus density incentives.
- 10.80.050 Design standards.
- 10.80.060 Approval.
- 10.80.070 Development plan and agreement requirements.

10.80.010 Purpose.

Cluster subdivisions may receive approval for a major conditional use permit in the ~~agriculture and~~ R-1 residential zone. The purpose of this chapter is to encourage open space conservation and efficient utilization of land by providing greater flexibility in the location of buildings on the land and the clustering of dwelling units. This will allow the developer to more closely tailor a development project to a specific user group, such as retired persons or equestrian-oriented development. The Land Use Authority shall not grant such a conditional use unless the cluster subdivision meets the regulations of the applicable zone in which it resides, except as may lawfully be modified by City Council approval. The application of cluster concepts is intended to encourage good neighborhood design and preserve open space while ensuring substantial compliance with the intent of the subdivision and land use ordinances. [Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-16-010.]

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10.80.020 Development requirements.

(A) **Acreage:** A cluster subdivision shall have a minimum of 10 acres of contiguous land area.

(B) **Phasing:** The proposed development plan shall include all possible future phases. No additional phases shall be permitted beyond the original concept. Adjacent property developed similarly shall be a separate

development and shall meet all requirements independently from any adjacent development.

(C) Ownership: The development shall be in single or corporate ownership at the time of application or the subject of an application filed jointly by all owners of the property

(D) The Land Use Authority shall require that the arrangement of structures and open spaces be developed in such a manner as to prevent any adverse effects on adjacent properties.

Comment [JS1]: Vague

(E) Density: The density of dwellings in a cluster subdivision shall not exceed 4.6 units per acre.

(F) Minimum Lot Standards: Approval of the development plan shall determine lot area, lot width, setbacks, and lot coverage regulations for multifamily structures, with a minimum separation of 16 feet between structures.

Single-family detached lots shall have the following minimum lot standards:

(1) Density: Minimum Lot size 7,000 square feet, but in no case shall the density exceed 4.6 units per gross acre.

(1) Lot area: 7,000 square feet.

(2) Lot width: 60 feet.

(3) Setbacks:

(a) Front: 15 feet

(b) Garage: 20 feet

(c) Side: 8 feet

(d) Rear: 20 feet.

(e) Corner lot side: 20 feet

(G) Home Owners Association: The development shall have a lawfully organized and professionally managed homeowners' association.

(H) Open Space and Common Space:

1. The development shall provide (50) Fifty Percent open space. ~~A~~
minimum of (10) Percent of the open space shall be common space.

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2. Open space and common space shall not include streets, driveways, or parking areas.

3. Open space may include agricultural areas, recreation areas, and wetland preserve.

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4. Open space not used for agriculture and wetland preserve shall be fully landscaped and developed with approved amenities for the enjoyment and use of all residents of the development and/or the public.

5. Open space that is designated for agricultural use shall have a recorded perpetual conservation easement.

6. Open space shall not be enclosed with fencing, except as required per buffer table of Title X.

7. Common space shall be fully landscaped and developed with approved amenities for the enjoyment and use of all residents of the development and/or the public.

8. Common space shall be preserved, maintained and owned through the homeowners' association from the onset, or may be deeded to Syracuse City, if the developer makes the request and the Council grants the request, at the Councils sole discretion.

(J) Landscape Plan: The Land Use Authority shall review the landscape plan designed in accordance with an approved theme that provides unity and aesthetics to the project.

1. Landscape Plan shall be signed and stamped by a professional landscape architect.

2. The landscaping plan shall indicate all special features, such as ponds, fountains, signs, walking paths, plant species and size, fencing etc., together with a planting plan.

3. Landscaping must be completed prior to approval of the next consecutive phase of the subdivision, or within the negotiated phasing per the development agreement.

4. Street Trees shall have a minimum 2 inch caliper trunk size measured 12" above ground level, at the time of installation.

5. Street trees shall be selected in accordance with the approved tree species in city code.

6. Street trees shall be spaced according to the approved species and park strip width. In no case shall street trees be planted further than 50 feet apart.

(M) Sidewalks and Park Strips: The design and location of public sidewalks within a cluster subdivision shall be located in the public right of way and meet the following conditions:

1. Sidewalks shall be a minimum of 5' wide and meet the minimum ADA standards.

2. Parkstrips shall be a minimum of 10' wide.

3. Meandering sidewalks shall be no closer than 5' to the back of curb.

4. Sidewalk construction and utilities shall comply with the adopted Engineering Standards and Specifications.

Deleted: may deviate from the city standard if the sidewalk location is within a public use easement or completely within the street right-of-way per City approval.

