



Syracuse City Planning Commission Meeting May 17, 2016

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

Regular Meeting Agenda

PLANNING COMMISSIONERS

CHAIR

Ralph Vaughan

VICE CHAIR

Dale Rackham

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

1. **Meeting Called to Order**
 - Invocation or Thought by Commissioner **Thorson**
 - Pledge of Allegiance by Commissioner **Moultrie**
 - Adoption of Meeting Agenda
2. **Meeting Minutes**
May 3, 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. **Public Hearing**, Code Amendment, Title 8.15.010 and Title 7.05.020 regarding Cul-De-Sac diameters.
5. **Adjourn**

Please provide all handouts/documents to staff prior to start of meeting, not to the Planning Commissioners themselves.

Work Session

1. **Department Business**
 - a. City Council Liaison Report
 - b. City Attorney Updates
 - c. Upcoming Agenda Items
2. **Discussion Items**
 - a. Review of definition of Open and Common Space in the PRD zone
 - b. Buffer Ordinance Review
3. **Commissioner Reports**
4. **Adjourn**

NOTE

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

CERTIFICATE OF POSTING

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

May 17, 2016

Agenda Item # 2

Meeting Minutes

May 3, 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, May 3, 2016

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on May 3, 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 Chair
Greg Day
TJ Jensen
Curt McCuiston
Troy Moultrie
Grant Thorson

City Employees: Noah Steele, Planner
Royce Davies, Planner
Paul Roberts, City Attorney
Stacy Adams, Commission Secretary
Jo Hamblin, Deputy Fire Chief

City Council: Councilman Mike Gailey

Excused:

Visitors: Bruce Hunt Kimber Hunt Travis Kennedy
Stephanie Kennedy Kirk Poulsen Mikaela Poulsen
Kill Stones Karen West Gary Kellmer

[5:56:45 PM](#)

1. **Meeting Called to Order:**

Commissioner Moultrie provided an invocation. The Pledge of Allegiance was led by Commissioner Jensen.

[5:57:46 PM](#)

COMMISSIONER JENSEN MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR MAY 3, 2016 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER MOULTRIE. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

[5:58:10 PM](#)

2. **Meeting Minutes:**

April 19, 2016 Regular Meeting & Work Session

COMMISSIONER MCCUITION MADE A MOTION TO APPROVE THE REGULAR AND WORK SESSION MEETING MINUTES FOR APRIL 19, 2016. THE MOTION WAS SECONDED BY COMMISSIONER MOULTRIE. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY. COMMISSIONER RACKHAM RECUSED HIMSELF.

[5:58:50 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.

[5:59:15 PM](#)

None

[5:59:24 PM](#)

4. **Major Conditional Use - All About Me Preschool & Daycare, Kimber Hunt, property located at 1339 W 1950 S**

Planner Steele stated staff received a Major CUP for the daycare/preschool 1339 W 1950 S and have done a thorough review of the parking and have looked at other additional requirements, they require a license from the Department of Health and have backyard fully enclosed with secure fencing and limits the number of students to 16. The aerial map doesn't show the fencing the applicant has recently installed and with the completed fence staff recommends approval of this Major Home Occupation.

[6:00:58 PM](#)

Commissioner Jensen stated there is usually a map with the configuration of the use included in the packet and didn't see one as far as the floor plan for the basement.

[6:01:18 PM](#)

Planner Steele stated they did received one and the Building Department had reviewed it with the building permit for the basement finish. Planner Steele stated the building permit has been approved by the Building Department.

[6:02:18 PM](#)

Kimber Hunt, owner of All About Me Preschool & Childcare, has a copy of the floor plan if the Commission would like to see it. Planner Steele stated they have a copy and are not able to project it onscreen and will provide the Commission a copy. Commissioner Vaughan asked the applicant if she had done this before and where. Kimber Hunt stated yes, in

62 Morgan County and in Davis County. Commissioner Vaughan asked if anytime here in Syracuse before. Kimber Hunt
63 stated no, they did it at their last home and had a permit for it but didn't have a major conditional use permit just a minor
64 permit. Commissioners Vaughan asked the applicant if the fences were all up. Bruce & Kimber Hunt stated yes.
65 Commissioner Vaughan asked if the gates have locks on them so if toddlers can't get out and animals can't get in. Bruce
66 & Kimber Hunt stated yes or animals can't get out. Commissioner Vaughan asked if have shading the back for kids.
67 Kimber Hunt stated yes, they are required to have shading, the State rules and regulations are pretty hard and do have
68 adequate shading and there are a myriad of things they have to have, water available to the kids at all times, they have to
69 go outside 1 hour a day that can be split up into 15-30 minute increments as well as FBI background checks.
70 Commissioner Vaughan asked if the applicant was currently licensed by the State for childcare and active. Kimber Hunt
71 stated yes she is. Commissioner Vaughan asked if she will be having any ADA children in her facility. Kimber Hunt stated
72 she has one now and was here at the meeting with them before his mom was able to pick him up, the bus brings him
73 directly to her home. Commissioner Vaughan stated so she is sensitive to the needs, demands and requirements of ADA
74 children. Kimber Hunt stated yes, in fact they have just received a grant from the State to be one of their, they are using
75 their daycare in a seminar for the Care About Childcare Department at Weber State and are doing well. Bruce Hunt stated
76 they have complied with all State licensing requirements, background checks with the FBI and so on and so forth. They
77 were a little delayed in getting the fence up because he had his shoulder replaced and was not able to complete the
78 project he posts were up for a substantial period of time but finally got the fencing up and the backyard is fully landscaped
79 and both permanent and temporary shade out there for the children.

80 [6:07:48 PM](#)

81 Commissioner Thorson asked the applicant regarding the building permit they had approved was for the construction
82 and finishing out the basement area. Bruce Hunt stated yes, it is finished and they have received a final inspection on it.
83 Commissioner Rackham stated looking at the floor plan there is a lot of future items on there, is that all finished or how
84 much is finished. Bruce Hunt stated no, there is one room that is sealed off and locked but they haven't decided as to
85 what they. Commissioner Jensen asked if the bathroom was in. Bruce Hunt stated no the bathroom is not in. Kimber Hunt
86 stated they are using the large room and there is a kitchenette area, obviously they are not using the cold storage and
87 there is an unfinished bedroom that is locked and then there is a bathroom that is locked and the kids can't have access
88 to those. Commissioner Jensen asked if the kids go upstairs to use the bathroom. Kimber & Bruce Hunt stated correct,
89 they do, right around the corner at the top of the stairs. Commissioner Jensen asked any idea when they plan to complete
90 the downstairs bathroom. Bruce Hunt stated probably this summer and will do a building permit and have it finished, it is
91 roughed in right now, the 4 way is complete just haven't gotten around to it.

92 [6:09:41 PM](#)

93 COMMISSIONER DAY MADE A MOTION TO APPROVE THE MAJOR CONDITIONAL USE PERMIT FOR ALL
94 ABOUT ME PRESCHOOL & DAYCARE, LOCATED AT 1339 W 1950 S, R-2 RESIDENTIAL ZONE, SUBJECT TO ALL
95 APPLICABLE REQUIREMENTS OF THE CITY'S MUNICIPAL CODE. COMMISSISONER MOULTRIE SECONDED THE
96 MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

97 [6:11:03 PM](#)

98 **5. Public Hearing, Code Amendment - Title X 10.30.010, pertaining to Accessory Structures**

99 Commissioner Jensen asked the Chairman this is the first time they have seen this language and wondering why it
100 wasn't run through a work session first for discussion, they discussed it briefly in the last meeting that they would be
101 changing it but there wasn't actually any language last time, there are a few changes here that there may be some
102 discussion on and wondering why it didn't go through a work session first on this language. Commissioner Vaughan
103 asked Commissioner Jensen if they delay this item until. Commissioner Jensen stated the public hearing has been
104 advertised and have to hold that but there are a few things here not comfortable with and could have hammered that out
105 in a work session but can hammer it out in a regular meeting just would prefer to see this come in as a work session
106 environment first. Commissioner Vaughan stated in all fairness on behalf of the public if we are going to be discussing this
107 and is to be held after this meeting they may have comments on the discussion that they have so think it would be either
108 best to delay it or postpone it or forego any outside discussion in their regular meeting. City Attorney Roberts stated
109 before any Land Use Code Change need to have a public hearing doesn't mean necessarily have to have a public
110 hearing on what ends up being the final product it is just an opportunity for the public to comment on the overall change.
111 So if there is discussion tonight and the public want to make more comments can always open up to additional comments
112 next time if it gets tabled and there is more work on it but there is just a requirement for public hearing it doesn't have to
113 be a public hearing on the final product. Commissioner Vaughan stated he understands completely. Commissioner
114 Jensen stated he understands the rest of the Commission may feel differently whether they want to move on it today, just
115 there are a few things that think need to be discussed on it so just wanted to see if want to quickly hammer through it
116 tonight and see if they want to table it or not which would probably the best way to do it at this point.

117 [6:13:25 PM](#)

118 Planner Davies stated he apologizes for not going over it last meeting, there was just the basic run down of what the
119 Building Department wanted to do and got looking at the code more closely decided if were going to make changes let's
120 not just make a couple of changes and see if can get everything working out so it is consistent. So what was suggested
121 and a lot was grammatical changes some numbers and things that weren't consistent. First change was pertaining to
122 accessory buildings may not be located within a recorded easement unless authorized by the applicable easement holder
123 through written approval and adding with a copy provided to the City just wanted to make sure have legal backing
124 because they could say they have written approval but the City does not have a copy of the written approval. As

125 mentioned last time the Building Department wanted to modify the under 200 square foot section, because basically the
126 International Building Code doesn't regulate these buildings and the Building Officials opinion was why are we regulating
127 them if the IBC doesn't regulate them, but would like to have some regulations so don't have obscenely tall structures or
128 things that are too close to property lines that kind of thing. Basically the International Building Code states that if have a
129 structure that is closer to 5 feet from the property line need a fire rate that wall and seems like overkill for a building that is
130 under 200 square feet because most of those are the tough sheds that people are storing lawnmowers in and if have to
131 fire rate the walls might double the cost of the building. Again don't require building permits for these and don't require
132 really any building regulations so basically what the Building Official recommended was to increase the 3 foot minimum to
133 5 foot so don't have to worry about fire rating and then to decrease the 10 foot from the primary structure to 6 foot
134 because that is what the over 200 square foot buildings are. Possibly adding a section regarding inspection the Building
135 Official didn't think they needed to be regulated necessarily or not but if there is a regulation in there and the City doesn't
136 look at them, the regulation is there to say if you are building under 200 square feet please do this but are not going to
137 double check, please meet the code. So if are going to have regulations then should have someone go out and double
138 check it and so added the language to have the Syracuse City Code Enforcement Officer go out and take a look at it.
139 Might be overkill, but again is up for discussion. In discussion with the Building Department again he would rather not
140 have someone going out to look at these structures under 200 square feet, it seems kind of unnecessary and adding that
141 is a suggestion. In section 3 currently buildings over 200 square feet require a conditional use permit, historically they may
142 have gone to Planning Commission and that was probably the reasoning for the conditional use permit. A lot of time the
143 City looks at the conditional use permit as an opportunity to say either like something or don't like something, would
144 approve something or don't or in the case of accessory buildings and saying maybe want to make sure it is not
145 detrimental to the neighbors which is kind of the intent of a conditional use permit where liking and not liking is not so
146 much. The conditional use permits that have come into staff the conditions that have been placed on them have not been
147 anything additional than just meet the code and the intent of a conditional use permit is basically the City cannot come up
148 with anything in the code that can regulate these on a constant basis, it is a use or structure that is so unique that really
149 can't regulate it consistently so have to have specific conditions for each incidence. If want to have a conditional use
150 permit the State basically says want to make sure it is for those types of uses for something that really just can't be
151 regulated in any other way and if can regulate it in another way they recommend to do away with the conditional use
152 permit process for it and just have it in the code. So it is a cleaner process for citizens as well as a cheaper process for
153 people, it currently cost people \$100.00 to come in to get a conditional use permit and for staff to basically say well meet
154 the code which they have to do anyway, so staff recommended that citizens would just be required to get a building
155 permit. The Building Department and staff also discussed setbacks on the height of these buildings regarding massing
156 and also view blockage and making sure it meets the massing of the neighborhood, there aren't a lot of 30 foot tall homes
157 in the City and so where these are more designed for more residential areas want to make sure they meet a residential
158 scale. The current code states has setbacks for the roof heights up to 30 feet, starting at 5 feet for roof heights under 21
159 feet high to 8 feet for roof heights up to 30 feet high and based on the massing on those setbacks would recommend for
160 discussion tonight reducing the allowable height from 30 feet down to 20 feet so have more consistency in residential
161 neighborhoods not having huge accessory buildings that are tower over houses and in doing that would give them a
162 minimum 5 foot setback based on the existing table. The table is great, has a great breakdown, really easy to use but staff
163 suggested eliminating because there is the 5 foot minimum for a 20 foot high structure. The last part again was just
164 working with the numbering since there is an inconsistency with a word and a number. There is also a part of this code
165 that states cannot have more than 2 accessory buildings on one lot and cannot be more than 25% of the rear yard space
166 and would recommend keeping that the same. So really the big changes are changing the setbacks for under 200 square
167 feet to the same as the 200 square feet and removing the conditional use permit requirement. There was some
168 redundancy in the code language and updated that and also with awnings, carports and other attached features not
169 considered part of the structure in talking with the Building Department and the IBC doesn't recognize those that way, if
170 have an awning, carport or structure that basically extends the roof line and then has support posts that go down to the
171 ground consider that to be an extension of the foundation, so that would be an addition to the building. Even though an
172 addition may be under 200 square feet, if it as carport or awning it would be considered an addition and require a building
173 permit, basically there is a process that takes care of those types of additions already so don't see the purpose in
174 maintaining that section in the under 200 square feet code because the IBC already regulates those. Trying to simplify
175 things down and try to save staff time with the conditional use permit because it does take staff extra time to process the
176 conditional use permits and also charge people extra money that they wouldn't have to pay otherwise and feel like that is
177 beneficial because the extra money they are paying is not necessarily needed in this case, they are not paying for a
178 meeting or a public hearing it is just literally for staff to look at it and say does it meet the code and have to do that anyway
179 so would recommend they get a building permit and make sure the site plan meets the code and simplify things.

