NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL MEETING
Wednesday, December 13, 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 December 13, 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: Luke Merideth, Short Creek Dream Center, 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:
   - Nov. 8, 2023, Regular City Council Meeting Minutes
   - Nov. 8, 2023, Executive Session Minutes
   - Nov. 15, 2023, City Council Work Meeting Minutes
   - Dec. 5, 2023, Special City Council Meeting Minutes
   - Claims through December 13, 2023

2. Calendar of Events:
   - Dec. 27, 2023, Regular City Council Meeting
   - Jan. 10, 2024, Regular City Council Meeting
   - Jan. 17, 2024, City Council Work Meeting
   - Jan. 24, 2024, Regular City Council Meeting

3. Cancel the Dec. 27, 2023 City Council Meeting

B. General Business:

1. Discussion and action to appoint Connie Hafen Hunter and Kayde Roberts to the Planning Commission. Presented by Brock Jacobsen, City Manager.

2. Discussion and action to consider the SHACK payment. Presented by Brock Jacobsen, City Manager.

3. Discussion and action to consider approval of Resolution 2023-17R for the Recertification of the Santa Clara Justice Court. Presented by Brock Jacobsen, City Manager.

4. Discussion and action to consider amending the Service Agreement between Santa Clara City and Terri Forbes transcribing City Council, Planning Commission, Heritage, Hillside and TRC Meetings. Presented by Brock Jacobsen, City Manager.

5. Discussion and action to consider approval of a Preliminary Subdivision Plat for the Pioneer Pointe Subdivision located at 400 East/Patricia Drive and Pioneer Parkway. Presented by Jim McNulty, City Planner.

6. Discussion and action to consider a proposed Rezoning and Project Plan for property at the intersection of Pioneer Parkway and future extension of Red Mountain Drive (Lots 1, 2, and of the Silverado Santa Clara Subdivision), and directly east of the Harmon's Shopping Center. The applicant, Julian Stemmer, is proposing to rezone the property from the Planned Development Residential, PDR Zone to the Planned Development Commercial, PDC Zone to allow for a mixed-use project including both commercial and residential uses and consider approving Ordinance 2023-23. The subject properties are 14.27 acres. Presented by Jim McNulty, City Planner.

7. Discussion and action to consider a proposed Rezoning and Historic District Overlay map adjustment for property located at the southeast corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435, described as 2.97 acres). Granite Peaks Investment, LLC is proposing a Rezoning of the subject property to allow for the R-1-10 Single Family/Historic District Zone on a portion of the property (0.52 acres) with frontage on Santa Clara Drive, with the remaining property (2.45 acres) with frontage along the future extension of Bonnell Trail to be with the RA Single-Family Zone and consider approving Ordinance 2023-24. Additionally, the applicant has requested that the Historic District Overlay be adjusted on the City Zoning Map to follow the described zoning boundary. Presented by Jim McNulty, City Planner.

8.. Discussion and action to consider a Subdivision Plat Amendment and Phasing Plan Update For Coyote Landing at Deserts Edge. The subject property is east of 400 East and north of North Town Road. Robert Smith, applicant. Presented by Jim McNulty, City Planner.

9. Discussion and action to consider a proposed Code Amendment to Title 5, Chapter 5.04, Business Licenses and Regulations and Title 9, Chapter 9.12.021, Excessive Noise Prohibited and consider approving Ordinance 2023-25. Presented by Jim McNulty, City Planner.

10. Discussion and action for approval to re-locate and upsize the north boundary pressure valve. Presented by Dustin Mouritsen, Public Works Director.

11. Discussion and action to consider approval of the 2024 Notice of Public Hearings. Presented by Chris Shelley, City Recorder.

12. Discussion and action to consider approval of the UAMPS Resolution 2023-16R, stating that Santa Clara City agrees to the terms and conditions of the Tax Certificate & Agreement Presented by Gary Hall, Power Director.

13. Discussion and action to consider an amendment to the Black Desert Development Agreement. Presented by Matt Ence, City Attorney.

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 is 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 7th day of December 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.

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Chris Shelley – City Recorder

SANTA CLARA CITY COUNCIL MEETING MINUTES
WEDNESDAY, NOVEMBER 8, 2023

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, November 8, 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.

Mayor:	Rick Rosenberg
Council Members:	Denny Drake Christa Hinton Leina Mathis Jarrett Waite
Excused:	Ben Shakespeare Dustin Mouritsen, Public Works Director
City Manager:	Brock Jacobsen
City Recorder:	Chris Shelley
Others Present:	Matt Ence, City Attorney Jim McNulty, Planning and Economic Development Manager Cody Michell, City Engineer Rich Rogers, Police Department Gary Hall, Power Director Ryan VonCannon, Parks Director Andrew Parker, Fire Chief Kristelle Hendrickson, Executive Assistant

1. Call to Order.

Mayor Rick Rosenberg called the meeting to order at 5:01 p.m. and welcomed those present.

2. Opening Ceremony.

A. Pledge of Allegiance: Council Member Hinton

B. Opening Comments: Michelle King, The Church of Jesus Christ of Latter-day Saints, St. George Interfaith Council.

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3. Conflicts and Disclosures.

Council Member Mathis had a disclosure for General Business Item 3. She serves as the account officer for one of the bids at the company she works for.

4. Working Agenda.

A. Public Hearings.

i. None.

B. Consent Agenda.

i. Approval of Claims and Minutes.

a. October 25, 2023, City Council Meeting Minutes.
b. Claims through November 8, 2023.

ii. Calendar of Events.

a. November 15, 2023, City Council Work Meeting.
b. November 22, 2023, Regular City Council Meeting (Canceled).
c. November 23, 2023, Thanksgiving Day (City Offices Closed).
d. November 24, 2023, (City Offices Closed).

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

C. General Business.

i. Audit Presentation. Presented by Steve Palmer, Hinton Burdick.

Steve Palmer from HintonBurdick was present to share an audit presentation with the City Council. The Fiscal Year 2023 audit was recently completed. Each time an audit is conducted, there are a number of reports issued. The first was the most significant in the Independent Auditor's Report. Mr. Palmer explained that the Independent Auditor's Report was where an opinion was expressed on the financial statements of the City. For instance, whether they are presented in conformity with accepted accounting principles and if they are materially correct. Mr. Palmer reported that an unmodified or clean opinion had been issued on the City's financial statements. The second report issued was a report on Internal Control Over Financial Reporting and On Compliance. Within that report, there were several different levels of findings that could be issued, the most significant being a material weakness. One of lesser significance was a significant deficiency. There were no findings in either of the categories. Mr. Palmer noted that in the past, there was typically a finding

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pertaining to audit entries. Through the hard work of the City that finding had been eliminated in the Fiscal Year 2023 audit.

The last report issued was on City compliance with State matters as they pertain to finance. There was one minor finding because the City exceeded the budget in the General Government area by a small margin. Mr. Palmer reviewed the finances of the City at a high level. The net position of the City was just under $50 million at the end of the Fiscal Year. If someone took all of the City assets and subtracted the liabilities, that residual amount would be the net position. Over time, whether that number increased or decreased was a good indicator of whether the City's financial health was improving or deteriorating. The net position for the City as a whole had increased by approximately $5 million in Fiscal Year 2023. The net position of the governmental activities had increased by $1.7 million, and the net position of the business-type activities had increased by $3.5 million. Mr. Palmer reviewed five-year trends in the City. He shared a chart to illustrate the changes over time. The top line was assets, the middle line was equity, and the lower line was liabilities. Those trends had been fairly consistent from year to year.

Mr. Palmer reviewed the cash trend for the General Fund from year to year. He reported that the top line on the chart indicated the total cash, and the bottom line indicated the unrestricted cash. A chart related to the Water Fund was shared next. The top line represented the operating revenues, and the bottom line represented the operating expenses. He noted that everything became more expensive during Fiscal Year 2023, so the expenses had increased quite a bit while revenues were flat. The Water Fund Cash Trend was reviewed. Mr. Palmer reported that the cash had remained fairly consistent and unrestricted cash increased slightly. He next reviewed the Sewer Fund chart. There was still a good margin between operating revenues and operating expenses, with both increasing. The Sewer Fund Cash Trend was shown, where the top line represented the total cash, and the bottom line represented the unrestricted cash. The Electric Fund had the most significant change from last year. Revenues and expenses had both increased significantly. He pointed out that the cost of power had increased a lot and the City had taken action to meet the demands of the increased costs. Despite the increased expenses, the revenues went up as well. The City had reacted well to those changes in market conditions, which was reflected in the data.

The Storm Water Fund chart was reviewed. Mr. Palmer noted that in 2019, there was a significant spike in revenues. That was when the Federal Emergency Management Agency ("FEMA") money came in from the landslides. After that, the amounts normalized. The expenses had been consistent from year to year since then. The Storm Water Fund Cash Trend chart was shared. The top line indicates the total cash, and the bottom line indicates the unrestricted cash for that fund.

Mr. Palmer thanked everyone who assisted with the audit. When Hinton Burdick came in, a lot of information was requested, and a lot of questions were asked. He knew that the process was not easy on City Staff, because they had to perform all of their regular duties and respond to all of the audit-related inquiries as well. Everyone in the City had been wonderful to work with and went out of their way to assist with the audit process. He reiterated his appreciation for their efforts and engagement. Mr. Palmer shared his contact information in case anyone had audit questions.

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ii. Amendment to City Manager's Contract. Presented by Brock Jacobsen, City Manager.

Mayor Rosenberg noted that there had been some discussion about the item during the Work Meeting. City Attorney, Matt Ence, reported that a request had been made by City Manager, Brock Jacobsen, for the Council to look at some proposed changes to the City Manager's Contract. This was prompted by what had been witnessed in other areas around the country. Mr. Ence worked with Mr. Jacobsen on the proposals and some revisions have been suggested. The main change proposed to the contract had to do with a situation where the City wanted to terminate the City Manager involuntarily, without cause. Some protective language had been added so the termination could only occur after the full City Council and Mayor had been seated for at least six months. The idea behind that was to depoliticize the City Manager position. Mr. Ence clarified that this change would not impact the ability to terminate the City Manager with cause.

Council Member Mathis believed there would need to be a unanimous vote. Mr. Ence confirmed that a unanimous vote would be needed to fire the City Manager involuntarily without cause.

Council Member Drake moved to APPROVE the Amendment to the City Manager's Contract. Council Member Waite seconded the motion. Vote on Motion: Council Member Mathis-Aye; Council Member Hinton-Aye; Council Member Drake-Aye; Council Member Waite-Aye. The motion passed with the unanimous consent of the Council.

iii. Discussion and Action to Consider Approval of a Lighting Bid Upgrading the Original Fluorescent and Incandescent Lights to LEDs throughout City Hall. (Main Level, Upper Level, Museum, Exterior Lights, and Parking Lot Lights). Presented by Cody Mitchell, Building Official.

Building Official, Cody Mitchell, reported that the above item involves approval of a lighting bid that would upgrade the original fluorescent and incandescent lights to LEDs throughout City Hall. Mr. Mitchell reported that he had reached out to some contractors. One was PR Electric Inc. who had come in mid-year to upgrade the lighting control systems. He also reached out to a number of local electricians, and one responded. Ence Electric Inc. was the responding contractor. A few lights outside had been missed in that bid, so there was a discrepancy in the cost. That total would be $67,183 once appropriate changes were made to the cost estimate.

Currently, throughout the building, there were a number of fixtures that were down. It was time to either put new life into the old fluorescent fixtures or move to LED lights. Mr. Mitchell believed it made more sense to transition the building to LED lights instead of fluorescent lights. Council Member Drake noted that there was a significant difference between the two bids that were received. He wondered whether a review had been conducted to make sure the work conducted would be the same. Mr. Mitchell confirmed this. The main difference was that PR Electric Inc. came out of northern Utah and wanted to come down and do the work in phases. Council Member Drake felt it made sense to choose the more affordable bid as it would save the City a lot of money.

Mr. Mitchell spoke to Ence Electric, Inc. regarding their availability. Based on those discussions, the work was three to four weeks out. However, that was well within the acceptable range. Council Member Hinton wondered whether this included an upgraded system for the lighting, such as dimming or timing the lights. Mr. Mitchell denied this and explained that PR Electric Inc. had already been awarded that bid earlier in the fiscal year. Discussions were had about lighting needs. Council Member Waite liked the idea of working with a local contractor on this project. It was noted that the switch to LED lights would make it possible to reduce energy costs over time. Council Member Hinton wondered whether an electrician would need to change the LED bulbs when those burnt out. Mr. Mitchell reported that those could be changed by City Staff.

Council Member Drake moved to APPROVE a Lighting Bid from Ence Electric Inc. Upgrading the Original Fluorescent and Incandescent Lights to LEDs throughout City Hall, for $67,183. Council Member Hinton seconded the motion. Vote on Motion: Council Member Mathis-Aye; Council Member Hinton-Aye; Council Member Drake-Aye; Council Member Waite-Aye. The motion passed with the unanimous consent of the Council.

iv. Discussion and Action to Consider Approval of Ordinance 2023-22, an Ordinance Enacting a Temporary Land Use Regulation to Allow for Study and Potential Adoption of New or Revised Design Standards for the Historic District Zone. Presented by Matt Ence, City Attorney.

Mr. Ence reported that direction had been given to look into the possibility of implementing a Temporary Land Use Regulation to facilitate the review, study, and potential adoption of new design standards for the Historic District Zone. A Temporary Land Use Regulation could only be enacted for a maximum period of 180 days. What was proposed was a regulation, also commonly referred to as a moratorium, on new land use approvals in the area of the Historic District Zone.

The Heritage Commission was created to advise the Planning Commission and City Council on land use applications in the Historic District Zone. Looking at their responsibilities, the Commission was empowered to function as a Design Review Committee. It was during that review process that design guidelines were applied. Mr. Ence reported that the proposed Temporary Land Use Regulation stated that for 180 days, there would be no applications considered for land use approvals in that overlay zone that would require the review of the Heritage Commission. That would cover any land use applications, new construction, exterior design changes, any kind of demolition, relocation, or improvements in the Historic District Zone as well as changes to any historic buildings. It also included construction or modification of any sign.

Mayor Rosenberg reported that there had been a discussion about creating an Advisory Committee to work with the Heritage Commission. That would allow for additional citizen input during the process. The intention was to develop architectural and design guidelines that would primarily impact commercial development within the downtown area. Mayor Rosenberg had reached out to a number of citizens to serve on that Committee, and all had accepted. He appreciated their willingness to work with City Staff and the Heritage Commission. The citizens who would serve on the Advisory Committee had attended public hearings and participated in some of the petitions relative to the downtown area. There was a wonderful mixture of participants, which was important. Mimi McKenna and Mandy Gubler had both agreed to work with the Committee. There

would also be a Planning Commissioner participating on the Committee. Additionally, an architect in St. George had agreed to consult with the Committee for an hourly rate. Some City Staff would participate on the Committee as well, including Jim McNulty and Matt Ence.

It was anticipated that the Advisory Committee would meet right after the Thanksgiving holiday. From there, deliberations would begin. If the City Council approved Ordinance 2023-22, there would be 180 days to look into new design guidelines. Mayor Rosenberg explained that if no changes were made to the code after 180 days, it would revert back to the existing code. He reiterated his appreciation for those willing to serve on the Advisory Committee and participate. City Staff would share updates with the City Council as the discussions moved forward. Mayor Rosenberg informed those present that the Advisory Committee Meetings would be public. It would be possible for citizens to attend and listen to what was said. The Council had previously expressed a desire to review the existing standards and draft new commercial design standards.

Council Member Drake thought it made sense to look into the standards and guidelines. Council Member Waite believed the proposed approach would prevent a lot of conflicts. It also clearly set out a timeline, so developers understood that the City was working towards a solution. Council Member Hinton agreed and appreciated that there were citizens willing to serve. She wondered whether additional feedback had been received after the last City Council Meeting on the matter. Mayor Rosenberg denied this but believed there would be feedback received in the next 180 days.

Mr. Ence explained that this was a Temporary Land Use Ordinance and the Council needed to make a finding of Compelling, Countervailing Public Interest. As a result, some findings were proposed in the ordinance. The idea was that the City Council was making specific findings regarding the importance of this process for the general health, safety, and welfare of citizens. Some of that reasoning was identified in the findings. Council Member Mathis asked whether those findings should be read aloud as part of the motion. Mr. Ence asked that the motion mention that the decision was based on the finding of Compelling, Countervailing Public Interest and reference the findings in the ordinance. The version of the ordinance in the Meeting Materials Packet stated that it was for six months, but it should be stated in terms of days, which was 180.

Council Member Mathis moved to APPROVE Ordinance 2023-22, an Ordinance Enacting a 180 Day Temporary Land Use Regulation to Allow for Study and Potential Adoption of New or Revised Design Standards for the Historic District Zone, with the findings listed in the Compelling and Countervailing Public Interest in the ordinance, as presented. Council Member Hinton seconded the motion. Vote on Motion: Council Member Mathis-Aye; Council Member Hinton-Aye; Council Member Drake-Aye; Council Member Waite-Aye. The motion passed with the unanimous consent of the Council.

5. Reports.

A. Mayor/Council Reports.

Council Member Mathis reported that Samichlaus Abend: Swiss Santa Night will take place on December 6, 2023, at 6:30 p.m. The posters had been made and advertisements would be shared on social media pages shortly. Council Member Mathis reported that the Youth Council met last

week. There was a full Council present and there was a public safety evening held where Council Members were able to visit the Fire Station and receive information about public safety in the City.

Council Member Hinton discussed Follow the Flag, where veterans would be honored in Snow Canyon Park. The largest flag in the country would hang between two parts of the canyon and would be there for one week. It would be unveiled on Saturday as part of a Veterans Day program. Council Member Hinton reported that she attended the Westside Baptist Church's 30th anniversary.

Council Member Drake reported that there had been a meeting with the Solid Waste District. The bids were reviewed at that time. Three bids have been presented and will continue to be reviewed. Those ranged between $6.1 million to $6.9 million. Clarification was requested about the costs. There will be another meeting on November 13, 2023, to further review the bids.

Council Member Waite had received some comments about the noise from food trucks near his home. City Staff was working on some regulations and had been testing the decibel levels. It was noted that drafted language would be reviewed by the City Council at the next meeting. Discussions were had about the locations of the food trucks and the noise generated from the use. Council Member Waite believed having an ordinance would be beneficial because it would allow code enforcement to ensure that the food trucks were not creating issues for nearby residents.

Mayor Rosenberg reported that the Mayors Association Meeting had been postponed until November 14, 2023. The Flood Control Authority met last night and approved the budget for 2024. It provided approximately $80,000 to Santa Clara to do some investigation work regarding cleaning the sediment out of the Tuacahn Wash Lower Detention Basin and to do some erosion protection on the Santa Clara River by Swiss Village. It would also be used for vegetation removal.

Mayor Rosenberg informed those present that the curb and gutter were done on Vineyard. There were paving dates scheduled for November 21, 22, and 23, 2023. There had also been work done on Phase III with the water line and work was being done on some of the preliminary design.

Planning and Economic Development Manager, Jim McNulty, noted that the Advisory Committee needed to schedule when the first meeting would take place. City Staff would reach out to participants. He believed the meeting would be scheduled after Thanksgiving or early December.

6. <u>Executive Session.</u>

Council Member Mathis moved to go into Executive Session to Discuss Pending Litigation. Council Member Drake seconded the motion. Vote on Motion: Council Member Mathis-Aye; Council Member Hinton-Aye; Council Member Drake-Aye; Council Member Waite-Aye. The motion passed with the unanimous consent of the Council.

The Council was in Executive Session until 6:06 p.m.

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7. Adjournment.

Council Member Drake moved to ADJOURN. Council Member Waite seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 6:06 p.m.

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Chris Shelley
City Recorder

Approved: _____

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SANTA CLARA CITY COUNCIL SPECIAL MEETING MINUTES
TUESDAY, DECEMBER 5, 2023

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Special Meeting on Tuesday December 5, 2023 at 4:30 p.m. at the City Hall located at 2603 Santa Clara Drive, Santa Clara, Utah.