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(K) Trail System/Walking Paths:

1. The development shall contain trails/walking paths and shall connect to the Cities trails system per the Trail Master Plan, when applicable.

2. Trails/walking paths shall meet the cities Engineering Standards and Specifications.

(L) Signage: The development may include landscaped identification entry signs maintained by the home owners association.

(O) Due to the nature of cluster subdivisions and the fact that most of the usual dwellings have site restrictions and because the placement of dwellings and other structures on the site may produce a negative impact to surrounding land uses, the location, size, and general footprint of all dwellings and other main buildings shall be shown on the plans submitted for review.

(P) The proposed development shall not be detrimental to the health,

safety, or general welfare of persons residing in the vicinity. [Ord. 13-15 § 1; Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1999; Code 1971 § 10-16-020.]

10.80.030 Permitted uses.

Uses permitted in the cluster subdivision shall be those uses permitted in the zoning district in which the subdivision is located; provided, that for purposes of this section, the single-family dwelling designation shall include single-family attached dwellings such as town houses and row houses or zero lot line dwellings. A single structure shall have no more than four attached dwelling units. [Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A);

10.80.050 Design standards.

(A) The development shall have restrictive covenants to facilitate superior architectural design elements.

(B) A common building theme shall be required and approved by the Planning Commission. The design shall show detail in the unification of exterior architectural style, color, and size of each unit; however, the intent is not to have the design so dominant that all units are identical.

Comment [JS2]: Can they be identical?

(C) Patios shall not extend beyond the width of the primary structure and shall not extend beyond half the rear setback. Privacy fencing around a patio is allowed.

[Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-16-050.]

10.80.060 Approval.

A cluster subdivision is a special type of subdivision approved by major conditional use permit and, as such, shall meet design standards and be subject to all provisions of the Syracuse subdivision ordinance and submitted development plans. [Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-16-060.]

10.80.070 Development plan and agreement requirements.

(A) Subdivision ordinance requirements shall apply to cluster subdivisions

except where negotiated within the development agreement. The developer shall submit a residential development plan of all project phases for City consideration and approval and shall integrate the proposed development plan into a development agreement between the developer and City. The development agreement shall undergo an administrative review process to ensure compliance with adopted City ordinances and standards with approval by the City Council. The property shall be developed in accordance with the development agreement and current City ordinances, including the development requirements as identified within this chapter, 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 as determined by the bonus density calculations.

(B) 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.

(C) 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. 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 these open spaces and easily accessible to pedestrians.

Comment [JS3]: Do you want to request material samples?

(D) 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.

(E) A cluster subdivision community shall be of sufficient size, composition, and arrangement to enable its feasible development as a complete unit, professionally managed by a legally established owners' association and governed by enforceable, duly recorded CC&Rs.

(F) Developer shall prepare a budget for the homeowners' association operation and facilities maintenance. Developer shall establish a dedicated

operating fund for the collection of home owner dues and shall provide funding for said maintenance for the first three years' operating expenses of the homeowners' association or until developer owns less than 40 percent of the lots. When the developer owns less than 40 percent of the lots, developer shall pay dues on his remaining lots in accordance with the CC&Rs and fee schedule adopted by the homeowners' association. The CC&Rs will provide in the budget a depreciation estimate and provide for the collection of fees sufficient to meet the depreciation of infrastructure under control of the homeowners' association. [Ord. 13-15 § 1; Ord. 11-13 § 1; Code 1971 § 10-16-070.]

Chapter 10.60

R-1 – RESIDENTIAL ZONE (~~2.9~~ 2.3 LOTS PER NET GROSS ACRE)

Sections:

- 10.60.010 Purpose. .
- 10.60.020 Permitted uses.
- 10.60.030 Conditional uses.
- 10.60.040 Minimum lot standards.
- 10.60.050 Off-street parking and loading.
- 10.60.060 Signs.
- 10.60.070 Special provisions
- [10.60.080 Cluster Density Bonus](#)

10.60.010 Purpose.

The purpose of this zone is to promote and preserve, where conditions are favorable, areas for large lot development for families to engage in food production and, where adequate lot area exists, keep a limited number of farm animals and fowl. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-12-010.]

10.60.020 Permitted uses.

The following, and no others, are uses permitted by right provided the parcel and/or building meet all other provisions of this title and any other applicable ordinances of Syracuse City.

- (A) Accessory uses and buildings (~~under~~ 200 square feet ~~or less~~).
- (B) Agriculture.
- (C) Aviaries.
- (D) Churches, synagogues, and temples.
- (E) Dwellings, single-family.

