



SYRACUSE CITY

Syracuse City Council Work Session Notice ****AMENDED****

January 8, 2019 – immediately following the City Council business meeting, which begins at 6:00 p.m.

City Council Conference Room

Municipal Building, 1979 W. 1900 S.

- a. Review and discussion of Section 10.60 of the Syracuse City Code relating to the Residential R-1 Cluster zoning designation. (30 min.)
- b. Continued discussion of proposed Ordinance 18-22 amending Chapter 10.75 of the Syracuse City Municipal Code pertaining to the Planned Residential Development (PRD) Zone. (30 min.)
- c. Proposed amendment to Syracuse City process for filling a vacancy on the City Council. (5 min.)

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In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

#### **CERTIFICATE OF POSTING**

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 7<sup>th</sup> day of January, 2019 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examiner on January 7, 2019.

CASSIE Z. BROWN, MMC  
SYRACUSE CITY RECORDER

*Meetings of the Syracuse City Council may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Rules, Policies and Procedures established by the Governing Body for electronic meetings. Councilmembers Maughan and Savage will participate in the meeting via electronic means.*



# COUNCIL AGENDA

January 8, 2019

**Agenda Item # a**

**Review of R-1 Cluster**

## Chapter 10.60

### R-1 – RESIDENTIAL ZONE (2.3 LOTS PER GROSS ACRE)

#### Sections:

10.60.010 Purpose.

10.60.020 Permitted uses.

10.60.030 Conditional uses.

10.60.040 Minimum lot standards.

10.60.050 Off-street parking and loading.

10.60.060 Signs.

10.60.070 Special provisions.

#### 10.60.010 Purpose.Email Link

The purpose of this zone is to promote and preserve, where conditions are favorable, areas for large lot development for families to engage in food production and, where adequate lot area exists, keep a limited number of farm animals and fowl. [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 § 10-12-010.]

#### 10.60.020 Permitted uses.Email Link

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).

(B) Agriculture.

(C) Aviaries.

(D) Churches, synagogues, and temples.

(E) Dwellings, single-family.

(F) Educational services.

(G) Farm animal keeping (see SCC 10.30.040).

(H) Fruit and vegetable stands (for sale of products produced on owner's premises).

(I) Household pets.

(J) Minor home occupations.

(K) Public and quasi-public buildings.

(L) Public parks.

(M) Rabbits and hens.

(N) Residential facilities for persons with disabilities.

(O) Vietnamese potbellied pigs. [Ord. 15-24 § 1 (Exh. A); Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 04-12; Ord. 03-18; amended 1991; Code 1971 § 10-12-020.]

10.60.030 Conditional uses. Email Link

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) Cluster subdivisions (major).**

(D) Day care centers (major).

(E) Dog kennels (minor).

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

(G) Dwelling groups (major).

(H) Greenhouses (minor).

(I) Home occupations (major).

(J) Private parks and recreational activities (minor).

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

(L) Temporary use of buildings (see SCC 10.30.100(A)(12)) (minor). [Ord. 15-24 § 1 (Exh. A); Ord. 14-01 § 1; Ord. 11-13 § 3; Ord. 11-10 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 10-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-18; amended 1991; Code 1971 § 10-12-030.]

#### 10.60.040 Minimum lot standards.Email Link

All lots shall be developed and all structures and uses shall be placed on lots in accordance with the following standards. Lot area for properties fronting existing streets shall include all property as described on the most recent plat of record.

(A) Density. Minimum lot size 12,000 square feet, but in no case shall the density exceed 2.3 lots per gross acre, unless the Land Use Authority grants additional density, per a cluster subdivision major conditional use permit.

(B) Lot width: 100 feet.

(C) Front yard: 25 feet.

(D) Side yards: 10 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. [Ord. 15-24 § 1 (Exh. A); Ord. 11-13 § 3; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Ord. 02-16; Code 1971 § 10-12-040.]

#### 10.60.050 Off-street parking and loading.[Email Link](#)

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.]

#### 10.60.060 Signs.[Email Link](#)

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.]

#### 10.60.070 Special provisions.[Email Link](#)

All pens, barns, coops, stables, and other similar enclosing structures to keep animals or fowl shall be located no less than 150 feet from a public street and no less than 100 feet from all dwellings on adjacent lots. (This provision shall not apply to pastures.) [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 § 10-12-070.]

## **Chapter 10.80**

### **CLUSTER SUBDIVISION (MAJOR CONDITIONAL USE)**

Sections:

- 10.80.010 Purpose.
- 10.80.020 Development requirements.
- 10.80.030 Permitted uses.
- 10.80.040 Repealed.
- 10.80.050 Design standards.
- 10.80.060 Approval.
- 10.80.070 Development plan and agreement requirements.

#### **10.80.010 Purpose**

Cluster subdivisions may receive approval for a major conditional use permit in the R-1 residential zone. The purpose of this chapter is to encourage open space conservation and imaginative and efficient utilization of land by providing greater flexibility in the location of buildings on the land and the clustering of dwelling units. This will allow the developer to more closely tailor a development project to a specific user group, such as retired persons or equestrian-oriented development. The Land Use Authority shall not grant such a conditional use unless the cluster subdivision meets the regulations of the applicable zone in which it resides, except as may lawfully be modified by City Council approval. The application of cluster concepts is intended to encourage good neighborhood design and preserve open space while ensuring substantial compliance with the intent of the subdivision and land use ordinances. [Ord. 15-24 § 1 (Exh. A); Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Ord. 03-08; Code 1971 § 10-16-010.]

