



Syracuse City Planning Commission Meeting August 2, 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

Curt McCuiston
Greg Day
Troy Moultrie
Grant Thorson
Gary Bingham

1. **Meeting Called to Order**
 - Invocation or Thought by Commissioner **Thorson**
 - Pledge of Allegiance by Commissioner **McCuiston**
 - Adoption of Meeting Agenda
2. **Meeting Minutes**
July 19, 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, Major Conditional Use** – Mark Millard, M&H Tools, property located at 2392 W 1125 S
5. **Final Subdivision Plan** - Laurelwood Lane Phase 2, property located at approximately 870 S 1600 W
6. **Preliminary Subdivision Plan**- Jackson Court, property located at approximately 1958 S 2000 W
7. **Public Hearing**, Creation of New Master Planned Community (MPC) Zone
8. **Annexation Application** - Woodside Homes, Jensen property located at approximately 2000 W Gentile Street
9. **Adjourn**

Work Session

1. **Department Business**
 - a. City Council Liaison Report
 - b. City Attorney Updates
 - c. Upcoming Agenda Items
2. **Discussion Items**
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

August 2, 2016

Agenda Item # 2

Meeting Minutes

July 19, 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, July 19, 2016

Minutes of the Regular Meeting of the Syracuse City Planning Commission held on July 19 2016, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Commission Members: Ralph Vaughan, Chairman
Dale Rackham, Vice Chairman
Curt McCuiston
Grant Thorson
Gary Bingham

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

City Council: Councilman Gailey
Councilman Maughan

Excused: Troy Moultrie

Visitors: TJ Jensen Adam Bernard
Dave Porter Mike Waite

[6:01:42 PM](#)

1. **Meeting Called to Order:**

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

[6:02:52 PM](#)

Commissioner Vaughan introduced the new Planning Commissioner Gary Bingham who was recently appointed to his first meeting.

[6:03:24 PM](#)

COMMISSIONER MCCUITION MADE A MOTION TO ADOPT THE PLANNING COMMISSION AGENDA FOR JULY 19, 2016 MEETING. THE MOTION WAS SECONDED BY COMMISSIONER RACKHAM. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

[6:03:44 PM](#)

2. **Meeting Minutes:**

July 5, 2016 Regular Meeting & Work Session

COMMISSIONER DAY MADE A MOTION TO APPROVE THE REGULAR AND WORK SESSION MEETING MINUTES FOR JULY 5, 2016 AS AMENDED BY CHAIRMAN VAUGHAN. THE MOTION WAS SECONDED BY COMMISSIONER MCCUITION. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY. COMMISSIONER BINGHAM OBSTAINED.

[6:04:41 PM](#)

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

[6:05:09 PM](#)

None

[6:05:18 PM](#)

4. **Public Hearing, Code Amendment – 10.75.040, PRD Minimum Lot Standards**

Planner Steele stated this code amendment is something that they have been working on for a little while and the intent is clarify the language in the PRD ordinance concerning the open spaces and common spaces. They have gone through the proposed changes extensively and to summarized changes are that they are requiring a 20% of the gross acreage to be common space and 10 items of control or things that want to see with that common space area.

[6:07:38 PM](#)

Public Hearing opened.

[6:07:58 PM](#)

Public Hearing closed.

[6:08:14 PM](#)

Commissioner Rackham stated he would just like to say on the common space based on what they have done in the other cluster would like to see it go up to 25%. Commissioner Vaughan asked if that would be keeping the overall 50% or just make it 25% instead of 20%. Commissioner Rackham stated instead of 30% just raise it to 25% just a little more common space.

62 [6:09:08 PM](#)

63 Commissioner McCuiston stated thinks 20% might be, if they look at it later on it is 10% and is 20% in a reasonable
64 range or do they want to go higher not exactly sure, they are only allowing 6 units gross per acre so thinks they ought to
65 talk that out before they have a motion. Commissioner Thorson stated his first thought is that they have eliminated the
66 open space requirement, open space tends to happen anyway and what is concerned about is getting an amenity in there
67 that helps either that subdivision or general public so would be in favor of upping it to 25%, for that reason.

68 [6:10:13 PM](#)

69 COMMISSIONER RACKHAM MADE A MOTION TO APPROVE 10.75.040 PRD AS AMENDED WITH THE
70 CHANGE OF A MINIMUM COMMON SPACE TO 25%. THE MOTION WAS SECONDED BY COMMISSIONER
71 THORSON. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

72 [6:11:12 PM](#)

73 **5. Public Hearing, Preliminary Subdivision Plan – Jackson Court, property located at 1958 S 2000 W**

74 Planner Davies stated this is the same zone they have been just been talking about, the PRD Zone. A proposed
75 development to be called Jackson Court just west of here across 2000 W. The development is proposed to be 5.22 acres,
76 20 privately owned units and essentially an extension of Craig Estates an existing development there just to the south and
77 west of this proposed development. This is currently pretty much all undeveloped ground and to the south there are some
78 homes and the type of homes that are proposed as part of this development will be similar to those. There is a large
79 common space area in the center of the development and there will be some benches and a covered gazebo type
80 structure, basically it will be something more like a covered pergola with a grill in there with countertop and some seating.
81 The landscape plan that has been included shows various trees throughout the development and one of the requirements
82 of City code is any architectural monotony be broken up by landscaping and this appears to be met by the trees that are in
83 between the homes. The comments from staff that have come through in the planning review for this submittal was would
84 like to see what those trees are on the cul-de-sac area and are appreciative that they are keeping some of the existing
85 trees on the southeast portion of the development and that is always a nice thing a lot of times the new developments end
86 un with small trees and takes a long time to mature. They had some discussions with the applicant as well a few weeks
87 ago where discussed other amenities that were potentially to be included and this landscape plan does not reflect some of
88 the changes that have been made to the actual plan presented. Based on that potentially there are more amenities and
89 would want to discuss that with the applicant when they speak. Staff would like to see a little bit something more than just
90 the sheltered grill area with the benches. Also from a landscaping perspective where the benches are exposed to the sun
91 would like to see those shaded so some deciduous trees on the south and west side of those benches so have some
92 shade in the summer and sun in the winter so that they are more useable. The only other significant issue and this has
93 been discussed in depth with the applicant but talked about the access requirement that needs to access a collector or
94 arterial as this is anticipated to be an extension of Craig Estates the applicant has proposed that is how they meet that
95 code because Craig Estates meets 2000 W to the south of this proposed development. If this were a phase of Craig
96 Estates which they are proposing that it is, it would meet that requirement as Craig Estates has a direct connection.
97 Based on the traffic impacts here the intent of that code is for larger more dense developments which would bring in
98 higher traffic counts so the intent of the code is to not have those kind of traffic counts going through regular residential
99 neighborhoods or wherever they would be funneled down and then finally get out on an arterial, they want to have them
100 directly going on to an arterial, but where this is 20 units they don't anticipate a significant traffic increase which would
101 cause any significant traffic problems. Clearly meets the code with the exception of that one item which is up to the
102 discussion of the Commission if feel that it does or does not that would be up for discussion but again as have said it is
103 the applicants opinion that because they see it as an extension of Craig Estates it will be included in the Craig Estates
104 HOA that it does meet that requirement because Craig Estates has a direct connection to 2000 W.

105 [6:17:09 PM](#)

106 Commissioner Day asked if basements are anticipated in this development. Planner Davies stated he does not
107 believe so, there will be 1 and 2 story homes is what is being shown.

108 [6:17:34 PM](#)

109 Commissioner Rackham asked for clarification on the 2 existing homes, would they stay as is. Planner Davies stated
110 that is his understanding, yes.

111 [6:17:44 PM](#)

112 Commissioner Thorson asked if any of the amenities regarding common space would be in the development
113 agreement and would the development agreement state what those would be and would that be available to the
114 Commission. Planner Davies sated doesn't believe staff has specified that in the development agreement. Planner Steele
115 stated the ordinance says that they have to have a development agreement and they have provided all of the bones, the
116 concept elevations and the concept landscape plan and the Commission will have an opportunity to comment on any
117 specifics for that development agreement but that is still in early, early draft phase so doesn't have anything to present at
118 this time. Commissioner Thorson stated his comment and first look at this in the ordinance and it is in there now and it will
119 say in there that landscaping alone is not considered an amenity and is seeing a lot of landscaping that is nice and this
120 the park area in the middle will be nice the only amenity sees is 2 benches and a gazebo and so thinks part of their
121 discussion tonight maybe with the developer might be to hash out what amenities would go into that development
122 agreement that would be one of his goals tonight. Planner Davies stated as they mentioned they have had some
123 discussions with the developer about putting additional amenities in so that would be something to discuss with them.

124 Commissioner Thorson stated he would also recognize the trail through there and connecting to the 2000 W and would
125 consider that as well an amenity.

126 [6:19:25 PM](#)

127 Commissioner Rackham asked if staff could go into a little detail about what proposed as additional amenities.
128 Planner Davies stated they talked about a lot of things it is really it is up to the developer to propose things, one thing that
129 was discussed potentially was an amenity on the southwest corner where there is an open space as part of Craig Estates
130 and there is part of open space as part of this proposed development and if they put an amenity in there that kind of road
131 the line more or less there is a lot of space there that could be utilized if they wanted to do a court of some kind or maybe
132 an open seating area or something like that. Staff was also trying to think the target age for this development is going to
133 be later age with children or empty nesters or older so kind think that demographic and what types of things do they like to
134 do and so there are a lot of popular activities for them that vary a lot. Planner Steele stated the Commission will have an
135 opportunity to weigh in on whether or not feel that these amenities as proposed are sufficient and have proposed a really
136 nice covered patio and benches and even talking about a dog wash area, but that area hasn't been identified on the plan,
137 so obviously this is the Commission's chance to decide whether or not that is sufficient or not. Commissioner Thorson
138 stated thinks this conversation will continue with the actual applicant.

139 [6:21:18 PM](#)

140 Commissioner Vaughan asked about detention basins and if they have a detention basin on this property. Planner
141 Davies stated yes there is a detention basin on the plan in the center area just behind where the covered pergola there is
142 a detention basin area there in the center. Commissioner Vaughan asked that is all it is going to be just that area, is that
143 indicating slope is that going to be grass slope or rock slope. Planner Davies stated it will be grass. Commissioner
144 Vaughan asked with all that area particular would think there that there is tons of room for lots of amenities if not for a Tot
145 Lot or something in there because as recall that was one of the things the Commission liked to see in detention basins is
146 a Tot Lot or something or other. This particular common area that they have while they are talking about the center area
147 there this is going to be a common area and an open space area available to all of the residents not just the 20 new
148 homes that area proposed it is going to be available to the other 42 existing houses that are in the HOA. Planner Davies
149 stated yes. Commissioner Vaughan asked what is the area comparison of this common area open space compared to the
150 existing common area open space that is currently serving the other 42 residences in this development. Planner Davies
151 stated the existing common space open area that they have in Craig Estates is almost 50% and that is why this and they
152 looked at taking some common area from Craig Estates as part of this development and that they were so close on the
153 minimum for what was required in Craig Estates that they weren't able to take any out so there is a significant amount of
154 common space. Commissioner Vaughan stated can see that that takes care of this project but how does that pencil out as
155 far as satisfying the entire project because by adding this as a phase the entire project has to stand brought up to the
156 standards, does the entire project now meet those standards not just what are seeing here for this 5.2 acres. Planner
157 Davies stated yes, there are 2 different zones and so they are analyzing this new project according to the PRD zone and
158 the other one is in a Cluster zone but they do meet the open space requirement. Commissioner Vaughan asked how was
159 the other Craig Estates built, was that built as a standard zone or was that a PRD itself. Planner Davies stated that was
160 not a PRD, it was a Cluster Conditional Use Permit. Commissioner Vaughan stated so they are mixing so there is no way
161 to accurately merge the 2 of them or to say one matches the standard of the other because a PRD and a Cluster are
162 different. Planner Steele stated staff did some preliminary analysis of the existing open space as part of Craig Estates as
163 well as the analysis on the screen that was provided with the plans so the new and what is being proposed open space
164 and common space combined is 52.7% of the project area so the existing Craig Estates that was built early 2000's and in
165 a previous staff report provides some really conceptual numbers but they have a park space that is just south of the street
166 along Craig Lane that is like 3-4 acres so the developer is approaching the 50% open space requirement mark as well in
167 the existing so what is existing has already been built and been approved so can out the stamp of approval on that
168 because it has already been stamped and approved a long time ago and then that is what this review is of the new stuff
169 and that is what the stamp of approval on the new stuff is so add that to the existing. Commissioner Vaughan asked what
170 the street width of 2015 W (Craig Lane) in front of the new tie-in is, is it 60 feet the same way the cul-de-sac is there, is it
171 less than 60 feet. Planner Steele stated he sees a lot of really wide tree lawn so the City Engineer might be able to
172 answer that but his guess is that it is a 60 foot corridor. Commissioner Vaughan stated so 60 feet also so this proposed
173 new street is going to be the same width as what Craig Lane is. Planner Steele stated yes, their cul-de-sac meets those
174 requirements and then the rest will be a private drive so the street standard cul-de-sac and then off of that will be an HOA
175 maintained driveway which has the appropriate widths for fire code. Commissioner Vaughan stated he understands all the
176 new development his concern is what width is the street on Craig Lane where the new development is dumping onto and
177 trying to see if are running a funnel running a wider street into a narrower street that is now going to be carrying more
178 traffic than possibly it was designed to. Planner Steele stated 60 feet so they will be the same right of way width.
179 Commissioner Vaughan asked if there have been any design standards review or architectural commission review or any
180 proposed on this or will this be coming back to the Commission for another phase in regards to design review. Planner
181 Steele stated the Architectural Review Committee reviews commercial buildings, industrial buildings and public buildings
182 or attached buildings, these will all be single-family homes so that won't be required to go before that committee.
183 Commissioner Vaughan stated under 10.75.060 which is the Architectural Commissioner review there are design
184 standards for these homes, basically the design standard for this home says 'no more than 50% of the front elevation can
185 be dedicated to garage' in looking at the floor plans and measurements that are provided further on in the packet it clearly
186 demonstrates that the garages are sometimes 6-8 feet wider than the balance of the house which would not comply with
187 10.75.060. Planner Steele asked if this was within the Architectural Review Committee guidelines or PRD. Commissioner

188 Vaughan stated yes, 10.75.060. Planner Davies stated what they have in the document is basically the proposed
189 elevations and those can be modified and the Commission can propose changes to be brought back or can approve with
190 conditions to be changed can do either one. Commissioner Vaughan stated in looking at and trying to stay away from
191 cookie cutter but all of these the exact same footprint they are 2400 sq. ft. and they are all exactly a 2 car garage basically
192 with a 20 foot driveway and in looking at the diagram can see that the pad is over half of what the frontage is or the front
193 elevation of the property and then when go to the floor plan can see that the garage is over half of what the front of that.
194 Planner Steele asked what ordinance he was referring to about the 50%. Commissioner Vaughan stated 10.75.060.
195 Planner Steele stated he is not seeing 50% and that has been something they have talked about, 10.75.060 says 'The
196 Land Use Authority shall approve the required common building theme. The design shall show detail in the unification of
197 exterior architectural style, building materials, and color and size of each unit; however, the intent is not to have the design
198 so dominant that all units are identical. Residential dwellings shall comply with SCC 10.30.020.' Commissioner Vaughan
199 stated it may be the next section. Planner Steele stated 10.30.020 is the part of the ordinance that requires the percentage
200 of brick, rock & stone and 2 car garage so just wanted to make sure they are talking about the same ordinance
201 requirements as to compare apples to apples. Planner Steele stated in the ordinance discussion coming up there is some
202 discussion about 50% of the facade there. Commissioner Vaughan apologized he confused his notes, it is 10.75.040 B,
203 subsection G and basically it says the garage is not the major architectural feature and if it is over 50% would call that the
204 major architectural feature. Planner Steele stated if the Commission feels like the garage is the main architectural feature
205 that is something to address. Commissioner Vaughan asked about flag lots and because these are a private road a flag
206 lot does not apply because they have the 3 corners other than Craig Ln connection the upper left lot 3, lot 9 and lot 13 &
207 14 these would traditionally be called a flag lot, common driveway. Planner Steele stated these would not be considered
208 flag lots, in general a flag lot has an existing home with a deep back yard and create a driveway to get behind that and
209 this would not be that situation. Commissioner Vaughan asked on the property that is up against 2000 W the open space
210 directly north of the Troy Barber property it is listed as open space only, it is not to be used as common space so that
211 would mean that unit 20 has a huge amount of open space but it is not common to everybody else so no one else can use
212 that except for that lot because if it is common the other residents can't go in to that area and then the same thing applies
213 down at the back in the southern corner by the Madsen property directly to the west of there that is also listed as open
214 space only not common that means that unit 14 has a huge open area and no one else can go in there except for that lot
215 because it is not common. Planner Steele stated open spaces are still available for other people the emphasis is just not
216 to have an amenity on it and that is a good point to bring up and something for discussion for this Commission on the
217 south portion the big side yard there is a fence there and they could remove the fence so that it merges with the other
218 open space of the other development so there is that too. Commissioner Vaughan stated the northern open space only
219 area that is between lot 20 and the Barber house does staff the know the width or the height of that or the frontage
220 exposure is on 2000 W. Planner Steele asked if he meant how wide is the trail corridor access. Commissioner Vaughan
221 stated yes, how much is the frontage of that open space, is that 60 feet by any chance or just pretty close to it and
222 wondering and think that might be a better access complying with access onto an Arterial rather than coming off of the
223 corner and trying to bend the corner and asking the Commission to make a decision on something that has already been
224 decided. Planner Steele stated that is something to consider but believes there is an existing lane there between the
225 homes that they are probably trying to utilize and looks like the proposed driveway is 30 feet so that little corridor through
226 there is also 30 feet. Commissioner Vaughan stated and the small little open space directly north of that area to the east
227 of unit 20 that is open space but not common but maybe they are planning on making those premium lots because they
228 have a sheltered area where everyone in the neighborhood can't go can understand that. Commissioner Day stated open
229 space is not for an individual it is just does not have an amenity so it would be available to others. Commissioner Vaughan
230 stated if that is open space and it belongs to the HOA then that could be an access if nothing else a pedestrian or a
231 walkway or a trail access onto 2000 W. Planner Steele stated that is also something they could consider, all good points
232 for discussion. Commissioner Vaughan stated there are some major concessions being given here especially the
233 concession of being allowed to put this development onto Craig Lane instead of putting on a major or minor arterial
234 collector and noted in the City Engineering comments that apparently the decision to have already been made to be able to
235 grant that or accept this as a waiver or condition to allow this to go onto a regular surface street rather than an arterial.
236 Planner Davies stated no decision has been on that, it hasn't been approved yet. Commissioner Vaughan stated
237 according to City Engineer Bloemen's comments basically the decision has been made by the City Council.
238 Commissioner Vaughan asked staff to pull up the comments on the screen. Commissioner Vaughan stated sorry, it says if
239 approved, so if the Commission approves this they are automatically going to accept it. Planner Steele stated the
240 Commission can make a recommendation as far as what the impact to the health, safety and welfare of the community
241 and if feel like that traffic is going to be creating an undesirable impact that is something can forward on to City Council.
242 The development agreement will need to detail it out because the ordinance is pretty clear that it should go onto an
243 arterial or collector and Craig Lane is not one of those so that is something that will have to be addressed in a
244 development agreement since that is contrary to what the ordinance is saying. Commissioner Vaughan stated so this
245 project could fall if the Planning Commission chose to turn it down with a finding that because it does not connect to an
246 arterial. Commissioner Thorson stated it would still be appealed to the City Council. Commissioner Vaughan stated
247 obviously. Commissioner Thorson stated and they have already overridden the Commission. Commissioner Vaughan
248 stated it has a history and have already been overridden. Commissioner Day stated they are just the recommending body
249 and recommend to the City Council.

250 [6:41:40 PM](#)

251 Commissioner Day stated as he had previously mentioned to the Chair he needs to leave early from tonight's
252 meeting but to give his thoughts on this application thinks this is great and have done a great job and would support it.
253 Doesn't think adding an access to 2000 W would materially change and a 60 foot right of way and the roads are plenty
254 wide to handle a lot of traffic and isn't traffic engineer but wouldn't think that this would overwhelm Craig Lane, so would
255 support this as it is currently presented.

256 [6:42:27 PM](#)

257 Mike Waite, Syracuse, appreciate all the Commission's comments and as staff has mentioned they are still wanting to
258 make some changes that work well for amenities in this project and are working with the HOA of Craig Estates and think it
259 is important to make sure that being they are the ones that are going to take it over for the maintenance and the care of
260 these amenities that they try and make it what is good for this entire development and when talk development want to
261 make sure that the existing 42 homes are included in all of these decisions. Had mentioned a Tot Lot earlier and have
262 heard some comments from the HOA that that isn't something that they would like to see not necessarily anyone
263 individually but think that is maybe a consensus there and so don't think that any of these amenities are set in stone and
264 they would like to work well with the HOA and the City and make sure that this development is something that turns out
265 really nice and useable by all in the community and around this area. Appreciates the Commission's comments and wants
266 to work well with the City and do the things that they need to do to make sure this turns out good. Agrees with
267 Commissioner Day about the traffic and has a lot of experience in traffic and by the time that would misalign the streets
268 out onto 2000 W a 60 foot right of way and adding 18 homes, not 20, adding 18 homes to that traffic on Craig Lane would
269 not significantly impact the traffic flow but there is a potential that if add 18 homes and talk about the vehicle trips per day
270 that enter onto 2000 W with a misalignment and in looking at the aerial of this area and misalign these streets and have
271 so many people making right hand turns and left hand turns and have the adjacent streets it made some good sense to
272 use Craig Lane as the way that these 18 homes would get into the subdivision so that is why they presented it that way.
273 Thank you for your time, appreciate it.

274 [6:45:20 PM](#)

275 Commissioner Thorson asked the applicant when they heard of this development before the president of the HOA
276 was also present and had mentioned that there was a letter from them in the packet and mentioned coordinating with
277 them, what amenities have they been interested in or has that come up with them. Mike Waite stated they are also here
278 tonight. Dave Porter, Craig Lane HOA President, stated that is something that haven't even addressed as far as
279 amenities, the gazebo is a good amenity but have noticed in their HOA that not everybody uses the park for example that
280 more non HOA members use it more so than HOA members but they haven't really explored all of the amenities that
281 could be possible. They have a committee made up of the Vice President of the HOA and talks this sort of language, he is
282 a broadcaster and doesn't talk this kind of language and doesn't understand all the number and that kind of thing and so
283 the Vice President is involved in that along with 2 other residents that understand this and they are going to be working
284 primarily with the developer to make sure everything is cool. Commissioner Thorson asked if they anticipate any of the
285 amenities being restricted to HOA members only. Mike Waite stated no.

286 [6:47:29 PM](#)

287 Public Hearing opened.

288 [6:47:38 PM](#)

289 TJ Jensen, Syracuse, wanted to point out that there are a couple of what he sees as issues with this development.
290 The first one is and wants to call the Commissions attention to 10.75.040 A, where is says the development shall provide
291 a standard right of way 60 feet shall include curb, gutter and sidewalk. Now certainly what they have done here is they
292 have that entering the development but then have 17 homes all sharing what essentially is a driveway because it is not a
293 road it is not 60 feet wide it doesn't have sidewalk on both sides and certainly from the City's standpoint if was running a
294 snowplow think the City responsibility for plowing that for that would end at the cul-de-sac because that is a private
295 driveway and really concerns him that have 17 homes sharing the same driveway. Certainly there are examples in
296 Syracuse that have 4 or 6 homes sharing a driveway and that is one thing and specifically thinking about the development
297 next to Smith's and also Stoker Gardens but those have the standard 60 foot right of way going through the subdivision
298 except for the shared driveways they all basically use that road that has sidewalks on both sides. In this particular case
299 none of the homes are fronted by sidewalks so are going to have pedestrians that are going to have to cross the street to
300 go to that park to get to a sidewalk and are really increasing the chance of ped, vehicle interactions there and think this
301 really violates the spirit of the ordinance and it should be a 60 foot right of way throughout the majority of the subdivision
302 not just in one corner. Secondary as to the argument that this is an extension of Craig Estates should point out that Craig
303 Estates is not a PRD, as staff has indicated it is an R-2 Cluster but that is a completely different zone than this and the
304 PRD should stand on its own merits as far as having the direct access. Not arguing the merits of whether Craig Lane can
305 handle the traffic but Craig Lane isn't a PRD and this also brings into the concept of tacking on additional phases onto a
306 development, Cluster subdivision which is essentially done and in fact in the ordinance it says when do a Cluster
307 subdivision have to designate all the phases at that time, that was a change that was made a couple years ago, so really
308 can't marry this with Craig Estates, certainly if they want to share HOA's that is fine but there is a huge question as to who
309 is going to be responsible for all that snow and just see a lot of problems with pedestrian vehicle interactions with this
310 design. It is not a bad design but think it violates the PRD ordinance in a couple respects. Thank you.

311 [6:50:32 PM](#)

312 Public Hearing closed.

313 [6:50:48 PM](#)

314 Mike Waite stated with the 18 homes in here and the HOA has already addressed the snow removal concern they are
315 not concerned about getting the snow removed off of the street and the width would not change whether or not people are
316 going to need to cross the street or not. Where the common space is regardless whether there is a sidewalk on both sides
317 of the private drive they are still going to cross the street and so they need to make an effort to make sure that they cross
318 the street safely but at the end of the day they are still going to cross the street whether there is sidewalk on both sides or
319 not they are still going to cross the street to get to the place that they recreate the most and so that would be just maybe
320 something to add to it.

321 [6:51:44 PM](#)

322 Commissioner Rackham asked about the snow removal has already been addressed, does the HOA remove snow
323 out of the road. Mike Waite stated they would remove the snow out of the loop that is the private area. Dave Porter stated
324 they have had very little discussion about that and need to make sure that they are able to handle all of that because
325 originally the plan did not include the private road around the subdivision and so they weren't aware at that particular time
326 that snow removal was necessary except for the driveways and sidewalk around there so that is still something the HOA
327 needs to come to grips with because they have a service that helps them with the yard as well as snow removal and
328 unfortunately they are very low on the totem pole when it comes to snow removal during heavy snow storms and they
329 need to make sure that they are in a position to be able to handle not only the existing 42 homes but the extra 18 homes
330 so that everybody is satisfied. Commissioner Bingham asked if it was anticipated that the HOA fees are going to increase
331 significantly because of this development or is that. Dave Porter stated that the desire is not to increase the fees, one
332 thing that they are doing that will help them is they are studying, getting a management organization to help them to run
333 the entire HOA. Currently the HOA board is run by people who have jobs and do it very part time. The snow removal has
334 been an issue for all their residents to the point that they have had to some of them with their own snow blowers go out
335 there and not do the driveways but also the sidewalks and things like that. The great concern that he has personally is
336 whether or not they can actually move the snow on that private driveway but that is something that they still need to
337 address and they are open to addressing it not shutting it down.

338 [6:54:25 PM](#)

339 City Engineer Brian Bloemen stated would like to make the comment that the Planning Commission does have the
340 authority to designate alternate cross sections as far as the street cross section goes, right now the City's responsibilities
341 are going to end at the cul-de-sac and all the private driveways would be owned and maintained by the HOA. One of the
342 things that this development is actually providing for the City is low impact development which the State is really trying to
343 ramp on with the storm water quality and are going to have to try and start implementing more of these things into their
344 developments as they come in. So the 26 feet of concrete meet the low volume local cross section as far as the street
345 width goes and really the only difference beyond that is the City has asked them to put in basically just a flat curb so that
346 can run the water straight off of the road in through a grassy swale through the grass which is supposed to help filter out
347 pollutants and things like that before it gets into the storm drain, so that was actually a request from Engineering to not
348 install a high back curb in this instance.

349 [6:55:55 PM](#)

350 Commissioner Vaughan asked where is the snow for these 18 houses going to be deposited. City Engineer Bloemen
351 stated thinks there is plenty of room to push it towards the end of all of the hammerheads towards the end there, in the
352 Engineering comments requested that the hydrants be moved to the side for that reason anticipating that they would
353 basically just push all that snow straight forward. Commissioner Vaughan stated so they would be keeping it within the
354 private road area or common area. City Engineer Bloemen stated correct. Commissioner Vaughan stated as opposed to
355 pushing it out into the street, just concerned about creating an iceberg there in the cul-de-sac. City Engineer Bloemen
356 stated with all the open space in the middle and having the end of the hammerheads there is plenty of room to put snow
357 and would prefer if all streets were this way. Commissioner Vaughan asked if that would be an Engineering requirement
358 request that would like to see that snow be deposited on their own common area as opposed to bringing it out to the
359 street. City Engineer Bloemen stated yes could certainly make that a requirement if would like.

360 [6:57:26 PM](#)

361 Commissioner Vaughan asked the Deputy Fire Chief if there would be an issue as far as fire safety should snow be
362 pushed into those dead-end hammerhead areas or would there be any requirements of how far snow could be deposited
363 in them or how little they could not go beyond. Deputy Fire Chief Hamblin stated like City Engineer Bloemen mentioned
364 the hydrants are the big concern any snow that is pushed to the end of those hammerheads would potentially block
365 access to the hydrants down there however as noted in his review this subdivision has excessive amount of hydrants in
366 here for the amount of houses and could probably drop it down to 2 or 3 hydrants and fulfill the requirements in the IFC. If
367 the snow was pushed to the end of those and they still had access to that last unit on the hammerhead that would be
368 sufficient for Fire but that would have to be all the way to the end of those hammerheads to where they stop.

369 [6:58:47 PM](#)

370 Commissioner McCuiston asked about how garbage and mail would be handled within the development and feel
371 like the garbage truck can make a good sweep through there and pick those things up. City Engineer Bloemen stated if it
372 can handle a fire truck it can handle a garbage truck. Commissioner McCuiston stated yes, just wondering if a firetruck is
373 able to traverse through there without cutting over curbs and running over those little back curbs and into the common
374 area landscape area. City Engineer Bloemen stated hasn't actually mapped out wheel paths or anything but is sure that
375 is definitely something that can put as a requirement to show those wheel paths and make sure that they do.

376 [6:59:40 PM](#)

377 Public Hearing closed.

378 [6:59:55 PM](#)

379 Commissioner McCuiston stated guess would like to see the wheel paths mapped out and then some grass pave or
380 some type of reinforced turf so that the trucks don't get bogged down as they come around those corners and start
381 running up the curb and gutter and breaking things. Also feel that if it is going to be part of this community the fences
382 that connect it to the community should be removed as part of this project connecting all open spaces on all sides that
383 front Craig Estates and would like to see a better discussion of the amenities, it seems like they are a little premature on
384 some of these things.

385 [7:00:41 PM](#)

386 Commissioner Rackham stated the arterial connection that has already been discussed is a concern, the curb and
387 gutter and sidewalk is there any effort to change the City's zoning and things like that to that to that type of curb and
388 gutter. City Engineer Bloemen stated yes, they are going to have to look at some kind of changes to the City's engineering
389 standards this kind of situation isn't always applicable, don't want to be running water into people's front yards and
390 flooding out people so this is kind of a unique situation where are able to get everything to sheet flow into the center and
391 filter it through the grass before it gets into the storm drain so guess the short answer to the question is Engineering is
392 going to have to look at some kind of modifications to meet the new storm water permit. Commissioner Rackham asked if
393 there were no requirements right now or nothing required. City Engineer Bloemen stated there was requirements in the
394 old permit for LID's but they are really ramping them up now with this new permit and so have until the end of the year
395 until they have all of the new standards up to date and start implementing these with new developments. Commissioner
396 Rackham stated as brought up before attaching a phase to a Cluster that is definitely not allowed in the ordinance and
397 then private roads they don't allow private roads, likes the development but has concerns the way it is presented.

398 [7:02:29 PM](#)

399 Commissioner Thorson stated his thoughts similar to Commissioner McCuiston, like this development and think the
400 way it is laid out is probably the best case scenario for this however have technical issues, access, adding to a cluster and
401 then discussing more amenities and is in favor ad comment that if are going to have open space might as well eliminate
402 the fence so it connects so would say anything adjoining the Craig Estates would be no fence required there. In general is
403 not opposed to this other than on technical grounds and don't know what the Commission's options are to overcome them
404 legally or with liability reasons but there are options that the City has but kind of feel that they are above the Planning
405 Commission.

406 [7:03:24 PM](#)

407 Commissioner Vaughan stated they do have options it can easily turned down or it could be continued at a later time
408 where the applicant could decide that wants to withdraw it to perfect these things or can send it forward with their fingers
409 crossed that all of the deficiencies they have pointed out are going to get addressed and is disinclined to the last.

410 [7:03:50 PM](#)

411 Commissioner Thorson stated his instinct is to a motion to reject based on technical grounds only with the
412 expectation that it may get overruled but just feel that it is not their job to come up with ways to vary away from the code,
413 think City Council has that responsibility and they are responsible to the public when they do that and really wouldn't
414 disagree with that but would disagree with that variance but as a Commission member they are here to make sure that it
415 follows the ordinances, everything within their realm is address and that they have opportunity for input but on technical
416 grounds it falls short. Commissioner Vaughan started by technical grounds mean following the code. Commissioner
417 Thorson stated yes, very specific just the black and white isn't there, which is the same thing that came up when the
418 concept and zone change came through that was really the Commission's grounds there too.

419 [7:05:09 PM](#)

420 Commissioner Vaughan asked if the Commission is inclined at this particular point to try to give another opportunity
421 for the applicant to come forward with modifications or are they inclined to close it down at this particular point. Would like
422 to think that these things can be overcome but think there are a couple issues and Commissioner Rackham brought up
423 one key issue that basically cannot be adjusted by fine tuning a map or adding another picnic table.

424 [7:06:00 PM](#)

425 COMMISSIONER RACKHAM MADE A MOTION TO TABLE THE JACKSON COURT 20 LOT PRELIMINARY
426 SUBDIVISION PLAT IN PRD ZONE UNTIL CAN ADDRESS THE FOLLOWING ISSUES: ARTERIAL CONNECTION,
427 CURB AND GUTTER SIDEWALK, ATTACHING NEW PHASE TO A CLUSTER, PRIVATE ROAD, ADDITIONAL
428 AMENITIES PROPOSED, ACCESS OF SERVICES AND SNOW REMOVAL BY HOA. THE MOTION WAS SECONDED
429 BY COMMISSIONER MCCUITION. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

430 [7:07:13 PM](#)

431 **6. Adjourn**

432 COMMISSIONER RACKHAM MADE A MOTION TO ADJOURN INTO WORK SESSION IN THE COUNCIL
433 CHAMBERS WITH A 5 MINUTE RECESS. COMMISSIONER MCCUITION SECONDED THE MOTION. ALL WERE IN
434 FAVOR.

435
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437 _____
438 Ralph Vaughan, Chairman
Date Approved: _____

Stacy Adams, Commission Secretary

Minutes of the Syracuse Planning Commission Work Session, July 19, 2016

Minutes of the Syracuse City Planning Commission Work Session held on July 19, 2016 at 6:00 p.m., in the Conference Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present:

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

[7:20:30 PM](#)

1. **Department Business:**

[7:20:35 PM](#)

a. City Council Liaison Report

Councilman Vaughan thanked Councilman Gailey for attending their meetings. Councilman Gailey stated it helps him be a little more informed at the City Council level to hear the debate here and there is good debate here and appreciates it. In looking back at the business of the City Council in the last 10 days have met new Planning Commissioner Gary Bingham and are grateful and welcomed him on behalf of the City Council and thanked him for accepting that appointment. A couple items that were forwarded to the City Council an ordinance related to on-site parking in residential areas and the City Council's actions there were to soften a little bit the side lot parking and as recall that was tabled and are still looking at it. They had a public hearing on the public right of way parking and that one moved forward. The San Melia subdivision parcel split was approved with the Commission's recommendation and with a caveat on that one that the CCR's of the Ivory Development that it be clear in that recording that whatever the restrictive covenants were in the building would be maintained and pointed out to future buyers of that situation. Yard encroachments that was a fun discussion, there is still some feeling and concern when an ordinance is and ordinance and when it isn't and if they call something out what they ought to do in relation to and one of the concerns that was expressed in that meeting was increasing the width of an overhang on a building but it was approved. The Council has been discussing wage scale with the City and have been through 3 or 4 hours of meetings on staff wage scale and trying to come up with a policy and are in the process of doing that and are reviewing 3 different plans and that has really been preoccupying the City Council's time for a long time. The development that is being proposed by Woodside Homes the Commission will continue to work that this evening, the City Council pretty much as a group find this a favorable thing for the City and know that there are some concerns among members of the Planning Commission about what the end product ought to be and whether or not as a matter policy the concept of this particular development coming in and the Council writing a zone for this particular development guess his feelings with this and opinions and the issues has for years grew up in Syracuse as a kid and doesn't know that area by any other name but the white elephant, it was considered and has been considered a white elephant for years and years and years because of an experience that TJ Jensen's father met with that all of the land below the Bluff over years has been the recipient of tail waters and those tail waters coming down have increased the alkalinity of that soil and soil that was back in the settlement days of Syracuse which was really rich is now very alkaline because of all the tail waters that have come there and leached through that soil. So in his years as growing up as a kid that area below the Bluff particularly to the south was known as the white elephant. Has been down and looked at the development at Foxboro and would like to see and it is generally the feeling of the City Council that they want a better product than what they are seeing down there. They've had someone come and ask them if on their menu they have mincemeat pie and we didn't and so the reason why are asking the Commission to look at this new zone is a means and a way to structure a development like this one coming in, in a way that is a better development than what are seeing down there and at the end of the day can be happy with what is there. Think most of the people, the old time residents in Syracuse would consider this to be a boon to the City in the fact that they all know of it as the white elephant and see nothing greater down there than salt grass and with aa situation with the sewer not being able to be serviceable to a good portion of that property and see that as a benefit. Now doesn't think they are at a point as a City Council where they know enough to even be disagreeable with each other they just think that need to look at this and it is still in negotiation there is a lot of information that can't provide because doesn't know it. Want to thank the Commission's consideration and that and are looking forward to the Commission's report on what bring to them in the way of a new zone.

[7:28:29 PM](#)

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b. City Attorney Updates

City Attorney Roberts stated nothing tonight.

[7:28:42 PM](#)

c. Upcoming Agenda Items

Planner Davies stated staff has received an application for a subdivision called Grayson Ridge and that may be on the next agenda or the one after that is working on getting some soil issues taken care of, not that there are problems with the soil just getting the report and it is taking a little more time than anticipated that is down south of Buffalo Point Elementary School off Doral Drive. It is a fairly large subdivision about 60 lots or so but doesn't seem to be in a huge hurry right now but it could be in the next couple meetings will be seeing that one. Planner Steele stated there is also a Laurelwood Estates Final Plat coming in.

[7:29:22 PM](#)

2. Discussion Items:

a. Master Planned Community (MPC) Zone Creations Discussion

Planner Steele stated to echo what Councilman Gailey said with the new zone and hope have had a chance to read the staff report and reviewed the draft zone and understand that this is merely an idea for a tool and is something that staff has been asked to create and this is not something that staff is necessarily thought up and trying to push some new zone it is something that have been directed to do to explore the possibility of this tool and have been using staff's experience and knowledge as far as things that make good neighborhoods and have put all of the good ideas into this zone to try to make this a really, really nice product and a place where any of us would be happy to live. Have a short presentation of some of the items and just want to get the Commission's opinion of whether or not feel like what items really want staff to push as far as features and requirements kind of similar to the way they did with the PRD but that does come in exchange with some things that make us uncomfortable, some of the smaller lots and higher density but are trying to exchange that for some really, really great open spaces and really superior architecture. In the staff report brought up what the General Plan says because think it is worded really well, it says 'Syracuse City will always honor and welcome the traditional agricultural activities and heritage in the community, but the City must face the reality of the population growth. The City must strive to do it's best to preserve the historical nature and character of the community while at the same time respecting the property rights of those agricultural landowners who no longer wish to use their land for agricultural purposes.' Staff is receiving a lot of development pressure in those areas and so that is staffs charge here to try to find that balance and make a good recommendation and it is our opportunity to actually provide input for this tool that the Council has asked them to create. There is always the option of saying no and not recommending even making the tool but think that would miss the opportunity to provide input of something that looks like they are on board with creating. So Planner Davies has a presentation of some of those items that was talking about that are the things that think make good neighborhoods, street trees, front porches, nice fronts of the houses and walkable areas, amenities, street layouts, urban design, all of those things and with his presentation want to get the Commission's opinion a little bit further on where the priorities are and what feel should really push in the zone.

[7:33:11 PM](#)

Planner Davies stated is going to run through a little bit of what is in the zoning kind of the major points of what have put together in discussions and as Planner Steele had mentioned showing some examples. An Overview are going to talk about Zone Purpose, Permitted and Conditional Uses, Minimum Lot Standards, Community Master Plan, Architecture, Common Space, Landscaping and Urban Design, Traffic Circulation and Approval Process. The purpose of the zone is to kind of bring together a few things in order to get a few things. So basically the developer wants a density that is not currently allowed considerably smaller than what is currently allowed, the lot size. Also want to see some resilient property values with that, pack things together the property values can drop especially over time and don't want this to become a problematic area in the future. Basically the main points are going to be higher development standards, quality amenities, superior architecture, exceptional urban design and a community master plan. This is intended to be better than what currently allow because would basically give the developer something that wouldn't be allowed. The minimum development area would 100 acres so talking large master planned communities. The uses area all basic uses that are permitted generally in most of the other zones. There has been some discussion if would want to allow some minor commercial or what feel like would be a good thing in this zone. Just wanted to point out that these are basically the same uses that are permitted in the rest of the residential zones. Things likes churches and public buildings and pets and parks and so on. Conditional uses same type of thing, accessory dwellings and that might be something to think about with the smaller lots and may not be possible to get an accessory dwelling in there and may not want to allow those with the smaller lots but everything else is pretty much the same. Minimum lot standards that have been proposed is the basic density is 4 units per acre. Depending on the number of units and have seen a couple different proposals with what Woodside has set forth but some have been over 4 and some have been close to 4 so that would be the proposed density in the zone text provided. Minimum lots sizes being 10,000, 8,000, 5,600 and 3,500 square feet but no more than 50% of the total lots can be 3,500 square feet size and also have to be located closer to higher traffic roads and feel like that is good planning in general just to focus the density into where the traffic is. On the 3,500 square foot lots they would not have a standard lot frontage they would be fronting onto these common driveways that then access a public street. An example from Foxboro North from Woodside Homes down in North Salt Lake and what has been proposed by Woodside and to keep referencing that project but not into too much detail because not necessarily talking about their developments particularly but are talking about the zone in this discussion but on the example showing 3 units deep is roughly what is proposing. Looking at it from the sky looks like a lot of rooftop so what are trying to do is basically trying to mitigate the potential negative impacts that might come with higher density.