Present: Mayor: Rick Rosenberg
City Council: Christa Hinton, Jarett Waite, Ben Shakespeare, Denny Drake.
City Manager: Brock Jacobsen
City Recorder: Chris Shelley

1. **Call to Order:** Mayor Rosenberg welcomed everybody and introduced the council members; he excused council member Leina Mathis from the meeting.

2. **Working Agenda:**

1. Santa Clara City Elections Canvass. Presented by Brock Jacobsen, City Manager.

Brock passed out the packet that Melanie Abplanalp, the Elections Administrator with Washington County Clerk's Office had emailed to the City. He went through the numbers. He stated that there were 2095 Votes with A turnout of 46.64%. There were 138 Ballots not counted due to several reasons such as returned past deadline, undeliverable, unsigned returned ballots, and signatures did not match. Santa Clara had 38 in-person votes. Denny Drake asked how those numbers compared to last election. Brock Jacobsen said it was fairly good. He then gave the official Results:

David Bond	1,144
Leina Mathis	784
Jarett Waite	1,363
Janene Burton	1,267

There were 15 Overvotes and 1,697 Undervotes.

Mayor asked for a motion to approve the 2023 Santa Clara Election Canvass.

Motion to approve the 2023 Santa Clara City Election Canvas by Denny Drake, seconded by Christa Hinton
Voting Aye: Denny, Jarett, Christa, & Ben

The motion passed with the unanimous consent of the Council.

3. **Adjournment**

Motion by Jarett Waite, seconded by Ben Shakespeare with all members present voting aye.
The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 4:45 p.m.

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Chris Shelley – City Recorder Date Approved

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SANTA CLARA CITY COUNCIL WORK MEETING
WEDNESDAY, NOVEMBER 15, 2023
MINUTES

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, November 15, 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.

Mayor:	Rick Rosenberg
Council Members:	Denny Drake Christa Hinton Leina Mathis Ben Shakespeare Jarrett Waite
City Manager:	Brock Jacobsen (via Zoom)
City Recorder:	Chris Shelley
Others Present:	Cody Mitchell, City Engineer Jim McNulty, Planning and Economic Development Manager (via Zoom) Dustin Mouritsen, Public Works Director Ryan VonCannon, Parks Director Andrew Parker, Fire Chief Bob Flowers, Police Chief Kristelle Hendrickson, Executive Assistant

1. Call to Order.

Mayor Rick Rosenberg called the meeting to order at 5:04 p.m. and welcomed those present.

2. General Citizen Public Comment.

There was no public comment.

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3. Working Agenda.

A. General Business.

i. Presentation by Southwest Symphony and Heritage Choir.

Lowry Snow was present representing the Southern Utah Performing Arts Foundation, Southwest Symphony, and Heritage Choir. Santa Clara is his hometown, and he was proud to be at the meeting. He shared a PowerPoint Presentation and identified Geri Rhodes as the President of the Heritage Choir, which has been in existence for 30 years with a membership of 200. Mr. Snow stated that his wife, Sheryl, is a member of the Choir as are many in the Santa Clara community. Also present at the meeting was the President of the Southwest Symphony, Alice Gardner. Both would share information during the presentation. Mr. Snow reported that a community-sponsored request was being made on behalf of the Southwest Symphony, Heritage Choir, and Utah Tech University. Mr. Snow reported that he serves as the Chair of the Southern Utah Performing Arts Foundation. The purpose of the foundation is to raise funds for worthy arts events. The mission and vision of the foundation were shared with Council Members for reference.

Mr. Snow referenced the Cox Performing Arts Center. When it was first named, it was called the Cox Auditorium and some people still referred to it that way. The building was finished in 1986 and had never had any major refurbishment or renovation. The building is now showing obvious signs of wear. It has served the community well for many years, but it is now time to look into renovations as the building is no longer adequate to serve the needs of the community. Mr. Snow pointed out that the Southwest Symphony and Heritage Choir have been around for a long time, but neither has a permanent home. The dream was that one day there would be a true Performing Arts Center in Washington County. The ability to fund that kind of building was out of reach. As a result, attention was turned back to the Cox Performing Arts Center.

Mr. Snow believed it was possible to refurbish the Cox Performing Arts Center. It could be elevated to a standard that would speak well of the community and highlight the talent in the Southwest Symphony and Heritage Choir. Mr. Snow was brought on board to assist with that effort. The Cox Performing Arts Center needs a lot of work. He shared sample images with the Council. There is a real need for refurbishment. One of the first things he did was approach the University to let them know there was a desire to raise funds. The University was receptive to the idea but statutorily, the University has to get in line to fund major expenditures. Mr. Snow suggested the possibility of reaching out to the Legislature on behalf of the community. The University allowed them to take that approach.

With the assistance of the Southwest Symphony and the Heritage Choir, an application was made to the Utah Legislature during the 2023 session. The Legislature appropriated $28 million for the renovation. Utah Tech University was very excited about the appropriation. Mr. Snow expressed his gratitude to the Legislature for the appropriation. The money was appropriated, and the design phase was now underway. It was anticipated that there would be a groundbreaking in the first quarter of 2024. The $28 million appropriation was not enough to cover all of the costs. The original estimates for the work were $38 million but those had since increased to $40 million. The intention was for the community to raise the additional funds needed.

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Mr. Snow shared the architectural concept and clarified that it was not a rendering but would add clarity to what was envisioned. The renovated building would become an iconic part of the community. The location would be the same site as the Cox Performing Arts Center. It would be a gathering place for the community and University students. There was a 15-year written agreement with the University to ensure that the Southwest Symphony and Heritage Choir have defined days throughout the year to perform and rehearse. Another provision was that advertisements state that the building is the home of the Southwest Symphony and the Heritage Choir. All of those details were contained within the written agreement.

Ms. Gardner was present representing the Southwest Symphony. The symphony was established in 1980 and started with four individuals. There are now over 90 members. She reported that the symphony rehearses weekly and performs throughout the season. A wide variety of music is performed to meet the needs of the diverse demographics in the community. Last month, 3,000 third-grade students were hosted during educational outreach concerts. Education is prioritized within the community. Ms. Gardner reported that there are youth competitions and scholarship winners. Additionally, junior high and high school students were invited to perform during pre-shows and concerts. The Southwest Symphony has been awarded the Best of State for the past five years in the orchestra category. The influence of the symphony continues to grow, which was wonderful to see. The symphony was pleased to come together with the Heritage Choir and Utah Tech University.

Ms. Rhodes shared information about the Heritage Choir, which has been in existence for 30 years. She spoke about the power of music and how it can positively impact the community. 200 choir members donate approximately 65,000 hours of service per year in rehearsals and performances. When the choir performs, they come with risers and an organ. She hoped that the facility would eliminate some of the associated hassles because there would be both a rehearsal and performance facility available to the choir. Ms. Rhodes stressed the importance of the arts and explained that the choir represents a broad demographic.

Ms. Gardner stressed the importance of the arts in the community. She explained that the facility will be a center for artistic excellence and not just an auditorium. The intention was to make the building a true Performing Arts Center. It will be a multi-purpose facility, which means that an adaptable event and rehearsal space will be built in. The lobby and courtyard will also be expanded so the building is inviting visitors. She reiterated that it will be the home of the Southwest Symphony and the Heritage Choir. Both names will be on the exterior. Ms. Gardner identified the location of the reception and gathering areas. They will be available for events in the community, as a meeting place, and could also be used for pre- and post-concert receptions. To the left, it was envisioned that there would be a rehearsal space for the groups.

For the interior, the idea was to transform it into a modern adaptable space. The seating capacity would remain about the same because there would be aisles down the middle. Ms. Gardner explained that currently there are no aisles down the center, which makes it difficult for people to exit the building. She reported that a balcony would be added as well. The Cox Performing Arts Center was already built to accommodate a balcony, but it was not installed initially because of funding limitations. That meant it was possible to add the balcony there now.

Ms. Gardner believed the most essential element of the new facility was the fact that there would be upgraded acoustics and upgraded technical systems. This would enhance the experience for both patrons and performers. The renovations would also include an expanded box office, more restrooms, a concessions area, more elevators, updated green rooms, and additional storage. There was excitement that Utah Tech Live would be able to utilize the space as well. The facility would still be available for the university orchestra and symphonic band.

Additional information about the Cox Performing Arts Center was shared. Ms. Gardner reported that it currently provides education, entertainment, and community engagement. She reviewed some of the events that have taken place there more recently. Everyone in the community can enjoy something at the Cox Performing Arts Center. That would continue to be true after the renovation. The idea was to be accessible and for the performances to appeal to a broad audience. Although the building was located on the Utah Tech University campus, it served the community at large for many distinct functions. People of all ages enjoy the performances.

Mr. Snow explained that in some of his previous presentations, there were questions about whether the renovation was for the university or the community. He informed the Council that it would serve the community at large for decades to come. Mr. Snow was present to ask the City Council for a community donation. It would cost $40 million for the building renovations and $28 million was appropriated by the Legislature. There was currently a process underway to confirm building naming rights for a significant donation of $5 million. Mr. Snow noted that there had been meetings with Washington County Commissioners. Last week, they committed $1.3 million to the project. Private citizen donations were also raised. He reiterated that this is a community project and asked Santa Clara to consider donating. He noted that Santa Clara is an important part of Washington County.

Mayor Rosenberg mentioned that he and Mr. Snow discussed the presentation earlier in the day. He believed it would be possible to support the work with a donation of some sort and noted that the donation could be made over two years. Mayor Rosenberg did not believe the Council was ready to commit to a specific dollar amount at the current time, but it was something that could be determined as the discussions continued. Council Member Shakespeare wondered if tourism dollars could be allocated to the project. Mr. Snow was not certain but noted that the County has been looking into that. There is an important segment of the community that has an interest in the arts just as there was a segment of the community that has an interest in recreation facilities. He noted that many in the community have used the Cox Performing Arts Center.

Council Member Drake referenced the 15-year agreement that was made with the Southwest Symphony and the Heritage Choir. He wondered what would happen at the end of those 15 years. If it is intended to serve the community, he wanted to make sure it will continue to serve the community even after the terms in the 15-year written agreement have ended. Council Member Drake believed it made more sense for the agreement to be in perpetuity. Mr. Snow clarified that this will not be a jointly owned asset. It has to be owned by the University as a State institution. However, the written agreement was detailed and clearly outlined the rights given to the Southwest Symphony and Heritage Choir in exchange for the funds being raised. There was one benefit to

the building being owned by the University, which was the operations and maintenance costs. There were some options to extend the 15-year period that was built into the contract.

Council Member Drake suggested that there be an extension to the 15-year period. He pointed out that the community and cities will contribute approximately 25% of the facility costs upfront. He believed that should secure something better than a 15-year lease. Mr. Snow understood what Council Member Drake was saying. He agreed that it would be nice to have more than a 15-year term. However, he clarified that this was not a lease but a guaranteed use right. Council Member Drake believed that if community donations were being sought, there should be some security for the Southwest Symphony and Heritage Choir. Mr. Snow did not believe it would be possible to make that change. It took three months of negotiations to achieve the 15-year commitment. Mr. Snow acknowledged that the arrangement was not perfect but was a way to provide a rehearsal and performance space to the Southwest Symphony and Heritage Choir for an extended period.

Council Member Shakespeare believed there was an architect on board. Mr. Snow confirmed this. All State facility buildings are done by the Division of Facilities and Construction Management ("DFCM"). DFCM knows that the $28 million was allocated and an architect was hired. The design process was already underway. He reported that there would be a design meeting the next day. The architectural firm that is managing the design process has experience with Performing Arts Centers and there was someone in charge of acoustics. Mr. Snow believed that the City Council would be proud of what the Cox Performing Arts Center became through the renovation process. He also felt the City would be proud to be donors.

Council Member Hinton wondered how long the renovations would take. Mr. Snow reported that it was expected to take two years. During that time, the symphony and choir would perform at separate locations. Mr. Snow reported that the Southwest Symphony and Heritage Choir were looking forward to having a permanent home once the renovation was complete. Mayor Rosenberg stated that there would be discussions with City Staff to determine the donation amount.

ii. Guiding Growth Discussion Regarding Growth Survey. Presented by Mayor Rosenberg.

Mayor Rosenberg shared information about the Guiding Our Growth survey, which was administered by Envision Utah for the Governor's Office of Planning and Budget. He reviewed the survey results with the Council. The survey received a lot of responses with 19,000 total. An effort was made to hear from harder-to-reach populations. According to the results of the survey, most Utahns do not believe it is necessary to try to stop growth in communities. Growth is important for the health of a community. Mayor Rosenberg reported that in 2008, there were only four Building Permits issued in Santa Clara. He did not want to go back to that and stressed the importance of there being appropriate growth in the community. He explained how the community grows matters. Additionally, the quality of the growth is important to consider.

The survey indicated that Utahns want a variety of housing products and price points. There was a desire to see some single-family, including small lot single-family, townhomes, and apartments. Mayor Rosenberg explained that the current issue is related to price points. There was still some work to do there. 58% to 60% of survey respondents wanted to see more small lots, townhomes,

duplexes, and Accessory Dwelling Units ("ADU"). Additionally, there was a desire to see more strip malls, big box stores, and parking lots be redeveloped into housing options. He knew that St. George was looking into something like that. It was clearly a desirable path forward.

Rural Utahns want to focus much of the growth around existing town centers and main streets. 59% of survey respondents want to see new development in undeveloped areas, near transit stations and town centers. There was also support for redevelopment in existing areas. In rural areas, 39% of respondents wanted to create opportunities for new housing in both new and existing areas. Mayor Rosenberg believed that was what Santa Clara was looking at. The City had been focused on new development areas for a long time, but more redevelopment was starting to come forward. He believed that would continue to occur as there were fewer undeveloped areas.

Mayor Rosenberg shared the survey results for housing ideas. On the rural side, there is support for new houses to be built on smaller lots and to proactively invest or establish frameworks for financing new infrastructure (roads and utilities) to support the construction of new housing. There was also a desire to limit short-term rentals, expand sweat equity home-building programs, and invest in local government or non-profit-owned subsidized housing for workers and residents.

According to the survey results, Utahns want to see aggressive water conservation efforts take place. Santa Clara had taken steps to conserve water, but the State wanted to see additional steps taken in the future. Mayor Rosenberg felt that the City had good water conservation efforts in place. He noted that water conservation was important to residents as well. Many residents converted their outdoor landscaping to a lesser irrigated system on their own. 61% of respondents wanted to conserve water in both new development and existing communities with water-wise landscaping. Mayor Rosenberg reported that this was in place for new development in Santa Clara. He believed the conversion for existing homes would take a little bit longer but felt it would happen in time.

Mayor Rosenberg reviewed the most popular water-related ideas that came out of the survey. On the rural side, there was support for rebates and incentives to encourage residents, to invest in new water infrastructure projects, increasing investments in agricultural water-optimization projects, requiring low water use landscaping in all new residential and commercial areas, and investing in municipal-scale water recycling and reuse stations. He noted that a lot of those had already been put in place. Mayor Rosenberg referenced the work that was being done with the Water District.

It was noted that Utahns want to use public transit, trails, bicycles, and cars to get around. Mayor Rosenberg expressed concerns about transit ridership but believed that as some of the higher-density projects developed, there would be an opportunity for ridership. It was possible to take the $25,000 that had been committed to work with St. George and Suntran to have a stop added to the downtown and near the new project. It would be possible to provide mass transit for those who wanted to take advantage of that particular form of transportation. Based on the survey results, there was a desire to see statewide passenger rail, investment in public transit for peak usage of tourism areas, and implementation of a statewide trails network to connect communities in Utah.

Utahns want to see open space preserved within and on the edges of their communities. 39% of respondents wanted to see infill development and 36% of respondents wanted to require master-

planned communities to have their own parks and community open space. Mayor Rosenberg reported that Black Desert was committed to doing the latter. As for some of the ideas related to open space, respondents were interested in seeing a greater investment in natural-area recreational amenities on State or County lands. Additionally, there was a desire to encourage ongoing agricultural uses by prioritizing prime farmlands in long-range planning efforts and there was a desire to invest in the preservation of open space through conservation easements or purchases.

While growth was projected statewide, the growth expectations varied by County. Mayor Rosenberg pointed out Washington County on a map of the area. There was a lot of growth anticipated. According to the survey results, Utahns living in rural areas that were not experiencing growth did not support significant growth or change. However, approximately 51% of respondents wanted to see additional job opportunities. Mayor Rosenberg pointed out that it was not realistic to want to see additional jobs become available but not experience growth or change in the area.

Economic Development Manager, Jim McNulty, stated that he would share the survey results with the Planning Commission at the next Planning Commission Meeting. Mr. McNulty reported that he had read through the results and found there was a lot of interesting information. A lot of what was desired was already being done within the community or was being discussed by the City.

Council Member Waite wondered if the survey results would be refined to be specific to individual counties or cities. Mayor Rosenberg confirmed that there was a desire to break down the data. If that was done, it would be possible to see how Washington County responded relative to the results statewide. He had not received that information but offered to pass it along in the future.

iii. City Code Amendment Discussion on Titles 5 and 9. Presented by Jim McNulty, City Planner.

Mr. McNulty reported that the next item on the Work Meeting agenda related to Title 5 and Title 9 in the City Code. Recently, there have been concerns about commercial businesses and food trucks in close proximity to residential properties within the City. Updates were proposed:

- Chapter 5.04 – Business Licenses and Regulations:
    - Regulation of commercial businesses within 100 feet of residential property.
        - The business may be open no earlier than 6:00 a.m. and no later than 10:00 p.m. Sunday through Thursday.
        - The business may be open no earlier than 6:00 a.m. and no later than midnight on Friday and Saturday.
        - The use of a drive-up or drive-thru pickup window service must meet the requirements of Chapter 9.12.021 of the City Code.
- Chapter 9.12.021 – Excessive Noise Prohibited:
    - The use of a drive-up or drive-thru pickup window service before 6:00 a.m. or after 10:00 p.m. daily for businesses within 100 feet of residential property.
    - The use of drive-up or drive-thru speakers emitting no more than 50 decibels not being audible above daytime ambient noise levels.
    - The use of a food truck and/or generator within 75 feet of residential property.

Mr. McNulty reviewed the draft working copy of Chapter 5.04 and Chapter 9.12.021 language. He noted that there had been some issues with existing food trucks in the community. In addition, he reported that the Giovengo Building #2 would bring four retail tenants to the City. There was excitement about Alfredo's A, but there was some concern about the location of the drive-up and pickup window. It was the last unit, and it was less than 50 feet from two homes behind a wall. Even though there was a wall there, the City had some concerns about the use. The proposed amendments could address some issues before there was a problem with the neighbors. Mr. McNulty explained that the intention was to have a discussion with the City Council about what was proposed. If there was support for the language, it could be added to the December 13, 2023, City Council Meeting. He was available to answer any Council Member questions about the draft.

Council Member Mathis wondered if the existing businesses with drive-ups would be grandfathered in if those businesses do not meet the decibel requirement. As for item L, she believed the language should say, "9:00 p.m. to 6:00 a.m." because otherwise, the garbage trucks would not be complying. Mr. McNulty reviewed different drive-thrusts that were close to residential areas. Mayor Rosenberg noted that he received a video from a resident earlier in the week. The video showed a food truck in the community. The resident indicated that a lot of the noise came from the type of generator that was being used. City Manager, Brock Jacobsen, noted that the area shown in the video had been visited. Based on those measurements, the decibel level was between 70 and 75. However, based on some research that had been done, a normal conversation was 60 decibels. Mayor Rosenberg was more concerned about the generator noise. It was a lot more than a normal conversation. Mr. Jacobsen confirmed that, but the average was between 70 and 75 decibels in that particular location. It was noted that the 50 decibels that had been mentioned in the drafted language would be measured from the property line. Discussions were had about food trucks and where those were permitted to be located within the community.

