



# Syracuse City Planning Commission Meeting November 1, 2016

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

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## Regular Meeting Agenda

### PLANNING COMMISSIONERS

#### CHAIR

Ralph Vaughan

#### VICE CHAIR

Dale Rackham

Curt McCuiston

Greg Day

Troy Moultrie

Grant Thorson

Gary Bingham

1. **Meeting Called to Order**
  - Invocation or Thought by Commissioner **McCuiston**
  - Pledge of Allegiance by Commissioner **Thorson**
  - Adoption of Meeting Agenda
2. **Meeting Minutes**  
October 18, 2016 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. **Major Conditional Use** - Christine Jeppson, Dream Care Day Care & Preschool, property located at 4158 W 1235 S
5. **Recommendation for Sale of City Property** - property located at approximately 1700 S & SR-108 (2000 W) due to UDOT road widening
6. **Adjourn**

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## Work Session

1. **Department Business**
  - a. City Council Liaison Report
  - b. City Attorney Updates
  - c. Upcoming Agenda Items
2. **Discussion Items**
  - a. Woodside Development
  - b. Subdivision Approvals Training
  - c. Code Amendment – Setbacks on Widened Streets
  - d. Code Amendment – ARC Standards
  - e. Code Amendment – Buffers
  - f. Code Amendment – Accessory Dwellings
3. **Commissioner Reports**
4. **Adjourn**

### NOTE

If you wish to attend an 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

This agenda was posted on the Syracuse City Hall Notice Boards, the State Public Notice website at <http://www.utah.gov/pmn/index.html>, and the Syracuse City website at <http://www.syracuseut.com>.



# PLANNING COMMISSION REGULAR MEETING AGENDA

November 1, 2016

## Agenda Item # 2

## Meeting Minutes

October 18, 2016 Regular Meeting Minutes

### 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 **table** the meeting minutes dated ..... for the regular meeting and work session planning commission meeting until ...

# Minutes of the Syracuse Planning Commission Regular Meeting, October 18, 2016

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on October 18, 2016, 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 Chairman  
Greg Day  
Curt McCuiston  
Grant Thorson  
Gary Bingham

City Employees: Noah Steele, Planner  
Paul Roberts, City Attorney  
Stacy Adams, Commission Secretary  
Jo Hamblin, Deputy Fire Chief  
Brian Bloemen, City Engineer

City Council: Councilman Gailey

Excused: Commissioner Moultrie

Visitors: Adam Benard Mike Waite  
Jamie Child

[6:02:20 PM](#)

1. **Meeting Called to Order:**

Commissioner Thorson provided an invocation. The Pledge of Allegiance was led by Commissioner Rackham.

[6:03:55 PM](#)

COMMISSIONER MCCUISTION MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR OCTOBER 18, 2016 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER BINGHAM. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

[6:04:13 PM](#)

2. **Meeting Minutes:**

Commissioner McCuiston recused himself from these meeting minutes

**October 4, 2016 Regular Meeting & Work Session**

COMMISSIONER DAY MADE A MOTION TO APPROVE THE REGULAR AND WORK SESSION MEETING MINUTES FOR OCTOBER 4, 2016. THE MOTION WAS SECONDED BY COMMISSIONER BINGHAM. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

[6:05:08 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.

[6:05:45 PM](#)

None

[6:05:49 PM](#)

4. **Final Subdivision Plat - Jackson Court Subdivision property located at 1958 S 2000 W**

Planner Steele stated they have seen this before, the City Council passed the Preliminary Subdivision Plan on September 13, 2016 and the applicant was able to meet all of the items that the City Council wanted from the Plan that the Commission had seen, there were a few updates and have added some amenities another picnic pavilion in addition to the outdoor kitchen, swing set, walking trail and a fire pit. This is located close to City Hall across the street and north of Craig Lane Estates. In the packet is the Preliminary Plat that City Council had approved that had the additional amenities if wanted to see the changes. In the common areas have a fire pit and gazebos and benches, swing set. Open space, benches and trees. Don't know how much want to revisit know there was some questions about the project, in the packet there is a lot of detail and basically just reviews how the applicant was able to meet the ordinance up to now. To summarize, a lot of it was related to the access, doesn't want to be too verbose but the direct connection issues, the applicant provided an 8-foot asphalt trail. Have talked about this before and since the ordinance was vague that was sufficient to meet that requirement but staff is working on clarifying that language to state an automobile connection so there are no questions in the future. The second concern was the proximity to other intersections, if remember the ASHTO design and the time and the distance of travel, the math formula that calculates how far that intersection should be but also has in the text says unless otherwise recommended by Planning Commission. There are lots of case studies where intersections don't meet that standard depending on various factors and obviously the Planning Commission forwarded that on to City Council and City Council approved that configuration so that is completely legal and okay to approve it that way. The third was related to having the private driveway that services 18 homes. The ordinance addresses private streets but is very vague about private driveways and viewed as 2 separate things. Streets are 60-foot right-of-way, a

64 sidewalk and park strip and driveways that standard was not established. There are various private driveways within the  
65 City that service multiple homes on the same drive, like in Stoker Gardens there are up to 12 and Sunset Park Villas there  
66 are 4 on one drive, so they see it, just haven't ever seen it up to 18 and that was a concern that was discussed but the  
67 configuration was approved, since it was vague and are also working on clarifying that language as well. So know while it  
68 has been controversial staff is very thorough, are not for the project, not against the project are just trying to review and  
69 make sure have a good, high quality development. As far as staff's knowledge and the review that has been done the  
70 applicant has met the ordinance up to now. In addition to reviewing the plans tonight also need to review the theme that  
71 has been provided and forward on a recommendation to City Council and also the development agreement. All PRD  
72 developments require a development agreement and that is also another opportunity for the City to cover any bases and  
73 things that aren't covered in the ordinance. The main purpose of the Final Plan review stage is to get ready for recording  
74 and to really tie up all of the loose ends. They will be working on finalizing their grading and drainage plans with staff but  
75 really what needs to be reviewed here is the plat that will be going to the County. They have identified what is common  
76 area and what is open space, number of lots and that would become something that is recorded with the County. The  
77 development theme document has been in the packet for a while, some of the items are more general in nature but more  
78 or less are still accurate. Think the biggest thing to comment on and can talk about tonight are what some of the amenities  
79 look like and some of the floor plan elevations, colors and things that is what will be forwarded on that the Commission  
80 approves of. They plan on doing some single family dwellings and have provided some home plans and may not be  
81 exactly the plan that they will build but the idea with the theme is it establishes a typology of what the development will  
82 look and feel like. Single level homes that will be marketed to seniors but won't be limited specifically to that, open floor  
83 plans and patio homes. This isn't an extension of Craig Estates, this is its own freestanding subdivision but they are going  
84 to join up with the Craig Estates for maintenance and have talked a lot about that, they have letters of support and are on  
85 board with it and have helped pick out the amenities and have agrees that the amenities will have exposed timber and will  
86 have more specific plans in the future of exactly what it will look like but it will be similar to what has been provided, with  
87 rock and exposed timber and think that would be pretty attractive. The HOA didn't want the dog wash area but the  
88 covered picnic area, benches that aren't just standard benches it will have nice timber and rock design. They also  
89 included their theme board and want to do, and sometimes these small details at the end of the project are what can set it  
90 apart and make it a nice neighborhood. They want to do shutters and they are talking about decorative posts with the  
91 flower baskets and solar, which is not necessarily an aesthetic thing but that is something that is attractive for a  
92 community and brick and hardy board those are both durable materials and will be required to meet the minimum  
93 requirements of the City's Building Code. Also included is the review from Fire and Engineering. Deputy Fire Chief  
94 Hamblin stated to make sure the fire pit is far enough from the homes per code. City Engineer Bloemen had some  
95 housekeeping items that they have made the updates and sent over an updated plat, but the Engineer hadn't had a  
96 chance to confirm those updates yet, but they are more of housekeeping items. The development agreement is also  
97 included and the items that will be required and really clarifies that the City is not responsible for their driveway and will  
98 not maintain it, not repair or replace it or anything like that it is completely up to them and the HOA. Also clarifies that want  
99 to make sure that the driveways are built to the City's specifications so that if the Fire truck needs to go in there that the  
100 road will not be crumbling and they have agreed to provide core samples to confirm that everything is up to the right spec  
101 and have also agreed to put signs for no parking since that was one of the big items City Council discussed to make sure  
102 that in case of emergency the private drive isn't blocked. The private drives are 30 feet wide but even in addition to that  
103 the one side will not allow parking so think that will really allow good emergency access. Clarifies that the drive access to  
104 Craig Lane is actually something that because of the way that the intersections are on 2000 W would be preferable for the  
105 City to have them come off of Craig Lane there and of course will run with the land. so that is the bulk of the development  
106 agreement. Now think have covered pretty much everything and the Commission has a chance to comment on those 3  
107 items and can answer any questions that may have.

108 [6:18:00 PM](#)

109 Commissioner Thorson stated he has never been involved in working out a development agreement that is kind of  
110 new to his experience on a Commission, is that really in Planning Commission's scope and that might be a question for  
111 the City Attorney. City Attorney Roberts stated it is part of the overall development, if there is something that gives them  
112 concern in there then bring it up and will get it changed if there is something in there that they don't like or something that  
113 needs to be in there. It is part of the Zoning Code so if there is something that is concerning to the Commission then can  
114 address it. Commissioner Rackham stated had mentioned the Fire Department had said the fire pit had to be a distance  
115 away from the homes, is there a specified distance. Planner Steele stated believes it is 25 feet but Deputy Fire Chief  
116 Hamblin can answer that. Deputy Fire Chief Hamblin stated it is 25 feet for recreational fires, 25 feet from structures and  
117 they do meet that, comment he added was the plat met that but plans were offset and wanted them to change that and  
118 make them match.

