SYRACUSE CITY

Syracuse City Council Business Meeting
September 13, 2022 –6:00 p.m.
In-Person Location: Syracuse City Hall, 1979 W. 1900 S.
Electronic: Via Zoom Meeting
Connect via telephone: +1-301-715-8592 US, meeting ID: 812 6560 5947
Streamed on Syracuse City YouTube Channel

1. Meeting called to order
   Invocation or thought
   Pledge of Allegiance
   Adopt agenda
2. Request to be on the agenda:
   a. Administration of Oath of Office for Youth Court members/volunteers. (5 min.)
3. Appeal hearings for the issuance of citations for secondary water regulation violations:
   a. Robert Love. (10 min.)
   b. Marina Couturier. (10 min.)
4. Appeal of administrative decision to approve Conditional Use Permit (CUP) application for Swim Kids. (15 min.)
5. Advice and consent: Proposed Resolution R22-34 appointing a City Attorney for Syracuse City. (10 min.)
6. Public Comment: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes. (*Individuals wishing to provide public comment may do so via email to City Recorder Cassie Brown, cassieb@syracuseut.gov, by 4:00 p.m. on September 13, 2022. Comments submitted by the deadline will be read for the record of the meeting.*)
7. Approval of Minutes: (2 min.)
   a. July 26, 2022 work session
   b. July 26, 2022 special meeting
   c. August 9, 2022 truth in taxation hearing.
   d. August 9, 2022 business meeting.
8. Common consent: (2 min.)
   a. Proposed Ordinance 2022-21 amending Section 3.50.020 of the Syracuse City Municipal Code pertaining to the membership of the Disaster Preparedness Committee.
9. Proposed Resolution R22-33 updating the Syracuse City Fiscal Year (FY) 2022-2023 wage scale. (5 min.)
10. Authorize Administration to dispose of surplus property – Police Department vehicles. (5 min.)
11. Proposed Ordinance 2022-22 amending the Syracuse City General Plan updating the components of the Plan addressing moderate-income housing. (10 min.)
12. Proposed Ordinance 2022-23 amending the Syracuse City zoning map for properties at 446, 460, 478, and 506 South 2000 West from Residential (R-1) to Planned Residential Development (PRD), and at 320, 322, and 334, and 368 South 2000 West from Residential (R-1) to General Commercial (GC). (10 min.)
13. Proposed Ordinance 2022-24 creating Section 4.10.104 of the Syracuse City Municipal Code pertaining to fats, oils, grease, and sediment control. (5 min.)
14. Discussion regarding emergency backup power at Police Station in relation to the Emergency Operations Center (EOC) project. (10 min.)
15. Public Comment: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes. (*Individuals wishing to provide public comment may do so via email to City Recorder Cassie Brown, cassieb@syracuseut.gov, by 4:00 p.m. on September 13, 2022. Comments submitted by the deadline will be read for the record of the meeting.*)
16. Mayor/Council announcements.
17. Consideration of adjourning into Closed Executive Session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Law for the purpose of discussing the character, professional competence, or physical or mental health of an individual; pending or reasonably imminent litigation; or the purchase, exchange, or lease of real property (if necessary).
18. Adjourn.

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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 8th day of September, 2022 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 September 8, 2022.

CASSIE Z. BROWN, MMC
SYRACUSE CITY RECORDER
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COUNCIL AGENDA

September 13, 2022

Agenda Item **#2** Administer Oath of Office to new Youth Court members and advisors.

Factual Summation

- Youth Court Advisor, Lori Smith, requested an item on the agenda to allow for the Oath of Office to be administered to the newest members and advisors of the Youth Court. Ms. Smith will be present and will introduce the new members, after which the City Recorder will administer the Oath of Office.

COUNCIL AGENDA

September 13, 2022

Agenda Item **#3a** **Appeal for 1304 South 1025 West (Robert Love)**

Factual Summation

- On April 12, 2022, Resolution 22-16 was passed to promote water conservation practices by limiting watering to 2 days each week (Memorial Day to Labor Day) having geographical no-water days and having escalating enforcement of issuing warnings followed by fines for water violations.
- Ordinance 4.25.130 describes the water restrictions and levels of escalation for water violations in greater detail.
- Notices describing the water restrictions and including the map were sent to all accounts with the May utility bill. The map and restrictions are a repeat of what was established during the 2021 water year.
- An article was included in the Syracuse Connection Magazine in May 2022 describing the restrictions and included the map.
- Water restrictions notice has been on the city website since May 3, 2022.
- Water restrictions notice was posted on the city Facebook page on April 19, 2022.
- Water restrictions in this area are two days a week but not on Sundays or Wednesdays.
- Robert Love has five properties in Syracuse. 1302 S 1000 W, 1511 S Marilyn, 1297 S 1100 W, 2309 S 2000 W, and 1304 S 1025 W. This property is a rental located next door to his primary residence.

Violations

- Wed June 8th 4:28am Warning with door hanger
- Sun June 26th 1:48am $200 fine with door hanger
- Sun July 3rd 1:40am $500 fine with door hanger
- Sun July 24th 1:21am $1000 fine with door hanger
  Citation mailed to the property address and the owner's residence on Aug 15th.

Action Items

- Whether to waive any of the fines or not for the property at 1304 South 1025 West owned by Robert Love.

Resources

Syracuse Connection Magazine Article May 2022, Page 6

+ CITY NEWS

Public Works Update

Water Shortage

Utah is in a state of drought for both outdoor and indoor water. This is a result of limited precipitation causing low water levels in the mountain reservoirs. Due to the limited supply of water, a drought reduction has been issued from water suppliers that will affect water users throughout Weber and Davis Counties.

The season begins May 15 and ends Sept. 20; no watering during the hours of 10 a.m. and 6 p.m.; use limited watering run times; no watering Sunday, and no watering on a designated day based upon a geographical quadrant divided by Antelope Drive and 2000 West. In addition to Sunday, the other designated no-water days by quadrant are the same as last year: Northwest Tuesday, Northeast Wednesday, Southwest Thursday, Southeast Friday.
May 15 to 30: Pick one day out of the five available days.
Memorial Day to Labor Day: Pick two days out of the five available days.
Sept. 6 to 20: Pick one day out of the five available days.

Remember to prevent excess water from irrigation that allows water to pool onto neighboring properties, streets, or storm drains. Also be sure to repair any known leaks within 15 days of notification. Limited spot watering with a hose may be done only if an individual is attending.

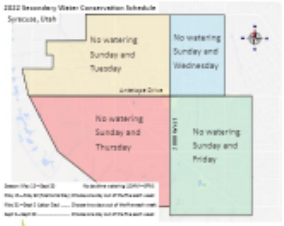
It is highly recommended that you install a smart controller for your outdoor watering. This will allow you to control it remotely as you get notifications of changing weather in your area. Take advantage of a 50% off rebate offered from Utah Water Savers.

Please be mindful of water conservation and eliminate overuse and overspray on streets and sidewalks. Provide only the water your landscape requires. Check timers and turn off systems when possible, adapting to the weather conditions.

Enforcement of wasteful watering will occur. Please help in being good stewards in our limited water supply.

Environmental Quality Topic: Pool and spa care.
Store pool and spa chemicals in a manner to prevent leaks and spills, preferably in a covered enclosure, and out of reach of children and pets. Avoid copper-based algaecides such as copper sulfate. Chemical concentrations that are mild irritants to humans can be fatal to fish and other aquatic wildlife. Drain water only when chlorine levels are very low and are not detected by a chlorine test kit. Reuse water for landscaping areas whenever possible, avoid allowing the water to drain on neighboring properties. Drain only clean pool water. If it's not safe for your yard, then it's not safe to go down a storm drain. Any water that goes into a storm drain is not treated. Any pollution entering the storm drain makes the waterways unsafe for people and wildlife.

Road Construction: As UDOT improves Antelope Drive and the roads at the new interchanges, there will be frequent road closures and flagging operations. Avoid these construction areas by using alternative routes. If you must travel through these areas, please use caution by keeping your distance from moving construction equipment, slowing down, and being attentive. Please be courteous and keep our construction workers safe so they can return home safely to their families too.



For a larger and detailed Water Conservation Schedule map, scan the QR code.

City Website notice posted May 3, 2022

Posted on: May 3, 2022

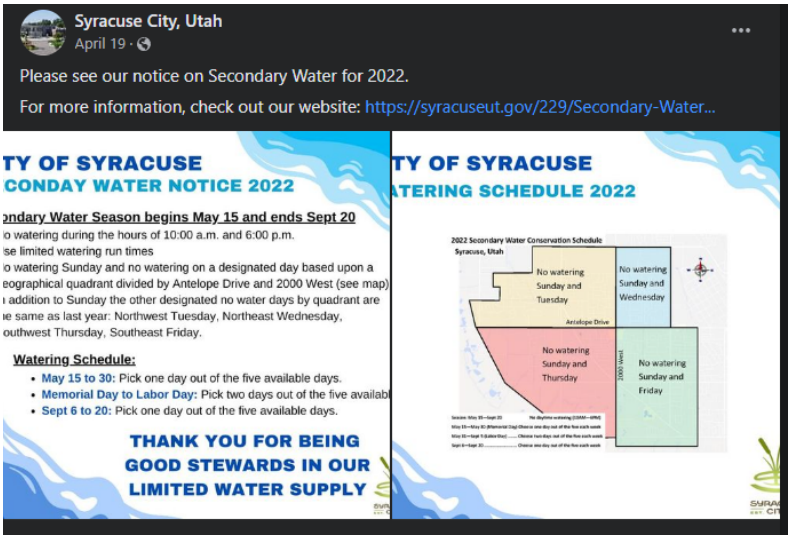
Secondary Water

Secondary Water Information for Syracuse

Additional Info... City News Articles



Facebook Post April 19, 2022



Official Notice included in Utility Bill in May 2022 (map printed on back)

SYRACUSE
EST. CITY 1935

Mayor
Dave Maughan

City Council
Lisa Bingham
Jennifer Carver
Paul Watson
Jordan Savage
Seth Teague

City Manager
Brody Bovero

2022 Secondary Water User Notice

Utah is in a state of drought for outdoor watering. This is a result of limited precipitation last year causing low water levels in the mountain reservoirs. Due to the limited supply of secondary water, a drought reduction has been issued from water suppliers that will affect water users throughout Weber and Davis Counties. The reduction is the same as last year, which is approximately 50% less than a non-drought water year.

The season begins May 15 and ends Sept 20; No watering during the hours of 10:00 a.m. and 6:00 p.m.; Use limited watering run times; No watering Sunday and no watering on a designated day based upon a geographical quadrant divided by Antelope Drive and 2000 West. In addition to Sunday the other designated no water days by quadrant are the same as last year: Northwest Tuesday, Northeast Wednesday, Southwest Thursday, Southeast Friday.
May 15 to 30: Pick one day out of the five available days.
Memorial Day to Labor Day: Pick two days out of the five available days.
Sept 6 to 20: Pick one day out of the five available days.

Door hanger notice (filled out each time a violation was observed)

SECONDARY WATER

VIOLATION NOTICE

Location: _____

Date: _____ Time: _____ AM- PM

Watering Restrictions. Pursuant to Section 4.25.130 of the Syracuse Municipal Code, the following restrictions are effective until the season ends Sept. 20, 2022.

☐ **Areas north of Antelope Drive and west of 2000 W:**
No watering Sunday and Tuesday.

☑ **Areas north of Antelope Drive and east of 2000 W:**
No watering Sunday and Wednesday.

☐ **Areas south of Antelope Drive and west of 2000 W:**
No watering Sunday and Thursday.

☐ **Areas south of Antelope Drive and east of 2000 W:**
No watering Sunday and Friday.

No residential or other customer watering during the hours of 10:00 AM and 6:00 PM.

No excess water from irrigation that allows water to pool onto neighboring properties, streets, or storm drains.

Adjust water sprinklers and spray heads to prevent overspray that is wasted into the gutters, streets, and storm drains.

Check for leaks in the sprinkler system and make repairs, as necessary. Customers are required to repair any known leaks within 15 days of notification.

Water only 2 days/week

Choose 2 days out of the 5 days each week

After Labor Day: Water 1 day each week

Watering Violations for 1304 S 1025 W (Robert Love)

Warning on 6/8

1304 so 1025 w 6-8-22

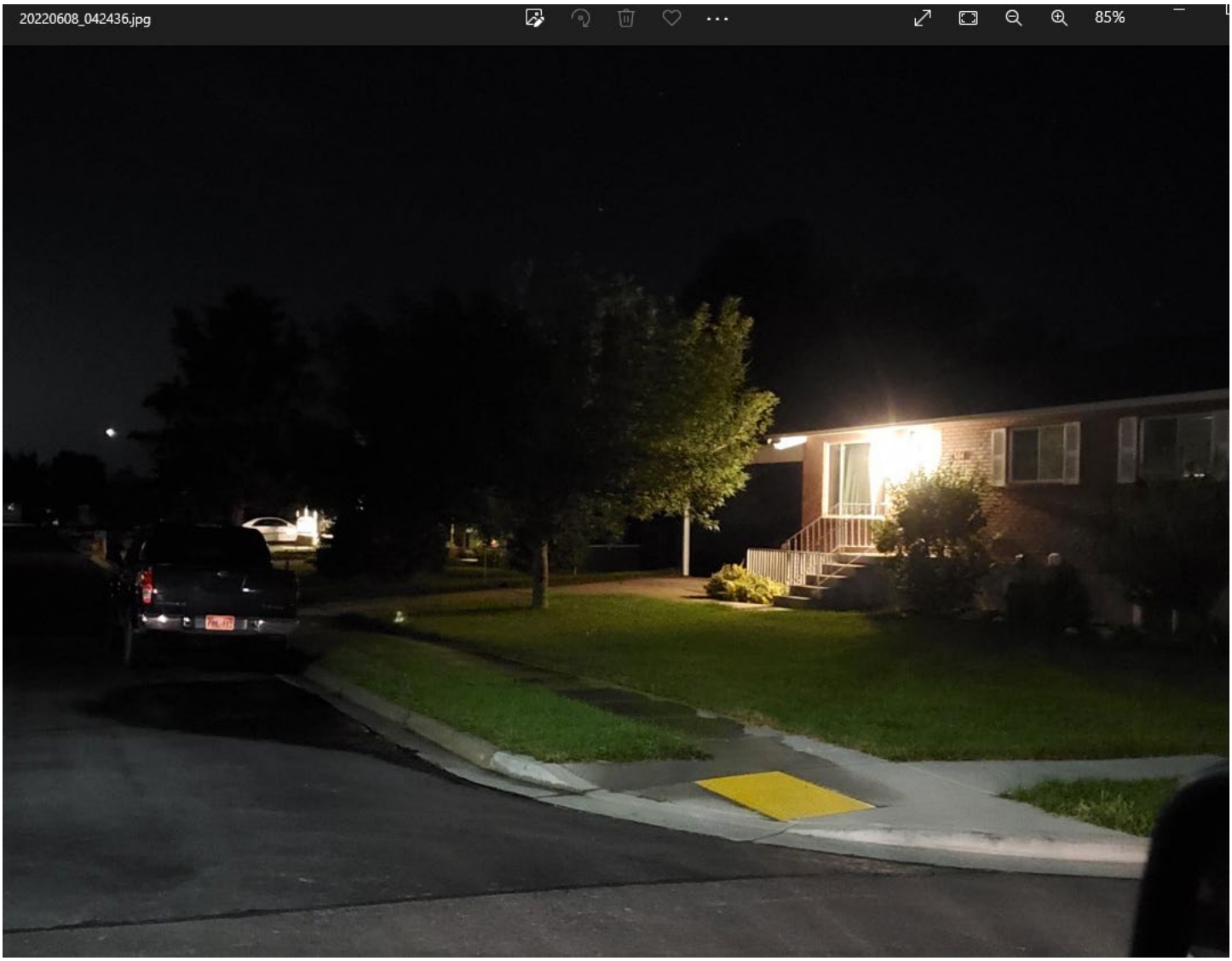
Reply | Reply All | Forward

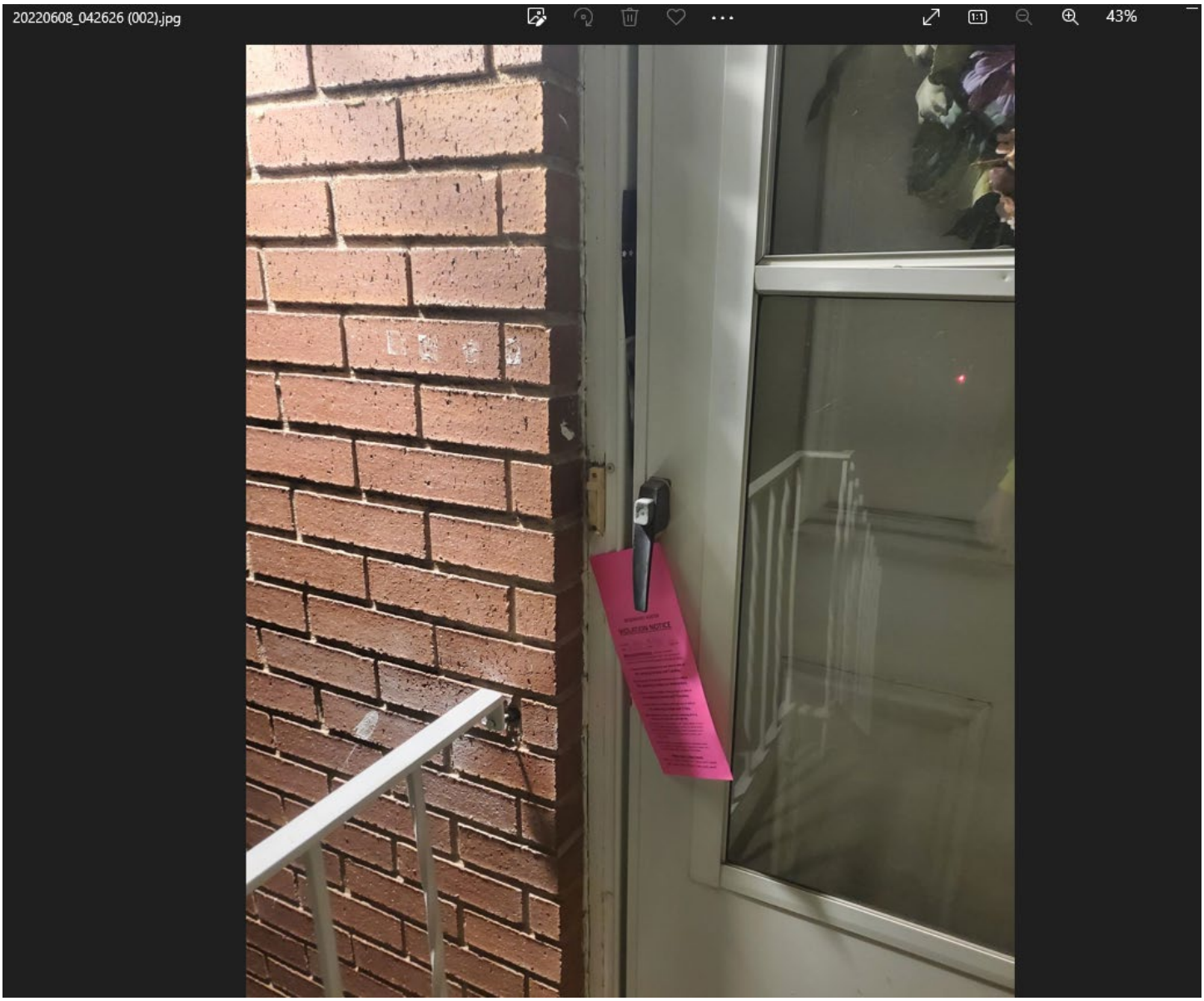
Wed 6/8/2022 4:28 AM

To Public Works

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20220608_042436.jpg 163 KB





2nd violation on 6/26

1304 so 1025 w 6-26-22

Reply | Reply All | Forward

Sun 6/26/2022 1:48 AM

To Public Works

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385 KB

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115 KB

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20220608_042626.jpg 43%



3rd violation on 7/3

1304 S 1025 W, 7/3/22 1:35 am

Reply | Reply All | Forward

To Public Works

Sun 7/3/2022 1:40 AM



1304 S 1025 W, 7/3/22 1:35 am

Reply | Reply All | Forward

To Public Works

Sun 7/3/2022 1:40 AM



4th violation on 7/24

1304 S 1025 W,

To Public Works

Reply | Reply All | Forward

Sun 7/24/2022 1:21 AM



1304 S 1025 W,

To Public Works

Reply | Reply All | Forward

Sun 7/24/2022 1:21 AM



COUNCIL AGENDA

September 13, 2022

Agenda Item **#3b** **Appeal for 3811 West 800 South (Marina Couturier)**

Factual Summation

- On April 12, 2022, Resolution 22-16 was passed to promote water conservation practices by limiting watering to 2 days each week (Memorial Day to Labor Day) having geographical no-water days and having escalating enforcement of issuing warnings followed by fines for water violations.
- Ordinance 4.25.130 describes the water restrictions and levels of escalation for water violations in greater detail.
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- An article was included in the Syracuse Connection Magazine in May 2022 describing the restrictions and included the map.
- Water restrictions notice has been on the city website since May 3, 2022.
- Water restrictions notice was posted on the city Facebook page on April 19, 2022.
- Water restrictions in this area are two days a week but not on Sundays or Tuesdays.
- Marina Couturier is the owner and resident at 3811 West 800 South.

Violations

- Tue June 7th 10:05pm Warning with door hanger
- Tue June 14th 4:57am $200 fine with door hanger
- Thurs July 21st 1:02pm $500 fine with door hanger
  Citation mailed to the property address on Aug 15th.

Action Items

- Whether to waive any of the fines or not for the property at 3811 West 800 South owned by Marina Couturier.

Resources

Syracuse Connection Magazine Article May 2022, Page 6

+ CITY NEWS

Public Works Update

Water Shortage

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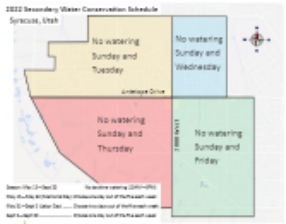
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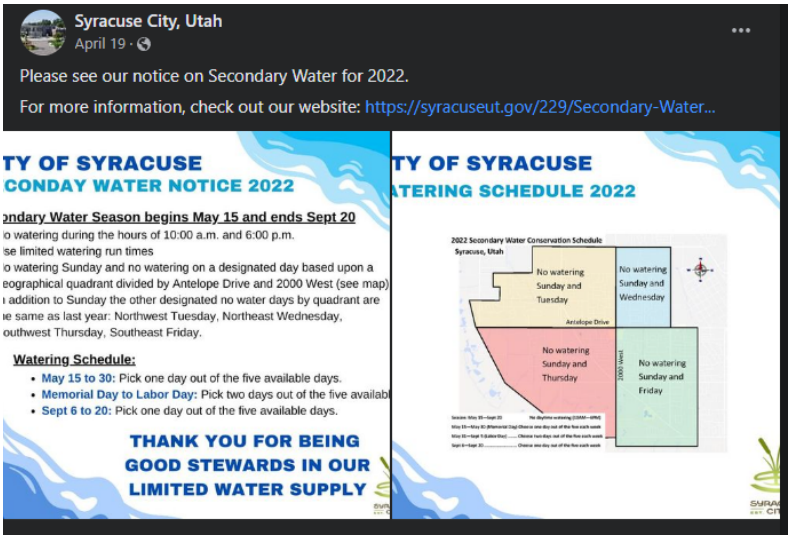
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SECONDARY WATER

VIOLATION NOTICE

Location: ___3811 West 800 South_____

Date: _____Time: _____AM- PM

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After Labor Day: Water 1 day each week

Watering Violations for 3811 W 800 S (Marina Couturier)

Warning on 6/7

3811 W. 800 S. 6/7/22 10:00

Reply | Reply All | Forward

To Public Works

Tue 6/7/2022 10:05 PM



3811 W. 800 S. 6/7/22 10:00

To Public Works

Reply | Reply All | Forward

Tue 6/7/2022 10:05 PM



3811 W. 800 S. 6/7/22 10:00

To Public Works

Reply | Reply All | Forward

Tue 6/7/2022 10:05 PM



2nd violation on 6/14

3811 w 800 so 6-14-22

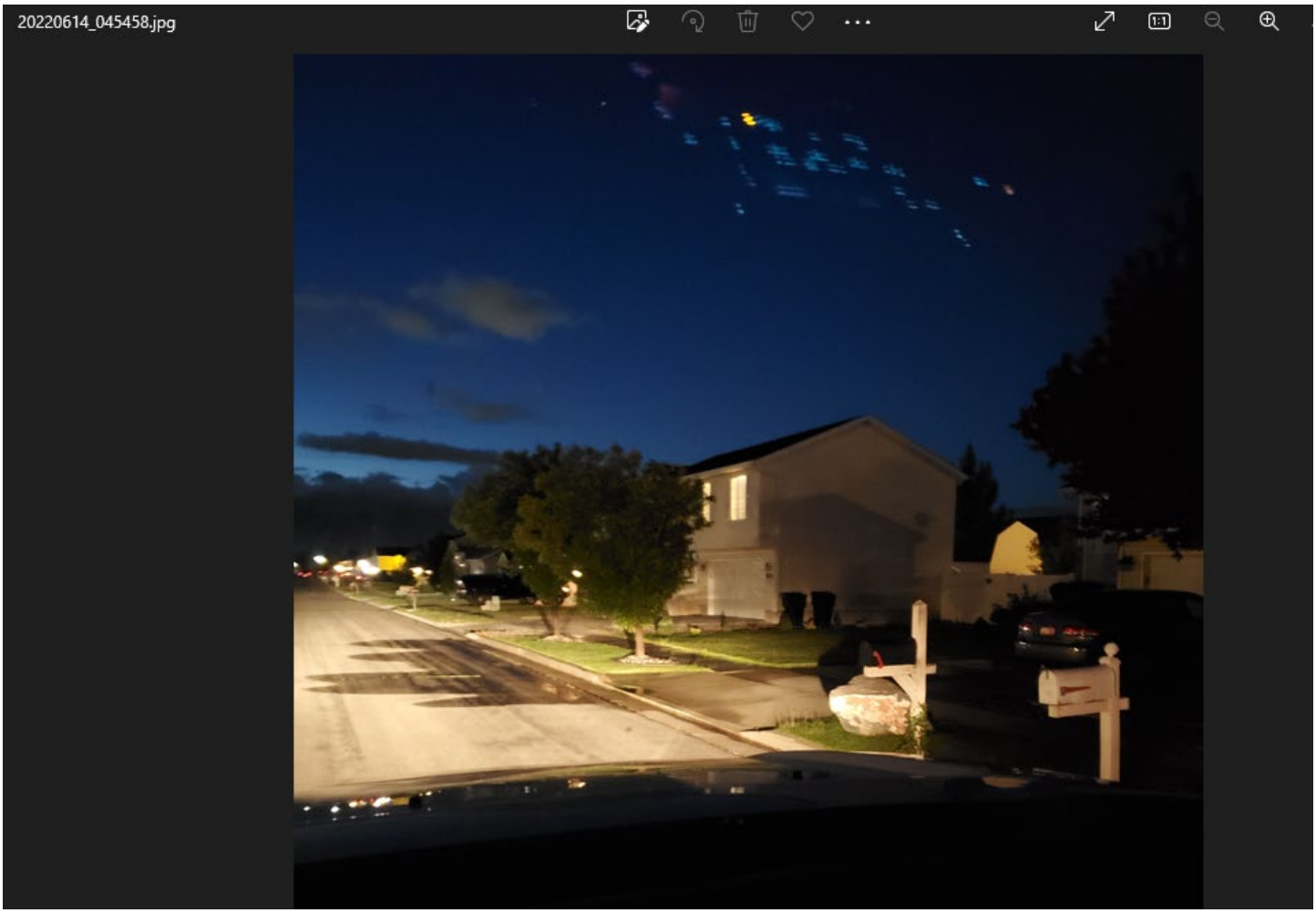
Reply | Reply All | Forward

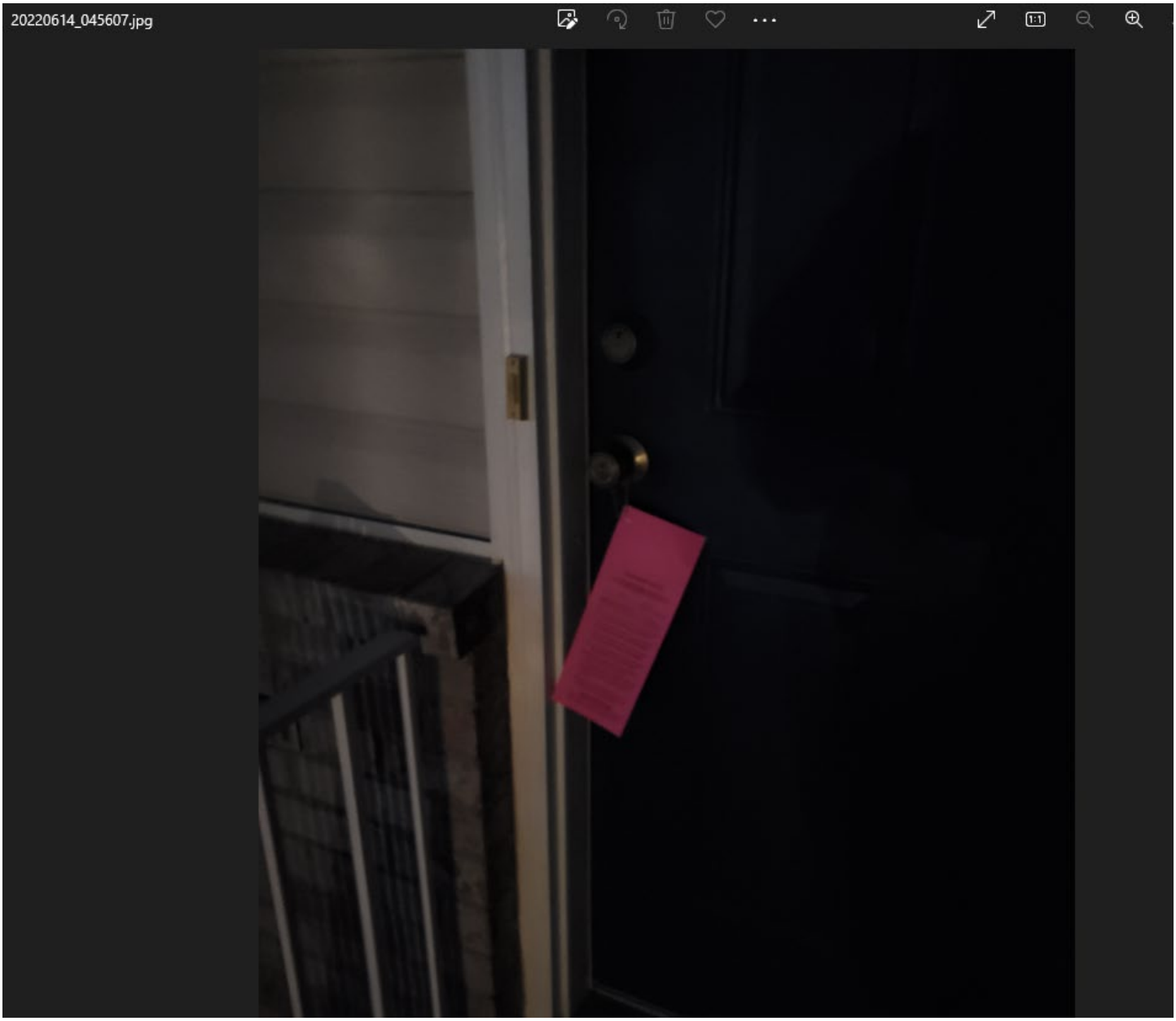
Tue 6/14/2022 4:57 AM

To Public Works

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6 MB

20220614_045607.jpg
6 MB





3rd violation on 7/21

3811 w 800 s 7-21-22

Reply | Reply All | Forward

Thu 7/21/2022 1:02 PM

To Public Works

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5 MB

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EVICTION NOTICE

COUNCIL AGENDA
September 13, 2022

Agenda Item **#4** Land Use Appeal – Planning Commission Review of Conditional Use Permit for Swim Kids

Factual Summation

- The City Council is the Appeal Body for land use decisions rendered by the Planning Commission related to Conditional Use Permits (CUP). *See* Syracuse Mun. Code § 10.20.140.

- CUP applications are administrative. Cities are required to approve conditional uses for a use that includes reasonably anticipated detrimental effects, if reasonable conditions are proposed to mitigate those detrimental effects. *See* Utah Code Ann. § 10-9a-507(2).

- In December 2021, the Planning Commission considered a CUP application to operate a swim instruction business at a residential swimming pool in Syracuse. At the noticed public hearing, neighbors expressed concerns with noise, on-street parking, and loss of privacy due to the more invasive use. The Packet materials for that item is attached to this staff report.

- The matter was heard by the Planning Commission, which determined that it would be acceptable for 36.5% of the first floor to be dedicated to the home occupation.

- As it related to traffic impacts, the Commission heard evidence that there could be between 6-10 vehicles at the residence during group classes, with 3-5 vehicles coming and going during private lessons. The site could accommodate up to 5 vehicles on-site, and the remainder were expected to utilize the public right-of-way to park.

- The Planning Commission imposed one condition on the property: that no customer or employee parking could occur in front of developed lots other than the applicant's. It was anticipated that the street to the Southeast of the applicant's property, which is undeveloped for residential uses, could accommodate that overflow of parking.

- The Planning Commission approval also indicated that the Application would come up for a review in July 2022. The draft minutes of that portion of the meeting are attached.

- On August 2, 2022, the Commission provided direct notice to the neighborhood, indicating that it would conduct a public hearing for "conditional use application (review)." Although the staff report indicated that the Planning Commission could either "approve, conditionally approve, table or revoke the application," that was the only indication that the Commission was able to consider revoking the CUP. The packet materials for that item from the Planning Commission meeting is attached.

- After hearing from two concerned citizens (including appellant Lauren Szilagyl) and the business owners, the Commission voted to keep the CUP in place and to review the use again in 2023. The minutes from that Planning Commission Meeting are attached.

- On August 12, 2022, Lauren Szilagyi, whose property abuts the CUP applicant's on the West side, filed an appeal of the Planning Commission's review. The grounds for the appeal were that since August 2, patrons continue to park on the street and only one instructor parks in the driveway. And although the CUP applicant put up a sign asking patrons not to park in front of the Szilagyi's house, patrons continue to utilize the street. Additionally, she indicated that the business is resulting in excessive noise, litter in the right-of-way, and an invasion of their privacy.

Discussion

- The manner of revoking a CUP was not invoked in this case, which would present a significant challenge should the Council decide to revoke the permit. This is particularly true when the facts alleged in the appeal are all related to conduct that post-dates the Planning Commission decision. Additionally, the appellant lacks standing to bring an appeal, if the Council considers the Planning Commission's decision one not to revoke.

- A CUP does not come with an automatic expiration date. Indeed, the code indicates that the only way that a CUP expires is if they do not implement the use within 1 year, if they abandon the use for more than 1 year, or there is a change in residence. Syracuse Mun. Code § 10.20.080(J). The CUP is a vested right so long as the permit holder does not abandon it and it is not revoked. As a protectible property interest, one may not have their CUP revoked unless they are provided due process.

- The Planning Commission has the authority to revoke or suspend a CUP. However, they only have that authority under certain circumstances: (1) the use

has ceased for one year or more, (2) the holder failed to comply with the conditions of approval or other laws governing the land, (3) the holder failed to construct or maintain the site as approved in the CUP, or (4) the Planning Commission has determined that the operation of the use was a nuisance, or a court has made that determination. Syracuse Mun. Code § 10.20.080(I).

- The process for such a proceeding is established by the code. Revocation or suspension must be initiated by the City, which is required to provide notice that it intends to revoke or suspend the permit, along with the reasons for doing so. Syracuse Mun. Code § 10.15.080(D). At that hearing, the planning commission is authorized to revoke the permit, condition its continuance on strict compliance, or other reasonable conditions.

- In this case, the City did not seek revocation; the Planning Commission conducted a *review* of the use. The City, through the administrator or a designee, did not allege that the permit holder was not in compliance. Nor did the automatic review of the CUP trigger due to a revoking event – it triggered because the Planning Commission wanted to review it at the end of the Summer. As such, the Planning Commission did not have authority to revoke the CUP at their meeting – they only had the authority to review it and consider initiating revocation proceedings.

- If the City or the Planning Commission desire to revoke the permit, then either the CED Department or the Planning Commission will be required to provide notice to the permit-holder that revocation is sought. Otherwise, the applicant may appear at a hearing expecting a friendly engagement and review, only to find their permit revoked without having prepared a proper defense.

- The Council should allow Planning Commission's proceedings to stand unchanged. If the Council suspects that revocation is in order based upon one of the four criteria for revocation in Section 10.20.080(I), then it may request that CED investigate the evidence provided by the appellant for a possible referral for revocation proceedings before the Planning Commission.

- The appeal also only states conditions that have occurred *after* the review by the Planning Commission. If the Council is acting as appeal authority for a decision not to revoke made on August 2, then it must limit the record to the facts before that land use authority.

- Finally, even if the Planning Commission had provided sufficient notice to the permittee and had the authority to revoke the permit, the only person who is authorized to appeal a decision to not revoke the permit is the permittee. Syracuse Mun. Code § 10.20.080(I)(2) ("the permittee may appeal the decision"). Unlike an initial approval of the CUP, which may be appealed by "[a]ny person adversely affected by the decision," Syracuse Mun. Code § 10.20.080(F), a revocation appeal may only be initiated by the permit-holder. In legal parlance, the appellant in this instance lacks *standing* to appeal.

- For those two reasons, staff recommends that the council deny the appeal from the Planning Commission's review of the CUP.

Action Items

The following items outline the actions to be taken:

1. Discuss the case, hold a hearing if desired and consider all evidence presented, render a decision.

Appeal of Administrative Decision Application

Syracuse City Community Development
1979 West 1900 South, Syracuse, UT 84075
Phone: (801) 825-1477 Website: www.syracuseut.com
Email: planning@syracuseut.com

Updated 8/14/2017

Subject Property Information

Address	Date
738 W 2525 South, Syracuse, UT 84075	8/12/2022
Parcel	**Code Section:**
Aaron and Heidi Thornock / Swim Kids	10.35.040

Property Owner(s) Information

Name(s) of person(s) listed on parcel: Carolyn and Richard Szilagyi

Address:	City:	State:	ZIP:
2517 S 775 W	Syracuse	UT	84075

Office Phone:	Cell Phone :	Email:
	815-540-0832	mormonfam@aol.com

Applicant Information (if different from Property Owner)

Name (and authorized agent, if any): Lauren Szilagyi

Address:	City:	State:	ZIP:
2517 S 775 W	Syracuse	UT	84075

Office Phone:	Cell Phone:	Email:
	815-670-6044	lszilagyi7@gmail.com

Include the Following Information:

(a) The decision appealed;

(b) Grounds for the appeal; and

(c) A description of the action claimed by the applicant to be incorrect.

Please describe your Appeal Request: (attach additional pages if neccessary)

At the Planning Commission meeting on August 2, 2022, it was discussed that SwimKids patrons and instructors would utilize parking in the driveway of the homeowner and not utilize on street parking. During the meeting a satellite image of the homeowner's driveway was shown, and 7 spaces were drawn on the image of the driveway indicating that patrons would park there. Since the August 2nd meeting patrons have continued to park on street and only one instructor parking in the driveway. On August 10th SwimKids/homeowner put up a sign asking patrons not to park on our tree lawn but that is not addressing the decision made during Planning Commission meeting that no on street parking is to be utilized per code 10.35.040. (Continued on next page)

I (we) certify under penalty of perjury that this application and all information submitted as a part of this application is true, complete and accurate to the best of my knowledge. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I (we) understand that Syracuse City may rescind any approval, or take any other legal or appropriate action. I (we) also acknowledge that I (we) have reviewed the applicable sections of the Syracuse City Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. I (we) also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Carolyn Szilagyi — Property Owner Signature — 8-11-22 — Date

Lauren Szilagyi — Applicant Signature — 8-11-22 — Date

FOR OFFICE USE ONLY

Date Received and Paid:	Received by:	Receipt #

Payment Type: ☐ Cash ☐ Credit Card ☐ Check#_____

Land Use Authority Date:

City Council Decision and Date:

Application Fee:

Applicaton Fee $200.00

Total $_____

While parking is an issue according to the code with this business comes excessive noise from outside residents of the community, liter on the street and tree lawns, and complete lack of privacy. There should be a reasonable right to privacy in our own backyard and that has been taken away despite adding a trellis to our fence.

We are requesting that this Conditional Use Permit be denied as this is a residential area not a commercial area. Attempts to mitigate this ongoing issue with the homeowner and the proprietor of SwimKids have been unsuccessful.

Please note that the photos attached (see link) only indicate violations since August 2 not the many violations previously.

