

**NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL MEETING
Wednesday, October 11, 2023
Time: 5:00 p.m.
AGENDA**

Public Notice is hereby given that the Santa Clara City Council will hold a Regular Meeting in the City Council Chambers, located at 2603 Santa Clara Drive, Santa Clara, Utah on Wednesday October 11, 2023 commencing at 5:00 PM. The meeting will be broadcast via You Tube linked on our website at <https://sccity.org/meetings>.

1. Call to Order

2. Opening Ceremony:

- Pledge of Allegiance: Ben Shakespeare
- Opening Comments: Rev Joyce De Toni-Hill, Shepherd of the Hills United Methodist Church, St. George Interfaith Council.

3. Conflicts and Disclosures

4. Working Agenda:

A. Public Hearing(s) 5:00 pm. (None)

Consent Agenda

1. Approval of Claims and Minutes:
 - September 13, 2023 Executive Session
 - September 27, 2023 Regular City Council Meeting Minutes
 - September 27, 2023 Executive Session
 - Claims through October 11, 2023
2. Calendar of Events:
 - Oct. 17, 2023 Candidate Forum 5:30-7:00pm.
 - Oct. 18 2023 City Council Work Meeting
 - Oct. 25, 2023 Regular City Council Meeting

General Business:

- 1 Discussion and action to approve a Proclamation declaring Oct. 23-31 as Red Ribbon Week, A Drug prevention awareness program. Presented by Mary Ann Novak.
2. Discussion and action to approve a Proclamation declaring October 8-14, 2023 as Fire Prevention Week. Presented by Andrew Parker, Fire Chief.
3. Discussion and action to consider a request from Jason Lyndsey to remove the requirement to place sidewalk along the west side of Lugano Lane. Presented by Dustin Mouritsen, Public Works Director.
4. Discussion and action to consider a Proposed Code Amendment to Title 16, Subdivisions and approve Ordinance 2023-21 approving the code amendment. Presented by Jim McNulty, City

Planner.

5. **Reports:**

a. Mayor / Council Reports:

6. **Executive Session:**

7. **Adjournment:**

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodation during this meeting should notify the city no later than 24 hours in advance of the meeting by calling 435-673-6712. In accordance with State Statute and Council Policy, one or more Council Members may be connected via speakerphone or may by two-thirds vote to go into a closed meeting.

Zoom Meeting Participants: Participants on the Zoom call are limited to City Staff, Council Members, and applicants on the agenda. Email calendar invitations will be sent out in advance of the meeting. Instructions for each meeting will include the meeting ID, and password to join. When joining the meeting your screen name must show your full name. Each applicant will be accepted into the meeting when their item is up for discussion. Please contact Chris Shelley at (435)673-6712 Ext. 203 with any questions regarding public meetings.

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Santa Clara City limits on this 5th day of October 2023 at Santa Clara City Hall, on the City Hall Notice Board, at the Santa Clara Post Office, on the Utah State Public Notice Website, and on the City Website at <http://www.sccity.org>. The 2023 meeting schedule was also provided to the Spectrum on January 3, 2023.

Chris Shelley – City Recorder

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, SEPTEMBER 27, 2023
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, September 27, 2023, at 5:00 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara, Utah. Notice of the time, place, and agenda of the meeting was provided to *The Spectrum* and to each member of the governing body by emailing a copy of the Notice and Agenda to *The Spectrum* and also, along with any packet information, to the mayor and each council member, at least two days before the meeting. The meeting will be broadcast via YouTube linked on our website at <https://sccity.org/meetings>.

Council Members: Jarrett Waite, Mayor Pro Tempore
Christa Hinton
Leina Mathis

City Recorder: Chris Shelley

City Manager: Brock Jacobsen

Others Present: Jim McNulty, Planning and Economic Development Manager
Matt Ence, City Attorney
Dustin Mouritsen, Public Works Director
Andrew Parker, Fire Chief
Cody Mitchell, Building Official

1. Call to Order.

In the absence of Mayor Rick Rosenberg, Mayor Pro Tempore Jarrett Waite called the meeting to order at 5:01 p.m. and welcomed those present.

2. Opening Ceremony.

A. Pledge of Allegiance: Jarrett Waite.

B. Opening Comments (Invocation): Alex Wilkie, Retired American Baptist, St. George Interfaith Council.

3. Conflicts and Disclosures.

There were no conflicts or disclosures.

4. Working Agenda.

A. Public Hearing.

There was no public hearing.

B. Consent Agenda.

i. Approval of Claims and Minutes.

- a. September 13, 2023, City Council Meeting**
- b. September 20, 2023, City Council Work Meeting**
- c. Claims through September 27, 2023**

ii. Calendar of Events.

- a. October 11, 2023, Regular City Council Meeting**
- b. October 18, 2023, City Council Work Meeting**
- c. October 25, 2023, City Council Regular Meeting**

Council Member Mathis moved to APPROVE the Consent Agenda as presented. Council Member Hinton seconded the motion. Vote on motion: Mayor Pro Tempore Waite-Aye, Council Member Mathis-Aye, Council Member Hinton-Aye. The motion passed unanimously.

C. General Business.

i. Discussion and Action to Consider Approval of a Proclamation Setting the Upcoming School Year as an Alcohol-Free Year. Presented by Pamela Holiday, Prevention Specialist.

Council Member Hinton moved to APPROVE the Proclamation setting the upcoming school year as an alcohol-free year. Council Member Mathis seconded the motion. The motion passed with the unanimous consent of the Council.

ii. Discussion and Action to Consider Approval of a Proclamation Setting October as Domestic Violence Awareness Month. Presented by Jillian Penhale, Dove Center.

Jillian Penhale from the Dove Center described the Proclamation. Mayor Pro Tempore Waite read the Proclamation in its entirety as follows:

WHEREAS it is a basic human right to live a life free from violence and abuse; and
WHEREAS domestic violence is a serious problem that occurs in all cultures and communities and does not discriminate by age, gender, social class, race, ethnicity, religious affiliation, or sexual orientation; and

WHEREAS one in three women and one in seven men in Utah will experience intimate partner violence in their lifetime and that 60 to 75 percent of families with intimate partner violence have children who are also impacted by the violence; and

WHEREAS seniors are also victims of domestic and sexual violence and are part of the most underreported group; and

WHEREAS domestic violence-related homicides account for over 40 percent of homicides in Utah and 80 Utah children will witness the murder or attempted murder of their mother every year; and

WHEREAS awareness and intentional collaboration are required to find solutions to abuse and intimate partner violence; and

WHEREAS it is the role of local government to provide for the health, safety, and welfare of its citizens; and

NOW THEREFORE, I Jarrett Waite, Mayor Pro Tem of Santa Clara City, Utah, in partnership with the Dove Center do hereby proclaim October as Domestic Violence Awareness Month in the City of Santa Clara, we urge all residents to use October as Domestic Violence Awareness Month to learn how they can break the silence and end domestic violence in our community.

Council Member Mathis moved to APPROVE the Proclamation Setting October as Domestic Violence Awareness Month as presented. Council Member Hinton seconded the motion. Vote on motion: Mayor Pro Tempore Waite-Aye, Council Member Mathis-Aye, Council Member Hinton-Aye. The motion passed unanimously.

iii. Discussion and Action to Consider Approval of the Eaton App for the Customer Cellular Web Portal for Water & Power Usage. Presented by Dustin Mouritsen, Public Works Director.

Public Works Director, Dustin Mouritsen, presented the proposal and stated that the Council discussed it a couple of times previously. It was being brought back for approval tonight. The potential of receiving a rebate was mentioned. Mayor Pro Tem Waite stated that a determination was made that it would be approved on an annual basis. The goal is to have an app that would allow a user to log in and see their current water usage. The hope was to minimize and catch leaks early.

Mayor Pro Tem Waite moved to APPROVE the Eaton App for the Customer Cellular Web Portal for Water and Power Usage with an expenditure of up to \$28,000. Council Member Hinton seconded the motion. Vote on motion: Mayor Pro Tempore Waite-Aye, Council Member Mathis-Aye, Council Member Hinton-Aye. The motion passed unanimously.

iv. Discussion and Action to Consider Approval of the Santa Clara City Website Maintenance Contract. Presented by Brock Jacobsen, City Manager.

City Manager, Brock Jacobsen, reported that a rebuild has been done of the City's website. The City contracted with Jennifer Chapman to perform that work and the website has been up and running for the last few months. It was proposed that the City enter into an Agreement of Ongoing Maintenance with Ms. Chapman. Because she built the site, she knows it well and has been

performing maintenance. The desire was to formalize a contract with her. Ms. Chapman has been very responsible for making needed updates. City Attorney, Matt Ence has reviewed the contract, which is \$500 per month.

Council Member Hinton commented that the website looks great. It is very user-friendly, and residents can find information more easily than in the past. Council Member Mathis agreed and stated that there is historical information that would be helpful to add. She recognized that it is a process.

Going forward, meeting agendas will also be posted on the City's website. It was also suggested that a puzzle order form be posted. There have been requests to ship puzzles, so staff have been investigating the cost.

Mayor Pro Tem Waite supported having someone constantly maintain the website and considered the cost to be reasonable for website maintenance.

Council Member Hinton moved to APPROVE the Official Contract with Jennifer Chapman for the Website Management Contract with compensation of \$500 per month. Council Member Mathis seconded the motion. Vote on motion: Mayor Pro Tempore Waite-Aye, Council Member Mathis-Aye, Council Member Hinton-Aye. The motion passed unanimously.

Gratitude was expressed to Ms. Chapman for the work done thus far on the website.

5. Reports.

Mayor Pro Tem Waite reported on the following:

- He attended a recent CC Meeting but stated that the entire meeting was a closed session. As a result, he had nothing to report. They continued to work on the future of the Community Education Channel and different options for what its future could be.
- Swiss Days was an absolute success. The only complaint he received was that there were more people than normal, which made it difficult to find parking nearby. Bingo was excellent, the Drone Show was amazing, and the Parade was packed. People were very happy with the pricing of the bounce houses as well. The cost was \$15 for the day or \$5 for one hour, which made it very affordable for families.

Council Member Hinton echoed Mayor Pro Tem Waite's comments and reported on the following:

- She congratulated all who worked on Swiss Days. She stated that it was amazing and represented an incredible amount of work. Even the weather was perfect. She received a lot of positive feedback from residents on Swiss Days.

Council Member Mathis reported on the following:

- She thanked all involved in Swiss Days, especially City Staff. She helped for a few days in the office and was amazed by what Staff did for the three-day event. She commended them for their efforts.
- Council Member Mathis reported that she attended a recent Housing Action Coalition (“HAC”) Meeting where updates were given on pricing and inventory. She noted that pricing and inventory and stated that inventory in the County is still very low, which means pricing is not coming down and increased this quarter. Single-family home sales are down. Townhome sales remain steady. The reason for that is because it is the only area where there is affordability in the market. She noted that Building Permit numbers for the County are up. The situation has also been attributed to mortgage rates. The Fed held rates this last week. It was anticipated that mortgage rates may decrease in the first quarter of next year but may not have a significant impact. There are very few existing home sales because people already have low mortgage rates and will pay much more for a home that is the same price.
- She attended a Legislative Policy Meeting earlier in the week and shared highlights. The hot topic before the Legislature continues to be affordable housing. Ideas are being floated that make it clear how serious they are about affordable housing and making municipalities address it. Some ideas include:
 - Having the State prohibit zoning of less than two units per acre.
 - The State may mandate duplexes and triplexes as permitted uses in all residential zones.
 - Caps may be set on minimum lot sizes.
 - The State is considering assigning a minimum base density for every City Plan.
 - State definitions may be set on garage size standards for single-family homes.
 - Regulations to allow modular homes may be modified in all communities.
 - The State may mandate all types of Accessory Dwelling Units (“ADU”) as permitted in all residential zones.

There was also discussion of the disproportionate rental fee. The City is not participating in that, so it does not impact Santa Clara.

- Council Member Mathis stated that the Swiss Days Parade was compared to Peach Days, which was declared the best in the County. She disagreed and considered Swiss Days to have the best Parade. After Swiss Days she received feedback that Santa Clara’s Parade was indeed the best.

Mr. Jacobsen reported on the following:

- He echoed the comments made about Staff’s hard work on Swiss Days. He stated that City Staff is seasoned in Swiss Days and make their jobs look seamless.

6. **Executive Session.**

Mayor Pro Tem Waite stated that an Executive Session was needed with respect to pending litigation.

Council Member Hinton moved to go into EXECUTIVE SESSION to discuss pending litigation. Council Member Mathis seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council was in Closed Session from 5:28 p.m. to 5:46 p.m.

7. **Adjournment.**

Council Member Mathis moved to ADJOURN. Council Member Hinton seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 5:46 p.m.

Chris Shelley
City Recorder

Approved: _____

**City of Santa Clara
Check Register
All Bank Accounts - 09/28/2023 to 09/28/2023**

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
ARROWHEAD ELEMENTARY SCH	70655	92323-PARADE	09/27/2023	09/28/2023	200.00	SWISS DAYS 2023- 2ND PLACE PARADE	104610-015 - PARADE	
					\$200.00			
BUCKS ACE SANTA CLARA	70656	2894	09/11/2023	09/28/2023	39.92	COMPOSTED STEER	104510-480 - PLANTS & FERTILIZER	
BUCKS ACE SANTA CLARA	70656	2934	09/19/2023	09/28/2023	64.16	SAND SHEET/SPRAY PAINT/BRUSH/DROP CLOT	104510-260 - BUILDING MAINTENAN	
BUCKS ACE SANTA CLARA	70656	2943	09/20/2023	09/28/2023	17.79	WOOD STAIN	104510-260 - BUILDING MAINTENAN	
					\$121.87			
					\$121.87			
CITY OF ST. GEORGE - MISC	70657	12452	08/25/2023	09/28/2023	10,655.00	Inv 12452-1st QTR FY24 SCHOOL RESOURCE OF	104220-980 - SRO - ST. GEORGE	
CITY OF ST. GEORGE - MISC	70657	12457	08/25/2023	09/28/2023	3,860.67	Inv. #12457 - FY24 QTR 1 POLICE DISPATCH FE	104230-600 - RESPONSE PLANNING	
					\$14,515.67			
					\$14,515.67			
CRAWINGS GOURMET BAKERY &	70658	047263	09/22/2023	09/28/2023	650.00	COOKIES FOR SWISS DAYS DINNER	104610-010 - DINNER	
					\$650.00			
DANIELS, JORDAN & KELLI	70659	Refund: 1085706	09/27/2023	09/28/2023	411.11	Refund: 1085706 - DANIELS, JORDAN & KELLI	531311-000 - ACCOUNTS RECEIVABL	
					\$411.11			
EMERGENCY VEHICLE SYSTEMS	70660	4349	07/13/2023	09/28/2023	5,713.00	2023 F150 FIRE RESPONSE INSTALL	104230-700 - CAPITAL OUTLAY	
EMERGENCY VEHICLE SYSTEMS	70660	4372	07/26/2023	09/28/2023	952.00	BRUSH TRUCK- SERVICE-MISC.	104230-700 - CAPITAL OUTLAY	
EMERGENCY VEHICLE SYSTEMS	70660	4390	08/31/2023	09/28/2023	26,838.00	HAND HELD RADIO-CLAMSHELL-ANTENNA-DES	104230-700 - CAPITAL OUTLAY	
EMERGENCY VEHICLE SYSTEMS	70660	4419	08/11/2023	09/28/2023	170.00	TROUBLESHOOT & REPAIR FRONT WARNING LI	104230-700 - CAPITAL OUTLAY	
EMERGENCY VEHICLE SYSTEMS	70660	4511	09/26/2023	09/28/2023	2,635.00	2023 F150 FIRE RESPONSE INSTALL	104230-700 - CAPITAL OUTLAY	
					\$36,308.00			
					\$36,308.00			
ENCE, JANAE	70661	092623-BINGO E	09/26/2023	09/28/2023	426.98	SWISS DAYS BINGO SUPPLIES	104610-013 - ENTERTAINMENT	
					\$426.98			
ENGAGIFII	ACH092823	2023-09-510	09/15/2023	09/28/2023	6,500.00	LEGISLATIVE TRACKING MODULE-RELATIONSHI	104130-310 - IT SERVICES	
					\$6,500.00			
ERIN HAMLIN	70662	082323-BINGO S	08/23/2023	09/28/2023	23.47	1000 BINGO PAPER CARDS	104610-013 - ENTERTAINMENT	
ERIN HAMLIN	70662	082823-SWISS D	08/28/2023	09/28/2023	106.70	BEATS STUDIO BUDS-SWISS DAYS	104610-013 - ENTERTAINMENT	
ERIN HAMLIN	70662	082923-SWISS D	08/29/2023	09/28/2023	106.70	BEATS STUDIO BUDS-SWISS DAYS	104610-013 - ENTERTAINMENT	
ERIN HAMLIN	70662	091523-SWISS D	09/15/2023	09/28/2023	198.52	2-STAINLESS STEEL WATER BOTTLE/2 ECHO D	104610-013 - ENTERTAINMENT	
ERIN HAMLIN	70662	091723-BINGO S	09/17/2023	09/28/2023	181.46	2-CORNHOLE SETS	104610-013 - ENTERTAINMENT	
					\$616.85			
					\$616.85			
GENTRY MUSIC & ARTS	70663	092123-STAGE R	09/21/2023	09/28/2023	175.00	SWISS DAYS STAGE RENTAL	104610-016 - RENTALS	
					\$175.00			
H&E EQUIPMENT SERVICES	70664	97604049	09/25/2023	09/28/2023	358.80	REPAIRS TO FORK LIFT	535310-253 - VEH/EQUIP REPAIR	
					\$358.80			
HINTON BURDICK CPAs & ADVISO	70665	291433	08/31/2023	09/28/2023	4,540.00	FISCAL YR 2023 AUDIT-PROGRESS BILLING	525210-340 - ACCOUNTING & AUDITI	
HINTON BURDICK CPAs & ADVISO	70665	291433	08/31/2023	09/28/2023	8,500.00	FISCAL YR 2023 AUDIT-PROGRESS BILLING	535310-340 - ACCOUNTING & AUDITI	
HINTON BURDICK CPAs & ADVISO	70665	291433	08/31/2023	09/28/2023	10,000.00	FISCAL YR 2023 AUDIT-PROGRESS BILLING	515110-340 - ACCOUNTING & AUDITI	
					\$23,040.00			
					\$23,040.00			

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All Bank Accounts - 09/28/2023 to 09/28/2023**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Invoice Number</u>	<u>Invoice Ledger Date</u>	<u>Payment Date</u>	<u>Amount</u>	<u>Description</u>	<u>Ledger Account</u>	<u>Activity Code</u>
HORROCKS	70666	80186	09/14/2023	09/28/2023	6,291.00	PROFESSIONAL SERVICES FOR AUG 1-31 2023	104410-320 - ENGINEERING SERVIC	
					\$6,291.00			
HUNTER, KONI	70667	091523-HANDS	09/15/2023	09/28/2023	29.87	BUTTER MAKING ACTIVITY-HANDS ON	104610-012 - HANDS ON	
HUNTER, KONI	70667	092023-HANDS	09/20/2023	09/28/2023	50.00	BUTTER MAKING ACTIVITY-HANDS ON	104610-012 - HANDS ON	
					\$79.87			
					\$79.87			
LABOR COMMISSION	70668	23V00000007165	07/01/2023	09/28/2023	90.00	PRESSURE VESSEL CERT. OF INSPECTION & P	104230-775 - STATIONS OPERATION	
					\$90.00			
LARSON, JERI	70669	092623- PUZZLE	09/26/2023	09/28/2023	150.00	6-1000 PIECE PUZZLE REFUNDS	103601-000 - SC PUZZLES REVENUE	
					\$150.00			
LORIE HAWLEY	70670	92023-PUPPET S	09/20/2023	09/28/2023	300.00	SWISS DAYS PUPPET SHOW	104610-013 - ENTERTAINMENT	
					\$300.00			
MEGAPRO	70671	74625	09/15/2023	09/28/2023	4,881.20	SWISS DAYS 5K LONG SLEEVE	104610-001 - 5K RUN/WALK	
MEGAPRO	70671	74762	09/13/2023	09/28/2023	1,046.00	SWISS DAYS VOLUNTEER TEES	104610-007 - SUPPLIES & POSTAGE	
MEGAPRO	70671	75354	09/08/2023	09/28/2023	235.00	YOUTH COUNCIL- SWISS DAYS	104652-501 - YOUTH CITY COUNCIL	
MEGAPRO	70671	75876	09/21/2023	09/28/2023	745.15	SWISS DAYS 5K LONG SLEEVE	104610-001 - 5K RUN/WALK	
					\$6,907.35			
					\$6,907.35			
MISS WASHINGTON CITY	70672	92323-PARADE	09/27/2023	09/28/2023	200.00	SWISS DAYS 2023 PARADE-FLOAT WINNER	104610-015 - PARADE	
					\$200.00			
PR ELECTRIC INC	70673	7868	09/18/2023	09/28/2023	7,830.00	3RD & FINAL DRAW FOR LIGHTING CONTROLS	104240-260 - BUILDING MAINTENAN	
					\$7,830.00			
PUBLIC EMPLOYEE HEALTH PRO	ACH	0124014860	09/28/2023	09/28/2023	1,286.55	LIFE INS & AD&D	102252-000 - LIFE-AD&D PAYABLE	
PUBLIC EMPLOYEE HEALTH PRO	ACH	0124014860	09/28/2023	09/28/2023	71,435.14	HEALTH INSURANCE	102250-000 - HEALTH INSURANCE P	
					\$72,721.69			
					\$72,721.69			
SANTA CLARA ELEMENTARY SCH	70674	92323-PARADE	09/27/2023	09/28/2023	300.00	SWISS DAYS 2023-1ST PLACE WINNER	104610-015 - PARADE	
					\$300.00			
SOUTHERN UTAH GRADE & PAVE	70675	986	09/20/2023	09/28/2023	500.00	1305 CANYON VIEW ROAD BASE-PATCH AREA	104410-414 - ROAD MATERIAL & SUP	
					\$500.00			
ST. GEORGE SHUTTLE LLC	70676	SWISSDAYS.23	09/26/2023	09/28/2023	2,769.00	TRANSPORTATION FOR SWISS DAYS 2023	104610-006 - TRANSPORTATION	
					\$2,769.00			
SUMMIT PRINTING	70677	220045	09/21/2023	09/28/2023	237.85	BUSINESS CARDS FOR LANCE-KRISTELLE-TIA	104130-240 - OFFICE SUPPLIES	
					\$237.85			
SUPER YOGURTLAND	70678	92323-PARADE	09/27/2023	09/28/2023	300.00	SWISS DAYS 2023 PARADE-FLOAT AWARD	104610-015 - PARADE	
					\$300.00			
THE LAVATORY UTAH	70679	1464	09/19/2023	09/28/2023	350.00	SEPTIC WASTE PUMP- SWISS DAYS	104610-016 - RENTALS	
					\$350.00			