119 [6:19:42 PM](#)

120 Commissioner Vaughan asked staff about a statement in the packet on the conceptual theme board and the validity  
121 of the claim, that 'this may be a community that is a first in Utah to be a completely powered by solar' does that mean they  
122 are going to be off the grid and has staff heard anything like this or is there anything in the development agreement that  
123 matches a random statement just like saying they could 'conquer cancer', just don't like superfluous statements in a  
124 presentation. Planner Steele stated that is a good comment and maybe they can talk about and especially if the  
125 Commission is approving this theme and say that is what they are going to do, there has been a little bit of talk about that  
126 and don't think that they would be the first community to do that but they will probably be able to talk to that better than he  
127 can. Commissioner Vaughan stated but staff has received nothing that would indicate that they are doing anything

128 exceptional in regards to solar power. Planner Steele stated no, the way that solar permits are handled is after the initial  
129 construction they would submit a building permits for those but haven't seen anything specifically on the plans per se like  
130 location of batteries or whatever, don't know what all is involved in it. Commissioner Vaughan stated there is also a  
131 statement in regards that the HOA is reluctant to assume some responsibilities that have to do with amenities. Planner  
132 Steele stated where it said amenities in that paragraph where it was referring to the dog wash, children's playground,  
133 exercise stations being placed in open areas due to the discussion that the HOA had and the concerns that surround the  
134 liability and maintain of those amenities. The HOA came to the meeting when it was tabled and the Commission asked  
135 them if they would be willing to take the maintenance and were on board with the amenities and that they kind of didn't  
136 have a really good answer and so after that they met with the HOA again and said what so they want in there and guess  
137 they could have just removed that paragraph but maybe just added that for a trail of consciousness. Commissioner  
138 Vaughan asked if that point was addressed in the development agreement, in other words is this something else, a  
139 diversion from the facts. Planner Steele stated in the development agreement there is an area for the development plan,  
140 exhibit B, which will be attached to the development agreement all signatures that development plan that shows the  
141 amenities and that is what they will be tied to. Now the development plan will have the site plan attached that shows these  
142 amenities and they will be required to do what is on the plan. Commissioner Vaughan stated his concern on the HOA  
143 being reluctant to accept responsibility is have heard before at both in Planning Commission and City Council meeting  
144 that the HOA wanted to relive itself of responsibility for the park farther west of this project and is just concerned with the  
145 HOA getting cold feet over something that they have supposedly been responsible for some time and now are accepting  
146 this into their project are they going to get cold feet on this in 3 weeks and ask the City to take over. Planner Steele stated  
147 the City won't take over. Commissioner Vaughan stated is just wondering is there anything that can do to hold their feet to  
148 the fire so they can't even come back and say 'gee would like you to take care of this for us because don't want to do it  
149 anymore.' Planner Steele stated yes, that is what the development agreement is for, ultimately if they don't want to join  
150 Craig Estates HOA they will have to set up their own HOA and take care of it. City Attorney Roberts stated as far as telling  
151 them that they aren't permitted to petition the government for that sort of readdress, really can't do that, but it is very clear  
152 in the development agreement and will be a note on the final plat that it is not the City's responsibility, so anyone who is  
153 doing their due diligence when purchase a home in there will know that this is their responsibility and that the City can't be  
154 expected to take it on, no more than any other HOA that has infrastructure that they would like to give to the City but the  
155 City turns down those requests all the time. Commissioner Vaughan stated so they are bound to take over the amenities  
156 here and guarantee that they will be assumed by the HOA in perpetuity. City Attorney Roberts stated yes, unless the City  
157 Council decides down the road to take it on it they wanted to, can't stop that but the plan is set up as it is, they are  
158 responsible for it.

159 [6:25:42 PM](#)

160 Commissioner Vaughan stated on the map before them, might be a joint question for staff and for the Fire Marshal, in  
161 front of lot 414, there are 3 parking spaces and his question is, is that sufficient, if that is going to be parking spaces for  
162 guest parking, will there be sufficient room for a hammerhead turnaround for an emergency vehicle if those spaces are  
163 occupied. Deputy Fire Chief Hamblin stated the length of street to the dead end does not exceed 150 feet, so it is not  
164 required to have a hammerhead in there. Commissioner Vaughan asked if he was okay with that. Deputy Fire Chief  
165 Hamblin stated he is okay with that. Commissioner Vaughan asked if there was anything in the agreement in regards to  
166 who has use and access of those, are those strictly reserved for guests or can the people in 413 and 414 decided they  
167 want to park their camper in their year around because they have 3 vehicles plus an RV. City Attorney Roberts stated they  
168 don't call out who gets the spot, the HOA could probably divvy that out if they wanted to but essential would say it is  
169 private and it is not the City's business. Commissioner Vaughan stated so there won't be any, there will be the no parking  
170 fire lane, could that be a condition that they require that those be posted for guests only, to keep people from abusing the  
171 area, because the same thing they are concerned about having no parking fire lane on the inner circle. City Attorney  
172 Roberts stated believes Planner Davies added that to the development agreement, in paragraph 6 states 'signage shall  
173 be placed along the private drive prohibiting parking along the inside curb abutting the central common space in the  
174 development', so it is in the agreement and it is on the plans so it will be signed. Commissioner Vaughan asked who  
175 enforces that if it is on HOA responsibility, is that still something that the Fire Department will be able to go in or a police  
176 unit will be able to go in and see a vehicle parked there and cite or do they have to call up the HOA manager. City  
177 Attorney Roberts stated police wouldn't get involved in that unless there was some sort of public safety issue so if a fire  
178 truck couldn't get through or if there was a problem and the fire lane was blocked then the Fire Marshal would be able to  
179 go in and do that but police would not be policing the private driveway, that will be HOA maintained. Commissioner  
180 Vaughan stated his statement here is any vehicle parked in a fire lane is a public hazard to safety, period, if the Fire  
181 Marshal wants to overrule him on that but that is his feeling on that and think they need to have some teeth there to  
182 enforce that otherwise as soon as the word gets out that the City is just going to overlook it, go ahead and park, it is not  
183 going to mean anything. City Attorney Roberts stated the fire code has provisions for enforcement of fire lanes and that is  
184 applicable throughout the City regardless of whether it is public or private, so that can be enforced by the fire department.  
185 Commissioner Vaughan stated so if the department got a call or notification on it and they couldn't get it would be able to  
186 dispatch police at their request, okay. Is parking in a fire lane a towable, immediate towable offense or is that something  
187 that would give a ticket for and hope they move the vehicle sometime. Deputy Fire Chief Hamblin stated depending on  
188 severity could be towable if the owner is notified and can't be located it is a towable offence, it is kind of one of those that  
189 would hopefully be able to work with car owner and issue the citation if that is the case verses towing but it is a towable  
190 offence if are blocking a fire lane. Commissioner Vaughan stated okay, if don't put towability, immediate towability into an  
191 agreement right now would they have the ability to come back and add that or is that something they should put in right

192 now from day one. City Attorney Roberts stated that authority is derived independent of the development agreement so it  
193 is through the fire codes and through the City's parking codes, could have a section that says cars could be towed but  
194 don't know if that is necessary, the fire code gives the Fire Marshal pretty board powers to fight fires and keep people safe  
195 so is pretty comfortable with the fire codes applicability here.

196 [6:30:50 PM](#)

197 Mike Waite stated appreciate the time to come and visit with the Commission, this has been a long process for them  
198 and have probably seen more of him then they wanted to but appreciates the opportunity to work with the Commission  
199 and go through this process. They are excited to do whatever they need to do and make this a good looking, beautiful  
200 place to live for people. As can see they have gone through many different renditions of the plan and finally feel like they  
201 have got something that will work for the City, the community and for the residents that live inside of it and so just wanted  
202 to say thank you for the Commissions time and all of the effort that have put into looking at their drawings and coming up  
203 with ways that they can improve, so thank you.

204 [6:32:05 PM](#)

205 Commissioner Vaughan asked if anyone else wanted to speak on the project or any questions for the applicant, there  
206 were none. Stated it was open for discussion for the Commissioners. Commissioner Vaughan stated he will jump in with  
207 his, it might inspire someone else, he will be voting against this project. It is flawed, it has been flawed since the very first  
208 it was presented to them. There is an unacceptable distance between Jackson Court, 2100 W and 2060 S, it has been  
209 there from the very first day, it was discussed 2 or 3 meetings with the Commission, from reading the minutes even when  
210 the City Council had this come before them, the City Council commented that there were many Commissioners that  
211 voiced problems with this issue, things that would turn it down and yet they still went ahead and approved it. They noted  
212 there was one dissenting vote and that was the Chairman and is dissenting for the same reason that has from the very  
213 first day one and that is the distance between 2100 W and 2060 S does not meet statute. Like many other government  
214 functions and there is a checklist that go down, have to meet all of those conditions to be approved. Try telling that next  
215 time go into the garage to have vehicle safety inspection, have to pass all of the items on the checklist or don't get the  
216 sticker, can't pay extra to have them pass over one. Yet, they approved this knowing full well, clearly that the distance  
217 between those 2 streets did not meet the standard. That is the reason will be voting no against this.

218 [6:34:23 PM](#)

219 Commissioner Thorson stated believes when they amended the preliminary to the City Council made some  
220 statements regarding some of those flaws in the subdivision but like the concept still. In spite of some of those flaws, like  
221 the concept and voted in favor with some of the training they had last meeting if there are flaws that they cannot overcome  
222 through gray area, they should vote against like they did and is struggling to overcome some of those in gray area and  
223 that is the access. How can justify an access to an arterial road, are trying to clear it up, still don't think a trail is an access  
224 to an arterial road, an arterial road access is a road access. Is still unsure what where would land on this, do think that the  
225 City Council may need to vote on this, with or without a recommendation for approval, they could pass it on either way  
226 and they would be responsible to decide and be accountable in their elected position to decide whether they would find  
227 gray area or not. In his mind it is pretty hard to find a gray area in some of those things, even when talked about the  
228 access, said the City Council would like them to consider this as a 4<sup>th</sup> phase of Craig Estates which is changing one fatal  
229 flaw an access violation to adding to a Cluster violation, so that didn't really help in that sense. So acknowledge and  
230 respect that the Chairman voted against it for those reasons, previously thought because liked the concept maybe could  
231 overcome some of them with this training have had, may be going back, don't know but guess could be swayed if  
232 someone could describe a really good gray area and maybe that is one way.

233 [6:37:01 PM](#)

234 Commissioner Day stated he appreciates the applicants' patience and appreciate staff as have gone through this and  
235 issue they have spent many, many hours on this. Like the plan they are proposing and think it would be a great addition to  
236 community. Likewise recognize that there are probably some areas in the code that they are probably leveraging to their  
237 benefit, however does like the concept and think it will be a great addition, location wise it fits everything that they as a  
238 Planning Commission have talked about in terms of where they want these types of developments. With that think will be  
239 voting in favor of it but think it would be a great addition for the community.

240 [6:37:55 PM](#)

241 Commissioner Vaughan stated in regards to Commissioner Thorson, yes the applicant has worked very hard, they  
242 have gone through several iterations and drawing maps to present to them so acknowledge that on behalf of staff and  
243 sure that staff is very happy to have the current drawings on a regular basis for them.

244 [6:38:55 PM](#)

245 COMMISSIONER DAY MADE A MOTION FOR THE PLANNING COMMISSION TO RECOMMEND TO THE CITY  
246 COUNCIL APPROVAL OF THE FINAL SUBDIVISION PLAT, DEVELOPMENT THEME DOCUMENT AND  
247 DEVELOPMENT AGREEMENT FOR JACKSON COURT, LOCATED AT 1958 S 2000 W. THE MOTION WAS  
248 SECONDED BY COMMISSIONER BINGHAM

249 *(Commissioner Day asked if they needed to address the solar issue, is that going to get them into problem if this  
250 motion were to pass, if they really don't mean to do full solar. Commissioner Vaughan stated doesn't know if that would be  
251 such a good idea since they have a motion and depending upon what is said that could dramatically effect the motion  
252 maybe even cause having it withdrawn. Commissioner Day stated that is fine, just wanted to bring it up now, unless no  
253 one else cares. Commissioner Thorson stated as part of discussion would like to address his thoughts on that, thought it  
254 was a non-statement, it was a sales pitch, didn't really say they were going to do anything, and it didn't really commit them*

255 *to doing anything and it didn't restrict them from doing anything, it was blank paper to him, waste of black ink.*  
256 *Commissioner Vaughan stated as part of Robert's Rules says a discussion after a motion has been made is by the body*  
257 *anyway, so other than the City Attorney that is about the only person that can interrupt.)*

258 COMMISSIONER DAY AND COMMISSIONER BINGHAM VOTED IN FAVOR. COMMISSIONER RACKHAM,  
259 COMMISSIONER MCCUISTION, COMMISSIONER VAUGHAN & COMMISSISONER THORSON NAY. MOTIION **FAILED**  
260 WITH A 4/2 VOTE.

