



Syracuse City Planning Commission Meeting June 21, 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 **Rackham**
 - Pledge of Allegiance by Commissioner **Day**
 - Adoption of Meeting Agenda
2. **Meeting Minutes**
June 7, 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. **Adjourn**

Work Session

1. **Training Video (David Church 45 mins)** provided by CED Director Mellor
2. **Department Business**
 - a. City Council Liaison Report
 - b. City Attorney Updates
 - c. Upcoming Agenda Items
3. **Discussion Items**
 - a. Open Space PRD Ordinance Revision
 - b. Text Amendment 10.30.050 Yard Encroachment
4. **Commissioner Reports**
5. **Adjourn**

NOTE

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

CERTIFICATE OF POSTING

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PLANNING COMMISSION REGULAR MEETING AGENDA

June 21, 2016

Agenda Item # 2

Meeting Minutes

June 7, 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, June 7, 2016

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on June 7, 2016, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Commission Members: Ralph Vaughan, Chairman
Dale Rackham, Vice Chairman
TJ Jensen
Curt McCuistion
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
Brian Bloemen, City Engineer

City Council: Councilman Mike Gailey

Excused: Commissioner Day

Visitors: Adam Bernard Doug Hammond
Dallin Higley Dennis Higley

[6:03:12 PM](#)

1. **Meeting Called to Order:**

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

[6:04:54 PM](#)

COMMISSIONER JENSEN MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR JUNE 7, 2016 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER RACKHAM. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

[6:05:19 PM](#)

2. **Meeting Minutes:**

May 17, 2016 Regular Meeting & Work Session

COMMISSIONER MOULTRIE MADE A MOTION TO APPROVE THE REGULAR AND WORK SESSION MEETING MINUTES FOR MAY 17, 2016. THE MOTION WAS SECONDED BY COMMISSIONER MCCUISTION. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

[6:07:58 PM](#)

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

[6:08:23 PM](#)

None

[6:08:28 PM](#)

4. **Public Hearing, Rezone R-2 to PRD, Jackson Court, property located at 1972 S 2000 W, Troy Barber property**

Planner Davies stated this is following a decision made by the City Council to change the General Plan designation on this property from an R-2 Residential to PRD or Planned Residential Development and that was on May 10th this year. The applicant has requested to change the zoning to follow suit and this development is intended to be somewhat of an extension of the existing Craig Estates development and are looking to do a PRD because that will allow them to do a similar type of housing product to what is already there in Craig Estates. Not a lot of new information that hasn't already discussed in the past and without getting into details as to what is going to be on the site plan and so that will come later, right now just dealing with the rezone. Staff analysis of it has determined that the General Plan does support the PRD now, now that the General Plan has been changed for this property. The applicant has requested a 5 plus acre area, 5.21 acres, which meets the requirement for a PRD development. Overall the potential impacts of PRD of course if rezoned there is a higher unit density that is possible, so full PRD density which using the open space requirements is not really necessarily obtainable but there is a potential for a 28 lots on this property with a PRD zoning where as currently there is only a potential for 14 lots so that is something that could occur but the applicant has worked with staff and feel confident that the product they are proposing would fit with the area and will get into that later with the site plan assuming it is approved.

[6:12:23 PM](#)

Commissioner Jensen asked staff if the applicant was made aware that the Planning Commission is currently reviewing the open space ordinance on the PRD. Planner Davies stated yes the applicant is aware of that.

63 [6:13:10 PM](#)

64 Adam Bernard, representing the property Trust, stated staff did a great job explaining and they are just here to match
65 the General Plan, it is pretty straight forward are requesting the rezone and have been working with staff to provide
66 potential plans and ideas as they get farther down the line. Commissioner Jensen asked the applicant if he was aware
67 they are most likely going to want a connection to 2000 W. Adam Bernard stated yes.

68 [6:14:00 PM](#)

69 Public hearing opened.

70 [6:14:14 PM](#)

71 Public hearing closed.

72 [6:14:22 PM](#)

73 Commissioner Jensen stated his only thoughts on this and unfortunately that kind of went past them but kind of
74 understand the reasoning for it but think would have preferred to have the Professional Office on the north and the PRD
75 extending on the south but think there was a lot width issues on that first lot and is why decided to go to the north which
76 isn't a major thing but do think it is kinda silly to have Professional Office out in the middle of 2000 W that little strip of
77 Professional Office on the General Plan Map facing the street and probably should just get rid of that either make it PRD
78 unless they are trying to use that acreage for Professional Office but again think that it will be right of way acreage and
79 kind of bothersome. Planner Steele stated it would probably be wise to take that out. Commissioner Jensen stated doesn't
80 mind the applicant getting credit for the acreage towards Professional Office if they need it but think as far as the General
81 Plan Map is concerned think it looks silly. The only other thought and had mentioned to the applicant is that need to make
82 sure have a road access onto 2000 W per the PRD and of course are in the middle of working and may change how open
83 space works in a PRD and wanted to make them aware of that so that hopefully can get those changes done before they
84 submit plans.

85 [6:16:37 PM](#)

86 Commissioner Vaughan stated it appears from all of the documentation seen and from the statement from Planner
87 Davies that the applicant has met all of the conditions to apply for the zone change to PRD and in that case the Chair
88 would entertain a motion.

89 [6:16:57 PM](#)

90 COMMISSIONER JENSEN MADE A MOTION TO RECOMMEND TO CITY COUNCIL THE ZONE CHANGE FROM
91 R-2 TO PRD FOR PROPERTY LOCATED AT 1972 S 2000 W. COMMISSIONER THORSON SECONDED THE
92 MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

93 [6:17:23 PM](#)

94 **5. Public Hearing, Minor Subdivision Plan, Jensen Park Estates, property located at 3025 S Bluff Road, Dennis**
95 **Higley**

96 Planner Davies stated this is a 2 lot subdivision that has been proposed down by Jensen Nature Park. Currently
97 fronting onto Bluff Road and so there will be no internal roads in this subdivision and so are just wanting to divide the
98 property roughly in half. There is a 30 foot easement that comes through lot 2 but given the required setbacks the road is
99 an arterial and so there is a 40 foot setback in the front and did some measuring there and is still several thousand square
100 feet of buildable area so both of the lots are large enough to build substantial size homes on even lot 2 with the large
101 easement. Both of the lots exceed the minimum lot size requirement of 10,000 square feet for this zone. All of the directly
102 adjacent properties are currently developed with single-family residential which is what is being proposed for these
103 properties as well so it does meet what generally is surrounding it and also meets the zoning ordinance.

104 [6:19:17 PM](#)

105 Commissioner Jensen asked what the purpose of the easement was. Planner Davies stated believes there is a sewer
106 and a land drain and a couple other things that went through there. It is the service to the Kara Subdivision to the north.
107 Commissioner Rackham asked if goes on into the Thurgood property. Planner Davies stated no just this property. There
108 are a couple weird lines as might notice on the aerial and zoning map and those have been cleaned up and will be
109 cleaned up by this subdivision.

110 [6:19:58 PM](#)

111 City Engineer Bloemen stated it does extend into the Thurgood property, there is culinary, secondary, sewer, land
112 drain and storm drain in that easement. Planner Steele clarified if Commissioner Rackham was asking about the utility
113 easement or the property line. Commissioner Rackham stated the easement into the Thurgood property.