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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
UTAH ASSOC. MUNICIPAL POWER	ACH	2023-08	08/31/2023	09/28/2023	-12,994.34	MARGINS/PENALTIES	535310-951 - POWER OWNERSHIP C	
UTAH ASSOC. MUNICIPAL POWER	ACH	2023-08	08/31/2023	09/28/2023	1,376.02	LINE ITEMS	535310-952 - LINE ITEM EXPENSES -	
UTAH ASSOC. MUNICIPAL POWER	ACH	2023-08	08/31/2023	09/28/2023	10,355.28	SCHED/OPER RESERVES	535310-951 - POWER OWNERSHIP C	
UTAH ASSOC. MUNICIPAL POWER	ACH	2023-08	08/31/2023	09/28/2023	45,519.37	TRANSMISSION	535310-951 - POWER OWNERSHIP C	
UTAH ASSOC. MUNICIPAL POWER	ACH	2023-08	08/31/2023	09/28/2023	80,601.48	FIXED COSTS	535310-951 - POWER OWNERSHIP C	
UTAH ASSOC. MUNICIPAL POWER	ACH	2023-08	08/31/2023	09/28/2023	87,477.03	NATURAL GAS CONTRACT	535310-610 - GENERATOR FUEL	
UTAH ASSOC. MUNICIPAL POWER	ACH	2023-08	08/31/2023	09/28/2023	258,647.51	ENERGY	535310-950 - POWER PURCHASE - U	
					<u>\$470,982.35</u>			
					\$470,982.35			
UTAH STATE DIVISION OF FINANC	70680	092723- REFUN	09/27/2023	09/28/2023	424.50	REFUND WALL ACCT #1030206	103600-000 - MISCELLANEOUS REV	
UTAH STATE DIVISION OF FINANC	70680	092723-REFUND	09/27/2023	09/28/2023	532.50	REFUND KIRKPATRICK ACCT#1081405	103600-000 - MISCELLANEOUS REV	
UTAH STATE DIVISION OF FINANC	70680	REFUND DANIEL	09/27/2023	09/28/2023	1,080.00	REFUND DANIELS ACCT #1085706	103600-000 - MISCELLANEOUS REV	
UTAH STATE DIVISION OF FINANC	70680	REFUND EVANS	09/27/2023	09/28/2023	1,074.00	REFUND EVANS ACCT#1083805	103600-000 - MISCELLANEOUS REV	
					<u>\$3,111.00</u>			
					\$3,111.00			
WASH. COUNTY WATER CONSER	70681	53271	07/01/2023	09/28/2023	6,220.80	EXCESS CONSERVATION SURCHARGE	513714-000 - REGIONAL WATER SUR	
WASH. COUNTY WATER CONSER	70681	53278	09/01/2023	09/28/2023	4,509.02	REG.PIPELINE BOND PAYMENT	515110-822 - DEBT PAYMENT TO WA	
WASH. COUNTY WATER CONSER	70681	53285	08/31/2023	09/28/2023	6,042.37	WATER DEVELOPMENT SURCHARGE	513714-000 - REGIONAL WATER SUR	
WASH. COUNTY WATER CONSER	70681	53302	08/31/2023	09/28/2023	12,964.50	EXCESS CONSERVATION SURCHARGE	513714-000 - REGIONAL WATER SUR	
					<u>\$29,736.69</u>			
					\$29,736.69			
WASHINGTON COUNTY SOLID WA	70682	148927	08/31/2023	09/28/2023	12,703.25	2929 UNITS-GARBAGE @ 12.83 & 2135 BLUCAN	103445-000 - RECYCLING CHARGE	
WASHINGTON COUNTY SOLID WA	70682	148927	08/31/2023	09/28/2023	37,579.07	2929 UNITS-GARBAGE @ 12.83 & 2135 BLUCAN	104130-311 - SOLID WASTE DISPOS	
					<u>\$50,282.32</u>			
					\$50,282.32			
WESTERN UNITED ELECTRIC SU	70683	6096428	09/13/2023	09/28/2023	747.27	ANCHOR RODS	535310-466 - POWER LINES/POLES/	
WESTERN UNITED ELECTRIC SU	70683	6097092	09/22/2023	09/28/2023	150.55	ANCHOR PLATES	535310-466 - POWER LINES/POLES/	
WESTERN UNITED ELECTRIC SU	70683	6097324	09/26/2023	09/28/2023	2,262.00	SINGLE PHASE TRANSFORMER VINEYARDS PH	535310-254 - NEW SUBDIVISION EXP	
					<u>\$3,159.82</u>			
					\$3,159.82			
WILD COYOTE FOODS, LLC	70684	42792	09/21/2023	09/28/2023	161.28	SWISS DAYS DINNER RANCH DRESSING	104610-010 - DINNER	
					<u>\$161.28</u>			
WITTWER, ERIN	70685	092523-BALLOO	09/25/2023	09/28/2023	38.68	BALLOONS FOR 5K SWISS DAYS	104610-001 - 5K RUN/WALK	
					<u>\$38.68</u>			
					\$38.68			
					<u><u>\$739,823.18</u></u>			

**City of Santa Clara
Check Register
All Bank Accounts - 10/05/2023 to 10/05/2023**

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
ALPHA ENGINEERING	70686	37174	09/14/2023	10/05/2023	228.00	SC LUGANO SUBDIVISION REVIEW	104240-320 - ENGINEERING	
ALPHA ENGINEERING	70686	37175	09/14/2023	10/05/2023	223.50	PROFESSIONAL SERVICES AUG 1-31 2023	104240-320 - ENGINEERING	
					\$451.50			
					\$451.50			
AMERICAN LEGAL PUBLISHING C	70687	28265	09/30/2023	10/05/2023	185.65	2023 S-16 SUPPLEMENTAL PAGES-ORDS 2023-1	104130-210 - SUBSCRIPTIONS & ME	
					\$185.65			
BUCKS ACE SANTA CLARA	70688	3010	09/27/2023	10/05/2023	26.22	SHOP SUPPLIES	535310-260 - BUILDING MAINTENAN	
					\$26.22			
CHILD SUPPORT SERVICES	70689	100423-873789	10/02/2023	10/05/2023	206.77	CASEY-C000873789 PAY PERIOD END 10/4/23	102595-000 - GARNISMENTS PAYABL	
					\$206.77			
CITY OF ST GEORGE - S	70690	SEP2023-SEWE	10/02/2023	10/05/2023	38,607.80	3052 SEWER CONNECTIONS @12.65 SEPT. 2023	525210-945 - SEWER TREATMENT -	
					\$38,607.80			
DOMINION ENERGY	ACH100523	100523-POWER	10/05/2023	10/05/2023	7,876.55	POWER PLANT - 4620146496 OCT 05	535310-610 - GENERATOR FUEL	
					\$7,876.55			
DR. ROBERT R. FOSTER, D.O. P.C.	70691	OCT.2023-MED S	10/02/2023	10/05/2023	1,200.00	MEDICAL SERVICES DIRECTOR	104230-400 - EMERGENCY MEDICAL	
					\$1,200.00			
ERICKSON, M. RICK	70692	SEPT 2023 - CIT	10/02/2023	10/05/2023	1,500.00	CITY PROSECUTOR SEPT 2023	104120-330 - LEGAL SERVICES	
					\$1,500.00			
FREEDOM MAILING SERVICES, IN	70693	46244	09/29/2023	10/05/2023	2,106.06	BILL PROCESSING	104130-370 - PROFESSIONAL SERVI	
					\$2,106.06			
GEARGRID CORPORATION	70694	0023432-IN	09/21/2023	10/05/2023	3,831.00	LKR-24WX72HX20D-5 OPENINGS/SURCHARGE	104230-775 - STATIONS OPERATION	
GEARGRID CORPORATION	70704	0023433-IN	09/21/2023	10/05/2023	3,831.00	LKR-24WX72HX20D-5 OPENINGS/SURCHARGE	104230-775 - STATIONS OPERATION	
					\$7,662.00			
JOY MILES	70695	100423-JM	10/04/2023	10/05/2023	79.62	COURT INTERPRETER 10/03/2023	104120-330 - LEGAL SERVICES	
					\$79.62			
MDH DEVELOPMENT	70696	Refund: 2002547	10/02/2023	10/05/2023	28.64	Refund: 2002547 - MDH DEVELOPMENT	531311-000 - ACCOUNTS RECEIVABL	
					\$28.64			
POLL SOUND	70697	75968	10/02/2023	10/05/2023	303.64	FIX MICROPHONE/SERVICE LABOR/TRUCK CHA	104240-250 - OPERATING SUPPLIES	
					\$303.64			
PROTECT YOUTH SPORTS	70698	1102958	09/30/2023	10/05/2023	22.15	BACKGROUND CHECK-COURT TIA	104120-370 - PROFESSIONAL SERVI	
					\$22.15			
STRIVE WORKPLACE SOLUTIONS	70699	OE-48301-2	09/08/2023	10/05/2023	79.56	MULTIPURPOSE PAPER ADMIN OFFICE	104130-240 - OFFICE SUPPLIES	
					\$79.56			
SUNRISE ENGINEERING, INC.	70700	0137198	09/20/2023	10/05/2023	803.13	ON CALL-SC WATER RIGHT REPORT	515110-320 - ENGINEERING SERVIC	
SUNRISE ENGINEERING, INC.	70700	0137200	09/20/2023	10/05/2023	180.00	MISC.ENGINEERING	515110-320 - ENGINEERING SERVIC	
SUNRISE ENGINEERING, INC.	70700	0137201	09/20/2023	10/05/2023	455.00	PHASE 1B REVIEW	104240-320 - ENGINEERING	
SUNRISE ENGINEERING, INC.	70700	0137202	09/20/2023	10/05/2023	175.00	VIEW POINT SUB.LOT SPLIT	104240-320 - ENGINEERING	
SUNRISE ENGINEERING, INC.	70700	0137203	09/20/2023	10/05/2023	420.00	SOUTH VILLAGE	104240-320 - ENGINEERING	

**City of Santa Clara
Check Register
All Bank Accounts - 10/05/2023 to 10/05/2023**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Invoice Number</u>	<u>Invoice Ledger Date</u>	<u>Payment Date</u>	<u>Amount</u>	<u>Description</u>	<u>Ledger Account</u>	<u>Activity Code</u>
SUNRISE ENGINEERING, INC.	70700	0137204	09/20/2023	10/05/2023	315.00	SUBDIVISION REVIEW	104240-320 - ENGINEERING	
SUNRISE ENGINEERING, INC.	70700	0137205	09/20/2023	10/05/2023	455.00	FKC SHELL	104240-320 - ENGINEERING	
SUNRISE ENGINEERING, INC.	70700	0137210	09/20/2023	10/05/2023	345.00	IMPACT FEE FACILITIES PLAN AMENDMENT	104510-320 - ENGINEERING SERVIC	
					<u>\$3,148.13</u>			
					\$3,148.13			
UTAH STATE TREASURER / FINES	70701	SEPT 2023 COU	10/04/2023	10/05/2023	13,791.24	COURT SURCHARGES	104120-905 - STATE FINE COLLECTI	
					<u>\$13,791.24</u>			
WASH. CO. FLOOD CONTROL DIS	70702	SEPT 2023- FLO	10/04/2023	10/05/2023	4,831.50	FLOOD CONTROL DISTRICT 53-3301000004 SE	545410-770 - FLOOD CONTROL DIST.	
					<u>\$4,831.50</u>			
WASHINGTON COUNTY SOLID WA	70703	2003649	09/28/2023	10/05/2023	117.26	COM CLEAN DIRT	545410-250 - OPERATING SUPPLIES	
					<u>\$117.26</u>			
					<u>\$82,224.29</u>			

Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Denny Drake

Leina Mathis

Ben Shakespeare

Jarett Waite

Christa Hinton

CITY COUNCIL

Meeting Date: 11/Oct/23

Agenda Item: 1

Applicant: Elks Lodge

Requested by: Chris Shelley

Subject: Red Ribbon Week

Description:

Proclamation designating the week of October 23-31 as Red Ribbon Week. Red Ribbon Week is the nation's oldest and largest drug prevention awareness program. Congress officially established Red Ribbon Week in 1988. It is celebrated annually across the nation during last week of October.

Recommendation: Approval

Attachments: N/A

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

2603 Santa Clara Drive, Santa Clara, Utah 84765

Phone (435) 673-6712 Fax (435) 628-7338



Whereas: The Benevolent and Protective Order of Elks National Drug Awareness Program is the largest all volunteer drug awareness programs in the United States; and

Whereas: The Elks National Drug Awareness Program strives to educate all children and parents about the dangers of illegal drug use and prevent the misuse and abuse of legalized and prescription drugs; and

Whereas: Drug abuse affect individuals, families, and communities across the nation; and

Whereas: It is imperative that visible, unified efforts by community members be launched to prevent drug abuse; and

Whereas: Red Ribbon Week offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles; and

Whereas: Red Ribbon Week will be celebrated in communities across the nation on October 23-31; and

Whereas: Our community further commits its resources to ensure the success of Red Ribbon Week,

Now Therefore: I, Rick Rosenberg, Mayor of the city of Santa Clara, Utah, do hereby proclaim October 23-31, 2023, as

RED RIBBON WEEK

During this week, we urge all citizens to join with Benevolent and Protective Order of Elks in participating in drug prevention education activities during Red Ribbon Week.

Dated this

Rick Rosenberg

Mayor of Santa Clara, Utah



Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Denny Drake

Leina Mathis

Ben Shakespeare

Jarett Waite

Christa Hinton

CITY COUNCIL

Meeting Date: 10-11-2023

Agenda Item: 2

Applicant: Andrew Parker

Requested by: Andrew Parker

Subject: Fire Prevention Week Proclamation 2023

Description:

Fire Prevention Week is celebrated throughout North America every October and is the oldest public health observance on record in the U.S. Entering its 101st year, Fire Prevention Week works to educate people about the leading risks of home fires and ways they can better protect themselves and their loved ones. Local fire departments, schools, and community organizations play a key role in bringing Fire Prevention Week to life in their communities each year and spreading basic but critical fire safety messages.

The National Fire Protection Association® (NFPA®) — the official sponsor of Fire Prevention Week™ for more than 100 years — has announced “Cooking safety starts with YOU! Pay attention to fire prevention TM” as the theme for Fire Prevention Week, October 8-14, 2023. This year’s focus on cooking safety works to educate the public about simple but important steps they can take to help reduce the risk of fire when cooking at home, keeping themselves and those around them safe.

According to NFPA, cooking is the leading cause of home fires, with nearly half (49 percent) of all home fires involving cooking equipment; cooking is also the leading cause of home fire injuries. Unattended cooking is the leading cause of home cooking fires and related deaths. In addition, NFPA data shows that cooking is the only major cause of fire that resulted in more fires and fire deaths in 2014-2018 than in 1980-1984.

Considering this, I would like to present the proclamation to adopt October 8-14, 2023, as Fire Prevention Week in the City of Santa Clara.

Recommendation: Approval

Attachments: Yes

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

2603 Santa Clara Drive, Santa Clara, Utah 84765

Phone (435) 673-6712 Fax (435) 628-7338

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
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Whereas the City of Santa Clara is committed to ensuring the safety and security of all those living in and visiting Santa Clara; and

Whereas fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

Whereas residents should identify places in their homes where fires can start and eliminate those hazards; and

Whereas residents should install working smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home; and

Whereas residents should listen for the sound of the smoke alarm and when it sounds respond by going outside immediately to the designated meeting place; and

Whereas residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

Whereas our first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

Whereas the 2023 Fire Prevention Week theme, "Cooking safety starts with YOU. Pay attention to fire prevention", works to educate everyone about simple but important actions they can take to keep themselves and those around them safe when cooking;

Therefore I, Rick Rosenberg, Mayor, do hereby proclaim October 8th to 14th, 2023 as Fire Prevention Week in the City of Santa Clara and urge all residents and visitors to be aware of their surroundings, engage in fire-safe practices, and support the many public safety activities of Santa Clara-Ivins Fire Rescue during Fire Prevention Week and all year long.

Rick Rosenberg, Mayor
City of Santa Clara, Utah

Chris Shelley, Recorder
City of Santa Clara, Utah

Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Denny Drake

Leina Mathis

Ben Shakespeare

Jarett Waite

Christa Hinton

CITY COUNCIL

Meeting Date: 11/Oct/23

Agenda Item: 3

Applicant: Jason Lyndsey

Requested by: Dustin Mouritsen

Subject: Lugano Subdivision

Description:

Jason Lyndsey has requested a design exemption to remove the requirement to place sidewalk along the west side of Lugano Lane from the intersection of Vineyard Drive to Riverwood Circle as shown in the attached exhibit. Title 16 in the subdivision ordinance and section 3 in the City's design and construction standards both require sidewalks at the time of development for a safe walkable community for our residents.

Recommendation: Denial

Attachments: N/A

Cost: 0

Legal Approval: N/A

Finance Approval: N/A

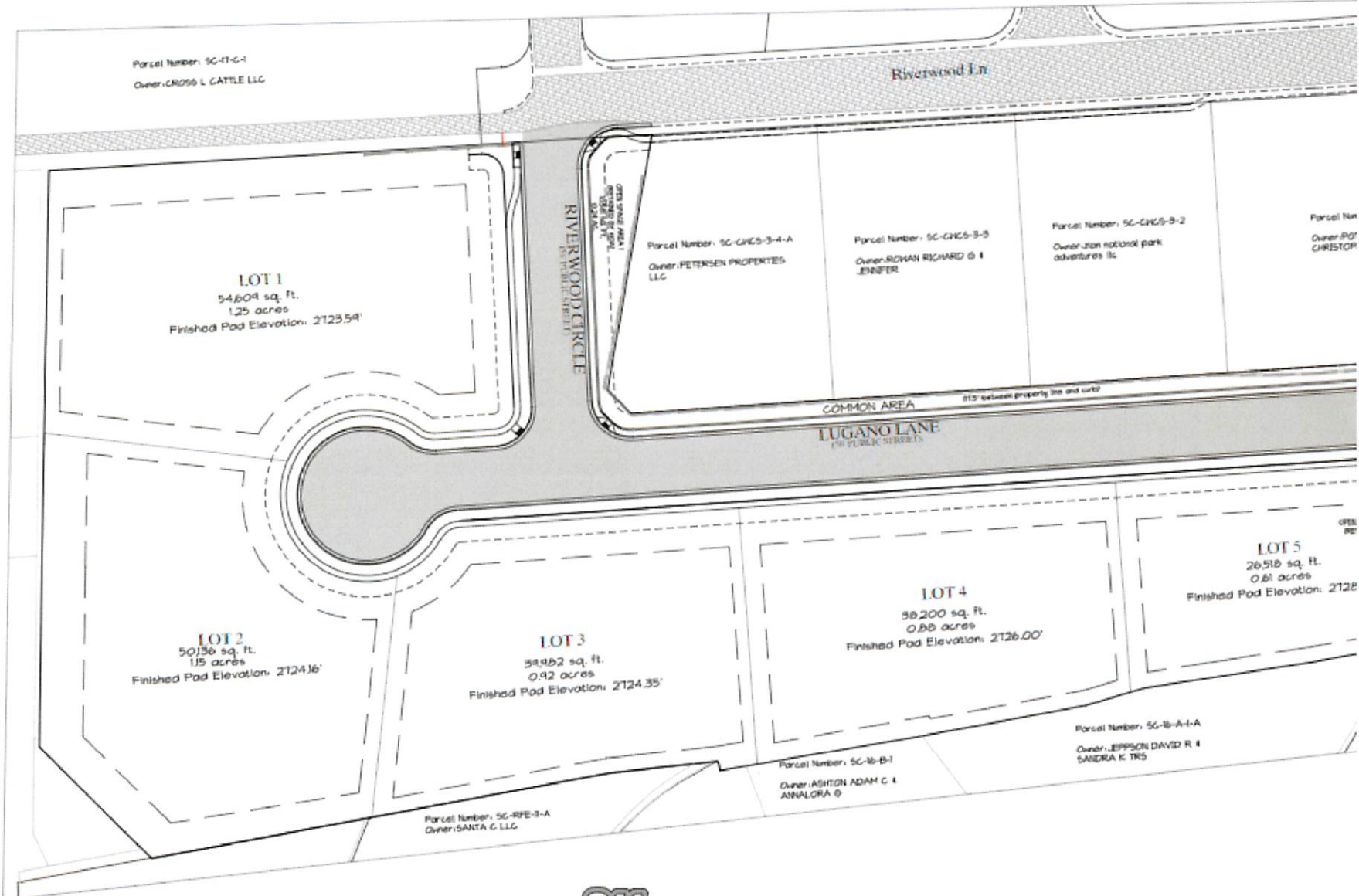
Budget Approval: N/A

2603 Santa Clara Drive, Santa Clara, Utah 84765

Phone (435) 673-6712 Fax (435) 628-7338

LUGANO SUBDIVISION

LOCATED IN SECTION 16, TOWNSHIP 42 SOUTH, RANGE 16 WEST OF THE
BASE AND MERIDIAN IN THE CITY OF SANTA CLARA, WASHINGTON COUN



3.2.4.5 Cul-de-Sac Streets

A. Such streets shall not exceed eight hundred (800') feet in length as measured from center of cross street to center of cul-de-sac. The turn-around pavement radius shall not be less than forty-two and one-half feet (42' – 6"), or (50 feet at property line). Commercial pavement radii shall be no less than forty-seven and one-half feet (47' – 6"), or (55 feet at property line). No road shall be ended without a properly designed cul-de-sac turnaround unless otherwise approved by the city representative. Major collectors and higher order roads shall not be permanently dead ended.

3.2.4.6 Sidewalks

A. Sidewalk (pedestrian access) shall be required in all residential and commercial developments. See Table 3.1.

B. For developments which are within hillside areas, see the City of Santa Clara Hillside Ordinance.

C. Sidewalks in areas of high pedestrian traffic may require a greater width as determined by the city representative.

D. Sidewalks in the designated "Streets project area" ord. 16.24.060 or adjacent to the "streets project area" are allowed 4' sidewalks or as determined by a city representative.

3.2.4.7 Curb and Gutter

A. All public or private streets shall use curb and gutter of the type shown in standard drawings unless otherwise approved by the city representative. In large subdivisions, in rural or agricultural settings, the curb and gutter may be eliminated (although the use of the rural curb is recommended) unless required for drainage or street continuity. When eliminated, roadside drainage and shoulder shall be as shown in standard drawings.

3.2.4.8 Plant/Landscape Strips

A. Plant or landscape strips within a road right-of-way must be landscaped with at least twenty-five percent (25%), by area, of live vegetation. Lawn is not allowed within a plant or landscape strip less than 8 feet in width. Lawn areas shall be limited with a focus on a drip irrigation design with native plants and trees as per city ordinance #2022-05. The design of these areas must be approved by the city's representative or designee.

B. Planter strips shall not be filled with concrete or other hard surfaces.

C. Special drainage requirements may be imposed by city's representative to protect pavement and curb and gutter from damage due to irrigation of planter strips.

3. Local Street: Thirty-five feet (35').

4. In planned development areas, subdivisions, and designated streets project areas, the width of streets may be modified with planning commission recommendation and city council approval.

Q. Cul-de-sacs shall be no longer than eight hundred feet (800') in length without a recommendation for exception from the planning commission and approval by the city council.

R. The radius of the turnaround in a cul-de-sac shall be a minimum of fifty feet (50').

S. Streets should intersect as nearly as possible to ninety-degree (90°) angles and shall not be offset less than two hundred fifty feet (250') from the centerline of the nearest intersecting street.

T. Streets shall have the names or numbering system of all streets in city-approved sequence. Permanent street name or number signs shall be installed by the owner at their expense according to city requirements and standards at the time of development of the subdivision and shall be provided for along with other elements of the subdivisions for which a guarantee is posted.