261 [6:42:35 PM](#)

262 City Attorney Roberts stated they can have another motion if they want to have a motion to recommend denial.  
263 Commissioner Day stated they have to forward their recommendation. Commissioner Vaughan stated the Chair would  
264 entertain a motion in that regard.

265 [6:42:53 PM](#)

266 *Commissioner Thorson stated he would like to make a motion, to make a motion that they deny the Jackson Court*  
267 *subdivision plan as presented, with the finding that it does not meet the code with regards to access. Can't say that the*  
268 *City deny it, would say that the City Council address it with that finding. Would make a motion that they forward to the City*  
269 *Council with the finding that the Commission has rejected the proposal based on the lack of direct arterial access. Doesn't*  
270 *want to recommend denial, doesn't, like it but it fails the test in his mind. Commissioner Vaughan stated what might be*  
271 *easier is if he said, and not trying to influence him, but that the motion is that they deny it and send it to the City Council.*

272 [6:44:10 PM](#)

273 COMMISSIONER THORSON MADE A MOTION TO DENY THE JACKSON COURT FINAL PLAT AND FORWARD  
274 TO CITY COUNCIL WITH A RECOMMENDATION TO ADDRESS THE COMMISSIONS FINDING THAT IT LACKS  
275 ARTERIAL ACCESS. COMMISSIONER RACKHAM SECONDED THE MOTION. COMMISSIONER RACKHAM,  
276 COMMISSIONER MCCUISTION, COMMISSIONER VAUGHAN AND COMMISSISONER THORSON IN FAVOR.  
277 COMMISSIONER DAY AND COMMISSIONER BINGHAM VOTED NAY. MOTION **PASSED** WITH A 4/2 VOTE.

278 [6:45:01 PM](#)

279 **5. Adjourn**

280 COMMISSIONER DAY MADE A MOTION TO ADJOURN. COMMISSIONER RACKHAM SECONDED THE  
281 MOTION. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY. MOVED STRAIGHT INTO WORK  
282 SESSION.

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\_\_\_\_\_  
Ralph Vaughan, Chairman  
Date Approved: \_\_\_\_\_

\_\_\_\_\_  
Stacy Adams, Commission Secretary

## Minutes of the Syracuse Planning Commission Work Session, October 18, 2016

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Minutes of the Syracuse City Planning Commission Work Session held on October 18, 2016, at 6:00 p.m., in the Conference Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

**Present:**

Commission Members:	Ralph Vaughan, Chairman Dale Rackham, Vice Chairman Greg Day Curt McCuiston Grant Thorson Gary Bingham
City Employees:	Noah Steele, Planner Paul Roberts, City Attorney Stacy Adams, Commission Secretary
City Council:	Councilman Gailey
Excused:	Commissioner Moultrie
Visitors:	

[6:45:28 PM](#)

### 1. **Department Business:**

[6:45:41 PM](#)

#### **a. City Council Liaison Report**

Councilman Gailey stated he has 2 items he would like them to be aware of. At the City Council meeting that they had last week, they discussed the calendar and because some members of the City Council are not available on the on the 15<sup>th</sup>, they were going to squat on the Commissions meeting and hold City Council meeting for November on the 15<sup>th</sup> but there are 2 members of the City Council that are not available that evening and so are going to hold their meeting on November 14<sup>th</sup> which is a Monday night and will not be meeting on November 8<sup>th</sup> because of Election night, so are free to hold a meeting on the 15<sup>th</sup> if have business items. That said looking at the calendar and looking at what needs to be done in relationship to the Woodside development and that annexation and the development of that property, are on a pretty steep timeline for completion of that or getting into that. That property still has not closed and one of the issues is the timeliness of that and make that statement to the Commission so understand that are on a pretty steep timeline there. Will share with the Commission that the approval and the desire of all on the City Council is for them to work with Woodside. All on the City Council feel that this a win for the City, in lieu of the fact that some years ago they sold property over in this same area for a park and just short of 10 acres the City will receive, if the deal goes through, will receive 50 acres of that back with water rights to that property and think that is a win for the City. The money that saved from the sale of the other property now will be placed into amenities in that park as opposed to the land purchases there. Don't think is misrepresenting the Council at all when share with them that this is pretty well a fully supported activity of the Council and it may be that in the next few weeks that will wall be working fast to be able to allow this sale to move forward. Suspect that the City Council will be meeting once in November that is announced now but sure that they will be meeting in special session with the announcement of a new agenda within 24 hours.

[6:49:05 PM](#)

#### **b. City Attorney Updates**

City Attorney Roberts stated nothing tonight.

[6:49:25 PM](#)

#### **c. Upcoming Agenda Items**

Planner Steele stated next meeting will have Major Conditional Use for a daycare and then if want to work on the Buffer ordinance or any other ordinance could bring those back to them. Will have Woodside items coming but not next meeting, they have to create a zone and open the General Plan and will apply for a General Plan Amendment and that is when the Planning Commission will see it and assuming everything stays on track that will be in November. Commissioner Vaughan asked if they have anything else scheduled at that time so that will probably be a 1 item agenda but it is going to be a doozy. Planner Steele stated as of right now do not have any applications but hear that will be getting a Site Plan for Utah Onions soon but sometimes they come in when they say they are going to and sometimes they don't. Planner Steele stated City Attorney Roberts reminded him that staff has noticed the General Plan open period will be open for the General Plan Map and has been noticed so can accept applications 90 days prior and that will be first come first serve January 1, 2017. For Woodside the City Council is considering opening especially for them so that they can apply the new they zone they have created to them, but staff does not have any applications for General Plan right now. Planner Steele stated so that is something to discuss if do still want to hold the meeting on November 15<sup>th</sup>, don't have any applications as of yet, but may come in handy for Woodside. Commissioner Vaughan stated his feeling is to keep it on the calendar for right now and then staff can cancel it within the time period required to cancel, what is the time period that they have to give the general public if they cancel a meeting. Planner Steele stated believe it is 24 hours. Commissioner Vaughan stated correct, so they can go up to November 13<sup>th</sup> before make a decision or staff makes a decision. Planner Steele stated staff will know way before 254 hours because depending on what kind of application it is

65 staff will have to do public noticing 10 days before so if don't have anything will be able to let the Commission know a  
66 couple weeks before.

67 [6:52:26 PM](#)

68 **2. Discussion Items: Sale of City Property**

69 City Attorney Roberts stated this is related to the widening of 2000 West. Under City code are required to give  
70 recommendations if are ever going to sell land. UDOT is taking a couple little slivers, the first little sliver the City will be  
71 receiving \$13,000 for that according to the appraisals. There will also be straight property acquisition and utility easement,  
72 a perpetual easement and then also a temporary construction easement. Also a corner that UDOT will be needing for a  
73 temporary construction purposes so that is not going to be sold necessarily. Don't need to take action on it tonight just  
74 wanted to the give the Commission a heads up will be on the agenda for November 1<sup>st</sup> and expect that will make a  
75 recommendation at that point, if the City were to not sell this then UDOT could take it from the City, so might as well just  
76 sell them. There might be more property as the project develops but these are 2 sections currently. The City Engineer has  
77 indicated there might be a couple items that are off on this drawing but this is roughly what UDOT needs. Commissioner  
78 Vaughan asked if this was basically a pro forma type request to comply with statute in regards of how dispose of property  
79 or is this something that there is a real burning argument in staff and Council over. City Attorney Roberts stated ordinance  
80 require the Commission to review this so if have any concerns let staff know, otherwise would expect this would probably  
81 pass through this body. So this is just information and prepping the Commission for a recommendation on it at the next  
82 meeting.

83 [6:55:23 PM](#)

84 Commissioner Vaughan asked at the same time there is a whole lot of property that looks like it may be surplus and  
85 in his mind that is the property on the west side of the street beginning at the Junior High and going north until get to Utah  
86 Onions, where all of the residential homes were taken out. Has staff heard anything additional from UDOT on what they  
87 anticipate on doing with the land not needed for the actual right-of-way. Planner Steele stated can speak to that, staff has  
88 been in some talks with UDOT and have what is called an embitterment budget, it is a certain amount, a half of a  
89 percentage of the project budget that they give the City to do some landscaping and are going to powder coat some poles  
90 just to make the project look nice. Are going to work on some street trees and that remaining piece of land are working  
91 towards creating, wouldn't call it a linear park but trying to landscape that and provide a buffer for those residents back  
92 yards. UDOT will need some detention area so are a little limited of what can be done there but, the concept is that along  
93 the fence there will be trees and some vegetation and where can are going to try pushing the sidewalk back a little bit and  
94 meander it and put some street trees in. There are some challengers there with utilities, some overhead power lines, so it  
95 is a little bit limited but staff is working towards getting a landscape agreement with UDOT so that that remaining parcel  
96 look nice. Commissioner Vaughan asked if fencing would be included in any part of that discussion, think a nice uniform  
97 fence would dramatically improve visibility of that entire strip, not to say anything about the people whose backyards are  
98 looking into but some of them need help and some of them wonder if they would ever be able to improve their new back  
99 fence. Planner Steele state fencing was on the list along with a lot of other items but unfortunately have had to cut down  
100 on some things, but screening will still happen for those residents. The main focus has been street trees and try to get  
101 those at a regular interval along the corridor but are going to focus on covering up those backyards as much as possible  
102 with vegetation. Commissioner Vaughan asked if the City would be against a citizen group, an informal citizen group,  
103 unorganized coming forward to volunteer and donate a whole bunch of trees so that the money that would have been  
104 spent on those trees could be diverted to an actual fence. Planner Steele stated he doesn't think so, can't remember off  
105 the top of his head the cost for fencing for that long corridor, but it was more than just a few trees, it was a significant  
106 amount for fencing for something that long. Commissioner Vaughan stated he apologizes for putting staff on the spot.  
107 Commissioner Day stated related to that as from a what a facility UDOT is planning, will that be similar to the one when  
108 they widening Antelope that they placed up here, is the facility going to be similar in scope and look and feel as that one.  
109 Planner Steele stated he hopes it doesn't. It will function like that but it won't be fenced in, and are going to have some turf  
110 in it and it will integrate seamlessly with the linear park, that is the goal.

111 [6:59:40 PM](#)

112 **3. Commissioner Reports**

113 Commissioner Day stated he doesn't have anything to report. Commissioner McCuiston stated nothing to report.  
114 Commissioner Rackham stated after last meeting saying they were not going to meet on the 15<sup>th</sup>, had scheduled  
115 something so regardless whether if have the meeting or not will not be there. Commissioner Bingham stated nothing to  
116 report. Commissioner Thorson stated nothing to report. Commissioner Vaughan stated nothing also.