Syracuse City
Planning Commission Meeting
December 7, 2021

Begins at 6:00 p.m. in the Council Chambers at City Hall
1979 West 1900 South, Syracuse, UT 84075

Regular Meeting Agenda

PLANNING COMMISSIONERS

CHAIR
Ryan Wessel

VICE-CHAIR
Ivy Ruelan

Alan Gallegos
Kenneth Hellewell
Lonn Hunter
Keeth Kennington
James King
Nicholas Weber

1. **Meeting Called to Order**
   - Invocation or Thought by Commissioner Hunter
   - Pledge of Allegiance by Commissioner Gallegos
   - Adoption of Meeting Agenda
2. **Meeting Minutes**
   - September 7, 2021 Regular Meeting and Work Session
3. **Public Comment**, this is an opportunity to address the Planning Commission regarding items not scheduled for a public hearing on this agenda. Please consider others and limit your comments to three minutes.
4. **Public Hearing – Major Conditional Use Permit** for a home business called SwimKids, involving greater than 2 customers per hour, at approximately 738 W 2525 S by request of Christian Jensen
5. **Public Hearing – Rezone** from R-1 (Residential) and A-1 (Agricultural) to GC (General Commercial) for Alpine Church at approximately 3329 S 2000 W of approximately 7.83 acres by request of Dean Hoffman
6. **Final Plat** for Shoreline Phase 2 in the RPC zone at approximately 2400 W 3200 S of approximately 15.048 acres by request of Woodside Homes
7. **Planning Commission 2022 Meeting Schedule Adoption**
8. **Commission Elections – Commissioners to Elect Chair and Vice-Chair for the 2022 Calendar Year**
9. **Adjourn**

Work Session

1. **Department Business**
   a) City Council Liaison Report
   b) City Attorney Updates
   c) Upcoming Agenda Items
      - Site Plan – Briggs North
      - Site Plan – EōS
      - Site Plan – Maverik
2. **Discussion Items**
   a) None
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 with Disabilities Act, those needing auxiliary communicative aids and services for this meeting should contact the City Office, at 801-825-1477, at least 48 hours prior to the meeting.

Meeting also available via Zoom; connect online using: https://us02web.zoom.us/j/85744204802. Connect via telephone: 253-215-8782, Meeting ID: 857 4420 4802. Individuals wishing to provide public comment are encouraged to do so by submitting an email to the planning department at PlanningDepartment@syracuseut.com by 1:00 p.m. on December 7, 2021. Comments submitted by the deadline will be read for the record of the meeting.

CERTIFICATE OF POSTING
This agenda was posted on the Syracuse City Hall Notice Boards, the State Public Notice website at https://www.utah.gov/pmn/ and the Syracuse City website at https://syracuseut.gov.

PLANNING COMMISSION REGULAR MEETING

December 7, 2021

ADMINISTRATIVE ITEM
Agenda Item # 4 **Major Conditional Use Application – SwimKids**

Summation

Please review the following information and summary. Any questions regarding this agenda item may be directed to Shay League, City Planner, or Noah Steele, Community and Economic Development Director.

Location: 738 W 2525 S

Summary

Mr. Christian Jensen is currently operating a home business from the above location. Mr. Jensen's business offers swimming lessons 6 days per week, Monday through Saturday. The schedule varies, but the earliest business open time is 9 am and the latest closing time is 7 pm. This home business came to the City's attention due to Code Enforcement complaints regarding on-street parking issues. The applicant was unaware of the need to file for a license with Syracuse City and has cooperated fully with the Code Enforcement Officer and Business Licensing Official. Planning staff has the following comments:

1. Mr. Jensen's home business occupies 36.45% of the first floor. For Mr. Jensen to continue business, the Planning Commission must approve greater than 30% usage of the first floor.

2. Due to the nature of group lessons, as many as 10 vehicles are present at the home business at one time. There are 5 driveway parking spots available, which leaves an additional 5 or so vehicles to park on the street. The applicant suggests directing overflow parking in front of an open agricultural field across the street in consideration of neighboring households. For Mr. Jensen to continue business, the Planning Commission must approve greater than two customers per hour.

3. The Planning Commission is tasked with determining whether or not this constitutes "greater vehicular traffic or parking than commonly associated with the neighborhood". If so, the application may be denied, or conditions may be applied to limit impact to the neighborhood.

Recommendation

If the Planning Commission determines that the business *does not* cause "greater vehicular traffic or parking than commonly associated with the neighborhood", staff recommends **approval**.

If the Planning Commission determines that the business *does* cause "greater vehicular traffic or parking than commonly associated with the neighborhood", staff recommends **denial or approval with conditions** to limit the number of vehicles to an acceptable amount of traffic and parking.

Suggested Motion Language

Approval
I move the Planning Commission approve the request of Mr. Christian Jensen to operate a home occupation called SwimKids from 738 W 2525 S; the home occupation may receive greater than two customers per hour and occupy more than 30% of the area of the first floor.

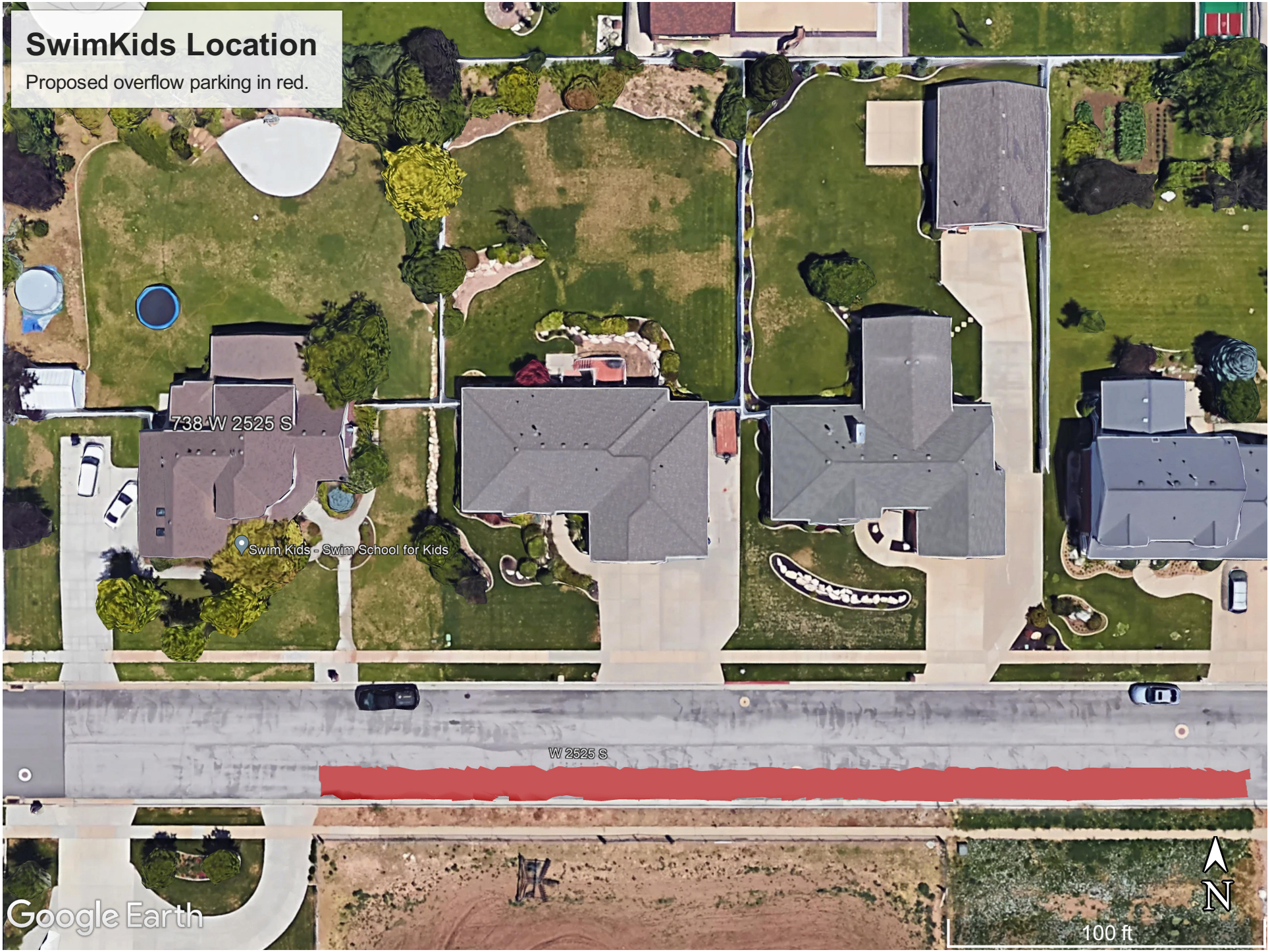
Table
I move the Planning Commission continue the request of Mr. Christian Jensen to operate a home occupation called SwimKids from 738 W 2525 S until (provide conditions or date).

Denial
I move the Planning Commission deny the request the request of Christian Jensen to operate a home occupation called SwimKids from 738 W 2525 S following findings:

1. (List findings).

Attachments
- Application
- Business site plan
- Neighborhood street view
- Full staff analysis

PROPERTY LINE 185.11'
EASEMENT
8'-0" SETBACK
10'-2 3/8"
8'-0" SETBACK
10'-0"
30'-0" SETBACK
TEMPORARY TRASH CONTAINER
EXISTING DRIVEWAY
49'-9"
49'-7 3/4"
PROPOSED GARAGE / POOL ADDITION
2926± sq. ft.
LANDSCAPE AREA
30'-6"
25'-0" SETBACK
PATIO
30'-0" SETBACK
2525 SOUTH STEET
GREEN STRIP
SIDEWALK
PROPERTY LINE 139.53'
EASEMENT
30'-6"
EXISTING HOUSE
2932± sq. ft.
738 West 2525 South
LOT 1
25,830 sq. ft.
LANDSCAPE AREA
EASEMENT
PROPERTY LINE 139.53'
LANDSCAPE AREA
30'-0" SETBACK
25'-0" SETBACK
LANDSCAPE AREA
8'-0" SETBACK
8'-0" SETBACK
PROPERTY LINE 185.11'


SwimKids Location
Proposed overflow parking in red.
738 W 2525 S
Swim Kids - Swim School for Kids
W 2525 S
Google Earth
100 ft
N

Conditional Use Application

Syracuse City Community & Economic Development
1979 West 1900 South, Syracuse, UT 84075
801-825-1477 opt. 4 • www.syracuseut.com • planning@syracuseut.com

For Office Use Only
Permit # _____

Permit Type: **Conditional uses are not limited to the following options*

Updated 10/03/17

- ☐ Accessory Structure
- ☐ Apiary
- ☐ Cluster Subdivision
- ☐ Daycare
- ☐ Dog Kennel
- ☒ Home Occupation
- ☐ Model Home
- ☐ Preschool
- ☐ Temporary Commercial Use
- ☐ Two-Family Dwelling
- ☐ Wireless Communication
- ☐ Other: _____

Subject Property Location

Address:			Business or Subdivision Name (if applicable):		
738 W 2525 S					
Primary Structure Square Footage: 4500	Lot Size (acres):	Current Zone:	Number of Dogs Currently on Site: 0	Number of Accessory Uses Currently on Site: 1	Present Use of Land:
Structure or Use Square Footage: 2700	.6				Residence/Pool

Applicant Contact Information

Name:	Mailing Address (if different from subject property location):		
Christian Jensen	2054 E. Buckingham Way		
Phone Number(s):	City:	State:	ZIP:
801 652 9869	Sandy	UT	84093
Email Address:	Relationship to Property Owner		
christian@swimkidsutah.com	Friend		

Property Owner Information (write 'S/A' if same as above)

Name(s):	Mailing Address (if different from subject property location):		
Aaron Thornock			
Phone Number (s):	City:	State:	ZIP:
801-941-5893			
Email Address:			
aaronbusinessemail@gmail.com			

Description of Requested Use

Private swim lessons temporarily while our permanant building in Layton is finished.

I hereby certify that the requested Conditional Use would comply with all required conditions and standards of the Syracuse Land Use Ordinance, be harmonious with neighboring uses, fit the goals of the City's General Plan, and impose no insatiable demands for public services. I read the City Land Use Ordinance relative to Conditional Uses and understand that submitting this application does not guarantee approval and is subject to the discretion of the City Land Use Authority and compliance with all requirements of Syracuse City Title X. I hereby accept responsibility for meeting all requirements outlined herein, including payment of all fees and attending City Land Use Authority meetings as notified by the Community Development Department, and understand that failure to do so may result in postponement of action by said Authority. I also understand that approval shall not relieve me of the responsibility to comply with applicable local and State zoning, health, building, or fire regulations.

Business/Property Owner Signature — Date: 11/12/21

Applicant Signature — Date: 11/12/2021

FOR OFFICE USE ONLY

Application & Noticing Fees:

$100	Application Fee	$ 100
$ 50	Extension/Modification	$
$ 20	Public Notice Sign	$
$ 50	Public Noticing Fees	$
	CC Convenience Fee	$ 1
	Total	$ 101

Conditions of Approval:

Paid:	Received by:	Receipt #:
11/12/2021	SMS	109704403

Payment Type: ☐ Cash ☒ Credit Card ☐ Check# _____

Approved: _____ Date: _____

Conditional Use Permits are not valid until application fees are submitted and Conditional Use(s) are approved and signed by Planning Department staff, once approved a copy will be provided to the applicant.

Applicant to read and check each box to acknowledge an understanding of all requirements:

- ☑ Complete and sign Conditional Use Permit application form
- ☑ Pay application and any applicable noticing or mailing-list generation fees
- ☑ Provide scaled drawings of site plan and any other applicable drawings
- ☑ Acquire an approved Building Permit after conditional use approval, if applicable

Scaled Drawings

Site plans shall be drawn to not less than 1 inch equaling 40 feet and include the following, when applicable:

- ☐ **Name**, **address**, and **phone number** of property owner as well as engineer or agent
- ☐ **Boundaries** and **dimensions of property**, with adjacent **public street(s)** identified, and measurements of **setbacks** and **distances** between, and **dimensions** of, existing and proposed structures on site as well as existing structures, 200 square feet or greater, within 50 feet on adjacent properties
- ☐ **Easements**, existing and proposed.
- ☐ **Required landscaping**, **open space**, or **park space**
- ☐ **Off-street parking**-location, layout and number of stalls
- ☐ **Fences or walls**-location and height

In addition to the required Site Plan, some conditional use applications require the following information:

Accessory Structures:

- ☐ Elevation drawing that shows exterior materials/color of design finish for both proposed structure and home, roof structure and its height from top of wall plate to peak, and measurement(s) of wall height(s); square footage of rear yard (width x depth from back of home to rear property line); and proposed use of structure.
- ☐ Approvals from utility companies to encroach into recorded public utility easement, if applicable

Apiary:

- ☐ Location and number of hives and the dedicated water source.
- ☐ Flyaways if any colony is situated within 25 feet of any property line and the yard is not contained with a 6'solid fence.

Cluster Subdivision:

- ☐ Home Owners Association bylaws for maintaining open space, landscaping plan, and building-design standards

Daycare:

- ☐ Proposed number of children at the residence
- ☐ Provide proof of licensure from the Utah Department of Health, Bureau of Licensing, obtain a Syracuse City Business License.
- ☐ Provide a criminal background clearance for all employees and persons residing in the home age 18 or older.
- ☐ Floor Area-include location and dimensions of proposed use and applicable storage.

Dog Kennel:

- ☐ Provide proof of licensing for each dog from Davis County Animal Control
- ☐ Location of all pens, runs, shelters, or similar structures housing dogs.
- ☐ Location of all neighboring or abutting dwellings

Home Occupation:

- ☒ Please refer to the Home Occupation Compliance Standards and Agreement

Model Home:

- ☐ Exterior lighting plan indicating location, direction and timing of all lighting on the site.
- ☐ Signage plan indicating the size and location of all signs, flags and banners.
- ☐ Hours of Operation

Preschool:

- ☐ Proposed number of children and sessions per week
- ☐ Floor Area-include location and dimensions of proposed use and applicable storage.

Temporary Commercial Uses:

- ☐ Identification of all lots owned by applicant within subject subdivision
- ☐ Proposed signage in accordance with Syracuse City Sign Ordinance Regulations
- ☐ Written authorization from property owner
- ☐ Explanation of sanitary facilities
- ☐ Bonding/Insurance requirements

Two-Family Dwellings:

- ☐ Elevation drawings showing type of material and design finish of proposed home

Wireless Communication:

- ☐ Please refer to the Syracuse City Code for specific requirements.

DISCLAIMER: *The City is providing the following information as a service to those applying for conditional use approvals. No one shall consider these guidelines as comprehensive. In the event of conflicts or discrepancies between this document and City Ordinances or State or Building Codes, the more strict rules shall apply.*

NOTE: *Applicant shall furnish the information on this form for purposes of identification and expediting the request in full knowledge that it may become public record pursuant to provisions of the Utah State Government Records Access and Management Act (GRAMA). Use of this information will be only for necessary completion and execution of the requested transaction. If applicant so chooses not to supply any requested information, applicant accepts the additional time in processing or inability to process the application at all. If applicant is an "at-risk government employee" as defined in Utah Code Ann. § 63-2-302.5, please inform a member of the Department staff upon submission of the application. Syracuse City does not currently share any private, controlled, or protected information with any other person or government entity. See Title X for complete guidelines and requirements of Conditional Uses. City staff will not process, or forward to Planning Commission, incomplete applications.*

Staff Analysis

Staff analysis in red. Conditions of approval highlighted.

Syracuse City Code
Chapter 10.35 – Home Occupations and Temporary Commercial Uses
10.35.040 – Home occupation.

(B) Standards. The following restrictions shall apply to any home occupation:

(1) A home occupation shall not be permitted if it changes the outside appearance of the dwelling. No modifications shall be made to expressly accommodate the commercial use in the home.
N/A

(2) The home occupation may include the sale of commodities; however, the business should deliver products to customers. The occupation may also include the retail sale of products and services at the home with a maximum of two customers per hour. The business owner may increase the number of customers or patrons approved to come to the home per hour by providing sufficient off-street parking and ensuring the home occupation does not adversely affect the neighborhood.
This business has up to 8 customers per hour during their Parent-Tot classes (4 adults and 4 children) in the morning and 16 customers per hour during their Parent-Tot classes (8 adults and 8 children) in the afternoon. Their Parent-Tot classes are 25 minutes long and scheduled as follows:

Monday	11:15am, 04:45pm
Tuesday	12:15, 04:30 & 05:30pm
Wednesday	09:30am, 05:15pm
Thursday	10:00am
Fridays	12:15pm
Saturdays	09:00am, 10:00am, & 12:30pm

During the time private lessons are offered, they could possibly have 8 customers per hour (one child and one adult in 15-minute increments). The business hours for private lessons are as follows:

Mondays	9:00 am – 1:00 pm and 3:00 pm – 7:00pm
Tuesdays	9:00 am – 1:00 pm and 3:00 pm – 6:00pm
Wednesdays	9:00 am – 1:00 pm and 3:00 pm – 7:00pm
Thursdays	9:00 am – 1:00 pm and 3:00 pm – 7:00pm
Fridays	9:00 am – 1:00 pm and 3:00 pm – 6:00pm
Saturdays	9:00 am – 1:00 pm

The driveway of this home is technically large enough for 7 City-size parking spaces but can realistically fit 5 vehicles. The owners of the property park in the garage. This leaves 2 dedicated employee spots and 3 additional spaces of off-street parking.

Because the home occupation generates greater than two customers per hour, the Planning Commission must give specific permission for it to do so.

(3) The area of the home devoted to the home occupation and/or storage of stock in trade shall not occupy more than 30 percent of the area of any one floor. Child care may use a larger percentage of the home.
The area of the home devoted to the home occupation occupies 36.45% of the first floor. This percentage was calculated using the square footage from City records rather than the estimate provided on the application.

Because the home occupation occupies more than 30% of the area of one floor, Planning Commission must give specific permission for it to do so.

(4) The home occupation shall not involve the use of any yard space or activity outside the residence, except where the use or activity is of the type customarily found in the residential neighborhood and where said use or activity does not adversely impact the residential nature of the neighborhood.
N/A

(5) The home occupation may store inventory or supplies within the garage or an accessory building as long as the garage still functions for parking as many vehicles as specified at the time of construction. The home occupation shall not store outside any type of material used for the business.
N/A

(6) No display of merchandise or advertising shall be visible from the street or neighboring properties, except as permitted in SCC 10.45.050.
N/A

(7) Residents may have one occupational vehicle and trailer, associated with the home occupation, that does not exceed 10,000 pounds gross vehicle weight for minor home occupations and 20,000 pounds gross vehicle weight for major home occupations. If the parcel on which the major home occupation is located is both over one-half acre in size and located along a major collector or arterial road, residents may have up to three occupational vehicles and trailers not exceeding 20,000 pounds gross vehicle weight each and only after the Planning Commission has determined that the additional vehicles can be accommodated on site in conformance with the text of this section. Occupational vehicles, trucks, and trailers may be allowed on site, provided they park said vehicles off the street, not within the front yard, on gravel, concrete, or asphalt, and not on any street adjacent to or near their premises. Business owners may not intentionally station, position, or park an occupational vehicle or trailer in any manner on private property so as to advertise, promote, or draw attention to products, services, events, or other similar purposes at the homeowner’s residence while parked thereon.
N/A

(8) The home occupation shall limit the number of vehicles for employee parking to two, other than those living in the dwelling, to come to work at the home or to park vehicles at the home to go to a job site. One additional dedicated off-street parking space for each employee vehicle shall be provided. Employees shall not park on the street in front of adjacent private property.
There are two employees on site from 9-1 and three employees on site from 3-close (6 or 7 pm Mon-Fri). Two of three afternoon employees carpool and there is dedicated off-street parking available for both vehicles. This condition is fulfilled.

(9) The home occupation shall generate no greater vehicular traffic or parking than commonly associated with the neighborhood wherein the applicant(s) will conduct business, i.e., heavy trucks, delivery, or similar vehicles, etc.
With the number of lesson slots available, there is a maximum of around 6 vehicles at the business in the morning Parent-Tot classes and 10 vehicles at the business in the evening Parent-Tot classes. All other hours for private lessons would result in around 3-5 vehicles at a time.

Should Planning Commission decide that any of these scenarios generate greater vehicular traffic or parking than commonly associated with the neighborhood, the Planning Commission must deny that portion or portions of the business that does so.

(10) A home occupation shall not store explosive or combustible materials anywhere on the premises. The home occupation shall not unreasonably disturb the peace and quiet of the neighborhood, including but not limited to interference of radio, television, or other electronic reception, by reason of design, materials, construction, lighting, odor, dust, sounds, noise, vibrations, vehicles, parking, and general operation of the business.
N/A

(11) Home occupations shall not hold promotional meetings, for the purpose of selling merchandise or taking orders, more than once per month.
N/A

(12) Home occupations shall not hold garage, basement, yard, or other similar sales more than four times each year, and each sale shall not last more than 72 hours.
N/A

(13) There shall be complete conformity with all City and state codes including fire, building, plumbing, electrical and health codes, and business license regulations. Appropriate departments will conduct any periodic inspections required by these codes.
N/A

(14) The home occupation shall not create a demand for municipal or utility services or community facilities in excess of those usually and customarily provided for residential uses.
N/A

(15) The home occupation shall not involve the installation of any equipment, fixtures, plumbing, or electrical wiring that is incompatible with a residential area by reason of excessive noise, utility usage, waste production or broadcast interruption, etc.
N/A

(16) The Land Use Authority may review and revoke any home occupation license upon a finding of noncompliance with this section. Inspections by the City may occur as necessary to assure conformance with these regulations.
N/A

(17) Disabled individuals can obtain a waiver through the Land Use Administrator to allow such persons to become self-sufficient.
N/A

(18) The City may place additional restrictions on a home occupation relating to hours of operation, parking, traffic, or other matters as it deems necessary to mitigate impacts on the neighborhood and the City in general.
At the discretion of the Planning Commission.

(19) A permit for a home occupation is valid for only the original applicant and is not transferable to any resident, address, or any other occupation. Upon termination of the applicant’s residency, the home occupation permit shall become null and void.
N/A

Syracuse City Code
Chapter 10.35 – Home Occupations and Temporary Commercial Uses
10.35.040 – Home occupation.

(D) Major Home Occupations.

(1) The definition of a major home occupation shall include any business within a residential zone that meets the standards listed in subsection (B) of this section but requires additional conditions of approval imposed by the Land Use Authority, as provided herein, to mitigate the increased impact of such home occupations on the surrounding property owners.

Major home occupations shall be conditional uses in all residential zones due to the potential increase in the impact of a business as allowed by the following:

(a) A larger commercial vehicle, not exceeding 20,000 pounds, may be used, provided it is parked on private property and adequately screened. Parking of the commercial vehicle shall occur on the side or in the rear of the home.
N/A

(b) Day care, where the number of children is greater than eight and a second employee is required at the home.
N/A

(c) Preschools, where the number of sessions is greater than four per week.
N/A

(d) A larger percentage of the home or an accessory building may be used for the home occupation under conditions recommended by the Planning Commission. The use of an accessory structure or an attached or detached garage, or yard space, for a home occupation may be considered as a conditional use only under the following conditions:

(i) The Planning Commission finds that the proposed home occupation will be clearly accessory and subordinate to the principal use of the property for dwelling purposes; and
For discussion amongst Commissioners.

(ii) The Planning Commission finds that the proposed home occupation will not adversely affect the residential nature and aesthetic quality of the neighborhood; and
For discussion amongst Commissioners.

(iii) Any off-street parking displaced by the home occupation is relocated elsewhere on the lot or parcel in compliance with setback standards for the zoning in which the property is located; and

No off-street parking for the residents of the home is displaced; no additional parking in either garage is displaced.

(iv) The Planning Commission may impose any conditions it deems necessary to mitigate impacts of the home occupation on the neighborhood.
At the discretion of the planning Commission.

(2) Major home occupations may include, but not necessarily be limited to, the following:

(a) Any use allowed as a minor home occupation that is requiring additional conditions of approval as shown in subsection (D)(1) of this section.
The additional conditions of approval needed are as follows:

1. The area of the home devoted to the home occupation and/or storage of stock in trade may occupy more than 30 percent of the area of any one floor
2. The occupation may also include the retail sale of products and services at the home with greater than two customers per hour.

(b) Small engine repairs (excluding automobiles, motorcycles, and snowmobiles).
N/A

(c) Woodworking.
N/A

(d) Pest or weed control service.
N/A

Common Procedural Questions and Relevant Code Sections

What standards apply to the issuance of a conditional use permit and which factors should the Planning Commission consider when discussing it?

Syracuse City Code
Chapter 10.20 – Administrative and Development Review Procedures
10.20.080 – Conditional use permits.

(E) Approval Standards. The following standards shall apply to the issuance of a conditional use permit. The Land Use Authority may:

(1) Issue a conditional use permit for a use located within a zone that would allow, through regulations, the particular conditional use.

(2) Impose conditions as necessary to prevent or minimize adverse effects upon other property or improvements in the vicinity of the conditional use, the City as a whole, or public facilities and services. These conditions may include but are not limited to conditions concerning use, construction, character, location, landscaping, screening, parking, hours of operation, and other matters relating to the purposes and objectives of this title. The Land Use Authority shall expressly set forth such conditions in the motion authorizing the conditional use permit.

(3) Approve, approve with conditions, or deny a conditional use, but shall approve it if they can impose reasonable conditions to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. However, if there are insufficient reasonable conditions the Land Use Authority could impose to substantially mitigate any reasonably anticipated detrimental effects of a proposed conditional use in order to achieve compliance with applicable standards, they may deny the requested conditional use.

(4) The Land Use Authority may request additional information as needed to determine the potential for compliance with requirements of subsection (E)(3) of this section.

(5) The Land Use Authority shall review and consider the following factors in determining whether to approve, approve with conditions, or deny a conditional use permit application:

(a) Compliance of the proposed use with intent of the City's general plan and the regulations and conditions of this title;

(b) The proposed use at the particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood and the community;

(c) Any reports and/or studies relating to utilities, traffic impact, school impact, soil and water impact, existing conditions, line-of-sight and building massing, and any other information in order to render a proper decision;

(d) Safeguards proposed or provided to ensure adequate utilities, transportation access, drainage, parking, loading space, lighting, screening, landscaping, open space, fire protection, pedestrian and vehicular circulation and to prevent noxious or offensive omissions such as noise, glare, dust, pollutants, and odor from the proposed facility or use;

(e) Impacts on schools, utilities, transportation, traffic, and streets for the proposed site and surrounding area, including the following criteria: appropriate buffering of uses and buildings, proper parking and traffic circulation, and use of building materials and landscaping that are in harmony with the area and compatible with adjoining uses; and

(f) Impacts to the health, safety, or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

Why do decisions regarding Major Home Businesses come to the Planning Commission for approval as the Land Use Authority?

1. **Syracuse City Code**
   Chapter 10.30 – General Land Use Regulations
   10.30.100 – Conditional uses.
   (B) Major. The following conditional uses are major and require approval as established in SCC 10.20.080:
   (8) Home occupations, major. See SCC 10.35.040.

2. **Syracuse City Code**
   Chapter 10.20 – Administrative and Development Review Procedures
   10.20.080 – Conditional use permits.
   (D) Procedure. The City shall process and consider an application for a conditional use permit as provided in this subsection.
   (4) The Community Development Department, as the Land Use Authority, shall approve or deny applications for minor conditional uses. The Planning Commission, as the Land Use Authority, shall hold a public meeting and thereafter approve, approve with conditions, or deny major conditional use permit application(s) pursuant to the standards set forth in subsection (E) of this section. The Land Use Authority shall limit any conditions of approval to those needed to reasonably ensure the conditional use substantially complies with approval standards.

How may someone appeal the Planning Commission's decision?

Syracuse City Code
Chapter 10.20 – Administrative and Development Review Procedures
10.20.080 – Conditional use permits.

(F) Appeal of Decision. Any person adversely affected by a decision of the Land Use Authority regarding the transfer, issuance or denial of a minor conditional use permit may appeal such decision to the Planning Commission by filing written notice of appeal stating the grounds therefor within 15 days from the date of such final determination. Any person adversely affected by a decision of the Land Use Authority regarding the transfer, issuance, or denial of a major conditional use permit may appeal such decision to the City Council by filing written notice of appeal stating the grounds therefor within 15 days from the date of such final determination.

1. **Public Hearing – Major Conditional Use Permit for a home business called SwimKids, involving greater than 2 customers per hour, at approximately 738 W 2525 S by request of Christian Jensen**.

Ms. Shay League, City Planner said Mr. Christian Jensen is currently operating a home business from the above location. Mr. Jensen's business offers swimming lessons 6 days per week, Monday through Saturday. The schedule varies, but the earliest business open time is 9 am and the latest closing time is 7 pm.

This home business came to the City's attention due to Code Enforcement complaints regarding on-street parking issues. The applicant was unaware of the need to file for a license with Syracuse City and has cooperated fully with the Code Enforcement Officer and Business Licensing Official. Planning staff has the following comments:

1. Mr. Jensen's home business occupies 36.45% of the first floor. For Mr. Jensen to continue business, the Planning Commission must approve greater than 30% usage of the first floor.

2. They have more than two customers coming to the home per hour.
    a. Private lessons: In an hour there is one instructor in the pool and lessons are every 15 minutes making 4 lessons in an hour. During the time private lessons are offered, they could possibly have 8 customers per hour (one child and one adult in 15-minute increments).

    b. There is also parent taught lessons. Depending on the day this business has up to 8 customers per hour during their Parent-Tot classes (4 adults and 4 children) in the morning and 16 customers per hour during their Parent-Tot classes (8 adults and 8 children) in the afternoon. Their Parent-Tot classes are 25 minutes long and scheduled as follows:

    For Mr. Jensen to continue business, the Planning Commission must approve greater than two customers per hour.

3. Due to the nature of group lessons, as many as 10 vehicles are present at the home business at one time. With the number of lesson slots available, there is a maximum of around 6 vehicles at the business in the morning Parent-Tot classes and 10 vehicles at the business in the evening Parent-Tot classes. All other hours for private lessons would result in around 3-5 vehicles at a time.

    There are 5 driveway parking spots available for 2 dedicated employee spots and 3 additional spaces of off-street parking. This leaves an additional 5 or so vehicles to park on the street. The applicant suggests directing overflow parking in front of an open agricultural field across the street in consideration of neighboring households.

4. The amount of traffic associated with this business currently exceeds the common neighborhood vehicular traffic and parking. The Planning Commission is tasked with determining whether or not the application should be denied, or conditions may be applied to limit impact to the neighborhood

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If the Planning Commission determines that the business does not cause “greater vehicular traffic or parking than commonly associated with the neighborhood”, staff recommends approval.

If the Planning Commission determines that the business does cause “greater vehicular traffic or parking than commonly associated with the neighborhood”, staff recommends denial or approval with conditions to limit the number of vehicles to an acceptable amount of traffic and parking.

Planning Commissioner Hunter asked why the application said the private lessons would be offered temporarily until their main swimming pool and building was built. Shay League said the applicant mentioned they were building a commercial pool in Layton to host these swimming lessons. The building and pool would be done by June 1, 2022. As result, Swim Kids said they would only utilize this home business for 6 to 7 months.

Christian Jensen with Swim Kids stood and said they are temporarily renting the pool from Syracuse homeowner Aaron Thornock. Mr. Jensen told the Planning Commission that the building for their main pool was already constructed they just need to retrofit the back of the building for the pool. Swim Kids stated that they have the builders and everything ready to go so there should not be a delay.

Commissioner Ruelan asked how this came to the attention of the city. Why was this business not licensed before lessons started? Mr. Jensen said he did not realize he needed a business license, nor a conditional use permit. He was made aware of these requirements by the city through a code complaint. Commissioner Ruelan asked how long they have been operating without a license? Mr. Jensen said since July 2021.

Commissioner Kennington verified, there would be no more swimming lessons at this home location within the 7 months or after June 1, 2022, correct? Mr. Jensen replied yes.

Chair Wessel opened the public hearing.

Carolyn Soldgie stood and said this business has caused a nightmare for them. She stated there is a constant parade of people coming and going in that driveway. She said this property sits higher than the others, so they are literally in her backyard. She has people watching them whenever they are in the backyard. She has a great concern for the volume of people that come there. Seven months is a long time and there is no guarantee that Swim Kids will even be done with the other building in seven months.

Lauren Soldgie said the business is breaking the city code by having a very present impact on the neighborhood. The homeowner is not using the driveway for any parking related to the business, everything is off street parking. They also are in violation because they display a sign noting the Swim Kids business.

Aaron Thornock, the homeowner stood and said during the summer they have had another woman come and do other private swim lessons as well, so perhaps that is something they should deal away with since that is added traffic beyond Swim Kids.

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Shay League read a letter from Mark and Lisa Scadden located at 1716 W 2525 S. They have concerns about parking and safety for the children attending Swim Kids. They said that they see children getting in and out of cars and darting across the road. On several occasions they have had to stop completely as kids linger in the street to get in or out of cars. This is a swim operation that goes year-round. They also said that they have had lots of garbage left in their yard including a dirty diaper.

Next door male neighbor said that the parking is unrealistic since the homeowners use their driveway all day to get in and out for driving purposes. Those 5 spaces they talked about are not available otherwise the homeowners can't get out. There are more like 2 spaces where people could park there. He also stated that he has seen no customers utilize the driveway.

Chair Wessel closed the public hearing.

Commissioners discussed asking Swim Kids to not hold the parent taught classes. Maybe that would help with traffic. They discussed having all customers park in the driveway.

Commissioner King said it seems like more concerns are relating to parking and traffic. Not so much how many people are there at a time.

Chair Wessel said he has driven by this business several times and has noticed that this is creating more vehicular traffic and parking than is common in a neighborhood. If they can provide off street parking, then the commission could approve this.

Commissioner Weber said he did not want to limit them on customers and felt the parking was okay. The pictures neighbors took did not seem like something outrageous. He did not see a hinderance for the normal flow of traffic.

COMMISSIONER KING MOVED THE PLANNING COMMISSION APPROVE THE HOME OCCUPATION CALLED SWIMKIDS AT APPROXIMATELY 738 W 2525 S BY REQUEST OF CHRISTIAN JENSEN, INVOLVING GREATER THAN 2 CUSTOMERS PER HOUR, WITH THE CONDITIONS THAT CUSOMTERS AND EMPLOYESS MUST PARK IN THE DRIVEWAY OR IN FRONT OF THE HOME AND NOT IN FRONT OF OTHER RESIDENTIAL LOTS AND THIS CONDITION WILL NEED TO COME BACK FOR REVIEW ON JULY 2022. COMMISSIONER KENNINGTON SECONDED THE MOTION. THE VOTING WAS AS FOLLOWS:

RYAN WESSEL, CHAIR: YEA
IVY RUELAN, VICE-CHAIR: YEA
KENNETH HELLEWELL: YEA
LONN HUNTER: NAY
KEETH KENNINGTON: YEA
JAMES KING: YEA
NICHOLAS WEBER: YEA

MOTION PASSED SIX TO ONE.

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Syracuse City
Planning Commission Meeting
August 2, 2022

Begins at 6:00 PM in the Council Chambers at City Hall
1979 W 1900 S, Syracuse, UT 84075

PLANNING COMMISSIONERS

CHAIR
Kenneth Hellewell

VICE-CHAIR
Keeth Kennington

Alan Gallegos
Ivy Ruelan
Lonn Hunter
James King
Scott Shea
Dennis Johnson

Regular Meeting Agenda

1. **Meeting Called to Order:**
   - Invocation or Thought by Commissioner Kennington
   - Pledge of Allegiance by Commissioner Ruelan
   - Adoption of Meeting Agenda
2. **Meeting Minutes:**
   - Regular Meeting & Work Session for July 19, 2022
3. **Public Comment:** This is an opportunity to address the Planning Commission regarding items not scheduled for a public hearing on this agenda. Please consider others and limit your comments to three minutes.
4. **Public Hearing: Conditional Use Application (Review)** for Swim Kids; a home business located at 738 W 2525 S that may receive greater than two customers per hour and occupy more than 30% of the area of the first floor of the residence.
5. **Public Hearing: Conditional Use Application** for Colorful Creations; a preschool located at 1246 S 4350 W. The applicant is requesting 6 sessions per week, with up to 12 students per session.
6. **Public Hearing: Site Plan –** Choice Foodservice Equipment Building, to be located at 322 S 1000 W, containing 1.274 acres in the Industrial (ID) Zone.
7. **Public Hearing: Land Sale –** Potential sale of Walnut Grove Detention Basin; city-owned property located approximately at 950 W 2920 S, comprising 0.23 acre.
8. **Public Hearing: Text Amendment –** Amendment to the *Housing* section of the General Plan, regarding moderate-income housing plan provisions.
9. **Adjourn**

Work Session

1. **Department Business:**
   a) City Council Liaison Report
   b) Citty Attorney Update
   c) Upcoming Agenda Items:
      - Walmart Gas Station
      - Grayson Ridge Subdivision Amendment
2. **Discussion Items:**
   a) Mixed-Use Zone (MXD)
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 with Disabilities Act, those needing auxiliary communicative aids and services for this meeting should contact the City Office, at 801-825-1477, at least 48 hours prior to the meeting.

Meeting also available via Zoom; connect online using https://us02web.zoom.us/j/81155364157. Connect via telephone: 253-215-8782, Meeting ID: 811 5536 4157. Send written comments to planningdepartment@syracuseut.com or mail/deliver to 1979 West 1900 South, Syracuse, UT 84075. Comment deadline is five hours before the meeting. Each comment is read for up to three minutes with any unread remainder included in the public record.

CERTIFICATE OF POSTING:
This agenda was posted on the Syracuse City Hall Notice Boards, the State Public Notice website at https://www.utah.gov/pmn/, and the Syracuse City website at https://syracuseut.gov

PLANNING COMMISSION REGULAR MEETING

August 2, 2022

ADMINISTRATIVE ITEM

Agenda Item #**4** Swimkids Conditional Use Permit Review

Factual Summation

Please review the following information. Any questions regarding this agenda item may be directed to Royce Davies, City Planner, or Noah Steele, Community and Economic Development Director.

Location:	738 W 2525 South
Current Zoning:	R-2
Max Customers/Hour:	2
Parking Location Required:	In property driveway or in front of house. Not in front of neighbors.
Date Permit Issued:	December 7, 2021

Summary

This is review of the Swimkids Major Conditional Use Permit as required by the Planning Commission during their regular meeting on December 7, 2021. The intent of the review was to ensure that the business is operating according to the conditions established by the Planning Commission. The conditions are as follows:

1. The review condition expires in July 2022.
2. The business may only have two customers per hour.
3. Customers and employees must only park in the driveway of the subject property or in front of the subject property. No business parking is permitted in front of neighboring houses or residential lots.

The applicant expressed that the intent of the review period was that they intended to build a pool elsewhere and move the business to that location. The target date for this was June 2022. This has not occurred. The applicant has also indicated that more than two customers per hour attend the swim school and have done so since the permit was granted in December of 2021.

Pending Planning Commission discussion on the items above, the Conditional Use Permit may either be approved with no conditions, approved with conditions, or revoked. As this is an administrative review, a lack of compliance with the conditions of the permit are grounds for revocation. Per City Code, a revocation of the Conditional Use Permit would prohibit the applicant from applying again for the same use for one year from the date of revocation.

Recommendation

Sta recommends the Planning Commission review the permit and merits of business operation against the conditions included in the original approval and either approve, conditionally approve, table, or revoke the application**.**

Suggested Motion Language

Approval
I move the Planning Commission allow the continued operation of a Major Home Occupation use called Swimkids at 738 West 2525 South in the R-2 Zone per original Planning Commission approval on December 7, 2022.

Table
I move the Planning Commission table discussion concerning a Major Home Occupation use called Swimkids at 738 West 2525 South in the R-2 Zone until (provide date).