180 [6:24:18 PM](#)

181 Commissioner Moultrie asked staff if have to have a building permit if it is less than 200 square feet or just above.
182 Planner Davies stated just above. Commissioner Rackham stated the adding of 'with a copy provided to the City' does
183 that apply to 200 square feet or less. Planner Davies stated if they have an easement that would be for anything and don't
184 allow any accessory building to be built on an easement but again are not checking on them if under 200 square feet so
185 could be built on an easement and wouldn't know about it but then would be out of compliance with code because they
186 hadn't brought a copy so it would be all buildings basically. Commissioner Rackham asked staff on the example what
187 pitch was on the roof. Planner Davies stated it was a 4/12 pitch. Commissioner Rackham stated there are areas in the
188 neighborhood that have building requirements set that have more than a 4/12 for instance his neighborhood has an 8/12

189 requirement so couldn't have a detached garage. Planner Davies that is something he took into consideration, if they take
190 an 8/12 for an example the garage height wouldn't be as tall basically so about the tallest RV is about 13.5 feet from the
191 research that have done and if have a 15 foot tall garage there would be 2 feet of clearance there. Commissioner
192 Rackham stated he just got plans done, getting ready to submit them so everyone is aware, it is 30 feet wide and put a
193 5/12 pitch on it because wanted to keep the height down and it is 24 feet because he wanted a 14 foot door so don't think
194 that is ridiculous and just think to limit the height to 20 feet is ridiculous. Planner Davies stated that is why he wanted to
195 have a discussion. Commissioner Thorson stated thinks should accept the applicant's description and accept public
196 comments and then move their discussion to work session. Commissioner Vaughan stated he had a couple questions and
197 wanted to make sure everyone has a chance. Commissioner Jensen stated he wouldn't mind at least throwing a few
198 things out for staffs benefit anyway before send it back to work session. Commissioner Day stated he would agree with
199 Commissioner Thorson let's just move along, if they are going to table it to a work session then gather the public comment
200 and proceed and then have it in a work session. Commissioner Vaughan stated are now wanting to table it. Commissioner
201 Day stated no want to have the public hearing. Commissioner Thorson stated accept all comments and table their
202 discussion. Commissioner Day stated they are just getting out of order. Commissioner Rackham agreed. Commissioner
203 Vaughan apologized he misunderstood thought they were going to go ahead and go through it and if it does have to come
204 back at a later time could hear the rest then.

205 [6:27:39 PM](#)

206 Commissioner Vaughan opened the public hearing.

207 [6:27:53 PM](#)

208 Public hearing closed.

209 [6:27:59 PM](#)

210 COMMISSIONER THORSON MADE A MOTION THAT THEY TABLE THEIR DISCUSSION FOR WORK SESSION
211 UNTIL THE NEXT POSSIBLE TIME. COMMISSIONER JENSEN SECONDED THE MOTION AND CAN SHARE HIS
212 THOUGHT WITH STAFF AT THAT TIME.

213 [6:28:14 PM](#)

214 Commissioner Vaughan stated he has some discussion items also, they have already expressed a couple opinions
215 on how they feel about this and Commissioner Rackham was rather blunt on the height issue and didn't think it was a
216 good idea that is different than asking questions so they are almost in a discussion right now so just wanted to get the
217 ground rules straight that they are not going to have any more opinions on this they are just going to go ahead and
218 basically table it right now it that they want to do, then the chair is open to a motion.

219 [6:28:56 PM](#)

220 COMMISSIONER THORSON RESTATED HIS MOTION TO TABLE THEIR DISCUSSION UNTIL WORK SESSION.
221 COMMISSIONER JENSEN SECONDED THE MOTION. COMMISSISONER VAUGHAN VOTED NAY, ALL OTHER
222 COMMISSIONERS VOTED IN FAVOR. MOTION CARRIED WITH A 6/1 MAJORITY VOTE.

223 [6:28:56 PM](#)

224 Commissioner Thorson asked if possible to add to their work session tonight. Commissioner Vaughan stated not to
225 their discussion tonight because it was something that was on the agenda. Commissioner Jensen stated it is on the
226 agenda and are just wanting to move to tonight's meeting work session and believes they can do that and if anyone is
227 interested they could stay for work session. City Attorney Roberts stated they can always table an item to later in the
228 session that is fine, if that is what the group wants. Commissioner Vaughan stated he was not made aware they were
229 going to be tabling an item that was on the agenda into work session that is why has some issues with that.

230 [6:30:04 PM](#)

231 **6. Public Hearing, Rezone - Patterson Property, Cole Schlack, A-1 to R-2, property located at 920 S 4000 W**

232 Planner Davies stated the applicant has requested a zone change for a property that is at 920 S 4000 W, it is
233 currently in the middle of a currently developed area. The current General Plan is R-2 which is similar to what is south and
234 east in the General Plan, the current zoning matches the General Plan pretty closely the R-2 to the south and east and R-
235 1 to the north with a cluster subdivision which makes it closer to an R-2 as well, so in terms as the actual housing density
236 what is being requested is really very similar to what is surrounding it. The applicant is intending to do single family homes
237 and create some connections with the stub roads Killarney Drive and 3695 West as they would eventually connect
238 through there making the neighborhood more connected and able to access the surrounding roads and Rock Creek Park
239 to the north. Based on the fact that it does match the surrounding area and the General Plan staff did bring the application
240 forward at this time.

241 [6:31:47 PM](#)

242 Commissioner Jensen stated that R-2 was a change they made in December when they changed the General Plan it
243 used to be an R-1 but for the reasons stated since the R-1 cluster to the north is more like R-2 that was one of the
244 reasons used to upgrade that to an R-2.

245 [6:32:14 PM](#)

246 Commissioner Vaughan asked if the applicant or representative was present to speak to the Commission. The
247 applicant was not present.

248 [6:32:26 PM](#)

249 Commissioner Vaughan opened the public hearing opened

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Kirk Poulsen stated he lives on 3611 W 850 S, their backyard actually faces the area that they have been talking about and just wanted to tell the Commission a little about his community, they have lived there for about 9 years and during that time a lot of those houses along the field have been rental homes. In fact the neighbors on the west side was a rental property for several years and what they found and one of the thing they've loved about the community is that a lot of these rental homes especially since the housing market has picked up have sold and they have permanent neighbors in there. It has been such a blessing to their community to have neighbors that are staying there for a while that can build relationships with and that can build their community with. The last thing that they want and have spoken with most of the neighbors that he knows surround this area and are all unified in their disagreement that the last thing they want there is rental properties, and assuming that this rezoning is so they can put duplexes in that area, that is what he has heard. Kirk Poulsen stated he is opposed to the idea of rezoning it, all they want in that area is new permanent neighbors that are going to benefit the community and help them to build the community that they are striding for, not people that are moving out every 8 months like every other rental property he has been next to, not to mention to share a couple personal experiences in the 10 or so neighbors they have had in there over the years before it was sold finally to their current neighbor but have had more problems with law enforcement and neighbors doing weird stuff in the rental property than care to mention. Since they have had permanent neighbors that purchased the home and are invested in the community they see an uptick in the quality of the yards and participation in the community and the community events and really feel it would be more beneficial for their neighborhood and that area of Syracuse to just have single family homes that people can buy and move into and stay.

[6:35:08 PM](#)

Planner Davies stated has also had a couple of calls and heard the same thing and don't know where that rumor got started but the R-2 is a single family home zoning so it would be the exact same zoning as what is directly to the south of this location. Commissioner Jensen stated duplexes were specifically removed from R-1, R-2 and R-3 within the last couple years so the City no longer allows duplexes in R-1. Kirk Poulsen stated that was the only concern he had so if that is not a problem then is not worried, they had heard everything from duplexes to someone really scared him and said it was going to be zoned for an apartment complex, but if that is not the case then is fine and doesn't have any objections to it.

[6:36:03 PM](#)

Dean Youngblood stated he is originally from New York but have been a resident of Syracuse for 12 years now and his property sits as the only house on Dunes Drive which is going to be 3695 W, it would be the connecting part to 3695 W when the road is connected through. There were a few matters he and his wife were discussing this week after they received the letter from the City. The first point they wanted to make is the concern about the streets don't think they are going to be moved too much but they would like them to be as straight as possible and understand there are considerations for traffic speed and that is some reasoning why some Cities make streets in residential areas that are curvy but immediately to the east of this property is St. Andrews Drive and there are 3000 square foot homes can barely see around and have actually had a neighbor lose their fence because someone was speeding through there and the curve was so sharp they went into the fence and took down their vinyl fence right along the street. So his only suggestion and really regret the fact that the applicant is not present and to be quite frank is not sure who the applicant is, is it Ivory homes or who is the developer that is going to be developing the area. Planner Davies stated he is not sure of the developers name just have an applicant at this time. Dean Youngblood stated he was hoping to come to the Planning Commission meeting tonight being a public hearing and actually have the developer here saying this is what they are going to do with this stretch of property, create an oval shape community or create a community similar to the north and south, so regret not being able to see what is going to actually happen. His guess would be there are going to be 2 roads that come down through the development and at least 1 road if not 2 where the houses are being built. His only other concern was that in the Inverness community south of the Muirfield development and north of the Glen Eagle development and even newer sections of the Glen Eagle development they have been seeing 4000 square foot homes being built where could put a ladder literally between windows and crawl across the ladder into your neighbors bedroom and knowing the direction developers are taking these days am wondering if really should reconsider the R-2 and maybe look at R-1 zoning because would be asking the developer how big of a house are going to put on that one quarter acre lot. There is a house going into the Inverness property that they have to literally put at a diagonal because it is so big between, if they had put it horizontally it would have 2 corners touching the houses next to it and so hope the Planning Commission takes that into account when the final decision is made about what is the developer going to do in terms of size of houses for the community.

[6:39:56 PM](#)

Planner Davies stated the applicant they have is not with a home builder to his understanding there is not a specific home builder chosen for this yet it is just a request for the rezone to potentially sell the property it is the applicant prerogative what they want to do with it as far as the type of development that would go in the best can tell is what is supported by zoning. The zoning allows for basically what is to the south along Jupiter Hills Drive that area and the east. The size of home unfortunately, not unfortunately because not sure if a good or bad thing but the size of the home can be built out to the setbacks if they want to do that and the setbacks in that zone are really just dependent on how big the property is so a 25 foot front yard back setback, 30 foot rear yard setback and 8 foot side yards and that is their building pad and have seen more and more that the trend as mentioned is filling that entire building pad if possible so it could end up being that or could end up being something totally different and code does support more of a cluster type subdivision

313 that was which is what is to the north there in the R-1, so could see open space with some smaller lots and could also see
314 regular size lots, so basically what this is, is just to determine if would allow zoning that would allow for an R-2 density.
315 Commissioner Jensen stated a quick correction the City does not allow clusters in R-2. Planner Davies stated that's right
316 R-1 only so basically it would just be single family homes and not the cluster with open space. City Attorney Roberts
317 stated some of the concerns with the road layouts and things before any sort of subdivision goes in they will have to go
318 through additional processes and there will be opportunities for the Commission to take input, at this point they are just
319 saying can build anything in the R-2 that is approved and then when they come in and actually subdivide then will look at
320 the road layouts and things so at this point is not sort of ripe for review.

321 [6:42:32 PM](#)

322 Jill Stones stated has been a resident in Syracuse for over 13 years during that time have had 5 children and they live
323 on 850 S they are the second house coming from Killarney Drive, this development would be in their backyard. This is a
324 tough one, her kids, this all they know, they wake up to hearing pheasants in the backyard and seeing them year round
325 and wish she would have seen this earlier because she would like to show them that the backyard has held within the 13
326 years cows, horses, it is open spaces that is productive and was growing alfalfa, it fed horses and cows as well as
327 hummingbirds, doves, owls. Her little one heard of this today and she wrote down 37 things in a half an hour that she can
328 see from their kitchen window, they get to see every day. They have seen Syracuse slowly disappear into houses like
329 have been said that are too big and roads that say would help improve it, don't see where it would improve through this
330 development and just in these houses in the past years they have seen not that they have big crime but they have seen
331 crime happen more than and that happens with growth wherever it is at. Her kids are learning in school on how to protect
332 and what is important about Earth day, everything that Syracuse is. Had looked and seen that in 1991 it said that
333 Syracuse was built and encouraging the development of an attractive and beautiful community, that was in 1991 since
334 then they have had so many stores, big stores with parking lots along 700 S where it was pointed out that R-1 is a park if
335 would open up that road, 3695 W so people would run into the park which is benefitting, this is just difficult and sorry for
336 being emotional but to provide her family with safety, bettering the world and know and sorry if it seems like is a little
337 hillbilly from Wyoming but her kids are going to be big someday and want them to be able to say are from Syracuse and
338 this is what I get to see and this is who I am. See so many animals that can't even count that are going to be destroyed
339 from frogs to toads to deer, snakes there are ducks that they have had right out by the ditch Killdeer and it is against the
340 law to harm the eggs or harm the mom at any time and don't see how building houses is more important than the 80 trees
341 they can see form her kitchen window. Jill Stones stated she wants to be proud about Syracuse and want it to be
342 attractive and beautiful and want people to see what they see. Commissioner Vaughan stated there will be other
343 opportunities to come forward and speak if this property moves forward.