117 [7:00:14 PM](#)

118 **4. Adjourn**

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



# PLANNING COMMISSION AGENDA

November 1, 2016

## Agenda Item #4

### Major Conditional Use Permit

Dream Care Day Care & Preschool

4158 W 1235 S

#### Factual Summation:

Zone:	R-1 Residential
Acreage:	.446 Acre
Applicant:	Christine Jeppson & Property owner & mother Doneen Neumann
Required Parking:	3 spaces (.5 per teacher & per 7 students)
Provided:	7 spaces

#### Background:

This request is for a home occupation for day care only at this time. City code requires all **daycares** where the number of children is greater than eight and a second employee is required with a limit of 16 children to be processed as a major conditional use. Home daycares also require a license from the Utah Department of Health. In addition, city code requires home day cares/preschools to have backyards fully enclosed with secure fencing.

The applicant is requesting to be approved for a home **daycare**, hours Monday - Friday 7:00am - 5:00pm with **14 children**. The applicant has 1 employee. The applicant would like to open a commercial location within Syracuse in the future, and has the registered business name of Dream Care Day Care & Preschool. Once approved by Planning Commission, inspections approved by the Fire Department, and finally the Building Department, the applicant will be issued a City business license.

#### Attachments:

- Aerial
- Site Plan

#### Suggested Motions:

##### Grant

I move to **approve** the Major Conditional Use Permit for Dream Care Day Care & Preschool, located at 4158 W 1235 S, R-1 Residential Zone subject to all applicable requirements of the City's municipal codes (and to the condition(s) that...)

##### Deny

I move to **deny** the Major Conditional Use Permit for Dream Care Day Care & Preschool, located at 4158 W 1235 S, R-1 Residential Zone, based on...

##### Table

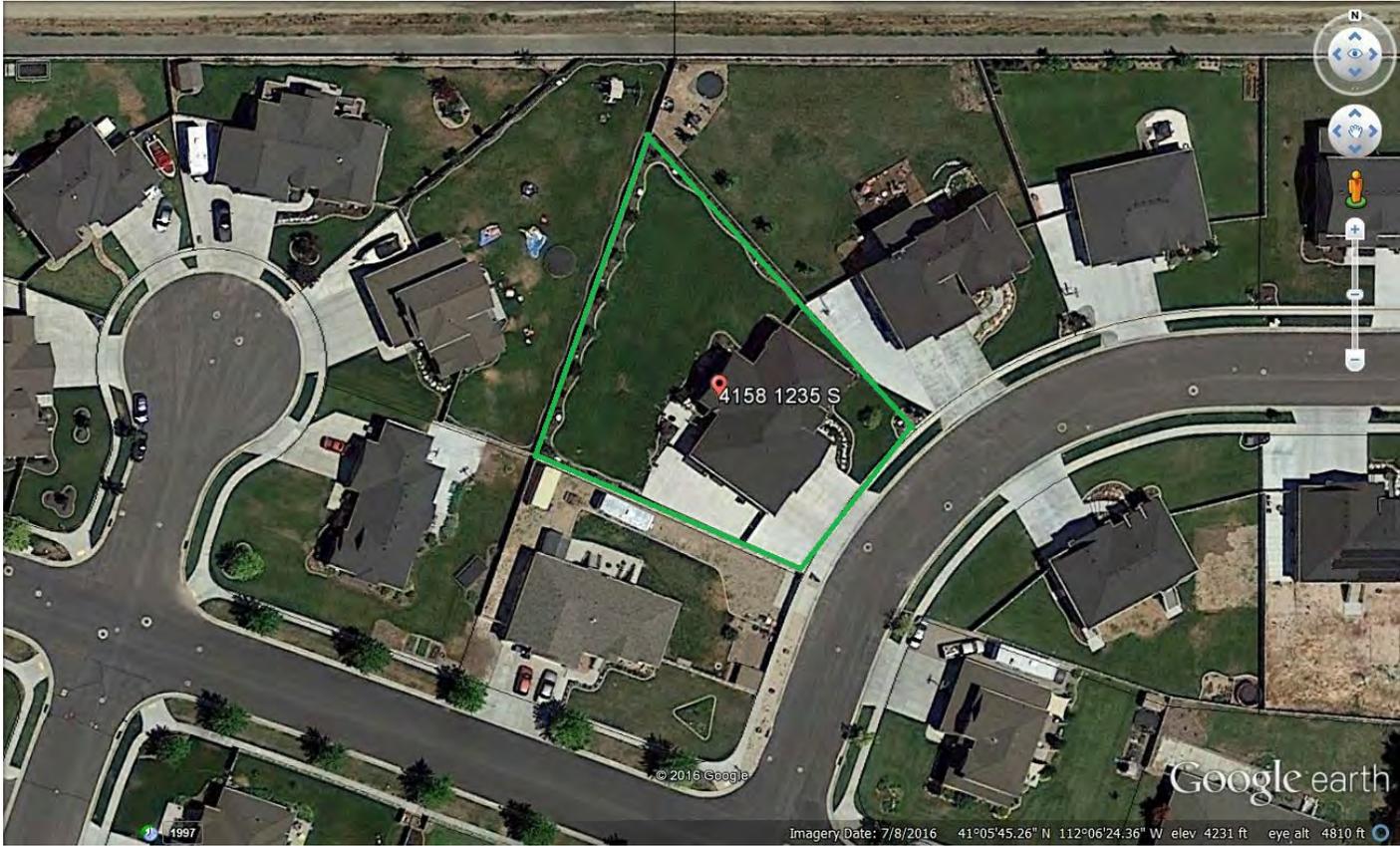
I move to **table** the Major Conditional Use Permit for Dream Care Day Care & Preschool, located at 4158 W 1235 S, R-1 Residential Zone until....

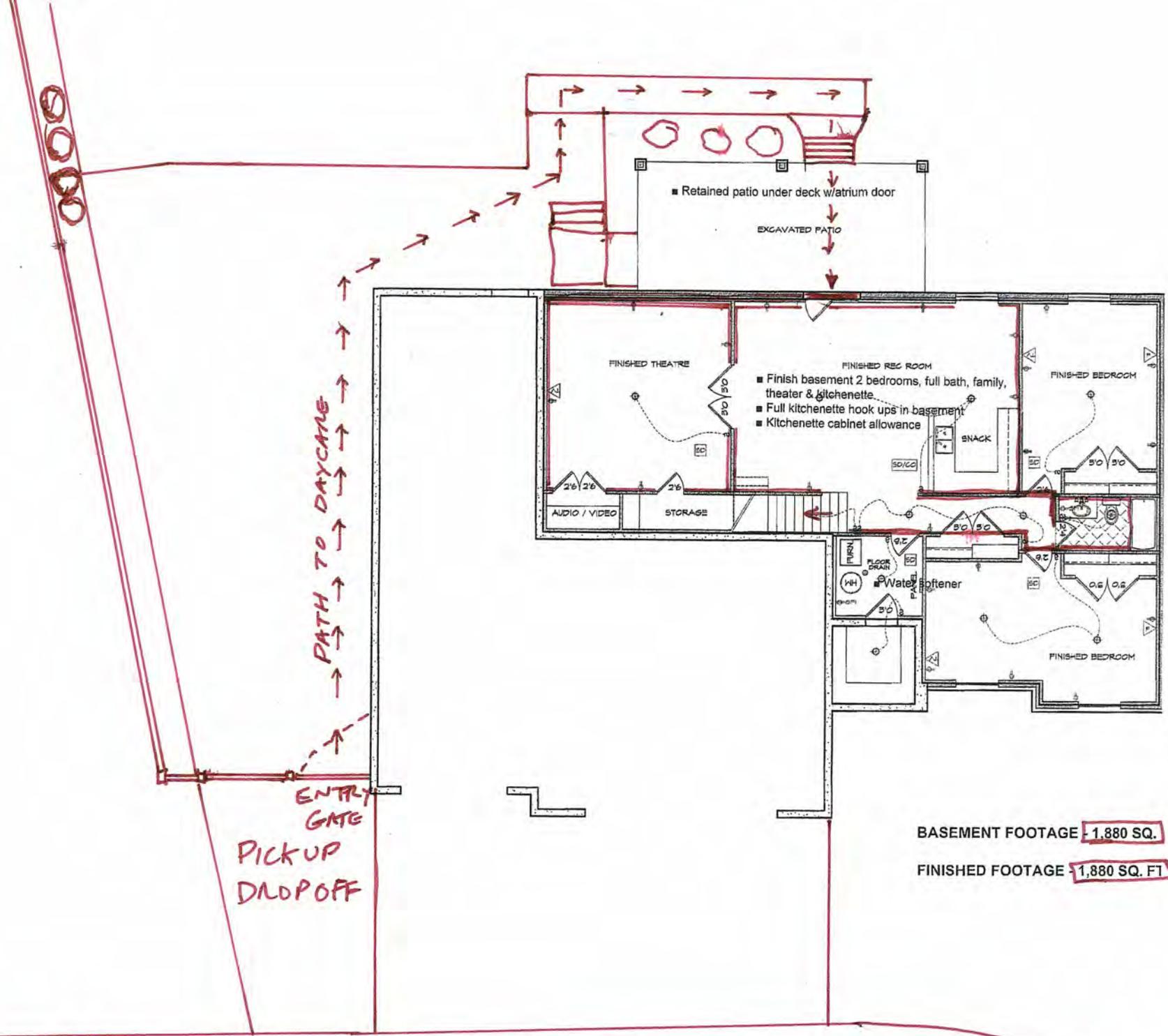


# Major Conditional Use

## 4158 W 1235 S

### Dream Care Day Care & Preschool





BASEMENT FOOTAGE - 1,880 SQ.

FINISHED FOOTAGE - 1,880 SQ. FT

PICKUP/DROPOFF PARKING

1235 S

(D) Major [Home Occupations](#).

(1) The definition of a major [home occupation](#) shall include any business within a residential [zone](#) that meets the standards listed in subsection (B) of this section but requires additional conditions of approval imposed by the [Land Use Authority](#), as provided herein, to mitigate the increased impact of such [home occupations](#) on the surrounding property owners.

Major [home occupations](#) shall be [conditional uses](#) in all residential [zones](#) due to the potential increase in the impact of a business as allowed by the following:

(a) A larger [commercial vehicle](#), not exceeding 20,000 pounds, may be used, provided it is parked on private property and adequately screened. Parking of the [commercial vehicle](#) shall occur on the side or in the rear of the home.

(b) Day care, where the number of children is greater than eight and a second employee is required at the home.

(c) [Preschools](#), where the number of sessions is greater than four per week.

