



Syracuse City Planning Commission Meeting June 7, 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 McCuistion
Greg Day
Troy Moultrie
Grant Thorson

1. **Meeting Called to Order**
 - Invocation or Thought by Commissioner **Day**
 - Pledge of Allegiance by Commissioner **Rackham**
 - Adoption of Meeting Agenda
2. **Meeting Minutes**
May 17, 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, Rezone R-2 to PRD** - Jackson Court, property located at 1972 S 2000 W, Troy Barber
5. **Public Hearing, Minor Subdivision Plan** - Jensen Park Estates, property located at 3025 S Bluff Road, Dennis Higley
6. **Final Subdivision Plan** - Keller Crossing Phase 2, property located at 1975 S 1000 W, Mark Staples
7. **Adjourn**

Work Session

1. **Department Business**
 - a. City Council Liaison Report
 - b. City Attorney Updates
 - c. Upcoming Agenda Items
2. **Discussion Items**
 - a. Open Space PRD Ordinance Revision
 - b. Text Amendment 10.30.050 Yard Encroachment
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

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PLANNING COMMISSION REGULAR MEETING AGENDA

June 7, 2016

Agenda Item # 2

Meeting Minutes

May 17, 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 17, 2016

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on May 17, 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 Greg Day 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
City Council:	Councilman Mike Gailey
Excused:	Commissioner Rackham
Visitors:	

[6:01:40 PM](#)

1. **Meeting Called to Order:**

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

[6:03:01 PM](#)

COMMISSIONER JENSEN MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR MAY 17, 2016 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER MOULTRIE. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

[6:03:21 PM](#)

2. **Meeting Minutes:**

May 3, 2016 Regular Meeting & Work Session

COMMISSIONER MOULTRIE MADE A MOTION TO APPROVE THE REGULAR AND WORK SESSION MEETING MINUTES FOR MAY 3, 2016. THE MOTION WAS SECONDED BY COMMISSIONER MCCUITION. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

[6:04:11 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.

[6:04:25 PM](#)

None

[6:04:32 PM](#)

4. **Public Hearing, Code Amendment, Title 8.15.010 and Title 7.05.020 regarding Cul-De-Sac diameters**

Planner Steele stated there are some conflicts in the ordinance, the subdivision ordinance 8.15.010 states 'cul-de-sacs are to be 100 feet in diameter from the property line' so when staff receives concepts, preliminary or final plats they were to meet code at 100 feet. In the engineering standards ordinance 7.05.020 it states we have adopted appendix D which is a 96 foot diameter cul-de-sac which is drivable surface. Enclosed in the packet are images of these cul-de-sacs including what was adopted in the engineering drawings through Public Works which is 120 foot cul-de-sac and the standard cross section includes a 4 foot sidewalk, a 6 foot park strip, 2 foot gutter, ½ foot curb and the asphalt is 47.5 along with the current subdivision of 100 feet which is much smaller and the actually asphalt drivable surface does not meet appendix D. City Council talked about this on April 26, 2016 and Mike Schultz from castle Creek Homes was present and had submitted a letter stating some concern about all of the land that is being used for cul-de-sacs in his developments and wanted to find a good happy medium that meets the fire requirements but also wasn't too onerous for his developments and included in the packet is the letter from the State Fire Marshall regarding the issue. The City Council came to the conclusion that 110 feet is kind of a compromise somewhere 120 and 100. Also included in the packet are Exhibit A and Exhibit B are some proposed text amendments that would solve the issue. Deputy Chief Hamblin has been top all of those meetings and has been a great resource and asset to the City in making sure all the roads can meet the turnaround radiuses required by their apparatus and he has some more information and video presentations for the Commission on this topic.

[6:08:13 PM](#)

Deputy Fire Chief Hamblin stated a couple years ago they adopted the appendixes B, C & D, D being the road section of it with cul-de-sacs which gave them the large cul-de-sacs the 96 foot drivable space. With that being said there

63 was some changes and staff did a great job of explaining what is going on here and where are at to this point and now
64 with the recommendation after some good pros and cons brought up about everything with the recommendation of the
65 City Council that that they go down to 110 feet property line to property line. Looking at different cities it is across the
66 board some cities adopted and go with the 96 foot all the way down to Clinton is the lowest with 76 foot drivable surface in
67 that cul-de-sac. Once they got going know Mike Schultz and some of the builders have expressed concern about the cul-
68 de-sacs being too big and the problem they are finding are placing houses at the end of those cul-de-sacs to get them to
69 fit within those different designs on those lots, it kind of creates a challenge for setbacks to meet that. During the
70 discussion they looked at West Point and actually Mike Schultz had said they building West Point as well and that works
71 well for them, the 87 foot drivable space, which is the asphalt area. We talked to West Point to find out what their standard
72 was and their standard was 110 foot so that is where have come up with the 110 foot from property line to property line.
73 This is shrinking right now our cul-de-sac down 10 feet which basically at the end of the day gives them about anywhere
74 from 87-89 foot drivable space on cul-de-sacs. Have some video for the Commission showing both cul-de-sacs and right
75 now the standard they had before when measured the cul-de-sacs gave from face of curb to face of curb 78 feet, the
76 smaller cul-de-sacs, the larger cul-de-sacs were actually 98 from face of curb to face of curb. In the first video is one of
77 the smaller cul-de-sacs at 78 foot and has a car blocking, typically once cul-de-sacs and houses are built out they do have
78 vehicles blocking. The Fire Engineer tried really hard and does hit the curb trying to come around to make the turn and
79 there was no way he could make a complete turn in that cul-de-sac and this is something of concern because if there is a
80 wrong address given or a wrong turn taken in response to an emergency they do require backers on a large apparatus so
81 they come out and back out safely so they can maneuver to get back out of the cul-de-sac, which he was able to do on a
82 3 point turn and that was with one vehicle sometimes there are multiple vehicles in cul-de-sacs. The next video they tried
83 to find one without anything blocking this one was fairly close and had a basketball hoop in it again the engineer bounced
84 off the curb trying to get as big a swing as can and still not able to make the turn. Their apparatus looking at wall to wall
85 turning radius is 40.7 feet, same as what North Davis Fire District has, wall to wall is measuring bumper so that
86 compensates so the bumper will go over the curb a little bit, a 9 inch raise is what it is compromising for as well. To be fair
87 the next video is a larger cul-de-sacs, the 98 foot diameter face to curb to face to curb. They placed his vehicle in it and
88 moved it to a couple different positions and was unable to make the turn and still had to go into a 3 point turn, almost
89 made it but still was just a little bit shy of that. So depending on the position of where the vehicles are in the cul-de-sacs
90 they may or may not make it on the larger cul-de-sacs which the largest one the IFC and appendixes recommends is a 96
91 foot. The last video they moved his vehicle forward a couple of car lengths and was able to make the complete turn. With
92 this being sad, the recommendation like they said any time they can get more real estate for their apparatus to make
93 those turns it does help them out a little bit but they do realize that sometimes that can be counterproductive to some of
94 the developers and make it less appealing to come into the City as well. They feel with the 100 foot they are not going to
95 be able to make a complete turn around in there with their apparatus and will have to do a backup. The other thing they
96 are concerned about is it is not just for a turn around this is also for access to provide fire protection to those houses that
97 are on these dead end street. So can get a ladder truck, a pumper in there or any other apparatuses they may need for
98 water supply or depending on the fire and what is going on that direction. These are the same items that presented to the
99 City Council and this was the recommendation that they go back down to the 110 foot which gives them about an 87 foot
100 asphalt to the front of the curb is 85 and 89 feet, so basically losing about 10 feet of turnable space and this is the
101 recommendation and are okay with that.

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103 Commissioner Jensen stated with the 120 foot cul-de-sac essentially have more real estate to park on with multiple
104 apparatuses to the end of the cul-de-sac provides more space to bring multiple vehicles in. Deputy Fire Chief Hamblin
105 stated the more space and more real estate they have in the cul-de-sacs and a typical ladder truck are looking at 11 feet
106 when they extend the outriggers out and once the outriggers are out also need to have room to maneuver around them
107 and hoses coming off. With a higher pressure the 150, the hoses off the truck don't bend really, they are going to stick out
108 a little further so are going to need a little bit of room around them. Commissioner Jensen stated are relatively sure have
109 had to fight a couple of incidents in smaller cul-de-sacs. Deputy Chief Hamblin stated they have since he has been the
110 Deputy Chief the last 4 years they have had 2 structures fires within cul-de-sacs and fortunately on one of the structure
111 fires it was a heavy wind say kind of like the last fire they had in South Weber, there was spacing enough between the
112 houses that it was blowing in the right direction or else it could have been potentially dangerous and could have had 2
113 structures there, the other one was a smaller one room and content that were able to get in quickly on it and extinguish so
114 they have had one really major fire in a cul-de-sac and one smaller fire in a cul-de-sac that didn't require as many
115 apparatus. Commissioner Jensen asked if had an opportunity to go check out the 85 foot cul-de-sac in West Point or the
116 85 foot asphalt. Deputy Fire Chief Hamblin stated they have not gone over and turned their vehicle around in the cul-de-
117 sac, North Davis Fire District has a transport engine which is similar to theirs they are pretty much identical, their turning
118 radius is just a little bit bigger and that is what they are using so haven't gone over and drove through it. Commissioner
119 Jensen asked if had a chance to talk with Unified Fire or do they have their own. Deputy Fire Chief Hamlin stated North
120 Davis Fire District is West Point and have talked to their Deputy Chief about it who is also their Fire Marshall and he was
121 also concerned with the cul-de-sacs they have bounced the idea back and forth going up or pursuing going up further but
122 aren't sure what they are going to do but right now it is working for them.

123 [6:18:35 PM](#)

124 Commissioner Jensen stated thought when they bumped it up to 120 feet that at that time they were supposed to
125 change the ordinance and not sure but essentially the language just got missed is pretty much what happened but the
126 understanding they were going to 120 feet at the time they did that partially for the Fire Department and another thing find

127 appealing with the larger cul-de-sacs is it discourages the use a little bit. One of the big things they push in the Planning
128 conferences they go to is the idea connectivity so the problem with cul-de-sacs is they kind of become their own little
129 pocket neighborhoods but they don't really encourage development of a larger neighborhood where have multiple people
130 up and down the street that are interfacing and also with that connectivity that helps with a lot of issues such as kids
131 walking to school and that type of thing. When they raised it to 120 feet knew full well that developers would have a little
132 bit of challenge with it but hoped that they would take that as an opportunity to try to create more threw streets because
133 they were losing so much real estate with the cul-de-sacs so by dropping it to 110 feet they are kind of splitting the
134 difference and know some people like living at the end of cul-de-sacs but that was one of the things as far as trying to
135 create connected neighborhoods cul-de-sacs aren't good for that not only in a travel sense but also in a cultural sense.
136 The nice thing about living on the street not at the end of a cul-de-sac or dead end is get to know your neighbors pretty
137 well and just think it is a better thing all around and is just good planning. This compromise of 110, if the City Council
138 wants to do it they are going to do it just thought they went in the right direction by bumping it up and were forward
139 thinking because as the City gets larger the apparatuses get larger as well and thought it was a good move at the time.

140 [6:20:47 PM](#)

141 Commissioner Moultrie stated it might be great in the summertime but wintertime with all the snow, sometimes those
142 snow plows extend 3-4 feet away from the curb. Commissioner Jensen asked staff if know where they usually pile the
143 snow in the winter. Planner Steele stated he has personally never driven snow plow but have seen them pile it and they
144 usually pile it at the end of the cul-de-sac and in subdivision design they try to discourage placing fire hydrants at the end
145 of the cul-de-sacs because can get buried and snow storage easements are usually at the end of the cul-de-sac as well
146 but appreciate the thoughts on the planning take on things and staff does encourage through streets and want
147 connectivity. In the planning discipline cul-de-sacs aren't generally something that says great neighborhood design and
148 know builders like them because they are their premium lots the lower traffic and all that so can see both sides but
149 ultimately see that this is something that is in the Fire Department ballpark and whatever is best for their reaction times
150 and the safety in response especially if they get a wrong address and have to turn around in numerous cul-de-sacs and
151 doing 3 point turns in all of them that could 5 minutes and the difference of life and death.

152 [6:22:35 PM](#)

153 Commissioner Jensen asked Deputy Fire Chief Hamblin if they have had many incidents where there have been
154 multiple cars at the end of the cul-de-sac and how much of challenge that was. Deputy Fire Chief Hamblin stated off the
155 top of his head can't think of incident where they have actually had a structure fire, there always seems to be a couple
156 cars in there and seems like there are always a couple of cars but for a response to turn around typically what they end up
157 doing is backing out just because they don't want to take the chance of damaging someone's vehicle so they do end up
158 backing out of the smaller cul-de-sacs. Commissioner Jensen stated 3 point turns with 3 or 4 cars in there are a bad idea
159 regardless. Deputy Fire Chief Hamblin stated even with backers back there it is a little tighter and especially when get all
160 the apparatuses down in there it takes a little bit but that is not the time that they are really concerned about the time
161 sensitive issues it is more of when are responding into something and positioning them. They haven't had a structure in
162 the larger cul-de-sacs in the City now so to say that it has helped them out can't say that they have been able to place a
163 little bit better because of the larger area since haven't had any incidents in those yet.

164 [6:23:55 PM](#)

165 Commissioner Vaughan asked Deputy Fire Chief Hamblin when there is a mutual aid situation and all of the
166 Departments get together to review all of the action that was taken, deployment of assets and things like that has snow
167 ever become an issue with any Department that is aware of including ours. Deputy Fire Chief Hamblin stated depending
168 on the year, yes snow has always been an issue especially if have a heavy snow year hydrants are buried and that is
169 what they find in the cul-de-sacs that is why tries to pay particular attention to where the hydrants are placed in there so
170 don't get the snow pushed up on them and buried and also placing the apparatus, the more snow they get the less area
171 they have. In talking with Public Works Director Whiteley about the cul-de-sacs they try to push it up that is what the park
172 strip is for as well to place snow but don't always get it up over that curb so it starts to back out and has seen it anywhere
173 from having it out further than what a vehicle would be blocking in some incidents. Commissioner Vaughan stated they
174 had cars parked in the cul-de-sacs and has noticed in his travels around town that perpendicular parking at the end of cul-
175 de-sacs appears to be prevalent and have those ever impacted any of their responses or even training runs. Deputy Fire
176 Chief Hamblin stated if a vehicle is in a cul-de-sac especially a perpendicular park it is really hard to maneuver around
177 those vehicles at theta point just back out, to do a 3 point turn in there the risk verses the benefit is not worth it and usually
178 will back out all the way with spotters. Commissioner Vaughan asked if it would possibly help to ameliorate those
179 situations if perhaps Code Enforcement on their travels around town would mark those properties where the home owners
180 have the responsibility of keeping the fire hydrant clear and/or monitoring perpendicular parking particularly when they
181 have snow. Deputy Fire Chief Hamblin stated yes that would be beneficial to them as well.

182 [6:26:36 PM](#)

183 Commissioner Thorson stated there are a few things that go into the design of subdivisions and cul-de-sacs that go
184 both ways bigger and smaller and not sure where they all would land. Snow is a problem with storage but it is also a
185 bigger to get storage but the truck has to spend 5 minutes at the end of each cul-de-sacs to clear the snow and so it ends
186 up costing the City quite a bit of money for more asphalt in addition to maintain the asphalt at the end of a cul-de-sac that
187 is going to cost a lot more money for areas like cul-de-sacs that don't get used very often at all and spending a lot of
188 money doing it. Parking helps to get bigger, he lives in a cul-de-sac and has room for 1 car in front of his house ad his
189 neighbor has a hoop there so should have come to his house. So bigger is better but with the tradeoff of costs mostly,

190 snow clearing. Not sure but works with Mike Schultz but don't believe that is a conflict at all, think he is just looking for
191 overall acreage to increase his acreage and think a bigger cul-de-sac creates more frontage and allows for more regular
192 sized lots and allows for a wider lot at the setback line regarding width so think is looking for more square footage to put
193 on the lot to sell better. Think a smaller cul-de-sac hurts the shape of the lot rather than help because have a lot more
194 triangular lots in that case. The other thing the vehicles that use these cul-de-sacs have had 2 incidents in the last 4 years
195 but his garbage truck comes by every week and the garbage truck cannot make the cul-de-sac he has to back up for
196 every garbage can in the cul-de-sac costing him money now that is a private entity but then cost the citizens money and
197 the City as a whole. Delivery trucks these types of users of the cul-de-sacs use it a lot more and actually still struggle, they
198 are smaller than the fire trucks and still struggle to make those turns so in the end think bigger is better with the exception
199 of if the City had very much heartburn over snow clearing and the cost to maintain the extra asphalt would go for bigger,
200 the 120 foot.

201 [6:29:42 PM](#)

202 Commissioner McCuiston stated those are good point but think they forgot just one that comes to mind was heat
203 island effect of a lot of asphalt can raise temperatures of the houses and of the City as a whole just by increasing the
204 black top. Planner Steele stated to add the amount of storm water runoff is also increased with the larger ones so there
205 are pros and cons to each definitely.

