

Syracuse City Planning Commission Meeting
October 20, 2009
Minutes

1. Meeting called to Order, Adoption of Agenda, and Approval of Minutes

Planning Commission Chair Robert Whiteley called the meeting to order at 6:12 p.m., indicating City staff posted the agenda 24 hours prior to the meeting and delivered copies to all Commission members. Mike Norton offered the prayer, and Jamie Nagle led the pledge of allegiance.

Members Present: Chairman Robert Whiteley, Vice Chair Kenneth Hellewell, Mike Norton, and Jamie Nagle as well as GIS Specialist Troy Moyes and Administrative Assistant Judy Merrill

Excused: Tena Campbell, Craig Jenkins, and Nathan Miller

Visitors: Mike McBride Cathi Gridley Jacob Gridley T.J. Jensen
 Brent Dietrich

KENNETH HELLEWELL MOVED TO ADOPT THE OCTOBER 20, 2009, AGENDA AS OUTLINED, SECONDED BY JAMIE NAGLE; ALL VOTED IN FAVOR.

There were no minutes for commissioners to review.

2. Shellie Dietrich Public Hearing Rezone from R-3 to R-2

Brent Dietrich, 2516 South 1875 West, appeared before the Planning Commission requesting approval to rezone a .20 acre parcel of property, located immediately north of a lot he and his wife just purchased at 2449 South 1950 West, from an R-3 to an R-2 zone in order to match and enlarge that lot prior to constructing a home. Specialist Moyes explained how the applicants purchased a lot in the Haley Estates Subdivision and wanted to combine this adjacent parcel into one building lot. Staff advised the applicants of having to come back to the City with a subdivision plat amendment if they were to receive approval for this rezone. The Commission needed to consider whether approval of this request would be consistent with the goals, objectives, and policies of the City's General Plan, harmonious with the overall character of existing development in the vicinity of the subject property, did not adversely affect adjacent properties, and had access to adequate facilities and services intended to serve the subject property. After reviewing the application, staff determined it met each of these standards and recommended approval of this request.

Chairman Whiteley moved into public hearing. No one came forward, so he closed public hearing.

Vice Chair Hellewell referred to the line of parcels landlocked behind lots fronting 2400 South and asked if the adjacent residents to the north owned those small portions of land. Chairman Whiteley advised him that not all residents along that street owned the parcels behind them and believed that the line had probably been an error. Specialist Moyes explained that the original property owner, Wayne Hall, developing all that land had been seeking a different density and added the 10-foot buffer after the fact.

MIKE NORTON MADE A MOTION TO RECOMMEND APPROVAL TO REZONE .20 ACRES OF LAND, LOCATED AT 2429 SOUTH 1950 WEST, FROM AN R-3 TO AN R-2 SINGLE-FAMILY RESIDENTIAL ZONE SUBJECT TO ALL REQUIREMENTS OF THE SYRACUSE LAND USE ORDINANCE SPECIFIC TO THE ZONING MAP AND TEXT AMENDMENTS, AND FORWARD IT TO CITY COUNCIL. KENNETH HELLEWELL SECONDED THE MOTION; ALL VOTED IN FAVOR.

3. Title X Amendments

Specialist Moyes referred to the first proposed amendment in Section 10-6-010(C)1(a) regarding accessory uses and stated that, for some reason, the required setback for detached structures on the exterior side of corner lots was struck during the last round of amendments. Staff requested approval to add it back in with slightly-altered language as follows:

- (a) ...No accessory building may be located within a recorded easement unless authorized by the Land Use Authority. **All accessory buildings located in the street sides of corner lots shall comply with Section 10-6-050 regarding lot and yard regulations for corner lots.** No accessory building or structure may be located in a front or side yard... (Ord. 09-10)

Corner lots had different side-yard setbacks of 20 feet for exterior sides adjacent to public streets. Accessory structures needed to meet that required setback whenever property owners placed them within the exterior side yards.

The next proposed amendment regarded lot and yard regulations in Section 10-6-050(C)8 specific to patios or decks extending into common space. This change added an exception to that requirement as follows:

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

8. In the case where a home is part of a larger planned unit development and the home is located such that there is a common property area located immediately adjacent to the rear property line of said home, then attached covered decks, patios and porches may extend¹ up to twenty (20) feet² to the required rear yard property line if all of the following conditions are met:

- (a). The common area behind the home extends more than thirty (30) feet beyond the rear yard property line;
- (b). There is no fence, shrub or other boundary delineation along the rear property line between the property and the common area to be maintained in perpetuity;
- (c). Both the home and home owner requiring the exception are part of the Home Owners Association (or similar organization) that has ownership of the common area and the home meets all other established guidelines as set forth by the Association or organization and city codes.

If said conditions are not all met, then covered decks, patios, and porches shall meet the requirements as set forth in Section 10-6-050.

Tena Campbell's suggested the following changes:

¹“patios and porches may extend into the rear yard setback up to twenty (20) feet” instead of “patios and porches may extend up to twenty (20) feet”

²“toward the required rear yard property line” instead of “to the required rear yard property line”

Vice Chair Hellewell preferred the amendment to specify applicable zones. Specialist Moyes pointed out that it simply applied to any zone with common area, but he was willing to specify all those zones as requested. He then referred to Commissioner Campbell's requested changes, and everyone agreed with those comments.