(d) A larger percentage of the home or an accessory [building](#) may be used for the [home occupation](#) under conditions recommended by the [Planning Commission](#). The [use](#) of an accessory [structure](#) or an attached or detached garage, or [yard](#) space, for a [home occupation](#) may be considered as a [conditional use](#) only under the following conditions:

(i) The [Planning Commission](#) finds that the proposed [home occupation](#) will be clearly accessory and subordinate to the principal [use](#) of the property for [dwelling](#) purposes; and

(ii) The [Planning Commission](#) finds that the proposed [home occupation](#) will not adversely affect the residential nature and aesthetic quality of the neighborhood; and

(iii) Any off-street parking displaced by the [home occupation](#) is relocated elsewhere on the lot or parcel in compliance with [setback](#) standards for the zoning in which the property is located; and

(iv) The [Planning Commission](#) may impose any conditions it deems necessary to mitigate impacts of the [home occupation](#) on the neighborhood.

(2) Major [home occupations](#) may include, but not necessarily be limited to, the following:

(a) Any [use](#) allowed as a minor [home occupation](#) that is requiring additional conditions of approval as shown in subsection (D)(1) of this section.

(b) Small engine repairs (excluding automobiles, motorcycles, and snowmobiles).

(c) Woodworking.

(d) Pest or weed control service.

(3) The following [uses](#), by the nature of the investment or operation, have a pronounced tendency once started to increase beyond the limits permitted for [home occupations](#) and thereby impair the [use](#) and value of a residentially zoned [area](#) for residential purposes and are more suited to professional or business districts. Therefore, the [uses](#) specified below shall not be permitted as home occupations:

- (a) Minor or major auto repair, painting of vehicles, trailers, or boats;
- (b) Funeral chapel or home;
- (c) Gift shops;
- (d) Medical or [dental clinic](#);
- (e) Welding or machine shops; and
- (f) Appliance repair (large).

(E) [Child day care home](#) occupations shall limit the number of children at the residence to eight unless a second adult works for the [home occupation](#), in which case the day care shall limit the number of children at the residence to 16.

(1) All [day care home](#) occupations shall have a back [yard](#) fully enclosed with a secure [fence](#).

(2) All [day care home](#) occupations shall acquire a license from the Utah Department of Health, Bureau of Licensing Requirements.

(3) Any person residing within the [dwelling](#) or employed from out of the [dwelling](#) shall not have a conviction of any crime, identified in Section [77-27-21.5\(1\)\(e\)\(i\)](#), Utah Code Annotated 1953, or any other sexual crime against another person. Employees and everyone 18 years of age or older in the household shall provide a criminal background clearance through the Utah Bureau of Criminal Investigation prior to any contact with the children attending such day cares.

(F) [Adult day care home](#) occupations shall limit the number of adults at the residence to six at only one time. The following standards shall apply:

(1) The adult day care must be operated by a person who resides in the [single-family dwelling](#).

(2) An adult day care participant, who is not mentally or physically capable of negotiating a normal path to safety, shall count as three persons. The City may request a statement from a physician that a participant is mentally and physically capable of negotiating a normal path to safety.

(3) An off-street, unobstructed, paved parking [area](#) for the pick up and drop off of adults must be provided.

(4) When assistive devices or aids are necessary for an adult day care participant to negotiate a normal path to safety, the adult day care shall be handicap accessible.

(5) The [rear yard](#) shall be fully enclosed with a secure [fence](#) at least 60 inches in height.

(6) The adult day care must be licensed by the state of Utah and continuously maintain a current license with the state as outlined in State Administrative Code R501-13.

(G) [Preschool](#) Home Occupations. [Home preschools](#) shall have back [yards](#) fully enclosed with secure fencing and shall limit the number of students to 16 children per session. [Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-11 § 1 (Exh. A); Code 1971 § 10-7-040.]



# PLANNING COMMISSION AGENDA

Nov. 1, 2016

## Agenda Item #5                      **Sale of City Land**

### *Factual Summation*

Ordinance 3.10.080 (D) explains that the scope of the Planning Commission includes:

"The acquisition or acceptance of land for any public property, public way, ground, place, or structure; also the sale or lease of municipally owned property, and the location of public buildings, parks or other open spaces;"

Please review the attached documents

### *Attachments:*

- UDOT Maps







# PLANNING COMMISSION WORK MEETING AGENDA

Nov. 1, 2016

## Agenda Item #2a      **Woodside Development**

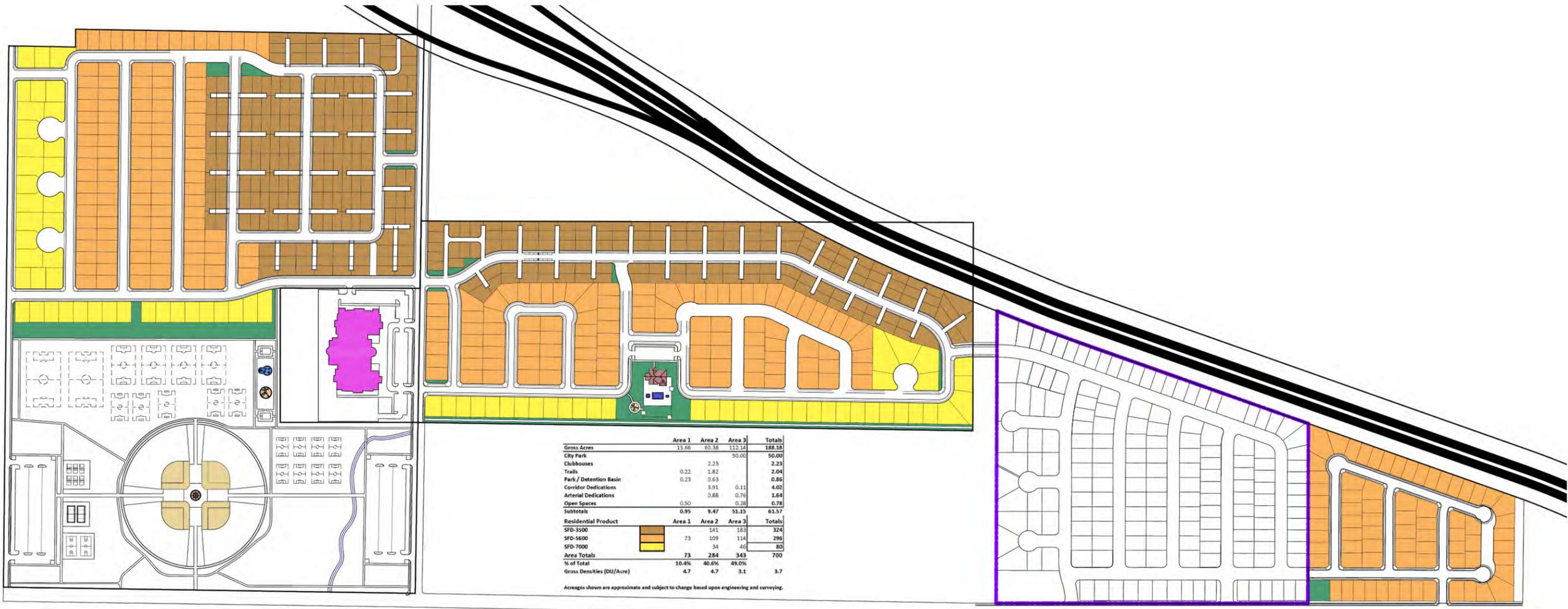
### *Factual Summation*

Woodside development company is moving forward with the development of 189 acres near Jensen Nature Park. PC has made a recommendation on a zone for the development and City Council is currently reviewing this zone. The Council completed the annexation of the land in its Oct 25, 2016 meeting. Also included with the annexation was a development agreement that will require the developer to dedicate 50 acres of park land to the city. In the agreement, the city conceded to a minimum lot size of 3,500 square feet with a maximum density of 3.71 units per gross acre over the entire site. We would like to discuss the progress of the project and give notice that general plan, zoning, concept plan, preliminary plan, and final plan applications will be arriving on the Planning Commission agendas soon. It is also desired that input be provided by the Planning Commission on the draft concept plan attached herein. This is not an official application review, but a chance to provide early feedback. Below is a schedule that the council intends to follow assuming there are not any issues that arise.

- Oct. 25th – CC annex land and approve Woodside development agreement
- Oct. 26th - Woodside submit application for a “special request” general plan map amendment
- Nov. 14th – CC approve by ordinance new MPC zone and approve GP ‘special’ opening
- Dec. 6th – PC approve MPC Concept Plan and GP map amendment
- Dec. 13th – CC approve MPC Concept Plan and GP map amendment
- Jan. 3rd -PC approve MPC preliminary plan/Rezone
- Jan 10th – CC approve MPC preliminary plan/Rezone
- February 7th – PC approve final plan
- February 14th – CC approve final plan

### *Attachments:*

- Concept Plan



	Area 1	Area 2	Area 3	Totals
Gross Acres	15.66	60.38	112.14	188.18
City Park			50.00	50.00
Clubhouses		2.23		2.23
Trails	0.22	1.82		2.04
Park / Detention Basin	0.23	3.63		3.86
Corridor Dedications		3.91	0.11	4.02
Arterial Dedications		3.88	0.76	4.64
Open Spaces	0.50		0.28	0.78
Subtotals	0.99	9.47	51.15	61.57
Residential Product				
SFD-3500		141	183	324
SFD-5600	73	109	114	296
SFD-7000		34	46	80
Area Totals	73	284	343	700
% of Total	10.4%	40.6%	49.0%	
Gross Densities (DU/Acre)	4.7	4.7	3.1	3.7

Acresages shown are approximate and subject to change based upon engineering and surveying.



# PLANNING COMMISSION WORK MEETING AGENDA

Nov. 1, 2016

Agenda Item #2b

## **Residential Subdivision Entitlement Training**

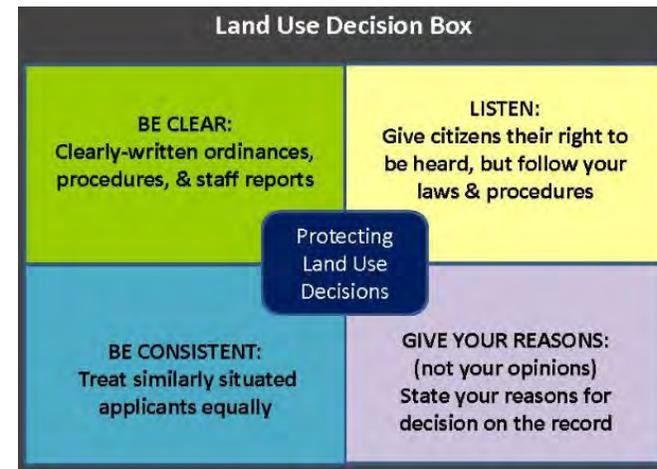
### *Factual Summation*

Attached is a training on the residential subdivision process as this is the majority of the applications that the city receives.