#### **10.80.020 Development requirements**

- (A) Acreage. A cluster subdivision shall have a minimum of 10 acres of contiguous land area.
- (B) Phasing. The proposed development plan shall include all possible future phases. No additional phases shall be permitted beyond the original concept. Adjacent property developed similarly shall be a separate development and shall meet all requirements independently from any adjacent development.
- (C) Ownership. The development shall be in single or corporate ownership at the time of application or the subject of an application filed jointly by all owners of the property.
- (D) The Land Use Authority shall require that the arrangement of structures and open spaces be developed in such a manner as to prevent any adverse effects on adjacent properties.
- (E) Density. The density of dwellings in a cluster subdivision shall not exceed 4.6 units per acre.

(F) Minimum Lot Standards. Approval of the development plan shall determine lot area, lot width, setbacks, and lot coverage regulations for multifamily structures, with a minimum separation of 16 feet between structures.

Single-family detached lots shall have the following minimum lot standards:

(1) Density. Maximum density is calculated by multiplying the development's gross acreage by 50 percent, and then multiplying the remaining acreage by 4.6 units per acre.

(2) Minimum lot area: 7,000 square feet.

(3) Lot width: 60 feet.

(4) Setbacks:

(a) Front: 15 feet.

(b) Garage: 20 feet.

(c) Side: eight feet.

(d) Rear: 20 feet.

(e) Corner lot side: 20 feet.

(G) Homeowners' Association. The development shall have a lawfully organized and professionally managed homeowners' association.

(H) Open Space and Common Space.

(1) The development shall provide 50 percent open space. A minimum of 10 percent of the open space shall be common space.

(2) Open space and common space shall not include streets, driveways, or parking areas.

(3) Open space may include agricultural areas, recreation areas, and wetland preserve.

(4) Open space not used for agriculture and wetland preserve shall be fully landscaped and developed with amenities as identified in the City's parks master plan for the enjoyment and full use of all residents of the development and/or the public.

(5) Open space that is designated for agricultural use shall have a recorded perpetual conservation easement.

(6) Open space shall not be enclosed with fencing, except as required per buffer table of this title.



(7) Common space shall be fully landscaped and developed with approved amenities for the enjoyment and full use of all residents of the development and/or the public.

(8) Common space shall be preserved, maintained and owned through the homeowners' association from the onset, or may be deeded to Syracuse City, if the developer makes the request and the City Council grants the request, at the City Council's sole discretion.

(I) Landscape Plan. The Land Use Authority shall review the landscape plan designed in accordance with an approved theme that provides unity and aesthetics to the project.

(1) Landscape plan shall be signed and stamped by a professional landscape architect.

(2) The landscaping plan shall indicate all special features, such as ponds, fountains, signs, walking paths, plant species and size, fencing, etc., together with a planting plan.

(3) Landscaping must be completed prior to approval of the next consecutive phase of the subdivision, or within the negotiated phasing per the development agreement.

(4) Street trees shall have a minimum two-inch caliper trunk size measured 12 inches above ground level, at the time of installation.

(5) Street trees shall be selected in accordance with the approved tree species in city code.

(6) 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.

(J) Sidewalks and Park Strips. The design and location of public sidewalks within a cluster subdivision shall be located in the public right-of-way and meet the following conditions:

(1) Sidewalks shall be a minimum of five feet wide and meet the minimum ADA standards.

(2) Parkstrips shall be a minimum of 10 feet wide.

(3) Meandering sidewalks shall be no closer than five feet to the back of curb.

(4) Sidewalk construction and utilities shall comply with the adopted Engineering Standards and Specifications.

(K) Trail System/Walking/Bike Paths.

(1) The development shall contain trail/walking/bike paths and shall connect to the City's trails system per the trail master plan, when applicable.

(2) Trail/walking/bike paths shall meet the City's Engineering Standards and Specifications.

(L) Signage. The development may include landscaped identification entry signs maintained by the homeowners' association.

(M) Due to the nature of cluster subdivisions and the fact that most of the usual dwellings have site restrictions and because the placement of dwellings and other structures on the site may produce a negative impact to surrounding land uses, the location, size, and general footprint of all dwellings and other main buildings shall be shown on the plans submitted for review.

(N) The proposed development shall not be detrimental to the health, safety, or general welfare of persons residing in the vicinity. [Ord. 15-24 § 1 (Exh. A); Ord. 13-15 § 1; Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1999; Code 1971 § 10-16-020.]

#### **10.80.030 Permitted uses.**

Uses permitted in the cluster subdivision shall be those uses permitted in the zoning district in which the subdivision is located; provided, that for purposes of this section, the single-family dwelling designation shall include single-family attached dwellings such as town houses and row houses or zero lot line dwellings. A single structure shall have no more than four attached dwelling units. [Ord. 15-24 § 1 (Exh. A); Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-16-030.]

#### **10.80.040 Bonus density incentives.**

**Repealed by Ord. 15-24.** [Ord. 13-15 § 1; Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-16-040.]

#### **10.80.050 Design standards**

(A) The development shall have restrictive covenants to facilitate superior architectural design elements.

(B) A common building theme shall be required and approved by the Planning Commission. The design shall show detail in the unification of exterior architectural style, color, and size of each unit; however, the intent is not to have the design so dominant that all units are identical.