(F) Educational services.

(G) Farm animal keeping (see SCC 10.30.040).

(H) Fruit and vegetable stands (for sale of products produced on owner's premises).

(I) Household pets.

(J) Minor home occupations.

(K) Public and quasi-public buildings.

(L) Public parks.

(M) Rabbits and hens.

(N) Residential facilities for persons with disabilities.

(O) Vietnamese potbellied pigs. [Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 04-12; Ord. 03-18; amended 1991; Code 1971 § 10-12-020.]

10.60.030 Conditional uses.

The following, and no others, may be conditional uses permitted after application and approval as specified in SCC 10.20.080:

(A) Accessory uses and buildings (greater than 200 square feet or greater) (minor). (B) Apiaries (minor). (C) Cluster subdivisions (major). (D) Day care centers (major).

(E) Dog kennels (minor). (F) Dwellings, accessory (major/minor, see SCC 10.30.020). (G) Dwelling groups (major). (H) Greenhouses (minor). (I) Home occupations (major). (J) Private parks and recreational activities (minor). (K) Temporary commercial uses (see SCC 10.35.050) (minor).

(L) Temporary use of buildings (see SCC 10.30.100(A)(9)) (minor). [Ord. 14-01 § 1; Ord. 11-13 § 3; Ord. 11-10 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; amended 1991; Code 1971 § 10-12-030.]

10.60.040 Minimum lot standards.

All lots shall be developed and all structures and uses shall be placed on lots in accordance with the following standards. Lot area for properties

fronting existing streets shall include all property as described on the most recent plat of record.

(A) Density. Minimum lot size ~~10,000~~ 12,000 square feet, but in no case shall the density exceed ~~2.9~~ 2.3 lots per ~~net~~ gross acre, unless the Land Use Authority grants additional density, per a [Cluster Subdivision](#) Major Conditional Use Permit.

Deleted: , up to a maximum of ~~4.75~~ 3.5 lots per ~~net~~ gross acre.

(B) Lot width: 100 feet.

(C) Front yard: 25 feet.

(D) Side yards: 10 feet (both sides).

(E) Rear yard: 30 feet.

(F) Building height: as allowed by current building code

(G) Variation of lot: the Land Use Authority may reduce the lot width requirement in particular cases when a property owner provides evidence they acquired the land in good faith and, by reason of size, shape, or other special condition(s) of the specific property, application of the lot width requirement would effectively prohibit or unreasonably restrict the ability to subdivide the property or a reduction of the lot width requirement would alleviate a clearly demonstrable hardship as distinguished from a special privilege sought by the applicant. The Land Use Authority shall approve no [lot width](#) reduction without a determination that:

- (1) The strict application of the lot width requirement would result in substantial hardship;
- (2) Adjacent properties do not share generally such a hardship and the property in question has unusual circumstances or conditions where literal enforcement of the requirements of the zone would result in severe hardship;
- (3) The granting of such reduction would not be of substantial detriment to adjacent property or influence negatively upon the intent of the zone;
- (4) The condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to detract from the intention or appearance of the zone as identified in the City's general plan. [Ord. 11-13 § 3; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-

08; Ord. 02-16; Code 1971 § 10-12-040.]

10.60.050 Off-street parking and loading.

Off-street parking and loading shall be provided as specified in Chapter 10.40 SCC. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-12-050.]

10.60.060 Signs.

The signs permitted in this zone shall be those allowed in residential zones by Chapter 10.45 SCC. [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-12-060.]

10.60.070 Special provisions.

All pens, barns, coops, stables, and other similar enclosing structures to keep animals or fowl shall be located no less than 150 feet from a public street and no less than 100 feet from all dwellings on adjacent lots. (This provision shall not apply to pastures.) [Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-12-070.]

10.60.080 Cluster Density Bonus

Cluster subdivisions may receive approval for a major conditional use permit in the agriculture and R-1 residential zone. The purpose of this chapter is to encourage open space conservation and efficient utilization of land by providing greater flexibility in the location of buildings on the land and the clustering of dwelling units. This will allow the developer to more closely tailor a development project to a specific user group, such as retired persons or equestrian-oriented development. The Land Use Authority shall not grant such a conditional use unless the cluster subdivision meets the regulations of the applicable zone in which it resides, except as may lawfully be modified by City Council approval. The application of cluster concepts is intended to encourage good neighborhood design and preserve open space while ensuring substantial compliance with the intent of the subdivision and land use ordinances. [Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-16-010.]

(A) Development requirements.