### *Attachments:*

- Power Point Presentation

Decision to Be Made	Advisory Body	Land Use Authority	Appellate Body	External Appeal
Adoption of or amendments to <a href="#">general plan</a>	<a href="#">Planning Commission</a> (public hearing and notice required)	<a href="#">City Council</a> (public hearing optional)	District Court (appeal within 30 days of decision)	
Adoption of or amendments to <a href="#">land use ordinance</a>	<a href="#">Planning Commission</a> (public hearing required)	<a href="#">City Council</a> (public hearing optional)	District Court (appeal within 30 days of decision)	
Annexation application	<a href="#">Planning Commission</a> (with recommendation of zoning designation)	<a href="#">City Council</a> (public hearing and notice required)	(If petition or <a href="#">ordinance</a> is denied, process ends)	(If petition or <a href="#">Ordinance</a> is denied, process ends)
Appeal of administrative decisions	None	<a href="#">Land Use Administrator</a>	<a href="#">City Council</a> or <a href="#">Board of Adjustment</a> (appeal within 15 days of decision)	District Court (appeal within 30 days from decision by appellate body)
<a href="#">Site plan</a>	None	<a href="#">Planning Commission</a> (public hearing and notice required)	<a href="#">City Council</a> appeal within 30 days of decision	Civil or District Court appeal within 30 days of decision
<a href="#">Conditional use permits</a>	None	<a href="#">Planning Commission</a> or <a href="#">Land Use Administrator</a>	<a href="#">Planning Commission</a> or <a href="#">City Council</a> (15 days from decision by <a href="#">Land Use Authority</a> )	Civil or District Court (30 days from decision by appellate body)
<a href="#">Nonconforming uses and noncomplying structures</a>	None	<a href="#">Land Use Administrator</a>	<a href="#">City Council</a> (15 days from decision by <a href="#">Land Use Authority</a> )	District Court (30 days from decision by appellate body)



Minor <a href="#">home occupations</a> (see Chapter <a href="#">10.35 SCC</a> )	None	<a href="#">Land Use Administrator</a>	<a href="#">Planning Commission</a>	<a href="#">City Council</a>
Major <a href="#">home occupations</a> (see Chapter <a href="#">10.35 SCC</a> )	<a href="#">Land Use Administrator</a>	<a href="#">Planning Commission</a>	<a href="#">City Council</a>	District Court
Subdivision applications and plat approvals	<a href="#">Planning Commission</a> (public hearing required at review of sketch plan)	<a href="#">City Council</a>	District Court	30 days from decision by <a href="#">Land Use Authority</a>
Vacations or amendments of subdivision plats	None	<a href="#">Planning Commission</a> (public hearing and 10-day notice required)	<a href="#">City Council</a>	District Court (30 days from decision by <a href="#">Land Use Authority</a> )
Zoning <a href="#">variances</a>	None	<a href="#">Board of Adjustment</a>	District Court	30 days from decision by <a href="#">Land Use Authority</a>
Exactions (constitutional takings)	City Recorder	Not Applicable	<a href="#">City Council</a>	Utah State Private Property Ombudsman



# leg·is·la·tive

/ˈleɪʒəˌslɑːdɪv/

*adjective*

having the power to make laws.

"the country's supreme legislative body"

*synonyms:* lawmaking, [judicial](#), [juridical](#), [parliamentary](#), governmental, policy-making

"a legislative assembly"

- of or relating to laws or the making of them.  
"legislative proposals"
- of or relating to a legislature.  
"legislative elections"

**Legislative decisions can be more “fluffy” – based on theoretical interpretations of what is wrong and right.**





# ad·min·is·tra·tive

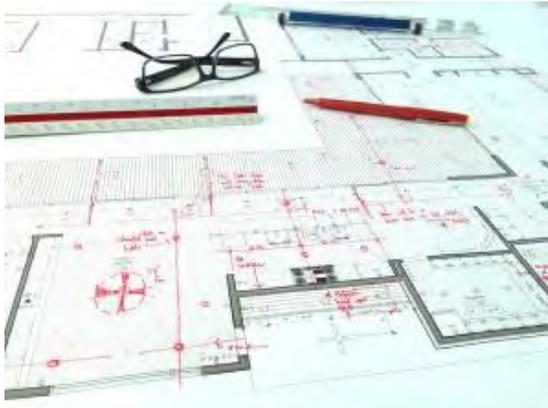
/əd' minə ,strādiv ,əd' mini ,strədɪv/

*adjective*

of or relating to the running of a business, organization, etc.  
"administrative problems"

*synonyms:* managerial, management, directorial, executive, organizational, bureaucratic, supervisory, regulatory  
"strong administrative skills"

**Administrative decisions have to be precisely based on the rules and only the set of rules that apply to the current step in the process at hand.**



# Know The Role/Capacity In Which You Are Acting:

## Advisory Body

An **advisory board** is a **body** that provides non-binding strategic advice to the management of a corporation, organization, or foundation. The informal nature of an **advisory board** gives greater flexibility in structure and management compared to the **Board** of Directors.



“Land Use Administrator” means that person designated by the Syracuse City Council to perform the duties and responsibilities as described in this title.



“Land Use Authority” means any person, board, or commission designated by the City Council to act upon a land use application.

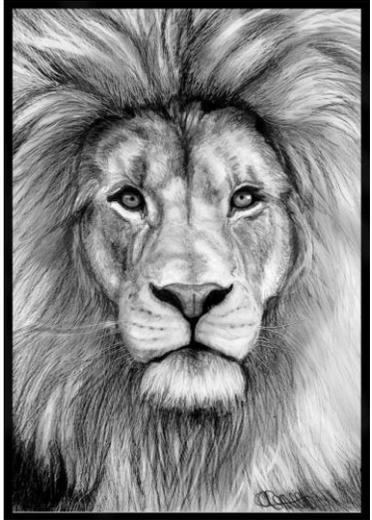


# Residential Subdivision Process:

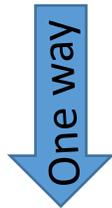
Step	Action	Type	Process
1	General Plan – Planning Commission	Legislative	Developer fills application, pays fee, goes to PC meeting. PC looks at big picture and can give positive or negative recommendation based off a wide variety of things. Reasons for denial can be as broad as “don’t feel it is right, or doesn’t fit, or isn’t the right time, or will add too much demand on infrastructure.” Doesn’t have to be scientific.
2	General Plan – City Council	Legislative	After PC meeting, developer goes to CC. CC has final say and looks at PC recommendation, CC can approve or deny based off the same wide variety of things.
3	Rezone – Planning Commission	Legislative	Developer fills application, pays fee, goes to PC meeting. PC looks at big picture and can give positive or negative recommendation based off a wide variety of things. Reasons for denial can be as broad as “don’t feel it is right, or doesn’t fit, or isn’t the right time, or will add too much demand on infrastructure.” Doesn’t have to be scientific.
4	Rezone – City Council	Legislative	After PC meeting, developer goes to CC. CC has final say and looks at PC recommendation, CC can approve or deny based off the same wide variety of things. Developer not required to show design at this stage and once approved can do whatever is legal in the zone. The decision should be strictly about a broader evaluation of use and what would be best for the city.
5	Concept Plan - Staff	Administrative	Developer fills application, pays fee. Staff Development Review Committee (DRC) meets with developer to give preliminary evaluation about how the concept plan meets the ordinance.
6	Preliminary Plan – Planning Commission	Administrative	Developer fills application, pays fee, goes to PC meeting. Staff completes detailed review and presents information to the PC. Occasionally an ordinance may be interpreted in multiple ways as to what is required. The land use authority (CC in this case) will make the final decision on how ordinance is interpreted. It is acceptable for PC to give approval with conditions, or table to get more information, or recommend denial if it doesn’t meet ordinance.
7	Preliminary Plan – City Council	Administrative	After PC meeting, developer goes to CC. They will look at the staff report and PC recommendation, but CC can approve or deny as they see fit. However, they too, are limited to decisions based off the preliminary subdivision ordinance only.
8	Final Plan – Planning Commission	Administrative	Developer fills out application, pays fee, goes to PC meeting. Staff provides report. PC evaluates whether or not the application meets the requirements for final plan approval only. Cannot go back to items in preliminary plan.
9	Final Plan – City Council	Administrative	After PC meeting, developer goes to CC. They will look at the staff report and PC recommendation, but CC can approve or deny as they see fit. However, they too, are limited to decisions based off the final plat ordinance only.



**Concept** – Rough layout of streets, Lot sizes, Density, Informal feedback. Lot's of revisions acceptable.



**Preliminary** – Layout of streets, Lot sizes, Open spaces, Sensitive Areas, Density, Utilities, Exact dimensions, Phasing plan. Formal Approval. Developer vested on design once approved.



**Final** – Prepare plat document for recording with county, Addressing, Refine utility and construction plans, Tie up any loose ends, Final approval by phase and based only on the final plat ordinance, no going back to preliminary ordinance.



## What if we missed something? Can't we go back and "make it right"?

-Depends....

- Legislative – Laws change back and forth all the time. Zoning can be changed back to what it was or to something else, as long as there isn't a development agreement in place. Once an administrative approval is granted, like preliminary plat, the development is vested. The zone could still be changed but they could still develop as approved.
- Administrative –
  - If we give an administrative approval the applicant is vested as to what was already approved at that stage.
  - Exception: If it is a building code or zoning ordinance related to safety/welfare, we can make them change it. For example, if the steepness of an ADA ramp for a store was too steep, we can make them tear it out and make it right. The argument has to be defensible that the city is exercising it's power to protect the people and proportional to the risk related to what was overlooked.



“Street cred”

# cred·i·bil·i·ty

/ˌkredəˈbɪlədē/

*noun*

the quality of being trusted and believed in.

"the government's loss of credibility"

*synonyms:* trustworthiness, reliability, dependability, integrity; [More](#)

- the quality of being convincing or believable.

"the book's anecdotes have scant regard for credibility"

*synonyms:* plausibility, believability, tenability, probability, feasibility, likelihood, credence;

- another term for [street credibility](#).

**“WE ALL HAVE A COMMON GOAL, AND WE  
KNOW IT’S ALL FOR OUR FUTURE GOOD.”**

**MARTA KRISTEN**



# PLANNING COMMISSION WORK SESSION AGENDA

November 1, 2016

Work Session Item # 2c

Ordinance Revision: Property Setbacks on Widened Streets

## *Summary*

In recent years, some of the large roads in Syracuse have been widened or otherwise modified. Due to the farm block layout of the city, many older homes that were built when Syracuse was predominantly a farming community are located on large roads such as 700 South, Antelope Drive, and 2000 West. Historically, these homes were built a fair distance from the two lane, gravel shoulder roads they fronted. Property lines also generally went to the center of the roadway.

As traffic demands increased and the need for paved shoulders, sidewalks, and additional lanes required the acquisition of increased right-of-way, many property lines were adjusted to accommodate the new right-of-way width. In many instances, the widened roads encroached into the yards of historic homes. In these cases, property owners are left with a significantly reduced front yard area, limiting their use of the property in ways that would have been permitted prior to the roadway widening.

To avoid variance requests, and to provide property owners with flexibility in the use of their property where limitations on their use were not caused by them, staff would like to explore the possibility of allowing owners of property abutting widened roads to measure setbacks differently in the front yard area. Some municipalities allow property owners to measure setbacks as if the previous property lines still existed. However, staff would recommend that some minimum setback from the right-of-way line be maintained as these widened roadways area usually arterials with high traffic counts. The intent of this discussion is to explore what flexibility could be afforded these property owners who have found themselves in a situation that they did not initiate.