Mr. McNulty explained that there was a lot of Legislation that protected the food trucks. Council Member Waite reported that the staff at Dollar Tree stated that the nearby food truck had not asked for permission to be there. However, there was some hesitation to approach the food truck. Council Member Shakespeare shared an example of a truck in the City where there was permission. Council Member Waite liked what had been presented to the Council for consideration. He pointed out that something St. George had in place was a requirement that a food truck had to be approved by the City before it could be parked anywhere. It would be possible to review that code and determine whether it was something that could apply in Santa Clara as well. Mr. McNulty offered to reach out to St. George to see what requirements were in place there. It was worth considering.

Mayor Rosenberg believed the draft language that had been proposed was on the right track. He asked Mr. McNulty to do some additional research into St. George and bring the matter back to the Council for consideration at the December 13, 2023, City Council Meeting. Council Member Hinton referenced language that stated: "The business may be open no earlier than 6:00 a.m. and no later than 12:00 p.m. on Friday and Saturday." She pointed out that it should be 12:00 a.m. As for the food trucks, she saw the value in being careful where those were placed but did not want to make things too restrictive. Mr. McNulty noted that it was common to see food trucks parked in commercial areas because those were zoned commercial. Not having approval from property owners was a different issue that needed to be addressed. Discussions were had about Swiss Days.

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Council Member Waite wondered whether it was possible to have the 50-decibel limit also apply to music that came from a business. He thought that would be helpful for code enforcement. Council Member Waite liked what had been proposed so far on the drafted language. Mr. McNulty reported that additional work would be done, and the item would be brought back to the Council.

4. Staff Reports.

Police Chief, Bob Flowers, discussed food trucks. He felt there needed to be some balance between the pedestrian traffic and the parking. It was important not to create a dangerous situation, even if it was on private property. Chief Flowers reported that a crime statistics report would be shared with the City in the future. If there were any issues that the Council wanted him to specifically address, he would be happy to bring that information forward. He added that there had been a road rage incident earlier in the day where a gun was demonstrated. Some arrests were made.

Parks Director, Ryan VonCannon, reported that there was a tournament scheduled for the weekend. All seven of the fields would be used. The parks had been busy lately, but everything was running well. Last night, there was the last class of the semester from the university. Those students had been to Black Rock Park to manage some of the needs there. There were already a few dates scheduled for next semester in February and March. Mr. VonCannon noted that the glockenspiel door had been replaced recently. Two weeks ago, Parks Department employees attended the Southern Utah Green Conference. There was a lot of useful information shared at that time and much of it could be applied to the work being done in the community.

Mr. VonCannon reported that the Spencer Gunn Field was starting to show signs of age. He had reached out to a local contractor who had done the fencing around the BMX park. Some estimates for new fencing were being finalized and bids would be returned to the City for consideration. Additionally, a new lighting design was being worked on as the lights were out of date and costly. Mr. VonCannon had reached out to the art teacher at the high school about the mural. That was moving ahead, and some sketches had been done. Measurements would be taken at the tunnel.

Public Works Director, Dustin Mouritsen, shared an update about Vineyard Drive Phase II. Paving was scheduled for next Tuesday and Wednesday. From there, work would move forward on sidewalks and driveway aprons. Phase III is currently in design. The Canyon View parking lot curb and sidewalk had been poured. It was scheduled to be paved in three weeks. As for the BMX parking lot, fill had started to be hauled in. Mr. Mouritsen reported that the City was still waiting on prices for the redevelopment of well number seven. City Staff had been meeting weekly for the Myometer Web Portal. Additionally, he was still working on the traffic and transportation update with Horrocks Engineers. Meetings took place with them monthly. The Public Works Department was getting ready to start crack sealing so another slurry seal project could be done in the spring. He reported that the traffic signal at Red Mountain and Pioneer was currently in design. There was a pre-construction meeting that week with South Village at Black Desert. He noted that the Crestview Secondary irrigation line was in the design phase as well.

Letters were sent out to customers that had secondary irrigation connections. Mr. Mouritsen had spoken to the canal company recently and six residents wanted to hook up already, so it seemed like there was some success. With the construction of the Santa Clara Valley Townhomes on the

west side of Victors Street, the contractor would pour the curb and gutter out to Santa Clara Drive. He had been working with the homeowners there to pay for their portion of the sidewalk. Mr. Mouritsen was still waiting on prices to update the north boundary pressure-reducing valve. When the Black Desert water line came in, that valve would need to be upsized and a connection would need to be put in. A lot is happening in the City currently.

Fire Chief, Andrew Parker, reported that this week was Crash Responder Safety Week. There were several responses to Old Highway 91. Those were critical and people were able to be transferred to local hospitals. Chief Parker noted that there had been some structure fires and the department had covered St. George. There was a good partnership there. As for fire prevention, work had been done with Black Desert. The Fire Marshal from St. George would assist during the final inspection process. Last week, a walkthrough of Black Desert had been conducted.

Chief Parker reported that this coming year, there would be time spent reassessing fees, contracts, fees for services, and the rates regarding EMS and Wildland. There were some interesting things he believed could be done to increase revenues on the fire side. Fire prevention fees were standard throughout the State, so that was something that could be looked at. He would bring that information to the Council in the future. There would be discussions with the other cities to see what the numbers were. Chief Parker reported that a cooperator was meeting with the State, which was a virtual meeting. The rates for vehicles and personnel would be adjusted. There was a community wildfire plan that was being worked on with the County as well. The Wildfire Defense Plan needs to meet the needs. He explained that it was necessary for the contract with the State, which expired in December 2024. Having that contract in place was very helpful.

Chief Parker stated that some community wildfire education would be done with Ivins in March. He shared information about the wellness program and explained that there was access to an app. Chief Parker reported that the medic graduation would take place on December 7, 2023. Starting on January 1, 2024, there will be a paramedic at each station. Chief Parker shared additional information about the fee reassessment. He reported that the Chili Cookoff had taken place, which was the second time the event had been held. It was between the police and fire departments. He explained that $3,500 was raised for Youth Futures Utah. Council Member Shakespeare discussed a recent accident that had taken place and praised the speed of the emergency responders.

City Engineer, Cody Mitchell, reported that the Mayor had reached out to ask about the numbers for housing. Data from the last six years had been pulled. In 2017, there were 147 single-family homes and townhomes. In 2018, there were 90 units. In 2019, there were 80 units. In 2020, there were 122 units. In 2021, there were 130 units and in 2022, there were 122 units. So far this year, which was four and a half months into the fiscal year, there were 37 units and four in the review process. Mr. Mitchell reported that there were a couple of contracts that the City was looking into renewing. For instance, the elevator service contract and the fire monitoring system. He noted that there was work being done with Mountain Alarm to see if it was possible to reduce costs. Mr. Mitchell informed the Council that the LED lights had been ordered and work would start soon.

Mr. Mitchell shared comments about solar. He reported that there were 55 total solar permits in the last six years. For comparison, there were 12 this year with 12 more in the queue. That meant there were 24 permits in the last four and a half months. With the new agreement and the increased

kW to 12, it had become a lot more popular for residents to use solar. That information would be included in the report that would be shared with Mayor Rosenberg following the meeting.

Executive Assistant, Kristelle Hendrickson, reported that she was working on enhancing the GIS. A new section had recently been added to the City website, which linked to a portal with all of the public maps as well as links to maps from other sources. It was a work in progress, but she hoped that the information would make it easier for those interested in locating necessary maps. Ms. Hendrickson stated that she had been assigned to revamp the monthly newsletter. That was something she intended to do in January. She wanted to focus on simplifying the format and also wanted to make sure all of the information provided was useful and relevant to the community. One idea was to have a section with a message or update that rotated between Council Members.

There was discussion about the availability of UTOPIA for residents in the community. Mayor Rosenberg wanted to know when there would be communication with residents about the availability. It was important for people to know that it was now possible to sign up for the service.

5. Adjournment.

The City Council Meeting adjourned at 7:08 p.m.

_____
Chris Shelley
City Recorder

Approved: _____

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City of Santa Clara
Check Register
All Bank Accounts - 11/09/2023 to 11/09/2023

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
CITY OF ST. GEORGE - MISC	70767	12799	11/01/2023	11/09/2023	10,655.00	FY24 2ND QTR SCHOOL RESOURCE OFFICERS	104220-980 - SRO - ST. GEORGE	
CITY OF ST. GEORGE - MISC	70767	12806	11/01/2023	11/09/2023	3,860.67	FY24 2ND QTR POLICE DISPATCH FEES	104230-600 - RESPONSE PLANNING	
					$14,515.67			
					$14,515.67			
EXPRESS LUBE	70768	75567	10/17/2023	11/09/2023	47.69	OIL CHANGE PW 2018 FORD F150 -KEVEN FIEL	104410-253 - VEH/EQUIP REPAIR	
					$47.69			
FINALSITE	70769	INV057098	08/07/2023	11/09/2023	3,308.00	BLACKBOARD CONNECT	104130-370 - PROFESSIONAL SERVI	
					$3,308.00			
INTERMOUNTAIN WORKMED	70770	SG3461799	11/01/2023	11/09/2023	518.00	MEDICAL TESTING	104230-350 - HEALTH & WELLNESS	
INTERMOUNTAIN WORKMED	70770	SG3462726	11/01/2023	11/09/2023	4,403.00	MEDICAL TESTING	104230-350 - HEALTH & WELLNESS	
INTERMOUNTAIN WORKMED	70770	SG3464071	11/01/2023	11/09/2023	35.00	MEDICAL TESTING	104240-350 - MEDICAL & DRUG TEST	
INTERMOUNTAIN WORKMED	70770	SG3464071	11/01/2023	11/09/2023	35.00	MEDICAL TESTING	104410-350 - MEDICAL & DRUG TEST	
					$4,991.00			
					$4,991.00			
JEANIES LLC	70771	20323	07/01/2023	11/09/2023	499.00	CARPET SQUARES INSTALL & COVE	104130-999 - CONTINGENCY	
					$499.00			
LIFEMED SAFETY, INC.	70772	23-730	11/01/2023	11/09/2023	4,402.85	ZOLL X SERIES/MISC-ZOLL SUPPLIES	104230-400 - EMERGENCY MEDICAL	
					$4,402.85			
MATTHEW BENDER & CO INC	70773	38907844	10/26/2023	11/09/2023	94.73	UT COURT RULES 2023 SUPP	104120-210 - SUBSCRIPTIONS & ME	
					$94.73			
MOUNT OLYMPUS WATERS (1385	70774	10221385102723	10/27/2023	11/09/2023	64.46	COOLER RENT & 5 GAL WATERS	104130-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	70774	10221385102723	10/27/2023	11/09/2023	72.95	COOLER RENT & 5 GAL WATERS	104410-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	70774	10221385102723	10/27/2023	11/09/2023	133.07	COOLER RENT & 5 GAL WATERS	104240-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	70774	10221385102723	10/27/2023	11/09/2023	311.27	COOLER RENT & 5 GAL WATERS	104510-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	70774	10221385102723	10/27/2023	11/09/2023	398.41	COOLER RENT & 5 GAL WATERS	104230-775 - STATIONS OPERATION	
					$980.16			
					$980.16			
PINETOP ENGINEERING, LLC	70775	4952	10/31/2023	11/09/2023	1,005.62	TRAVEL-REPAIR-SIGNS-HOTEL	104410-411 - SIGNS & BARRICADES	
					$1,005.62			
SLADEN D MARKHAM, LLC	70776	8265	11/06/2023	11/09/2023	4,070.43	PULL APART YANMAR ENGINE TO REPLACE BL	104230-250 - VEHICLE OPERATIONS	
					$4,070.43			
STATE OF UTAH - DEPARTMENT O	70777	24EM000045	10/18/2023	11/09/2023	615.00	EMS PO 8818/QUICK RESPONSE/QUALITY ASSU	104230-400 - EMERGENCY MEDICAL	
					$615.00			
STRYKER SALES CORPORATION	70778	9204844541	10/16/2023	11/09/2023	868.00	MTS POWER LOAD/BATTERY/LABOR/TRAVEL	104230-400 - EMERGENCY MEDICAL	
					$868.00			
SYSCO LAS VEGAS, INC	70779	317996389	09/19/2023	11/09/2023	3,306.17	SWISS DAYS DINNER & BREAKFAST	104610-002 - BREAKFAST	
SYSCO LAS VEGAS, INC	70779	317996389	09/19/2023	11/09/2023	3,306.17	SWISS DAYS DINNER & BREAKFAST	104610-010 - DINNER	
SYSCO LAS VEGAS, INC	70779	317999915	09/21/2023	11/09/2023	195.56	SWISS DAYS DINNER	104610-010 - DINNER	
					$6,807.90			
					$6,807.90			

City of Santa Clara
Check Register
All Bank Accounts - 11/09/2023 to 11/09/2023

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
UPPER CASE PRINTING INK.	70780	1118	11/03/2023	11/09/2023	425.45	BACK OF BILL PRINTING & NEWSLETTER	104130-370 - PROFESSIONAL SERVI	
					$425.45			
UTAH STATE TREASURER / FINES	70781	OCT 2023-COUR	11/07/2023	11/09/2023	13,395.61	COURT SURCHARGES	104120-905 - STATE FINE COLLECTI	
					$13,395.61			
UTAH TECH UNIVERSITY	70782	S0415172	08/17/2023	11/09/2023	7,920.00	CEC SUBSCRIBER #FY24	104130-542 - CEC ANNUAL ASSESS	
					$7,920.00			
WASH. COUNTY WATER CONSER	70783	53401	11/01/2023	11/09/2023	4,509.02	REG.PIPELINE BOND PAYMENT FOR NOV 2023	515110-822 - DEBT PAYMENT TO WA	
					$4,509.02			
WASHINGTON COUNTY SOLID WA	70784	2019737	11/07/2023	11/09/2023	602.37	COM CLEAN DIRT	545410-250 - OPERATING SUPPLIES	
					$602.37			
WHITAKER CONSTRUCTION CO.	70785	2023-1025	10/25/2023	11/09/2023	20,263.50	VINEYARD DR PH 2	545410-730 - IMPROVEMENTS	105
WHITAKER CONSTRUCTION CO.	70785	2023-1025	10/25/2023	11/09/2023	54,639.54	VINEYARD DR PH 2	104410-730 - IMPROVEMENTS	105
					$74,903.04			
					$74,903.04			
					$143,961.54			

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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
CHILD SUPPORT SERVICES	70786	111523-873789	11/13/2023	11/16/2023	206.77	CASEY-C000873789 PAY PERIOD END 11/15/23	102595-000 - GARNISMENTS PAYABL	
					$206.77			
CITY OF ST GEORGE - UTILITIES	70787	111423-SC WELL	10/31/2023	11/16/2023	9,927.44	SNOW CANYON WELL #6	515110-271 - WELLS UTILITY COSTS	
					$9,927.44			
DEERE CREDIT INC	70788	2839297	10/24/2023	11/16/2023	344.86	BILL THRU PROP TAX	104510-825 - LEASE PAYMENTS	
					$344.86			
EQUITABLE	EFT	1493917	11/16/2023	11/16/2023	3,381.97	DENTAL INSURANCE	102251-000 - DENTAL PAYABLE	
					$3,381.97			
EXPRESS LUBE	70789	76480	11/13/2023	11/16/2023	68.84	OIL CHANGE POWER 2021 FORD F150 GARYS T	535310-253 - VEH/EQUIP REPAIR	
					$68.84			
HINTON BURDICK CPAs & ADVISO	70790	294438	10/31/2023	11/16/2023	4,011.00	FISCAL YEAR 2023 AUDIT-FINAL BILLING	104130-340 - ACCOUNTING & AUDITI	
					$4,011.00			
HORROCKS	70791	81438	11/09/2023	11/16/2023	17,694.26	PROJECT UT-8427-23 SANTA CLARA CITY MTP 2	103310-000 - STATE/FEDERAL	
					$17,694.26			
JACKSON PEST CONTROL	70792	111023-CITY YAR	11/10/2023	11/16/2023	90.00	PEST CONTROL CITY YARD	104410-260 - BUILDING MAINTENAN	
					$90.00			
SLADEN D MARKHAM, LLC	70793	8274	11/07/2023	11/16/2023	5,078.70	LABOR-PARTS-FOR UNIT E-331	104230-250 - VEHICLE OPERATIONS	
SLADEN D MARKHAM, LLC	70793	8295	11/09/2023	11/16/2023	834.05	LABOR-PARTS-2017 EMERGENCY ONE TRUCK	104230-250 - VEHICLE OPERATIONS	
					$5,912.75			
					$5,912.75			
SUNRISE ENGINEERING, INC.	70794	0138348	11/07/2023	11/16/2023	327.00	SC MISC ON CALL ENGINEERING	515110-320 - ENGINEERING SERVIC	
					$327.00			
UTAH LOCAL GOVERNMENTS TR	ACH111623	1610412	11/13/2023	11/16/2023	4,325.12	WORKERS COMP POLICY	102225-000 - WORKERS' COMPENSA	
					$4,325.12			
WASH. COUNTY WATER CONSER	70795	53240	08/01/2023	11/16/2023	4,509.02	REG.PIPELINE BOND PAYMENT	515110-822 - DEBT PAYMENT TO WA	
WASH. COUNTY WATER CONSER	70795	53406	10/31/2023	11/16/2023	6,094.52	WATER DEVELOPMENT SURCHARGE	513714-000 - REGIONAL WATER SUR	
					$10,603.54			
					$10,603.54			
					$56,893.55			

City of Santa Clara
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All Bank Accounts - 11/21/2023 to 11/21/2023

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
BUCKS ACE SANTA CLARA	70796	3329	11/15/2023	11/21/2023	49.80	TRAP GOPHER VICTOR	104510-260 - BUILDING MAINTENAN	
					$49.80			
FRANCOTYP-POSTALIA, INC. DBA	ACH112123	35329225	11/20/2023	11/21/2023	129.00	POSTAGE METER LEASE	104130-825 - LEASE PAYMENTS	
					$129.00			
ICPE, INC.	70797	SAN063-030-082	11/17/2023	11/21/2023	5,290.00	ENG.SERVICES RED MOUNTAIN & PIONEER PK	535310-320 - ENGINEERING SERVIC	
ICPE, INC.	70797	SAN063-032-062	07/19/2023	11/21/2023	1,080.00	ENG SERVICES-METERING IN GRIMSHAW-1 LIN	535310-320 - ENGINEERING SERVIC	
ICPE, INC.	70797	SAN063-032-092	11/10/2023	11/21/2023	1,147.50	ENG.SERVICES GREEN VALLEY LINE WORK	535310-320 - ENGINEERING SERVIC	
					$7,517.50			
					$7,517.50			
SPLIT ROCK CONSTRUCTION, LL	70798	112023 - REFUN	11/20/2023	11/21/2023	529.92	REFUND - OVERPAYMENT FOR LUGANO SUBDI	103412-000 - ZONING & SUBDIVISIO	
					$529.92			
STUART C. IRBY CO.	ACH112123	S013788137.003	11/13/2023	11/21/2023	148.75	#2 STRANDED COPPER WIRE	535310-466 - POWER LINES/POLES/	
					$148.75			
STUTZ, EMLYN	70799	11-20-23 PAGEA	09/19/2023	11/21/2023	16.97	WATER/PRETZELS/HARVEST TUBS	104610-023 - MISS SANTA CLARA PA	
STUTZ, EMLYN	70799	112023- PAGEAN	09/20/2023	11/21/2023	9.87	HARMONS-LINDOR MILK CHOC.	104610-023 - MISS SANTA CLARA PA	
STUTZ, EMLYN	70799	112023-PAGEAN	09/22/2023	11/21/2023	16.46	BLK FRST STRETCH- HARMONS	104610-023 - MISS SANTA CLARA PA	
					$43.30			
					$43.30			
SUNRISE ENGINEERING, INC.	70800	0138349	11/07/2023	11/21/2023	90.00	PLAN REVIEW SIGNATURES	104240-320 - ENGINEERING	
SUNRISE ENGINEERING, INC.	70800	0138350	11/07/2023	11/21/2023	70.00	SANTA CLARA VALLEY HOMES - GEOTECH REP	104240-320 - ENGINEERING	
SUNRISE ENGINEERING, INC.	70800	0138351	11/07/2023	11/21/2023	150.00	DESERTS EDGE ENGINEER III	104240-320 - ENGINEERING	
SUNRISE ENGINEERING, INC.	70800	0138352	11/07/2023	11/21/2023	70.00	SANTA CLARA VALLEY HOMES	104240-320 - ENGINEERING	
					$380.00			
					$380.00			
TINGEY, ROBERT & JEFFERSON	70801	Refund: 1088503	11/16/2023	11/21/2023	165.55	Refund: 1088503 - TINGEY, ROBERT & JEFFERS	531311-000 - ACCOUNTS RECEIVABL	
					$165.55			
UTAH RETIREMENT SYSTEMS	70802	PR111523-444	11/21/2023	11/21/2023	180.97	State Retirement	102230-000 - RETIREMENT PAYABLE	
					$180.97			
WISE, MARCIA & SCHANTZ, LORY	70803	Refund: 2003091	11/16/2023	11/21/2023	164.93	Refund: 2003091 - WISE, MARCIA & SCHANTZ, L	531311-000 - ACCOUNTS RECEIVABL	
					$164.93			
					$9,309.72			