129 [7:37:42 PM](#)

130 Commissioner Vaughan asked if the examples shown are one-story. Planner Davies stated they are 2-story homes.
131 Commissioner Vaughan stated because in this particular case isn't the applicant indicating they are wanting to go as
132 high as 35 feet which would be 3 story plus a basement. Planner Steele stated just don't know exactly how many stories
133 or what the front facades will look like yet, that is where can discuss here tonight what the max number of stories want to
134 see, could potential go up 3 stories with the 35 foot height. Also in talking about this project if want to setup a field trip let
135 staff know and can set up something similar to the tour that City Council took. Commissioner Vaughan stated he is not
136 interested for a field trip right now perhaps the other Commissioners if they like to. These houses shown do they know the
137 distances between the houses and what is the distance between the existing houses in the development that are east of
138 the ski water lakes off Gentile. Planner Steele stated those are 16 feet and the proposed houses are 10 feet apart looks
139 like. Commissioner Vaughan stated they are proposing to have them no more than 10 feet. Planner Steele stated
140 minimum interior side yard is 5 feet. Commissioner Vaughan stated and up to a height of 35 feet, so they would be twice
141 as close as what is off gentile and potentially another 12 feet higher. Planner Davies stated possibly yes. Planner Davies
142 stated he also wanted to point out that these lots that are shown on the example believes they are 2400 sq. ft. lots so the
143 developer is proposing 3500 sq. ft. lots so 1100 sq. ft. larger than these which would translate into from discussions with
144 the developer into a deeper backyard as they don't anticipate spacing the houses further apart in their plan anyway.
145 Basically those lots are going to be considerably smaller than anything that would allow here. Commissioner Vaughan
146 asked what the front yard setback is on the example because think is being proposed at 5 foot. Planner Davies stated
147 does not know but it is not a public street on the example so it is just a driveway. Commissioner Thorson stated he would
148 say it is 5 foot to the garage and 10 feet to the living space. Planner Davies stated that is what staff proposed and will get
149 into that next.

150 [7:41:27 PM](#)

151 Planner Davies stated staff would like to see because currently the development that are seeing that Woodside is
152 doing they have a setback requirement which when it was setup as part of their development agreement they have 15 foot
153 to the living space and 20 foot to the garage with the intention that there would be a jog there and the garage would be
154 setback slightly but what they have ended up doing is just setting the whole thing back 20 feet and then just have a wall
155 for the front of the house. So what is been proposed in the code is would have a 5 foot separation and the base of the
156 garage setback is measured from the front of the house as opposed to from the property line so have the front of the
157 house 15 feet back and then the garage has to be at least 5 feet behind the front of the house. Garages generally from an
158 urban design standpoint unless they are all extremely decorative which is another option they tend to create kind of a
159 street wall type of feel especially with smaller homes than with larger homes where the impact isn't as great but if have a
160 home that is only 1400-1800 sq. ft. and have a garage that takes up 80-90% of the front then looking down the street and
161 just looks like a bunch of garages and doesn't look like a residential neighborhood. Planner Steele stated the garages as
162 far as an urban design principle it has an aesthetic impact which effects property values but also has a safety impact
163 because if can imagine walking down a street where both sides are primarily garages that means that there are fewer
164 windows of people looking out there so there is reduced visibility and just not a safe of a place as it could be if those
165 garages were replaced by windows into the living space as a surveillance kind of thing that increases safety.
166 Commissioner Vaughan stated basically a cell block. Planner Davies stated that is one of the things in the code that would
167 help with the aesthetics and could increase that setback if feel like the 5 feet is not enough but feel like 5 feet would be a
168 minimum that aesthetically is going to make a difference.

169 [7:44:07 PM](#)

170 Planner Davies stated community master planning there are 4 major parts to this, the architecture, open space and
171 amenities, landscaping and circulation, transportation. Architecture, have the brick, rock and stone requirement which
172 would still apply would have to have either 50% brick, rock or stone on the front of the house and then have to do stucco
173 or some sort of concrete fiber board. What staff is proposing as opposed to allowing that and then allowing for the
174 possibility because that does allow for vinyl siding or similar would require that all of the exterior of course the brick, rock
175 and stone would apply for the facade but then the rest of the exterior has to be either stucco, masonry stone or concrete
176 fiber board and that increase property values as those are more expensive materials and also appraise higher, so no vinyl
177 siding would be permitted in this zone the way staff proposed it. Unit variation would also be required for example couldn't
178 have 2 units that were the same floor plan next to each other and also couldn't have 2 units of the same floor plan across
179 from the street from each. Examples pictures showing a bad setup where basically have the same thing repeated over
180 and over and over, the curb and the street is the only thing that is the saving grace for that and doesn't look as bad and
181 another example showing similar colors but the architectural plan is different which creates visual differentiation between
182 the houses and creates visual interest which a great part of urban design. Commissioner Vaughan stated the houses they
183 are seeing as examples have great setbacks and don't think there are much concern for houses that would be on a larger
184 lot because they understand what the normal setbacks are but think the greatest issue that they have before them on this
185 entire project is what is going to happen with those 3500 sq. ft. lots where only have 8-10 feet between the buildings and
186 only have 5 feet in the front are talking about right up on the edge basically are zero setbacks. Planner Steele stated they
187 can go through that setback table. Commissioner Vaughan stated any unit variation when 5 feet from the road is
188 dramatically different and is going to be dramatically harder and hate to say it but think it is going to be a dramatic
189 challenge for it to have interesting architecture when everything is just going to be jammed up against that front property
190 line because want to maximize the backyard space. Planner Davies stated there is some great examples and didn't
191 include any of those in larger cities on the east coast there are a lot of homes that have zero setback and that are actually
192 attached along an entire street like brownstones along the New York City area but those have architectural design.

193 Commissioner Vaughan Stated they are not in Syracuse asking for their own specific zone, that is in a zone they have
194 been using for years and years and are used to that, here they are giving away the farm potentially. Planner Davies stated
195 guess what he is getting at is that even though those are close together there is significant architectural variation next to
196 that so it works and o think there is a way and work out a solution to make this say aesthetically pleasing and maintain the
197 property values so don't just have that row house look. Planner Steele stated as a minor clarification the minimum front
198 yard setback on the smallest lots of 3500 sq. ft. is 10 feet not 5 feet and not that that is deep but just wanted to make sure
199 are talking about the same thing and then 5600 sq. ft. would be 15 feet, 8000 sq. ft. would 20 feet and 10000 sq. ft. would
200 be 20 feet setback as well.

201 [7:48:09 PM](#)

202 Commissioner Rackham asked on the setback they were talking about 10 feet from the front, that does not include
203 sidewalk are they excluding sidewalks in this developments. Planner Steele stated no they are requiring sidewalk but think
204 are starting to and all have a lot of comments so let's just get through the presentation and that might answer some of the
205 questions that are coming up and then will open it up for discussion.

206 [7:48:44 PM](#)

207 Planner Davies stated outdoor living would be required like a stoop, balconies would be another thing and one thing
208 that has been expressed is on a smaller homes it would be a challenge to do balconies but could be beneficial, patios as
209 well and roof top gardens provided that if there was roof top livable space or somewhat roof top doesn't have to be
210 necessarily the top of the house to do that type of thing that would also be permitted. Another thing to kind of reduce the
211 impact of the garage issue is to require some of the houses or all of the houses to either have side fed garage or to do
212 alley garages. The side fed homes from the front can't see the garage but from the side can see the garage so similar to
213 the garage setback so just another tool to use to mitigate eh visual impact of garages. Alley fed homes the front of these
214 homes face the street and the alley is in the back with the garages and the backyards and side yards. Not saying have to
215 use one or the other but those are options that area available for the code to mitigate the impact of the garage.

216 [7:50:24 PM](#)

217 Planner Davies stated common pace and amenities what has been proposed is 10% common space so this wouldn't
218 be including any open space at all it would just be common space this is not necessarily going to be a shared open space
219 type development because there will be individually owned yards so the common space is more geared towards providing
220 amenities, quality amenities and places where people can gather in the neighborhood so an amenitized suburb basically.
221 Remnants and small pieces couldn't be used would have to have large sections and can't use yard areas for common
222 space so if it is part of a parcel that is owned by an individual that wouldn't be included. Could use churches, civic
223 buildings and school areas as common space. Amenities would be required as part of those common spaces and if they
224 didn't want to put an amenity in there they would have to show basically the use of the common space that is going to be
225 used productively as opposed to there is grass as common space. Maximum distance form amenities that no home can
226 further than 1/8th mile from any amenity and that is just drawing a concentric circle around it. Landscaping and urban
227 design, street trees are an important part of maintaining property values and something that have been pushing for as a
228 City so once trees reach their maturity they create an extremely attractive neighborhood and can help maintain and
229 increase property values so proposed every 50 feet that seems to be a good distance for the way the canopies grow for
230 most mature trees. All the major street accesses would have to have entry monuments 'welcome to the development this
231 is a master planned community' keeping those attractive and those would have to be approved as part of the site plan
232 process. The maximum fence height throughout the development would be 3 feet to maintain an open feel, especially in
233 the more dense areas where have a lot of building area and building massing. Passive solar planting would also be
234 important so planting deciduous trees so basically have shade during the summer and sun during the winter helps with
235 energy and also helps with maintaining a more attractive look as well. The other thing that would be proposed to change
236 would be the approval process so what this essentially does is it makes it so the City Council doesn't give away any
237 vesting rights to early. A General Plan change doesn't vest anything, General Plan just makes it so that the rezone can
238 occur. So the developer would bring in the General Plan and the concept plan at the same time and would review the
239 concept plan as staff, look at the General Plan change, bring that through the process, if that gets approved then would
240 have the table laid to be able to apply for a rezone and preliminary plan. So the preliminary plan would have the details of
241 what the development is going to look like and would have all the layout and everything and then at that point if like what
242 have brought forward then would approve the rezone if don't like what was brought forward then send it back. So that way
243 don't have a zone that exists that can come in and just apply for something because the way the state code works is that
244 someone comes in and applies for land use application and meets the code and is denied then can have that over turned,
245 as long as they meet the code and it a permitted use then have to approve it. So if don't rezone it then don't have to give
246 them approval so if hold off on the rezone until the time that come in with a preliminary plan then don't vest them to
247 anything and don't provide a framework where can just come in and fly through an approval without liking the
248 development.

249 [7:54:33 PM](#)

250 City Attorney Roberts stated one benefit to the developer that comes out of this is this can advance their construction
251 pretty substantially so rather than going through essentially 4 processes where come through again and again and again
252 they could do it all in 2 run through and what are hoping is that when they go through that initial General Plan concept
253 plan run they can get input from the Commission and the Council of what is important and what want it to look like so that
254 they have some level of comfort investing in the preliminary plan because that can be very expensive engineering all of
255 that without the acknowledge that they are invested. One thing that get is the ability of that legislative decision of not

256 rezoning it if don't like what are bringing forward with their preliminary plan but they get the benefit of once they get
257 preliminary they can start with their phasing and can go it is basically shovel ready development.

258 [7:55:31 PM](#)

259 Planner Davies stated that kind of wraps it up in an nutshell, it would be just a little different current way of doing
260 things where have General Plan, rezone, concept, preliminary and then final. So again if did it the standard way and then
261 rezoned would be saying could do whatever is permitted in this zone and could come in with pretty much whatever they
262 wanted and get that approved so because this is a different type of development than have permitted already in the City
263 would like to maintain a little bit more control over what is allowed and what isn't. Once they receive a preliminary
264 approval then would have to come in with their final applications for each phase and include a site plan for the amenities
265 that are associated with that phase so that is where would work out the specifics of what the clubhouse is going to look
266 like for example and where will the trees be and what type of landscaping they will have and so on.

267 [7:56:44 PM](#)

268 Commissioner Rackham asked since this would be out of phase with the general Plan review has the City Council put
269 it on their agenda to open it up. City Attorney Roberts stated not sure if it is on the agenda but it is on the timeline that
270 worked out with the developers with that specific project that they would come to the Council and ask them to open the
271 General Plan in order for this to happen so it is part of the plan would be for them to open it. Commissioner Vaughan
272 stated as a concern there is the timeline that was presented that they have seen was on the developers letterhead not the
273 City's timeline but there timeline and are they adopting that, kind of bothers him that it is on their letterhead rather than
274 from the City it gives the appearance as though are on their timeline. City Attorney Roberts stated it was really Director
275 Mellor's timeline and sat down with the developer and looked at the timeline and it was on their letterhead but it was really
276 Director Mellor who worked that timeline out, so think it is a reasonable timeline. Commissioner Vaughan asked about
277 trees, had a gorgeous slide of a beautiful tree lined street, the national average is nay house that has a tree in front of it
278 gets \$8,000 more than the house next door that doesn't and every house on the street that has a tree gets an average
279 increase in value of \$22,000 so that is why are seeing a picture of a tree lined street to show maximum valuation, how are
280 they going to have a tree lined street in a 3500 sq. ft. lot area where the setback is basically 5 feet from the street to the
281 garage door, can't have a tree lined street in 5 feet. Planner Steele stated is right, the little garage areas are not going to
282 be tree lined street but they do have frontage on dedicated streets and in the ordinance states the front of the home
283 should face the street when possible. So for example if have some homes that are clustered together and fed by a
284 driveway and then there is a dedicated street adjacent to it so would actually shift the floor plan so that the front of the
285 home would face the dedicated so would have a similar street edge that looks and feels like a single family standard
286 development and that is where the street trees would go. Commissioner Vaughan asked if any of the 3500 sq. ft. lots
287 going to be on a side or alley fed. Planner Davies stated essentially where they would have street trees would be along
288 the street frontage so there would necessarily be trees but could require trees in there though that is the nice thing about
289 discussing this if that is a concern of the Commission then that is something that would want to require and can require
290 trees that don't have as large of a canopy so they can fit in a smaller areas there are a lot of options. Staff would like to
291 see more landscaping than less and more trees than less for sure. Commissioner Vaughan asked when says the
292 Commission has the options are they asking the Planning Commission to dictate this or City staff or using the existing
293 ordinances that they have because it looks as though are asking them to put aside all of the ordinances, forget them and
294 just go by what is being proposed in this new zone. Planner Steele stated right now they have no requirement for street
295 trees so this would be something that would be above and beyond the standard single-family development. Commissioner
296 Vaughan stated that would be nice on the larger lots but what are they going to do in the 50% of the project that is going
297 to be these high density structures, it wasn't that long ago they had the Stillwater project before them and they flatly
298 rejected those high density this type shared driveway on those 2 or 3 times and got the density that they are seeing
299 actually physically there on site is about 30-40% of what was originally proposed to the commission and now that those
300 are built the way they are kind of reminds him of the old hippie song from the 60's 'they are all made out of ticky tacky and
301 they all look just the same, there is a pink one and a blue one and a red one and a yellow one' and there is not
302 architectural variations so basically this project, this zone is saying are going to have better elevations, better color, better
303 siding than the product they see out there right now when it is the same developer, is concerned that it is going to be very
304 hard to deliver that on a lot that is basically one half the size of what they see out there right now and 50% taller. Planner
305 Steele stated those are good concerns and so have the option of coming up with ideas that will directly address those
306 concerns and now is the time to talk about that.

307 [8:02:20 PM](#)

308 Commissioner Rackham isn't the maximum height now 30 feet. Planner Steele stated it says as dictated by building
309 code and think currently it is 35 feet for residential is the maximum height per building code currently.

310 [8:03:04 PM](#)

311 Commissioner Vaughan asked if they wanted to go through the new code section by section or line by line.
312 Commissioner Thorson stated there was an image of the example and there is a clause in there that says 'shall face the
313 street when possible' and on the example there were 4 of them in a row and each end lot could face the street but it was
314 facing the drive and just concerned that the language is either not applicable or would be too hard to enforce really
315 because it would be weird to have a lot on the very end that faced the road and have a driveway that passes their side
316 yard and so wondering if the logistics of really making that possible would really work in the example used. Planner Steele
317 stated think could look at tightening up the language, on the tour they did they drove around and looked at some of their
318 amenities and saw some of the larger lots and then saw the smallest lots of 2200 sq. ft. and went in 3 homes and on the
319 last home they went to the floor plan was rotated so it would face the street so know they have done that and maybe the

320 example shown they didn't do it on all of them but they did see one that was rotated so it didn't face the driveway.
321 Commissioner Thorson stated so the footprint was the same but the floor plan was switched so it faced the other way.
322 Planner Steele stated yes, so it kind of created like a boulevard feel on the sides of where go through all of those driveway
323 homes. Planner Davies stated there are a lot of entryways and that is the intent of the code is basically to have the front
324 door face the main street because the garage is going to have to face the driveway. Commissioner Thorson stated sees
325 that now but would want to make sure that the side yard architecture would match what would be the front of the house
326 rather than what would be the side of the house so if were driving down the street the feeling would be larger homes in
327 that case would see a larger side of the home. Planner Steele stated he agrees. Planner Davies stated one benefit they
328 do have already in the code for that situation is would require the front to have brick, rock and stone but on the corner lots
329 would require that on both frontages so that would help. Commissioner Thorson stated he has another concern and they
330 talked about tying General Plan with the concept and the rezone with the preliminary and worried that gets away from the
331 idea of a zone earning its status based on merit. If the City wants zones to exist in a certain place have that zone in that
332 place and it sets up the potential for a quid pro quo think of some corruption and is concerned about that. Wanted to know
333 from the City Attorney If a developer came in and said is going to donate this or put this in and really end up buying a
334 zone change from the City with amenities, maybe the City wants that, is that considered a corruption or. City Attorney
335 Roberts stated no, they require dedications of a lot of things and Master Planned Communities and those types of zones
336 are just different from the sort of more traditional zoning land use situations so Master Planned zones are very front
337 loaded and they do a ton of work up front before they even get to the point of even getting that zoning approval. The idea
338 is if they are going to do a Master Plan, Landscape Plan and Architecture Theme, Circulation Plan all the things that are
339 required for the Master Planned Community then that is basically the same level of detail are going to get from a
340 preliminary plan so the idea there is if are already doing the work let's give them the credit for already doing the work and
341 approve those at the same time. At the same time if they bring forward a community that just do not like and make some
342 suggestions but won't change it then they wouldn't get the zoning approval, it is a little different because if just gave
343 zoning approval in the Master Planned Community then would sort of leave the door open for a wide variety of projects
344 and what are looking for in a Master Planned Zone is want a Master Plan the City wants a community that the City wants.
345 Commissioner Thorson asked if a developer came in and get a concept plan approved and get the General Plan changed
346 and then bring in a Preliminary Plan that don't like but it complies with the code and the only thing between them and
347 approval is don't like the plan doesn't see why a rejection based on not liking the plan is any different than a later approval
348 through the normal process so is worried that would still end up with a liability and know the move in that direction might
349 be to try to give stuff or trying to buy an approval and is concerned about that. City Attorney Roberts stated understands
350 and the difference there is normally in the process they already have gotten the zone so then are only applying the code
351 but with the Master Planned Communities they wouldn't have the zoning so wouldn't even have that entitlement that
352 generally would have when get the approved zone. Commissioner Thorson stated they have a code an ordinance that
353 says gets the zone if meet this code and get the Commissions liking and the liking part is the gray area that is worried
354 about. City Attorney Roberts stated that is where the legislative, it would not be an administrative decision it would be a
355 legislative decision which the courts look at very deferentially so if bring forward a community that the City does not like do
356 not have to give them the zoning and if it is already zoned R-1 or something then they could come back and develop an
357 R-1 development but would withhold the zoning approval pursuant to the City's legislative power. The main reason that is
358 there is to give the developer a little bit of a benefit for all of the work they put into it so can at least accelerate to the point
359 where once know what are building and have given the approval then can just go. Commissioner Thorson stated he is
360 okay with this discussion just wanted to express his concern with that, don't see how it would reduce the City's liability and
361 don't see how it, understands it gives the developer some benefits and a more fast track pathways but that is a concern.

362 [8:10:20 PM](#)

363 Commissioner Vaughan asked if they should go by sections. Planner Steele stated to add Planner Davies'
364 presentation had a general procedure of how the process happens now and how it would shake out as proposed. Now the
365 way it is set up now is would come to City Council and request the General Plan to be opened then would come to both
366 Planning Commission and City Council with a General Plan change request then would come to Planning Commission
367 and City Council with a Zoning change request then they would work with staff to submit a Concept Plan application and
368 then would submit a Preliminary Plan application and that goes in front of Planning Commission and City Council and then
369 after that would go to both the Planning Commission and City Council with a Final Plan that is the process are used to so
370 the alternative is the applicant would still go to City Council and request the General Plan to be opened and then would
371 submit a General Plan application and Concept Plan application at the same time and then would go before planning
372 Commission and City Council and then would submit a Zoning and Preliminary Plan application and go before Planning
373 Commission and City Council and then finally would do the same process of submitting a Final Plan application and go
374 before Planning Commission and City Council. So just to lay that out there as far as what the standard processes are.

375 [8:12:26 PM](#)

376 Planner Steele stated have provided the draft ordinance that would be in place to regulate the administrative
377 decisions of approval and the purpose of this zone is to maximize the development quality of large tracks of undeveloped
378 land that will afford opportunities for more cohesive design and well thought out development pattern that may occur with
379 smaller acreage development projects. Commissioner Vaughan asked if that doesn't apply to every development they see
380 except the word large. Planner Steele stated not necessarily because a lot of the subdivisions staff sees are not 100
381 acres but are right in that want to see good design on all residential development. Commissioner Vaughan stated aren't
382 mocking anything and if say purpose is fine, so think purpose is fine, can understand that. Commissioner Vaughan stated
383 permitted uses is there anything that is new and different to what have now in say an R-3 zone, the tightest density.

384 Planner Steele stated not in permitted uses it is generally the same as in R-3. Commissioner Rackham stated when
385 looking at accessory uses of buildings of 200 sq. ft. or less when look at the 3500 sq. ft. lot they only have 10 foot
386 backyards so to put a 200 sq. ft. shed in the backyard would take half the backyard up. Planner Steele stated in
387 parentheses it says 'minimum lot size of 8000 sq. ft.' so would be taking away the ability to do a shed if had a lot smaller
388 than 8000 sq. ft. Commissioner Vaughan stated they wouldn't be able to do it under existing code as far as what the
389 setbacks are currently anyway. Planner Steele stated could also add that to the code. Commissioner Rackham stated
390 they could have a long narrow shed. Commissioner Vaughan stated that particular thing probably applies to the larger lots
391 but think the key here is looking at everything here is looking at the small lot because if looking at 50% of 100 acres as
392 small lots then that should be the focus of what they are looking at here and what are possibly giving away because don't
393 think will have any problems with the larger lots if there is an 8,000 or 10,000 foot lot in there it is not much of a concern.
394 Commissioner Rackham stated the concern came with the smaller 3500 sq. ft. lots so is inclined that if they leave it at
395 3500 that they exclude sheds from those. Planner Steele stated they could easily add that. Commissioner Vaughan stated
396 they get to cut to the chase on lot sizes on the next section. City Attorney Roberts asked if there was any appetite for
397 other uses that might be if looking at a Master Planned Community neighborhood commercial type uses like bakeries or
398 convenience stores or corner cafes things like that if there is any interest now would be the time to talk about it if not it is
399 not on the list currently but it would be good to get the Commission's input on that.

400 [8:16:17 PM](#)

401 Commissioner Vaughan stated in Conditional Uses, there wouldn't be any daycare centers, no child care, no
402 commercial, no temporary commercial, no accessory dwellings so think they are good on conditional uses.

403 [8:16:45 PM](#)

404 Commissioner Vaughan stated next section minimum lot standards. Planner Steele stated are looking at 4 units gross
405 and that is counting the park space that are giving and then the 50% is a number that could change depending on what
406 the Commission's appetite was, 50% max of total units can be 3500 sq. ft. In general the smallest lots should be located
407 closest to an arterial or collector road in order to more efficiently distribute traffic impacts. All lots shall have frontage along
408 a publicly dedicated street with the exception of interior lots in the 3500 sq. ft. lots which may have frontage upon a shared
409 driveway to be maintained by an HOA, frontage requirements on shared driveways shall be the same as if fronting on a
410 public street, so would still have to have the same width of the lot. Commissioner Vaughan stated except for curbing and
411 gutter and a verge strip. Planner Steele stated they wouldn't have the same cross section of a street it would just be a
412 driveway but would still front on it the same way. Commissioner Rackham stated think allowing 50% for the smaller lots is
413 a little excessive and would like to see it be no more than 25-30% somewhere in there, a quarter of the development
414 basically. Commissioner Vaughan stated talking about the camel that is in the room by having 50% of the entire project
415 being the smallest possible lot they are able to in someway not have to develop maybe 1/3 of the entire property because
416 they can recoup all of that money they would lose in undeveloped land in the density that they would achieve in there.
417 There is no free lunch so if the Commission wanted to cut back on the total number of units in the entire project or the
418 entire ordinance there is 2 ways to do it. Either limit the total percentage in 41) B or in lot standards increase the minimum
419 size lot and either do away with that SFD 3500 sq. ft. or raise it up to 4000-4500 sq. ft. Commissioner Rackham stated
420 they haven't gotten to that point yet, his thought is they have 4 distinct zones in there and doesn't think anyone should be
421 predominant think they should all be not to exceed 25%, does have some comments on lot size but want to get to that in a
422 minute but wanted to discuss the amount for each proportions. Commissioner Thorson stated if they did 50% of the units
423 are allowed to be tiny that would take up 10 acres of 100 acres so by area it is pretty small area but if they did the next
424 smallest the other 50% would take up a total of 36 acres out of 100 so would have another 64 acres of whatever wanted
425 to do with it but kind of like having some distribution requirements, the example shown had 24 out of 6600 for the large
426 size and know they want to weight it to smaller side there are advantages by the linear feet of height have to development
427 less acreage of units to get units in there but think if are going for a Master Planned Community and is touted as want to
428 accommodate all lifestyles and want people living and think have to have a distribution and it is more than 50% of the
429 smallest and 49% of the next smallest and 1% of the next smallest, think 25% is too low because would force each one to
430 have 25% if do it by unit, but would agree that the 50% is a little high and would like to see some real distribution and see
431 it be maybe it is no more than 35-40% of any one. Planner Steele stated they are talking units but there is also land area
432 that could say to split it up by land area but don't know how that would shakes out by total units and as has been said
433 there is a lot of ways of controlling the density something to consider the more and think always assume that developers
434 will and is usually accurate but will always build if given unreined density that would build high rise apartments everywhere
435 but don't know if that is necessarily the case but the intent here with the 50% is that think they would all agree that should
436 limit them and just getting that percentage right is a good discussion.

437 [8:23:16 PM](#)

438 Commissioner Rackham stated the number he wrote down was 30% that was his original amount instead of the 50%.
439 Commissioner Thorson stated he likes it, might even apply to the next section as well. Planner Steele stated know they
440 are not talking specifically Woodside but have seen their proposed numbers and they are proposing 49% of the smaller
441 lots just for reference.

442 [8:24:13 PM](#)

443 Commissioner Rackham stated ready for the elephant, so when looked at the lot standards the 10,000, 8,000, 5,600
444 and 3,500 his first thought was the first one takes a 20% jump and then goes quite a bit more so his inclination was to
445 start at 10,000 reduce it 20% which would give 8,000, reduce the 8,000 20% which would give 6,400 and then reduce the
446 6,400 20% which would give roughly 5,100 so thinking 5,100 should be the smallest lot size.

447 [8:25:33 PM](#)

448 Planner Steele asked if that is what the Commission would like, assuming silence is no one opposes to it or silence is
449 not disagreements. Commissioner Thorson stated in his mind thinks they are all going to look for bigger lots and think that
450 in general want to see R-1, R-2 & R-3 like the rest of the City so the instinct is to go bigger lots for sure so agree with
451 Commissioner Rackham and know this is a negation with potential properties. Commissioner Vaughan stated not trying to
452 dissuade everyone but obviously this particular page is the most important page that they are going to be talking about
453 and just wondering if can get the easy things out of the way if they should say come back to minimum lot standards and
454 take care of the other things think can agree on pretty quickly, for example off-street parking and loading basically
455 following what is on the code already.

456 [8:27:13 PM](#)

457 Commissioner Rackham stated for the small lots they're not going to have much driveway and don't think are looking
458 at much street, like PRD's had them put in additional parking not associated with a home and wondering if they need to
459 consider some additional parking not associated with the home in the smaller lots. Commissioner Vaughan stated thinks
460 would have to have a provision for that somewhere else. Commissioner Rackham stated right now have very little
461 setbacks so they will get 2 cars in the driveway and that is it, is that in the ordinance. Planner Steele stated it would be 2.5
462 spaces on the smaller ones and 2 of them would be in the 2 car garage and so they would be required to do some other
463 off-street parking. This parking ordinance is similar to the PRD requirement of 2.5. Commissioner Rackham asked if it
464 provides for any off-site parking not associated with a home. Planner Steele stated yes the PRD requires some additional
465 parking. Commissioner Rackham stated wanted to make sure that with the 3500 sq. ft. lots and have very little parking, is
466 there anything and reference 10.40.040. for parking so is asking if there is anything to require additional off-street parking.
467 Planner Steele stated in the table in lot standards there is a requirement for off-street parking and then in the chapter that
468 it refers to it says if are building off-street parking they should be of a certain dimension and the stalls should be this big
469 and more of that nature and there is a table but the Master Planned Community is not part of that table so would have to
470 add it to it and that would be 2 ordinance changes so that is why added to the lot standards there.

471 [8:29:56 PM](#)

472 Commissioner Thorson stated in the parking would like to make sure there is no on-street parking allowed in the
473 private drives or is that something they do want to allow. Planner Steele stated doesn't think that is something that they
474 would want but it is a private drive so could try to guide that. Commissioner Thorson stated a shared private drive and so
475 pull in and have a party at your house and fill up the private drive with friends. Commissioner Vaughan stated could stop
476 that in its tracks by designating it a fire lane, no parking period. Commissioner Thorson stated not sure would call it a fire
477 lane but think should stop it in its tracks. Commissioner Rackham stated with it being private don't know if can, the HOA
478 would have to do that. Commissioner Thorson stated guess so and maybe it gets taken care of somewhere else but that
479 is a concern has with parking is private drives getting plugged with cars. Commissioner Vaughan stated no parking with a
480 shared driveway situation. Commissioner Rackham stated when do that are saying no parking in your private driveway,
481 that is a private driveway so the HOA would have to regulate that and don't think the City has any say in private
482 driveways. Planner Steele stated can put it in the ordinance but it is a private drive so as far as enforcement goes it would
483 be something brought up in the initial stages of development and ask the developer to include that in their HOA
484 declarations.

485 [8:31:33 PM](#)

486 Commissioner Vaughan stated Signs, assumes this follows the standard sign ordinance that have currently and for
487 normal residential zones. Planner Steele stated this is the same language that see in all the other zones.

488 [8:31:53 PM](#)

489 Commissioner Vaughan stated Development Requirements. Planner Steele stated the big points here are 100 acres
490 and won't count it as being contiguous unless it is 200 yards of one another and if for future developments if want to
491 essentially tag on can be considered part of the existing development if the development is compatible with the elements
492 in this chapter and including in the existing HOA. Commissioner Vaughan asked if that basically means there could not be
493 another project like this in the next quadrant down the next half section over so if a property sold and wanted to build this
494 project according to this wouldn't be able to because they would be within 200 yards. Planner Steele stated it would be
495 too far away from it but say the property right adjacent to it that is only 20 acres and don't meet the 100 they could become
496 part of the development if they joined the same HOA and meet the same standards. Commissioner Rackham stated
497 thinks the contiguous thing like Stillwater had the 100 foot canal and now can have a 200 foot canal. Commissioner
498 Vaughan stated it sounds as though they are trying to block. Planner Steele stated except Stillwater is 2 separate HOA's
499 so that would disqualify them. Commissioner Vaughan stated it sounded as though they would be trying to block another
500 property owner from doing this basic same concept unless they are contiguous and unless they become part of this
501 development so would be in control of it. Commissioner Thorson stated he doesn't understand it that way he understands
502 if they don't become part of the same HOA they would have to live on their own merits meeting the 100 acres, that 100
503 acres is a pretty big tract of land and thinks it is an attempt to limit the number of developments like this could have.
504 Commissioner Vaughan stated there are 5 parcels out there along that arc that could all fit into this. Commissioner
505 Thorson stated if he was really in favor of the development like this and his input into what he thinks it should be, it would
506 be 50 acres, think a Master Planned Community could go into 50 acres and could still come up with 200 lots.
507 Commissioner Vaughan asked if other Commissioners are good with the first bullet point minimum land requirements.
508 Commissioner Rackham stated he tends to agree thinks that 50 acres would be good and removing the contiguous, just
509 say have to have a minimum of 50 contiguous acres but removing the definition that says it can be 200 yards away.

510 [8:35:34 PM](#)

511 Commissioner Vaughan stated Land Use Master Plan, shall be submitted congruently with a concept plat, basically
512 just standard presentation format nothing unusual there. Planner Steele stated the only difference here is above what
513 would traditionally get in a concept plan is that since have all these little subzones want to see a color coded map showing
514 how they propose to break up the subzones, different lot sizes. Commissioner Vaughan asked if there was any great
515 concession over what staff is doing currently in the department. Planner Steele stated no it is literally like a concept plan
516 with color coded land use areas. Commissioner Rackham stated according to the engineering comment made today the
517 push is to do those slanted curbs and get away from the hard up and down is that being pushed into here. Planner Steele
518 stated not right now under traffic calming think there is a portion that talks about but not necessarily for low impact storm
519 water design, so not currently but could add it is that was a priority and sounds like Public Works might be adding some of
520 their own standards to incorporate some of that separately.

521 [8:37:47 PM](#)

522 Planner Steele stated Architectural Theme Plan, this is something that want with preliminary so the idea is start out
523 with a broad brush and then work into the details and the developer doesn't necessarily know floor plans and elevations
524 when are just trying to lay out the streets and so that is why here would require those details at preliminary plat and the
525 things want in that plan include materials, roof styles that kind of thing that provides a sense of place and then of course
526 the conceptual elevations and floor plans. Commissioner Rackham stated thinks it should say varying styles in the SFD
527 zones and that also brings up a question, using the acronym SFD, what does that stand for. Planner Steele stated Single
528 Family Development and in the lot standards in the table SFD is referred to Single Family Development or Dwelling.
529 Commissioner Rackham stated so should have varying styles in SFD zone, so don't get the same house built over and
530 over and over. Planner Steele stated below they have architectural requirements so those might meet what wants,
531 skipping to that part, says a minimum of 2 elevations shall be drawn for each dwelling type difference between elevations
532 may include roof lines, exterior materials, color schemes, use of porches, windows locations, shape or treatments and
533 similar features that vary the appearance of elevation and also says where the same dwelling unit is to be constructed
534 adjacent to or directly across the street a different elevation shall be used including a different roof line, exterior materials
535 and color schemes, so does that meet what was referring to. Commissioner Rackham stated it is basically the same.
536 Commissioner Vaughan stated could also put a number on the number of repeats, like a cloth pattern can say the pattern
537 can only repeat every 4th-5th unit if wanted to put a number on it or just go by what have there. Commissioner Rackham
538 stated he is okay with it there instead of above.

539 [8:41:14 PM](#)

540 Commissioner Vaughan stated Landscape Theme, stated it is pretty much what have now, anything that is
541 dramatically different. Planner Steele stated this is just saying that want the landscape at preliminary and then down lower
542 similar to the architecture have landscape requirements that go into a little bit more detail so this is just kind of a basic one
543 asking for a plan and on the plan want to show where the trees are and where the sidewalk anything hardscaped anything
544 landscaped, fencing to that detail it is not an engineered document at this point it is not showing grading or the thickness
545 of sidewalks it is just showing where the basic layout of the open spaces are.

546 [8:42:28 PM](#)

547 Commissioner Vaughan stated Architectural Requirements. Planner Steele stated this is where more meat comes in,
548 right now in a Single-family development have lot sizes, 35% brick, rock & stone which is pretty stringent and 2 car garage
549 and those are the only requirements so here are really tightening the controls of what want to see. So this gets into a little
550 bit more detail as far as the variety of the homes as they go down the side of the street. Applicable to the driveways,
551 where have homes facing the driveway are trying to encourage them to rotate those to face the street, 'rear or side end
552 facades that are visible to a street, park or trail shall include additional treatment such as a front facade wainscoting down
553 the visible side facade additional fiber cementing, additional windows, pop outs in window or door. Also encourage side
554 facing or alley fed garages but are requiring outdoor living spaces and part of the reasoning is want social interaction and
555 want this to be an active neighborhood and where people know there neighbors and so want those outdoor spaces where
556 people can do some front porch sittin'. Also when possible the front facade shall front a public street instead of an interior
557 driveway so that is the other language and all of this is open for any suggestions. Commissioner Rackham stated in the
558 past they have had alley fed garages come before them and have been able to turn those down because don't have it in
559 any zones and aren't allowed in the City, by allowing it now are they setting themselves up that have to open it up for
560 more. City Attorney Roberts stated no they can decide that it only belongs in this particular zone so wouldn't have a
561 developer be able to come in and say it was allowed in the Master Planned Community zone so want it allowed in an R-3
562 zone and want alley fed and have to give it to them, wouldn't be able to do that. Planner Steele stated also is some
563 direction want from the Commission, have presented the alley fed and side fed as something that is important for
564 architectural variety but if don't feel like it is that important let staff know and can prioritize what the Commission feels is
565 really important into this zone.

566 [8:46:01 PM](#)

567 Commissioner McCuiston stated wanted to suggest in trying to screen or take care of utilities, the power boxes and
568 things like that a lot of developments have worked on they actually put them behind screening or fencing so that they are
569 a little bit more hidden. Planner Steele stated would they be under landscaping or more of an air conditioner compressor
570 unit. Commissioner McCuiston stated he is talking about the big green boxes that are on the sides of the roads and things
571 like that, those transformers can be screened and enclosed in a fence with a gate, so can work on them and then close

572 the gate and don't really see them as much. Planner Steele stated that is a good idea and can add that to the landscaping
573 requirements under streetscapes or something.

574 [8:46:51 PM](#)

575 Commissioner Vaughan stated along that same line are trash cans going to be inside the garages, stored inside or
576 outside. Planner Davies stated when they toured Foxboro there were no trashcans outside so can generally assume they
577 are inside it is generally the case when have these shared driveways. Commissioner Vaughan asked if there would be a
578 common dumpster. Planner Davies stated the developers that he has had conversations with about this talked about this
579 a lot where used to work, had multi-family units, it is a lot more effective and easier to sell if have trashcan inside the
580 homes as opposed to someone has to walk out to a dumpster so if can have them put them into the garages that would
581 be ideal for the smaller lots and that can be specified as part of an HOA requirement.

582 [8:48:08 PM](#)

583 Commissioner Vaughan stated Common Space. Planner Steele stated 10% is what is proposed. Commissioner
584 Vaughan asked if 10% is enough. Commissioner Thorson stated doesn't believe so and they bumped the other zone to
585 25% and one of his concerns and an example with 100 acres and the other things that count as common space with 100
586 acres if did all, and afraid it is too easy for them to gain even the 20% if have a church or school, get one school and have
587 met the common space that is an amenity not for, for the kids and parents but not for the public enjoyment, it is valuable
588 to the public, a church isn't an amenity for everyone and yet can take up an acres worth of church pretty quick and then all
589 of the sudden the development doesn't have any amenities because 80% of the people go to the church and doesn't have
590 a clubhouse or anything else, think it is too low and think specifically churches, probably schools and other religious uses
591 shouldn't be included as ways to comply with common space, common space needs to be clubhouse, swimming pools,
592 and sports facilities or amenities that everyone could use, public park think is a great amenity but it is too easy to gain
593 acreage for the public park when put a \$20,000 playground and 20 acres and are there, 10 acres in this case if don't
594 bump it up. Commissioner Rackham asked if he had a number he would like to see. Commissioner Thorson stated would
595 take it up to the 25% just similar to what the PRD ordinance was and would eliminate some of these large acreage items
596 out of, specifically religious, churches and schools, civic and educational are okay with, library kind of thing if they
597 patriciate in other than just land donation. Commissioner Vaughan stated on 100 acre property there is not enough room
598 for school, High School takes a minimum 40, Junior High is 30 and Elementary is 15 acres. Commissioner Thorson stated
599 there are version of Charter Schools and such and think are allowing large acreage items to make up that 10% even if it
600 were 25% are still very large acreage things that are going to be preferred by them and are going to much prefer to put in
601 a soccer field than put in a clubhouse by cost now if they decide there are other things that would be in there that would
602 be valuable and help them sell it can do those and like the example they have, that Woodside presented have large
603 acreage things but also have a clubhouse so want to focus more on the hard amenities rather than just, some of these
604 things think are just too liberal on acreage and too specific, exclusive in a way, churches, schools, religious things.
605 Planner Steele stated can take that out for sure, there was a qualifier there as far as the civic kind of things, states land
606 donated for those things and has to be donated and know that the developer would give that and so the ideas is when
607 creating a community actually want to encourage those uses in there since it kind of creates more of a complete
608 community but is correct that there are a lot of churches that don't have any park space on there so that is why the
609 second qualifier of provided developed and publically accessible common space so if didn't have like some churches have
610 a little softball field next to them or a big pavilion so if didn't have that it wouldn't count even if gave it or could take the
611 whole thing out. Commissioner Thorson stated likes that they would be willing to donate those things and think they are
612 good just think it gets them away from some and that could be part of the development agreement and other things that
613 are negotiated just think it gets them out of providing other amenities and almost to the point that it would be beneficial to
614 donate 10 acres rather than develop a clubhouse. Commissioner Vaughan stated would it be fair to say that they are
615 talking about this type of land under common space area, are talking about on-site as opposed to off-site donations or
616 mitigated so that if wanted to donate 10 acres but it was not inside the bounds of this district wouldn't count towards their
617 common space or are talking about common space specifically. Commissioner Thorson stated is happy if they donate
618 land but don't think large acreage should be a common space period. Planner Steele stated think that helps clarify it but
619 seems like the sentiment is should just take it out of the dedicated part for schools and stuff, just remove it.