The following is potential Code language generated by staff as a starting point for discussion:

*When area or yard setbacks of a legally established lot are reduced as the result of conveying land to a federal, state or local government for a public purpose, such lot and yards shall be deemed to be in compliance with the minimum lot size and yard setback standards of this title without any need for a variance.*

*If lot nonconformity is result of the widening of a right-of-way abutting a front or rear yard, the setbacks for the yard abutting the widened right-of-way shall be reduced to 15 feet.*



# PLANNING COMMISSION WORK SESSION AGENDA November 1, 2016

Work Session Item # 2d      Ordinance Revision:ARC Standards

## *Summary*

Earlier this year, the architectural standards for industrial buildings were amended to be more stringent, requiring 25% brick rock and stone on the front and side facades of the building. The new ordinance is now being put to the practicality test with a future applicant. He is giving feedback that the new standard will make thier building too expensive for the end user, effecting his ability to attract tenants. He has petitioned the council and found a listening ear, as the city greatly desires to increase it's daytime population and number of jobs for residents. They would like the PC to look at ways to loosen the standard slighly.

This is what the ordinance currently says:

### 10.28.220

(2) Primary Materials. Twenty-five percent of the front and street facing exterior walls must be finished with brick, architectural block, stone, or glass. Unfinished gray concrete block is not permitted. The use of noninsulated metal siding exclusively on any wall is prohibited. All finish material shall be durable to the effects of weather and soiling.

Potential Amendment:

### 10.28.220

(2) Primary Materials. Twenty-five percent of the front ~~and street~~ facing exterior walls **and five percent of street facing exterior walls** must be finished with brick, **concrete formliner**, architectural block, stone, or glass. Unfinished gray concrete block is not permitted. The use of noninsulated metal siding exclusively on any wall is prohibited. All finish material shall be durable to the effects of weather and soiling.

(4) Large expanses of precast concrete (including cast in place concrete tilt-up panels), metal wall panels, or other uniform material must be broken up with pop outs **or recesses (petruding at least 4 feet from the wall plane)**, ~~recesses~~, or change in color and texture, every 100 feet.



# PLANNING COMMISSION WORK SESSION AGENDA November 1, 2016

Work Session Item # 2e

Ordinance Revision: Buffering between uses

## *Summary*

The buffer table has been a source of confusion. The table allows so many options, that it is often unclear what the actual standard are for buffering between different land uses. This body reviewed the ordinance in May of this year but had tabled it. The City Council has asked us to look at this issue more closely and provide a recommendation.

## *Attachments:*

- Existing Ordinance
- Potential Ordinance

## Existing Ordinance

### **10.30.080 Buffer yards.**

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(A) Purpose. The buffer yard is a unit of land, together with the planting required thereon, to ameliorate nuisances between adjacent land uses or between a land use and public road. Both the calculated amount of land and the type and amount of planting specified for each buffer yard required by this chapter shall ensure they do, in fact, function as “buffers.” Buffer yards shall separate different land uses from each other in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs and unsightly buildings or parking areas or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions.

(B) Location of Buffer Yards. Buffer yards shall be located on the outer perimeter of a lot or parcel adjacent to a different use and shall extend along the entire boundary of the property adjacent to that use. Fencing associated with buffer yards shall be located on property lines except as described in subsection (G) of this section.

(C) Determination and Approval of Buffer Yards Required. To determine the type of buffer yard required between two adjacent parcels or between a parcel and a street, the following procedure shall apply:

- (1) Identify the land use category of the proposed use.
- (2) Identify the use category of the existing land use adjacent to the proposed use by an on-site survey to determine the intensity classification from Table 1. Agricultural determination need not directly relate to whether or not someone is farming the adjacent property.
- (3) Determine the buffer yard required for the proposed development by using Table 2.
- (4) Using Buffer Tables A through E, identify the buffer yard options using the buffer yard requirement determined in Table 2. The City Council, upon recommendation of the Planning Commission, shall approve buffer yard options contained in the Buffer Table.

(D) Use of Buffer Yards. The buffer yard may be used to provide for passive recreation and may contain pedestrian, bike, or equestrian trails; provided, that: (1) the buffer yard does not eliminate any plant material, (2) provisions are in place to ensure maintenance of the total width of the buffer yard, and (3) all other requirements of this title are met. In no event, however, shall buffer yards contain the following uses: ice skating rinks, play fields, ski hills, stables, swimming pools, and tennis courts.

## Existing Ordinance

(E) Ownership of Buffer Yards. Buffer yards may remain in the ownership of the original developer of the land use or be subject to deed restrictions and subsequently freely conveyed, or the proprietor may transfer ownership to any consenting grantees, such as adjoining land owners or homeowners' association, or deed the same to the City; provided, that any such conveyance adequately guarantees the protection of the buffer yard for the purposes of this title.

(F) General Landscaping Requirements. Buffer Tables A through E identify details for landscaping requirements and specify the number and types of plants required in 100-foot increments. Any substitute plants require approval from the City Council.

(G) Alternative to Fencing Requirements. When the owner of a buffer yard, identified in Tables D and E, transfers same to an adjoining property owner, the fence location may shift to the opposite side of the buffer area.

Table 1

### Existing Land Use Classification

Classification	Existing Land Use
1	Agriculture Farm Industry
2	R-1 Residential Outdoor Recreational Parks
3	R-2 Residential Indoor Recreation Day Care Centers Schools Cemeteries
4	R-3 Residential PRD Residential Commercial Preschools
5	Churches Hospitals

Existing Ordinance

Table 1

Existing Land Use Classification

Classification	Existing Land Use
	Medical Care Facilities Office Complex Professional Offices Nurseries Greenhouses
6	Industrial Business Park Neighborhood Services Dog Kennels Commercial Commercial Entertainment Research Park

## Existing Ordinance

Table 2

Buffer Classification Requirements

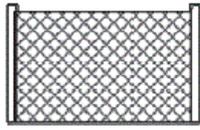
	Buffer Classification Requirements*	EXISTING LAND USE CLASSIFICATION					
		1	2	3	4	5	6
Proposed Land Use	Industrial	—	E	E	E	E	—
	Business Park	—	D	D	D	D	—
	Neighborhood Services	—	C	C	C	C	—
	General Commercial	A	D	D	D	D	—
	Agriculture	—	—	A	A	B	C
	R-1 Residential	A	—	—	A	B	C
	R-2 Residential	A	—	—	—	C	D
	R-3 Residential	A	—	—	—	C	E
	Private Residential Development	A	C	D	—	D	E
	Professional Office	C	D	D	D	—	—
	Research Park	C	D	E	E	E	E

\* Refer to minimum lot standards associated with each zone for minimum yard setback requirements.

NOTE: Any residential use abutting agriculture or farm industry must have a five-foot nonclimbable fence.

Existing Ordinance

**BUFFER TABLE A**



5' Chain Link Fence



5' Wood Stockade Fence



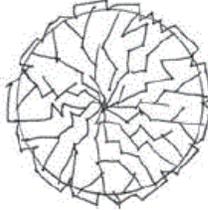
5' Wood Rail Fence



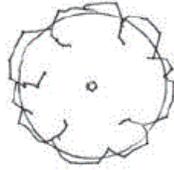
5' Vinyl Fence

**AND**

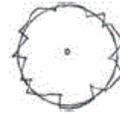
**Required Plat Units/100'**



(0.6) Canopy Tree



(1) Understory Tree

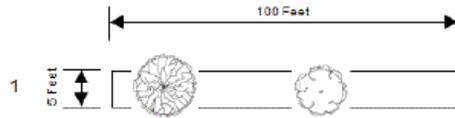


Shrub



Evergreens/Conifers

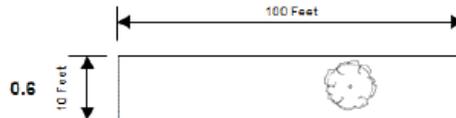
**Plant Multiplier**



1

5 Feet

100 Feet



0.6

10 Feet

100 Feet



0.6

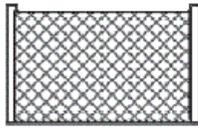
7.5 Feet



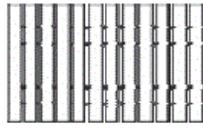
0.4

12 Feet

### BUFFER TABLE B



5' Chain Link Fence



5' Wood Stockade Fence



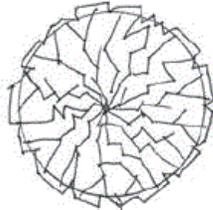
5' Wood Rail Fence



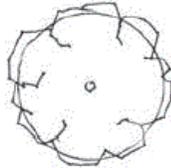
5' Vinyl Fence

AND

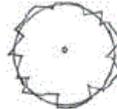
#### Required Plat Units/100'



(1) Canopy Tree



(1) Understory Tree

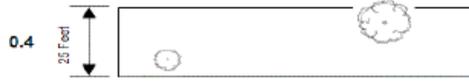
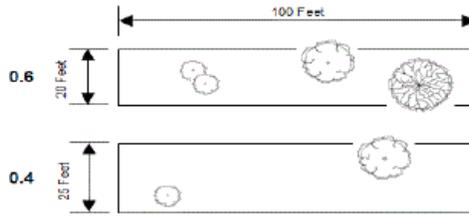
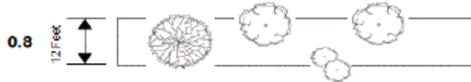
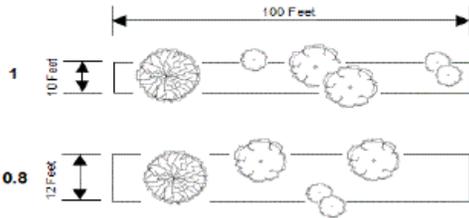


Shrub



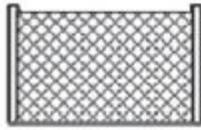
Evergreens/Conifers

#### Plant Multiplier

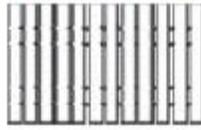


Existing Ordinance

**BUFFER TABLE C**



6' Chain Link Fence with Privacy Slats



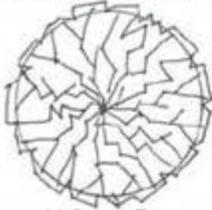
6' Impervious and Opaque Wood Stockade or Vinyl Fence



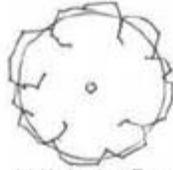
6' foot Masonry Wall

**AND**

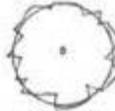
**Required Plat Units/100'**



(2) Canopy Tree



(4) Understory Tree

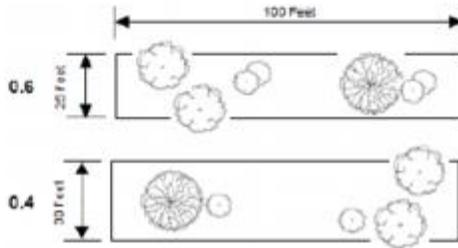
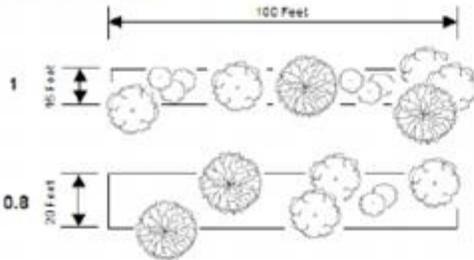