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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
BEASLEY, SCOTT	70804	112123-BEASLE	11/21/2023	11/30/2023	225.00	ELECTION DAY POLL WORKER	104130-235 - ELECTIONS	
					$225.00			
BLUE STAKES OF UTAH 811	ACH113023	UT202303042	11/30/2023	11/30/2023	105.30	EMAIL NOTIFICATIONS	535310-210 - SUBSCRIPTIONS & ME	
					$105.30			
BUCKS ACE SANTA CLARA	70805	3371	11/22/2023	11/30/2023	35.59	QUICK RELEASE LITE HANGR	104510-250 - OPERATING SUPPLIES	
BUCKS ACE SANTA CLARA	70805	3408	11/28/2023	11/30/2023	4.25	HOOK "8" 1-5/8" CD4 ZN ACE	104510-260 - BUILDING MAINTENAN	
BUCKS ACE SANTA CLARA	70805	3430	11/28/2023	11/30/2023	27.58	MISC.SHOP SUPPLIES	535310-260 - BUILDING MAINTENAN	
BUCKS ACE SANTA CLARA	70805	3432	11/28/2023	11/30/2023	4.23	RAZOR BLADES	535310-260 - BUILDING MAINTENAN	
					$71.65			
					$71.65			
CALL, JAMI TYLRE	70806	Refund: 96219	11/29/2023	11/30/2023	54.72	Refund: 96219 - CALL, JAMI TYLRE	531311-000 - ACCOUNTS RECEIVABL	
					$54.72			
CHILD SUPPORT SERVICES	70807	112723-873789	11/27/2023	11/30/2023	206.77	CASEY-C000873789 PAY PERIOD 11/29/2023	102595-000 - GARNISMENTS PAYABL	
					$206.77			
GROUP14 ENGINEERING,PBC	70808	09-15651	11/27/2023	11/30/2023	1,044.00	SKYSPARK LICENSE FEE/TRENDING SOFTWAR	535310-630 - O & M GENERATORS	
					$1,044.00			
JACKIE TOMLINSON	70809	112823- TOMLIN	11/28/2023	11/30/2023	58.69	BELLS/YARN-SWISS DAYS MISS&MISTER	104610-009 - LITTLE SWISS MISS &	
					$58.69			
KRISTEN WALTON	70810	112123-WALTON	11/21/2023	11/30/2023	225.00	ELCTION DAY POLL WORKER	104130-235 - ELECTIONS	
					$225.00			
L.N. CURTIS & SONS	70811	INV757492	10/20/2023	11/30/2023	15,521.37	JACKET/PANTS	104230-700 - CAPITAL OUTLAY	
					$15,521.37			
LESA SANDBERG	70812	112123-SANDBE	11/21/2023	11/30/2023	332.77	ELECTION DAY POLL WORKER	104130-235 - ELECTIONS	
					$332.77			
STELLA-JONES CORPORATION	70813	UMI-0304691	09/28/2023	11/30/2023	15,480.00	WOOD POWER POLES	535310-466 - POWER LINES/POLES/	
					$15,480.00			
SUNRISE ENGINEERING, INC.	70814	0138356	11/07/2023	11/30/2023	1,996.00	SC PARKS & TRAILS MASTER PLAN, IFFP & IFA	484200-320 - ENGINEERING SERVIC	
					$1,996.00			
UPPER CASE PRINTING INK.	70815	1163	11/16/2023	11/30/2023	3,080.00	#9 ENVELOPES & #10 ENVELOPES FOR CITY BI	104130-370 - PROFESSIONAL SERVI	
					$3,080.00			
UTAH DEPARTMENT OF TRANSP	70816	2454000181	11/17/2023	11/30/2023	1,033.64	1 - PO#62723	104410-412 - CHIP SEALING M&S	
					$1,033.64			
WASH. COUNTY WATER CONSER	70817	53424	10/31/2023	11/30/2023	4,354.20	EXCESS CONSERVATION SURCHARGE	513714-000 - REGIONAL WATER SUR	
					$4,354.20			
WASHINGTON COUNTY SOLID WA	70818	2026810	11/27/2023	11/30/2023	359.15	COM CLEAN DIRT	545410-250 - OPERATING SUPPLIES	
					$359.15			
XEROX FINANCIAL SERVICES	ACH113023	5103190	11/30/2023	11/30/2023	365.47	CONTRACT 020-0066332-002 LEASE PMT.	104230-825 - LEASE PAYMENTS	
					$365.47			

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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
XTREME GRAPHIX	70819	ACCT#8201	07/17/2023	11/30/2023	15,057.88	BLANK PRODUCT/EMBROIDERY/SHORTS/SCRE	104230-700 - CAPITAL OUTLAY	
					$15,057.88			
					$59,571.61			

City of Santa Clara
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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
BAEZ FELIX, ANDRES	70820	Refund: 96331	11/30/2023	12/07/2023	52.31	Refund: 96331 - BAEZ FELIX, ANDRES	531311-000 - ACCOUNTS RECEIVABL	
					$52.31			
BUCKS ACE SANTA CLARA	70821	3458	12/01/2023	12/07/2023	36.81	HOSE BIB FITTINGS FOR SHOP	535310-260 - BUILDING MAINTENAN	
BUCKS ACE SANTA CLARA	70821	3466	12/04/2023	12/07/2023	80.08	GFI PLUGS FOR SHOP	535310-260 - BUILDING MAINTENAN	
BUCKS ACE SANTA CLARA	70821	3467	12/05/2023	12/07/2023	56.88	SPRAYPAINT	104510-260 - BUILDING MAINTENAN	
BUCKS ACE SANTA CLARA	70821	3476	12/05/2023	12/07/2023	66.31	SPRAYPAINT/MASKING PAPER	104510-260 - BUILDING MAINTENAN	
					$240.08			
					$240.08			
CITY OF ST GEORGE - S	70822	NOV2023-SEWE	12/04/2023	12/07/2023	37,621.10	2974 SEWER CONNECTIONS @12.65 NOV 2023	525210-945 - SEWER TREATMENT -	
					$37,621.10			
COX, SHERRIE	70823	120423-REFUND	12/04/2023	12/07/2023	26.38	AMBULANCE REFUND	103426-000 - AMBULANCE SERVICE	
					$26.38			
DEFINIS, DANIEL LAWRENCE	70824	120423-REFUND	12/04/2023	12/07/2023	105.36	AMBULANCE REFUND	103426-000 - AMBULANCE SERVICE	
					$105.36			
DR. ROBERT R. FOSTER, D.O. P.C.	70825	120423-MED SE	12/04/2023	12/07/2023	1,200.00	MEDICAL SERVICES DIRECTOR	104230-400 - EMERGENCY MEDICAL	
					$1,200.00			
ERICKSON, M. RICK	70826	NOV 2023-CITY	12/04/2023	12/07/2023	1,500.00	CITY PROSECUTOR NOV 2023	104120-330 - LEGAL SERVICES	
					$1,500.00			
FREEDOM MAILING SERVICES, IN	70827	46656	11/29/2023	12/07/2023	2,086.11	BILL PROCESSING	104130-370 - PROFESSIONAL SERVI	
					$2,086.11			
J.P. COOKE CO.	70828	809866	11/30/2023	12/07/2023	103.25	2024 CITY DOG LICENSE TAGS	104130-250 - OPERATING SUPPLIES	
					$103.25			
KATERING KONCEPTS, INC.	70829	2328349	12/05/2023	12/07/2023	3,050.00	SC CITY CHRISTMAS PARTY DINNER	104130-370 - PROFESSIONAL SERVI	
					$3,050.00			
LINS SUPERMARKETS INC	70830	01-91347	11/02/2023	12/07/2023	46.22	BREAKFAST FOR ELECTION DAY POLL WORKE	104130-235 - ELECTIONS	
					$46.22			
MARY JO HAFEN	70831	120523-COSTUM	11/13/2023	12/07/2023	27.31	WITCH WIG FOR GLOCKENSPIEL	104510-250 - OPERATING SUPPLIES	
MARY JO HAFEN	70831	336542	11/30/2023	12/07/2023	225.00	BANQUET ROOM Coordinator NOV 2023	104130-370 - PROFESSIONAL SERVI	
					$252.31			
					$252.31			
MOUNT OLYMPUS WATERS (1385	70832	10221385 112723	11/27/2023	12/07/2023	37.48	COOLER RENT & 5 GAL WATERS	104130-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	70832	10221385 112723	11/27/2023	12/07/2023	47.97	COOLER RENT & 5 GAL WATERS	104410-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	70832	10221385 112723	11/27/2023	12/07/2023	97.22	COOLER RENT & 5 GAL WATERS	104240-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	70832	10221385 112723	11/27/2023	12/07/2023	122.41	COOLER RENT & 5 GAL WATERS	104510-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	70832	10221385 112723	11/27/2023	12/07/2023	221.37	COOLER RENT & 5 GAL WATERS	104230-775 - STATIONS OPERATION	
					$526.45			
					$526.45			
PILOT THOMAS LOGISTICS, LLC	ACH	0755372-IN	07/20/2023	12/07/2023	7,340.07	Fuel	535310-630 - O & M GENERATORS	
PILOT THOMAS LOGISTICS, LLC	ACH	0793193-IN	09/26/2023	12/07/2023	8,275.43	Fuel	535310-630 - O & M GENERATORS	
					$15,615.50			
					$15,615.50			

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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
SAWYER, FARRAH	70833	120423-BAIL RE	12/04/2023	12/07/2023	1,000.00	BAIL REFUND FOR OTN#60351111	102560-000 - BAIL & RESTITUTION	
					$1,000.00			
UPPER CASE PRINTING INK.	70834	1188	11/28/2023	12/07/2023	225.40	BACK OF BILL PRINTING	104130-370 - PROFESSIONAL SERVI	
					$225.40			
UPWALL PRECAST CONCRETE IN	70835	120623-SOLACE	12/06/2023	12/07/2023	4,100.00	3 PHASE VAULT FOR SOLACE PH2	535310-254 - NEW SUBDIVISION EXP	
					$4,100.00			
UTAH MUNICIPAL CLERKS ASSOC	70836	120523-DUES	12/05/2023	12/07/2023	55.00	2023-2024 UMCA MEMBERSHIP DUES	104240-210 - SUBSCRIPTIONS & ME	
UTAH MUNICIPAL CLERKS ASSOC	70836	120523-DUES	12/05/2023	12/07/2023	125.00	2023-2024 UMCA MEMBERSHIP DUES	104130-210 - SUBSCRIPTIONS & ME	
					$180.00			
					$180.00			
UTAH STATE TREASURER / FINES	70837	NOV 2023- COU	12/06/2023	12/07/2023	15,619.83	NOV 2023 COURT SURCHARGES	104120-905 - STATE FINE COLLECTI	
					$15,619.83			
WASH. CO. FLOOD CONTROL DIS	70838	NOV 2023- FLOO	12/04/2023	12/07/2023	4,857.00	FLOOD CONTROL DISTRICT 53-3301000004-NO	545410-770 - FLOOD CONTROL DIST.	
					$4,857.00			
WASH. COUNTY WATER CONSER	70839	53438	12/01/2023	12/07/2023	4,515.57	REG.PIPELINE BOND PAYMENT FOR DEC 2023	515110-822 - DEBT PAYMENT TO WA	
					$4,515.57			
WEBB, RACHEL MICHELLE	70840	113023-RW	11/30/2023	12/07/2023	159.24	COURT INTERPRETER 11/28/23	104120-330 - LEGAL SERVICES	
					$159.24			
WESTERN UNITED ELECTRIC SU	70841	6102555	12/04/2023	12/07/2023	1,225.29	DEAD END SHOES & INSULATORS	535310-466 - POWER LINES/POLES/	
					$1,225.29			
					$94,307.40			

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 1

Applicant: Santa Clara City **Requested by:** Jim McNulty

Subject: Planning Commission Appointments

Description:

Koni Hafen Hunter is a longtime resident of Santa Clara who grew up in the valley and currently lives in the Country Lane neighborhood. She is married to Dave Hunter, a local attorney and they have five children. The oldest is currently serving in the Marines and she is home-schooling the rest. This is her "Day Job". She has a unique perspective of growing up in the community and witnessing the rapid growth and changes over the past 25 years. Her favorite thing to do is jog around the city.

Kayde Roberts was born and raised in Ivins. He has lived in Santa Clara for 7 years. He currently lives on Desert Heights Drive, north of the High School with his wife and four children ages 9 to 16. He is a professional civil engineer and partner at Mainline Engineering in St. George. He previously worked for UDOT for several years and understands traffic studies and impacts from development. He is very familiar with Santa Clara's history and understands the long-standing relationship with Ivins City.

Recommendation: Approval **Finance Approval:** N/A

Cost: N/A **Budget Approval:** N/A

Legal Approval: N/A

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF
SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 2

Applicant: Sand Hallow Aquatic Center Payment **Requested by:** N/A

Subject: Sand Hallow Aquatic Center Payment

Description:

The city has received its annual statement and bill from St. George for the shortfall for the Sand Hallow Aquatic Complex. Per the agreement the city would pay its portion of the shortfall based on Santa Clara residents using the facility.

In the early 2000's the council adopted an approved amount of $32,000 to be paid and stated that any amount over $32,000 was to be brought to council for approval.

Over the last 10 years Santa Clara has an average attendance of 8.46% and has paid $32,187 annually to cover the shortfall.

Recommendation: Approval

Attachments: Yes

Cost: 47183.65

Legal Approval: N/A

Finance Approval: Yes

Budget Approval: Yes

2603 Santa Clara Drive, Santa Clara, Utah 84765

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

	6/30/2023	6/30/2022	ESTIMATE 6/30/2021	ACTUAL 6/30/2021	6/30/2020	6/30/2019	6/30/2018
Revenue (net of taxes)	500,797.34	453,500.94	367,439.64	367,439.64	299,691.45	438,456.95	402,088.83
Expenses							
Operating Expenses	1,056,552.96	874,990.20	693,676.25	693,676.25	640,835.38	731,127.56	766,903.99
Improvements & Equip	131,010.52	252,207.12	82,554.16	82,554.16	-	66,063.60	60,932.56
Total Expenses	1,187,563.48	1,127,197.32	776,230.41	776,230.41	640,835.38	797,191.16	827,836.55
Net Loss	(686,766.14)	(673,696.38)	(408,790.77)	(408,790.77)	(341,143.93)	(358,734.21)	(425,747.72)
Net Operating Loss	555,755.62	421,489.26	326,236.61	326,236.61	341,143.93	292,670.61	364,815.16
Attendance:			estimates				
Santa Clara	8.49%	5.59%	8.50%	7.60%	6.91%	9.44%	7.93%
Ivins	8.55%	7.63%	6.50%	7.84%	7.11%	8.44%	8.30%
St George & others	82.96%	86.78%	85.00%	84.56%	85.98%	82.12%	83.77%
	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Portion of loss:							
Santa Clara	47,183.65	23,561.25	27,730.11	24,793.98	23,573.05	27,628.11	28,929.84
Ivins	47,517.11	32,159.63	21,205.38	25,576.95	24,255.33	24,701.40	30,279.66
St George & others	461,054.86	365,768.38	277,301.12	275,865.68	293,315.55	240,341.10	305,605.66
Invoices total - Code to: CTRB Other Gov't - 10	94,700.76	55,720.88	48,935.49	50,370.93	47,828.38	52,329.51	59,209.50

2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	Total:
10.11%	8.70%	12.50%	7.35%	7.93%	9.44%	6.91%	7.60%	5.59%	8.49%	
$357,363.54	$390,405.80	$378,156.43	$392,342.86	$364,815.16	$292,670.61	$341,143.93	$326,236.61	$421,489.26	$555,755.62	$8,372,749.82
$36,129.45	$33,965.30	$47,269.55	$28,837.20	$28,929.84	$27,628.11	$23,573.05	$24,793.98	$23,561.25	$47,183.65	$805,060.81
$36,129.45	$33,965.30	$47,269.55	$28,837.20	$28,929.84	$27,628.11	$23,573.05	$24,793.98	$23,561.25	$47,183.65	$1,112,360.15

		Attendance	Paid Out	
	23	8.49	47,183.65	
	22	5.59	23,561.25	
	21	7.60	24,793.98	
	20	6.91	23,573.05	
	19	9.44	27,628.11	
	18	7.93	28,929.84	
	17	7.35	28,837.20	
	16	12.50	47,269.55	
	15	8.70	33,965.30	
	14	10.11	36,129.45	
Average		8.462	321,871.38	Total
			32,187.14	Average

INTERLOCAL COOPERATION AGREEMENT

This Interlocal Cooperation Agreement (hereinafter referred to as "Agreement") is entered into by and between the City of St. George, a Utah municipal corporation (hereinafter individually referred to as "St. George"), Santa Clara City, a Utah municipal corporation (hereinafter individually referred to as "Santa Clara"), and Ivins City, a Utah municipal corporation (hereinafter individually referred to as "Ivins"), hereinafter collectively referred to as "Parties."

RECITALS:

WHEREAS, the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, authorizes public agencies, including political subdivisions of the State of Utah, to enter into mutually advantageous agreements; and

WHEREAS, the Parties, through their respective governing bodies, have determined that the interests and welfare of the general public will best be served by this Agreement; and

WHEREAS, the governing bodies of the Parties have, by resolution, agreed to develop and finance the construction and operation of a year-round aquatic complex for the benefit of the Parties; and

WHEREAS, the Washington County School District has separately agreed with St. George to contribute $500,000 toward the construction of the year-round aquatic complex, but is not a party to this Agreement.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual covenants and benefits set forth herein, and further valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. A year-round aquatic complex will be constructed by St. George on a site on the current northwest boundary of the city limits of St. George on property bounded on the west by Lava Flow Drive, on the south by Sunset Blvd., and on the east by the Sand Hollow Wash. The name of the facility shall be Sand Hollow Aquatic Complex.

2. The cost of construction of the aquatic complex is estimated at $3.825 million dollars. It is hereby agreed that the Parties will contribute to the cost of the construction of the facility as follows:

St. George	$2,672,000
Santa Clara	$ 326,500
Ivins	$ 326,500

The contribution amounts from Ivins and Santa Clara shall be payable to St. George within thirty (30) days of the execution of this Agreement and shall only be used to pay the construction costs of the facility.

3. The aquatic facility shall be exclusively owned and operated by the City of St. George. The governing bodies of Ivins and Santa Clara shall each designate one representative who, along with three (3) representatives designated by St. George, will then collectively meet at least twice a year to give input and receive reports on the operation of the facility. Such representatives shall have advisory powers only and shall have no authority to bind the Parties or make decisions for or on behalf of any of the Parties, nor require St. George to operate the facility in any specific manner. The time and place of the semi-annual meetings shall be set by agreement of the representatives. The representatives may be removed at any time by the appointing Party and upon designation of a replacement representative.