620 [8:54:13 PM](#)

621 Commissioner Vaughan stated they are 5 minutes to 9 o'clock does anyone have any objections to extending 30
622 minutes. Commissioner Rackham and McCuistion did not want to extend that long. Commissioner Vaughan stated they
623 need to move rapidly if are going to end at 9 o'clock in as much as if are trying to follow the time table to have all of this
624 stuff ready to go as an action at the next meeting if that is the case where want to then need to spend their time looking at
625 lot standards. Commissioner Rackham stated he can go 15 minutes.

626 [8:54:59 PM](#)

627 COMMISSIONER THORSON MADE MOTION TO EXTEND 15 MINS. COMMISSIONER RACKHAM SECONDED
628 THE MOTION. MOTION CARRIED WITH A MAJORITY VOTE 4/1. COMMISSIONER MCCUISTION VOTED NAY.

629 [8:55:14 PM](#)

630 Commissioner Vaughan asked on common space what percentage would the Commission like to see. Commissioner
631 Thorson stated 25%. Planner Davies stated wanted to point out for this proposed development that Woodside is looking at
632 doing is approximately 200 acres so if they did 25% it would be 50% of amenitized basically HOA maintained open space
633 just so know the scale they are talking about. Planner Steele stated they want to make sure it is a good development but
634 at the same time don't want to make it so they can't even and is a useless zone so there are 50 acres that is being

635 proposed to be given to us by Woodside but that is not improved so the actual improved acreage is far less so that just
636 gives them an idea where the appetite is of what is actually feasible and what will get, say go as high as possibly can but
637 would just caution that don't just make it so no one does anything. Commissioner Vaughan stated appreciate staff saying
638 that but know one of the things the Commission is thinking about is the project has to be within the bounds of the property
639 line but also know that no matter what they pass it is subject to further review by the Council and if in their wisdom they
640 decide to alter a number or percentages or anything like that they certainly have the prerogative to do that would respect
641 that. Commissioner Thorson stated his motivation is to make with the PRD they just went with and yes it is 50 acers but
642 they are developing 200 acres so the scale goes up proportionally. Planner Steele stated give them a number of what
643 their recommendation is and can put that in and can go from there. Commissioner Rackham stated he has 20% but will go
644 with 25% more is better. Commissioner Rackham asked if was going to delete that common space areas may include
645 land donated, with churches, that bullet. Planner Steele stated yes, gone. Commissioner Rackham stated and the next
646 bullet stated was donated instead of dedicated, land donated to the City. Planner Steele stated the dedicated is probably
647 the right term.

648 [8:59:49 PM](#)

649 Commissioner Vaughan stated for hypothetical under this zone a developer would want to give them 20 acres on the
650 other side of clearly off-site within the boundaries of this particular project is that what they are talking about or are they
651 talking about giving 20 acres somewhere else then that counts towards open space or common space inside the project.
652 Planner Steele stated might also want to clarify whether are just giving the City land or are giving it and improving it.
653 Commissioner Vaughan stated are they talking about on-site land inside the boundaries of the project or talking about
654 land outside that could either be adjacent, a mile away or on the other side of town. Planner Steele stated inside the
655 development is the assumption. Commissioner Thorson and Rackham stated thought it was a contagious thing.
656 Commissioner Rackham asked if the park part of the common space and according to this it would be. Commissioner
657 Thorson stated and according to this it doesn't have to be developed. Commissioner Rackham stated thinks they need to
658 make sure that is clarified. Commissioner Vaughan stated within the boundaries of the proposed project. Commissioner
659 Vaughan stated land dedicated to the City would have to be land within the boundaries of the project to count towards
660 common space credit.

661 [9:02:22 PM](#)

662 Commissioner Vaughan stated required Amenities. Planner Steele stated they gave a list of what think are amenities
663 and those have to be in every single piece of common space and have to be distributed throughout so that every house
664 has access to them within an 1/8 mile, and that is a common walking distance as far as someone is willing to walk to.
665 Commissioner Vaughan stated an 1/8 of a mile is 660 feet so basically 300 yards. Planner Steele stated and are doing
666 that as the crow flies not as a pedestrian would walk so realistically in some circumstances might be a little bit further walk
667 to get there. There would also be a detention basis that would count for open space and make sure they stick something
668 good in there.

669 [9:03:31 PM](#)

670 Commissioner Vaughan stated Property Maintenance HOA Required. Planner Steele stated discussed adding trash
671 management in that section.

672 [9:03:46 PM](#)

673 Commissioner Vaughan stated Landscape Requirements asked if were doing monuments thought they were doing
674 away with monuments on some projects. Planner Steele stated the City does not want to maintain the land but is okay if
675 the HOA maintains them. Commissioner Rackham stated is inclined to say sometimes they look nice but don't think they
676 are necessarily and is inclined to just delete them and not require monuments. City Attorney Roberts asked if they want to
677 change it to that they may place them at main entrances instead of requiring it. Commissioner Rackham stated if they
678 want to that is fine but don't think it should be required. Planner Steele stated could say encouraged. Commissioner
679 Rackham stated encouraged means if do it the City will like it so should just make them optional. Planner Steele stated
680 entry monument signs are indifferently accepted by the City. Commissioner Vaughan stated anything that they delete from
681 this is going to be picked up by someone that is reviewing it to see what was added and subtracted.

682 [9:05:24 PM](#)

683 Commissioner Vaughan stated Fencing, same as in 10.30.080. Commissioner McCuiston stated when get this dense
684 and this close together think it is important in his opinion to have detailed lot by lot grading plans submitted so can make
685 sure are not draining back into window wells and that all the drainage goes out to the public street not to the backyard of
686 the next guys lawn especially when are this tight to have a detailed grading plan done by an engineer is very important.
687 Planner Davies stated they have included that in the ordinance as well because have had some recent issues with other
688 homes to make sure have good drainage so that is a good point.

689 [9:06:08 PM](#)

690 Commissioner Vaughan stated Tree Lined Streets, but not every street is going to have trees. Planner Steele stated
691 every street will have trees but the driveways aren't streets so aren't saying they had to have trees there but could. If it
692 winter time they can escrow the amount for those improvements.

693 [9:06:57 PM](#)

694 Commissioner Vaughan stated Traffic Circulation. Planner Steele want to provide a good hierarchy, a lot of times see
695 in proposed subdivisions that come in they think it is a bad think to have a local collector through a subdivision and that
696 they add all of these little right angles and turns and things to make it as hard as possible to get to the back of the
697 subdivision and so are just saying that want to have a good hierarchy and is okay to still have some of those calmer areas

698 and on those streets that might have higher traffic want them to do some traffic calming and listed several traffic calming
699 measures. Commissioner Vaughan asked if they were all standard things that staff wants. Planner Steele stated yes they
700 are good proven measures some of them are not common in Syracuse but are all proven measures that are done
701 elsewhere. Commissioner McCuiston stated is wondering if a traffic impact analysis is warranted for a site that is 100
702 acres plus and might be a good idea. Commissioner Thorson stated he thinks it should be required, it is required for a lot
703 smaller subdivisions and don't know what it wouldn't be required for something like this. Planner Steele stated right now it
704 is kind of up to the discretion of the City Engineer but would be a good to spell it out, 100 acres is a lot of people.
705 Commissioner Rackham stated on the alleys is wondering if should limit the number of houses that can feed so don't have
706 a problem, maybe feed 4, 2 on each side, had 6 on some of them. Planner Davies asked if were talking about an alley
707 way or talking about the shared driveways for the dense lots. Commissioner Rackham stated shared driveways. Planner
708 Steele stated if they limited the length that would naturally limit the number of homes they could put on there.
709 Commissioner Vaughan stated on alleys being a maximum 16 feet in width, what is the standard width for a shopping
710 center parking lot between parking spaces. Planner Steele stated drive isles are 26 feet on a 90 degree. Commissioner
711 Vaughan stated is just trying to figure people backing out of their garages will they have enough room to back out and
712 would they have as much room as have in a shopping center parking lot. Planner Steele asked if are talking alleys or
713 driveways. Commissioner Vaughan stated either, wherever people are backing out if are going to be backing in a common
714 driveway would like for them to at least have the same amount of room they have at Walmart or any other Shopping
715 center. Planner Steele stated could put a minimum. Commissioner Vaughan stated if the standard is 20 foot inside a
716 parking lot that should be 20 foot for the alley unless they really want to get friendly with each other. Planner Steele stated
717 the Fire Marshall might have a standard for that too. Commissioner Thorson stated doesn't think the requirement is the
718 same the situation is not the same. Commissioner Vaughan asked if could have staff research that and pencil in whatever
719 number it is for the shopping center standard. Commissioner Thorson stated it is just not the same situation a shopping
720 center is high volume people coming in and out, adjacent to blocked cars, cars blocking views and in this case they are
721 going to be backing out of a driveway where will have a clear view for 10 feet and is lower volume, think the situation is
722 different. Commissioner Vaughan asked if 16 was good. Commissioner Thorson stated if that is what is proposed doesn't
723 have a problem with it. Commissioner Vaughan stated if thinks 16 is good will accept it and can call him if anyone has an
724 accident. Commissioner Thorson stated 16 is pretty small for 2 cars to pass regardless. Commissioner Rackham stated
725 thinks they should let the Fire Marshall comment on that. Commissioner Vaughan stated agrees should go with whatever
726 the Fire Marshall suggests. Commissioner Rackham asked if that would also include the multiple driveway units or just
727 alleys because right now it just says alleys. Planner Steele stated they can add that.

728 [9:12:13 PM](#)

729 Commissioner Vaughan stated Block Size, do they agree blocks shorter than a ¼ mile.

730 [9:12:32 PM](#)

731 Commissioner Vaughan stated Trails. Commissioner McCuiston stated his comments on trails is asphalt is not as
732 long lived as concrete so whoever is maintaining them has to put extra money into repave asphalt, concrete will last a
733 little bit long do they really want asphalt. Commissioner Vaughan stated that is HOA problem. Planner Steele stated that
734 kind of depends if it is a trail on the Trails Master Plan and ask them to do it most likely they would but if it is something
735 snaking in their open space areas then it is probably going to their responsibility. Commissioner Rackham stated so if they
736 just said hard surface and let them decide. Planner Steele stated sounds good.

737 [9:13:13 PM](#)

738 Commissioner Vaughan stated Sensitive Areas, everyone accept that.

739 [9:13:26 PM](#)

740 Commissioner Vaughan stated back to Minimum Lot Standards. Commissioner Thorson stated he would recommend
741 that they take Commissioner Rackham's suggestion that start at 10,000 and reduce by 20% through the 4 areas. So that
742 would make it 10,000, 8,000, 6,400 and 5,100. Commissioner Bingham stated he agrees with that. Commissioner
743 Vaughan stated to make sure will say 20% reduction throughout. Commissioner Thorson stated he just sees this as a
744 bone of contention are not going to be happy with it in 30 seconds and so thinks that what they do. Commissioner
745 Vaughan stated 20% reduction from the 10,000, everyone agree on that. Commissioner Rackham stated the lot width do
746 they need to adjust that at all then for the change. Commissioner Vaughan stated if they give them the lot size think they
747 can adjust that and will come back to them and sure they are going to want to see what said tonight, very sure they are
748 going to want to see what said tonight. Commissioner Rackham stated was looking at the 42 if had to bump it up to at
749 least 45.

750 [9:14:47 PM](#)

751 Planner Steele stated thinks they got all the changes and have been talking some good notes and can bring
752 something back next time. Have the 10,000, 8,000, 6,400 and 5,100, are hiding the utility boxes, no parking in private
753 drives, getting rid of the church dedication, asking the HOA to have trash inside the garages, adding the 25% common
754 space, okay with 3 foot fences, require traffic impact analysis, maximum homes on driveway is per Fire Marshall, tails
755 hard surface, entry monuments not required. Commissioner Thorson asked if next meeting will be a public hearing for
756 their portion and an action. Planner Steele stated yes.

757 [9:16:02 PM](#)

758 **3. Commissioner Reports**

759 None.

760 [9:16:04 PM](#)

761
762
763

4. **Adjourn**

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

DRAFT



PLANNING COMMISSION AGENDA

August 2, 2016

Agenda Item # 4

Major Conditional Use Permit

M&H Tools

2392 W 1125 S

Factual Summation:

Zone:	R-2 Residential
Applicant:	Mark Millard

Background:

This application is for a home occupation permit for the mobile sale of tools. The applicant has been in business for twelve years and has recently moved from 1119 S 2200 W where the applicant has a current City business license and was previously approved for a Major Conditional Use from the Planning Commission back on August 6, 2013. City Ordinance requires vehicles associated with the home occupations that are between 10,000 pounds and 20,000 pounds to obtain a Major Conditional Use permit. The applicants Work Vehicle is 19,000 pounds and photographs have been submitted in the packet. The Commercial Vehicle will be parked on the side of the residence on concrete behind a 6 foot fence. The applicant is in compliance with the off street parking requirements.

Attachments:

- Aerial
- Photo of Commercial Vehicle
- Site Plan

Suggested Motions:

Grant

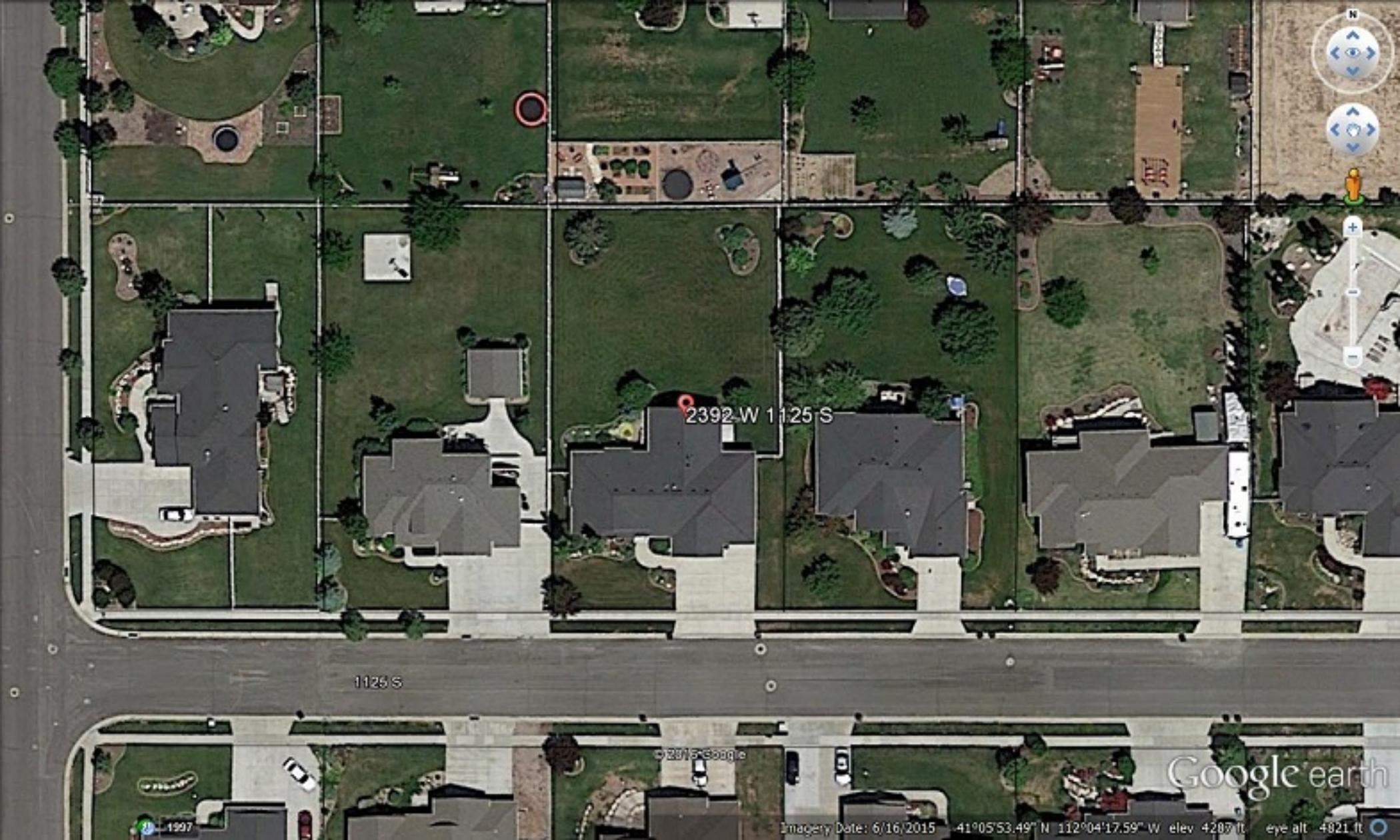
I move to approve the Major Conditional Use Permit for M&H Tools, home occupation, Mark Millard, located at 2392 W 1125 S, R-2 Zone subject to all applicable requirements of the City's municipal codes (and to the condition(s) that...)

Deny

I move to deny the Major Conditional Use Permit for M&H Tools, home occupation, Mark Millard, located at 2392 W 1125 S, R-2 Zone, based on...

Table

I move to table discussions pertaining to the Major Conditional Use Permit for M&H Tools, home occupation, Mark Millard, located at 2392 W 1125 S, R-2 Zone, until....



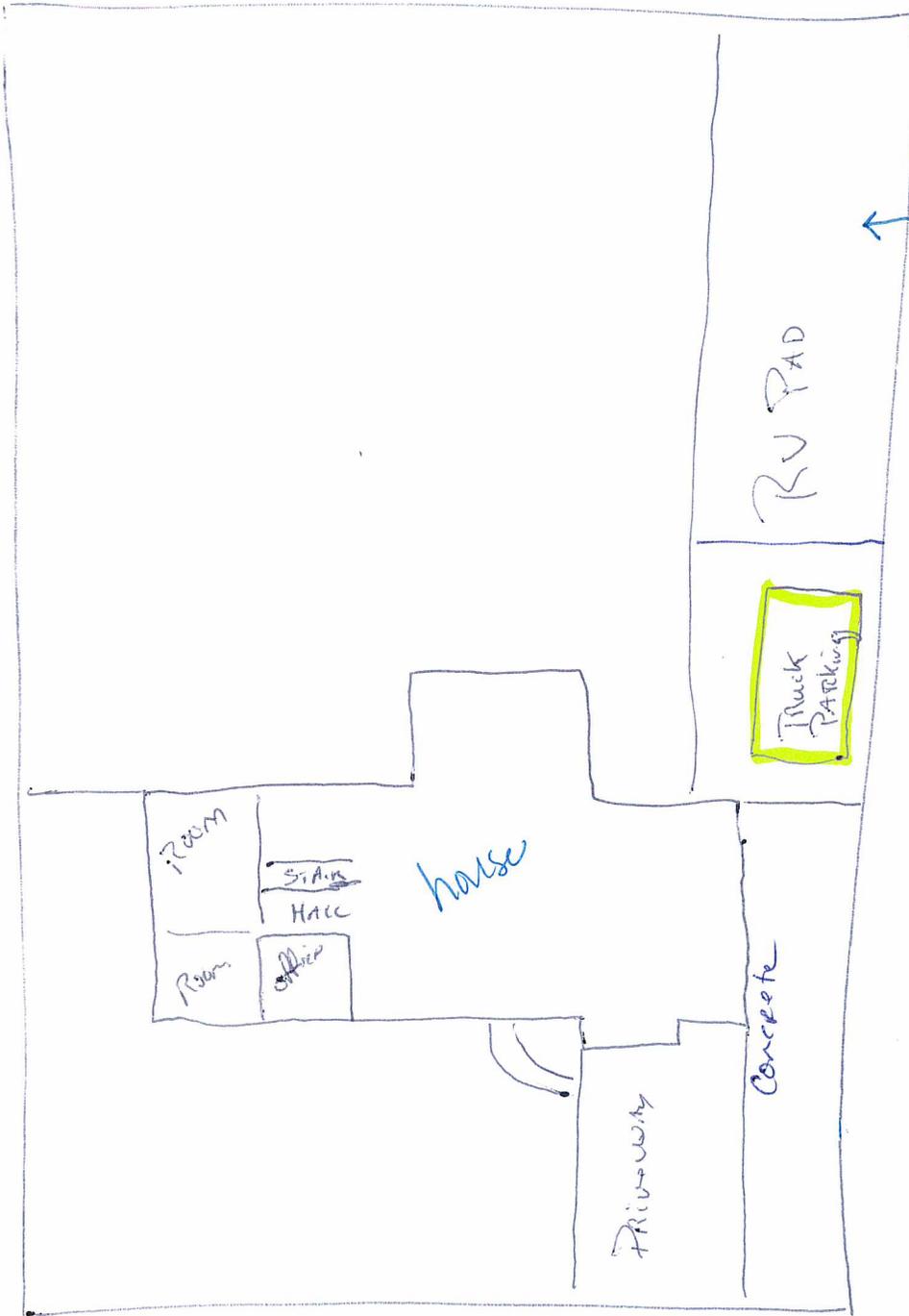
1125 S

2392 W 1125 S

© 2015 Google

Google earth

Imagery Date: 6/16/2015 41°05'53.49" N 112°04'17.59" W elev 4287 ft eye alt 4821 ft



garage
to be
built
at later
time

2392 W 1125 S

Mark Millard
MSH TOOLS



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PLANNING COMMISSION REGULAR MEETING AGENDA

August 2, 2016

Agenda Item # 5 Preliminary Subdivision Plat 1958 South 2000 West

Factual Summation

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

Location: 1958 South 2000 West
 Current Zoning: PRD
 General Plan: PRD
 Total Subdivision Area: 5.22 Acres

Summary

This item was tabled by the Planning Commission on July 19, 2016 for the following reasons:

- The development lacks a direct connection to an arterial.
- The private road within the development does not have curb, gutter, or sidewalk.
- The proposed development is intended to be a phase of the Craig Estates development
- The Planning Commission alleged that private roads are not permitted.
- The development needs to show additional amenities.
- The road layout within the development raised concerns about emergency service access.
- Specific snow removal agreements with the HOA had not been reached.

The applicant has requested approval of a 20 lot preliminary subdivision plat known as Jackson Court in the PRD Zone. The dimensions of these lots are as follows:

Land Use	Area (sq. ft.)	Percentage of Total Project Area	Acreage	Comments
Privately Owned Units (20)	48,339 (2,400 each)	21.3	1.11	20' front and 15' rear yard setback compliant. All units separated by 16'.
Private Driveways (20)	11,644	5.1	0.27	All are 20' by 20'.
Private Road	31,722	14	0.73	Parking areas and turnaround hammerheads provided per IFC requirements.

Public Street	15,902	7	0.37	Standard 60' ROW width and 120' cul-de-sac diameter compliant.
Open Space	71,781	31.6	1.65	Exceeds minimum 30% requirement.
Common Space	47,841	21.1	1.09	Exceeds minimum 20% requirement and contains amenities.
Total	227,249	100	5.22	None.

As is shown, all proposed land areas meet the minimum requirements for the PRD Zone. The applicant has also provided a subdivision design document showing the types of housing intended for the development. The home designs are similar to those existing in the Craig Estates neighborhood.

The landscape plan provided by the applicant shows various trees which line the public street and generally border the private road. The ordinance requires that landscaping requires that “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.” Trees have been provided between each home along the private road and to the rear of the homes to meet this requirement.

Entry landscaping is provided on proposed berms in the central common area to create an inviting space. Trees have also been provided in this space.

Existing mature trees are planned to be maintained which will provide shade and aesthetic benefit to the community. A covered gathering area with a grill, counter, and outdoor seating is to be provided in the center of the common space. The applicant has included an example of what this may look like in the subdivision design document.

Staff has also been involved in discussions with the applicant and their landscape architect about the types of amenities that will be provided. As landscaping is not considered an amenity, the only amenities are the covered grill area and two benches. During the Planning Commission meeting on July 19th, 2016 the Planning Commission expressed concern about the lack of amenities in the subdivision and cited this as a reason for tabling the item. The applicant has since submitted an updated plan that shows the addition of an additional covered pavilion area in the central common area that will house some seating and tables.

The applicant has submitted revised plans, additional emergency vehicle access map, and a record of communications with the Craig Estates HOA to address concerns set forth by the Planning Commission in their motion to table the item in the July 19, 2016 meeting. These documents are included in this report.

Staff has also researched the various reasons for continuing the item and presents the following responses (concerns listed in italics and responses below each statement):

- *The development lacks a direct connection to an arterial.*

SCC 10.75.040(A)(7) “Minimum lot standards” states that “The development design shall include a direct connection to a major arterial, minor arterial, or major collector roadway.”

The only road that abuts the property and falls within the bounds of the Code is 2000 West which is a major arterial. There is sufficient space to provide a direct connection to 2000 West. This connection may be a private or public road as permitted in the PRD Zone.

SCC 8.10.070 “Relation to adjoining street systems” states the following: “Street access for new subdivisions shall be established by using the AASHTO Traffic Design Manual calculation of seven and one-half seconds of travel time between street accesses onto existing roadways (which calculated would be 385 feet at 35 mph) unless otherwise recommended by the Planning Commission. The street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their land and seek to provide for convenient access to it. Where, in the opinion of the Planning Commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Half streets along the boundary of land proposed for subdivision will not be permitted.”

The speed limit on 2000 West where it abuts the proposed development is 35 miles per hour. Using the AASHTO standard, the City Code establishes a minimum separation of 385 feet for new intersections. When measuring south from 1900 South (shown in red below) and north from 2025 South (shown in blue below), there is no point where the proposed subdivision fronts 2000 West where an intersection may occur that would meet the AASHTO standard. As such, a public street access may not occur from the proposed development to 2000 West without a recommendation from the Planning Commission.

The speed limit on Craig Lane is 25 miles per hour which requires a minimum separation of 275 feet between intersections (shown in yellow below). The intersection created by 2060 South has a separation distance which approximately overlaps the frontage of the property. Again, a street access may be provided here with a recommendation by the Planning Commission.

The applicant has expressed that they would be willing to provide access to 2000 West if necessary. However, staff has also included text in the draft development agreement that would require a traffic study for Craig Lane between the proposed development access and 2000 West, requiring road widening or other mitigation requirements along Craig Lane if a significant traffic impact were predicted.

It is the prerogative of the Planning Commission to recommend that the development access 2000 West. It is also the prerogative of the City Council to approve the development accessing Craig Lane. Due to the AASHTO standard cited in the City Code showing the proximity of 1900 South and 2050 South, and the heavy use of 2000 West, Staff recommends that the property be accessed from Craig Lane.

The following graphic shows the distances from intersections adjacent to the property.



- *The private road within the development does not have curb, gutter, or sidewalk.*

SCC Section 8.15.010 “Design Standards” Subsection (N) reads: Private streets shall only be permitted in PRD and cluster subdivisions. Private streets shall meet the minimum construction standards established for publicly dedicated streets with the standard right-of-way requirement. Pavement widths less than 35 feet may be permitted, when the private street ties into a minor collector street or greater, and does not terminate in a cul-de-sac. Private streets shall be perpetually maintained by a professionally managed homeowners’ association as established within an approved development agreement. The purpose of a private street is not to provide a street which is substandard in construction to public streets, but one that allows for private gated access and maintenance for the exclusive use and benefit of the residents residing on said private street.

The section of this Code stating that “Private streets shall meet the minimum construction standards established for publicly dedicated streets with the standard right-of-way requirement.” and “Pavement widths less than 35 feet may be permitted, when the private street ties into a minor collector street or greater, and does not terminate in a cul-de-sac.” verify this statement. The private street may not be narrower than 35 feet as Craig Lane is not a minor collector street or greater and a standard cross-section must be utilized.

- *The proposed development is intended to be a phase of the Craig Estates development .*

Some mention was made in the meeting that a rezone of Craig Estates to PRD would be required to include the proposed development as a phase of Craig Estates. There is no current precedent for this nor is there a City or State Code that requires it. An example of multi-zoned phasing that has been approved by the City recently is Keller Crossing of which phases 1 and 3 differ in zoning and phase 2 is split into 2 distinct zones. As the PRD Zone and R-2 Zone are both

residential zones, just as the R-2 and R-3 Zones which underlie the Keller Crossing subdivision, requiring Craig Estates to be rezoned to include the proposed subdivision as a phase or add-on would be inconsistent.

- *The Planning Commission alleged that private roads are not permitted.*

As stated above in SCC 8.15.010, private roads are permitted in the PRD Zone.

- *The development needs to show additional amenities.*

The applicant has included an additional pavilion with 4 tables across the sidewalk that bisects the central open space of the development. All other amenities remain the same. As there are no explicit requirements for the type, size, or number of amenities within the City Code, the determination of whether what the applicant has provided on the updated plan remains to be determined by the Planning Commission and City Council.

- *The road layout within the development raised concerns about emergency service access.*

The applicant has provided a map showing the design track for a fire truck. The tracks are contained within the paved area of the private road.

- *Specific snow removal agreements with the HOA had not been reached.*

The applicant has provided documentation indicating the specifics of snow removal agreements with the HOA of Craig Estates. Fire hydrants have also been moved to accommodate for snow storage at the end of each projecting leg of the private drive.

All other requirements of the PRD Zone are met by this development.

Suggested Motion Language

Approval – “I move the Planning Commission recommend that the City Council approve the request of Adam Bernard for a 20 lot preliminary subdivision plat called Jackson Court consisting of 5.22 acres on property located at 1958 South 2000 West in the PRD Residential Zone.”

Table – “I move the Planning Commission continue the request of Adam Bernard for a 20 lot preliminary subdivision plat called Jackson Court consisting of 5.22 acres on property located at 1958 South 2000 West in the PRD Residential Zone until (give date) based on the following findings:

1. (list findings)”

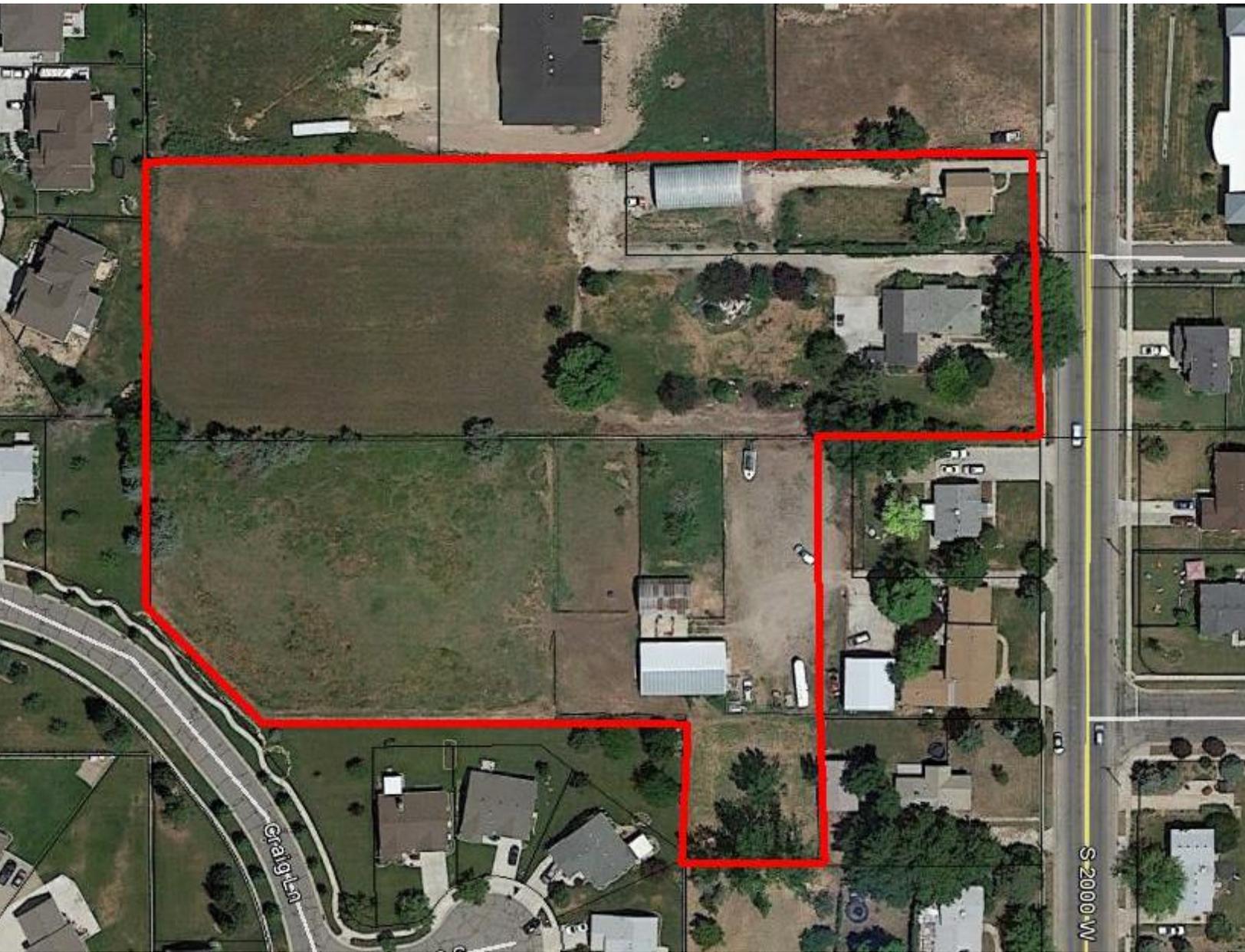
Denial – “I move the Planning Commission recommend that the City Council deny the request of Adam Bernard for a 20 lot preliminary subdivision plat called Jackson Court consisting of 5.22 acres on property located at 1958 South 2000 West in the PRD Residential Zone based on the following findings:

1. (list findings).”

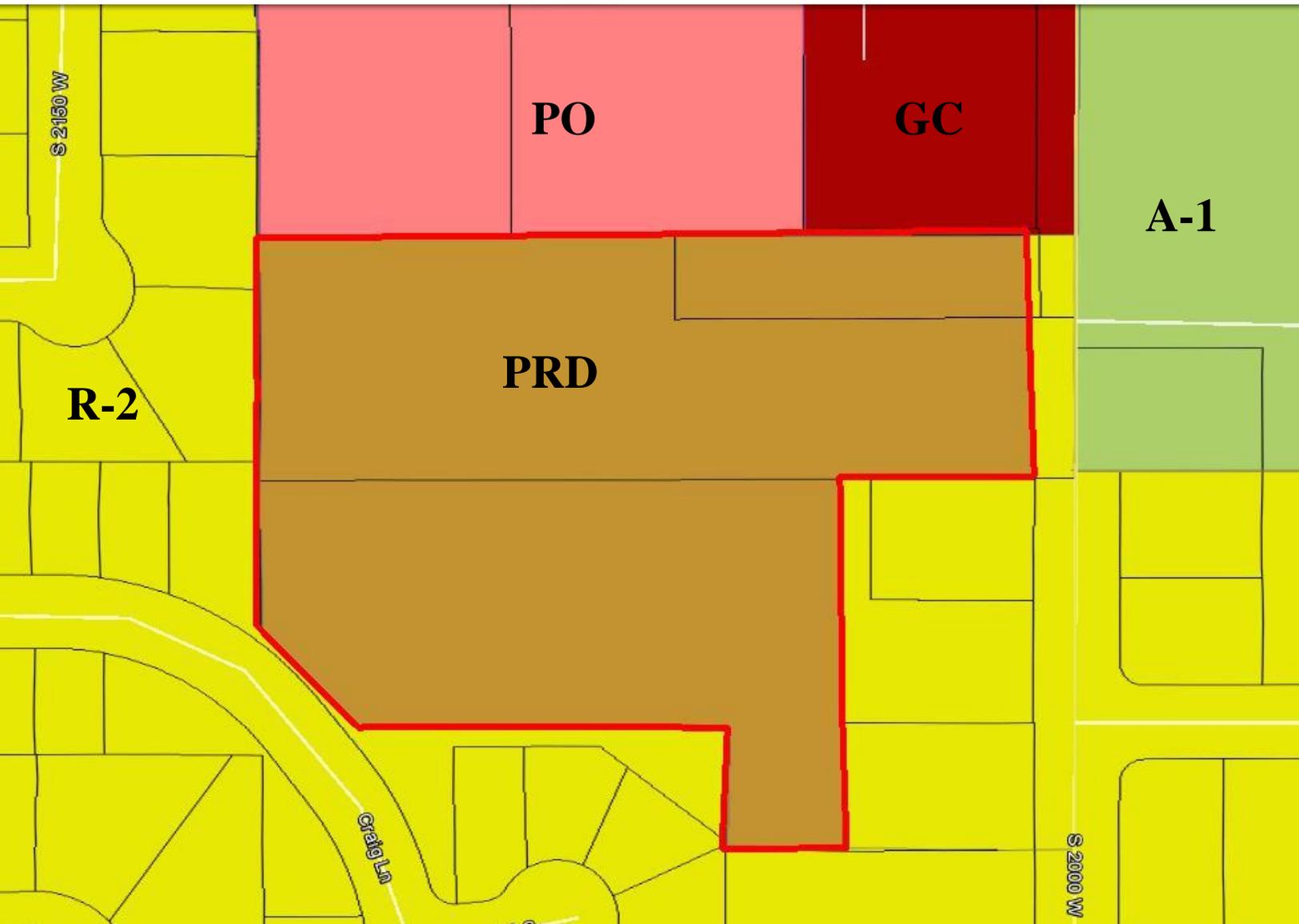
Attachments:

- Aerial Map
- Zoning Map
- Subdivision Plat
- PRD zoning ordinance
- Preliminary subdivision review ordinance
- Development Document
- Staff Reviews
- Theme Board
- Truck Turning Radii

AERIAL MAP



ZONING MAP



SUBDIVISION PLAT

811 CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.
Know what's below.
Call before you dig.

BENCHMARK

EAST QUARTER CORNER
SECTION 16
T4N, R2W
SLB8M
ELEVATION = 4265.72

LAND USE TABLE

USE	AREA IN SQ.FT.	PERCENTAGE OF TOTAL	ACRES
PRIVATE UNITS (20)	48,339	21.3%	1.11
PRIVATE DRIVEWAY	11,664	5.1%	0.27
PRIVATE ROAD	31,722	14.0%	0.73
PUBLIC STREET	15,902	7.0%	0.37
OPEN SPACE	71,781	31.6%	1.65
COMMON AREA OPEN SPACE	47,841	21.1%	1.09
TOTAL PARCEL	227,249	100.0%	5.22

SURVEYOR'S CERTIFICATE

I, Keith R. Russell, do hereby represent that I am a Professional Land Surveyor and that I hold Certificate no. 164386 as prescribed by the laws of the State of Utah and I have made a survey of the following described property. The purpose of this survey is to define the property from the Legal Descriptions and create a new Boundary for the Proposed Development to be known as Jackson Court.

Total Parcel Description

Beginning at the Southeast Corner of Lot 5, Rampton Medical Plaza at a point on the west line of 2000 West Street, said point being South 0°06'28" West 1330.13 feet along the section line and South 89°25'00" West 33.00 feet from the Northeast Corner of Section 16, Township 4 North, Range 2 West, Salt Lake Base and Meridian, and running:

Thence South 0°06'28" West 200.73 feet along the west line of 2000 West Street; Thence West 154.98 feet;

Thence South 0°06'28" West 299.68 feet;

Thence South 89°43'28" West 96.00 feet to the east line of Craig Estates Phase 1 Cluster Subdivision;

Thence North 0°06'28" East 99.00 feet along the east line to the Northeast Corner of Craig Estates Phase 1 Cluster Subdivision;

Thence South 89°43'28" West 300.70 feet along the north line to an angle point in the north line of Craig Estates Phase 1 Cluster Subdivision;

Thence North 44°22'40" East 111.86 feet along the north line to an angle point in the north line of Craig Estates Phase 1 Cluster Subdivision;

Thence North 0°19'45" West 182.73 feet along the east line of Cherry Village Subdivision No. 5 to the Southwest Corner of Rampton Medical Plaza;

Thence North 89°47'51" East 335.25 feet along the south line to an angle point in the south line of Rampton Medical Plaza;

Thence North 86°57'23" East 34.70 feet along the south line to an angle point in the south line of Rampton Medical Plaza;

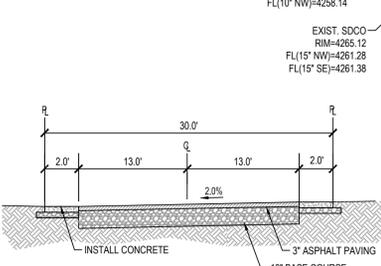
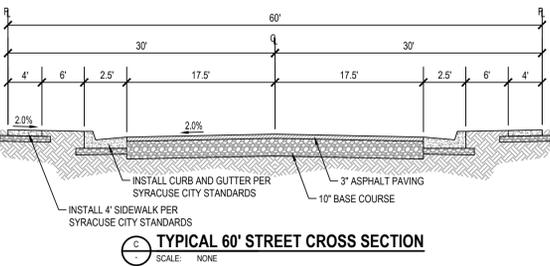
Thence North 89°25'00" East 104.99 feet along the south line to an angle point in the south line of Rampton Medical Plaza to the point of beginning.

Contains 227,249 square feet, 5.217 acres, 20 Units.