(6) Shrub

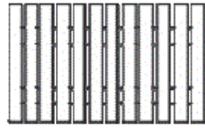


Evergreens/Conifers

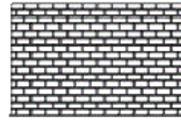
**Plant Multiplier**



### BUFFER TABLE D



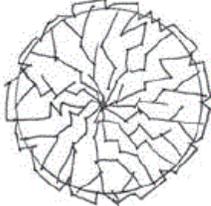
6' Impervious and Opaque Wood Stockade or Vinyl Fence



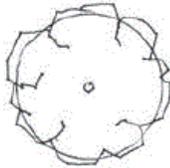
6' foot Masonry Wall

AND

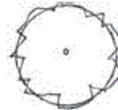
#### Required Plat Units/100'



(3) Canopy Tree



(6) Understory Tree

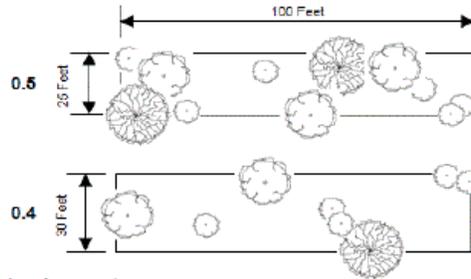
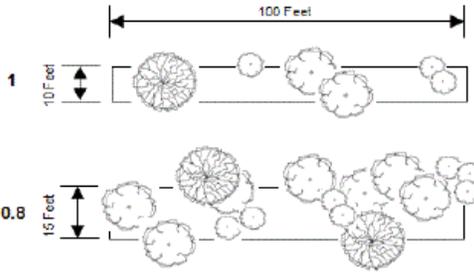


(9) Shrub

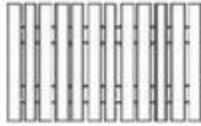


Evergreens/Conifers

#### Plant Multiplier

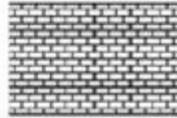


### BUFFER TABLE E



F1 = 6'  
F2 = 8'

Impervious and Opaque  
Wood Stockade or Vinyl Fence

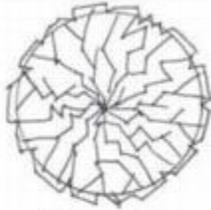


F1 = 6'  
F2 = 8'

Masonry Wall

OR

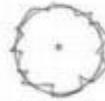
#### Required Plant Units/100'



(3) Canopy Tree



(6) Understory Tree

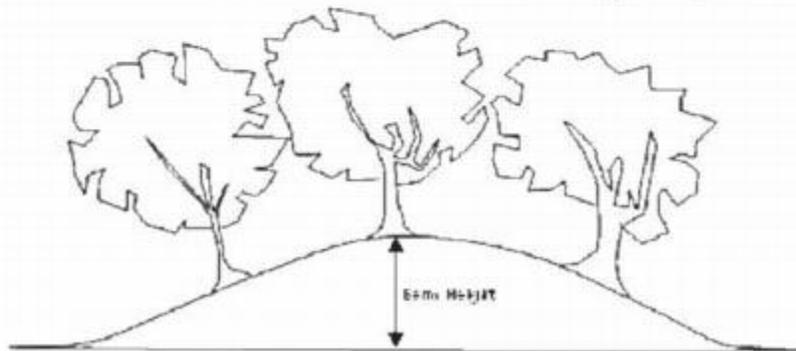
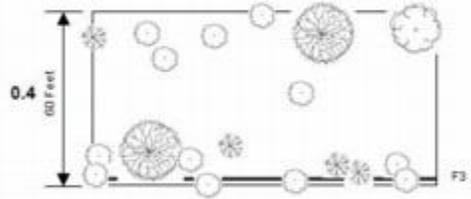
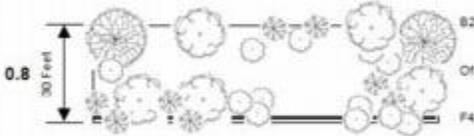
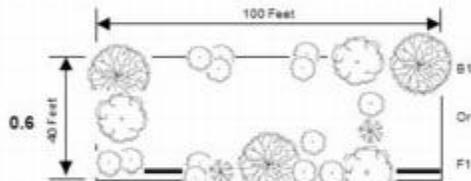
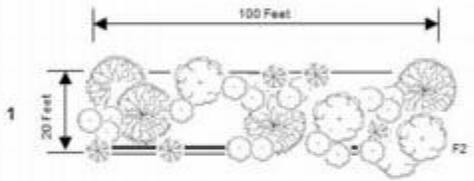


(9) Shrub



Evergreens/Conifers

#### Plant Multiplier



Symbol	Height	Material
E1	6'±	Earth
E2	3'±	Earth

## Existing Ordinance

[Ord. 14-09 § 1; Ord. 12-14 § 2; Ord. 12-12 § 2; Ord. 11-02 § 1 (Exh. A); Ord. 09-10 § 1 (Exh. A); Ord. 08-11 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; Code 1971 § 10-6-080.]

### 10.30.080 Buffer yards.

(A) Purpose. The buffer yard is a unit of land, together with the planting required thereon, to ameliorate nuisances between adjacent land uses or between a land use and public road. Both the calculated amount of land and the type and amount of planting specified for each buffer yard required by this chapter shall ensure they do, in fact, function as “buffers.” Buffer yards shall separate different land uses from each other in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs and unsightly buildings or parking areas or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions.

(B) Location of Buffer Yards. Buffer yards shall be located on the outer perimeter of a lot or parcel adjacent to a different use and shall extend along the entire boundary of the property adjacent to that use. Fencing associated with buffer yards shall be located on property lines except as described in subsection (G) of this section.

(C) Determination and Approval of Buffer Yards Required. To determine the type of buffer yard required between two adjacent parcels or between a parcel and a street, the following procedure shall apply:

(1) Identify the land use category of the proposed and existing land uses found in table 1. The Planning Commission may determine the land use category if it is not clearly described in table 1.

(2) Determine the buffer yard type required for the proposed development by using Table 2. The Planning Commission may determine the buffer type based on the unique characteristics of the site.

(3) Using Table 3, identify the description of the required buffer type. Planning Commission may alter the buffer type fencing or landscaping requirements to address unique site restraints.

(D) Use of Buffer Yards. The buffer yard may be used to provide for passive recreation and may contain pedestrian, bike, or equestrian trails; provided, that:

- (1) the buffer yard does not eliminate any plant material,
- (2) provisions are in place to ensure maintenance of the total width of the buffer yard, and
- (3) all other requirements of this title are met. In no event, however, shall buffer yards contain the following uses: ice skating rinks, play fields, ski hills, stables, swimming pools, and tennis courts.

(E) Ownership of Buffer Yards. Buffer yards may remain in the ownership of the original developer of the land use or be subject to deed restrictions and subsequently freely conveyed, or the proprietor may transfer ownership to any consenting grantees, such as adjoining land owners or homeowners’ association, or deed the same to the City; provided, that any such conveyance adequately guarantees the protection of the buffer yard for the purposes of this title.

(F) General Landscaping Requirements. Buffer Type A through F identify details for landscaping requirements and specify the number and types of plants required in 50-foot increments.

(G) Alternative to Fencing Requirements. The fence and landscape buffer location may switch if adjacent to a collector/arterial road or otherwise advantageous to reduce the potential for nuisance.

**Table 1**

<b>Existing Land Uses</b>	<b>Category</b>
Livestock, Produce, Farming, Pasture, Preserve, Horses, etc.	Agriculture
Retail, Office, Neighborhood Services, etc	Commercial
Business park, Warehouse, Industrial, Storage units, etc.	Industrial
Stand-alone house, House with accessory dwelling	Single Family Residential
Duplex, Apartments, Townhomes, etc	Attached Residential

**Table 2**

<b><u>New Land Use Category</u></b>	<b><u>Existing Land Use Category</u></b>	<b><u>Required Buffer Type</u></b>
Single Family Residential	Next to... Agriculture	A
Single Family Residential	Next to... Commercial	C
Single Family Residential	Next to... Industrial	E
Single Family Residential	Next to... Single Family Residential	A
Single Family Residential	Next to... Attached Residential	A
Single Family Residential	Next to... Arterial/Collector Road	none
Attached Residential	Next to... Agriculture	A
Attached Residential	Next to... Commercial	C
Attached Residential	Next to... Industrial	D
Attached Residential	Next to... Single Family Residential	A
Attached Residential	Next to... Attached Residential	B
Attached Residential	Next to... Arterial/Collector Road	F
Commercial	Next to... Agriculture	None
Commercial	Next to... Commercial	None
Commercial	Next to... Industrial	B
Commercial	Next to... Single Family Residential	D
Commercial	Next to... Attached Residential	D
Commercial	Next to... Arterial/Collector Road	F
Industrial	Next to... Agriculture	E
Industrial	Next to... Commercial	D
Industrial	Next to... Industrial	D
Industrial	Next to... Single Family Residential	E
Industrial	Next to... Attached Residential	E
Industrial	Next to... Arterial/Collector Road	E

**Table 3**

<b>Buffer Type</b>	<b>Fence</b>	<b>Landscape Buffer Width</b>	<b>Tree Density</b>	<b>Shrub Density</b>
A	6' Vinyl or Wood Privacy	none	none	none
B	6' Vinyl Privacy	6'	1 every 50'	none
C	6' Vinyl Privacy	10'	1 every 50'	5 every 50'
D	6' Precast Concrete	15'	2 every 50'	10 every 50'
E	8' Precast Concrete	20'	3 every 50'	10 every 50'
F	None	15'	1 every 50'	none



# PLANNING COMMISSION WORK SESSION AGENDA November 1, 2016

Work Session Item # 2f

Ordinance Revision: Accessory Dwelling

## *Summary*

Last week, we had a resident come to the counter asking about building an accessory dwelling on their little farm of about 5 acres. The ordinance says that the size of an accessory dwelling cannot be any bigger than 50% of the footprint of the main dwelling. This is to ensure that the total lot coverage does not become overly crowded. This ordinance mainly applies to traditional subdivisions with quarter acre lots. The resident petitioned the city council members and subsequently, they have asked the Planning Commission to review this issue and provide a recommendation for a solution.

What the ordinance says:

10.30.020 (E) (15) (c) Regulations for buildings and structures.

(c) Detached accessory dwelling units shall not exceed 50 percent of the footprint of the main dwelling, excluding the garage, and are permitted as a major conditional use permit, approved by the Planning Commission.

Potential Amendment:

10.30.020 (E) (15) (c) Regulations for buildings and structures.

(c) Detached accessory dwelling units shall not exceed 50 percent of the footprint of the main dwelling, excluding the garage, and are permitted as a major conditional use permit, approved by the Planning Commission. **For parcels larger than 5 acres, detached accessor dwelling units shall not exceed 90 percent of the footprint of the main dwelling.**