206 [6:30:10 PM](#)

207 Commissioner Jensen asked staff if had got any input from Public Works about having to plow or do work in these
208 cul-de-sacs do they have any thoughts on that. Deputy Fire Chief Hamblin stated he did ask Public Works Director
209 Whiteley because water runoff did come up and he stated there isn't that much of water runoff from storm drainage that
210 really effects with a large cul-de-sacs. The snow removal they did express concern that yes there is added cost because
211 there is added asphalt but snow removal it does give them a little more space to put that snow to allow for a bigger cul-de-
212 sac in those winter months. Commissioner Jensen stated with the current 96 foot of pavement can they just basically do
213 an orbit in the cul-de-sac to basically get it that way assuming there are no vehicles parked or are they still struggling with
214 the 3 point turns. Knows the City dump trucks are a little smaller and do need some of a turning radius so thinking with the
215 smaller cul-de-sacs there is just no way they are going to make the full 360 degree turn and wondering if the 96 feet is
216 enough where they can. They would still have to get the stuff in the middle but think that could actually save some time
217 cause not constantly backing up to try to get the edges but since there isn't anyone present from Public Works that can
218 really speak to that. Commissioner Moultrie stated he thinks bigger is better.

219 [6:31:45 PM](#)

220 Commissioner Jensen asked staff if have an idea of calculations on how much a 110 foot cul-de-sac is verses 120
221 foot. Planner Steele stated doesn't have the calculations but can do the math real quick like to see the difference in
222 square footage.

223 [6:32:29 PM](#)

224 Commissioner Vaughan asked staff basically if they adopt exhibit B as printed with the recommendation with the red
225 recommendation on exhibit A they can interpose any diameter that they desire, 100, 110 or 120. So it is basically a bigger
226 number makes it easier for the Fire Department would assume and in the operation of their apparatus so in that case
227 don't think they would object although they are primarily just interested in making sure they have nothing smaller. With
228 that in mind and because this is a recommendation and because it will be going to the City Council for their final approval
229 basically it matters not what diameter they ultimately choose as long as they incorporate exhibit A & B at the same time.
230 Question to the Commission is then what diameter would each of them like. Commissioner Moultrie stated agrees with
231 Commissioner Thorson that bigger is better because of the front size of the lot the individuals in the smaller subdivisions
232 already have an issue putting an RV or something on the side of their house so think bigger is better for the City and
233 citizen so 120 foot or bigger. Commissioner Day stated agrees with Deputy Chief Hamblin on his number don't
234 necessarily agree bigger is better but if it benefits the home builder and what is trying to build but can obviously build it
235 bigger no one saying cannot build a bigger cul-de-sac but agree with going to 110 foot. Commissioner McCuiston stated it
236 is kind of tough hate to see the heat island go up but does understand fire safety and lot layout and in looking at the table
237 looks like there are a number of cities that have already got the 96 foot so guess 120 would be the preferred number but
238 not married to it. Commissioner Jensen stated did the math really quick 100 foot cul-de-sac is basically 31,000 square feet
239 and 110 foot cul-de-sac is 38,000 square feet and 120 foot cul-de-sac is 45,000 square feet so essentially the difference
240 of 7,000 square feet which is not quite a lot, if it is above an R-3 it would be a lot but for a cluster subdivision or PRD it
241 could work there are some other options they can do there so his preference is that think Syracuse are trying to be a more
242 open community with larger lots that is kind of where the ordinance has been pushing towards so think since they adopted
243 the 120 foot previously and think they adopt that 120 foot throughout the ordinance. Commissioner Thorson stated would
244 go with the 120, have some plus and minuses on that but that is probably where would land.

245 [6:36:34 PM](#)

246 COMMISSIONER JENSEN MADE A MOTION TO RECOMMEND TO CITY COUNCIL THE 120 FOOT CUL-DE-SAC
247 STANDARD THROUGHOUT THE ORDINANCE INCLUDED ALONG WITH EXHIBIT A & B. COMMISISONER
248 THORSON SECONDED THE MOTION. MOTION CARRIED WITH A MAJORITY 5/1 VOTE WITH COMMISISONER
249 DAY VOTING NAY.

250 [6:37:40 PM](#)

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Commissioner Vaughan asked staff when it would be going to the City Council. City Attorney Roberts stated expects it would be next month don't think it would go to their work meeting since they have already addressed it a bit so probably the first meeting in June that second Tuesday.

[6:38:11 PM](#)

5. **Adjourn**

COMMISSIONER THORSON MADE A MOTION TO ADJOURN DIRECTLY INTO WORK SESSION IN THE CHAMBERS. COMMISSIONER DAY 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 17, 2016

1 Minutes of the Syracuse City Planning Commission Work Session held on May 17, 2016, at 6:00 p.m., in the Conference
2 Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

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4 **Present:** Commission Members: Ralph Vaughan, Chairman
5 Greg Day
6 TJ Jensen
7 Curt McCuiston
8 Troy Moultrie
9 Grant Thorson
10
11 City Employees: Noah Steele, Planner
12 Royce Davies, Planner
13 Paul Roberts, City Attorney
14 Stacy Adams, Commission Secretary
15 Jo Hamblin, Deputy Fire Chief
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17 City Council: Councilman Mike Gailey
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19 Excused: Commissioner Rackham
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21 **Visitors:**
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23 [6:38:58 PM](#)

24 1. **Department Business:**

25 [6:39:13 PM](#)

26 **a. City Council Liaison Report**

27 Councilman Gailey stated they adopted a lot of the material that the Commission sent to them. Regarding Criddle
28 Farms the PRD that has previously been proposed that preliminary plat was approved at their last meeting with the
29 understanding that there are still negotiations going on that will require a new development agreement between the City
30 and the developer. The new agreement is such that as a means of benefiting both the City and the developer and the
31 property owner. The City is in negotiations with them to eliminate the PRD that is there and replace it with a R-3
32 subdivision with a good deal of the property north of that being set aside for a local park in that area dedicated to the
33 Criddle family that ran the farm. As a means of keeping the dialog going the City Council agreed to approve the PRD with
34 negotiations going on. City Attorney Roberts stated the next step in this would be getting together with the developers and
35 working through what amenities, landscaping, architecture and things like that and staff will be the main contact and will
36 be involved in drafting the new agreement but the points of design will go through staff. Obviously with this type of
37 development agreement since it is a mandated agreement cannot be unreasonable they can only impose reasonable
38 restrictions. So if push too hard they can push back but are waiting for them to let staff know. Commissioner Jensen
39 stated that R-3/R-3 was on the table for the R-1/PRD they have now and how is that coming along. City Attorney Roberts
40 stated the City has sent them draft agreements and have talked to them but haven't heard back yet so are waiting to see
41 what direction they want to go. Planner Steele stated the ball is in their court and are required to submit Rezone and
42 General Plan applications for the R-3 and just haven't seen them yet. City Councilman Gailey stated the City Council
43 agreed to waive the fees as was discussed and the City Council granted that. Councilman Gailey stated the next item they
44 talked about was the General Plan Map change the PRD that was proposed in relationship to Craig Estates they came to
45 the City Council with some changes in the boundaries and dedicating additional properties that brought it to 5.3 acres or
46 somewhere around there and with that change the City Council agreed to that change. There was the proposal that the
47 Commission heard in changing property located at 920 S 4000 W with 4-5 residents that were present for the public
48 hearing that were concerned about the closure of open space and as the Commission did the City Council agreed that the
49 proposal was in the best interest of the City and that was approved. They approved the tentative budget and set the
50 budget hearing for June 14, 2016 for the presentation of the final budget. Another item the Mayor was given the authority
51 to execute the purchase of land on about 500 W 2700 S (Gordon Ave) to purchase the residential property for future
52 widening of that street and there was a bid and the price was accepted by the City Council and will be purchased for
53 future widening. City Attorney Roberts stated the City owns that now they just closed on Friday. Councilman Gailey stated
54 he will go back to the City Council with their recommendation tonight on the cul-de-sac. By the way he reports to the City
55 Council on Wednesday mornings in an email as well as a copy to the Commission Chairman.

56 [6:45:07 PM](#)

57 **b. City Attorney Updates**

58 City Attorney Roberts stated no other updates for them.

59 [6:45:18 PM](#)

60 Commissioner Jensen asked City Attorney Roberts if received the email from ULCT about the Land Use training
61 opportunity that is coming up. City Attorney Roberts stated he doesn't believe he saw that email but knows there is a new
62 tool out there the acronym is 'LUAU' and that is a training tool that is ongoing and the League put that on with several
63 others. Haven't looked at himself just heard about it last week at a conference, it is designed for Council Members,
64 Planning Commissioners, staff and anyone who is interested. Commissioner Jensen stated this was generic Land Use

65 training. Planner Steele stated if they are interested in attending the training would be happy to send them. Councilman
66 Gailey stated one comment on the ULCT the City Council as it currently stands is not funding in the budget membership in
67 the ULCT next year. There was concern expressed that whether it was really meeting the needs of the City and
68 represented the City well but the City will still allow and pay for trainings, will pay a little higher price as a non-member but
69 if the current budget stands they will be members of the ULCT next year. City Attorney Roberts stated 'LUAU' is actually a
70 State run resource, LUAU.Utah.gov is the site. Commissioner Jensen state the Land Use training he was talking about
71 looks like it is ULCT but it is Land Use 101 training for Appointed and Elected Officials on Saturday June 11, 2016 from
72 9am -12 pm.

73 [6:47:22 PM](#)

74 **c. Upcoming Agenda Items**

75 Planner Steele stated staff has received applications for 3 concept plans. The first one is called Grayson Ridge it is
76 south of Buffalo Point Elementary and are just waiting for preliminary plat application for about 100 homes. The second
77 one is the Rezone south of Rock Creek Park they have already submitted a concept plan calling it Hunter Glen with about
78 60 lots. The last is a 2 lot subdivision off Bluff Road that submitted a concept plan south of Kara subdivision, calling
79 Jensen Park Estates. Commissioner Jensen asked if it was over by RC Willey where they had the issue with the sewer
80 before where the property owner had to extend the sewer because of the City requirement that all new developments
81 have to hook into the sewer. Planner Steele stated yes, Dennis Higley property, he has extended the sewer now and is
82 ready to develop, they actually sold a house there and the house was on septic and had to extend, since it was within 300
83 feet of the sewer and the street they had to extend it. Planner Steele stated the Barber property the one that Councilman
84 Gailey was talking about that received the Rezone for the PRD across the street from the City the 5 acres they have
85 already submitted for a Rezone so that will be on the June 7, 2016 Agenda and want to move through as quickly as
86 possible and of course the Criddle negotiations so might see that soon. There might also be a future Annexation a large
87 one looming that staff is working out some details.

88 [6:49:39 PM](#)

89 Commissioner Jensen stated a quick note for staff as far as the R-3/R-3 think that it is a little bit more honest way for
90 them to be able to develop it rather than try to work with a PRD think that the PRD's they have seen up to this point really
91 does not meet the spirit of the ordinance, it technically meets the ordinance since 3 members of the City Council agreed
92 that it did but think that it would be, certainly not happy with bumping the zoning out there but if it a choice between the
93 PRD that they presented or something that is just a little more straight forward would prefer the R-3.

94 [6:50:26 PM](#)

95 **2. Discussion Items:**

96 **a. Review of definition of Open and Common Space in PRD Zone**

97 Planner Steele stated included what have now in the ordinance and can review today and with some input can draft
98 some proposed changes. Included in the packet is the adopted ordinance and the adopted definitions. Know that the
99 concerns were expressed with reviewing the PRD ordinance in Criddle Farms that some of the common space was kind
100 of behind the homes and not necessarily useable and cohesive. The existing definition for 'Common space' means land
101 area with an amenity in which the dedicated purpose is shared equally by all the residents of that community or the public.
102 'Open space' means any area of land without human-built structures, such as parks, recreational and natural areas or
103 land not occupied by buildings. Open space does not include curb and gutter, driveways and roadways. Planner Steele
104 stated in the actual PRD ordinance highlighted references to the common space. Think the whole intent of PRD is in
105 exchange for some of the higher densities and want really nice open spaces it states 'its intent is to encourage a more
106 efficient use of the land and the reservation of a greater proportion of common space for recreational and visual use than
107 other residential zones may provide.' and want it maintained by HOA. Also says 50% of the land area, excluding
108 roadways, buildings, acreage and excluding any above-ground City infrastructure. Of that 50%, 30% shall be open space
109 and 20% in common space' The detention ponds can't be included as common space unless they put an amenity in it.
110 They want the landscaping to break up any long roof lines and improve the streetscape so it is not monotones all the way
111 down.

112 [6:53:07 PM](#)

113 Commissioner Vaughan stated thinks they should just hold comments and discussion to the definition of open and
114 common for right now.

115 [6:53:22 PM](#)

116 Commissioner Jensen stated his thoughts are and kind of something that Commissioner Thorson brought up a
117 couple meetings back, he made the comment that essentially if are standing in someone's front yard or even in their
118 backyard that is really not common if considering that your yard that is really not open space and so what suggested last
119 time and think it is a good idea although might need one of the percentages as far as PRD but think on a more general
120 level it applies to the Cluster as well. Think that land that falls within a setback within a required setback front yard, side
121 yard and rear yard or within a require right of way really should never be counted towards open space. Especially with the
122 front yard if standing in someone's front yard and can stare right into their living room because standing right there don't
123 really think that is open space. Recognizing if try to restrict developers on that with the 50% that would be difficult and
124 think that if they were to basically take the driveways and the required setbacks out of equation would probably need to
125 drop the 50% to probably 40% that way it is actually honest to goodness open space and not concerned about whether
126 essentially if it right now the house don't think it is open space, it is open but as far as what they are trying to accomplish
127 here is trying to create useable open space if it is in someone's front yard it is useable open space for them and pretty

128 much nobody else unless the neighborhood kids come over to play but it essentially their front yard whether it is counted
129 as open space or not so would suggest that they just take in the definition that land that falls within required setbacks or
130 right of ways shall not be counted towards open space and then change 50% to 40% is his easy suggestion. As far as
131 how would illustrate that on a plan would have a box that shows the building lot and then a box around that shows
132 required setbacks and are kind of already doing that with the rear yards and saw that in the Criddle where they were
133 boxing out the rear yard that was fence off so essentially that box would just expand to include the required side yards
134 and required front yard.

135 [6:56:10 PM](#)

136 Commissioner Moultrie stated think the open space would not include any of the frontage, side yards and 30 feet of
137 the back from the house that would be his suggestion that is the homeowners space that is not considered open space.

138 [6:56:38 PM](#)

139 Commissioner Day stated he wanted to share a thought regarding PRD and maybe kind of from a different
140 perspective is that his understanding from this body and the Council that no one likes PRD's, period. So for this body to,
141 think need help with this because it is like asking him to develop a recipe for Brussel Sprouts just don't think it is going to
142 come out very good. So maybe need to get some input from some people and maybe seek some advice because from his
143 recollection and doesn't have perfect recollection but every PRD that has ever been done in this community the next
144 action on the following Planning Commission has been to take out or modify the PRD ordinance. So kind of feel like they
145 are extremely reactive and not proactive in their approach towards this. So a little bit of a different take don't necessarily
146 disagree with the method or what the percentages need to be quite frankly they are what they are but think they maybe
147 need to get some advice on this.

148 [6:57:42 PM](#)

149 Commissioner Vaughan stated he proposed they do away with common space and just have the only word they
150 define being open space and actually by doing that they are following a national standard. Was unable to find any other
151 jurisdiction in the State of Utah or in the 11 western or on a national basis where they have both common and open space
152 in their PRD. The Davis County code of ordinance their section 15.20.1830 subset 'E' only uses the term open space and
153 later is defined in section 'J' where talk about what open space is and it pretty much follows what the City has as far as
154 being the footprint of a building, the driveway and any other specifically designated areas that belong to and are not
155 common. Salt Lake County does the same thing there section 19.78.100 is defined as preservation of open space is
156 basically the same thing. Kaysville which is the closest jurisdiction that has a specific mention of it on page 133 of their
157 manual goes specifically to common open space and they use the 2 words together so there is not one. Weber County
158 has the same thing their section 22-D-100 definitions they have a definition for common open space following basically
159 what the City has and then they also have an appendage on that where they have a common open space easement
160 which is granted to the jurisdiction which would be the City for any areas that would be of use or being used by the City to
161 traverse or maintain or go over whatever the common open space is. On a national basis on Planning.org which is the
162 website of the American Planning Association they have a definition for common area only. There are several more, in
163 Salt Lake County the term or the definition that they use for open space has nothing to do with PRD's but specifically
164 deals with large tracks of land which they call natural areas, wildlife and native plant habitat, important wetland water
165 streams, streams corridors, passive low, little or no land disturbance and it goes on and on. The EPA has one the
166 definition and in the Land Planning Institute in their Encyclopedia their definition is any land area to which the public has
167 unrestricted access. Is thinking in the City ordinance could probably just do away with common space and remove that
168 and continue with the same definition of open space to not include curb and cutter, driveways and roadways and then
169 possibly any specifically designated areas because it is quite possible even in a PRD the home owner may want to buy a
170 patio and may want to buy a fence from the developer and those areas which would then become personally owned by a
171 property owner would no longer be open space even though they might be adjacent to an area. None of the definitions
172 found included an area that included an area that includes a perimeter area of 5-20 feet of an existing structure so there is
173 no buffer zone for lack of a better term around a building it is either the footprint of the building and then 1 inch outside
174 that is now an open space. Also on top of that there is quite a large body of legal decisions behind what the definition of
175 open space is and virtually all of the court decisions that have reviewed and gave staff a copy basically states that the
176 most problematic area in a PRD and condominium type project is where someone tries to use land for their own personal
177 area outside of the footprint of their building and outside their driveway and curb and gutter. Think they would be
178 eliminating a lot of problems if would just do away with the definition of common space and rely solely on open space all
179 by itself. As far as the discussion on what the City Council wants to do with a PRD that is up to them, they asked the
180 Commission to work on the definition of open and common and that is his solution to the questions that they asked.