(C) Patios shall not extend beyond the width of the primary structure and shall not extend beyond half the rear setback. Privacy fencing around a patio is allowed. [Ord. 15-24 § 1 (Exh. A); Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-16-050.]

#### **10.80.060 Approval**

A cluster subdivision is a special type of subdivision approved by major conditional use permit and, as such, shall meet design standards and be subject to all provisions of the Syracuse subdivision ordinance and submitted development plans. [Ord. 15-24 § 1 (Exh. A); Ord. 11-13 § 1; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-16-060.]

#### **10.80.070 Development plan and agreement requirements.**

(A) Subdivision ordinance requirements shall apply to cluster subdivisions except where negotiated within the development agreement. 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 property shall be developed in accordance with the development agreement and current City ordinances, including the development requirements as identified within this chapter, 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. The Land Use Authority shall use the submitted development plan and agreement with the design amenities and unique development features and merits of the development to determine overall development dwelling-unit density up to a maximum as determined by the bonus density calculations.

(B) 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.

(C) 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 and recreational areas should be the focal point for the overall design of the development, with various community facilities grouped in places well related to these open spaces and easily accessible to pedestrians.

(D) The proposed development shall show it will not be detrimental to the health, safety, or general welfare of persons residing adjacent to the proposed development.

(E) A cluster subdivision community shall be of sufficient size, composition, and arrangement to enable its feasible development as a complete unit, professionally managed by a legally established owners' association and governed by enforceable, duly recorded CC&Rs.

(F) Developer shall prepare a budget for the homeowners' association operation and facilities maintenance. Developer shall establish a dedicated operating fund for the collection of homeowner dues and shall provide funding for said maintenance for the first three years' operating expenses of the homeowners' association or until developer owns less than 40 percent of the lots. When the developer owns less than 40 percent of the lots, developer shall pay dues on his remaining lots in accordance with the CC&Rs and fee schedule adopted by the homeowners' association. The CC&Rs will provide in the budget a depreciation estimate and provide for the collection of fees sufficient to meet the depreciation of infrastructure under control of the homeowners' association. [Ord. 15-24 § 1 (Exh. A); Ord. 13-15 § 1; Ord. 11-13 § 1; Code 1971 § 10-16-070.]



# COUNCIL AGENDA

January 8, 2019

## Agenda Item "b"

## Proposed Amendment to § 10.75 PRD - Planned Residential Development

### *Factual Summation*

Please review the following information. Any questions regarding this agenda item may be directed to Noah Steele, Community & Economic Development Director.

The city has received an application to amend the text of 10.75 - Planned Residential Development from developer Mike Bastian. The Planning Commission (PC) has made a very detailed review of the ordinance. The PC has reviewed this item on its agenda on 7/17/18, 8/7/18, 9/11/18, 10/02/18, and 10/16/18. CC discussed the item on 10/23/18, 11/13/18, and on 11/27/18.

The major points of discussion involve:

- 1-Allowing increased density from 6 to 12 and 16 units per acre if certain qualifiers are met
- 2-Increasing attached units from 4 to 6
- 3-Allowing an in lieu of fee to 'buy out' of required common space landscaping
- 4-Adjusting the maximum building height
- 5-Increasing the architectural standards
- 6-Removing the minimum acreage requirement
- 7-Allowing private driveways longer than 150 feet
- 8-Adjusting the garage and visitor parking requirements
- 9 -Changing the approval process to require a concept plan up front with the general plan request.

The PC found that finding consensus on all 9 items difficult. In order to forward a more detailed recommendation, the PC has broken their recommendation down based on the 9 amendments above. Item 1 - it was voted no 4/3 to not increase density to the recommended amounts and to limit it to 6,8, and 10 units per acre instead. Item 2 - voted no 4/3 to not increase the allowed number of attached units. Item 3 -voted no 4/3 to not recommend allowing a fee in lieu of open space. Item 4- voted yes 5/2 to allow 3 stories and 40'. Item 5 - voted yes 7/0 to increase architectural standards. Item 6 - voted yes 4/3 to eliminate the minimum acreage requirements. Item 7 - voted no 4/3 to driveways over 150 but yes to change 'as fire code'. Item 8 - voted 4/3 yes to required additional off street parking but no to reducing the garage requirements. Item 9 - voted no 4/3 to change the approval process for PRD developments. They also recommended a 10th item to eliminate accessory structures from being allowed in attached units. The vote for the 10th item was 7/0.

Please review the attached draft revision of the PRD ordinance. Please provide further direction to staff on the proposed ordinance amendment.

12/21/18

Red text = new language

Black text = existing language

~~Crossed out text~~ = existing language to be deleted

## **Chapter 10.75 PRD – PLANNED RESIDENTIAL DEVELOPMENT**

Sections:

- 10.75.010 Purpose.
- 10.75.020 Permitted uses.
- 10.75.030 Conditional uses.
- 10.75.040 Minimum lot standards.
- 10.75.050 Development plan and agreement requirements.
- ~~10.75.060 Design standards.~~
- 10.75.070 **060** Street design.
- 10.75.080 **070** Off-street parking and loading.
- 10.75.090 **080** Signs.

10.75.010 Purpose.

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

The intent of this zone is to encourage good neighborhood design while ensuring compliance with the intent of the subdivision and zoning ordinances. ~~All dwelling units are to be held in private individual ownership. However,~~ The development shall contain common or open space and amenities for the enjoyment of the planned community that are developed and maintained through an active homeowners' association or similar organization with appointed management. [Ord. 16-26 § 1 (Exh. A); Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-15-010.]