344 [6:48:34 PM](#)

345 Travis Kennedy stated he lives on 850 S just north of the proposed R-2 change and along with Jill Stones share an
346 emotional connection to this change just for the simple fact that they have lived in their house for about the same amount
347 of time, 13 years and purchased the lot and built there for the specific reason of having a field behind them and do
348 understand moving forward the field has been there and has been used at some point, abandoned at some point, the
349 current owner understands is out of state and they rent out the land and the property at this point. Other than having the
350 emotional connection do see the purpose of moving forward with rezoning, defiantly don't approve of it. Personal opinion
351 would love to see the field stay there but did want to mention as well about the proposed change and planning of the
352 building or layout of the neighborhood that would be there and his concern is when they bought their property they were
353 told their property line extended out into the field and the reason that they put the fence where they did is because there is
354 a ditch along the north end of the property and so this kind of plays more into moving forward, at this point had never
355 cared that his property was on the other side of the fence because it was a free fence when bought the property with the
356 back fence. There is a stake back there can see the City stake, the corner of his lot is on the other side of the fence and
357 that is the main concern has, know this will go forward with rezoning there is nothing and does not have a valid point to
358 push forward to make it stay agricultural area but with that just want to make sure and main concern is ensuring that when
359 this does move forward with development that does get his land and get the fence redone and the ditch that is back there
360 is also another concern. The ditch was supposed to be back filled and piped and was told this was an agreement 13 years
361 ago and the current owner was going to do that and it never happened, his fence is where it is and that is okay but when it
362 does come time to redevelop know it might not be the right setting for this but that was what was hoping to discuss with
363 the applicant proposing the change.

364 [6:51:48 PM](#)

365 Gary Kellmer stated lives on Jupiter Hills just south of the property and just would like to know if there is a plan in
366 place yet for it, see that are wanting to rezone it to R-2 would just like to know if there a plan for any open space or is it
367 strictly for residential lots because looking north can see a lot of the zoning for the area of Rock Creek was taken up by
368 the park and that is how they got the density of 3 homes per acre or something and so just wondering is there a plan for
369 that development and can they see that. Planner Davies stated there is not a plan just yet so the applicant has just
370 requested the rezone at this time and understanding is they will be contacting somebody to put together a plan, so
371 assuming it gets approved there will be future meetings and if not approved they would still do single family homes there
372 they would just have to be half acres lots with the current zoning. If they want to go forward with residential they would
373 need to come in with a subdivision plan that shows where the lots would be and roads would be but staff does not have
374 that at this time.

375 [6:53:19 PM](#)

376 Planner Steele stated as far as the question on open space, staff does not have a plan on this yet but once they get
377 the rezone they would come in with a concept and there will multiple layers of review with staff concept, preliminary and
378 final. Have spoken with the applicant and they wouldn't be required to do any park space and to the north in the cluster
379 subdivision they got the smaller lots because they gave the park and think it would be more similar as what is to the south
380 with larger lots.

381 [6:53:59 PM](#)

382 Public hearing closed.

383 [6:54:11 PM](#)

384 Commissioner Vaughan stated to the citizen who called attention to the ditch and fence that is something that staff
385 will be looking at more carefully should this project go forward and items submitted in the future. Commissioner Jensen
386 stated this was previously master planned for R-1 which would still be residential zoning. The difference between R-1 and
387 R-2 is the minimum lot size for an R-1 is 12,000 square foot and the minimum lot size for R-2 is 10,000 square foot so
388 there is not a lot of difference there. The frontage goes from 100 to 85 square feet. So the bottom line is even in R-1 there
389 would have been houses there under the current General Plan. Looking at the configuration of the lot the developer is
390 kind of an interesting situation. Commissioner Jensen asked staff if they had the dimensions of the lot. Planner Steele
391 stated he did not but have spoken with the applicant and as far as creativity of the design there are not a lot of options.
392 Commissioner Jensen stated what was going to say is essentially there is enough room for 3 rows of houses and 1 road
393 which can't do because the third row of houses would need to have a road so unless they do some really interesting
394 things and even though the minimum lot size is 10,000 the average lot size for R-2 is normally about 12,000 square feet
395 because they are only going to get one road to go back there, they are going to be way above the minimum lot size
396 because they will have extra acreage that has to go somewhere. The other issue is that the second road that cuts across
397 about 2/3 in there the depth of the cul-de-sac from there to the back may not reach the full length, it is going to be close so
398 even though with an R-2 they are allowed 3 houses an acre the configuration of that is going to be difficult because of the
399 narrowness of the parcel. That being said and knows everyone likes having the fields there but it has been on the General
400 Plan in Syracuse for a long time as R-1 and that has been their guiding document and so did make a minor change taking
401 it to an R-2 but the bottom line is the City is always as far as the General Plan is concerned has considered that there
402 would be houses there eventually.

403 [6:56:45 PM](#)

404 Commissioner Rackham asked City Attorney Roberts in some cities there is an ordinance that states if a fence is up
405 for 7 years that becomes the property line, does Syracuse City have that. City Attorney Roberts stated doesn't think the
406 City has a code that covers that, it is a matter of State law and common law, there are some theories, there is boundary
407 by acquiesces but that sort of goes beyond what the City gets involved with those kind of cases the City is really not a
408 party to those actions, that would be between property owners if there is a boundary line dispute. In this case don't know if
409 there is, it may just be that it is a matter of the developer moving the fence when they go through and maybe they will,
410 don't know. There is not one he is aware of in the City code but there are some State laws that address that.

411 [6:57:52 PM](#)

412 Commissioner Vaughan stated this is strictly a rezone, it may have been pre-zoned or standing for years and years
413 and years but at this particular time the applicant whom assuming on the application is Cole Schlack, is that the only
414 name that is on the application for this particular process. Planner Davies stated yes. Commissioner Vaughan stated so
415 Mr. Schlack is the applicant, it is pure conjecture, thought, speculation on whom or what may be behind this to develop it
416 and Mr. Schlack is the one who is choosing to go to R-2 for the rezone. Assuming that Mr. Schlack is over 21 and
417 competent it is well within his bounds to request a rezone to whatever zone he would like and then the Planning
418 Commission has the opportunity to give their opinion on it and then obviously it would go to the City Council for them to
419 have the final say on a rezone. On the particular issue they have before them are there any discussions on changing it
420 from A-1 to R-2.

421 [6:59:25 PM](#)

422 Commissioner Jensen stated he made his comments earlier on the usability of this particular parcel and the other
423 issue that the Planning Commission looks at is generally they like things to conform with the General Plan if there is a
424 rezone and the applicant is meeting that requirement. The only other thing that they can look at is if for some reason don't
425 think the City could service this lot and don't see any reason why would not be able to service it because the sewer and all
426 that should be adequate to service that lot based on the General Plan up to this point and this isn't an outlying lot it's an
427 infill and think it would be difficult to not recommend this, that being said would encourage the audience to take their
428 concerns to City Council and when it does go to the City Council they won't have a public hearing but during public
429 comments can let them know what concerns with this are and these minutes will be included with that too so the City
430 Council is aware of these concerns but as it stands it meets the General Plan.

431 [7:00:45 PM](#)

432 COMMISSIONER DAY MADE A MOTION TO APPROVE THE REZONE PROPERTY LOCATED AT 920 S 4000 W
433 FROM A-1 TO R-2 RESIDENTIAL. COMMISSIONER THORSON SECONDED THE MOTION. ALL WERE IN FAVOR,
434 MOTION CARRIED UNANIMOUSLY.

435 [7:01:24 PM](#)

436 Commissioner Vaughan stated this will be going to the City Council, what is the date this would go to them. City
437 Attorney Roberts stated should be next Tuesday, May 10, 2016. Commissioner Vaughan stated for the benefit of those in

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the audience this will be heard by the City Council in approximately one week anyone that has spoken tonight is welcome to come to that meeting also and express your thoughts to them also.

[7:01:54 PM](#)

7. **Adjourn**

COMMISSIONER JENSEN MADE A MOTION TO ADJOURN DIRECTLY INTO WORK SESSION IN THE CHAMBERS. COMMISSIONER MCCUISTION SECONDED THE MOTION. ALL WERE IN FAVOR

Ralph Vaughan, Chairman

Stacy Adams, Commission Secretary

Date Approved: _____

DRAFT

Minutes of the Syracuse Planning Commission Work Session, May 3, 2016

1 Minutes of the Syracuse City Planning Commission Work Session held on May 3, 2016, at 6:00 p.m., in the Conference Room,
2 1979 West 1900 South, Syracuse City, Davis County, Utah.

3
4 **Present:** Commission Members: Ralph Vaughan, Chairman
5 Dale Rackham, Vice Chair
6 Greg Day
7 TJ Jensen
8 Curt McCuiston
9 Troy Moultrie
10 Grant Thorson
11
12 City Employees: Noah Steele, Planner
13 Royce Davies, Planner
14 Paul Roberts, City Attorney
15 Stacy Adams, Commission Secretary
16 Jo Hamblin, Deputy Fire Chief
17
18 City Council: Councilman Mike Gailey
19
20 Excused:
21
22 **Visitors:**
23

24 [7:02:19 PM](#)

25 1. **Department Business:**

26 [7:02:35 PM](#)

27 **a. City Council Liaison Report**

28 Councilman Gailey stated the City Council met last Tuesday in an all-day work session in relationship to the budget.
29 One of the line items on next week agenda will be the adoption of a tentative budget for the City, which they are required
30 by ordinance to do. They also did a work session it was a long day they were at it for quite a while. In regard to the budget
31 when they last left they had a balanced budget, there were some tweaks that were going to happen to it through the week
32 but they pretty much had balance d the budget by the time they had met. In their work session they talked about that there
33 is a Communication Company that would like to put up a ball wall for throwing Lacrosse balls against and they are willing
34 to fund that and are looking at either Rock Creek Park or Freemont Park for that and a decision has not yet been made,
35 have looked at several other parks but the preferred place is Rock Creek by the Communication Company. The City
36 Council suggested they perhaps look at Freemont Park because there will be more Lacrosse fields in that area but there
37 has not yet been a decision made. They had a discussion on Centennial Park and the bathroom complex and the storage
38 unit that is there. The City Council has pretty well backed away from a splash pad and anything associated with a splash
39 pad as part of Chloe's Park for reasons of funding and also some reasons of being able to adapt that to the needs of the
40 City and with the splash pad across the street at the Rush it was the general consensus of the Council that they eliminate
41 the splash pad from Chloe's Park but reviewed the restrooms and the storage building and that will cut a lot out of the
42 budget. They talked about cul-de-sacs and Deputy Chief Hamblin was there and one of the problems they have and sure
43 the Planning Commission will be involved in this but there seems to be a conflict in 2 different Titles of the City ordinance
44 on the size of cul-de-sacs, one is bigger and one is smaller. They discussed that in a work session about what they
45 preferred and seemed like they were looking at a compromise somewhere between the 2. City Attorney Roberts stated
46 yes, it wasn't decided but either the lower number or some middle number. Commissioner Jensen stated to weigh in on
47 that they recently changed in one of the Titles increased the width to 120 feet and so may have missed the other Title
48 when they did that. Councilman Gailey stated so they do have a conflict there and sure the Planning Commission will be
49 involved in that discussion when they get to that. The Mayor gave them a report of the Town Hall meetings that were held
50 in the Fall and early part of the Winter and those were received very well, the attendance was about 150-180 people
51 between all 4 of those Town Hall meetings. They also discussed the salvage and reclaiming of the Modern Cash Market
52 that is across the street on Antelope Drive and looking for funding from outside of City coffers to help move that building to
53 over to where the museum is and there has been some work on social media and social networking to try to help fund that
54 move. A good portion of that funding is already in place and are looking for, there were some in-kind commitments in that
55 work session from some to help with the move and the placement of that. They also discussed the credit card policy of the
56 City and asked for a report from management as to how the City manages credit cards and gave a report during that
57 session. City Attorney Roberts stated in the work meeting they discussed Criddle Farms and so there was some
58 discussion about the preliminary plan that had come through Planning Commission earlier and this was announced
59 publicly so can talk about it but essentially are in tentative discussions with them and looking pretty good that they would
60 rezone that PRD into R-3 so would be less dense and then the north parcel would also be R-3. So that is in the works so
61 would imagine at the next meeting they are expecting to see a General Plan and Zone change request for the south
62 parcel and a General Plan change for the north parcel and then go through the development agreement with the Planning
63 Commission and go from there. Councilman Gailey stated he wanted the City Attorney to weigh in and make sure he
64 could share some of that with the Planning Commission. Commissioner Jensen asked City Attorney Roberts where they

65 have already opened up part of that area with the whole thing where the Council has to vote to open the General Plan can
66 we consider that as part of that under that opening still. City Attorney Roberts stated that is how they are looking at it.
67 Councilman Gailey stated wanted the Commission to be advised that the PRD is probably dead and that the entire thing
68 will be rezoned R-3. Commissioner Jensen stated his concern is that the PRD plan is still moving through the process and
69 would rather just see that die and then have the R-3 proposal come to them but City Council does have an obligation to
70 look over the preliminary plan at their next meeting. City Attorney Roberts stated it is more a matter of due process and
71 negotiations could fall apart and they don't want the development to, they want to build this year, either as R-3 or PRD so
72 if can get it done then will proceed. Councilman Gailey stated has spoken with the developer and land owners and they
73 are all in agreement and among the Council a straw poll they feel this is a better move and so will be coming back to the
74 Planning Commission. Commissioner Jensen stated would it be of any benefit if the Commission took a straw poll here.
75 City Attorney Roberts stated doesn't think it is necessary if Commissioners have strong feelings would say contact a
76 Council member and let them know about but otherwise think are fine.