181 [7:03:20 PM](#)

182 Commissioner Moultrie stated looked at Layton City's code 19.24.040 and they actually combined it so it says open
183 space and common area, Open space should be large enough for all residents of the project or the general public. Such
184 spaces should include improvements such as playgrounds, pathways, pavilions, play courts, ball fields, as well as informal
185 spaces, which encourage the use and enjoyment of the open space. That is it, they have it combined, it goes into more
186 detail but don't want to bore them so that is just the meat of it.

187 [7:03:58 PM](#)

188 Commissioner Thorson stated think there are 2 things he would do. Number 1 would scrap PRD's but if are going to
189 put a Band-Aid on it would change the definitions. The way that developer had it set up where it was individual homes
190 really made a lot of side yards that weren't really feasible open space but would rather get rid of it completely. In the

191 meantime would create a buffer around the building and would do a side yard distance and a backyard distance that
192 cannot be counted towards open space. Not because it is not available to the public but because it is just not feasible way
193 to use it and it doesn't have an amenity there is no way for it to have an amenity to the public. Would change the definition
194 of open space to exclude side yards, back yard and front yards with a depth, similar to setbacks. The setbacks
195 unfortunately measure from the wrong spot they measure from the property line towards the house and would start with
196 the house and measure outwards and would go with a 30 foot backyard and 15 foot side yard that cannot be counted as
197 open.

198 [7:05:36 PM](#)

199 Commissioner Jensen stated looking at their older definition of open space and they decided to simplify it and think
200 they went too far and at time Commissioner Thorson had brought up the older definition and they used to break down
201 open space into functional open space, natural open space, cluster subdivision open space and public open space. So
202 they actually had different definitions because the different open spaces worked different ways but essentially they were
203 all basically open space but they used to have the definition of what was functional open space and what was not there
204 used to be that distinction. Commissioner Thorson brought up the Layton ordinances and remembers reading their
205 PUD/PRD ordinance and they did talk about common space. Took the time to drive through 2 of the City's existing PRD's,
206 the one over by Smith's and Stoker Gardens and essentially was in relation to something else but never really had driven
207 through Sunset Park Villas and a lot of the things have talked about before about the shared driveways Sunset Villas uses
208 a lot of that and although wasn't able to find any open acreage in that per se sure there is some tucked up in there from
209 the road can't see it but the one thing they do have is a mutual clubhouse, community center so essentially in a way that
210 is common space that is very functional common space. Also drove through Stoker Gardens and spoke with staff after the
211 fact was trying to find amenities in there and did see one area towards the west end of the subdivision where there was
212 not a lot of acreage but was kind of open and a good place for a playground but not sure if Stoker Gardens has any of
213 those kind of amenities and didn't see them and so certainly they made some massive changes to the PRD ordinance
214 post Stoker Gardens mainly related to the density because people did not like how dense that was. That was supposed to
215 be the City's litmus test to see if liked the PRD's or not and that was 3 or 4 years ago now when that was passed and built
216 and the idea was to look at it and study it and then decide if liked it or not. Agrees with Commissioner Thorson that just
217 don't think PRD is a good fit for Syracuse but there are some things that PRD's do that like and so think throwing it out
218 outright struggle with and think where they went in the wrong was basically when they simplified the definition for open
219 and common space. They did that to try to make them a little easier to understand and unfortunately went too far the other
220 direction and the one thing the PRD does have and the Cluster talks about too is there are required setbacks in both of
221 those ordinances and so think that is something could use as a baseline. That is why suggested that rather than the 50%
222 that counts everything that it is a lower percentage but it is actually bona fide open space that isn't within a setback and
223 think that is the best way to approach it. Think that the common space the way Syracuse does that maybe are being more
224 forward thinking that other communities but the entire idea is that it is that acreage is for the benefits of the residence of
225 that community or the City as a whole whatever the developer decides and so don't think need to go away from that but
226 essentially maybe just don't worry about open space but specify common space but there are some other things that
227 open space is used for such as wetlands, preservation and stuff that think needs to be recognized in some way. That is
228 what struggle and driving through those 2 developments the one thing didn't see in either of them was really good useable
229 open space that was being used as such. At least with Stoker Gardens there was an area in the back where kids could go
230 play but that feel like it was a high quality area and there are some certain acreage between the buildings but the
231 buildings aren't that far apart and so think that is what would like to see the City get away from. Want to see real open
232 space in these developments so they don't just have buildings backed up against each other and they have backyards but
233 that is the open space and that is all the open space they've got. That is the main issue and that was the issue with
234 Criddle development that came through a few weeks ago and just felt like they were just taking the left over acreage and
235 call that open and common space and they talked about amenities and know that 2 Councilmembers at the meeting last
236 week chose to abstained because they felt the developer had not adequately shown superior amenities there or really
237 talked about the amenities at all and the other 3 Councilmembers disagreed so they passed the preliminary but that was
238 the struggle with it, it just looked like it was a tighter R-3 and if it was just going to be a tighter R-3 then let's just call it R-3.

239 [7:11:15 PM](#)

240 Commissioner McCuiston stated it seems like they are all in agreement on what they want to see and they all
241 understand and are just trying to figure out how to do it and the problem lies that they are not of legal minds and good at
242 crafting code and ordinances and maybe they should have the professionals take what they all want to see and think that
243 is all he same doesn't sound like anyone was in disagreement and come up with something that will provide for the City
244 what they want. Because they could sit there and wordsmith the heck out of it and not so sure wouldn't end up with
245 something else that doesn't work.

246 [7:11:56 PM](#)

247 Commissioner Vaughan stated if they are to craft do some wordsmithing and put in exceptions or some things that
248 have been mentioned they would be the only jurisdiction under Weber, Davis and Salt Lake County to do so and would
249 also be contrary to what PRUD sections are for the State of Utah. Basically if take the definition of open space and
250 eliminate common space and use open space and the only thing they add is open space does not include curb and gutter,
251 driveways, roadways, clubhouse, tennis courts, swimming pools or any other amenities developed and put in place for the
252 common use of the residents and other than that those are the only things that are agreed upon by all of the jurisdictions
253 that quoted from. In Salt Lake County, Davis County, Weber County and using the State of Utah's code. If go for a buffer

254 zone outside of the footprint of a building we would be the only jurisdiction anywhere that is doing that. Commissioner
255 Jensen stated that is not necessarily a bad thing.

256 [7:13:59 PM](#)

257 City Attorney Roberts stated if can interject, does see common threads for all comments and thinks are all coming
258 from the same standpoint if are going to retain the PRD that is. Seems like there is obviously a concern of counting any
259 sort of space that surrounds that home so using the setbacks it seems like everyone seems to agree so let's just exclude
260 the areas of the setback around the home and call it specific feet or if in the ordinance already. Could also consolidate the
261 open space and common space definitions into one, it seems like it is kind of confusing for developers and for others to
262 apply what is common space and open space. Common space is sort of a subset of open space but can include things
263 that wouldn't be considered open so it is a little confusing that way. The question for the Commission is do they want they
264 want to encourage amenities like clubhouse and things or want to not encourage those and just say want open space and
265 are going to exclude things like common amenities or want to have that included as sort of the overall common space of
266 the development. Commissioner Moultrie stated include it would think that would be beneficial for those residents. City
267 Attorney Roberts stated so previously had to have this much open space and 20% of that had to be common space. If like
268 those percentages or that general proportion could just change the code so it just reads a little more clear so it is a little
269 less confusing hopefully. Commissioner Jensen stated he really like the idea of encouraging amenities and at one point
270 they had a point system in PRD to do exactly that and decided to take it out because it was too cumbersome for whatever
271 reason and also were trying to get away from the 12 density at that time it was 12 net and to go above 8 had to provide
272 certain things and for whatever reason decided just wanted to drop it down to the 8 net and then of course dropped it to 6
273 gross which is roughly the same. That is the one thing liked about the development behind Smith's is they have the
274 community center in there and that was envisioned as part of the development and those are the type of PRD's like to see
275 where are trying to encourage active adult living and that type of thing and if the developer is just looking for ways to say
276 this acreage is open so it must be the open space and not really thinking of terms of trying to provide a development with
277 amenities. Like the PRD's that are built around amenities and don't like PRD's that amenities are kind of after the fact.

278 [7:16:36 PM](#)

279 Planner Steele stated thinks staff understands and hear concerns and comments and have been taking good notes
280 and think have enough to take a stab at it unless like what Commissioner Day was saying about going a different direction
281 and could hire a consultant or something but think within staff can take a stab at it and come back next work session.
282 Commissioner Moultrie stated thinks they are in the right direction. Commissioner Day stated one thing else wanted to
283 point out that if an HOA will own the open space verses it being private ownership that is something that needs to be
284 contemplated as well, that makes a big difference.

285 [7:17:23 PM](#)

286 Commissioner Vaughan stated outside of planning but in the legal community when talking about setback it is a case
287 of maintenance and the legal standard on that might and has come case law on it is who maintains it. If the HOA
288 maintains it then it is common open space, period. Commissioner Day stated that is what he is getting at is if are going to
289 restrict it to being labeled that then that mean it has to be privately maintained and think in many of these communities
290 that is what they are trying to avoid. Commissioner Vaughan stated that is why the simplest thing is to use open space
291 and add those amenities at the end of open space does not include and then it is basically done.

292 [7:18:15 PM](#)

293 Commissioner Jensen stated he respectfully disagrees with that. Just because land falls within the required setback
294 doesn't automatically preclude the HOA from doing the maintenance on it. What are trying to accomplish with open space
295 that that land does not meet that standard that is all they are saying, not saying anybody owns it just saying want to see
296 open space in the development and don't consider that as part of the open space. Commissioner Day stated then the
297 developer will not give that as open space. Commissioner Jensen stated that was why he suggested lowering the
298 percentage on the open space. Commissioner Day stated they would put a fence on it and won't allow people to access
299 that property and sell it to the home owner because if they cannot count it as open space why would they do that.
300 Commissioner Jensen stated thinks if the percentage is low enough they will find the open space. Commissioner Day
301 stated guess that is what would have to do is the corresponding and lower that other percentage. Commissioner Jensen
302 stated suggested 40% and maybe lower than 40% but just don't think can do it with 50% open space.

303 [7:19:14 PM](#)

304 Commissioner Vaughan stated in the interest of time and to give some clarity to staff if each Commissioner could give
305 one specific point that staff can work on because obviously the discussion is going to have to continue on this as far as
306 what want to see in this area.

307 [7:19:39 PM](#)

308 Commissioner Thorson stated eliminate PRD. Commissioner Vaughan stated unfortunately that is not on the table
309 before them if City Council ever asks them to discuss that they can but today they asked them to define common space
310 and open space. Commissioner Jensen stated his suggestions are on record already. Commissioner McCuiston stated
311 guess doesn't have anything else to add, don't want a bunch of thinned unconnected open space just scattered around
312 the development would like it to be placed in areas where it benefits the development and not the developer.
313 Commissioner Day stated in terms of definition and percentage really don't have much of an opinion they do need to be
314 careful if they exclude the property around the structure because like said is going to promote fencing and promote the
315 developer to try to, if not going to get credit for it are going to restrict it with fencing and don't know if that is necessarily
316 what a PRD should be. Commissioner Moultrie stated think should combine the two common space and open space and

317 as the others have said or even in the Layton City code needs to be all in one area. That last development they saw was
318 scattered all over the place and include front yard and side yards and backyards that is not open space.

319 [7:21:25 PM](#)

320 **b. Buffer Ordinance Review**

321 Planner Steele stated the bad part of the Buffer Table is that it is confusing for developers. There are many, many,
322 many options in each one of the sections depending on what the proposed development is adjacent to, the more intrusive
323 or potentially intrusive the use the higher the table and there are just a lot of options. There are differing fencing and plant
324 densities depending on how wide the buffer is which leave a lot of different scenarios that could potential happen for each
325 table. What staff has been doing for developers has been telling them, choosing for them and then proposing it to the
326 Commission and get the approval of their plan. Staff would like to have it spelled out so can say this is what everybody
327 agrees on and what the separation between the uses should be. The options before them are to rewrite it or at the very
328 minimum the biggest problem think with the buffer is Buffer Table 'E' which is supposed to be the biggest, meanest
329 separation between the 2 uses says a fence or landscaping with a berm and all of the other buffers say a fence and
330 landscaping so why would most strict buffer only have one or the other. Think may understand why it says or because it
331 has a big berm so essentially would have a berm and a fence but think at the very minimum need to correct the table 'E'.
332 Proposed is a draft and changed the process a little bit so the process would be first identify the land use so it
333 consolidates the different kinds of land uses into a category, such as farming, horses would be Agriculture a broad brush
334 and then retail, office, neighborhood services like that would be Commercial. Business park, warehouses, industrial
335 storage would be Industrial and single family house or a house with a basement apartment would be Single-Family and
336 then anything attached like a duplex, apartments would be Attached residential. So from there would go to the second
337 table and so for example if a developer wants to build Single-Family residential next to another Single-Family residential
338 that would require the least separation. Really are just trying to minimize nuisances between these different uses so
339 theoretically the different uses that have the biggest potential to cause a big headache for their neighbors should be the
340 biggest, beefiest buffer, so 'A' would be the smallest and 'E' would be the highest. Have summarized the different
341 scenarios that could occur in the City and there may be some that aren't included but think it covers the majority of them.
342 Also replaced all of the pictures from before and just spells it out. For an example Tivoli Gardens behind Dollar Tree they
343 were required when they went through were told they would have to do a buffer with landscaping and a fence since it was
344 next to Agriculture and so it went in and put the fencing in but then the property to the south actually developed and
345 changed so it wasn't Agriculture anymore and so they were just really confused as to how that buffer would be applied in
346 the first place because if it a Single-Family development do they make them do an HOA landscape area in the back or
347 give the landowners trees to plant or do they plant the trees along there so it has been a little bit confusing for some of the
348 different situations that come up. So what is proposing would be easiest for staff and obviously is a draft so if are any
349 letters that think would be a more appropriate for the different buffers could play with that or if have some other concerns
350 that haven't been addressed is happy to listen to concerns and draft something else up.

351 [7:27:25 PM](#)

352 Commissioner McCuiston stated wondering where recreational properties will fall in the Buffer Table. Planner Steele
353 stated like a park, would say similar to Agriculture or can make a new Land Use category. Commissioner McCuiston
354 stated that is where he would put it too until noticed that between Commercial and Agriculture there was none but think it
355 looks good. Commissioner Vaughan stated wouldn't it based on zoning. Planner Steele stated it would be based off the
356 land uses proposed. Commissioner Vaughan stated as far as a park would normally go into what kind of a land use area.
357 Planner Steele stated don't actually have an open space zone. Commissioner Vaughan stated there ya go. Planner
358 Steele stated a lot of open spaces are A-1 which would be Agriculture so can either add a new category or could add a
359 new condition or buffer. Commissioner Vaughan stated or would they not already be covered based on table 2 with the
360 land uses. Planner Steele stated Single-Family next to Agriculture is a fence which is fine but it is really when it comes up
361 to a Commercial next to Agriculture says next none but could change that and add the buffer requirements would want.

362 [7:29:18 PM](#)

363 Commissioner Vaughan stated the tables proposed are excellent and like them and have gone through all of them
364 and would be happy adopting them right but because this is the very first time it is being presented doubt if everyone else
365 would be able to agree with that. Would hope that in preparation of meetings that everyone has read through stuff so are
366 ready to go on stuff but don't know if that has happened as far as being to be able to speak over specific things. Basically
367 the 2 areas which to discuss are what constitutes a buffer type where argue over plants or next table 2 arguing over what
368 to put in an area, like all of them. The only thing would add onto this Buffer ordinance is the fact that the buffer has to be
369 applied to entire property, cannot give exemptions or a King's X or a pass because someone wants to trade an increase
370 buffer in another area. The buffer is for the entire property and nothing is to be excluded in the future and could call it the
371 Antelope Vet Clause so they do not have that again and think that was a terrible precedent and don't want to see it
372 somehow creep into the Buffer code if are going to redoing the Buffer section. Obviously this is going to have to be
373 continued for discussion at the next meeting if anyone would like to make their comments for right now sure staff can work
374 on this and want to hear what the Commission has to incorporate so perhaps can get this thing through. Because don't
375 think there is a need to drag this through 3 or 4 meetings on this and think can do it real quick.