114 [6:20:20 PM](#)

115 Commissioner Vaughan stated if memory serves correct this property was before them about a year or so ago and
116 there were some issues in regards to connecting sewer because this one property would necessitate extending a line up
117 to it and would also have to extend some type of line to the water line or sewer line to the house that is directly northwest
118 with the circular driveway and thought this project was either withdrawn or put on hiatus or rejected at the time and was
119 wondering if all of those problems that existed at that time have been satisfied. Thought there was also some type of an
120 issue with connecting this property to the cul-de-sac directly above it on 1550 W. City Engineer Bloemen stated what is lot
121 2 now already has utilities stubbed into and the only additional infrastructure that needs to be installed will be for lot 1
122 which doesn't have any culinary or secondary water stubbed into it. The plan for lot 1 was to run a lateral off the exiting
123 main and connect into the existing main in the 30 foot easement there. Commissioner Vaughan stated so at this point

124 there is no obligation on the applicant to extend services or make them available to the Dennis Higley Trust property. City
125 Engineer Bloemen stated correct there is no obligation. Commissioner Jensen stated the issue last time was because
126 subdividing these if it came within 300 feet of an existing sewer then they would have to extend it and if they extended it to
127 the first lot and second lot then the neighbor since that was within 300 feet of the property next to it they would also have
128 to and there are several houses there that are currently on septic tanks and so that is the ordinance referring to. City
129 Engineer Bloemen stated the Dennis Higley property was connected to sewer so that is no longer nonconforming and the
130 property further to the north doesn't meet the 300 foot requirement as it stands. Commissioner Jensen stated once they
131 subdivide the 2 lots will it then fall within 300 feet. City Engineer Bloemen stated they are not doing any sewer main
132 extensions with this project so as it sits right now it is currently conforming with the County standard of 300 feet.
133 Commissioner Vaughan stated as they learned about a year ago at this point there aren't any real surprises or no hooks
134 they have accidentally. City Engineer Bloemen stated no.

135 [6:23:40 PM](#)

136 Dennis Higley property owner and Syracuse resident for over 35 years and just sold his home and barely moved out
137 but they got the sewer laterals in and got the water lateral on lot 2 back before they put the landscape in at Tim
138 Thurgood's home and got permission to do that so wouldn't have to tear up his yard as had been discussed where water
139 is coming in on lot 1. The only question he had was for the City Engineer on the notes it says the land drain laterals must
140 tie at the top 20% mainline would that be the southeast area the furthest line from Bluff Road. City Engineer Bloemen
141 stated that comment is just the actual mainline not talking about where going to tie in just that when tie into the pipe cant
142 tie it down at the flow line of the pipe have to be up in the top 20% of that pipe. Dennis Higley stated the plan submitted
143 wondering if that is okay. Brian Bloemen stated the actual location of it is fine just when do the actual connection can't tie
144 in at the flow line have to tie in at the top of the pipe. Dennis Higley stated he just needed a clarification.

145 [6:26:56 PM](#)

146 Public hearing opened.

147 [6:27:09 PM](#)

148 Public hearing closed.

149 [6:27:14 PM](#)

150 Commissioner Jensen stated he is glad they were able to come to a resolution on the sewer that was the thing that
151 was holding it up before because essentially Syracuse City is trying to do away with septic tanks and so if they have that
152 resolved to the City Engineer's satisfaction that is great.

153 [6:27:47 PM](#)

154 COMMISSIONER MCCUISTION MADE A MOTION TO RECOMMEND TO CITY COUNCIL TO APPROVE THE
155 REQUEST OF DENNIS HIGLEY OF A 2 LOT MINOR SUBDIVISION, JENSEN PARK ESTATES CONSISTING OF 3.36
156 ACRES OF PROPERTY LOCATED AT 3025 S BLUFF RD, R-3 RESIDENTIAL ZONE. COMMISSIONER MOULTRIE
157 SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

158 [6:28:35 PM](#)

159 **6. Final Subdivision Plan, Keller Crossing Phase 2, property located at approximately 1975 S 1000 W, Mark Staples**

160 Commissioner Thorson recused himself from this discussion.

161 [6:29:09 PM](#)

162 Planner Davies stated this is phase 2 of Keller Crossing subdivision, 10 lots for phase 2 and originally the entire
163 subdivision was preliminary approved by City Council June 9, 2015. The west part they have been working on that and
164 this will be extending east and there is also a third phase that will go to the east of this phase. It is split zoning a little bit
165 and is not really an issue since most of the lots are the same size and all exceed the minimum lot sizes for their respective
166 zones. The eastern 2 lots are in the R-3 zone whereas the western 8 lots are in the R-2 zone. They are all meeting and
167 exceeding the minimum lot size where the R-2 is 10,000 square feet and R-3 is 8,000 square foot minimum. In terms of
168 actually being out there won't see a difference in the houses necessarily in the lot sizes. Where this is a final approval
169 basically the overall subdivision has been setup and have made sure it does meet the code this is just verifying that what
170 they have submitted with the plat still meets code and can final it and get them out their working on building permits.
171 Currently there will be a temporary turnaround on the east side where the street will eventually continue on 2000 S. It is
172 pretty straight forward rectangular lots which makes it really easy and all meet the minimum lot requirements for the zone.

173 [6:31:31 PM](#)

174 Commissioner Jensen stated this exceeds the cul-de-sac length of 500 feet and think at the very least think should
175 wrap a little road over to the stub road there but where does the ordinance stand on that. Planner Steele stated phase 3 to
176 the east is already stubbed into the subdivision to the north, Tivoli Gardens. Commissioner Jensen stated the temporary
177 turnaround isn't needed then if it is already stubbed in. Planner Steele stated it is just a formality they put on the drawings
178 because it is required in the ordinance but they won't ever have to build a temporary turnaround there. Commissioner
179 Jensen stated he just wants to make sure there is connectively there since it is over 500 feet. Commissioner Jensen
180 asked if it would be inappropriate to basically have that stub road shown on the plans before it goes to City Council.
181 Planner Steele stated maybe in the graphics can overlay the other phases so they can get the full picture or even show
182 the preliminary plat. Commissioner Jensen stated at the very least would like show that instead of having a turnaround
183 there would actually have a road going somewhere even it is just a dirt road. Planner Steele stated might have been
184 helpful to see the entire plat in the packet.

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Mark Staples, Nilson Homes, stated this phase 2 seems strange is the last phase and so actually all of Keller Crossing will be completed basically almost at the same time so phase 1 is done and have curbs down, bases down and will be putting the sidewalk in as they build the homes and phase 3 is also in that same state so phase 2 will be done in the Fall and should all be basically paved by the end of the year and so all of the lots will be done basically at the same time. Can also tell them that the lots are almost all sold so the good news is Syracuse is a great place to do business in and appreciate that. Commissioner Jensen stated staff clarified that phase 3 is already stubbed up against this. Mark Staples stated yes.

[6:35:55 PM](#)

COMMISSIONER MCCUISTION MADE A MOTION TO THE CITY COUNCIL TO APPROVE THE REQUEST OF NILSON HOMES FOR 10 LOT FINAL SUBDIVISION, KELLER CROSSING PHASE 2, PROPERTY LOCATED AT 1975 S 1000 W, R-2/R-3 RESIDENTIAL ZONES. COMMISSIONER MOULTRIE SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY. COMMISSIONER THORSON OBSTAINING.

[6:38:11 PM](#)