Specialist Moyes referred to the last change in Section 10-24-030(A) regarding site plan requirements for wireless telecommunication applications. Title X read \$50 but the fee schedule listed \$100 as follows:

10-24-030: Site Plan Requirements

(A) A ~~\$50~~ \$100 fee for conditional use and site plan review

Chairman Whiteley suggested eliminating the amount altogether and adding the language ‘according to the fee schedule’ to avoid having to amend the Ordinance every time the fee changed.

Chairman Whiteley opened up the item to public hearing.

T.J. Jensen, 3242 South 1000 West, came forward stating that he tried to review the ordinances this week but was unable to open Title 8 on the City website and asked for City staff to fix the problem. Assistant Merrill advised him that they already corrected the problem earlier that day.

Mike McBride, 3400 West 1700 South, stood to ask for clarification on the first paragraph that read, “...into the rear setback up to 20 feet.” He asked if that meant there would be no limit for how close they could build to property line if the rear yard had at least 20 feet from the home and 30 feet of common area. He was told his interpretation was correct. Specialist Moyes pointed out there would still be recorded easements; however, this language would allow property owners to build right up to the rear property line.

Chairman Whiteley closed the public hearing.

KENNETH HELLEWELL MOVED TO APPROVE THE PROPOSED CHANGES TO THE LAND USE ORDINANCE TITLE X SPECIFIC TO ACCESSORY STRUCTURES, YARD ENCROACHMENTS, AND SITE PLAN REQUIREMENTS FOR WIRELESS TELECOMMUNICATIONS AS DISCUSSED, AND FORWARD IT TO CITY COUNCIL. JAMIE NAGLE SECONDED THE MOTION; ALL VOTED IN FAVOR.

4. Planning Commissioner's Report

Commissioners Nagle, Campbell, and Whiteley attended a ULTC conference, which included some very beneficial workshops. Commissioner Nagle stated that one of the best dealt with an impact fee summary. It explained how the legislature imposed a lot of rule changes with which cities were not complying because they did not yet understand them. They provided a really good summary of impact fee definitions and how they related to cities and the processes. She distributed copies of the handout. Chairman Whiteley added that Craig Call compiled a booklet of information about impact fees and that the City Engineer had a copy and utilized it as a great resource to help the City Council understand the process for collecting impact fees and using them. Mr. Call also conducted seminars, one of which would be held on April 21, 2010. Commissioner Nagle continued by stating that the City Council just had training on impact fees. The other workshop talked about open meeting rules and how easily governing bodies violated them without even realizing it. He also talked about how councilmembers voted and how they could qualify their votes and abstain, although even abstaining was a nay vote. There were so many workshops that it was hard to pick which ones to attend. It was well worth the money, and she thanked the City for helping defray the cost of registration. Each commissioner paid \$60-70 to attend, and the City paid \$20 each.

With Commissioner Jenkins absent, Administrator Worthen reported on the last Council meeting. They approved a personnel policy manual update relative to reimbursement for education and increased the required employment timeframe from 12 to 24 months with reimbursement based on a sliding scale, prorated depending on how long the employee worked for the City following the culmination of their education. The Council viewed a presentation on the 2010 census and its importance to our City, other non-profit organizations, state agencies, etc. He believed it would be good to have the Commission watch the three-minute DVD as well. The constitution required the government to conduct these censuses, and the State was taking it very seriously this year due to the debate between Utah and North Carolina last time. With the technological advances, this census would be much more complete and reliable through the use of GPS devices.

Chairman Whiteley sent the commissioners a notice of a WFRC Transportation Planning meeting on October 21 from 4:30-6:30 p.m. regarding this area. He encouraged everyone to attend, since it related to planning for the next 30 years and would impact master planning for zoning, infrastructure, etc. of Syracuse.

Administrator Worthen advised the Commission that staff submitted a letter of intent, due by mid November, for the WFRC to consider additional roads for qualification of federal funding on the STP. Commissioner Nagle asked how many roads. Administrator Worthen advised her that it was a significant number, since they did not have 500 West, which was an 84-foot wide road extending from 1700 South to Gentile and then beyond Gentile to the northwest corner of Layton, as well as a portion of Bluff Road, 700 South, and a segment of 1000 West. Staff would be providing an estimate and brief description as to why the City needed them included. These little farming roads were becoming suburban connection points into major transportation areas. He then referred to the article regarding SR193, the 200 South corridor north of the high school, announcing the near completion of the EIS document. Construction could begin as early as spring 2011 or earlier, depending on funding issues UDOT needed to work around. SR193 would head east, pass by the north end of Utility Trailer, turn back south, ultimately tying into SR193 that some people considered 700 South in Clearfield, pass by the south gate of Hillfield, and clip the northeast corner of Freeport center mainly operated by Utility Trailer. It would tie into 2000 West, or SR108, and be a great east/west corridor linking the future Davis North Highway, aka Legacy from Farmington southward, and I-15 eastward as well as US89 farther east. Specialist Moyes promised to bring in the plans for them to see once they started the open house process.

5. Adjournment

JAMIE NAGLE MADE A MOTION TO ADJOURN AT 6:41 P.M.; ALL VOTED IN FAVOR.

Robert Whiteley
Planning Commission Chair