1. Acreage: A cluster subdivision shall have a minimum of 10 acres of contiguous land area.
2. Phasing: The proposed development plan shall include all possible future phases. No additional phases shall be permitted beyond the original concept. Adjacent property developed similarly shall be a separate development and shall meet all requirements independently from any adjacent development.

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3. Ownership: The development shall be in single or corporate ownership at the time of application or the subject of an application filed jointly by all owners of the property.
4. The Land Use Authority shall require that the arrangement of structures and open spaces be developed in such a manner as to prevent any adverse effects on adjacent properties.
5. Density: The density of dwellings in a cluster subdivision shall not exceed 4.6 units per acre.
6. Minimum Lot Standards: Approval of the development plan shall determine lot area, lot width, setbacks, and lot coverage regulations for multifamily structures, with a minimum separation of 16 feet between structures. Single-family detached lots shall have the following minimum lot standards:
 - a. Density: Minimum Lot size 7,000 square feet, but in no case shall the density exceed 4.6 units per gross acre.
 - b. Lot area: 7,000 square feet.
 - c. Lot width: 60 feet.
 - d. Setbacks:
 1. Front: 15 feet
 2. Garage: 20 feet
 3. Side: 8 feet
 4. Rear: 20 feet.
 5. Corner lot side: 20 feet
7. Home Owners Association: The development shall have a lawfully organized and professionally managed homeowners' association.
8. Open Space and Common Space:
 - a. The development shall provide (50) Fifty Percent open space. A minimum of (10) Percent of the open space shall be common space.
 - b. Open space and common space shall not include streets, driveways, or parking areas.
 - c. Open space may include agricultural areas, recreation areas, and wetland preserve.
 - d. Open space not used for agriculture and wetland preserve shall be fully landscaped and developed with approved amenities for the enjoyment and use of all residents of the development and/or the public.
 - e. Open space that is designated for agricultural use shall have a recorded perpetual conservation easement.
 - f. Open space shall not be enclosed with fencing, except as required per buffer table of Title X.
 - g. Common space shall be fully landscaped and developed with approved amenities for the enjoyment and use of all residents of the development and/or the public.
 - h. Common space shall be preserved, maintained and owned through the homeowners' association from the onset, or may be deeded to Syracuse City, if the developer makes the request and the Council grants the request, at the Councils sole discretion.
9. Landscape Plan: The Land Use Authority shall review the landscape plan

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designed in accordance with an approved theme that provides unity and aesthetics to the project.

- a. Landscape Plan shall be signed and stamped by a professional landscape architect.
- b. The landscaping plan shall indicate all special features, such as ponds, fountains, signs, walking paths, plant species and size, fencing etc., together with a planting plan.
- c. Landscaping must be completed prior to approval of the next consecutive phase of the subdivision, or within the negotiated phasing per the development agreement.
- d. Street Trees shall have a minimum 2 inch caliper trunk size measured 12" above ground level, at the time of installation.
- e. Street trees shall be selected in accordance with the approved tree species in city code.
- f. Street trees shall be spaced according to the approved species and park strip width. In no case shall street trees be planted further than 50 feet apart.

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10. Sidewalks and Park Strips: The design and location of public sidewalks within a cluster subdivision shall be located in the public right of way and meet the following conditions:

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- a. Sidewalks shall be a minimum of 5' wide and meet the minimum ADA standards.
- b. Parkstrips shall be a minimum of 10' wide.
- c. Meandering sidewalks shall be no closer than 5' to the back of curb.
- d. Sidewalk construction and utilities shall comply with the adopted Engineering Standards and Specifications.

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11. Trail System/Walking Paths:

- a. The development shall contain trails/walking paths and shall connect to the Cities trails system per the Trail Master Plan, when applicable.
- b. Trails/walking paths shall meet the cities Engineering Standards and Specifications.

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12. Signage: The development may include landscaped identification entry signs maintained by the home owners association.

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13. Due to the nature of cluster subdivisions and the fact that most of the usual dwellings have site restrictions and because the placement of dwellings and other structures on the site may produce a negative impact to surrounding land uses, the location, size, and general footprint of all dwellings and other main buildings shall be shown on the plans submitted for review.

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14. The proposed development shall not be detrimental to the health, safety, or general welfare of persons residing in the vicinity. [Ord. 13-15 § 1; Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1999; Code 1971 § 10-16-020

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(B) Permitted Uses

Uses permitted in the cluster subdivision shall be those uses permitted in the zoning district in which the subdivision is located; provided, that for purposes of

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this section, the single-family dwelling designation shall include single-family attached dwellings such as town houses and row houses or zero lot line dwellings. A single structure shall have no more than four attached dwelling units. [Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A);

(C) Design Standards

1. The development shall have restrictive covenants to facilitate superior architectural design elements.
2. A common building theme shall be required and approved by the Planning Commission. The design shall show detail in the unification of exterior architectural style, color, and size of each unit; however, the intent is not to have the design so dominant that all units are identical.
3. Patios shall not extend beyond the width of the primary structure and shall not extend beyond half the rear setback. Privacy fencing around a patio is allowed.

[Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-16-050.]

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(D) Approval

A cluster subdivision is a special type of subdivision approved by major conditional use permit and, as such, shall meet design standards and be subject to all provisions of the Syracuse subdivision ordinance and submitted development plans. [Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-16-060.]

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(E) Development plan and agreement requirements.

1. Subdivision ordinance requirements shall apply to cluster subdivisions except where negotiated within the development agreement. The developer shall submit a residential development plan of all project phases for City consideration and approval and shall integrate the proposed development plan into a development agreement between the developer and City. The development agreement shall undergo an administrative review process to ensure compliance with adopted City ordinances and standards with approval by the City Council. The property shall be developed in accordance with the development agreement and current City ordinances, including the development requirements as identified within this chapter, 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

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- 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 as determined by the bonus density calculations.
2. 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.
 3. 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. 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 these open spaces and easily accessible to pedestrians.
 4. 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.
 5. A cluster subdivision community shall be of sufficient size, composition, and arrangement to enable its feasible development as a complete unit, professionally managed by a legally established owners' association and governed by enforceable, duly recorded CC&Rs.
 6. Developer shall prepare a budget for the homeowners' association operation and facilities maintenance. Developer shall establish a dedicated operating fund for the collection of home owner dues and shall provide funding for said maintenance for the first three years' operating expenses of the homeowners' association or until developer owns less than 40 percent of the lots. When the developer owns less than 40 percent of the lots, developer shall pay dues on his remaining lots in accordance with the CC&Rs and fee schedule adopted by the homeowners' association. The CC&Rs will provide in the budget a depreciation estimate and provide for the collection of fees sufficient to meet the depreciation of infrastructure under control of the homeowners' association. [Ord. 13-15 § 1; Ord. 11-13 § 1; Code 1971 § 10-16-070.]

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CHAPTER XX

R-4 RESIDENTIAL
(11 Lots Per Gross Acre)

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10-14-010: Purpose

10-14-020: Permitted Uses

10-14-030: Conditional Uses

10-14-040: Minimum Lot Standards

10-14-050: Off-Street Parking and Loading

10-14-060: Signs

10-14-070: Special Provisions

10-14-010: PURPOSE. The purpose of this Zone is to provide for the development of one- (1) to four- (4) family residential structures and service facilities in a more consolidated fashion than other areas permit. This zoning shall not be permitted for new development and is only applicable to the existing R-4 zones on the zoning map. (1991)

10-14-020: PERMITTED USES. The following are permitted uses by right provided the parcel and building meet all other provisions of this Title or any other applicable ordinances of Syracuse City. (1991)

(A) Accessory Uses and Buildings (200 square feet or less) (Ord. 03-18)

Deleted: under two hundred [

(B) Agriculture

Deleted:]

(C) Dwellings, Multi-Family

(D) Dwellings, Single-Family

(E) Dwellings, Two-Family

(F) Group Homes

(G) Household Pets (Ord. 08-07)

(H) Medical and Other Health Facilities

(I) Public and Quasi-Public Buildings

(J) Public Parks

10-14-030: CONDITIONAL USES. The following uses may be permitted conditional uses after application and approval as specified in Section 10-4-080 of this Title. (1998) (Ord. 08-07)

(A) Accessory Uses and Buildings (greater than 200 square feet)

Deleted: two hundred [

(B) Home Occupations

Deleted:]

(C) Pre-Schools

Deleted: or greater

10-14-040: MINIMUM LOT STANDARDS. All lots shall be developed and all structures and uses shall be placed on lots in accordance with the following lot standards: (1998)