4. The residents of each of the municipalities which are Parties hereto shall be treated on an equal basis with respect to the payment of fees. Any admission or usage fees paid by such residents shall be the same as required for residents of any of the other Parties. The

amount of admission or usage fees shall be set in the sole discretion of St. George. In setting the fees, St. George shall establish such fees with the intent to generate sufficient revenue to cover the direct operating expenses of the facility. St. George hereby agrees that revenues generated by the facility will be first used to pay for the direct operating expenses of the facility. Should revenues generated by the facility exceed the direct operating expenses, such surplus shall be used to pay future direct operating expenses and for additional capital expenditures in expanding or replacing all or portions of the facility. If during the first year of the facility's operation the revenues generated by the facility are less than the actual amount of the direct operating expenses, then the total amount of the shortfall shall be compensated by the Parties as follows: St. George shall contribute an amount equal to 84% of the shortfall, Santa Clara shall contribute an amount equal to 8% of the shortfall, and Ivins shall contribute an amount equal to 8% of the shortfall. Thereafter, if during the second year and each subsequent year of the facility's operation the revenues generated by the facility are less than the actual amount of the direct operating expenses, the Parties hereto shall compensate for such shortfall based upon a ratio calculated by using a numerator which is the number of residents from each individual community using the facility and a denominator which is the total number of all persons using the facility.

5. In the event that St. George sells the facility to other than a government or quasi-government entity within the first twenty years of operation Ivins and Santa Clara shall receive, from closing, the amount of their initial contributions as set forth under Paragraph 2 above. No interest shall be due or paid on such initial contribution. Other than as stated in this Paragraph 5, St. George shall have no obligation to reimburse Ivins and Santa Clara for any of their respective contributions to the cost of construction or operation of the facility.

6. All questions with respect to the construction of this Agreement and the rights and

liabilities of the Parties hereto shall be governed by the laws of the State of Utah. This Agreement may not be amended, changed, modified or altered except by an instrument in writing, approved and executed by the governing bodies of each of the Parties hereto.

IN WITNESS WHEREOF, the Parties have signed this Agreement on the dates listed below.

CITY OF ST. GEORGE

Daniel D. McArthur, Mayor

Date: 1-27-99

ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

CITY OF SANTA CLARA

Fred C. Rowley, Mayor

Date: 1-26-99

ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

IVINS CITY

Christopher C. Blake, Mayor

Date: 1-21-99

ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 3

Applicant: Santa Clara City **Requested by:** N/A

Subject: Recertification of Justice Court

Description:

State statute requires that municipal justice courts be recertified by the Utah Judicial Council every four years. Santa Clara Justice Court certification expires on January 31, 2024. The following is required for recertification: An affidavit completed by Judge Graff, an opinion letter from the city Attorney and a resolution adopted by the city council. Judge Graff and my self are asking for the City Council to adopt resolution 2023-17R for recertification.

Recommendation: Approval **Attachments:** N/A

Cost: N/A

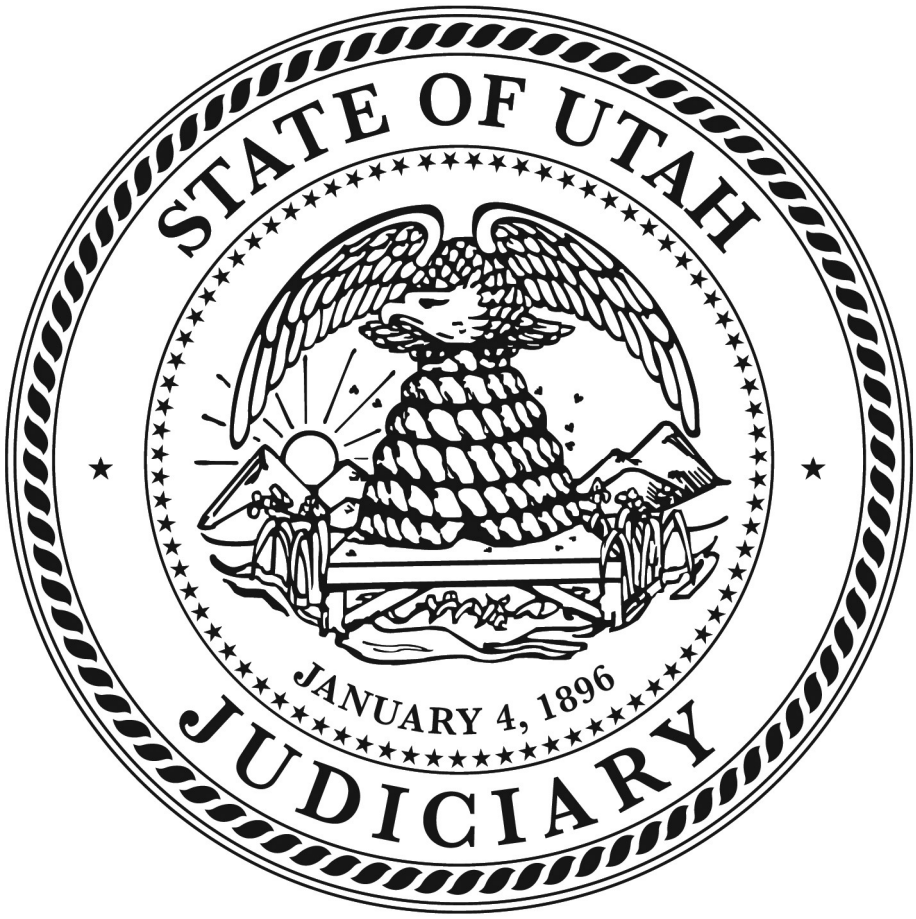
Legal Approval: N/A

Finance Approval: Yes

Budget Approval: Yes

2603 Santa Clara Drive, Santa Clara, Utah 84765
Phone (435) 673-6712 Fax (435) 628-7338

APPLICATION
FOR RECERTIFICATION
OF EXISTING JUSTICE COURTS



OCTOBER 2023

INSTRUCTIONS TO APPLICANT FOR RECERTIFICATION

As part of the recertification process, each entity should carefully review all requirements for the operation of justice courts. ***These requirements now include changes to Appendix B of the Code of Judicial Administration which took effect on May 1, 2023***.

In order to aid governing bodies in obtaining the necessary information regarding the continuing obligations of an entity with respect to the operation of the justice court, the governing body of each entity must request and review a written opinion from its attorney advising the entity of all requirements for the operation of a justice court, and the feasibility of maintaining a justice court. ***This opinion must address all requirements for operating a justice court, including those which took effect earlier this year***. In addition, prior to submission of this application, each entity must duly pass a resolution requesting recertification. The resolution must also affirm that the entity is willing to meet all requirements for, and operation of, the court during the period of certification. ***A copy of the attorney's opinion and the resolution must accompany the application.*** Please use the checklist on page 24 of this packet.

(1) **Statutory Requirements**. Statutes of the State of Utah require that certain standards be met in the operation of a justice court. These statutory requirements include:

(1)(A) All official court business shall be conducted in a courtroom or an office located in a public facility which is conducive and appropriate to the administration of justice (Section 78A-7-213).

(1)(B) Each court shall be open and judicial business shall be transacted every day as provided by law (Section 78A-7-213), although the judge is not required to be present during all hours that the court is open.

(1)(C) The hours that the court will be open shall be posted conspicuously at the court and in local public buildings (Section 78A-7-213).

(1)(D) The judge and the clerk of the court shall attend the court at regularly scheduled times (Section 78A-7-213).

(1)(E) The entity operating the justice court shall provide and compensate a judge and clerical personnel to conduct the business of the court (Section 78A-7-206).

(1)(F) The entity operating a justice court shall assume the expenses of travel, meals, and lodging for the judge of that court to attend required judicial education and training (Section 78A-7-205).

(1)(G) The entity operating a justice court shall assume the cost of travel and training expenses of clerical personnel at training sessions conducted by the Judicial Council (Section 78A-7-103).

(1)(H) The entity operating the justice court shall provide a sufficient staff of public prosecutors to attend the court and perform the duties of prosecution (Section 78A-7-103).

(1)(I) The entity operating the court shall provide adequate funding for attorneys where persons are indigent as provided by law (Section 78A-7-103).

(1)(J) The entity operating the court shall provide sufficient local law enforcement officers to attend court when required and provide security for the court (Section 78A-7-103).

(1)(K) Witness and jury fees as required by law shall be paid by the entity which operates the court (Sections 10-7-76 and 17-50-319).

(1)(L) Any fine, surcharge, or assessment which is payable to the State shall be forwarded to the State as required by law (Sections 78A-7-120 and 78A-7-121).

(1)(M) Every entity operating a court shall pay the judge of that court a fixed compensation, within the range provided by statute (Section 78A-7-206).

(1)(N) Court shall be held within the jurisdiction of the court, except as provided by law (Section 78A-7-212).

(1)(O) The entity operating the court shall provide and keep current for the court a copy of the Utah Code, the Utah Court Rules Annotated, the justice court manual published by the state court administrator, the county, city, or town ordinances as appropriate, and other legal reference materials as determined to be necessary by the judge (Section 78A-7-103).

(1)(P) All required reports and audits shall be filed as required by law or by rule of the Judicial Council (Section 78A-7-215).

(1)(Q) All justice courts shall use a common case management system and disposition reporting system as specified by the Judicial Council (Section 78A-7-213).

(2) **Judicial Council Minimum Requirements**. In addition to those requirements which are directly imposed by statute, the Judicial Council has established additional requirements for the creation and ongoing certification of justice courts, as follows:

(2)(A) A clerk shall be available for at least one hour each day that the court is required to be open and during court hearings, as required by the judge. These hours shall be posted on the court's website.

(2)(B) The judge shall be available to conduct court business as needed, performing all duties required and exercising ultimate responsibility for the administration of justice as an independent branch of government.

(2)(C) All court hearings shall be conducted in a designated courtroom, including remote transmission, as permitted by the Judicial Council, or in another location authorized by the Presiding Judge.

(2)(D) The minimum furnishings for a courtroom shall include: a desk and chair for the judge (on a riser at least six inches above the well), a desk and chair for the court clerk, chairs for witnesses, separate tables and appropriate chairs for plaintiffs and

defendants, a Utah State flag, a United States flag, a separate area and chairs for at least four jurors, a separate area with appropriate seating for the public, an appropriate room for jury deliberations, and an appropriate area or room for victims and witnesses, which is separate from the public, as well as a judicial robe, a gavel, and necessary forms and supplies.

(2)(E) Office space for the judge and clerk shall be appropriate. (Under certain circumstances this space may be shared, but if shared, the judge and clerk must have priority to use the space whenever needed.) The office space shall include a desk for the judge and a desk for the clerk, secure filing cabinets for the judge and the clerk, a telephone for the judge and a telephone for the clerk, appropriate office supplies to conduct court business, a cash register or secured cash box for each clerk performing cashiering duties, a computer with word processing software, and access to a scanner and copy machine.

(2)(F) The court shall provide interpreters as required by Rule 3-306.04 of the Code of Judicial Administration.

(2)(G) The entity shall have at least one peace officer (which may be contracted).

(2)(H) A current court security plan shall be submitted for approval as required by Rule 3-414 of the Code of Judicial Administration.

(2)(I) Each court shall have at least one computer with access to the internet, and appropriate software and security/encryption technology to allow for electronic reporting and access to the Driver License Division and the Bureau of Criminal Identification, as defined by the reporting and retrieval standards promulgated by the Department of Public Safety.

(2)(J) Each court shall report required case disposition information to the DLD, BCI and the Administrative Office of the Courts electronically, as described in Section (2)(I) above.

(2)(K) Clerks' education hours shall be reported to the Administrative Office of the Courts on an annual basis.

(2)(L) The appointment of the clerk(s) assigned to serve the court shall be subject to the judge's approval, who may participate in the interview and personnel evaluation process for the clerk(s) at his or her discretion.

(2)(M) Court staff shall be certified as contemplated by Rule 3-303 of the Code of Judicial Administration.

(2)(N) Any interlocal agreement relating to court operations, as amended to date, shall be provided to the Justice Court Administrator.

(2)(O) The court shall accept credit and debit cards through a system that integrates with CORIS.

(2)(P) The court shall have access to UCJIS.

(2)(Q) An audio recording system shall maintain a digital recording of all court proceedings (78A-7-103).

(2)(Q)(i) For Class I and Class II justice courts, the system must:

(a) be a stand-alone unit that records and audibly plays back the recording;
(b) index, back-up and archive the recording and enable the record to be retrieved;
(c) have at least four recording channels;
(d) have a one step "on" and "off" recording function;
(e) have conference monitoring of recorded audio;
(f) have external record archiving from the unit with local access;
(g) be capable of being integrated with the courts public address system; and

(2)(Q)(ii) For Class III and Class IV justice courts, the system must, at a minimum:

(a) be a stand-alone unit that records and audibly plays back the recording;
(b) index, back-up and archive the recording and enable the record to be retrieved; and
(c) have at least two recording channels.

(2)(Q)(iii) The Board of Justice Court Judges may create a list of products that meet these criteria.

In establishing minimum requirements, the Judicial Council has determined that justice courts with higher case filings require greater support services. To accommodate the great differences in judicial activity among justice courts throughout the state, the Council has divided courts into four classes based upon the average monthly cases filed in that court. Minimum standards have been set for each classification.

Courts which have an average of fewer than 61 cases filed each month are classified as Class IV Courts. The minimum requirements for a Class IV Court are set forth above. These requirements include both the statutory requirements and requirements promulgated by the Judicial Council, and are sometimes hereinafter referred to as "base requirements."

Courts which have an average of more than 60 but fewer than 201 cases filed each month are classified as Class III Courts. In addition to the base requirements, a Class III Court must be open more hours each week (see Class III minimum requirements below), and court must be scheduled at least twice per month.

Courts which have an average of more than 200 but fewer than 501 cases filed each month are classified as Class II Courts. In addition to the base requirements, Class II Courts are required to be open additional hours (see Class II minimum requirements below), the courtroom configuration is required to be permanent (although the courtroom may be used by another entity when the court is not in session), court must be scheduled at least weekly, the judge must be

provided an appropriate office (chambers) for his or her own use, clerical space may not be shared, at least one full-time clerk must be provided (see Class II minimum requirements below), and the courtroom, judge's chambers and clerk's office must be in the same building.

Courts which have an average monthly filing of more than 500 cases are classified as Class I Courts. Class I Courts are considered to be full-time courts. In addition to the base requirements, a Class I Court must have a full-time judge, at least three full-time clerks, at least one of whom is available during regular business hours, it must have a courtroom which is dedicated for the exclusive use as a court and meets the master plan guideline adopted by the Judicial Council, and the judge's chambers and clerk's office cannot be shared by another entity.

The State Legislature has provided that any justice court that continues to meet the minimum requirements for its class is entitled to be recertified. The Judicial Council also has authority to waive any minimum requirement which has not been specifically imposed by the legislature (i.e. requirements (1)(A)-(1)(Q) above). Waiver is at the discretion of the Judicial Council and will be based upon a demonstrated need for a court to conduct judicial business and upon public convenience. Any waiver will generally be for the entire term of the certification. A waiver must be obtained through the Judicial Council each time a court is recertified, and the fact that a waiver has been previously granted will not be determinative on the issue of waiver for any successive application.

There is a great diversity in the needs of the justice courts. The needs of a particular court are affected by the type of cases filed (some courts have a high percentage of traffic matters, while others handle significant numbers of criminal and small claims matters), the location of the court, the number of law enforcement agencies served, the policies and procedures followed by each judge with respect to the operation of the court, and many other factors. Clerical resources and judicial time are particularly sensitive to local conditions. In order to adequately function, it is anticipated that some courts will exceed minimum requirements for clerical resources and judicial time. Similarly, the particular circumstances of a court may allow it to operate efficiently with less than the minimum requirements in the above areas; in such circumstances a waiver may be requested.

The statute also provides that the Judicial Council may grant an extension of time for any requirement which is not specifically required by statute. An extension may be granted at the discretion of the Judicial Council where individual circumstances temporarily prevent the entity from meeting a minimum requirement. An extension will be for a specific period of time and the certification of the court will terminate at the end of the extension period. In order for the court to continue to operate beyond the extension period, the court must be certified as meeting all requirements, obtain an additional extension, or obtain a waiver as provided above.

Applications for existing courts for recertification must be accompanied by an affidavit of the judge, on a form approved by the Judicial Council, certifying that the operational standards for the court have been met. Any exceptions to compliance with the minimum requirements or operational standards shall be noted on the above form. In addition, individual justice court judges must meet with the governing body of the entity which created the court at least once a year to review the budget of the court, review compliance with the requirements and operational standards of the court, and discuss other items of common concern and shall certify that this meeting has been held, and that the operational standards for the court have been met during the prior year.

Upon submission of an application, the Board of Justice Court Judges will conduct an appropriate independent investigation and notify the entity of its initial recommendations, whether in favor or against certification. If the Board intends to recommend against certification, it shall specify the minimum requirements that have not been met. The entity may then present additional information to the Board, request an extension, or request a waiver. After making an appropriate investigation based upon any additional information or request made by the entity, the Board will then submit its recommendations to the Judicial Council. The recommendations shall specify whether or not a waiver or extension should be granted, if either has been requested. If the recommendation is against recertification, or against waiver, or against extension, the entity may request that it be allowed to make an appearance before the Judicial Council. Any request to appear before the Judicial Council must be filed within 15 days of notification of the Board's recommendations.

If you have any questions concerning this application, please contact James Peters, Justice Court Administrator, by calling (801) 578-3824 or emailing jamesp@utcourts.gov.

OPERATIONAL STANDARDS

The following standards are intended to be applied in the recertification review by the Board of Justice Court Judges as operational standards. The justice courts are classified into four classes, based upon case filings. The case filing information is expressed in terms of filings per month, but courts will be classified on the basis of average monthly filings over a period of at least one year.

The classification of a court is determined at creation and is subject to review and possible reclassification twice per year. While the standards for some areas of court operation are uniform for all classifications of justice court, other standards are developed on a continuum, reflecting the difference in the time needed to competently manage caseloads at different levels.

Waiver or extension of any requirement promulgated by the Judicial Council may be obtained at the discretion of the Judicial Council based upon the need for a court. Considerations for waiver or extension will be made on a case by case basis in consideration of, among other things, public convenience and proximity to other courts.

CLASS I

MINIMUM REQUIREMENTS [Note that the following are **minimum** requirements. In order to adequately function as a Class I Court, it may be necessary for your court to exceed the minimum requirements.]

- FILINGS:
501 or more citations or cases filed per month

- HOURS:
Court Open: Full time
Judge: Full time

- FACILITY:
Dedicated Courtroom (with juror deliberation room)
Judge's Chambers
Clerk Office
Co-located in the same facility
(Meet the Master Plan Guidelines adopted by the Judicial Council)

- CLERICAL RESOURCES:
At least three full-time clerks

- PROSECUTION:
Prosecutor to screen cases and represent the county or municipality at trial.

- INDIGENT DEFENSE:
The municipality or county provides adequate funding to provide indigent defense counsel for any defendant who requests representation and qualifies.

- LEGAL RESOURCES:

The following must be available and kept current:

a. Utah Code
b. Local ordinances
c. Justice Court Manual
d. Other legal resources as required under 78A-7-103.

- LAW ENFORCEMENT:

The local government creating the court must have at least one employed or contracted peace officer.

- BAILIFF:

The local government creating the court must provide a sworn law enforcement officer to attend court when required and provide security for the court.

- SECURITY PLAN:

A court security plan must be submitted for approval consistent with Rule 3-414 of the Code of Judicial Administration.

- JURY/ WITNESS FEES:

Local government is responsible for payment of statutory juror and witness fees.

- EDUCATION:

Local government is responsible for cost of attendance at Judicial Council mandated training (at least 30 hours per year for the judge and certification requirements for clerks).

- REPORTING:

All reports and audits shall be made and timely filed as provided by law or by rule of Judicial Council. Reports to the Driver License Division and the Bureau of Criminal Identification must be made electronically (via the internet).

CLASS II

MINIMUM REQUIREMENTS [Note that the following are **minimum** requirements. In order to adequately function as a Class II Court, it may be necessary for your court to exceed the minimum requirements.]

- FILINGS:

201 to 500 citations or cases a month.

- HOURS:

Court Open:

201-300 filings	At least 4 hours per day
301-400 filings	At least 5 hours per day
401-500 filings	At least 6 hours per day

Judge available when needed. Trial calendar set at least weekly.