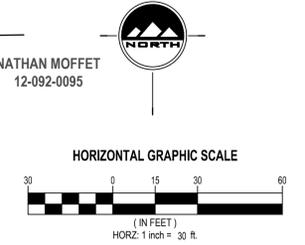
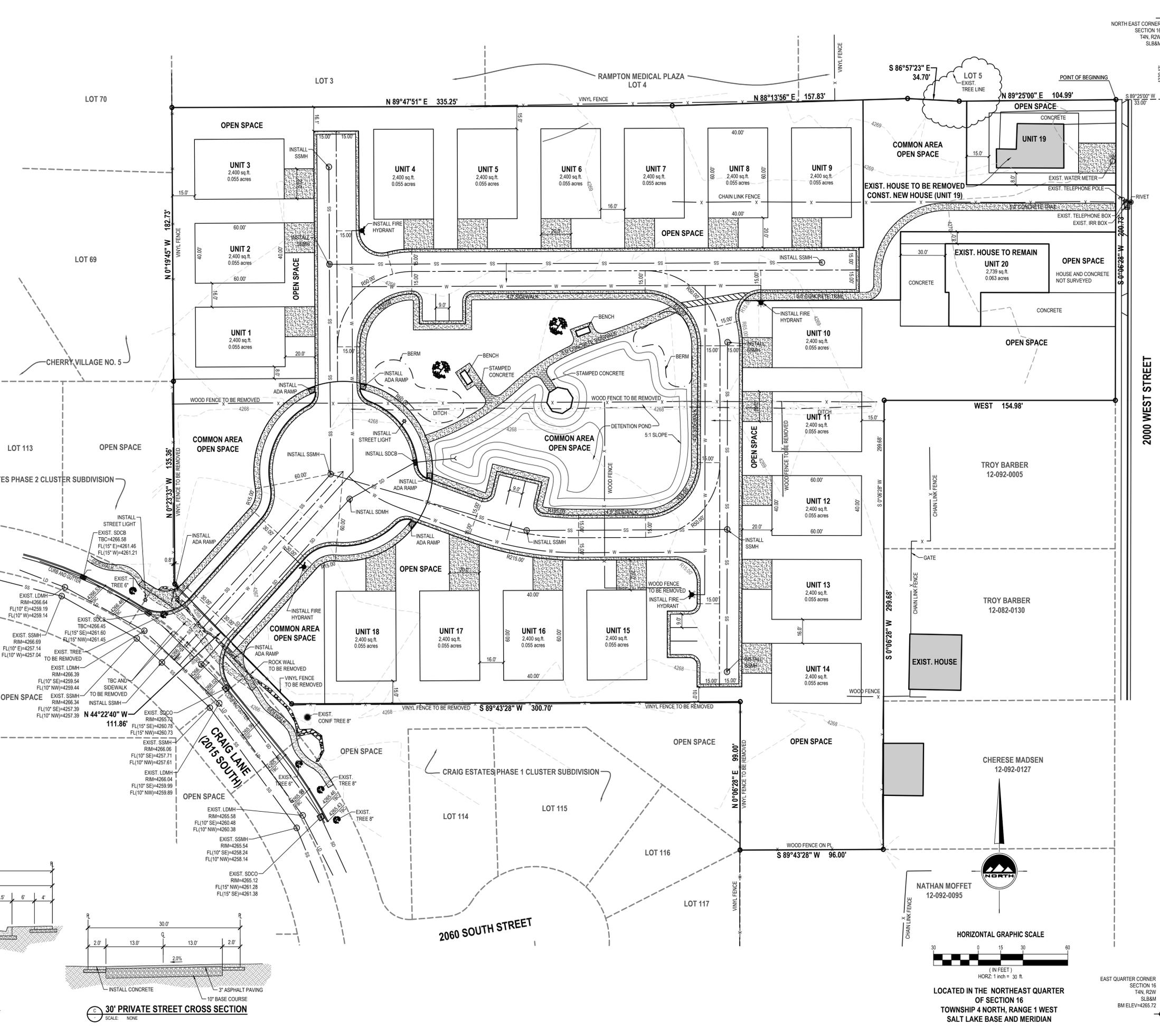
Date: Keith R. Russell
License no. 164386

100-year Detention Calculations

Time (min)	i (in/hr) (100 yr storm)	Runoff to Basin (cf)	Basin Discharge (cf)	Net Allowed Discharge (cf)	Required Storage (cf)
5	6.84	3,113	194	2,919	2,919
10	5.16	4,697	388	4,308	4,308
15	4.28	5,844	583	5,261	5,261
30	2.88	7,865	1,165	6,699	6,699
60	1.78	9,722	2,331	7,391	7,391
120	1.00	10,923	4,662	6,261	6,261
180	0.68	11,196	6,993	4,204	4,204
360	0.37	12,125	13,985	(1,861)	(1,861)
720	0.22	14,582	27,971	(13,388)	(13,388)
1440	0.12	16,057	55,941	(39,884)	(39,884)
Required Detention:					7,391



- NOTES:**
- ROAD BASE REQUIRED 6" PAST EDGE OF SIDEWALK AND CURB AND GUTTER.
 - ALL MATERIALS TO BE COMPACTED TO 95% OF MAXIMUM DRY DENSITY.
 - SIDEWALK SHALL BE 6" THICK THROUGH DRIVEWAYS.



LOCATED IN THE NORTHEAST QUARTER
OF SECTION 16
TOWNSHIP 4 NORTH, RANGE 1 WEST
SALT LAKE BASE AND MERIDIAN

ENSIGN
THE STANDARD IN ENGINEERING

LAYTON
1485 W. Hill Field Rd., Ste. 204
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
TROY BARBER
2351 SOUTH 2050 WEST
SYRACUSE, UTAH 84075

CONTACT:
TROY BARBER
PHONE:

JACKSON COURT
PRELIMINARY PLAT - NOT TO BE RECORDED
1958 SOUTH - 2008 SOUTH 2000 WEST STREET
SYRACUSE, UTAH

PRELIMINARY PLAT

PROJECT NUMBER: 12363
PRINT DATE: 7/28/16

DRAWN BY: A.SHELBY
CHECKED BY: K.RUSSELL

PROJECT MANAGER: KRUSSELL

1 of 1

LANDSCAPE PLAN

- GENERAL NOTES**
- HEAVY GAUGE STEEL OR EXTRUDED CONCRETE MOWING EDGE MUST DEFINE ALL SHRUB BED SHAPES AS PER SPECIFICATIONS.
 - PRE-EMERGENT HERBICIDE AS APPROVED BY L.A. TO BE APPLIED IN ALL BEDS TO MANUFACTURERS SPECIFICATIONS.
 - SHREDDED BARK OR GRAVEL MULCH 3 INCHES DEEP MUST BE UNIFORM-FLY PLACED IN ALL SHRUB BEDS.
 - ANY PLANT LIST #9 FROM PLAN GRAPHICS ARE CONCEPTUAL ONLY. THE CONTRACTOR MUST VERIFY PLANT #9 FROM SYMBOLS ON PLAN.
 - PLANTS MATERIALS MUST BE ESTABLISHED, HEALTHY, SYMMETRICALLY BRANCHED, FREE FROM DISEASE, INSECTS AND DAMAGE. NO BARE ROOTSTOCK OR ROOT BOUND STOCK WILL BE ACCEPTED. CALIPER OF DECIDUOUS TREES TO BE MEASURED 4 FEET ABOVE GROUND.
 - PLANTS MUST BE INSTALLED IN OVER-EXCAVATED HOLES WITH 6" MIN. CLEARANCE ON ALL SIDES AND BOTTOM FOR PLANTING MIX.
 - PLANTS TO BE BACK FILLED WITH A PLANTING MIX OF 3 PARTS PREMIUM TOPSOIL, 1 PART PEAT MOSS & 1 PART SOIL. FERT. UNIFORM-FLY MIXED, DEEP WATERED AND BACK FILLED - REPEAT UNTIL NO SETTLING OCCURS.
 - PLANTS TO BE FERTILIZED WITH SLOW RELEASE TABLETS TO MANUFACTURERS SPECIFICATIONS AND AS APPROVED BY THE L.A.
 - DECIDUOUS TREES IN LAWN AREAS TO BE PROTECTED FROM MOWER AND STRING TRIMMER DAMAGE WITH DEVICE APPROVED BY L.A.
 - EXISTING OAK, MAPLE OR OTHER NATIVE VEGETATION OVER 1 INCH CALIPER MUST BE PROTECTED.
 - TO STAKE DECIDUOUS TREES, A 2-8" T-POST SYSTEM MUST BE USED. TREE ROOT MASS MUST NOT BE FUNGURED. 16 GAUGE WIRE AND 2-12" LONG HOSE PROTECTORS MUST BE USED. WIRE TO BE TWISTED TO TIGHTEN. WIRES IN LAWN AREAS MUST BE MARKED WITH SAFETY FLAGGING.
 - TO STAKE EVERGREEN TREES, A 3-4" T-POST SYSTEM MUST BE USED. T-POSTS MUST BE INSTALLED AT 45° ANGLE TO TREE. CONTRACTOR TO USE 16 GAUGE WIRE AND 3-2" LONG HOSE PROTECTORS USING TURN BUCKLES TO TIGHTEN. WIRE IN LAWN AREAS TO BE MARKED W/FLAGGING.

- TOPSOIL NOTES**
- TOPSOIL MUST BE 3" MIN. DEEP IN ALL LANDSCAPED AREAS OR AS SPEC'D BY VOLUME BY L.A. THE CONTRACTOR WILL NOT APPLY TOPSOIL UNTIL SUB GRADE IS PROPERLY PREPARED & GRADED FOR DRAINAGE.
 - IMPORTED TOPSOIL MUST BE ULTRA PREMIUM QUALITY. THE TOPSOIL MUST BE SANDY LOAM, DARK IN COLOR, DRY, FREE OF DEBRIS, WEEDS AND ODOR. THE OWNER OR L.A. MUST APPROVE SOURCE BEFORE DELIVERY TO SITE. SUB-QUALITY SOIL WILL BE REJECTED. THE CONTRACTOR MUST SAVE ALL DELIVERY SLIPS FOR REVIEW BY L.A.
 - IF EXISTING TOPSOIL IS STOCKPILED ON SITE, CONTRACTOR IS RESPONSIBLE FOR TRANSPORTING SOIL TO REG'D LANDSCAPE AREAS.
 - TOPSOIL FINISH GRADE MUST BE 2" ABOVE FINISH GRADE PER LOCAL CODES. DRAINAGE THROUGHOUT LAWN AREAS TO BE 2.0% MIN. SLOPE, UNIFORM AND FREE FROM IRREGULARITIES AND DEPRESSIONS.
 - THE TOPSOIL FINISH GRADE IN LAWN AREAS MUST BE 1/2" TO BE 1/2" BELOW HARDSCAPE BEFORE HYDROSEEDING AND 1/2" FOR SODING.
 - TOPSOIL FINISH GRADE IN MULCHED SHRUB BEDS MUST LEAVE ROOT FOR 3 INCHES OF MULCH LAYER.

- HYDROSEED MULCH FOR LAWN OR WILDFLOWER**
- MULCH MUST BE UNIFORM MIX OF WOOD CELLULOSE AND VIRGIN WOOD FIBER. THE RATE OF APPLICATION TO BE 2,000 LBS/AC FOR AREAS WITH 1%-5% SLOPE AND 2,200 LBS/AC FOR AREAS ABOVE 5% SLOPE. THE MULCH MUST BE APPLIED WITH EQUAL DISTRIBUTION ON PROPERLY PREPARED SUB GRADE AS APPROVED BY L.A.

- SOD NOTES**
- SOD TO BE PREMIUM QUALITY BLENDED MIX, FRESH, FREE FROM IRREGULARITIES & INSTALLED WITH NO GAPS BETWEEN PIECES. DEEP WATER AFTER INSTALLATION.

- IRRIGATION NOTES**
- DESIGN BY CONTRACTOR. ALL PARTS TO BE PREMIUM QUALITY. RAIN BIRD, HUNTER OR APRID EQUAL. PRODUCT DATA AND AS BUILT DRAININGS TO BE PROVIDED BY CONTRACTOR. HEADS TO BE SPACED FOR HEAD TO HEAD COVERAGE AND MINIMIZE WATER WASTE AND SPRAY ON STRUCTURES. CONTRACTOR TO ADJUST CLOCK DURING ESTABLISHMENT PERIOD. SYSTEM WILL BE GUARANTEED FOR 1 YEAR.

- ROCK WALL / RETAINING WALL NOTES**
- CONTRACTOR MUST BE INSURED AND WILL ACCEPT ALL RESPONSIBILITY FOR STRUCTURAL INTEGRITY OF WALLS. ROCK WALL DESIGN IS CONCEPTUAL. WALLS MUST BE INSTALLED TO A STANDARD THAT INSURES THE ENGINEERABILITY AND ACCEPTANCE BY GOVERNING BODIES.

- LIGHTING NOTES**
- CONTRACTOR TO SUBMIT DESIGN, PRODUCT DATA, PRICE LIST AND WARRANTY TO OWNER FOR REVIEW.

- WARRANTY NOTES**
- ALL ELEMENTS OF LANDSCAPE SHALL BE FOR 1 YEAR UNLESS AGREED IN WRITING BY OWNER AND APPROVED BY L.A.

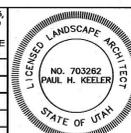
- WATER FALL NOTES**
- L.A. ACCEPTS NO LIABILITY FOR PERSONAL INJURY, WATER DAMAGE, LEAKS, MAINTENANCE, ETC. ASSOC. WITH ALL WATER FEATURES.

- BID PROCESS**
- BID FORMS MUST BE DETAILED & ITEMIZED. BIDS WITHOUT SUFFICIENT BREAKDOWNS WILL BE REJECTED.
 - PROOF OF LICENSE & INSURANCE MUST BE SUBMITTED WITH ALL BIDS. ALL EMPLOYEES MUST BE COVERED BY WORKMAN'S COMPENSATION AND GENERAL LIABILITY TO LABOR LAWS.
 - PRINTED PRODUCT DATA FOR ANY ELEMENT TO BE SUBMITTED WITH BID.
 - BIDS ARE SUBJECT TO REJECTION. SUBMITTING THE LOWEST BID DOES NOT GUARANTEE AWARD OF CONSTRUCTION.

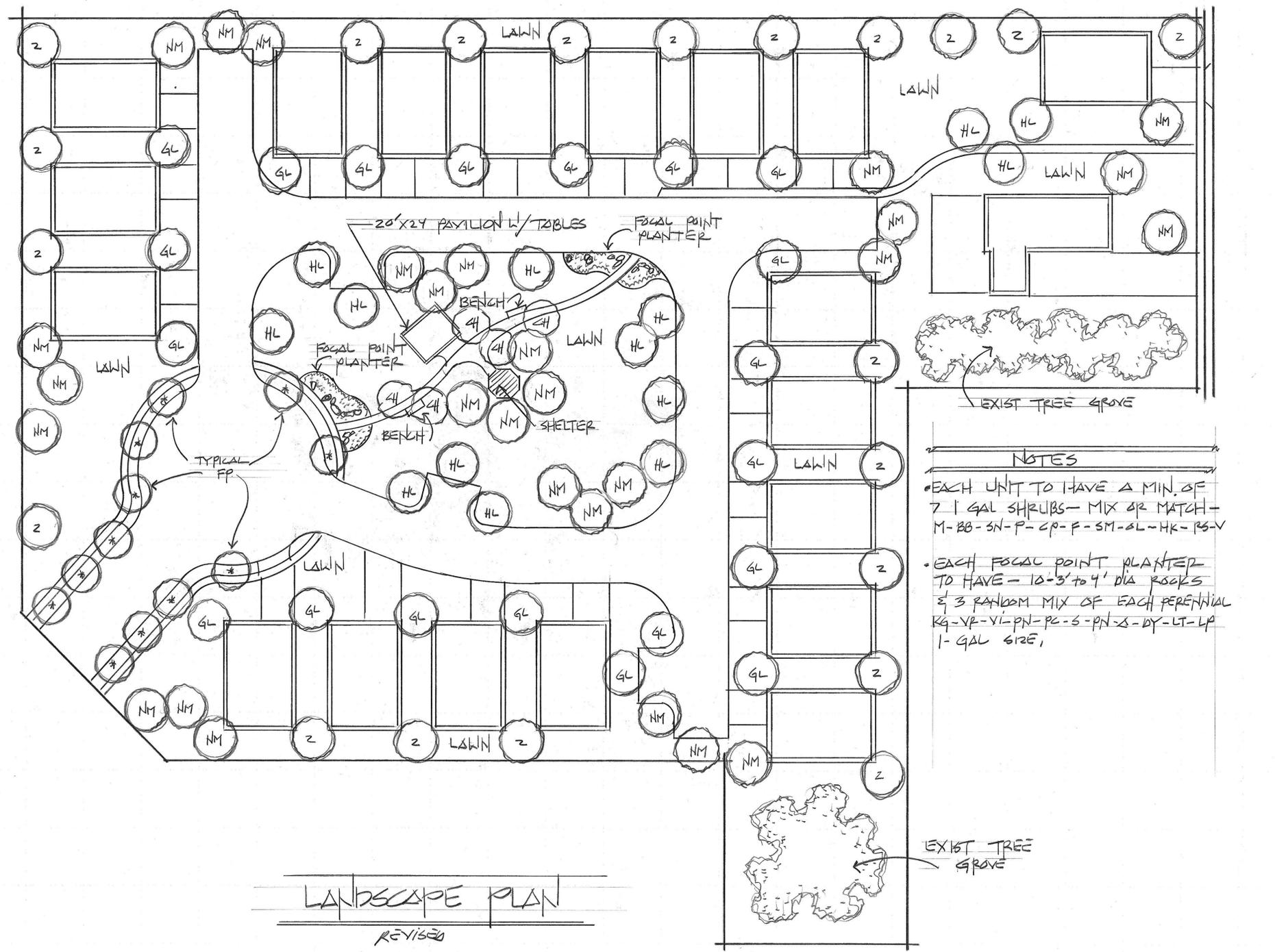
- CONSTRUCTION NOTES**
- CONTRACTOR TO INFORM L.A. OF CONSTRUCTION START DATE, ONGOING PROGRESS & PROJECT COMPLETION.
 - CONTRACTOR TO SECURE ALL PERMITTING REQUIRED BY ALL LOCAL GOVERNING ENTITIES BEFORE BEGINNING CONSTRUCTION.
 - CONTRACTOR TO CALL BLUE STAKES BEFORE ANY EXCAVATION. 1-800-662-4111
 - CONTRACTOR TO VERIFY LOCATION OF ALL UTILITIES NOT IDENTIFIED BY BLUE STAKES, I.E. SECONDARY WATER, ETC.
 - CONTRACTOR TO FOLLOW ON SITE SAFETY STANDARDS TO MEET OR EXCEED O.S.H.A. REQUIREMENTS.
 - CONTRACTOR TO AVOID ANY IMPACT TO ADJOINING PROPERTIES.
 - CONTRACTOR TO KEEP ALL STREETS, DRIVEWAYS & SIDEWALKS CLEAN AND FREE OF DEBRIS DURING CONSTRUCTION.
 - CONTRACTOR TO FIELD VERIFY ALL LOCATIONS, ELEVATIONS AND DIMENSIONS STATED GRAPHICALLY AND IF FILLED BY SCALE, CHECK ALL PROPERTY LINES AND PROPERTY CORNER MARKERS FOR PLAN COMPLIANCE BEFORE BEGINNING CONSTRUCTION.
 - CONTRACTOR TO VERIFY PLAN COMPLIANCE WITH ALL STATE, FEDERAL, LOCAL AND ASSOCIATION CODES PRIOR TO CONSTRUCTION.
 - THE LETTERS "L.A." ON PLAN GRAPHICS OR WRITTEN MATERIAL RELATED TO THIS PROJECT, REFER TO LANDSCAPE ARCHITECT, PAUL H. KEELER, A.S.L.A., OR HIS REPRESENTATIVE OF DESERT LAND DESIGN, L.L.C.
 - THE TERM "CONTRACTOR" REFERS TO ANY COMPANY, INDIVIDUAL OR OWNER PARTICIPATING IN CONSTRUCTION OF ELEMENTS DEFINED BY PLAN GRAPHICS OR SPECS CREATED BY PAUL H. KEELER, A.S.L.A., OR DESERT LAND DESIGN, L.L.C.
 - ALL PLANS AND GRAPHICS ARE CONCEPTUAL ONLY. DISCREPANCIES FROM PLANS TO ACTUAL SITE CONDITIONS MAY EXIST. IT IS THE CONTRACTOR'S RESPONSIBILITY TO IDENTIFY THESE AREAS AND REPORT THEM TO THE L.A. CONTRACTOR WILL ADAPT AS NEEDED TO RESOLVE ANY DISCREPANCIES AND REVISIONS BEFORE CONSTRUCTION.

COPYRIGHT LAW PROTECTS ALL CREATIVITY, ART, GRAPHICS, RENDERINGS, CONCEPTUAL IDEAS, TECHNICAL MATERIAL AND SPECIFICATIONS, PLAN GRAPHICS OR WRITTEN MATERIAL. THE SHOWN MAY NOT BE COPIED, IN PART OR WHOLE, WITHOUT THE WRITTEN PERMISSION OF PAUL H. KEELER, A.S.L.A.

ISSUE DATE: 7-27-16
REV. DATE: 7-27-16



Email: dld@deseretlanddesign.com
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Deseret Land Design
PAUL H. KEELER A.S.L.A.
LANDSCAPE ARCHITECT
801-791-9244
484 WEST 1475 NORTH
PLAIN CITY, UTAH 84044
www.deseretlanddesign.com



NOTES

- EACH UNIT TO HAVE A MIN. OF 7 1 GAL SHRUBS - MIX OR MATCH - M-BB-SN-P-CP-F-SM-GL-HK-PS-V
- EACH FOCAL POINT PLANTED TO HAVE - 10-3' to 4' DIA ROCKS & 3 RANDOM MIX OF EACH PERENNIAL KQ-YF-VI-PN-PC-S-PN-S-BY-LT-LP 1- GAL SIZE.

SYMBOL	SIZE	ZN	COTTION NAME / botanical name
A			ASTER / aster
AB			ABBOTTWOOD POTENTILLA / potentilla fruticosa
AP			AUTUMN PURPLE ASH / fraxinus a. 'junghfer'
B			FINE LINE BUCKHORN / rhamnus - (frethe)
BB			DIARF BURNING BUSH / euonymus alatus compactus
BE			BABY BLUE EYES SPRUCE / picea pungens
BH			BLEEDING HEARTS / diandra
BJ			BLUECHIP JUNIPER / juniperus horizontalis
BK			BARKER SPRUCE / picea pungens
BM			BLUE MIST SPIRÆA / caragana x clandonensis
BP			BOSNIAN PINE / pinus eucaedensis 'iseli fastigiata'
BS			COLUINAR BLUE SPRUCE / picea pungens
BT			BIG TOOTH MAPLE / acer grandidentatum
BX			WINTERSET BOXWOOD / buxus microphylla asiatic
C			BELLFLOWER / campanula
CA			CANADA RED CHOCCHERRY / prunus v. canad
CB			CRIFRON PYGMY BARBERRY / berberis t. crifron
CE			COLUINAR ENGLISH OAK / quercus robur 'fastigiata'
CF			WHITE FIR / abies concolor
CH	2"	5	COTTON HACKBERRY / celtis occidentalis
CJ			CLETHRA / clematis
CK			CREeping MAHONIA / mahonia repens
CL			COLUINAR NORWAY MAPLE / acer plantanoides
CM			COLUINAR NORWAY MAPLE / acer plantanoides
CO			COLUINAR NORWAY MAPLE / acer plantanoides
CP			CISTINA PLUM / prunus x cistina
CQ			CONTACT CRANBERRY BUSH / viburnum trilobum
CR			CRIFRON SENTRY MAPLE / acer pl. 'crifron sentry'
CS			CRIFRON SENTRY MAPLE / acer pl. 'crifron sentry'
D			DELPHINIUM / delphinium
DN			DIABLO NINEBARK / physocarpus opulifolius
DR			DEER RUN SPRUCE / picea orientalis 'deer run'
DT			DATILY / hemeocallis
EL			DIARF ENGLISH LAUREL / prunus laurocerasus
ES			BLACK EYED SUSAN / rudbeckia fulgida
F			GOLDFLAE SPIRÆA / spiræa x b. goldflae
FA			FLOWERING ALMOND / prunus glandulosa
FB			CONTORTED SNOW FOUNTAIN CHERRY / prunus x. 'feris' / ferns
FC	2"	12	CHANTICLEER PEAR / pyrus calleryana, 'glenn form'
FD			FRUIT TREES
GB			GLOBOSA SPRUCE / picea pungens globosa
GG			GRAY GLEAF JUNIPER / juniperus scopulorum
GL	2"	14	GOLD SPRUCE / picea canadensis 'old gold'
GN			DARTS GOLD NINEBARK / physocarpus opulifolius
H			HOSTA / hosta
HB			PYRAMIDAL HORNBEEAM / carpinus b. 'pyramidal'
HJ			HILL SPIRÆA JUNIPER / juniperus depressa/loata
HK			HICKS YEW / taxus x media
HL	2"	14	PERFECT HONEY LOCUST / gleditsia t. 'imperial'
HM			RED HOT POKER / kniphofia
HN			HOOPSII SPRUCE / picea pungens
HT			HORIZONTAL YEW / t. baccata repandens
JB			JAPANESE MAPLE BLOODGOOD / acer palmatum
JC			JAPANESE MAPLE RED CUTLEAF / acer p. 'atropur'
KD			KELSET DOGWOOD / cornus sericea leifol
KE			KARL FOERSTER REED GRASS / calamagrostis
KL			HIS9 KIFT LILAC / syringa patula
L			LODENSE PRIVET / ligustrum vulgare lodense
LP			LUPINE / lupinus
LS			GREY LOH SUNNIBELT / rhus aromatica l
LV			LAVANDER / lavandula angustifolia
M			DIARF FUGO PINE / pinus mugo 'pumila'
MA			MARSHALL SEEDLESS ASH / fraxinus p. seedless
ME			MOONSHADON ELONTHUS / euonymus fortunei
MS			SLOW-GROWING FUGO PINE / pinus mugo 'slowmound'
N	2"	12	NEST SPRUCE / picea abies nidiformis
NJ			FAIRVIEW MAPLE / acer platanoides
OU			BUFFALO JUNIPER / juniperus sabinna buffalo
OL			OTTO LUYKEN LAUREL / prunus l.
OP			ORIENTAL POKER / papaver orientale
OS			OAKBUSH SUTAC / rhus trilobata
P			GOLD DROP POTENTILLA / potentilla fruticosa
PC			PURPLE GAZE BLOOMER / echinacea
PE			PEONY / paeonia
PF			PURPLE FOUNTAIN BEECH / fagus 'purpurea pend.'
PG			PRIFRON SNOW GREEKSPICE / picea x b. 'prifron'
PK			PEKING COTONEASTER / cotoneaster horizontalis
PL			PARISH MAPLE / acer platanoides
PN			PENSTEMON / penstemon
PS			PACIFIC SUNSET MAPLE / acer truncata 'warrenred'
QA			QUAKING ASPEN / populus tremulaoides
R			ROSES
RB			EASTERN REDBUD / cercis canadensis
RC			ROCK COTONEASTER / cotoneaster horizontalis
RD			RED TILED PINE / pinus strobus
RE			RIVERSIDE SPRUCE / picea omorika
RF			ROSE OF SHARON / hibiscus syriacus
RT			ROSE OF SHARON / tree form
S			SHASTA DAISY / leucanthemum 'snow lady'
SA			SWEDISH ASPEN / populus tremula 'erecta'
SC			SPRING SNOW GREEKSPICE / picea x b. 'spring snow'
SD			SNOW-FOUNTAIN CHERRY / prunus x 'snowflake'
SE			SEBASTIAN STAR / picea canadensis
SH			PAUL'S SCARLET HAWTHORN / crataegus l.
SI			SIBERIAN SILVER LINEN / rhus typhina
SN			SUPPER WINE NINEBARK / physocarpus opulifolius
SP			ARNOLD SENTINEL PINE / pinus nigra
SS			SPYGLASS SPRUCE / rhus typhina
ST			STAGHORN SUTAC / rhus typhina
SV			SALVIA / salvia
SH			SWEET WILLIAMS / dianthus barbatus
T			TALL HEDGE BUCKTHORN / rhamnus f. columnaris
TB			TRUFFET VINE / campsis
TR			TRI-COLOR BEECH / fagus s. roseae maripata
V			VARIATED REDTWIG DOGWOOD / cornus alba
VC			PERIWINKLE / vinca
VI			VARIATED IRIS / iris variegata
VR			SPEEDWELL / veronica spicata
W			ANTHONY WATERER SPIRÆA / spiræa x b. water
WN			KEEPING NORWAY SPRUCE / picea abies 'pendula'
WS			WELL SPIRÆA SPRUCE / picea mariana f
WT			WISTERIA / wisteria
WN			KEEPING WHITE SPRUCE / picea glauca 'pendula'
Y			GOLD SHARD YUCCA / yucca filamentosa
Z	2"	12	ZELKOVA SERRATA / many varieties

AGGRESSIVE ROCK WALL PERENNIALS (SUN)
PURPLE ROCK CRESS / aubrieta cultorum, SEA THRIFT / armeria maritima, CREEPING BABIES BREATH / siphocampylus repens, SOAPHORT / saponaria ocuminata, CREEPING PHLOX / phlox subulata, ICE PLANT / delosperma, RUSBY TOES / antennaria dioica, BELLFLOWER campanula, SEDUM sedum, CRANESBILL / geranium, HAIDENPINKS / dianthus chin rose, CREEPING ASTER / aster violet carpet, CANDYTUFF / ibatis, BASKET OF GOLD / olopus, BLANKET FLOWER / gallardia

Scale: 1" = 30'
NORTH

CLIENT: JACKSON COURT
ADDRESS: STRAUSE UT.

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.

PRELIMINARY SUBDIVISION REVIEW ORDINANCE

8.25.010 Preliminary plat.

The preliminary plat shall comply with the following requirements:

(A) Submission Requirement. Submit four standard 22-inch by 34-inch copies (see standard drawing No. 1), one reduced to 11-inch by 17-inch (one-half scale) copy, plus one PDF copy of the preliminary plat, for review at least two weeks prior to the next regularly scheduled meeting of the Planning Commission, in accordance with the Community Development submittal policy. Once a complete application has been received, the Community Development Department shall schedule a public hearing within a reasonable time in light of the complexity of the application, the number of other applications received, available staff resources, and applicable public notice requirements. Such notice shall be given in accordance with SCC 10.20.050. The Community Development Director shall, if a complete application is not so submitted in a timely manner, postpone scheduling a public hearing for consideration thereof until complete.

(B) General Information Required.

- (1) The proposed name of the subdivision.
- (2) The location of the subdivision, including the address of the section, township and range.
- (3) Date of preparation.
- (4) The location of the nearest bench mark and monument.
- (5) The boundary of the proposed subdivision.
- (6) Legal description of the subdivision and acreage included.
- (7) Location, width and name of existing streets within 200 feet of the subdivision and of all prior platted streets and other public ways, railroad and utilities rights-of-way, parks and other public open spaces, permanent buildings and structures, houses or permanent easements, and section and corporate lines within and adjacent to the tract.
- (8) Easements for water, sewer, drainage, utility lines, fencing, and other appropriate purposes.
- (9) The layout, number, area, and typical dimensions of lots, streets, and utilities.
- (10) Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in a subdivision including, but not limited to, sites to be reserved or dedicated for parks, playgrounds, schools or other public uses.
- (11) Current inset City map showing location of subdivision.
- (12) Boundary lines of adjacent tracts of undivided land showing ownership.
- (13) Location of all wells, proposed, active and abandoned, and of all reservoirs within the tract and to a distance of at least 100 feet beyond the tract boundaries.

(14) Existing sewers, field drains, water mains, culverts or other underground facilities within the tract and to a distance of at least 100 feet beyond the tract boundaries, indicating pipe size, grades, manholes and exact location.

(15) Existing ditches, canals, natural drainage channels, open waterways, and proposed alignments within the tract and to a distance of at least 100 feet beyond the tract boundaries.

(16) Contours at two-foot intervals for predominate ground slopes within the subdivision between level and 10 percent, and five-foot contours for predominate ground slopes within the subdivision greater than 10 percent.

(17) The plat shall be drawn to a scale of not less than one inch equals 100 feet and shall indicate the base of bearing true north.

(18) The developer's detailed plan for protecting future residents of his development from such hazards as open ditches, canals or waterways, nonaccess streets, open reservoirs or bodies of water, railroad rights-of-way and other such features of a potentially hazardous nature located on, crossing, contiguous or near to the property being subdivided, with the exception that the developer's plan need not cover those features which the Planning Commission determines would not be a hazard to life and/or where the conforming structure designed to protect the future residents would itself create a hazard to the safety of the public. The foregoing does not relieve the developer of the duty to investigate all possible means of protecting future residents from a potential hazard before a determination is made that the only conceivable means of protection is potentially more hazardous than the hazard itself.

(19) Location of existing and proposed land drains.

8.25.020 Approval of preliminary plat.

Members of the Development Review Committee shall prepare reports of compliance with City ordinance for the Planning Commission. Following this investigation and after holding a duly noticed public hearing, the Planning Commission shall recommend approval of the preliminary plat as submitted or modified, or recommend disapproval by indicating findings for the disapproval. The Planning Commission may also table recommendation of the preliminary plat for the purpose of obtaining additional information, or to allow the developer to modify the plat submittal.

Upon receipt of the Planning Commission recommendation on the preliminary plat, the City Council shall hold a public meeting to review the preliminary plat. The City Council shall approve the preliminary plat as submitted or modified, or deny the preliminary plat by indicating findings for disapproval. The City Council may also remand the preliminary plat to the Planning Commission for further review.

City Council approval of the preliminary plat shall authorize the developer to proceed with preparation of the final plat. Approval of preliminary plats by the City Council will extend for a period of one year. If work or subsequent action by the developer to proceed to final plan review does not occur within the year following initial approval, the plan must be resubmitted and become subject to reapproval under the latest City ordinances and specifications.

8.25.030 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.

DEVELOPMENT DOCUMENT

BARBER DEVELOPMENT



7/28/2016

Jackson Court Subdivision

An addition to Craig Estates

Barber Development

JACKSON COURT SUBDIVISION

WELCOME

This new addition to Craig Lane has been anticipated for several years. It has finally come to fruition and we are excited for the numerous opportunities it will provide to the residents that move into this beautiful location. At the heart of Syracuse, it is one of the most desirable locations for aging residents to enjoy the many wonderful opportunities Syracuse has to offer.

This subdivision is being named in honor of 4 year old Jackson Daniels who passed away on this property in a farming accident. He was a bright and vibrant little boy who loved riding on the tractor with his grandfather. He also loved all sports, but especially soccer.



COMMUNITY LAYOUT

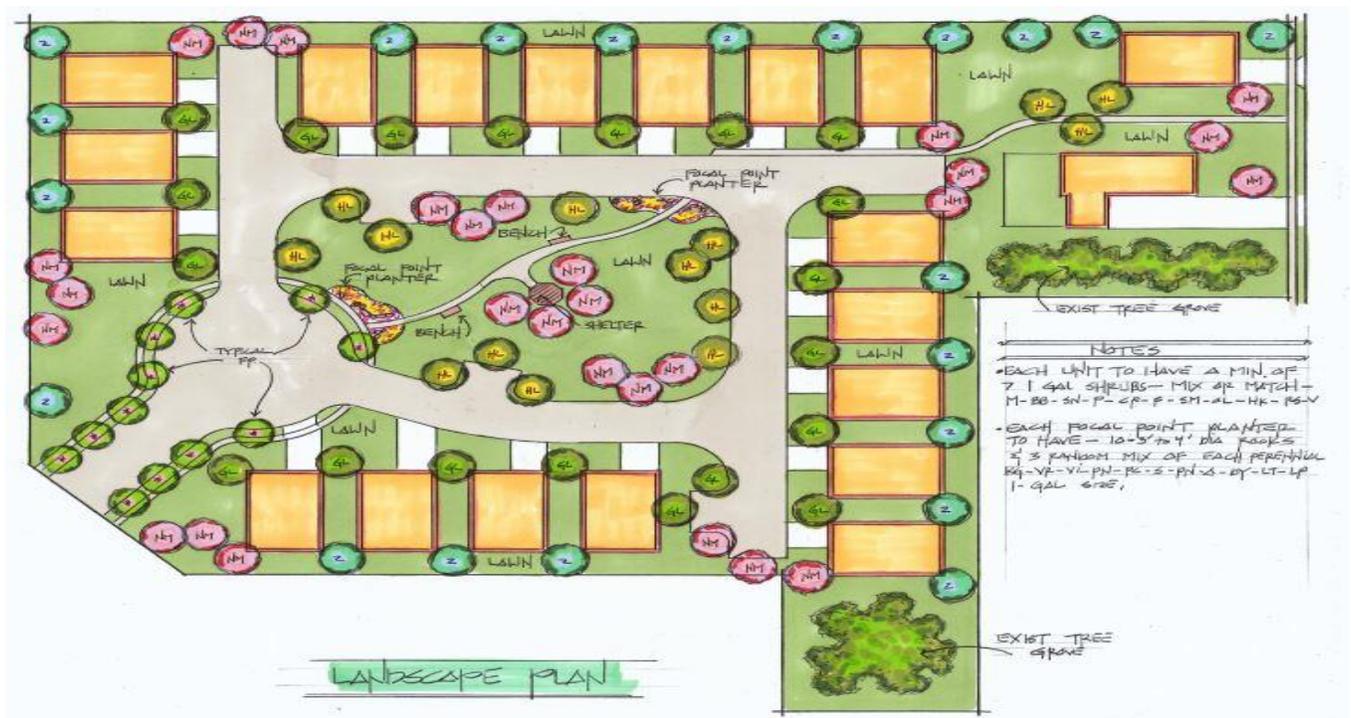


This layout is designed to allow residents of this development to benefit from a common space that they can stroll around as well as enjoy each other's company. We hope that this becomes an extension of their home by providing amenities that all can appreciate and utilize.

LANDSCAPE DESIGN

The landscape architecture of this development is designed to allow privacy and shade throughout the entire subdivision. As these trees mature and develop it will provide an enclosed and exclusive feeling that many do not have in their neighborhood, let alone in the heart of Syracuse.

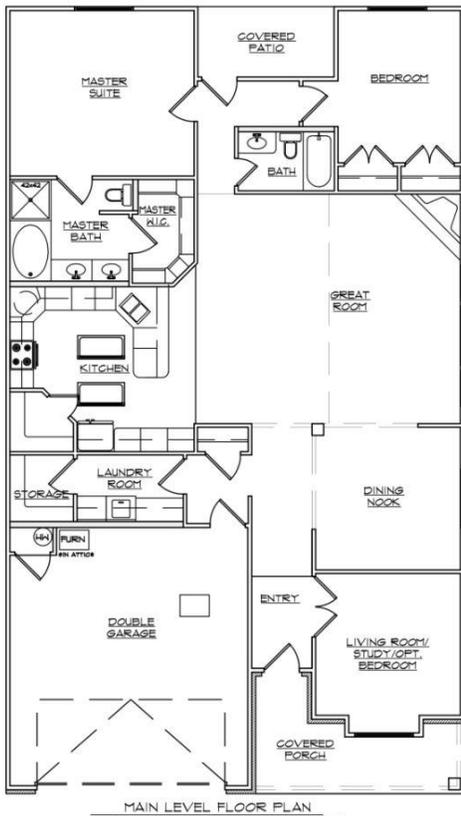
The residents of this community will be a part of an HOA that will provide for the maintenance of the common and open spaces, but if desired will have the opportunity to have their own front flower bed for those who may still take pride in having an area to call their own.



The berm areas in the common space will contain shrubs and bushes that are flowering at certain times of the year. They will be beautiful throughout the year.

HOME PLANS

Cloverdale



This home, with the open floorplan and the spacious rooms, allows you to entertain your guests and not feel cramped for space. With the bedrooms at the rear of the home it allows for privacy when needed. With the additional rooms it also allows for guests to stay over as needed.

Hidden Valley



This home is designed for those families who may need more bedrooms, but still want an open area for family gatherings and activities. The entertainment area is away from the bedrooms and allows for activities to continue even if younger children need to go to bed.

COMMUNITY DEVELOPMENT



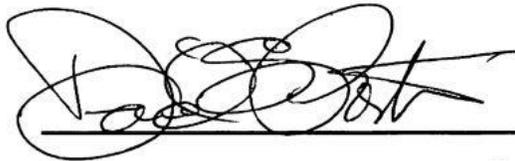
This community will be marketed to 55+ home buyers, but will be accepting of all buyers. The homes will be one level and have easy access to every room in the house.

Joining the existing HOA has many benefits including: a system for maintenance that is already in place, established HOA leadership, and a community park. The existing HOA already has CC&R and rules and regulations on file in the city that will be amended to accommodate this project.



To whom it may concern:

The Craig Estates HOA will accept into their existing HOA the additional homes that are being built at the property associated with the address of 1972 South 2000 West Syracuse. This will be on condition that Syracuse City approves the subdivision road to connect with Craig Lane.



HOA President

David Porter

9 May 2016

With this development joining the existing HOA, many on the City Council want to consider this as a fourth phase of Craig estates which has access to 2000 West. This would answer the concern in the ordinance of PRD's Zones needing to have direct access to main arterials.

FIFTH AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR CRAIG ESTATES, A CLUSTER SUBDIVISION

24 January 2012

This amendment ("Declaration") is made and executed on the date shown below by the Owners at Craig Estates after having been voted upon and approved.