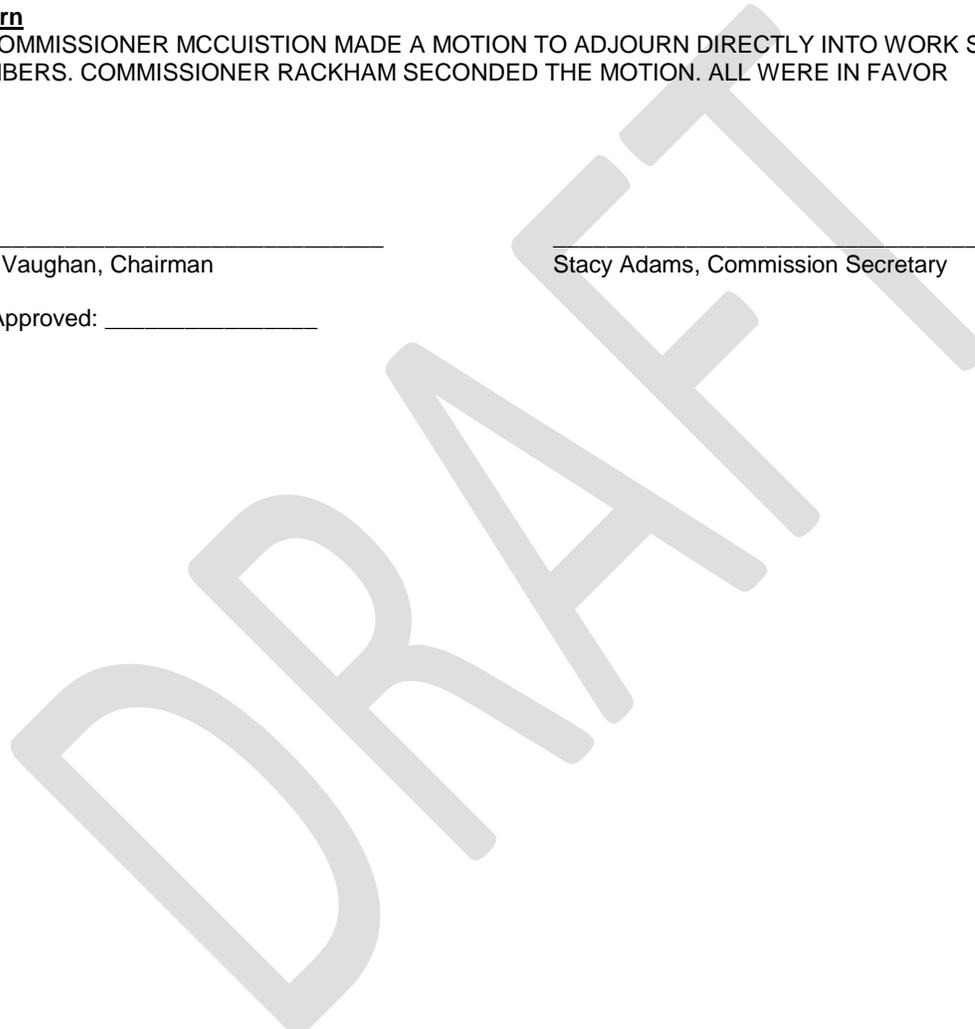
7. **Adjourn**

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

Ralph Vaughan, Chairman

Stacy Adams, Commission Secretary

Date Approved: _____



Minutes of the Syracuse Planning Commission Work Session, June 7, 2016

Minutes of the Syracuse City Planning Commission Work Session held on June 7, 2016, at 6:00 p.m., in the Conference Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

- Present:**
- Commission Members: Ralph Vaughan, Chairman
Dale Rackham, Vice Chairman
TJ Jensen
Curt McCuiston
Troy Moultrie
Grant Thorson
- City Employees: Noah Steele, Planner
Royce Davies, Planner
Paul Roberts, City Attorney
Stacy Adams, Commission Secretary
- City Council: Councilman Mike Gailey
- Excused: Commissioner Day
- Visitors:

[6:38:51 PM](#)

1. **Department Business:**

[6:39:04 PM](#)

a. City Council Liaison Report

Councilman Gailey stated has 5 items would like to touch on so are aware if what is coming down the pike that would be interesting and need the Commission's input on. Next week they will entertain an application for Annexation of the property being developed by Woodside Homes down near Stillwater around and in that area and in a work session with the Council they have agreed to waive some of the fees on relationship to the Annexation because are requesting of them that they include some properties that are not going to be developed so that it is contiguous with that development so will be seeing that. The City has to accept or deny that application within 14 days of being submitted so will be acting on hat on Tuesday of next week. There was an issue in regard to the Higley subdivision that surfaced a little bit about this week that the Council got involved with and might have the Commission look at it. One of them is involving the absolute density and property compared to the percentage of square footage in acreage that is developed and ran into what could be, it is not a complication there now because of some other resurveying that was done but maybe staff can shed some light on that. Planner Davies stated basically the applicant originally said had .616 acres of property and when did the calculations on that exceeded the minimum lot size on both lots considerably yet didn't meet the maximum density requirement of 3 units per acre so while if a larger developer it doesn't tend to be as much of an impact maybe lose a couple of lots here or there but with infill type of developments where have 2 or 3 lot subdivisions could see some potential issues with the difference between the maximum density and the minim lot size. Councilman Gailey stated so is just giving the Commission a precursor for when they bring that back to them and have them give them some council on what to do with small subdivisions when are in conflict with the numbers there. Councilman Gailey stated the City Council has not acted yet but believe it will happen, after a discussion in a work session at the end of May it is the feeling of the Council that they ought to have a business meeting as part of every gathering of the City Council. That work session that they typically had on that 4th Tuesday want to make some of that time available to facilitate the Commission's actions so that people aren't waiting around for things that have already been acted upon for a whole month. That discussion occurred and think it was pretty well unanimously accepted by the whole Council that even the 4th Tuesday will have a work session will have a business component to it. They may start at 6pm with the work session and have the business component at 7pm and then go back into a work session but would like to facilitate the Commission's work so aren't waiting so long. They had an issue involving a PRD and just to put it out on the table so as approve PRD's and their development when Stoker Gardens went in and not by any real malicious reason or another when the secondary water line was stubbed into that property 8 2" water lines were connected and planned in that development and have sine come back and the payment for those 2" water lines is significant and is costly to those residence that are there so are in the process of looking at that. Don't know if it was the Council or the Commission or just the developer who put in 2" water lines so they have been being billed for 8 2" water lines to service about 2.3 acres. Also at the last Council meeting they have not accepted it yet but it was presented to them a storm drain update that the State requires the Cities to do on some routine basis and Director Whiteley has rewritten that and that will be approved most likely at the next meeting.

[6:44:50 PM](#)

b. City Attorney Updates

City Attorney Roberts stated no other updates for them.

[6:45:02 PM](#)

c. Upcoming Agenda Items

Planner Steele stated the City Recorder has accepted an Annexation petition which you already discussed. Planner Steele stated as far as future applications staff is still waiting for a preliminary application for Grayson Ridge which is

65 south of Buffalo Point Elementary and haven't heard much back from Criddle Farms and assumes they are working
66 through some issues on their end. Staff has a lot of projects the Commission has already approved that is either entering
67 construction or different stages of the process so it is a busy time of year but no new applications lately.

68 [6:46:08 PM](#)

69 **2. Discussion Items:**

70 **a. Open Space PRD Ordinance Revision**

71 Planner Steele stated tried taking the Commissioners input from last meeting and combined it all into one document.
72 Wanted to make sure are all on the same page since it can be kind of confusing between open space and common
73 space. Some of the comments were to just get rid of either the open space requirement or the common space
74 requirement all together and also possibly adding a minimum distance around the structures that wouldn't be counted
75 towards the open space side or even reducing the amount of open space. Just to review the existing ordinance in a
76 project the way it would be calculated as is, would take the gross acreage and 50% of that excluding roadways, buildings,
77 acreage and City infrastructure so kind of a net calculation take 50% of that and of that 50%, 30% would be the open
78 space which is no amenities and 20% is the common space which has the nice amenities. So staff took a stab at it and
79 attempted to simplify it for the developers and clarify what want in the common space. So revised the language to 'a
80 minimum a 10% of the gross acreage of the project shall be developed as common space' so it would maintain the same
81 percentage because as is are taking 20% of the 50% and that is essentially 10% but it would be gross and not net so it is
82 actually a little bit more than what are requiring now. Sections A, B, C, D & E are just clarifying what want to see in that
83 common space. A says 'Common space shall be equally accessible by all residents of the community.' B says 'Common
84 space shall be allocated in one contiguous and useable space to allow for the appropriate space needed for amenities.'
85 and from some of the previous comments from some of the previous PRD's that reviewed that some of the common
86 space was kind of wrapped around in some of the backyards so that would address that issue. C says 'Common space
87 acreage shall not include land within 20' of any building foundation or any space considered to be front, side or rear
88 yards.' and that might be a little redundant there with some of the other sections but that is just trying to ensure that it
89 doesn't wrap around and all the area within that would still be landscaped and would still have to meet each building being
90 16' apart and still have a front, side and rear setbacks that would most of the time meet what the open space requirement
91 was, the 30% anyway. D says 'Amenities shall be included within the common space areas.' E is relabeling detention
92 ponds that if count a detention pond has to put a good amenity in there and renumbering the remaining sections. So that
93 is where staff is at and happy to take any comment and discussion ultimately want to put down what the Commission
94 desires on paper and would advise that don't try to wordsmith because that can take a long time and can take the
95 direction want to go and take another stab at it.