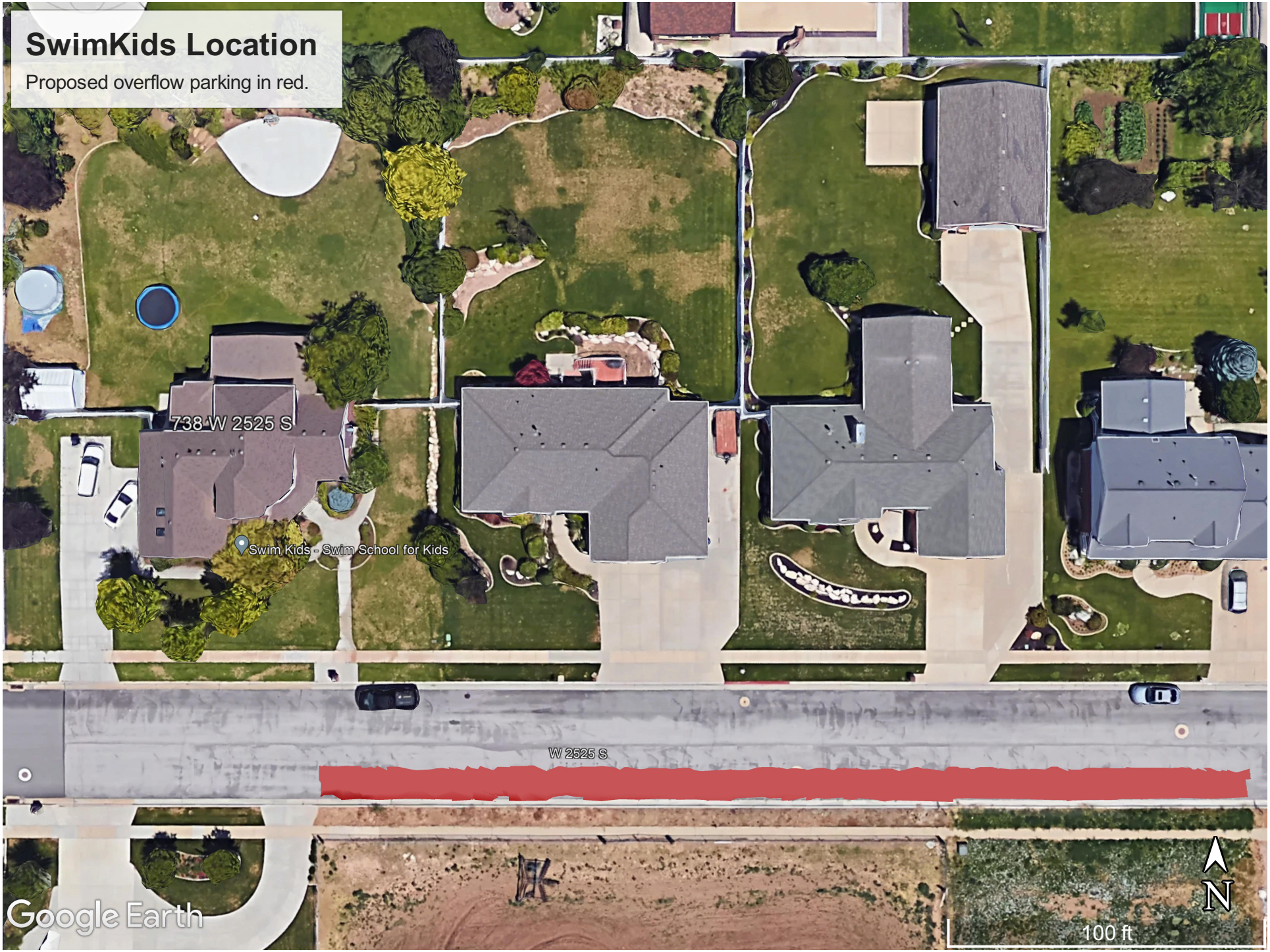
Denial
I move the Planning Commission revoke the Conditional Use Permit for Major Home Occupation use called Swimkids at 38 West 2525 South in the R-2 Zone based on the following ndings:

1. List ndings .

Attachments

- Property Maps
- Application
- Sta analysis of original proposal

PROPERTY LINE 185.11'
EASEMENT
8'-0" SETBACK
10'-2 3/8"
8'-0" SETBACK
10'-0"
30'-0" SETBACK
TEMPORARY TRASH CONTAINER
EXISTING DRIVEWAY
49'-9"
49'-7 3/4"
PROPOSED GARAGE / POOL ADDITION
2926± sq. ft.
LANDSCAPE AREA
30'-6"
25'-0" SETBACK
PATIO
30'-0" SETBACK
2525 SOUTH STEET
GREEN STRIP
SIDEWALK
PROPERTY LINE 139.53'
EASEMENT
30'-6"
EXISTING HOUSE
2932± sq. ft.
738 West 2525 South
LOT 1
25,830 sq. ft.
LANDSCAPE AREA
EASEMENT
PROPERTY LINE 139.53'
LANDSCAPE AREA
30'-0" SETBACK
25'-0" SETBACK
LANDSCAPE AREA
8'-0" SETBACK
8'-0" SETBACK
PROPERTY LINE 185.11'


SwimKids Location
Proposed overflow parking in red.
738 W 2525 S
Swim Kids - Swim School for Kids
W 2525 S
Google Earth
100 ft
N

Conditional Use Application

Syracuse City Community & Economic Development
1979 West 1900 South, Syracuse, UT 84075
801-825-1477 opt. 4 • www.syracuseut.com • planning@syracuseut.com

For Office Use Only
Permit # _____

Permit Type: **Conditional uses are not limited to the following options*

Updated 10/03/17

- ☐ Accessory Structure
- ☐ Apiary
- ☐ Cluster Subdivision
- ☐ Daycare
- ☐ Dog Kennel
- ☒ Home Occupation
- ☐ Model Home
- ☐ Preschool
- ☐ Temporary Commercial Use
- ☐ Two-Family Dwelling
- ☐ Wireless Communication
- ☐ Other: _____

Subject Property Location

Address:			Business or Subdivision Name (if applicable):		
738 W 2525 S					
Primary Structure Square Footage: 4500	Lot Size (acres):	Current Zone:	Number of Dogs Currently on Site: 0	Number of Accessory Uses Currently on Site: 1	Present Use of Land:
Structure or Use Square Footage: 2700	.6				Residence/Pool

Applicant Contact Information

Name:	Mailing Address (if different from subject property location):		
Christian Jensen	2054 E. Buckingham Way		
Phone Number(s):	City:	State:	ZIP:
801 652 9869	Sandy	UT	84093
Email Address:	Relationship to Property Owner		
christian@swimkidsutah.com	Friend		

Property Owner Information (write 'S/A' if same as above)

Name(s):	Mailing Address (if different from subject property location):		
Aaron Thornock			
Phone Number (s):	City:	State:	ZIP:
801-941-5893			
Email Address:			
aaronbusinessemail@gmail.com			

Description of Requested Use

Private swim lessons temporarily while our permanant building in Layton is finished.

I hereby certify that the requested Conditional Use would comply with all required conditions and standards of the Syracuse Land Use Ordinance, be harmonious with neighboring uses, fit the goals of the City's General Plan, and impose no insatiable demands for public services. I read the City Land Use Ordinance relative to Conditional Uses and understand that submitting this application does not guarantee approval and is subject to the discretion of the City Land Use Authority and compliance with all requirements of Syracuse City Title X. I hereby accept responsibility for meeting all requirements outlined herein, including payment of all fees and attending City Land Use Authority meetings as notified by the Community Development Department, and understand that failure to do so may result in postponement of action by said Authority. I also understand that approval shall not relieve me of the responsibility to comply with applicable local and State zoning, health, building, or fire regulations.

Business/Property Owner Signature — Date: 11/12/21

Applicant Signature — Date: 11/12/2021

FOR OFFICE USE ONLY

Application & Noticing Fees:

$100	Application Fee	$ 100
$ 50	Extension/Modification	$
$ 20	Public Notice Sign	$
$ 50	Public Noticing Fees	$
	CC Convenience Fee	$ 1
	Total	$ 101

Conditions of Approval:

Paid:	Received by:	Receipt #:
11/12/2021	SMS	109704403

Payment Type: ☐ Cash ☒ Credit Card ☐ Check# _____

Approved: _____ Date: _____

Conditional Use Permits are not valid until application fees are submitted and Conditional Use(s) are approved and signed by Planning Department staff, once approved a copy will be provided to the applicant.

Applicant to read and check each box to acknowledge an understanding of all requirements:

- ☑ Complete and sign Conditional Use Permit application form
- ☑ Pay application and any applicable noticing or mailing-list generation fees
- ☑ Provide scaled drawings of site plan and any other applicable drawings
- ☑ Acquire an approved Building Permit after conditional use approval, if applicable

Scaled Drawings

Site plans shall be drawn to not less than 1 inch equaling 40 feet and include the following, when applicable:

- ☐ **Name**, **address**, and **phone number** of property owner as well as engineer or agent
- ☐ **Boundaries** and **dimensions of property**, with adjacent **public street(s)** identified, and measurements of **setbacks** and **distances** between, and **dimensions** of, existing and proposed structures on site as well as existing structures, 200 square feet or greater, within 50 feet on adjacent properties
- ☐ **Easements**, existing and proposed.
- ☐ **Required landscaping**, **open space**, or **park space**
- ☐ **Off-street parking**-location, layout and number of stalls
- ☐ **Fences or walls**-location and height

In addition to the required Site Plan, some conditional use applications require the following information:

Accessory Structures:

- ☐ Elevation drawing that shows exterior materials/color of design finish for both proposed structure and home, roof structure and its height from top of wall plate to peak, and measurement(s) of wall height(s); square footage of rear yard (width x depth from back of home to rear property line); and proposed use of structure.
- ☐ Approvals from utility companies to encroach into recorded public utility easement, if applicable

Apiary:

- ☐ Location and number of hives and the dedicated water source.
- ☐ Flyaways if any colony is situated within 25 feet of any property line and the yard is not contained with a 6'solid fence.

Cluster Subdivision:

- ☐ Home Owners Association bylaws for maintaining open space, landscaping plan, and building-design standards

Daycare:

- ☐ Proposed number of children at the residence
- ☐ Provide proof of licensure from the Utah Department of Health, Bureau of Licensing, obtain a Syracuse City Business License.
- ☐ Provide a criminal background clearance for all employees and persons residing in the home age 18 or older.
- ☐ Floor Area-include location and dimensions of proposed use and applicable storage.

Dog Kennel:

- ☐ Provide proof of licensing for each dog from Davis County Animal Control
- ☐ Location of all pens, runs, shelters, or similar structures housing dogs.
- ☐ Location of all neighboring or abutting dwellings

Home Occupation:

- ☒ Please refer to the Home Occupation Compliance Standards and Agreement

Model Home:

- ☐ Exterior lighting plan indicating location, direction and timing of all lighting on the site.
- ☐ Signage plan indicating the size and location of all signs, flags and banners.
- ☐ Hours of Operation

Preschool:

- ☐ Proposed number of children and sessions per week
- ☐ Floor Area-include location and dimensions of proposed use and applicable storage.

Temporary Commercial Uses:

- ☐ Identification of all lots owned by applicant within subject subdivision
- ☐ Proposed signage in accordance with Syracuse City Sign Ordinance Regulations
- ☐ Written authorization from property owner
- ☐ Explanation of sanitary facilities
- ☐ Bonding/Insurance requirements

Two-Family Dwellings:

- ☐ Elevation drawings showing type of material and design finish of proposed home

Wireless Communication:

- ☐ Please refer to the Syracuse City Code for specific requirements.

DISCLAIMER: *The City is providing the following information as a service to those applying for conditional use approvals. No one shall consider these guidelines as comprehensive. In the event of conflicts or discrepancies between this document and City Ordinances or State or Building Codes, the more strict rules shall apply.*

NOTE: *Applicant shall furnish the information on this form for purposes of identification and expediting the request in full knowledge that it may become public record pursuant to provisions of the Utah State Government Records Access and Management Act (GRAMA). Use of this information will be only for necessary completion and execution of the requested transaction. If applicant so chooses not to supply any requested information, applicant accepts the additional time in processing or inability to process the application at all. If applicant is an "at-risk government employee" as defined in Utah Code Ann. § 63-2-302.5, please inform a member of the Department staff upon submission of the application. Syracuse City does not currently share any private, controlled, or protected information with any other person or government entity. See Title X for complete guidelines and requirements of Conditional Uses. City staff will not process, or forward to Planning Commission, incomplete applications.*

Staff Analysis

Staff analysis in red. Conditions of approval highlighted.

Syracuse City Code
Chapter 10.35 – Home Occupations and Temporary Commercial Uses
10.35.040 – Home occupation.

(B) Standards. The following restrictions shall apply to any home occupation:

(1) A home occupation shall not be permitted if it changes the outside appearance of the dwelling. No modifications shall be made to expressly accommodate the commercial use in the home.
N/A

(2) The home occupation may include the sale of commodities; however, the business should deliver products to customers. The occupation may also include the retail sale of products and services at the home with a maximum of two customers per hour. The business owner may increase the number of customers or patrons approved to come to the home per hour by providing sufficient off-street parking and ensuring the home occupation does not adversely affect the neighborhood.
This business has up to 8 customers per hour during their Parent-Tot classes (4 adults and 4 children) in the morning and 16 customers per hour during their Parent-Tot classes (8 adults and 8 children) in the afternoon. Their Parent-Tot classes are 25 minutes long and scheduled as follows:

Monday	11:15am, 04:45pm
Tuesday	12:15, 04:30 & 05:30pm
Wednesday	09:30am, 05:15pm
Thursday	10:00am
Fridays	12:15pm
Saturdays	09:00am, 10:00am, & 12:30pm

During the time private lessons are offered, they could possibly have 8 customers per hour (one child and one adult in 15-minute increments). The business hours for private lessons are as follows:

Mondays	9:00 am – 1:00 pm and 3:00 pm – 7:00pm
Tuesdays	9:00 am – 1:00 pm and 3:00 pm – 6:00pm
Wednesdays	9:00 am – 1:00 pm and 3:00 pm – 7:00pm
Thursdays	9:00 am – 1:00 pm and 3:00 pm – 7:00pm
Fridays	9:00 am – 1:00 pm and 3:00 pm – 6:00pm
Saturdays	9:00 am – 1:00 pm

The driveway of this home is technically large enough for 7 City-size parking spaces but can realistically fit 5 vehicles. The owners of the property park in the garage. This leaves 2 dedicated employee spots and 3 additional spaces of off-street parking.

Because the home occupation generates greater than two customers per hour, the Planning Commission must give specific permission for it to do so.

(3) The area of the home devoted to the home occupation and/or storage of stock in trade shall not occupy more than 30 percent of the area of any one floor. Child care may use a larger percentage of the home.
The area of the home devoted to the home occupation occupies 36.45% of the first floor. This percentage was calculated using the square footage from City records rather than the estimate provided on the application.

Because the home occupation occupies more than 30% of the area of one floor, Planning Commission must give specific permission for it to do so.

(4) The home occupation shall not involve the use of any yard space or activity outside the residence, except where the use or activity is of the type customarily found in the residential neighborhood and where said use or activity does not adversely impact the residential nature of the neighborhood.
N/A

(5) The home occupation may store inventory or supplies within the garage or an accessory building as long as the garage still functions for parking as many vehicles as specified at the time of construction. The home occupation shall not store outside any type of material used for the business.
N/A

(6) No display of merchandise or advertising shall be visible from the street or neighboring properties, except as permitted in SCC 10.45.050.
N/A

(7) Residents may have one occupational vehicle and trailer, associated with the home occupation, that does not exceed 10,000 pounds gross vehicle weight for minor home occupations and 20,000 pounds gross vehicle weight for major home occupations. If the parcel on which the major home occupation is located is both over one-half acre in size and located along a major collector or arterial road, residents may have up to three occupational vehicles and trailers not exceeding 20,000 pounds gross vehicle weight each and only after the Planning Commission has determined that the additional vehicles can be accommodated on site in conformance with the text of this section. Occupational vehicles, trucks, and trailers may be allowed on site, provided they park said vehicles off the street, not within the front yard, on gravel, concrete, or asphalt, and not on any street adjacent to or near their premises. Business owners may not intentionally station, position, or park an occupational vehicle or trailer in any manner on private property so as to advertise, promote, or draw attention to products, services, events, or other similar purposes at the homeowner’s residence while parked thereon.
N/A

(8) The home occupation shall limit the number of vehicles for employee parking to two, other than those living in the dwelling, to come to work at the home or to park vehicles at the home to go to a job site. One additional dedicated off-street parking space for each employee vehicle shall be provided. Employees shall not park on the street in front of adjacent private property.
There are two employees on site from 9-1 and three employees on site from 3-close (6 or 7 pm Mon-Fri). Two of three afternoon employees carpool and there is dedicated off-street parking available for both vehicles. This condition is fulfilled.

(9) The home occupation shall generate no greater vehicular traffic or parking than commonly associated with the neighborhood wherein the applicant(s) will conduct business, i.e., heavy trucks, delivery, or similar vehicles, etc.
With the number of lesson slots available, there is a maximum of around 6 vehicles at the business in the morning Parent-Tot classes and 10 vehicles at the business in the evening Parent-Tot classes. All other hours for private lessons would result in around 3-5 vehicles at a time.

Should Planning Commission decide that any of these scenarios generate greater vehicular traffic or parking than commonly associated with the neighborhood, the Planning Commission must deny that portion or portions of the business that does so.

(10) A home occupation shall not store explosive or combustible materials anywhere on the premises. The home occupation shall not unreasonably disturb the peace and quiet of the neighborhood, including but not limited to interference of radio, television, or other electronic reception, by reason of design, materials, construction, lighting, odor, dust, sounds, noise, vibrations, vehicles, parking, and general operation of the business.
N/A

(11) Home occupations shall not hold promotional meetings, for the purpose of selling merchandise or taking orders, more than once per month.
N/A

(12) Home occupations shall not hold garage, basement, yard, or other similar sales more than four times each year, and each sale shall not last more than 72 hours.
N/A

(13) There shall be complete conformity with all City and state codes including fire, building, plumbing, electrical and health codes, and business license regulations. Appropriate departments will conduct any periodic inspections required by these codes.
N/A

(14) The home occupation shall not create a demand for municipal or utility services or community facilities in excess of those usually and customarily provided for residential uses.
N/A

(15) The home occupation shall not involve the installation of any equipment, fixtures, plumbing, or electrical wiring that is incompatible with a residential area by reason of excessive noise, utility usage, waste production or broadcast interruption, etc.
N/A

(16) The Land Use Authority may review and revoke any home occupation license upon a finding of noncompliance with this section. Inspections by the City may occur as necessary to assure conformance with these regulations.
N/A

(17) Disabled individuals can obtain a waiver through the Land Use Administrator to allow such persons to become self-sufficient.
N/A

(18) The City may place additional restrictions on a home occupation relating to hours of operation, parking, traffic, or other matters as it deems necessary to mitigate impacts on the neighborhood and the City in general.
At the discretion of the Planning Commission.

(19) A permit for a home occupation is valid for only the original applicant and is not transferable to any resident, address, or any other occupation. Upon termination of the applicant’s residency, the home occupation permit shall become null and void.
N/A

Syracuse City Code
Chapter 10.35 – Home Occupations and Temporary Commercial Uses
10.35.040 – Home occupation.

(D) Major Home Occupations.

(1) The definition of a major home occupation shall include any business within a residential zone that meets the standards listed in subsection (B) of this section but requires additional conditions of approval imposed by the Land Use Authority, as provided herein, to mitigate the increased impact of such home occupations on the surrounding property owners.

Major home occupations shall be conditional uses in all residential zones due to the potential increase in the impact of a business as allowed by the following:

(a) A larger commercial vehicle, not exceeding 20,000 pounds, may be used, provided it is parked on private property and adequately screened. Parking of the commercial vehicle shall occur on the side or in the rear of the home.
N/A

(b) Day care, where the number of children is greater than eight and a second employee is required at the home.
N/A

(c) Preschools, where the number of sessions is greater than four per week.
N/A

(d) A larger percentage of the home or an accessory building may be used for the home occupation under conditions recommended by the Planning Commission. The use of an accessory structure or an attached or detached garage, or yard space, for a home occupation may be considered as a conditional use only under the following conditions:

(i) The Planning Commission finds that the proposed home occupation will be clearly accessory and subordinate to the principal use of the property for dwelling purposes; and
For discussion amongst Commissioners.

(ii) The Planning Commission finds that the proposed home occupation will not adversely affect the residential nature and aesthetic quality of the neighborhood; and
For discussion amongst Commissioners.

(iii) Any off-street parking displaced by the home occupation is relocated elsewhere on the lot or parcel in compliance with setback standards for the zoning in which the property is located; and

No off-street parking for the residents of the home is displaced; no additional parking in either garage is displaced.

(iv) The Planning Commission may impose any conditions it deems necessary to mitigate impacts of the home occupation on the neighborhood.
At the discretion of the planning Commission.

(2) Major home occupations may include, but not necessarily be limited to, the following:

(a) Any use allowed as a minor home occupation that is requiring additional conditions of approval as shown in subsection (D)(1) of this section.
The additional conditions of approval needed are as follows:

1. The area of the home devoted to the home occupation and/or storage of stock in trade may occupy more than 30 percent of the area of any one floor
2. The occupation may also include the retail sale of products and services at the home with greater than two customers per hour.

(b) Small engine repairs (excluding automobiles, motorcycles, and snowmobiles).
N/A

(c) Woodworking.
N/A

(d) Pest or weed control service.
N/A

Common Procedural Questions and Relevant Code Sections

What standards apply to the issuance of a conditional use permit and which factors should the Planning Commission consider when discussing it?

Syracuse City Code
Chapter 10.20 – Administrative and Development Review Procedures
10.20.080 – Conditional use permits.

(E) Approval Standards. The following standards shall apply to the issuance of a conditional use permit. The Land Use Authority may:

(1) Issue a conditional use permit for a use located within a zone that would allow, through regulations, the particular conditional use.

(2) Impose conditions as necessary to prevent or minimize adverse effects upon other property or improvements in the vicinity of the conditional use, the City as a whole, or public facilities and services. These conditions may include but are not limited to conditions concerning use, construction, character, location, landscaping, screening, parking, hours of operation, and other matters relating to the purposes and objectives of this title. The Land Use Authority shall expressly set forth such conditions in the motion authorizing the conditional use permit.

(3) Approve, approve with conditions, or deny a conditional use, but shall approve it if they can impose reasonable conditions to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. However, if there are insufficient reasonable conditions the Land Use Authority could impose to substantially mitigate any reasonably anticipated detrimental effects of a proposed conditional use in order to achieve compliance with applicable standards, they may deny the requested conditional use.

(4) The Land Use Authority may request additional information as needed to determine the potential for compliance with requirements of subsection (E)(3) of this section.

(5) The Land Use Authority shall review and consider the following factors in determining whether to approve, approve with conditions, or deny a conditional use permit application:

(a) Compliance of the proposed use with intent of the City's general plan and the regulations and conditions of this title;

(b) The proposed use at the particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood and the community;

(c) Any reports and/or studies relating to utilities, traffic impact, school impact, soil and water impact, existing conditions, line-of-sight and building massing, and any other information in order to render a proper decision;

(d) Safeguards proposed or provided to ensure adequate utilities, transportation access, drainage, parking, loading space, lighting, screening, landscaping, open space, fire protection, pedestrian and vehicular circulation and to prevent noxious or offensive omissions such as noise, glare, dust, pollutants, and odor from the proposed facility or use;

(e) Impacts on schools, utilities, transportation, traffic, and streets for the proposed site and surrounding area, including the following criteria: appropriate buffering of uses and buildings, proper parking and traffic circulation, and use of building materials and landscaping that are in harmony with the area and compatible with adjoining uses; and

(f) Impacts to the health, safety, or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

Why do decisions regarding Major Home Businesses come to the Planning Commission for approval as the Land Use Authority?

1. **Syracuse City Code**
   Chapter 10.30 – General Land Use Regulations
   10.30.100 – Conditional uses.
   (B) Major. The following conditional uses are major and require approval as established in SCC 10.20.080:
   (8) Home occupations, major. See SCC 10.35.040.

2. **Syracuse City Code**
   Chapter 10.20 – Administrative and Development Review Procedures
   10.20.080 – Conditional use permits.
   (D) Procedure. The City shall process and consider an application for a conditional use permit as provided in this subsection.
   (4) The Community Development Department, as the Land Use Authority, shall approve or deny applications for minor conditional uses. The Planning Commission, as the Land Use Authority, shall hold a public meeting and thereafter approve, approve with conditions, or deny major conditional use permit application(s) pursuant to the standards set forth in subsection (E) of this section. The Land Use Authority shall limit any conditions of approval to those needed to reasonably ensure the conditional use substantially complies with approval standards.

How may someone appeal the Planning Commission's decision?

Syracuse City Code
Chapter 10.20 – Administrative and Development Review Procedures
10.20.080 – Conditional use permits.

(F) Appeal of Decision. Any person adversely affected by a decision of the Land Use Authority regarding the transfer, issuance or denial of a minor conditional use permit may appeal such decision to the Planning Commission by filing written notice of appeal stating the grounds therefor within 15 days from the date of such final determination. Any person adversely affected by a decision of the Land Use Authority regarding the transfer, issuance, or denial of a major conditional use permit may appeal such decision to the City Council by filing written notice of appeal stating the grounds therefor within 15 days from the date of such final determination.

Minutes of the regular meeting of the Syracuse Planning Commission, held in Council Chambers and accessible via Zoom on August 2, 2022, at 6:00 PM.

Present:	Commission Members:	Kenneth Hellewell, Chair Keeth Kennington, Vice-Chair Ivy Ruelan Lonn Hunter Scott Shea James King Dennis Johnson
Excused:		Alan Gallegos
	City Employees:	Noah Steele, CED Director Micheal Kerswell, Planner
	City Council Liaison:	Paul Watson
	Visitors**:**	Scott Walker, Mark Salzman, Ron Mulligan, Carolyn Szilagyi, Lauren Szilagyi, Danielle Fowers, David Greenhalgh, Wes Graham, Peter Gamvroulas

1. Meeting Called to Order

A quorum was present, as defined in Utah Code, Title 52, Chapter 4 – Open and Public Meetings Act. Chair Hellewell called the meeting to order at 6:00 PM as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the public and each commissioner. Commissioner Kennington provided an invocation and Commissioner Ruelan led the Pledge of Allegiance.

COMMISSIONER KENNINGTON MOVED TO ADOPT THE AGENDA FOR THE AUGUST 2, 2022 PLANNING COMMISSION MEETING. COMMISSIONER HUNTER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

2. Meeting Minutes

The following minutes were reviewed by the Planning Commission:

- July 19, 2022

COMMISSIONER HUNTER MOVED TO APPROVE THE MINUTES FOR THE JULY 19, 2022 PLANNING COMMISSION MEETINGS (REGULAR AND WORK SESSIONS). COMMISSIONER RUELAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

3. Public Comment

None presented.

4. Agenda Items

Public Hearing – Conditional Use Application Review: A home business called SwimKids, located at 738 W 2525 S, that may receive greater than two customers per hour and occupy more than 30% of the area of the first floor of the residence.

Community and Economic Development Director, Noah Steele recapped stipulations in the Conditional Use Permit (CUP). He explained that parking restrictions in the approved CUP are not necessarily the same as those found in City parking ordinances. He commented on complaints received from neighbors. He advised: according to the approved CUP, the home occupation shall generate no greater vehicular traffic or parking than commonly associated with the neighborhood wherein the applicant(s) will conduct business. He indicated that staff recommends the Planning Commission review the permit and merits of business operation against the conditions included in the original approval and either approve, conditionally approve, table, or revoke the application.

Business owner, Scott Walker maintained that SwimKids operators have complied with CUP conditions, as understood by the applicant. He asserted that feedback from neighbors has been proactively sought in an effort to mitigate conflicts. He stated that the company has plans to build a pool elsewhere and move the business to that location. He remarked on traffic flow generated by the business. He gave details on course offerings and business hours. He answered questions about parking accommodations.

Chair Hellewell opened the Public Hearing.

Facility owner and SwimKids partner, Aaron Thornock related the business' mission and affirmed that its operation precipitates a positive impact on the community.

Lauren Szilagyi voiced concern over parking problems in the area during hours of SwinKids operation. She contended that clients are not given proper parking instructions. She spoke of excessive noise and other nuisances that she's witnessed as an adjacent property owner.

Noah Steele read the following comment from David Storey:

> *To whom it may concern,*
> *In regard to the Conditional Use Application for SwimKids. Although I admire their efforts to teach swimming lessons to children, my concern is about the parking along 2525 South. I have noticed on several occasions there are many cars lining the street near the location, not just in front of the residence. This location is near the intersection of Bluff Ridge Drive and 2525 South, while school is in session at Bluff Ridge Elementary many parents park along these same streets to wait for students to be released from school. Even with a crossing assistant this is a very busy time for children in the area and may be a safety issue. I have not been a customer of this business and live far enough down the street that I am not directly affected by the parking situation. I would just like to provide the Planning Commission with another point of view for consideration. Thank you*

Chair Hellewell closed the Public Hearing.

Commissioner Ruelan read a clarifying excerpt from the minutes from the December 7, 2021:

> *Public Hearing – Major Conditional Use Permit for a home business called SwimKids, involving greater than 2 customers per hour, at approximately 738 W 2525 S by request of Christian Jensen*

Commissioner Kennington asked Mr. Thornock about his plans for the business and facility when SwimKids moves to their new location.

Aaron Thornock indicated that his family intends to break ties with the company and continue a scaled-back swimming lessons model (home occupation). He noted actions that have been taken to enhance privacy conditions for neighbors to the west of his property. He offered to pick up rocks and trash that unruly students have tossed over the fence, upon request of neighbors.

Chair Hellewell explained why this Conditional Use Permit is up for review.

Available off-street and on-street parking provisions for business customers were weighed up by the Planning Commission.

COMMISSIONER KENNINGTON MOVED TO EXTEND THE CONDITIONAL USE PERMIT FOR SWIMKIDS AS PREVIOUSLY APPROVED BY THE PLANNING COMMISSION AND ALLOW CONTINUED OPERATION OF THE BUSINESS PENDING ANOTHER REVIEW IN ONE YEAR. COMMISSIONER SHEA SECONDED THE MOTION. COMMISSIONERS KENNINGTON, SHEA, JOHNSON, RUELAN, KING AND CHAIR HELLEWELL VOTED AYE. COMMISSIONER HUNTER VOTED NAY. THE MOTION CARRIED.

Public Hearing – Conditional Use Application for Colorful Creations; a preschool located at 1246 S 4350 W.

Noah Steele gave an overview of the proposed business model and the submitted Conditional Use Permit application. He stated, City Code requires that the Planning Commission ascertain conditions if an exceptional percentage of the home or an accessory building is to be be used for the home occupation. He noted that there is no off-street parking proposed and the business will occupy approximately 80% of the basement.

Business owner, Danielle Fowers explained that she has started a waiting list for students but is awaiting approval of this CUP to begin the official registration process. She laid out the intended pick up and drop off schedule and described points of access.

Chair Hellewell opened the Public Hearing.

No response was submitted.

Chair Hellewell closed the Public Hearing.

COMMISSIONER RUELAN MOVED TO APPROVE THE CONDITIONAL USE PERMIT FOR COLORFUL CREATIONS PRESCHOOL, WITH THE APPLICANTS REQUEST FOR 6 SESSIONS PER WEEK WITH UP TO 12 STUDENTS PER SESSION. COMMISSIONER KENNINGTON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Public Hearing – Site Plan for Choice Foodservice Equipment Building, to be located at 322 S 1000 W, containing 1.274 acres in the Industrial (ID) Zone.

Noah Steele described the proposed use and location of the industrial building. He stated that staff and the Architectural Review Committee (ARC) have reviewed the plans for compliance with land use ordinances and found them to be in compliance. He acknowledged that the Planning Commission is the land use authority for site plans so this item is not required to go to City Council.

Applicant, David Greenhalgh provided a tentative timetable for the project. He pointed out that the building is designed to accommodate multiple flex offices in the future, noting that Choice Foodservice Equipment will occupy the entire space initially.

Chair Hellewell opened the Public Hearing.

No comment was presented by the public.

Chair Hellewell closed the Public Hearing.

COMMISSIONER KENNINGTON MOVED TO APPROVE THE SITE PLAN FOR CHOICE FOODSERVICE EQUIPMENT, AS PROPOSED. COMMISSIONER RUELAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Public Hearing – Land Sale: City-owned property located at 950 W 2920 S, comprising 0.23 acre.

Noah Steele informed that the parcel is currently a dedicated detention basin for storm water runoff associated with the Walnut Grove subdivision and will continue to be used for that purpose as a privately-owned property. He identified the potential buyer and purchase amount. He spoke of the history of the plot and outlined the procedure for selling public land. He explained that the Planning Commission's duty is to review the offer and hold a public hearing, then forward the recommendation to City Council for final action.

Chair Hellewell opened the Public Hearing.

No public input was offered.

Chair Hellewell closed the Public Hearing.

COMMISSIONER HUNTER MOVED TO RECOMMEND CITY COUNCIL APPROVAL OF THE WALNUT GROVE DETENTION BASIN SALE. COMMISSIONER KING SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Public Hearing – Text Amendment: An amendment to the *Housing* section of the General Plan, regarding moderate-income housing plan provisions.

Noah Steele advised that in order to comply with state law, the city is mandated to make some updates to the housing section of the adopted General Plan. He reported that the City Council discussed possible strategies in their June 2022 work meeting and directed Planning Commission to evaluate their submissions. He reviewed the *Housing* section of the Syracuse General Plan. He analyzed current data regarding income levels and housing costs. He summarized figures from research of present-day home prices and rental rates throughout Syracuse.

Chair Hellewell remarked on a perceived scarcity of “starter”, single family dwellings available in the area. He suggested that the construction of affordable houses on individual lots be incentivized.

Commissioner Ruelan briefly reviewed Syracuse, New York’s comprehensive affordable housing plan that is expected to result in the creation and preservation of 100,000 affordable homes over the next five years. She emphasized that housing is not the only topic addressed in the plan.

Commissioner Shea verified that the aim of the legislation is to provide home pricing at an affordability rate of 80% of Annual Median Income (AMI) according to a table in the Syracuse General Plan.

Chair Hellewell opened the Public Hearing.

Syracuse resident, Julie Kerswell indicated that she currently lives in an older apartment with her family. She related a personal account of her struggle to find an affordable home to purchase in Syracuse. She spoke of rent prices that are escalating at the same rate as home prices. She encouraged the Planning Commission to work toward a real solution to the shortage of affordable housing in the City.

Paul Watson clarified that the City is trying to comply with a state law which on face value has good merit. He asserted that states and municipalities do not build homes and cannot control prices. He commented on the finite amount of developable land on the Wasatch front and cited demand as the cause of escalating housing costs in the area.

Chair Hellewell closed the Public Hearing.

Commissioner Kennington explained; the population of a city and its economic growth is closely interlinked with the attainment of commercial development. He expressed accord with the City Council's choices for General Plan addendums.

Chair Hellewell proposed that language promoting affordable, single-family dwellings be added somewhere in the *Housing* section of the General Plan. He told of recently exhibited, adverse results of the Mixed-Use (MXD) zone in relation to commercial development.

Commissioner Hunter agreed with Commissioner Kennington's conclusion.

Commissioner Ruelan requested a listing of Mixed-Use projects, reportedly approved for construction in Syracuse.

Noah described four Mixed-Use projects that have broken ground or will soon be underway in Syracuse.

COMMISSIONER HUNTER MOVED TO RECOMMEND THE PRESENTED AMENDMENTS WITH AN ADENDED FOCUS ON ADVANCEMENT OF AFFORDABLE, SINGLE-FAMILY DWELLINGS, BE APPROVED AND INSTITUTED BY THE CITY COUNCIL. COMMISSIONER RUELAN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

5. Adjourn

AT 8:03 PM COMMISSIONER RUELAN MOVED TO ADJOURN AND PROCEED WITH THE WORK SESSION. COMMISSIONER KING SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

_____ _____

Planning Commission City Staff

Date Approved: _____

COUNCIL AGENDA
September 13, 2022

Agenda Item **#5** Appointment of City Attorney

Factual Summation

- Any question regarding this agenda item may be directed at City Manager Brody Bovero or Mayor Dave Maughan.

- The City advertised for potential candidates to be appointed as the new City Attorney. This occurred due to the vacancy made by the departure of Paul Roberts to another city, which shall not be named.

- The City received approximately 10 applications and conducted interviews with four candidates via an interview panel appointed by the Mayor.

- With input from the interview panel, the Mayor narrowed the field down to two candidates who then returned for a second interview. The second interview consisted of a panel appointed by the Mayor, including the City Manager, HR Manager, Mr. Paul Roberts, and Councilmembers Savage and Watson.

- With input received from the panel, the Mayor has decided on one of the candidates for consideration. Terms of an offer are currently being discussed, so the applicant's name will not be included yet in the packet. More information will be forthcoming.

Action Item

- The appointment of the City Attorney is made by the Mayor with the advice and consent of the Council. This resolution is on the agenda for a vote to establish the Council's consent.

RESOLUTION R22-34

A RESOLUTION OF THE SYRACUSE CITY COUNCIL APPOINTING A CITY ATTORNEY FOR SYRACUSE CITY

WHEREAS, Section 2.25.010 of the Syracuse City Code indicates that the City Attorney position is considered an appointed office that must be filled by an appointment made by the Mayor with advice and consent of the City Council; and

WHEREAS, _____ desires to be employed as the City Attorney of Syracuse City and the Mayor recommends that he/she be appointed to do so; and

WHEREAS, the City and _____ both agree to enter into an employment contract that outlines the terms of employment;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Appointment: The Syracuse City Mayor, with advice and consent of the Council, hereby appoints _____ to serve as the City Attorney pursuant to the City's Ordinances, Rules and Regulations.

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

Section 3. Effective Date: This Resolution shall become effective _____.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 13th DAY OF SEPTEMBER, 2022.

_____ Cassie Z. Brown, City Recorder

_____ Mayor Dave Maughan

Voting by the Council:	AYE	NAY
Councilmember Bingham:	_____	_____
Councilmember Carver:	_____	_____
Councilmember Watson:	_____	_____
Councilmember Savage:	_____	_____
Councilmember Teague:	_____	_____

CITY COUNCIL AGENDA

September 13, 2022

Agenda Item #7 Approval of Minutes.

Factual Summation

- Please see the draft minutes of the following meeting(s):
    a. July 26, 2022 City Council Work Session Meeting.
    b. July 26, 2022 City Council Special Business Meeting.
    c. August 9, 2022 Truth in Taxation Hearing.
    d. August 9, 2022 City Council Business Meeting.

- Any question regarding this agenda item may be directed at Cassie Brown, City Recorder.

Minutes of the Work Session of the Syracuse City Council, held on July 26, 2022 at 6:00 p.m., in a hybrid in-person/electronic format via Zoom, meeting ID 861 4298 7979, in-person in the City Council Conference Room at 1979 W. 1900 S., and streamed on the Syracuse City YouTube Channel in accordance with House Bill 5002, Open and Public Meetings Act Amendments, signed into law on June 25, 2020.

Present: Councilmembers: Lisa W. Bingham
Jennifer Carver
Jordan Savage
W. Seth Teague
Paul Watson

DRAFT

Excused: Councilmember W. Seth Teague

Mayor Dave Maughan
City Manager Brody Bovero (via electronic means)
Deputy City Recorder Marisa Graham

City Employees Present:
Administrative Services Director Stephen Marshall
City Attorney Paul Roberts
Fire Chief Aaron Byington
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Public Works Director Robert Whiteley
Community and Economic Development Director Noah Steele

The purpose of the Work Session was to receive public comments; review draft Rocky Mountain Power franchise agreement; discuss the following planning items:

1. Review/discussion regarding existing procedure for considering architectural style of a development project.
2. Discussion regarding building permit fees for Accessory Dwelling Units (ADUs).

Discuss open space requirements in Cluster Zone; discussion possible amendment of City Code Section 3.10.080 pertaining to the scope of the Planning Commission; participate in continued discussion regarding Syracuse City Youth Council; and participate in General Budget discussion and preparation for Truth in Taxation process.

Public comments

Mayor Maughan invited in-person public comments. There were no persons appearing to be heard.

Mayor Maughan noted the agenda for tonight's meeting provided instructions for individuals to email public comments to be read for the record of the meeting. He invited Deputy City Recorder Graham to read any emailed public comments. Ms. Graham read public comments sent by Matthew Shumann, as follows:

"Mr. Mills/City Council

I am a Syracuse UT citizen in the Criddle Farm subdivision (4000W 800S). Our neighborhood has struggled with secondary water pressure. Are the pumps adequately sized to the number of connections in the city? Also with the watering restrictions are the pumps able to maintain pressure with usage restricted to dates and times. Neighbors and I are finding water being wasted running full sprinkler cycles to find out the water trickled out of the pop-ups not having the pressure to raise them. At one point my main line secondary water hose had zero water coming out of it with it all the way open. NOTE filter has been checked and is clean, NOTE system does function when pressure is present

1) Are you aware of the current pressure issues?
2) Is there a plan in place?
3) Is the city council aware of the current pressure issues?
4) One other strong concern I have is many irrigation systems have auto drains to avoid freezing in the winter months. These drains open when there is no pressure in the line. I fear they could be large amounts of water being wasted if secondary water line pressures aren't maintained causing self-drain systems to open.