WHEREAS, the declaration of Covenants, Conditions, and Restrictions for Craig Estates, a cluster subdivision, dated 25 June 1999, was recorded on 1 July 1999, as Entry No. 1529355 in Book 2527 at Page 488 ("The Declaration"), and

WHEREAS, the Declaration was amended pursuant to the **First Amendment** to Declaration of Covenants, Conditions, and Restrictions for Craig Estates Homeowners Association recorded 19 June 2001 as Entry No. 1669001, in Book 2830 Page 719, and

WHEREAS, the Declaration was amended pursuant to the **Second Amendment** to Declaration of Covenants, Conditions, and Restrictions for Craig Estates Homeowners Association recorded on 20 June 2001, as Entry No. 1669153 in Book 2831 at Page 126, and

WHEREAS, the Declaration was amended pursuant to the **Supplemental Declaration** to Declaration of Covenants, Conditions, and Restrictions for Craig Estates Homeowners Association and was recorded on 6 October 2006, as Entry No. 2208797 in Book 4133 at Page 1827, and

WHEREAS, the Declaration was amended pursuant to the **Third Amendment** to Declaration of Covenants, Conditions, and Restrictions for Craig Estates Homeowners Association recorded 15 June 2007, as Entry No. 2280160 in Book 4305 at Pages 86-115, and

WHEREAS, the Declaration was amended pursuant to the **Fourth Amendment** to Declaration of Covenants, Conditions and Restrictions for Craig Estates Homeowners Association and was recorded on 21 July 2008, as Entry No. 2380659 in Book 4577 at Pages 432-467, and

WHEREAS, the Declaration was amended pursuant to the Fifth Amendment to Declaration of Covenants, Conditions and Restrictions for Craig Estates Homeowners Association and was Recorded on (Date), as Entry _____ in Book _____ at Pages _____, and

WHEREAS, it is necessary and desirable that the Declaration be superseded and amended in its entirety as provided for herein; and

WHEREAS, the undersigned represent all owners of real property herein referred to,

NOW, THEREFORE, in consideration of the premises and the agreements and consents herein contained, IT IS HEREBY AGREED that the Declaration shall be, and the same is, hereby amended in its entirety and replaced by the following provisions as follows:

RECITALS:

NOW, THEREFORE, the property subject to easements, restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of the real property and be binding on all parties having any right, title or interest in the described property or any part thereof, their heirs, successors, and assigns and shall be inure to the benefit of each Owner thereof is located in Davis County, Utah and described as follows:

SEE EXHIBIT "A" ATTACHED

ARTICLE I

1. Definitions

Unless the context clearly indicates otherwise, certain terms used in this Declaration and the foregoing Recitals shall have the meanings set forth in this Article 1.

1.01 "Assessments" shall have the meaning assigned to it in Article VIII herein.

1.02 "Association" shall mean and refer to Craig Estates Homeowners Association, Inc., (HOA) a Utah non-profit corporation, its successors and assigns.

1.03 "Board of Directors" or "Board" shall mean the governing board of the Association, which is appointed or elected in accordance with this Declaration and the Articles of Incorporation and the Rules and Regulations (R&R) of the Association.

1.04 "Common Area" shall mean all real property (including the improvements thereon) owned by the HOA for the common use and enjoyment of the Owners.

1.05 "Common Expense" shall have the meaning assigned to it in Section 8.04(a) herein.

1.06 "Common Facilities" shall mean all furniture, furnishings, equipment, facilities, and other personal property within the Project for the use and benefit of all Owners and all furniture, furnishings, equipment, facilities, and other real or personal property acquired in accordance with this Declaration by the Association for the use and benefit of all Owners. Common Facilities shall be deemed to be part of the Common Area except as otherwise expressly provided for in this Declaration.

1.07 "Declaration" shall mean this Fifth Amendment to Declaration of Covenants, Conditions, and Restrictions (CC&R) for Craig Estates, a cluster subdivision, dated 9 January 2012.

1.08 "Lien" shall have the meaning assigned to it in Section 9.03.2 herein.

1.09 "Lot" shall mean and refer to any one of the numbered plots of land within the boundary of the Project as such are shown upon and designated on the Plat for private ownership and individually numbered and are intended to be used and occupied by a single family, together with additional

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numbered plots of land contiguous to the Parcel as shown upon and designated upon subsequently-recorded plats.

1.10 “Lot Number” shall mean and refer to the number, which designates a Lot on the Plat.

1.11 “Mortgage” shall mean any first mortgage, first deed of trust, or other security instrument, which constitutes a first lien by which a Lot, or any part thereof is encumbered.

1.12 “Mortgagee” shall mean (a) any person named as the mortgagee or beneficiary under any Mortgage by which the Lot of any Owner is encumbered on (b) any successor to the interest of such person under such Mortgage.

1.13 “Owner” shall mean any person or entity or combination thereof, which, according to the official records of the County Recorder, Davis County, State of Utah, which is maintained for such purpose, is the owner of fee simple title to any Lot. The term “Owner” shall not refer to any Mortgagee unless such Mortgagee has acquired title for other than security purposes.

1.14 “Parcel” shall mean the real property, as more particularly described in the Recitals above, which is the subject of the Declaration and the Plat.

1.15 “Project” shall mean all areas within the Parcel, including the Lots and Common Area, and any and all improvements constructed thereon which are the subject of this Declaration and the Plat.

1.16 “Plat” shall mean the certain subdivision plat entitled Craig Estates, a Cluster Subdivision, which plat has been recorded in the official records of the County Recorder, Davis County, State of Utah, which are maintained for such purpose, which Plat shall identify and describe all easements which exist on the Property.

1.17 “Regular Assessment” shall have the meaning assigned to it in Section 8.04.

1.18 “Residential Home” shall mean each individual single-family residence, including garages, patios, or other such similar facilities, which are constructed, or shall be constructed, upon each respective Lot within the Project.

1.19 “Rules and Regulations” (R&R) shall have the meaning assigned to it in Section 7.04 herein.

1.20 “Special Assessment” shall have the meaning assigned to it in Section 8.05 herein.

ARTICLE II

1. Nature and Incidents of Ownership

2.01 Separate Ownership. Each Lot, together with the Residential Homes and any other improvements constructed thereon, is and shall hereafter be a parcel of real property which may be separately held, conveyed, devised, mortgaged, encumbered, occupied, improved and otherwise used in accordance with the provisions of this Declaration.

2.02 Renting/Leasing of Homes – Restrictions

WHEREAS, the home owners of Craig Estates desire to preserve and enhance the quality of life at Craig Estates and have purchased their homes at Craig Estates for the purpose of using their homes as an owner occupied single family residence; and

WHEREAS, the home owners believe the planned Home development living concept was developed to create a real property interest wherein individuals could own their own property and enjoy the benefits that accompany ownership of real property, including the stability associated with real property ownership, both individually and as a neighborhood, as well as the security that comes to a community by having residents who are owners and are committed to the long-term welfare and good of the community; and

WHEREAS, the home owners realize that the value of their homes is directly related to the ability to sell their homes, that the ability to sell their homes is directly related to the ability of prospective borrowers to obtain financing, and that underwriting standards at financial institutions and secondary mortgage markets restrict the percentage of non-owner occupied that can exist in a planned Home development, and further, when too high a percentage of non-owner occupied homes exist in a planned Home development, a buyer will not be able to qualify for favorable and competitive market interest rates and financing terms, thus inhibiting home owners' ability to sell their homes and depressing the value of all the homes at Craig Estates; and

WHEREAS, the home owners desire to live in a community that is orderly, peaceful, well maintained and desirable, and that will allow for and protect the comfortable enjoyment of all residents of Craig Estates, and have determined through the years of their collective experience that home owners are more responsive to the needs of the community, take greater interest and care of the Common Area and are generally more respectful of the Association rules;

THEREFORE, to accomplish the homeowners' objectives, the following information is adopted restricting the lease/rental and lease-to-own arrangements of homes at Craig Estates HOA.

1. For purposes of this section, a "Family Member" means the parent, sibling, child or grandchild of an Owner.

For purposes of this section, a "Non-Owner Occupied Home" means: (a) For a Residential Home owned by one or more individuals, the Residential Home is occupied, but is not occupied by an Owner or an Owner's Family Member as a primary residence; or (b) For a Residential Home owned by a trust or other entity created for estate planning purposes, the Residential Home is occupied, but is not occupied by the estate planner (for whom the trust or other entity was created) or his/her parent, child, grandchild or sibling.

No more than six (6) Residential Homes are permitted to be Non-Owner Occupied Homes at any one time.

All Non-Owner Occupied Homes must be professionally managed by a Board-approved, licensed, bonded, and insured Property Management Company.

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Owners are not eligible to have a Non-Owner Occupied Home until they have occupied their Home for a minimum of one (1) year. An Owner must obtain approval from the Board in order to have a Non-Owner Occupied Home. Provided the cap set forth in paragraph 3 has not been met or exceeded, the Board shall grant approval, which approval shall be temporary, in a duration that is determined by the Board in its discretion and does not exceed four (4) cumulative years.

The Board may adopt rules with further management, reporting, and procedural requirements related to Non-Owner Occupied Homes, including requiring that certain information and documentation be provided as part of the approval process. Once the cap set forth in paragraph 3 is reached, the Board shall maintain a waiting list of Owner applicants to be notified when there is an opening.

The Owners of all Homes must comply with the following provisions:

Any lease or agreement for otherwise allowable non-owner occupancy must be in writing, must be for an initial term of at least twelve (12) months, and shall provide as a term of the agreement that the Resident shall comply with the Declaration, the Bylaws, and the Rules, and that any failure to comply shall be a default under the lease or agreement. If a lease or agreement for non-owner occupancy (whether in writing or not) does not include these provisions, they shall nonetheless be deemed to be part of the lease or agreement and binding on the Owner and the Resident;

If required in the Rules of the Association or requested by the Board, a copy of any lease or other agreement for non-owner occupancy shall be delivered to the Association within the time period provided for in the Rules or by the Board;

Notwithstanding any non-owner occupancy, Owners remain responsible for payment of assessments;

A non-owner occupant may not occupy any Home for transient, short-term (less than twelve months), hotel, resort, vacation, or seasonal use (whether for pay or not);

Daily and weekly occupation by non-owner occupants is prohibited (whether for pay or not); and

The Owner(s) of a Home shall be responsible for the Resident's or any guest's compliance with the Declaration, Bylaws, and Rules. In addition to any other remedy for noncompliance with this Declaration, the Association shall have the right to initiate a forcible entry and unlawful detainer action, or similar such action, with the purpose of removing the offending non-owner occupant. The Association and the Board shall not have any liability for any action taken pursuant to this subparagraph, and the Owner shall indemnify and pay the defense costs of the Association and the Board arising from any claim related to any action taken in good faith by any of them pursuant to this subparagraph.

2. Lease-to-own arrangements, in which title to the property is held by someone other than a resident, will not be permitted beginning 16 August 2011, with the exception of lease-to-own arrangements that are currently in place as of 16 August 2011. These current arrangements will be permitted until they end under their own terms, title to the property is transferred (in which case the new owner must occupy the property), or the lessee/purchaser ceases residency of the property, whichever occurs first.

3. Any home owner who violates this section shall be subject to a fine of \$100.00 a day per violation notice of non-compliance, according to the provisions set forth in the Craig Estates HOA Rules and Regulations, and/or to a complaint for an injunction seeking to terminate the lease/rental or lease-to-own arrangement in violation of this section. If the Craig Estates Board of Directors is required to retain legal counsel to enforce this section, with or without the filing of legal process, the violating home owner shall be liable for all attorney fees and court costs incurred by the Board of Directors in enforcing this section.

2.03 Use and Occupancy. Subject to the limitation contained in this Declaration, each Owner shall have the non-exclusive right to use and enjoy the Common Areas and the exclusive right to use and enjoy said Owner's Lot.

2.04 Exterior of Residential Homes. Each Owner shall keep the exterior of his or her Residential Home, including, without limitation, exterior walls, roofs, gutters, drain spouts, all exterior building surfaces, and any and all other exterior improvements to the Lot in a sanitary condition and in a state of good repair. All such maintenance and repair shall be for the purpose of maintaining said Residential Home in a manner consistent with existing design, materials, colors, and other such items in use on other Residential Homes within the Project unless different materials shall have been previously approved in writing in accordance with the provisions of Section 2.07 hereof.

In the event that any such Residential Home should develop an unsanitary condition or fall into a state of disrepair, and in the event that the Owner of such Residential Home shall fail to correct such condition promptly following written notice from the Association, the Association shall have the right, at the expense of the Owner, and without liability to the Association for trespass or otherwise, to enter upon said Owner's Lot and correct or eliminate said condition.

2.05 Maintenance of Lots. The Association shall be responsible for aerating, edging, and fertilizing, mowing, trimming and weed and pest control for all Lot lawns.

The Homeowner shall be responsible to keep their Lot, including without limitation, all trees, shrubs, flower beds and grounds, including their sprinkler system, in a sanitary condition and in a state of good repair, free from all accumulation of weeds, refuse, rubbish or abandoned articles of any kind. Homeowner's sprinkler systems are to be repaired at the Owner's expense.

In the event that any Owner of such Residential Lot should allow their Lot to develop an unsanitary condition, have weeds in the flower beds, or fall into a state of disrepair, and in the event that the Owner of such Residential Home shall fail to correct such condition, a notice will be sent. If the first notice is not complied with, a second notice will be given, a fine of \$25.00 will be assessed and a new time limit will be given. If the second written notice and time limit from the Association is not complied with, the

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Association shall have the right, at the expense of the Owner, and without liability to the Association for trespass or otherwise, to enter upon said Owner's Lot and correct or eliminate said condition.

2.06 Common Area Maintenance. The Association shall be responsible to keep Common Areas, including Craig Park, in a state of good repair and maintenance, free from all damage and accumulations of snow on walks, refuse, rubbish, and other inappropriate materials of any kind. (See Rules and Regulations for Craig Park reservations and procedures.)

2.07 Architectural Control.

1. No building, fence, wall or other structure on any Lot shall be commenced, erected, or maintained, nor shall any exterior addition to or change (including painting) or alteration therein be made until Plans and Specifications showing the nature, kind, shape, height, colors, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location to surrounding structures and topography by the Board and Architectural Committee composed of three (3) or more representatives appointed by the Board. No fence or fences of any nature whatsoever shall be constructed, placed upon, or maintained on any Lot or any portion thereof without the express prior written approval of the Board and Architectural Committee. **No permanent personal fencing is permitted for those homes that are bordered by Common Areas.**

2. No trailer, boat, truck larger than $\frac{3}{4}$ ton, recreational vehicle or similar vehicle shall be parked on a permanent basis on a lot at Craig Estates unless it is parked inside a garage. As used herein, permanent basis means more than seven (7) days out of any thirty-day period. Owners may not install parking pads on their lot that could be used to park vehicles prohibited by this section, nor shall Owners install additional pads on their lot except as approved by the Architectural Committee under Section 2.07.1 herein.

2.08 No Subdivision. No Owner shall cause a Lot or Residential Home to be divided in any manner so as to permit the permanent occupancy and ownership thereof by more than one family, and any documents purporting to convey any portion of a Lot or Residential Home shall be void and of no effect unless a transfer shall be approved in writing in accordance with the provisions of Section 2.07.

ARTICLE III

2. **Title to Lots and Common Area**

3.01 Title to Lots. Title to a Lot within the Project may be held or owned by any person or entity or any combination thereof and in any manner in which title to any other real property may be held or owned in the State of Utah, including, without limitation, joint tenancy or tenancy in common.

3.02 Title to Common Area. Title to the Common Areas within the Project shall be held in the name of the Association and is subject to the rights of any Owner to the non-exclusive use of the Common Area in any manner that does not hinder or encroach upon the rights of others and is not contrary to the provisions of this Declaration and to any Rules and Regulations promulgated by the Association for the use thereof.

3.03 Inseparability. Every devise, encumbrance, conveyance, or other disposition of a Lot shall be construed to be a devise, encumbrance, conveyance, or other disposition of the entire Lot, together

with all appurtenant rights created by law or by this Declaration, including appurtenant membership in the Association as hereinafter set forth.

3.04 No Partition. The Association shall own the Common Areas, and no Owner may bring any action for partition thereof.

3.05 Separate Mortgages by Owners. Each Owner shall have the right separately to mortgage or otherwise encumber his or her Lot. No Owner shall attempt to, or shall have the right to mortgage or otherwise encumber the Common Areas or any part thereof. Any mortgage or any encumbrance of any Lot within the Project shall be subordinate to all of the provisions of this Declaration, and in the event of foreclosure, the provisions of this Declaration shall be binding upon any Owner whose title is derived through foreclosure through private power of sale, judicial foreclosure, or otherwise.

3.06 Separate Taxation. Each Lot in the Project shall be assessed separately for all taxes, assessments, and other charges of the State of Utah or of any political subdivision thereof or of any special improvement district or of any other taxing or assessing authority. For purposes of assessment, the valuation of the Common Areas shall be assessed separately from the Lots. No forfeiture or sale of any Lot or any Residential Home constructed thereon for delinquent taxes, assessments, or other governmental charges shall divest or in any way affect title to any other Lot.

3.07 Mechanic's Liens. No labor performed or material furnished for use in connection with any Lot or Residential Home constructed thereon with the consent, or at the request of, an Owner or his or her agent or subcontractor shall create any right to file a statement of mechanic's lien against a Lot of any other Owner not expressly consenting to or requesting the same or against any interest in the Common Areas unless such work shall have been performed upon express written consent of the Association and the labor performed or material furnished shall have been provided directly for the improvement, repair, or construction of the Common Areas.

3.08 Description of Lot. Each respective Lot shall be legally described for all purposes by using the applicable Lot number as established on the Plat.

ARTICLE IV

3. Easements

4.01 Right to Ingress, Egress, and Enjoyment. Each Owner shall have the right to ingress and egress over, upon, and across the Common Areas and shall have the right of easement and enjoyment in and to the Common Areas which shall be appurtenant to and pass with the title to every Lot subject to the terms and conditions of said easements as herein set forth.

4.02 Delegation of Use. Any Owner may delegate, in accordance with the Rules and Regulations, his or her right of enjoyment to the Common Areas and any recreational facilities located thereon to the members of his or her family and his or her tenants and shall be deemed to have delegated said rights to contract purchasers who reside on said Owner's Lot.

4.03 Easement for Maintenance of Lots. The Association, its agents, employees, or subcontractors, shall have the right of easement over and across each Lot, but not to any portion of the

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interior of any Residential Home, for the purpose of maintaining or inspecting the Lot in accordance with the provisions of this Declaration.

ARTICLE V

4. Restrictions on Use

5.

5.01 Residential Uses. All Lots are intended to be used for single-family residential housing and are restricted to such use. No Residential Home shall be used for business or commercial activities without permission of the Board. As used herein, “single-family” shall mean: persons related to each other by blood within two generations or legally related to each other by marriage or adoption, or a group of not more than three (3) persons not all so related, inclusive of their domestic servants, who maintain a common household in a residence on a Lot. Notwithstanding the definition of single-family, because Craig Estates is zoned as a high-density housing area, no more than two people shall reside in any bedroom in any home and no more than a total of eight people shall be permitted to reside in any home built on a Lot within Craig Estates. No Owner shall permit more than three vehicles to be parked on a Lot (including inside the garage) on a permanent basis. As used herein, permanent basis means no more than ten days out of any thirty-day period. The Board of Directors must approve any deviation.

5.02 No Noxious or Offensive Activity. No noxious, offensive, or illegal activity shall be carried on in or upon any part of the Project, nor shall anything be done or placed in or upon any part of the Project which is or may become a nuisance or may cause embarrassment, disturbance, or annoyance to residents, including but not limited to loud or disturbing behavior by pets and children. No activities shall be conducted, nor improvements constructed, in or upon any part of the Project, which are or may become unsafe or hazardous to any person or property. No automobile or other vehicles shall be parked on a street within the Project or at any other location within the Project, which impairs or tends to impair vehicular or pedestrian access within the Project or to and from its various parts.

5.03 Restrictions on Animals. The HOA and the City of Syracuse adopt and adhere to the Davis County’s “Comprehensive Animal Control Ordinance. Section 6.12.060 “No person or persons at any one (1) residence within the jurisdiction of this title shall at any one (1) time own, harbor, license or maintain more than two (2) dogs.” There can be no more than a total of two pets per HOA residence. The animal cannot become a nuisance either through damage, unsanitary conditions, unreasonable odors, and noise or safety concerns. Whenever a dog is allowed outside, it shall be on a leash or some other appropriate restraint. Dogs must be no taller than 15 inches at shoulder height when full grown as of 16 August 2011. Dogs larger than as stated above in residence prior to 16 August 2011 will be grandfathered in the restrictions.

5.04 Prohibition of Damage and Certain Activities. Except with the prior written consent of the Board of Directors, nothing shall be done or kept in any Residential Home or upon any Lot which would result in cancellation of any insurance on the Project or any part thereof, nor shall anything be done or kept in any Residential Home which would increase the rate of insurance on the Project or any part thereof over that which, but for such activity, would be paid. Nothing shall be done or kept in any Residential Home, upon any Lot, or upon the Common Areas, or upon any part of the Project, which would be in violation of any statute, ordinance, regulation, rule, permit, or other validly imposed requirement of any governmental authority. No damage to, or waste of, the Common Areas or Common Facilities or any part thereof shall be committed by any Owner or guest or invitee of any Owner, and each such Owner shall indemnify and hold harmless the Association and the other Owners against all loss resulting from any such damage or waste caused by such Owner, his or her family guests, tenants, licensees, or invitees.

5.05 Rules and Regulations. Each Owner and any person or persons occupying a Lot or using any facility within the Project shall comply with each and every provision of the Rules and Regulations governing use of the Project. Rules and Regulations may from time to time be adopted, amended, or revised by the Association pursuant to Section 7.04 herein.

5.06 Construction Exemption. During the construction of any permitted structures or improvements, the provisions, covenants, conditions, and restrictions contained in this Declaration shall be deemed waived to the extent necessary or convenient to permit such construction; provided, however, that, during the course of such construction, nothing shall be done which will result in a violation of said provisions, covenants, conditions, or restrictions upon completion of the construction.

ARTICLE VI

6. The Association

6.01 The Association. The administration of this Project shall be through the Craig Estates Homeowners Association, Inc., a Utah non-profit corporation, which has been organized and will be operated to perform the functions and provide the services contemplated in this Declaration. Said Association shall operate in accordance with the laws of the State of Utah, and with the Articles of Incorporation of the Association and the Rules and Regulations of the Association, which have been adopted in accordance therewith.

6.02 Membership. Each Owner shall be entitled and required to be a Member of the Association. Membership shall begin immediately and automatically upon becoming an Owner and shall terminate immediately and automatically upon ceasing to be an Owner. If title to a Lot is held by more than one person, the membership appurtenant to that Lot shall be shared by all such persons in the same proportionate interests and by the same type of tenancy in which title to the Lot is held. An Owner shall be entitled to one membership for each Lot owned by said Owner. Each Membership shall be appurtenant to the Lot to which it relates and shall be transferred automatically by conveyance of that Lot. Ownership of a Lot within the Project cannot be separated from membership in the Association, and any devise, conveyance, or disposition of a Lot shall be construed to be a devise, conveyance, or other disposition, respectively, of that Owner's membership in the Association and all rights appurtenant thereto. No person or entity other than an Owner may be a member of the Association, and membership in the Association may not be transferred except in connection with the transfer of a Lot.

6.03 Board of Directors. A Board of Directors shall govern the Association as the same shall be established and defined in the Rules and Regulations of the Association. Interpretation, changes, disputes or questions to the CC&R or the Rules and Regulations will be resolved and managed by a majority vote of the Board of Directors.

6.04 Votes. Each Owner shall be entitled to one (1) vote for each Lot owned. If membership is jointly held; all or any holders of the joint membership may attend any and all meetings of the Members of the Association, but such holders of the joint membership must act unanimously to cast one (1) vote relating to their joint membership.

6.05 Power of Attorney and Amendments. Each Owner makes, constitutes, and appoints the Association the true and lawful attorney in said Owner's name, place, and stead to make, execute, sign, acknowledge, and file with respect to the Project such appointments to this Declaration and the Plat as may be required by law or by vote taken pursuant to the provisions of this Declaration.

2. ARTICLE VII

▪ Certain Rights and Obligations of the Association

7.01 The Common Area. The Association, subject to the rights and duties of the Owners as set forth in this Declaration, shall be responsible for the exclusive management, control, operation, and maintenance of the Common Area, including all improvements thereon (including the Common Facilities), and shall keep the same in a good, clean, attractive, safe, sanitary order and repair. All goods and services procured by the Association in performing its responsibilities under the Section shall be paid for with funds from the Common Expense Fund.

7.02 Miscellaneous Goods and Services. The Association may obtain or pay for out of the Common Expense Fund the services of such personnel as the Association shall determine to be necessary or desirable for the proper operation of the Project, whether such personnel are furnished or employed directly by the Association or by any person or entity with whom or which it contracts. The Association may also obtain or pay for out of the Common Expense Fund legal and any accounting services necessary or desirable in connection with the operation of the Project or the enforcement of this Declaration. In addition to the foregoing, the Association may acquire and pay for out of the Common Expense Fund water, sewer, garbage collection, electrical, gas, and other necessary or desirable utility services for the Common Areas and insurance, bonds, and other goods and services common to the Lots and necessary to implement the intent of this Declaration.

7.03 Property Acquisition. The Association may acquire (by purchase, lease, or otherwise), hold and dispose of real, personal, and mixed property of all types for the use and benefit of all Owners. The costs of acquiring all such property, including Common Facilities, shall be paid for out of the Common Expense Fund and all proceeds from the disposition of such property shall be part of the Common Expense Fund.

7.04 Rules and Regulations. The Board of Directors may make reasonable Rules and Regulations governing the Project, which includes Common Areas, and Common Facilities, provided however, that such Rules and Regulations shall be consistent with the rights and obligations established by this Declaration. The Board shall send by first class U.S. mail, e-mail or hand deliver to each Owner, at the address set forth in the Register of Owners established in the Rules and Regulations, a copy of all such Rules and Regulations, all amendments thereto and any rescissions thereof. Such Rules and Regulations shall take effect the date approved by the governing board. The Board or any aggrieved Owner may initiate and prosecute appropriate legal proceedings against an offending Owner to enforce compliance with such Rules and Regulations or to recover damages caused by non-compliance therewith as may be permitted by law. In the event the Board shall initiate any such legal proceedings, the Association shall be entitled to recover from the offending Owner costs and expenses incurred by the Association in connection with such proceedings, including court costs and reasonable attorney's fees both before and after judgment.

7.05 Creation of Easements. The Board may, without vote or consent of the Owners or of any person, grant or create, on such terms, as it deems advisable, reasonable utility and similar easements

over, under, across, or through the Common Areas, which may be determined by the Association to be reasonably necessary.

7.06 Implied Rights. The Association may exercise any right or privilege given to it expressly by this Declaration or by law and every other right or privilege reasonably implied from the existence of any right, privilege, or duty given to it herein or reasonably necessary to effectuate any such right, privilege, or duty.

7.07 Powers of the Association. Notwithstanding the powers of the Association as set forth in this Article VII, neither the Association nor the Board of Directors as delegee of the Association's powers and duties shall enter into a contract with a third person or entity whereby such person or entity shall furnish goods or services for the Project for a term longer than one to three years at the discretion of the Board of Directors.

7.08 Financial Statements. The Board of Directors shall cause financial statements for the Association to be prepared at least annually, or at more frequent intervals if required by a majority vote of the Owners, and cause copies thereof to be made available to all Owners. Such statements shall be prepared in accordance with normally accepted accounting procedures and presented in such a manner as to fairly and accurately reflect the financial condition of the Association. The financial books of the Association shall be available for inspection by any Owner at any time during the normal business hour/day (by appointment) of the Association Treasurer. Nothing herein shall be construed to require an audit of the Association's financial records by a certified public accountant.

ARTICLE VIII

7. Assessments

8.01 Assessments. The Association shall have the right to charge to, and collect from, each Owner of a Lot within the Project said Owner's equal share of all sums which are expended on behalf of all Owners and all sums which are required by the Association to perform or exercise the functions, duties, rights, and powers of the Association under this Declaration, the Articles of Incorporation of the Association, or the Rules and Regulations adopted in accordance with the provisions thereof. All such sums, which are charged and collected for such purposes, shall be collectively referred to herein as "Assessments." The term "Assessments" shall also include each and every annual Regular Assessment and each and every Special Assessment levied in accordance with the provision hereof.

8.02 Agreement to Pay Assessments. Each Owner shall be deemed to covenant and agree with the Association to pay to the Association all Assessments made for the purposes provided for in this Declaration. Such Assessments shall be fixed, established and collected from time to time as provided in this Article.

8.03 Commencement of Assessments. Regular Assessments shall commence against all Lots on the first day of the first calendar month following recordation of a conveyance instrument transferring the Lot within the Project to an Owner.

8.04 Regular Assessments. A Regular Assessment shall consist of each Owner's equal share of the estimated annual total of: (1) the amount which is reasonably anticipated to be expended on behalf of all Owners, and (2) the sum of all amounts which are required to perform or exercise the rights,

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powers, and duties of the Association during each fiscal year. A Regular Assessment shall be computed and levied annually against each Lot in accordance with the provisions hereof as follows:

1. Common Expense. Each Regular Assessment shall be based upon an advance estimate of the Association's cash requirements to provide for payment of all estimated expenses arising out of, or connected with, maintenance and operation of the Common Areas as set forth in Section 7.01 hereof, the maintenance of the Lots as set forth in Section 2.05 hereof, and for the provision of utility services (to the extent not separately metered or billed), and all other common items to the Project for the fiscal year for which the Regular Assessment is being made. Such estimated expenses may include, among other things, and without limitation, the following: expenses of management; governmental taxes, special assessments, and real property taxes attributable to the Common Areas; premiums for all insurance that the Association is required or permitted to maintain hereunder; repairs and maintenance of the Common Areas and the Lots; cost of capital improvements to Common Areas; utility charges for utility services provided to the Common Areas; legal and accounting fees; any deficit remaining from a previous period; creation of a reasonable contingency reserve (\$10,000.00 or more); and any other expenses and liabilities which may be incurred by the Association. Such shall constitute the estimated Common Expense, and all funds received from assessments under this Section 8.04 shall be part of the Common Expense Fund;

2. Apportionment. Expenses attributable to the Common Expense or to the Project as a whole shall be apportioned among, and assessed to, each Lot on an equal basis.

3. Notice and Payment of Regular Assessment. Each Regular Assessment shall be made on a January 1 through December 31 fiscal-year basis. On or before January 1 each year, the Association shall give written notice to each Owner as to the amount of the Regular Assessment with respect to his or her Lot for the fiscal year commencing on January 1 immediately following such date. If no notice of assessment change is issued, the existing assessment will remain in force. Failure of the Association to give timely notice of any Regular Assessment as provided herein shall not be deemed a waiver or modification in any respect of the provisions of this Declaration, nor shall such failure affect the liability of the Owner of any Lot for payment of such Regular Assessment. Each Regular Assessment shall be payable in one of two options as follows:

(a) The full yearly Regular Assessment may be paid in full prior to the 25th day of January of each respective fiscal year and shall receive a 5% discount due to the benefit the Association is receiving by having the money in its bank account and the saving it receives by not having to handle twelve separate payments and deposits; or (b) The Regular Assessment may be paid in twelve equal monthly installments due on the first day of each month commencing January 1, and shall be subject to a late charge of ten percent (10%) of the monthly fee for payments received after the 14th day of the month.

4. Inadequate Funds. In the event that the Common Expense Fund proves inadequate during any fiscal year for whatever reason, including non-payment of Owner's Assessments, the Association may either borrow funds and/or levy additional Assessments in accordance with the procedure set forth in Section 8.05, except that the vote herein specified shall not be necessary. If the Association elects to levy such an additional assessment, then no such assessment or assessments levied in any fiscal year may, in the aggregate, exceed five percent (5%) of the

Common Expense Fund for that fiscal year without the vote or written consent of a majority of owners.

5. Increase in Regular Assessments. The amount of Regular Assessment shall not exceed twenty percent (20%) of the Regular Assessment amount for the immediately preceding fiscal year unless a majority of Owners shall consent to a greater increase by vote or written consent.

8.05 Special Assessments. In addition to the Regular Assessment authorized by this Article, the Association may levy, at any time, and from time to time, upon the affirmative vote of at least fifty percent (50%) of the total votes of the Association, Special Assessments, payable over such periods as the Association may determine, for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction, unexpected repair or replacement or any part thereof, or for any other expenses incurred or to be incurred as provided in this Declaration. This Section shall not be construed as an independent source of authority for the Association to incur expenses, but shall be construed to prescribe the manner of assessing for expenses authorized by other Sections or Articles hereof. Any amounts assessed pursuant hereto shall be assessed to Owners, in the same manner as other assessments. Notice in writing of the amount of such Special Assessments and the time for payment thereof shall be given promptly to the Owners, provided that no payment shall be due less than thirty (30) days after such notice shall have been given. All unpaid portions of such Special Assessments shall bear interest at the rate of one and one-half (1.5%) per month from the date such portion become due in accordance with the above-mentioned notice until paid. All funds received from assessments under this Section 8.05 shall be part of the Common Expense Fund.

8.06 Lien for Assessments. All sums assessed to the Owner of any Lot within the Project pursuant to the provisions of this Article VIII, together with interest and penalties thereon as provided herein, shall be secured by a Lien on such Lot in favor of the Association as more particularly set forth in Section 9.03.2.

8.07 Personal Obligation of Owner. The amount of each and every Regular Assessment and Special Assessment against any Lot with the Project shall be the personal obligation of the Owner of such Lots to the Association. Suit to recover a money judgment for such personal obligation shall be maintainable by the Association without foreclosing or waiving the lien securing the same. No Owner may avoid or diminish any such personal obligation by waiver of the use and enjoyment of any Common Areas or by abandonment of his or her Lot, or by waiving any services or amenities provided for in this Declaration. In the event of any suit to recover a money judgment for unpaid Assessments hereunder, the involved Owner shall pay the costs and expenses incurred by the Association in connection therewith, including court costs and reasonable attorney's fees both before and after judgment.

8.08 Fines. Any Homeowner may be fined for violations as stated in the Rules and Regulations as determined by a majority vote of the Board of Directors. The fine schedule is listed in the Rules and Regulations and can be adjusted or levied by a majority vote of the Board of Directors.

ARTICLE IX
Enforcement of Restrictions

8.

9.01 General. Each Owner shall comply with the provisions of this Declaration, the Rules and Regulations, and the decisions and resolutions of the Association and the Board of Directors adopted pursuant thereto as the same may be lawfully amended, modified, or adopted from time to time. The Board of Directors shall have full power to enforce compliance with this Declaration, and Rules and Regulations in any manner provided for by law or in equity, including, without limitation, the right to bring an action for damages, an action to recover sums due, an action to enjoin a violation or specifically enforce the provisions thereof, and the ability to assess fines consistent with the Community Association Act, which shall be set forth in the Rules and Regulations of the Association as adopted by the Board. Said action or actions may be maintainable by the Association, or in a proper case, by an aggrieved Owner. In the event of any action by the Association to recover Assessments or other amounts due hereunder, or to enforce the provisions hereof, the Association shall be entitled to recover from the offending Owner all costs and expenses incurred by the Association in connection with such action, including court costs and reasonable attorney's fees. The obligations, provisions, covenants, restrictions, and conditions contained in this Declaration, as the same may be lawfully amended or supplemented, with respect to the Association and/or the Lots within the Project, shall be enforceable by the Association, or by an Owner through a proceeding for prohibitive or mandatory injunction. The rights and remedies herein provided shall be in addition to any and all other rights now or hereafter provided by law for enforcement of the provisions of this Declaration, the Articles of Incorporation, The Rules and Regulations, and decisions and resolutions of the Association adopted pursuant thereto.

9.02 Interest. Unless otherwise specifically set forth in this Declaration, all sums payable hereunder by an Owner shall bear late fees at the rate of 10 percent (10%) of the HOA fee per month from the due date.

9.03 Certain Specific Enforcement Powers. In amplification of, and not in limitation of, the general powers specified in Section 9.01 above, the Association shall have the following:

- 1. Suspension of Privileges.** If any Owner shall be in breach of this Declaration, or Rules and Regulations, including, but not limited to, the failure of such Owner to pay any Assessments on or before the due date thereof, subject to the limitations hereinafter set forth in this paragraph, the Association may suspend the Owner's right to occupy the Common Areas and to use Common Facilities and the right of such Owner to participate in any vote or other determination provided herein. The decision as to whether such privileges should be suspended shall be made by a majority of the members of the Board present at a special meeting of the Board duly called and held for such purpose. No suspension under this paragraph shall be effective until written notice has been given to the Owner of the suspension, the reasons therefore, and the actions that must be taken by said Owner to have all suspended privileges reinstated. If such suspension of privileges is based on the failure of an Owner to pay Assessments when due, the suspended privileges of an Owner shall be reinstated automatically at such time as the Owner shall have paid to the Association, in cash or by cashier's or certified check, all amounts past due as of the date of such reinstatement. If such suspension of privileges is based on any act or omission other than the failure to pay Assessments or any other amounts due hereunder when due, no such suspension shall be made except after a meeting of the Board of Directors of the Association at which a quorum

of the Board is present, duly called and held for such purpose. Written notice of such meeting shall be given to the Owner whose privileges are being sought to be suspended for any act or omission other than the failure to pay Assessments at least ten (10) days prior to the holding of such meeting. Such Owner shall be entitled to appear at such meeting and present his or her case or provide a written response to the Board no later than the time scheduled for such meeting as to why privileges should not be suspended (if any portion of this paragraph is not in compliance with the Community Association Act, the Board shall enact Rules and Regulations in compliance therewith to enforce this paragraph).

2. Enforcement by Lien. If any Owner shall fail or shall refuse to make any payment of any Assessments when due, the amount thereof shall constitute an encumbrance on the entire interest of the said Owner's Lot against which the Assessment has been levied. All of the rights and powers associated with such encumbrance on an Owner's Lot shall be collectively referred to herein as a "Lien." To evidence a Lien for sums assessed to Article VIII, the Association shall prepare a written Notice of Lien setting forth the amount of the Assessment or Assessments, the due date thereof, the amount or amounts remaining unpaid, the name of the Owner, a legal description of the Owner's Lot, and a statement that the amount of the Lien shall also include all costs and expenses, including attorney's fees, incurred in preparation, perfection, and enforcement of the Lien. Such Notice of Lien shall be signed and acknowledged by a duly authorized agent of the Association and shall be recorded in the office of the County Recorder of Davis County, State of Utah. No Notice of Lien shall be recorded until there is a delinquency in the payment of an Assessment. Such Lien may be enforced by sale or foreclosure of the Owner's interest in said Owner's Lot by the Association or its duly-authorized agent. Such sale or foreclosure shall be conducted in accordance with the provisions of Utah law applicable to the exercise of the powers of sale or foreclosure in deeds of trust or mortgages or in any other manner permitted by the laws of the State of Utah. The Lien may be satisfied and released upon payment to the Association, in cash or certified funds, the amount set forth in the Lien, all of the Association's expenses and attorney's fees incurred in the preparation, perfection, and enforcement of the Lien, and any Assessments against the lot which may have become due since the date of said Lien. The Association shall have the right and power to bid in at any foreclosure sale, and to hold to, lease, mortgage, or convey the subject Lot.

8.04 Priority of Lien. Upon recordation of the Notice of Lien, the Lien provided for herein shall be a charge or encumbrance upon the Owner's interest in the Lot prior to all other liens and encumbrances, recorded or unrecorded, except only tax and special assessment liens on the Lot in favor of any municipal assessing or taxing district and any encumbrances on the interest of the Owner recorded prior to the date when such Notice of Lien is recorded which, by law, would be a lien prior to subsequently-recorded encumbrances.

ARTICLE X

9. Insurance

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10.01 Types of Insurance. The Association shall obtain and keep in full force and effect at all times the following types of insurance coverage, provided by companies licensed to do business in the State of Utah:

1. Public Liability and Property Damage Insurance. The Association shall obtain a broad form of comprehensive liability insurance coverage to provide adequate protection against liability for personal injury, death, and property damage in amounts not less than Five Hundred Thousand Dollars (\$500,000.00) per person and One Million Dollars (\$1,000,000.00) per occurrence with regard to injury or death and not less than One Hundred Thousand Dollars (\$100,000.00) per occurrence with respect to property damage. Coverage shall include, without limitation, liability for operation of vehicles and equipment on behalf of the Association and all activities in connection with the ownership, operation, maintenance, and other use of the Project and the facilities located therein;

2. Fidelity Insurance or Bond. The Association may purchase, in such amounts and in such forms as it deems appropriate, fidelity insurance or a bond to cover against dishonesty of employees, destruction or disappearance of money or securities, and forgery.

10.02 Form of Insurance. Insurance coverage relating to the Project, insofar as possible, shall be in the following form:

1. Casualty Insurance. Casualty insurance shall be carried in a form or forms naming the Association as the insured. Each policy shall also provide that it cannot be cancelled by either the insured or the insurance company until after ten (10) days' prior written notice.

2. Public Liability and Property Damage Insurance. Public liability and property damage insurance shall name the Association as the insured and shall protect the Association, and the Board of Directors against liability for acts or omissions of the Association, and the Board of Directors in connection with the ownership, operation, maintenance, or other use of the Project or any part thereof. Each such policy shall provide that it cannot be cancelled either by the insured or the insurance company until ten (10) days' prior written notice to the Board of Directors.

3. Policies. The Association shall make every effort to secure insurance policies that will provide that:

(a) The insurer shall waive subrogation as to any claims against the Association, the Board of Directors, agents and guests;

(b) The policy or policies on the Project cannot be cancelled, invalidated, or suspended on account of the conduct of any one or more individual Owners, without a prior demand in writing that the Association cure the defect; and

(c) The policy or policies on the Project cannot be cancelled, invalidated, or suspended on account of the conduct of any officer, or employee of the Association without a prior demand in writing that the Association cure the defect; and

(d) Any "no other insurance" clauses in the policy or policies on the Project shall exclude individual Owners' policies from consideration.

10.03 Insurance Proceeds. The Association shall receive the proceeds of any casualty insurance payments made under policies obtained and maintained by the Association pursuant to this Article. To the extent that reconstruction or repair is required herein, all proceeds of such insurance shall be made available as a fund for such reconstruction or repair and shall be disbursed by the Association as provided in Article XI.

10.04 Additional Coverage. The provisions of this Declaration shall not be construed to limit the power or authority of the Association to obtain and maintain insurance coverage in addition to any insurance coverage required by this Declaration in such amounts and in such forms as the Association may deem appropriate from time to time.

10.05 Adjustment and Contribution. Exclusive authority to adjust losses under policies hereafter in force on the Project shall be vested in the Association. In no event shall the insurance coverage obtained and maintained by the Association hereunder be brought into contribution with insurance purchased by individual Owners or their Mortgagees.