77 [7:10:20 PM](#)

78 **b. City Attorney Updates**

79 City Attorney Roberts stated no other updates for them

80 [7:10:28 PM](#)

81 **c. Upcoming Agenda Items**

82 Planner Steele stated they will be seeing the cul-de-sac ordinance come through from Deputy Chief Hamblin and will
83 have a presentation for them. Wanted to get the Commissions opinion on whether or not would like staff to send up the
84 flag pole regarding Buffer zone ordinance and images that seem to be inaccurate in the ordinance. Commissioner
85 Vaughan asked if wanted to have a general discussion or something want them to actually seriously discuss because
86 have prepared a report. Planner Steele stated hasn't prepared anything just wanted some general discussion if that was
87 something would want to take a look at. Commissioner Jensen stated as the very least would like to see if can change the
88 'or' to an 'and' in buffer E but mentioned doing something more significant and would love to see what staff comes up.
89 Commissioner Vaughan stated wondered how it was going to be presented to the Commission if it is just a casual
90 discussion or if it going to be an actual action item. City Attorney Roberts stated with the Bylaw changes think the
91 appropriate step would be to ask the Council if they would like the Commission to look at it and then at that point staff can
92 put the work in and get it prepared. Planner Steele stated so it would be Councilman Gailey giving them the green light, so
93 up the flag pole and then back down the flag pole and then staff will work on it. Commissioner Vaughan stated that is what
94 he was getting at if they are at that particular point where are ready to present something to the City Council firm enough
95 to say they would like to discuss it because it is one thing to have a discussion saying they would like talk about widgets
96 but it is another thing to tell the City Council want to discuss whether or not they can talk seriously about widgets in an
97 ordinance. Councilman Gailey stated if the Commission is okay with it what he does on Wednesday mornings is he writes
98 a report of what was discussed in Planning Commission work session and send that to the members of the City Council
99 and will do that in the morning if are fine with that. Commissioner Vaughan stated they are happy with whatever the City
100 Council would like them to look at. Councilman Gailey stated and get a straw poll from them in what they would like to do.

101 [7:13:01 PM](#)

102 Commissioner Jensen asked Planner Steele if there had been a discussion of the Planning Commission possibly
103 doing a tour of the facility down in North Salt Lake has that been finalized yet. Planner Steele stated think it is May 20th
104 with the City Council don't know if the Planning Commission is included in the tour right now but sure as things move
105 forward there will be plenty of chances to participate for the Planning Commission. City Attorney Roberts stated that is a
106 public meeting so as long as they don't have a quorum so 3 or less then come along, it is a public meeting. Commissioner
107 Jensen stated the City Recorder because the whole Council will be there, so they will already be recording the meeting so
108 if there are more than 3 Commissioners there think that could record that. City Attorney Roberts stated she could but
109 would have to notice it as a joint meeting. Commissioner Jensen stated might want to see how many Commissioners
110 would want to go, they might know what are even talking about. Planner Steele stated it is a public meeting sometimes
111 gets so many details but it is a field trip for the rest of the Commission so know what they are talking about it is a field trip
112 for the City Council to visit Fox Borough in North Salt Lake and this is purely and exploratory field trip just to see a
113 different housing type that is being potentially proposed in the City and that could affect some legislative decisions.

114 [7:15:20 PM](#)

115 Planner Steele stated also wanted to report on 2 Development Review Committee meetings they have had. One is
116 south of Buffalo Point Elementary school and a potential subdivision name for this would be Grayson Ridge. Have also
117 had a minor subdivision concept review on Bluff Road south of Kara subdivision over by Jensen Nature Park by Dennis
118 Higley and have both of those applications and are just waiting for. Commissioner Jensen asked if it was over by RC
119 Willey. Planner Steele stated yes it is just east of RC Willey's, Kara subdivision is kind of a long dead end street. Planner
120 Steele stated as soon as they get the preliminary plan applications for those will see that coming through the pipeline.

121 [7:16:25 PM](#)

122 **2. Discussion Items:**

123 Commissioner Jensen stated they discussed moving the accessory building to now. Commissioner Thorson stated as
124 soon as possible and if that is legal then let's do it. Commissioner Jensen stated just wanted to jump in on the section
125 proposing removing the carports and awnings and whatever, the reason that was put into the code is specifically there is a
126 building that is along Bluff Road right near Jensen Nature Park and the Church where the applicant had built a structure
127 and turned out it was over 200 square feet and so to comply with the ordinance what the applicant did is they reduced the

128 footprint at the base of the building to 200 square feet and there are no poles going down or anything and so the awning
129 actually takes that to well over 200 square feet and it is a 2 story structure and so the reason that awnings language was
130 specifically added was to prevent that from happening again because essentially for all intents and purposes the building
131 is well over 200 square feet but because the footprint meets the 200 square foot or less requirements was why that
132 language was added and maybe can be rephrased a little better than what it is but that is the reason that language was
133 there. If the IBC covers that that is fine but at the time staff felt like it didn't cover it and felt like someone ran around the
134 ordinance just to avoid getting a building permit and just wanted to bring that up for the benefit of staff. Conditional Use
135 certainly as staff had mentioned the reason it has been a Conditional Use up to this point is that it used to go to City
136 Council at one point because City Council used to see all the Conditional Uses and it has been paired back to Planning
137 Commission and then the minor uses but the idea on that was especially on larger buildings the design is something that
138 is open to interpretation because want the structure to sort of match the existing building and so that is why they felt
139 having a Planning Commission review on that was a good idea, the other stuff is certainly something that is covered under
140 code but whether the ARC reviews that or whatever that is certainly a change can discuss. Finally the major issue with the
141 height thing and Commissioner Rackham also raised it but the premise of the presentation assumes that the largest
142 building they are going to build in going to be an RV pad and the fact is although Syracuse is quickly going away from
143 farming there still are some farmers in Syracuse and so some barns are going to go over 20 feet in height because they
144 store hay bales up in the upper loft and stuff and so before go and get rid of the 30 foot height restriction need to
145 understand there are multiple types of buildings that can be used as accessory building and certainly the restriction that
146 was there that it can't exceed the height of the primary structure that always felt like it kind of regulated it quite a bit and
147 then as far as the RV thing think that is kind of self-regulating always because if it just going to be an RV garage the
148 person is not going to build a really tall garage just because they want to because that costs more money, so those are
149 his thoughts on that.

150 [7:20:11 PM](#)

151 Commissioner Rackham stated regarding changing the 3 foot to 5 foot setbacks on 200 square foot or less accessory
152 buildings the reason it was originally 3 feet was to make sure that whatever water run off stayed in their yard and didn't
153 out it up to the fence and run it over and so could have access to the sides to maintain it. Think putting it 5 feet would take
154 a lot of accessory buildings in the City would now be out of compliance and have no record of when were built because
155 there was no permit for them and so think it should be left at 3 feet. Commissioner Rackham stated thinks should leave
156 the maximum height at 30 feet. Planner Steele stated that is good feedback. In talking with the City Building Official to
157 help explain where this was all coming from and his preference would be to remove the section for under 200 square feet
158 because no one is required to get a Building Permit or Conditional Use Permit and would suggest coming up a set of rules
159 and think need some rules under 200 square feet but maybe they are more geared towards like 3 feet based off of not
160 having the water drip over into the adjacent property owner and maybe add dripline will remain on property or something.
161 Really with the Tuff Sheds there are so many of them and the City Building Official is worried that he is not required to
162 inspect them and doesn't want to create a regulatory nightmare for staff. Commissioner Jensen stated the main reason
163 they want to put regulations on the accessory buildings under 200 square feet and the example he cited earlier is what
164 prompted the 15 foot height requirement and discussed making it lower than that but compromised on 15 foot but that is
165 the main thing concerned about is making sure they don't have 2-story structures under 200 square feet and then the
166 change from 10 feet to 6 foot from the primary structure that is kind of throughout don't think that is a bad change. Actually
167 the only, the reason that is there for under 200 square feet and they changed it from 10 to 6 on the over 200 square feet
168 but concern either way want to make sure there is a way to get from the back yard and sometimes 6 feet is not enough to
169 get a backhoe or whatever through and those usually need at least 8 and so 10 feet is a nice buffer and so the side yard
170 kind of covers that but then if something is 3 feet from the side yard how do ya get to one side of the house to the other,
171 for fire protection too, just want to make sure there is an alley way there but not sure how would regulate that other than
172 what they tried to do with the current code and the 10 foot kind of helped with that but the over 200 square feet dropped
173 down to 6 feet and so that kind of argument doesn't really make sense anymore.

174 [7:23:52 PM](#)

175 Commissioner Day stated his neighbor believes in zero setbacks maybe even negative setbacks on his accessory
176 building but is working through that. Would suggest to strike 2 (d) don't think it is really in the best interest of Code
177 Enforcement for spend so much time visiting these Tuff Sheds if there is a complaint by neighbor perhaps they could
178 contact Community Development and could send someone out but would prefer not to default that Code Enforcement
179 would be sent out. Regarding setbacks almost thinks it is self-regulating and think people are going to, maybe set a
180 minimum but don't have a strong opinion, think people are going to put it as far away as they need to put it.

181 [7:24:46 PM](#)

182 Commissioner Jensen stated if they are worried about the fire protection could just list that under the 200 square feet
183 that buildings within 5 feet must be constructed with fire wall and the only way that would come into enforcement is if the
184 building burns down and the City finds out didn't have the fire protection and at that point it's not so much for City's benefit
185 but it is for the benefit of adjacent land owner that may be affected but at least if it is in the code can say look we don't
186 want that if are going to try to keep the 3 feet. Planner Davies stated that would already be covered by the IBC so that is
187 why the Building Official keeps saying should remove those requirements. Commissioner Jensen stated thinks should
188 specific should comply with IBC requirements in the code instead and then when someone asks staff can advise them of
189 what to be aware of within 5 feet of property line would need to have a fire wall, since that seems to be the big issue here.

190 [7:25:54 PM](#)

191 Commissioner Moultrie stated the lots are small enough if make the setback 5 feet it could be in the middle of the
192 backyards and think if it is less than 200 square feet think there should be enough room so can do something or replace
193 siding or stucco or lawnmower but think 3 feet is ridiculous, even his house is only a foot and a half and think 2 feet is
194 plenty for less than 200 square feet structure and is currently getting ready to put in a shed in his own backyard. Would
195 say at least 10 feet away from the primary structure and forget about the fire proofing or what not if it is less than 3 feet if
196 have electricity in there then should do something with the fire regulations or fire proof but seems ridiculous to have 5 feet
197 when the lots are so small.

198 [7:27:59 PM](#)

199 Commissioner Thorson stated his concern is they are fixing a non-problem and don't know what the problem is other
200 than an interpretation of the fire and building code says are out of compliance. Concern is the interpretation they have
201 been given is the most strict that could possibly exist and is going to review his IBC and confirm but occupancy of that
202 structure matters a lot over whether the IBC and the fire code exist or apply at all is his opinion without further review but
203 is just worried are just fixing a non-problem. There are some things in there that would probably change, he setup his
204 backyard currently for a 3 foot setback for a future shed and thinks should dig a hole and put in concrete so it is
205 grandfathered in because no one would know was built anyway, but already has landscaping in for a 3 foot setback. So
206 again think are fixing a non-problem and think are addressing a very strict interpretation of codes and there are some
207 concerns in there that would change but the 3 foot wouldn't change and the setbacks from existing buildings don't really
208 matter and have seen 2-story sheds mostly playhouses, lofts and stuff and they can look kinda silly so would probably put
209 a height restriction it but pretty close in the range, 20 feet would be pretty good for a 5 foot setback. Just concerned that
210 are jumping the gun on this.

211 [7:28:58 PM](#)

212 Commissioner Jensen asked the Commissioners the one they can hammer through today and for those who went to
213 the land use training they get every Fall and throughout the year staff comment trying to get away from Conditional Use
214 permits is just generally preferred because the reason want to make it a Conditional Use is because want to have a
215 reason why whether there are things need to mitigate or those types of things so can out restrictions on the building but in
216 the case of an accessory building the type of restrictions that would be put on having a difficult time coming up with stuff,
217 sure that there are but as long as the larger than the 200 square feet as long as the ARC at least looks at the building and
218 makes some type of determination that it matches or the DRC could do that too but really don't think they need to come
219 before the Planning Commission for a large accessory building, the Planning Commission had done it in the past kind of
220 traditional but curious what the other Commissioners think. Commissioner Day stated he would prefer they not come
221 before the Planning Commission on accessory structures don't see this body being the appropriate, if it is in the code and
222 meet the code they should be able to do it. Commissioner Jensen stated they can always appeal to the Commission.
223 Commissioner Rackham stated he agrees with Commissioner Day. Planner Steele stated they actually don't come before
224 the Planning Commission it is a staff level it is considered a Minor Conditional Use permit so Major Conditional Use
225 permits come before the Planning Commissions but Minor Conditional Use permits are a staff level only. Commissioner
226 Jensen stated his mistake but even so staff is reviewing it either way and do think that the larger buildings do require
227 some type of additional review whether that is a Conditional Use permit or call it something else for fee structure but at the
228 very least want to make sure staff is looking over the plans for the building. Planner Steele stated for sure and staff would
229 look at it either way if it was just part of the ordinance part of the building permit process or if it was a Conditional Use
230 permit and to be honest whatever the Commission wants agrees that this is not an emergency situation but just going off
231 of some input that received from the Building Official and some of his frustrations in trying to enforce an ordinance that
232 doesn't match up because everything that is over 200 square feet people are getting permits for and so the rules for that
233 don't match the rules for less than 200 square feet and really just wanted to make them match. So a couple options would
234 be to just go in and change the 2 numbers so that under 200 and over 200 setback match or can go in and can revamp
235 the ordinance if feel like it is necessary.