96 [6:51:30 PM](#)

97 Commissioner Rackham stated 2, C where it says within 20' of a building the concern is if common space has a
98 building like a gym or something it should probably state 'residential' be specific. Planner Steele stated that is a good
99 point, like over at Sunset Park Villas there pool and clubhouse count towards their common space. Commissioner Jensen
100 stated those are the kind of amenities they want to encourage but it is up to the developers unless it is spelled out in the
101 ordinance that are looking for pools or other indoor facilities can't require it.

102 [6:52:27 PM](#)

103 Commissioner Thorson on section 2, B the wording 'one contiguous and useable space' there is some that think
104 would be big enough that could have multiple and like the idea of having aggregated into clumps but there might be some
105 where there are multiple areas, park areas and gym area or trail hub of some sort if the subdivision is big enough can see
106 multiple grouping of common space amenities but wouldn't want them to be too small. Commissioner Jensen stated
107 could specify a minimum acreage of 1 acre that would work. Commissioner Thorson stated that could work somewhere
108 along those lines. Commissioner Jensen stated so if they have to have multiples because it is a large development maybe
109 the minimum size for a common space is 1 acre, might be too high but throwing a number out, figuring 10% with 10 acres
110 that is 1 acre. Planner Steele stated can explore something like that as long as it is proportional to the size of the
111 development. Commissioner Thorson stated really likes the idea of getting rid of the open space almost completely and
112 focus on common space. Planner Steele stated the definition is still there and it does still refer to open space in other
113 parts of the ordinance but the requirements are just focusing on what want to see in the common space.

114 [6:54:14 PM](#)

115 Commissioner Vaughan stated it is used as a worst case scenario in a number of jurisdictions but in San Diego
116 County there a piece of land known as the South Bay Corridor in which the City of San Diego wanted to exert influence
117 over the International border with Mexico so they annexed a piece of property running from the southern border of San
118 Diego which was approximately 20 miles north of the International border. They annexed a strip 20 miles long one foot
119 wide and then when got down to near the border then they extended the area out to be approximately a 2 miles tall and
120 10 miles wide so basically the City of San Diego owns either side of the border if anyone has ever been to San Diego and
121 gone through the border there they own that because they had that one foot wide strip which brings him to 2, B in which
122 how would they define contiguous and useable to keep a developer from running a South Bay Corridor on one side of a
123 PRD to the other if has a decoration or a whole bunch of stepping stones that are 12" wide going from one side to the
124 other because right now in initially looking at this thing are seeing one big gigantic area log shape or whatever shape it is
125 going to be and the houses or the development is over off to one side and would have this big open area as opposed to
126 them breaking it down into smaller areas but running a little spider web network to say that these open spaces are all
127 contiguous. Looking at an example of that might be the large development on the north side of Gentile where there are 2
128 bodies of water there, one side of the development has a very, very large public open area maybe 5-10 acres where the

129 other side of the development consists of condos basically or real small houses on condominium size lots and they would
130 up with 1 half acre lot on that side but have a sidewalk running between the 2. Would this still allow for that type of a
131 project to go forward and come through because think are not covering or protecting ourselves against another project like
132 that. Wondering how they can phrase it so when they say one contiguous and useable space to make sure this open
133 space or common space is not strung out like a piece of spaghetti at the developers whim or at their design but really
134 putting the people that are going to live at that HOA in a bind because it is really not useable. Not sure if staff might have
135 a suggestion or an asterisk to put on there that would require that it has to be a minimum width if it runs like a trail.
136 Planner Steele stated think could just get rid of the word 'one' and even get rid of 'contiguous and useable' and just say
137 common space shall be grouped and size to allow for the appropriate space needed for amenities or something like that,
138 grouped together would caution against putting a size per se might be hard to really regulate based off of all of the
139 different circumstances. Commissioner Vaughan stated they have a couple land planning professionals here that perhaps
140 may have an insight or a way of protecting the City if think it is necessary. Another concern but more for own edification 2,
141 C the 20' within any building because that 20' around a building is going to be taken away from the amount of area that
142 would be developed as common space and that would be taking a whole lot of space whether might not wind up with
143 enough common space or open space to do anything with if taking that percentage out of the formula. Let's say they have
144 a building that is 20' square that is 400 square feet but when extend out another 20' all the way around that is basically
145 almost 1600 square feet added to a 400 square foot and that is taking an awful high percentage away from that. It says a
146 minimum of 10% of the gross and the Davis County code of ordinances on open space requires open space comprising at
147 least 30% of a total area of a PUD, 50% of the required open space shall be a common ownership and just wondering if
148 the County in their area might have a stricter or tighter or where they are requiring more space but on the other hand we
149 are giving 20% away to the developer where is not encumbered to have all of that open space. Planner Steele stated
150 maybe could suggest say that any of the front, side or rear yards shall not be counted towards common space.

151 [7:01:19 PM](#)

152 Commissioner Jensen stated his issue with losing open space and know the Commission has put him in the minority
153 on this but open space serves some very specific functions, it is a place for wetland to go, it is places to preserve things
154 like trees that type of stuff and the other thing that it does is that especially for PRD and know that the General Plan
155 Committee when were looking at the PRD ordinance in making their suggestions that they really, really wanted to make
156 sure that there was significant open space in the development not necessarily common space but they are 2 different
157 things and know maybe it is a little more confusing but Syracuse can certainly lead the way and there are other
158 municipalities that do this not many but the idea of common space dropping it from 20% to 10% think is a mistake but
159 essentially by losing the open space requirement the one thing that the PRD zone does now is in trying to do single-family
160 lots are not going to hit the density it is next to impossible but by losing the open space requirement then suddenly can.
161 The idea with the 6.0 density was if it is a multi-family, duplex or 4plex or essentially a combined building then can hit the
162 density but if try to do single-family really didn't want to see single-family developments necessarily hitting that 6, so the
163 open space kind of put that buffer in there because essentially don't want a whole bunch of buildings all stacked up next
164 to each other would rather see the buildings clustered an then also the idea with the open space that encourages them to
165 cluster the buildings together and by extension the open space does that but the common space was also important but it
166 is not the same thing as open space. Common space is where the people congregate the open space is essentially the
167 land that is not used in the development and so that is his take on it but knows is o the minority on it so just think this
168 completely changes the completion of the PRD ordinance and certainly don't need to approve it now but Planning
169 Commissions that come behind them when they make changes to the general Plan this will affect those as well and
170 essentially it would be good if could remove the ordinance entirely but think the zone does have unique uses.

171 [7:03:50 PM](#)

172 Commissioner Rackham stated that brings up a question would like to get opinion on from the Commission should
173 PRD's be allowed to have single-family dwellings or should they be multi-family dwellings. Commissioner McCuiston
174 stated he has seen a lot of really successful PRD's that are single-family developments and think they would sell a little bit
175 better than common walls or some other things. Commissioner Thorson stated in sticking with Syracuse's movement
176 towards single-family residences kind of like the idea of the single-family rather than townhouses lined up with common
177 walls. In talking about open space what Criddle Farms proved is was they can't do residential single-family and get their
178 open space regardless and would say that nearly every subdivision in all of Syracuse meets the 50% open space
179 requirement by the time add in every spec of ground doesn't have concrete or hard surface on it. So that is the reasoning
180 for making the open space requirements almost obsolete. Commissioner Rackham to go with what Commissioner Jensen
181 said when the General Plan Committee looked at the open space and common space they didn't touch PRD because
182 they kept wanting to wait until the one was developed and see how it turned out but open space was meant to provide
183 areas between the homes just for an open feel to plant trees and things like that not to put fences and that is why the
184 Cluster specifically said no fences to keep the open space feel. Commissioner Jensen stated his suggestion from last time
185 since Commissioner Rackham wasn't present will share it again suggested dropping the 50% to 40% but would not
186 include front, side or rear yard setbacks in that 40% and the idea on that is that would actually force more open space that
187 wasn't in someone's backyard essentially that was his suggestion and there was a little bit of push back on that. Know if
188 they take that acreage out that 50% is a little unrealistic that is why suggested maybe dropping it to 40% that is where the
189 discussion kind of started and then got on a whole thing of and Commissioner Thorson is right if don't have those other
190 acreage that is being taken out pretty much any subdivision in Syracuse R-1, R-2 or R-3 can hit the 50% requirement as
191 long as they can count their setbacks. So as a distinction it would be something Syracuse would be doing a little
192 differently than other cities but don't necessarily think it is a bad thing are trying to create higher quality community here

193 so if want to be a little more restrictive on what open space is here think that is a good thing if want to get rid of open
194 space entirely have already said think that is the wrong direction but that is something for the rest of the Commission to
195 discuss.