376 [7:31:41 PM](#)

377 Commissioner Jensen stated his concern didn't notice the chain link went away from the old table to the new table
378 some people like chain link so don't think want to necessarily take that out of hand and think when trying to get between
379 Commercial zones and non-commercial zones think there is a place for that and one of the reasons A-1 was given that
380 exemption next to Commercial is because Syracuse was an Agriculture community for a very long time and essentially

381 didn't feel like those were incompatible uses certainly they are different uses but the idea of a buffer is to buffer one user
382 from the other and so Commercial really don't care what Ag does and Ag doesn't really care what Commercial does and
383 there aren't people living in either. There are certainly things that fall under the nuisance ordinance that could apply but at
384 the time that was sort of the thoughts on that. Don't think Syracuse City made these Buffer Tables on their own think they
385 came from somewhere they have been on the books for a very long time though. At the very least would like to see is that
386 go from OR to AND on Buffer Table 'E' at the very least that is what they should do. The thing sort of like about the
387 current system although it is not really fully implemented is that it gives the developer a variety of options as far as trying
388 to meet the buffer requirement and think that sometimes a berm is a little bit different than a row of trees. What would
389 propose would actually take a while to develop and don't think and staff has some other things they are working on right
390 now but wouldn't mind seeing more options as far as trying to buffer the uses and Chairman Vaughan brought up the
391 Animal Hospital didn't meet the buffer requirements and one thing the Buffer Table doesn't talk about its where that fence
392 is supposed to be and is why didn't have an issue with it they built the required fence and there is no requirement
393 anywhere in the code that says it has to be on the property line it just says it has to be there and so maybe that is
394 something need to visit in the code if they want those fences on the property line it needs to say in the code the fence has
395 to be on the property line. Planner Steele stated will look at adding chain link to some of the options and as far as under
396 'B' it says fencing especially with buffer yards shall be located on property lines except as described in subsection 'G'
397 which basically says can swap the fence and buffer like if is against the road or something and then it also says that
398 should be located on the outer perimeter of the lot or parcel. In the case of the Animal Hospital most important thing was
399 there was the separation there but when they come through if they ever want to build anything there they are going to
400 have to another buffer requirement and go through a site plan review again. Commissioner Jensen stated that was
401 something that someone else brought up really quick talking about the time the buffer was required because the uses
402 were incompatible maybe there needs to be a mechanism when hose uses are no longer in compatible the development
403 is done but maybe the developer wants to sell that acreage back to a land owner or something but they could recover that
404 acreage if the buffer is no longer required because if a change in use that should probably be contemplated somewhere in
405 the code. Most people aren't going to bother with that but somebody might. Planner Steele stated that is a good idea. Also
406 tried adding some flexibility into it because just can't summarize everything so under C, 1, 2, 3 at the end stated the
407 Planning Commission may determine the land use category if it is not clearly described in table 1. So can determine the
408 category and then determine the buffer type and even if the table says recommends one could say this particular use
409 seems like would probably be better to be a bigger one or a smaller one. It also says the Planning Commission may alter
410 the buffer type fencing or landscaping requirements to address unique site constraints like if they had horses that are
411 known to kick vinyl fences could say would rather prefer to have chain link fence there, there are a million different things.

412 [7:36:23 PM](#)

413 Commissioner Vaughan stated in regards to 2 and 3 aren't those normal reserved for physical confirmations or
414 deformations that require some type of adjustment such as a cliff, a creek, a river or something other like that as opposed
415 to whim of man. Planner Steele stated that is what had in mind unique site restraints. Commissioner Vaughan stated
416 based upon serious physical characteristics which are normally not found on a flat terrain. Planner Steele yes but guess
417 that could be interpreted more loosely also of what a site restraint could include and maybe can add some clarification
418 there.

419 [7:37:12 PM](#)

420 Commissioner McCuiston stated would like to say that the old Buffer Table had all those options rarely saw any
421 other options used than the cheapest option so don't know if it was really beneficial to have all that in there or not think
422 what staff has proposed is great and rally not a fan of chain ink fence.

423 [7:37:33 PM](#)

424 Commissioner Thorson stated first of all will tell them for the benefit of staff the developers are not stupid they know
425 exactly what the code says and as a negotiating tactic asking staff to define it and then throwing a tantrum over what is
426 said and they very well understood what it said and are just trying to see if staff has a lower definition of what they thought
427 and then can throw a fit. Don't think there was really too much of a problem other than just understanding developers
428 techniques and the way they work. Would get away from classifying areas and would have a table that shows zone to
429 zone on each access as zones and R-1 to R-1, R-1 to R-2, R-1 to R-3, etc. and wouldn't classify them would just go X
430 axis and Y axis and have all the zones and at the intersections of those zones is the buffer designator and then don't have
431 to and would be the simplest. Likes simplifying the Buffer Table 3 where it simplifies the buffer and at a minimum would
432 change the OR to AND.

433 [7:38:55 PM](#)

434 Commissioner Jensen stated a quick thought for staff open space, recreational and institutional are zones within the
435 City they are just currently undefined and wanted to make that correction, do have those zones in the City just have no
436 definitions for those zones.

437 [7:39:12 PM](#)

438 Commissioner Day asked staff on the trees stipulated does it talk about the size of those trees. Planner Steele stated
439 no but that would be a great idea. Commissioner Day stated when drives down Gentile Layton has done a great job on
440 Gentile and have established some really nice trees and likes when a developer puts in trees that are going to last and
441 are going to grow so would probably encourage maybe like a 2" caliper or 2.5" caliper and think going that focusing less
442 on the fence and more on the trees because the developer is going to do wither chain link or vinyl so think would focus
443 more on the tree caliper. Planner Steele stated staff has received a lot of push back for the parts in the ordinance that

444 state masonry fence and say that will bankrupt their project and maybe that is their technique. Commissioner Thorson
445 stated it is a known negotiation tactic, the tantrum. Commissioner Jensen stated one thing does like about the existing
446 tables when it talks about the plant multipliers it kind of states if is denser can have less of a setback with more open and
447 then has greater distances and that and like that idea of that accordion flexibility based on what the developer wants to do
448 now developers like to go with the cheapest option whenever they can but sometimes if the options are comparable in
449 price there are some things that are best left to the accountants but does like the idea of having a little bit of flexibility but
450 want to be careful don't get into arbitrary and capricious territory to require it from one developer and then don't require it
451 from the next developer but like Commissioner Thorson stated having 2 tables to do the same job is silly because have all
452 the zones defined under the classifications and then have the columns, think that was to minimize the number of columns
453 but in this day and age everyone is doing things by pdf so that table can be as wide as it needs to be.

454 [7:41:36 PM](#)

455 Commissioner Vaughan asked staff given the items that have been mentioned by the Commissioners tonight would
456 the forecast roughly be a couple meetings before would want to bring it back again based upon staffs work load or other
457 serious matters have before them. Planner Steele stated with the Commissions council think that if had a couple meetings
458 to come back and work on it. Is a little confused on whether or not are keeping the images or are getting rid of the images.
459 Commissioner Jensen stated think most of the Commissioners were going for the tables but want to see some flexibility
460 built in there that is understandable whether that is done by images or if done through text and some people just like
461 visual better but whatever is going to like Commissioner Day said if are going to end up doing the same thing each time it
462 is pointless to have it in code but definitely want to encourage that especially when have some bigger developments
463 coming in want to make sure the City has some tools on our side to get the developers to do some nice things because if
464 water it down too much there are going to go for the minimum. Like the idea of trying to give it some of that to the
465 Planning Commissions discretion think it needs to be more clear just how far can go on that and don't want to punish
466 developers but by the same token remember the negotiations for Ninigret which really never went anywhere but they were
467 talking about quite a few interesting concepts back then the Business Park that they wanted to do and those are the type
468 of things want to encourage.

469 [7:43:34 PM](#)

470 Commissioner McCuiston stated one additional thought had going down a lot of the streets see they have the vinyl
471 fence next to the right of ways as children are walking down and will hit it with a stick if could consider setting it back a
472 little bit and putting a landscape buffer at least in those areas so it doesn't degrade into a Swiss cheese looking fence.

473 [7:43:57 PM](#)

474 Planner Steele stated probably about 2 years ago when were looking at the fencing ordinance recommended that
475 along arterials to step them back a little bit, it failed so in the Buffer maybe can go at it at a different angle and include it in
476 there.

477 [7:44:16 PM](#)

478 Commissioner Vaughan stated recalls the Planning Department worked very, very hard on a this not that book for
479 bulging design, layout, landscape and things like that and hates to add more work to staff but have a different opinion
480 think the this not that booklet might be very, very handy as far as for developers to look at on what the expectations are in
481 regards to the chart and think the diagrams, Buffer Tables are excellent and are very clear even a developer should be
482 able to understand those. Those who have done development and construction recognize that it is the job of the
483 contractor to find as many cracks, leaks and backdoors in the City ordinances that there are. The ones that are more
484 popular among clients are the ones that can find the biggest holes sometimes can drive a truck through them. On the
485 developer side there are usually words that are not spoken in polite company in describing people on City staffs when
486 they are very firm and are very clear on what the ordinances are, it is a shame that sometimes they have to be called that
487 but on the other like a City staffer that is backed up by an ordinance and possibly by a book or photograph so that there is
488 absolutely no doubt on what are looking at and what our expectations for a developer are. Think this is an item that
489 definitely needs to come back for review, please bring it back in a time that is according to staffs schedule based on the
490 workload and would also urge everyone on the Commission to send an email into Planning Staff with any thoughts that
491 may have on a Buffer ordinance. No one has to be copied just send them so if something comes up or has an idea or
492 want to emphasize what was addressed tonight that way City staff will have a hard copy of it. Commissioner Jensen
493 stated it might not hurt to maybe look at some of our neighbors to see what they are doing, don't think want to make
494 drastic changes to the City ordinance because nothing annoys people more than when allow one to do it this way but now
495 have to do it another way but by the same token may have some good ideas that can piggyback on.

496 [7:47:12 PM](#)

497 **3. Commissioner Reports:**

498 Commissioner Thorson stated every once and awhile through the City website they get emails that come to them,
499 contact your Planning Commission asking for stuff. Had a couple developers who have emails from talk about sites they
500 have questions on and want answered and briefly went in there and there are different ways can email the
501 Commissioners, all or by name and wondering if there and doesn't really want to answer those questions, they are
502 Planning questions that are executive rather than legislative in nature and are concerned that they are going to the wrong
503 place and wondered if any other Commissioners were getting those or if they are. Commissioner Jensen stated has
504 received a couple. Commissioner Thorson asked Commissioner Jensen if he responds to them. Commissioner Jensen
505 stated there is actually one individual that keeps calling me Chairman Jensen even though is no longer the Chairman but
506 did respond to his first one and then instructed him to staff. Commissioner Thorson stated Commissioner Jensen is listed

507 as the Chairman on the website. Commissioner Jensen stated probably need to update the website then, Chairman
508 Vaughan has been Chairman for a long time. In fact sent that in his email that the Chairman is currently Chairman
509 Vaughan but always try to direct them towards staff because the questions they have, yes we know it but think a face to
510 face with staff as long as staff is not charging them for that time is valuable don't think the City has gotten so busy that are
511 charging everyone by the minute but staff deals with that kind of stuff on a daily basis, although there are a couple times
512 have just ignored them. Commissioner Vaughan asked the City attorney if he had any recommendations on emails they
513 might receive that they might feel uncomfortable responding to. City Attorney Roberts stated would have concerns if it was
514 a matter of administrative things, so if someone said they wanted to send them a copy of their subdivision plat to get an
515 opinion that is an ex parte communication and shouldn't do that. If they wanted to know feelings about PRD's if like them
516 or not like them that is something that could feel comfortable responding to if wanted to. It is sometimes hard whether it is
517 going to be an administrative or legislative issue because might be vague or might not understand the questions so his
518 recommendation would be to remove it because don't see a need for. Maybe the Chairman could have a portal to contact
519 but don't know if need to have all, unless found it valuable as Commissioners would think could just remove it just to avoid
520 the possibility one more avenue that someone can claim there has been an ex parte communication.

521 [7:50:28 PM](#)

522 Commissioner Jensen stated the Active Transportation Committee is not meeting this month they cancelled the
523 meeting at the last minute. Did receive a call last week from Roger Borgenicht he is with ASSIST Utah and Utahans for
524 Better Transportation he has been working with UDOT on the West Davis Corridor and also the Shared Solution study. He
525 informed him that UDOT is now at the point where they are starting to do rounds around the cities again so in fact the
526 Friends of the Great Salt Lake were having their annual convention this last week and then on Friday UDOT invited both
527 Randy Jefferies and Roger Borgenicht to attend their meeting to do a presentation and get some feedback on some
528 things. The main point for the Commissioners is that UDOT has now got the information back on where they are at with
529 the Shared Solution so think Syracuse City Council will probably get a meeting from them but certainly be watching your
530 emails over the next couple of weeks from UDOT because it sounds like they are about ready to put that rod down and
531 send it in for record of decision.

532 [7:52:03 PM](#)

533 Commissioner McCuiston stated nothing to report. Commissioner Day stated nothing to report. Commissioner
534 Moultrie stated noting to report.

535 [7:52:12 PM](#)

536 Commissioner Vaughan stated has one observation and obviously sure everyone knows by now that half a dozen
537 homes are missing on 200 W they were carted away in the middle of the night, in the middle of the day and now have
538 some wide open spaces. In observing the back of those lots notice that virtually everybody either has a chain link fence or
539 has no fence and the backs of all those properties are now exposed. Wondering if it might be thought up somewhere
540 along the line and will send it up into the ether if UDOT could possibly be approached by someone or some group or
541 some loose organization to request that all of the unused portion of the land that they have acquired and are not going to
542 be used for the actual widening of the street to be donated to the City to become the lawful owner of all that property and
543 how ever wide that property is and looks like it might be wide enough that the City may consider turning that entire into a
544 linear park with a fence and landscaping. Those areas that area farther away from the school it might not be such an
545 important thing but for those 2 blocks north of the Junior High especially when the bell rings it looks like a hoard of
546 humanity going up the street and a lot of those properties since they are no longer home owner have become walkways.
547 They are walking as far across that all the way to the back fences and is a lot more trash there than there used to be
548 when there were homes there and at the property at the corner where they have taken out the first corner house at 1175
549 W that is really becoming a congregation point because there is now room for 10-30 people to sit there and it is also
550 becoming a parking lot for the parents that cant park on 2000 W. So think that possibly establishing a linear park where
551 the City is in control of it might be of great benefit for the safety of children along 2000 W especially in that 2 block area
552 north and also a benefit it might count towards the City's park credits as far as the amount of open space and park space
553 have. Think it would be a very, very nice thing for the City to do, a linear park on UDOT unused property. Also wanted to
554 thank staff for all they do.

555 [7:55:14 PM](#)

556 Commissioner Jensen stated believe Director Mellor had a conversation about that at one point and wondered if staff
557 can share any more on that. Planner Steele stated can share some details first of all thinks it is a great idea and staff has
558 brought that up with UDOT in conversation with their project manager but nothing has been decided but staff is on it and
559 think it would be a great idea especially for pedestrians and kids going from school and to unify the look of all of the backs
560 of those homes and improve the streetscape. Have had a broader conversation about the entire project and all the
561 aesthetics along there so are working on deciding what column and betterments and what those might be and where the
562 money might go towards to make it an attractive thoroughfare because it is going to be very wide and the speeds will be
563 faster.

564 [7:56:41 PM](#)

565 **4. Adjourn**

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

Suggested Motion Language

Approval – “I move the Planning Commission recommend that the City Council approve the request of Adam Bernard for a rezone of approximately 5.21 acres located at 1972 South 2000 West from the R-2 Residential Zone to the PRD Planned Residential Development Zone in accordance with the underlying General Plan designation of the property.”