10.75.020 Permitted uses.

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

- (A) Accessory uses and buildings (maximum 200 square feet) (**only allowed with non-attached dwelling units**)
- (B) Churches, synagogues, and temples.
- (C) Dwelling units, single-family (~~no more than four units attached~~).
- (D) Dwelling units, duplex, triplex, or fourplex, fiveplex, or sixplex.**
- (E) Educational services.
- (F) Household pets.
- (G) Private parks.
- (H) Public and quasi-public buildings.
- (I) Residential facilities for persons with disabilities and assisted living centers. [Ord. 16-26 § 1 (Exh. A); Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-15-020.]

#### 10.75.030 Conditional uses.

The following may be permitted conditional uses for non-attached 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)(12)) (minor). [Ord. 16-26 § 1 (Exh. A); Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-15-030.]

#### 10.75.040 Minimum lot standards.

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

(A) Density: ~~Density shall be allowed according to the following conditions~~ ~~overall density of~~ ~~six dwelling units per gross acre.~~ ~~If a property meets the following requirements, it is not intended to be construed that the city council must automatically approve the application.~~ ~~The legislative powers are nevertheless available to disapprove a zoning or general plan map amendment application as deemed necessary by the council.~~

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

(1) 6 units per acre are allowed when:

(a) the proposed project has frontage upon a collector road\*

(2) 12 units per acre are allowed only when one of the following are met:

(a) have frontage and access upon an arterial road\*

(b) share a property line with an existing or future general commercial, professional office, or industrial development.

(3) 16 units per acre are allowed only when one of the following are met:

(a) have frontage and access upon a major arterial\* that is owned and maintained by the state department of transportation

(b) be within the town center overlay zone

(c) Have frontage upon the intersection of either two arterials or a collector and an arterial road\*.

(d) Is located within a 1/4 mile walking distance to bus, train, or other public transit stop/station and has frontage and access upon an arterial roadway\* .

(4) \*Road classifications are identified in the adopted Transportation Master Plan's proposed street network.

~~(2)~~ (B) **Common Space:** A minimum of 20 percent of the gross acreage of the project shall be developed as common space. , or with an in-lieu payment and common space as detailed in (2) below.

(1) Common space areas shall:

(a) Be landscaped by the developer with turf, trees, shrubs, ground cover, amenities, and an automatic sprinkling system.

- (b) Be equally accessible and distributed for all residents of the HOA community. Access by the general public may be included as agreed upon in a development agreement.
- (c) Be generally contiguous, not a collection of remnants.
- (d) Create an open atmosphere where development does not feel overly intense.
- (e) Not include required front, side, and rear yard areas towards common space acreage.
- (f) Be administered by an active homeowners' association.
- (g) Be permanently restricted from future development and shown on the subdivision plat as perpetually common.
- (h) Include multiple amenities from the following list: club house, tennis court, pickleball court, basketball court, playground, community garden, picnic shelter, swimming pool, park benches, walking trails, outdoor exercise equipment, dog park, or splash pad. City Council shall approve all proposed amenities and may approve an amenity not included in this list.
- (i) Include approved amenities in each segment of common area; landscaping alone does not qualify a segment as common space.
- (j) Common spaces shall be installed proportional to the progress of the development. Common space amenities not completed before the recording of the phase that it resides in shall be guaranteed with an escrow agreement amount equivalent to the cost to install said amenity;

(2) In-lieu fee for required common space. An in-lieu fee may be accepted for the development of a nearby city park under the following conditions:

- (a) The developer initiates a request to pay a fee in-lieu of required common space by petitioning the City at the same time that the concept plan is under review.
- (b) The proposed project shall be located within 1/2 mile (measured in a straight line) of an existing or future Syracuse City park as identified in the adopted parks master plan. Measurement shall be made from the nearest property line of the park to the nearest property line of the development project.
- (c) The in-lieu fee shall not be approved if any portion of the proposed development is further than 1 mile from the nearest receiving park property boundary.
- (d) The park property to receive the fee money shall be identified and approved in conjunction with the concept plan.
- (e) Qualification of an off-site location to receive in-lieu of common space fees shall be approved by City Council based upon the development needs and priorities stated in the adopted Parks Master Plan, and such qualification shall be decided at the time that the Council reviews the concept plan.
- (f) The spending of in-lieu fees shall be limited to the determined off-site receiving location and for no other civic or private use.
- (g) If the City Council does not accept the request for in-lieu of fees based off the qualifiers stated herein, the development shall build the on-site common space as required by the RPC zone.

- (h) If a fee is accepted in-lieu of common space, the project will nevertheless be required to build at a minimum: one on-site common amenity such as a tot lot, sport courts, and/or pool occupying at least 5% of the total project land area. All on-site landscaping and common space amenities shall be maintained by an HOA.
- (i) The fee money will be due to the city prior to recording of the final subdivision plat proportionate to each phase as applicable.
- (j) Development may be allowed on the land that has been accounted for through the collection of in-lieu fees at a density not to exceed the maximum units per acre prescribed by the zone.
- (k) In-lieu fees shall be calculated on an individual basis. In-lieu fee amount shall be roughly equivalent to the value of forgone on-site common space area(s) and improvements. Fees shall be determined using mutually accepted methods for cost estimating the dollar amount needed to build the equivalent park improvements and acquire the land needed for said park space. Credit for on-site common space developed beyond the minimum 5% identified in this subsection (G)(8)(h), and actually built within the development, may be subtracted from the estimated fee due.
- (l) The agreed upon fee amount, percentage of provided on-site and off-site in-lieu fee, and park development cost per square foot shall be included in a development agreement.