196 [7:06:58 PM](#)

197 Commissioner Rackham stated tends to agree think leaving in open space not including front yard, side yard and
198 back yard just put a 5-10% requirement in there that way it keeps the open feel and keep the density down if do single-
199 family. Planner Steele stated if that is what the Commission wants think that would reduce the max density way down but
200 if that is what want that is okay. Commissioner Jensen stated think can still hit those densities as long as doing multi-
201 family homes. Planner Steele stated thinks will force more townhomes and if what are trying to encourage is more single-
202 family with common space it probably won't see as much of that in PRD. Another idea staff was discussing and not sure if
203 would work or not but is to essentially the open space is the space between the buildings could just increase the minimum
204 side setback or separation between the buildings. Commissioner Jensen stated or could jump the percentage of open
205 space to 60. Planner Steele stated or even increase the side setback requirement every 5th house or something like that
206 because think on the Criddle the big critique was there was a big long line of houses and they were all just equally
207 plopped down there so if were to say every and don't know exactly what it would be but every 10th home side setback
208 shall be double or something like that. Commissioner Jensen stated Criddle felt like an R-3 plus it didn't feel like it met the
209 spirit of what PRD is supposed to be and of course guess when talking spirit arte getting into dangerous territory but think
210 need to be more clear of what want the PRD ordinance to accomplish and his idea is it has common areas like a
211 clubhouse or something to make it a Planned Residential Development where are making it a community not just a bunch
212 of houses with open space stuffed between them and they sort of talked about that with amenities but in his mind think the
213 PRD's are trying to create a superior product where have superior amenities not just swing sets.

214 [7:09:33 PM](#)

215 Commissioner Vaughan stated he has a concern about the last PRD map they looked at was the property on
216 approximately 4000 W and looking at that and just seeing what would what they have in front of them in red have stopped
217 that map from being presented to them because thought that map was a worst case scenario for PRD. Fortunately the
218 way that was and to his understanding that that map is dead the way it is right now but as far as a PRD just thought it was
219 terrible. Commissioner Jensen stated will point out the City Council did do a preliminary approval on that map.
220 Commissioner Vaughan stated is wondering what can do to either change the percentage to define it as have here or
221 change it in such a way so that protect the City. Think they are at a bit of a disadvantage here and don't know if the
222 Council liaison would dare to speak is welcome to if like to but don't know if the opinion of the City Council is for the
223 Commission in defining this to loosen it or tighten it or just to clear up the nouns and verbs to make them an easier read
224 as far as trying to decide what are going to have for open or common space.

225 [7:11:27 PM](#)

226 City Councilman Gailey stated the general feeling of the City Council and if is understanding it right is they needed
227 more space and needed more space in the drawing than what was there and don't know what the most efficient way of
228 doing that is but would love to hear the opinions of people who actually do planning and like was mentioned maybe even
229 moving it to 60% but don't know but thinks that was the opinion of most on the City Council was that last drawing they saw
230 down there was too tight.

231 [7:12:04 PM](#)

232 Commissioner Vaughan stated thank you that is extremely helpful and with that thought in mind and that was his
233 thinking did some looking around and highest gross amount or highest number could find coming in was 40%. Syracuse
234 has 30% and there are several others around us that have 30%, Davis County is 30%, Weber County is 30% and a
235 couple more to give to staff after the meeting. Commissioner Jensen asked if that was common space. Commissioner
236 Vaughan stated in looking at what they have in red is it status quo or is it adding more open space or is it taking away
237 open space. Planner Steele stated the intent is to add more useable open space but am hearing what the concerns are
238 don't want a spider web want to be able to include clubhouses and want to make sure maintain the open feel and so think
239 have some good direction and can go back to the drawing board and try to clarify especially 2, B so think the intent of 2, B
240 was to basically say want it grouped together centralized so can work on the wording there. One item that need some
241 clarification and consensus on is are they bringing back open space or not. Commissioner Thorson stated what he wants
242 to get out of PRD's is amenities and have been shown that open space can be accomplished in a whole bunch of different
243 ways and as much as they try to mess with it even if bump it up to 60% think they will still accomplish it one way or
244 another and so would move that direction if they kept it but by getting rid of it don't know how much of a problem would
245 have with that. The problem is don't like the townhouse with common walls and don't like the tight density of single-family
246 residence, don't like PRD's want amenities and would prefer single-family homes but would like to get rid of it but short of
247 that would get the common space with amenities up to 20% and maintain an open feel would bump it up to 60% if don't
248 get rid of it completely. Commissioner Jensen stated he concurs on bumping it to 60% for now because that is easy and
249 leaving the 20% where it is. Would like staff to do some research and had talked about the evil points systems they used
250 to have and its actually not evil thought it was pretty good but think that maybe if are not going to provide superior
251 amenities which can define as clubhouses or pools or whatever that the common space requirement may be higher but if
252 are going to provide a superior amenity then maybe can drop the percentage since it is going to be a more expensive
253 amenity not sure if there is anything out in the Planning world that does that but the idea is to try to encourage developers
254 if are trying to maximize their acreage on the flip side to include that superior amenity.

255 [7:15:38 PM](#)

256 Commissioner Vaughan stated he likes Commissioner Thorson's idea that they have either one or the other. Think
257 the idea of having common space with a certain percentage of that common space designated for amenities is a nice,
258 easy and tight way and fairly clear the fewer definitions they have the fewer categories they have think is going to be
259 easier to enforce and for an applicant or developer to understand and less for them to try to create a spaghetti bowl of
260 open space or common area whatever want to call it.

261 [7:16:29 PM](#)

262 Commissioner Rackham stated his preference would be to see common space increase upwards to 20% the reason
263 is they made the Cluster so couldn't just pack houses in there and so they are going to go away from Cluster and they are
264 going to push everything to PRD if don't open up the common space. Commissioner Thorson stated 20% of gross is the
265 number would shoot for and want amenities. Commissioner McCuiston stated he agrees with what was said earlier thinks
266 the open space is just not functioning the way they want it to, common space and the amenities is what the tradeoff of the
267 additional density was supposed to accomplish kind of a tradeoff get a little bit more for giving a little bit and that is what
268 would like to see and it hasn't been working that way for them so think the common space idea up to 20% might be a
269 good way to go. Commissioner Moultrie stated he agrees with the other Commissioners think are all on the same page
270 they want the amenities and want the common space all in one area not all over the board like they saw on the last
271 project.