Table – “I move the Planning Commission continue the request of Adam Bernard for a rezone of approximately 5.21 acres located at 1972 South 2000 West from the R-2 Residential Zone to the PRD Planned Residential Development Zone until (give date) based on the following findings:

1. (list findings)”

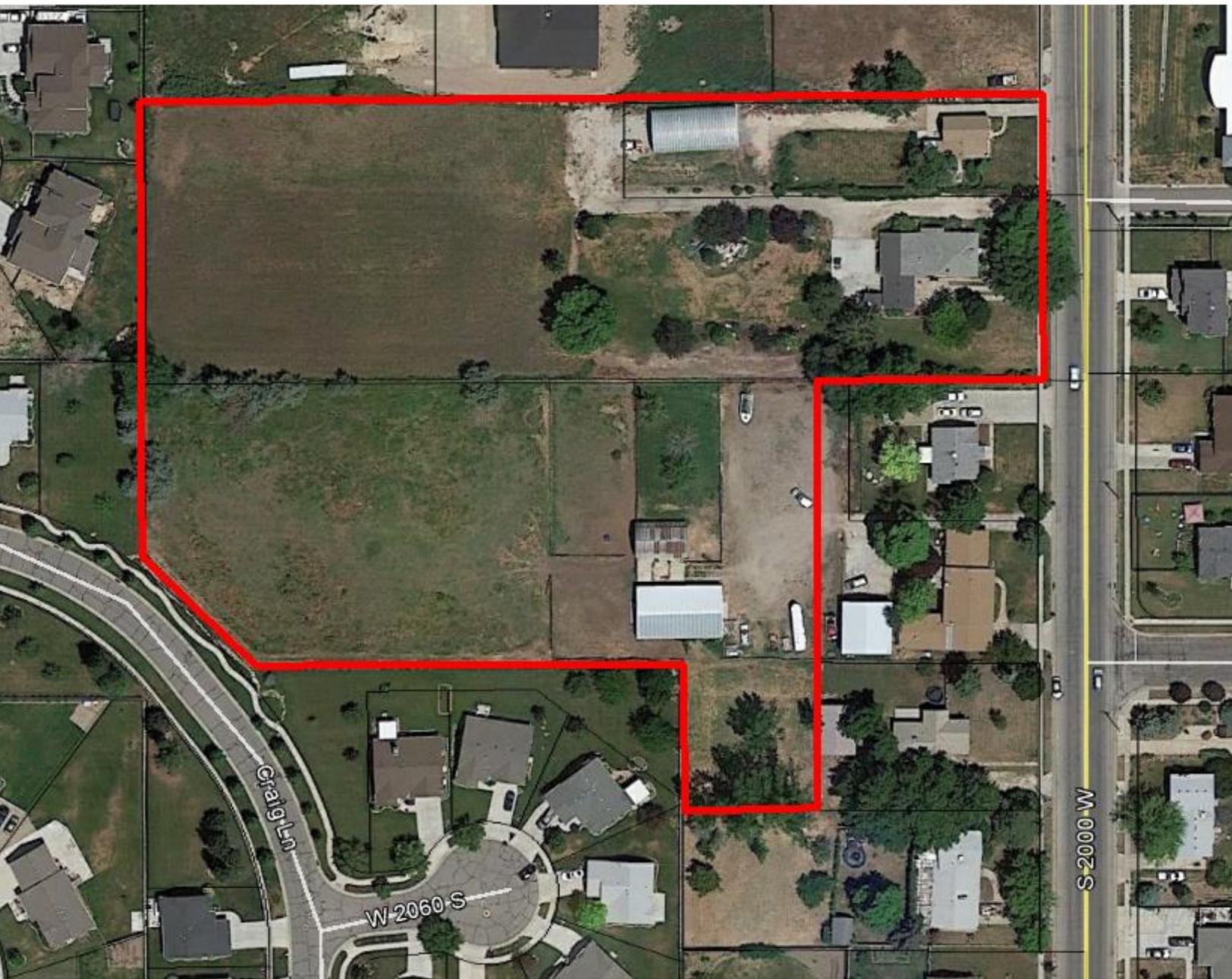
Denial – “I move the Planning Commission recommend that the City Council deny the request of Adam Bernard for a rezone of approximately 5.21 acres located at 1972 South 2000 West from the R-2 Residential Zone to the PRD Planned Residential Development Zone based on the following findings:

1. (list findings).”

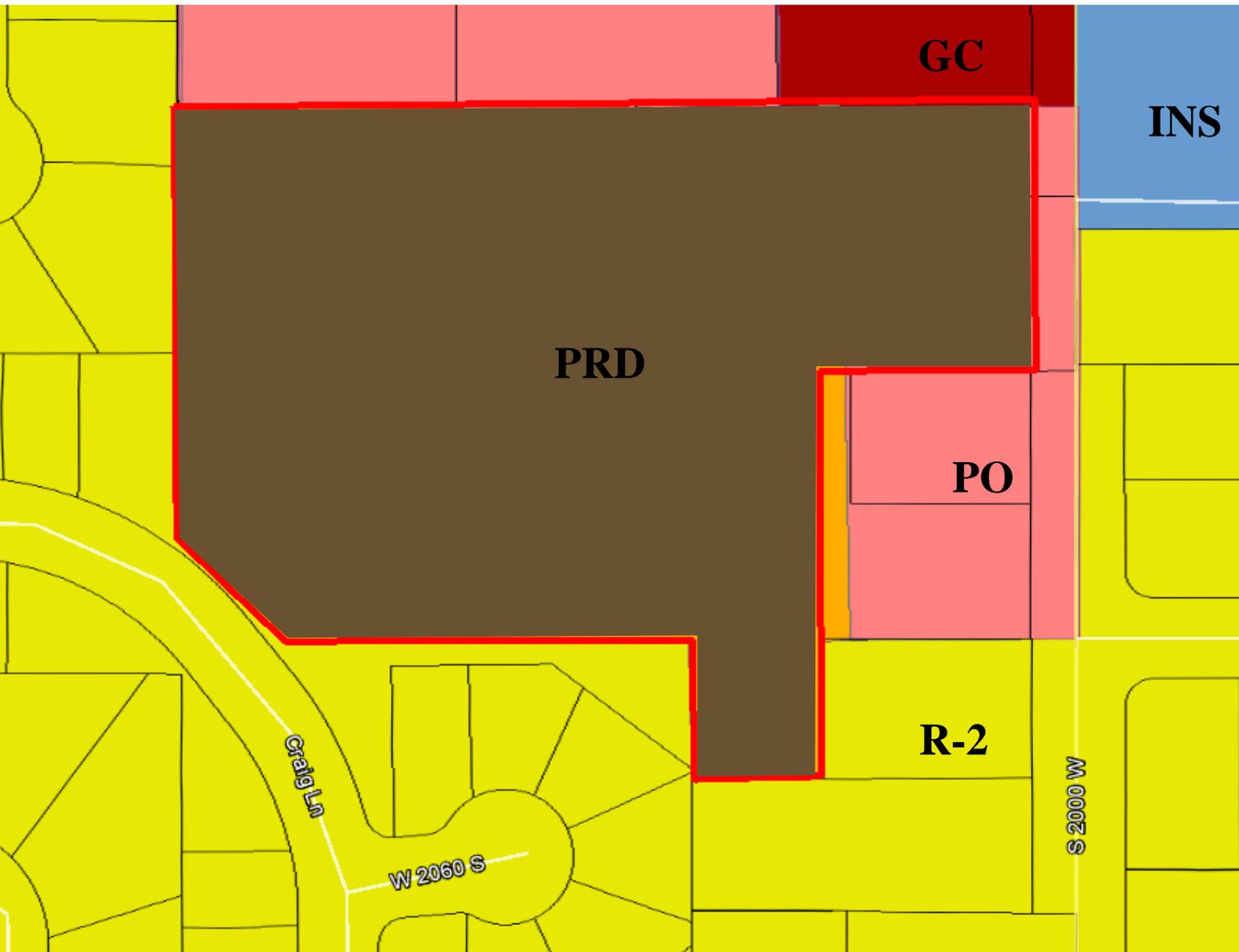
Attachments:

- Aerial Map
- General Plan Map
- Current Zoning
- **Requested Zoning**
- R-2 zoning ordinance
- PRD zoning ordinance

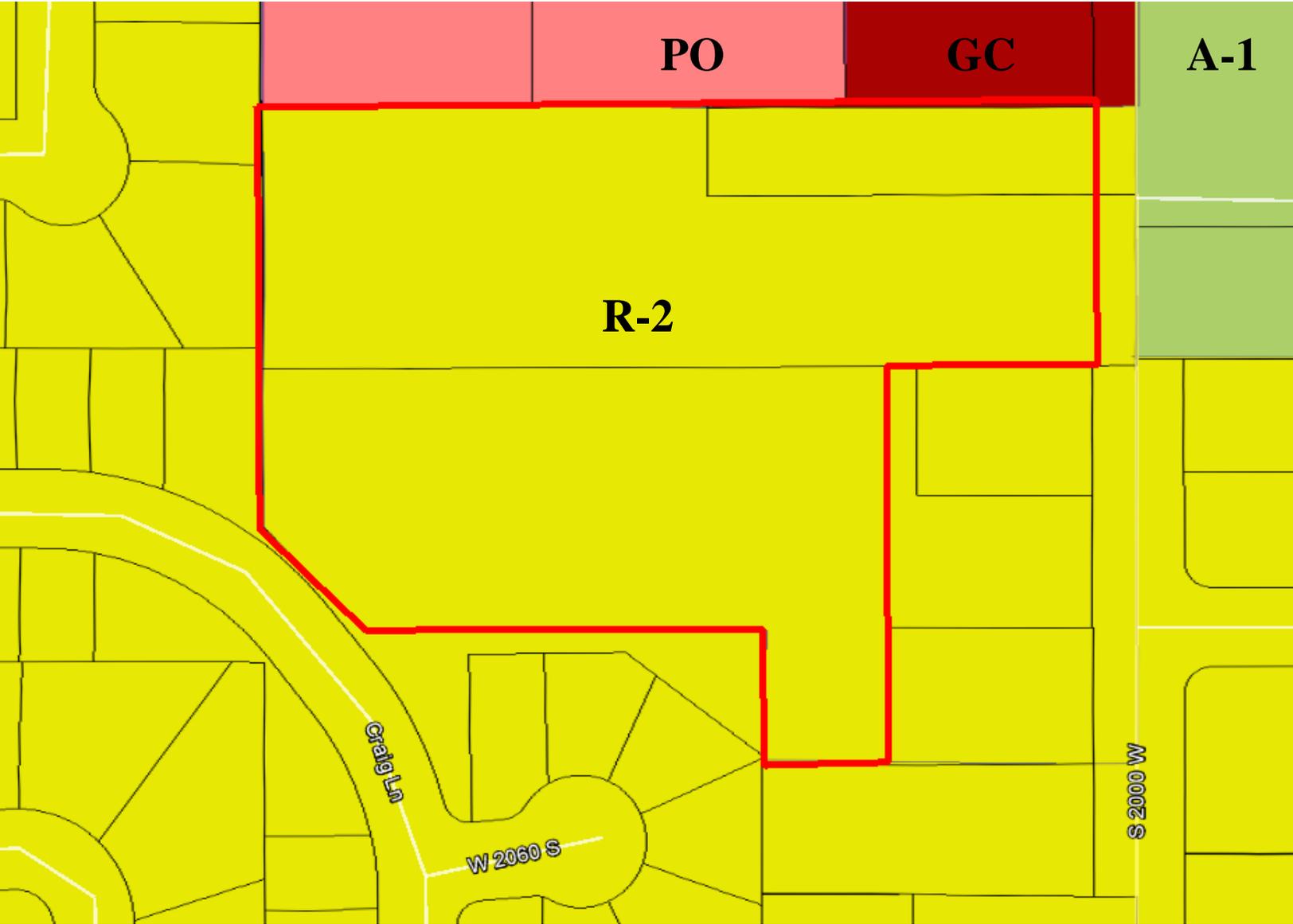
AERIAL MAP



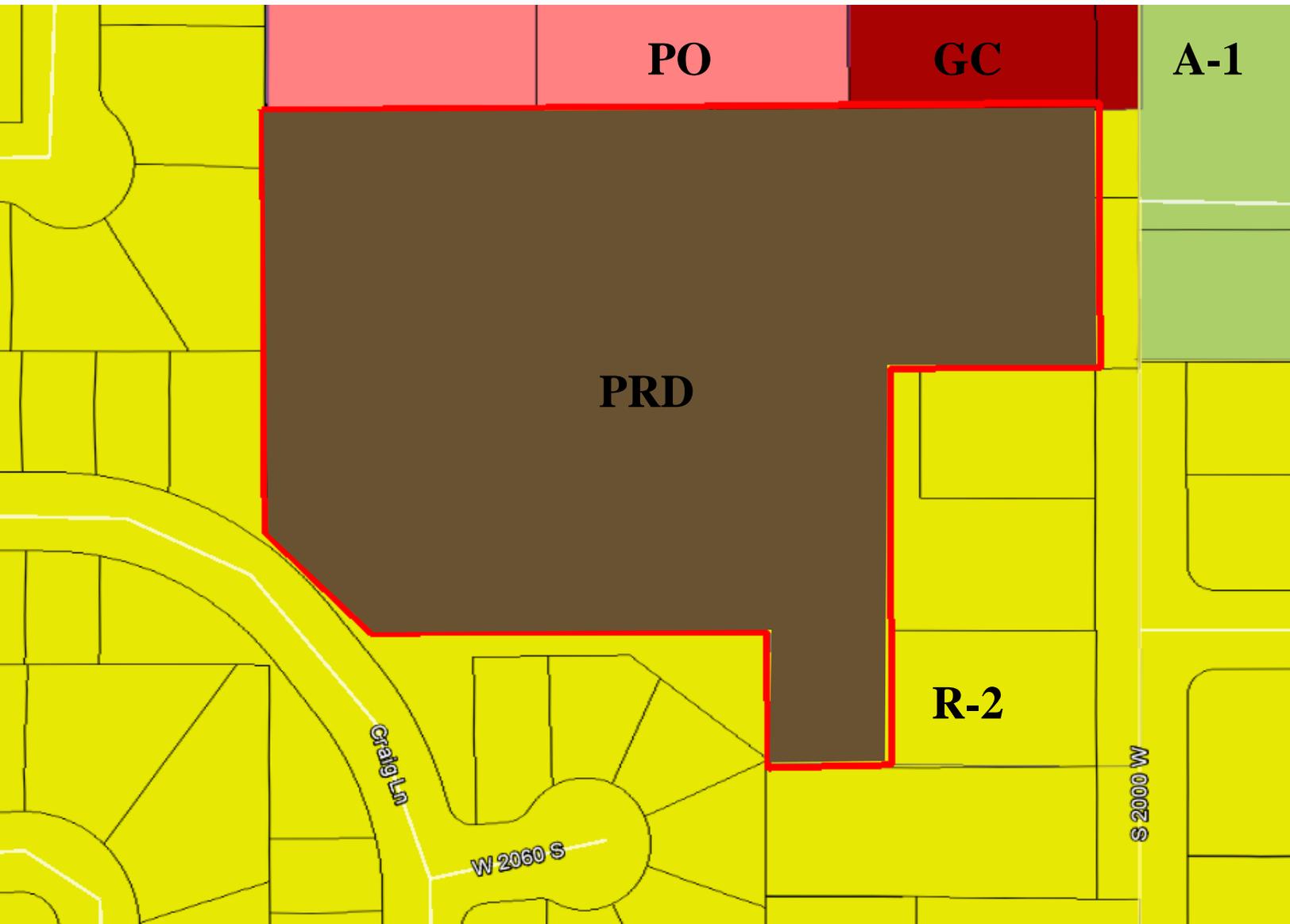
GENERAL PLAN MAP



CURRENT ZONING



REQUESTED ZONING



R-2 ZONING ORDINANCE

10.65.010 Purpose.

The purpose of this zone is to provide for moderate density single-family residential development that conforms to the system of services available.

10.65.020 Permitted uses.

The following, and no others, are uses permitted 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 (200 square feet or less).

(B) Agriculture.

(C) Churches, synagogues, and temples.

(D) Dwellings, single-family.

(E) Educational services.

(F) Household pets.

(G) Minor home occupations.

(H) Public and quasi-public buildings.

(I) Public parks.

(J) Rabbits and hens.

(K) Residential facilities for persons with disabilities.

(L) Vietnamese potbellied pigs.

10.65.030 Conditional uses.

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

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

(B) Apiaries (minor).

(C) Day care centers (major).

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

(E) Dwelling groups (major).

(F) Dog kennels (minor).

(G) Home occupations (major).

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

(I) Temporary use of buildings (see SCC 10.30.100(A)(12)) (minor).

10.65.040 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: minimum lot size 10,000 square feet, but in no case shall the density exceed 3.0 lots per gross acre.

(B) Lot width: 85 feet.

(C) Front yard: 25 feet.

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

(E) Rear yard: 30 feet.

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

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

(1) The strict application of the lot width requirement would result in substantial hardship;

(2) Adjacent properties do not share generally such a hardship and the property in question has unusual circumstances or conditions where literal enforcement of the requirements of the zone would result in severe hardship;

(3) The granting of such reduction would not be of substantial detriment to adjacent property or influence negatively upon the intent of the zone;

(4) The condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to detract from the intention or appearance of the zone as identified in the City's general plan.

10.65.050 Off-street parking and loading.

Off-street parking and loading shall be provided as specified in Chapter 10.40 SCC.

10.65.060 Signs.

The signs permitted in this zone shall be those allowed in residential zones by Chapter 10.45 SCC.

PRD ZONING ORDINANCE

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.

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.

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).

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.

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.

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.

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.

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.

10.75.090 Signs.

The signs permitted in this zone shall be those allowed in residential zones by Chapter 10.45 SCC.



PLANNING COMMISSION REGULAR MEETING

AGENDA

June 7, 2016

Agenda Item # 5 Minor Subdivision 3025 South Bluff Road
 Jensen Park Estates

Factual Summation

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

Location: 3025 South Bluff Road
Current Zoning: R-2
General Plan: R-2
Total Subdivision Area: 0.69 Acres 9

Summary

The applicant has requested approval of a 2 lot minor subdivision known as Jensen Park Estates 2 lots in the R-2 Zone. The dimensions of these lots are as follows:

Lot	Zone	Lot Size (R-2 10,000 Sq. Ft. Min.)	Lot Width (R-2 85 Ft. Min.)	Existing Structures to Remain
1	R-2	12,066	85	None
2	R-2	17,934	88.68	None

All proposed lots meet the minimum lot dimension requirements in the R-2 Zone. The City Engineer has noted that their survey boundaries do not match county property lines. This must be rectified before it is finally approved by the City Council.

This is a minor (less than 10 lot) subdivision and because of that, the preliminary and final approval stages are combined.

Suggested Motion Language

Approval – “I move the Planning Commission recommend that the City Council approve the request of Dennis Higley for a 2 lot minor subdivision called Jensen Park Estates consisting of 3.336 acres on property located at 3025 South Bluff Road in the R-2 Residential Zone.”