Matthew Shumann"

Review of draft Rocky Mountain Power franchise agreement.

A staff memo from the City Manager explained the franchise agreement with Rocky Mountain Power is made to allow RMP to provide electricity to citizens and businesses via the City's public rights of way. It is essentially a blanket permission for all roadways in the city, with certain requirements and restrictions attached. The current franchise agreement dates back to 2013 and has a term of 10 years. With the expiration approaching, it is time to review it and adopt a new agreement with a new term. The memo provided a general overview of the agreement:

- **Grant of Franchise and General Utility Easement**: The city allows RMP to use public rights of way for purposes of supplying and transmitting electric power.
- **Term:** The proposed term is not set. The suggested term is 10 years.
- **Indemnification**: The City is in no way liable for any damage, loss, injury, or death caused by the construction, operation, or maintenance of RMP facilities.
- **Annexation**: When areas are annexed, this agreement automatically applies to the newly annexed area.

- **Construction and Installation of RMP Facilities**: RMP facilities must comply with the City's engineering standards and comply with City rules and regulations. Except in cases of emergency, RMP is required to obtain permits from the City prior to construction.
- **City Use of Poles**: The City may utilize RMP poles, without cost, for public safety communications or signals.
- **Relocation of Electric Facilities**: The City has the right to require RMP to relocate electric facilities for purpose of public convenience, necessity, health, safety, or welfare at no cost to the City. RMP shall not be obligated to pay the cost of relocation that is required as part of a private development.
- **Vegetation Management**: RMP may prune any trees that overhang the public right of way and interfere with RMP facilities. With approval of the owner, any such tree may be cut down and removed by RMP.

The memo then summarized proposed changes from the current agreement:

- **Section 1**: Clarifies that parks and other public properties are not part of the agreement.
- **Section 4**: Broadens the non-exclusive use of public ways by the City to allow all other services, not just water and sewer.
- **Section 18**: Adds a waiver of jury trial clause, where both parties waive the right to a jury trial associated with the agreement.

The memo concluded the goals of this discussion are to review and discuss the draft franchise agreement with Rocky Mountain Power and provide direction to the Administration on placing this item on a future agenda for adoption by the Council.

Mr. Bovero reviewed his staff memo and facilitated discussion among the Council regarding the implications of the draft franchise agreement; there was a focus on resident notification regarding vegetation management/control within rights-of-way. Mr. Bovero indicated he will reach out to Rocky Mountain Power to determine if they are accepting of adjusting the language in the agreement regarding resident notification when a certain percentage of a resident's tree will be removed; once he has a response from the utility provider, he will include an action item on a future business meeting agenda for Council consideration.

Planning item: Review/discussion regarding existing procedure for considering architectural style of a development project.

A staff memo from the Community and Economic Development (CED) Department explained that before a new commercial, industrial, professional office, mixed use development, or public facilities building is built in the City, it is required to go through the site plan approval process. Planning Commission is the land use authority for site plans. Before the Planning Commission reviews a site plan, it must first go through staff review and a meeting with the Architectural Review Committee (ARC). The ARC acts as a recommending body to Planning Commission. The ARC consists of various community members, Staff, Planning Commissioners, and a City Council liaison (Lisa Bingham). The committee reviews architectural elevations and site plan documents for compliance with the design standards adopted in Chapter 10.28 of the City Code. The design standards are not overly specific to any one architectural style or color but rather focus on general form to ensure high quality design.

CED Director Steele reviewed his staff memo and invited Councilmember Bingham to participate in discussion with the entire Council regarding the current review process and current architectural standards and whether any adjustments may be appropriate; the Council engaged in high level philosophical debate regarding the appropriate architectural standards for buildings of different uses. There was a brief focus on standards that encourage walkability and cohesion in commercial developments within the City. They concluded that no changes to the architectural standards are needed at this time, but they would like to hear recommendations on potential changes to standards for the City center that could be implemented as new projects are completed or as existing buildings are updated, including relaxing of existing standards that could be interpreted as too strict or prohibitive for certain businesses interested in locating in the City.

Planning item: Discussion regarding building permit fees for Accessory Dwelling Units (ADUs).

A staff memo from the Community and Economic Development (CED) Department explained this discussion item was requested by a resident interested in building an ADU in his backyard but was surprised by the high dollar amount of impacts fees that would be charged to build the structure. Fees related to building permits are found in the consolidated fee schedule. When somebody builds a detached ADU behind their house, more people will move in and thus increase impacts to the city's parks, transportation, and public safety. Impact fees are charged with the original home building permit and then again with the ADU. The legislature passed a law that says for basement apartments (internal ADU) cities can't charge the impact fees. However, cities can still legally charge impact fees with a detached ADU. If the city waives the fee for detached ADU's, that can count as an approved strategy in the city's moderate income housing plan.

CED Director Steele reviewed the staff memo and facilitated discussion regarding the implications of approving the resident request; there was a focus on the manner in which impact fees are calculated and whether there is a need to change the City's impact fee standards for ADUs. The Council concluded the existing policy upon which impact fee calculations for ADUs is based is still valid and should be unchanged. They indicated they do not feel it is appropriate or necessary to approve the resident's request to adjust the impact fee for his ADU project and that they would like for the City's website to include clear information about the manner in which impact fees are calculated for all types of building projects.

Discussion regarding open space requirements in Cluster Zone.

A staff memo from the City Attorney explained developments in the Cluster zone are required to provide 50 percent or more of the ground for open space, which may be retained by the residents or dedicated to the City. Restrictions associated with open space in the Cluster Zone include:

- It may not include streets, driveways or parking areas
- It may only be used for agriculture, recreation, or wetland preservation
- Open space that is use for recreation is anticipated to be fully landscaped and developed with amenities for the full use of all residents and the public
- No fencing is permitted

These restrictions were established by the City in order to preserve the open space aspects of the zone – the higher densities of the clustered homes are enhanced by the views and openness they enjoy from the clustered open space. The question has arisen whether structures used for recreational purposes could be established in the open space. If the amenity had no parking areas or fencing, then it seems to fit within the stated purposes of the open space/common space designation. For instance, a soccer field could be established there if the soccer pitch relied upon on-street parking for its use. If parking areas, driveways to the parking areas, and fencing are contemplated as part of these recreational amenities, then the code would need to be changed prior to its establishment. If amended, then the text would apply to any other future Cluster zones. Potentially, a developer could build parking areas for a recreational amenity that also serves as overflow parking for the development. This effect could be limited by language that restricts the establishment of parking areas to those areas connected to a recreational amenity, and an indication that parking provided there does not count toward the parking requirements for the remainder of the subdivision. If fencing is permitted in recreational areas, then a developer could also establish a fence in future open spaces. This could serve as a perceived barrier against public use of the open space and would also result in a less open feeling for users of the property. The Council should also consider the impact this might have

on residents who have settled into the homes built in the Fields with an expectation that the field to their south would remain a field. The Council should also consider whether preserving this as cropland will aid farmland conservation efforts. The memo concluded the goals if this discussion are to determine whether to pursue a text amendment with an eye of establishing an exception for recreational amenities with parking and fencing components and, if so, the next step will be for the CED Department to provide a proposed text amendment to Chapter 10.80 of the Zoning Code.

City Attorney Roberts reviewed his staff memo and facilitated discussion among the Council regarding the subject matter; there was a focus on the type of fencing that would be used around the open space and parking accommodations based upon the amenities included in the public open space. Mayor Maughan concluded the feedback and direction provided by the Council tonight will be forwarded to the Planning Commission for their consideration; they will be asked to provide a formal recommendation regarding a possible text amendment.

Discussion of possible amendment of City Code Section 3.10.080 pertaining to the scope of the Planning Commission.

A staff memo from the City Attorney explained Section 3.10.080 of the Syracuse Municipal Code currently includes the following as within the scope of the Planning Commission (emphasis added):

All matters pertaining to:

(A) The physical development of the City, except as concerned with the International Building Code as adopted by the State of Utah;

(B) The use and zoning of land for private or public purposes;

(C) Location, widening, narrowing, abandonment, extension or relocation of proposed or existing streets; also, the acquisitions of land for new streets, for the acceptance of private streets for public use, and the sale of or lease of municipally owned streets;

(D) The acquisition or acceptance of land for any public property, public way, ground, place, or structure; also, the sale or lease of municipally owned property, and the location of public buildings, parks or other open spaces;

(E) The location and extent of public or private utilities; and

(F) The subdivision of land; shall be submitted to the Planning Commission for consideration and recommendation before action is taken thereon by the City Council or other City official.

State law does not require the Planning Commission's input on the acquisition or sale of land. For a list of Planning Commission powers and duties, see Utah Code Ann. § 10-9a-302(1). When it comes to selling "significant parcels," the city is required to conduct a hearing with 14-day notice. Utah Code Ann. § 10-8-2(4). The Code does not specify where the hearing is conducted, so we have been conducting them in the Planning Commission. The City is not required by state law to conduct a public hearing for land acquisitions, unless it is acquiring the land from outside of its boundaries for infrastructure or other facilities. The City is not required by state law to conduct a hearing for parcel sales that are not considered "significant." Reminder: The City Council defined whether a parcel is "insignificant" in a resolution it adopted in 2019: (i) the conveyance is not anticipated to result in a change of zoning on the property, (ii) the conveyance does not conflict with a specific reference in the general plan, and (iii) the parcel is not of the size, configuration and zoning that would permit the construction of a primary structure on the property. Requiring all land acquisitions and sale to go through the Planning Commission usually adds between 2-6 weeks to the overall process, depending on calendaring, notice deadlines and the cycle between work and business sessions for Council meetings. It can also draw the Planning Commission into matters of policy beyond planning – such as whether the transaction is a good deal or the details of the transaction. The goal of this discussion is to consider whether to remove the Planning Commission's purview over all land sales and purchases. If the Council wishes to do so, then direct staff to prepare an amendment to the ordinance for consideration at the next business meeting.

City Attorney Roberts reviewed his staff memo. The Council indicated they are comfortable adjusting the City Code to remove the requirement of the Planning Commission to provide a recommendation regarding land transactions.

Continued discussion regarding Syracuse City Youth Council.

A staff memo from the City Manager summarized previous discussions of the Council regarding organization of the Youth Council:

- **Number of Adult Mentors**: The Council previously discussed appointing one or two adult mentors to run the program.
- **Term of Service for Students:** The Council previously discussed adjusting the calendar of the Youth Council, so students serve beginning in the fall, and serving through the end of the school year into the summer.
- **Youth Council Activities and Service**: The Youth Council would do the following:
    - Attend one business session and one work session of the City Council

- Assist in planning and helping with 5-6 public events, which could be city events or other public events.
- Periodic meetings, monthly or quarterly, to plan and coordinate activities.

- **Age Groups**: There needs to be a consensus on the student grades that are eligible. 9th through 12th grade, or 9th through 11th grade are suggested.
- **Report Card Grade Standards**: Should the City require a report card grade and citizenship grade standard in order to participate?
- **Methods of Advertisement**: Which methods should be used to recruit participants? Suggested methods include the city magazine, social media, school district Peach Jar newsletter.

Prior to starting up the newly organized Youth Council, the following items will need to occur:

- Find consensus amongst councilmembers on the items listed above
- Amend the City ordinance pertaining to Youth Council, as needed
- Advertise and select volunteer adult mentors
- Recruit student participants

Mr. Bovero reviewed his staff memo and facilitated discussion among the Council regarding potential changes to the Syracuse City Youth Council ordinance; he indicated he will use the feedback provided by the Council to craft an ordinance that addresses topics such as student grades/citizenship requirements; limitations on the number of members of the Youth Council based upon the number of advisors; and methods of recruitment of student participants.

General budget discussion and preparation for Truth in Taxation process.

An administrative staff memo explained this discussion item is meant to allow any item related to the upcoming FY23 budget amendment pursuant to the August 9, 2022 Truth in Taxation hearing. The Council is welcome to address any items that they feel necessary to discuss related to the budget. In addition to the budget hearing on August 9, a presentation will be given to explain to the public the consideration of the potential property tax increase. The presentation is attached for the Council's review. If there are any other major points to consider in the presentation, the Council can provide that direction to staff at the meeting.

Mr. Bovero reviewed his staff memo and briefly reviewed his draft presentation for the Truth in Taxation hearing; the Council provided feedback regarding their desired adjustments.

The meeting adjourned at 7:33 p.m.

_____	_____
Dave Maughan	Cassie Z. Brown, MMC
Mayor	City Recorder

Date approved: _____

Minutes of the Syracuse City Council Special Meeting, July 26, 2022.

Minutes of the Work Session of the Syracuse City Council, held on July 26, 2022, at 7:33 p.m., in a hybrid in-person/electronic format via Zoom, meeting ID 861 4298 7979, in-person in the City Council Conference Room at 1979 W. 1900 S., and streamed on the Syracuse City YouTube Channel in accordance with House Bill 5002, Open and Public Meetings Act Amendments, signed into law on June 25, 2020.

DRAFT

Present: Councilmembers: Lisa W. Bingham
Jennifer Carver
Jordan Savage
Paul Watson

Excused: Councilmember W. Seth Teague

Mayor Dave Maughan
City Manager Brody Bovero (via electronic means)
Deputy City Recorder Marisa Graham

City Employees Present:
Administrative Services Director Stephen Marshall
City Attorney Paul Roberts
Fire Chief Aaron Byington
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Public Works Director Robert Whiteley
Community and Economic Development Director Noah Steele

1. Meeting Called to Order/Adopt Agenda

Mayor Maughan called the meeting to order at 7:33 p.m. as a special meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember.

COUNCILMEMBER CARVER MOVED TO ADOPT THE AGENDA. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR. Councilmember Teague was not present when this vote was taken.

2. Consideration of adjourning into Closed Executive Session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Law for the purpose of discussing the character, professional competence, or physical or mental health of an individual; pending or reasonably imminent litigation; or the purchase, exchange, or lease of real property (if necessary).

COUNCILMEMBER BINGHAM MOVED TO ADJOURN INTO CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE PURPOSE OF DISCUSSING THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF

AN INDIVIDUAL. COUNCILMEMBER CARVER SECONDED THE MOTION. ALL VOTED AYE. Councilmember Teague was not present when this vote was taken.

The meeting recessed at 7:34 p.m.

The meeting reconvened at 8:32 p.m.

At 8:32 P.M. COUNCILMEMBER BINGHAM MADE A MOTION TO ADJOURN. COUNCILMEMBER CARVER SECONDED THE MOTION; ALL VOTED IN FAVOR.

_____ _____

Dave Maughan
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: _____

Minutes of the Syracuse City Council Truth in Taxation Meeting, August 9, 2022

Minutes of the Truth in Taxation meeting of the Syracuse City Council held on August 9, 2021 at 6:00 p.m., held in a hybrid in-person/electronic format via Zoom, meeting ID 814 2193 7453, in-person in the City Council Chambers at 1979 W. 1900 S., and streamed on the Syracuse City YouTube Channel in accordance with House Bill 5002, Open and Public Meetings Act Amendments, signed into law on June 25, 2020.

Present: Councilmembers: Lisa W. Bingham
Jennifer Carver
Jordan Savage (via Zoom)
W. Seth Teague
Paul Watson

DRAFT

Mayor Dave Maughan
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:
Administrative Services Director Steve Marshall
City Attorney Paul Roberts
Public Works Director Robert Whiteley
Parks and Recreation Director Kresta Robinson
Fire Chief Aaron Byington
Community and Economic Development Director Noah Steele
Deputy Police Chief Heath Rodgers

1. Meeting Called to Order.

Mayor Gailey called the meeting to order at 6:00 p.m. as a special meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. Councilmember Teague provided an invocation and Councilmember Bingham led the audience in the Pledge of Allegiance.

2. Consideration of Final Budget for Fiscal Year 2022-2023. Truth in Taxation Public Hearing and consideration of Proposed Resolution R22-30 setting the certified tax rate and adopting the final budget for the Fiscal Year (FY) ending June 30, 2021.

A staff memo from the City Manager and Administrative Services Director explained that as required by Utah Code Annotated 10-6-118, "before the last June 22 of each fiscal period, or, in the case of a property tax increase under Sections 59-2-919 through 59-2-923, before September 1 of the year for which a property tax increase is proposed, the governing body shall by resolution or ordinance adopt a budget for the ensuing fiscal period for each fund for which a budget is required under this chapter. A copy of the final budget for each fund shall be certified by the budget officer and filed with the state auditor within 30 days after adoption." The Council is considering a truth in taxation process and raising property taxes by $1,193,000 the second half of the paramedic program ($450,000) and to fund additional employees in the following positions as noted below.

- Police Officer III
- 2 Park Maintenance Workers
- Facilities Maintenance Tech.
- Public Information Specialist
- HR Specialist
- Public Works Inspector

Since the Council is considering increasing the tax rate above the county certified tax rate, it is considered a tax increase under state law and requires a truth in taxation process. The council just completed a truth in taxation public hearing to discuss increasing the tax rate. The council will now need to decide to accept the proposed tax rate, accept a portion of the rate increase, or reject the rate increase and accept the certified tax rate from the county. The City advertised in the newspaper once individually and once on a county combined advertisement the intent to increase taxes. This increase shows on the property tax bills that were sent to all residents during late July. The tax bill shows that a TNT meeting will be held and gave a date and time of the public hearing.

Mayor Maughan summarized the City's annual budget development process, which included several public meetings and opportunity for public input, after which City Manager Bovero reviewed the above staff memo and used the aid of a PowerPoint presentation to provide information regarding the items that will be funded with the additional revenue to be generated by the proposed property tax increase. He stated the City's mission statement is to 'provide quality, affordable services for its citizens while promoting community pride, fostering economic development, and preparing for the future'. Everything the City does aims to accomplish this mission statement and the focus of tonight's discussion will be on 'quality' and 'affordable' services. He discussed the availability of information regarding the City's finances; the City strives for transparency in financial reporting and has received the certificate of achievement for excellence in financial reporting from the Government Finance Officers Association (GFOA) for the past 12 years. Mr. Bovero then discussed the City's revenue sources in the General Fund; property taxes are just 15 percent of the City's total revenue. The State law is written in a way that allows for the rate to adjust based upon an increase or decrease in property tax rates; if the City does not adjust the rate, the amount of revenue it receives year after year would remain constant regardless of changes in property value. However, inflation can erode the City's buying power; if the property tax rate were never adjusted, the same $1,000 received in 2011 would be worth just $786 in 2022. New growth requires the City to cover additional services required by new property; it is not intended to offset inflation. For an average Syracuse home valued at $535,000, the City receives just $372 in property taxes.

The majority (65 percent) of a resident's property taxes are diverted to the Davis County School District. The City's share is just 13 percent. There are other taxing entities in the County that receive a smaller portion of the total property tax paid by residents. He then cited other things that residents pay for on an annual basis that are equal to or greater than the amount they pay in City property tax, including cable streaming services ($660); cell phone bills ($1,368); and cable television ($1,141). However, for the $372 paid to the City, the average resident gets public safety coverage, public works services, and quality parks. He noted he feels the average resident gets a great value for what they pay to the City for property taxes. If the City's property tax rate were not adjusted this year, the rate would drop from 0.001653 to 0.001265. The current proposal is to adjust the tax rate from 0.001653 to 0.001689, which will generate an additional $1,193,000 in additional revenue. This equates to $124.76 per year or $10.40 per month for the average residence. With the additional revenue to be generated by the tax increase, the City would fund the remaining cost of the transition of paramedic services from Davis County to Syracuse City ($450,000), hire two parks maintenance workers ($132,000), hire a Police Officer III ($128,500), hire a public information specialist ($98,250), hire a human resources specialist ($86,000), hire a facility maintenance technician ($80,000), and allocate $18,5000 for a public works inspector position. He provided a breakdown of the average monthly cost each household will pay for these additional positions/services, after which he noted there are additional needs that will not be addressed by this tax increase, including:

- Landscaping along the West Davis Corridor (WDC) project;
- Park Development
- Park Land Acquisition
- Street Repaving
- Creation of a full Traffic Unit in the Police Department.

Finally, Mr. Bovero presented a chart comparing the City's property tax rates with neighboring cities in Davis County, some of which to not have their own Fire Department and their residents pay an additional tax to the North Davis Fire District (NDFD); he noted that Centerville, Clearfield, Fruit Heights, South Weber, Sunset, West Bountiful, and West Point are also holding truth in taxation hearings this year.

Mayor Maughan then discussed questions that he has received in advance of this hearing relating to matters such as the self-sustaining programs in the City that are not funded by property tax revenue, increased utility fees in addition to property tax increases, applications for and receipt of grants for certain projects and programs in the City to avoid a greater property tax

increase, unfunded mandates from higher levels of government that the City must comply with, and projects that are being delayed at this time to reduce the burden on taxpayers.

Mayor Maughan opened the public hearing at 6:45 p.m.

Mayor Maughan stated that tonight's meeting agenda provided instructions for residents to email their public comments to City Recorder Brown by 4:00 p.m. tonight in order for them to be read into the record of the meeting. Ms. Brown indicated she received just one email for this meeting, which she read as follows:

"To Mayor Maughan and City Council:

Back in February 2022, the Museum presented a proposal to the city regarding our goals to expand the main building. While we understand the logistics of this proposal may take longer than we expected, we were shocked to find that the city only gave the museum the usual $500 for the yearly budget. We asked for around $250,000; we did not expect to receive that entire amount, or even half, but to receive nothing more than $500 is disappointing.

The Museum has drastically improved operations, education outreach, miscellaneous programming, and updated exhibits. Even during the COVID-19 pandemic, we managed to keep operations and business afloat despite the decrease in visitor attendance and donations. With the addition of hours for our Curator, we have many more exciting goals ahead that absolutely require support from the city.

Our expansion presentation was well received by the City Council. The Museum contributes to the good name of Syracuse more than any other city entity through visitors from all over the world, all over the United States, and locally. We have many positive reviews from attendees saying the Museum was one of their favorite experiences while visiting Utah. A local citizen who visited the museum told us that we are a bright star in the community. With our current volunteers, there are roughly 40 hours a week of volunteer time promoting Syracuse City through the Museum. That equates to one full-time employee that the city doesn't have to hire which gives a positive, public relations spin. We were very disappointed that there were no funds available to contribute to our vision of expansion and growth.

We appreciate the yearly donation of $500, but by comparison, other city museums operating budgets are much higher. For example, the City of Layton gives the Heritage Museum of Layton $5,000 for operational expenses in addition to $75,000 from RAMP tax funding. We were hoping to get some expansion money from the sale of the city property near the cemetery as even a small percentage of that would help us immensely.

We hope you understand our frustrations with this situation. Our Curator and volunteers work hard to preserve the history, heritage, and culture of life along the Great Salt Lake, and we all want to see support from the city that we cherish. It's critical that the city invests in the Museum - as we experience rapid growth, we must preserve the history before it's lost and forgotten by future generations.

We hope to hear from each of you soon. Thank you for your time and consideration,

SYRACUSE MUSEUM FOUNDATION BOARD

L. Dean Hill, President

Mike McBride, Vice President

Lanny Holbrook, Treasurer

Phil Gooch

Mike Gailey

Terry & Diane Palmer

Colleen Thurgood

Corinne Bolduc

Charlotte & Chuck Wright

Steven Anderson

John Bosworth

Jeani & Ernie Field

Lynn John

Laurie Nichols

Doug Peterson

Mark Petersen

Lisa Saunders"

Mayor Maughan then invited in-person public comments.

Tom Park spoke to the impact that inflation is having on his and other households in the community; he added that he does not pay the costs included in Mr. Bovero's presentation for cable streaming services and a cell phone bill. His family is on a fixed budget, and they have had to reduce costs to adapt to inflation and he suggested the City do the same.

Mike McBride asked why other cities are able to keep their tax rates low, but Syracuse City has been forced to increase property taxes and fees on a regular basis. He then asked if Davis County reduced their tax rate in conjunction with transferring paramedic services to cities.

Mayor Maughan stated that the County's tax rate was reduced to offset the property tax increase considered by cities to which paramedic services was transferred.

Councilmember Bingham then stated that her guess as to why other cities are able to keep their property tax rates lower is that they have a stronger commercial/business tax base that Syracuse City has.

Alan Miller stated that Mayor Maughan suggested parks and recreation programs are self-sustaining and not supported by tax revenue, but he noted City residents pay a recreation, arts, parks (RAP) tax to fund certain park and recreation programs. Mayor Maughan acknowledged that is correct. Mr. Miller then spoke to the inability of businesses to operate in Syracuse for the long term; many businesses open in the City but close shortly after. He stated that other cities have been able to recruit and retain businesses because of proper planning associated with future infrastructure projects and he is upset that Syracuse City has not done the same in advance of the West Davis Corridor project.

Cody Hamer thanked Mr. Bovero for the information included in his presentation, but noted it is important to acknowledge that these are unprecedented times in the nation due to inflation and a recession. He stated that wages are not keeping pace with inflation, and he fears it will get worse due to actions taken at the federal level. He stated he understands the City's desire to beautify and improve, but at this time it is necessary that the City narrow its focus to help residents survive these unprecedented times.

Judy Meservey also thanked Mr. Bovero for his presentation, but also discussed the impact that inflation is having on residents and their ability to spend money in the community. A tax increase will also make it difficult for people to spend their money in support of businesses in the community. She agreed that commercial growth would benefit the City, but many commercial areas have been converted to high density residential areas, such as the properties along Antelope Drive. This will not increase revenue but will place an additional burden on City services.

Steve Stolzenburg stated he has lived in many other communities that have done a tremendous amount of community planning to offset the costs associated with significant growth; these communities have required those who have developed high density housing projects to pay for associated improvements, such as stop lights, wider roads, and increased police protection. When a city decides to allow growth, they should tax the developer to pay for the increased demand for services. He asked what Syracuse City does to plan for increased growth.

Alan Christensen stated the general populous of Syracuse did not want high density housing to be built in the City and many residents are very angry about the projects that are underway. He has been impacted by projects that have been completed in the City due to growth; curb and gutter was installed in front of his home and the contractor removed his secondary water valve. The City has indicated they will take care of the situation, but it has been left unresolved for the last two years. He then stated that he has reached out to the Planning Commission about his concerns and has not received a response. He is retired and has been so since 2009; taxes have been increased regularly, but his income is not increasing on a regular basis. He is on a fixed income and is really in a bind.

Devin Smith stated Mr. Bovero's presentation included a lot of great information, but it is his belief that increased services and amenities should be paid for by the increased revenue associated with growth, not a property tax rate increase on existing residents. He is not anti-tax, and he appreciates the opportunity to live in a society that provides great services and conveniences. He is an economist and public administrator and feels he is qualified to provide insight on topics such as inflation and taxation; while inflation is a factor in the need for a tax increase in Syracuse, it is necessary to understand that inflation is not the main driver, and this is based upon information produced by the City. The City collected $3.5 million in property tax last year, which is equivalent to $3.8 million this year due to inflation. Only 17 percent of the proposed tax increase can be explained by inflation and the other $1.1 million, or 83 percent, is unexplained and needs alternative justification. There is much more than inflation driving this tax increase and he referred to those as 'net increases', staffing that is being added to the budget. He does not refute that those things are needed, but he asked that they be accurately represented rather than portraying then as being caused by inflation. If the proposed tax increase is approved, the City's property tax revenue will have been increased by 122 percent over the last five years. He recognized this is only a small percent of the City's budget and a portion of the tax revenue is associated with new development/growth, but at least 77 percent can be attributed to Council decisions. Each household is experiencing increased costs across the board and a property tax increase will increase the burden. It is important and necessary for the City to tap into other funding sources so that one single funding source is not overused as the five-year trend is unsustainable in the long term. As the WDC project is built, he would encourage the City to pursue economic development opportunities to avoid ongoing tax increases.

Mayor Maughan responded to Mr. Smith and indicated that inflation is just a part of the problem the City is facing, not the entire program. He agreed with many of the points made by Mr. Smith.

Councilmember Carver then stated that the Mayor has been working hard to recruit businesses to Syracuse, but they have considered the survivability of businesses in the City and that information has influenced their decisions on where to locate.

Councilmember Bingham added that the national sentiment regarding law enforcement has also impacted the City's ability to retain quality police officers. She echoed the comments made by Councilmember Carver about the decisions made by businesses regarding where to locate. She added that many businesses also need a greater population to support them and that is one of the reasons that the City has allowed residential growth through mixed-use development projects.

Mr. Bovero then clarified that he did not intend to communicate that inflation is the only factor driving the property tax rate increase proposal; it is only one factor and the main drivers are the need to increase staffing in Departments across the City and to properly equip those employees. He stated that Mr. Smith's assessment is accurate.

Councilmember Watson noted that the City cannot impose impact fees that are high enough to cover increased staffing in the City; impact fees can only cover the costs associated with infrastructure improvements needed to service a project area.

Councilmember Savage added that while Mr. Smith is correct that the City's property tax rate has increased over the last 5 years, it is important to note that for the previous 20 years, the City had a very long period of time during which staffing levels were reduced and property taxes were not increased. The City has been in a situation where it is trying to 'catch up' and properly fund services and programs. The City is actively working to recruit businesses to the City in conjunction with the WDC project and other improvements in the community. He agreed that annual property tax increases are not sustainable, and he hopes that this year's tax increase will sustain the City for some time.

Mayor Maughan expounded on the manner in which impact fees are legislated in the State of Utah; the City cannot pay for improvements to existing roads, but only for new roads needed to serve a new development. However, everyone knows that new development will cause existing roads to deteriorate quicker. Mr. Bovero agreed and stated that the City does have impact fee facilities plan that identify future project and those that will be needed based upon growth markers. New development can only pay for capital improvements and not any personnel needed to maintain a certain level of service in the City. Councilmember Carver suggested that residents reach out to their State representatives to encourage legislative amendments to address these concerns.

Doug Lund stated he recognizes the need for increased law enforcement in the community and he is grateful for the City's first responders. He noted that some of the things concerning him are the split votes in the past several months relative to pay increases for City employees; he appreciated Councilmember Watson's expression of the need to increase the

commercial base in Syracuse ,but it his understanding that the person charged with business recruitment is spending more time on high density housing projects rather than recruiting businesses. He stated he feels badly that some City employees are not paid at levels comparable with the market, but he and his family have had to be creative to increase their own income. Many City employees make over $100,000 per year, but many residents do not earn that level of pay. The City has a 'goldmine' in Antelope Island, but it is not promoted for business recruitment efforts. He stated that businesses are locating in other communities not based solely on population but based upon the willingness of those communities to work with them. He does not believe that more rooftops are needed to bring businesses here, but instead he believes it is necessary to plan, prepare, execute, and succeed. He discussed the management of his own small businesses and suggested the City operate similarly to ensure ongoing success; City employees should only be taken care of after residents are taken care of and other revenue is available to pay for increased wages.

Lisa Stolzenburg thanked the Mayor and Council for their time spent in representation of the City. She also thanked the City's first responders for the service they provide. She stated it would be helpful for the City to provide contact information for State representatives in order for residents to reach out to them. She also proposed that each individual unit in a high-density residential project be taxed the same amount as individual homes in the City. She suggested that developers of high-density projects pay for park improvements and ongoing maintenance, in addition to paying impact fees to cover other capital improvements. She added that as the City grows, more services and programming is expected, and the City needs to consider the means to pay for these improvements.

Mayor Maughan stated that the City can provide contact information for State representatives in a future edition of the City magazine.

Ike Buckley stated he finds it irresponsible for the City to increase its tax rate at a time when decisions that are being made by the federal government are already increasing the financial burden on residents. He stated residents are in bondage and do not even realize it; they are paying more for daily needs than ever before, and he believes that taxation is theft. He wonders what has happened to conservatism in Utah and noted that raising taxes is not conservative. Many run on a platform of lower taxes, but when the time comes to adopt a budget, taxes are regularly increased. He stated he and his wife homeschool their children and have no debt besides their mortgage; they just have one income and have been impacted by inflation, but they have been prudent in cutting costs wherever possible to sustain their family. He asked that the Council consider decreasing taxes rather than increasing them. He stated he has voted against things that would increase costs in the City and he is opposed to a tax increase at this time as well.

Mari Gast proposed changes to capital projects included in the budget, namely the BMX park project; she suggested that other existing parks be properly maintained and improved before new parks are built. Additionally, the City should encourage xeriscaping in homeowner's associations (HOAs), which would reduce the need for increased secondary water infrastructure. She also suggested that the City's splash pad be open on Sunday to make it accessible to residents who cannot visit it any other day of the week.

Mayor Maughan noted that the splash pad must be shut off at least one day per week for maintenance of the equipment. Ms. Gast suggested that it be another day as many residents work Monday through Friday and cannot visit the park during the week. Mayor Maughan noted the Council has voted on that issue and closed the park on Sunday.

Councilmember Bingham added that the City does not have the authority to regulate HOA projects, the State of Utah allows xeriscaping and HOAs can amend their own covenants, conditions, and restrictions (CCRs) to allow xeriscaping.

Tony Chicorelli asked if the City pays for the bird conservation center at Antelope Island, to which Mayor Maughan answered no. Mr. Chicorelli stated amenities like that are part of the reason that he and his wife chose to buy a house here; they did not buy a home here because of a handful of parks or the well-appointed Police Department. They purchased a home here because of the people who live here who are responsible, conservative, and prudent. He most certainly did not know who made up the City Council or who was serving as the Mayor. He stated that it is his belief that nothing that he or any other member of the audience says tonight will change the mind of the Council relative to the budget and proposed tax increase. Citizens have no recourse. He imagines that if people really disagree with the Mayor and Council, they should vote them out of office; he is sure that upstanding members of the community have a lot of friends who would vote against the current elected officials.

Jim Bishop stated Mr. Bovero's presentation was eye opening and convinced him of the need for a tax increase; he is concerned there are only two officers on shift during the overnight hours and that dispatchers are not familiar with Syracuse City when called upon for help. He then asked if the new apartments that have been built in the City are paying their fair share.

Mr. Bovero stated that property owners pay the taxes for their rental units, and they likely include their taxes in their monthly rent amount.

Darwin Perry thanked Mr. Bovero, the Mayor, and Council for the information provided tonight. He spoke about his experience living in Colorado where they paid for service provision as the are he lived in was unincorporated. Housing was not allowed in that area because of the amount of money it costs the community. He stated that Syracuse has dug a hole that it will not be able to get out of because of the amount of housing that has been allowed. The City needs to prevent additional housing

projects, especially high-density housing, because it is becoming impossible to provide schools, infrastructure, and service to those houses. The growth the area has experienced is insane.

Kathy Brown stated she has lived in Syracuse for almost five years and her tax bill has increased $1,000 since she first moved here. Mayor Maughan stated he suspects Ms. Brown is speaking of her total tax bill, not just the amount paid to Syracuse because there is no household in the City that pays $1,000 to the City. Ms. Brown stated that is what her total tax bill has increased; if the City continues to increase taxes, she will not be able to stay in Syracuse. She suspects the same is true for many residents, especially the senior citizens who are retired. She stated that if impact fees do not cover the costs associated with infrastructure and services, those projects should not have been approved because they are only putting a burden on existing residents. Decisions made by the Council in the past years have been irresponsible.

Leonard Millgate stated he lives near Syracuse High School. He stated he has been retired for 13 years and his income has increased very little; last year he received a five percent increase, but that does not cover a 33 percent tax increase. He stated he does not know what the City has done in terms of employee salaries, but he expects that it is higher than his increase. He stated that he lived in California for a good portion of his career; if the City does not want to become what California is, they should stop approving high density projects. He moved to Syracuse because he wanted to live in a bedroom community, and it is no longer that. He suggested that the amount of property taxes paid for apartment units is not proportionate to the taxes paid by single family home.

Mayor Maughan stated that the City is not in control of the manner in which different types of properties are taxed; the City can only approve a property tax rate that is then assessed by the County.

Shauna Millgate asked the Council to consider if the taxation they are considering is fair. She stated that she is retired and is wondering if she needs to go back to work to pay for her living expenses; many cannot afford this taxation, which she feels is unfair. She stated the Council is made up of fairly young people and maybe it is necessary to get older people on the Council who have more wisdom. She stated she hates to see the loss of agricultural land to high density housing projects.

Mayor Maughan then invited input from Zoom participants. No comments were made.

The public hearing was closed at 8:20 p.m.

Mayor Maughan stated he is very sensitive to the fact that the proposed tax increase will impact many residents in the community, namely those on a fixed income. The City must balance a budget and manage the City responsibly. He would like to be able to say that the City's budget is as lean as it can be, and he wondered if anything could be removed from the budget

at this time. There is at least one expenditure he feels could be removed from the budget, but that is not a decision for him to make as it is up to the Council to adopt a budget.

Councilmember Carver stated that she noticed there is a third police officer position included in the budget and she asked if that is related to the D.A.R.E. program. Police Chief Atkin stated that the position that was mentioned in the presentation is the backfill to get a metro officer back into that program; it was not related to the D.A.R.E. program as his understanding based upon the Council's last discussion of that matter was that the D.A.R.E program was being put 'on hold' until the Council can decide if they want to resume the program and identify an additional officer to assign to the program. He stated that the D.A.R.E. logos were removed from the truck as it was much less expensive to repurpose the D.A.R.E. vehicle ($250) than it would have been to purchase a new vehicle for the new officer. Councilmember Carver referenced the repurposing of the vehicle used for DUI enforcement as use for the K-9 program and asked why one of the sports utility vehicles (SUVs) owned by the Department could not have been used for that purpose. She asked if the DUI vehicle was grant funded. Chief Atkin answered yes but noted that the grant period has expired; however, assigning it to the K-9 program still satisfies the conditions of the grant as it must be used for alcohol and drug enforcement efforts. Councilmember Carver asked how the traffic unit will operate with just one officer. Chief Atkin stated when the Department is fully staffed, there will be two officers assigned to priority traffic enforcement and traffic investigation; this would be a separate crew assigned to a sergeant. At this time, he has dropped the sergeant from the traffic unit and put that position into the line with the crew so that each crew has a traffic officer. Right now, the traffic unit is not deployed because his Department is not fully staffed. Councilmember Carver stated that there is $8,000 in the budget for the D.A.R.E. program. Chief Atkin stated that is correct, but that money will not be spent if the program is left on hold. The money will go back to the general fund if it is not spent. Mayor Maughan stated that the justification for the additional Police Officer position is based upon the need to participate in the County metro program, which has done a great deal of good in the community and surrounding communities.

Councilmember Teague stated that the community has reached out to residents on multiple occasions about the need to increase public safety service/coverage in the community and he is not willing to change the budget relative to those services. He added that he feels that the other items to be covered by the revenue generated by the tax increase are warranted and needed. The Council has spent a great deal of time evaluating the budget and he is comfortable with the proposal that is before the Council tonight.

Councilmember Watson agreed the Council has been exhaustive in examining the budget and working with Department Heads to set a budget that they need to operate effectively. He feels the budget that has been proposed is reasonable and the tax increase is prudent and responsible.

Councilmember Bingham agreed and stated that she understands the burden that is being placed on residents, especially the elderly or retired individuals as her own parents are living with her due to similar circumstances. However, she received a call from someone who indicated they did not feel they should be paying for paramedic services because they do not use that service, but that is a very shortsighted viewpoint as the point of emergency services is that no one knows when they will need them, but they must always be available and in working order. She stated that after hearing the information presented tonight, she would hope that the minds of some residents would have been changed about the need for a tax increase and whether the Council is being responsible. This is not a decision that any Councilmember takes lightly, there are many needs in the City and City staff and the City Council have worked closely to address some of those needs.

Councilmember Savage stated that he understands the impact that inflation is having on everyone; it is also impacting the City and the Mayor and Council have carefully examined all budget requests to develop a responsible budget. He stated that a few months ago he and other Councilmembers were called out for not fairly paying City employees, but now some are complaining that City employees are overpaid. He stated every opinion is valid and is carefully considered, but the Council is charged with providing for the safety and public good for the entire City; if departments are not adequately staffed, the City will suffer. He would argue that the City needs great parks as that is one of the things that brings residents and businesses to the community. The Council is balancing all interests and it is important to recognize that the City cannot be managed in the same way the federal government is managed.

Councilmember Carver asked Mayor Maughan for his thoughts on the budget. Mayor Maughan echoed the comments made about the need to increase wages for employees earlier this year, namely the City's public safety employees and first responders. The pay increases are a large part of the ongoing budget increases in the proposed budget. He is also pleased about the shift of paramedic services from the County to the City and congratulated Fire Chief Byington on his deployment of that program. He stated that one thing that he would cut from the budget is the communications position; however, he feels all other staffing positions that will be funded by the increased property tax revenue are needed.

COUNCILMEMBER TEAGUE MADE A MOTION TO ADOPT RESOLUTION R22-30 SETTING THE CERTIFIED TAX RATE OF .001689 AND ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR (FY) ENDING JUNE 30, 2023. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

At 8:50 P.M., MAYOR MAUGHAN DECLARED THE MEETING ADJOURNED.

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Dave Maughan	Cassie Z. Brown, MMC
Mayor	City Recorder

Date approved: _____

Minutes of the Syracuse City Council Regular Meeting, August 9, 2022.