272 [7:18:02 PM](#)

273 Commissioner Jensen stated wanted to state for the record that the concepts put forth by staff in red generally agree
274 with those but think there are some tweaks they are going to be looking at and think that further defines what the common
275 space is because have 20% common space now which is what all suggesting and think Commissioner Rackham actually
276 suggested maybe bumping that but the thing is what Criddle proposed to them met that common space as it stood and
277 think need to be more clear about what expect in common space. Planner Steele stated will go back and change it to
278 20% gross since that is how it was before. Commissioner Jensen stated a couple had mentioned bumping the open space
279 to 60% but not sure how many other Commissioners like that for open space since it is kind of a compromise verses the
280 40% not counting setbacks or just make it 60% and don't have to worry about setbacks. Commissioner Vaughan stated if
281 it would be possible on what the minimum acreage is for PRD 5 acres if could give them a rough idea on how many
282 square feet that would actually be at a 10%, 20%, 30% and 40% if were to do that so would have a real clear definition of
283 what it would be. Planner Steele stated for example if had a 10 acre project right now have to have 50% open space so 5
284 acres and 30% has to be open and 20% has to be common so that is 3 acres and 2 acres and in the packet included
285 some images of some parks like for example Craig Lane Estates and it is 3 acres. The Criddle Farms the south part was
286 19 acres so it essentially would be a little bit bigger than this space so can get an idea of what can fit in that space.
287 Another example is over by the movie theater which has a bowery and basketball court, playground, 2 youth soccer fields
288 and that is 5 acres. Legacy Park 4.23 acres where they do weddings and stuff has a pond and community garden so
289 thought those might help to get an idea. Commissioner Jensen stated those are all good examples his only comment is
290 that Criddle Farms met the common space requirements but saw none of these amenities in their plan. Commissioner
291 Vaughan stated looking at these examples looks as if they are not so much for the use of the members of the HOA but for
292 the general public where have something like that, or putting in a park for the City as opposed to open space for a project
293 unless want to do that and are trying to create that and the big parking lot tells him that is City use as opposed HOA use.
294 Planner Steele stated the big parking lot at the top of the screen is a Church and is confusing and a little misleading.
295 Commissioner Jensen stated if a developer wants to make a park for the City let them and if it is attached to the developer
296 and has to put the amenities in but then they don't have to do the maintenance because the City will be maintaining it form
297 that point and think that is a win, win for both. Planner Steele stated he agrees just like in Stillwater where they have the
298 detention basin and put the 10 foot trail and a playground and in the development agreement they made it public so the
299 City doesn't have to pay any money to mow or maintain any of the equipment but the residents still get to use it.

300 [7:22:45 PM](#)

301 Commissioner Vaughan asked staff if it was possible to draw up an ordinance where do not have to have a
302 development agreement to go with it where there has to be some type of give and take, the idea of a quid pro quo is
303 distasteful and just like it to be very straightforward so when looking at it don't have a developer that is going to come in
304 and say can't wait to get into a room with the City Council because they are push overs compared to that Planning
305 Commission. City Attorney Roberts stated a development agreement is always an end run around traditional zoning and it
306 is in the law it is allowed as long as the Council approves it so there is really not aside having an ordinance that bans it
307 until the Council decided to unban it don't think there is a way to stop that. Now could put in for instance in this case with
308 PRD's are required to have a development agreement if had development standards that were built into the ordinance
309 then could remove that development agreement but the type they are contemplating in this section is not the type where
310 are giving and taking as much as just establishing with landscape and architecture things like that. Commissioner Jensen
311 stated his main issue with the development agreements is that per ordinance Planning Commission has no review what
312 so ever over those so have no way of knowing what it is if doing negotiations from a Planning Commission level don't
313 know what is in the agreement so don't know what are giving away. Planner Steele stated he thinks he has some good
314 input and will go back to the drawing board to come back next time.

315 [7:25:40 PM](#)

316 **b. Text Amendment 10.30.050 Yard Encroachment**

317 Planner Davies stated this was brought to staff's attention recently in the course of doing some reviews for building
318 permits have noticed there has been issued with encroachment in the setbacks. The way development has been going
319 just in the State in general have noticed that houses have become more built out to setback generally and do end up with

320 a lot more uniform lots and so that ends up being the case. Basically what has happened is have had citizens bring in
321 building permits with a cantilevered second floor they will have a covered deck that goes out into the setback which code
322 allows for but it has some pretty strict requirements for that and so have had developers that have been concerned that
323 maybe that is maybe not what homeowners want and that is not what they want necessarily so in discussions with them
324 basically said would talk to the Planning Commission and City Council about it and see if that is something they are
325 interested in looking into. So this isn't necessarily staff saying this is something that needs to change this is life or death
326 this is more of just a discussion to see if is something want to get into. The first section that was brought up was
327 10.30.050 C, 1 says 'Chimneys, bay windows, sills, lintels, cantilevers, or other ornamental features may project not more
328 than 24 inches into required front, rear, and side yard spaces, provided they are not more than eight feet in width. This
329 title prohibits side yard encroachments within cluster subdivisions with side yard setbacks less than seven feet, and in no
330 instance shall the side yard distance between two structures be less than 10 feet.' Really for the developers that talked to
331 the concern they have is pretty much is the 'not more than eight feet in width' there are home owners that felt that they
332 should be able to cantilever say the entire second floor into the setback therefore to be able to get around the setbacks
333 but just be able to get the home they are wanting. The primary concern have run into is that will set up lots in a subdivision
334 and get everything entitled and then will get houses that are generally spec homes and then sell the spec homes to
335 people and then apply for a building permit and when they don't comply with code come back to them and say it won't
336 work and becomes an issue because already have the home under contract and so on and so forth which isn't really a
337 City problem necessarily again it is really just a concern that developers have and feel that this 8 foot width requirement
338 this limitation is too narrow than maybe it was doubled have heard from a few if could extend it in some way so can have
339 more of a cantilever. The next section is 10.30.050 C, 2 'Unsupported cornices, eaves, gutters, and terraces may project
340 10 feet into any required front, rear, or side yard. Uncovered porches and decks may project 10 feet into any required
341 front or rear yard.' So basically that one is basically the same deal but a lot of times are seeing that when have decks
342 going out into a yard a lot of homeowners are looking at least are looking at this and saying well what is the difference
343 between a deck and patio and basically the way staff looks at things is if it has a footing if the deck has a footing that goes
344 down into the ground consider that an extension of the foundation and so this code basically says that can extend
345 cantilevering beyond that but only so far so gain do we want to allow large decks to go out into people's yards or want to
346 restrict it to what it is. The last item is 10.30.050 C, 3 'Attached covered decks and patios may encroach into rear yards
347 provided the total covered patio width does not exceed 33 percent of the total length of the principal structure to which it
348 will attach and it does not extend closer than 20 feet to the required rear yard line.' Basically a lot of the building permits
349 that have come in lately have been R-3 zone and the R-3 zone has a 20 foot rear yard setback and so this code doesn't
350 necessarily apply to that zone but have had people say if are building a house to the setback want to then have a covered
351 porch behind house but can't have a covered porch because it extends closer than 20 feet to the rear yard line or into the
352 setback. Maybe the solution there is to say in the R-3 zone can extend out to 15 feet or something like that if want to
353 address that. Really it is just an issue that developers have had and want to be able to have a little bit more freedom with
354 it. Did some research and called around and researched codes of cities in the surrounding areas and kind of the prevailing
355 theme is that most of them don't allow encroachments at all, if can't build it in the setback with all of the cantilevers and
356 decks and so on and so forth then it is just too bad. There are a couple of cities that allowed for some encroachment but
357 not nearly what Syracuse allows for from that perspective we are pretty liberal in terms of the cities that are in the County
358 that surround us. There are a couple cities that are slightly more liberal on certain aspects but overall the City's different
359 encroachments allowances are fairly liberal. Basically the question is do we want to do nothing just leave it as it is, make it
360 more restrictive or want to loosen some things up.

361 [7:31:53 PM](#)

362 Commissioner Vaughan asked staff if the Council weighed in on any way is this something they would like the
363 Commission to address, have the developers complained to them or is it just generally been to staff. Planner Davies
364 stated this is kind of a general discussion and guess before get into specific things should we even address it, is this
365 something that feel like have time for and maybe that is something that Councilman Gailey can come back next time and
366 let them know, staff is not in a rush to address it. Commissioner Vaughan stated perhaps an informal discussion with
367 Director Mellor. Councilman Gailey asked if they would like him to address it and get back with the Commission.
368 Tomorrow morning will send out an email to the Council and can ask their opinion.