Table – “I move the Planning Commission continue the request of Dennis Higley for a 2 lot minor subdivision called Jensen Park Estates consisting of 3.336 acres on property located at 3025 South Bluff Road in the R-2 Residential Zone until (give date) based on the following findings:

1. (list findings)”

Denial – “I move the Planning Commission recommend that the City Council deny the request of Dennis Higley for a 2 lot minor subdivision called Jensen Park Estates consisting of 3.336 acres on property located at 3025 South Bluff Road in the R-2 Residential Zone based on the following findings:

1. (list findings).”

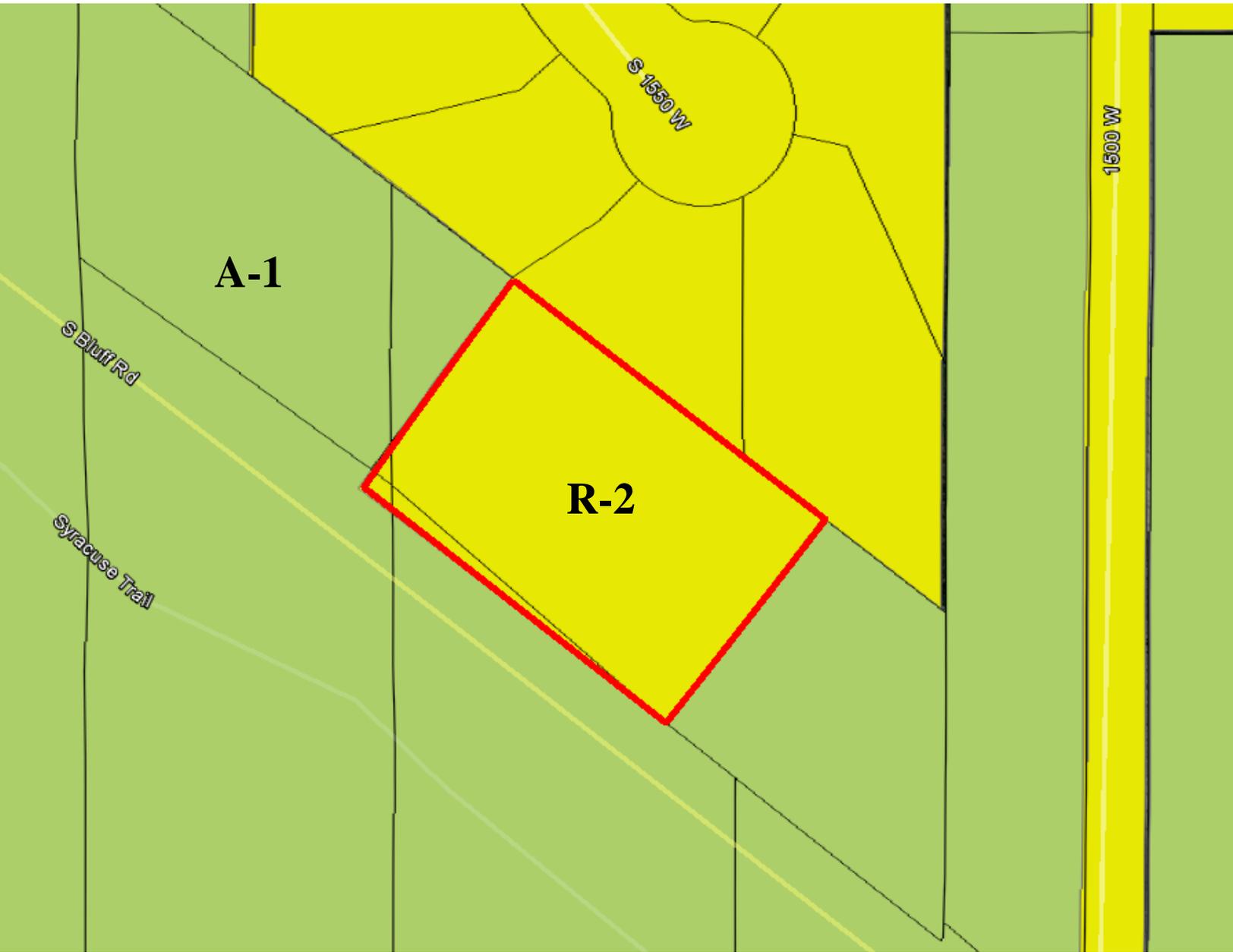
Attachments:

- Aerial Map
- Zoning Map
- General Plan Map
- Subdivision Plat
- R-2 zoning ordinance
- Minor subdivision review ordinance

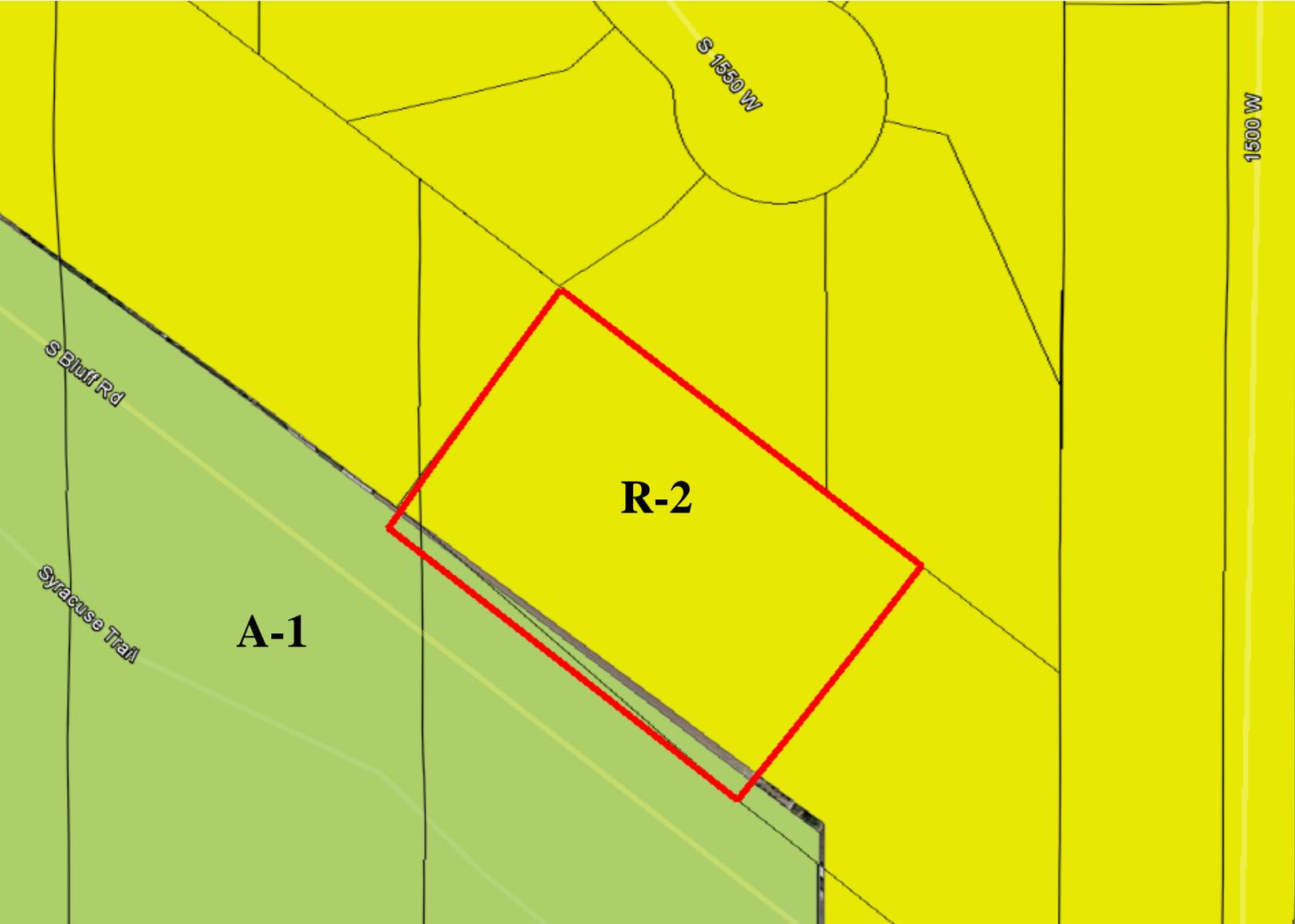
AERIAL MAP



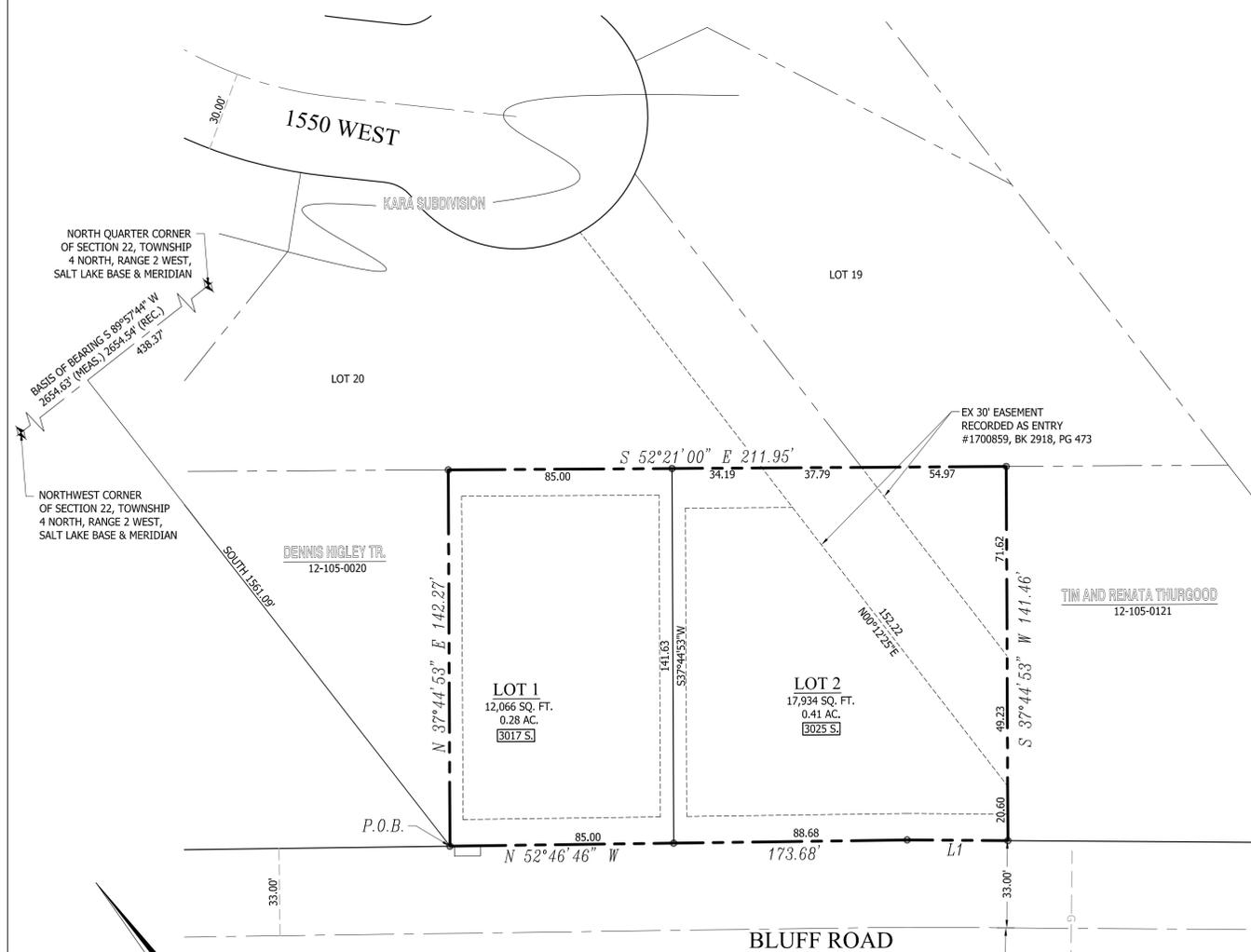
ZONING MAP



GENERAL PLAN MAP



JENSEN PARK ESTATES
 LOCATED IN THE NORTHWEST QUARTER OF SECTION
 22, TOWNSHIP 4 NORTH, RANGE 2 WEST, S.L.B.&M.,
 SYRACUSE CITY, DAVIS COUNTY, UTAH
 APRIL 2016

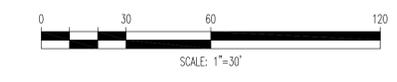
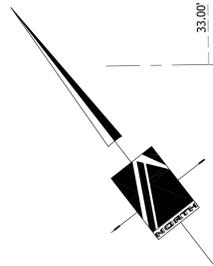


NORTH QUARTER CORNER
 OF SECTION 22, TOWNSHIP
 4 NORTH, RANGE 2 WEST,
 SALT LAKE BASE & MERIDIAN

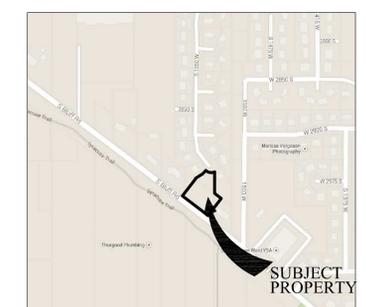
BASIS OF BEARING S 89°57'44" W
 254.63' (MEAS.) 1654.54' (REC.)
 438.37'

NORTHWEST CORNER
 OF SECTION 22, TOWNSHIP
 4 NORTH, RANGE 2 WEST,
 SALT LAKE BASE & MERIDIAN

LINE TABLE		
LINE	LENGTH	BEARING
L1	38.27	N51°36'41"W



VICINITY MAP



- VICINITY MAP
 NTS
- LEGEND**
- PROPERTY LINE
 - - - LOT LINE
 - - - CENTER / SECTION LINE
 - - - STREET RIGHT-OF-WAY LINE
 - - - EASEMENT LINE
 - - - OLD LOT LINE
 - - - ADJACENT PROPERTY LINE
 - ◆ SECTION CORNER
 - PU&DE PUBLIC UTILITY & DRAINAGE EASEMENT
 - SET 5/8" REBAR WITH AN ORANGE PLASTIC CAP, OR NAIL & WASHER STAMPED PINNACLE ENG. & LAND SURV.
 - N/R NON-RADIAL

CENTURYLINK

APPROVED THIS _____ DAY OF _____, 20____,
 BY A REPRESENTATIVE OF QWEST COMMUNICATIONS.

QWEST COMMUNICATIONS REPRESENTATIVE

ROCKY MOUNTAIN POWER

APPROVED THIS _____ DAY OF _____, 20____,
 BY A REPRESENTATIVE OF ROCKY MOUNTAIN POWER.

ROCKY MOUNTAIN POWER REPRESENTATIVE

QUESTAR GAS COMPANY

APPROVED THIS _____ DAY OF _____, 20____,
 BY A REPRESENTATIVE OF QUESTAR GAS COMPANY.

QUESTAR GAS COMPANY REPRESENTATIVE

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE
 SYRACUSE CITY ATTORNEY.

 SYRACUSE CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE
 SYRACUSE CITY PLANNING COMMISSION.

 SYRACUSE CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE
 SYRACUSE CITY ENGINEER.

 SYRACUSE CITY ENGINEER

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE
 SYRACUSE CITY COUNCIL.

ATTEST:

 SYRACUSE CITY RECORDER

_____ SYRACUSE CITY MAYOR

SURVEYOR'S CERTIFICATE

I, STEPHEN J. FACKRELL DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 191517 AS PRESCRIBED UNDER LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, HEREAFTER TO BE KNOWN AS: KARA SUBDIVISION AMENDED AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE NORTHERLY LINE OF BLUFF ROAD, SAID POINT BEING LOCATED SOUTH 89°57'44" WEST ALONG SECTION LINE 438.37 FEET AND SOUTH 1561.09 FEET FROM THE NORTH QUARTER CORNER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN; AND RUNNING THENCE NORTH 37°44'53" EAST 142.27 FEET TO THE SOUTH LINE OF KARA SUBDIVISION, A SUBDIVISION RECORDED WITH THE DAVIS COUNTY RECORDED; THENCE SOUTH 52°21'00" EAST ALONG SAID SUBDIVISION 211.95 FEET; THENCE SOUTH 37°44'53" WEST 141.46 FEET TO THE NORTHERLY LINE OF BLUFF ROAD; THENCE ALONG SAID ROAD THE FOLLOWING TWO (2) CALLS: 1) NORTH 51°36'41" WEST 38.27 FEET; 2) NORTH 52°46'46" WEST 173.68 FEET TO THE POINT OF BEGINNING.
 CONTAINS: 30,000 SQ. FT. / 0.69 AC.

DATE _____ STEPHEN J. FACKRELL
 LICENSE NO. 191517

OWNER'S DEDICATION

We the undersigned owner(s) of the herein described tract of land, do hereby set apart and subdivide the same into a lot and a parcel as shown hereon and name said tract,

JENSEN PARK ESTATES

and do hereby grant and dedicate a perpetual right and easement over, upon and under the lands designated hereof as public utility and drainage easements, the same to be used for the installation maintenance and operation of public utility service line, storm drainage facilities, irrigation canals or for the perpetual preservation of water channels in their natural state whichever is applicable as may be authorized by the governing authority, with no buildings or structures being erected within such easements. And also grant and dedicate unto all owners of lots upon which private utility easements as shown hereon, for the purpose of perpetual maintenance and operation.