Minutes of the regular meeting of the Syracuse City Council held on August 9, 2022, at 9:00 p.m., held in a hybrid in-person/electronic format via Zoom, meeting ID 814 2193 7453, in-person in the City Council Chambers at 1979 W. 1900 S., and streamed on the Syracuse City YouTube Channel in accordance with House Bill 5002, Open and Public Meetings Act Amendments, signed into law on June 25, 2020.

Present: Councilmembers: Lisa W. Bingham
Jennifer Carver
Jordan Savage (via Zoom)
W. Seth Teague
Paul Watson

DRAFT

Mayor Dave Maughan
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:
Administrative Services Director Stephen Marshall
City Attorney Paul Roberts
Fire Chief Aaron Byington
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Public Works Director Robert Whiteley
Community and Economic Development Director Noah Steele

1. Meeting Called to Order/Adopt Agenda

Mayor Maughan called the meeting to order at 9:00 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember.

COUNCILMEMBER TEAGUE MOVED TO ADOPT THE AGENDA. COUNCILMEMBER CARVER SECONDED THE MOTION; ALL VOTED IN FAVOR.

2a. Request to be on the agenda: Brent Taylor Foundation.

An Administrative staff memo explained City staff was contacted by representatives of the Brent Taylor Foundation with a request to meet with the Mayor and Council to provide information about their upcoming 9/11 Memorial Project being held in Davis Council the week of September 11. A flier summarizing the event was provided by the Foundation and included in the Council meeting packet.

A representative of the Brent Taylor Foundation was not in attendance at the meeting.

2b. Request to be on the agenda: Fire Department recognition of Firefighter Coby Purser for attaining State Officer designation.

A staff memo from Chief Byington explained Firefighter Coby Purser has been awarded the Utah Supervisory Fire Officer Designation as outlined by the International Association of Fire Chiefs and adopted by the Utah Commission on Fire

Officer Designation. Firefighter Purser has combined hundreds of hours of training, education, and experience to meet the requirements for this designation. His hard work and commitment to this process shows his dedication to not only the Utah State Fire Service but to Syracuse City and our department as well.

Chief Byington reviewed his staff memo and congratulated Firefighter Purser on his achievements.

3. Public comment:

Mayor Maughan invited in-person public comments.

There were no public comments.

Mayor Maughan then stated that tonight's meeting agenda provided instructions for residents to email their public comments to City Recorder Brown by 4:00 p.m. tonight in order for them to be read into the record of the meeting. Ms. Brown indicated she did not receive any emailed public comments.

4. Approval of minutes.

The following minutes were reviewed by the City Council: Work Session of June 28, 2022, and Business Meeting of July 12, 2022.

COUNCILMEMBER TEAGUE MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE AGENDA AS PRESENTED. COUNCILMEMBER CARVER SECONDED THE MOTION; ALL VOTED AYE.

5a. Common consent: Proposed Ordinance 2022-19 amending Section 3.10.080 of the Syracuse City Code pertaining to the scope of the Planning Commission.

A staff memo from the City Attorney explained the current city code includes review of land transactions within the Planning Commission's scope. State law does not require the Planning Commission's input on the acquisition or sale of land. For a list of Planning Commission powers and duties, see Utah Code Ann. § 10-9a-302(1). When it comes to selling "significant parcels," the city is required to conduct a hearing with 14-day notice. Utah Code Ann. § 10-8-2(4). The Code does not specify where the hearing is conducted. The city is not required by state law to conduct a hearing for parcels that are not "significant." The City is not required by state law to conduct a public hearing for land acquisitions, unless it is acquiring the land from outside of its boundaries for infrastructure or other facilities. Requiring all land transactions to go through the Planning

Commission usually adds between 2-6 weeks to the overall process, depending on calendaring, notice deadlines and the cycle between work and business sessions for Council meetings.

COUNCILMEMBER BINGHAM MADE A MOTION TO ADOPT ORDINANCE 2022-19 AMENDING SECTION 3.10.080 OF THE SYRACUSE CITY CODE PERTAINING TO THE SCOPE OF THE PLANNING COMMISSION. COUNCILMEMBER TEAGUE SECONDED THE MOTION, ALL VOTED IN FAVOR.

5b. Common consent Proposed Resolution R22-32 re-appointing Libby Fawcett to the Syracuse City Arts Council.

An Administrative staff memo explained Arts Council leadership has requested that Libby Fawcett be reappointed to the Arts Council Board; she was first appointed in May of 2018. Syracuse City Code Title Three provides a process for appointing members of the Arts Council as follows:

> 3.45.020(D) Terms of Office. The terms of office for Board members, who are not members of the Recreation Department, shall be four years. These members' terms shall be staggered so that no more than 25 percent of the members' terms expire at the same time. The term of office for the Recreation Department staff designated as a member of the Board should be as determined by the Department Director. Appointments to the Board should be made no later than the first City Council meeting in September of each year and shall be filled as quickly as practicable when a vacancy arises due to resignation. In circumstances where appointments are not made prior to the first City Council meeting in September of each year, said appointments shall be made as soon as reasonably possible thereafter.

COUNCILMEMBER BINGHAM MADE A MOTION TO ADOPT PROPOSED RESOLUTION R22-32 RE-APPOINTING LIBBY FAWCETT TO THE SYRACUSE CITY ARTS COUNCIL. COUNCILMEMBER TEAGUE SECONDED THE MOTION, ALL VOTED IN FAVOR.

6. Consideration of Development Agreement governing HCA Syracuse Mixed Use Project at 2000 West SR-193.

A staff memo from the City Attorney explained on May 10, 2022, the Council authorized a zone change from A-1 to MXD, conditioned upon the execution of a development agreement which the Council directed to be amended via motion. Staff

provided that development agreement to the applicant, which has proposed changes. If approved, the development agreement that follows this staff report would replace the one approved in May by the Council. The chief difference between the two is that this draft agreement would require the City to provide up to $800,000 in transportation impact fee credits to the developer for the projects identified in the plan, based upon their construction of 450 South, as shown on the plans. No direct reimbursement is contemplated for this infrastructure project. The road is impact fee eligible due to its appearance in the City's impact fee facilities plan. Staff recommends authorizing the proposed draft development agreement.

COUNCILMEMBER TEAGUE MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE DEVELOPMENT AGREEMENT GOVERNING HCA SYRACUSE MIXED USE PROJECT AT 2000 WEST SR-193. COUNCILMEMBER BINGHAM SECONDED THE MOTION, ALL VOTED IN FAVOR.

7. Proposed Ordinance 2022-20 amending Syracuse City Code Section 4.25.130 regarding secondary water violation citation amounts.

A staff memo from the Public Works Director explained on April 12, 2022, Resolution R22-16 was passed issuing fines for water violations. Amounts for fines are indicated in the resolution. Ordinance 4.25.130(G) describes the levels of escalation for water violations. It also indicates amounts for fines which is different than the resolution. Due to the severity of the drought, they were doubled. To reconcile the different amounts, the ordinance can reference the consolidated fee schedule. Then the consolidated fee schedule can be updated with the amounts.

Mr. Whiteley reviewed the staff memo.

Councilmember Savage stated that in the future he would like to consider a tiered rate structure so that fine amounts are directly related to the severity of drought conditions; he does not want to be as punitive in years where drought conditions have lessened.

Councilmember Teague asked City Attorney Roberts if it is possible to strengthen language in the ordinance to indicate that fines will be imposed for a violation of defined regulations rather than for 'wasting water' as that term is somewhat subjective. Mr. Roberts stated that the term 'wasting water' is enumerated in the ordinance; however, there could be a separate fee for violation of regulations rather than 'wasting water'. Councilmember Teague stated that is not necessary and he is satisfied by Mr. Roberts' explanation.

COUNCILMEMBER BINGHAM MADE A MOTION TO ADOPT PROPOSED ORDINANCE 2022-20 AMENDING SYRACUSE CITY CODE SECTION 4.25.130 REGARDING SECONDARY WATER VIOLATION CITATION AMOUNTS. COUNCILMEMBER TEAGUE SECONDED THE MOTION, ALL VOTED IN FAVOR.

8. Public hearing, Proposed Resolution R22-31 amending the Syracuse City Consolidated Fee Schedule regarding secondary water violation citation amounts.

A staff memo from the Administrative Services Director summarized the proposed amendments to the fee schedule section dealing with secondary water violation citations:

- $0 1st incident - warning
- $200 2nd incident
- $500 3rd incident
- $1000 4th incident – water shut off and secondary meter installed.

Mr. Marshall reviewed the staff memo.

Mayor Maughan opened the public hearing at 9:09 p.m. There were no persons appearing to be heard and the public hearing was closed.

COUNCILMEMBER TEAGUE MADE A MOTION TO ADOPT PROPOSED RESOLUTION R22-31 AMENDING THE SYRACUSE CITY CONSOLIDATED FEE SCHEDULE REGARDING SECONARY WATER VIOLATION CITATION AMOUNTS. COUNCILMEMBER BINGHAM SECONDED THE MOTION, ALL VOTED IN FAVOR.

9. Authorize execution of a real estate purchase contract for property located at approximately 975 W. 2920 S., and more commonly known as the Walnut Grove detention basin property.

A staff memo from the Community and Economic Development (CED) Department explained the city owns a detention basin that is part of the Walnut Grove Subdivision. The basin was built around 2005 and the city has owned and maintained it ever since. The basin is nicely landscaped with automatic sprinklers, grass, and trees. The area acts as a pocket park of sorts providing open space to the neighborhood. Approximately 10 years ago, the city sold off some of the basin to the

adjacent landowner. At the time, the entire basin was surplussed and advertised for sale but only that portion sold. The landowner acquired the property with the intent to subdivide the land creating a building lot. The landowner is now finally getting around to formalizing the subdivision to build a home. With the movement on the lot next door, there is renewed attention to the basin and could be an opportunity to reduce the city's maintenance obligations. The city has received an offer for 1,200 dollars from the neighbor Mike Walker. The city has also received a second offer from the neighbor to the south Chad Patillo for 1,000 dollars. Staff looked up various other privately owned detention basins and found that the county assessors have placed a very low value on the land. This is because a detention basin is extremely encumbered. One cannot build a structure on them because they flood periodically. They also have somewhat steep side slopes. They are good for added greenspace, large garden, sport courts, playgrounds, kicking a ball around etc. If the land was sold to a private owner, it is likely that the area would be fenced off with a 6-foot vinyl fence and the open space would be lost to the public. If combined with an adjacent lot and if the combined acreage exceeded .5 acres, a downzone to A1 or R1 could be pursued to legalize farm animals on the property. Current zoning is R-2. The Planning Commission's duty is to review the offer and hold a public hearing. Then they would forward the recommendation to City Council for final action. The Planning Commission reviewed the item on 8/2/22 and is forwarding a unanimous positive recommendation for approval. There were no public comments received. If approved, staff would get the sales agreement signed and move towards closing and deeding the property to the new owner. The utilities department would then assign the secondary water connection to the new owner and combine the service charge once the house is built on the adjacent parcel.

Mr. Steele reviewed the staff memo.

COUNCILMEMBER CARVER MADE A MOTION TO AUTHORIZE EXECUTION OF A REAL ESTATE PURCHASE CONTRACT FOR PROPERTY LOCATED AT APPROXIMATELY 975 W. 2920 S., AND MORE COMMONLY KNOWN AS THE WALNUT GROVE DETENTION BASIN PROPERTY. COUNCILMEMBER BINGHAM SECONDED THE MOTION, ALL VOTED IN FAVOR.

10. Proposed Ordinance 2022-18 amending Section 3.60.040 of the Syracuse City Code related to the organization of the Syracuse Youth Council.

An administrative staff memo explained the Council has discussed the organization and structure of the Youth Council over the last few months, with the most recent discussion held during the July 26, 2022, work session meeting. The focus of the discussion included the following:

- **Age Groups**: The Council determined students in grades 9 through 12 are eligible to participate with the Youth Council.
- **Term of Service for Students:** The Council previously discussed adjusting the term of service on the Youth Council to mirror a school year rather than a calendar year. Councilmember Teague, the current liaison to the Youth Council, suggested that new members be appointed at the end of a school year, so they are available to assist with special events throughout the summer months. So, students serve beginning in the fall, and serving through the end of the school year into the summer.
- **Report Card Grade Standards**: The Council determined students with a grade point average above 2.0 and no current "U" citizenship marks shall be eligible to participate.
- **Limits on number of Youth Council members/Advisors**: The Council did not want to limit the number of members of the Youth Council but indicated there should be a minimum of two advisors to the Youth Council and an additional advisor for every 10 additional members of the Youth Council.
- **Youth Council Activities and Service**: The Youth Council would do the following:
  - Attend one business session and one work session of the City Council
  - Assist in planning and helping with 5-6 public events, which could be city events or other public events.
  - Periodic meetings, monthly or quarterly, to plan and coordinate activities.

Mr. Bovero reviewed the staff memo.

COUNCILMEMBER TEAGUE MADE A MOTION TO ADOPT ORDINANCE 2022-18 AMENDING SECTION 3.60.040 OF THE SYRACUSE CITY CODE RELATED TO THE ORGANIZATION OF THE SYRACUSE YOUTH COUNCIL. COUNCILMEMBER BINGHAM SECONDED THE MOTION, ALL VOTED IN FAVOR.

11. Discussion and/or action regarding adjustments to Youth Court Administration.

An Administrative staff memo explained the youth court is currently administered by Lori Smith, youth court advisor, her assistant advisors, and youth volunteers from both Syracuse and West Point. The city also provides support from Lance Call, police officer, and administration (i.e., IT support help, invoicing, general support from department heads at city hall). Recently, the case load has increased significantly because of a law change that allows the justice court to refer youth cases to the youth court. This allows the youth to meet with youth court, pay the youth court fee, and resolve the ticket without it going on insurance. It provides a great service to our youth and reduces the burden on them. It also reduces the workload on our justice court system. With the increased workload, Lori is requesting that the youth court advisor be compensated. She has operated as our youth court advisor for 10 years as a volunteer. The council has a few options.

1) do not pay and leave the position as voluntary.

2) pay this as a contract payment (like bailiff services) and have the city recorder manage and oversee the contract.

3) create a new city paid position that would report to the courts department under the city recorder.

Option 1

The council could leave this position as an unpaid volunteer position. If the council decides to take this route, most likely Lori would put in her notice, and we would need to find a replacement quickly to fill the advisor position.

Option 2

The council could authorize funding for the city to contract with Lori for youth court services. The request for compensation is $7,500.00 or approximately $14.50 per hour of work she currently performs. If the council selected this option, the contract would be managed by the courts department the city recorder.

Option 3

The council could authorize a new paid city position as youth court advisor. Lori would operate the youth court under the direction of the courts department within Cassie's department. The recommended wage would be $14.50 to $15.00 per hour and would cost approximately $7,500.00 per year.

Offset costs

- The city can offset some of these costs by raising the youth court fee to $50.00 per case instead of $40.00 per case. Net increase in revenue of $1,100.00 per year.
- Request that West Point share 50% of the increased costs or $3,750.00. Our contract with them currently states that they will share 50% of the youth court costs.
- This would only leave a net increase in cost to Syracuse City of $2,650 ($7500 - $1100-3750.00)

Staff recommends that the City Council chose option 2 and pay Lori under a contract arrangement to manage and run our youth court services. This would be the lowest cost and the least burden to the city and allow Lori to run the youth court as she currently has been doing.

The Mayor and Council discussed the options presented in the staff memo and debated whether it will be necessary to publicly advertise an open position or contract execution for the Youth Court Advisor position; Mr. Marshall stated that since the contract amount will be below $10,000, the City can execute the contract without a public request for proposal (RFP) process.

COUNCILMEMBER CARVER MADE A MOTION TO PURSUE OPTION TWO FOR ONGOING ADMINISTRATION OF THE YOUTH COURT. COUNCILMEMBER TEAGUE SECONDED THE MOTION, ALL VOTED IN FAVOR.

12. Discussion regarding status of crossing guard employment positions and options for filling vacancies.

A staff memo from the Police Department explained the Department is having difficulty retaining and hiring crossing guards and is currently down eight regular duty crossing guards (allotted for 23). All schools will be in session by Monday, August 22, 2022; the Department is not necessarily seeking a vote from the Council on this matter, but the purpose of this agenda item is to alert the Council to the problem and discuss possible solutions.

Hiring Efforts

- A wage scale of $10.75 - $13.91 went into effect on February 3, 2022.
- The top of the wage scale was reduced to $12.85 for the FY23 budget.
- This position has been opened several times since February 7, 2022.
- The Department and City have made eight combined Facebook posts about this position since February 7, 2022.
- As a result, we have hired one regular duty crossing guard and one substitute crossing guard; both were hired in March. We made one other offer to a candidate for a regular-duty position; she declined citing inadequate pay.

Department Impact

- January 1, 2022 – April 31, 2022, sworn officers covered vacant crossing guard positions 143 times; each crossing takes approximately 1.5 hours.
- During that period, the staffing shortage of regular duty crossing guards was not as severe as our current situation.

Legal Requirements

- According to UCA 41-6a-303(3)(ii), the City is required to provide, train, and supervise school crossing guards at all reduced-speed school zones on highways.
- There are currently four of these reduced-speed school zones in Syracuse.

750 West 2700 South	4000 West Hammon Lane
1700 South Doral Drive	1525 West 700 South

The memo summarized possible solutions for Council discussion:

Triage Crossing Locations

Location	Optimal Staffing	Current Staffing
750 West 2700 South	1	1
4000 West Hammon Ln	1	0
1525 West 700 South	1	1
1700 South Doral Dr	1	1
2000 West 1700 South	3	1
1250 West 1350 South	1	1
1000 West 2700 South	2	2
2525 South Bluffridge	1	0
1700 South 3000 West	1	0
1550 West SR193	2	2
1475 West 1700 South	2	1
1350 South 2000 West (HAWK)	2	2
1350 South 1100 West	1	1
1875 South Doral Dr	1	1
1860 South 3660 West	1	0
Dallas and Marilyn	1	1
650 South 1525 West	1	1

Green = Mandatory

Orange = High-Risk

Yellow = Other Current Locations

Job-Sharing

- Post for applicants who only want a morning or afternoon shift.

- None of our current substitute crossing guards are interested in a regular-duty or job-sharing position.

Privatization

- Seek out a contract with a private company
  - The Department has sent many emails and left several messages and received no responses.

Council Involvement

- Council, through school liaison positions or other outreach efforts, attempts to get applicants.

Wage Increase

- Increase the hourly wage in an attempt to garner more interest in the position and improve retention.

Chief Atkin summarized his memo and solicited feedback from the Mayor and Council regarding how to handle the current situation going forward. There was a focus on enlisting the help of local school administrators and parents to recruit individuals to work as crossing-guards; changing the marketing for the position openings; and placing an emphasis on job-sharing opportunities. Chief Atkin stated he will adjust the job posting and communications to the community about the matter. Each Councilmember also indicated they will reach out to the schools they have been assigned to communicate with and seek assistance recruiting crossing guards.

13. Public comments.

There were no public comments.

14. Mayor/Council announcements.

The Council and Mayor provided announcements about upcoming community events and other opportunities for public involvement.

15. Consideration of adjourning into Closed Executive Session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Law for the purpose of discussing the character, professional competence, or physical or mental health of an individual; pending or reasonably

imminent litigation; or the purchase, exchange, or lease of real property (if necessary).

COUNCILMEMBER BINGHAM MOVED TO ADJOURN INTO CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE PURPOSE OF DISCUSSING THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY. COUNCILMEMBER TEAGUE SECONDED THE MOTION. ALL VOTED AYE.

The meeting recessed at 9:35 p.m.

The meeting reconvened at 10:14 p.m.

At 10:14 P.M. COUNCILMEMBER BINGHAM MADE A MOTION TO ADJOURN. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED IN FAVOR.

_____ _____

Dave Maughan
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: _____

COUNCIL AGENDA
September 13, 2022

Agenda Item **#8a** Amendment of Section 3.50.020 of the City Code Increasing the Number of Members on the Disaster Preparedness Committee from Seven to Eight

Factual Summation

- Any question regarding this agenda item may be directed at Brody Bovero or Mayor Maughan.
- The Disaster Preparedness Committee currently has seven members. Five are based upon geographical boundaries and two are at-large.
- With adjustment of relevant boundaries and the creation of a new one, the Mayor seeks to appoint an additional member from that new district.
- This amendment increases the number of DPC members from seven to eight.

Action Item

This item is on the Consent Agenda. The question is whether to approve the code amendment.

Any single councilmember may remove the item from the consent agenda for further discussion during the evening.

ORDINANCE NO. 2022-21

AN ORDINANCE AMENDING SECTION 3.50.020 OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO THE MEMBERSHIP OF THE DISASTER PREPAREDNESS COMMITTEE.

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

WHEREAS, the Council has determined that additional members should be appointed to the Disaster Preparedness Committee,

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

Section 1. **Amendment.** Section 3.50.020 of the 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 upon adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 13th DAY OF September, 2022.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, MMC
City Recorder

Mayor David Maughan

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Bingham	____	_____
Councilmember Carver	____	_____
Councilmember Savage	____	_____
Councilmember Teague	____	_____
Councilmember Watson	____	_____

Exhibit A

3.50.020 Members.

(A) Number. The Committee shall be comprised of ~~seven~~ eight members who shall be appointed by the Mayor with the advice and consent of the City Council. All members shall be residents of Syracuse City.

(B) Term. The members shall be appointed to staggered terms of three years; provided, that members may be appointed to terms shorter than three years when necessary to provide for staggered terms. These terms are renewable.

(C) Compensation. Committee members shall receive no compensation for their services, but may be reimbursed for reasonable expenses incurred in the performance of their duties.

COUNCIL AGENDA

September 13, 2022

Agenda Item #**9** Proposed Resolution R22-33 adopting an updated wage scale for the Fiscal Year (FY) ending June 30, 2022.

Factual Summation

- Please see the proposed updates to the fiscal year 2022 – 2023 wages scale.
- Any questions regarding this item can be directed at Admin. Services Director, Stephen Marshall or City Manager, Brody Bovero.
- Proposed amendments include adding a part-time passport agent to the same scale as an administrative assistant, adding a fire fighter I part-time position (as previously discussed), and adjusting the crossing guard wages to the market analysis (as previously discussed.
- There is also a proposal to adjust the Rec Assistant I, II, and III wages to be more competitive in the market. This was discussed with the council in the last parks and recreation deep dive.
- See the wage scale for details.

Action Item for Agenda
Consider adopting proposed resolution adopting updates to the fiscal year 2022-2023 wage scale.

RESOLUTION NO. R22-33

A RESOLUTION OF THE SYRACUSE CITY COUNCIL ADOPTING AN UPDATE TO THE FISCAL YEAR 2022 - 2023 WAGE SCALE.

WHEREAS, Section 5.020 of the City Personnel Policies & Procedures Manual states that the City Council will adopt and maintain a compensation plan, which outlines standards and guidelines for salary and wage administration, pay grade schedules, and comparison/benchmarking strategies; and

WHEREAS, the City Council and Mayor have reviewed the draft wage scale and feel it addresses the needs of the city relative to the most efficient use of the City's resources.

WHEREAS, the City Council and Mayor have updated the recruitment and retention policy for city employees.

WHEREAS, benchmark studies were performed for all department positions based upon the recruitment and retention policy guidelines.

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

Section 1. Adoption. The fiscal year 2022-2023 wage scale is attached hereto as Exhibit "A," and incorporated herein by reference is hereby adopted by Syracuse City.

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

Section 3. Effective Date. This Resolution shall become effective September 13, 2022.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 13th DAY OF SEPTEMBER, 2022.

ATTEST:

SYRACUSE CITY

_____
Cassie Z. Brown, City Recorder

By:_____
Dave Maughan, Mayor

FY 2022 - 2023 Wage Scale

Grade	Status	Position Title		Min	Max
413	Salary	City Manager		$120,934	$175,898
412	Salary	City Attorney		$112,880	$162,024
411	Salary	Police Chief		$113,014	$156,854
410	Salary	Fire Chief		$106,667	$153,162
409	Salary	Public Works Director		$105,531	$149,636
408	Salary	Administrative Services Director		$102,489	$144,921
407	Salary	Community and Economic Development Director		$101,442	$145,423
406	Salary	Parks & Recreation Director		$101,041	$141,090
405	Salary	Assistant Police Chief		$97,453	$ 135,155
404	Salary	Deputy Fire Chief		$94,142	$ 133,433
403	Salary	Police Lieutenant		$81,585	$115,416
402	Salary	Fire Marshal		$74,446	$106,026
401	Salary	City Recorder		$61,768	$90,964
348	Full-time	Assistant Parks & Recreation Director		$44.82	$62.25
347	Full-time	City Engineer		$38.15	$58.59
346	Full-time	HR Manager		$35.55	$52.28
345	Full-time	Police Sergeant		$35.42	$50.57
344	Full-time	Recreation Manager		$33.91	$48.59
343	Full-time	Building Official		$33.37	$48.10
342	Full-time	Streets Superintendent		$31.84	$47.81
		Water Superintendent			
		Environmental Superintendent			
		Park Maintenance Superintendent			
341	Full-time	Police Officer III		$30.50	$42.69
340	Full-time	Planner II		$30.25	$44.36
339	Full-time	Police Officer II		$27.73	$38.81
338	Full-time	Public Works Inspector III		$27.21	$38.55
337	Full-time	Water Maintenance Crew Leader		$26.52	$38.86
		Street Maintenance Crew Leader			
		Facilities Maintenance Crew Leader			
		Parks Maintenance Crew Leader			
336	Full-time	Fire Captain / Paramedic		$26.13	$35.37
335	Full-time	Public Works Inspector II		$25.91	$36.71
334	Full-time	Human Resources Specialist		$25.70	$37.73
333	Full-time	Building Inspector III		$25.32	$36.50
332	Full-time	Court Clerk Supervisor		$25.27	$37.52
331	Full-time	Police Officer I		$25.21	$35.28
330	Full-time	Public Works Inspector I		$24.68	$34.96

Grade	Status	Position Title		Min	Max
329	Full-time	Engineering Tech		$24.61	$35.99
328	Full-time	Victim Advocate		$24.02	$35.12
327	Full-time	Public Information Specialist		$23.56	$34.83
326	Full-time	Fire Captain		$23.05	$32.29
325	Full-time	Utilities Billing Supervisor		$23.01	$34.07
324	Full-time	Recreation Program Coordinator		$22.85	$32.75
323	Full-time	Passport Agent / Deputy Recorder		$22.25	$32.44
322	Full-time	Street Maintenance Worker III		$22.19	$32.40
		Water Maintenance Worker III			
		Environmental Maintenance Worker III			
		Parks Maintenance Worker III			
321	Full-time	Building Inspector II		$22.01	$32.90
320	Full-time	Fire Engineer / Paramedic		$21.71	$31.07
319	Full-time	Planner I		$21.68	$31.45
318	Full-time	IT Technician		$21.02	$30.50
317	Full-time	Administrative Professional		$20.46	$29.48
316	Full-time	Water Maintenance Worker II		$20.29	$29.38
		Street Maintenance Worker II			
		Environmental Maintenance Worker II			
		Parks Maintenance Worker II			
315	Full-time	Building Inspector I		$20.07	$28.90
314	Full-time	Fire Fighter III / Paramedic		$20.02	$27.06
313	Full-time	Fire Engineer		$18.63	$27.99
312	Full-time	Museum Curator		$18.57	$25.52
311	Full-time	Events Coordinator		$18.51	$26.98
310	Full-time	Fire Fighter II / Paramedic		$18.48	$24.62
309	Full-time	Utilities Billing Clerk		$18.38	$26.56
308	Full-time	Streets Maintenance Worker I		$18.18	$26.34
		Water Maintenance Worker I			
		Environmental Maintenance Worker I			
		Parks Maintenance Worker I			
307	Full-time	Facilities Maintenance Technician		$17.51	$25.97
306	Full-time	Fire Fighter III		$16.94	$23.98
305	Full-time	Building Permit Technician		$16.13	$22.59
304	Full-time	Court Clerk II		$15.46	$22.42
303	Full-time	Fire Fighter II		$15.40	$21.54
302	Full-time	Court Clerk I		$14.71	$21.40
301	Full-time	Administrative Assistant		$14.28	$18.84
221	Part-time	Staff Accountant		$27.84	$40.24
220	Part-time	Code Enforcement Officer		$20.67	$29.86

Grade	Status	Position Title		Min	Max
219	Part-time	Administrative Professional		$20.46	$29.48
218	Part-time	Building Inspector I		$20.07	$28.90
217	Part-time	Fire Fighter III / Paramedic		$20.02	$27.06
216	Part-time	Events Coordinator		$18.51	$26.98
215	Part-time	Fire Fighter II / Paramedic		$18.48	$24.62
214	Part-time	Streets Maintenance Worker I		$18.18	$26.34
		Water Maintenance Worker I			
		Environmental Maintenance Worker I			
		Parks Maintenance Worker I			
213	Part-time	Facilities Maintenance Technician		$17.51	$25.97
212	Part-time	Fire Fighter III		$16.94	$23.98
211	Part-time	Court Clerk II		$15.46	$22.42
210	Part-time	Fire Fighter II		$15.40	$21.54
209	Part-time	Crossing Guard		$15.24	$20.95
208	Part-time	Court Clerk I		$14.71	$21.40
207	Part-time	Site Supervisor		$14.67	$21.33
206	Part-time	Fire Fighter I		$14.67	$20.51
205	Part-time	Administrative Assistant		$14.28	$18.84
		Passport Agent			
		Mail Clerk			
204	Part-time	Front Desk Receptionist		$12.70	$18.04
203	Part-time	Recreation Assistant III		$14.00	$16.00
202	Part-time	Recreation Assistant II		$12.00	$13.12
201	Part-time	Recreation Assistant I		$9.76	$10.50
103	Seasonal	Seasonal Fire Fighter		$15.40	$21.54
102	Seasonal	Streets Maintenance Worker		$18.18	$26.34
		Water Maintenance Worker			
		Environmental Maintenance Worker			
101	Seasonal	Administrative Assistant		$14.28	$18.84
		Land Maintenance Worker			
		Intern			

COUNCIL AGENDA
September 13, 2022

Agenda Item **#10** Authorize administration to dispose of surplus property

Factual Summation

- The Police Department is requesting the authorization to surplus vehicles listed below:

12-07	2012	Ford Fusion	207847ex	3FADP0L31CR187570
15-04	2015	Ford Taurus	211803ex	1FAHP2MK9FG126272
15-05	2015	Ford Taurus	211804ex	1FAHP2MK2FG126274
15-06	2015	Ford Taurus	211805ex	1FAHP2MK0FG126273
15-08	2015	Ford Taurus	211807ex	1FAHP2MK6FG126276

- The vehicles listed above are marked police cars that have reached the 80,000 thresholds for replacement or have had significant repair issues.

Action Item for Agenda

Authorize Administration to dispose of surplus property.

COUNCIL AGENDA

September 13, 2022

Agenda Item #11 Update to the Housing Section of the General Plan

Factual Summation

In order to comply with state law, the city is mandated to make some updates to the housing section of the adopoted General Plan. The City Council discussed the potential strategies in their July 2022 work meeting and directed Planning Commission look more closely at the document to make some recommendations. Planning Commission discussed the item and held a public hearing on August 02, 2022. They are forwarding the attached proposed amendment. The City Council will then adopt an ordinance to update this section of the General Plan. An update to the entire General Plan document is looming, as the completion of the West Davis Corridor will spur some changes. However, at this time, the scope of this update is limited to the Housing section. City Council reviewed the item on August 23, 2022 and recommended some minor changes. Staff has implemented the requested changes in the attached document.

HOUSING

Our housing stock is about 93.8% percent single-family homes. Very few of those are attached housing units, and most were built between 2000-2009. The City's preference is to remain a predominantly bedroom community maintaining most of our housing stock as single- family dwellings. The City has the fastest growing population in Davis County, so, a broader diversity of housing types will be needed and desired by our residents. Basement apartments and backyard cottage apartments also known as accessory dwelling units (ADU) are viewed as a preferred way of providing housing options, while also giving a financial boost to the homeowner. Townhomes are another acceptable option but should be limited to locations along arterial roads and major intersections. Townhomes are generally preferred over apartments. Apartments could be an appropriate use if located adjacent to existing commercial, along state highways, or near the West Davis Corridor interchanges. Attached housing is not wanted unless it is well designed to be sensitive to the architecture and building height of surrounding development.

Moderate-Income Housing

The City sees the need to provide affordable housing options to its residents. As property values increase, so does the cost of houses. This creates a challenge to affordability, as even apartments, townhomes, and ADU's can become un-affordable. Oftentimes, households that spend a large percentage of their income for housing struggle to afford adequate healthcare, education, and property maintenance. Also, when budgets are tight, fewer dollars are disposable to spend locally on entertainment and goods. The state requires that each city adopt an affordable housing component in its general plan to address this problem. To comply with the state affordable housing laws and plan for our future housing needs, an analysis of our housing stock has been provided in Appendix 2.

In summary, our analysis found that recent increases in home values mean almost all our residents would struggle to purchase a single-family home today, even those earning a good wage. The 2022 Freddie Mac Area Median Income (AMI) for Davis County is $99,600. With that income, the average household could afford around $387,519. According Utah MLS, the 2nd quarter median home sale price in Syracuse was $609,000. This of course is much higher, meaning that prospective residents either stretch the budget, move elsewhere, or move into attached housing that usually costs less, but is at low supply. Research suggests that the concept of supply and demand is at play here. Syracuse can help alleviate the issue by adopting strategies that will enable developers to build more affordable housing. Below is the City's preferred strategies chosen from the list of 23 affordable housing action items required by state law 10-9a-403(2)(b)(iii).

Action Items

The following is a list of items to focus on moving forward:

- Rezone for densities necessary to facilitate the production of moderate-income housing
- Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing
- Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers



HOUSING ANALYSIS

Moderate-Income Housing

The City desires to increase access to housing opportunities for all residents while also meeting the state and federal requirements for moderate-income housing. A lack of affordable housing is a tremendous burden on low-income and moderate-income residents. Such households must apportion a large percentage of their income to housing, necessitating neglect of other important areas of investment such as healthcare and education. Those who cannot afford the home in which they live will also forego investments in the property, often resulting in loss of potential equity in the home which affects surrounding property values. The lack of disposable income also affects the local economy; as families struggle to provide essential goods, they will have fewer dollars to spend locally on businesses that often struggle in Syracuse such as restaurants.

The State of Utah has placed increased pressure on local governments to accommodate the development of moderate and high-density housing types in order to facilitate more affordable housing. The State reports that housing shortage has driven up the price of renting or purchasing a home, and that the development of additional housing units should reduce the strain. The analysis and goals included in this general plan document and the efforts made to implement the plan, will bring the City into compliance with the state's affordable housing laws, while also increasing more affordable housing options.

In Davis County, the average home price has increased by about 143% since 2014. *See Chart 2.* This places a significant burden on young households desiring to live in the City. Residents who purchased before the increase may have a high amount of equity in their home but may find that even a smaller home may be more expensive than where they currently live. Syracuse Annual Median Income is higher than that of Davis County. However, the increase in home prices is far outpacing any increase in wages and there are thousands of individuals and families that live in income-distressed housing situations in Syracuse.

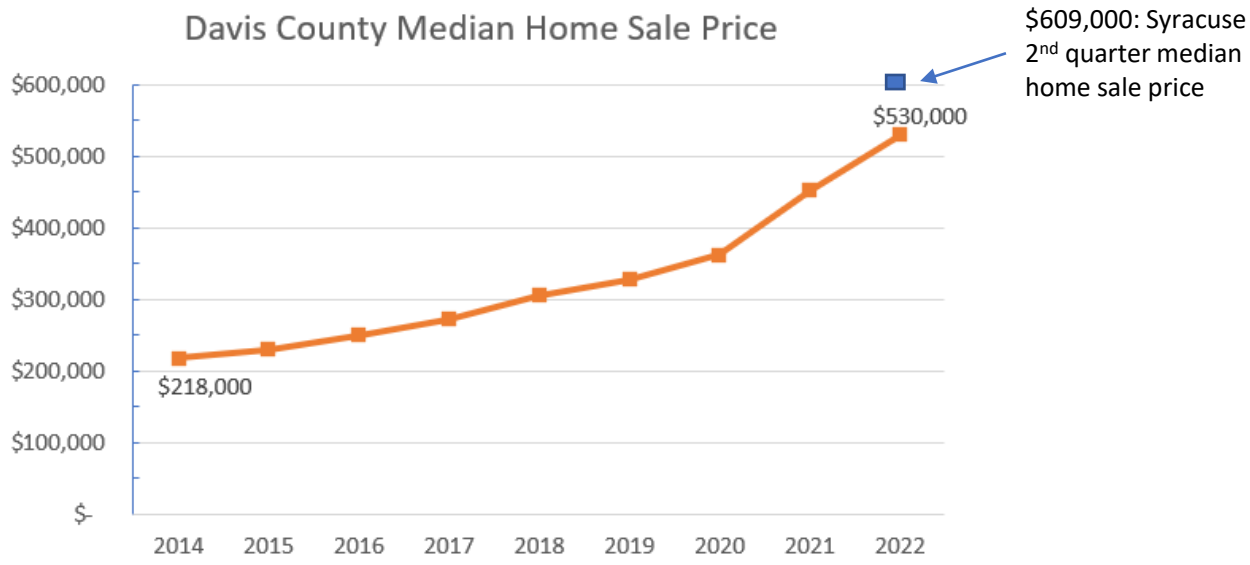


Chart 2 - Home Median Sale Prices. Source: Utah Association of Realtors. 2022 number is through June.

HOUSING ANALYSIS (cont.)

The City has generated estimates regarding the affordable housing needs of our community. This analysis assumes most homes will be purchased with a mortgage with lending interest rates and fees which are currently on the rise. *See Table 2.* Davis County AMI is $99,600. Two-thirds of the City's population live in houses that are more expensive than the average Davis County resident could afford. 100% AMI households can comfortably pay housing costs of about $2,988 per month (36% of their income to housing), which would purchase a home worth $387,519. 80% AMI residents could afford around $308,000. 50% AMI could afford around $189,000 and 30% could afford around $110,065.

2022 Freddie Mac Davis County AMI	Dollars Earned (minimum)	% of Syracuse Residents	Sustainable Housing Payment	Sustainable Home Price
100%	$99,600	64%	$2,988	$387,519
80%	$79,680	27%	$2,390	$308,247
50%	$49,800	5%	$1,494	$189,338
30%	$29,880	3%	$896	$110,065

Table 2 - Housing Affordability based upon Davis County AMI at 5.57% interest including a 1.2% Davis County property tax rate and $800/year home insurance. Numbers derived using the mortgage calculator at Zillow.com

According to estimates from the 2020 US Census American Community Survey, about 677 rental units exist in Syracuse.

According to the Davis Community Housing Authority, as of July 2022, there are 23 voucher holders residing in Syracuse, 6 tenants reside in 1-bedroom units, 6 reside in 2-bedrooms, 3 reside in 3-bedrooms, and 8 reside in 4-bedroom units. With the Housing Choice Voucher program, an applicant can reside in any type of rental unit ranging from duplexes to single-family homes. An applicant receives their rent limits when they have qualified to begin their search. A small area fair market rent (SAFMR), is calculated for each zip code area in the county. The current SAFMR for 84075 is: 1 bedroom = $1,474, 2 bedroom = $1,826, 3 bedroom = $2,541, and four bedroom = $3,080.

According to the Northern Wasatch Association of Realtors, the median home purchase price in Syracuse in second quarter 2022 is $609,000. The median home purchase price for the same time period in Davis County is $530,000, therefore, Syracuse is more expensive than the county average. In order to afford a house at Syracuse's current median home purchase price would require an income of approximately $155,500 per year which is 56% higher than the Area Median Income. The high prices, combined with increasing lending rates may cause the pace of home sales to slow, and in turn prices to fall. However, at the time of this writing, prices have not significantly fallen yet.

A search of the Utah MLS listing website in July of 2022 returned zero housing units that are currently available for purchase at or below the 100% AMI range. This will force most residents wanting to locate in the City into a rental townhome or apartment. Since 94% of our housing stock is single family homes, the demand for multi-family rental is anticipated to be high.

HOUSING ANALYSIS (cont.)

Implementation Plan for Selected Strategies.

The City selected the following three strategies to increase moderate income housing. We are required to provide an implementation plan to bring these strategies to life over the next five years.

Rezone for densities necessary to facilitate the production of moderate-income housing

- The City has two zones that allow higher densities which are the PRD and the MXD zones. The City has identified various areas on the master plan map where medium density residential could be appropriate, mostly along major arterials and near commercial areas. Within the next five years, it is anticipated that there will be various rezone proposals presented to the City that will be congruent with the general plan map. Each proposal will be considered individually based off their merit.

Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing

- As a growing City, we are accepting miles of new road each year through subdivision plats and various projects. We are continually investing in the road's maintenance needs as well as maintenance of the infrastructure buried within the road right of ways. Also, the City is planning on the 2500 W expansion and the 500 W Sandridge Blvd. to set the stage for some additional moderate-income housing. The 2500 W project will be project driven, but the City is actively planning for the expansion and is included in the adopted Master Transportation Plan.

Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers

- The City has recently approved multiple mixed-use projects in areas previously zoned for commercial. As these projects are completed in the next 1-3 years, the City anticipates additional MXD projects will be presented. The West Davis Corridor is anticipated to be completed in 2024 and with that investment, it is anticipated that there will be additional commercial retail and office generated. Higher density housing could provide an appropriate tapering of densities and intensities from the new commercial areas near the freeway and single-family neighborhoods.