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

~~(4) The development shall provide adequate off-street parking area(s), subject to requirements of this chapter and off-street parking requirements as found in Chapter 10.40 SCC; and~~

(5) (C) The development design shall include a direct connection automobile access to a major arterial, minor arterial, or major collector roadway by way of a full width and dedicated right-of-way designed for the movement of automobile traffic or private access road meeting International Fire Code (IFC) standards.

~~(B)~~ (D) Lot width: determined by development plan.

~~(C)~~ (E) Front yard: 20 feet.

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

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



~~(F)~~ (H) Building height: as allowed by current adopted building code, with a maximum height of 30 35 feet to the top of the roof structure. Units located adjacent to a single-family detached neighborhood shall be limited to a maximum of two stories and/or 30 feet, whichever is shorter.

~~(G)~~ (I) Structure: Architecture:

(1) Horizontal rooflines visible from a public street shall feature breaks or variation at a minimum of every 30 feet. Variation can be accomplished by:

- (a) Vertical offset in ridge line;
- (b) Gables;
- (c) False parapets;
- (d) Exaggerated cornices;
- (e) Dormers;
- (f) Vegetated terraces; or
- (g) Other architectural features such as trellises, cornices, portals or porches.

(2) Duplicating building facades on the same side of the street shall not be allowed more frequently than every third building or in a repeating pattern.

(3) Garages for each unit and shall not be the major architectural feature of the building.

(4) Garages are encouraged to be recessed from the front facade, or be side or rear-fed.

(5) All units shall feature a front porch or balcony with sufficient space for two seats and a walkway.

(6) Buildings shall be positioned on the site so that all front doors face the public road or private drive.

(7) When a unit has frontage onto both a public road and private drive, the front door shall face the public road.

(8) Architectural variation between each household unit is required.

[Ord. 16-26 § 1 (Exh. A); Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1998; Code 1971 § 10-15-040.]

10.75.050 Development plan and agreement requirements.

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

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

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

(D) The development plan submitted for review ~~agreement~~ 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 ~~agreement~~ 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 homeowners' association and governed by enforceable, duly recorded CC&Rs. [Ord. 16-26 § 1 (Exh. A); Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-15-050.]

#### ~~10.75.060 Design standards.~~

~~(G) The development agreement shall~~ The Land Use Authority shall approve the required common building theme. The design shall ~~include a building theme~~ showing detail in the unification of exterior architectural style, building materials, and color and size of each unit; however, the intent is not to have the design so dominant that all units are identical. Residential dwellings shall comply with SCC 10.30.020. [Ord. 16-26 § 1 (Exh. A); Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-15-060.]

#### ~~10.75.070~~ 60 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 ~~may~~ dedicate all street rights-of-way to the City ~~so long as they are built per the City's Standard Street Section as found in the Public Works Department adopted Development Standards.~~ Private driveways servicing more than one dwelling unit ~~access roads not meeting the city's street standards~~ shall at a minimum meet the fire code as directed by the Fire Marshal, ~~be built to support the weight of a fire truck and other heavy service vehicles, service no more than six units (three per side), and be no longer than 160 feet.~~ ~~and be maintained by and dedicated to an HOA.~~ [Ord. 16-26 § 1 (Exh. A); Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; Code 1971 § 10-15-070.]

#### ~~10.75.080~~ 70 Off-street parking and loading.

~~For multi-unit developments, one additional off-street parking space shall be provided for each unit. of four dwellings.~~ An enclosed garage shall be provided for car parking with each unit and a minimum of 50% of the units shall have a two-car garage. If the unit features a side or rear-fed garage, on-street parallel parking stalls may be counted towards the required visitor parking. On street stalls shall be well marked with paint. Otherwise, off-street parking and loading shall be as specified in Chapter 10.40 SCC; ~~provided, however, that the City may limit or eliminate street parking or other use of City rights-of-way through the employment~~

~~of limited or alternative street designs. [Ord. 16-26 § 1 (Exh. A); Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-15-080.]~~

#### 10.75.0980 Signs.

The signs permitted in this zone shall be those allowed in residential zones by Chapter 10.45 SCC. [Ord. 16-26 § 1 (Exh. A); Ord. 15-07A § 1 (Exh. A); Ord. 12-01 § 1; Ord. 11-04 § 6; Ord. 11-02 § 1 (Exh. A); Ord. 08-07 § 1 (Exh. A); Ord. 06-27; Ord. 06-17; amended 1991; Code 1971 § 10-15-090.]

#### 10.75.090 Land use approval process.

(A) Due to the unique nature of Planned Residential Developments, an alternate approval process is hereby adopted. This process is adopted 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 SCC 10.20.060, shall be accompanied by the documents required for a subdivision concept plan, as provided in Chapter 8.20 SCC, 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 SCC 10.20.070, shall be accompanied by the documents required for a preliminary subdivision review, as provided in Chapter 8.25 SCC, for the entire development. The application shall also be accompanied, to the extent Chapter 8.25 SCC does not require it, 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. Once approved, the preliminary subdivision plat shall be considered a binding zoning document. The applicant must also execute a development agreement in connection to the zoning map amendment.