- FACILITY:

Courtroom (configuration is permanent but may be shared)
Judge's Office
Clerk Office
(Courtroom and office must be co-located in the same building)

- CLERICAL RESOURCES:

201-275 filings	At least one full-time clerk
276-350 filings	1.5 FTEs
351-425 filings	2.0 FTEs
426-500 filings	2.5 FTEs

- PROSECUTION:

Prosecutor to screen cases and represent the county or municipality at trial.

- INDIGENT DEFENSE:

The municipality or county provides adequate funding to provide indigent defense counsel for any defendant who requests representation and qualifies.

- LEGAL RESOURCES:

The following must be available and kept current:

a. Utah Code
b. Local ordinances
c. Justice Court Manual
d. Other legal resources as required under 78A-7-103

- LAW ENFORCEMENT:

The local government creating the court must have at least one employed or contracted peace officer.

- BAILIFF:

The local government creating the court must provide a sworn law enforcement officer to attend court when required and provide security for the court.

- SECURITY PLAN:

A court security plan must be submitted for approval consistent with Rule 3-414 of the Code of Judicial Administration.

- JURY/ WITNESS FEES:

Local government is responsible for payment of statutory juror and witness fees.

- EDUCATION:

Local government is responsible for costs of attendance at Judicial Council mandated training (at least 30 hours per year for the judge and certification requirements for clerks).

- REPORTING:

All reports and audits shall be made and timely filed as provided by law or by rule of Judicial Council. Reports to the Driver License Division and the Bureau of Criminal Identification must be made electronically, via the internet.

CLASS III

MINIMUM REQUIREMENTS [Note that the following are **minimum** requirements. In order to adequately function as a Class III Court, it may be necessary for your court to exceed the minimum requirements.]

- FILINGS:

61-200 citations or cases per month

- HOURS:

Court Open
61-150 filings At least 2 hours a day
151-200 filings At least 3 hours a day
Judge available as needed. Trial calendar set at least twice per month.

- FACILITY:

Courtroom (access to public facility for trials, arraignments, etc.)
Judge's /clerk office
(Meets minimum requirements)

- CLERICAL RESOURCES:

At least one clerk required to be available daily during the scheduled hours of court operation and during court sessions as needed.

- PROSECUTION:

Prosecutor to screen cases and represent the county or municipality at trial.

- INDIGENT DEFENSE:

The municipality or county provides adequate funding to provide indigent defense counsel for any defendant who requests representation and qualifies.

- LEGAL RESOURCES:

The following must be available and kept current:

a. Utah Code
b. Local ordinances
c. Justice Court Manual
d. Other legal resources as required under 78A-7-103

- LAW ENFORCEMENT:

The local government creating the court must have at least one employed or contracted peace officer.

- BAILIFF:

The local government creating the court must provide a sworn law enforcement officer to attend court when required and provide security for the court.

- SECURITY PLAN:

A court security plan must be submitted for approval consistent with Rule 3-414 of the Code of Judicial Administration.

- JURY/ WITNESS FEES:

Local government is responsible for payment of statutory juror and witness fees.

- EDUCATION:

Local government is responsible for costs of attendance at Judicial Council mandated training (at least 30 hours each year for the judge and certification requirements for clerks).

- REPORTING:

All reports and audits shall be made and timely filed as provided by law or by rule of Judicial Council. Reports to the Driver License Division and the Bureau of Criminal Identification must be made electronically, via the internet.

CLASS IV

MINIMUM REQUIREMENTS [Note that the following are **minimum** requirements. In order to adequately function as a Class IV Court, it may be necessary for your court to exceed the minimum requirements.]

- FILINGS:

0-60 citations and/or cases per month

- HOURS:

Court open at least one hour per day. Judge available as needed and trial calendar set at least monthly.

- FACILITY:

Courtroom (access to public facility for trials, arraignments, etc.)
Judge's/clerk office (can be a shared resource but court has priority when needed.)
(Meets minimum requirements)

- CLERICAL RESOURCES:

At least one clerk required to be available daily during the scheduled hours of court operation and during court sessions as needed.

- PROSECUTION:

Prosecutor to screen cases and represent the county or municipality at trial.

- INDIGENT DEFENSE:

The municipality or county provides adequate funding to provide indigent defense counsel for any defendant who requests representation and qualifies.

- LEGAL RESOURCES:

The following must be available and kept current:

a. Utah Code
b. Local ordinances
c. Justice Court Manual
d. Other legal resources as required under 78A-7-103

- LAW ENFORCEMENT:

The local government creating the court must have at least one employed or contracted peace officer.

- BAILIFF:

The local government creating the court must provide a sworn law enforcement officer to attend court when required and provide security for the court.

- SECURITY PLAN:

A court security plan must be submitted for approval consistent with Rule 3-414 of the Code of Judicial Administration.

- JURY/ WITNESS FEES:

Local government is responsible for payment of statutory juror and witness fees.

- EDUCATION:

Local government is responsible for costs of attendance at Judicial Council mandated training (at least 30 hours each year for the judge and certification requirements for clerks).

- REPORTING:

All reports and audits shall be made and timely filed as provided by law or by rule of Judicial Council. Reports to the Driver License Division and the Bureau of Criminal Identification must be made electronically, via the internet.

MINIMUM STANDARDS FOR THE COURTROOM AND OFFICE

Utah Justice Courts handle a very high volume of cases. With this magnitude of cases, it is likely that any contact an average citizen will have with the Utah Judicial System will be through the justice courts. In many instances, this contact will be a citizen's only impression of Utah's system of justice and, even in minor cases, is likely to leave a lasting impression. Regardless of the gravity of a matter before the court, citizens take their appearances as a defendant, witness or juror very seriously and form judgments on the entire judicial system on the basis of their personal experience. As such, it is essential that justice courts convey a sense of justice, dignity and concern for the citizens who interact with them. The facilities which house the courts play an instrumental role in forming these opinions and it is incumbent upon the judicial system to provide appropriately appointed forums in both the largest urban courts and the smallest rural communities.

The following space standards recommend courtroom designs that promote these goals. The courtroom sizes and support staff space are intended to allow for the expeditious administration of justice. They also allow for growth in judicial workloads and unforeseen changes in practice and procedure. In general terms, there are great similarities between the higher courts and justice courts in courtroom configuration and space dynamics. For example, the principles of bench elevation sight lines, witness-jury-judge proximity, and spectator-well orientation are all consistent between courts. Therefore, most of the design recommendations suggested for district courts apply to justice courts. The following discussion emphasizes these similarities and notes exceptions due to statutory and procedural differences as well as resource limitations.

- GENERAL COURTROOM DESIGN:

As stated above, justice court courtrooms should convey the same impressions of dignity, justice, and authority as those serving a court of higher jurisdiction. The appearance of the courtroom should reflect the fact that they are forums for justice. In applying design principles of the higher court to justice courts, the absence of court reporters and full-time bailiffs should be noted. Therefore, the following guidelines are presented in areas that are materially affected by the unique nature of the justice courts.

1. Courtrooms should be at least 1,300 square feet in Class I jurisdictions, 1,100 square feet in Class II jurisdictions and 800 square feet in Class III and Class IV jurisdictions. Walls and ceilings should have appropriate finishes and the well should be illuminated to prevent reading eye strain. The room should be sound insulated from outside noise. All courtrooms should be fully carpeted and adequate ventilation and temperature controls should be installed.

2. The judge's bench should be elevated at least one riser (six inches) above the well floor level. As in the district court, judges' benches should be elevated above the eye level of persons who approach the bench, usually three risers (18 inches). It is recognized however, those low ceiling heights in some justice courts do not allow for three-riser elevation. Benches elevated l8 inches or more in smaller courts can bring the judge too close to the ceiling when standing and puts the bench out of proportion to the room size. One riser should be the minimum standard and additional elevation is desirable as the dimensions of the room permit. Sufficient

space should be provided on the bench for limited file and personal storage and the necessary audio/visual and technology systems to facilitate court proceedings. A concealed duress alarm should be located at the bench in case of emergencies. Other space design considerations may be considered and implemented as necessary to facilitate court proceedings.

3. The witness box should be placed adjacent to the judge's bench. All courtroom participants must have a clear line of sight to the witness box. The box should be large enough to accommodate two people and be enclosed on two to three sides, depending on the entry location. The height of the witness box should shield the witness only from the waist down so that all non-verbal gestures can be easily viewed.

4. The jury box should be placed near the witness box and also have a clear line of sight to all participants. The standard jury box should accommodate five jurors. This will accommodate four jurors with an option for an alternate juror and space for a disabled juror. The jury box should consist of a single row of stationary swivel seats.

   The jurors themselves should be in view of the court as well as the spectators to ensure the perception of an open and public trial. However, the jury box should be sufficiently distanced from the spectator area to inhibit any physical or verbal contact. Seven feet from the center of the first juror's chair to the bar is adequate. This leaves an additional two to three feet from the edge of the bar to the center of the nearest spectator's seat.

   A "modesty rail" should be placed in front of the jurors with enough depth to rest documents and files.

   A clerk's station should be provided by the judge's bench opposite from the witness stand. This will accommodate different in-courtroom practices and procedures. It should also have storage and required technology systems and controls to facilitate court proceedings. The clerk's station should be located to facilitate conversation between the clerk and the judge from the judge's bench.

5. Tables for the defense and prosecution should be provided to comfortably seat three persons each. The tables' distance from each other, the spectators, and the jury should be such that private conversations cannot be overheard. This usually requires at least five feet between tables and eight feet from the nearest juror or spectator.

6. Judge's chambers should be at least 120-160 square feet with direct access to the judge's bench and to the clerk's area. Chambers should be equipped with adequate shelving for law texts, a desk and chair for the judge and visitor seating for small meetings or conferences.

7. A jury room no smaller than 150 square feet should be integrated into each justice court. This space can serve as a conference room for attorneys and clients or as flexible space when not in use by a jury. A table and chairs should be provided and a telephone outlet should be installed for conference use. A toilet room should be conveniently available to the conference room and a drinking fountain should be in close proximity.

   The Clerk's area should include a reception area for visitors and a counter to receive people with business before the court. The reception area should be no less than 150 square feet and the counter space should comprise 60 square feet (e.g. a seven-foot counter with a depth of three feet and approximately three feet of open area on each side).

   A restroom for the public and a separate restroom for the judge, staff and jurors should be provided.

   Clerical staff should be afforded 75 square feet per person to accommodate a desk, chair, computer and other equipment and perimeter space. Staff space should be open landscape type. A small storage and print/copier area should also be provided.

- <u>CLERICAL/SUPPORT SPACE</u>:

The clerical and support space listed in the general court standards can also be applied to the justice courts. Actual justice court staff will vary widely depending on location, workload and county support.

COURT CERTIFICATION AFFIDAVIT

Justice Court: _____

Judge: _____

Address: _____

_____

Telephone: _____

Court's Website: _____

Level of Court (Circle one): I II III IV

Average Case Filings Per Month: _____

Daily Court Hours: _____

Number of Full-time Clerks: _____
Hours Worked Per Week Per Clerk: _____

Number of Part-time Clerks: _____
Hours Worked Per Week Per Clerk: _____

This form is divided into two parts. Section I contains those requirements that are statutory and cannot be waived. Section II contains minimum requirements established by the Judicial Council, and those requirements may be waived pursuant to the procedure set forth in the Instructions to Applicant included with this Application for Recertification.

- -

Comes now Judge _____,

Justice Court Judge for _____,

and, except as specifically noted below, certifies as follows:

SECTION I

THE FOLLOWING ITEMS ARE STATUTORY AND CANNOT BE WAIVED. CERTIFICATION WILL NOT BE GRANTED UNLESS EACH REQUIREMENT IS MET.

Please indicate **Yes or No** to each of the following:

1. All official court business is conducted in a public facility. _____

2. Court is open daily. _____

3. The hours of court operation are posted conspicuously. _____

4. The judge and the clerk attend court at regularly scheduled times based on the level of the court. _____

5. The judge is compensated at a fixed rate, within the statutory range. _____

6. The responsible governmental entity provides and compensates sufficient clerical personnel necessary to conduct the business of the court. _____

7. The responsible governmental entity assumes the expenses of the travel of the judge for purposes of required judicial education. _____

8. The responsible governmental entity assumes the expenses of the travel of each clerk for the purposes of attending training sessions conducted by the Judicial Council. _____

9. The responsible governmental entity provides the Court with:

   a. Sufficient prosecutorial support _____

   b. Funding for attorneys for indigent defendants, as appropriate _____

   c. Sufficient local law enforcement officers to attend court as provided by statute _____

   d. Security for the court as provided by statute _____

   e. Witness and juror fees _____

   f. Appropriate copies of the Utah Code, the Justice Court Manual, state laws affecting local governments, local ordinances and other necessary legal reference materials _____

10. Fines, surcharges and assessments which are payable to the state are forwarded as required by law. _____

11. Court is held within the jurisdiction of the court, except as provided by law (78A-7-212).

_____

12. All required reports and audits are filed as required by law or Rule of the Judicial Council.

_____

13. A record of all court proceedings is maintained by an appropriate digital recording system.

_____

SECTION II

Section II contains minimum requirements established by the Judicial Council, and those requirements may be waived or an extension granted pursuant to the procedure set forth in the Instructions to Applicant included with this Application for Recertification.

Please indicate **YES or NO** to each of the following:

1. A clerk is available each day to conduct court business, including hearings as required by the judge, for the number of hours required for the classification of the court. _____

2. Hours during which a clerk is available are posted on the court's website. _____

3. The judge is available to conduct court business as needed. _____

4. The judge performs all duties required and exercises ultimate responsibility for the administration of justice as an independent branch of government. _____

5. All court hearings are conducted in a designated courtroom, by remote transmission, or in another location authorized by the Presiding Judge. _____

3. Minimum furnishings in the courtroom include:

   a. Desk and chair for the judge _____

   b. A six-inch riser _____

   c. Desk and chair for the court clerk _____

   d. Chairs for witnesses _____

   e. Separate tables and appropriate chairs for plaintiffs and defendants _____

   f. A new Utah State flag that will be on display no later than March 9, 2024 _____

   g. A United States flag _____

   h. A separate area and chairs for at least four jurors _____

   i. A separate area with appropriate seating for the public _____

   j. An appropriate room for jury deliberations _____

   k. An appropriate area or room for victims and witnesses which is separate from the public _____

   l. A judicial robe _____

m. A gavel _____

p. Necessary forms and supplies _____

q. Office space for the judge _____

r. Office space for the court clerk _____

s. Secure filing cabinets _____

t. Appropriate office supplies _____

u. A cash register or secured cash box for each clerk performing cashiering duties __

v. At least one computer with word processing software and internet access _____

w. Access to a scanner and copy machine _____

4. The court shall provide interpreters as required by Rule 3-306.04 of the Code of Judicial Administration. _____

5. Does the applicant have a law enforcement department? _____

6. If the applicant does not have a law enforcement department, identify the law enforcement agency which will provide law enforcement services for the applicant:_____
_____
_____

7. A court security plan has been submitted for approval as required by Rule 3-414 of the Code of Judicial Administration. _____

8. The court electronically reports to the Driver License Division, the Bureau of Criminal Identification and the Administrative Office of the Courts as required. ____

9. Clerks' education hours shall be reported to the Administrative Office of the Courts on an annual basis. _____

10. The appointment of the clerk(s) assigned to serve the court are subject to the judge's approval, who may participate in the interview and personnel evaluation process for the clerk(s) at his or her discretion. _____

11. Court staff are current with all certification requirements required by the Board of Justice Court Judges from the month after starting with the court through September 30, 2023.
_____

12. Any interlocal agreement relating to court operations shall be submitted to the Administrative Office of the Court with the city's application for recertification. _____

13. The court accepts credit and debit cards through a system that integrates with CORIS. _____

14. The court has access to UCJIS. _____

15. An audio recording system that complies with the description below maintains a digital recording of all court proceedings. _____

For Class I and Class II justice courts, the system must:

- Be a stand-alone unit that records and audibly plays back the recording;
- Index, back-up and archive the recording and enable the record to be retrieved;
- Have at least four recording channels;
- Have a one-step "on" and "off" recording function;
- Have conference monitoring of recorded audio;
- Have external record archiving from the unit with local access; and
- Be capable of being integrated with the court's public address system.

For Class III and Class IV justice courts, the system must, at a minimum:

- Be a stand-alone unit that records and audibly plays back the recording;
- Index, back up and archive the recording and enable the record to be retrieved; and
- Have at least two recording channels.

16. If the court is a **Class I** court:

a. Judge is employed on a full-time basis ____

b. Dedicated courtroom which meets the master plan guidelines adopted by the Judicial Council ____

c. Court has a jury deliberation room ____

d. Judge's chambers, clerk's office, and courtroom are in the same building ____

e. Judge has his or her own private chambers ____

f. Clerk's office is separate from any other entity ____

g. Court is open during normal business hours ____

17. If the court is a **Class II** court:

a. Court is open (check one)

____ 201-300 average monthly filings: at least 4 hours/day
____ 301-400 average monthly filings: at least 5 hours/day
____ 401-500 average monthly filings: at least 6 hours/day

b. Trial calendar is set at least weekly ____

c. Courtroom configuration is permanent ____

d. Courtroom, judge's chambers, and clerk's office are within the same building ___

e. Judge has his or her own private chambers ____

18. If the court is a **Class III** court:

a. Trial calendar is set at least twice per month ____

b. Court is opened (check one):

____ 61-150 average monthly filings: at least 2 hours/day
____ 151-200 average monthly filings: at least 3 hours/day

19. If the court is a **Class IV** court:

a. Trial calendar is set at least monthly ____

b. Court is open at least 1 hour per day ____

20. **If you have responded with a "no" to any item in Section II above, you must request a waiver or extension below and justify that request.** If waiver or extension of any requirement is requested, please specify each requirement and indicate factors which demonstrate a need for the waiver or extension. For any requested extension, please include the requested extension period. (To receive a waiver or extension of any requirement, the information requested in this section must be provided. Remember that statutory requirements cannot be waived or extended).

I am familiar with the minimum operational standards for this court, and except as noted above, those standards are currently met or exceeded. During the current term of the court, I have met with the appropriate governing body of the city to review the budget of the court, review compliance with the minimum requirements and operational standards, and discuss other items of common concern.

DATED this _____ day of _____, 2023.

_____
Justice Court Judge

I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

Executed on this _____ day of _____, 2023.

C H E C K L I S T

Please be sure that your application for recertification includes each of the following:

1. ____ Court Certification Affidavit completed and signed by the judge.

2. ____ A copy of a written opinion from the city or county attorney (as appropriate), directed to the appropriate sponsoring governmental entity, advising that entity of all requirements for the operation of the justice court and the feasibility of maintaining the court.

3. ____ A copy of a duly passed resolution of the sponsoring governmental entity that

   a. requests recertification of the court, and

   b. affirms that the entity is willing to meet all requirements for the operation of the court during the period of certification.

4. ____ A copy of your court security plan, as required by Rule 3-414 of the Code of Judicial Administration.

5. ____ A copy of any interlocal agreement(s) relating to court operations, as amended to date.

ALL OF THESE DOCUMENTS MUST BE RECEIVED BY THE ADMINISRATIVE OFFICE OF THE COURTS BY:
DECEMBER 15, 2023.

Board of Justice Court Judges
Attention: James M. Peters
Administrative Office of the Courts
P. O. Box 140241
Salt Lake City, Utah 84114-0241
jamesp@utcourts.gov

SAMPLE RESOLUTION

A RESOLUTION REQUESTING THE RECERTIFICATION OF
THE _____ JUSTICE COURT

WHEREAS, the provisions of U.C.A. 78A-7-103 require that Justice Courts be recertified at the end of each four-year term; and

WHEREAS, the term of the present Court shall expire on the 31st day of January 2024; and

WHEREAS, the members of the _____ City Council have received an opinion letter from _____, City Attorney, which sets forth the requirements for the operation of a Justice Court and feasibility of continuing to maintain the same; and

WHEREAS, the members of the _____ City Council have determined that it is to the best interests of _____ Municipality to continue to provide for a Justice Court.