236 [7:31:25 PM](#)

237 Commissioner Jensen stated would like to hear from the other Commissioners on the Conditional Use permit.
238 Commissioner Thorson stated the setback are already part of the code and there is not a conditional issue other than it is
239 a building issue so at that degree it is not even a Land Use issue it is a building structural issue for the building
240 department. Commissioner McCuiston stated he agrees also with no Conditional Use permit. Commissioner Moultrie
241 stated he already stated his 2 cents. Commissioner Jensen stated a quick note for staff under 3(a) where is stated
242 building permit if are going to make that change would suggest change it to building permit required and then keep the
243 rest of the language so it is clear it is required. Commissioner Day stated maybe would be nice to have a week or 2 weeks
244 for the Planning Commissioners to review this and think about it and maybe come back with some really good input o
245 maybe email the input to staff just an idea. Planer Steele stated will take everyone's suggestions and take another stab at
246 it and put it on the work session for next meeting. Commissioner Jensen stated did have another thought about why
247 wanted to have 10 feet from minor accessory buildings since they weren't being regulated they were worries about people
248 storing gasoline and stuff in them so that might be why that extra 4 feet is there but it wouldn't hurt his feelings if they went
249 to 6 feet as well, if the larger buildings are at 6 why not the smaller buildings.

250 [7:33:40 PM](#)

251 Commissioner Vaughan stated the easiest way to handle this is to do exactly what the Building Official asked them to
252 do and bring into compliance with IBC which means he would tell them what they need to do and that becomes it period.
253 That is the easiest way the very, very easiest way. Now is that acceptable to staff if they did that, would that be acceptable
254 to the City Council or does the City Council want them to go through this just like they are on everything because there is

255 a whole bunch of things that they are talking about now that have not been addressed but that are part of the situation.
256 Commissioner Vaughan stated he owns 4 10x40 8 foot tall sea going cargo containers and thinking about bringing them
257 up to his house. Commissioner Day stated he would need to meet the setback requirements. Commissioner Jensen
258 stated think are only allowed 2 under the current code. Commissioner Vaughan stated but those aren't accessory
259 buildings because they are portable and also has 2 12x30 mobile offices that were used as construction offices those are
260 on wheels and happen to be equipped with port-a-pottys and self-contained units but those are on wheels so they are
261 essentially a trailer. One of his children also has a tiny house but because has a big giant slab in the back of his house,
262 has a 2000 square foot slab behind the fence in front of his garage in the back and could park all of this stuff back there.
263 Now at what particular point do those become an accessory unit because they are all temporary and portable and if
264 wanted to on the cargo containers even if did call them an accessory unit those things have 4 sides that means would
265 have an awning on all 4 sides as long as it is not bigger than the floor footage of the sea going cargo containing because
266 it says awnings, it doesn't say cumulative, it doesn't say each, or total it just says awnings so could have 4 awnings on
267 there as well as an awning on the on the tiny house and an awning on the mobile office. Now they also own 4 20 foot
268 dead Safeway trucks that they use as mobile lock up offices when they go on a construction site they take the wheels off
269 so they can't be stolen because they have a couple hundred thousand dollars worth of merchandise and tools inside.
270 Those are mobile but at what point do they start saying okay things aren't accessory buildings or because don't have
271 some type of a concrete anchor. For earthquake purposes in California they pour corners on cargo containers so they
272 won't move in an earthquake zone, we live in an earthquake zone and have just as many earthquakes here in Utah as in
273 Southern California, just don't make the movies and television as much but those are the problems could have and are
274 not addressing them. Now talking about the height limit that means at some later point like they did with the Animal
275 Hospital last week when came back with the design he added a ventilation parapet on top of the building so if someone
276 builds a 20 foot building and then finds out are not getting adequate ventilation that mean they can't add a parapet on top
277 or anything to do that because that would violate the height restriction, out buildings, chicken cops, sheds obviously they
278 are not on there. One thing he had done in the past is would take 2 cargo containers and then get 30 foot span roof
279 structures and set them on top of that, nail in place not permanently installed so would have 2 buildings and then a
280 driveway through the center that would be covered by the roof, which is something that is not a building but it is still
281 attached to a mobile structure, it is not a patio, it is sitting on top, there are all kinds of things where holes can be shot in
282 this whole thing. How far do they want to go with this thing, do they want to take it to the simplest degree of just complying
283 with the IBC and leave it at that allowing staff to tell them what we have in our statute that makes us in compliance of that
284 or are we going to tell staff this is what we want to bring them into compliance with IBC. Does the City Council want them
285 to even consider at all doing this or do they just want to be in compliance with IBC and not worry about the other stuff, it is
286 hard to tell. The City Council liaison is present and doing a great job with a poker face and doesn't want to tip a hand
287 either way and maybe perhaps hadn't even thought of this or seen it coming on the horizon but if want to can draw this out
288 until the cows come home or can take the short and easy route. If they want to take the long route, you bet they will be
289 continuing it for 2 or 3 more meetings because there is no way to get rid of it other than the suggestion that at their next
290 work session they invite the Building Official, The City Engineer and the Fire Marshall to tell them what they consider in
291 their best estimates would bring it into IBC compliance and then accept their recommendations. Commissioner Vaughan
292 would like staff to answer that and knows Commissioner Jensen is partisan on this obviously are very, very strong on it
293 because had a comment against any other comment that everybody has had so staff don't know what would like to do but
294 they are really dragging this thing out and can't drag it out again as long as they want but what does staff want them to do
295 and what think City Council would like them to do and what would be the easiest way to get it done.

296 [7:41:08 PM](#)

297 Planner Davies stated that was a lengthy questions but the easiest thing to do would be to make the code as easy to
298 use as possible and think could all agree on that, think the Council would agree on that and think the citizens agree on
299 that. The easier the code is to understand the simpler it is the better off they are and at a minimum they need to remove or
300 need to do what the Building Official requested at the last meeting but also feel very strongly about removing the
301 Conditional Use permit requirement because that is a completely unnecessary cost for citizens to come in and get a
302 permit for something that they really don't need to get a Conditional Use permit since staff is not exacting any special
303 conditions that would be required by code. The other stuff said can talk about and discuss it and if there is further
304 discussion would be happy to hear it and can continue to talk about but just proposed a bunch of changes and wanted to
305 discuss it but if the Commission feels like don't want to go through those changes at this time that is fine, it is up to the
306 Commission as the decision making body and how they do things but his recommendation would be at a minimum do
307 what the Building Official requested with changing the under 200 foot setbacks and then just remove the Conditional Use
308 permit requirement.

309 [7:42:25 PM](#)

310 Planner Steele stated would suggest letting staff go back and taking some of the input today because some of the
311 input received is good and coming back in another work session and see if that is acceptable for the Commission and if it
312 is can push it through. Commissioner Vaughan stated with all due respect to the City Council liaison do they dare ask him
313 to go to the City Council and ask them how far they want the Planning Commission to take it or do they just want to
314 proceed all by themselves and submit it to the City Council and then find out how they feel about what did. Planner Steele
315 stated absolutely not they want to follow the right venues and since wasn't at the last meeting doesn't know if City Council
316 had a chance to weigh in and say yes this is an issue or no it is not and before they do any more work we'll get the nod
317 from City Council that this is something that they want staff to address and if it yes then the next work session can present
318 with the input received at this meeting and go from there.

319 [7:43:48 PM](#)

320 Commissioner Moultrie stated it is not about what is easy or what is going to make it easy on someone, there are 3
321 things they need to consider, 3 things they need to make sure of. Number 1 is the law, number 2 is the City and of course
322 number 3 is the citizen and it has got to be fair and good for all 3 parties, if it not good for all 3 parties it is not a good
323 decision.

324 [7:44:17 PM](#)

325 Planner Steele stated he is confident that staff can craft something that meets the IBC and then meets the concerns
326 of protecting the health, safety and welfare of residents don't want the water dripping on other people's yard, don't want to
327 be blocking views or creating a nuisance and don't want someone's gas can blowing it up and causing a big fire so can
328 address all of these issues and think it shouldn't be too much extra work.

329 [7:44:53 PM](#)

330 Commissioner Rackham stated not knowing all the ordinances isn't there something somewhere in the ordinance
331 about temporary structures, mobile homes, trailers and things like that elsewhere besides accessory buildings. Planner
332 Steele stated knows can't park them in front of a residence. City Attorney Roberts stated currently in the code, can bring
333 them into the backyard just need to have them on a hard surface or on gravel or something like that so if were to bring in a
334 temporary trailer like that on wheels then would just say make sure it is on a hard surface and doesn't sink in the mud.

335 [7:45:31 PM](#)

336 Commissioner Jensen stated has a thought on that because he does bring up an interesting point, in his mind and
337 even a Tough Shed can be a moveable building because can move it but think the second it goes from having axles or
338 someway to readily move it to sitting on the ground at that point don't think it is a temporary structure anymore it is an
339 accessory building so if someone drops a cargo container in their backyard if it is just set on the ground at that point then
340 it is an accessory building. Certainly it can be taken out in 10 minutes like a Tough Shed but think maybe staff could do
341 some research on some type of or if there are guidelines from other cities that would address that because it sounds like
342 the City's current code doesn't cover it, with City Council's blessing of course.

343 [7:46:22 PM](#)

344 Councilman Gailey stated he will carry that to them, according to the Bylaws what he would suggest is would get with
345 Chairman and then any 2 Commissioners if have something that would like him to have him take it back to the Council,
346 can share his opinion but can't share the opinion of 4 others. As they talk about this one had a sensitive ear to what some
347 Commissioners had said and got caught in this several years ago when built a, have an acre of land and built an RV
348 garage to hold an RV and half of it has 2 stories on it so it goes up the plate at the top is at 20 feet so the pitch of the roof
349 pouts it at 30 feet and got caught in the same thing as mentioned and missed by about 3 weeks because the site plan had
350 been designed with a 3 foot setback on the side because that is what it had been forever but when it was re-written the
351 time before then it created a nightmare and think the City Council would and is speaking his mind here but think the thing
352 they would want to do is make sure they don't create a hardship for those who are trying to do legitimate things and at the
353 same time don't create a lot of things where there are a lot of people out of compliance because of what they do. Let him
354 get with the Chairman and with staff and will make sure these comments get back to City Council and make sure to get
355 their opinions and will send that with the report he send to the Planning Commissioners on Wednesday mornings as well,
356 get a copy of what is sent.

357 [7:48:34 PM](#)

358 Planner Steele thanked Councilman Gailey for his being the voice of City Council. Planner Steele asked the Planning
359 Commissioners if he could take a straw poll on how they feel about just taking the setbacks for under 200 square feet, still
360 have standards but wouldn't be in conflict with over 200 feet structures. Commissioner Thorson stated he objects to that
361 change and really would like to see and as part of and if staff could get section and paragraph the IBC requirement and
362 fire code applied to these structures and the occupancy that makes it apply and is curious to find out if that is really true or
363 not but would object to it otherwise anyway because of the hardship it gives to people. Commissioner Jensen stated there
364 are 2 parts to that, had already stated okay with changing the minimum distance to the primary structure from 10 to 6 feet
365 that is fine but 3 feet has been the standard in Syracuse for a very long time and what bothers him is that are going to
366 have residents saying we'll he had his at 3 feet why can't I have mine at 3 feet and so rather than open that Pandora's box
367 because people are going to feel like are being treated unfairly and as another Commissioner pointed out the lot sizes are
368 rather small anyways and so an extra 2 feet can be a big deal and think for under 200 square feet leave it at 3 feet.
369 Commissioner Moultrie stated would at least keep it at 10 feet from the primary structure though that is more important
370 than keeping it by the fence line. Planner Steele stated so zero setback requirements from the fence line and then 10 from
371 the primary structure. Commissioner Rackham and Thorson stated keep the 3 foot requirement, 3 from the property line
372 and 10 from the primary structure. Commissioner Thorson stated it really doesn't change the current setbacks in the code.
373 Commissioner Moultrie stated make sure keep water from the shed on your property and have access so can do
374 maintenance to the shed because if it was right up against then can't paint it or what not. Commissioner Rackham stated
375 less than 3 feet is pretty hard to do it speaking from experience because inherited a house with a shed and it was about a
376 foot and a half from the fence and it never got painted because couldn't get back there. Commissioner Jensen stated 3
377 feet is enough for a lawnmower on the backside of it. Commissioner Day stated the 3 Commissioners contemplating
378 building a shed better hurry up and pours a foundation before the changes get going. Commissioner Day stated in all
379 seriousness maybe just takes a break from this tonight and let staff review and time to think about and come back and let
380 Councilman Gailey report back. Commissioner McCuiston stated thinks the 3 feet is fine. Commissioner Thorson stated
381 the comment that the Commissioners who are building sheds object to it, the public isn't objecting to it, there is not a

382 problem to be fixed other than the code fix so think they address the code fix and see if it really applies and then see if
383 they really want to come into compliance or not. Commissioner Rackham stated he received a call today from a Syracuse
384 citizen complaining that he didn't like going to 5 feet because he felt like it created a space to store garbage, liked the 3 to
385 keep the water off but opposed the 5 foot to put that on record.