369 [7:32:46 PM](#)

370 Commissioner Jensen asked if they would like the Commissions general feedback. A couple thoughts, Syracuse
371 because the way do the lot size verses the density with R-1 and R-2 and R-1 as an example the minimum lot size is
372 12,000 sq. ft. and the average lot size is 15,000 sq. ft. that is to encourage them to scale their lots to different things or
373 maybe create some open space and R-2 is kind of the same the average lot is 12,000 sq. ft. and the minimum is 10,000
374 sq. ft. R-3 is actually the zone that is really close the average lot size is 8,500 sq. ft. but the minimum is 8,000 sq. ft. so not
375 a lot of difference there and probably why getting all the inquiries on the R-3. Do like the comment made about the other
376 cities saying they don't allow encroachments at all into the setbacks. The only setback as a Commissioner is concerned
377 with and actually concerned with the language with the way it reads is the side yard setback because that is really, it says
378 in no case may the distance be less than 10 feet and issue with that homeowner A extends into his setback he takes
379 homeowner B opportunity to get into that 10 foot minimum setback, the minimum distance between building is usually
380 about 16 feet, its 20 feet with an R-1 so basically whoever builds first is the one that gets to use more of their side yard
381 setback and would actually prefer that don't allow encroachments into the side yard setback if had a choice. The rear yard
382 and front yard don't bother as much because that is between the home owner and the home owner essentially but not

383 involving the neighbor, it does kind of change the look of the neighborhood but don't mind being loser on what have now
384 on the front and rear yard but the side yard does both him.

385 [7:34:41 PM](#)

386 Commissioner Rackham stated think that 33% probably should consider making that a little larger while they are
387 looking at this. Another question for staff regarding if it doesn't have footings it is not considered this. Planner Davies
388 stated the way the Building Department looks at it is and might seem silly but if don't have an actual footing in the ground
389 it is just a post because people can do say for example a trellis where they have posts out there but aren't necessarily
390 placed into footings so don't consider that a foundation but footings are considered a foundation. So if someone has a
391 deck and they have footings with sonotubes on top of the footings then would consider that an extension of the foundation
392 but that needs to be within the actual setback so that couldn't encroach but can cantilever past that. Commissioner
393 Rackham stated the reason he asks the question is aluminum patio covers they are attached to the house but they don't
394 have footings so are they not considered part of this. Planner Davies stated doesn't know the answer to that offhand
395 would have to ask Building Department about that one. Planner Steele stated they are. Commissioner Rackham stated
396 they don't have footings. Planner Steele stated they are since anything that protrudes off the house is counted as part of
397 the building. Commissioner Rackham stated then the statement of it has to have footings doesn't really apply it just has to
398 be attached to the house. Planner Steele stated think there are a lot of different scenarios and are painting with a broad
399 brush and a lot of times if it doesn't have a footing it won't count like a garden trellis is separate structure that doesn't have
400 a footing and wouldn't need a building permit. Planner Davies stated he asks a lot more than end up just saying that yes
401 that is for sure what that is.

402 [7:36:44 PM](#)

403 Commissioner Jensen stated it might not be a bad idea to put footing verses to no footing to the same standards
404 because it sounds like it is a little bit confusing. Planner Steele stated a certain scenario that comes to mind is front porch
405 the Building Inspector when goes out to make sure it meets the setbacks measures to the foundation line and after they
406 build the house if it projects into there a lot of times it is too late because the house is already built and know previous
407 Inspectors have had people shave off 6 inches of their foundation but think that was a little bit excessive so are trying to
408 just clarify the language so understand whether or not porches count towards the setback or what is okay to project into
409 that. So would like to get the nod from the Commission to get the nod from the Council.

410 [7:37:55 PM](#)

411 Commissioner Vaughan stated think would be worthwhile and think Commissioner Rackham's identified something
412 that might want to have a sentence or paragraph to address and will certainly feel the tenor of the Council.
413 Commissioner Thorson stated think that developers and builders are always going to try to use more space and we are
414 trying to accomplish setback that don't allow imposing overhangs, imposing deck covers, imposing into the setback that
415 would be an obstruction to neighbors feel and views and think that personally think it is written pretty well and don't see a
416 reason really to address it. Commissioner Vaughan stated doesn't think Syracuse wants to be known for the home of the
417 mushroom house which is what some of them are trying to do. Commissioner Moultrie stated regarding decks and
418 covered patios his last house was an issue couldn't have one because the lot was so small and so that is something
419 would probably visit is someone could have a covered patio and maybe stay 10 feet away from the property line, it was
420 very frustrating because of the small lot size and because of the restrictions and could probably have an 8x8 patio
421 because of setbacks, foundation connected to the house that kind of thing and the whole point of a covered patio is that
422 the steps are covered and walk out there and stuff isn't getting wet not having a huge gap so it is not connected to the
423 house that kind of thing it is frustrating having small lots and that was some of the frustrations.

424 [7:40:00 PM](#)

425 Commissioner Jensen stated to reiterate if was going to pick a number for the side yards would say 3 feet because 8
426 feet is the minimum side yard for R-2 and R-3 so if let them encroach 3 feet then it leaves 10 feet between the 2
427 encroachments rather than do the 8 feet, the 8 feet scares him.

428 [7:40:26 PM](#)

429 **3. Commissioner Reports**

430 Commissioner Moultrie stated nothing to report. Commissioner McCuiston stated nothing to report. Commissioner
431 Rackham stated noting to report. Commissioner Jensen stated really quick the Annexation petition that is coming up is his
432 family's property so he will obviously be recusing himself from those items and encourages the Commissioners to use
433 their best judgment on that and not consult with him on that and think there are probably some good things that may
434 happen with that but that is between them and the developer other than that should be having a Davis County trails
435 meeting this month and will see what happens with that kind of reported with what happened at the last meeting. UDOT
436 has basically met with a few cities privately about the West Davis Corridor had some stakeholder meetings and don't think
437 they are necessarily meeting with City Councils but sounds like approaching more of the stakeholders. Another item that
438 is UDOT is in the middle of the extension of SR-193 from 2000 W to 3000 W and hope at the very least to do that
439 simultaneously with the 2000 W widening but still think it would be a good idea if could get that done 3 months earlier to
440 divert traffic down to 3000 W but that is kind of UDOT's call but is excited about that extension because once that opens
441 up all that property along that extension think there are going to be a lot of Commercial and maybe Business Park
442 opportunities that may present themselves that go along with that. Commissioner Thorson stated nothing to report.

443 [7:42:11 PM](#)

444 Commissioner Vaughan stated a couple quick observations on 2000 W the Fire Department is going to be holding a
445 practice burn on one of the houses that is set for demolition it is on the corner of 1100 W which is the last house until get

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to Utah Onions to give an idea the farthest one north and that will be scheduled anytime between 8am-5pm on Monday. Noticed a couple places where home and property are offered for sale that lots in the development off of Gentile with the bodies of water the prices have dropped 5% apparently are having some difficulty in moving the properties.

[7:43:12 PM](#)

Councilman Gailey stated regarding the property the City purchased off of 500 W 2700 S for future widening of 500 W Public Works Director Whiteley is in the process of securing that property to be torn down and the Police Department will be using it for SWAT and other training between now and that time it is torn down and will be actively doing that during the daytime and then boarding it up and then securing it up for the night and are also trying to save some of the large trees if possible.

[7:44:16 PM](#)

Commissioner Moultrie stated not sure if can do anything about it but just food for thought for next time off of Antelope Drive they are tearing up the roads and thought it was terrible timing they did it a month before school got out and very dangerous for children to be dealing with all that construction and maybe should think about that anytime there is a school around try to do it during the summer time season. Luckily no kids got injured or what not but just food for thought for next time.

[7:44:53 PM](#)

4. **Adjourn**

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

DRAFT



PLANNING COMMISSION WORK MEETING AGENDA

June 21st, 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.

May 17, 2016 - PC gave direction to staff during the work session. Multiple ideas were discussed all with the intent to clarify what the common spaces should be like in a PRD development and how to prevent unwanted arrangement of open spaces that favors the developer and not the city or residents. Ideas included removing the open space definition all together to avoid confusion with common space, adding a minimum distance around structures that can be counted towards common space, reducing the required percentage of open space, ensuring that side and rear spaces be excluded from open spaces.