(E) Final subdivision approval for each phase of development for a master planned community shall proceed as provided in Chapter 8.30 SCC.

(F) The entirety of the proposed project must be presented and approved in one approval process. After the City Council grants preliminary approval of a development, no additional phases may be added.

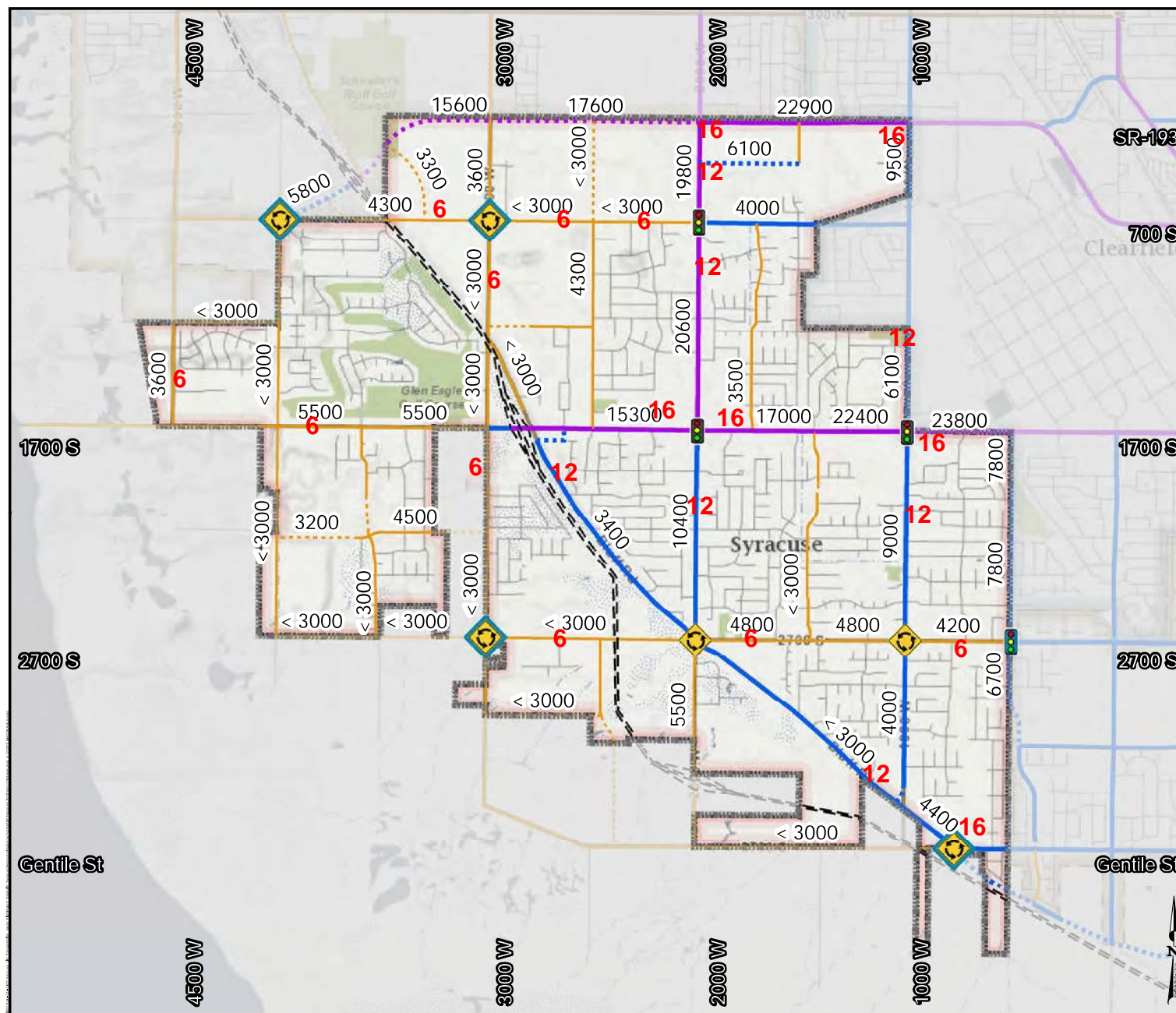
(G) PRD zone entitlement is contingent upon the developer following the concurrently approved preliminary subdivision plat and the required development agreement. The development agreement shall run with the land and remain in force for the original developer. All subsequent owners of at least five percent of the land originally proposed to be developed shall be bound to the terms of the original agreement and plat until the conclusion of development. Failure of the developer to comply with the terms of the development agreement or preliminary subdivision plat may result in the Council reverting zoning back to the designation that existed prior to the zoning map amendment.