ORDINANCE NO. 2022-22

AN ORDINANCE AMENDING THE SYRACUSE CITY GENERAL PLAN UPDATING THE COMPONENTS OF THE PLAN ADDRESSING MODERATE INCOME HOUSING.

WHEREAS, the City Council has the authority, pursuant to state law, to establish the general plan for the health, welfare, comfort and safety of is residents and those visiting the City, and to effectuate responsible development; and

WHEREAS, the State of Utah has required the City to update its general plan with additional information and goals related to moderate income housing; and

WHEREAS, the Planning Commission conducted a public hearing on the issue and forwarded the general plan change with a favorable recommendation to the Council; and

WHEREAS, the Council finds that the amendment demonstrates the City's commitment to address the moderate income housing crisis in which the State of Utah finds itself; and

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

Section 1. **Amendment.** The general plan is amended as provided in the attached 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 _____TH DAY OF _____, 2022.

SYRACUSE CITY

ATTEST:

_____ _____

Cassie Z. Brown, MMC
City Recorder

Mayor Dave Maughan

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Bingham	____	_____
Councilmember Carver	____	_____
Councilmember Savage	____	_____
Councilmember Teague	____	_____
Councilmember Watson	____	_____

Exhibit A

COUNCIL AGENDA

September 13, 2022

Agenda Item #12 Rezone: R1 to GC and PRD, Village on 2000 W

Factual Summation

The City has received an application from Wright Development Group for a rezone of several properties in two separate groupings. The northern grouping from R1 to GC is to accomodate future commercial plans the developer is working on. The southern grouping from R1 to PRD is to build a townhome community. Planning Commission reviewed this item and held a public hearing on 8/16/22. A positive recommendation for approval was forwarded to City Council. City Council discussed the item on their work meeting on 8/23/22. Planning Commission reviewed the item a second time on 9/6/22 because additional exceptions to the ordinance that will be part of the development agreement were not originally presented on 8/16/22. Since the development agreement is acting as a supplement to the ordinance, all items in the agreement must be presented to Planning Commission and in a public hearing in addition to the City Council. The applicant is seeking the following exceptions through the DA:

-Density. Ordinance allows 9/acre, 11.3/acre is being requested.

-Front door direction. Ordinace requires that front doors face the road or drive isle. Perimiter units are in compliance, the internal doors are not facing the drive isles but to HOA courtyards.

-Buffering - Ordinance requires 15' of landscaping and a 6' concrete fence. Applicant proposes vinyl fencing on east and west borders and reduced landscaping width where drive isle enters from 2000 W. This is the item that was not presented to PC the first time around.

Recommendation

The Planning Commission is forwarding a conditional recommendation for approval with a vote of 5-1. The conditions of approval is to require concrete fencing around the adjacent homes rather than the requested vinyl.

Attachments

Applications
Maps
Proposed Plans
Staff Report
Draft Development Agreement

Rezone Application

Syracuse City Community Development
1979 West 1900 South, Syracuse, UT 84075
Phone: (801) 825-1477 ext 4 Website: www.syracuseut.com
Fax: (801) 614-9626 Email: planning@syracuseut.com

Updated 7/10/17

Subject Property Information

Property Address or Approximate Coordinate:	Total Acreage of Parcel:
SWC of 2000 W and HW 193	Approx 4.04 Acres

Parcel Identification Number (as recorded with Davis County):	Current Zone	Proposed Zone:
120350120, 120350114, 120350116, 120350124	R1 and GC	GC

Brief Description of Purpose for Rezone and Reasons Supporting the Request

This rezone is consistent with the General Plan Map designation. By rezoning the corner as commercial, we are signaling to future and currently interested commercial tenants that the site is prepared for commercial development.

Subject Property Owner Contact Information

Name(s) of every person or company the applicant represents:
Wright Development Group

Mailing Address:	City:	State:	ZIP:
1178 West Legacy Crossing Blvd Ste.	100, Centerville,	UT	84014

Office Phone:	Cell Phone :	Email:
801.773.7339		logan@wrightdevelopment.com

Applicant Contact Information (if different from Property Owner)

Name (and agent, if any):
Wright Development Group, Logan Johnson, Thomas Hunt

Mailing Address:	City:	State:	ZIP:
1178 West Legacy Crossing Blvd Ste.	100, Centerville,	UT	84014

Office Phone:	Cell Phone:	Email:
801.773.7339		logan@wrightdevelopment.com

I hereby certify that the requested Rezone would comply with all required conditions and standards of the Syracuse City Land Use Ordinance, be harmonious with neighboring uses, fit the goals of the community's General Plan, and impose no insatiable demands for public services. I read the Syracuse Land Use Ordinance relative to rezoning and understand that submitting this application does not guarantee approval and is subject to the discretion of the City Land Use Authority and compliance with all requirements of Syracuse City's Municipal Code. I hereby accept responsibility for meeting all requirements outlined herein, including payment of all fees and attending City Land Use Authority meetings as notified by the Community Development Department, and understand that failure to do so may result in postponement of action by said Authority. I also understand that approval shall not relieve me of the responsibility to comply with applicable local and State zoning, health, building, or fire regulations.

07/22/2022
Property Owner Signature Date

Logan Johnson 07/22/2022
Applicant Signature Date

FOR OFFICE USE ONLY

Date Received and Paid:	Received by:	Receipt #

Payment Type: ☐ Cash ☐ Credit Card ☐ Check#_____

Land Use Authority Date:

City Council Decision and Date:

Application and Noticing Fees:

$425	Application Fee		$ 425
$20	per Public Notice Sign	_____Signs	$_____
$100	Noticing Fees	____	$_____
		Total	$_____

Rezone Application

Syracuse City Community Development
1979 West 1900 South, Syracuse, UT 84075
Phone: (801) 825-1477 ext 4 Website: www.syracuseut.com
Fax: (801) 614-9626 Email: planning@syracuseut.com

Updated 7/10/17

Subject Property Information

Property Address or Approximate Coordinate:	Total Acreage of Parcel:
446, 460, 478, 506 South 2000 West, Syracuse, UT 84075	7.69 acres

Parcel Identification Number (as recorded with Davis County):	Current Zone	Proposed Zone:
120350021, 120350022, 120350105, 120350073	R-1	PRD

Brief Description of Purpose for Rezone and Reasons Supporting the Request

This rezone request is consistent with the General Plan Map. If granted, this rezone will facilitate the stubbing of a 66' right of way (450 S) to the west. This rezone is seeking the the 12 units/acre classification contemplated in the PRD ordinance.

Subject Property Owner Contact Information

Name(s) of every person or company the applicant represents:
LARUE, JEANNE - HARVEY, MICHAEL J & LAURA A - DURTSCHI, RODNEY L ARRINGTON - CRAIG L & MARY

Mailing Address:	City:	State:	ZIP:
446, 460, 478, 506 South 2000 West,	Syracuse, UT 84075		

Office Phone:	Cell Phone :	Email:

Applicant Contact Information (if different from Property Owner)

Name (and agent, if any):
Wright Development Group, Logan Johnson, Thomas Hunt

Mailing Address:	City:	State:	ZIP:
1178 West Legacy Crossing Blvd Ste.	100, Centerville,	UT 84014	

Office Phone:	Cell Phone:	Email:
801.773.7339		logan@wrightdevelopment.com

I hereby certify that the requested Rezone would comply with all required conditions and standards of the Syracuse City Land Use Ordinance, be harmonious with neighboring uses, fit the goals of the community's General Plan, and impose no insatiable demands for public services. I read the Syracuse Land Use Ordinance relative to rezoning and understand that submitting this application does not guarantee approval and is subject to the discretion of the City Land Use Authority and compliance with all requirements of Syracuse City's Municipal Code. I hereby accept responsibility for meeting all requirements outlined herein, including payment of all fees and attending City Land Use Authority meetings as notified by the Community Development Department, and understand that failure to do so may result in postponement of action by said Authority. I also understand that approval shall not relieve me of the responsibility to comply with applicable local and State zoning, health, building, or fire regulations.

07/22/2022
Property Owner Signature Date

Logan Johnson 07/22/2022
Applicant Signature Date

See PSA signatures for each property owner.

FOR OFFICE USE ONLY

Date Received and Paid:	Received by:	Receipt #

Payment Type: ☐ Cash ☐ Credit Card ☐ Check#_____

Land Use Authority Date:

City Council Decision and Date:

Application and Noticing Fees:

$425	Application Fee		$ 425
$20	per Public Notice Sign	_____Signs	$_____
$100	Noticing Fees	____	$_____
		Total	$_____

Subdivision Preliminary Plan Application

Syracuse City Community Development
1979 West 1900 South, Syracuse, UT 84075
Phone: (801) 825-1477 ext 4 Website: www.syracuseut.com
Fax: (801) 614-9626 Email: planning@syracuseut.com

Updated 7/10/17

Subdivision Property Information:		
Proposed Subdivision Name: Village on 2000	Current Zone: Requesting PRD	Total Acreage: 7.69
Approximate Address: 451 S 2000 W	Number of Lots: 1	Concept Review Date:

Applicant\Developer Contact Information:			
Name: Wright Development - Logan Johnson			
Address: 1178 West Legacy Crossing Blvd Ste. 100, Centerville, UT	City:	State: 84014	ZIP:
Office phone: 801.773.7339	Cell phone:	Email: logan@wrightdevelopment.com	

Engineering Firm Contact Information:			
Company name: Hunt Engineering		Engineer: Thomas Hunt	
Address: 1178 West Legacy Crossing Blvd Ste. 100, Centerville, UT	City:	State: 84014	ZIP:
Office phone: 801.773.7339	Engineer's cell phone:	Engineer's email: thomas@wrightdevelopment.com	

NOTE: *Applicant shall furnish the information on this form for purposes of identification and expediting the request in full knowledge that it may become public record pursuant to provisions of the Utah State Government Records Access and Management Act (GRAMA). Use of this information will be only for necessary completion and execution of the requested transaction. If applicant so chooses not to supply any requested information, applicant accepts the additional time in processing or inability to process the application at all. If applicant is an "at-risk government employee" as defined in Utah Code Ann. § 63-2-302.5, please inform a member of the Department staff upon submission of the application. Syracuse City does not currently share any private, controlled, or protected information with any other person or government entity.*

Preliminary Plan Guidelines and Checklist

Concept Review: Concept review must be completed no more than 6 months preceding preliminary application.

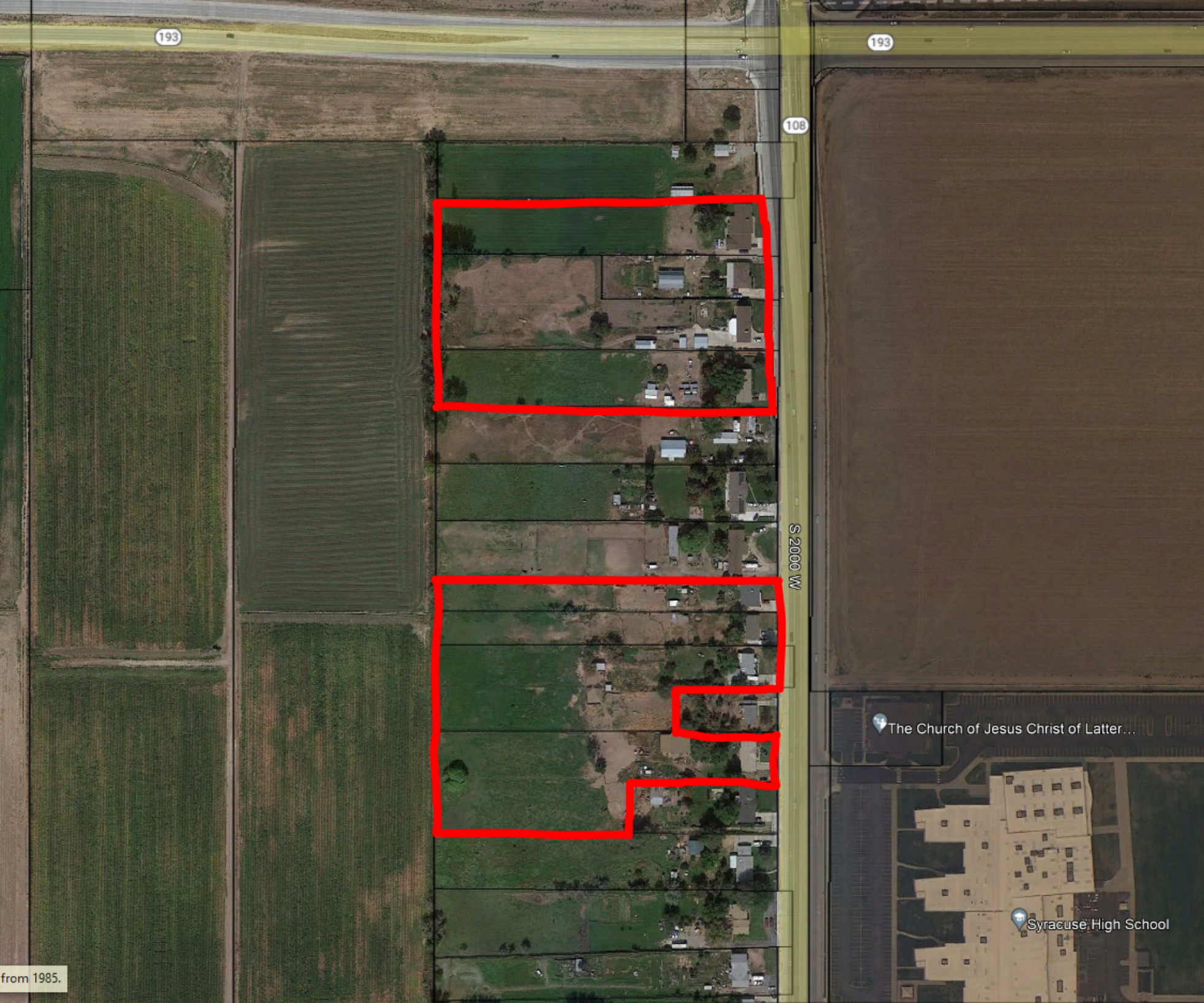
Meeting Schedules
Planning Commission- 1st and 3rd Tuesday of each month
City Council- 2nd Tuesday business meeting, 4th Tuesday work session meeting

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 n**o**t so submitted in a timely manner, postpone scheduling a public hearing for consideration thereof until complete. Applicant, or qualified representative, shall attend all public meetings held by Planning Commission and City Council regarding the proposed Subdivision

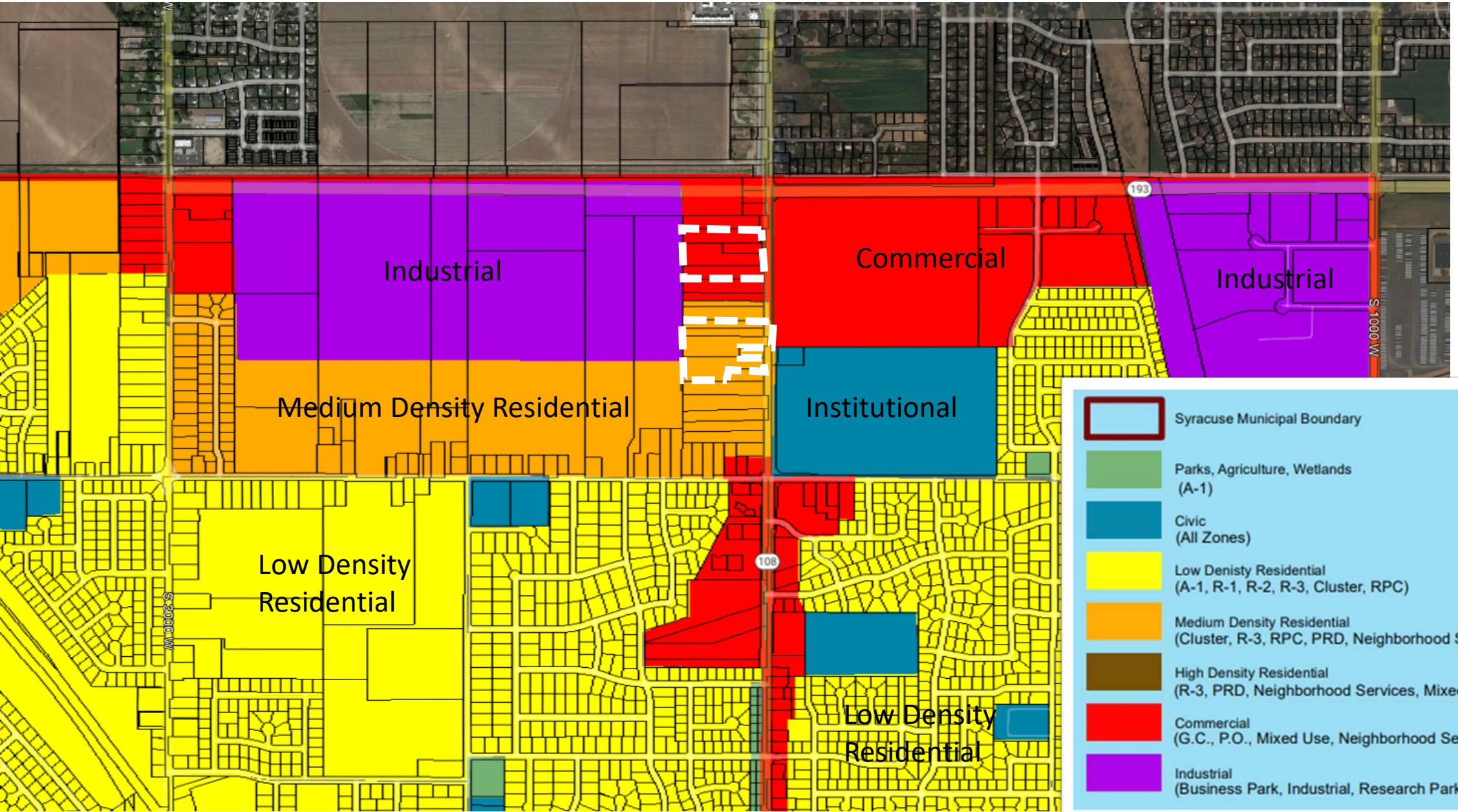
Preliminary Plan Requirements
- ☐ 3 sets @ 22"x34" and 1 set @ 11"x17",
- ☐ PDF copy emailed or submitted on CD

All drawings shall be prepared by a civil engineer licensed to practice in the state of Utah and comply with the requirements of the Syracuse City Municipal Code Title VIII and X. Please visit www.syracuseut.com to view the municipal code.

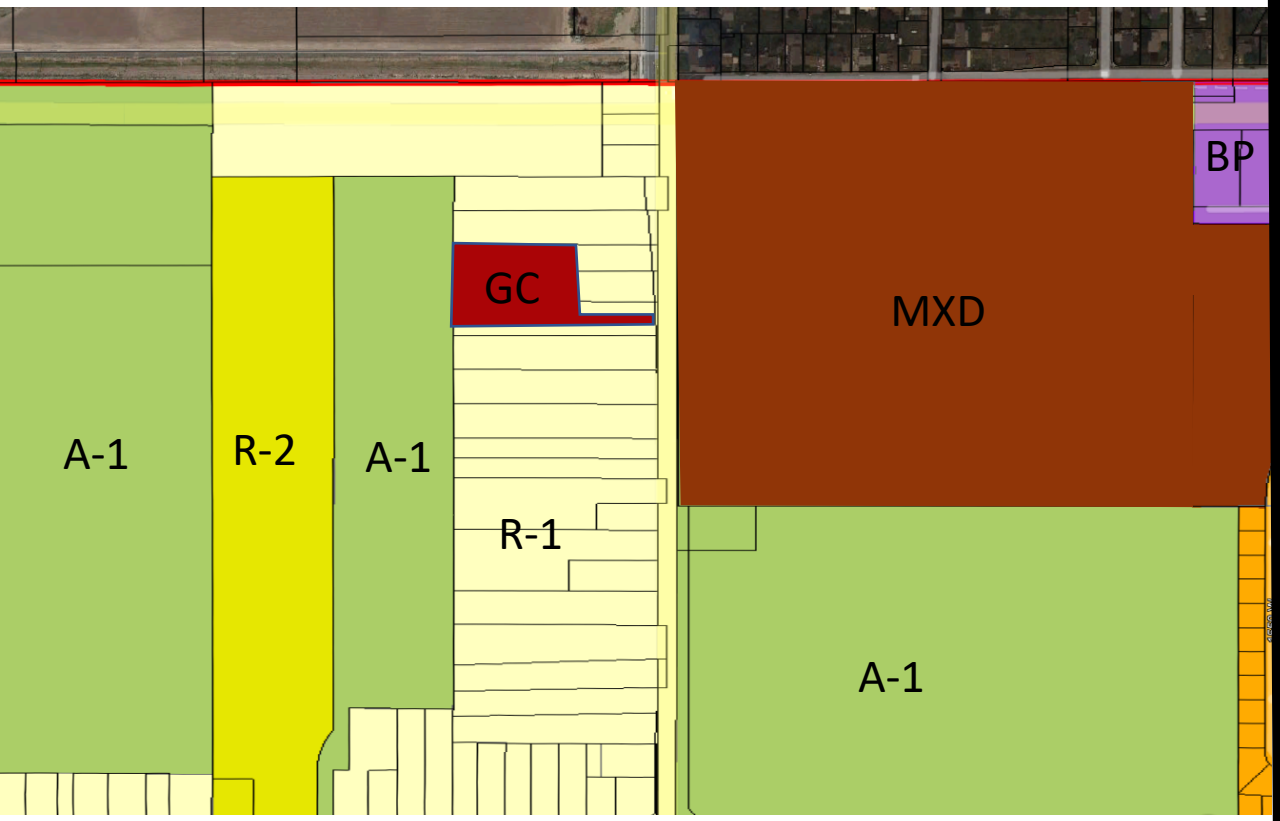
Required General Information
- ☐ The proposed name of the subdivision.
- ☐ The location of the subdivision, including the address of the section, township and range.
- ☐ Date of preparation.
- ☐ The location of the nearest bench mark and monument.
- ☐ The boundary of the proposed subdivision.
- ☐ Legal description of the subdivision and acreage included.
- ☐ 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


193
193
108
S 2000 W
The Church of Jesus Christ of Latter…
Syracuse High School
from 1985.

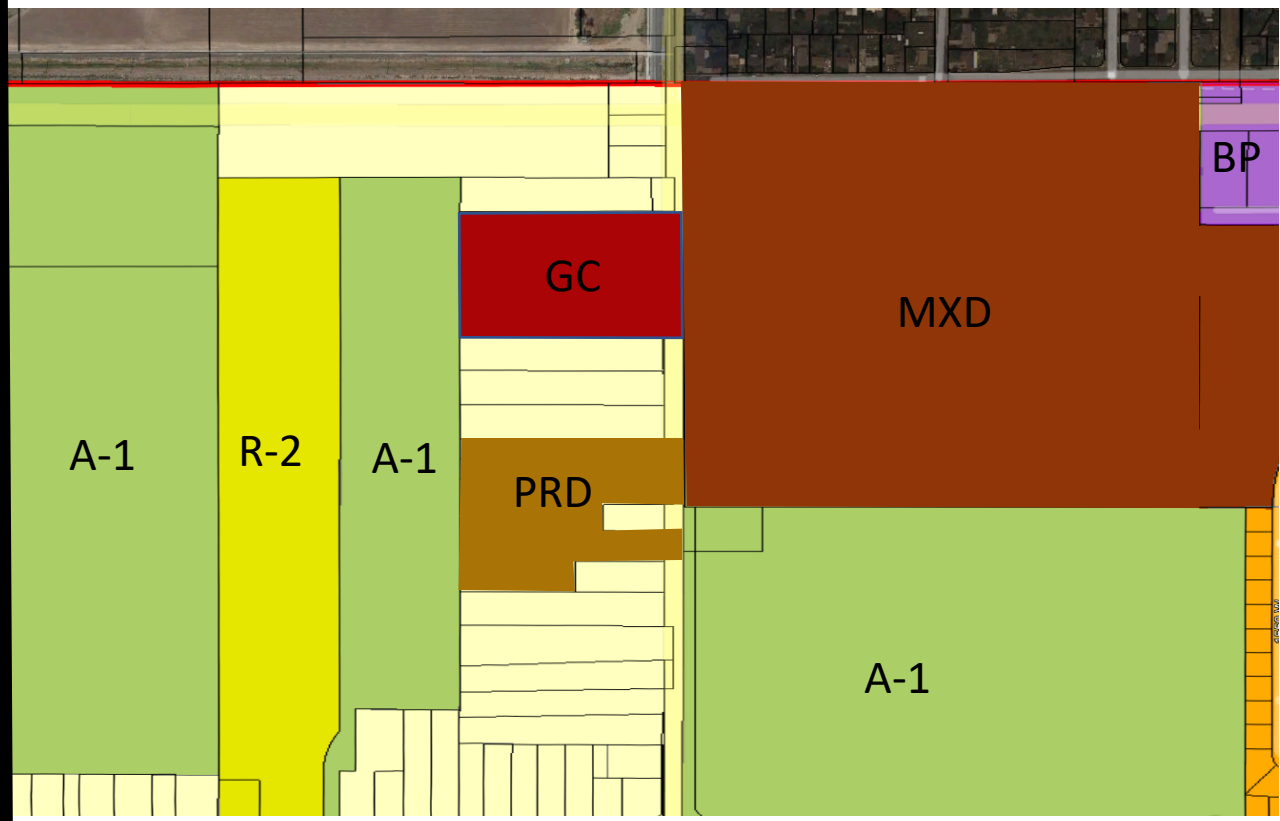
General Plan

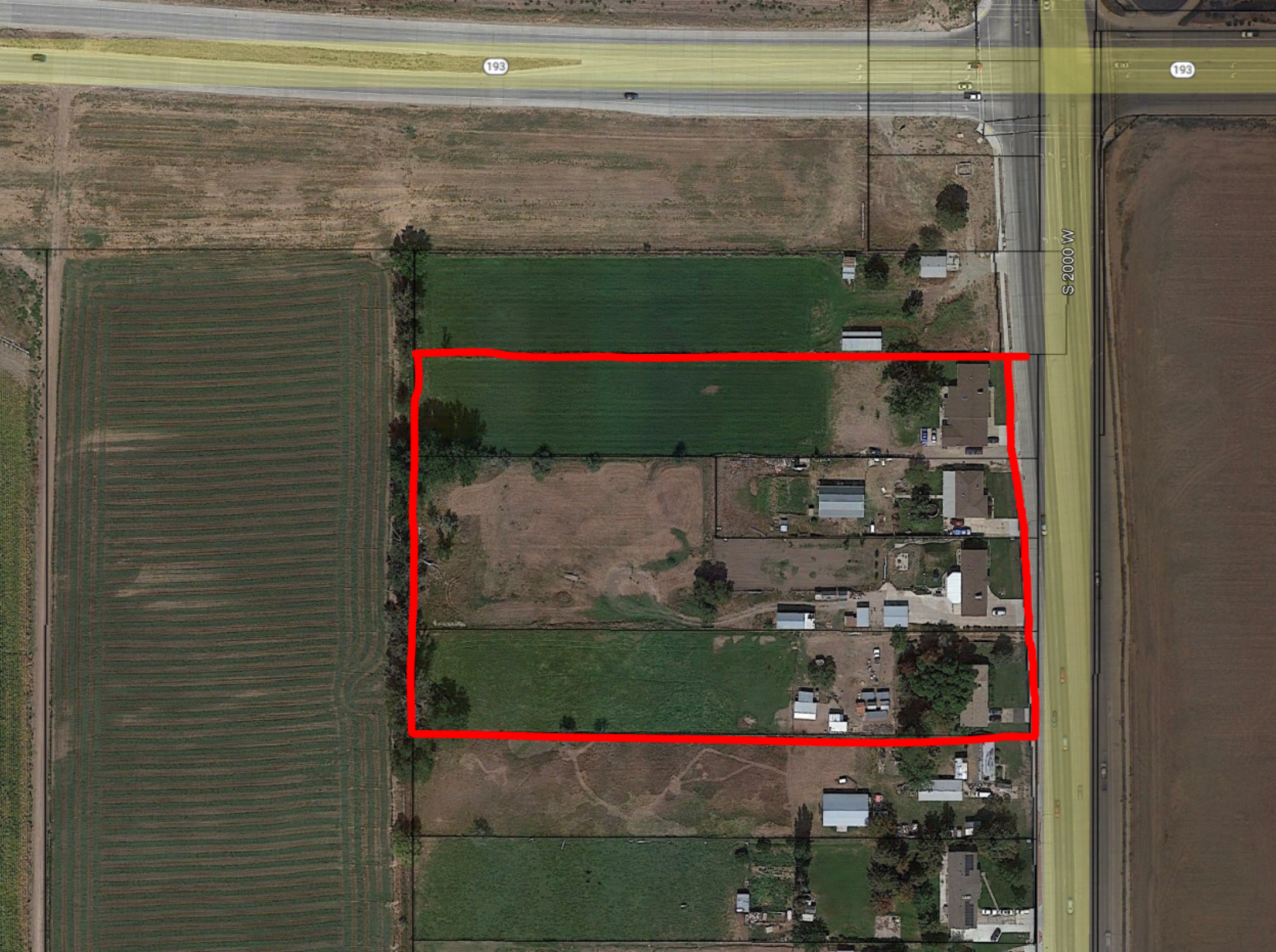


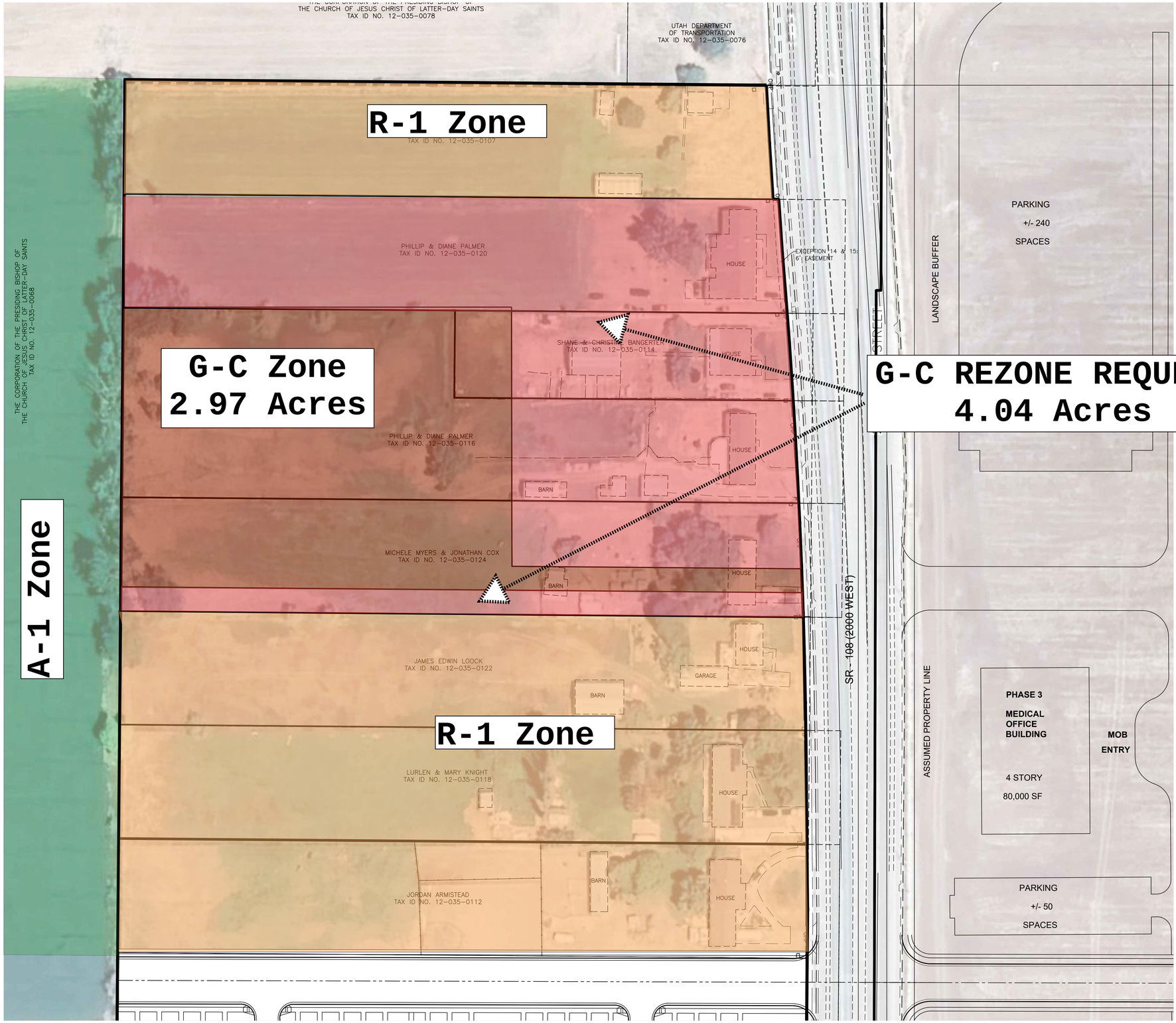
Existing Zoning



Proposed Zoning




193
193
S 2000 W



HUNT ENGINEERING, LLC
6619 Willow Creek Rd.
Mountain Green, UT 84050
C. 801.664.4724
thomas.hunt@hunt-engineering.com

Palmer Property

SR-193 & 2000 West
Syracuse, UT

Site Plan

Revisions	Date

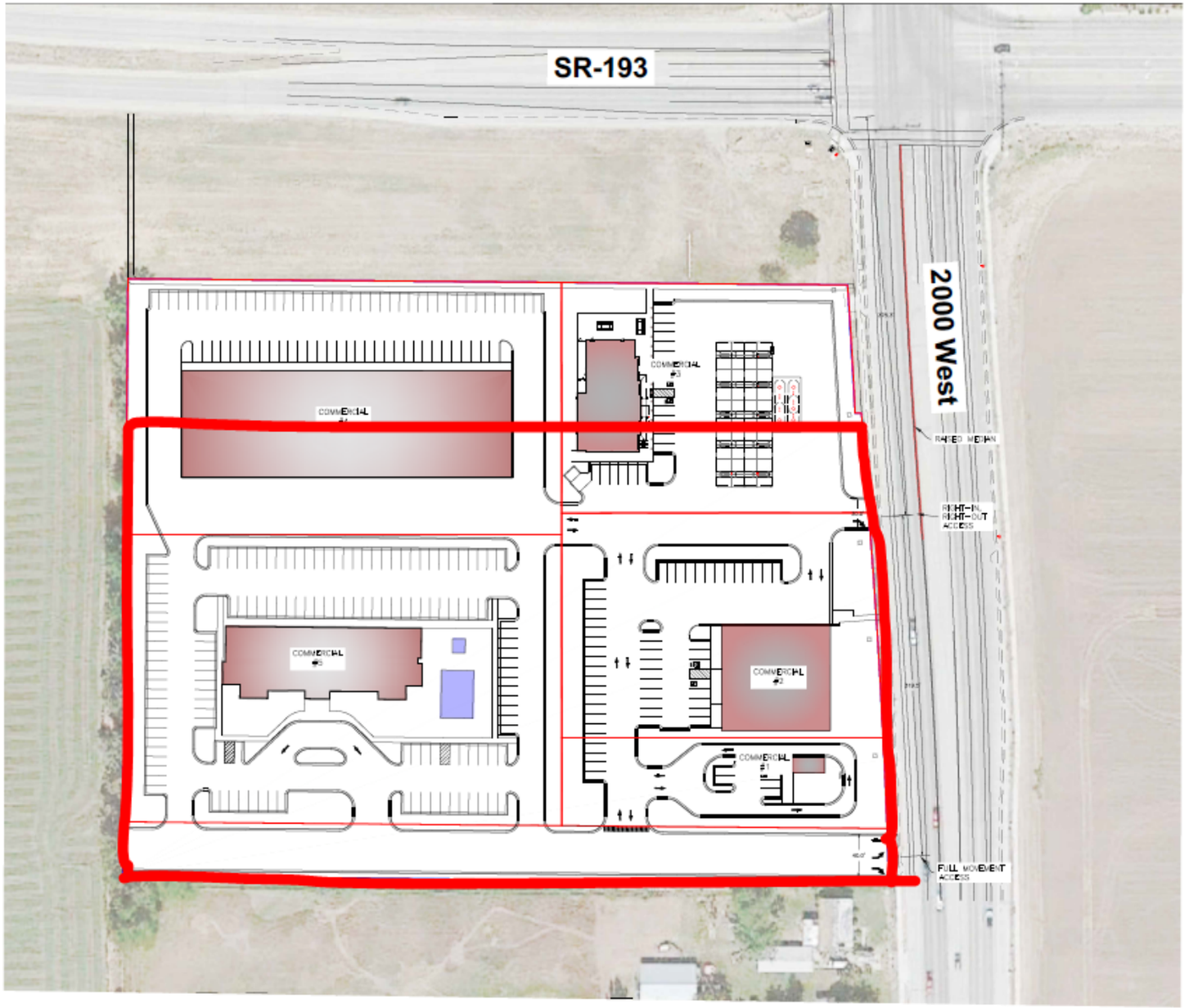
ENGINEERS STAMP

PROFESSIONAL ENGINEER
10854988
THOMAS J. HUNT
STATE OF UTAH

PROJECT INFO.