June 7th, 2016 - A draft ordinance was reviewed. PC further discussed the problems that need to be addressed. It was requested that the language further protect the city from 'spaghetti bowl' common spaces, and to ensure an 'open feel' in the development. It was agreed that staff would return with a revised draft.

Staff has attempted to consolidate this input into the attached ordinance revision. It is recommended to maintain the definition and references to open spaces found throughout the title and focus on more clearly defining the requirements for the common areas. Also, recommended is removing the minimum percentage of open space as these areas will be provided with the minimum front, side, and rear yards already included in the ordinance and has been a source of confusion for developers.

Attachments:

- Potential Ordinance

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;~~
 - (2) A minimum of 20% of the gross acreage of the project shall be developed as common space. Common space areas shall:
 - i. be landscaped by the developer with turf, trees, shrubs, ground cover, amenities, and an automatic sprinkling system unless part of an environmental/natural area which is to be preserved.
 - ii. be equally accessible and distributed for all residents of the community.
 - iii. be generally contiguous, not a collection of remnants.
 - iv. create an open atmosphere where development does not feel overly intense.
 - v. not include required front, side, and rear, yard areas towards common space acreage
 - vi. be held in common and administered by an active homeowners association
 - vii. be permanently restricted from future development
 - viii. include multiple amenities from the following list: club house, tennis court, pickleball court, basketball court, playground, community garden, picnic shelter, swimming pool, park benches, walking trails, outdoor

exercise equipment, dog park, or splash pad. City council must approve all proposed amenities and may approve an amenity not included in this list.

- ix. include approved amenities in each segment of common area, landscaping alone does not qualify a segment as common space.

~~(4)~~ (3) 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)~~ (4) 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)~~(5) 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.]



PLANNING COMMISSION WORK SESSION

AGENDA

June 7th, 2016

Agenda Item # 2b

Text Amendment Discussion 10.30.050 Yard Encroachment

Factual Summation

Please review the following information. Any questions regarding this agenda item may be directed to Royce Davies, City Planner.

Code Section: 10.30.050 Lot and Yard Regulations

Summary

Recent review of home plans has raised concern about restrictions in our ordinance relating to cantilevered floors, roofs, and other yard encroachments. The first section of Code that has presented issues is:

10.30.050.C.1 Chimneys, bay windows, sills, lintels, cantilevers, or other ornamental features may project not more than 24 inches into required front, rear, and side yard spaces, provided they are not more than eight feet in width. This title prohibits side yard encroachments within cluster subdivisions with side yard setbacks less than seven feet, and in no instance shall the side yard distance between two structures be less than 10 feet.

This has been an issue for developers as many times cantilevered floors are wider than 8 feet. It's likely that this code was only meant to apply to bay windows and other similar features and as such, would be sufficient, however it continues to be an issue as homes built to setback lines become more and more common.

The next section of code that has caused concern is:

10.30.050.2 Unsupported cornices, eaves, gutters, and terraces may project 10 feet into any required front, rear, or side yard. Uncovered porches and decks may project 10 feet into any required front or rear yard.

The final section of Code is:

10.30.050.C.3 Attached covered decks and patios may encroach into rear yards provided the total covered patio width does not exceed 33 percent of the total length of the principal structure to which it will attach and it does not extend closer than 20 feet to the required rear yard line.

Since the rear setback in the R-3 Zone is 20 feet, this code does not allow covered deck/patio encroachments into the rear setback of the zone. This may have been intentional and is not a

significant concern to staff, but has been of concern to developers trying to include covered decks/patios in the R-3 Zone.

Developers have expressed that the cantilever Codes are too restrictive and should be loosened. It is also possible that the concerns expressed by developers are a symptom of homes being built to setback lines in many cases. Whether this is restrictive to the point of being a hardship or not, staff feels that a discussion on the topic would be worthwhile.

The intent of bringing these issues before the Planning Commission is to discuss if any changes would be beneficial to the city.

10.30.050 Lot and yard regulations.

(A) Lot Standards. Except as this title may otherwise permit, every lot within the City shall have such area and width as required by the zone in which the lot is located and shall have frontage upon a dedicated or public street before the Land Use Administrator may issue a building permit.

(B) Lots Fronting on Arterial and Collector Streets. Residential lots fronting on streets designated by the Syracuse general plan as arterial or collector streets shall have setbacks to allow for road expansion. Homes that have the main entrance fronting collector and arterial streets shall have a minimum setback of 40 feet. If the home is otherwise positioned, the setback from the collector or arterial street shall be 30 feet. Unless otherwise required in Planning Commission review, this section shall not apply to lots positioned on arterial or collector streets already improved to the designated width outlined in the City's master transportation plan.

(C) Yard Encroachments. This title prohibits any encroachments into minimum required yard space, other than the following:

(1) Chimneys, bay windows, sills, lintels, cantilevers, or other ornamental features may project not more than 24 inches into required front, rear, and side yard spaces, provided they are not more than eight feet in width. This title prohibits side yard encroachments within cluster subdivisions with side yard setbacks less than seven feet, and in no instance shall the side yard distance between two structures be less than 10 feet.

(2) Unsupported cornices, eaves, gutters, and terraces may project 10 feet into any required front, rear, or side yard. Uncovered porches and decks may project 10 feet into any required front or rear yard.

(3) Attached covered decks and patios may encroach into rear yards provided the total covered patio width does not exceed 33 percent of the total length of the principal structure to which it will attach and it does not extend closer than 20 feet to the required rear yard line.

(4) Fences may encroach, as provided in SCC 10.30.060(A). Signs and yard lights may encroach as provided in Chapter 10.45 SCC. Stairs and ramps may encroach up to three feet to any property line subject to compliance with SCC 10.30.060(A) and (B).

(5) Building accessories designed and intended to control light entering a building, as either a permanent or temporary part of such building, may project three feet into any required yard space provided they are fixtures on only the wall of the main building.

(6) Gasoline pump islands, where permitted, shall be set back 12 feet. Pump islands under roofs or canopies must comply with building setback requirements.

(7) Corner lots may have one yard, fronting on a street, reduced to 20 feet.

(8) In the case where a home is part of a larger planned unit development and the home is located such that there is a common property area located immediately adjacent to the rear property line of said home, then attached covered decks, patios and porches may extend into the rear yard setback up to 20 feet toward the required rear yard property line if all of the following conditions are met:

(a) The common area behind the home extends more than 30 feet beyond the rear yard property line;

(b) There is no fence, shrub or other boundary delineation along the rear property line between the property and the common area to be maintained in perpetuity;

(c) Both the home and homeowner requiring the exception are part of the homeowners' association (or similar organization) that has ownership of the common area and the home meets all other established guidelines as set forth by the association or organization and city codes. If said conditions are not all met, then covered decks, patios, and porches shall meet the requirements as set forth in this section.

(D) Yard Space for One Building Only. No required yard or other open space around an existing building, or which hereafter provides such around any building for the purpose of complying with the provisions of this title, shall be considered as providing yard or open space for any other building on the same or adjoining lot. No one shall acquire by purchase or other means the required side yards or the width of their lot by making substandard the side yards or width of any adjacent lot. No one shall sell or lease away space needed to meet the required width, yard, area, parking, or other requirements of this title for a lot or building.

(E) Unobstructed Yards – Exceptions. Every part of a required yard shall be open from the ground to the sky, unobstructed, except for the following:

(1) Accessory buildings and structures in a rear yard, as permitted.

(2) Permitted encroachments into yard spaces as set forth in subsection (C) of this section.

(3) Fences and objects of natural growth, except as stated in SCC 10.30.060(A) and (B).

(F) Reduction in Size of Lots Prohibited.

(1) No one shall cut off, place under separate deed, or sell from a larger building lot a parcel of land with less than the minimum width and/or area required by the zone in which it is located for the purpose, whether immediate or future, of building or developing as a building lot.

(2) No one shall further reduce, in any manner, a building lot or parcel of land, held under separate ownership at the time this title became effective, with less than the width, depth, or area required by this title.

(G) Installation of Landscaping. Within 18 months of final inspection and/or the issuance of a certificate of occupancy, front and side yard landscaping shall be substantially complete upon all residential lots.