In witness whereof _____ have hereunto set _____ this day of _____ A.D., 20____.

ACKNOWLEDGMENT

STATE OF UTAH)
 COUNTY OF DAVIS)

ON THE _____ DAY OF _____ A.D., 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF DAVIS IN SAID STATE OF UTAH, THE SIGNER () OF THE ABOVE OWNER'S DEDICATION, _____ IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT _____ SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC
 RESIDING IN DAVIS COUNTY

JENSEN PARK ESTATES
 LOCATED IN THE NORTHWEST QUARTER OF SECTION
 22, TOWNSHIP 4 NORTH, RANGE 2 WEST, S.L.B.&M.,
 SYRACUSE CITY, DAVIS COUNTY, UTAH
 APRIL 2016

PINNACLE
 Engineering & Land Surveying, Inc.
 2720 North 350 West, Suite #108 Phone: (801) 773-1910
 LAYTON, UT 84041 Fax: (801) 773-1925

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE
 PAID _____ FILED FOR RECORD
 AND RECORDED THIS _____ AT
 DAY OF _____, 20____ AT
 _____ IN BOOK _____
 OF OFFICIAL RECORDS PAGE _____

 DAVIS COUNTY RECORDER

By _____
 DEPUTY RECORDER



Jensen Park Estates Subdivision

Engineer Final Plan Review

Completed by Brian Bloemen on June 1, 2016

Below are the engineering comments for the final plan review of Jensen Park Estates Subdivision.

Plat:

1. Add the buildable areas to each lot. No structure can be constructed in the City's existing 30' easement.
2. Update the existing property lines as they do not match County records.

Plans:

1. The fire hydrant shall be located in the park strip.
2. All land drain laterals must tie in at the top 20% of the mainline.

If you have any further comments or questions please feel free to contact me at 801-614-9630.

Sincerely,

Brian Bloemen, P.E.
City Engineer

R-2 ZONING ORDINANCE

10.65.010 Purpose.

The purpose of this zone is to provide for moderate density single-family residential development that conforms to the system of services available.

10.65.020 Permitted uses.

The following, and no others, are uses permitted 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 (200 square feet or less).

(B) Agriculture.

(C) Churches, synagogues, and temples.

(D) Dwellings, single-family.

(E) Educational services.

(F) Household pets.

(G) Minor home occupations.

(H) Public and quasi-public buildings.

(I) Public parks.

(J) Rabbits and hens.

(K) Residential facilities for persons with disabilities.

(L) Vietnamese potbellied pigs.

10.65.030 Conditional uses.

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

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

(B) Apiaries (minor).

(C) Day care centers (major).

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

(E) Dwelling groups (major).

(F) Dog kennels (minor).

(G) Home occupations (major).

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

(I) Temporary use of buildings (see SCC 10.30.100(A)(12)) (minor).

10.65.040 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: minimum lot size 10,000 square feet, but in no case shall the density exceed 3.0 lots per gross acre.

(B) Lot width: 85 feet.

(C) Front yard: 25 feet.

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

(E) Rear yard: 30 feet.

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

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

(1) The strict application of the lot width requirement would result in substantial hardship;

(2) Adjacent properties do not share generally such a hardship and the property in question has unusual circumstances or conditions where literal enforcement of the requirements of the zone would result in severe hardship;

(3) The granting of such reduction would not be of substantial detriment to adjacent property or influence negatively upon the intent of the zone;

(4) The condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to detract from the intention or appearance of the zone as identified in the City's general plan.

10.65.050 Off-street parking and loading.

Off-street parking and loading shall be provided as specified in Chapter 10.40 SCC.

10.65.060 Signs.

The signs permitted in this zone shall be those allowed in residential zones by Chapter 10.45 SCC.

MINOR SUBDIVISION ORDINANCE

8.30.035 Minor residential subdivisions.

(A) Purpose. In an effort to reduce the expense and time of development, minor residential subdivisions may be considered and approved under this section.

(B) This section does not modify or reduce requirements or standards for lots, infrastructure, or subdivisions, requirements for platting, or any other requirement or standard in this code. Its sole purpose is to provide more expedient approval for minor residential subdivisions.

(C) Minor Residential Subdivision Requirements. To be considered a minor residential subdivision, the subdivision must meet all the following requirements:

- (1) The subdivision contains 10 or less lots;
- (2) The subdivision is not traversed by the mapped lines of a proposed street as shown in the City's general plan;
- (3) The subdivision is located in a zoned area; and
- (4) The subdivision is not part of an existing, previously platted subdivision. Changes to a platted subdivision are to be done by amending the previously approved plat.

(D) Minor Residential Subdivision Application Procedure. The application procedure for a minor residential subdivision is:

- (1) Pre-Application Meeting. City staff shall review whether the subdivision meets the requirements of a minor residential subdivision and notify the developer of any requirements for necessary construction drawings.
- (2) Concept Plan Approval. The concept plan approval process for a minor residential subdivision shall follow that found in Chapter 8.20 SCC.
- (3) Final Minor Residential Subdivision Plan Approval Procedure. The final plan for a minor residential subdivision shall combine all requirements for both preliminary and final plan approval found in this title into one application.

(E) The Planning Commission and the City Council shall process the proposed minor residential subdivision and consider it for approval in accordance with SMC 8.30.030. All required signatures and conditions provided in that section apply to minor residential subdivisions.

8.30.040 Severability.

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end, the provisions of this chapter are severable.



PLANNING COMMISSION REGULAR MEETING AGENDA

June 7, 2016

Agenda Item # 6 Final Subdivision Phase 1975 West 1000 South
Keller Crossing Phase 2

Factual Summation

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

Location: 1975 West 1000 South
Current Zoning: R-2 and R-3
General Plan: R-2 and R-3
Total Subdivision Area: 3.34Acres

Summary

The preliminary plan for Keller Crossing subdivision was approved by the City Council on June 9, 2015.

The applicant has requested approval of a 10 lot subdivision phase known as Keller Crossing Subdivision Phase 2 with 8 lots in the R-2 Zone and 2 lots in the R-3 Zone. The dimensions of these lots are as follows:

Lot	Zone	Lot Size (R-2 10,000 Sq. Ft. Min. R-3 8,000 Sq. Ft. Min.)	Lot Width (R-2 85 Ft. Min. R-2 80 Ft. Min.)	Existing Structures to Remain
201	R-2	12,166	90	None
202	R-2	11,491	85	None
203	R-2	12,168	90	None
204	R-2	11,493	85	None
205	R-3	12,170	90	None
206	R-3	12,153	90	None
207	R-2	11,478	85	None
208	R-2	12,153	90	None
209	R-2	11,478	85	None
210	R-2	12,153	90	None

As is shown, all proposed lots meet the minimum requirements for their respective zones.

Suggested Motion Language

Approval – “I move the Planning Commission recommend that the City Council approve the request of Nilson Homes for a 10 lot final subdivision called Keller Crossing Phase 2 consisting of 3.336 acres on property located at 1475 South 2000 West in the R-2 and R-3 Residential Zones.”

Table – “I move the Planning Commission continue the request of Nilson Homes for a 10 lot final subdivision called Keller Crossing Phase 2 consisting of 3.336 acres on property located at 1475 South 2000 West in the R-2 and R-3 Residential Zones until (give date) based on the following findings:

1. (list findings)”

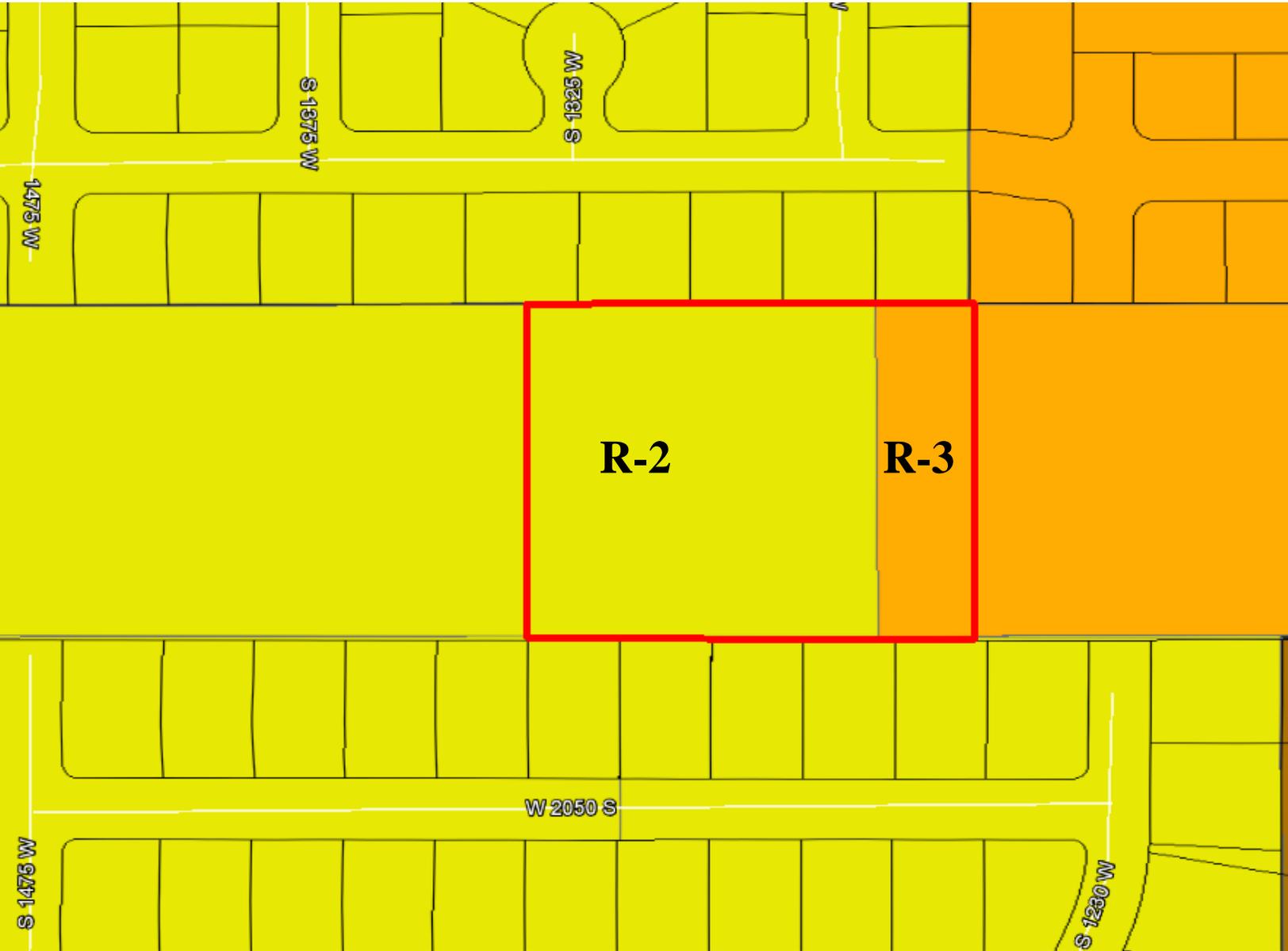
Denial – “I move the Planning Commission recommend that the City Council deny the request of Nilson Homes for a 10 lot final subdivision called Keller Crossing Phase 2 consisting of 3.336 acres on property located at 1475 South 2000 West in the R-2 and R-3 Residential Zones based on the following findings:

1. (list findings).”

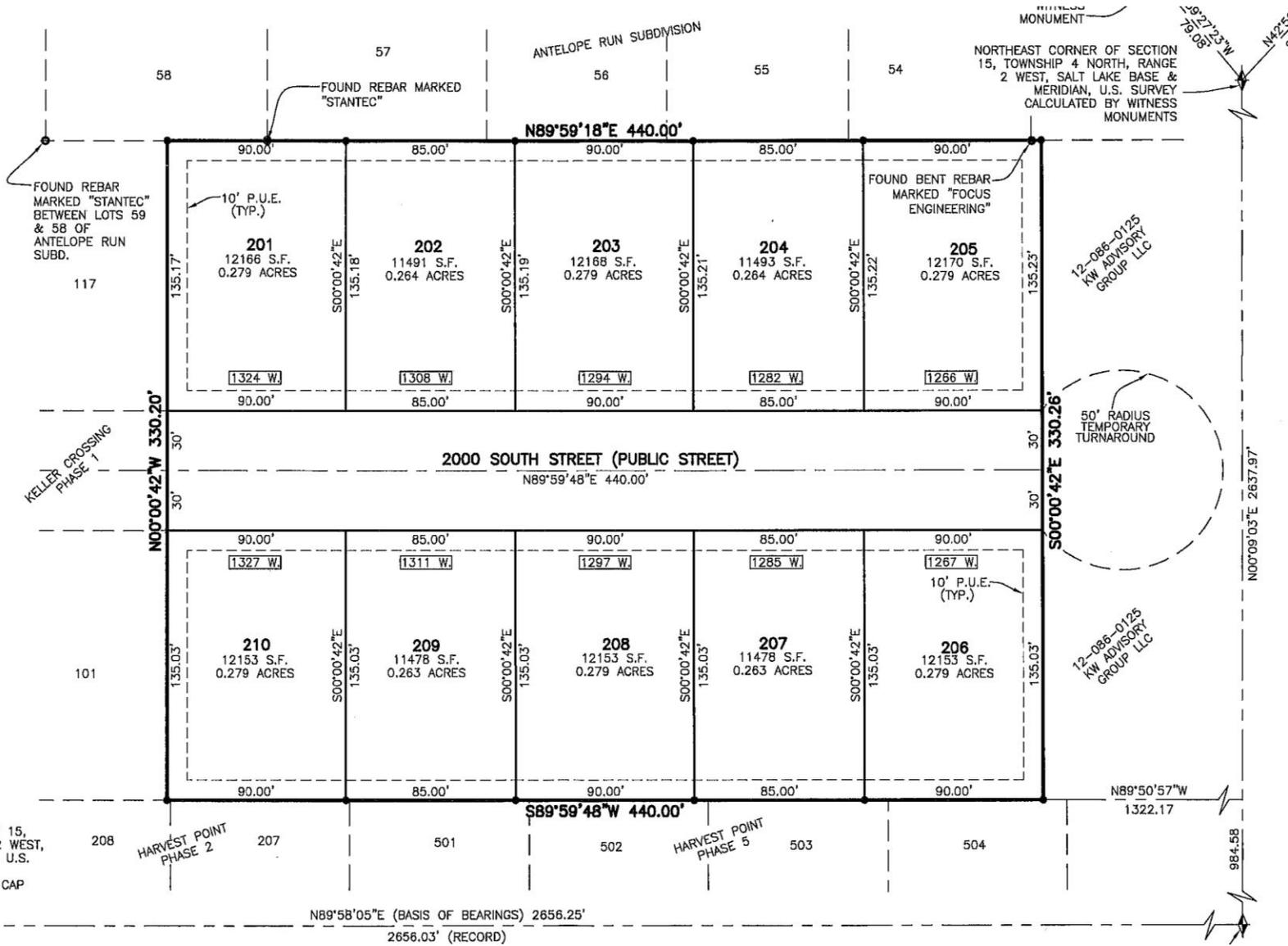
Attachments:

- Aerial Map
- Zoning Map
- General Plan Map
- Subdivision Plat
- R-2 zoning ordinance
- R-3 Zoning ordinance
- Final subdivision review ordinance

GENERAL PLAN MAP



SUBDIVISION PLAT





Keller Crossing Subdivision Phase 2

1475 West & 2000 South

Engineer Final Plan Review

Completed by Brian Bloemen on June 1, 2016

Below are the engineering comments for the final plan review of the Keller Crossing Subdivision Phase 2.

Plat:

1. Modify the owners dedication so it is applicable to this phase.

Plans:

1. Add an Eclipse 88 sampling station between lots 208 and 209.
2. Submit a grading plan.

If you have any further comments or questions please feel free to contact me at 801-614-9630.

Sincerely,

Brian Bloemen, P.E.
City Engineer



TO: Community Development, Attention: Noah Steele
FROM: Jo Hamblin, Fire Marshal
RE: Keller Crossing Subdivision phase 2 final

DATE: May 26, 2016

I have reviewed the site plan submitted for the above referenced project. The Fire Prevention Division of this department has the following comments/concerns.

1. Fire hydrants and access roads shall be installed prior to construction of any buildings. All hydrants shall be placed with the 4 1/2" connection facing the point of access for Fire Department Apparatus. Provide written assurance that this will be met.
2. Prior to beginning construction of any buildings, a fire flow test of the new hydrants shall be conducted to verify the actual fire flow for this project. The Fire Prevention Division of this department shall witness this test and shall be notified a minimum of 48 hours prior to the test.

These plans have been reviewed for Fire Department requirements only. At this time the Fire Department has no concerns with these plans. Other departments must review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Syracuse City.

R-2 ZONING ORDINANCE

10.65.010 Purpose.

The purpose of this zone is to provide for moderate density single-family residential development that conforms to the system of services available.