386 [7:53:10 PM](#)

387 Planner Steele stated Planner Davies put on the screen the firewall information from IBC, correction IRC.
388 Commissioner Moultrie asked if it matters if it has electricity in the structure or not. Planner Davies stated if they have
389 electricity they are required to have a building permit so the 4 things are electricity, plumbing, mechanical like heating and
390 cooling or a have multi story would require a building permit. Commissioner Jensen asked if that was under the building
391 code, so don't need to have that in the ordinance then. Commissioner Moultrie stated he wasn't sure if it had electricity
392 regardless of how close it was it was required to be fire proofed.

393 [7:53:52 PM](#)

394 Commissioner Jensen stated like staff had mentioned if they put something under general requirements that must
395 meet IBC, it should anyways but if they stated that under 1 (c) just to make it absolutely clear. So could say if had
396 electrical in there according to IBC are required to have a building permit. Commissioner Vaughan stated he supports
397 staff's interpretation to what it takes to bring this into compliance with IBC. Commissioner Thorson stated what was shown
398 is residential code not building code. Planner Davies stated that was what was provided to staff from the Building Official.

399 [7:54:40 PM](#)

400 Commissioner Rackham stated once again they haven't had anything about electricity and knows people who have
401 built sheds under 200 square feet and put electricity in it and are now going to have a lot of non-compliance and no way to
402 tell when they were built.

403 [7:55:00 PM](#)

404 Planner Davies stated to reiterate because has heard a lot of just basically leave it the way it is, leave the 3 feet and
405 leave the 10 feet so to do a quick straw poll, yay or nay to leave it the way it is or change it and that would give staff some
406 direction because that was the catalyst that got this whole thing going. Commissioner Jensen stated think they all agreed
407 on the 3 feet. Commissioner Rackham asked if wanted to go through each item or as a whole document. Planner Davies
408 stated think what would rather do is just focus on that one change because if don't want to do that one change then
409 unless anyone feels strongly about moving forward with the rest of it then maybe just drop it and go back to the Building
410 Official and say didn't want to change it. Commissioner Rackham stated think some of the other changes are valid and
411 worth considering even on their own merit.

412 [7:56:45 PM](#)

413 Planner Davies asked the Commissioner on changing the setbacks on structures under 200 square foot. **All**
414 **Commissioners stated nay.**

415 [7:56:55 PM](#)

416 Planner Davies asked whether or not to eliminate the Conditional Use permit requirement. **All Commissioners**
417 **stated yes.** Commissioner Jensen stated with also changing the language of building permit to building permit required.
418 Commissioner Rackham stated on there it says application shall, so it requires it. Commissioner Jensen stated an
419 application isn't necessarily a building permit. Planner Davies stated staff requires an application for the building permit so
420 it would be included in that. Commissioner Jensen stated if it said building permit required the application is the building
421 permit but just think if say building permit required as have done in other place in the code it would make more sense.
422 Planner Davies stated think staff can craft something that would require that and make it more clear.

423 [7:57:29 PM](#)

424 Planner Davies asked regarding the building height on the over 200 square foot structures, do they want to modify
425 that or just leave it as is. **All Commissioners stated to leave it as is.**

426 [7:57:50 PM](#)

427 Commissioner Vaughan stated he supports staff on their interpretation. Commissioner Jensen asked about the chart
428 for the building heights and setbacks. Commissioner Rackham stated he never supported that and is okay with going to 5
429 feet and the 5 feet was to avoid any fire requirements. Commissioner Jensen stated this is for structures over 200 square
430 feet is what they are talking about so don't have a problem with 30 foot high structure being 5 foot from property line.
431 Commissioner Day asked staff if they have to adopt the IRC for this, could say that doesn't apply. Planner Davies stated
432 the City has already adopted IRC. City Attorney Roberts stated yes, the State construction code, IRC is adopted and the
433 City also has and there was a recent change in the legislature this year that said weren't really allowed to deviate from
434 IBC, IRC or IFC unless give the City permission. Commissioner Day asked if had given them permission to move the
435 setbacks. City Attorney Roberts stated no would have to go and ask permission to change the IRC.

436 [7:59:18 PM](#)

437 Commissioner Jensen stated they had discusses that would discuss PRD tonight what happened with that.
438 Commissioner Rackham asked staff when someone comes in with a building permit for a home and it has an accessory
439 building is staff making sure it complies with code, because has seen a couple built not too far from his house and
440 wondered how they got that in. Planner Davies stated if has an accessory building and over 200 square feet would require
441 a building permit and would make sure complied. Commissioner Rackham stated the building permit came with the house
442 they built it the same time as the house but asking if the accessory building on the plan complies with code because there
443 are a couple examples that are not. Planner Davies stated especially if they are building a house the Building Officials are

444 going out and looking at the properties and can't speak for the Building Official but would say yes because he has to make
445 sure the house meets code. Commissioner Rackham stated is just beginning to attention when bring in staff looks.
446 Planner Steele stated they have to submit a site plans and check setbacks but have been here 4 years and have never
447 seen a Conditional Use permit come in with new construction.

448 [8:01:09 PM](#)

449 Planner Davies stated thinks staff has enough information to go back and craft a better ordinance and bring it back to
450 Commission for review with City Council's approval.

451 [8:01:20 PM](#)

452 Commissioner Vaughan asked staff if there were any other items under discussion items. Planner Davies stated no.
453 Commissioner Jensen stated at the last meeting requested PRD on this work session as a discussion item and
454 Commissioner Thorson supported him on it as well and wanted to discuss specifically the open space on PRD's and may
455 we discuss it. Commissioner Vaughan asked what does he want to do. Commissioner Rackham asked if he was wanting
456 to add it to the agenda items. Commissioner Jensen stated his questions is to the Council liaison essentially both himself
457 and Commissioner Thorson have an issue with the open space language for PRD as it is currently written and feel it is
458 being abused and would like to amend that language to tighten it up a little bit and make it a bit more clearer about what
459 consider open space and what they do not. Commissioner Jensen asked Councilman Gailey if he would be willing to take
460 that to City Council. Can tell him specifically the language thinking about but don't want to get into a debate per se but
461 would like to take setbacks out of open space but then maybe reduce the 50% to 40%. Councilman Gailey stated he can
462 tell them that the City Council has some of the same feelings that he does and what he would suggest is let him take it
463 back to the City Council and get their nod for them to proceed with that but his gut feeling is that they feel the same as
464 they do and that they would to look at that again and the last development that came in that met on paper everything that
465 had been called out by the ordinance obviously was not something that they want. Commissioner Jensen stated there are
466 4 Commissioners that disagreed with that and which is why they voted against it but the City Council is the ultimate arbiter
467 on that. Councilman Gailey stated as they discussed it together it was obviously the opinion of the City Council that the
468 second drawing that came back was not in line with what the intent was of open space so give him the opportunity to
469 approach the City Council and make sure they want to go that direction and will get back with the Chairman.

470 [8:03:58 PM](#)

471 **3. Commissioner Reports:**

472 Commissioner Thorson stated nothing to report. Commissioner Jensen stated the Davis County Act of Transportation
473 meetings since their last meeting and told a little about the Bonneville Shoreline trail and are still working on that and are
474 trying to figure out they are going to distribute the funds getting from the .25 cent sales tax which the County gets .05 of
475 that and the City .01 and then UTA gets .01. UTA is doing some things and are really interested in the first mile and last
476 mile and sure staff has talked with them on that. Commissioner Rackham stated nothing to report. Commissioner
477 McCuiston stated nothing to report. Commissioner Day stated nothing to report. Commissioner Moultrie stated noting to
478 report.

479 [8:04:49 PM](#)

480 Commissioner Vaughan stated he only has one item. Once again they had an applicant bring papers to present to the
481 Planning Commission for them to review. They have to have a solid policy so that can stop this, as chair would ask if
482 possibly in the Bylaws for Planning Commission could have something that specifically bars the submission of documents
483 to the Planning Commission as the time of the meeting without it first having been seen and reviewed by City Staff. Others
484 on the Commission have no fault at it for them talking a look and doing the things but the Chair cannot run the meeting
485 and reviewing the document at the same time and will not so that. Whoever gets to sit in his chair the next time perhaps
486 they can multi task but he will not do that because that. Commissioner Jensen stated his only issue with the item tonight
487 was that it was something that should have been in the packet anyway, staff had it they just failed to put it in the packet.
488 Commissioner Vaughan stated they either need to in his opinion they need to put something on the agenda that is
489 presented at the door or put it on the meeting website saying that documents will not be accepted by the Planning
490 Commission period, if someone wants to walk over to City Attorney Roberts or Planner Steele or Secretary Adams that is
491 fine if they want to give it to staff but as far as making the presentation to the Planning Commission cannot so it. Doesn't
492 know how the City Council feels about that but think they are in the same boat and think it is something that is up to them
493 if want to look at also but as far as his opinion cannot do it.

494 [8:06:48 PM](#)

495 Commissioner Jensen stated a quick reminder that they are there to serve the citizens of Syracuse not to be slaves
496 to the code.

497 [8:07:05 PM](#)

498 **4. Adjourn**

499 COMMISSIONER DAY MADE A MOTION TO ADJOURN. COMMISSIONER THORSON SECONDED THE
500 MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.
501
502
503



PLANNING COMMISSION AGENDA

May 17, 2016

Agenda Item #4

Cul-De-Sac Ordinance Change

Questions on this issue should be directed to Jo Hamblin and Noah Steele

Factual Summation:

It was brought to the attention of the CED department that there were conflicts in the Syracuse Municipal Code:

SMC § 8.15.010

(L) Cul-de-sacs (a street having only one outlet that terminates at the other end by a vehicle turnaround) shall be no longer than 500 feet from the centerline of the adjoining street to the center of the turnaround. Each cul-de-sac must be terminated by a turnaround of not less than 100 feet in diameter, measured to the property lines.

VS.

SMC § 7.05.020 And Syracuse engineering standards

The International Fire Code as currently adopted by the state of Utah is hereby adopted by reference and made part of this chapter. Appendices B, Fire-Flow Requirements for Buildings; C, Fire Hydrant Locations and Distribution; and D, Fire Apparatus Access Roads of the International Fire Code are also hereby adopted. Any successive amendments or editions adopted by the state of Utah are hereby incorporated herein by reference and shall be effective upon the date they are effective as a Utah State Statute. In the event a successive amendment or edition is adopted, Appendices B, C and D shall also be adopted and are hereby incorporated herein by this reference and shall be effective upon the same date. Appendices A, Board of Appeals; E, Hazard Categories; F, Hazard Ranking; and G, Cryogenic Fluids – Weight and Volume Equivalents are included as guides. A copy of said code shall be deposited in the administrative office of the City and open for public inspection.

This item was discussed in the extended work session of the city council on April 26, 2016 where city staff and the development community (represented by Mike Shultz of Castle Creek homes) discussed the pros and cons of each of the code text examples above.

Additional Material:

- Exhibit 1 Graphical representation of the physical application of the code(s)
- Exhibit 2 Letter from Castle Creek homes
- Exhibit 3 Municipal Comparisons

Recommendation:

Amend both SMC 07.05.020 and SMC 08.15.010 to reflect the changes in Exhibit A and B.

Exhibit A

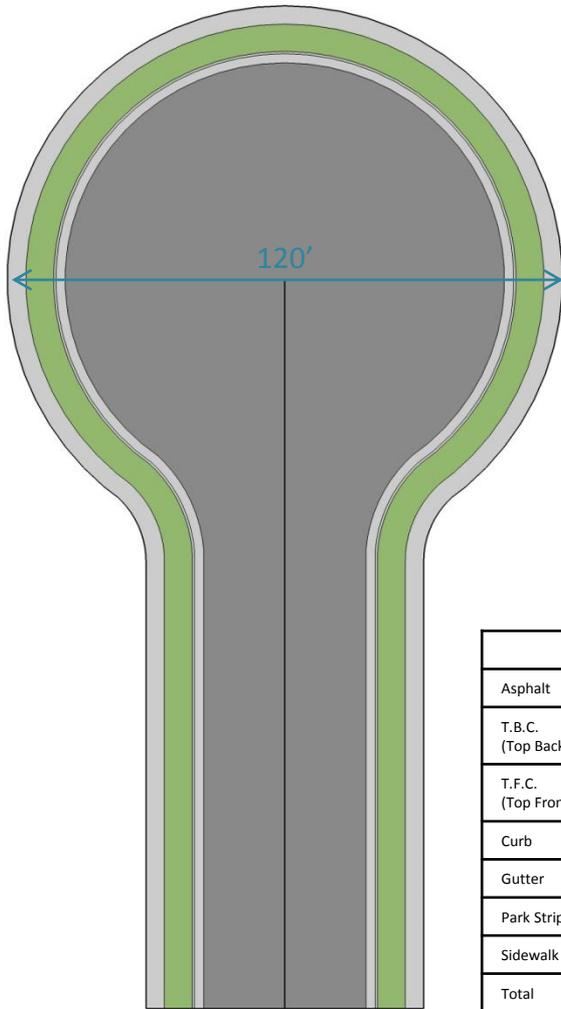
SMC § 8.15.010

(L) Cul-de-sacs (a street having only one outlet that terminates at the other end by a vehicle turnaround) shall be no longer than 500 feet from the centerline of the adjoining street to the center of the turnaround. Each cul-de-sac must be terminated by a turnaround of not less than ~~100 feet~~ 110 feet in diameter, measured to the property lines.