SYRACUSE  
EST. CITY 1935

## Master Transportation Plan

Figure 9: Proposed 2040 Street Network

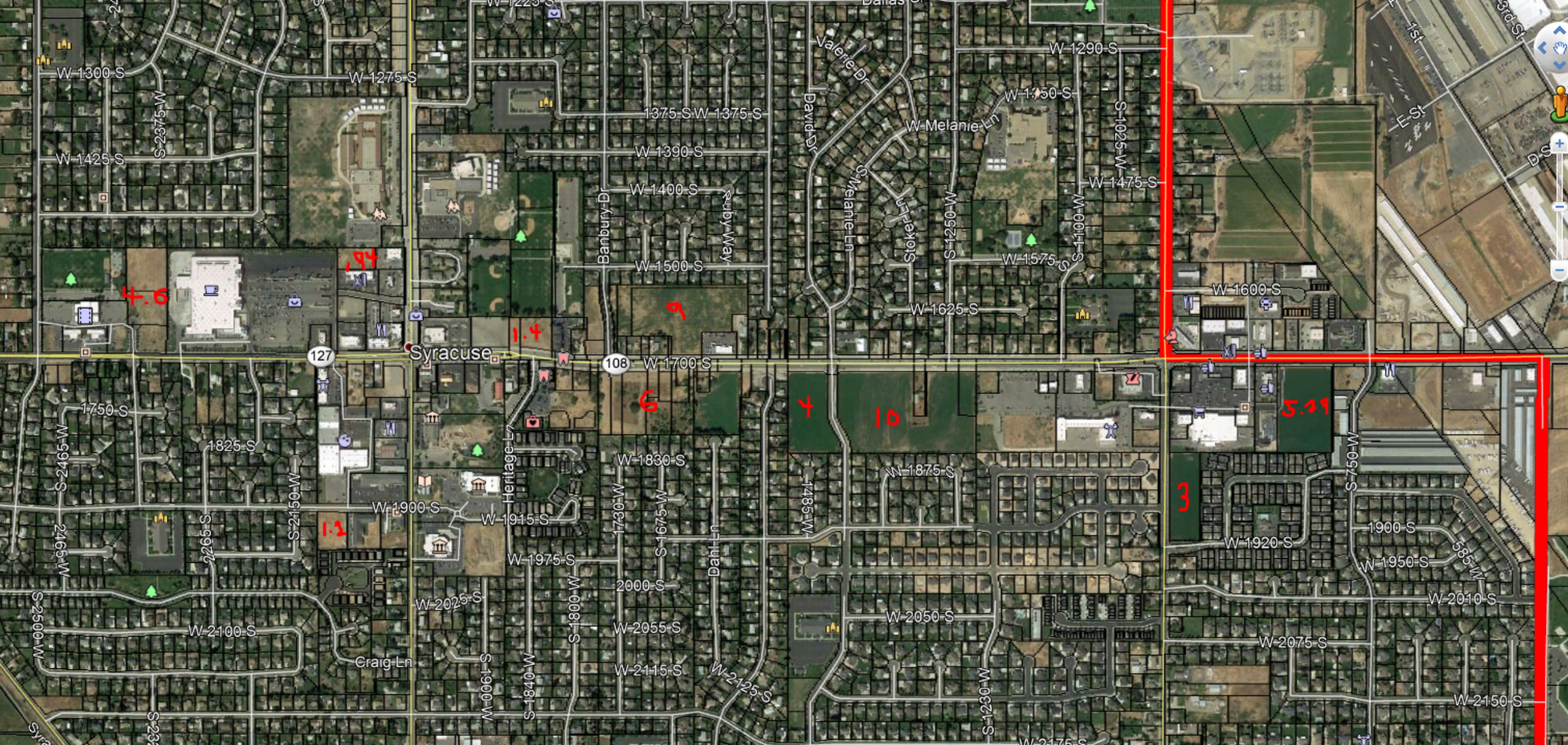


- Legend
- Intersection
- Existing Roundabout
  - Future Roundabout
  - Existing Signal
  - Future Signal
- Future Roadway Network
- Freeway
  - New Freeway
  - Major Arterial (5 Lanes)
  - New Major Arterial (5 Lanes)
  - Minor Arterial (3 Lanes)
  - New Minor Arterial (3 Lanes)
  - Minor Collector (2 Lanes)
  - New Minor Collector (2 Lanes)
  - Syracuse Boundary

HORROCKS  
ENGINEERS

0.5 0 0.5 Miles









## The Village at Church and Main - Layton

- 20 Units Per Acre
- 56 Units
- Built in 2017
- 5-9 Units Per Building
- 3 Stories
- Rent-only
- 2.7 acres



- 15 Units Per Acre
- 37 Units
- Built in 2014
- 3-6 Units Per Building
- 2-3 Stories
- To Own
- 2.52 acres

Kays Landing  
-Kaysville



Oakmont Townhomes, Clearfield, 2.13 ac, 13.6 units/ac, owner, 6-9 attached



Sun River Townhomes, Layton, 6.35 ac, 5-6 attached, 13.7 units/ac, owner







UNIT B

UNIT C

UNIT B

UNIT C

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**FRONT ELEVATION**

**ORDINANCE NO. 18-xx**

**AN ORDINANCE AMENDING CHAPTER 10.75 OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO THE PLANNED RESIDENTIAL DEVELOPMENT ZONE.**

**WHEREAS**, the City Council has the authority, pursuant to state law, to establish ordinances for the health, welfare, comfort and safety of its residents and those visiting the City; and

**WHEREAS**, the Planning Commission and City Council have reviewed ordinances related to the Planned Residential Development (PRD) Zone; and

**WHEREAS**, the Planning Commission conducted a public hearing, and issued recommendations regarding the proposed amendment; and

**WHEREAS**, the Council finds that the amendment will promote the health, safety and welfare of the community,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1.     Amendment.** Chapter 10.75 of Syracuse City Municipal Code is amended as attached in Exhibit A.