U. Traffic control signs required by the city shall also be installed to ensure a smooth flow of traffic through the subdivision.

V. Streetlights, of a type approved by the Power Department, shall be installed in every subdivision. Spacing of streetlights shall be within two hundred fifty feet (250'), except as approved by the Power Department, and shall be installed at all intersections, or in other locations as determined by the city.

W. Curb, gutter, and sidewalk are required in all subdivisions and designated streets project areas, in accordance with the city's design and construction standards. Additionally, all existing utilities in these areas will be brought up to current city construction standards.

X. The minimum centerline radii for local streets shall be one hundred fifty feet (150'). For collector streets the minimum shall be three hundred feet (300'). For arterial streets the minimum shall be five hundred feet (500'), unless otherwise approved by the city council upon recommendation of the city engineer.

Y. The grade of streets shall not exceed eight percent (8%) for arterial or collector streets and fifteen percent (15%) for local streets.

Z. Blocks shall not be longer than one thousand feet (1,000') and shall be at least two (2) building lots in depth, unless otherwise approved by the city council upon recommendation of the planning commission.

AA. All arterial streets are classified as limited access streets, and no individual lot shall front on an arterial street.

BB. All street widths shall conform to the width requirements unless otherwise recommended by the TRC, and the planning commission, for approval by the city council. Such recommendation and approval shall normally apply only to developments in the planned development zone. (Ord. 2023-04 § 1: Ord. 2019-07 § 3: Ord. 2016-12: Ord. 2013-09: Ord. 2012-13: Ord. 2009-02 § 1)



City of Santa Clara
2603 Santa Clara Drive
(435) 656-4690, Ext. 225
jmcnulty@sccity.org

Staff Report

Final Subdivision Plat Summary and Recommendation

Public Body: Santa Clara City Council

Meeting Date: July 26, 2023

Current Zone: Residential Agriculture (Single-Family), RA

General Plan Designation: Very Low Density Residential, LDR

Property Address: South of Vineyard Drive and east of Riverwood Lane

Request: Final Plat Approval

Applicant Name: Jason Lindsey

Staff Planner: Jim McNulty

Planning Staff Recommendation: Approval with conditions

Meeting Type: Public Meeting

PROJECT DESCRIPTION

The applicant, **Jason Lindsey**, is requesting **Final Plat Approval** for the Lugano Subdivision. This subdivision plat includes a total of five (5) single-family lots. The subject property is 6.49 acres in size. The Residential Agriculture, RA Zone requires a minimum lot size of $\frac{1}{2}$ an acre (21,780 sq. ft. minimum). The proposed lots range in size from 26,518 sq. ft. (0.61 acres) to 54,609 sq. ft. (1.25 acres). The project density equates to 0.77 dwelling units/acre.

All lots within the proposed subdivision will be required to meet the area, width, and yard regulations as per Section 17.60.050 of city ordinance. The property owner intends to build a single-family home on one of the proposed lots, with other lots being available for purchase.

Ingress/Egress to the site will be provided via Vineyard Drive and Riverwood Lane. The final plat includes two (2) open space areas adjacent to these two access points. The applicant will be required to form an HOA allowing for maintenance of the common areas.

SITE & VICINITY DESCRIPTION

The subject property is located directly south of Vineyard Drive and east of Riverwood Lane. Major cross streets in the vicinity include Vineyard Drive, Heights Drive, and Santa Clara Drive.

DEPARTMENT: *Police & Fire*

Recommendations: N/A

DEPARTMENT: *Power*

Recommendations: Public Utility Easements (PUE's) are required.

Required Revisions: None at this time.

DEPARTMENT: *Public Works*

Recommendations: Public Utility Easements (PUE's) are required to be shown on the final plat. All public streets must be included on the final plat. A mylar with signature blocks is required for the final plat.

Required Revisions: None at this time.

STATE CODE CONSIDERATIONS

Utah Code, Section 52-4-202 includes requirements for subdivisions. A city must hold a public meeting to consider a subdivision plat. The meeting agenda, date, time, and place of the meeting must be placed on the city website and in public locations (e.g., City Hall and Post Office) at least 24 hours before the meeting. The city is also required to post on the State Public Notice Website. Planning Staff has determined that all State Code requirements have been met with this application.

CITY STAFF RECOMMENDATION

The Planning Commission held a public meeting on July 13, 2023, and recommended Final Plat Approval to the City Council. City Staff recommends that the City Council consider granting Final Plat Approval for the Lugano Subdivision, subject to the following conditions:

1. That the applicant be required to comply with the recommendations from all city reviewing departments.
2. That the applicant be required to install public street improvements (56-foot cross-section with park strip) which meet city standards. That public street improvements be required for the Lot 5 frontage along Vineyard Drive.
3. That street trees be allowed as per the City's recommended list.
4. That the building setbacks for this subdivision meet the requirements of Chapter 17.60.050, Residential Agriculture, RA Zone.
5. That the building height for all homes in this subdivision be limited to 35'.
6. That the two (2) open space areas included on the final plat be identified as Open Space Areas #1 and #2. That the applicant be required to form an HOA for maintenance and ownership of the open space areas.
7. That all landscaping (including HOA owned and maintained areas) be required to comply with City Ordinance #2022-05 (Water Efficiency & Conservation).
8. That the applicant provides a will-serve letter or other verified documentation from the WCWCD prior to final plat recordation.
9. That a secondary water system is required for outdoor water use.
10. That the applicant provides a dust control plan prior to final plat recordation.

Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Denny Drake

Leina Mathis

Ben Shakespeare

Jarett Waite

Christa Hinton

CITY COUNCIL

Meeting Date: 11/Oct/23

Agenda Item: 4

Applicant: Santa Clara City

Requested by: Jim McNulty

Subject: Title 16, Subdivision Ordinance Code Amendment

Description:

City staff and legal counsel have been working on updates to the Subdivision Ordinance (Title 16) as required by SB-174. Changes to state law were approved and adopted during the 2023 legislative sessions. Please see attached Memo and working copy of proposed changes.

Recommendation: Approval

Attachments: N/A

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A

2603 Santa Clara Drive, Santa Clara, Utah 84765

Phone (435) 673-6712 Fax (435) 628-7338



TO: Santa Clara City Council
FROM: Jim McNulty, Planning Manager
DATE: October 11, 2023
RE: Title 16, Subdivision Ordinance Code Amendment

City staff and legal counsel have been working on updates to the **Subdivision Ordinance as required by SB-174**. The City Council will recall that changes to state law were approved and adopted during the 2023 legislative session. The required changes include the following items:

1. All cities with a population exceeding 5,000 located in a county of the 1st, 2nd, or 3rd class must revise their subdivision ordinances to comply with this process by February 1, 2024. As of the 2020 Census, **Washington County is a county of the 2nd class (population of approximately 180,000+)**.
2. SB-174 requires local governments to designate a **Land Use Authority (LUA)** to review subdivision applications. These authorities may not be members of a town/city council.
3. SB-174 establishes a two-step process for approving subdivisions. This includes **a preliminary subdivision review with the Planning Commission, and a final subdivision review with the Technical Review Committee, TRC** which includes representatives from all reviewing city departments, private utilities, and relevant contract professionals.
4. Municipalities may perform up to **four review cycles (Final Plat)** on a given application. A review cycle is not considered complete until the applicant has adequately addressed all of the redlines identified by the municipality. Each review cycle at this stage must be completed in 20 days.
5. SB-174 **creates two (2) distinct appeal processes** after the four review cycles have been exhausted and 20 days have passed.

On September 28, 2023, the Planning Commission held a public hearing and forwarded a recommendation of Approval to the City Council. City staff had an opportunity to discuss this item with the City Council on September 13, 2023. Additionally, this item was discussed with the Planning Commission on August 10, 2023, and September 14, 2023. The City Council and Planning Commission were in favor of proceeding with this item.

State Code Requirements:

Utah State Code, Section 10-9a-205 includes requirements for land use ordinance amendments. To amend an ordinance, a city Planning Commission must hold at least one public hearing. Additionally, a public hearing to consider an ordinance amendment requires a 10-day notice which requires the date, time, and place of the public hearing. Planning staff has determined that all State Code requirements have been met with this application.

Recommendation:

City staff recommends that the City Council approve the proposed Code Amendment to Title 16, Subdivision Ordinance.

TITLE 16
SUBDIVISIONS

CHAPTER 16.04
GENERAL PROVISIONS

SECTION:

16.04.010: Purpose

16.04.020: Scope of Title

16.04.030: Effect on Previous Ordinance

16.04.040: Exceptions to This Title

16.04.050: Exemptions

16.04.060: Fees

16.04.010: PURPOSE:

The purpose of this chapter is to promote the health, safety, and general welfare of the residents of the city of Santa Clara, Utah, by:

- A. Promoting the efficient and orderly development of land located within the city;
- B. Establishing policies, procedures, requirements, and standards for subdivision development;
- C. Preserving and protecting the environmental quality and aesthetic character of hillside areas, other topographic features, and vegetative cover, and reducing the hazards to life and property from fire, flood, erosion, sedimentation, and soil slippage;
- D. Providing lots of sufficient size and appropriate design for the purpose for which they are to be used;
- E. Providing subdivision improvements of adequate capacity and design for traffic that will utilize them, and to ensure pedestrian and vehicle user safety. ~~(Ord. 2009-02 § 1)~~

16.04.020: SCOPE OF TITLE:

This title shall apply to all subdivisions located wholly or in part within the city. To further define the scope of this title, but not in derogation of its purpose or scope, no person shall:

- A. Subdivide a parcel of land except in compliance with this title;

B. Sell, exchange, offer to sell, or offer to exchange any land which is part of a subdivision or a tract of land, offer for recording in the office of the Washington County recorder any deed conveying a parcel of land, or any interest in it, unless that parcel of land is part of a subdivision created pursuant to this title;

C. Offer to sell or lease, to contract to sell or lease, or to sell or lease a subdivision in whole or part until a final plat, in full compliance with this title, has been recorded in the office of the county recorder;

D. Further divide, rearrange, or reduce the area of a lot within a subdivision without first obtaining the approval of the planning commission and the city council as provided in this title (a person may combine lots within a subdivision to create larger lots upon planning commission approval, and may vacate side and rear lot easements by action of the city council);

E. Receive a building permit on a lot within a subdivision until all subdivision improvements, including roads, pavements, and utilities are installed, unless waived by the planning commission ~~and the city council~~;

F. Occupy a building or structure within a subdivision until the city accepts the subdivision improvements, any buildings and all lots fully complying with the city's subdivision and zoning ordinances;

G. Sell any portion of an approved subdivision until the prospective buyer or builder is advised that occupancy permits will not be issued until all subdivision improvements are completed. ~~(Ord. 2009-02 § 1)~~

16.04.030: EFFECT ON PREVIOUS ORDINANCE:

The ordinance codified in this title shall amend and supersede the city's existing subdivision ordinance. It is not a new enactment but a continuation of the previous ordinance, whether in the same or in different language. The new ordinance shall read in its entirety as set out in this title. ~~(Ord. 2009-02 § 1)~~

16.04.040: EXCEPTIONS TO THIS TITLE:

When the planning commission finds that unusual topographic or other conditions exist on a parcel of land subject to this title, the planning commission may ~~allow for recommend to the city council that~~ an exception to this title be granted. Upon recommendation by the ~~the TRC planning commission~~, the ~~Planning Commission~~ ~~city council~~ may change or except the lands from all or a part of the requirements of this title. However, the exception or changes authorized by the ~~Planning Commission city council~~ shall not substantially frustrate the intent of this title. ~~(Ord. 2009-02 § 1)~~

16.04.050: EXEMPTIONS:

Those uses of land specifically exempted from subdivision by the Utah state code shall be exempt from the provisions of this title. ~~(Ord. 2009-02 § 1)~~

16.04.060: FEES:

The city council shall from time to time establish and reestablish subdivision filing fees. ~~(Ord. 2009-02 § 1)~~

CHAPTER 16.08 DEFINITIONS

SECTION:

16.08.010: DEFINITIONS OF TERMS:

As used in this title:

ADMINISTRATIVE OFFICER: The person or persons designated by the city ~~council~~ to receive information from an owner or owner's agent; send copies of plats, plans, maps, and other material, to city departments; prepare planning commission agendas; collect fees; and perform other work necessary to the planning commission.

AGRICULTURE: The tilling of the soil, the raising of crops, horticulture, and gardening; breeding, grazing, and keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals, or similar uses.

BEGINNING OF CONSTRUCTION: Grading, excavation, or removal of vegetation or earth from a site for construction of access routes or preparation of building pads or footings.

CITY: The city of Santa Clara, Utah, and including any of its assigned staff.

CITY BUILDING OFFICIAL: The city's building official.

CITY COUNCIL: The city council of the city of Santa Clara, Utah.

CITY ENGINEER: The city's engineer or the authorized representative if an engineer is under contract to do work for the city.

CITY PLANNER: The city's Planning Manager or the authorized representative if a planner is under contract to do work for the city.

CITY SURVEYOR: The city's surveyor or the authorized representative if a surveyor is under contract to do work for the city.

EASEMENT: The right of the public, some part of the public, or an individual in the land of another person for the purpose of exercising a liberty, privilege, or advantage.

ELECTRONIC COPY: A computer generated copy of the plat information otherwise submitted to the city in hard copy. In the case of a final plat, containing all the information required for a final plat.

FINAL PLAT: A final plat prepared in accordance with the provisions of this title to be recorded in the office of the Washington County recorder following planning commission and city council approval.

FINAL PLAT MYLAR: The reproducible copy of a final plat meeting all the requirements of this title and properly prepared to record in the office of the Washington County recorder.

LAND USE AUTHORITY: The Planning Commission of the city of Santa Clara, Utah is the land use authority for subdivisions of property.

LOT WIDTH: The width of a lot measured along the minimum setback line.

OFFICIAL MAP: Any map adopted by the city council under the provisions of the Utah Code Annotated, 1953, as amended.

OWNER: A natural person, firm, association, partnership, corporation, or any combination that owns a parcel of land or any person designated by the owner in writing as the authorized person to represent the owner.

PARCEL OF LAND: A contiguous quantity of land, in the possession of, or owned by, or recorded as the property of the same owner.

PLANNING COMMISSION: The planning commission of the city of Santa Clara, Utah.

PRELIMINARY PLAT: A map or plan of a proposed subdivision complying with the requirements of this title.

SUBDIVISION: The division, resubdivision, or proposal to divide a parcel of land into two (2) or more lots, parcels, or other units for the immediate or future sale, lease, division, development, or other disposition. Subdivision includes:

A. The division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded document; and

B. Divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

SUBDIVISION PLAT AMENDMENT: Includes all applications for vacating, altering or amending a recorded subdivision plat.

THROUGH LOT: A lot having frontage on two (2) dedicated streets and having the right of access to both of said streets, not including corner lots.

TECHNICAL REVIEW COMMITTEE, TRC: The Technical Review Committee of the city of Santa Clara, Utah which includes representatives from all reviewing city departments, private utilities, and relevant contract professionals.

VICINITY MAP: A map or drawing showing the physical relationship of the proposed development to the existing or proposed streets, buildings, and utilities; other relevant information such as special terrain, or surface drainage; and existing zoning classification of land in the vicinity of the property proposed for development. ~~(Ord. 2009-02 § 1)~~

CHAPTER 16.12 APPROVAL OF SUBDIVISION PLATS

SECTION:

16.12.010: Procedure for Obtaining Approval of Subdivision Plats

16.12.020: Step One, Basic Data and Information

16.12.030: Step Two, Concept Plan

16.12.040: Step Three, Preliminary Plat

16.12.050: Step Four, Final Plat

16.12.060: Construction of Improvements

16.12.010: PROCEDURE FOR OBTAINING APPROVAL OF SUBDIVISION PLATS:

Development of any subdivision shall comply with the following procedures. ~~(Ord. 2009-02 § 1)~~

16.12.020: STEP ONE, BASIC DATA, AND INFORMATION:

A. Before initiating the process for subdivision plat consideration, the owner, which may be the owner, or an agent designated by the owner and authorized to act for the owner, shall obtain and review the following:

1. The city's subdivision ordinance.
2. The city's general plan, land use ordinance, construction standards, and other applicable information.

3. Plat maps and record of survey maps of existing subdivisions and parcels of land adjacent to the proposed subdivision.

4. A copy of the city's hillside protection overlay, HP zone where applicable.

B. The owner shall visit with the city technical review committee (TRC) to discuss the proposed subdivision, gain a general understanding of the subdivision procedure, and to discuss any other information relative to the specific area being considered for development. ~~(Ord. 2009-02 § 1)~~

16.12.030: STEP TWO, CONCEPT PLAN:

A. The owner initiates the subdivision plat consideration process by submitting a concept plan to the technical review committee (TRC).

B. The concept plan need not be prepared by a design professional. However, detailed, and accurate information incorporated into the concept plan will enable the TRC to make more meaningful comments to the development process at an early stage of development.

~~—C. Following TRC review, the concept plan may be placed on the next available planning commission agenda for their review and comments if required by city staff. The concept plan will be neither approved nor denied, but the comments and recommendations made will be helpful to the owner and help the application to proceed in a timely fashion. Planning commission review of the concept plan is not a public hearing but is specifically for the purpose of the planning commission members to comment to the owner on the viability of the proposed project, and to offer comments and suggestions thereto. The public may or may not be invited to speak.~~

D. If a zone change is required before the approval of a preliminary plat, the requirements for a zone change found in title 17, chapter 17.18 of this code shall be followed.

E. A preliminary plat ~~shall~~ould not be submitted to the planning commission for consideration until after the zone change shall have been favorably acted upon by the city council, ~~unless the requested designation is for a planned development district, or historical district/mixed use district, in which case they may be considered at the same time.~~ ~~(Ord. 2009-02 § 1)~~

16.12.040: STEP THREE, PRELIMINARY PLAT:

The preliminary plat step is the point at which the owner and city staff work closely together to resolve issues relative to the subdivision, and to determine its feasibility. All information required by this title as well as additional requirements of the hillside protection overlay, HP zone, floodplain ordinance, planned development zoning requirements, and any other information deemed to be appropriate to the proposed development, will all be reviewed at the preliminary plat phase. Reports from the hillside

review board shall be required by the TRC, where applicable, prior to submitting the plat to the planning commission.

A. Preparation: The owner will prepare a preliminary plat and vicinity map. The preliminary plat shall contain all required information listed in this title, as applicable, and the vicinity map will show the relationship of the proposed subdivision to adjacent subdivisions and to the city in general.

B. Submission: The preliminary plat should be submitted promptly after concept plan review. If city ordinances or regulations change between concept plan review, and before preliminary plat submission, the owner must comply with the new ordinances and regulations. A minimum of four (4) scale drawings shall be submitted along with twelve (12) reduced eleven inch by seventeen inch (11" x 17") drawings, and one copy in electronic format.

C. Review By City Departments: The administrative officer shall deliver copies of the preliminary plat and vicinity plan to city departments affected by the proposed subdivision. City departments shall review the preliminary plat for compliance with city ordinances, policies, and regulations. Copies of their comments and suggestions will be reviewed with the owner as often as necessary at TRC meetings to resolve as many concerns as possible.

D. Completion: Upon completion of TRC and applicant review meetings, the owner shall submit the same number of copies of the completed preliminary subdivision plat with supporting documentation, pay the subdivision filing fee, and zone change application fee, as may be applicable, as found in the development fee schedule established by resolution of the city council from time to time. The preliminary plat shall be considered at the next available planning commission meeting. The administrative officer shall send all necessary notices, agendas, and other materials to members of the planning commission.

E. Planning Commission Review:

1. A preliminary plat application must be reviewed by the Planning Commission within 15 business days from the date of receiving a complete application. In considering the preliminary plat, the planning commission shall approve only those preliminary plats that it finds to be in accordance with the standards and criteria set forth in this title, and all other city ordinances and policies including, but not limited to, the general plan, the standard specifications for design and construction, the land use ordinance, the historic preservation ordinance, the building codes, and the city's land use, street, utility and drainage master plans, the hillside protection overlay zone, and soils and floodplain ordinances. The planning commission may approve the plat fully or conditionally, may impose conditions or revisions that they feel may be necessary to bring the subdivision into full compliance with city requirements, it may table the plat for further information or study, or it may reject the plat. If rejected, the planning commission shall indicate reasons for the rejection. The owner may redesign the plat using recommendations from the planning commission and reprocess it beginning with step three. If plat revisions are required, the owner shall complete the revisions, and the administrative officer shall resubmit the

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preliminary plat to the city staff for review, comment, and compliance with city ordinances. The officer ~~will~~shall then place the plat on the next available planning commission agenda for further consideration.

~~2. F. Planning Commission Review:~~ The planning commission may set special meetings to visit the site prior to considering the preliminary plat for approval. All special meetings shall be advertised in the same manner as regular planning commission meetings. The planning commission may also schedule work meetings to consider aspects of the proposed development under the same advertising conditions as indicated for special meetings. The planning commission, during their review, may require further information to be submitted in addition to information already provided to the TRC ~~staff~~.

~~G. City Council Review: After the planning commission makes their recommendation to the city council, the administrative officer shall include the plat on the next available city council agenda for consideration by the city council. The city council shall then review the preliminary plat. After such review, the city council may approve, conditionally approve, request changes or corrections, request further planning commission review, or deny approval of the preliminary plat. If the city council denies approval or refers the preliminary plat back to the owner for changes, or to the planning commission for more study, the city council shall state the reasons for the denial or referral. After the TRC staff has reviewed the resubmitted preliminary plat, or further study has been done by the planning commission, the city council may again consider preliminary plat approval.~~

~~G.H.~~ Additional Studies: In carrying out its responsibilities pursuant to this section, the TRC, or planning commission ~~or city council~~ may require the applicant to submit such additional information, data, studies, plans, analyses, or maps as may be necessary to make the factual determinations set forth herein. Any of the above groups may also request a third-party review at any time of the information submitted. If further study or information is required, the owner shall bear the full cost of meeting this requirement. In situations with severe limitations, actual construction drawings, as required in step four below, may be required for proper preliminary plan review and approval. ~~(Ord. 2015-19; Ord. 2009-02 § 1)~~

16.12.050: STEP FOUR, FINAL PLAT:

A. Following ~~Planning Commission~~city council approval of the preliminary plat, the owner shall meet with the technical review committee (TRC) for detailed project design information. The owner's engineer shall prepare complete construction drawings for street profiles, utility construction, drainage, soils reports, flood studies, and any other drawings or plans required by this title, or the hillside protection overlay zone. The owner shall submit four (4) sets of scale drawings, along with twelve (12) reduced scale sets of the drawings, and one copy in an electronic format to the administrative officer for distribution to required departments.