10.06 Owner's Own Insurance. Notwithstanding any other provisions of this Article, each Owner shall be responsible to obtain insurance at his or her own expense providing coverage upon his or her Lot, Residential Home, and any and all other improvements located thereon his or her personal property, for his or her personal liability, and covering such other risks as he or she may deem appropriate; provided that each such policy shall provide that it does not diminish the insurance carrier's coverage for liability arising under insurance policies obtained by the Association pursuant to this Article.

10.07 Review of Insurance. The Association shall review annually the coverage and policy limits of all insurance on the Common Areas and Common Facilities and adjust the same at its discretion within the limitations set forth within this Article. Such review may include an appraisal of the improvements in the Project by a representative of the insurance carrier or carriers providing the policy or policies on the Project, or by such other qualified appraisers as the Association may elect.

ARTICLE XI

10. Damage or Destruction

11.01 Damage or Destruction of Lot or Residential Home. In the event that a Lot or any improvement located thereon, including a Residential Home, is damaged or destroyed by fire or other casualty, the Owner thereof shall cause such Lot or Residential Home to be promptly repaired, restored, or reconstructed to the extent required to restore the Lot or Residential Home to substantially the same condition in which it existed prior to the occurrence of the damage or destruction. In addition, if any Common Area is damaged or destroyed in connection with the repair, restoration, or reconstruction of a damaged Lot, then the cost of repair, restoration, or reconstruction of the Common Area so damaged shall be paid by the Owner of the said Lot.

11.02 Damage or Destruction of Common Areas. In the event that the Common Areas or any portion thereof, any improvements constructed on the Common Areas, or any Common Facilities are damaged or destroyed by fire or other casualty, the Association shall be responsible to promptly repair,

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restore, replace, or reconstruct same to the extent required to return them to substantially the same condition in which they existed prior to the occurrence of the damage or destruction. The Association shall have full and complete authorization, right, and power to make, execute, and deliver any contract or other instrument and may take all action which may be necessary or appropriate to exercise the powers herein granted and no consent or other action by any Owner shall be necessary in connection therewith.

11.03 Repair or Reconstruction. Repair, restoration, replacement, or reconstruction of damaged portions of the Project as used in this Article means restoring, by whatever means, method, or process that shall be necessary, the damage portions of the Project to substantially the same condition in which it existed prior to the damage, with each Lot and the Common Areas having substantially the same boundaries as before. The term “repair” as used herein shall be deemed to include, without limitation, each and every process or procedure necessary to comply with the intent of the Article.

11.04 Estimate of Costs. As soon as practicable after an event causing damage to or destruction of any part of the Common Areas and Common Facilities, the Association shall obtain complete and reliable estimates of the costs of repair of that part of the Common Areas or Common Facilities damaged or destroyed. As soon as practicable after receiving said estimates, the Association shall diligently pursue to completion the repair of that part of the Common Areas and Common Facilities damaged or destroyed.

11.05 Funds for Reconstruction. The proceeds of any casualty insurance collected by the Association due to damage to the Common Areas or Common Facilities shall be available to the Association for the purpose of repair of the Common Areas or Common Facilities. If the proceeds of the insurance are insufficient to pay the estimated or actual cost of such repair, the Association may levy, in advance, a Special Assessment sufficient to provide funds to pay such estimated or actual costs of repair. Such Special Assessments shall be allocated and collected as provided in Section 8.05, except that the vote therein specified shall not be necessary. Further levies may be made in like manner if the proceeds of insurance and the Special Assessment collected prove insufficient to pay the costs of repair.

11.06 Disbursement of Funds for Repair. The insurance proceeds received by the Association and any amounts received from Special Assessments made pursuant to Section 11.05 shall constitute a fund for the payment of costs of repair after casualty. It shall be deemed that the first money disbursed in payment for cost of repair shall be made from insurance proceeds, if there is a balance after payment of all costs of such repair, such balance shall be deposited to the Common Expense Fund.

ARTICLE XII

11. Condemnation

12.01 Condemnation of Lot. If at any time or times during the continuance of ownership pursuant to this Declaration, all or part of one or more Lots shall be taken or condemned by any public authority under power of eminent domain, the provisions of this Article shall apply. A voluntary sale or conveyance of all or any part of a Lot, but under threat of condemnation, shall be deemed to be taken by power of eminent domain.

12.02 Proceeds. All compensation, damages, and other proceeds from any taking of a Lot by power of eminent domain (hereinafter “the Condemnation Award”) shall be made payable to the Owner of each respective Lot so condemned.

12.03 Termination of Membership. If all of a Lot is taken by condemnation, or if such a portion of a Lot is taken by condemnation such that the remaining portion of the Lot may not practically or lawfully be used for any purpose permitted in the Declaration, then the membership, vote, easement rights, liability for payment of the Assessments, and all other rights and duties granted by this Declaration which are appurtenant to such Lot shall be and are automatically terminated upon such taking.

12.04 Remaining Portion of Lot. If any portion of a Lot shall remain after a complete taking as set forth in Section 12.03, then the remaining portion thereof shall be subject to purchase by the Association, at the sole election of the Association, at the fair market value thereof after such condemnation is complete and less any portion of the Condemnation Award paid to the Owner of such Lot which is properly allocated to such remaining portion of the Lot. Any portions of a Lot so purchased by the Association shall be Common Area.

ARTICLE XIII

12. Condemnation of Common Areas

13.01 Condemnation of Common Areas. If, at any time or times during the continuance of ownership pursuant to this Declaration, all or any part of the Common Areas or Common Facilities shall be taken or condemned by any public authority under power of eminent domain, the provisions of this Article shall apply. A voluntary sale or conveyance of all or any part of the Common Areas or Common Facilities in lieu of condemnation, but under threat of condemnation, shall be deemed to be a taking by power of eminent domain.

13.02 Proceeds. All compensation, damages, and other proceeds from any such taking of Common Areas or Common Facilities by power of eminent domain (hereafter “the Condemnation Award”) shall be made payable to the Association and shall be distributed by the Association as provided herein.

13.03 Complete Taking. In the event the entire Project is taken by power of eminent domain, ownership pursuant hereto shall terminate, and the Condemnation Award shall be allocated among, and distributed to, the Owners in proportion to their respective undivided interests in the Common Areas and Common Facilities. For the purposes of this Article, the undivided interest owned in common which shall appertain to each Owner shall be that percentage obtained by dividing one hundred (100) by the number of Lots existing in the Project immediately prior to the condemnation as such number is set forth in the Plat.

13.04 Partial Taking. In the event less than the entire Project is taken by power of eminent domain, the following shall occur:

1. Allocation of Award. If appointment of all allocation is established by applicable negotiations, judicial decree, or statute, the Association shall employ such apportionment and allocation to the extent appropriate. Otherwise, as soon as possible, the Association shall, reasonably and in good faith, apportion the Condemnation Award between compensation, severance damages, or other proceed, and shall allocate such apportioned amounts and pay the same to the Owners as follows:

- (a) The total amount apportioned to taking of or injury to the Common Areas shall be allocated and distributed to all Owners (including Owners whose entire Lots have been taken) in proportion to their respective undivided interests in the Common Areas;
- (b) The total amount apportioned to severance damages shall be allocated among, and distributed to, the Owners of those Lots that have not been taken in the proportion that said Owners' undivided interests in the Common Area bears to the total of all such Owners' undivided interests in the Common Areas;
- (c) The respective amounts apportioned to the taking of or injury to the particular Lot shall be allocated and distributed to the Owner or Owners of such Lot;
- (d) The total amount portioned to consequential damages and any other takings or injuries shall be allocated distributed as the Association determines to be equitable under the circumstances;
- (e) Distribution of allocated proceeds shall be made by check payable jointly to the each Owner and his or her respective Mortgagees, as appropriate.

2. Continuation and Reorganization. If less than the entire Project is taken by power of eminent domain, ownership pursuant hereto shall not terminate, but shall continue.

3. Reconstruction or Repair. Any reconstruction or repair necessitated by condemnation shall be governed by the procedures specified in Article XI hereof for cases of damage or destruction.

ARTICLE XIV **Mortgage Protection**

14.01 Mortgage Protection. No breach of any of the covenants, conditions, restrictions, or limitations contained herein shall defeat or render invalid the lien of any Mortgage made in good faith and for value; provided, however, that all such covenants, conditions, restrictions, and limitations contained herein shall be binding upon an Owner whose title is derived through foreclosure, Trustee's sale, or by deed or assignment in lieu of foreclosure.

14.02 Priority of Liens. No enforcement of any lien provision herein contained shall defeat or render invalid the lien of any Mortgage. All sums assessed in accordance with the provisions herein shall constitute a lien on each respective Lot prior and superior to all other liens except (1) all taxes, bonds, assessments, and other levies which, by law, would be superior thereto; and (2) the lien or charge of any recorded Mortgage on such Lot in good faith and for value and recorded prior to the date on which any such assessment became due.

14.03 Prior Liens Relate Only to Individual Lots. All taxes, assessments and charges, which may become liens prior to the first Mortgage under local law shall relate only to the individual Lot and not to the Project as a whole.

14.04 Mortgage Holder Rights in Event of Foreclosure. Whenever the Mortgagee of a Mortgage of record obtains title to a Lot by the foreclosure of the Mortgage on the Lot or by deed or assignment in lieu of foreclosure, then such Mortgagee or any purchaser at a foreclosure sale shall take the Lot free of any claims for unpaid Assessments and charges against the Lot which accrued prior to the

date of the acquisition of title to such Lot by such acquirer except for claims for equal share of such Assessments or charges resulting from a equal reallocation of such Assessments or charges to all lots in the Project, including the mortgaged Lot. Such unpaid share of Assessments shall be deemed to the Common Expenses collectible prospectively equal from all of the Lots in the Project, including the Lot which has been acquired in accordance with the provisions of this Section.

14.05 Notices to First Mortgage Holders. The Association shall give the applicable first Mortgagee, if any; prompt notice of any default in the Lot Mortgagor's obligation under the Declaration not cured within thirty (30) days of default.

14.06 Matters Requiring Mortgage Approval. Notwithstanding any other provision contained within this Declaration, a majority of the voting power (based upon one vote for each first Mortgage owned per Lot) of the first Mortgagees of any Lot as then appear on the official Records of Davis County, Utah, shall have given their prior written approval before the Association shall be entitled to:

- (a) By act or omission, seek to abandon or terminate the Project;
- (b) Change the equal interest or obligations of any individual Lot for the purpose of levying Assessments or charges or allocating distributions of hazard insurance proceeds of Condemnation Awards;
- (c) By act or omission, seek to abandon, encumber, sell, or transfer the Common Areas (the granting of easements for public utilities or for other public purposes consistent with the intended use of the Common Areas and Common Facilities by the Project shall not be deemed a transfer within the meaning of this clause); or
- (d) Use hazard insurance proceeds for losses to the Project (whether to Common Areas or Common Facilities) for other than the repair, replacement, or reconstruction of such property.

14.07 Amendment. No provisions of this Article XIV shall be amended without the prior written consent of a majority of the voting power of all first Mortgagees as appear on the official records of Davis County, State of Utah, as of the date of the vote regarding such amendment.

ARTICLE XV **General Provisions**

15.01 Intent and Purpose. The provisions of this Declaration and any supplemental or subsequent Declaration or amendments thereto shall be liberally construed to effectuate the purpose of creating a uniform plan for the development and operation of this Cluster Subdivision. Failure to enforce any provision, restriction, covenant, or condition of this declaration, or in any supplemental or subsequent Declaration or amendments hereto shall not operate as a waiver of any such provision, restriction, covenant, or condition or any other provisions, restrictions, covenants, or conditions.

15.02 Interpretation. Whenever used herein, unless the context shall otherwise provide, the singular shall include the plural, the plural shall include the singular, the whole shall include any part

Barber Development

thereof, and any gender shall include all other genders. The Article and Section headings set forth herein are for the convenience and reference only and are not intended to describe, interpret, define, or otherwise limit or affect the content, meaning, or intent of this Declaration or any Article, Section or provision hereof. The provisions hereof shall be deemed independent and severable, and the invalidity or partial invalidity or unenforceability of any one provision or portion hereof shall not affect the validity or enforceability of any other provision hereof.

15.03 Registration of Mailing Address. Each Owner shall register from time to time with the Association his or her current mailing address. All notices or demands intended to be served upon any Owner may be sent by First Class U.S. Mail, postage prepaid, addressed to the Owner at his or her last registered mailing address, or, if no address has been registered, to the mailing address of the Lot of such Owner. All notices or demands intended to be served upon the Association may be sent by First Class U.S. Mail, postage prepaid, addressed to the Association at the address of its offices as may be furnished to the Owners in writing from time to time. Any notice or demand referred to in this Declaration shall be deemed given when deposited in the U.S. Mail, postage prepaid, and in the form provided for in this Section.

15.04 Review. Any Owner may, at any reasonable time, upon appointment and at his or her own expense, cause a review or inspection to be made of the books and records maintained by the Association.

15.05 Amendment. This Declaration may be amended with or without a meeting by the affirmative vote of at least fifty-one percent (51%) of the Owners. Any amendment so authorized shall be accomplished through the recordation of an instrument executed by the President of the Association certifying that the vote required by this Section has occurred.

15.06 Owner’s Obligations. All obligations of an Owner under and by virtue of the provisions contained in this Declaration shall continue, notwithstanding that said Owner may be leasing, renting, or selling his or her Lot. The Owner of a Lot within the Project shall have no obligation for expenses or other obligations (except interest on prior obligations) accruing after the conveyance of such Lot to a subsequent Owner.

15.07 Effective Date. This Declaration and every provision hereof shall take effect upon recording.

CERTIFICATION

It is hereby certified that Owners holding at least fifty-one percent (51%) of the total votes of the Association have voted to approve this amended Declaration, as indicated by the consents attached to this Declaration as Exhibit “B” and incorporated herein.

IN WITNESS WHEREOF, this 24th day of January 2012,

By: _____
Cathryn Trusty, Treasurer

STATE OF UTAH)
 : Ss.

COUNTY OF DAVIS)

On this 24th day of January 2012, personally appeared before me Cathryn Trusty, who, being by me duly sworn, did say that she is Treasurer of the Craig Estates Homeowners Association and that the within and foregoing instrument was signed in behalf of said Association and she duly acknowledged to me she executed the same.

Notary Public

EXHIBIT "A"

LEGAL DESCRIPTION OF LOTS IN CRAIG ESTATES

All the following lots in Phase 1: 12-351-0101 thru 0120; 12-351-0122 thru 0125, and all common access areas and Craig Park, inclusive of Craig Estates Cluster Subdivision, Syracuse City, Davis County, Utah, according to the official plat thereof).

All the following lots in Phase 2: 12-487-0201 thru 0222; and 12-598-0327 and 0328 (Craig Park) and all common access areas, inclusive of Craig Estates Cluster Subdivision, Syracuse City, Davis County, Utah, according to the official plat thereof).

All the following lots in Phase 4: 1 thru 20 and all common access areas, inclusive of Jackson Court PRD subdivision, Syracuse City, Davis County, Utah, according to the official plat thereof).

EXHIBIT "B"
CONSENT OF OWNERS

We, the Owners of Lots in Craig Estates, hereby consent to the adoption and recording of this amended Declaration as set forth above.

Lot #101 (2021) _____	Lot #201 (2160) _____
Lot #102 (2031) _____	Lot #202 (2170) _____
Lot #103 (2051) _____	Lot #203 (2180) _____
Lot #104 (2073) _____	Lot #204 (2190) _____
Lot #105 (2081) _____	Lot #205 (2202) _____
Lot #106 (2089) _____	Lot #206 (2212) _____
Lot #107 (2097) _____	Lot #207 (2226) _____
Lot #108 (2084) _____	Lot #208 (2238) _____
Lot #109 (2074S) _____	Lot #209 (2250) _____

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Lot #110 (2064) _____	Lot #210 (2282) _____
Lot #111 (2149) _____	Lot #211 (2292) _____
Lot #112 (2150) _____	Lot #212 (2291) _____
Lot #113 (2138) _____	Lot #213 (2281) _____
Lot #114 (2094) _____	Lot #214 (2249) _____
Lot #115 (2082) _____	Lot #215 (2237) _____
Lot #116 (2074M) _____	Lot #216 (2225) _____
Lot #117 (2071) _____	Lot #217 (2213) _____
Lot #118 (2075) _____	Lot #218 (2203) _____
Lot #119 (2083) _____	Lot #219 (2191) _____
Lot #120 (2091) _____	Lot #220 (2181) _____
	Lot #221 (2171) _____
	Lot #222 (2161) _____

CRAIG ESTATES HOMEOWNERS ASSOCIATION (HOA)

RULES AND REGULATIONS

16 August 2011

■ **The Board of Directors, comprised of our elected officials, is charged with the responsibility of enforcing our covenants. Toward this end, they have adopted these Rules and Regulations for the homeowners and residents of Craig Estates Homeowners Association (HOA).**

All homeowners and residents have to work cooperatively in observing whatever rules and regulations are adopted by the Board.

The Rules and Regulations apply to all owners, residents, their families, and their guests. Please read them carefully. Please inform your family members and guests of any rules applicable to them.

Whenever a residence is sold and vacated, it is the responsibility of the owner that is leaving to give his/her set of CC&Rs and Rules and Regulations to the new owner.

The following Rules and Regulations supersede all previous revisions and are effective immediately.

□ **Rule Number 1 – General – See CC&R Article 6.03, Article 7.04 & Article 9**

1. Governance

(a) The Board of Directors, at the annual meeting of the Homeowners Association (HOA), will be elected for two (2) years by a majority of the members present. Interpretation, changes, disputes or questions to the CC&R or the Rules and Regulations will be resolved and managed by a majority vote of the Board of Directors.

(b) The HOA Board will consist of a President, Vice President, Secretary, Treasurer and a Member-at-Large. The Vice President will serve as President following the two-year term of office of the President so that leadership continuity will remain in the Association. Successive terms are permitted.

(c) The Board will establish committees, under their direction, as needed by a majority vote of the Board. Some committees, as needed, will be Architectural, Park, Garage Sale, Animal Control, Social, and Financial Review etc.

2. Signs

(a) Only temporary signs may be displayed in the HOA (i.e., Real Estate, Garage Sale etc.). Security signs are considered permanent and are exempt. Posters and similar advertising and promotional information are to be approved by the Board of Directors.

- (b) All signs will be of a professional quality. Sign size shall not exceed 18"x24."
- (c) Real Estate open house signs are permitted only during open house hours.
- (d) Signs must be removed immediately after home is sold.
- (e) Political signs will not be allowed in the entry (by HOA signs) and common areas.
- (f) No more than ten (10) political signs may be placed on the front lawn of any home, sixty (60) days prior to the election. All political signs must be taken down immediately following the election.
- (g) No temporary signs will be placed on a homeowner's property without the homeowner's permission.

3. Lease/Rental and Lease-to-own Agreements

See CC&R 2.02.1-3 for Lease/Rental and Lease-to-own Agreements.

Rule Number 2 – Responsibilities – See CC&R Article 2.04 - Article 2.07

1. Homeowners

- (a) Each homeowner is responsible for the upkeep of their home and flower beds, including weeding, and keeping the lot hazard free and in good repair. This includes sidewalks and driveways. If the homeowner does not provide proper upkeep, fines will be imposed. In cases of structural additions or changes, the contractor or homeowner must submit his/her changes and type of materials to the Architectural Committee prior to building or painting the residence. Any changes in color of home (to include siding, paint, and stucco) must be approved by the Architectural Committee for presentation to the Board.
- (b) Fences, hedges or retaining walls are not authorized without prior approval by the Architectural Committee. The Board of Directors will give final written approval/disapproval.
- (c) **No personal fencing is permitted for those homes bordered by common areas.** The perimeter fence bordering common areas and the back border of homes is owned and maintained by the HOA. Damage done by a homeowner to the perimeter fence bordering the common areas and the back border of homes must be repaired by the homeowner.
- (d) Personal fencing must be approved by the HOA Board, and must be of the same height, design, color and material as the perimeter fencing.
- (e) Personal fences on lots are owned and maintained by the homeowner.
- (f) Any home's sprinkler modification or repair will be at the homeowner's expense. Any increase in mowing, fertilizing, or aerating charges due to unavailability of access (locks on gates, pets, etc.) will be paid by the homeowner.

(g) Trampolines and swimming pools are not allowed in unfenced yards. Homes that are connected to common areas are not allowed to place playground equipment on the common areas. If this rule is violated, fines will be imposed. Temporary items to be placed in a common area for a party need to have HOA Board approval and a Park/Common Area Reservation Form.

(h) All concerns or problems need to be addressed in a **written** format and addressed to the Board of Directors, through the Secretary of the Board.

(i) Each resident will supply to the HOA Treasurer and keep up to date, the name, address, phone number and e-mail address (if applicable), of the registered homeowner. A “Register of Owners” listing will be maintained in accordance with Article 7.04 and Article 15.03 of the CC&R.

2. HOA – See CC&R Article 2.04 - Article 2.07, Article 5 & Article 7

(a) All lawns will be maintained by the HOA. Maintained means mowed, edged, trimmed, aerated, fertilized, emergent weed and pest control, **excluding homeowner’s flower beds**. All timer boxes will be unlocked so the HOA can monitor and regulate watering schedules.

(b) The Board of Directors will authorize a removal of snow (push) when the snowfall depth is three inches or more. When a push is called for (at least 3 inches); snow will be removed from all driveways, front sidewalks and common area sidewalks. The homeowner is responsible for snow removal for depths less than three inches. The homeowner may use snowmelt as needed at any time and will be responsible for clearing their steps. No public sidewalk will be obstructed or blocked at anytime (winter or summer) in accordance with Syracuse City Ordinances.

(c) Common areas, including Craig Park, are the property of the HOA and will be maintained and managed by the Park Committee with final approval by the Board in establishing policy and solving problems.

(i) Hours of use – 8:00 a.m. to 10:00 p.m. The Board of Directors must approve all deviations.

(ii) Reservations for Craig Park or the common areas must be made through the Park Reservation Committee. There will be no reservation fee for Craig Estates homeowners or the homes in Phase 3. However, a refundable security deposit of \$25.00 by all users must be paid in advance. If cleaning and/or repairs are necessary after use, the sponsoring homeowner will be assessed the charges and the cost will be deducted from the security deposit. Any additional costs that are more than the security deposit will be due from the homeowner.

Non-HOA homeowners (excluding homes in Phase 3) will be charged a non-refundable reservation charge of \$50.00.

Barber Development

- (iii) Damage to Craig Park or the common areas, noise, or illegal activities will not be tolerated under any circumstance. A Park/Common Area Reservation Form will be given to everyone when making reservations containing the rules and regulations for the park. The park and common areas must be kept clean and free of litter and pet droppings and left in good repair. People and pets are not allowed on the berm areas.
- (d) All trash accumulated during the activity will be removed by the user.
- (e) The Board of Directors will purchase appropriate liability insurance to cover any member of the Board, Committees and the Common Areas.
- (f) A yearly financial review will be accomplished by the Financial Review Committee, which is independent of any other committees, and reports directly to the President of the Board of Directors. The HOA will sponsor and advertise, at no cost to the homeowners, one garage sale to be held on a Saturday (exact dates to be determined by the Board of Directors) from 8:00 a.m. to 12:00 p.m. This garage sale event is the only garage sale authorized within the HOA.

The HOA will place signs throughout Craig Estates the morning of the Garage Sale and take them down at the end of the day. Each homeowner will have the opportunity to voluntarily participate. Items to be sold will be available in each homeowner's driveway or garage. The homeowner will mark the items for sale accordingly and realize all profits from their sale.

- (g) A family wanting to have an estate sale after the death of an HOA member must obtain permission from the HOA Board.

Rule Number 3 – HOA FEES AND FINES – See CC&R Article 8

In accordance with the Covenants, Conditions and Restrictions (CC&R) and Rules and Regulations establishing Craig Estates, the Board of Directors must set the HOA fee sufficient to provide the maintenance of the common property and lots, utilities, certain services, capital improvements, and insurance. The Board of Directors will assess a penalty fee/fine for delinquent payment of HOA fees and/or fines to members who do not follow the Rules and Regulations of the Association.

1. The HOA Fee Provides:

- (a) Maintenance of all common area property, which includes sidewalks, lawns, sprinkler systems, shrubs, trees, berms and the perimeter fences and maintenance of all lot lawns.
- (b) Snow removal from all residence sidewalks, driveways and common area sidewalks when snow depth is 3 inches or more.
- (c) Public liability insurance as required by the CC&R. (Homeowners' liability and personal property are excluded.)
- (d) Capital improvements, subject to budget limitations and homeowners approval, as defined in the CC&R.
- (e) All attorney fees for collection of non-payment of fees and fines and legal advice regarding

the HOA. (See Rule #3.3.c for HOA members' responsibility for non-payment of fees and fines.)

(f) Amounts which are required to perform the rights, powers and duties of the Association.

2. The Board of Directors will:

(a) Review HOA monthly fee rates each year. Any fee change will be established by the Board of Directors and voted on by the HOA members.

(b) The HOA fee is due the first day of the month and is delinquent after the 14th day of the month.

(c) Late HOA fees will accrue at the rate of 10% per month of the monthly fee and will be imposed whether the residence is occupied or vacant.

(d) Failure to pay monthly HOA fees for a consecutive three (3) month period will result in the Board giving the account to an attorney for collection and legal action. The homeowner will be responsible for all legal fees and collection costs. Under special circumstances (foreclosure etc.), a lien will be placed on the home if there are any fees owed at the time of notice of the foreclosure, etc.

3. Fines

(a) Fines will be imposed by a majority vote of the Board of Directors for any violations of the CC&R and Rules and Regulations. A warning letter will be sent for non-compliance. If the formal notification is not productive; the Board will assess a fine. Subsequent CC&R and Rules and Regulations violations will result in higher fines. The fines will start at \$25.00 for first violation notice non-compliance, \$50.00 per second violation notice non-compliance, etc., after the formal notification is not productive.

(b) Upon receiving a formal **written** complaint, addressed to the Secretary of the Board, the Board will review the complaint and send a written reply to all parties involved.

(c) Assessments and fines that are not paid will result in the Board giving the account to an attorney for collection and enforcement. The homeowner will be responsible for all legal fees and collection costs.

Rule Number 4 – Hazards and Parking – See CC&R Article 2.07.2

1. Hazard on Sidewalks and Common Areas

Bicycles, roller skates/blades, basketball standards, tricycles, skateboards or any other play equipment will not be left on any sidewalks, park and common area lawns or shrub bed (berm) areas.

2. Parking

- (a) Parking is not permitted in the “red zones” of Craig Estates. Roadway curbs have been painted red in the unauthorized parking areas.
- (b) Residents will keep their cars in their own driveways and garages. Street parking should be kept to a minimum for access of emergency vehicles and snow equipment. **In accordance with U.S. Postal Services regulations, parking is prohibited in front of mail boxes during normal delivery times.**
- (c) No trailer, boat, truck larger than ¾ ton, recreational vehicle or similar vehicle shall be parked on a permanent basis on a lot at Craig Estates unless it is parked inside a garage. As used herein, permanent basis means more than seven (7) days out of any thirty-day period. Owners may not install parking pads on their lot that could be used to park vehicles.
- (c) Residents owning trailers, boats, trucks (larger than ¾ ton) or similar equipment vehicles must make arrangements for off-site parking.

Rule Number 5 – Pet Regulations – See CC&R Article 5.03

- (a) Dog runs or kennels are not authorized within Craig Estates.
- (b) Pets are defined as animals that live in the home and do not live outside.
- (c) The HOA and the City of Syracuse adopt and adhere to the Davis County’s “Comprehensive Animal Control Ordinance.” Section 6.12.060 “No person or persons at any one (1) residence within the jurisdiction of this title shall at any one (1) time own, harbor, and license or maintain more than two (2) dogs.” There can be no more than a total of two pets per HOA residence. The animal cannot become a nuisance either through damage, unsanitary conditions, unreasonable odors and noise or safety concerns. Whenever a dog is allowed outside, it shall be on a leash or some other appropriate restraint. Dogs kept in the HOA must be no taller than 15 inches at shoulder height when full grown as of 16 August 2011. Dogs larger than as stated above in residence prior to 16 August 2011, will be grandfathered in the restrictions.
- (d) Pets will not be allowed to disturb or menace other residents. Upon **written** complaint, sent to the Secretary of the HOA Board, from two (2) or more homeowners, a written notice will be given to the non-compliant homeowner to correct the problem. The homeowner will be assessed fines if the problem is not corrected after they receive the written notice.
- (e) Each pet owner will pick up and dispose of pet droppings. This requirement includes the lawns for mowing purposes. In the event that lawn service personnel cannot mow because of pet droppings, lawn service will be at the homeowner’s expense if they are called out again.
- (f) No dogs shall be permitted in any of the park or common areas unless carried or on a leash.

Rule Number 6 – Changes and Disputes

Interpretation, changes, disputes or questions to the CC&R or the Rules and Regulations will be resolved and managed by a majority vote of the Board of Directors.

COMMUNITY AMENITIES

At the center of the new development is a large common space. In the center of space we plan to provide the community a place where (when reservations are made with the HOA) residents can gather for a family reunion or large gathering. This center piece will be a large decorated pavilion with a built in grill including countertops and bar areas to serve prepared food. There will be benches and tables for participants to gather around.



In cooperation with the existing HOA, we are still determining and developing ideas for more amenities that will be spread throughout the common spaces. Some of the possibilities that have been presented are: dog wash area, children's playground, and exercise stations.

The amenities in the paragraph above are not going to be placed in the open area due to the discussions that the HOA has had and the concerns that surround the liability and maintenance of the amenities.



The park and benches in the open common space will have the common theme of stone and lumber construction. This will provide a unifying architectural theme through out the development. The 20x24 pavilion with tables will be of similar construction as the above outdoor kitchen.

COMMUNITY

This development is the first for these developers and the property has been in their family for several years. The development has 19 lots available and are projected to sell for a price in the high 200's. These lots are very desirable and will be in high demand. With the senior activities at the Syracuse City Community Center, the assisted living facility to the north, and the Rush Aquatics water aerobics classes, this will be a great opportunity for seniors to stay active and close to home.



ABOUT US

This development is being brought together by a new team. This team consists of a group of friends who have worked on rehabilitating other homes and decided that it was time to start developing and building their own projects. Having been residents of Syracuse for many years, their goal is to provide a well-designed subdivision that supports the city's general plans and goals.

For more information Contact Adam Benard at 801-499-9445 or Mike Waite at 801-821-0640.

STAFF REVIEWS



Mayor
Terry Palmer

City Council
Karianne Lisonbee
Mike Gailey
Corinne Bolduc
Andrea Anderson
David Maughan

City Manager
Brody Bovero

Subdivision Preliminary Plan Review

July 11, 2016

Adam Bernard
1852 Mueller Park Road
Bountiful, Utah
84010

Dear Mr. Bernard,

The Syracuse City Community and Economic Development Department has conducted a review of the Jackson Court preliminary plan for compliance with the city's adopted land use ordinance. Please refer to the following table for items that may need additional attention.

	Syracuse Municipal Code Reference	Staff Comments
1	<p>8.25.010 Preliminary Plat. The preliminary plat shall comply with the following requirements:</p> <p>(A) Submission Requirement. Submit four standard 22-inch by 34-inch copies (see standard drawing No. 1), one reduced to 11-inch by 17-inch (one-half scale) copy, plus one PDF copy of the preliminary plat, for review at least two weeks prior to the next regularly scheduled meeting of the Planning Commission, in accordance with the Community Development submittal policy. Once a complete application has been received, the Community Development Department shall schedule a public hearing within a reasonable time in light of the complexity of the application, the number of other applications received, available staff resources, and applicable public notice requirements. Such notice shall be given in accordance with SCC 10.20.050. The Community Development Director shall, if a complete application is not so submitted in a timely manner, postpone scheduling a public hearing for consideration thereof until complete.</p> <p>(B) General Information Required.</p> <ol style="list-style-type: none"> (1) The proposed name of the subdivision. (2) The location of the subdivision, including the address of the section, township and range. (3) Date of preparation. (4) The location of the nearest bench mark and monument. (5) The boundary of the proposed subdivision. (6) Legal description of the subdivision and acreage included. (7) Location, width and name of existing streets within 200 feet of the subdivision and of all prior platted streets and other public ways, railroad and utilities rights-of-way, parks and other public open spaces, permanent buildings and structures, houses or permanent easements, and section and corporate lines within and adjacent to the tract. (8) Easements for water, sewer, drainage, utility lines, fencing, and other appropriate purposes. (9) The layout, number, area, and typical dimensions of lots, streets, and utilities. (10) Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in a subdivision including, but not limited to, sites to be reserved or dedicated for parks, playgrounds, schools or other public uses. (11) Current inset City map showing location of subdivision. (12) Boundary lines of adjacent tracts of undivided land showing ownership. (13) Location of all wells, proposed, active and abandoned, and of all reservoirs within 	<p>-Include city map inset showing subdivision location.</p>

Subdivision Preliminary Plan Review

	<p>the tract and to a distance of at least 100 feet beyond the tract boundaries.</p> <p>(14) Existing sewers, field drains, water mains, culverts or other underground facilities within the tract and to a distance of at least 100 feet beyond the tract boundaries, indicating pipe size, grades, manholes and exact location.</p> <p>(15) Existing ditches, canals, natural drainage channels, open waterways, and proposed alignments within the tract and to a distance of at least 100 feet beyond the tract boundaries.</p> <p>(16) Contours at two-foot intervals for predominate ground slopes within the subdivision between level and 10 percent, and five-foot contours for predominate ground slopes within the subdivision greater than 10 percent.</p> <p>(17) The plat shall be drawn to a scale of not less than one inch equals 100 feet and shall indicate the base of bearing true north.</p> <p>(18) The developer's detailed plan for protecting future residents of his development from such hazards as open ditches, canals or waterways, nonaccess streets, open reservoirs or bodies of water, railroad rights-of-way and other such features of a potentially hazardous nature located on, crossing, contiguous or near to the property being subdivided, with the exception that the developer's plan need not cover those features which the Planning Commission determines would not be a hazard to life and/or where the conforming structure designed to protect the future residents would itself create a hazard to the safety of the public. The foregoing does not relieve the developer of the duty to investigate all possible means of protecting future residents from a potential hazard before a determination is made that the only conceivable means of protection is potentially more hazardous than the hazard itself.</p> <p>(19) Location of existing and proposed land drains.</p>	
4	<p>10.75.040 Minimum lot standards.</p> <p>All lots shall be developed and all structures and uses shall be placed on lots in accordance with the following standards:</p> <p>(A) Density: overall density of six dwelling units per gross acre.</p> <p>(1) The development shall provide a standard road right-of-way of 60 feet which shall include curb, gutter, and sidewalk improvements;</p> <p>(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;</p> <p>(3) For detention ponds to be considered common space they must include amenities recommended by planning commission and city council;</p> <p>(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;</p> <p>(5) For the purpose of this section, landscaping is not considered to be an amenity;</p> <p>(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</p> <p>(7) The development design shall include a direct connection to a major arterial, minor arterial, or major collector roadway.</p> <p>(B) Lot width: determined by development plan.</p>	<p>-The development proposes to be an extension of Craig Estates which connects to 2000 West. If approved by the City Council, the direct connection to a major arterial, minor arterial, or major collector roadway will be met.</p>

Subdivision Preliminary Plan Review

<p>(C) Front yard: 20 feet.</p> <p>(D) Side yards: a minimum of 16 feet between primary structures and eight feet from the property line.</p> <p>(E) Rear yard: a minimum of 15 feet.</p> <p>(F) Building height: as allowed by current adopted building code, with a maximum height of 30 feet to the top of the roof structure.</p> <p>(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.</p>	
<p>10.75.050 Development plan and agreement requirements</p> <p>(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.</p> <p>(B) A planned residential development must have a minimum of five acres.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p>	<p>-All public seating areas should have a minimum of a shade tree on the south and west to provide shade during the heat of the day. Currently, the benches in the central common area are not shaded.</p> <p>-Specify tree species in the cul-de-sac park strip. Approved species for various park strip widths are found in the Syracuse City Code 10.30.70 "Shade trees."</p>

Thank you for your interest in investing in Syracuse City. Please feel free to contact me with any questions concerning this project.

Regards,

Royce Davies
 City Planner
 (801) 614-9632
 rdavies@syracuseut.com



TO: Community Development, Attention: Royce Davies
FROM: Jo Hamblin, Fire Marshal
RE: Jackson Court Preliminary Plan

DATE: July 7, 2016

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

1. The minimum fire flow requirement is 1000 gallons per minute for 60 consecutive minutes for residential one and two family dwellings. Fire flow requirements may be increased for residential one and two family dwellings with a building footprint equal to or greater than 3,600 square feet or for buildings other than one and two family dwellings. Provide documentation that the fire flow has been confirmed through the Syracuse City Engineering Division, Water Model.
2. 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. The amount of fire hydrants exceeds the minimum required by IFC; their locations at the end of the streets have the potential to be blocked by snow removal and shall be moved to a more suitable area. Changes may be shown on the street designs.

These plans have been reviewed for Fire Department requirements only. 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.



Jackson Court Subdivision

2008 South 2000 West

Engineer Preliminary Plan Review

Completed by Brian Bloemen on July 13, 2016

Below are the engineering comments for the Jackson Court Subdivision.

Plat:

1. Verify with the County the subdivision name has not been previously used.
2. Consult with planning for addressing.
3. The parcel lies in section 16 not section 26.
4. Submit a plat with final.

Plans:

1. Install ADA ramps at all pedestrian crossings.
2. No secondary water is shown.
3. Add street lights to the plans.
4. Submit detention calculations. Detention for a 100 year storm event is required.
5. Relocate the hydrants to the sides of the dead ends so they are not blocked by snow.
6. Basements cannot be constructed unless serviced by land drain.
7. Show utility laterals and grades on final plans.
8. Submit a final overall grading plan with final plans.
9. A detention basin maintenance agreement will be required.

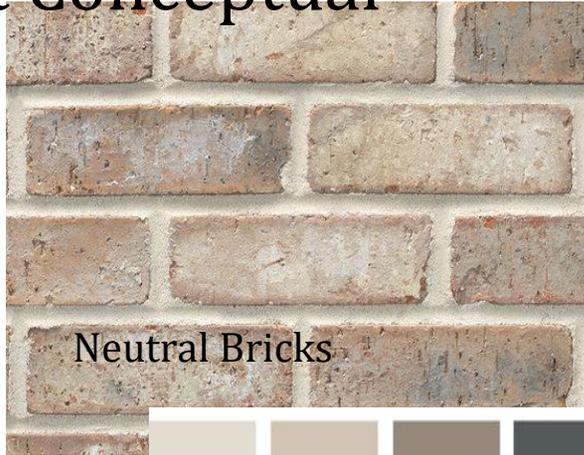
If you have any further comments or questions please feel free to contact me at 801-614-9630.