Exhibit B

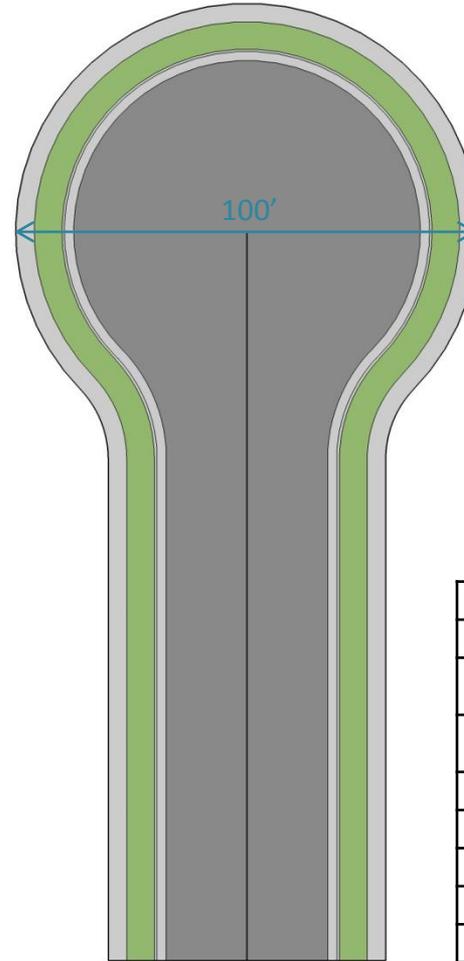
SMC § 7.05.020

The International Fire Code as currently adopted by the state of Utah is hereby adopted by reference and made part of this chapter. Appendices B, Fire-Flow Requirements for Buildings; C, Fire Hydrant Locations and Distribution; and D, Fire Apparatus Access Roads of the International Fire Code are also hereby adopted. Any successive amendments or editions adopted by the state of Utah are hereby incorporated herein by reference and shall be effective upon the date they are effective as a Utah State Statute. In the event a successive amendment or edition is adopted, Appendices B, and C shall also be adopted and are hereby incorporated herein by this reference and shall be effective upon the same date. **Appendix D shall also be adopted but amended to follow design standards for cul-de-sacs identified in SMC § 8.15.010.** Appendices A, Board of Appeals; E, Hazard Categories; F, Hazard Ranking; and G, Cryogenic Fluids – Weight and Volume Equivalents are included as guides. A copy of said code shall be deposited in the administrative office of the City and open for public inspection.



	Diameter	Radius
Asphalt	95'	47.5'
T.B.C. (Top Back of Curb)	100'	50'
T.F.C. (Top Front of Curb)	99'	49.5'
Curb	1'	.5'
Gutter	4'	2'
Park Strip	12'	6'
Sidewalk	8'	4'
Total	120'	60'

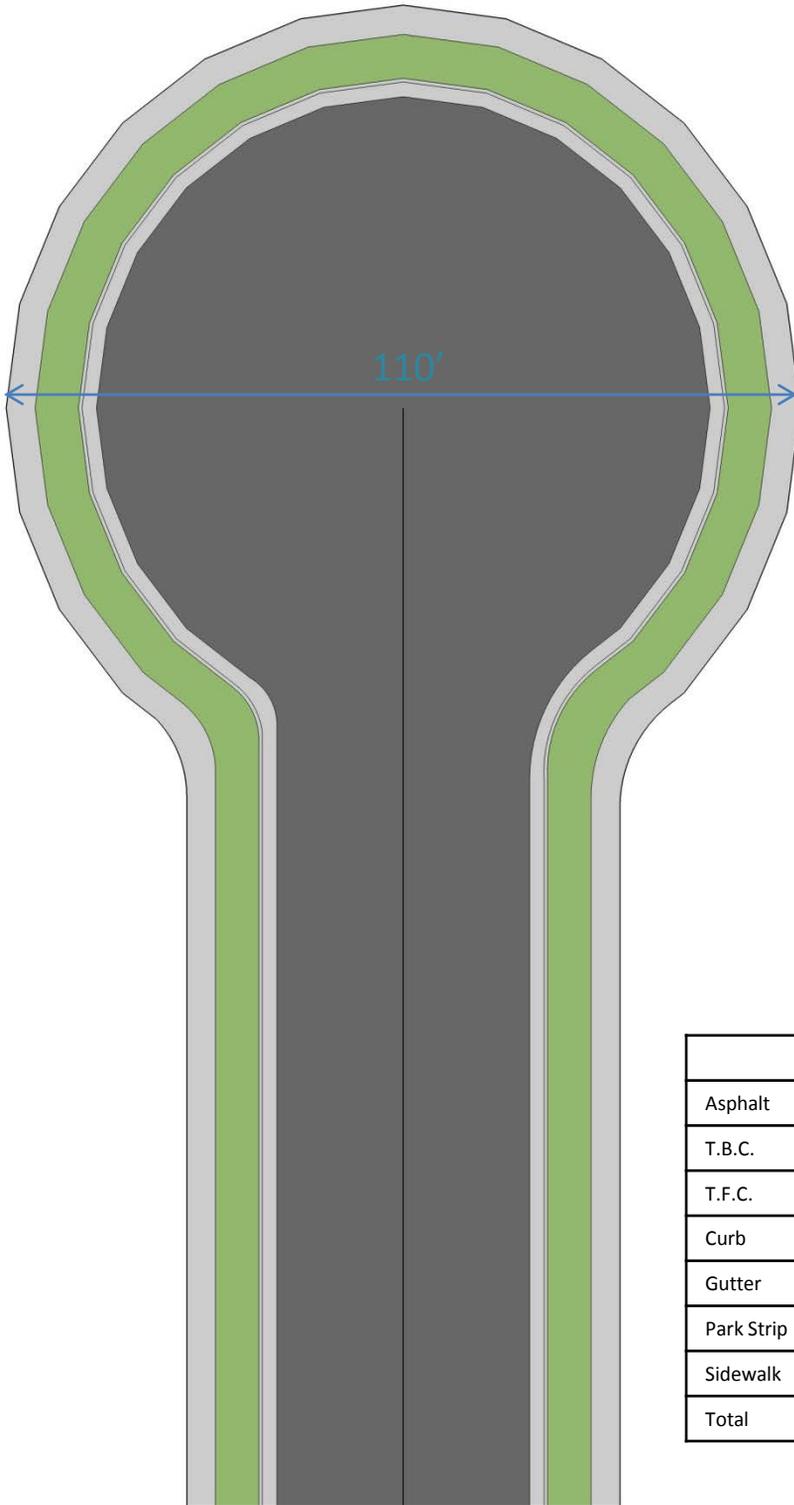
Typical Cul-De-Sac Detail from adopted Syracuse City Engineering Standards



	Diameter	Radius
Asphalt	75'	37.5'
T.B.C. (Top Back of Curb)	80'	40'
T.F.C. (Top Front of Curb)	79'	39.5'
Curb	1'	.5'
Gutter	4'	2'
Park Strip	12'	6'
Sidewalk	8'	4'
Total	100'	50'

Current Subdivision Ordinance: 8.15.010 (L) Cul-de-sacs (a street having only one outlet that terminates at the other end by a vehicle turnaround) shall be no longer than 500 feet from the centerline of the adjoining street to the center of the turnaround. Each cul-de-sac must be terminated by a turnaround of not less than 100 feet in diameter, measured to the property lines.

* Note: Property lines are on the back of the sidewalk



	Diameter	Radius
Asphalt	85'	42.5'
T.B.C.	90'	45'
T.F.C.	89'	44.5'
Curb	1'	.5'
Gutter	4'	2'
Park Strip	12'	6'
Sidewalk	8'	4'
Total	110'	55'

Potential Cul-De-Sac Detail



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Utah Department of Public Safety

KEITH D. SQUIRES
Commissioner

Utah State Fire Marshal

COY D. PORTER
State Fire Marshal

January 25, 2016

The Honorable Mike Shultz
2135 North 4500 West
Hooper, UT 84315

Re: Cul-de-sac

Dear Representative Schultz:

Thank you for meeting with us and the UHBA last Friday to resolve the conflicts with the 2015 International Fire Code. During that meeting you had some questions concerning cul-de-sac requirements as they pertain to the fire code. Section 503.2.5 of our current code and the same section in the proposed 2015 International Fire Code, require a turn-a-round within 150 feet of the end of a dead end:

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.

The body of the code does not give any further direction. Appendix D of the fire code does offer more specific requirements and can be adopted as code by the local jurisdiction. The State does not adopt the appendices with the adoption of the fire code, leaving appeals, fire flow, fire hydrant placement, and road requirements (including turn-a-rounds) up to the local jurisdictions. Appendix D specifies a 96-foot diameter minimum requirement for the size of a cul-de-sac. This diameter is generally measured from curb line to curb line. Some jurisdictions in our State have reduced that requirement in their subdivision ordinance and only require an 80-foot diameter cul-de-sac. An 80-foot diameter is the smallest diameter requirement for a cul-de-sac that I am aware of.

The size of a fire department turn-a-round, and correspondingly the size of a cul-de-sac, should be based on the requirements of the anticipated responding fire apparatus. The fire code official and the local jurisdiction should also keep in mind that fire apparatus will continue to evolve. What worked forty years ago often does not work today, and what works today may not

The Honorable Mike Schultz
January 25, 2016
Page 2

work forty years from now. Fire apparatus may get larger or may get smaller. The local jurisdiction should consider, that as other types of turn-a-rounds require a “three point turn,” it is reasonable for fire apparatus to make a three point turn in an open area, i.e. a cul-de-sac, and not expect they should be able to turn fire apparatus around in a cul-de-sac without stopping and backing up in every circumstance.

It is my opinion that the example of acceptable fire apparatus, cul-de-sac, turn-a-round, with a diameter of 96-feet, given in appendix D of the International Fire Code is adequate.

Sincerely,

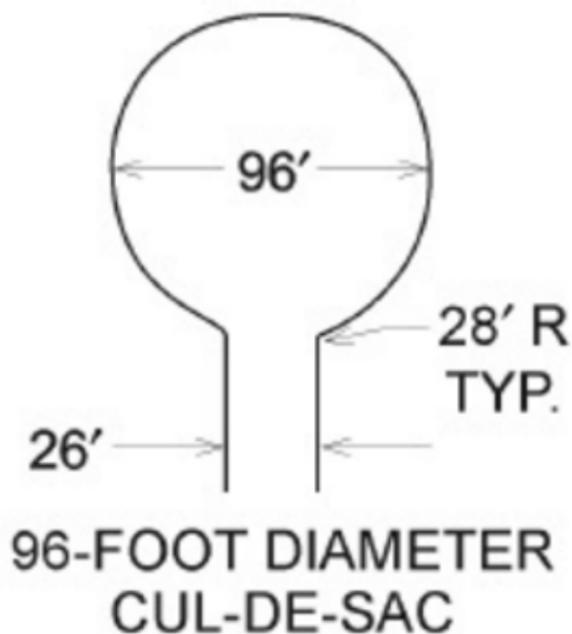
Ted Black
Chief Deputy State Fire Marshal

Attachment: International Fire Code, 2012 edition, Appendix D

SECTION D103 MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant.

Where a fire hydrant is located on a fire apparatus



City	Length (no longer than)	Radius (to Back of Curb)	Drivable Surface (IFC)
Lehi	400'	50'	96'
Kaysville	600'	50'	96'
Coalville	400	50'	96'
Cache Valley	500	50'	96'
Taylorsville	400'	46	88'
Sandy	400'	46'	88'
West Point	600'	45.5'	87'
Roy	500'	45.5'	87'
Clearfield	400'	45.5'	87'
Bountiful	600'	44'	84'
North Salt Lake	600'	42'	80'
Layton	500'	42'	80'
Centerville	400'	42'	80'
Clinton	400'	40'	76'
Syracuse	500'	50 ' Radius	96 ' Diameter



PLANNING COMMISSION WORK MEETING AGENDA

May 17, 2016

Agenda Item #2A **Definition and Interpretation of PRD Open Spaces**

Factual Summation

It has been requested that the language for common and open spaces in the PRD zone be examined to ensure that it meets the spirit and intent of the zone.

Attachments:

- Adopted Ordinance
- Definitions

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

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

Chapter 10.75 PRD – PLANNED RESIDENTIAL DEVELOPMENT

Sections:

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

10.75.010 Purpose.

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

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

10.75.020 Permitted uses.

The following are [permitted uses](#) by right provided the parcel and [building](#) meet all other provisions of this title and any other applicable [ordinances](#) of Syracuse City:

- (A) [Accessory uses](#) and [buildings](#) (maximum 200 square feet).
- (B) Churches, [synagogues](#), and [temples](#).
- (C) [Dwelling units](#), single-family (no more than four units attached).
- (D) Educational services.
- (E) [Household pets](#).
- (F) Private parks.

(G) [Public](#) and quasi-public [buildings](#).

(H) Residential facilities for persons with disabilities and assisted living centers. [Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-15-020.]

10.75.030 Conditional uses.

The following may be permitted [conditional uses](#) for nonattached [dwellings](#), after approval as specified in SCC [10.20.080](#):

(A) [Day care centers](#) (major).

(B) [Home occupations](#) (minor or major).

(C) [Temporary commercial uses](#) (see SCC [10.35.050](#)) (minor).

(D) Temporary [use](#) of [buildings](#) (see SCC [10.30.100](#)(A)(9)) (minor). [Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-15-030.]