B. The city departments shall review the final plat and construction drawings. Staff will submit comments to the administrative officer. Based upon review and comments, the city shall advise the owner of any required engineering drawing revisions. The owner shall revise the drawings to comply with the required revisions and submit four (4) sets of final scale drawings along with twelve (12) reduced size drawings, and one copy in electronic format, to the city. ~~The administrative officer will then schedule the final plat for planning commission hearing and recommendation to the city council. A review must be completed within 20 business days from the date of receiving a complete application. The City may perform up to four reviews on a given application. A review cycle is not considered complete until the applicant has adequately addressed all redlines identified by the City. The City may only add new redlines after the first review cycle in response to changes made or if a correction is necessary to protect the public health or safety, or to enforce state or federal law.~~

C. In considering the final plat for approval, the ~~TRC planning commission~~ shall approve only those final plats that it finds to be in accordance with the requirements of preliminary and final plat approval, the standards and criteria set forth in this title, and all other city ordinances and policies. ~~The planning commission may approve, conditionally approve, or reject the final plat. If rejected, the owner may make changes to the final plat and reprocess it beginning with step four. After TRC review, it may be placed back on the planning commission agenda.~~

D. After ~~TRC review and planning commission~~ approval, ~~but before city council approval~~, the city shall review the final plat and construction drawings, along with an estimate from the applicant's engineer of estimated construction costs for the project.

E. The administrative officer will verify, using the subdivision ordinance check sheet, that all final plat requirements are submitted and reviewed before placing the final plat on the next regularly scheduled ~~TRC meeting-city council~~ agenda. The ~~TRC city council~~, after review, may approve, conditionally approve, request further changes or corrections, ~~request further planning commission review~~, or deny the final plat. If changes are requested, it may be brought back to ~~the city council following another~~ TRC ~~meeting for~~ review. The ~~TRC city council~~ will approve the final plat, and the construction drawings, which may then be stamped as "approved". If a final plat is denied by the ~~TRC city council~~, the applicant may make changes and submit a revised final subdivision plat for consideration.

F. Following ~~TRC approval-city council approval~~, the applicant shall post with the city, the required guarantees, inspection fees, impact fees, recording fees, approval from the city attorney that the title report is approved, and from the county treasurer that all taxes, fees, or other financial requirements have been paid in full.

G. Following completion of all steps listed above, the administrative officer shall obtain all required signatures on the plat and transmit the final signed plat to the county recorder. The recording fee shall be paid by the owner.

H. No development work of any type shall commence until ~~TRC-city council~~ approval of the final plat and the construction drawings.

I. All final plats and construction drawings shall be prepared and approved within one year of ~~Planning Commission~~~~city council~~ approval of the preliminary plat. Any final plat not submitted and approved within one year of preliminary plat approval is void. If the owner, or any subsequent owner, later desires to submit this same or modified plat for approval, submittal shall begin with step three of this chapter.

J. A final plat must be recorded within eighteen (18) months of ~~Planning Commission~~~~city council~~ approval. Extensions may be granted by the ~~Planning Commission~~~~city council~~ for periods not to exceed eighteen (18) month intervals. Any plat, with or without posted guarantees, not recorded, nor extended, becomes void eighteen (18) months following ~~Planning Commission~~~~city council~~ approval. If the owner, or any subsequent owner later desires to develop the subdivision, the process shall start with step three of this chapter. Construction of any plat extended by the ~~Planning Commission~~~~city council~~ shall meet all requirements of the subdivision ordinance that may have been amended between the final approval and the actual construction of the subdivision.

K. Appeal Process: The following appeal processes may be applied for after the four review cycles have been exhausted and 20 business days have passed:

1. For disputes relating to public improvements or engineering standards, the City shall assemble a three-person panel of experts to include:

a. One licensed engineer designated by the City.

b. One licensed engineer designated by the applicant.

c. One licensed engineer, agreed upon, and designated by the two designated engineers.

Members appointed to the panel may not have an interest in the application in question. The applicant must pay 50% of the total cost of the panel and the City's published appeal fee. The remaining 50% must be paid by the City. The panel's decision is final, unless the City or applicant petition for district court review within 30-days after a written decision is issued.

2. For all other disputes, the City shall refer the question(s) to the designated appeal authority at the applicant's request. The applicant must pay the required appeal fee.

~~(Ord. 2009-02 § 1)~~

16.12.060: CONSTRUCTION OF IMPROVEMENTS:

The following chapters 16.16 through 16.32 of this title identify specific design and construction standards, guarantees, studies, reports, and other information by which the subdivision will be processed, reviewed, approved, and constructed. The owner is encouraged to study these chapters as well as the previous chapters very carefully when preparing to submit a subdivision plat to the city of Santa Clara. ~~(Ord. 2009-02 § 1)~~

CHAPTER 16.16
PRELIMINARY PLAT REQUIREMENTS

SECTION:

16.16.010: Preliminary Plats

16.16.020: Title Block

16.16.030: General Requirements

16.16.040: Existing Conditions

16.16.050: Proposed Plan

16.16.060: Special Conditions

16.16.070: Approval Procedure

16.16.010: PRELIMINARY PLATS:

A. Preparation of Preliminary Plat. It is anticipated that if the Preliminary Plat complies with all requirements under this title, upon final approval of the Preliminary Plat, the Preliminary Plat shall be the basis for the Construction Drawings and Final Plat. Prior to preparing the Preliminary Plat, the applicant shall meet with the Technical Review Committee, TRC to discuss the subdivision proposal and review the Preliminary Plat and the requirements for the required plans, Construction Drawings, studies, and reports. The general requirements as to the layout of streets, street improvements, traffic impact studies, drainage, sewerage, fire protection, availability of existing services, and similar matters will be discussed.

B. Preliminary Plat. The Preliminary Plat shall be a clear and legible graphic representation of the subdivision, existing conditions, and proposed improvements. It shall be labeled and dimensioned and be of a suitable scale to graphically represent the proposed subdivision, existing and proposed improvements required by this title. The preliminary plat will comply with the following requirements and show the following information. ~~(Ord. 2009-02 § 1)~~

16.16.020: TITLE BLOCK:

A. The proposed name of the subdivision.

B. The location of the subdivision, including the address, quarter section, township, and range.

C. The owner's name and address. ~~(Ord. 2009-02 § 1)~~

16.16.030: GENERAL REQUIREMENTS:

A. North arrow and scale: One-inch equals one hundred feet (1" = 100') is preferred. One-inch equals two hundred feet (1" = 200') is acceptable for larger subdivisions. A minimum of four (4) scale drawings shall be submitted. At least twelve (12) other copies shall be submitted. These additional copies may be in a reduced form on eleven by seventeen-inch (11 x 17") sheets along with an electronic copy.

B. The boundary line of the subdivision along with any proposed phasing plan.

C. All property under control of the owner showing phases being developed and an overall street system. The street system shall conform to the existing street master plan, and to local streets already approved adjacent to the proposed subdivision.

D. Existing and proposed contour lines at vertical intervals of not greater than two feet (2') unless otherwise approved by the city. Contours shall extend in all directions for a distance of one hundred feet (100') beyond the boundaries of the subdivision.

E. Any other information that the applicant or the city feels would be useful for proper identification and orientation of the proposed subdivision. ~~(Ord. 2009-02 § 1)~~

F. At the time of filing an application, the applicant shall schedule an appointment with the city. The city shall review the application for completeness and shall require that the applicant and owner (if different) provide an acknowledgement that they are responsible for obtaining a culinary water "Will-Serve" letter, or the equivalent from the Washington County Water Conservancy District, WCWCD. This requirement is in Chapter 17.04, General Provisions. The city may request that the applicant also present additional information to assist in determining the adequacy, quality, and characteristics of the subdivision proposal.

G. Once the application has been considered and determined to be complete, the application shall be reviewed according to the procedures set forth by this chapter. If the city finds that the application is incomplete, the application shall be rejected, returned to the applicant, and the applicant shall submit a complete application.

16.16.040: EXISTING CONDITIONS:

A. Streets: Location, width, and names of all streets within two hundred feet (200') of the subdivision.

B. Adjacent Tracts: Boundaries of adjacent tracts of subdivided and unsubdivided land, showing ownership where possible.

C. Zones: Identification of the zone or zones in which the property is located.

D. Public Objects: All public streets, utility rights of way, easements, parks, and other public open space within or adjacent to the proposed subdivision; all section and city boundary lines within and adjacent to the proposed subdivision.

E. Utilities: Sewer mains, sewer manholes, water mains, fire hydrants, power lines, power poles, culverts, or other facilities within one hundred feet (100') of the proposed subdivision.

F. Ditches And Drains: Ditches, drainage channels, waterways, storm drains, and major washes.

G. Floodplains: The location of the floodplain, floodway, and elevations designated by FEMA. No subdivision in the city shall be permitted in a floodplain.

H. Slopes: Any subdivision with hillside slopes must conform to the requirements of the hillside protection overlay zone as part of the preliminary plat approval.

I. Soils: A soils report is required on all lots in the city and on all lots in any subdivision. In addition, preliminary plat approval will require compliance with the requirements of the hillside protection overlay zone, as may be applicable.

J. Erosion Hazard Zones: The preliminary plat shall identify all potential erosion hazard zones, or lands that may be affected by the sensitive land's ordinance to the best knowledge of the applicant.

K. Historic Preservation: Information may be required by the historic preservation ordinance if the proposed subdivision falls within the historic preservation overlay zone.

L. Vicinity Map: A vicinity map shall be submitted to orient staff and the planning commission as to the specific location of the subdivision.

~~(Ord. 2009-02 § 1)~~

16.16.050: PROPOSED PLAN:

A. Streets And Utility Easements: The layout of streets and utility easements showing identification and dimensions. The proposed subdivision plat shall show how it will be served by existing or proposed streets, and a traffic impact study may be required to determine what impact the subdivision may have on other existing development.

B. Lots: The layout, number, and dimensions of lots.

C. Setback Lines: Building setback lines must be shown for all lots.

D. Parcels Set Aside: Parcels of land intended to be dedicated for public use or set aside for use of property owners in the subdivision as common or limited common areas.

E. Stormwater Drainage: A proposed plan to dispose of stormwater drainage for the subdivision including proposed realignment or regrading of existing drainageways upstream, within, and downstream of the subdivision. (Note that a stream alteration permit from the state of Utah may be required prior to the alteration of any stream or drainage channel.)

F. Wastewater Collection: Determine how the proposed subdivision can be served by the existing wastewater collection system without the off-site extension of any trunk or outfall line.

G. Wastewater Treatment: Determine how wastewater estimated to be generated by the proposed subdivision can be accommodated and treated in accordance with city standards and without any treatment plan expansion.

H. Water Supply and Storage: Determine how both the culinary and secondary irrigation water needs of the proposed subdivision can be accommodated in accordance with legally authorized and physically available water rights, and the capacity, storage, design, and construction requirements of the city without additional supply, or storage improvements. Developer may also be required to transfer to the city such water rights and/or water shares to the city, or pay a special assessment in lieu of such transfer, as may be established by ordinance.

I. Fire Flow: Show how the proposed development will be served by a central water system with appropriately located fire hydrants and adequate flows to meet insurance requirements (a minimum of 1,000 gallons per minute for a period of two (2) hours without additional capital improvements).

J. Fire Response Time: Determine if the proposed subdivision is within two (2) miles of a five (5) minute response time of an existing fire station.

K. Solid Waste: Determine that the proposed subdivision be served by the existing solid waste collection and disposal system.

L. Electrical Supply: Determine whether the electrical needs of the subdivision can be accommodated by the city power department, and under what conditions.

M. Parks: Determine that the proposed development is within one mile of a city park, or recreational facility, and within one-half (1/2) mile of a community or neighborhood park, all of which meet city acreage and facility standards, and can accommodate the population projected to be generated by the proposed subdivision development.

N. Phasing Plan: A phasing plan for the subdivision if phases are proposed.

O. Agreements With Outside Agencies: Where public services are proposed by agencies outside those operated by the city, the owner shall provide signed agreements with those agencies approving proposed plans and agreeing to install their systems in accordance therewith.

P. Other Items and Additional Studies: Other items that may be required by the planning commission, and which may be site specific for a subdivision and not to subdivisions in

general. In carrying out its responsibilities pursuant to this section, the TRC, ~~or the~~ planning commission, ~~or the city council~~ may require the applicant to submit such additional information, data, studies, plans, analyses, or maps, as may be necessary to make the factual determinations set forth herein. If so required, the owner shall bear the full cost of meeting this requirement. In situations with severe limitations, actual construction drawings, as required for final plat submission, may be required at the preliminary plat level. ~~(Ord. 2019-10 § 2; Ord. 2009-02 § 1)~~

16.16.060: SPECIAL CONDITIONS:

The zoning laws of the city of Santa Clara shall confer no vested right to develop under the terms of the zone in which any proposed development is located if the development, due to access and/or other on-site development conditions which cannot, in the judgment of the city, be developed safely under reasonably anticipated conditions. Safety shall include safety to the users, their invites, safety to the residents of Santa Clara City, and to the public, and safety of the structural integrity of the improvements.

If the proposed subdivision presents a development condition that the city planning commission or the city council (hereinafter referred to as the "city") deems to be unsafe, the city shall require, prior to preliminary plat approval or building permit issuance (as the case may be), such engineering studies as may be reasonably required to render the site safe for the long-term viability and safety of the proposed building site. Included in the consideration of unsafe conditions shall be sites which have any, or a combination, of the following conditions:

- A. Unsafe or steep access.
- B. Steep slopes.
- C. Underground water/damage issues.
- D. Flooding issues (sites in 100-year floodplain, or subject to flood erosion that may extend beyond the 100-year floodplain).
- E. Washes.
- F. Adverse soils conditions.
- G. Adverse rock or soils formations.
- H. Slide hazards.
- I. Liquefaction/earthquake hazard.
- J. Such other hazards as may be considered unsafe by the city.

If an unsafe condition is found, then the city shall specify such studies as may be necessary to determine if safe mitigation is reasonably certain to allow the development to proceed. The city shall then consider the reports of the owner's experts/engineers, and the reports

of any special consultants that the city may hire at the expense of the owner. The city shall also consider the effects of the development on adjacent properties where the site presents evidence of risk outside of the proposed development. The city may also conduct on site reviews of the possible unsafe condition. If, after review of these reports and the evidence presented, the city determines that the site may not be developed safely, then the project shall be denied to preserve the health, safety, and welfare of city residents. The city shall determine if a portion of the site can be developed, which ruling shall be given to the owner, and the owner shall be given the opportunity to submit an amended plan which can be developed safely. If an adverse ruling is given, the city shall issue written findings of the reasons why the site is not considered safe. ~~(Ord. 2009-02 § 1)~~

16.16.070: APPROVAL PROCEDURE:

A. City planning staff ~~will~~shall transmit the Preliminary Plat, and Preliminary Plat review application, along with all accompanying plans, reports, and studies to appropriate city officials and other official agencies or bodies as deemed necessary or as required by law, to allow such persons to review the application.

B. After the Preliminary Plat review application is found to meet the requirements of this title, and all comments have been received from those to whom a request to review was made, the planning manager or designee shall cause the Preliminary Plat to be placed on the next available planning commission agenda, and shall notify the applicant of the date, time, and place of the meeting at which the application shall be reviewed.

C. The planning commission ~~is the city land use authority for subdivision plats. The Planning Commission may~~shall only recommend grant approval of a Preliminary Plat which it finds to be in accordance with the standards and criteria set forth by the city in this title and all other ordinance, plans, and policies of the city. The planning commission may also conditionally approve a Preliminary Plat, imposing such conditions as it may require bringing the Preliminary Plat into compliance with the requirements of the city's ordinances, plans, and policies.

D. After reviewing the Preliminary Plat, the planning commission ~~will~~shall make a ~~determination recommendation to the city council~~ that the Preliminary Plat be approved, conditionally approved, or disapproved. ~~The Preliminary Plat will then be placed on the next available city council agenda, after all legally required notification requirements have been complied with, and the city shall advise the applicant of the date, time, and place of the meeting at which the Preliminary Plat shall be reviewed. After review, the city council shall approve, conditionally approve, or disapprove of the Preliminary Plat.~~

E. Upon approval of the Preliminary Plat, and approval of the Construction Drawings, a permit may be issued which allows the applicant to begin construction at their own risk, of the infrastructure improvements required for the subdivision prior to the Final Plat approval. Issuance of a permit to construct infrastructure prior to Final Plat approval does not constitute a vesting of development rights.

F. If the final subdivision plat, or phase thereof, is not approved by the city within one (1) year after ~~Planning Commission~~city council approval of the Preliminary Plat, all approvals

shall be deemed expired and void. If eligible, the applicant may submit for approval a new Preliminary Plat in accordance with this section, if it is determined by the planning manager or designee that substantial progress toward completion of the final subdivision plat has been done, and the Final Plat cannot be submitted due to reasons beyond the control of the applicant, the item shall be placed on the next available Planning Commission~~city council~~ agenda for consideration of a reasonable extension of time to complete the final plat, but no longer than one (1) year. A second extension not to exceed one (1) additional year may be granted in extraordinary circumstances demonstrated by the applicant.

G. No extension will be granted to any applicant unless the applicant first submits documentation evidencing that WCWCD has consented to the extension of applicants "Will-Serve" letter consistent with the extension sought from the city.

H. Approval of the Preliminary Plat does not constitute full approval of the development nor vest any development rights as additional requirements may be imposed that are a result of more detailed and thorough review of all plans, specifications, reports, and investigations.

CHAPTER 16.20 FINAL PLAT REQUIREMENTS

SECTION:

16.20.010: Final Plat

16.20.020: Description and Delineation

16.20.030: Standard Forms

16.20.040: Additional Information Submitted with Final Plat

16.20.050: Conformance to Applicable Rules and Regulations

16.20.060: Other Restrictions

16.20.070: Approval Procedure

16.20.010: FINAL PLAT:

The final plat shall be prepared by a licensed land surveyor on a standard twenty-four inch by thirty-six inch (24" x 36") mylar sheet drawn with waterproof black ink. The plat shall contain all information required as set forth below. The final plat will also include an electronic copy. ~~(Ord. 2009-02 § 1)~~

16.20.020: DESCRIPTION AND DELINEATION:

A. Name: The name of the subdivision approved by the planning commission.

B. Lots: An identification system shall be shown for all lots, blocks, and names of streets. Lot lines shall show dimensions in feet and hundredths. Lot sizes shall be shown to one square foot accuracy. Other easements shall be of sufficient width and location necessary to provide the proper function and maintenance of utility and drainage facilities as determined by the public works director and shall be shown on the final plat.

C. Easements; Street Names: Easements shall be a minimum of ten feet (10') wide along all front property lines unless otherwise required by the city. In multi-family or PD projects, the city may require easements in common areas. All street names shall be approved by the city to avoid duplication of names within the city limits. As a courtesy, and as required by the Utah code 54-3-27(5), a copy of all final plats shall be provided to any utility company providing service to the subdivision in addition to city owned utilities already approved herein. This could include natural gas, cable television, telephone, high speed internet, or other providers of public services. Evidence shall be provided to the city from the utility companies that this requirement has been complied with.

D. Traverse Of Perimeter: A traverse of the perimeter of the subdivision.

E. Monumentation And Survey Control:

1. All United States, state, county, city, or other official monuments shall be identified on the plat. The location of these monuments shall be accurately tied to the subdivision by true bearing and distance. All existing monuments shall show the agency setting the monument and the date set, if known, and the type of monument (i.e., brass cap, rebar, and cap, etc.).

2. Street monuments shall be installed by the owner in accordance with the requirements of the city with locations indicated on the plat within thirty (30) days after street paving.

F. Public Objects: The dedication to the public of all streets, easements, or other areas reserved for public use, with the purposes indicated thereon. Any area to be reserved by deed or covenant for common use of all property owners shall be indicated on the plat.

G. North Arrow and Scale: North arrow, scale, point of beginning, legal description, and basis of bearing shall be shown not only in narrative but also on the drawing. Surveys shall coincide with other surveys of record in the area. The basis of bearing shall be the one most predominantly of record in the area and shall be identified on the plat as well as in the survey narrative.

H. Boundary Closures: Subdivision boundary closures shall be 0.01 or less on exterior boundaries and 0.02 on interior lots. ~~(Ord. 2013-09; Ord. 2009-02 § 1)~~

16.20.030: STANDARD FORMS:

The final plat shall require:

- A. A registered professional land surveyor's signed stamp and certificate of survey.
- B. All street centerline data and street widths shall be shown with ties to property lines, lot corners, etc. All radii, internal angles, points and curvatures, tangents, bearings, and the length of all arcs.
- C. A notary public's acknowledgment of all signatures on the plat.
- D. A notarized consent of all lienholders, unless a separate notarized consent to plat is provided for any lien holder, in a form acceptable to the city.
- E. The ~~final plat (mylar) shall be signed by the Planning Commission Chair or Vice-Chair~~ planning commission's certificate of approval, signed by the chairman,
- F. The ~~final plat (mylar) shall be signed by the~~ city engineer, ~~and the city surveyor's~~ certificate of approval.
- G. The ~~final plat (mylar) shall be signed by the~~ city attorney's ~~certificate of approval,~~ after having reviewed a title report prepared or updated by a title company and dated within the past ninety (90) days. It shall be the applicant's responsibility to obtain releases or consents to plat from the holders of all liens or encumbrances which would otherwise prevent the subdivision of the property and the sale of good and marketable title to third party buyers of property in the subdivision.
- H. The ~~final plat (mylar) shall city council's certificate of approval be~~ signed by the mayor.
- I. A one and one-half by five-inch (1 1/2 x 5") space in the lower right-hand corner of the plat for use by the county recorder.
- J. The final plat shall include the following notes:
 - 1. A note stating: "This property is subject to the findings, summary and conclusions of a Geotechnical Investigation Report prepared by Dated .
"A copy of said report has been placed within the Geotechnical Report File of the city and is available for inspection. The report may be inspected, or copies obtained, by contacting the City of Santa Clara, P.O. Box 2601 Santa Clara Drive, Santa Clara, Utah 84765. Purchasers should review this report and contact the city for additional updated information regarding the report. All purchasers of lots in this subdivision are strongly encouraged to obtain their own Geotechnical Investigation Report and to follow its recommendations."
 - 2. A note indemnifying the City for soil or other sensitive conditions on the site.
 - 3. If lot setbacks are not otherwise depicted on the plat, a note stating any front, side, and rear yard setbacks applicable to lots on the plat.
 - 4. A note stating that notwithstanding the posting of any performance security, no building permit will be issued until all utilities are completed in the subdivision.

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5. A note stating that all street landscaping must confirm to the City's landscaping ordinances and construction standards.

6. Any other notes or statements required by the ~~Planning Commission~~City Council as a condition of final plat approval.

K. The county treasurer's certificate of approval indicating at the time of signing that the property taxes, special assessments, and fees due and owing have been paid in full. (~~Ord. 2015-12; Ord. 2012-07; Ord. 2009-02 § 1~~)

16.20.040: ADDITIONAL INFORMATION SUBMITTED WITH FINAL PLAT:

A. An engineer's itemized estimate of the cost of all required improvements to be developed in the subdivision, which shall be subject to approval by the city engineer.

B. Final utility plans for culinary water, secondary irrigation water, sewer, power, and natural gas, if proposed, with approval from each utility department indicating that utility and easement plans have been reviewed and approved by them, and that services are available to each lot in the subdivision. This requirement may be met by receiving approval for these construction drawings during the preliminary plat approval phase of development 1.

C. A final drainage plan, if not previously approved at the preliminary stage, indicating the following:

1. Complete drainage systems for the entire subdivision shall be designed by a professional engineer, licensed in the state of Utah, and qualified to perform such work. All existing drainage features which are to be incorporated into the design shall be so identified. If the final plat is to be presented in phases, general drainage plans for the entire area shall be presented with the first phase. Appropriate development plans shall be prepared for each subsequent phase and shall be submitted.

