

Minutes of the Work Session meeting of the Syracuse City Council held on January 8, 2019 at 7:29 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Lisa W. Bingham
Corinne N. Bolduc
Dave Maughan (participated via electronic means)
Doug Peterson
Jordan Savage (participated via electronic means)

Mayor Mike Gailey
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
Fire Chief Aaron Byington
Parks and Recreation Director Kresta Robinson
Community and Economic Development Director Noah Steele

The purpose of the Work Session was to review and discuss Section 10.60 of the Syracuse City Code relating to the Residential R-1 Cluster zoning designation; discuss proposed Ordinance 18-22 amending Chapter 10.75 of the Syracuse City Municipal Code pertaining to the Planned Residential Development (PRD) Zone; and discuss proposed amendments to Syracuse City process for filling a vacancy on the City Council.

Review and discussion of Section 10.60 of the Syracuse City Code relating to the Residential R-1 Cluster zoning designation.

A staff memo from the Community and Economic Development (CED) Department referenced the City's current City Code Section 10.60 relating to the R-1 Cluster zoning designation. Mr. Steele facilitated a review of the Code section with a focus on requests from developers to consider adjustments to the density allowed in the zone. There was a review of the developments in the City that currently carry the R-1 Cluster zoning designation and the Council indicated that bonus density should not be automatically granted, and he would prefer that an applicant seek formal approval when they desire this zoning designation. Mr. Steele stated that is currently the process an applicant must follow; R-1 Cluster zoning must be approved through approval of a major conditional permit and the difference between R-1 Cluster zoning and Planned Residential Development (PRD) zoning is that a development agreement is required for PRD and not for R-1 Cluster. Councilmember Maughan stated that means that the threats made by developers that they will proceed with R-1 Cluster zoning if they are not able to secure PRD zoning is moot because approval of R-1 Cluster zoning must be granted by the Council. City Attorney Roberts stated that is correct, but noted that a property that already has the R-1 designation must be granted cluster zoning if an applicant can meet all requirements for the conditional use permit; the Council has less discretion in considering a conditional use permit than in considering a development agreement for PRD zoning. Councilmember Maughan stated he would prefer to create an independent R-1 Cluster zone rather than allowing the zone to be automatic approval if certain conditions can be met. Councilmember Savage agreed; he supported the idea of creating a new zone rather than allowing clustering to be automatic approval if certain conditions are met.

Additional high-level philosophical discussion centered on regulations appropriate for the R-1 Cluster zone as an independent zone and the Council supported the suggestions made by Councilmember Maughan and Savage. Mayor Gailey directed staff to begin work to facilitate the request to adjust the City's zoning ordinance to create a new zone that encompasses the development standards of the R-1 Cluster zone.

Continued discussion of proposed Ordinance 18-22 amending Chapter 10.75 of the Syracuse City Municipal Code pertaining to the Planned Residential Development (PRD) Zone.

A staff memo from the Community and Economic Development (CED) Department explained the City has received an application from developer Mike Bastian to amend the text of Syracuse City Code Section 10.75 - Planned Residential Development. The Planning Commission (PC) has completed a very detailed review of the ordinance. This issue was discussed over several meetings and the major points of discussion involve:

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

The PC was not able to reach a consensus on all nine items; in order to forward a more detailed recommendation, the PC has broken their recommendation down by item:

1. The PC voted (4-3) against the recommended density increases and to include limits of 6,8, and 10 units per acre instead.
2. The PC voted (4-3) against an increase in the allowed number of attached units.
3. The PC voted (4-3) against allowing a fee in lieu of open space.
4. The PC voted (5-2) to allow three stories and building heights of 40 feet.
5. The PC voted (7-0) to increase architectural standards.
6. The PC voted (4-3) in favor of eliminating the minimum acreage requirements.
7. The PC voted (4-3) against allowing driveways over 150 feet, but in favor of deferring to the fire code.
8. The PC voted (4-3) in favor of required additional off-street parking but in opposition of reducing the garage requirements.
9. The PC voted (4-3) in opposition to the change in the approval process for PRD developments.

The memo concluded the PC also recommended a 10th item for consideration to eliminate accessory structures from being allowed on lots with attached units. The vote for this item was unanimous (7-0).

Mr. Steele reviewed his staff memo and facilitated discussion among the City Council regarding the recommendations submitted by the Planning Commission; there was a continued focus on density of a PRD project and the minimum acreage requirement for a PRD project. He then reviewed a presentation including illustrations of areas of the City and other cities that would accommodate PRD projects with a stepped acreage and density allowance; this concept was informed by future transportation projects in Syracuse. As the Council reviewed the conceptual renderings in Mr. Steele's presentation, they engaged in philosophical discussion and debate about the appropriate locations for PRD zoning based upon density; the concern was emphasized that mixed-use may be more appropriate for certain areas than the PRD zoning designation. Discussion then shifted to the types of amenities that should be included in the PRD zone or a mixed-use zone.

Mayor Gailey provided brief input from developers in attendance at the meeting relative to their desires for optional zoning designations in the City that could facilitate quality development that may include higher residential densities or a mix of commercial/office/residential uses.

Mayor Gailey then facilitated discussion among the Council regarding the specific components of the PRD ordinance that must be amended in order for the Council to consider adoption of an ordinance amending the zone; there was a focus on the minimum acreage requirement for a PRD zone, with Councilmember Maughan indicating he prefers eight acres for detached homes, but would consider five acres as the minimum acreage for attached housing. Councilmember Peterson stated that five acres is a large property size and that minimum acreage requirement may be too high. Mayor Gailey asked for the Council to give Mr. Steele direction regarding the minimum acreage; philosophical discussion continued, and the Council concluded that minimum acreage is not as important as the location of the subject property and that the Council must be allowed to consider property size based upon the land use for abutting land uses. Mr. Steele stated the Council will have discretion to require a certain acreage when considering a PRD application for any given property in the City; this discretion and ultimate decision could be based upon abutting land uses. The Council also stated there should be a connection between building height maximums and total project density and this consideration should also be based upon abutting land uses and existing development to ensure that a proposed development is harmonious with its surroundings.

Proposed amendment to Syracuse City process for filling a vacancy on the City Council.

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

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

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

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

One clause Administration recommends adding, regardless of the Council’s decision on the above paragraph is that the increased threshold does not eliminate everyone if no one received more than one vote. Otherwise, the entire field could be eliminated.

Councilmember Maughan discussed his proposal and stated he accepts Mr. Roberts’ recommendation that the language be crated to ensure the increased vote threshold does not eliminate everyone is no one receives more than one vote.

After brief philosophical discussion of the process of selecting a candidate to fill a Council vacancy, the Council concluded they support the recommended adjustments and directed staff to place an action item on the consent agenda for the next meeting agenda to allow final action.

The meeting adjourned at 8:45 p.m.

Mike Gailey
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: February 26, 2019