Sincerely,

Brian Bloemen, P.E.
City Engineer

THEME BOARDS

Jackson Court Conceptual Theme Board



Decorative # Post

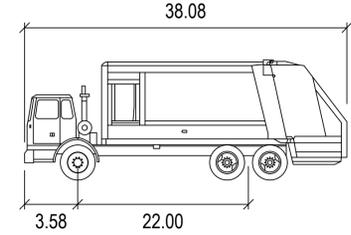
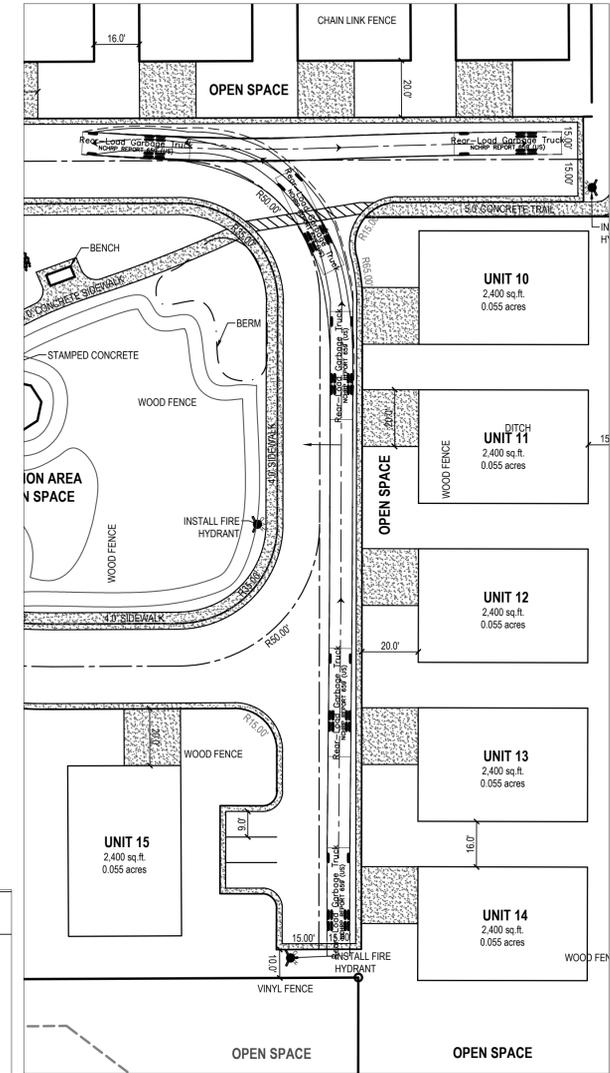
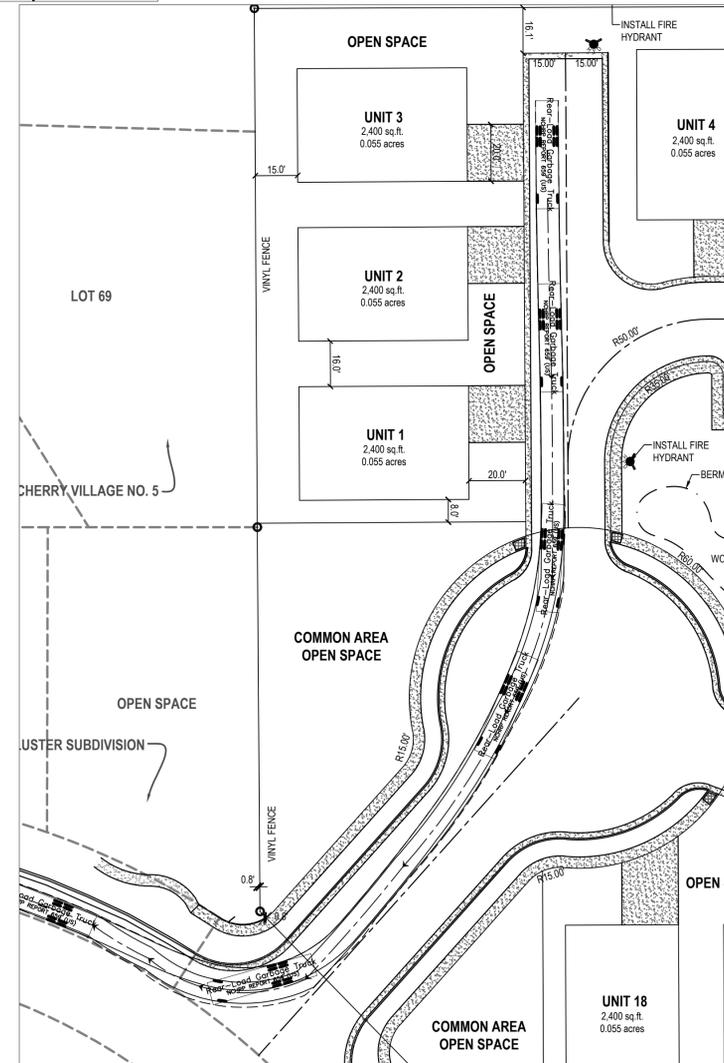
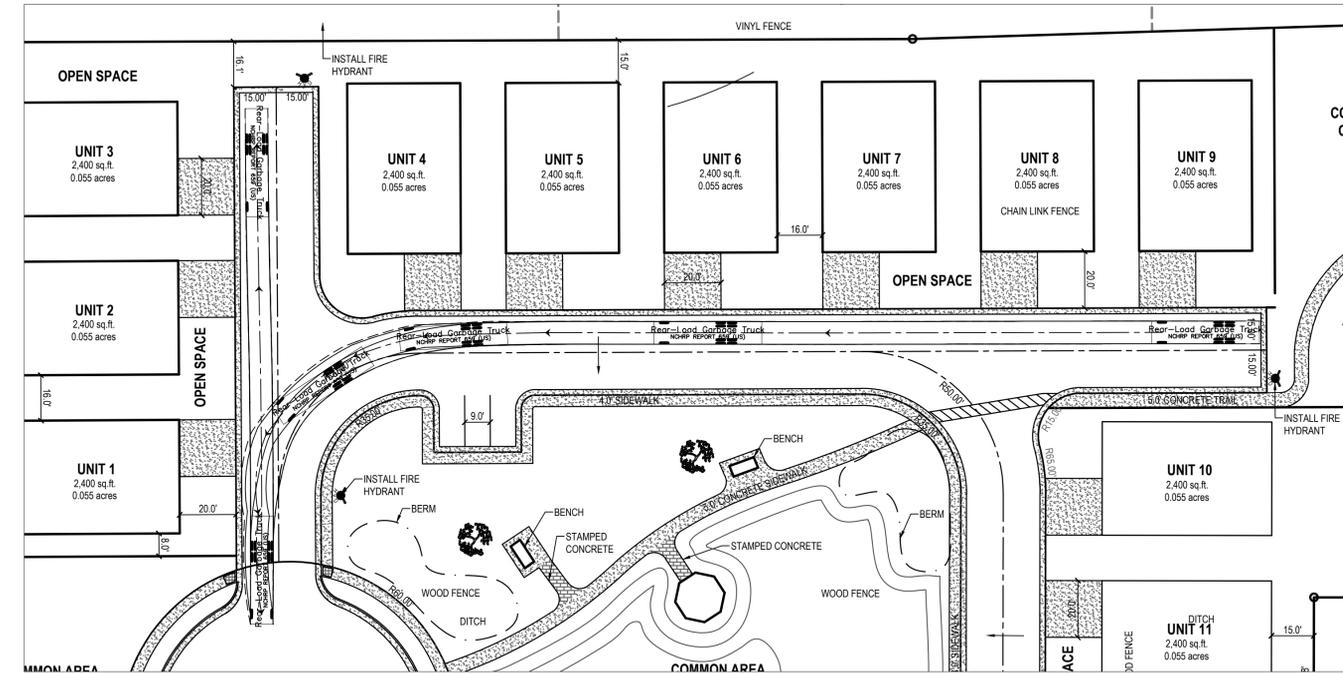
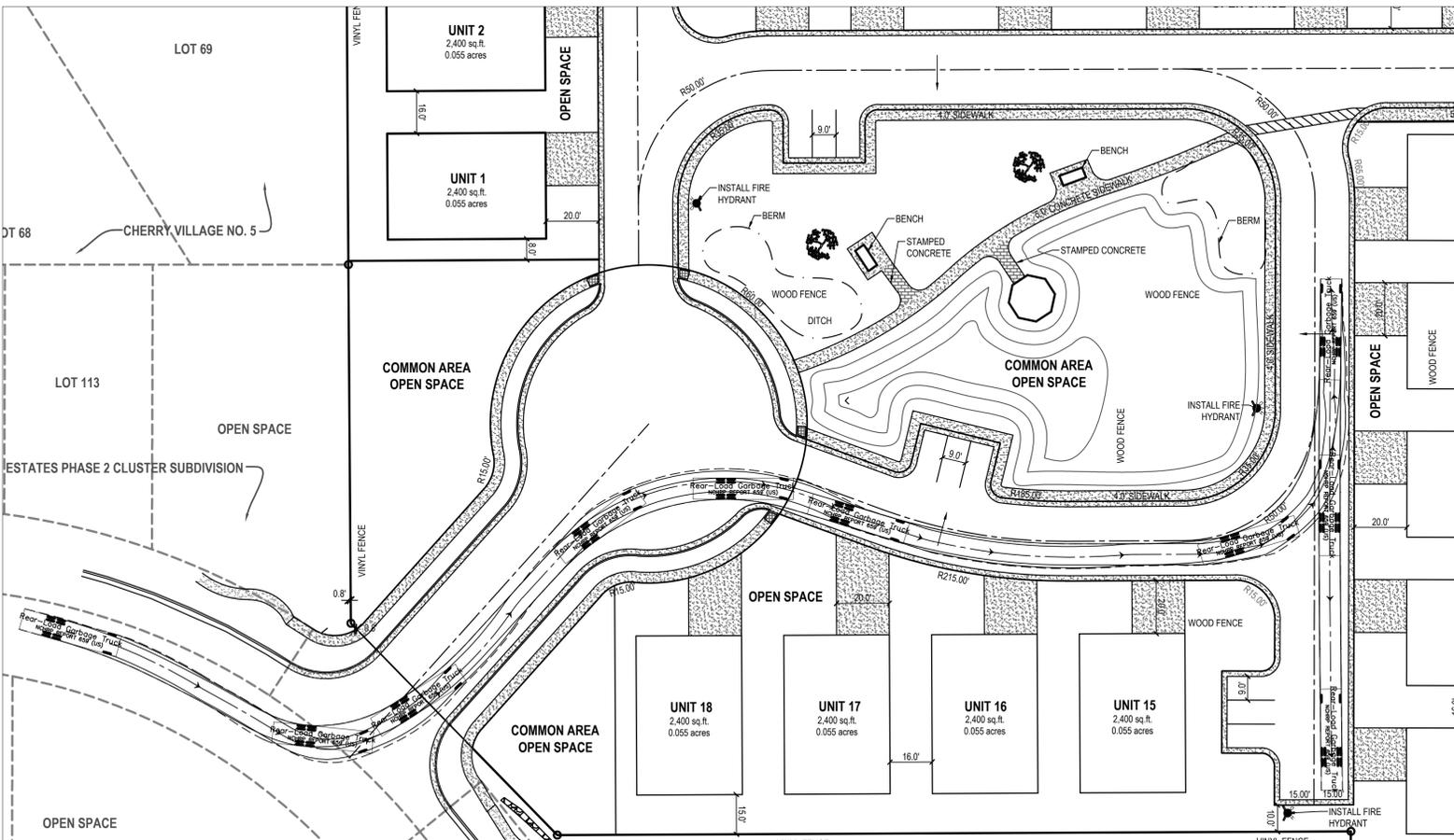


This may be a community that is a first in Utah and be completely powered by solar.

Shutters and decorative posts

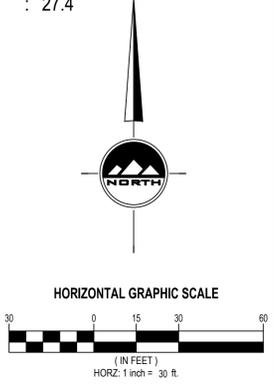


TRUCK TURNING RADII



Rear-Load Garbage Truck

	feet
Width	: 8.00
Track	: 8.00
Lock to Lock Time	: 6.0
Steering Angle	: 27.4



ENSIGN
THE STANDARD IN ENGINEERING

LAYTON
1485 W. Hill Field Rd., Ste. 204
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
TROY BARBER
2351 SOUTH 2050 WEST
SYRACUSE, UTAH 84075

CONTACT:
TROY BARBER
PHONE:

JACKSON COURT CONCEPT PLAN

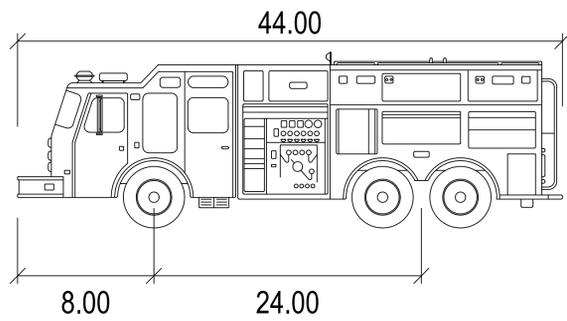
**1958 SOUTH - 2008 SOUTH 2000 WEST STREET
SYRACUSE, UTAH**

AUTOTURN EXHIBIT

PROJECT NUMBER: L2363 PRINT DATE: 7/22/16
DRAWN BY: A.SHELBY CHECKED BY: K.RUSSELL
PROJECT MANAGER: K.RUSSELL

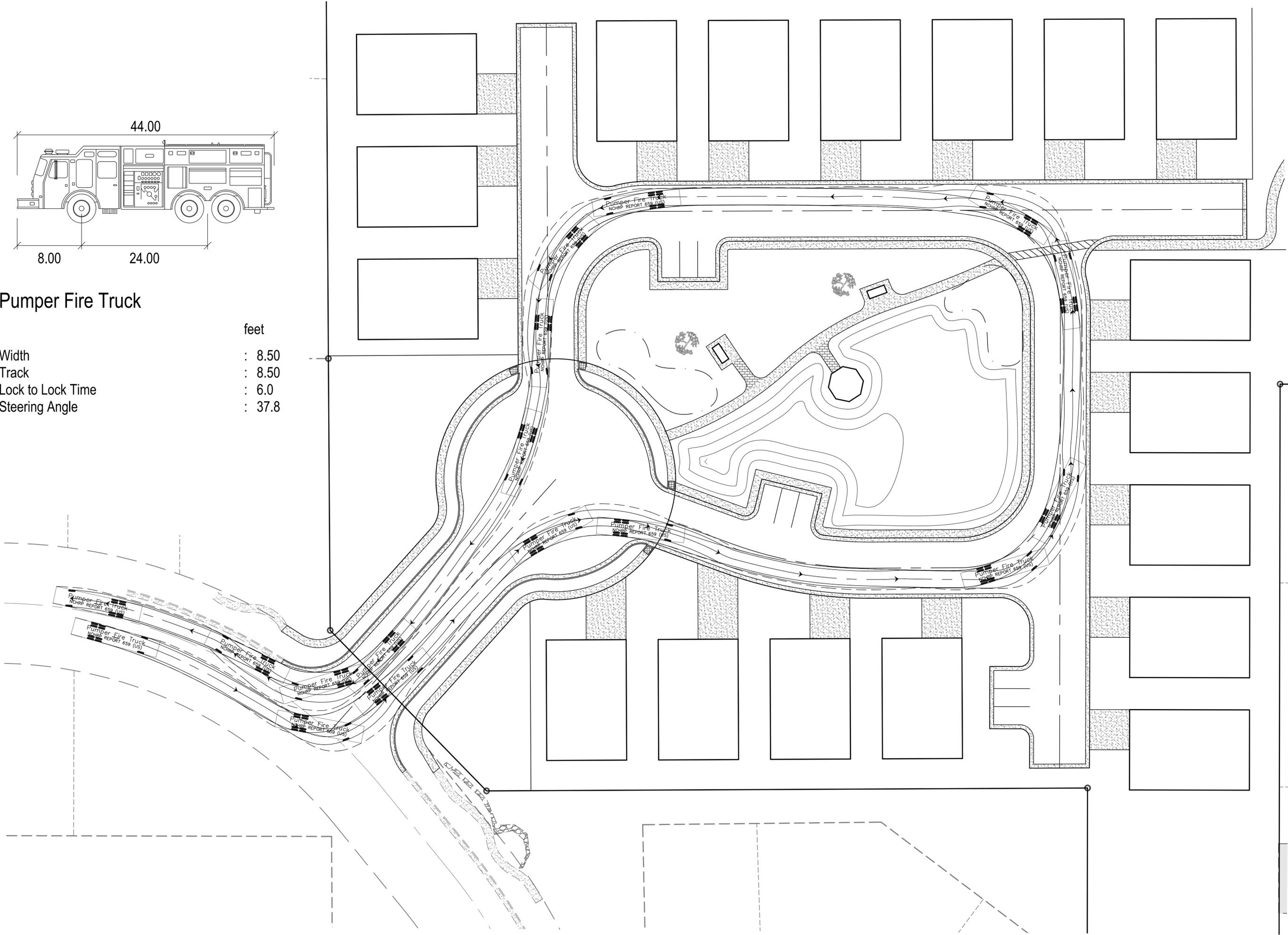
1 of 1

C:\Users\kshelby\Desktop\1958 SOUTH - 2008 SOUTH 2000 WEST STREET - AUTOTURN EXHIBIT.dwg, 7/22/2016, 1:51:37 PM, kshelby



Pumper Fire Truck

	feet
Width	: 8.50
Track	: 8.50
Lock to Lock Time	: 6.0
Steering Angle	: 37.8



**DEVELOPMENT AGREEMENT FOR JACKSON COURT
AT 1958 SOUTH 2000 WEST, SYRACUSE, UTAH**

This Development Agreement (“Agreement”) is made and entered into as of this _____ day of _____, 2016, by and between **Troy B. Barber, Trustee of the Barber Dynasty Trust** (the “Developer”), and **Syracuse City**, a municipality and political subdivision of the State of Utah (the “City”).

RECITALS:

A. The Developer owns approximately 5.22 acres of property located at approximately 1958 South 2000 West in Syracuse, Davis County, Utah (parcel ID numbers 12-092-0130, 12-092-0028, 12-092-0027), as more particularly described in Exhibit A, which is attached hereto and by this reference made a part hereof (the “Property”), located in a Planned Residential Development (PRD) Zone, and for which the Developer, through an application submitted on [DATE], has proposed development (the “Project”) and presented a Development Plan (the “Development Plan”), which is attached hereto as Exhibit B and incorporated by this reference.

B. City code requires the execution of a Development Agreement between the Developer and the City in order to facilitate orderly development.

C. The placement of a street connection to 2000 West would be hazardous to the traveling public and the future residents of this development, and a street connection to Craig Lane with a pedestrian connection to 2000 West represents a more preferable location to connect the drives of this development.

NOW THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Developer and the City hereby agree to the following:

1. **Property Affected by this Agreement.** The legal description of the Property contained within the Project boundaries to which this Agreement applies is attached as Exhibit A and incorporated by reference.

2. **Compliance with Current City Ordinances.** Unless specifically addressed in this Agreement, the Developer agrees that any development of the Property shall be in compliance with city ordinances in existence on the date of execution of this Agreement.

3. **Development Plan.** The Developer shall ensure all development is in conformance with the Development Plan which has been reviewed by the Planning Commission and City Council, and approved by the City Council. Such development plan shall be in conformance with subsections 10.75.050(D) and 10.75.050(E) of the Syracuse Municipal Code.

4. **Landscaping.** The Developer shall landscape and improve all open spaces around or adjacent to building lots, as well as common spaces.

5. **Homeowner Association.** The Developer warrants and provides assurances that all landscaping, private drives, and amenities located within the Project shall be maintained by a private homeowner's association. The association shall either be created for this Property, or it shall be absorbed by the Craig Estates Homeowners Association. All costs of landscaping, private drive and amenity maintenance, replacement, demolition, cleaning, snow removal, or demolition, shall be borne exclusively by the homeowner's association. The City shall have no responsibility in relation to the property owned by the homeowner association.

6. **Private Driveways.** The Development Plan shall indicate the shared driveways which shall be perpetually and privately owned by the homeowner's association, in accordance with section 8.15.010(N) of the Syracuse Municipal Code. Such driveways shall be perpetually maintained, plowed, and replaced by the homeowner's association. This shall be clearly stated on the final plat as a comment. The City shall have no obligation in relation to these private drives. The roads shall be completed to the minimum construction standards adopted by Syracuse City, but shall not be required to install curb, gutter or sidewalk along those shared, private driveways.

7. **Drive Access via Craig Lane.** The development fronts 2000 West, but a street connection to 2000 West would represent an increased safety concern for right-of-way users and future residents of the Development, and would not be permitted due to distance requirements in section 8.10.070 of the Syracuse Municipal Code. As an alternative to providing a street access to 2000 West, the Parties agree to allow a street connection of the Project Area to Craig Lane using a public drive and cul-de-sac, which connection shall be dedicated to the City. The Development shall maintain a direct connection to 2000 West in the form of a footpath or bicycle path.

8. **Agreement to Run with the Land.** This Agreement shall be recorded against the Property as described in Exhibit A hereto and shall be deemed to run with the land and shall be binding on all successors and assigns of the Developer in the ownership and development of any portion of the Project.

9. **Assignment.** Neither this Development Agreement nor any of the provisions hereof can be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities under this Development Agreement and without the prior written consent of City, which review is intended to assure the financial capability of any assignee. Such consent shall not be unreasonably withheld.

10. **Integration.** This Development Agreement contains the entire Agreement with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed by the parties hereto.

11. **Severability.** If any part or provision of the Agreement shall be adjudged unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Agreement except that specific part or provision determined to be unconstitutional, invalid or unenforceable. If any condition, covenant or other provision of this Agreement shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

12. **Notices.**

Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be served personally upon the party for whom intended, or if mailed, be by certified mail, return receipt requested, postage prepaid, to such party at its address shown below.

To Developer:

Troy Barber, Trustee
Barber Dynasty Trust
2351 South 2050 West
Syracuse, UT 84075

To the City:

Syracuse City Attorney
1979 West 1900 South
Syracuse, Utah 84075

With a Copy to:

Syracuse City Manager
1979 West 1900 South
Syracuse, UT 84075

Any party may change its address or notice by giving written notice to the other party in accordance with the provisions of this section.

13. **Amendment.**

The Parties or their successors in interest may, by written agreement, choose to amend this Agreement at any time. The amendment of the Agreement shall require the prior approval of the City Council.

14. **General Terms and Conditions.**

14.1. Termination. The Parties may, by written Agreement, terminate this Development Agreement by mutual consent. Such termination shall be in writing, including a resolution by the Council agreeing to the termination.

14.2. Default & Limited Remedies. If either the Developer or the City fails to perform their respective obligations under the terms of this Agreement, the party believing that a default has occurred shall provide written notice to the other party specifically identifying the claimed event of default and the applicable provisions of this Agreement that is claimed to be in default. The party shall immediately proceed to cure or remedy such default or breach within sixty (60) calendar days after receipt of such notice. The parties shall meet and confer in an attempt to resolve the default but, in the event they are not able to do so, the parties shall have the rights and remedies available at law and in equity, including injunctive relief and specific performance, but excluding the award or recovery of any damages. Any delay by a Party in instituting or prosecuting any such actions or proceedings or otherwise asserting its rights under this Article shall not operate as a waiver of such rights.

14.3. Non-liability of City Officials or Employees. No officer, representative, agent, or employee of the City shall be personally liable to the Developer or any successor-in-interest or assignee of the Developer, in the event of any default or breach by the City or for any amount which may become due, the Developer, or its successors or assignee, for any obligation arising out of the terms of this Agreement.

14.4. Referendum or Challenge. Both Parties understand that any legislative action by the City Council is subject to referral or challenge by individuals or groups of citizens, including approval of development agreements. The Developer agrees that the City shall not be found to be in breach of this Agreement if such a referendum or challenge is successful. In such a case, this Agreement is void at inception.

14.5. Ethical Standards. The Developer represents that it has not: (a) provided an illegal gift or payoff to any officer or employee of the City, or former officer or employee of the City, or to any relative or business entity of an officer or employee of the City; (b) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees of bona fide commercial agencies established for the purpose of securing business; (c) breached any of the ethical standards set forth in Utah Code Ann. § 10-3-1301 et seq. and 67-16-3 et seq.; or (d) knowingly influenced, and hereby promises that it will not knowingly influence, any officer or employee of the City or former officer or employee of the City to breach any of the ethical standards set forth in State statute or City ordinances.

14.6. No Officer or Employee Interest. It is understood and agreed that no officer or employee of the City has or shall have any pecuniary interest, direct or indirect, in this Agreement or the proceeds resulting from the performance of this Agreement. No

officer, manager, employee or member of the Developer, or any member of any such persons' families shall serve on any City board or committee or hold any such position which either by rule, practice, or action nominates, recommends, or supervises the Developer's operations, or authorizes funding or payments to the Developer. This section does not apply to elected offices.

14.7. Governing Law & Venue. This Agreement and the performance hereunder shall be governed by the laws of the State of Utah. Any action taken to enforce the provisions of this Agreement shall have exclusive venue in the Second District Court of the State of Utah, Farmington Division.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective duly authorized representatives as of the day and year first written above.

(Signatures appear on next page)

- Remainder of page left intentionally blank -

BARBER DYNASTY TRUST

By: Troy Barber
Trustee

Signature

Date

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On this _____ day of _____, July, 2016, personally appeared before me _____, the authorized signer and trustee of **Barber Dynasty Trust**, whose identity is personally known to me, or proven on the basis of satisfactory evidence, to be the person who executed the Development Agreement on behalf of said company and who duly acknowledged to me that he/she executed the same for the purposes therein stated.

Notary Public

SYRACUSE CITY

By _____
Terry Palmer, Mayor

Attest:

Cassie Z. Brown, CMC
City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On this _____ day of _____, 2016, personally appeared before me
Mayor Terry Palmer, the authorized signer of Syracuse City, whose identity is personally
known to me, to be the person who executed the Development Agreement on behalf of Syracuse
City, and who duly acknowledged to me that he executed the same for the purposes therein
stated.

Notary Public

Approved as to Form:

Paul H. Roberts
City Attorney

EXHIBIT A

Description of Parcel #12-092-0130

BEG AT A PT 1630.2 FT S ALG THE SEC LINE & W 33.0 FT TO THE W LINE OF A STR FR THE NE COR OF SEC 16-T4N-R2W, SLM; & RUN TH W 132.0 FT; TH N 99.0 FT; TH W 495.0 FT; TH S 117.67 FT; TH S 44°22'39" E 111.86 FT; TH E 549.32 FT TO THE W LINE OF SD STR; TH N 99.0 FT ALG SD STR TO THE POB. PARCEL 2: BEG ON THE N LINE OF GRANTORS PPTY AT A PT N 0°06'28" E 907.72 FT ALG THE SEC LINE & S 89°43'28" W 188.01 FT FR THE E 1/4 COR OF SEC 16-T4N-R2W, SLM; & RUN TH S 0°06'28" W 99.0 FT; TH S 89°43'28" W 96.0 FT ALG THE S LINE OF GRANTORS PPTY; TH N 0°06'28" E 99.0 FT TO SD N LINE; TH N 89°43'28" E 96.0 FT TO THE POB. CONT 2.70 ACRES

Description of Parcel #12-092-0027

BEG ON W LINE OF STR AT A PT S 0°12' E 21.23 CHAINS & W 33 FT FR NE COR OF SEC 16-T4N-R2W, SLM; & RUN TH W 4.5 CHAINS; TH N 0°23' W 66 FT; TH E 4.5 CHAINS TO W LINE OF SD STR; TH S 0°12' E 66 FT ALG SD STR TO THE POB. CONT. 0.44 ACRES

Description of Parcel # 12-092-0028

BEG S 0°12' E 23.20 CHAINS FR THE NE COR OF SEC 16-T4N-R2W, SLM; & RUN TH W 10 CHAINS; TH N 0°42' W 3 CHAINS; TH E 5 CHAINS; TH S 0°12' E 1 CHAIN; TH E 5 CHAINS; TH S 0°12' E 2 CHAINS TO POB. CONT. 2.50 ACRES

EXHIBIT B

Development Plan

DRAFT



PLANNING COMMISSION REGULAR MEETING AGENDA

August 2nd, 2016

Agenda Item # 6 Final Subdivision Phase 870 S 1600 W

Factual Summation

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

Location: 870 S 1600 W
 Current Zoning: R-2
 General Plan: R-2
 Total Subdivision Area: 5.14 Acres

Summary

The applicant has requested approval of a 15 lot subdivision phase known as Laurelwood Lane Subdivision Phase 2 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
201	R-2	11,309	94.95	None
202	R-2	11,748	93	None
203	R-2	13,177	75	None
204	R-2	10,680	93	None
205	R-3	10,970	97	None
206	R-3	10,393	93	None
207	R-2	10,448	85.20	None
208	R-2	10,454	85.20	None
209	R-2	10,461	85.20	None
210	R-2	10,438	85	None
211	R-2	10,004	85	None
212	R-2	10,447	95	None
213	R-2	10,415	85	None
214	R-2	10,408	87	None
215	R-2	12,888	102	None

As is shown, all proposed lots with the exception of lot 203 meet the minimum requirements in the R-2 Zone. The developer will modify lot 203 to meet the minimum width standard. As such, it is recommended that if the plat is to be approved, a condition be attached that requires the developer to bring lot 203 into compliance prior to recording the plat with Davis County.

Suggested Motion Language

Approval – “I move the Planning Commission recommend that the City Council approve the request of John Wheatley for a 15 lot final subdivision called Laurelwood Lane Phase 2 consisting of 5.14 acres on property located at 870 South 1600 West in the R-2 Residential Zone with the following condition(s):

1. Lot 203 shall be drawn in compliance with the minimum lot width requirement of the R-2 Zone while maintaining the compliance of all other lots in the subdivision prior to the recording of the final plat with Davis County.”

Table – “I move the Planning Commission continue the request of John Wheatley for a 15 lot final subdivision called Laurelwood Lane Phase 2 consisting of 5.14 acres on property located at 870 South 1600 West 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 John Wheatley for a 15 lot final subdivision called Laurelwood Lane Phase 2 consisting of 5.14 acres on property located at 870 South 1600 West in the R-2 Residential Zone based on the following findings:

1. (list findings).”

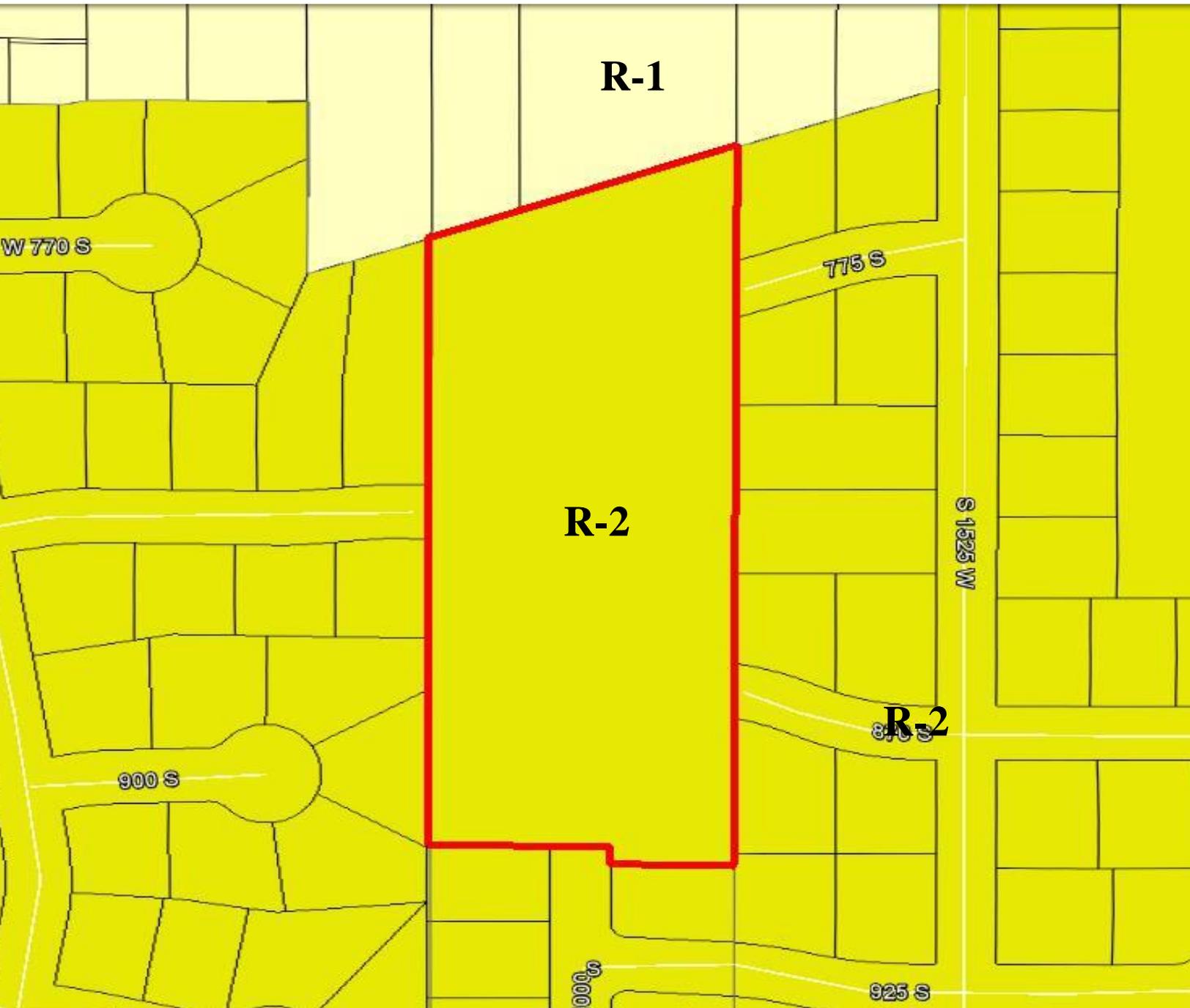
Attachments:

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

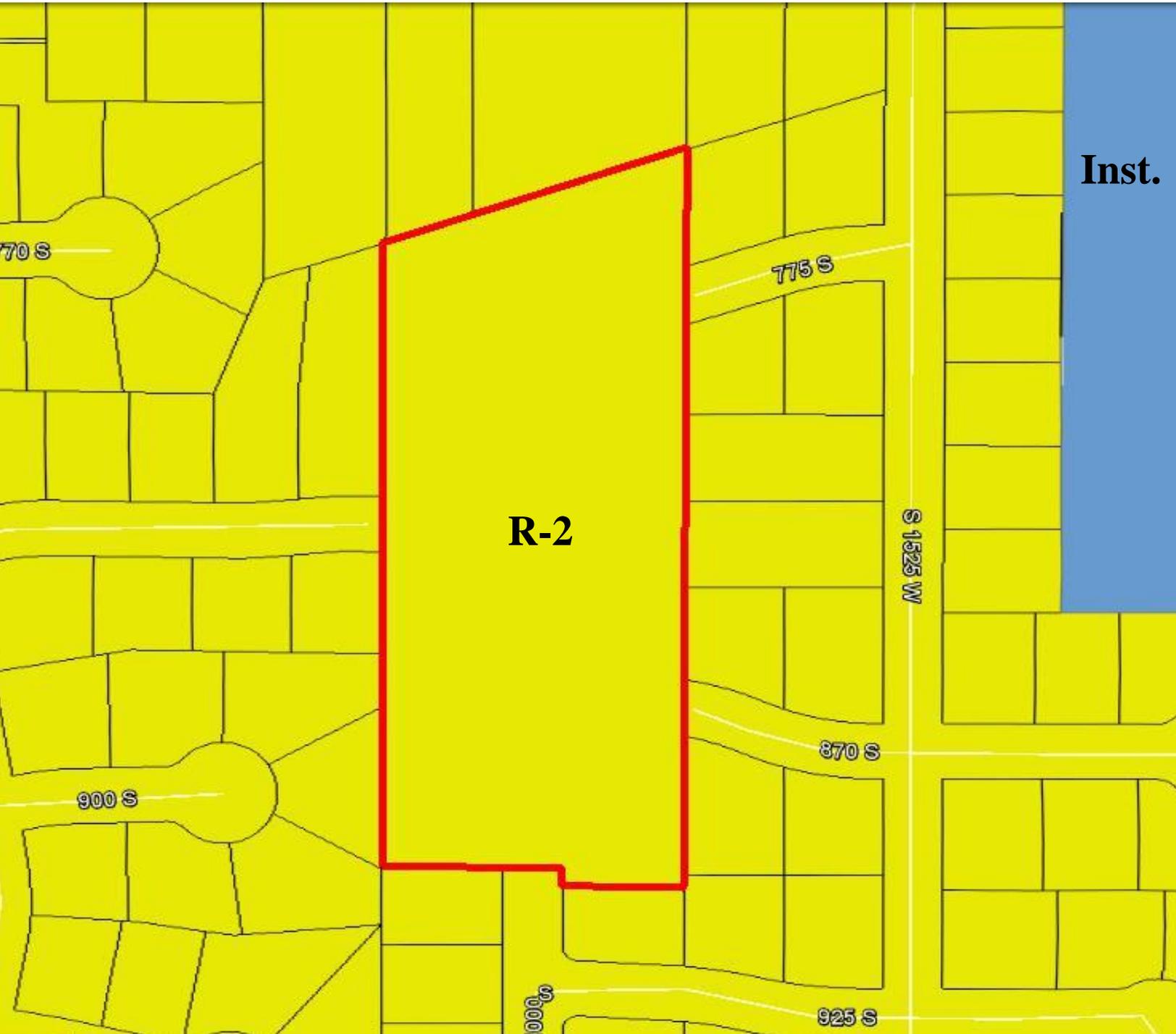
AERIAL MAP



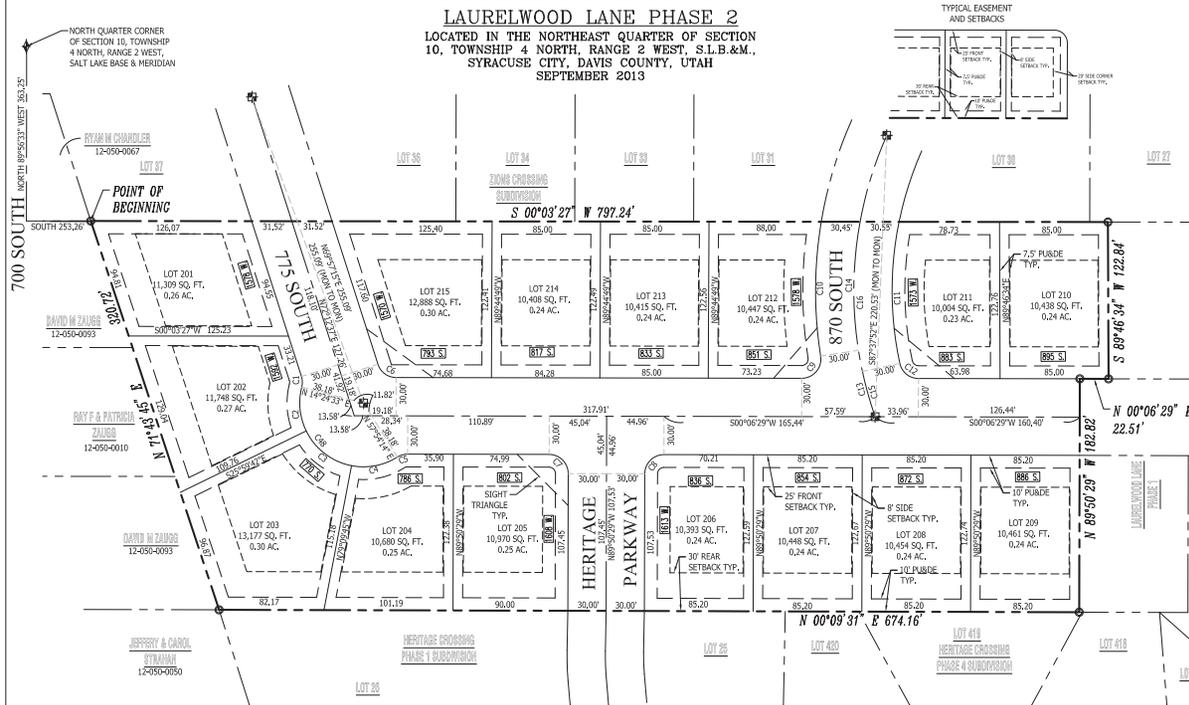
ZONING MAP



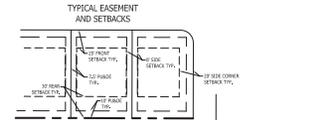
GENERAL PLAN MAP



SUBDIVISION PLAT



LAURELWOOD LANE PHASE 2
 LOCATED IN THE NORTHEAST QUARTER OF SECTION
 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, S.L.B.&M.,
 SYRACUSE CITY, DAVIS COUNTY, UTAH
 SEPTEMBER 2013



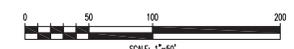
LEGEND

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

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD
C1	8.43	15.00	32°11'56"	N88°18'35"E	8.32
C2	35.26	50.00	40°24'16"	S84°12'26"W	34.53
C3	46.40	50.00	53°10'02"	S37°25'17"W	44.75
C4	37.47	50.00	42°52'02"	S10°37'45"E	36.60
C5	8.43	15.00	32°12'15"	N15°59'39"W	8.32
C6	18.88	15.00	72°06'08"	S36°09'33"W	17.66
C7	23.58	15.00	80°03'02"	N45°08'00"E	21.22
C8	23.58	15.00	89°58'58"	N44°52'00"W	21.20
C9	25.53	15.00	99°02'01"	S49°24'38"E	22.82
C10	105.74	330.00	18°21'29"	N89°44'49"W	105.28
C11	111.68	270.00	23°41'54"	S89°41'31"W	110.88
C12	20.35	15.00	77°44'04"	S38°58'31"W	18.83
C13	53.77	300.00	10°15'11"	N89°16'24"W	53.71
C14	101.88	300.00	19°18'19"	S79°55'07"W	100.61
C15	36.85	300.00	07°02'18"	S74°17'37"W	36.83
C16	118.60	300.00	22°32'12"	S89°06'40"W	117.24

VICINITY MAP



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

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

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

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

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

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

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

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 PLAN AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, HEREAFTER TO BE KNOWN AS: LAURELWOOD LANE SUBDIVISION PHASE 2 AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAN. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

BOUNDARY DESCRIPTION

BEGINNING AT THE NORTHWEST CORNER OF LOT 37, ZIONS CROSSING SUBDIVISION AS RECORDED WITH THE DAVIS COUNTY RECORDER, SAID POINT BEING LOCATED NORTH 89°56'33" WEST 363.28 FEET ALONG THE SECTION LINE AND SOUTH 253.26 FEET FROM THE NORTH QUARTER CORNER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN; AND RUNNING THENCE SOUTH 0°03'27" WEST ALONG THE WEST LINE OF SAID SUBDIVISION 797.24 FEET TO THE NORTHEAST CORNER OF LAURELWOOD LANE PHASE 1; THENCE ALONG THE NORTH LINE OF SAID SUBDIVISION THE FOLLOWING THREE (3) CALLS: 1) SOUTH 89°46'34" WEST 122.84 FEET; 2) NORTH 0°06'29" EAST 22.51 FEET; 3) NORTH 89°50'29" WEST 182.82 FEET TO THE EAST LINE OF HERITAGE CROSSING PHASE 4 SUBDIVISION AS RECORDED WITH THE DAVIS COUNTY RECORDER; THENCE NORTH 0°09'31" EAST ALONG SAID EAST LINE AND THE EAST LINE OF HERITAGE CROSSING PHASE 1 SUBDIVISION AS RECORDED WITH THE DAVIS COUNTY RECORDER 674.16 FEET; THENCE NORTH 71°43'45" EAST 320.72 FEET TO THE POINT OF BEGINNING. CONTAINS: 223,794 SQ. FT., 5.14 ACRES

OWNER'S DEDICATION

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

LAURELWOOD LANE PHASE 2

and do hereby grant and dedicate a perpetual right and easement over, upon and under the lands designated hereon 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____.

ROBERT MILLER, MANAGER - S2 2013, LLC

ACKNOWLEDGMENT

STATE OF UTAH)
 COUNTY OF DAVIS)

ON THE _____ DAY OF _____, 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

LAURELWOOD LANE PHASE 2
 LOCATED IN THE NORTHEAST QUARTER OF SECTION
 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, S.L.B.&M.,
 SYRACUSE CITY, DAVIS COUNTY, UTAH



DAVIS COUNTY RECORDER

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

DAVIS COUNTY RECORDER
 BY _____ DEPUTY RECORDER

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.

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.

STAFF REVIEWS



Laurelwood Lane Subdivision Phase 2

1600 West Street & 870 South Street

Engineer Final Plan Review

Completed by Brian Bloemen on July 28, 2016

Plat:

1. Add the sight triangle to Lot 206.

Plans:

1. Maximum fire hydrant spacing is 500 feet. Consult with the fire department and add additional hydrants.
2. All ADA ramps shall meet current ADA standards.