Engineer: T. HUNT
Drafter: T. HUNT
Start Date: 7/22/22
Name: T.HUNT

SHEET 1 of 1 SHEETS



Site Information

PROPOSED COMM ZONE:	8.99 ACRES
COMMERCIAL #1:	0.58 ACRES
BLDG SIZE:	500 SF
PARKING:	9 STALLS
COMMERCIAL #2 AREA:	1.43 ACRES
BLDG SIZE:	10,000 SF
PARKING:	47 STALLS
COMMERCIAL #3 AREA:	1.37 ACRES
BUILDING SIZE:	5,000 SF
PARKING:	20 STALLS
COMMERCIAL #4 AREA:	2.22 ACRES
BUILDING SIZE:	31,000 SF
PARKING:	75 STALLS
COMMERCIAL #5 AREA:	2.55 ACRES
BUILDING SIZE:	11,500 SF
PARKING:	140 STALLS

N

50 0 50 100 150

Scale: 1" = 50'

Developer Contact:

Spencer Wright
Wright Development Group
1178 W. Legacy Crossing Blvd Ste 100
Centerville Utah 84014
PH: (801) 773-7339

HUNT ENGINEERING, LLC
6819 Willow Creek Rd.
Mountain Green, UT 84050
C. 801.664.4724
thomas.hunt@hunt-engineering.com

Syracuse Property
2000 W SR 193
Syracuse, UT

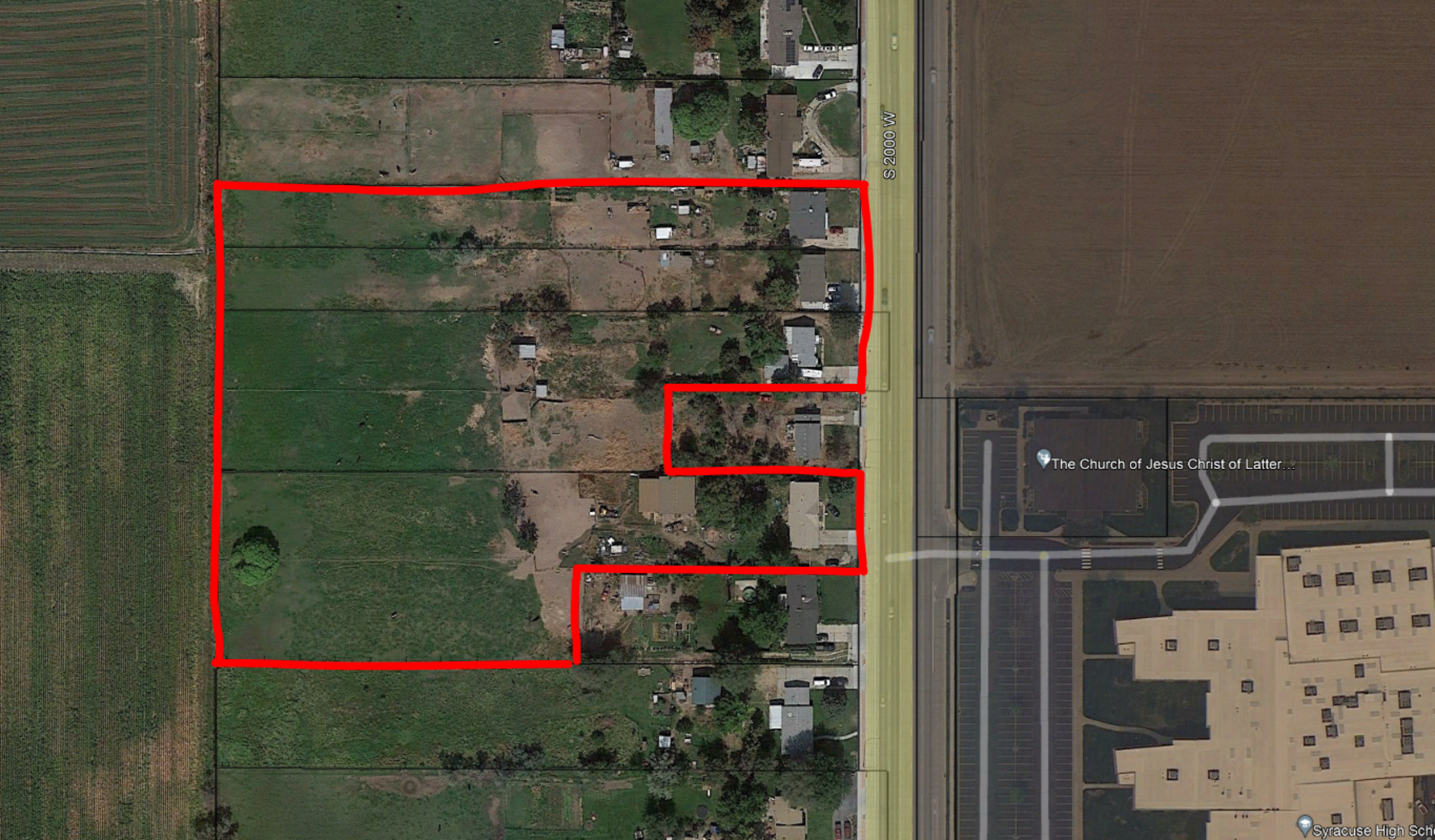
Property Exhibit

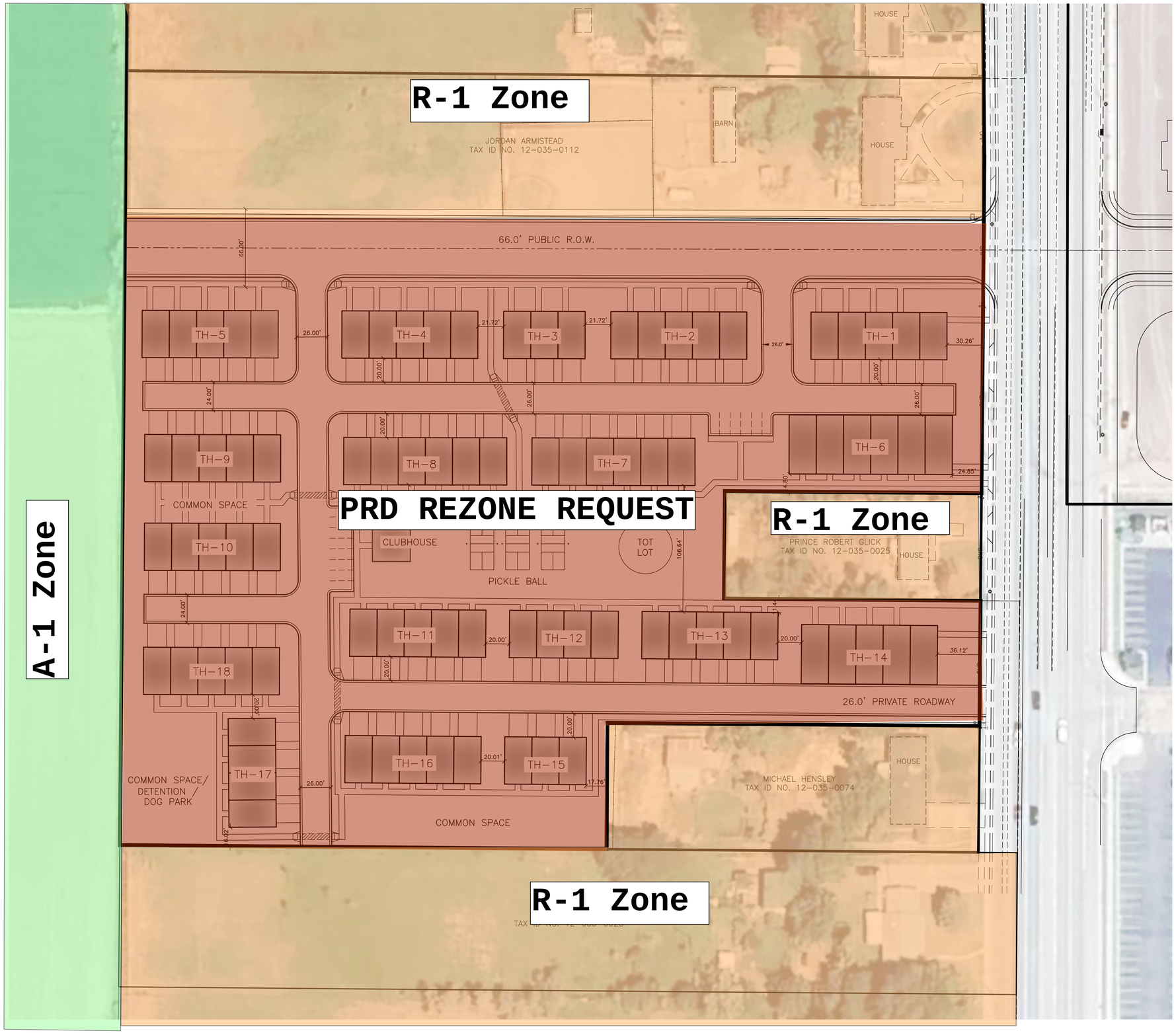
Revisions	Date

PROJECT INFO.

Drawn: T. Hunt
Checked: T. Hunt
Start Date: 3/9/2021
Notes: Syracuse Exhibit

SHEET 1 of 1 SHEETS


S 2000 W
The Church of Jesus Christ of Latter…
Syracuse High Sch



Site Information

ENTIRE SITE AREA:	7.69 ACRES
TOWNHOME UNITS:	76 3-STORY 11 2-STORY 87 TOTAL UNITS 11.31 UNITS/ACRE
COMMON SPACE:	1.54 ACRES – 20.0%
PARKING:	174 GARAGE STALLS 152 DRIVEWAY STALLS 14 OPEN STALLS 346 TOTAL STALLS 3.98 STALLS/UNIT

AMENITIES:
- CLUBHOUSE
- PICKLEBALL
- TOT LOT
- DOG PARK

N

40 0 40 80 120

Scale: 1" = 40'

HUNT ENGINEERING, LLC
6619 Willow Creek Rd.
Mountain Green, UT 84050
C. 801.664.4724
thomas.hunt@hunt-engineering.com

Palmer Property

SR-193 & 2000 West
Syracuse, UT

Site Plan

Revisions	Date

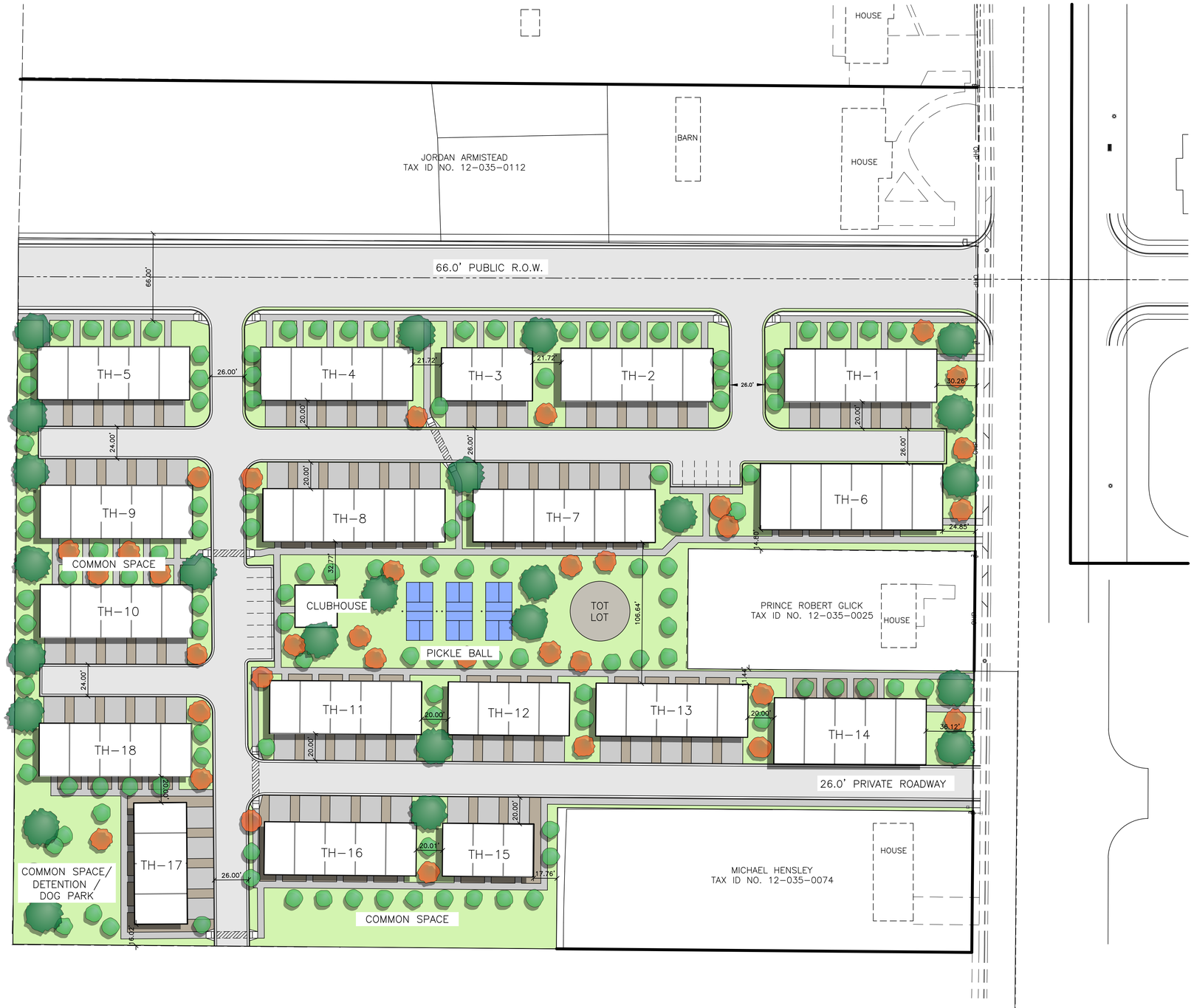
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STATE OF UTAH

PROJECT INFO.

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Drafter: T. HUNT
Start Date: 7/22/22
Name: T.HUNT

SHEET 1 of 1 SHEETS



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Scale: 1" = 40'

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6619 Willow Creek Rd.
Mountain Green, UT 84050
C. 801.664.4724
thomas.hunt@hunt-engineering.com

Village on 2000

Landscape Concept

Revisions	Date

ENGINEERS STAMP

PROFESSIONAL ENGINEER
10854988
THOMAS J. HUNT
STATE OF UTAH

PROJECT INFO.

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Name: T.HUNT

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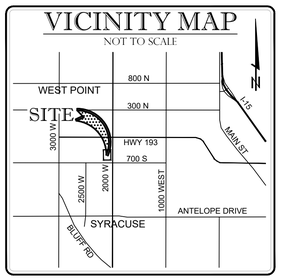
SHEETS

VILLAGE ON 2000 PRELIMINARY PLAT

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 NORTH,
RANGE 2 WEST, SALT LAKE BASE & MERIDIAN
SYRACUSE CITY, DAVIS COUNTY, UTAH
JULY 2022

VICINITY MAP

NOT TO SCALE



SITE INFORMATION

ENTIRE SITE AREA:	7.69 ACRES
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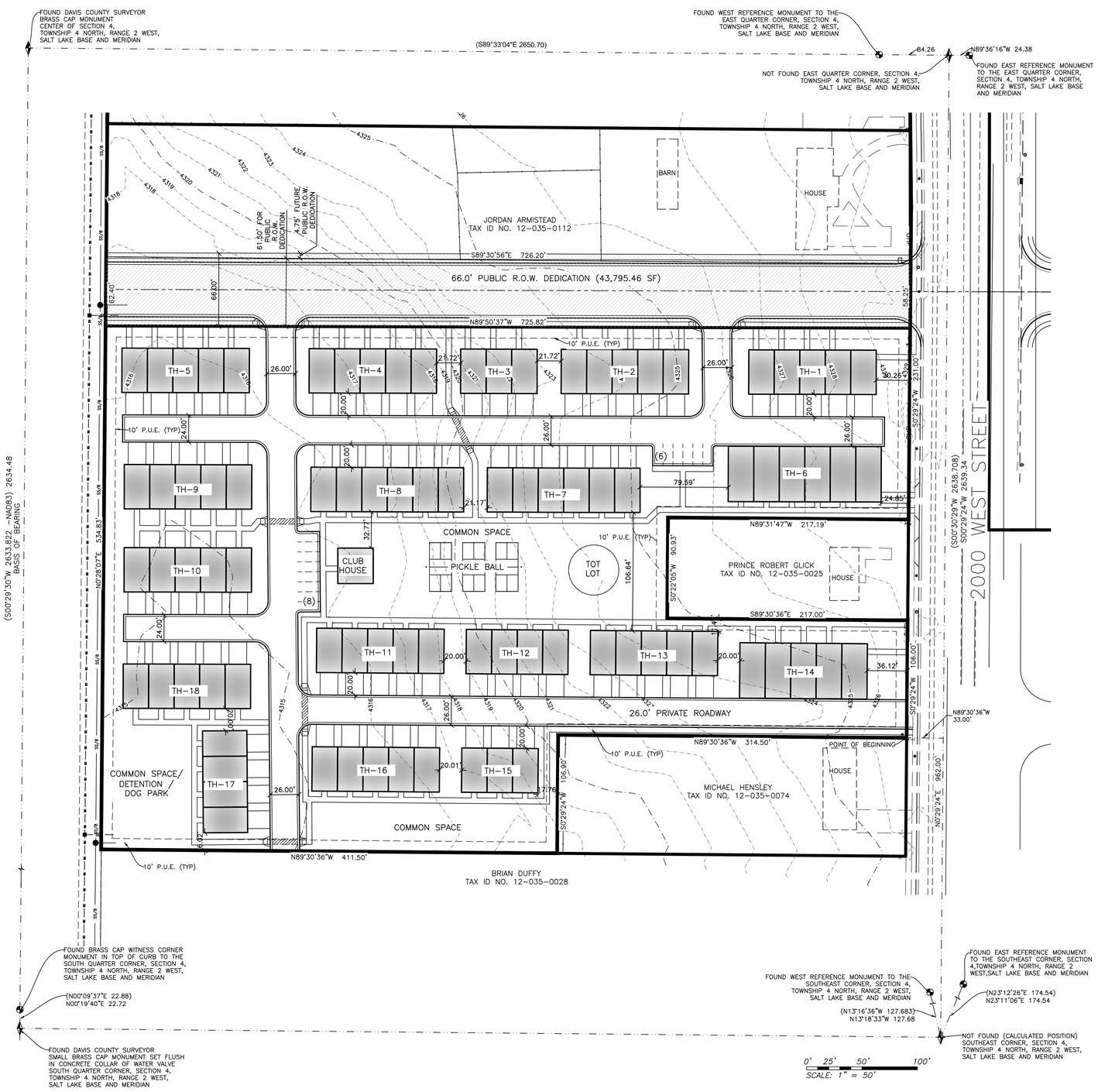
AMENITIES:
- CLUBHOUSE
- PICKLEBALL
- TOT LOT
- DOG PARK

LEGEND

- Section Monument
- Property Corner
- Refernce/Witness Monument
- Break Line
- Property Line
- Section Line
- Center Line
- Easement Line

FLOOD NOTE

THE SURVEYED PROPERTY IS LOCATED WITHIN ZONE "X", "AREA OF MINIMAL FLOOD HAZARD"; ACCORDING TO THE FLOOD INSURANCE RATE MAP WITH COMMUNITY PANEL NO. 49011C0205E, BEARING AN EFFECTIVE DATE OF JUNE 18, 2007.



SURVEYOR'S CERTIFICATE

I, MICHAEL L. WANGEMANN, A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 6431156 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF UTAH STATE CODE. I FURTHER CERTIFY BY AUTHORITY OF THE OWNER(S) THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF SAID CODE, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS AND EASEMENTS, AND THE SAME HAS, OR WILL BE CORRECTLY SURVEYED, STAKED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

PROFESSIONAL LAND SURVEYOR
MICHAEL L. WANGEMANN
No. 6431156
STATE OF UTAH

Michael L. Wangemann, PLS

Date of Plat or Map: _____

PLS# 6431156-2201

LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF 2000 WEST STREET, SAID POINT BEING NORTH 00°29'24" EAST ALONG THE SECTION LINE 962.00 FEET AND NORTH 89°30'36" WEST 33.00 FEET FROM THE SOUTHEAST CORNER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 89°30'36" WEST ALONG AN EXISTING FENCE LINE 314.50 FEET; THENCE SOUTH 00°29'24" WEST 106.90 FEET; THENCE NORTH 89°30'36" WEST 411.50 FEET; THENCE NORTH 00°28'07" EAST 534.83 FEET; THENCE SOUTH 89°30'56" EAST 726.20 TO THE WEST RIGHT-OF-LINE OF 2000 WEST STREET FOR THE FOLLOWING COURSE; THENCE SOUTH 00°29'24" WEST 231.00 FEET; THENCE NORTH 89°31'47" WEST 217.19 FEET; THENCE SOUTH 00°22'05" WEST 90.93 FEET; THENCE SOUTH 89°30'36" EAST 217.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF 2000 WEST STREET FOR THE FOLLOWING COURSE SOUTH 00°29'24" WEST 106.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 334,997.63 SQ/FT OR 7.69 ACRES

GENERAL NOTES

1. ALL COURSES SHOWN IN PARENTHESIS ARE RECORD INFORMATION TAKEN FROM DEED DESCRIPTION OR OFFICIAL MAPS OR PLATS OF RECORD. ALL OTHER COURSES ARE THE RESULT OF ACTUAL FIELD MEASUREMENTS.

2. ALL PROPERTY CORNERS ARE SET WITH 5/8" REBAR AND PLASTIC CAP STAMPED "UTAH LAND SURVEYING" OR OTHER PERMANENT MARKERS OR AS OTHER WISE STATED.

3. THE ADDRESS TO THIS PROPERTY IS 320 SOUTH 2000 WEST, SYRACUSE, UT 84075.

4. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.

5. THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

6. THERE ARE NO VISIBLE ENCROACHMENTS ON THE DESCRIBED LAND BY ANY IMPROVEMENTS ON ANY ADJOINING PREMISES, NO ENCROACHMENTS ON ADJOINING PREMISES BY IMPROVEMENTS ON THE DESCRIBED LAND AND OTHER THAN THOSE SHOWN ON THIS SURVEY PLAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF THE LAND.

7. THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.

8. THE SUBJECT PROPERTY IS SERVICED BY PUBLIC UTILITIES FROM PUBLICLY DEDICATED STREETS.

BASIS OF BEARINGS

THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED USING FOUND MONUMENTS LOCATED AT THE SOUTH QUARTER CORNER AND THE CENTER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AS SHOWN ON THIS SURVEY PLAT.

UTILITY NOTE:
THE UTILITY INFORMATION SHOWN ON THIS PLAT IS BASED ON ABOVE GROUND EXISTING STRUCTURES AS OBSERVED AND LOCATED BY THE SURVEYOR IN THE FIELD AS WELL AS INFORMATION PROVIDED TO THE SURVEYOR. NO FURTHER INVESTIGATION OF EXISTING UTILITIES WERE PERFORMED FOR THIS SURVEY. THEREFORE THE SURVEYOR IS NOT RESPONSIBLE FOR THE REPRESENTATION OR OMISSION OR SUCH INFORMATION ON THIS PLAT. CONTACT BLUE STAKES BEFORE ANY DIGGING, EXCAVATION OR CONSTRUCTION IS TO TAKE PLACE.

811 Know what's below. Call before you dig.

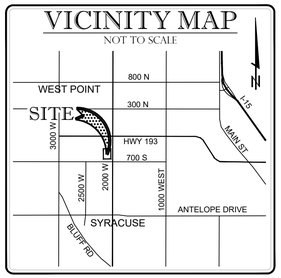
UTAH LAND SURVEYING, LLC
A PROFESSIONAL LICENSED LAND SURVEYING COMPANY
1359 FAIRWAY CIR
FARMINGTON, UT 84025
PHONE 801.725.8395
mikew@utahlandsurveying.com
www.utahlandsurveying.com

VILLAGE ON 2000 PRELIMINARY - UTILITY OUTFALL

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 NORTH,
RANGE 2 WEST, SALT LAKE BASE & MERIDIAN
SYRACUSE CITY, DAVIS COUNTY, UTAH
AUGUST 2022

VICINITY MAP

NOT TO SCALE



SITE INFORMATION

ENTIRE SITE AREA:	7.69 ACRES
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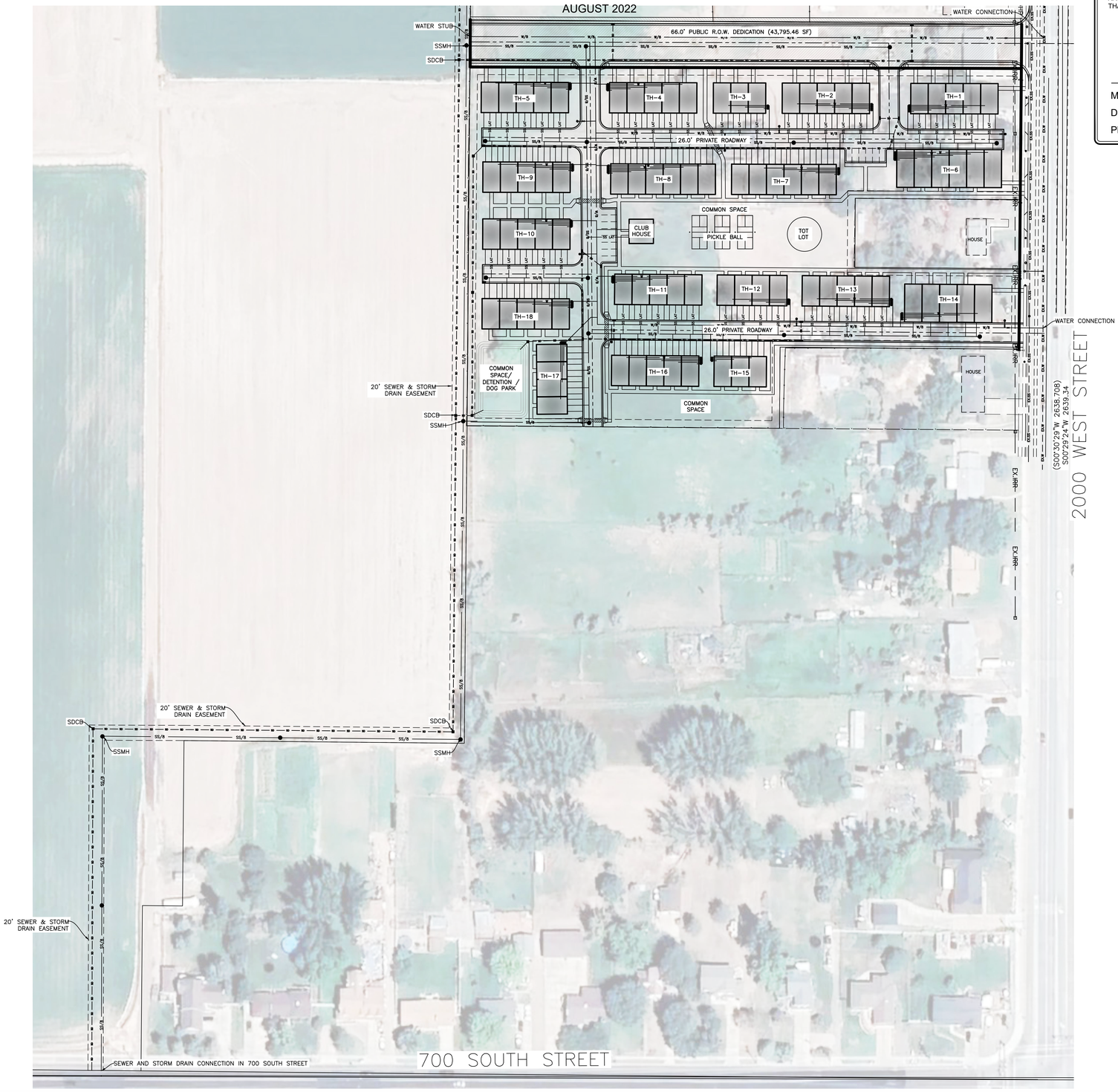
AMENITIES:
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- PICKLEBALL
- TOT LOT
- DOG PARK

LEGEND

- Section Monument
- Property Corner
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SURVEYOR'S CERTIFICATE

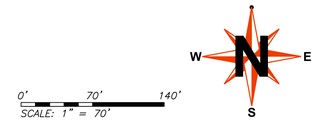
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PROFESSIONAL LAND SURVEYOR
MICHAEL L. WANGEMANN
No. 6431156
STATE OF UTAH

Michael L. Wangemann, PLS

Date of Plat or Map: _____

PLS# 6431156-2201



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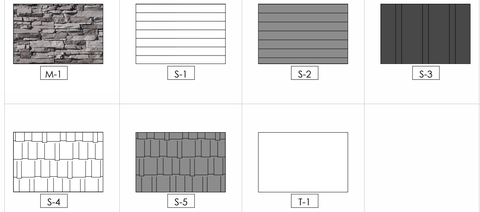
811 Know what's below. Call before you dig.

UTAH LAND SURVEYING, LLC
A PROFESSIONAL LICENSED LAND SURVEYING COMPANY
1359 FAIRWAY CIR
FARMINGTON, UT 84025
PHONE 801.725.8395
mikew@utahlandsurveying.com
www.utahlandsurveying.com



1 **FRONT ELEVATION**
3/16" = 1'-0"

MATERIAL LEGEND



CODE	MATERIAL	STYLE	COLOR/FINISH
M-1	MASONRY - STONE	EL DORADO	SILVER LINING
S-1	HORIZONTAL LAP SIDING	JAMES HARDIE - HARDIE PLANK	WHITE
S-2	HORIZONTAL LAP SIDING	JAMES HARDIE - HARDIE PLANK	LIGHT GRAY
S-3	BOARD & BATT SIDING	JAMES HARDIE - HARDIE PANEL	DARK GRAY
S-4	SHAKE SIDING	JAMES HARDIE - HARDIE SHINGLE SIDING	WHITE
S-5	SHAKE SIDING	JAMES HARDIE - HARDIE SHINGLE SIDING	LIGHT GRAY
T-1	TRIM	JAMES HARDIE - HARDIE TRIM	EXTRA WHITE



2 **REAR ELEVATION**
3/16" = 1'-0"

Noah Steele

From: Noah Steele
Sent: Friday, July 29, 2022 4:59 PM
To: Logan Johnson; Royce Davies
Cc: Brian Bloemen; Golden Barrett
Subject: RE: 2 Rezone Applications - Commercial Corner - Village on 2000

Logan,

Here is my review of your plans.

- Allowed density is 9 units per acre. Proposed density is 11.31 units per acre. 7.69 acres at 9 units per acre would allow 69 units max. 450 south is not shown on the adopted transportation master plan as a collector or arterial so you don't qualify for 12 units per acre. You are within ¼ mile of a bus stop and you are on a state highway.
- The front doors of many of the units are facing in random directions. Ordinance says units are to face a public road or private drive. This is for natural surveillance and for curb appeal as one drives through the development. Buildings 6-18 are in violation of the ordinance. Buildings 1-5 are acceptable. Buildings 6 and 14 have the end unit facing the road but the other units in the building face the side of the existing house, which reduces the Glick family's privacy. 72% of the buildings are out of compliance.
- Front setback is 20 feet and rear setback is 15 feet, side setback is 10 feet between structures or 5 feet to property line. TH-9 and 10 appear to be closer together than 40' (20' front setback for each unit). This is a moot point because courtyard design is not allowed in the .PRD anyway.
- Only one front elevation provided, architectural variation is required between each building. Unable to evaluate if variation between buildings is accomplished without more information. Also, no elevation is provided for the 2 story townhome design.

Thanks,

Noah Steele, AICP
CED Director
1979 W 1900 s
Syracuse City, 84075
(801) 614-9672
nsteele@syracuseut.com

After recording, please send to:
Syracuse City
Attn: City Recorder
1979 W. 1900 S.
Syracuse, Utah 84075

DEVELOPMENT AGREEMENT
FOR THE VILLAGE ON 2000 PROJECT
(SYRACUSE CITY, DAVIS COUNTY, UTAH)

This Development Agreement (this "Agreement") is made and entered into as of this _____ day of _____, 2022, by and between **WDG Syracuse, LLC**, a Utah limited liability company (the "Developer"), and **Syracuse City**, a municipality and political subdivision of the State of Utah (the "City"). City and Developer are jointly referred to as the "Parties" and each individually as a "Party."

RECITALS:

A. The Developer is developing approximately 7.69 acres of property located at approximately 446, 460, 478 & 506 South 2000 West in Syracuse City, Davis County, Utah, as more particularly described in **Exhibit A**, which is attached hereto and by this reference made a part hereof (the "Property"). Developer will be the owner of the Property.

B. The Property is subject to the Planning and Land Use Ordinances of Syracuse City. The Property is currently zoned A-1 (Agricultural) but Developer has sought rezoning to a PRD (Planned Residential Development).

C. The purpose of the PRD Zone under the City Code 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." The Developer intends to develop the Property into the Village on 2000 (the "Project"), which shall include the PRD zoning designation.

D. Under Syracuse Municipal Code the PRD does not require any commercial component to the development.

E. Developer and City acknowledge that development in the PRD Zone requires a development plan and a development agreement specific to each area zoned as PRD.

F. The City Council of Syracuse City (the "City Council"), acting pursuant to its authority under Utah Code § 10-9a-102(2) *et seq*., as amended, and the Syracuse City Code (the "City Code"), and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations,

has elected to enter into this Agreement, concurrent with its decision of whether to grant the zoning application.

G. The Developer and City acknowledge that the development and improvement of the Property pursuant to this Agreement must comply with the requirements of the PRD Zone, except as specified herein and will provide certainty useful to the Developer and to the City in ongoing and future dealings and relations among the Parties pertaining to the development of the Project.

H. The City and Developer intend for this Agreement to provide Developer with vested entitlements for development of the Project. The City has determined that entering into this Agreement furthers the purposes of the Utah Municipal Land Use, Development, and Management Act, the City's General Plan, and the City's land use ordinances (collectively, the "Public Purposes"). As a result of such determination, the City has elected to move forward with the approvals necessary to approve the development of the Project in accordance with the terms and provisions of this Agreement and the Development Plan. This Agreement is a "development agreement" within the meaning of and entered into pursuant to the terms of Utah Code Ann. §10-9a-102(2).

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. **Recitals; Definitions.** The Recitals set forth above are incorporated herein by this reference. Any capitalized term used but not otherwise defined in this Agreement shall have the meaning ascribed to such term in the City Code.

2. **Effective Date**. This Agreement is effective on the date the City Council approves the execution of this Agreement (the "Effective Date").

3. **Compliance with Current City Ordinances.** Unless specifically addressed in this Agreement, the Developer agrees that the Project shall be developed in a manner that complies with applicable provisions of the City Code as they exist on the date of execution of this Agreement. The Developer understands that the Project is subject to final subdivision plat review and approval, and that final plat approval is contingent upon the Project's compliance with all relevant City ordinances. This Agreement does not modify the Planning Commission's authority related to final plat review. Final plat applications shall be consistent with the themes and plan established by this Agreement, unless the City Council first approves such deviations through amendment of the Agreement. The same is true of any buildings subject to Site Plan approval, such as the clubhouse.

4. **Contract Dependent upon Zoning Approval.** The Parties agree that the terms of this Agreement are only applicable if the City Council approves the pending zoning application. The approval of this Agreement may only occur in conjunction with an approval of that application. The approval of this Agreement shall be an administrative action.

5. **Future Land Use Applications.** This Agreement does not authorize or promise any approvals, zoning or otherwise for future applications. The application shall undergo the land development process and shall only be approved if all applicable requirements are met, except as

modified by this agreement. Modifications to applicable zoning requirements to this Development, as applicable, are made pursuant to the provisions of Utah Code Ann. § 10-9a-532(2)(a)(iii), following the same procedures for land use regulation adoption in the City, including planning commission review and a public hearing.

6. **Zoning and Permitted Uses**. If zoning approval is provided by the City Council, then Developer shall develop and use the Property in accordance with the requirements of the Development Plan attached hereto as **Exhibit B** (the "Development Plan") and applicable provisions of the City Code that are not inconsistent with this Agreement or the Exhibits hereto. The Project is a townhouse development with no more than eighty-seven (87) residential units. Amenities included in the Development Plan shall be required for Site Plan approval, including, but not limited to, club house, pickle ball courts, tot lot, dog park, and multiple open grassy areas.

6.1. **Density**. The maximum residential density permitted for this project is 11.31 units per acre, which is no greater than eighty-seven (87) total residential units for the Project. Eleven (11) units shall be 2-story townhomes, and seventy-six (76) units shall be 3-story townhomes. The City Council has determined that the construction of 450 South, which will be constructed for the width of this Development by the Developer in this project, is considered to be an arterial road, even though it does not yet appear in the Syracuse City Transportation Master Plan.

6.2. **Common Space**. The Project will contain no less than twenty percent (20%) landscaped area in accordance with Syracuse Municipal Code § 10.92.040(D)(3). Landscaped area shall include, but is not limited to a club house, pickle ball courts, tot lot, dog park, and multiple open grassy areas and other landscaped spaces (the "Common Space"). The Common Space is shown on the Development Plan (**Exhibit B**). The Common Space will be owned and maintained by the property owner or a homeowner's association (the "HOA"). It will also include the on-site stormwater detention basin required by state and local ordinances. The Common Space and amenities are to be used for calculation in this Project only and may not be used as credit toward any other common space or amenity requirements at other developments or properties.

6.3. **Layout; Circulation and Connectivity**. The layout of the Project as shown in the Development Plan (**Exhibit B)** is hereby approved by the City. Notwithstanding section 10.92.040(F)(8) of the Syracuse City Municipal Code, the City agrees to the placement of entirely residential buildings, as shown on the Development Plan. All internal roads within the Project will be privately owned and maintained, which shall be constructed in accordance with applicable City Codes and regulations. 450 South will be dedicated as a sixty-six foot (66') public right of way, constructed by Developer to City standards.

6.3.1. **Parking.** The Development Plan (**Exhibit B**) includes designated parking stalls, garages, and driveways. In no case shall the parking be below a ratio of three (3) parking stalls per residential unit.

6.4. **Building Height.** Buildings within the Project may not exceed forty-five feet (45') in height.

6.5. **First Floor Front Doors.** The layout of the Project as shown in the Development Plan (**Exhibit B)** is hereby approved by the City. Buildings along 450 South and 2000 West shall have first floor front doors that open to the public streets. Buildings within the site, along private roadways, may open to private streets, open space, or pedestrian walkways.

6.6. **Buffer Yards.** On the southern border of the site where the Project shares a property line with parcel 120350028, the buffer yard shall include a six foot (6') precast concrete wall and fifteen feet (15') of landscaping, except where there is a vehicular access stub. On the western border of the site, the buffer yard shall include fifteen feet (15') of landscaping with a six foot (6') vinyl fence to allow for possible future connection. Where the Project borders parcels 120350025 and 120350074, the buffer yard shall include a six foot (6') vinyl fence and ten feet (10') of landscaping wherein pedestrian walkways are allowed. Along the northern property line of parcel 120350074, the aligned roadway may encroach within the landscaping buffer.

6.7. **Architecture**. All buildings within the Project shall meet the architectural standards of the City Code. The architectural theme and elevations are attached to this Agreement as **Exhibit C** and are incorporated into this Agreement by reference. The themes and elevations are crucial components of this Agreement and form a key basis for the Project's approval and the zone change. The elevations and drawings in **Exhibit C** are attached as concepts and illustrative of themes only and may not necessarily comply with all City building requirements. The Parties acknowledge and agree that, notwithstanding the elevations' inclusion in this Agreement, before any buildings are built in the Project, the plans, elevations and designs must be approved by the City and must comply with all applicable city code requirements. Unless expressly stated, this Agreement does not override City code requirements related to architecture.

6.7.1. The Developer agrees that the following architectural features of the buildings in this Development are required and not subject to change without amendment of this Agreement:

(a) Windows in front doors;
(b) Tapered craftsman porch columns;
(c) Grey and white hardi-board and grey stone fronts;
(d) Combinations of shake, vertical, and horizontal hardi-board;
(e) Architectural brackets for framed window awnings, cantilevers, and front gable ends
(f) Wrapped front porch on end units;
(g) Covered front porches at least ten feet (10') wide by four feet (4') deep
(h) Square window mullions; and
(i) Stepped ridgeline variations.

7. **Development Plan and Development Agreement.**

7.1. **Minimum Acres**. The Project is approximately 7.69 total gross acres.

7.2. **Landscaping.** Landscaping shall be installed by the Developer in accordance with landscaping plans to be approved by the City, which approval will not be unreasonably withheld or delayed.

7.3. **Wetlands**. The Project shall be developed in compliance with any wetlands delineation and mitigation plans approved by the US Army Corps of Engineers, if applicable. The City will not take ownership or maintenance of any wetlands, which maintenance shall become the responsibility of the property owner or HOA upon its establishment.

8. **Homeowner Association or Sole Ownership.** The Development is contemplated as a townhouse development, with buildings and units that may be owned by one or more than one owner. Developer and any successors in interest shall be responsible to ensure that all Common Space is maintained in a first-class manner. The City shall never be responsible for the maintenance of Common Space in the Development.

8.1. **Future Subdivision.** Should the Developer or a successor in interest later wish to sell condominium units into separate ownership, then they shall be required to undergo the subdivision process and receive City approval for that subdivision. In such a case, prior to the sale or subdivision of any lots, the Developer or a successor in interest shall first create an HOA which shall be responsible for maintenance of all Common Space and Common Amenities located within the Project. The HOA shall be formed at the time of recording of the final plat and shall be governed by enforceable and duly recorded Declaration of Covenants, Conditions and Restrictions (the "CC&R's"), the form of which must be approved in advance by the City, which approval will not be unreasonably withheld or delayed. The use and restrictions of Common Spaces and the Common Amenities within the Project are private and will be governed by the CC&R's and such other rules, regulations and guidelines adopted by the HOA. All maintenance of the Common Space and Common Amenities shall be performed and managed by the HOA.

9. **450 South Street**.

9.1 The Developer (and/or any subsequent owner of the Project) shall be responsible for the installation a 66' wide public road within the Project, improved to the City's collector standard. The Developer shall construct the road according to City standards on the South side of the road, including sidewalk and applicable park strips, but ending construction at the back-of-curb on the North side. The road shall include installation of culinary water, secondary water, sewer and storm drain mains. The City will take over ownership and maintenance of 450 South Street and the utilities in 450 South Street after a one year warranty period. The developer will be responsible to procure and follow all necessary permits from UDOT for the road connection onto 2000 West Street (SR-108). The Developer shall relocate City's existing streetlight being impacted at the 450 South Street & 2000 West Street intersection.

10. **Onsite Improvements**.

10.1. The Developer (and/or any subsequent owner of the Project) shall be responsible for the installation of all onsite parking, drive aisles, water, sewer, and storm drainage improvements sufficient for the development of the Project in accordance with the City Code. All existing gravity irrigation serving the property shall be abandoned. The water, sewer, stormwater detention basin, and storm drain connections shall be made where and as approved by the City, which approval will not be unreasonably withheld. All onsite utilities shall be considered private and owned and maintained by the property owner or HOA. The City's ownership shall end at the following locations:

10.1.1. Culinary water: the valve leaving 450 South Street and at the valve on the City's existing main in 2000 West Street.

10.1.2. Secondary water: at the meter serving the property.

10.1.3. Sewer: at the sewer manhole at the southwest corner of the property.

10.1.4. Storm drain: The storm drain control box in the southwest corner of the property.

11. **Offsite Improvements**.

11.1. The Developer shall install the storm drain and sewer outfalls to 700 South Street. The Developer shall provide a minimum of a twenty foot (20') wide easement for the utilities. The Developer shall install roadbase installed to support a 75,000 pound truck withing the easement. The City will take over ownership of the utility outfall upon completion of the one-year warranty period.

12. **Water**.

12.1. The Developer shall meet or exceed the minimum culinary water requirements set forth in the Utah Division of Drinking Water R309-105 and Syracuse City Engineering Standards and Specifications.

12.2. Two (2) connections to the City's existing culinary system are required. No more than fifteen (15) units shall be serviced off a dead end culinary main. Isolation valves shall be installed so no more than fifteen (15) units will be out of water at a time in the event of a shutdown.

12.3. The Developer shall install a twelve-inch (12") culinary main in 450 South Street and connect it to the City's existing twelve-inch (12") culinary main on the east side of 2000 West Street (SR-108).

12.4. An 8" secondary water main shall be installed in the new 450 South Street. The existing secondary water services serving the existing homes to be demolished shall be capped at the main.

13. **Water Share Contribution**. In connection with the development of the Project, upon the application for a building permit for the first building in the Development, Developer will transfer

to the City all of the shares of water required for irrigation purposes, in accordance with Syracuse Municipal Code § 8.10.090. Credit will be given for portions of the Project that have previously conveyed water shares to the City, as per City code.

14. **Crime-Free Multi-Housing Program**. Developer and any successor in interest agrees to maintain a crime-free multi-housing program which provides for expeditious eviction of tenants who commit criminal activity in the Development. Developer also agrees to implement suggested Crime Prevention Through Environmental Design principles as suggested by the City, so long as the principles are consistent with City codes and may be implemented without undue expense. The City will cooperate with Developer in the operation of this program, including providing redacted police reports regarding criminal behavior to the Developer which occur in the Development without cost. Developer will cooperate with the City police department and report its actions with respect to any tenant for which a police report was submitted to the Developer or a successor landlord.