BE IT RESOLVED, the _____ (name of Council or Board) hereby requests recertification of the _____ Justice Court by the Board of Justice Court Judges and the Utah Judicial Council.

BE IT FURTHER RESOLVED, the _____ (name of Council or Board) of Municipality hereby affirm their willingness to continue to meet all requirements set forth by the Judicial Council for continued operation of the _____ Justice Court for the next four-year term of court, except as to any requirements waived by the Utah Judicial Council.

APPROVED and signed this _____ day of _____, 2023.

_____

Municipality

by _____

(Title)

ATTEST: _____

CITY OF SANTA CLARA
RESOLUTION 2023-17R

A RESOLUTION REQUESTING THE RECERTIFICATION OF THE CITY OF SANTA CLARA MUNICIPAL JUSTICE COURT

WHEREAS, the provisions of U.C.A 78-5-139(3) require that Justice Courts be recertified at the end of each four-year term; and

WHEREAS, the term of the present court shall expire on the 31st of January, 2024; and

WHEREAS, the members of the City Council of the City of Santa Clara have received an opinion letter from Matt Ence, City Attorney, which sets forth the requirements for the operation of a Justice Court and feasibility of continuing to maintain the same; and

WHEREAS, the members of the City Council of the City of Santa Clara have determined that it is to the best interests of the City of Santa Clara to continue to provide for a Justice Court;

BE IT RESOLVED, the City Council of the City of Santa Clara hereby requests recertification of the Santa Clara Municipal Justice Court by the Justice Courts Standards Committee and the Utah Judicial Council.

BE IT FURTHER RESOLVED that the City Council of the City of Santa Clara hereby affirm their willingness to continue to meet all requirements set forth by the Judicial Council for continued operation of the Santa Clara Municipal Justice Court for the next four-year term of court, except as to any requirements waived by the Utah Judicial Council.

APPROVED and signed this 13th day of December, 2023.

Santa Clara City

_____
Rick Rosenberg, Mayor

ATTEST:

_____
Chris Shelley, City Recorder

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF
SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 4

Applicant: Teri Forbes **Requested by:** Brock Jacobsen

Subject: Teri Forbes Contract Update

Description:

Teri Forbes has been transcribing minutes for the city since July 2017. She started with the Planning commission and has been willing to do other committees as well. She started transcribing for the City Council in March of 2023. She provides a valuable service to the city. In order for her to continue doing the minutes she needs to increase her hourly rate by $2.50, making her new hourly amount of $40.00.

Recommendation: Approval

Attachments: N/A

Cost: 40

Legal Approval: N/A

Finance Approval: Yes

Budget Approval: Yes

2603 Santa Clara Drive, Santa Clara, Utah 84765

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

Amended 12-13-2023

SERVICE AGREEMENT

SANTA CLARA CITY, a municipality duly organized and existing under the laws of the State of Utah, with its principal place of business located at 2603 Santa Clara Dr., Santa Clara, UT 84765 (hereinafter referred to as "Municipality") and Teri Forbes (hereinafter referred to as "Service Provider") herewith enter into this Service Agreement, effective as of March 1, 2023.

RECITALS:

The parties recite and declare:

1. Service Provider is transcribing City Council Work Meeting, Regular City Council Meeting, Special Meetings, Planning Commission Meetings, Heritage Meetings, Hillside and TRC (If TRC meeting is over *3* hours) and Municipality is willing to receive said services, pursuant to the terms, covenants and conditions set forth in this agreement.
2. In order to properly transcribe minutes, Service Provider understands she will be required to submit transcribed minutes the Monday prior to the next City Council Meeting.
3. For the reasons set forth above, and in consideration of the mutual promises and agreements set forth in this agreement, which the parties agree are sufficient to support the promises contained in this agreement, the Municipality and Service Provider agree as follows:

SECTION ONE
SERVICES

1. Service Provider herewith agrees to perform, for and to the benefit of the Municipality, the following services:

   a. Prepare transcribed minutes and submit same to Municipality the Monday prior to the next City Council Meeting and Wednesday prior to the next Planning Commission Meeting.

   b. Submit recorded copy of meeting and copy of transcribed minutes in a format acceptable to Municipality.

Service Provider accepts and agrees to provide such service subject to the general need, requirements, and objectives of the Municipality.

SECTION TWO
INDEPENDENT CONTRACTOR

Service Provider shall be an independent contractor and not an employee of the City. The services performed shall not be subject to the supervision or requirements of the Municipality or its employees, as Service Provider is providing a service to the City as an independent business. Service Provider shall obtain a business license for this business. The City agrees to waive any business license fee.

SECTION THREE
TERM OF AGREEMENT

This Agreement shall terminate upon thirty (30) days written advance notice provided by either party, unless terminated sooner pursuant to the terms of this agreement.

SECTION FOUR
COMPENSATION

The Municipality shall pay Service provider and Service Provider shall accept from the Municipality, in full payment for all services provided to the Municipality. Compensation to Service Provider shall be established as follows: $37.50 $40.00 hourly rate.

Municipality will make payment on invoice(s) for services, provided work is properly documented. Municipality requests that invoices be submitted in monthly intervals. under this Agreement.

SECTION FIVE
TERMINATION OF AGREEMENT

1. This agreement may be terminated for cause by either party with thirty (30) days written notice to the other party.

2. Cause justifying termination of this agreement shall be limited to the following:

   a. Service Provider fails to provide services or make reasonable progress on providing services required under this agreement.

   b. The Municipality fails to compensate Service Provider as required under this agreement.

3. In the event this agreement is terminated for cause, the Municipality shall pay Service Provider for work performed prior to termination of the contract pursuant to the compensation schedule set forth above, and the Municipality shall have no further obligation to make payments to Service Provider for any additional compensation which may have been due under this agreement, including, but not limited to monthly payments and payment of the contract balance.

4. Service Provider does not have any property interest in a continuation of this agreement and said agreement may be terminated without any form or due process or right to appeal.

5. Upon termination, Municipality shall pay Service Provider for unpaid services, which shall be the sole financial remedy of either party upon termination.

SECTION SIX
RETURN OF EQUIPMENT OF TERMINATION OF AGREEMENT

On termination of this agreement by either party, Service Provider shall give or return to Municipality all Municipality property. Information, files, client lists, and/or any other information generated pursuant to or in furtherance of this agreement, whether generated by the Municipality, Service Provider, or any other person.

SECTION SEVEN
BENEFITS

Service Provider shall have no right to and shall not be provided with any type of employment benefits including, but not limited to, sick leave, vacation leave, retirement, health insurance, workers compensation, disability insurance, etc.

SECTION EIGHT
HOLD HARMLESS/INDEMNIFICATION

1. Service Provider herewith agrees to indemnify and hold the Municipality, its officers, agents, officers and employees harmless from any action, cause of action, claims for relief, demands, damages, expenses, costs, fees, or compensation, whether or not said actions, causes of action, claims for relief, demands, damages, costs, fees, expenses and/or compensation are known or unknown, are in law or equity, and without limitation, all claims of relief which can be set forth through a complaint or otherwise that may arise out of the acts or omissions, negligent or otherwise of Service Provider and/or Service Provider's officers, official agents, or employees.

2. Service Provider warrants that Service Provider was informed that Municipality is not responsible for acquiring and maintaining Worker's Compensation insurance as well as liability insurance sufficient to support the promises, releases and waivers contained in this agreement, but such is the responsibility of the Service Provider.

SECTION NINE
AGREEMENT OUTSIDE OF CONTRACT

This agreement contains the complete agreement concerning the arrangement between the parties and shall, as of the effective date hereof, supersede all other agreements between the parties. The parties stipulate that neither of them has made any representation with respect to the subject matter of this agreement or any representations including the execution and delivery of this agreement except such representations as are specifically set forth in this agreement and each of the parties acknowledges that he or it has relied on its own judgment in entering into this agreement. The parties further acknowledge that any payments or representations that may have been made by either of them to the other prior to the date of executing this agreement are of no effect and that neither of them has relied thereon in connection with his or its dealings with the other.

SECTION TEN
MODIFICATION OF AGREEMENT

Any modification of this agreement or additional obligation assumed by either party in connection with this agreement shall be binding only if evidenced by writing signed by each party or any authorized representative of each party.

SECTION ELEVEN
CHOICE OF LAW

It is the intention of the parties to this agreement that this agreement and the performance under this agreement, and all suits and special proceedings under this agreement, be construed in accordance with and under and pursuant to the laws of the State of Utah and that, in any action, administrative action, special proceeding or other proceeding that may be brought arising out of, in connection with, or by reason of this agreement, the laws of the State of Utah shall be applicable and shall govern to the exclusion of the law of any other forum, without regard to the jurisdiction

In which any action or special proceeding may be instituted, with the exception that any action arising out of federal law shall be construed in accordance with and under and pursuant to the federal law at Issue.

SECTION TWELVE
NO WAIVER

The failure of either party to this agreement to insist upon the performance of any of the terms
and conditions of this agreement, or the waiver of any breach of any of the terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.

SECTION THIRTEEN
EFFECT OF PARTIAL INVALIDITY

The invalidity of any portion of this agreement for any reason will not and shall not be deemed to affect the validity of any other provision. In the event that any provision of this agreement is held to be invalid; the parties agree that the remaining provisions shall be deemed to be in full force and effect as if they have been executed by both parties subsequent to the expungement of the invalid provision.

SECTION FOURTEEN
PARAGRAPH HEADINGS

The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

IN WHITNESS WHEREOF. each party to this agreement has caused it to be executed on the date indicated below.

SERVICE PROVIDER:

_____ _____

Teri Forbes Date

Amended 12-13-23

MUNICIPALITY: SANTA CLARA CITY

By:_____
Rick Rosenberg

Its: Mayor

Date:_____

ATTEST:

_____
City Recorder

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF
SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 5

Applicant: Clayton Leavitt **Requested by:** Jim McNulty

Subject: Preliminary Subdivision Plat, Pioneer Pointe Subdivision

Description:

Clayton Leavitt is requesting Preliminary Plat Approval for the Pioneer Pointe Subdivision. The Pioneer Pointe Subdivision includes 133 units on 18.09 acres of property. This equates to density of 7.35 units/acre. On July 12, 2023, the City Council adopted Ordinance #2023-15. A staff report with more detailed information has been included for your review.

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

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

Staff Report

Preliminary Subdivision Plat
Summary and Recommendation

Public Body: Santa Clara City Council
Meeting Date: December 13, 2023
Current Zone: Planned Development Residential, PDR
General Plan Designation: Medium Density Residential, MDR
Property Address: 400 East/Patricia Drive and Pioneer Parkway
Request: Pioneer Pointe Subdivision, Preliminary Plat
Applicant Name: Clayton Leavitt (Oak Creek)
Staff Planner: Jim McNulty
Planning Staff Recommendation: Approve with conditions.
Meeting Type: Public Meeting

PROJECT DESCRIPTION

The applicant, Clayton Leavitt (Oak Creek), is requesting Preliminary Plat Approval for the Pioneer Pointe Subdivision. The Pioneer Pointe Subdivision includes a total of 133 units on 18.09 acres of property. This equates to a density of 7.35 units/acre.

The ***Property Rezoning and Project Plan approval (Ordinance #2023-15, attached)*** included 82 single-family units/lots, with 51 multi-family townhome units (front loaded and rear loaded). City Ordinance #2023-15 was approved and adopted by the City Council on July 12, 2023. Prior to adoption of Ordinance #2023-15, the Planning Commission held two public hearings on March 23, 2023, and May 25, 2023. Both public hearings were well attended by residents in the vicinity.

Chapter 17.68, Planned Development Zones, requires a review of the Preliminary Subdivision Plat. Additionally, the preliminary plat application is required to include all preliminary plat requirements as per Chapter 16.16 of Subdivision Ordinance. City staff will further address the proposed project and requirements in the staff report.

SITE & VICINITY DESCRIPTION

The subject property is located north of Pioneer Parkway, with Patricia Drive running along the eastern boundary, and 400 East abutting the western boundary. Tuscany Drive runs north of the subject property. The centerline of 400 East is the boundary between Santa Clara City and Ivins City.

Request: Pioneer Pointe Subdivision

PRELIMINARY SUBDIVISION PLAT REVIEW ITEMS

City staff has determined that the Preliminary Subdivision Plat is consistent with the Project Plan for the Pioneer Pointe Project. City staff has identified the following items that need to be addressed at this time:

1. **Residential Unit Count:** The Preliminary Plat Plan includes **a total of one hundred thirty-three (133) units** on 18.09 acres of property. This equates to a **density of 7.35 units/acre.** A total of 82 single-family lots/pad lots are proposed along with 51 multi-family townhome units.

2. **Project Phasing Plan:** A Phasing Plan has been included for the overall project. **A total of seven (7) phases are proposed** by the developer. Each phase will include the following:

    - ***Phase 1A*** includes 14 single-family lots with a detention basin area.
    - ***Phase 1B*** includes 21 single-family pad lots, amenity area parking, and project amenities. These amenities include restrooms with changing areas, a large pool, hot tub, and an outdoor seating (covered and uncovered) area for the community.
    - ***Phase 2*** includes 11 single-family pad lots with project amenities. These amenities include three (3) pickleball courts, a green court/open space area with walking paths, and a pavilion.
    - ***Phase 3*** includes 11 single-family pad lots.
    - ***Phase 4*** includes 19 single-family pad lots with project amenities. This amenity area includes a large green court/open space area with walking paths.
    - ***Phase 5*** includes 26 multi-family townhomes units in five (5) buildings, and visitor parking.
    - ***Phase 6*** includes 25 multi-family townhome units in six (6) buildings with project amenities. This amenity area includes a large green court/open space area with walking paths and a large pavilion.

3. **Building Design/Materials/Height/Setbacks:** Chapter 17.68 requires a review of building design, building materials, building height, and building setbacks. The Preliminary Subdivision Plat includes both single-family homes and multi-family townhomes as follows:

    - ***Single-Family Home Lots/Wide Pad Lots.*** Both one-story and two-story traditional home designs are proposed for these single-family lots. Home sizes will range from 1,500 to 3000 sq. ft. Four to five different models with varying elevations and materials including multiple brick and stone options along with stucco, and tile roof options. Rambler homes will be approximately 20' in height, with two-story homes being 27' in height. ***Lots 1 - 14 (traditional single-family lots)*** will have a 20' front yard setback, with 8' side yards, and a rear yard of 10'. ***Wide Pad Lots (23, 25, 29, 33, 37 – 46, 48 – 69, 71, and 74)*** will have a front yard setback of 15' to living space, with 20' to the garage. The side yard setback will be 16' between each building, with a rear setback of 10'.

    - ***Single-Family Pad Lots/Narrow Homes.*** The smaller/narrow pad lot single-family homes will include a two-story design. Home sizes will range from 1700 to 1850 sq. ft. Four different models with varying elevations and materials including multiple brick and stone options along with hardiboard, stucco, and tile roof options. The two-story homes will be approximately 25' to 27' in height. ***Narrow Pad Lots (15 – 22, 24, 26 – 28, 30 – 32, 34 – 36, 47, 70, 72, 73, 75, 76 – 82)*** will have a front yard setback of 15' to living space, with 20' to the garage. The side yard setback will be 16' between each building, with a rear setback of 10'.

- ***One-Story Townhomes.*** These ***units include two-bedrooms and two bathrooms*** homes with a one-car garage and two-car driveway. The ***proposed units would be approximately 985 to 1100 sq. ft.*** in size. Two different color palettes with a variety of building materials including brick and stone, hardiboard, stucco, and tile roof options are proposed. The one-story townhomes will be approximately 22' in height. ***Units 94 - 114*** will have a front yard setback of 15' to living space, with 20' to the garage. The side yard setback between buildings will be 12' with a rear setback of 10'.

- ***Two-Story Townhomes***. These units include ***3 and 4 bedrooms, 2.5 baths*** with a two-car garage and two-car driveway. The ***proposed units will be 1400 to 1600 sq. ft. in size.*** Two different color palettes with a variety of building materials including brick and stone, hardiboard, stucco, and tile roof options are proposed. The two-story townhomes will be approximately 27' in height. ***Units 83 - 93*** will have a rear/front yard driveway depth of 20', with a side yard setback of 12' and 15' between buildings. The front yard will include a courtyard patio that fronts onto a green court area. **Units 115 - 133** will have a rear yard/front yard driveway depth of 20' along Tuscany Drive, with a side yard setback of 15' between buildings. ***The front yard for these units is approximately 20' to face of building; however, an 8' courtyard patio will be allowed in the setback area allowing for 12' from back of sidewalk to courtyard.***

4. **Open Space: Chapter 17.68 requires at least 30% of a project area to be in common open space**. The Preliminary Plat includes approximately **34.83% (6.30 acres)** of open space being proposed for the overall project. The applicant is required to work with city staff during both the Preliminary and Final Subdivision Plat review to verify these calculations.

5. **Public Trail Access: An 8' asphalt public trail along 400 East** has been shown on the Preliminary Subdivision Plat. This trail is required as per the **2018 Trails Master Plan.** This required trail will tie in with the existing section of trail along the 400 East frontage of the Tuscany project, which provides a connection to other trails in the area. The applicant is required to work with city staff during both the Preliminary and Final Subdivision Plat review process.

6. **Landscaping & Water Efficiency:** Chapter 17.68 requires project landscaping and puts standards in place for the PD Zone. Section 17.68.050 discusses landscape design and water conservation principles. The final landscape and irrigation plans will be required to comply with **City Ordinance #2022-05 (Water Efficient Landscaping & Conservation Standards). A secondary water connection will be required for outdoor water use.** The applicant has provided a preliminary landscape plan; however, a more thorough review with **additional details (final landscaping & irrigation plan) will be required with each Final Plat submittal.**

7. **Public Road Cross-Section*:*** The Preliminary Plat includes **a required 45' public road cross-section** within the interior of the project. **This includes 30' of asphalt, 2.5' of curb and gutter on either side, with a 5' sidewalk on each side of the road allowing for good pedestrian access and movement.** Additionally, improvements such as but not limited to curb & gutter, park strip, sidewalk, and trails will be required along Patricia Drive (50' public street), Pioneer Parkway (70' public street), and 400 East (66' public street). The applicant is required to work with city staff and comply with all department recommendations during both the Preliminary and Final Subdivision Plat review process.

8. **Private Driveway Cross-Sections:** The Preliminary Plat includes **two (2) private driveways at 26'.** Each private driveway would provide access to two (2) single-family pad lots **(Lots 38-39, and 59-60).** The applicant is required to work with city staff and comply with all department recommendations during both the Preliminary and Final Subdivision Plat review process.

9. **Parking:** The Preliminary Plat includes **203 parking spaces for the 51 multi-family townhome units.** This equates to 4.0 parking spaces per unit. An additional 20 surface parking spaces have been provided adjacent to the project amenities in Phase 1B, and within Phase 5. **Chapter 17.32 requires two (2) parking spaces per unit, one covered and one uncovered. Each of the single-family lots/pad lots have been designed to include a two-car garage with a two-car driveway.** The project parking will be reviewed during both the Preliminary and Final Subdivision Plat review process.

10. **Project Utilities: Utilities (e.g., water, sewer, power, gas, etc.) are required for the project.** The applicant is required to work with city staff and comply with all department recommendations during both the Preliminary and Final Subdivision Plat review process.

11. **Soils Report: A Geotech Report (Subsurface Investigation) done by Applied Geo-Tech** was submitted for the property. It appears that expansive clay was encountered in multiple site locations (north & south); however, **the site is suitable to support residential slab on grade construction** provided that the report recommendations are implemented during construction. The applicant will be required to work with city staff during both the Preliminary and Final Subdivision Plat review process to determine compliance.