2. The drainage plan shall be designed to consider the drainage basin as a whole and shall accommodate not only runoff from the subdivision area but also where applicable, the system shall be designed to accommodate the runoff from those areas adjacent to and upstream from the subdivision itself, as well as its effects on lands that are downstream.

D. Final plans and profiles for all streets to be constructed in the subdivision indicating that the plans have been reviewed and approved by the city engineer.

E. All plans and information required by the hillside protection overlay zone, or the FEMA flood maps have been complied with. Where such plans are not required, that a soils report, covering each lot in the subdivision has been submitted and approved by the city engineer. (~~Ord. 2019-10 § 3; Ord. 2012-07; Ord. 2009-02 § 1~~)

F. For any subdivision in a PD Zone a fully executed original copy of any Covenants, Conditions, and Restrictions anticipated to be recorded with the plat shall be submitted to

the city for verification. The original will be returned to the applicant for recording when the final plat is released.

G. Any other information reasonably required by City staff to assist in determining whether the requirements of this Chapter have been met with respect to the final plat for which approval is sought.

Notes

1. UCA §§ 10-9a-603(4)(c)(i), 10-9a-603(4)(c)(ii).

16.20.050: CONFORMANCE TO APPLICABLE RULES AND REGULATIONS:

In addition to the requirements established herein, all subdivision plats shall comply with all applicable laws, plans, and regulations including, but not limited to:

- A. The city general plan, land use ordinance, zoning map, and all other applicable city ordinances.
- B. The official city general plan, including general plans for streets, parks, drainage, trails, and utility systems.
- C. Requirements of any departments of the state of Utah, as applicable.
- D. The standards, regulations and policies adopted by the city including all boards, commissions, agencies, and officials of the city who may be authorized to adopt the same.
- E. A copy of any development agreement that may have been agreed upon between the city and the owner of the project. ~~(Ord. 2009-02 § 1)~~

16.20.060: OTHER RESTRICTIONS:

If the applicant places restrictions on any of the land contained in the subdivision greater than those required by the land use ordinance, these covenants, conditions, and restrictions may be required to be indicated on the subdivision plat, or the planning commission may require that restrictive covenants be recorded with the county recorder in a form approved by the city attorney. Conditions, covenants, and restrictions shall be required in the case of a planned unit development in the planned development zone where common areas are proposed.

- A. The city will not accept property as a bond to guarantee installation of improvements in a subdivision. An acceptable agreement may include a cash amount posted with the city,

an escrow agreement with a local financial institution, a letter of credit from such an institution, or a corporate surety bond.

B. The city shall not create a special improvement district for the purpose of installing improvements in a subdivision proposed by an owner. If an improvement district is proposed by the city and, if the district proposed contains property owned by more than one property owner not involved with the development and said owners cannot agree on a method of financing the required improvements, then, and only then, shall the city consider the possible creation of a special improvement district.

C. Special improvement districts are not intended for the improvement of a subdivision owned by one person or a group of persons acting jointly together to create a subdivision development. ~~(Ord. 2009-02 § 1)~~

16.20.070: APPROVAL PROCEDURE:

A. After the Preliminary Plat has been approved by the ~~Planning Commission~~city council, and all conditions are complied with, a final subdivision plat shall be prepared and submitted to the planning department.

B. The Final Plat shall be ~~reviewed by the Technical Review Committee, TRC prior to submittal of a final mylar copy, required to go through the same approval process as the Preliminary Plat as per Section 16.16.070 of this title.~~

C. All applications to subdivide real property shall comply with the requirements of Utah Code Title 10, Chapter 9a, of the Utah Land Use and Development Management Act, as amended.

D. A Final Plat must be recorded with the office of the County Recorder within one (1) year of the date of city approval. This includes a final plat which is a phase of the project (this entitles the preliminary plat). A Final Plat which has not been recorded within one year, shall be deemed void and all land use approvals associated with the Final Plat shall be considered void *ab initio*. Prior to expiration, an applicant may request a one-time six-month extension of approval to the planning department. The item shall be placed on the next available ~~Planning Commission~~city council agenda for consideration.

E. Following approval by the ~~TRC~~city council, the mylar copy of the final plat will be held for review by city staff and not released for recording until all the requirements of this Chapter have been met, including but not limited to the posting of adequate performance security, payment of all city fees, and all required signatures being obtained on the mylar copy.

CHAPTER 16.22 SUBDIVISION PLAT AMENDMENTS

SECTION:

16.22.010: Vacating, Altering or Amending a Subdivision Plat

16.22.020: Lot Adjustments And/Or Mergers

16.22.030: Vacating A Street, Right-of-Way, or Easement

16.22.010: VACATING, ALTERING OR AMENDING A SUBDIVISION PLAT:

All applications for vacating, altering or amending a subdivision plat shall comply with the requirements of Utah Code Title 10, Chapter 9A, as amended.

16.22.020: LOT ADJUSTMENTS AND/OR MERGERS:

All applications seeking to adjust and/or merge lots, parcels, units, or other divisions of land shall comply with the requirements for the adjustment of lot lines as set forth in Utah Code Title 10, Chapter 9A, as amended.

16.22.030: VACATING A STREET, RIGHT-OF-WAY, OR EASEMENT:

All applications for vacating a street, right-of-way, or easements shall comply with the requirements of Utah Code Title 10, Chapter 9A, as amended.

CHAPTER 16.24 DESIGN STANDARDS

SECTION:

16.24.010: Compliance with Design Standards

16.24.020: Approved Engineering Drawings

16.24.030: Inspections

16.24.040: Utility Improvements

16.24.050: Storm Drainage and Nuisance Water Control

16.24.060: Street Improvements

16.24.070: Layout of Lots

16.24.080: Lot Arrangement

16.24.010: COMPLIANCE WITH DESIGN STANDARDS:

All subdivisions shall comply with the following design standards. ~~(Ord. 2009-02 § 1)~~

16.24.020: APPROVED ENGINEERING DRAWINGS:

Prior to commencement of construction, engineering drawings prepared and stamped by the owner's engineer for improvements shall be approved by all required departments. These plans shall comply with the requirements as set forth in official city standards and specifications. No residential building permits shall be issued prior to approval of engineering drawings and completion and acceptance of all development improvements. ~~(Ord. 2009-02 § 1)~~

16.24.030: INSPECTIONS:

Appropriate agencies and departments of the city shall inspect or cause to be inspected all buildings, street improvements, fire hydrants, water supply, electrical systems, and sewage disposal systems, etc., during construction, installation, or repair. Excavations for fire hydrants and water and sewer mains and laterals, shall not be covered or backfilled until such installation shall have been approved and inspected by the city. If any installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the inspector. ~~(Ord. 2009-02 § 1)~~

16.24.040: UTILITY IMPROVEMENTS:

A. All subdivision lots shall be served by the city's culinary water, secondary irrigation water, sewer, and electrical systems unless otherwise approved by the city council. Provisions shall also be made for the installation of natural gas, telephone, cable television, and fiber optic as a part of the subdivision development. For any of the above services not provided by the city, the owner shall submit will serve letters from each utility providing service as a condition of approval of the utility systems. No building permits shall be issued until full completion and approval of all required public improvements of the project.

B. All utility improvements shall comply with city construction standards and will be completed to the boundaries of the subdivision.

C. All electrical, telephone, television cable, and fiber optic shall be installed underground except as otherwise directed by the city council. All electrical systems shall conform to underground specifications and city construction standards.

D. All sewer, electrical, culinary water and secondary irrigation water plans and specifications shall be approved by the city before commencing public improvements.

E. The owner shall provide streetlights in conformance with city standards. ~~(Ord. 2019-10 § 4; Ord. 2009-02 § 1)~~

16.24.050: STORM DRAINAGE AND NUISANCE WATER CONTROL:

A. A storm or nuisance water drainage system shall be provided and shall be separate and independent from the sanitary sewer system.

B. No ditch or canal shall be approved as suitable for the use of storm drainage without the written permission of the appropriate ditch or canal company or of the water users for such use, and the approval of the city. No ditch or canal shall be used for stormwater unless adequately improved to handle such water as might be reasonably expected to flow from canal and ditch water, subdivision runoff water, and other water expected to reach the subdivision, canal, or ditch. Where subdivision improvements affect existing canals or ditches, specific modifications shall be in accordance with the requirements of the irrigation company and the city. In situations where the city already has a drainage plan or system in place, the owner shall be expected to participate in the expansion, extension, or enlargement of such system to accommodate water from the subdivision. Retention basins developed as a part of the subdivision may also be required.

C. Drainage and flood control shall be designed in conformance with the Washington County Flood Control Authority Storm Drainage Systems Design and Management Manual and the city Storm Water Master Plan. Public drainage easements or dedications with a minimum width of fifteen feet (15') shall be provided along all drainageways as determined by the city. ~~(Ord. 2009-02 § 1)~~

16.24.060: STREET IMPROVEMENTS:

A. Definitions: For purposes of this Section 16.24.060, each reference to a "subdivision" herein shall mean and refer to either (1) a "subdivision," as defined in Santa Clara City Code § 16.08.010 ; or (2) a "streets project area," as may be defined by the city council from time to time, on recommendation of the technical review committee (TRC) and planning commission.

B. Streets Project Areas: The purpose of defining a "streets project area" is so that existing parcels not requiring further subdivision before development may still have the benefit of complete and well-maintained street improvements. A streets project area shall be created when at least eighty percent (80%) of the owners on the public street in the proposed streets project area, as measured by linear foot of frontage, have signed a document notifying the city of their agreement with the conditions of such designation. Such designation shall signify the intent of the signing owners to bear a share of costs to improve the public street to applicable city standards, as set forth in this section. The following areas of the city shall, for purposes of this section, each be considered a potential streets project area:

1. Vernon Street, North of Santa Clara Drive
2. Vernon Street, South of Santa Clara Drive
3. Victors Street, North of Santa Clara Drive
4. Victors Street, South of Santa Clara Drive

5. Quail Street, North of Santa Clara Drive
6. Quail Street, South of Santa Clara Drive
7. Hamblin Drive and Gates Lane, North of Santa Clara Drive
8. West Vineyard Drive, from Old Farm Road to Heights Drive
9. West Arrowhead Trail, from Arrowhead Circle to Santa Clara Parkway
10. South Arrowhead Trail, from Pearl Rose Drive to Concord Drive

Any other combination of adjacent parcels, having direct access from the same public street, may also seek recognition as a "streets project area" by obtaining a recommendation from the technical review committee and planning commission and approval from the city council.

C. When multiple streets project areas are designated or eligible by designation, the city council shall have the right to determine the relative priority of the projects for application of available city resources. The city council will consider the following information when determining priority between any two (2) streets project areas:

1. Citizen input;
2. Whether the proposed streets project area will help to mitigate the anticipated impacts of growth or development;
3. Availability of utility services;
4. Relative size of streets project areas;
5. Availability and cost of contractor services;
6. Any other reasonable consideration related to the health, safety, and welfare of city residents and visitors.

D. The City Council shall ultimately have the right to make a final determination as to the feasibility and timing of any proposed streets project, and in doing so may consider the availability of funds or financing, the feasibility of constructing required improvements and the interfacing of new improvements with existing improvements, the feasibility of necessary land acquisition, or any other reasonable consideration.

E. All streets shall be designed in accordance with the city design standards, AASHTO, or other approved standards. All streets within the city shall be improved with streetlights and pavements bounded by integral concrete curbs, gutters, and sidewalks. All street improvements will be completed to the boundaries of the subdivision.

F. The arrangement of streets in new subdivisions and in designated streets project areas shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire

protection, for efficient provision of utilities, and where such continuation is in accordance with the general plan.

G. The owner(s) of the subdivision shall be responsible to bear all costs of required improvements as set forth in this chapter, shall provide a bond or other security to warranty the improvements for not less than one (1) year from the date of completion, and shall provide traffic control and street name signs conforming to the city's design specifications and approved by the city.

H. The owner(s) of parcels comprising a designated streets project area shall also be responsible to bear certain costs of required improvements; however, the city agrees to bear a portion of material and improvement costs, as set forth in the following table:

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Owner(s) pay for:	City pays for:
Sidewalk	Asphalt and base
Right of way and public utility easement dedication as needed	<u>Storm Drain System including Curb & gutter</u>
Bond or other security for 1-year warranty, covering Owner(s)' pro rata portion of project costs (if required by City)	Civil engineering costs, including required surveys
New lateral connections to service individual properties (if required or desired)	Utility replacement and upsizing (excluding new lateral connections to service individual properties)
Own legal and professional fees	Streetlights
	Own legal and professional fees

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Where a corner lot is part of the streets project area, the owner(s) in the streets project area shall only be responsible for the above costs in relation to improvements along the side of the corner lot having the longest public street frontage; the city will pay all costs of improvements along the side having the shorter frontage. Owner(s) may negotiate among themselves to modify their respective obligations, provided that any such agreement shall not be enforceable against the city. The city shall have no obligation to proceed with improvements to a designated streets project area until having received from the owner(s) thereof one hundred percent (100%) of the funds anticipated to be required to complete the planned improvements. Impact fees designated for road improvements, or any funds or other security previously deposited with the city by owner(s) in lieu of impact fees, may be applied by the city to any designated streets project area in the city, regardless of location.

I. All subdivision lots shall have frontage on a dedicated public street improved to city standards unless the lot is approved as a flag lot under the city's flag lot ordinance or is approved by the city council on some other basis. Streets project areas are assumed by

definition to have such frontage. Private streets, alleys, or ways shall not be approved except as may be approved as a part of a planned development project under the city planned development ordinance or when, because of hazardous slopes, soils, floodplains, or other conditions, the city council determines that approval is not in the best interest of the city.

J. The technical review committee (TRC) or the planning commission may recommend to the city council that an exception for private roadways, utility improvements, or other improvements be approved for a specific subdivision or streets project area. In any event, private streets and utility construction will conform to the construction standards required for dedicated streets and utilities regarding quality of construction, whether dedicated or not.

K. All off-site access roads providing the subdivision or streets project area with access to the nearest public street shall be improved as required by this section. Wherever feasible, local streets shall be laid out to provide connectivity to adjoining residential areas. If the adjacent property is undeveloped and the street must be a temporary dead-end street, the right of way shall be extended to the property line and a temporary turnaround shall be provided. All permanently dead-end streets shall end in an approved cul-de-sac or other improved turnaround, including appropriate signage, unless otherwise approved by the city council.

L. Intersections shall be designed in conformance with AASHTO standards to provide adequate sight distance and other performance and safety needs as approved by the city.

M. No subdivision shall be approved which does not have access to an improved and dedicated city street. Where a subdivision or existing streets project area obtains access from a street which does not meet minimum city standards, the access road shall be improved to a minimum width of twenty-five feet (25'). Additionally, all utilities will be brought up to current city construction standards.

N. Where a subdivision or designated streets project area abuts a master planned road, utility, or drainage system, the owner(s) shall complete their portion of such improvements the full length of their project in conformance with the official city master plan unless otherwise approved by the city council. Any owner(s) of parcels which are part of a larger designated streets project area shall have the same obligation with respect to their own respective parcels.

O. Streets shall have the following minimum right of way widths:

1. Arterial Street: Eighty-foot (80') minimum.
2. Collector Street: Sixty-six feet (66').
3. Local Street: ~~Forty-seven~~ifty feet (47~~50~~50').
4. In planned development areas, subdivisions, and designated streets project areas, the minimum street width is forty-five (45') feet as per City Construction Standards.

P. Streets shall have the following paved roadway width (lip of curb to lip of curb):

1. Arterial Street: Fifty-five feet (55').
2. Collector Street: Forty-nine feet (49').

3. ~~3.~~ Local Street: ~~Thirty-five feet (35').~~ Thirty-two feet (32') of paved roadway is the minimum required; however, a developer may build a wider paved roadway width if approved by the city.

4. ~~Modified Local Street: Thirty feet (30') of paved roadway is the minimum required for a planned development area, infill subdivision, or designated streets project area.~~

~~4. In planned development areas, subdivisions, and designated streets project areas, the width of streets may be modified with planning commission recommendation and city council approval.~~

Q. Cul-de-sacs shall be no longer than eight hundred feet (800') in length without a ~~request~~recommendation for ~~an~~ exception from the ~~applicant and approval by the~~ planning commission ~~upon recommendation from the TRC and approval by the city council.~~

R. The radius of the turnaround in a cul-de-sac shall be a minimum of fifty feet (50').

S. Streets should intersect as nearly as possible to ninety-degree (90°) angles and shall not be offset less than two hundred fifty feet (250') from the centerline of the nearest intersecting street.

T. Streets shall have the names or numbering system of all streets in city-approved sequence. Permanent street name or number signs shall be installed by the owner at their expense according to city requirements and standards at the time of development of the subdivision and shall be provided for along with other elements of the subdivisions for which a guarantee is posted.

U. Traffic control signs required by the city shall also be installed to ensure a smooth flow of traffic through the subdivision.

V. Streetlights, of a type approved by the Power Department, shall be installed in every subdivision. Spacing of streetlights shall be within two hundred fifty feet (250'), except as approved by the Power Department, and shall be installed at all intersections, or in other locations as determined by the city.

W. Curb, gutter, and sidewalk are required in all subdivisions and designated streets project areas, in accordance with the city's design and construction standards. Additionally, all existing utilities in these areas will be brought up to current city construction standards.

X. The minimum centerline radii for local streets shall be one hundred fifty feet (150'). For collector streets the minimum shall be three hundred feet (300'). For arterial streets the minimum shall be five hundred feet (500'), unless otherwise approved by the city council upon recommendation of the city engineer.

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Y. The grade of streets shall not exceed eight percent (8%) for arterial or collector streets and fifteen percent (15%) for local streets.

Z. Blocks shall not be longer than one thousand feet (1,000') and shall be at least two (2) building lots in depth, unless otherwise approved by ~~the city council upon recommendation of~~ the planning commission upon recommendation from the TRC.

AA. All arterial streets are classified as limited access streets, and no individual lot shall front on an arterial street.

BB. All street widths shall conform to the width requirements unless otherwise recommended by the TRC, ~~and for approval by~~ the planning commission, ~~for approval by the city council~~. Such recommendation and approval shall normally apply only to developments in the planned development zone. (~~Ord. 2019-07 § 3; Ord. 2016-12; Ord. 2013-09; Ord. 2012-13; Ord. 2009-02 § 1~~)

16.24.070: LAYOUT OF LOTS:

A. The design and development of the subdivision shall preserve, insofar as possible, the natural terrain, drainage, existing topsoil, and vegetation.

B. In general, side lot lines shall be at right angles to street lines, or radial curving street lines, unless a variation from this rule will give a better street or lot plan. Dimensions of corner lots shall be large enough to allow erection of buildings, observing the minimum front yard setbacks unless other provisions are approved by the ~~city council upon recommendation from the~~ planning commission upon recommendation from the TRC. (~~Ord. 2009-02 § 1~~)

16.24.080: LOT ARRANGEMENT:

A. Lot Arrangement Considerations: The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in the subdivision in compliance with the zoning ordinance and in providing driveway access to buildings on all lots from an approved street unless otherwise approved by the ~~city council~~ Planning Commission for reasons listed elsewhere in this title.

B. Lot Dimensions: Lot dimensions shall comply with the minimum standards of the zoning ordinance. Where lots are more than double the minimum required area for the zoning district, the planning commission may require that the lots be arranged to allow further subdivision and the opening of future streets where they would be necessary to serve potential lots, all in compliance with the zoning ordinance and these regulations.

C. Double Frontage Lots: Double frontage lots are lots which have the rear property line adjacent to a public street. Double frontage lots shall not be permitted except where necessary to provide separation of residential development from traffic arterials or to

overcome specific disadvantages of topography and orientation. All double frontage lots must be approved by the ~~Planning Commission~~City Council. A solid block or masonry wall shall be provided on all double frontage lots as a part of the required development of improvements, unless waived or modified by the ~~Planning Commission~~City Council. Where a privacy wall is constructed, there shall be a landscape strip provided between the sidewalk and privacy wall with a minimum average width of ten feet (10'). The wall may be of serpentine design so that the distance between the wall and sidewalk varies, but the wall shall not be closer to the sidewalk at any point than four feet (4'). The minimum ten foot (10') wide planter strip may include landscape area on both sides of the sidewalk where the sidewalk is separated from the curb by a landscape area.

Where the privacy wall on the adjoining property has a curvilinear or serpentine design, the ~~Planning Commission~~City Council may require the continuation of such wall design to provide for a uniform appearance along the public street.

Where the city determines that a turning lane is needed at an intersection, the ~~Planning Commission~~City Council may reduce the landscape strip to accommodate the turning lane. There shall be a minimum separation of one foot (1') between the sidewalk and privacy wall. The subdivision developer shall make provisions for the long-term maintenance of the planter strip either through a homeowners association (HOA), or other approved maintenance plan, or where the City agrees to provide long term maintenance for the planter area, in which case the developer shall on the final subdivision plat grant to the City a landscape maintenance easement upon all private property which may be on the street side of the privacy wall.

D. Access From Major Arterials and Collector Streets: Residential lots shall not derive access from major arterial streets, and access shall be limited on collector streets, except where approved by the City. In cases where driveway access from such streets may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive to limit possible traffic hazards on these streets. In these cases, driveways shall be designed and arranged to avoid requiring vehicles to back into traffic.

E. Flag Lots: After determination by the Planning Commission that standard lots are not feasible, the Planning Commission, may, to encourage more efficient use of the land, allow flag lots to be developed subject to the following conditions:

1. The property cannot be subdivided with public street and standard sized lots, either at the present time or in the foreseeable future.
2. The staff portion of the lot shall front on a dedicated public street. The minimum width of the staff portion of the lot shall be twenty-five feet (25') and the maximum length shall be two hundred feet (200').
3. No building or construction, except driveways, shall be allowed on the staff portion of the lot.

4. The front side of the flag lot shall be deemed to be the side nearest the dedicated public street upon which the staff portion fronts.

5. All lot size and setback requirements shall be the same as required by the zone in which the lot is located. The staff portion of the lot shall not be included in these calculations.

6. No more than two (2) flag lots or four (4) dwelling units may be served by one staff portion of the lots.

7. Each flag lot shall be specifically approved by the Planning Commission.

8. The staff portion of the lot shall be owned by the owner of the flag lot, or jointly in the case of two (2) lots served by one staff portion. ~~(Ord. 2020-14 § 1; Ord. 2018-05; Ord. 2009-02 § 1)~~

CHAPTER 16.28 PERFORMANCE GUARANTEE

SECTION:

16.28.010: Performance Guarantee Required

16.28.020: Guarantee Form

16.28.030: Guarantee Amount

16.28.040: Release of Guarantee/Posting of Maintenance Warranty

16.28.010: PERFORMANCE GUARANTEE REQUIRED:

The owner shall guarantee the installation and construction of the required subdivision improvements free from defective material or workmanship and in compliance with all city standards. Even though the owner provides a guarantee for the completion of the improvements, building permits will not be issued until all off-site improvements are completed. The improvements shall have been installed and completed within one year of final ~~Planning Commission~~city council approval unless extended for cause by the ~~Planning Commission~~city council. ~~(Ord. 2009-02 § 1)~~

16.28.020: GUARANTEE FORM:

The guarantee shall be in the form of an improvement agreement approved by the city council from time to time, plus ¹/₇ an escrow bond, letter of credit, or cash guarantee for the amount required by this chapter.