- (A) Density: Six thousand (6,000) square feet for one (1) unit plus two thousand (2,000) square feet for each additional unit in the structure. In no case shall the density exceed 11 lots per gross acre. (14.52)
- (B) Lot Width: Eighty (80) feet
- (C) Front Yard: Twenty-five (25) feet
- (D) Side Yards: Eight (8) feet (both sides)
- (E) Rear Yard: Thirty (30) feet
- (F) Building Height: As allowed by current building code
- (G) Variation of Lot: The Land Use Authority may reduce the lot width requirement in particular cases when a property owner provides evidence they acquired the land in good faith and, by reason of size, shape, or other special condition(s) of the specific property, application of the lot width requirement would effectively prohibit or unreasonably restrict the ability to subdivide the property or a reduction of the lot width requirement would alleviate a clearly demonstrable hardship as distinguished from a special privilege sought by the applicant. The Land Use Authority shall approve no lot width reduction without a determination that: (Ord. 08-07)
 1. The strict application of the lot width requirement would result in substantial hardship;
 2. Adjacent properties do not share generally such a hardship and the property in question has unusual circumstances or conditions where literal enforcement of the requirements of the Zone would result in severe hardship;
 3. The granting of such reduction would not be of substantial detriment to adjacent property or influence negatively upon the intent of the Zone;
 4. The condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to detract from the intention or appearance of the Zone as identified in the City's General Plan. (Ord. 06-27)

Deleted: with the maximum number of dwelling units per net acre not exceeding fourteen and fifty-two hundredths

10-14-050: OFF-STREET PARKING AND LOADING. Off -street parking and loading shall be provided as specified in Chapter 7 of this Title. (Ord. 08-07)

10-14-060: SIGNS. The signs permitted in this Zone shall be those allowed in residential zones by Chapter 8 of this Title. (Ord. 08-07)

10-14-070: SPECIAL PROVISIONS. All multi-family residential uses in this Zone shall require site plan approval as set forth in Section 10-4-100 of this Title. (1991) (Ord. 06-17) (Ord. 08-07)



PLANNING COMMISSION AGENDA

October 6, 2015

Agenda Item # 4b Municipal Code Title X Amendments pertaining to noticing.

Background

City staff has recently reviewed the city noticing regulations of Title X and proposed the following amendments in order to comply with State code 10-9a.

Attachments

- Proposed Code Amendment

Link to State Code 10-9a

- http://le.utah.gov/xcode/Title10/Chapter9A/10-9a.html?v=C10-9a_1800010118000101

10.20.050 Noticing.

The City shall provide notice of public hearings and public meetings in accordance with Utah law and the following provisions:~~Required notice of public meetings and hearings for permitted land use or conditional use applications and ordinances shall include and comply with the following provisions:~~

(A) Applicant Notice. The City shall provide the applicant with:

(1) the date, time, and place of any public hearing or public meeting to consider the application, at least three (3) days prior to the meeting;

(2) copies of each staff report regarding the applicant or pending application, at least three (3) days prior to the hearing or meeting; and

(3) notification of any final action on a pending application.

(B) Public Notice of Meetings. Notice of public meetings shall be accomplished by the following, at least twenty-four (24) hours prior to the public meeting:

(1) publication on the Utah Public Notices Website created pursuant to Utah Code;

(2) posting notice in three public locations within the City, or on the City's official webpage; and

(3) for general plan amendments, submitting notice to a newspaper of general circulation in the area.

(C) Public Notice of Hearings. Unless otherwise provided in this chapter, public notice of any public hearing shall be accomplished by the following, at least ten (10) days prior to the hearing or meeting:

(1) publication in a newspaper of general circulation in the area;

(2) publication on the Utah Public Notices Website created pursuant to Utah Code;

(3) mailed to each affected entity; and

(4) posted in three public locations within the City, or on the City's official webpage.

(D) Specific Third Party Notice. For any application which requires notice to adjacent property owners:

(1) the applicant shall provide the Community Development Department with an approved list of all owners of real property located within 300 feet of the boundary of the subject property, as shown on the latest assessment rolls of the county recorder. The applicant shall pay to the City a fee in the amount of the actual costs incurred by the City in providing notice, and shall bear sole responsibility to ensure the accuracy of the property owner list; and

(2) the City shall, at least ten (10) days before the hearing, mail notice to the owners of record for each parcel within a 300-foot radius of the subject property, including those who are located outside of Syracuse City boundaries.

(E) Meetings or Hearings Requiring Specific Third Party Notice. Notice shall be sent out in accordance with subsection (D) for the following:

_____ (1) Subdivision plat approval or amendment;

_____ (2) Zoning map amendments;

_____ (3) Major conditional use permit applications.

(F) Public Hearings Required. The following applications and proposals require at least one public hearing, in accordance with Utah law:

_____ (1) Amendment to or adoption of a general plan, including general plan map amendments;

_____ (2) Adoption or amendment to a land use ordinance, including zone map amendments;

_____ (3) Subdivision plat approval or amendments; and

_____ (4) Plat amendments that vacate, alter or amend a public street, right-of-way or easement.

~~(A) Mailing List and Labels. The applicant for a major conditional use shall provide the Community Development Department with an approved list of all owners of real property located within 300 feet of the boundary of the subject property, as shown on the latest assessment rolls of the county recorder. The applicant shall pay to the City a fee in the amount of the actual costs incurred by the City in providing the notice, and shall bear sole responsibility to ensure the accuracy of the property owner list.~~

~~(B) Applicant Notification. For all major conditional use applications, the City shall give notice to the applicant of the date, time, and place of each public meeting to consider the application and of any final action on a pending application.~~

~~(C) Notice to Third Parties. For site-specific major conditional use applications, the City shall mail notice to the owners of record for each parcel within a 300-foot radius of the subject property, including third party owners of property within the 300-foot radius but outside of Syracuse City boundaries.~~

~~(GD) Notice Provisions for Specific Applications.~~

~~(1) Intent to Prepare or Amend General Plan. Before preparing a proposed general plan or general plan amendment the City shall provide 10 calendar days' notice of its intent to prepare or amend the general plan ~~to the following listed entities or persons~~. Such notice shall comply with the requirements of Section 10-9a-203, Utah Code Annotated 1953, as amended. ~~The City shall provide notice of intent to designated entities or persons before preparing the plan or amendment to allow those entities and persons to submit information to the City. The entities or persons the City shall notify are:~~~~

~~(1) Each affected entity (as defined in SCC 10-10.040);~~

~~(2) The Automated Geographic Reference Center (as defined in Section 63F-1-506, Utah Code Annotated 1953);~~

~~(3) The association of governments of which the City is a member; and~~

~~(4) The State Planning Coordinator (appointed pursuant to Section 63J-4-202, Utah Code Annotated 1953).~~

~~(2) General Plan Open Amendment Period. The City shall provide notice of the commencement of an open amendment period for either general plan map or general plan text amendments, including the date by which applications may no longer be accepted by the City for that period, at least ninety (90) days prior to the date of the open amendment period by publishing notice in the same manner as public hearings, as provided in subsection (C).~~

~~(3) Proposals to vacate a public street, right-of-way or easement. Notice shall comply with the provisions of Section 10-9a-208, Utah Code Annotated 1953, as amended.~~

~~(E) General Plan Adoption or Amendment. The City shall provide advance notice of the date, time and place for public hearings and meetings regarding a general plan adoption or amendment as follows:~~

~~(1) The City shall provide notice of the first public hearing to consider the adoption or modification of all or any portion of the general plan at least 10 calendar days before the public hearing. Notice shall be:~~

~~(a) Published in a newspaper of general circulation in the area;~~

~~(b) Mailed to each affected entity (as defined in SCC 10.10.040);~~

~~(c) Posted in at least three public locations within the City and, if practical, on the City's website.~~

~~(2) The City shall provide notice of each public meeting regarding the adoption or modification of all or any part of the general plan at least 24 hours before the meeting. Notice shall be:~~

~~(a) Submitted to a newspaper of general circulation in the area; and~~

~~(b) Posted in at least three public locations within the City and, if practical, on the City's website.~~

~~(F) Adoption or Amendment of Land Use Ordinance. The City shall provide advance notice of the date, time and place for public hearings and meetings regarding a land use ordinance adoption or amendment as follows:~~

~~(1) The City shall provide notice of the first public hearing to consider the adoption of any modification of a land use ordinance at least 10 calendar days before the public hearing. Notice shall be:~~

~~(a) Mailed to each affected entity (as defined in SCC 10.10.040);~~

~~(b) Posted in at least three public locations within the City and, if practical, on the City's website;~~

~~(c) Published in a newspaper of general circulation in the area, or mailed at least 10 days before the public hearing to each property owner whose land the ordinance change would directly affect and each adjacent property owner within 300 feet.~~

~~(2) The City shall provide notice regarding the adoption or modification of a land use ordinance at least 24 hours before the meeting. The City shall post such notices in at least three public locations within the City and, if practical, on the City's website.~~

~~(G) Subdivision Plat Amendment or Approval. The City shall provide advance notice of the date, time and place for public hearings and meetings regarding a proposed subdivision or an amendment to a subdivision as follows:~~

~~(1) The City shall mail notice at least 10 calendar days before the public hearing to the owners of record of each parcel within 300 feet of the subject property; and~~

~~(2) Not less than 10 calendar days before the public hearing, the applicant shall post on the property one City-provided sign along each street on which the subject property has frontage. If the subject property does not abut a street, the applicant shall post the sign on a nearby street as determined by the Community Development Department. The sign shall be of sufficient size, durability, print quality and location as to reasonably give notice to those passing by.~~