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: Royce Davies
FROM: Jo Hamblin, Fire Marshal
RE: Laurel Wood Subdivision phase 2 final

DATE: July 19, 2016

I have reviewed the 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 ½" 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.



Mayor
Terry Palmer

City Council
Karianne Lisonbee
Mike Gailey
Corinne Bolduc
Andrea Anderson
David Maughan

City Manager
Brody Bovero

Subdivision Final Plan Review

7/26/2016

John Wheatley
526 North 400 West
North Salt Lake
Utah
84054

Dear Mr. Wheatley,

The Syracuse City Community and Economic Development Department has conducted a review of the Laurelwood Lane Phase 2 final plan for compliance with the city's adopted land use ordinance. Please refer to the following table for items that may need additional attention.

	Syracuse Municipal Code Reference	Staff Comments
4	<p>10.65.040 Minimum lot standards.</p> <p>All lots shall be developed and all structures and uses shall be placed on lots in accordance with the following standards:</p> <p>(A) Density: minimum lot size 10,000 square feet, but in no case shall the density exceed 3.0 lots per gross acre.</p> <p>(B) Lot width: 85 feet.</p> <p>(C) Front yard: 25 feet.</p> <p>(D) Side yards: eight feet (both sides).</p> <p>(E) Rear yard: 30 feet.</p> <p>(F) Building height: as allowed by current building code.</p> <p>(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:</p> <p>(1) The strict application of the lot width requirement would result in substantial hardship;</p> <p>(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;</p> <p>(3) The granting of such reduction would not be of substantial detriment to adjacent property or influence negatively upon the intent of the zone;</p> <p>(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.</p>	<p>-Lot 203 shall be 85 feet wide measured at the front setback line.</p>

Subdivision Final Plan Review

Thank you for your interest in investing in Syracuse City. Please feel free to contact me with any questions concerning this project.

Regards,

Royce Davies
City Planner
(801) 614-9632
rdavies@syracuseut.com



PLANNING COMMISSION WORK MEETING AGENDA

August 2, 2016

Agenda Item #7 **Creation of new Master Planned Community Zone**

Factual Summation

The City Council has asked the Planning Commission to provide input into the creation of a new zone which could be used to create a large scale master planned community. The zone would be called "Master Planned Community Zone" or MPC. A master planned community as envisioned, would include smaller lots, but also include ample open spaces and amenities. The zone would allow for flexibility in lot sizes and density to accommodate a variety of housing types that are currently in high demand. The City Council has spent time considering the smaller lot sizes that would be included in a development of this type and has found that overall, the development allowed by the new zone could provide benefit to the city, specifically in the open spaces that would be required in exchange for the density

The City Council has requested the Planning Commission to explore language to be included in the MPC zone that will ensure only the highest quality development in exchange for density that is higher than average in our community. A recommendation is requested by this group on how to ensure that the Syracuse City Master Plan is expressed through the zone's required architecture, open spaces, and neighborhood design.

The 2015 General Plan Master Plan explains "Syracuse City will always honor and welcome the traditional agricultural activities and heritage in the community, but the City must face the reality of the population growth. The City must strive to do its best to preserve the historical nature and character of the community while at the same time respecting the property rights of those agricultural landowners who no longer wish to use their land for agricultural purposes."

The city is experiencing a high rate of development pressure on the last remaining large and contiguous blocks of agricultural land in the City, and while this presents challenges, it is this Commission's charge to make recommendations to the Council that will find the right balance between property rights and preserving the character of the community.

July 5th, 2016 - The Commission discussed the new MPC zone that would allow higher density and smaller lot sizes and expressed discomfort about creating such a zone.

July 19th, 2016 - The Commission discussed the new MPC zone and the following is a summary of the proposed changes: Increase minimum lot sizes to 10,000 sqft, 8,000 sqft, 6,400 sqft, and 5,100 sqft so that each category reduces by 20%. Increase required common space to 25%. Restrict the private drives to no parking, limit the number of homes on the driveway, and make the widths to be determined by the fire marshal. Reduce minimum acreage to 50 and remove the language about being 'contiguous' and the possibility to 'piggyback' on an existing development. Other changes are included in the attached draft ordinance but are related to open spaces, trails, and traffic.

Attachments:

- Draft MPC Ordinance
- Similar Housing Product Examples

Chapter 10.xx

Master Planned Community Zone (MPC)

Sections:

- 10.xx.010 Purpose.
- 10.xx.020 Permitted uses.
- 10.xx.030 Conditional uses.
- 10.xx.040 Minimum lot standards.
- 10.xx.050 Off-street parking and loading.
- 10.xx.060 Signs.
- 10.xx.070 Development requirements

10.xx.010 Purpose

The purpose of this zone is to maximize the development quality of large tracts of undeveloped land that will afford opportunities for a more cohesive design and well thought out development pattern than may occur with smaller acreage development projects. The intent is to create single family neighborhoods that: have resilient property values, demonstrate superior architecture, provide a variety of housing styles and designs for young and mature households alike, provide areas for social interaction, are safe and family friendly, and increase the health and wellness of its residents by providing amenities and open spaces that encourage active lifestyles.

10.xx.020 Permitted uses.

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

- (A) Accessory uses and buildings (200 square feet or less). (min lot size of 6,400 sf)
- (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) Residential facilities for persons with disabilities.

10.xx.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) (min lot size of 8,000 sf)
- (B) Day care centers (major). (min lot size of 8,000 sf)
- (C) Dwellings, accessory (major/minor, see SCC 10.30.020) (min lot size of 6,400 sf)
- (D) Temporary commercial uses (see SCC 10.35.050) (minor).

10.xx.040 Minimum lot standards.

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

(A) In no case shall the total maximum density exceed 4 units per gross acre.

(B) No more than 25% of the total units shall be SFD-5100.

(C) In general, the smallest lots should be located closest to an arterial or collector road in order to more efficiently distribute traffic impacts.

(D) All lots shall have frontage along a publicly dedicated street with the exception of interior lots in the SFD-3500, which may have frontage upon a shared driveway to be maintained by the H.O.A. Frontage requirements for lots on a shared driveway shall be the same as if fronting on a public street. Dimensions of all shared driveways shall be determined by the fire marshal.

Lot Standards	SFD-10000	SFD-8000	SFD- 6,400	SFD- 5,100
Minimum Lot Area (SF)	10,000	8,000	6,400	5,100
Minimum Lot Width (LF)	90	70	56	42
Minimum Front Yard to Living Space or Open Porch (LF)	20	20	15	10
Minimum Street Facing Garage Setback (Measured From Front of Living Space) (LF)	5	5	5	5
Minimum Interior Side Yard (LF)	10	8	8	5
Minimum Street Side Yard (LF)	15	15	15	10
Minimum Rear Yard (LF)	20	15	15	10
Alley Rear Yard Setback to Garage or Living Space (LF)	20	20	0	0
Maximum Building Height	35	35	35	35
Off Street Parking	2	2	2	2.5

10.xx.050 Off-street parking and loading.

Maximum number of homes in a shared driveway of a SFD 5,100 area shall be 6. No parking shall be allowed on shared access driveways. Off-street parking and loading shall be provided as specified in Chapter 10.40 SCC. [Ord. 15-24 § 1 (Exh. A); Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-12-050.]

10.xx.060 Signs.

The signs permitted in this zone shall be those allowed in residential zones by Chapter 10.45 SCC. [Ord. 15-24 § 1 (Exh. A); Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-12-060.]

10.xx.070 Development Requirements

- Minimum land requirements for MPC zone: 50 acres;
- Land Use Master Plan
 - A Land Use Master Plan shall be submitted congruently with the concept plat application and in addition to the requirements of the concept plat submittal found in 8.20.010. The plan shall include the following:
 - Existing property boundaries
 - Proposed lot lines
 - Color coded categories grouped by lot size and/or housing product type
 - Table indicating gross calculations such as number of lots in each housing/lot size category and acreage/ percentage of common space
 - Location and size of common spaces
 - Configuration of streets, trails, and sidewalks
- Traffic Impact Study
 - Developer shall provide a traffic impact study to be submitted congruently with preliminary plat application.
- Architectural Theme Plan
 - An architectural Theme Plan shall be submitted congruently with the preliminary plat application and in addition to the requirements of the preliminary plat submittal found in 8.25.010. The plan shall include the following:
 - Examples of design themes that can be duplicated throughout the development that will provide unity and sense of place. Examples may include cladding materials, roof styles, light fixtures, colors, textures, or architecture styles such as Craftsman, Contemporary, Colonial, Mediterranean, Cape Cod, etc.
 - Conceptual elevations and floor plans
 - All plans must adhere to the Architectural Requirements detailed in this chapter.
- Landscape Theme Plan
 - A Landscape Theme Plan shall be submitted congruently with the preliminary plat application and in addition to the requirements of the preliminary plat submittal found in 8.25.010. The plan shall include the following:
 - Landscape plans for all HOA or common open spaces, streetscapes, and any additional land to be landscaped by the project developer are required. Plans shall specify:
 - tree locations
 - hardscape locations
 - amenities

- sidewalks
 - trails
 - fencing
 - entry monument signage design and landscaping

- Architectural Requirements
 - The following standards apply to homes within the Master Planned Community Zone:
 - Stucco, masonry, fiber cement siding and/or similar construction products shall be used on all exterior walls. No vinyl siding shall be permitted.
 - A minimum of two (2) elevations shall be drawn for each dwelling unit type. Differences between elevations may include rooflines, use of exterior materials, color schemes, use of size of porches, window location, size, shape or treatments and similar features that vary the appearance of the elevation.
 - Where the same dwelling unit type is to be constructed adjacent to or directly across the street, a different elevation shall be used including a different roofline, exterior materials, and color schemes.
 - Rear or side end facades that are visible to a street, park or trail shall include additional treatments such as the addition of the front façade wainscoting down the visible side facade, additional fiber cement siding, additional windows, pop-outs and window or door.
 - To assist in adding architectural variety, side facing, detached, or alley fed garages are encouraged.
 - Outdoor living spaces such as porches, balconies, rooftop gardens, stoops, or patios are required on all dwelling units. Outdoor living spaces must be sized adequately for seating and be oriented towards the street or shared driveway to encourage social interaction with neighbors.
 - When possible, the front façade shall front a public street instead of an interior driveway.

- Common Space Requirements:

-At least 25% of gross project acreage shall be established as common space.

- Remnant parcels that are inaccessible, have a boundary shape that will not accommodate an amenity, or are otherwise unusable may not be counted towards the common space calculation.
- Yard areas within single family detached lots that are intended as useable yard space for the individual units shall not be counted toward meeting the minimum common space requirement.

- Land dedicated to the city for use as a public park shall be counted towards common space as agreed upon by the City Council with terms and parameters of development and maintenance established in a development agreement.
 - Landscaping alone does not qualify an area as common space. However, informal landscaped areas for play, relaxation, and meditation are encouraged.
 - Unless otherwise approved by the Council, and subject to the provisions set forth in this Chapter, the underlying fee ownership of all publicly accessible open space land shall remain in single ownership and may be owned and maintained by one of the following entities: homeowners' association, land trust, conservation organization, or governmental entity.
 - Landscaping within common areas must be completed prior to approval of the next consecutive phase of the subdivision.
- Required Amenities:
 - Amenities such as hard surface trails, benches, sports fields, picnic shelters, clubhouses, pools, basketball courts, tennis courts, community gardens, pickle ball courts, playgrounds, splash pads, or other amenities as approved by the City Council are required in each common space.
 - Clubhouse plans shall go through site plan review as detailed in 10.20.090 before receiving a building permit.
 - No dwelling shall be located further than 1/8 mile from an amenity.
 - Amenity access shall be shown on a circulation plan indicating how amenities will be accessed by automobiles, cyclists, and pedestrians.
 - Storm water detention basins may be considered as common space only if they are designed, landscaped, and include an amenity.
- Property Maintenance: A Home Owners Association (HOA) is required to ensure that amenities, common spaces, trash removal, and street trees are maintained and/or replaced as needed. The HOA covenants of the community shall be recorded with the county and applied to all phases of development. .
- Landscaping Requirements:
 - Yard areas shall be designed to avoid water pooling and steep grade changes between lots
 - Streetscapes shall be designed for pedestrian safety and visual interest through the use of variable front yard setbacks and inclusion of traffic calming measures.
 - Tree lined streets are required.
 - Street trees shall have a minimum two-inch caliper trunk size measured 12 inches above ground level, at the time of installation.

- Best management practice recommendations as published by the International Society of Arboriculture (ISA) shall be followed to improve tree survival.
 - Street trees damaged or killed must be replaced within one planting season by the HOA.
 - Street trees shall be planted by the developer before occupancy of the home in front of which the tree will be planted.
 - During winter months when tree planting is not practical, the developer shall place sufficient funds in an escrow account to be released once planting is completed.
 - Street trees shall be selected in accordance with the approved tree species in city code 10.30.070.
 - Street trees shall be spaced according to the approved species and park strip width. In no case shall street trees be planted further than 50 feet apart.
 - The landscape plan shall account for aesthetics and passive solar landscape design. Wherever possible, deciduous vegetation including trees and structured climbing plants shall be positioned on the south and west side of building to provide shade in the summer and sun in the winter. The proposed height of these trees should be indicated on plans to ensure that their height is adequate to provide passive solar benefits to adjacent structures.
 - Landscape design shall screen utility boxes for phone, power, telecommunication, and other unsightly utilities.
- Traffic Circulation Requirements:
 - A hierarchy of Local, Collector, and Arterial shall be designed as specified in the Transportation Master Plan or determined by staff review.
 - Collector streets should not contain right angles and should be generally continuous, utilizing traffic calming measures such as chicanes, curb “bulb-outs”, street islands, mid-block pedestrian crossings, bicycle lanes, cycle tracks, curbed bio swales, raised planted medians, street trees, decorative crosswalks, traffic circles, or other measures approved by the City Council. All traffic calming measures shall comply with the International Fire Code.
 - All local streets should utilize the low volume local cross section from the city engineering standards.
 - Dedicated pedestrian and cycling facilities designed to provide safe and attractive recreation opportunities are required to be included in each street right-of-way.
 - All required street lighting shall match the development theme, as approved by the City Council.
 - All corners of street intersections must be landscaped with decorative landscaping including boulders, shrubs, decorative grasses, mulch, flagstones, decorative ground-cover other than sod, or other decorative measures approved by the City Council.
 - Alleys shall be a maximum of 16 feet in width.

- Paved walkway to the front door which extends to the public walkway or public street shall be provided. Decorative landscaping shall be included for 1.5 feet on one or both sides of all private walkways leading to front doors.
- Block size:
 - Blocks shall not exceed 1,320 in length.
 - Mid-block pedestrian access ways shall be provided where block lengths are longer than 1,000 ft. or to maintain the maximum 1/8 mile distance between amenities and residents.
- Trails:
 - All trail locations within the development boundaries shall be improved according to the Trails Master Plan and built to city engineering standards.
 - Trails should connect with other sidewalks and trail facilities whenever possible.
 - A 10' wide concrete or asphalt trail is encouraged in lieu of sidewalk along arterial roads.
 - Trailside seating is required at 0.5 mile intervals along the trail system.
 - Seating shall be built over a weed barrier or solid surface.
 - If trails will be dedicated to the city, all trail maintenance and ownership agreements shall be finalized in a development agreement.
- Sensitive Areas:
 - Wetland areas identified through studies required in the sensitive overlay zone, shall be preserved with a conservation easement.

10.xx.080 Land Use Approval Process.

A. Due to the unique nature of Master Planned Community Developments, an alternate approval process is hereby adopted. This process is adopted in order to ensure that the land use authority has a clear understanding of the nature of the proposed development prior to giving zone approval, and then expediting development after approval is given. It also calls for more detailed plans as the project develops, so that a property owner will have opportunities to receive input from the City Council on the project prior to investing in detailed plans.

B. Requests for General Plan Map amendment, pursuant to section 10.20.060 of this Code, shall be accompanied by the documents required for a Subdivision Concept Plan, as provided in Chapter 8.20, for the entire development. These items shall be considered concurrently, with input provided by the Planning Commission and City Council to the property owner during the approval process. The City Council is the land use authority for this joint application, with the Planning Commission acting in a recommending capacity.

C. Requests for an amendment to the Zoning Map, pursuant to section 10.20.070 of this Code, shall be accompanied by the documents required for a Preliminary Subdivision Review, as provided in Chapter 8.25, for the entire development. The application shall also be accompanied, to the extent it is not required by Chapter 8.25, by:

- (1) Master plan, including lot sizes and densities for each lot;

(2) Circulation plan;

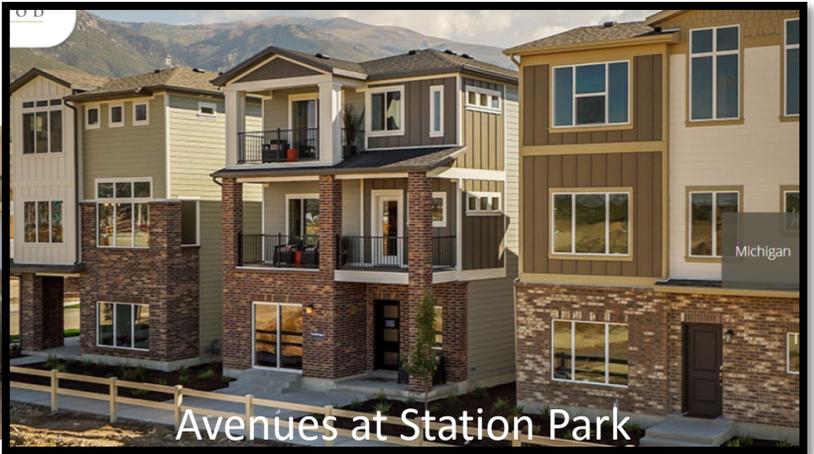
(3) Architectural theme plan; and

(4) Landscaping theme plan.

D. The Preliminary Subdivision Plat shall be considered concurrently with the Zoning Map Amendment. The City Council is the land use authority for this joint application, with the Planning Commission acting in a recommending capacity.

E. Final Subdivision Approval for each phase of development for a Master Planned Community shall proceed as provided in Chapter 8.30.

Similar Housing Product Samples – (Single family only)



Amenity Examples – Foxboro North – Woodside Homes





PLANNING COMMISSION WORK MEETING AGENDA

August 2, 2016

Agenda Item #8 **Annexation Petition Request - Approx. 2000 W Gentile Street**

Factual Summation

The City Council is forwarding an annexation petition requested by Woodside Homes for review by the Planning Commission for compliance with the City's adopted Annexation Policy Plan. The proposed annexation area is approximately 237 acres in size. The Annexation Policy contains 9 criteria for approval that should be considered by this body.

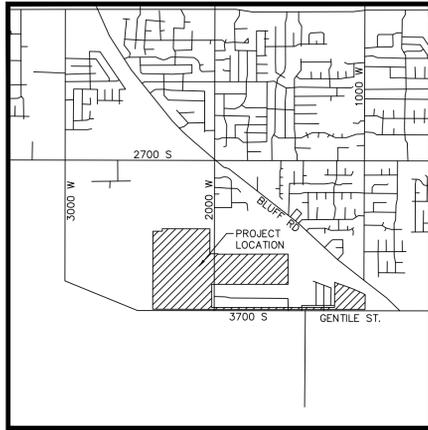
Below is a timeline for annexation of this property. The planning commission's role is highlighted in yellow.

Timeline

Timeline	Task
Tues., June 14, 2016	Petition forwarded to City Council to accept for certification
Wed., June 15, 2016	Contact made with County Clerk, Recorder, Survey to gain status of review process
NLT Wed., June 22, 2016	Petition certified by City Recorder, County Clerk, Recorder, and Surveyor
Thurs., June 23, 2016	Notice of annexation petition mailed to affected entities
Thurs., June 23, 2016	Notice of certified petition mailed to City Council, sponsor, and Davis County Comm.
Sun., June 26, 2016	Notice advertising certification and beginning of protest period published in SE
Sun., July 24, 2016	Notice of public hearing published in SE.
Tues., July 26, 2016	Protest period expires
Tues., August 2, 2016	Planning Commission reviews petition and forwards recommendation to City Council.
Tues., August 9, 2016	If no valid protests are filed, City Council can hold public hearing
Tues., August 9, 2016	Annexation Ordinance adopted
NLT Fri., Sept. 9, 2016	Amended articles of incorporation and certified ordinance delivered to Lt. Gov.
NLT Fri., Sept. 9, 2016	Ordinance and plat filed with County Recorder and Surveyor
NLT Fri., Sept. 9, 2016	Notice of approved annexation mailed to each affected entity

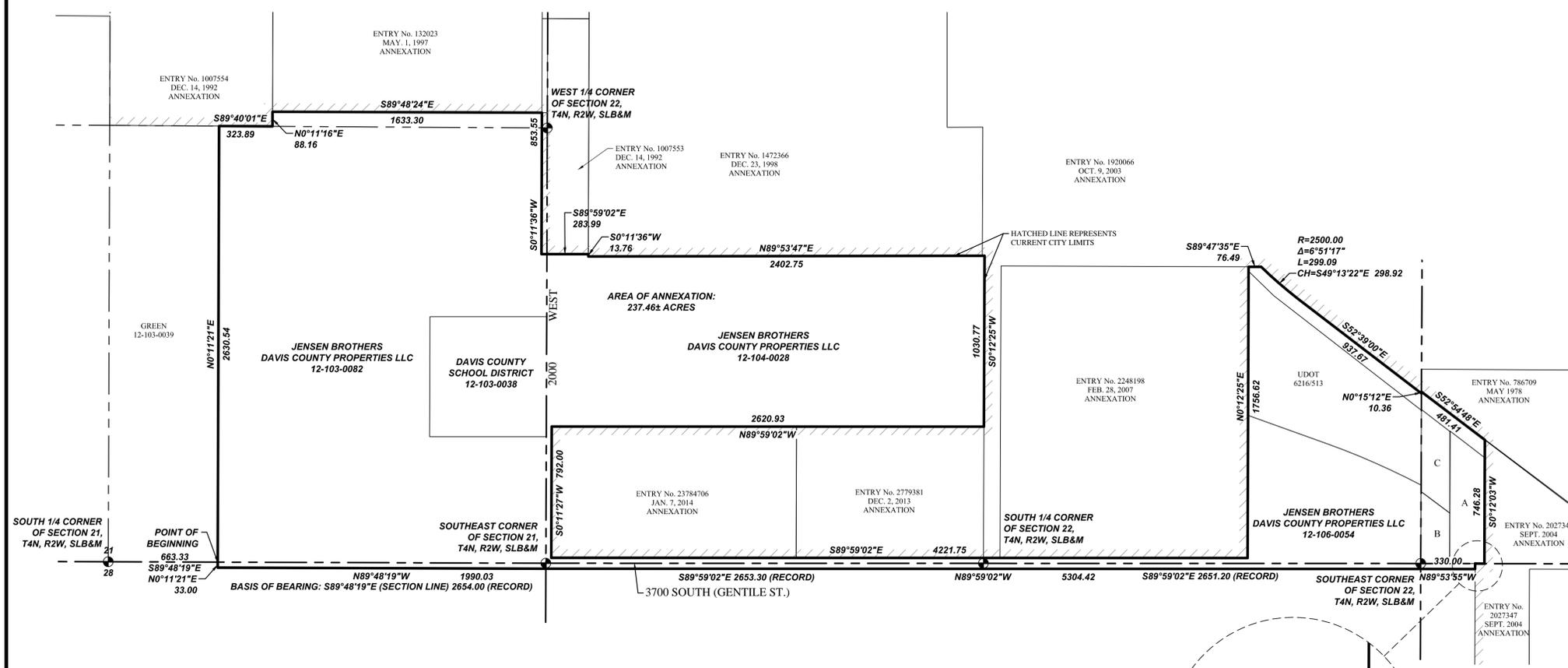
Attachments:

- Requested Annexation Map
- Annexation Policy Plan
- Utah State Code



VICINITY MAP
N.T.S.

**PLAN OF ANNEXATION
INTO
THE CORPORATE LIMITS OF SYRACUSE CITY**
LOCATED IN THE SE1/4 & THE NE1/4 OF SECTION 21, THE SW1/4 & THE SE1/4 OF SECTION 22, THE SW1/4 OF SECTION 23,
THE NE1/4 OF SECTION 28, THE NW1/4 & THE NE1/4 OF SECTION 27, & THE NW1/4 OF SECTION 26, T4N, R2W, SLB&M
SYRACUSE CITY,
DAVIS COUNTY, UTAH



OWNERSHIP TABLE

A	LAYTON NINE LTD 12-108-0045
B	UTAH DEPT. OF TRANSPORTATION 12-108-0306
C	UTAH DEPT. OF TRANSPORTATION 12-108-0305



SURVEYOR'S CERTIFICATE

I, Dennis P. Carlisle, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 172675 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify that this Plat is a true and accurate map of the tract of land to be annexed into Syracuse City, Utah.

Dennis P. Carlisle
Professional Land Surveyor
Certificate No. 172675

Date _____

BOUNDARY DESCRIPTION

A portion of the SE1/4 & the NE1/4 of Section 21, the SW1/4 & the SE1/4 of Section 22, the SW1/4 of Section 23, the NE1/4 of Section 28, the NW1/4 & the NE1/4 of Section 27, and the NW1/4 of Section 26, Township 4 North, Range 2 West, Salt Lake Base & Meridian, more particularly described as follows:

Beginning at a point located S89°48'19"E along the Section line 663.33 feet from the South 1/4 Corner of Section 21, T4N, R2W, S.L.B.& M.; thence N0°11'21"E 2,630.54 feet to the southerly Corporate Limits of Syracuse City; thence along said Corporate Limits the following 20 (twenty) courses and distances: S89°40'01"E 323.89 feet; thence N0°11'16"E 88.16 feet; thence S89°48'24"E 1,633.30 feet; thence S0°11'36"W 853.55 feet; thence S89°59'02"E 283.99 feet; thence S0°11'36"W 13.76 feet; thence N89°53'47"E 2,402.75 feet; thence S0°12'25"W 1,030.77 feet; thence N89°59'02"W 2,620.93 feet; thence S0°11'27"W 792.00 feet; thence S89°59'02"E 4,221.75 feet; thence N0°12'25"E 1,756.62 feet; thence S89°47'35"E 76.49 feet to the centerline of Bluff Road; thence Southeasterly along the arc of a 2,500.00 foot radius curve to the left (radius bears: N44°12'17"E) 299.09 feet through a central angle of 6°51'17" (chord: S49°13'22"E 298.92 feet); thence S52°39'00"E 937.67 feet to the west line of Section 23; thence N0°15'12"E along the Section line 10.36 feet; thence S52°34'48"E 481.41 feet; thence S0°12'03"W 746.28 feet to the south line of said Section 23; thence N89°53'55"W along the Section line 56.00 feet; thence S0°14'29"W 33.00 feet; thence N89°53'55"W parallel with, and 33.00 feet southerly of the Section line 330.00 feet; thence N89°59'02"W parallel with, and 33.00 feet southerly of the Section line 5,304.42 feet; thence N89°48'19"W parallel with, and 33.00 feet southerly of the Section line 1,990.03 feet; thence N0°11'21"E 33.00 feet to the point of beginning.

Contains: 237.46+/- acres

SYRACUSE CITY ENGINEER

I HEREBY CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES PREREQUISITE TO APPROVAL BY THE CITY ENGINEER OF THE FOREGOING PLAT AND DEDICATIONS HAVE BEEN COMPLIED WITH.

DATE _____ CITY ENGINEER _____

SYRACUSE CITY APPROVAL

I, CERTIFY THAT I AM THE DULY APPROVED QUALIFIED AND ACTING CITY RECORDER OF SYRACUSE CITY, A MUNICIPAL CORPORATION OF UTAH, AND THAT THE FOREGOING PLAT OF LANDS SOUGHT TO BE ANNEXED TO SAID CITY, WITH A PETITION OF THE MAJORITY OF THE PROPERTY OWNERS OF THE REAL PROPERTY EMBRACED THEREIN FOR SUCH ANNEXATION WERE FILED IN MY OFFICE ON THE _____ DAY OF _____, 2016 THAT THE QUESTION OF SUCH ANNEXATION WAS DULY SUBMITTED TO AND VOTED ON BY THE CITY COUNCIL OF SYRACUSE CITY AT ITS MEETING CONVENED AND HELD ON THE _____ DAY OF _____, 2016. THAT ON SUCH VOTE MORE THAN TWO THIRDS OF ALL MEMBERS OF SAID COUNCIL VOTED IN FAVOR OF SAID ANNEXATION; AND THAT THE FOREGOING PLAT IS THE PLAT REFERRED TO IN SYRACUSE CITY ORDINANCE NO. _____ DULY ORDAINED BY SAID COUNCIL ON _____ DAY OF _____, 2016, DECLARING SAID ANNEXATION.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2016

SYRACUSE CITY RECORDER _____ SYRACUSE CITY MAYOR _____

DAVIS COUNTY SURVEYOR

THIS PLAT IS HEREBY APPROVED AS A FINAL LOCAL ENTITY PLAT AS REQUIRED BY UTAH CODE 17-23-20 APPROVED THIS _____ DAY OF _____, 2016.

DAVIS COUNTY SURVEYOR _____

RECORDED # _____

STATE OF UTAH, COUNTY OF DAVIS
RECORDED AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE \$ _____ COUNTY RECORDER _____

**Syracuse City
Davis County, Utah
Annexation Policy Plan
Nov. 26, 2002**

Syracuse City Annexation Policy Plan

November 26, 2002

STATEMENT OF PURPOSE. The City of Syracuse has determined it to be necessary to manage and access the impact and implementation of annexation goals of the Syracuse City Annexation Policy Plan and to promote health, safety, and welfare of the City.

CRITERIA FOR ANNEXATION. Syracuse City will favor a petition for annexation of territory in the areas outlined in “Appendix A” and pursuant to the following criteria. The City, in acceptance of an annexation petition shall confirm:

1. The petition for annexation complies with Utah State Code 10-2-403.
2. Promotes the goals of government to protect and promote the public health, safety and general welfare of the citizens of Syracuse, present and future.
3. Encourages systematic growth and development within the City and the keeping of a cohesive and orderly community.
4. Considers in conjunction with the Syracuse City General Plan the need over the next 20 years for additional land suitable for residential, commercial and industrial development.
5. Considers population growth projections for Syracuse City and adjoining areas for the next 20 years.
6. Assures availability, maintenance, extension and/or adequate capacity of public facilities and services.
7. Considers the City’s future and current financial requisites for municipal services in developed and undeveloped unincorporated areas of Davis County.
8. Promotes the most efficient relationships between land uses in Syracuse City and its neighboring communities and service districts by avoiding gaps or overlaps with expansion areas of other municipalities.
9. Ensures the pace and quality of annexations shall be within the management capability of Syracuse City by the use of well-conceived land management practice.

AREA OF EXPANSION. Attached hereto as “Appendix A” is a map of the unincorporated territory into which Syracuse favors expansion of its boundaries

CHARACTER OF SYRACUSE CITY. Syracuse is a community located in the northwest part of Davis County. The population according to the 2000 US Census is approximately 10,000 people. The majority of the area is agriculture in nature but with high growth of residential dwellings and small amounts of land devoted to commercial and industrial uses. Annexations will continue to change the character of the community by removing agricultural land and placing the residential growth into a changing character of a bedroom community. Future annexations will characteristically harmonize with existing development patterns of Syracuse City, which is single family residential use intermixed with commercial development and institutional uses. It is essential to the citizens of Syracuse that the City should strive to maintain its historical character while managing new growth.

NEED AND FINANCING OF MUNICIPAL SERVICES. The needs for municipal services within future annexation area of Syracuse are extensive and will require detailed planning and implementation. The City’s general plan and associated capital improvement plan will guide the City’s development and replacement of municipal infrastructure and services. Nonetheless, continued growth of Syracuse City into unincorporated Davis County shall require funding of this growth from development as it occurs. The City will require development to install and pay for expansion of municipal services to newly annexed areas that impact the City by growth.

New annexations should create areas in which services can be provided efficiently. The annexation should not create topographically isolated areas, areas for which the provisions of services would be costly or difficult.

TAX CONSEQUENCES. Municipal finances used to provide services will be developed through property and sales tax revenue, user fees and impact fees from growth. If land use is changed to residential, there will be a significant tax increase, the amount depending on the value of the new residence(s). Property taxes collected from annexed areas, which go to the City, would be offset by the costs of providing services. New growth areas should be mainly considered as residential property tax, which historically, provides diminutive financial resources to the City. As a consequence, Syracuse shall aggressively pursue the development of sales tax revenue to support future growth of municipal services such as transportation, sanitation, police and fire protection. Annexation growth will require the City to develop commercial and tourism related tax support with limited property tax increases to residential property.

MUNICIPAL BOUNDARIES. Syracuse City will continue to expand mainly to the south and west of current city boundaries with limited growth to the north and

inconsequential growth to the east of current boundaries. The Great Salt Lake and wetlands to the south and west will eventually inhibit continued expansion into these areas, however, there are large expansion possibilities remaining within Davis County adjoining the Great Salt Lake and surrounding 3700 south. These areas will eventually annex into the City's corporate limits

The north boundary expansion of Syracuse has all but ceased with exception of a minor enlargement of the existing boundary immediately south of 700 south and west of 4000 west. Recent annexations by West Point City have inhibited future growth into this northwest area. Syracuse will continue to expand westerly towards 4500 west. Syracuse has purchased (from Hooper Water Improvement District) and operates culinary water lines within this West Point Annexation. Consideration of this culinary water service area should mandate annexations of the Wilcox property west of 4000 west. West Point City will require the majority of coordination with possible annexation areas. Syracuse has justified with West Point City not to annex the Manning property located west of 4500 west and north of 1200 south in order to not divide the ownership of the land between two municipalities. The City will annex all the territory south of 1200 south west to the Great Salt Lake.

Syracuse should also pursue acquisition of the undeveloped Tanner family property currently located within the corporate boundaries of Clearfield City, located next to the northeast of the current City boundary approximately 1200 south 1000 west. This property would prove very valuable in future expansion of the City's cemetery. The current east boundary lines with Clearfield and Layton will not be adjusted.

AFFECTED ENTITIES. Syracuse City has complied with section Utah State Code 10-2-401 in the adoption of the annexation policy plan. Davis County would be the primary affected entity by removal of land from county jurisdiction. There would negligible impact to the County. North Davis Sewer District and Davis County School District are entities, which serve the area and will be affected with future growth annexations. Syracuse received no statements from affected entities concerning the City's annexation plans. West Point and Syracuse have mutually agreed to coordinate boundaries near 700 south and 4500 west. These boundaries are identified on Appendix A

Approved and adopted by the City Council of Syracuse, Davis County, Utah this 26th day of November, 2002 as attested by the following signatures.

Fred Panucci, Mayor

Kathryn W. Holt, City Recorder
-Attest-

Appendix A Annexation Policy Plan

Adopted 11/26/2002

WEST POINT

CLEARFIELD

LAYTON

GREAT SALT LAKE

-  Future Cemetary Annexation
-  Future Annexation Plan
-  City Boundary
-  Parcels
-  CLEARFIELD
-  LAYTON
-  WEST POINT
-  Great Salt Lake

1 inch equals 0.6 miles



Effective 5/12/2015

10-2-403 Annexation petition -- Requirements -- Notice required before filing.

- (1) Except as provided in Section 10-2-418, the process to annex an unincorporated area to a municipality is initiated by a petition as provided in this section.
- (2)
 - (a)
 - (i) Before filing a petition under Subsection (1) with respect to the proposed annexation of an area located in a county of the first class, the person or persons intending to file a petition shall:
 - (A) file with the city recorder or town clerk of the proposed annexing municipality a notice of intent to file a petition; and
 - (B) send a copy of the notice of intent to each affected entity.
 - (ii) Each notice of intent under Subsection (2)(a)(i) shall include an accurate map of the area that is proposed to be annexed.
 - (b)
 - (i) Subject to Subsection (2)(b)(ii), the county in which the area proposed to be annexed is located shall:
 - (A) mail the notice described in Subsection (2)(b)(iii) to:
 - (I) each owner of real property located within the area proposed to be annexed; and
 - (II) each owner of real property located within 300 feet of the area proposed to be annexed; and
 - (B) send to the proposed annexing municipality a copy of the notice and a certificate indicating that the notice has been mailed as required under Subsection (2)(b)(i)(A).
 - (ii) The county shall mail the notice required under Subsection (2)(b)(i)(A) within 20 days after receiving from the person or persons who filed the notice of intent:
 - (A) a written request to mail the required notice; and
 - (B) payment of an amount equal to the county's expected actual cost of mailing the notice.
 - (iii) Each notice required under Subsection (2)(b)(i)(A) shall:
 - (A) be in writing;
 - (B) state, in bold and conspicuous terms, substantially the following:

"Attention: Your property may be affected by a proposed annexation.
Records show that you own property within an area that is intended to be included in a proposed annexation to (state the name of the proposed annexing municipality) or that is within 300 feet of that area. If your property is within the area proposed for annexation, you may be asked to sign a petition supporting the annexation. You may choose whether or not to sign the petition. By signing the petition, you indicate your support of the proposed annexation. If you sign the petition but later change your mind about supporting the annexation, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of (state the name of the proposed annexing municipality) within 30 days after (state the name of the proposed annexing municipality) receives notice that the petition has been certified.

There will be no public election on the proposed annexation because Utah law does not provide for an annexation to be approved by voters at a public election. Signing or not signing the annexation petition is the method under Utah law for the owners of property within the area proposed for annexation to demonstrate their support of or opposition to the proposed annexation.

You may obtain more information on the proposed annexation by contacting (state the name, mailing address, telephone number, and email address of the official

or employee of the proposed annexing municipality designated to respond to questions about the proposed annexation), (state the name, mailing address, telephone number, and email address of the county official or employee designated to respond to questions about the proposed annexation), or (state the name, mailing address, telephone number, and email address of the person who filed the notice of intent under Subsection (2)(a)(i)(A), or, if more than one person filed the notice of intent, one of those persons). Once filed, the annexation petition will be available for inspection and copying at the office of (state the name of the proposed annexing municipality) located at (state the address of the municipal offices of the proposed annexing municipality)."; and

(C) be accompanied by an accurate map identifying the area proposed for annexation.

(iv) A county may not mail with the notice required under Subsection (2)(b)(i)(A) any other information or materials related or unrelated to the proposed annexation.

(c)

(i) After receiving the certificate from the county as provided in Subsection (2)(b)(i)(B), the proposed annexing municipality shall, upon request from the person or persons who filed the notice of intent under Subsection (2)(a)(i)(A), provide an annexation petition for the annexation proposed in the notice of intent.

(ii) An annexation petition provided by the proposed annexing municipality may be duplicated for circulation for signatures.

(3) Each petition under Subsection (1) shall:

(a) be filed with the city recorder or town clerk, as the case may be, of the proposed annexing municipality;

(b) contain the signatures of, if all the real property within the area proposed for annexation is owned by a public entity other than the federal government, the owners of all the publicly owned real property, or the owners of private real property that:

(i) is located within the area proposed for annexation;

(ii)

(A) subject to Subsection (3)(b)(ii)(C), covers a majority of the private land area within the area proposed for annexation;

(B) covers 100% of rural real property as that term is defined in Section 17B-2a-1107 within the area proposed for annexation; and

(C) covers 100% of the private land area within the area proposed for annexation, if the area is within an agriculture protection area created under Title 17, Chapter 41, Agriculture and Industrial Protection Areas, or a migratory bird production area created under Title 23, Chapter 28, Migratory Bird Production Area; and

(iii) is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation;

(c) be accompanied by:

(i) an accurate and recordable map, prepared by a licensed surveyor, of the area proposed for annexation; and

(ii) a copy of the notice sent to affected entities as required under Subsection (2)(a)(i)(B) and a list of the affected entities to which notice was sent;

(d) if the area proposed to be annexed is located in a county of the first class, contain on each signature page a notice in bold and conspicuous terms that states substantially the following:

"Notice:

• There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.

- If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of (state the name of the proposed annexing municipality). If you choose to withdraw your signature, you shall do so no later than 30 days after (state the name of the proposed annexing municipality) receives notice that the petition has been certified.";
- (e) if the petition proposes the annexation of an area located in a county that is not the county in which the proposed annexing municipality is located, be accompanied by a copy of the resolution, required under Subsection 10-2-402(6), of the legislative body of the county in which the area is located; and
 - (f) designate up to five of the signers of the petition as sponsors, one of whom shall be designated as the contact sponsor, and indicate the mailing address of each sponsor.
- (4) A petition under Subsection (1) may not propose the annexation of all or part of an area proposed for annexation to a municipality in a previously filed petition that has not been denied, rejected, or granted.
 - (5) A petition under Subsection (1) proposing the annexation of an area located in a county of the first class may not propose the annexation of an area that includes some or all of an area proposed to be incorporated in a request for a feasibility study under Section 10-2a-202 or a petition under Section 10-2a-302 if:
 - (a) the request or petition was filed before the filing of the annexation petition; and
 - (b) the request, a petition under Section 10-2a-208 based on that request, or a petition under Section 10-2a-302 is still pending on the date the annexation petition is filed.
 - (6) If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:
 - (a) along the boundaries of existing local districts and special service districts for sewer, water, and other services, along the boundaries of school districts whose boundaries follow city boundaries or school districts adjacent to school districts whose boundaries follow city boundaries, and along the boundaries of other taxing entities;
 - (b) to eliminate islands and peninsulas of territory that is not receiving municipal-type services;
 - (c) to facilitate the consolidation of overlapping functions of local government;
 - (d) to promote the efficient delivery of services; and
 - (e) to encourage the equitable distribution of community resources and obligations.
 - (7) On the date of filing, the petition sponsors shall deliver or mail a copy of the petition to the clerk of the county in which the area proposed for annexation is located.
 - (8) A property owner who signs an annexation petition proposing to annex an area located in a county of the first class may withdraw the owner's signature by filing a written withdrawal, signed by the property owner, with the city recorder or town clerk no later than 30 days after the municipal legislative body's receipt of the notice of certification under Subsection 10-2-405(2)(c)(i).

Amended by Chapter 352, 2015 General Session