16.28.030: GUARANTEE AMOUNT:

The guarantee amount shall be one hundred percent (100%) of the cost of improvements as set forth in the project engineers estimate. That the estimate shall be required to include (a) ~~Ten~~Five percent administrative costs, (b) ~~ten~~ percent contingency, and (c) engineering and quality assurance testing costs. If the city council authorizes an extension of time beyond one year to complete the improvements, the extended guarantee shall be equal to one hundred percent (100%) of the cost of the remaining improvements. ~~(Ord. 2009-02 § 1)~~

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16.28.040: RELEASE OF GUARANTEE/POSTING OF MAINTENANCE WARRANTY:

A. After completion of all subdivision improvements the owner shall make a written request to the city for a final inspection. Upon receipt of the inspection reports from affected departments the city shall notify the owner in writing specifying the acceptability of all subdivision improvements and itemizing those improvements not acceptable along with the actions necessary to render those improvements acceptable.

B. After acceptance of all improvements by the city, the city may release up to ~~ninety~~eighty percent (~~99~~0%) of the guarantee amount. The city shall continue to hold the security covering the remaining ~~ten~~twenty percent (~~10~~20%) guarantee to ensure that all improvements shall be free from defective material and workmanship and in compliance with all city standards for a period of one (1) or two (2) years as may be determined by the city engineer or public works director. This period is marked from the date of final approval of all improvements until the performance guarantee is replaced by a maintenance guarantee in the same ~~ten~~twenty percent (~~21~~0%) amount. At the end of the performance period, the city shall perform a second inspection of all improvements. The city shall notify the owner in writing of any corrective measures that are required. If the defects are identified as a part of the inspection, the owner shall have the option of correcting the defects to the satisfaction of the city or shall forfeit the maintenance guarantee to the city as damages for the defective work.

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C. The improvement guarantee may be released in part as progress payment for improvements, subject to the following conditions:

1. The owner shall submit to the city a request for payment against the guarantee showing to whom and for what amount the release is requested. The request shall include an updated engineers estimate for completion of the remaining improvements. Upon inspection by the city, and approval of the requested amount, the city will authorize the holder of the guarantee amount to disperse the approved payments, less any amount

required to secure completion of remaining improvements. Payments may be made upon completion of the various phases of development as follows:

- a. The complete water system including mains, outfall lines, valves, hydrants, or any other part of the required water system.
- b. The complete road construction, including all survey monuments, traffic control and street name signs. Road construction shall also include storm drainage systems.
- c. The complete waste disposal system.
- d. The staking of lot corners and any other required survey field work.
- e. The completion of each required utility system, including power, telephone, natural gas, cable TV, internet connections, or any other utility service that may have been bonded for by the owner. Each required utility may be released independent of other utility installation.

2. Requests shall not be submitted more frequently than monthly. A minimum of twenty percent (20%) of each element shall be retained as required for the guarantee required in subsection B of this section. A guarantee of the same type used to guarantee installation of all improvements shall be posted prior to final release of the improvement guarantee amount. The city reserves the right to require updated engineers estimates of the remaining improvements, and additional security if required, every six (6) months in the event that no partial releases are requested.

3. For an owner who proposes to install all improvements prior to final recording of a final plat, a cost estimate of improvements shall be submitted to the city and approved by the city engineer or public works director prior to the start of construction, as the basis for determining the amount of the ~~ten~~twenty percent (~~21~~20%) guarantee that shall be posted upon final approval of the improvements by the city, and prior to the recording of the final plat. ~~(Ord. 2009-02 § 1)~~

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CHAPTER 16.32 FEES, ENFORCEMENT, PERMITS, AND PENALTIES

SECTION:

16.32.010: Fees

16.32.015: Subdivision Water Modeling Fee

16.32.016: Subdivision Water Model Approval Procedure

16.32.020: Enforcement

16.32.030: Permits

16.32.040: Violation

16.32.050: Penalty

16.32.060: Building on Unsubdivided Parcel

16.32.010: FEES:

All persons filing subdivision plats with the city shall pay fees as adopted through resolution by the city council. ~~(Ord. 2009-02 § 1)~~

16.32.015: SUBDIVISION WATER MODELING FEE:

There is hereby established a subdivision water modeling fee applicable to all subdivisions for which application is made after the effective date hereof that add at least five (5) equivalent residential units ("ERUs") to the water system, and/or involving adding five hundred feet (500') or more of main water line. This fee shall be deemed a part of the subdivision application fee. The fee shall be as set forth at exhibit A attached to the ordinance codified herein, which fee may be changed by resolution of the city council. ~~(Ord. 2012-20)~~

16.32.016: SUBDIVISION WATER MODEL APPROVAL PROCEDURE:

Upon payment of the fee, the city staff shall cause the engineer currently in charge of the city water model, to determine whether that subdivision's water requirements will be reasonably met after proper installation. If the engineer opines that the city's water system will not accommodate the proposed subdivision under Utah administrative code ("UAC") rule R-309-510 regarding minimum requirements, available water rights, and storage and source capacity to serve said subdivision, the subdivision approval shall be suspended pending a determination of necessary upgrades done and/or water rights required at the subdivision developer's expense, that will allow the subdivision to be serviced by the city water system. Any of such upgrades shall be completed and/or bonded as a condition of filing the final plat of said subdivision. ~~(Ord. 2012-20)~~

16.32.020: ENFORCEMENT:

It is unlawful for any person to contract to sell or lease, or to sell or lease any subdivision, or any part thereof, which is in the city until a final plat thereof, in full compliance with the provisions of this title, has been duly recorded or filed in the office of the county recorder. The Santa Clara City administrator shall be charged with the enforcement powers of this title. Failure of city departments or individuals to pursue appropriate legal remedies shall not legalize any violation of this title. ~~{Ord. 2009-02 § 1}~~

16.32.030: PERMITS:

From the time of the effective date hereof, the Building Official shall not grant a permit, nor shall any city officer grant any license or permit for the use of any land or the construction or alteration of any building or structure on a lot until a subdivision plat therefor has been recorded. Any license or permit issued in conflict with such provisions shall be void. ~~{Ord. 2009-02 § 1}~~

16.32.040: VIOLATION:

No person shall subdivide any tract or parcel of land located wholly or in part in the city except in compliance with the provisions of this title. No person shall purchase, sell or exchange any parcel of land which is any part of a subdivision, or a proposed subdivision submitted to the planning commission, nor offer for recording in the office of the county recorder, any deed conveying such parcel of land or any fee interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this title. Each day that a violation of the provisions of any chapter of this title is committed or permitted to continue shall constitute a separate and independent violation. ~~{Ord. 2009-02 § 1}~~

16.32.050: PENALTY:

Whoever shall violate any of the provisions of this title shall be guilty of a misdemeanor and, upon conviction of such violation, shall be punishable by a fine of not more than five hundred dollars (\$500.00) and/or six (6) months in jail, or by both such fine and imprisonment. This penalty may be imposed for each separate violation found to exist as provided in section 16.32.040 of this chapter. ~~{Ord. 2009-02 § 1}~~

16.32.060: BUILDING ON UNSUBDIVIDED PARCEL:

One (1) unit can be built on an unsubdivided parcel prior to subdivision plat recordation. However, all utilities and improvements must be completed, or performance guarantee given prior to building permit issuance. If performance guarantee is given for improvements, then a certificate of occupancy will only be issued upon completion.

TITLE 16
SUBDIVISIONS

CHAPTER 16.04
GENERAL PROVISIONS

SECTION:

16.04.010: Purpose

16.04.020: Scope of Title

16.04.030: Effect on Previous Ordinance

16.04.040: Exceptions to This Title

16.04.050: Exemptions

16.04.060: Fees

16.04.010: PURPOSE:

The purpose of this chapter is to promote the health, safety, and general welfare of the residents of the city of Santa Clara, Utah, by:

- A. Promoting the efficient and orderly development of land located within the city;
- B. Establishing policies, procedures, requirements, and standards for subdivision development;
- C. Preserving and protecting the environmental quality and aesthetic character of hillside areas, other topographic features, and vegetative cover, and reducing the hazards to life and property from fire, flood, erosion, sedimentation, and soil slippage;
- D. Providing lots of sufficient size and appropriate design for the purpose for which they are to be used;
- E. Providing subdivision improvements of adequate capacity and design for traffic that will utilize them, and to ensure pedestrian and vehicle user safety.

16.04.020: SCOPE OF TITLE:

This title shall apply to all subdivisions located wholly or in part within the city. To further define the scope of this title, but not in derogation of its purpose or scope, no person shall:

- A. Subdivide a parcel of land except in compliance with this title;

B. Sell, exchange, offer to sell, or offer to exchange any land which is part of a subdivision or a tract of land, offer for recording in the office of the Washington County recorder any deed conveying a parcel of land, or any interest in it, unless that parcel of land is part of a subdivision created pursuant to this title;

C. Offer to sell or lease, to contract to sell or lease, or to sell or lease a subdivision in whole or part until a final plat, in full compliance with this title, has been recorded in the office of the county recorder;

D. Further divide, rearrange, or reduce the area of a lot within a subdivision without first obtaining the approval of the planning commission and the city council as provided in this title (a person may combine lots within a subdivision to create larger lots upon planning commission approval, and may vacate side and rear lot easements by action of the city council);

E. Receive a building permit on a lot within a subdivision until all subdivision improvements, including roads, pavements, and utilities are installed, unless waived by the planning commission;

F. Occupy a building or structure within a subdivision until the city accepts the subdivision improvements, any buildings and all lots fully complying with the city's subdivision and zoning ordinances;

G. Sell any portion of an approved subdivision until the prospective buyer or builder is advised that occupancy permits will not be issued until all subdivision improvements are completed.

16.04.030: EFFECT ON PREVIOUS ORDINANCE:

The ordinance codified in this title shall amend and supersede the city's existing subdivision ordinance. It is not a new enactment but a continuation of the previous ordinance, whether in the same or in different language. The new ordinance shall read in its entirety as set out in this title.

16.04.040: EXCEPTIONS TO THIS TITLE:

When the planning commission finds that unusual topographic or other conditions exist on a parcel of land subject to this title, the planning commission may allow for an exception to this title be granted. Upon recommendation by the the TRC , the Planning Commission may change or except the lands from all or a part of the requirements of this title. However, the exception or changes authorized by the Planning Commission shall not substantially frustrate the intent of this title.

16.04.050: EXEMPTIONS:

Those uses of land specifically exempted from subdivision by the Utah state code shall be exempt from the provisions of this title.

16.04.060: FEES:

The city council shall from time to time establish and reestablish subdivision filing fees.

CHAPTER 16.08 DEFINITIONS

SECTION:

16.08.010: DEFINITIONS OF TERMS:

As used in this title:

ADMINISTRATIVE OFFICER: The person or persons designated by the city to receive information from an owner or owner's agent; send copies of plats, plans, maps, and other material, to city departments; prepare planning commission agendas; collect fees; and perform other work necessary to the planning commission.

AGRICULTURE: The tilling of the soil, the raising of crops, horticulture, and gardening; breeding, grazing, and keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals, or similar uses.

BEGINNING OF CONSTRUCTION: Grading, excavation, or removal of vegetation or earth from a site for construction of access routes or preparation of building pads or footings.

CITY: The city of Santa Clara, Utah, and including any of its assigned staff.

CITY BUILDING OFFICIAL: The city's building official.

CITY COUNCIL: The city council of the city of Santa Clara, Utah.

CITY ENGINEER: The city's engineer or the authorized representative if an engineer is under contract to do work for the city.

CITY PLANNER: The city's Planning Manager or the authorized representative if a planner is under contract to do work for the city.

CITY SURVEYOR: The city's surveyor or the authorized representative if a surveyor is under contract to do work for the city.

EASEMENT: The right of the public, some part of the public, or an individual in the land of another person for the purpose of exercising a liberty, privilege, or advantage.

ELECTRONIC COPY: A computer generated copy of the plat information otherwise submitted to the city in hard copy. In the case of a final plat, containing all the information required for a final plat.

FINAL PLAT: A final plat prepared in accordance with the provisions of this title to be recorded in the office of the Washington County recorder following planning commission and city council approval.

FINAL PLAT MYLAR: The reproducible copy of a final plat meeting all the requirements of this title and properly prepared to record in the office of the Washington County recorder.

LAND USE AUTHORITY: The Planning Commission of the city of Santa Clara, Utah is the land use authority for subdivisions of property.

LOT WIDTH: The width of a lot measured along the minimum setback line.

OFFICIAL MAP: Any map adopted by the city council under the provisions of the Utah Code Annotated, 1953, as amended.

OWNER: A natural person, firm, association, partnership, corporation, or any combination that owns a parcel of land or any person designated by the owner in writing as the authorized person to represent the owner.

PARCEL OF LAND: A contiguous quantity of land, in the possession of, or owned by, or recorded as the property of the same owner.

PLANNING COMMISSION: The planning commission of the city of Santa Clara, Utah.

PRELIMINARY PLAT: A map or plan of a proposed subdivision complying with the requirements of this title.

SUBDIVISION: The division, resubdivision, or proposal to divide a parcel of land into two (2) or more lots, parcels, or other units for the immediate or future sale, lease, division, development, or other disposition. Subdivision includes:

A. The division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded document; and

B. Divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

SUBDIVISION PLAT AMENDMENT: Includes all applications for vacating, altering or amending a recorded subdivision plat.

THROUGH LOT: A lot having frontage on two (2) dedicated streets and having the right of access to both of said streets, not including corner lots.

TECHNICAL REVIEW COMMITTEE, TRC: The Technical Review Committee of the city of Santa Clara, Utah which includes representatives from all reviewing city departments, private utilities, and relevant contract professionals.

VICINITY MAP: A map or drawing showing the physical relationship of the proposed development to the existing or proposed streets, buildings, and utilities; other relevant information such as special terrain, or surface drainage; and existing zoning classification of land in the vicinity of the property proposed for development.

CHAPTER 16.12 APPROVAL OF SUBDIVISION PLATS

SECTION:

16.12.010: Procedure for Obtaining Approval of Subdivision Plats

16.12.020: Step One, Basic Data and Information

16.12.030: Step Two, Concept Plan

16.12.040: Step Three, Preliminary Plat

16.12.050: Step Four, Final Plat

16.12.060: Construction of Improvements

16.12.010: PROCEDURE FOR OBTAINING APPROVAL OF SUBDIVISION PLATS:

Development of any subdivision shall comply with the following procedures.

16.12.020: STEP ONE, BASIC DATA, AND INFORMATION:

A. Before initiating the process for subdivision plat consideration, the owner, which may be the owner, or an agent designated by the owner and authorized to act for the owner, shall obtain and review the following:

1. The city's subdivision ordinance.
2. The city's general plan, land use ordinance, construction standards, and other applicable information.
3. Plat maps and record of survey maps of existing subdivisions and parcels of land adjacent to the proposed subdivision.
4. A copy of the city's hillside protection overlay, HP zone where applicable.

B. The owner shall visit with the city technical review committee (TRC) to discuss the proposed subdivision, gain a general understanding of the subdivision procedure, and to discuss any other information relative to the specific area being considered for development.

16.12.030: STEP TWO, CONCEPT PLAN:

A. The owner initiates the subdivision plat consideration process by submitting a concept plan to the technical review committee (TRC).

B. The concept plan need not be prepared by a design professional. However, detailed, and accurate information incorporated into the concept plan will enable the TRC to make more meaningful comments to the development process at an early stage of development.

D. If a zone change is required before the approval of a preliminary plat, the requirements for a zone change found in title 17, chapter 17.18 of this code shall be followed.

E. A preliminary plat shall not be submitted to the planning commission for consideration until after the zone change shall have been favorably acted upon by the city council.

16.12.040: STEP THREE, PRELIMINARY PLAT:

The preliminary plat step is the point at which the owner and city staff work closely together to resolve issues relative to the subdivision, and to determine its feasibility. All information required by this title as well as additional requirements of the hillside protection overlay, HP zone, floodplain ordinance, planned development zoning requirements, and any other information deemed to be appropriate to the proposed development, will all be reviewed at the preliminary plat phase. Reports from the hillside review board shall be required by the TRC, where applicable, prior to submitting the plat to the planning commission.

A. Preparation: The owner will prepare a preliminary plat and vicinity map. The preliminary plat shall contain all required information listed in this title, as applicable, and the vicinity map will show the relationship of the proposed subdivision to adjacent subdivisions and to the city in general.

B. Submission: The preliminary plat should be submitted promptly after concept plan review. If city ordinances or regulations change between concept plan review, and before preliminary plat submission, the owner must comply with the new ordinances and regulations. A minimum of four (4) scale drawings shall be submitted along with twelve (12) reduced eleven inch by seventeen inch (11" x 17") drawings, and one copy in electronic format.

C. Review By City Departments: The administrative officer shall deliver copies of the preliminary plat and vicinity plan to city departments affected by the proposed subdivision. City departments shall review the preliminary plat for compliance with city ordinances, policies, and regulations. Copies of their comments and suggestions will be reviewed with the owner as often as necessary at TRC meetings to resolve as many concerns as possible.

D. Completion: Upon completion of TRC and applicant review meetings, the owner shall submit the same number of copies of the completed preliminary subdivision plat with supporting documentation, pay the subdivision filing fee, and zone change application fee, as may be applicable, as found in the development fee schedule established by resolution of the city council from time to time. The preliminary plat shall be considered at the next available planning commission meeting. The administrative officer shall send all necessary notices, agendas, and other materials to members of the planning commission.

E. Planning Commission Review:

1. A preliminary plat application must be reviewed by the Planning Commission within 15 business days from the date of receiving a complete application. In considering the preliminary plat, the planning commission shall approve only those preliminary plats that it finds to be in accordance with the standards and criteria set forth in this title, and all other city ordinances and policies including, but not limited to, the general plan, the standard specifications for design and construction, the land use ordinance, the historic preservation ordinance, the building codes, and the city's land use, street, utility and drainage master plans, the hillside protection overlay zone, and soils and floodplain ordinances. The planning commission may approve the plat fully or conditionally, may impose conditions or revisions that they feel may be necessary to bring the subdivision into full compliance with city requirements, it may table the plat for further information or study, or it may reject the plat. If rejected, the planning commission shall indicate reasons for the rejection. The owner may redesign the plat using recommendations from the planning commission and reprocess it beginning with step three. If plat revisions are required, the owner shall complete the revisions, and the administrative officer shall resubmit the preliminary plat to the city staff for review, comment, and compliance with city ordinances. The officer will then place the plat on the next available planning commission agenda for further consideration.
2. The planning commission may set special meetings to visit the site prior to considering the preliminary plat for approval. All special meetings shall be advertised in the same manner as regular planning commission meetings. The planning commission may also schedule work meetings to consider aspects of the proposed development under the same advertising conditions as indicated for special meetings. The planning commission, during their review, may require further information to be submitted in addition to information already provided to the TRC.

G. Additional Studies: In carrying out its responsibilities pursuant to this section, the TRC, or planning commission may require the applicant to submit such additional information, data, studies, plans, analyses, or maps as may be necessary to make the factual determinations set forth herein. Any of the above groups may also request a third-party review at any time of the information submitted. If further study or information is required, the owner shall bear the full cost of meeting this requirement. In situations with severe

limitations, actual construction drawings, as required in step four below, may be required for proper preliminary plan review and approval.

16.12.050: STEP FOUR, FINAL PLAT:

A. Following Planning Commission approval of the preliminary plat, the owner shall meet with the technical review committee (TRC) for detailed project design information. The owner's engineer shall prepare complete construction drawings for street profiles, utility construction, drainage, soils reports, flood studies, and any other drawings or plans required by this title, or the hillside protection overlay zone. The owner shall submit four (4) sets of scale drawings, along with twelve (12) reduced scale sets of the drawings, and one copy in an electronic format to the administrative officer for distribution to required departments.

B. The city departments shall review the final plat and construction drawings. Staff will submit comments to the administrative officer. Based upon review and comments, the city shall advise the owner of any required engineering drawing revisions. The owner shall revise the drawings to comply with the required revisions and submit four (4) sets of final scale drawings along with twelve (12) reduced size drawings, and one copy in electronic format, to the city. A review must be completed within 20 business days from the date of receiving a complete application. The City may perform up to four reviews on a given application. A review cycle is not considered complete until the applicant has adequately addressed all redlines identified by the City. The City may only add new redlines after the first review cycle in response to changes made or if a correction is necessary to protect the public health or safety, or to enforce state or federal law.

C. In considering the final plat for approval, the TRC shall approve only those final plats that it finds to be in accordance with the requirements of preliminary and final plat approval, the standards and criteria set forth in this title, and all other city ordinances and policies.

D. After TRC review and approval, the city shall review the final plat and construction drawings, along with an estimate from the applicant's engineer of estimated construction costs for the project.

E. The administrative officer will verify, using the subdivision ordinance check sheet, that all final plat requirements are submitted and reviewed before placing the final plat on the next regularly scheduled TRC meeting agenda. The TRC, after review, may approve, conditionally approve, request further changes or corrections, or deny the final plat. If changes are requested, it may be brought back to another TRC meeting for review. The TRC will approve the final plat, and the construction drawings, which may then be stamped as "approved". If a final plat is denied by the TRC, the applicant may make changes and submit a revised final subdivision plat for consideration.

F. Following TRC approval, the applicant shall post with the city, the required guarantees, inspection fees, impact fees, recording fees, approval from the city attorney

that the title report is approved, and from the county treasurer that all taxes, fees, or other financial requirements have been paid in full.

G. Following completion of all steps listed above, the administrative officer shall obtain all required signatures on the plat and transmit the final signed plat to the county recorder. The recording fee shall be paid by the owner.

H. No development work of any type shall commence until TRC approval of the final plat and the construction drawings.

I. All final plats and construction drawings shall be prepared and approved within one year of Planning Commission approval of the preliminary plat. Any final plat not submitted and approved within one year of preliminary plat approval is void. If the owner, or any subsequent owner, later desires to submit this same or modified plat for approval, submittal shall begin with step three of this chapter.

J. A final plat must be recorded within eighteen (18) months of Planning Commission approval. Extensions may be granted by the Planning Commission for periods not to exceed eighteen (18) month intervals. Any plat, with or without posted guarantees, not recorded, nor extended, becomes void eighteen (18) months following Planning Commission approval. If the owner, or any subsequent owner later desires to develop the subdivision, the process shall start with step three of this chapter. Construction of any plat extended by the Planning Commission shall meet all requirements of the subdivision ordinance that may have been amended between the final approval and the actual construction of the subdivision.

K. Appeal Process: The following appeal processes may be applied for after the four review cycles have been exhausted and 20 business days have passed:

1. For disputes relating to public improvements or engineering standards, the City shall assemble a three-person panel of experts to include:
 - a. One licensed engineer designated by the City.
 - b. One licensed engineer designated by the applicant.
 - c. One licensed engineer, agreed upon, and designated by the two designated engineers.

Members appointed to the panel may not have an interest in the application in question. The applicant must pay 50% of the total cost of the panel and the City's published appeal fee. The remaining 50% must be paid by the City. The panel's decision is final, unless the City or applicant petition for district court review within 30-days after a written decision is issued.

2. For all other disputes, the City shall refer the question(s) to the designated appeal authority at the applicant's request. The applicant must pay the required appeal fee.