14.1. If the City implements a Good Landlord Program pursuant to Utah state law, then this Section will be superseded by that implementation, and the landlord will have the option of participating in the City's good landlord program.

15. **Vested Rights**. To the maximum extent permissible under the laws of Utah and at equity, the City and Developer intend that this Agreement be construed to grant Developer all vested rights to develop the Project in fulfillment of the terms and provisions of this Agreement and the laws and ordinances that apply to the Property as of the Effective Date of this Agreement. The Parties intend that the rights granted to Developer under this Agreement are contractual and are in addition to those rights that exist under statute, common law and at equity. If the City adopts different ordinances in the future, Developer shall have the right, but not the obligation, to elect to submit a development application under such future ordinances, in which event the development application will be governed by such future ordinance(s). By electing to submit a development application under a new future ordinance, however, Developer will not be deemed to have waived its right to submit or process other development applications under the City Code that apply as of the Effective Date of this Agreement. Notwithstanding this section, the site plan and development applications shall not be inconsistent with the themes and plan established by this Agreement, without prior City Council approval of those submissions, which decision shall not be unreasonably delayed, and if approved, shall serve as an amendment to this Agreement.

16. **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. The Project may not be assigned to multiple developers – only a single assignment of the entire Project shall be permissible.

17. **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 between the Parties, and may only be modified by a subsequent writing duly executed by the Parties hereto.

18. **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.

19. **Notices.**

Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be (a) served personally upon the party for whom intended, (b) sent by nationally recognized express delivery service, or (c) or if mailed, be by certified mail, return receipt requested, postage prepaid, to such party at its address shown below. Additionally, any such notices, requests and demands may be sent by electronic mail, so long as such notice is also delivered by one of the methods describe above.

To Developer:

WDG Syracuse, LLC
1178 West Legacy Crossing Blvd
Suite 100
Centerville, Utah 84014
Email: spencer@wrightdevelopment.com

To the City:

Syracuse City Attorney
1979 West 1900 South
Syracuse, Utah 84075
Email: proberts@syracuseut.com

With a Copy to:

Syracuse City Manager
1979 West 1900 South
Syracuse, UT 84075
Email: bbovero@syracuseut.com

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

20. **Amendment.**

The Parties or their successors in interest may, by written agreement, choose to amend this Agreement at any time. Any amendment of a substantial provision of this Agreement shall require the prior approval of the City Council and must be recorded in the Davis County Recorder's Office to be effective.

21. **General Terms and Conditions.**

21.1. Termination of Agreement. The term of this Agreement shall commence on the Effective Date of this Agreement and shall continue in full force and effect until the earlier of the following events: (i) certificates of occupancy have been issued for all dwelling units to be constructed in the Project, or (ii) ten (10) years from the date on which this Agreement is recorded with the Davis County Recorder's Office; provided, however, that if Developer is not in breach of any material provisions of this Agreement when said 10-year period expires, and any portions of the Project have not been completely built-out, then this Agreement shall automatically be extended for an additional period of five (5) years. When public improvements have been constructed and accepted by County (after expiration of applicable warranty periods), the Developer and/or the subsequent owner/developer shall be released from and have no continuing obligations with respect to such improvements.

21.2. Successors and Assigns. This Agreement shall be binding on the successors and assigns of Developer and future owners with respect to the portion of the Project they own. If any portion of the Property is transferred ("Transfer") to a third party ("Transferee"), the transferor and the Transferee shall be jointly and severally liable for the performance of each of the obligations contained in this Agreement unless prior to such Transfer, the transferor provides to City a letter from Transferee acknowledging the existence of this Agreement and agreeing to be bound thereby. Said letter shall be signed by the Transferee, notarized, and delivered to City prior to the Transfer. Upon execution of the letter described above, the Transferee shall be substituted as Developer under this Agreement and the transferor shall be released from any further obligations under this Agreement as to the transferred property. In all events, this Agreement shall run with and benefit the Property.

21.3. Default & 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 claimed to be in default. The defaulting 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 or specific performance, but excluding the recovery of monetary 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.

21.4. 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.

21.5. 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 zoning approval. 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 and overturns the land use decision. In such a case, this Agreement is void at inception.

21.6. 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.

21.7. No Officer or Employee Interest. It is 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.

21.8. 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.

21.9. Annual Inspections. The Developer and subsequent purchasers acknowledge that pursuant to section 104 of the International Fire Code, as amended, the residential and commercial structures are subject to annual fire inspections.

(*Remainder of page is intentionally blank*)

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.

WDG SYRACUSE, LLC

By: _____

Its: _____

Date: _____

STATE OF UTAH)
: ss.
COUNTY OF DAVIS)

On this _____ day of _____, 2022, personally appeared before me _____, the authorized _____**,** 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 _____
David Maughan, Mayor

Attest:

_____
Cassie Z. Brown, MMC
City Recorder

STATE OF UTAH)
: ss.
COUNTY OF DAVIS)

On this _____ day of _____, 2022, personally appeared before me Mayor David Maughan, 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 the Properties/Project

120350073
A PART OF THE SE 1/4 SEC 4-T4N-R2W, SLM; BEG AT A PT ON THE SEC LINE 962.0 FT N FR THE SE COR SD 1/4 SEC; & RUN W 386.0 FT; TH S 33^22' E 82.35 FT; TH S 48^52' E 58 FT; TH W 462.86 FT; TH N 212.90 FT; TH E 759 FT; TH S 106 FT TO THE POB. EXCEPT THE E 33 FT THEREOF FOR RD PURPOSES. TOGETHER WITH: A PART OF THE SE 1/4 OF SEC 4-T4N-R2W, SLM; BEG AT A PT N 962 FT & W 347.50 FT TO THE POB, FR THE SE COR OF SD SEC; TH W 38.50 FT; TH S 33^22' E 70 FT; TH N 0^0'01" E 58.462 FT TO POB. LESS & EXCEPT: A PART OF THE SE 1/4 OF SEC 4-T4N-R2W, SLM; BEG AT A PT N 962 FT & W 386 FT & S 33^22' E 70 FT TO THE POB, FR THE SE COR OF SD SEC; TH S 33^22' E 12.35 FT; TH S 48^52' E 58 FT; TH W 50.25 FT; TH N 0^16'06" W 48.468 FT TO THE POB. CONT. 2.509 ACRES.

120350105
BEG ON SEC LINE 1159 FT N FR SE COR OF SE 1/4 SEC 4-T4N-R2W, SLM; TH W 250 FT; TH S 90 FT; TH W 509 FT; TH N 180 FT; TH E 759 FT; TH S 90 FT TO POB. CONT. 2.62 ACRES. ALSO, BEG 1068 FT N & 250 FT W FR SE COR SEC 4-T4N-R2W, SLM; TH W 509 FT; TH N 1.0 FT; TH E 509 FT; TH S 1.0 FT TO POB. CONT 0.014 ACRES. TOTAL ACREAGE 2.634 ACRES

120350022
BEG ON W LINE OF A STR 1249 FT N & 33 FT W FR SE COR SEC 4-T4N-R2W, SLM; TH N 70.5 FT; TH W 726.0 FT; TH S 70.5 FT; TH E 726 FT FT TO BEG. CONT. 1.23 ACRES.

120350021
BEG ON THE W LINE OF A STR AT A PT 1319.5 FT N & 33.0 FT W OF THE SE COR OF SEC 4-T4N-R2W, SLM; TH N 70.5 FT ALG SD STR; TH W 726.0 FT; TH S 70.5 FT; TH E 726.0 FT TO THE POB. CONT. 1.23 ACRES

EXHIBIT B

Development Plan

EXHIBIT C

Architectural Theme and Elevations

ORDINANCE NO. 2022-23

AN ORDINANCE AMENDING THE SYRACUSE CITY ZONING MAP FOR PROPERTIES AT 446, 460, 478, AND 506 SOUTH 2000 WEST FROM R-1 to PRD, AND AT 320, 322, 334, AND 368 SOUTH 2000 WEST FROM R-1 TO GC.

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

WHEREAS, the property owners, through representatives, have requested zone changes for land located at 446, 460, 478 and 506 South 2000 West from R-1 to PRD, and a zone change for property at 320, 322, 334, and 368 South 2000 West from R-1 to GC, as shown on the attached zoning map; and

WHEREAS, the Syracuse City Planning Commission conducted a public hearing and provided a positive recommendation to the council for the proposed zone change; and

WHEREAS, the Developer has provided a Development Agreement to the City for consideration of modification of applicable zoning codes related to: (1) permitting the future 450 South, which will be installed by Developer, to be considered an arterial road, despite it not appearing on the Master Transportation Plan, (2) Permitting the layout of buildings as provided in the attached Development Agreement, with doors facing interior courtyards in some cases, rather than the right-of-way, and (3) Permitting modifications for buffers to abutting properties, as provided in the Development Agreement; and

WHEREAS, the Syracuse City Planning Commission conducted a public hearing on the proposed modifications under that development agreement and provided a conditional recommendation of approval, conditioned upon the installation of six-foot concrete walls abutting residential uses; and

WHEREAS, the City Council finds that the rezoning of this property, with the approved modifications, will provide an opportunity for the property owner to improve his land in conformity with the new zone in a manner which will not be disruptive to neighbors, and that the zone change is not detrimental to the health, welfare or morals of the community,

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

Section 1. **Amendment.** The Syracuse City Zoning Map shall be amended as provided 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 ___th DAY OF _____, 2022.

SYRACUSE CITY

ATTEST:

_____ _____

Cassie Z. Brown, MMC
City Recorder

Mayor Dave Maughan

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Bingham	____	_____
Councilmember Carver	____	_____
Councilmember Savage	____	_____
Councilmember Teague	____	_____
Councilmember Watson	____	_____

Exhibit A

COUNCIL AGENDA

September 13, 2022

Agenda Item **#13** **Sewer ordinance update for FOG Control**

Factual Summation

Utah law requires an ordinance to regulate the proper disposal of Fats, Oils, and Grease to prevent blockages in the sewer system. The current ordinance stands as a good fit for general prohibitions but does not specify FOG control.

Resources

- Utah Rule R317-801-5(6) enacted June 2012
- Syracuse City Code 4.10.100 Wastewater prohibitions and limitations.
- North Davis Sewer District ordinance 11.3 Pretreatment of Wastewater
- Utah Plumbing Code chapter 10 installation of grease interceptors.
- Any questions about this agenda item may be directed to Robert Whiteley.

Considerations

- Syracuse has potential for an increase in food service establishments. Having a well described process in place would help future businesses maintain compliance with the law and prevent sewer blockages that may come from fats, oils, and grease.
- A draft ordinance is included for consideration that would meet the requirements of FOG control and establish a process for businesses to follow and staff to inspect.

Action Items

- Whether to consider an update to the ordinance specific to controlling fats, oils, and grease from commercial and industrial wastewater.

ORDINANCE NO. 2022-24

AN ORDINANCE CREATING SECTION 4.10.104 OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO FATS, OILS, GREASE, AND SEDIMENT CONTROL.

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

WHEREAS, the Council has determined that it is appropriate to implement regulations regarding the deposit of fats, oils, grease, and sediment into the sewer collection system by commercial and industrial users.

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

Section 1. **Amendment.** Section 4.10.104 of the Syracuse City Municipal Code is enacted 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 upon adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 13th DAY OF SEPTEMBER, 2022.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, MMC
City Recorder

Mayor David Maughan

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Bingham	____	_____
Councilmember Carver	__	_____
Councilmember Savage	___	_____
Councilmember Teague	___	_____
Councilmember Watson	___	_____

Exhibit A

4.10.104 FATS, OILS, GREASE, AND SEDIMENT CONTROL:

This section is applicable to commercial and industrial users that have the potential to discharge deleterious wastewaters containing elevated levels of fat, oils, grease, or granular sediment to the sewer collection system.

A) DEFINITIONS: The following definitions are supplemental to others in this chapter and applicable to this section.

COMMERCIAL USER: Any commercial business whether public or private and whether stationary or mobile that discharges wastewater into the public sewer system.

COMMON INTERCEPTOR: One or more interceptors receiving deleterious wastewater from more than one establishment.

FATS, OIL, and GREASE (FOG): Fats, oil and grease of vegetable and animal origin. It also includes petroleum oils and granular sediment such as sand or soil.

FOOD SERVICE ESTABLISHMENT (FSE): Any building, vehicle, place, or structure where food is prepared, served, or provided for consumption.

GREASE CONTROL DEVICES (GCD): A structure or device designed for the purpose of removing and preventing fats, oils, and grease from entering the sanitary sewer collection system. They include all types of gravity grease interceptors and hydro-mechanical grease interceptors.

GRAVITY GREASE INTERCEPTOR (GGI): Gravity-flowing large capacity grease control device situated outside and below ground.

HYDRO-MECHANICAL GREASE INTERCEPTOR (HGI): These devices are formally known as grease traps that are made of steel, fiberglass, or polyethylene which are typically compact, under the sink units located near food preparation areas. There are larger types that are typically located outside and some types that include an automatic grease removal device.

INDUSTRIAL USER: Any industrial business whether public or private and whether stationary or mobile that discharges wastewater into the public sewer system.

B) INTERCEPTOR AND TRAP INSTALLATION SPECIFICATIONS:

1. GCD's in compliance with international plumbing code (IPC), shall be required of any commercial or industrial user for the proper handling of wastewater containing FOG in excessive amounts and appropriately sized to handle volumes at the highest capacity.

2. Any commercial or industrial user and any FSE utilizing a three (3) compartment sink shall be required to have a GCD installed at its own expense and shall be required to properly maintain the device.

3. All construction plans for GCD's shall include the type, capacity, location and shall be submitted to the city for review and approval prior to installation.

4. All interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which are both gas-tight and water-tight.

5. All existing commercial or industrial users without a GCD or having an inadequate GCD shall have one year to install an appropriate GCD upon notification by the city.

6. GCD's for businesses that have closed shall be dewatered and cleaned by the owner of the premise. A representative of the city may inspect and verify this process has been properly completed.

C) GENERAL FOG WASTE DISCHARGE LIMITS AND REQUIREMENTS:

It shall be unlawful to discharge any sanitary wastewater, commercial and industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this chapter. The following are general requirements and prohibitions applicable to this section:

1. The discharge of any substance into the sewer system that exceeds or violates general or specific prohibitions listed in section 4-10-100 of this chapter is prohibited.

2. The discharge of FOG into the sewer system that may accumulate, cause or contribute to blockages in the sewer system, except as provided herein, is prohibited.

3. Installation and use of food grinders in new or remodeled FSEs are allowed, but are not recommended as they tend to increase the potential of blockages in the GCD with food particles.

4. Emulsifiers, enzymes, or degreasers shall not be added as sewer aids to any plumbing that leads to any interceptor directly or indirectly.

5. The disposal of cooking oil (yellow grease) into the sewer system is prohibited. All waste cooking oils shall be collected, stored, and labeled properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.

6. The discharge of wastewater with temperatures more than one hundred forty degrees Fahrenheit (140°F) to any GCD is prohibited.

7. The discharge of waste from toilets, urinals, washbasins, and other fixtures containing fecal materials into and GCD, is prohibited.

8. The discharge of solids and FOG waste collected from a GCD to the sewer system, is prohibited. Wastes removed from interceptors must be hauled off and properly disposed of periodically in compliance with operation and maintenance requirements.

9. Operation of a GCD with the accumulation of both FOG and solids (floating plus settled) exceeding twenty five percent (25%) of the design hydraulic depth of the GCD, is prohibited.

10. Commercial users, during regular business hours, shall provide the city immediate and safe access to the premises and FOG handling facilities.

11. The city may require visual monitoring at the expense of the commercial user to observe conditions of the GCD, sewer lateral, and downstream appurtenances.

D) KITCHEN BEST MANAGEMENT PRACTICES (BMP) REQUIREMENTS:

All food service establishments (FSEs) shall be required, at a minimum, to implement and comply with the following kitchen BMPs, whenever applicable:

1. *Strainers:* Drain screens (strainers) shall be installed on all drainage pipes in food preparation areas.

2. *Waste Cooking Oil:* All waste cooking oil shall be collected and stored properly in recycling receptacles such as barrels or drums. Such recycling receptacles shall be maintained properly to ensure they do not leak. A secondary containment shall be in place.

3. *Disposal of Garbage and Food Waste:* All garbage and food waste shall be disposed of directly into trash bins or containers, and not in sinks, drainage pipes, or the sewer system. Food waste should be disposed of in lined trash bins.

4. *Employee Training:* Employees of FSEs shall be trained once each calendar year in the following areas:

a. How to "dry wipe/scrape" pots, pans, dishware, and work areas before washing to remove FOG.

b. How to properly dispose of garbage, food waste, and solids in lined plastic bags prior to disposal in trash bins or containers, to prevent leaking and odors.

c. The location and use of absorbent products to clean under fryer baskets and other locations where FOG may be spilled or accumulated.

d. How to properly dispose of cooking oil from fry equipment into a FOG receptacle such as a barrel or drum without spilling.

e. Training shall be documented with a date, trainer name, and employee signatures recorded, indicating each employee's attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by the city.

5. *Exhaust Filter Maintenance:* Exhaust filters shall be maintained in good operating condition utilizing frequent cleaning practices. Wastewater generated from cleaning exhaust filters shall be disposed properly.

6. *Signs:* Kitchen BMP signs, posters, or similar information, in appropriate language(s), shall be prominently displayed in the food preparation and dishwashing areas at all times.

7. *Drips and Spills:* Absorbent materials shall be placed under fryers and other areas where FOG typically or frequently drips or spills.

8. *Spill Prevention:* Covered devices shall be used in transporting FOG to prevent spills.

9. *FOG Containers:* FOG containers shall be emptied before they are full to avoid accidental or incidental spills.

10. *Spill Kits:* "Spill kits" (e.g., absorbent materials) shall be provided and readily available in the event of a spill.

E) OUTDOOR GGI OPERATION AND MAINTENANCE REQUIREMENTS:

All existing and newly constructed Gravity Grease Interceptors (GGI's) shall be operated in accordance with the manufacturer's specifications. The maintenance frequency for all commercial users with GGI's shall be determined by the following:

1. Where installed, an GGI shall be fully maintained by the user, at its sole expense, in a continuous and efficient manner, and always subject to city inspection and approval.

2. GGI's shall be maintained in efficient operating condition by the periodic removal of the full contents of the interceptor. GGI's shall be fully emptied and cleaned at a frequency such that the combined floating and settled FOG accumulation does not exceed twenty-five percent (25%) of the design hydraulic depth of the interceptor. This is to ensure that the minimum hydraulic retention time, and required available volume, is maintained to effectively intercept and retain FOG.

3. If a GGI at any time is observed by the city to contain floating and settled FOG accumulation in excess of twenty-five percent (25%), the user shall be required to have the interceptor serviced as soon as possible, but no later than ten (10) days from the date the notice of violation was given, such that all FOG, sludge, and other materials, are completely removed from the interceptor.

4. The owner of the property or business on which a common interceptor, and/or the facilities discharging to a common interceptor, are located shall be primarily responsible for the maintenance, upkeep, and repair of the interceptor.

5. No commercial user shall increase the use of water or in any other manner attempt to dilute a discharge as a way of achieving compliance with this chapter.

F) INDOOR HGI OPERATION AND MAINTENANCE REQUIREMENTS:

1. Where installed, a HGI shall be fully maintained by the user, at its sole expense, in a continuous and efficient manner, and always subject to city inspection and approval.

2. HGI's shall be operated in accordance with the manufacturer's specifications.

3. HGI's shall be maintained in efficient operating condition by removing accumulated grease on an as needed basis, or the frequency specified by the manufacturer, but no less than weekly.

4. HGI's shall be fully emptied of all food residues, and any FOG waste, during the cleaning and scraping process.

5. HGI's shall be inspected periodically, but in no event less than once a month, to check for leaking seams and pipes, and for effective operation of the baffles and flow regulating device. HGI's and their baffles shall be maintained free of all caked-on FOG and waste. Removable baffles shall be removed and cleaned during the maintenance process.

6. Automatic dishwashers and/or food grinder units may be connected to a GGI but shall not be connected to or discharged to any HGI.

7. No FSE shall increase the use of water or in any other manner attempt to dilute a discharge as a way of achieving compliance with this chapter.

G) NOTIFICATION REQUIREMENTS:

A commercial and industrial user shall comply with the following notification requirements:

1. *Notification of Spills and/or Sanitary Sewer Overflows (SSO):*

   a. In the event a user is unable to comply with the FOG control requirements due to a breakdown of equipment, accidents, or human error, or the user has reasonable belief that its discharge will violate this chapter, the user or its representative shall immediately notify the city by telephone.

   b. If the material discharged has the potential to cause, or results in, sewer blockage or SSO, the user shall immediately notify the city by telephone.

c. The incident shall be documented by the user within five (5) working days from the date of the incident and shall state the date of the incident, the reasons for the discharge or spill, what steps were taken to immediately correct the problem, and what steps are being taken to prevent a recurrence.

d. Such notification shall not relieve the user of any expense, loss, damage, or other liability that may be incurred resulting in damage or otherwise arising out of a violation of this chapter, or other applicable law.

2. *Notification of Potential Increased FOG Discharges:* Commercial users shall notify the city in writing at least sixty (60) days prior to any facility expansion, and/or remodeling or process modifications that may result in new or substantially increased FOG discharges, or a change in the nature of the discharge. The user shall submit any information requested by the city for evaluation including but not limited to: FSE name, name and the title of the user's contact person or person most knowledgeable concerning the facility expansion and/or remodeling or process modifications, address and telephone number of the user, date of the proposed facility expansion and/or remodeling or process modifications, and the reasons for the same.

H) RECORDKEEPING REQUIREMENTS:

The following records shall be maintained for no less than three (3) years, and the commercial user or industrial user shall make them available to the city:

1. A record or logbook of interceptor cleaning and maintenance practices and activities. The record or logbook shall include dates cleaned, name of waste hauler, any observations concerning the effectiveness of the interceptor or trap in controlling FOG, any other maintenance performed on the GCD.

2. A record or logbook of FSE kitchen BMPs being implemented including employee training.

3. Records of any spills and/or cleaning of the drains and sewer lateral.

4. Any other information deemed appropriate by the city to ensure compliance with this chapter.

I) INSPECTIONS AND SAMPLING:

Commercial users shall be inspected on a regular basis by the city to determine if the businesses are in compliance with this chapter. The purpose of inspections is to verify if users are complying with this chapter; collect and analyze samples and compare results to established discharge limitations; provide evidence in support of enforcement actions; verify correction of problems; and maintain records of user discharge constituents.

J) VIOLATIONS:

Any commercial user or industrial user in violation of this chapter shall be notified of the violation in writing issued by the city. If the violation remains out of compliance after the indicated date on the violation notice, a fine will be issued. The fine amount is indicated in the consolidated fee schedule. A fine that is not paid within sixty (60) days shall have the business license suspended until payment is made in full and the violation becomes compliant. A fine that is not paid within one hundred twenty (120) days shall have the water shut-off to the premise until payment is made in full and the violation becomes compliant.

K) APPEAL:

(1) A person or business who has been issued a violation or shut-off notice may appeal that decision by filing a written notice of appeal, which appeal shall be heard by the City Council at its next regular meeting, provided the appeal is filed at least five calendar days prior to the Council meeting. A pending appeal stays shut-off action.

(2) Failure to file a written appeal within 14 calendar days from the date of the citation or shut-off notice shall be deemed a waiver of the right to appeal the citation or notice.

(3) A person or business who is the subject of a violation or shut-off notice shall be entitled to be represented by counsel or another representative, shall have the opportunity to present evidence, and shall be permitted to cross-examine any witnesses presented by the city. The proceedings are designed to be informal in nature, and court rules do not apply.

(4) An appeal of shut-off due to non-payment is limited only to whether the appellant tendered timely payment.

COUNCIL AGENDA
September 13, 2022

Agenda Item **#14** Emergency Backup Power at Police Station Related to the EOC Project

Any question regarding this agenda item may be directed at Emergency Management Coordinator Erin Behm, or City Manager Brody Bovero

Planned EOC Improvements

Staff has been working with the architects from Galloway on the EOC improvement project design at the police station. The design is approximately 95% completed and includes the following improvements:

- New data/communications and electrical work in the EOC/Training room.
- New audio/visual setups
- New light and minor cosmetic improvements.
- Conversion of space for a small conference room.
- The addition of a wall to section off a cubicle area/phone bank area from the rest of the police station.
- Upgraded access controls
- Upgraded backup power generator

Electrical Issue Discovered in the Police Station

The Police Station building has evolved over its history. It was an early city hall and fire station, and has undergone additions and remodels throughout the years. Common to such buildings, complicated electrical schemes and "work arounds" have occurred to make the various remodels possible.

During the design work of the EOC project, we discovered an issue with being able to power the entire building with the backup generator. There are multiple electrical panels in the building, which presented an option to either do major interior electrical work, or increase the size of the back up generator and connect it at a different location in the building.

The current budget for the project is $400,000. Based on discussions with the staff, architect, and electrician, it was recommended to increase the size of the backup generator. In order to do this, the project budget would increase to $690,000. The larger

generator and re-working of the electrical access is not necessary for the EOC, but we felt it was an issue worth addressing while we are doing this project.

Funding Options Available

The following options are available to the Council if it is decided to add to the project budget:

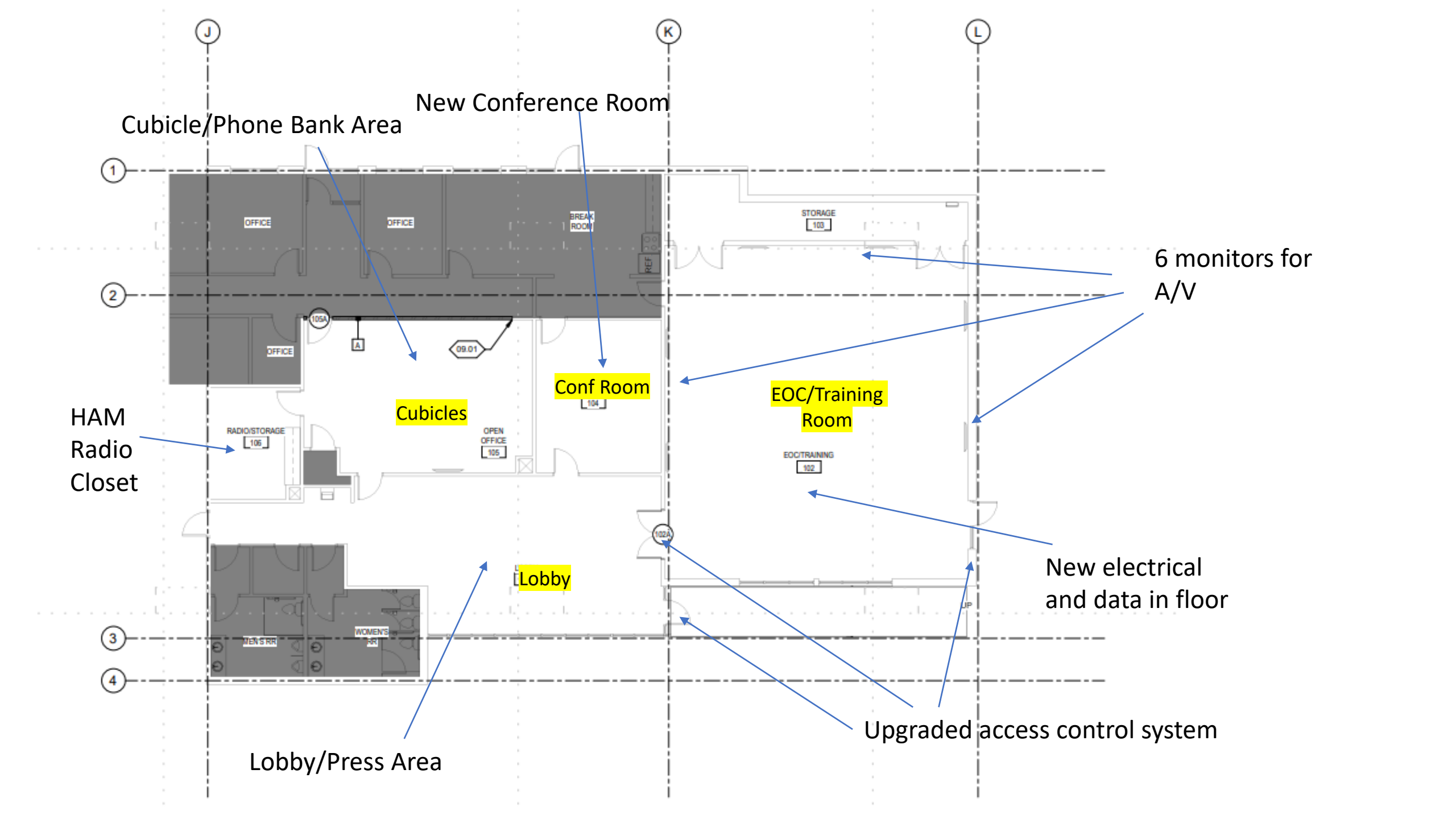
- **Capital Fund**
  The current project is budgeted from the Capital Fund. With an unrestricted fund balance of approximately $2.9 million in the Capital Fund, the additional money could be allocated through a simple budget amendment.

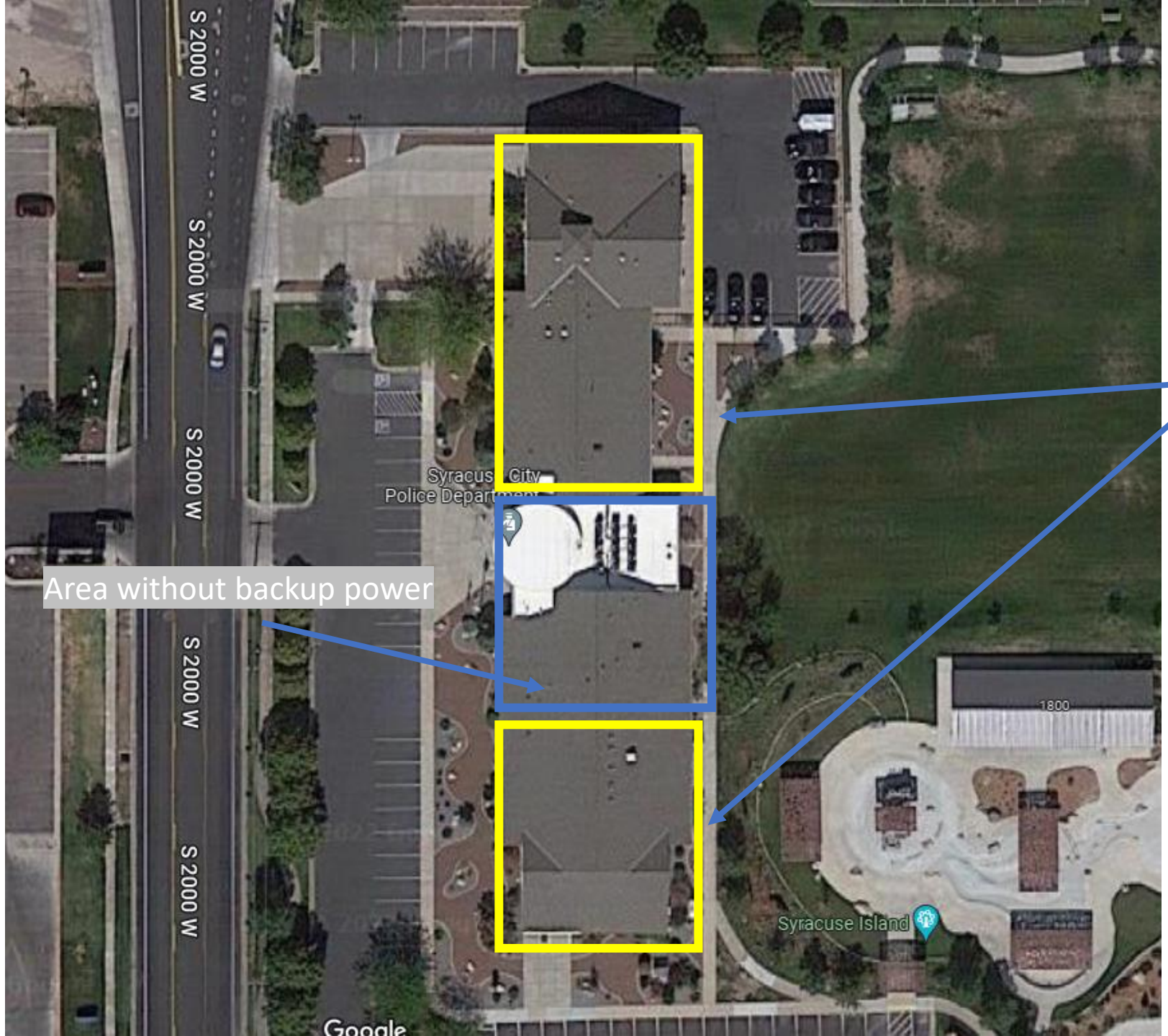
- **City ARPA Funds**
  A second option for funding is through the federal ARPA funding. This option is more complicated due to the grant administration requirements, but it could still be allocated. The City received approximately $3.7 million in ARPA funds. The current direction is to use the vast majority of these funds on planned infrastructure projects already outlined in the City's 5-year plan. After assigning those budgeted projects, there is approximately $380,000 remaining that has not been allocated. There is a risk, however, that inflation could consume much of this remaining balance with the planned projects.

  With all things considered, it is the staff's opinion that the Capital Fund is the preferred source of funding, although either option is viable. It is a matter for the Council to decide whether to move forward with the additional improvement.

Goals of Discussion

1. Review the issues outlined above and provide direction to the Administration on funding.
2. Provide direction to staff moving forward with going to bid for construction.


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1
2
3
4
OFFICE
OFFICE
BREAK ROOM
REF
STORAGE
103
105A
A
OFFICE
09.01
RADIO/STORAGE
106
OPEN OFFICE
105
104
102A
EOC/TRAINING
102
UP
WOMEN'S
Cubicle/Phone Bank Area
New Conference Room
6 monitors for A/V
HAM Radio Closet
Cubicles
Conf Room
EOC/Training Room
Lobby
New electrical and data in floor
Lobby/Press Area
Upgraded access control system



Areas with back up power

Area without backup power

PROJECT ESTIMATE **8/17/2022**

PROJECT NAME……..…..Syracuse EOC Remodel
LOCATION……..……Syracuse, UT
ARCHITECT……..…..…..Galloway 880 SF
STAGE OF DESIGN…..…..DESIGN DEVELOPMENT

CSI #	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL
	BUILDING COST SUMMARY				
02	EXISTING CONDITIONS			$ 6.82	$ 6,000
03	CONCRETE			$ 10.91	$ 9,600
04	MASONRY			$ -	$ -
05	METALS			$ -	$ -
06	WOODS & PLASTICS			$ -	$ -
07	THERMAL & MOISTURE PROTECTION			$ 2.32	$ 2,040
08	DOORS & WINDOWS			$ 5.32	$ 4,680
09	FINISHES			$ 44.33	$ 39,013
10	SPECIALTIES			$ -	$ -
11	EQUIPMENT			$ -	$ -
12	FURNISHINGS			$ -	$ -
13	SPECIAL CONSTRUCTION			$ -	$ -
14	CONVEYING SYSTEMS			$ -	$ -
21	FIRE SUPPRESSION			$ -	$ -
22	PLUMBING			$ -	$ -
23	HVAC			$ 5.28	$ 4,645
26	ELECTRICAL			$ 425.51	$ 374,450
27	COMMUNICATION			$ 23.24	$ 20,451
28	ELECTRONIC SAFETY & SECURITY			$ 14.02	$ 12,340
31	EARTHWORK			$ -	$ -
32	EXTERIOR IMPROVEMENTS			$ 5.11	$ 4,500
33	UTILITIES			$ -	$ -
	SUBTOTAL			$ 542.86	$ 477,718
	GENERAL CONDITIONS	15%		$ 81.43	$ 71,658
	BONDS & INSURANCE	2%		$ 12.49	$ 10,988
	OVERHEAD & PROFIT	10%		$ 63.68	$ 56,036
	CONSTRUCTION CONTINGENCY	15%		$ 81.43	$ 71,658
	TOTAL CONSTRUCTION COST			$ 781.88	$ 688,058

PROJECT ESTIMATE **8/17/2022**

PROJECT NAME……..…..Syracuse EOC Remodel
LOCATION……..……Syracuse, UT
ARCHITECT…..…..…..…..Galloway 880 SF
STAGE OF DESIGN…..…..DESIGN DEVELOPMENT

CSI #	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL
02	**EXISTING CONDITIONS**				
	Sawcutting	1	Allow	$ 3,500.00	$ 3,500
	Temporary Protections	1	LS	$ 2,500.00	$ 2,500
	TOTAL EXISTING CONDITIONS				**$ 6,000**
03	**CONCRETE**				
	Slab Replacement	1,200	SF	$ 8.00	$ 9,600
	TOTAL CONCRETE				**$ 9,600**
04	**MASONRY**				
	TOTAL MASONRY				**$ -**
05	**METALS**				
	TOTAL METALS				**$ -**
06	**WOOD & PLASTICS**				
	Carpentry				
	Wood Plates & Blocking		BF	$ 4.00	$ -
	Subtotal for Carpentry				**$ -**
	Millwork				
	Misc. Millwork	-	Allow	$ 3,500.00	$ -
	Subtotal for Carpentry				**$ -**
	TOTAL WOOD & PLASTICS				**$ -**
07	**THERMAL & MOISTURE PROTECTION**				
	Sound Batt	270	SF	$ 2.00	$ 540
	Caulking & Sealing	1	LS	$ 1,500.00	$ 1,500
	TOTAL THERMAL & MOISTURE PROTECTION				**$ 2,040**
08	**DOORS & WINDOWS**				
	Interior Single Door	3	EA	$ 1,560.00	$ 4,680
	TOTAL DOORS & WINDOWS				**$ 4,680**
09	**FINISHES**				
	Gyp. Wallboard	60	SF	$ 2.00	$ 120
	Rubber Base	655	LF	$ 3.50	$ 2,293
	Flooring	4,000	SF	$ 6.00	$ 24,000
	Patch/ Paint Existing Walls	4,000	SF	$ 1.65	$ 6,600
	Paint Gyp. Wallboard	4,000	SF	$ 1.50	$ 6,000
	TOTAL FINISHES				**$ 39,013**
10	**SPECIALTIES**				
	Identifying Devices		Allow	$ 1,500.00	$ -
	TOTAL SPECIALTIES				**$ -**
11	**EQUIPMENT**				
	TOTAL EQUIPMENT				**$ -**
12	**FURNISHINGS**				

PROJECT ESTIMATE **8/17/2022**

PROJECT NAME……..…..Syracuse EOC Remodel
LOCATION……..……Syracuse, UT
ARCHITECT……..…..…..Galloway 880 SF
STAGE OF DESIGN…..…..DESIGN DEVELOPMENT

CSI #	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL
	TOTAL FURNISHINGS				**$ -**
14	**CONVEYING SYSTEMS**				
	TOTAL CONVEYING SYSTEMS				**$ -**
21	**FIRE SUPPRESSION**				
	Fire Suppression System Modifications		LS	$ -	$ -
	TOTAL FIRE SUPPRESSION				**$ -**
22	**PLUMBING**				
	TOTAL PLUMBING				**$ -**
23	**HVAC**				
	HVAC Demolition	16	HR	$ 75.00	$ 1,200
	New VAV		EA	$ 4,850.00	$ -
	Piping Modifications		Allow	$ 3,500.00	$ -
	Ductwork	100	LB	$ 7.00	$ 700
	Ductliner	100	SF	$ 1.95	$ 195
	Grilles, Registers, & Diffusers	2	EA	$ 250.00	$ 500
	Temperature Controls		LS	$ 3,500.00	$ -
	Test and Balance	10	HR	$ 75.00	$ 750
	Connect to Existing	1	LS	$ 2,500.00	$ 2,500
	TOTAL HVAC				**$ 4,645**
26	**ELECTRICAL - See attached for details**				
	Electrical Scope	1	EA	$ 374,450.00	$ 374,450
	TOTAL ELECTRICAL				**$ 374,450**
27	**COMMUNICATIONS**				
	By City Contractors				
	AV Equipment and Install (Provided by others)	1	EA	$ 20,450.90	$ 20,451
	TOTAL COMMUNICATIONS				**$ 20,451**
28	**ELECTRONIC SAFETY & SECURITY**				
	Access Control (Provided by others)	1	EA	$ 12,340.38	$ 12,340
	TOTAL ELECTRONIC SAFETY & SECURITY				**$ 12,340**
31	**EARTHWORK**				
	TOTAL EARTHWORK				**$ -**
32	**SITE IMPROVEMENTS**				
	Generator Pad Site Work	500	SF	$ 9.00	$ 4,500
	TOTAL SITE IMPROVEMENTS				**$ 4,500**
33	**UTILITIES**				

PROJECT ESTIMATE **8/17/2022**

PROJECT NAME……..…..Syracuse EOC Remodel
LOCATION……..……Syracuse, UT
ARCHITECT…..…..…..…..Galloway 880 SF
STAGE OF DESIGN…..…..DESIGN DEVELOPMENT

CSI #	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL
	TOTAL UTILITIES				**$ -**