10.75.040 Minimum lot standards.

All lots shall be developed and all [structures](#) and [uses](#) shall be placed on lots in accordance with the following standards:

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

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

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

(3) For detention ponds to be considered [common space](#) they must include amenities recommended by [planning commission](#) and [city council](#);

(4) The aesthetic and [landscaping](#) proposals shall provide for trees and shrubs that break up the look of having the same [building](#) style duplicated throughout the development and shall be in accordance with the Architectural Review Guide;

(5) For the purpose of this section, [landscaping](#) is not considered to be an amenity;

(6) The development shall provide adequate off-street parking area(s), subject to requirements of this chapter and off-street parking requirements as found in Chapter [10.40](#) SCC; and

(7) The development design shall include a direct connection to a major arterial, minor arterial, or major collector roadway.

(B) Lot width: determined by development plan.

(C) Front yard: 20 feet.

(D) Side yards: a minimum of 16 feet between primary [structures](#) and eight feet from the property line.

(E) Rear yard: a minimum of 15 feet.

(F) [Building](#) height: as allowed by current adopted [building](#) code, with a maximum height of 30 feet to the top of the roof [structure](#).

(G) Structure: attached units shall not have a single roofline and shall have variations in architectural style between the [buildings](#). The units shall include a minimum of two-car garages for each unit and shall not be the major architectural feature of the [building](#). [Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1998; Code 1971 § 10-15-040.]

10.75.050 Development plan and agreement requirements.

(A) Subdivision [ordinance](#) requirements shall generally apply to planned residential communities. **The developer shall submit a residential development plan of all project phases for City consideration and approval and shall integrate the proposed development plan into a [development agreement](#) between the developer and City.** The [development agreement](#) shall undergo an administrative review process to ensure compliance with adopted City [ordinances](#) and standards with approval by the [City Council](#). The subdivider shall develop the property in accordance with the [development agreement](#) and current City [ordinances](#) in effect on the approval date of the agreement, together with the requirements set forth in the agreement, except when federal, state, county, and/or City laws and regulations, promulgated to protect the [public](#)'s health, safety, and welfare, require future modifications under circumstances constituting a rational [public](#) interest.

(B) A planned residential development must have a minimum of five acres.

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

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

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

(F) A planned residential community shall be of sufficient size, composition, and arrangement to enable its feasible development as a complete unit, managed by a legally established owners'

association and governed by enforceable, duly recorded CC&Rs. [Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-15-050.]

10.75.060 Design standards.

The [Land Use Authority](#) shall approve the required common [building](#) theme. The design shall show detail in the unification of exterior architectural style, [building](#) materials, and color and size of each unit; however, the intent is not to have the design so dominant that all units are identical. Residential [dwellings](#) shall comply with SCC [10.30.020](#). [Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-15-060.]

10.75.070 Street design.

The [Land Use Authority](#) may approve an alternative street design so long as it maintains the City's minimum rights-of-way. The developer shall dedicate all street rights-of-way to the City. [Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-15-070.]

10.75.080 Off-street parking and loading.

For multi-unit developments, one additional off-street [parking space](#) shall be provided for each unit of four [dwellings](#). Off-street parking and loading shall be as specified in Chapter [10.40](#) SCC; provided, however, that the City may limit or eliminate street parking or other [use](#) of City rights-of-way through the employment of limited or alternative street designs. [Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-15-080.]

10.75.090 Signs.

The [signs](#) permitted in this [zone](#) shall be those allowed in residential [zones](#) by Chapter [10.45](#) SCC. [Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-15-090.]

The Syracuse City Code is current through Ordinance 16-07, passed February 9, 2016.

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



PLANNING COMMISSION WORK MEETING AGENDA

May 17, 2016

Agenda Item #2B 10.30.080 Buffer Yards - Ordinance Revision

Factual Summation

The "Buffer Table" images in the 10.30.080 are confusing. It is requested that the commission explore ways to simplify the determination of the required yard.

Attachments:

- Adopted Ordinance
- Potential Ordinance

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 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.

(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

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

Table 2

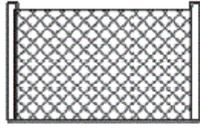
Buffer Classification Requirements

	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

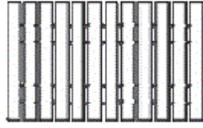
* Refer to minimum lot standards associated with each zone for minimum yard setback requirements.

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

BUFFER TABLE A



5' Chain Link Fence



5' Wood Stockade Fence



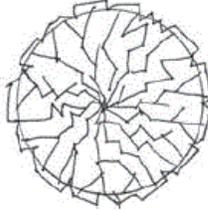
5' Wood Rail Fence



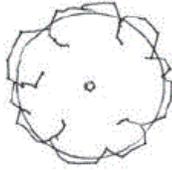
5' Vinyl Fence

AND

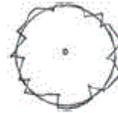
Required Plat Units/100'



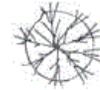
(0.6) Canopy Tree



(1) Understory Tree

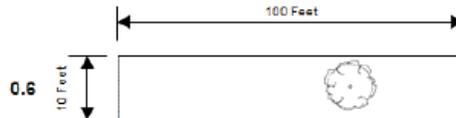
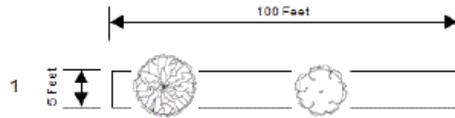


Shrub

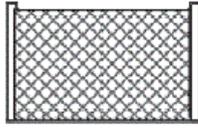


Evergreens/Conifers

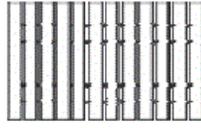
Plant Multiplier



BUFFER TABLE B



5' Chain Link Fence



5' Wood Stockade Fence



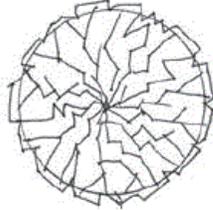
5' Wood Rail Fence



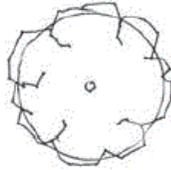
5' Vinyl Fence

AND

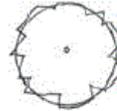
Required Plat Units/100'



(1) Canopy Tree



(1) Understory Tree

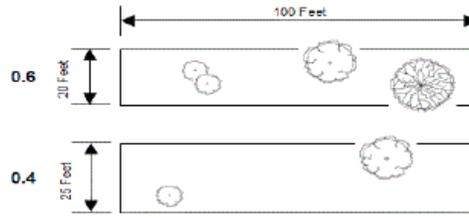
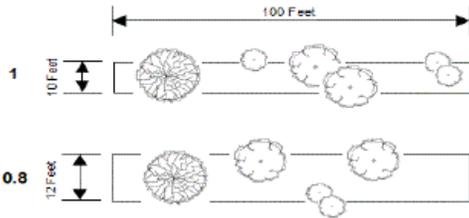


Shrub

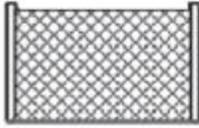


Evergreens/Conifers

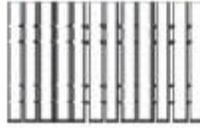
Plant Multiplier



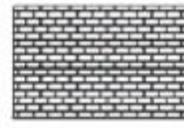
BUFFER TABLE C



6' Chain Link Fence
with Privacy Slats



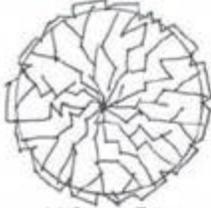
6' Impervious and Opaque
Wood Stockade or Vinyl Fence



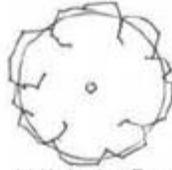
6' foot Masonry Wall

AND

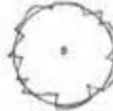
Required Plat Units/100'



(2) Canopy Tree



(4) Understory Tree

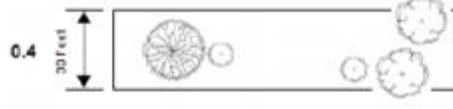
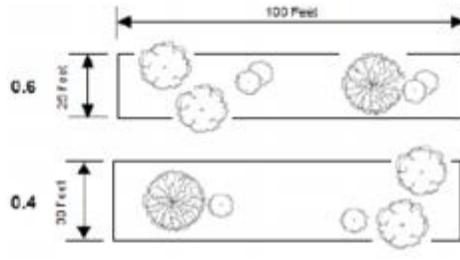
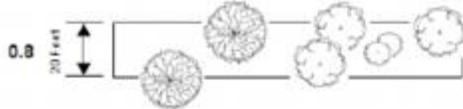
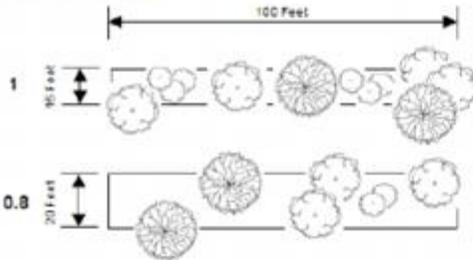


(6) Shrub

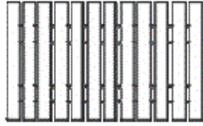


Evergreens/Conifers

Plant Multiplier



BUFFER TABLE D



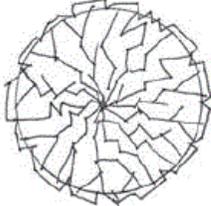
6' Impervious and Opaque Wood Stockade or Vinyl Fence



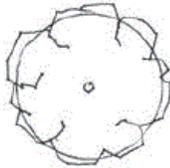
6' foot Masonry Wall

AND

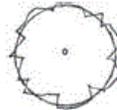
Required Plat Units/100'



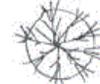
(3) Canopy Tree



(6) Understory Tree

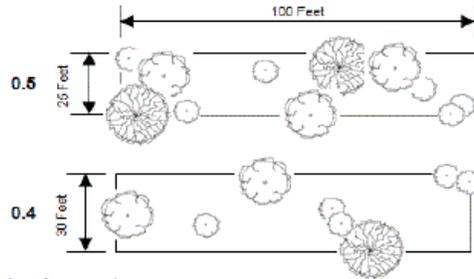
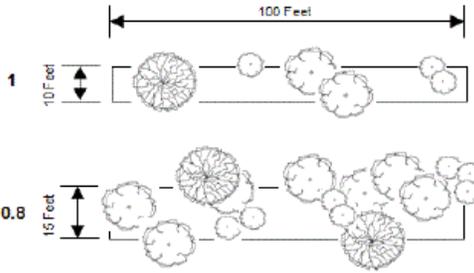


(9) Shrub

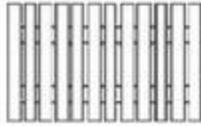


Evergreens/Conifers

Plant Multiplier

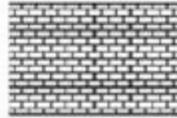


BUFFER TABLE E



Impervious and Opaque
Wood Stockade or Vinyl Fence

F1 = 6'
F2 = 8'

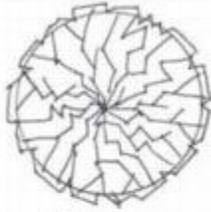


Masonry Wall

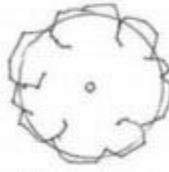
F1 = 6'
F2 = 8'

OR

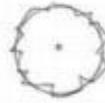
Required Plant Units/100'



(3) Canopy Tree



(6) Understory Tree

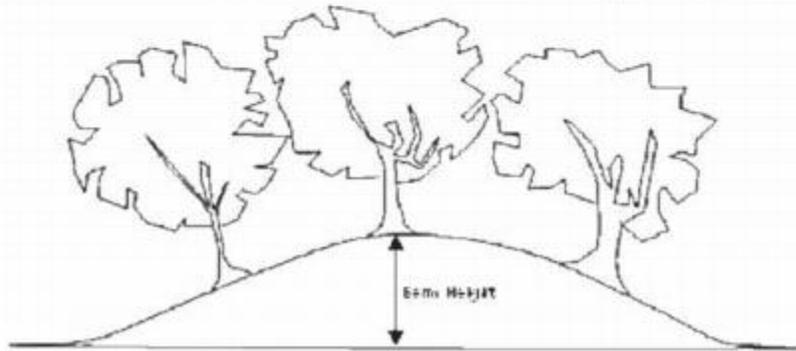
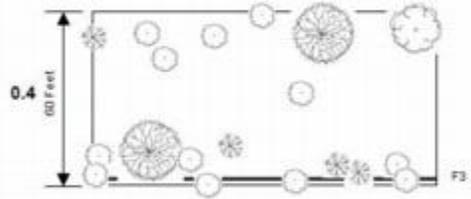
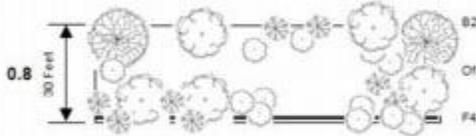
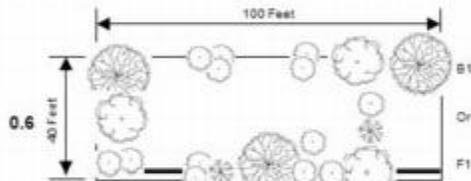
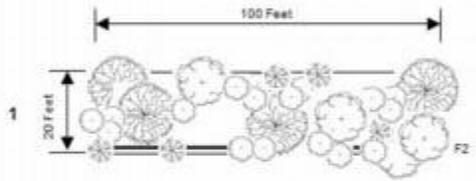


(9) Shrub



Evergreens/Conifers

Plant Multiplier



Symbol	Height	Material
B1	6'±	Earth
B2	3'±	Earth

[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

Existing Land Uses	Category
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

<u>New Land Use Category</u>	<u>Existing Land Use Category</u>	<u>Required Buffer Type</u>
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

Buffer Type	Fence	Landscape Buffer Width	Tree Density	Shrub Density
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