16.12.060: CONSTRUCTION OF IMPROVEMENTS:

The following chapters 16.16 through 16.32 of this title identify specific design and construction standards, guarantees, studies, reports, and other information by which the subdivision will be processed, reviewed, approved, and constructed. The owner is encouraged to study these chapters as well as the previous chapters very carefully when preparing to submit a subdivision plat to the city of Santa Clara.

CHAPTER 16.16 PRELIMINARY PLAT REQUIREMENTS

SECTION:

16.16.010: Preliminary Plats

16.16.020: Title Block

16.16.030: General Requirements

16.16.040: Existing Conditions

16.16.050: Proposed Plan

16.16.060: Special Conditions

16.16.070: Approval Procedure

16.16.010: PRELIMINARY PLATS:

A. Preparation of Preliminary Plat. It is anticipated that if the Preliminary Plat complies with all requirements under this title, upon final approval of the Preliminary Plat, the Preliminary Plat shall be the basis for the Construction Drawings and Final Plat. Prior to preparing the Preliminary Plat, the applicant shall meet with the Technical Review Committee, TRC to discuss the subdivision proposal and review the Preliminary Plat and the requirements for the required plans, Construction Drawings, studies, and reports. The general requirements as to the layout of streets, street improvements, traffic impact studies, drainage, sewerage, fire protection, availability of existing services, and similar matters will be discussed.

B. Preliminary Plat. The Preliminary Plat shall be a clear and legible graphic representation of the subdivision, existing conditions, and proposed improvements. It shall be labeled and dimensioned and be of a suitable scale to graphically represent the proposed subdivision, existing and proposed improvements required by this title. The

preliminary plat will comply with the following requirements and show the following information.

16.16.020: TITLE BLOCK:

- A. The proposed name of the subdivision.
- B. The location of the subdivision, including the address, quarter section, township, and range.
- C. The owner's name and address.

16.16.030: GENERAL REQUIREMENTS:

- A. North arrow and scale: One-inch equals one hundred feet (1" = 100') is preferred. One-inch equals two hundred feet (1" = 200') is acceptable for larger subdivisions. A minimum of four (4) scale drawings shall be submitted. At least twelve (12) other copies shall be submitted. These additional copies may be in a reduced form on eleven by seventeen-inch (11 x 17") sheets along with an electronic copy.
- B. The boundary line of the subdivision along with any proposed phasing plan.
- C. All property under control of the owner showing phases being developed and an overall street system. The street system shall conform to the existing street master plan, and to local streets already approved adjacent to the proposed subdivision.
- D. Existing and proposed contour lines at vertical intervals of not greater than two feet (2') unless otherwise approved by the city. Contours shall extend in all directions for a distance of one hundred feet (100') beyond the boundaries of the subdivision.
- E. Any other information that the applicant or the city feels would be useful for proper identification and orientation of the proposed subdivision.
- F. At the time of filing an application, the applicant shall schedule an appointment with the city. The city shall review the application for completeness and shall require that the applicant and owner (if different) provide an acknowledgement that they are responsible for obtaining a culinary water "Will-Serve" letter, or the equivalent from the Washington County Water Conservancy District, WCWCD. This requirement is in Chapter 17.04, General Provisions. The city may request that the applicant also present additional information to assist in determining the adequacy, quality, and characteristics of the subdivision proposal.
- G. Once the application has been considered and determined to be complete, the application shall be reviewed according to the procedures set forth by this chapter. If the city finds that the application is incomplete, the application shall be rejected, returned to the applicant, and the applicant shall submit a complete application.

16.16.040: EXISTING CONDITIONS:

- A. Streets: Location, width, and names of all streets within two hundred feet (200') of the subdivision.
- B. Adjacent Tracts: Boundaries of adjacent tracts of subdivided and unsubdivided land, showing ownership where possible.
- C. Zones: Identification of the zone or zones in which the property is located.
- D. Public Objects: All public streets, utility rights of way, easements, parks, and other public open space within or adjacent to the proposed subdivision; all section and city boundary lines within and adjacent to the proposed subdivision.
- E. Utilities: Sewer mains, sewer manholes, water mains, fire hydrants, power lines, power poles, culverts, or other facilities within one hundred feet (100') of the proposed subdivision.
- F. Ditches And Drains: Ditches, drainage channels, waterways, storm drains, and major washes.
- G. Floodplains: The location of the floodplain, floodway, and elevations designated by FEMA. No subdivision in the city shall be permitted in a floodplain.
- H. Slopes: Any subdivision with hillside slopes must conform to the requirements of the hillside protection overlay zone as part of the preliminary plat approval.
- I. Soils: A soils report is required on all lots in the city and on all lots in any subdivision. In addition, preliminary plat approval will require compliance with the requirements of the hillside protection overlay zone, as may be applicable.
- J. Erosion Hazard Zones: The preliminary plat shall identify all potential erosion hazard zones, or lands that may be affected by the sensitive land's ordinance to the best knowledge of the applicant.
- K. Historic Preservation: Information may be required by the historic preservation ordinance if the proposed subdivision falls within the historic preservation overlay zone.
- L. Vicinity Map: A vicinity map shall be submitted to orient staff and the planning commission as to the specific location of the subdivision.

16.16.050: PROPOSED PLAN:

- A. Streets And Utility Easements: The layout of streets and utility easements showing identification and dimensions. The proposed subdivision plat shall show how it will be served by existing or proposed streets, and a traffic impact study may be required to determine what impact the subdivision may have on other existing development.
- B. Lots: The layout, number, and dimensions of lots.

- C. Setback Lines: Building setback lines must be shown for all lots.
- D. Parcels Set Aside: Parcels of land intended to be dedicated for public use or set aside for use of property owners in the subdivision as common or limited common areas.
- E. Stormwater Drainage: A proposed plan to dispose of stormwater drainage for the subdivision including proposed realignment or regrading of existing drainageways upstream, within, and downstream of the subdivision. (Note that a stream alteration permit from the state of Utah may be required prior to the alteration of any stream or drainage channel.)
- F. Wastewater Collection: Determine how the proposed subdivision can be served by the existing wastewater collection system without the off-site extension of any trunk or outfall line.
- G. Wastewater Treatment: Determine how wastewater estimated to be generated by the proposed subdivision can be accommodated and treated in accordance with city standards and without any treatment plan expansion.
- H. Water Supply and Storage: Determine how both the culinary and secondary irrigation water needs of the proposed subdivision can be accommodated in accordance with legally authorized and physically available water rights, and the capacity, storage, design, and construction requirements of the city without additional supply, or storage improvements. Developer may also be required to transfer to the city such water rights and/or water shares to the city, or pay a special assessment in lieu of such transfer, as may be established by ordinance.
- I. Fire Flow: Show how the proposed development will be served by a central water system with appropriately located fire hydrants and adequate flows to meet insurance requirements (a minimum of 1,000 gallons per minute for a period of two (2) hours without additional capital improvements).
- J. Fire Response Time: Determine if the proposed subdivision is within two (2) miles of a five (5) minute response time of an existing fire station.
- K. Solid Waste: Determine that the proposed subdivision be served by the existing solid waste collection and disposal system.
- L. Electrical Supply: Determine whether the electrical needs of the subdivision can be accommodated by the city power department, and under what conditions.
- M. Parks: Determine that the proposed development is within one mile of a city park, or recreational facility, and within one-half (1/2) mile of a community or neighborhood park, all of which meet city acreage and facility standards, and can accommodate the population projected to be generated by the proposed subdivision development.
- N. Phasing Plan: A phasing plan for the subdivision if phases are proposed.
- O. Agreements With Outside Agencies: Where public services are proposed by agencies outside those operated by the city, the owner shall provide signed agreements with those

agencies approving proposed plans and agreeing to install their systems in accordance therewith.

P. Other Items and Additional Studies: Other items that may be required by the planning commission, and which may be site specific for a subdivision and not to subdivisions in general. In carrying out its responsibilities pursuant to this section, the TRC, or planning commission, may require the applicant to submit such additional information, data, studies, plans, analyses, or maps, as may be necessary to make the factual determinations set forth herein. If so required, the owner shall bear the full cost of meeting this requirement. In situations with severe limitations, actual construction drawings, as required for final plat submission, may be required at the preliminary plat level.

16.16.060: SPECIAL CONDITIONS:

The zoning laws of the city of Santa Clara shall confer no vested right to develop under the terms of the zone in which any proposed development is located if the development, due to access and/or other on-site development conditions which cannot, in the judgment of the city, be developed safely under reasonably anticipated conditions. Safety shall include safety to the users, their invites, safety to the residents of Santa Clara City, and to the public, and safety of the structural integrity of the improvements.

If the proposed subdivision presents a development condition that the city planning commission or the city council (hereinafter referred to as the "city") deems to be unsafe, the city shall require, prior to preliminary plat approval or building permit issuance (as the case may be), such engineering studies as may be reasonably required to render the site safe for the long-term viability and safety of the proposed building site. Included in the consideration of unsafe conditions shall be sites which have any, or a combination, of the following conditions:

- A. Unsafe or steep access.
- B. Steep slopes.
- C. Underground water/damage issues.
- D. Flooding issues (sites in 100-year floodplain, or subject to flood erosion that may extend beyond the 100-year floodplain).
- E. Washes.
- F. Adverse soils conditions.
- G. Adverse rock or soils formations.
- H. Slide hazards.
- I. Liquefaction/earthquake hazard.
- J. Such other hazards as may be considered unsafe by the city.

If an unsafe condition is found, then the city shall specify such studies as may be necessary to determine if safe mitigation is reasonably certain to allow the development to proceed. The city shall then consider the reports of the owner's experts/engineers, and the reports of any special consultants that the city may hire at the expense of the owner. The city shall also consider the effects of the development on adjacent properties where the site presents evidence of risk outside of the proposed development. The city may also conduct on site reviews of the possible unsafe condition. If, after review of these reports and the evidence presented, the city determines that the site may not be developed safely, then the project shall be denied to preserve the health, safety, and welfare of city residents. The city shall determine if a portion of the site can be developed, which ruling shall be given to the owner, and the owner shall be given the opportunity to submit an amended plan which can be developed safely. If an adverse ruling is given, the city shall issue written findings of the reasons why the site is not considered safe.

16.16.070: APPROVAL PROCEDURE:

- A. City planning staff will transmit the Preliminary Plat, and Preliminary Plat review application, along with all accompanying plans, reports, and studies to appropriate city officials and other official agencies or bodies as deemed necessary or as required by law, to allow such persons to review the application.
- B. After the Preliminary Plat review application is found to meet the requirements of this title, and all comments have been received from those to whom a request to review was made, the planning manager or designee shall cause the Preliminary Plat to be placed on the next available planning commission agenda, and shall notify the applicant of the date, time, and place of the meeting at which the application shall be reviewed.
- C. The planning commission is the city land use authority for subdivision plats. The Planning Commission may grant approval of a Preliminary Plat which it finds to be in accordance with the standards and criteria set forth by the city in this title and all other ordinance, plans, and policies of the city. The planning commission may also conditionally approve a Preliminary Plat, imposing such conditions as it may require bringing the Preliminary Plat into compliance with the requirements of the city's ordinances, plans, and policies.
- D. After reviewing the Preliminary Plat, the planning commission will make a determination that the Preliminary Plat be approved, conditionally approved, or disapproved.
- E. Upon approval of the Preliminary Plat, and approval of the Construction Drawings, a permit may be issued which allows the applicant to begin construction at their own risk, of the infrastructure improvements required for the subdivision prior to the Final Plat approval. Issuance of a permit to construct infrastructure prior to Final Plat approval does not constitute a vesting of development rights.
- F. If the final subdivision plat, or phase thereof, is not approved by the city within one (1) year after Planning Commission approval of the Preliminary Plat, all approvals shall be deemed expired and void. If eligible, the applicant may submit for approval a new

Preliminary Plat in accordance with this section, if it is determined by the planning manager or designee that substantial progress toward completion of the final subdivision plat has been done, and the Final Plat cannot be submitted due to reasons beyond the control of the applicant, the item shall be placed on the next available Planning Commission agenda for consideration of a reasonable extension of time to complete the final plat, but no longer than one (1) year. A second extension not to exceed one (1) additional year may be granted in extraordinary circumstances demonstrated by the applicant.

G. No extension will be granted to any applicant unless the applicant first submits documentation evidencing that WCWCD has consented to the extension of applicants "Will-Serve" letter consistent with the extension sought from the city.

H. Approval of the Preliminary Plat does not constitute full approval of the development nor vest any development rights as additional requirements may be imposed that are a result of more detailed and thorough review of all plans, specifications, reports, and investigations.

CHAPTER 16.20 FINAL PLAT REQUIREMENTS

SECTION:

16.20.010: Final Plat

16.20.020: Description and Delineation

16.20.030: Standard Forms

16.20.040: Additional Information Submitted with Final Plat

16.20.050: Conformance to Applicable Rules and Regulations

16.20.060: Other Restrictions

16.20.070: Approval Procedure

16.20.010: FINAL PLAT:

The final plat shall be prepared by a licensed land surveyor on a standard twenty-four inch by thirty-six inch (24" x 36") mylar sheet drawn with waterproof black ink. The plat shall contain all information required as set forth below. The final plat will also include an electronic copy.

16.20.020: DESCRIPTION AND DELINEATION:

A. Name: The name of the subdivision approved by the planning commission.

B. Lots: An identification system shall be shown for all lots, blocks, and names of streets. Lot lines shall show dimensions in feet and hundredths. Lot sizes shall be shown to one square foot accuracy. Other easements shall be of sufficient width and location necessary to provide the proper function and maintenance of utility and drainage facilities as determined by the public works director and shall be shown on the final plat.

C. Easements; Street Names: Easements shall be a minimum of ten feet (10') wide along all front property lines unless otherwise required by the city. In multi-family or PD projects, the city may require easements in common areas. All street names shall be approved by the city to avoid duplication of names within the city limits. As a courtesy, and as required by the Utah code 54-3-27(5), a copy of all final plats shall be provided to any utility company providing service to the subdivision in addition to city owned utilities already approved herein. This could include natural gas, cable television, telephone, high speed internet, or other providers of public services. Evidence shall be provided to the city from the utility companies that this requirement has been complied with.

D. Traverse Of Perimeter: A traverse of the perimeter of the subdivision.

E. Monumentation And Survey Control:

1. All United States, state, county, city, or other official monuments shall be identified on the plat. The location of these monuments shall be accurately tied to the subdivision by true bearing and distance. All existing monuments shall show the agency setting the monument and the date set, if known, and the type of monument (i.e., brass cap, rebar, and cap, etc.).

2. Street monuments shall be installed by the owner in accordance with the requirements of the city with locations indicated on the plat within thirty (30) days after street paving.

F. Public Objects: The dedication to the public of all streets, easements, or other areas reserved for public use, with the purposes indicated thereon. Any area to be reserved by deed or covenant for common use of all property owners shall be indicated on the plat.

G. North Arrow and Scale: North arrow, scale, point of beginning, legal description, and basis of bearing shall be shown not only in narrative but also on the drawing. Surveys shall coincide with other surveys of record in the area. The basis of bearing shall be the one most predominantly of record in the area and shall be identified on the plat as well as in the survey narrative.

H. Boundary Closures: Subdivision boundary closures shall be 0.01 or less on exterior boundaries and 0.02 on interior lots.

16.20.030: STANDARD FORMS:

The final plat shall require:

- A. A registered professional land surveyor's signed stamp and certificate of survey.
- B. All street centerline data and street widths shall be shown with ties to property lines, lot corners, etc. All radii, internal angles, points and curvatures, tangents, bearings, and the length of all arcs.
- C. A notary public's acknowledgment of all signatures on the plat.
- D. A notarized consent of all lienholders, unless a separate notarized consent to plat is provided for any lien holder, in a form acceptable to the city.
- E. The final plat (mylar) shall be signed by the Planning Commission Chair or Vice-Chair.
- F. The final plat (mylar) shall be signed by the city engineer and the city surveyor.
- G. The final plat (mylar) shall be signed by the city attorney, after having reviewed a title report prepared or updated by a title company and dated within the past ninety (90) days. It shall be the applicant's responsibility to obtain releases or consents to plat from the holders of all liens or encumbrances which would otherwise prevent the subdivision of the property and the sale of good and marketable title to third party buyers of property in the subdivision.
- H. The final plat (mylar) shall be signed by the mayor.
- I. A one and one-half by five-inch (1 1/2 x 5") space in the lower right-hand corner of the plat for use by the county recorder.
- J. The final plat shall include the following notes:
 - 1. A note stating: "This property is subject to the findings, summary and conclusions of a Geotechnical Investigation Report prepared by _____ Dated _____ .
"A copy of said report has been placed within the Geotechnical Report File of the city and is available for inspection. The report may be inspected, or copies obtained, by contacting the City of Santa Clara, P.O. Box 2601 Santa Clara Drive, Santa Clara, Utah 84765. Purchasers should review this report and contact the city for additional updated information regarding the report. All purchasers of lots in this subdivision are strongly encouraged to obtain their own Geotechnical Investigation Report and to follow its recommendations."
 - 2. A note indemnifying the City for soil or other sensitive conditions on the site.
 - 3. If lot setbacks are not otherwise depicted on the plat, a note stating any front, side, and rear yard setbacks applicable to lots on the plat.
 - 4. A note stating that notwithstanding the posting of any performance security, no building permit will be issued until all utilities are completed in the subdivision.

5. A note stating that all street landscaping must confirm to the City's landscaping ordinances and construction standards.

6. Any other notes or statements required by the Planning Commission as a condition of final plat approval.

K. The county treasurer's certificate of approval indicating at the time of signing that the property taxes, special assessments, and fees due and owing have been paid in full.

16.20.040: ADDITIONAL INFORMATION SUBMITTED WITH FINAL PLAT:

A. An engineer's itemized estimate of the cost of all required improvements to be developed in the subdivision, which shall be subject to approval by the city engineer.

B. Final utility plans for culinary water, secondary irrigation water, sewer, power, and natural gas, if proposed, with approval from each utility department indicating that utility and easement plans have been reviewed and approved by them, and that services are available to each lot in the subdivision. This requirement may be met by receiving approval for these construction drawings during the preliminary plat approval phase of development [1](#).

C. A final drainage plan, if not previously approved at the preliminary stage, indicating the following:

1. Complete drainage systems for the entire subdivision shall be designed by a professional engineer, licensed in the state of Utah, and qualified to perform such work. All existing drainage features which are to be incorporated into the design shall be so identified. If the final plat is to be presented in phases, general drainage plans for the entire area shall be presented with the first phase. Appropriate development plans shall be prepared for each subsequent phase and shall be submitted.

2. The drainage plan shall be designed to consider the drainage basin as a whole and shall accommodate not only runoff from the subdivision area but also where applicable, the system shall be designed to accommodate the runoff from those areas adjacent to and upstream from the subdivision itself, as well as its effects on lands that are downstream.

D. Final plans and profiles for all streets to be constructed in the subdivision indicating that the plans have been reviewed and approved by the city engineer.

E. All plans and information required by the hillside protection overlay zone, or the FEMA flood maps have been complied with. Where such plans are not required, that a soils report, covering each lot in the subdivision has been submitted and approved by the city engineer.

F. For any subdivision in a PD Zone a fully executed original copy of any Covenants, Conditions, and Restrictions anticipated to be recorded with the plat shall be submitted to the city for verification. The original will be returned to the applicant for recording when the final plat is released.

G. Any other information reasonably required by City staff to assist in determining whether the requirements of this Chapter have been met with respect to the final plat for which approval is sought.

Notes

1 1. UCA §§ 10-9a-603(4)(c)(i), 10-9a-603(4)(c)(ii).

16.20.050: CONFORMANCE TO APPLICABLE RULES AND REGULATIONS:

In addition to the requirements established herein, all subdivision plats shall comply with all applicable laws, plans, and regulations including, but not limited to:

A. The city general plan, land use ordinance, zoning map, and all other applicable city ordinances.

B. The official city general plan, including general plans for streets, parks, drainage, trails, and utility systems.

C. Requirements of any departments of the state of Utah, as applicable.

D. The standards, regulations and policies adopted by the city including all boards, commissions, agencies, and officials of the city who may be authorized to adopt the same.

E. A copy of any development agreement that may have been agreed upon between the city and the owner of the project.

16.20.060: OTHER RESTRICTIONS:

If the applicant places restrictions on any of the land contained in the subdivision greater than those required by the land use ordinance, these covenants, conditions, and restrictions may be required to be indicated on the subdivision plat, or the planning commission may require that restrictive covenants be recorded with the county recorder in a form approved by the city attorney. Conditions, covenants, and restrictions shall be required in the case of a planned unit development in the planned development zone where common areas are proposed.

A. The city will not accept property as a bond to guarantee installation of improvements in a subdivision. An acceptable agreement may include a cash amount posted with the city, an escrow agreement with a local financial institution, a letter of credit from such an institution, or a corporate surety bond.

B. The city shall not create a special improvement district for the purpose of installing improvements in a subdivision proposed by an owner. If an improvement district is proposed by the city and, if the district proposed contains property owned by more than

one property owner not involved with the development and said owners cannot agree on a method of financing the required improvements, then, and only then, shall the city consider the possible creation of a special improvement district.

C. Special improvement districts are not intended for the improvement of a subdivision owned by one person or a group of persons acting jointly together to create a subdivision development.

16.20.070: APPROVAL PROCEDURE:

A. After the Preliminary Plat has been approved by the Planning Commission, and all conditions are complied with, a final subdivision plat shall be prepared and submitted to the planning department.

B. The Final Plat shall be reviewed by the Technical Review Committee, TRC prior to submittal of a final mylar copy.

C. All applications to subdivide real property shall comply with the requirements of Utah Code Title 10, Chapter 9a, of the Utah Land Use and Development Management Act, as amended.

D. A Final Plat must be recorded with the office of the County Recorder within one (1) year of the date of city approval. This includes a final plat which is a phase of the project (this entitles the preliminary plat). A Final Plat which has not been recorded within one year, shall be deemed void and all land use approvals associated with the Final Plat shall be considered void *ab initio*. Prior to expiration, an applicant may request a one-time six-month extension of approval to the planning department. The item shall be placed on the next available Planning Commission agenda for consideration.

E. Following approval by the TRC, the mylar copy of the final plat will be held for review by city staff and not released for recording until all the requirements of this Chapter have been met, including but not limited to the posting of adequate performance security, payment of all city fees, and all required signatures being obtained on the mylar copy.

CHAPTER 16.22

SUBDIVISION PLAT AMENDMENTS

SECTION:

16.22.010: Vacating, Altering or Amending a Subdivision Plat

16.22.020: Lot Adjustments And/Or Mergers

16.22.030: Vacating A Street, Right-of-Way, or Easement

16.22.010: VACATING, ALTERING OR AMENDING A SUBDIVISION PLAT:

All applications for vacating, altering or amending a subdivision plat shall comply with the requirements of Utah Code Title 10, Chapter 9A, as amended.

16.22.020: LOT ADJUSTMENTS AND/OR MERGERS:

All applications seeking to adjust and/or merge lots, parcels, units, or other divisions of land shall comply with the requirements for the adjustment of lot lines as set forth in Utah Code Title 10, Chapter 9A, as amended.

16.22.030: VACATING A STREET, RIGHT-OF-WAY, OR EASEMENT:

All applications for vacating a street, right-of-way, or easements shall comply with the requirements of Utah Code Title 10, Chapter 9A, as amended.