10.65.020 Permitted uses.

The following, and no others, are uses permitted 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 (200 square feet or less).

(B) Agriculture.

(C) Churches, synagogues, and temples.

(D) Dwellings, single-family.

(E) Educational services.

(F) Household pets.

(G) Minor home occupations.

(H) Public and quasi-public buildings.

(I) Public parks.

(J) Rabbits and hens.

(K) Residential facilities for persons with disabilities.

(L) Vietnamese potbellied pigs.

10.65.030 Conditional uses.

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

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

(B) Apiaries (minor).

(C) Day care centers (major).

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

(E) Dwelling groups (major).

(F) Dog kennels (minor).

(G) Home occupations (major).

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

(I) Temporary use of buildings (see SCC 10.30.100(A)(12)) (minor).

10.65.040 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: minimum lot size 10,000 square feet, but in no case shall the density exceed 3.0 lots per gross acre.

(B) Lot width: 85 feet.

(C) Front yard: 25 feet.

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

(E) Rear yard: 30 feet.

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

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

(1) The strict application of the lot width requirement would result in substantial hardship;

(2) Adjacent properties do not share generally such a hardship and the property in question has unusual circumstances or conditions where literal enforcement of the requirements of the zone would result in severe hardship;

(3) The granting of such reduction would not be of substantial detriment to adjacent property or influence negatively upon the intent of the zone;

(4) The condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to detract from the intention or appearance of the zone as identified in the City's general plan.

10.65.050 Off-street parking and loading.

Off-street parking and loading shall be provided as specified in Chapter 10.40 SCC.

10.65.060 Signs.

The signs permitted in this zone shall be those allowed in residential zones by Chapter 10.45 SCC.

R-3 ZONING ORDINANCE

10.70.010 Purpose.

The purpose of this zone is to provide for medium density single-family residential development that conforms to the system of services available.

10.70.020 Permitted uses.

The following, and no others, are uses permitted 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 (200 square feet or less).

(B) Agriculture.

(C) Churches, synagogues, and temples.

(D) Dwellings, single-family.

(E) Educational services.

(F) Household pets.

(G) Minor home occupations.

(H) Public and quasi-public buildings.

(I) Public parks.

(J) Rabbits and hens.

(K) Residential facilities for persons with disabilities.

(L) Vietnamese potbellied pigs.

10.70.030 Conditional uses.

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

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

(B) Apiaries (minor).

(C) Day care centers (major).

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

(E) Home occupations (major).

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

(G) Temporary use of buildings (see SCC 10.30.100(A)(12)) (minor).

10.70.040 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: minimum lot size 8,000 square feet, but in no case shall the density exceed 4.0 lots per gross acre.

(B) Lot width: 80 feet.

(C) Front yard: 25 feet.

(D) Side yards: Eight feet both sides.

(E) Rear yard: 20 feet.

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

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

(1) The strict application of the lot width requirement would result in substantial hardship;

(2) Adjacent properties do not share generally such a hardship and the property in question has unusual circumstances or conditions where literal enforcement of the requirements of the zone would result in severe hardship;

(3) The granting of such reduction would not be of substantial detriment to adjacent property or influence negatively upon the intent of the zone;

(4) The condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to detract from the intention or appearance of the zone as identified in the City's general plan.

10.70.050 Off-street parking and loading.

Off-street parking and loading shall be provided as specified in Chapter 10.40 SCC.

10.70.060 Signs.

The signs permitted in this zone shall be those allowed in residential zones by Chapter 10.45 SCC.

FINAL SUBDIVISION REVIEW ORDINANCE

8.30.010 Final plat.

The final plat must be prepared by a licensed land surveyor on a sheet of approved tracing paper with permanent black ink and shall be prepared in accordance with the requirements of this title. The plat shall be 19 inches by 30 inches and shall have a one-and-one-half-inch border on the left and a one-half-inch border on the three remaining sides. The top of the plat shall be either north or east, whichever accommodates the drawing best.

The plat shall show:

- (A) The name of the subdivision, which name must be approved by the Planning Commission and county recorder.
- (B) Accurate angular and linear dimensions for all lines, angles and curves used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features.
- (C) An identification system for all lots, blocks and names of streets. Lot lines shall show dimensions in feet and hundredths.
- (D) The street address for each lot. Each street address shall be assigned by the City to be consistent with the current numbering scheme.
- (E) True angles and distances to the nearest established street lines or official monuments which shall be accurately described in the plat and shown by appropriate symbol.
- (F) Radii, internal angles, points and curvatures, tangent bearings and the length of all arcs.
- (G) The accurate location of all monuments to be installed shown by the appropriate symbol. All United States, state, county or other official bench marks, monuments or triangulation stations in or adjacent to the property shall be preserved in precise position.
- (H) The dedication to the City of all streets, highways and other public uses and easements included in the proposed subdivision.
- (I) Street monuments shall be shown on the final plat as are approved by the City Engineer. Standard precast monuments will be furnished by the developer and placed as approved.
- (J) Pipes or other such iron markers shall be shown on the plat.
- (K) Accurate outlines and dimensions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common use of all property owners.
- (L) All boundary, lot and other geometrics (bearings, distances, curve data, etc.) on final plat shall pose to an accuracy of not less than one part in 5,000.
- (M) Location, function, ownership and manner of maintenance of common open space not otherwise reserved or dedicated for public use.
- (N) Boundary descriptions of the subdivision.

(O) Current inset City map showing location of subdivision.

(P) Standard forms for the following:

- (1) A registered land surveyor's certificate of survey as applicable under state law.
- (2) Owner's dedication which shall "warrant and defend and save the City harmless against any easements or other encumbrances on the dedicated streets which will interfere with the City's use, maintenance and operation of the streets."
- (3) A notary public's acknowledgment.
- (4) The City Land Use Authority (either the Planning Commission or City Council, as designated by the City Municipal Code) certificate of approval.
- (5) The City Engineer's certificate of approval.
- (6) The county recorder's certificate of attest.
- (7) The City Attorney's certificate of approval.
- (8) Public Utilities approval and acceptance of public utility easements.
- (9) A three-inch by three-inch space in the lower right-hand corner of the drawing for recording information.

8.30.020 Final plan and profile.

Plan and profile must be prepared by a licensed engineer in accordance with the requirements of this title. Standard 22-inch by 34-inch and reduced to 11-inch by 17-inch (one-half scale) of the plan and profile will be required for review by the City. General information required:

(A) Plan for Culinary Water Improvements. Show proposed water main sizes, valves, fire hydrants, and service connections to all lots within the proposed subdivision and connections to existing water mains.

(B) Plan for Secondary Water Improvements. Show proposed secondary water main sizes, valves, and service connections to all lots within the proposed subdivision and connections to existing secondary water lines.

(C) Plan for Sanitary Sewer. Show proposed sewer mains and manholes, together with proposed slopes and depths within the proposed subdivision. Also show location of service laterals to each lot within the subdivision.

(D) Land Drain. Show method of dealing with land drains and subsurface water drains within the proposed development. If applicable, indicate location of any service connections and service manholes within the subdivision.

(E) Storm Water. Show location and size of storm water drains, together with any manholes or drop boxes within the subdivision. Show slope and grade of all storm drain lines. Storm water calculations need to accompany drawings for engineer review.

(F) Streets. Typical cross section of road improvements, together with flow line of proposed curb and gutter improvements as compared with existing ground slopes and center line offsets of all proposed utilities.

(G) Stationing. Stationing callouts should conform with acceptable engineering practices.

(H) Agreements. When necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.

8.30.030 Final approval.

(A) Submittal. Submit four standard 22-inch by 34-inch copies of plat and plan and profile sheets, one copy of each reduced to 11-inch by 17-inch (one-half scale), plus one PDF copy to the City, together with a cost estimate of off-site improvements and storm drain calculations.

(B) Engineer Review. City Engineer will review submitted documents and transmit his conclusions and recommendations to the Planning Commission, including cost estimate for off-site improvements required by City ordinance.

(C) Approval. Upon receipt of the approved plans from the City Engineer the Planning Commission shall forward to the City Council their recommendation to either approve or reject the final plat or shall table action for the next regular meeting or until the specified deficiency has been corrected.

If the Planning Commission does not approve the final plat, disapproval shall be indicated by written notice stating the reasons for disapproval, in which case the decision can be appealed to the City Council, whose decision will be final.

Approval of final plats by the City Council will extend for a period of 12 months. If work or subsequent action by the subdivider to proceed with off-site construction does not occur within the 12-month period following initial approval, the plat and construction drawings must be resubmitted and become subject to reapproval under the latest City ordinances and specifications.

(D) Construction of Off-Site Improvements. No construction of off-site improvements shall commence until the subdivider has completed a preconstruction meeting with the City Planning, Engineering, and Public Works Departments, at which time a review of construction project and expectations of the City will be discussed. Such conference shall be scheduled with the City and all affected utility companies will be invited to attend.

(E) Approval to Record Subdivision. Before any subdivision plat may be recorded, the subdivider shall furnish a corporate surety bond, cash escrow, irrevocable letters of credit from a credible lending institution, or a tax increment incentive as part of a signed reimbursement agreement from the Redevelopment Agency which has been approved by the City Manager, in an amount as finally determined by the City Engineer to secure the performance of the public improvements in a workmanlike manner and according to specifications established by the Syracuse City subdivision standards (See SCC 8.10.020). Some of the public improvements are as follows:

(1) Paving of streets.

(2) Curb, gutter and sidewalks.

- (3) Sewer and water lines, including irrigation lines.
- (4) Storm and subsurface drainage.
- (5) Street signs, monuments, lighting, fences and street trees.
- (6) Removal or relocation of any easements which may affect the use of the dedicated streets by the City.
- (7) Utility development connection fees.

(F) Recording. Once final plat approval has been obtained the developer shall submit a 22-inch by 34-inch Mylar of the final plat to the City Engineer. If all documents, submittals, and payment of fees are in order, the City Engineer will sign the Mylar, indicating approval of the subdivision. Complete submittal shall include the following:

- (1) Development agreements.
- (2) Escrow agreement.
- (3) Title report.
- (4) Street light agreement.
- (5) Off-site improvement agreement.
- (6) Water share certificate.
- (7) Storm water activity permit.
- (8) Storm water maintenance agreement.
- (9) Payment of all required development and inspection fees.
- (10) Approved construction drawings or as-built drawings.
- (11) Surety and improvement guarantee.
- (12) Easements and any other documents deemed necessary by the City Engineer or conditioned for approval by the Planning Commission or City Council.

After approval and signature of the final plat, the City Engineer shall submit the plat to the Community Development Director, or designee, who shall obtain the signatures of the City Attorney, Planning Commission Chair, and Mayor. The final plat, bearing all official signatures as above required, shall be deposited in the office of the City Recorder, who shall cause the plat to be recorded in the office of the county recorder. Final plats not recorded within 12 months of final approval shall be deemed null and void. No plat shall be recorded in the office of the county recorder until the plat is approved and signed. Lots included in such plat shall not be sold or exchanged, and no offer shall be made to sell or exchange any such lots unless and until the plat is recorded.

8.30.035 Minor residential subdivisions.

(A) Purpose. In an effort to reduce the expense and time of development, minor residential subdivisions may be considered and approved under this section.

(B) This section does not modify or reduce requirements or standards for lots, infrastructure, or subdivisions, requirements for platting, or any other requirement or standard in this code. Its sole purpose is to provide more expedient approval for minor residential subdivisions.

(C) Minor Residential Subdivision Requirements. To be considered a minor residential subdivision, the subdivision must meet all the following requirements:

- (1) The subdivision contains 10 or less lots;
- (2) The subdivision is not traversed by the mapped lines of a proposed street as shown in the City's general plan;
- (3) The subdivision is located in a zoned area; and
- (4) The subdivision is not part of an existing, previously platted subdivision. Changes to a platted subdivision are to be done by amending the previously approved plat.

(D) Minor Residential Subdivision Application Procedure. The application procedure for a minor residential subdivision is:

- (1) Pre-Application Meeting. City staff shall review whether the subdivision meets the requirements of a minor residential subdivision and notify the developer of any requirements for necessary construction drawings.
- (2) Concept Plan Approval. The concept plan approval process for a minor residential subdivision shall follow that found in Chapter 8.20 SCC.
- (3) Final Minor Residential Subdivision Plan Approval Procedure. The final plan for a minor residential subdivision shall combine all requirements for both preliminary and final plan approval found in this title into one application.

(E) The Planning Commission and the City Council shall process the proposed minor residential subdivision and consider it for approval in accordance with SMC 8.30.030. All required signatures and conditions provided in that section apply to minor residential subdivisions.

8.30.040 Severability.

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end, the provisions of this chapter are severable.



PLANNING COMMISSION WORK MEETING AGENDA

June 7, 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.

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
- Definitions
- Park sizes

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 10% of the gross acreage of the project shall be developed as common space.~~
 - (A) Common space shall be equally accessible by all residents of the community.
 - (B) Common space shall be allocated in one contiguous and usable space to allow for the appropriate space needed for amenities.
 - (C) Common space acreage shall not include land within 20' of any building foundation or any space considered to be front, side, or rear yards.
 - (D) Amenities shall be included within the common space areas
 - ~~(3) (E) For detention ponds to be considered common space they must include amenities recommended by planning commission and city council;~~
 - ~~(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) (4) For the purpose of this section, landscaping is not considered to be an amenity;~~
 - ~~(6) (5) 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)~~(6) 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.]

“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.

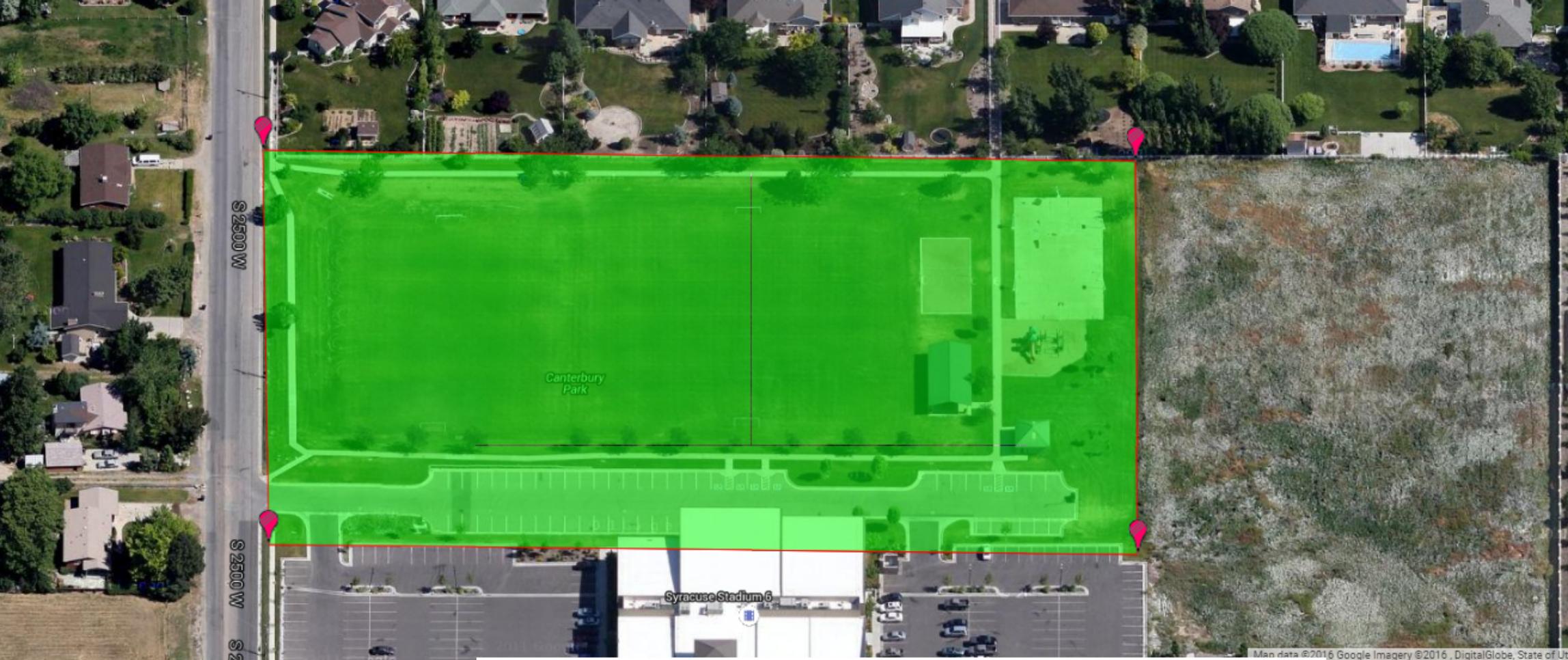
“Open space” means any area of land without human-built structures, such as parks, recreational and natural areas or land not occupied by buildings. Open space does not include curb and gutter, driveways and roadways.



Output : Current Area

17124.91 m² | 0.02 km² | 4.23 acres | 1.71 hectares | 184330.96 feet² | 0.01 square miles | 0.00 square nautical miles

Current Perimeter



Output : Current Area

21346.75 m² | 0.02 km² | 5.27 acres | 2.13 hectares | 229774.55 feet² | 0.01 square miles | 0.01 square nautical miles



PLANNING COMMISSION WORK SESSION

AGENDA

June 7, 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.