**Section 2.     Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**Section 3.     Effective Date.** This Ordinance shall become effective immediately after publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY,  
STATE OF UTAH, THIS 13th DAY OF NOVEMBER, 2018.**

**SYRACUSE CITY**

ATTEST:

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Cassie Z. Brown, MMC  
City Recorder

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Mayor Mike Gailey

Voting by the City Council:

|                        | "AYE" | "NAY" |
|------------------------|-------|-------|
| Councilmember Anderson | _____ | _____ |
| Councilmember Bolduc   | _____ | _____ |
| Councilmember Maughan  | _____ | _____ |
| Councilmember Peterson | _____ | _____ |
| Councilmember Savage   | _____ | _____ |

**Exhibit A**



# CITY COUNCIL WORK SESSION

January 8, 2019

## **Agenda Item “c”**

## **Amendment to Appointment Procedures in Section 2.45.040**

Councilman Maughan has proposed to amend Section 2.45.040, related to appointments in the case of vacancies in elected offices. Specifically, he has requested whether to increase the vote threshold to get through the first round of voting to 2 votes, rather than 1.

As this is a city-created procedure, we are free to amend the process in any way that we wish without running afoul of state code. We have utilized the procedure on two occasions. Prior to its adoption, we did not have a formal appointment procedure, leading to some confusion among candidates and elected officials as to the best way to proceed.

The process includes two rounds of voting – one to thin the pack to at least 33% of the initial number of candidates, and a second to make the final selection. Ordinance currently indicates that a candidate who receives zero votes has no chance of advancing, even if the number of candidates advancing is less than 33%. A proposed amendment increasing the threshold to 2 votes would eliminate all single-vote getters.

In the world of hypotheticals, this could open up a possibility that a single candidate would be selected by only two councilmembers. This would be the case if all others received a single vote. If the other two councilmembers and mayor did not support that candidate, then the motion to appoint might fail – leaving us in an untenable situation where only one candidate advanced but was not appointed. If the Council is fine supporting this unlikely outcome, then there is nothing to say that the process is flawed. Another option would be to increase the threshold to two votes only if two or more candidates received more than one vote.

One clause I would recommend adding, regardless of your decision on the above paragraph is that the increased threshold does not eliminate everyone if no one received more than one vote. Otherwise, the entire field could be eliminated.

Questions on this item may be directed to Councilman Maughan, Paul Roberts, or Cassie Brown.

## **2.45.040 Appointments to vacant elected positions.**

(A) In cases of vacancies in an elected office of the City, the City shall follow the procedures provided in Utah State Code. The provisions of this section are meant to provide additional detail to the process, and not to override or conflict with state law.

(B) Notice shall be provided to the public of the vacancy at least two weeks prior to the meeting at which the Council will consider candidates to fill a vacated position. The notice shall provide:

- (1) The date, time, and place of the meeting where the vacancy will be filled;
- (2) The person to whom a person interested in being appointed to fill the vacancy may submit the interested person's name for consideration; and
- (3) The deadline for submitting an interested person's name.

(C) In addition to the individual's name, an individual who is interested in filling the vacancy shall be requested to provide written answers to questions which shall be prepared by the City Recorder, in consultation with the Mayor and Council.

(D) Filling of vacancies to elected offices shall take place during a regular or special Council meeting, open to the public. The following procedures shall govern the interview process:

(1) Introductions. Candidates shall each be allotted five minutes to introduce themselves to the Council and to provide answers to questions which have been prepared beforehand and submitted to the candidate prior to the meeting. Time limits shall be strictly enforced during this phase of the interview. After all candidates have been given the opportunity to address the Council, the Council may discuss any or all of the candidates.

(2) Ballots. The voting members of the Council each shall be provided with three ballots, with the name of the voting Council Member included on the ballot. Ballots shall be cast by the Council Members by writing the name of a candidate on the ballot. Council Members may only cast one ballot for each candidate, but may refrain from casting additional ballots if that Council Member wishes to support fewer than three candidates. The ballots shall be collected by the City Recorder, tallied, and announced publicly, including the names of Council Members who cast votes for the candidate.

(3) Elimination of Candidates. A candidate who receives ~~zero~~ fewer than two votes is eliminated from consideration, unless no candidates receive more than one vote. The number of candidates shall be reduced to at least 33 percent of the original pool of candidates who submitted their names for consideration. In the event multiple individuals have equal votes, such that the remaining candidate pool has not dropped below 33 percent, a run-off vote will take place using the same procedure as subsection (D)(2) of this section, except that Council Members will only have one ballot each. In cases of a tie vote during the elimination vote, the Mayor shall be entitled to cast the deciding vote.

(4) Additional Questions. Candidates who remain eligible for consideration after ballot elimination shall be asked to answer additional questions from the Mayor and Council. These questions need not be standardized among all candidates. Each remaining candidate shall have an opportunity to answer the Council's questions. This phase of the interview should not exceed 10 minutes per candidate. At the conclusion of the questioning phase, the Mayor shall request discussion from the Council.

(5) Election by Motion. At the conclusion of discussion, any voting Council Member may move to appoint one of the remaining candidates to the vacant office. This motion must be supported by a majority of the council. In cases of a tie, the Mayor participates in the vote.

(6) Appointment and Swearing In. Upon the affirmative vote of the Council, the selected individual is considered appointed, and shall be sworn in during the meeting. The newly appointed Council Member is immediately eligible to take part in any remaining Council business on that meeting's agenda