CHAPTER 16.24 DESIGN STANDARDS

SECTION:

16.24.010: Compliance with Design Standards

16.24.020: Approved Engineering Drawings

16.24.030: Inspections

16.24.040: Utility Improvements

16.24.050: Storm Drainage and Nuisance Water Control

16.24.060: Street Improvements

16.24.070: Layout of Lots

16.24.080: Lot Arrangement

16.24.010: COMPLIANCE WITH DESIGN STANDARDS:

All subdivisions shall comply with the following design standards.

16.24.020: APPROVED ENGINEERING DRAWINGS:

Prior to commencement of construction, engineering drawings prepared and stamped by the owner's engineer for improvements shall be approved by all required departments. These plans shall comply with the requirements as set forth in official city standards and specifications. No residential building permits shall be issued prior to approval of engineering drawings and completion and acceptance of all development improvements.

16.24.030: INSPECTIONS:

Appropriate agencies and departments of the city shall inspect or cause to be inspected all buildings, street improvements, fire hydrants, water supply, electrical systems, and sewage disposal systems, etc., during construction, installation, or repair. Excavations for fire hydrants and water and sewer mains and laterals, shall not be covered or backfilled until such installation shall have been approved and inspected by the city. If any installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the inspector.

16.24.040: UTILITY IMPROVEMENTS:

A. All subdivision lots shall be served by the city's culinary water, secondary irrigation water, sewer, and electrical systems unless otherwise approved by the city council. Provisions shall also be made for the installation of natural gas, telephone, cable television, and fiber optic as a part of the subdivision development. For any of the above services not provided by the city, the owner shall submit will serve letters from each utility providing service as a condition of approval of the utility systems. No building permits shall be issued until full completion and approval of all required public improvements of the project.

B. All utility improvements shall comply with city construction standards and will be completed to the boundaries of the subdivision.

C. All electrical, telephone, television cable, and fiber optic shall be installed underground except as otherwise directed by the city council. All electrical systems shall conform to underground specifications and city construction standards.

D. All sewer, electrical, culinary water and secondary irrigation water plans and specifications shall be approved by the city before commencing public improvements.

E. The owner shall provide streetlights in conformance with city standards.

16.24.050: STORM DRAINAGE AND NUISANCE WATER CONTROL:

A. A storm or nuisance water drainage system shall be provided and shall be separate and independent from the sanitary sewer system.

B. No ditch or canal shall be approved as suitable for the use of storm drainage without the written permission of the appropriate ditch or canal company or of the water users for such use, and the approval of the city. No ditch or canal shall be used for stormwater unless adequately improved to handle such water as might be reasonably expected to flow from canal and ditch water, subdivision runoff water, and other water expected to reach the subdivision, canal, or ditch. Where subdivision improvements affect existing canals or ditches, specific modifications shall be in accordance with the requirements of the irrigation company and the city. In situations where the city already has a drainage plan or system in place, the owner shall be expected to participate in the expansion, extension, or enlargement of such system to accommodate water from the subdivision. Retention basins developed as a part of the subdivision may also be required.

C. Drainage and flood control shall be designed in conformance with the Washington County Flood Control Authority Storm Drainage Systems Design and Management Manual and the city Storm Water Master Plan. Public drainage easements or dedications with a minimum width of fifteen feet (15') shall be provided along all drainageways as determined by the city.

16.24.060: STREET IMPROVEMENTS:

A. Definitions: For purposes of this Section 16.24.060, each reference to a "subdivision" herein shall mean and refer to either (1) a "subdivision," as defined in Santa Clara City Code § 16.08.010 ; or (2) a "streets project area," as may be defined by the city council from time to time, on recommendation of the technical review committee (TRC) and planning commission.

B. Streets Project Areas: The purpose of defining a "streets project area" is so that existing parcels not requiring further subdivision before development may still have the benefit of complete and well-maintained street improvements. A streets project area shall be created when at least eighty percent (80%) of the owners on the public street in the proposed streets project area, as measured by linear foot of frontage, have signed a document notifying the city of their agreement with the conditions of such designation. Such designation shall signify the intent of the signing owners to bear a share of costs to improve the public street to applicable city standards, as set forth in this section. The following areas of the city shall, for purposes of this section, each be considered a potential streets project area:

1. Vernon Street, North of Santa Clara Drive
2. Vernon Street, South of Santa Clara Drive
3. Victors Street, North of Santa Clara Drive
4. Victors Street, South of Santa Clara Drive
5. Quail Street, North of Santa Clara Drive
6. Quail Street, South of Santa Clara Drive

7. Hamblin Drive and Gates Lane, North of Santa Clara Drive
8. West Vineyard Drive, from Old Farm Road to Heights Drive
9. West Arrowhead Trail, from Arrowhead Circle to Santa Clara Parkway
10. South Arrowhead Trail, from Pearl Rose Drive to Concord Drive

Any other combination of adjacent parcels, having direct access from the same public street, may also seek recognition as a "streets project area" by obtaining a recommendation from the technical review committee and planning commission and approval from the city council.

C. When multiple streets project areas are designated or eligible by designation, the city council shall have the right to determine the relative priority of the projects for application of available city resources. The city council will consider the following information when determining priority between any two (2) streets project areas:

1. Citizen input;
2. Whether the proposed streets project area will help to mitigate the anticipated impacts of growth or development;
3. Availability of utility services;
4. Relative size of streets project areas;
5. Availability and cost of contractor services;
6. Any other reasonable consideration related to the health, safety, and welfare of city residents and visitors.

D. The City Council shall ultimately have the right to make a final determination as to the feasibility and timing of any proposed streets project, and in doing so may consider the availability of funds or financing, the feasibility of constructing required improvements and the interfacing of new improvements with existing improvements, the feasibility of necessary land acquisition, or any other reasonable consideration.

E. All streets shall be designed in accordance with the city design standards, AASHTO, or other approved standards. All streets within the city shall be improved with streetlights and pavements bounded by integral concrete curbs, gutters, and sidewalks. All street improvements will be completed to the boundaries of the subdivision.

F. The arrangement of streets in new subdivisions and in designated streets project areas shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, for efficient provision of utilities, and where such continuation is in accordance with the general plan.

G. The owner(s) of the subdivision shall be responsible to bear all costs of required improvements as set forth in this chapter, shall provide a bond or other security to

warranty the improvements for not less than one (1) year from the date of completion, and shall provide traffic control and street name signs conforming to the city's design specifications and approved by the city.

H. The owner(s) of parcels comprising a designated streets project area shall also be responsible to bear certain costs of required improvements; however, the city agrees to bear a portion of material and improvement costs, as set forth in the following table:

Owner(s) pay for:	City pays for:
Sidewalk	Asphalt and base
Right of way and public utility easement dedication as needed	Storm Drain System including curb & gutter
Bond or other security for 1-year warranty, covering Owner(s)' pro rata portion of project costs (if required by City)	Civil engineering costs, including required surveys
New lateral connections to service individual properties (if required or desired)	Utility replacement and upsizing (excluding new lateral connections to service individual properties)
Own legal and professional fees	Streetlights
	Own legal and professional fees

Where a corner lot is part of the streets project area, the owner(s) in the streets project area shall only be responsible for the above costs in relation to improvements along the side of the corner lot having the longest public street frontage; the city will pay all costs of improvements along the side having the shorter frontage. Owner(s) may negotiate among themselves to modify their respective obligations, provided that any such agreement shall not be enforceable against the city. The city shall have no obligation to proceed with improvements to a designated streets project area until having received from the owner(s) thereof one hundred percent (100%) of the funds anticipated to be required to complete the planned improvements. Impact fees designated for road improvements, or any funds or other security previously deposited with the city by owner(s) in lieu of impact fees, may be applied by the city to any designated streets project area in the city, regardless of location.

I. All subdivision lots shall have frontage on a dedicated public street improved to city standards unless the lot is approved as a flag lot under the city's flag lot ordinance or is approved by the city council on some other basis. Streets project areas are assumed by definition to have such frontage. Private streets, alleys, or ways shall not be approved except as may be approved as a part of a planned development project under the city planned development ordinance or when, because of hazardous slopes, soils, floodplains, or other conditions, the city council determines that approval is not in the best interest of the city.

J. The technical review committee (TRC) or the planning commission may recommend to the city council that an exception for private roadways, utility improvements, or other improvements be approved for a specific subdivision or streets project area. In any event, private streets and utility construction will conform to the construction standards required for dedicated streets and utilities regarding quality of construction, whether dedicated or not.

K. All off-site access roads providing the subdivision or streets project area with access to the nearest public street shall be improved as required by this section. Wherever feasible, local streets shall be laid out to provide connectivity to adjoining residential areas. If the adjacent property is undeveloped and the street must be a temporary dead-end street, the right of way shall be extended to the property line and a temporary turnaround shall be provided. All permanently dead-end streets shall end in an approved cul-de-sac or other improved turnaround, including appropriate signage, unless otherwise approved by the city council.

L. Intersections shall be designed in conformance with AASHTO standards to provide adequate sight distance and other performance and safety needs as approved by the city.

M. No subdivision shall be approved which does not have access to an improved and dedicated city street. Where a subdivision or existing streets project area obtains access from a street which does not meet minimum city standards, the access road shall be improved to a minimum width of twenty-five feet (25'). Additionally, all utilities will be brought up to current city construction standards.

N. Where a subdivision or designated streets project area abuts a master planned road, utility, or drainage system, the owner(s) shall complete their portion of such improvements the full length of their project in conformance with the official city master plan unless otherwise approved by the city council. Any owner(s) of parcels which are part of a larger designated streets project area shall have the same obligation with respect to their own respective parcels.

O. Streets shall have the following minimum right of way widths:

1. Arterial Street: Eighty-foot (80') minimum.
2. Collector Street: Sixty-six feet (66').
3. Local Street: Forty-seven (47').
4. In planned development areas, subdivisions, and designated streets project areas, the minimum street width is forty-five (45') feet as per City Construction Standards.

P. Streets shall have the following paved roadway width (lip of curb to lip of curb):

1. Arterial Street: Fifty-five feet (55').
2. Collector Street: Forty-nine feet (49').

3. Local Street: Thirty-two feet (32') of paved roadway is the minimum required; however, a developer may build a wider paved roadway width if approved by the city.
4. Modified Local Street: Thirty feet (30') of paved roadway is the minimum required for a planned development area, infill subdivision, or designated streets project area.

Q. Cul-de-sacs shall be no longer than eight hundred feet (800') in length without a request for an exception from the applicant and approval by the planning commission upon recommendation from the TRC.

R. The radius of the turnaround in a cul-de-sac shall be a minimum of fifty feet (50').

S. Streets should intersect as nearly as possible to ninety-degree (90°) angles and shall not be offset less than two hundred fifty feet (250') from the centerline of the nearest intersecting street.

T. Streets shall have the names or numbering system of all streets in city-approved sequence. Permanent street name or number signs shall be installed by the owner at their expense according to city requirements and standards at the time of development of the subdivision and shall be provided for along with other elements of the subdivisions for which a guarantee is posted.

U. Traffic control signs required by the city shall also be installed to ensure a smooth flow of traffic through the subdivision.

V. Streetlights, of a type approved by the Power Department, shall be installed in every subdivision. Spacing of streetlights shall be within two hundred fifty feet (250'), except as approved by the Power Department, and shall be installed at all intersections, or in other locations as determined by the city.

W. Curb, gutter, and sidewalk are required in all subdivisions and designated streets project areas, in accordance with the city's design and construction standards. Additionally, all existing utilities in these areas will be brought up to current city construction standards.

X. The minimum centerline radii for local streets shall be one hundred fifty feet (150'). For collector streets the minimum shall be three hundred feet (300'). For arterial streets the minimum shall be five hundred feet (500'), unless otherwise approved by the city council upon recommendation of the city engineer.

Y. The grade of streets shall not exceed eight percent (8%) for arterial or collector streets and fifteen percent (15%) for local streets.

Z. Blocks shall not be longer than one thousand feet (1,000') and shall be at least two (2) building lots in depth, unless otherwise approved by the planning commission upon recommendation from the TRC.

AA. All arterial streets are classified as limited access streets, and no individual lot shall front on an arterial street.

BB. All street widths shall conform to the width requirements unless otherwise recommended by the TRC for approval by the planning commission. Such recommendation and approval shall normally apply only to developments in the planned development zone.

16.24.070: LAYOUT OF LOTS:

A. The design and development of the subdivision shall preserve, insofar as possible, the natural terrain, drainage, existing topsoil, and vegetation.

B. In general, side lot lines shall be at right angles to street lines, or radial curving street lines, unless a variation from this rule will give a better street or lot plan. Dimensions of corner lots shall be large enough to allow erection of buildings, observing the minimum front yard setbacks unless other provisions are approved by the planning commission upon recommendation from the TRC.

16.24.080: LOT ARRANGEMENT:

A. Lot Arrangement Considerations: The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in the subdivision in compliance with the zoning ordinance and in providing driveway access to buildings on all lots from an approved street unless otherwise approved by the Planning Commission for reasons listed elsewhere in this title.

B. Lot Dimensions: Lot dimensions shall comply with the minimum standards of the zoning ordinance. Where lots are more than double the minimum required area for the zoning district, the planning commission may require that the lots be arranged to allow further subdivision and the opening of future streets where they would be necessary to serve potential lots, all in compliance with the zoning ordinance and these regulations.

C. Double Frontage Lots: Double frontage lots are lots which have the rear property line adjacent to a public street. Double frontage lots shall not be permitted except where necessary to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography and orientation. All double frontage lots must be approved by the Planning Commission. A solid block or masonry wall shall be provided on all double frontage lots as a part of the required development of improvements, unless waived or modified by the Planning Commission. Where a privacy wall is constructed, there shall be a landscape strip provided between the sidewalk and privacy wall with a minimum average width of ten feet (10'). The wall may be of serpentine design so that the distance between the wall and sidewalk varies, but the wall shall not be closer to the sidewalk at any point than four feet (4'). The minimum ten foot (10') wide

planter strip may include landscape area on both sides of the sidewalk where the sidewalk is separated from the curb by a landscape area.

Where the privacy wall on the adjoining property has a curvilinear or serpentine design, the Planning Commission may require the continuation of such wall design to provide for a uniform appearance along the public street.

Where the city determines that a turning lane is needed at an intersection, the Planning Commission may reduce the landscape strip to accommodate the turning lane. There shall be a minimum separation of one foot (1') between the sidewalk and privacy wall. The subdivision developer shall make provisions for the long-term maintenance of the planter strip either through a homeowners association (HOA), or other approved maintenance plan, or where the City agrees to provide long term maintenance for the planter area, in which case the developer shall on the final subdivision plat grant to the City a landscape maintenance easement upon all private property which may be on the street side of the privacy wall.

D. Access From Major Arterials and Collector Streets: Residential lots shall not derive access from major arterial streets, and access shall be limited on collector streets, except where approved by the City. In cases where driveway access from such streets may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive to limit possible traffic hazards on these streets. In these cases, driveways shall be designed and arranged to avoid requiring vehicles to back into traffic.

E. Flag Lots: After determination by the Planning Commission that standard lots are not feasible, the Planning Commission, may, to encourage more efficient use of the land, allow flag lots to be developed subject to the following conditions:

1. The property cannot be subdivided with public street and standard sized lots, either at the present time or in the foreseeable future.
2. The staff portion of the lot shall front on a dedicated public street. The minimum width of the staff portion of the lot shall be twenty-five feet (25') and the maximum length shall be two hundred feet (200').
3. No building or construction, except driveways, shall be allowed on the staff portion of the lot.
4. The front side of the flag lot shall be deemed to be the side nearest the dedicated public street upon which the staff portion fronts.
5. All lot size and setback requirements shall be the same as required by the zone in which the lot is located. The staff portion of the lot shall not be included in these calculations.
6. No more than two (2) flag lots or four (4) dwelling units may be served by one staff portion of the lots.
7. Each flag lot shall be specifically approved by the Planning Commission.

8. The staff portion of the lot shall be owned by the owner of the flag lot, or jointly in the case of two (2) lots served by one staff portion.

CHAPTER 16.28 PERFORMANCE GUARANTEE

SECTION:

16.28.010: Performance Guarantee Required

16.28.020: Guarantee Form

16.28.030: Guarantee Amount

16.28.040: Release of Guarantee/Posting of Maintenance Warranty

16.28.010: PERFORMANCE GUARANTEE REQUIRED:

The owner shall guarantee the installation and construction of the required subdivision improvements free from defective material or workmanship and in compliance with all city standards. Even though the owner provides a guarantee for the completion of the improvements, building permits will not be issued until all off-site improvements are completed. The improvements shall have been installed and completed within one year of final Planning Commission approval unless extended for cause by the Planning Commission.

16.28.020: GUARANTEE FORM:

The guarantee shall be in the form of an improvement agreement approved by the city council from time to time, plus, an escrow bond, letter of credit, or cash guarantee for the amount required by this chapter.

16.28.030: GUARANTEE AMOUNT:

The guarantee amount shall be one hundred percent (100%) of the cost of improvements as set forth in the project engineers estimate. That the estimate shall be required to include (a) Ten percent administrative costs, (b) ten percent contingency, and (c) engineering and quality assurance testing costs. If the city council authorizes an extension of time beyond one year to complete the improvements, the extended guarantee shall be equal to one hundred percent (100%) of the cost of the remaining improvements.

16.28.040: RELEASE OF GUARANTEE/POSTING OF MAINTENANCE WARRANTY:

A. After completion of all subdivision improvements the owner shall make a written request to the city for a final inspection. Upon receipt of the inspection reports from affected departments the city shall notify the owner in writing specifying the acceptability of all subdivision improvements and itemizing those improvements not acceptable along with the actions necessary to render those improvements acceptable.

B. After acceptance of all improvements by the city, the city may release up to ninety percent (90%) of the guarantee amount. The city shall continue to hold the security covering the remaining ten percent (10%) guarantee to ensure that all improvements shall be free from defective material and workmanship and in compliance with all city standards for a period of one (1) or two (2) years as may be determined by the city engineer or public works director. This period is marked from the date of final approval of all improvements until the performance guarantee is replaced by a maintenance guarantee in the same ten percent (10%) amount. At the end of the performance period, the city shall perform a second inspection of all improvements. The city shall notify the owner in writing of any corrective measures that are required. If the defects are identified as a part of the inspection, the owner shall have the option of correcting the defects to the satisfaction of the city or shall forfeit the maintenance guarantee to the city as damages for the defective work.

C. The improvement guarantee may be released in part as progress payment for improvements, subject to the following conditions:

1. The owner shall submit to the city a request for payment against the guarantee showing to whom and for what amount the release is requested. The request shall include an updated engineers estimate for completion of the remaining improvements. Upon inspection by the city, and approval of the requested amount, the city will authorize the holder of the guarantee amount to disperse the approved payments, less any amount required to secure completion of remaining improvements. Payments may be made upon completion of the various phases of development as follows:

- a. The complete water system including mains, outfall lines, valves, hydrants, or any other part of the required water system.

- b. The complete road construction, including all survey monuments, traffic control and street name signs. Road construction shall also include storm drainage systems.

- c. The complete waste disposal system.

- d. The staking of lot corners and any other required survey field work.

- e. The completion of each required utility system, including power, telephone, natural gas, cable TV, internet connections, or any other utility service that may have been bonded for by the owner. Each required utility may be released independent of other utility installation.

2. Requests shall not be submitted more frequently than monthly. A minimum of twenty percent (20%) of each element shall be retained as required for the guarantee required in subsection B of this section. A guarantee of the same type used to guarantee installation of all improvements shall be posted prior to final release of the improvement guarantee amount. The city reserves the right to require updated engineers estimates of the remaining improvements, and additional security if required, every six (6) months in the event that no partial releases are requested.

3. For an owner who proposes to install all improvements prior to final recording of a final plat, a cost estimate of improvements shall be submitted to the city and approved by the city engineer or public works director prior to the start of construction, as the basis for determining the amount of the ten percent (10%) guarantee that shall be posted upon final approval of the improvements by the city, and prior to the recording of the final plat.

CHAPTER 16.32

FEES, ENFORCEMENT, PERMITS, AND PENALTIES

SECTION:

16.32.010: Fees

16.32.015: Subdivision Water Modeling Fee

16.32.016: Subdivision Water Model Approval Procedure

16.32.020: Enforcement

16.32.030: Permits

16.32.040: Violation

16.32.050: Penalty

16.32.060: Building on Unsubdivided Parcel

16.32.010: FEES:

All persons filing subdivision plats with the city shall pay fees as adopted through resolution by the city council.

16.32.015: SUBDIVISION WATER MODELING FEE:

There is hereby established a subdivision water modeling fee applicable to all subdivisions for which application is made after the effective date hereof that add at least five (5) equivalent residential units ("ERUs") to the water system, and/or involving adding five hundred feet (500') or more of main water line. This fee shall be deemed a part of the

subdivision application fee. The fee shall be as set forth at exhibit A attached to the ordinance codified herein, which fee may be changed by resolution of the city council.

16.32.016: SUBDIVISION WATER MODEL APPROVAL PROCEDURE:

Upon payment of the fee, the city staff shall cause the engineer currently in charge of the city water model, to determine whether that subdivision's water requirements will be reasonably met after proper installation. If the engineer opines that the city's water system will not accommodate the proposed subdivision under Utah administrative code ("UAC") rule R-309-510 regarding minimum requirements, available water rights, and storage and source capacity to serve said subdivision, the subdivision approval shall be suspended pending a determination of necessary upgrades done and/or water rights required at the subdivision developer's expense, that will allow the subdivision to be serviced by the city water system. Any of such upgrades shall be completed and/or bonded as a condition of filing the final plat of said subdivision.

16.32.020: ENFORCEMENT:

It is unlawful for any person to contract to sell or lease, or to sell or lease any subdivision, or any part thereof, which is in the city until a final plat thereof, in full compliance with the provisions of this title, has been duly recorded or filed in the office of the county recorder. The Santa Clara City administrator shall be charged with the enforcement powers of this title. Failure of city departments or individuals to pursue appropriate legal remedies shall not legalize any violation of this title.

16.32.030: PERMITS:

From the time of the effective date hereof, the Building Official shall not grant a permit, nor shall any city officer grant any license or permit for the use of any land or the construction or alteration of any building or structure on a lot until a subdivision plat therefor has been recorded. Any license or permit issued in conflict with such provisions shall be void.

16.32.040: VIOLATION:

No person shall subdivide any tract or parcel of land located wholly or in part in the city except in compliance with the provisions of this title. No person shall purchase, sell or exchange any parcel of land which is any part of a subdivision, or a proposed subdivision submitted to the planning commission, nor offer for recording in the office of the county recorder, any deed conveying such parcel of land or any fee interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this title. Each day that a violation of the provisions of any chapter of this title is committed or permitted to continue shall constitute a separate and independent violation.

16.32.050: PENALTY:

Whoever shall violate any of the provisions of this title shall be guilty of a misdemeanor and, upon conviction of such violation, shall be punishable by a fine of not more than five hundred dollars (\$500.00) and/or six (6) months in jail, or by both such fine and imprisonment. This penalty may be imposed for each separate violation found to exist as provided in section 16.32.040 of this chapter.

16.32.060: BUILDING ON UNSUBDIVIDED PARCEL:

One (1) unit can be built on an unsubdivided parcel prior to subdivision plat recordation. However, all utilities and improvements must be completed, or performance guarantee given prior to building permit issuance. If performance guarantee is given for improvements, then a certificate of occupancy will only be issued upon completion.