~~(3) The City shall mail notice to each affected entity (as defined in SCC 10.10.040) of a public hearing to consider a preliminary plat describing a multiple-unit residential development or a commercial or industrial development.~~

~~(H) Plat Amendments That Vacate, Alter or Amend an Existing Street. For any proposal to vacate, alter or amend a platted street, the City shall hold a public hearing and give notice of the date, place and time of the hearing in accordance with the noticing requirements provided in subsection (G) of this section and additionally:~~

~~(1) Mail notice to each affected entity (as defined in SCC 10.10.040);~~

~~(2) Publish notice once a week for four consecutive weeks before the hearing in a newspaper of general circulation in the City;~~

~~(3) Comply with all other requirements set forth in Sections 10-9a-208, 10-9a-608 and 10-9a-609, Utah Code Annotated 1953, as amended.~~

~~(I) Notice of Land Use Applications. The City shall notice general plan map and zoning map amendment applications at least 10 calendar days before the public hearing. The City shall notice requests for major conditional uses, site plan and site plan amendment approvals, and variances at least three calendar days before the public meeting~~

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(H) Challenge of Notice. If no one challenges a notice given under authority of this section, in accordance with applicable appeal procedures, within 30 days after the meeting or action for which notice was given, all affected parties shall deem the notice as adequate and proper. [Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A, B); Ord. 09-10 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Code 1971 § 10-4-050.]

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- (2) copies of each staff report regarding the applicant or pending application, at least three (3) days prior to the hearing or meeting; and
- (3) notification of any final action on a pending application.

(B) Public Notice of Meetings. Notice of public meetings shall be accomplished by the following, at least twenty-four (24) hours prior to the public meeting:

- (1) publication on the Utah Public Notices Website created pursuant to Utah Code;
- (2) posting notice in three public locations within the City, or on the City's official webpage; and
- (3) for general plan amendments, submitting notice to a newspaper of general circulation in the area.

(C) Public Notice of Hearings. Unless otherwise provided in this chapter, public notice of any public hearing shall be accomplished by the following, at least ten (10) days prior to the hearing or meeting:

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- (3) mailed to each affected entity; and
- (4) posted in three public locations within the City, or on the City's official webpage.

(D) Specific Third Party Notice. For any application which requires notice to adjacent property owners:

- (1) the applicant shall provide the Community Development Department with an approved list of all owners of real property located within 300 feet of the boundary of the subject property, as shown on

the latest assessment rolls of the county recorder. The applicant shall pay to the City a fee in the amount of the actual costs incurred by the City in providing notice, and shall bear sole responsibility to ensure the accuracy of the property owner list; and

(2) the City shall, at least ten (10) days before the hearing, mail notice to the owners of record for each parcel within a 300-foot radius of the subject property, including those who are located outside of Syracuse City boundaries.

(E) Meetings or Hearings Requiring Specific Third Party Notice. Notice shall be sent out in accordance with subsection (D) for the following:

(1) Subdivision plat approval or amendment;

(2) Zoning map amendments;

(3) Major conditional use permit applications.

(F) Public Hearings Required. The following applications and proposals require at least one public hearing, in accordance with Utah law:

(1) Amendment to or adoption of a general plan, including general plan map amendments;

(2) Adoption or amendment to a land use ordinance, including zone map amendments;

(3) Subdivision plat approval or amendments; and

(4) Plat amendments that vacate, alter or amend a public street, right-of-way or easement.

(G) Notice Provisions for Specific Applications.

(1) Intent to Prepare or Amend General Plan. Before preparing a proposed general plan or general plan amendment the City shall provide 10 calendar days' notice of its intent to prepare or amend the general plan. Such notice shall comply with the requirements of Section 10-9a-203, Utah Code Annotated 1953, as amended.

(2) General Plan Open Amendment Period. The City shall provide notice of the commencement of an open amendment period for either general plan map or general plan text amendments, including the date by which applications may no longer be accepted by the City for that period, at least ninety (90)

days prior to the date of the open amendment period by publishing notice in the same manner as public hearings, as provided in subsection (C).

(3) Proposals to vacate a public street, right-of-way or easement. Notice shall comply with the provisions of Section 10-9a-208, Utah Code Annotated 1953, as amended.

(H) Challenge of Notice. If no one challenges a notice given under authority of this section, in accordance with applicable appeal procedures, within 30 days after the meeting or action for which notice was given, all affected parties shall deem the notice as adequate and proper. [Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A, B); Ord. 09-10 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Code 1971 § 10-4-050.]