12. **Traffic Study: A Traffic Impact Study, TIS done by Hales Engineering** was submitted for the property. **Two project accesses were assumed, which resulted in an acceptable LOS at intersections; however, a third access was also considered on Patricia Drive**. The third access would improve the internal circulation of the project. Since the report was submitted, the project has been redesigned to include a row of single-family lots along Patricia Drive without access to the interior of the site. This was done to tie in with the existing single-family neighborhood in the immediate vicinity. **Access to the site will be gained off Pioneer Parkway and 400 East.**

13. **Block Privacy Wall:** A **6' solid block privacy wall will be required along Pioneer Parkway and 400 East.** A block wall detail and color sample has been included with the Preliminary Plat. City staff would recommend that **more specific details be required at Final Plat submittal.**

14. **Owner Occupancy:** City Ordinance #2023-15 (adopted July 12, 2023) requires that a minimum of ***fifty percent (50%) of all units*** **in the Pioneer Pointe Project be owner-occupied.** This requirement must be included in the CC&Rs to be recorded for the project and enforced by the HOA.

15. **Project CC&Rs:** A **copy of the project CC&Rs is required** for City staff and legal counsel review when an application for Final Plat approval is submitted to the City.

16. **Dust Control:** A **Dust Control Plan is required** for review and approval by city staff before a grading permit can be issued allowing for site work. The health, safety, and welfare of adjacent residents must be considered.

17. **Temporary Drivable Access:** During the **public meeting on October 26, 2023, the Planning Commission** added a condition regarding temporary drivable access once a total of 30 units within the project's interior have been platted. **Condition of Approval #17** addresses this item.

NEIGHBORHOOD RESPONSE

The City Council agenda has been posted on the city website as well as City Hall, the Santa Clara Post Office, and local library. No comments have been received by city staff as of the writing of this report.

Request: Pioneer Pointe Subdivision

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, Post Office, local library) at least 24 hours before the meeting. The city is also required to post on the State Public Notice Website. City Staff has determined that all State Code requirements have been met with this application.

REVIEWING DEPARTMENTS

DEPARTMENT: *Building*
Recommendations: A geotechnical report will be required for all lots/units/buildings within the project prior to permit issuance.
Required Revisions: None at this time.

DEPARTMENT: *Parks & Trails*
Recommendations: An 8' public multi-purpose trail is required along 400 East.
Required Revisions: None at this time.

DEPARTMENT: *Police & Fire*
Recommendations: Fire & Emergency Vehicle access is required. Additional review required at final plat.
Required Revisions: None at this time.

DEPARTMENT: *Power*
Recommendations: Public Utility Easements (PUE's) are required for each final plat. Transformer locations need to be reviewed and approved.
Required Revisions: None at this time.

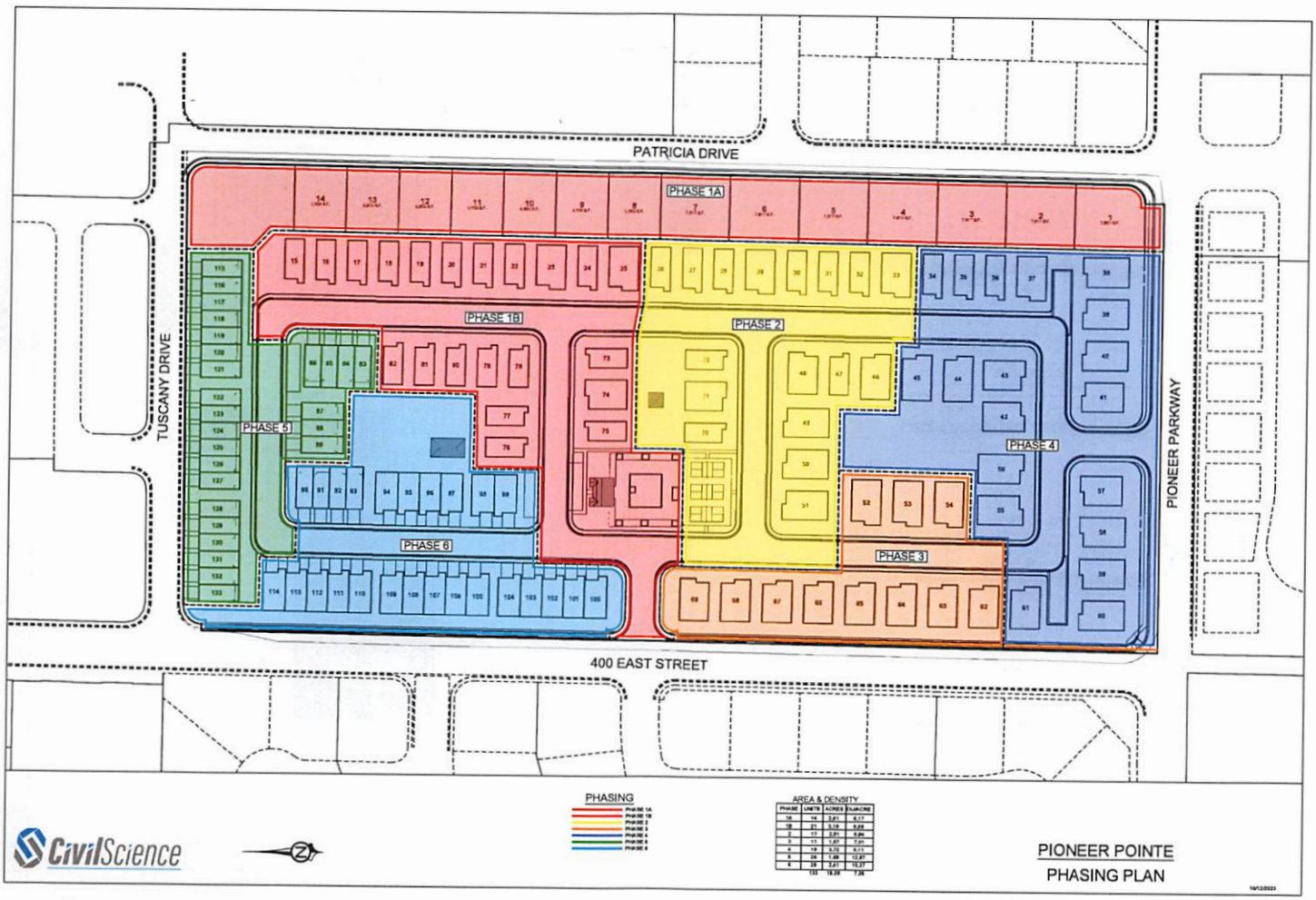
DEPARTMENT: *Public Works*
Recommendations: Public Utility Easements (PUE's) are required to be shown on each final plat. A final mylar with signature blocks is required for each final plat prior to recordation.
Required Revisions: None at this time.

CITY STAFF RECOMMENDATION

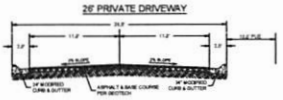
On October 26, 2023, the Planning Commission held a public meeting and forwarded a recommendation of Approval for this item to the City Council. City staff recommends that the City Council consider granting Preliminary Plat Approval for the Pioneer Pointe Subdivision subject to the following conditions:

1. That the applicant be required to comply with the recommendations from all city reviewing departments for each project phase.
2. That the applicant be required to install public street improvements which meet city standards.
3. That the Phasing Plan be approved for the overall project. That the Phasing Plan be reviewed for compliance with each project phase.
4. That the building design/materials/height/setbacks comply with the information in the staff report as presented by the applicant. That substantial changes to these items require an amendment to the Project Plan.

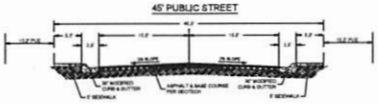
5. That at least 30% of the project area be in common open space. The Preliminary Plat includes approximately 34.83% (6.30 acres) of open space.
6. That the project amenities be provided and put in place as per the approved Phasing Plan.
7. That the required public multi-purpose trail along 400 East (2018 Trails Master Plan) be put in place as per the Preliminary Subdivision Plat.
8. That the applicant be required to comply with City Ordinance #2022-05, Water Efficient Landscaping & Conservation Standards. That a final landscape and irrigation plan is required at Final Plat submittal. Also, secondary water connections are required for outdoor water use.
9. That a 45' public road cross-section per the Preliminary Subdivision Plat be required for the interior streets within the project. That a 26' private driveway be allowed to access Lots 38 – 39, and 59 – 60 only. That future improvements to Patricia Drive, Pioneer Parkway, and 400 East meet city requirements and be improved as indicated in the staff report.
10. That 203 parking spaces for the 51 multi-family units be provided along with 20 surface parking spaces adjacent to the amenity area in Phase 1B, and within Phase 5 as per the Preliminary Subdivision Plat and Phasing Plan.
11. That the Geotech Report for the project be implemented during site construction.
12. That the Traffic Impact Study, TIS for the project be implemented except for a third access to Patricia Drive.
13. That a 6' solid block privacy wall be required along Pioneer Parkway and 400 East. That more specific detail be provided at Final Plat submittal.
14. That 50% of all units in the project be owner-occupied. That this requirement be included in the CC&Rs and enforced by the HOA.
15. That a copy of the CC&Rs for the project be submitted to City staff and legal counsel for review at Final Plat submittal.
16. That a dust control plan be required and submitted to city staff for review and approval before a grading permit is issued or site work commences for overall project or any phase.
17. That temporary drivable access which includes road base be provided once a total of 30 units have been platted within the project's interior allowing for Fire & Emergency Vehicle access. That temporary drivable access be allowed from Phase 1B to Tuscany Drive. That temporary drivable access be required until the second point of ingress/egress is put in providing access to Pioneer Parkway.


PATRICIA DRIVE
PHASE 1A
PHASE 1B
PHASE 2
PHASE 3
PHASE 4
PHASE 5
PHASE 6
TUSCANY DRIVE
PIONEER PARKWAY
400 EAST STREET
PHASING
AREA & DENSITY
CivilScience
PIONEER POINTE
PHASING PLAN

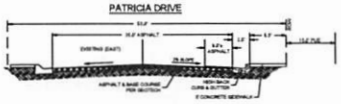
26' PRIVATE DRIVEWAY



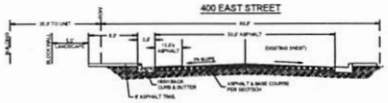
45' PUBLIC STREET



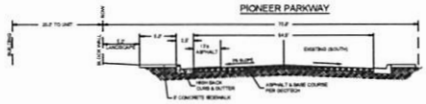
PATRICIA DRIVE



400 EAST STREET



PIONEER PARKWAY



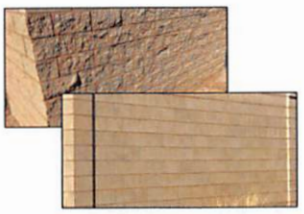
PROPOSED STREET NAMES

STONE CREEK
SUGARBERRY
STEEPLECHASE
OAK HAVEN
OAK CREEK
OAKSTONE
COLBERT LANDING
MEADOWOOD
EDGEWOOD
LOUIE LANE
HIGH POINTE
LILLISTONE
CHASEWAY
CHELSE PLACE
CHELSBROW
ANGELINA
COLSORN
NEWSTONE
WATERFORD
BARCLAY
AVALON
LILLMELLE
CHESELTON
OKBERRY
LYDON ROAD
OAKHURST
CAMCROSS
CLAYWELL

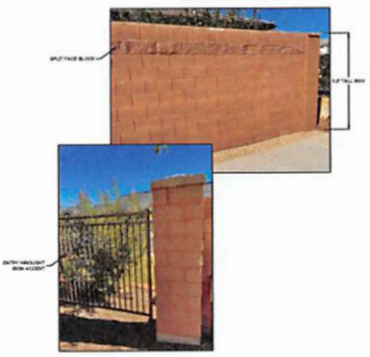
PERIMETER WALLS

- CINDER BLOCK MASONRY
- COLOR IVORY
- GROUT TO BE IVORY TO MATCH BLOCK
- WALL TO BE SPLIT FACE BLOCK, 2ND BLOCK FROM TOP WITH A SMOOTH CAP
- THERE WILL BE SPLIT FACED COLUMNS EVER 40-45 FEET WITH A MASONRY CAP
- BLACK WROUGHT IRON AT THE TWO ENTRY WAYS

COLOR SAMPLE



WALL DETAIL

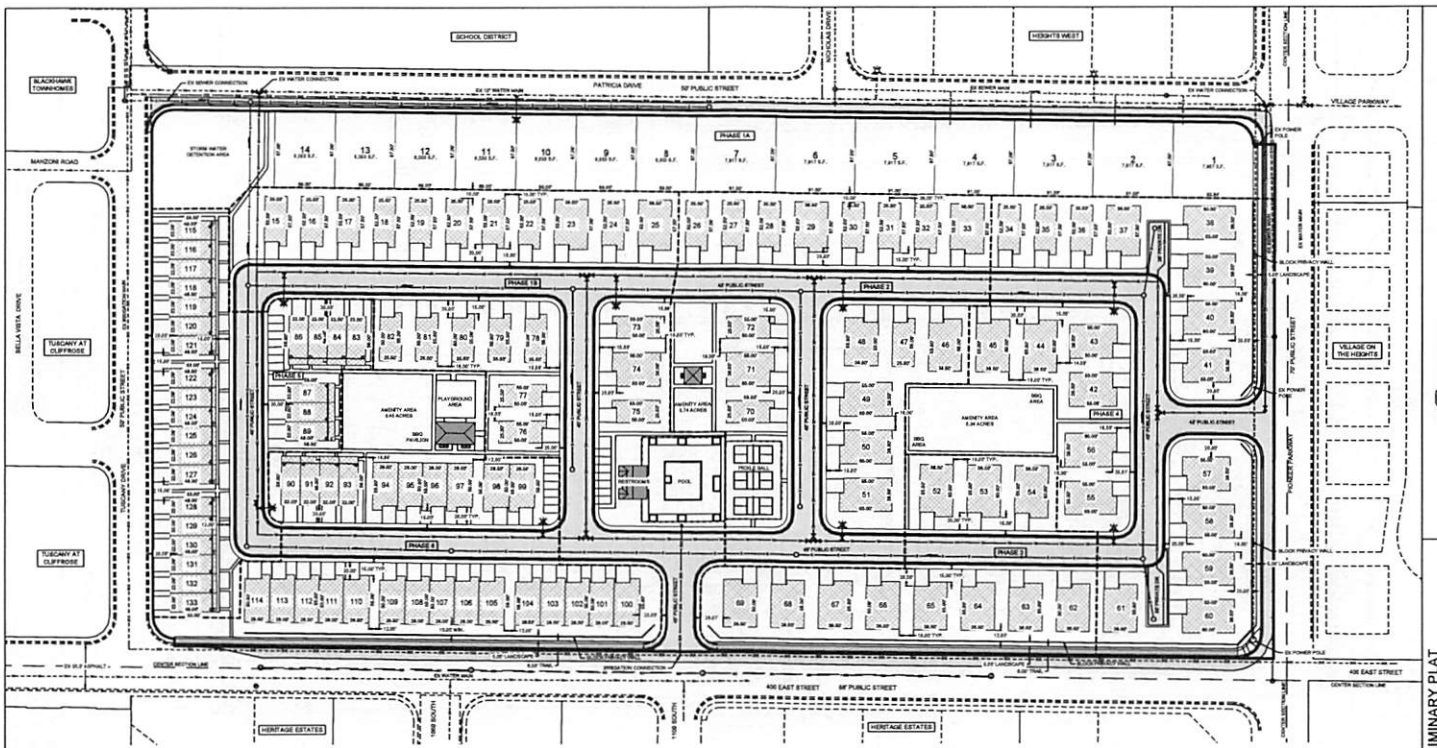


PRELIMINARY PLAT
PIONEER POINTE
LOCATED IN
SECTION 8, TOWNSHIP 42 S, RANGE 16 W, SLB&M
WASHINGTON COUNTY - SANTA CLARA, UTAH

CivilScience
1413 S. 3050 DRIVE, SUITE 150
ST. GEORGE, UT 84770
435 986 2100

PRELIMINARY PLAT
PIONEER POINTE
SECTION 8, TOWNSHIP 42 S, RANGE 16 W, SLB&M
WASHINGTON COUNTY - SANTA CLARA, UTAH

PROJ. # 210121
DRAWN BY: BLW
DATE: 10/12/2022
SCALE OF SHEET NOT TO SCALE
SHEET 3 OF 3



VICINITY MAP



LEGAL DESCRIPTION

BEGINNING AT A POINT IN THE NORTH RIGHT OF WAY LINE OF PIONEER PARKWAY, POINT BEING S 89°07'11" E 2641.17 FEET ALONG THE CENTER SECTION LINE OF SECTION 8, TOWNSHIP 42 S., RANGE 16 W., SLB&M AND NORTH 1155.00 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 8; SAID POINT BEING ALSO THE SOUTHEAST CORNER OF LOT 1 OF THE HEIGHTS WEST SUBDIVISION PHASE 1; THENCE N 89°07'11" E 1954.82 FEET ALONG SAID RIGHT OF WAY LINE OF PIONEER PARKWAY; THENCE S 00°52'49" E 1954.82 FEET; THENCE S 89°07'11" W 1954.82 FEET; THENCE N 00°52'49" W 1954.82 FEET TO THE POINT OF BEGINNING.

CONTAINS 15.00 ACRES MORE OR LESS

LEGEND

- PROJECT BOUNDARY
- PROJECT PHASING
- PROPOSED CURB & GUTTER
- EXISTING CURB & GUTTER
- DRAINAGE FLOW DIRECTION
- FIRE HYDRANT
- EXISTING WATER GATE VALVE
- EXISTING WATER LINE
- SEWER MANHOLE
- EXISTING SEWER LINE

NOTES

1. LOTS 1-14 SINGLE FAMILY LOT SETBACKS: 20' FRONT, 5' & 10' SIDES, AND 10' REAR.
2. DETACHED SINGLE FAMILY SETBACKS: 20' TO GARAGE, 15' FRONT, 10' BETWEEN.
3. MULTIFAMILY ATTACHED SETBACKS: 20' TO GARAGE, 12' BETWEEN MINIMUM.
4. ALL PUBLIC STREETS SHALL HAVE A 15' PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG THE FRONTAGE. ALL COMMON AREA TO HAVE A BLANKET PUE.

SEWER: SEWER TO FLOW TO THE NORTHEAST CORNER TO AN EXISTING SEWER MAIN STUB.

CULINARY WATER: HILL CONNECT AT PIONEER PARKWAY AND 1155 SOUTH AS SHOWN ON THE PLAN. UNITS TO HAVE INDIVIDUAL WATER METERS (FOR INTERIOR USE ONLY), ALL HOSE BIBS/TIMERS AND COMMON AREAS TO BE SERVICED WITH A SEPARATE HOA METER.

FIRE: FIRE HYDRANTS HAVE BEEN SHOWN ON PLAN. THE NEAREST FIRE STATION IS LOCATED DUE EAST AT 2346 400 EAST.

SOLID WASTE: TRASH COLLECTION WILL BE PER INDIVIDUAL CURBSIDE CONTAINER PER RESIDENCE. TO BE PLACED FOR PICKUP IN REAR YARD NOT WITHIN 3 FROM THE STREET.

ELECTRICAL SUPPLY: EXISTING POWER IS IMMEDIATELY ADJACENT TO THE DEVELOPMENT ALONG ALL PUBLIC STREET FRONTAGE. THERE EXISTS AN OVERHEAD POWER LINE ALONG PIONEER PARKWAY THAT IS TO REMAIN. THE AREA IS IN SUNRISE PARK AND HILL FIELDS IS LOCATED NEAR BY. THE DEVELOPMENT PROPOSES PHASING THE DEVELOPMENT AS SHOWN ON THE PRELIMINARY PLAT.

PHASING: THE DEVELOPMENT IS TO BE CONSTRUCTED IN PHASES AS PRE THE PHASE LINES SHOWN AND DESCRIBED ON THIS SHEET.

SITE SUMMARY

TOTAL UNITS: 133

UNIT MIX
- 30 REAR LOAD TOWN HOMES (23%)
- 21 FRONT LOAD 1-STORY TOWN HOMES (16%)
- 82 SINGLE FAMILY DETACHED (62%)
- ** Total = 133 UNITS

SITE AREA: 18.09 ACRES
DENSITY: 7.35 D.U./ACRE

RECREATIONAL AMENITIES: 1.53 ACRES 8.44%
LANDSCAPED OPEN SPACE: 4.77 ACRES 26.37%
TOTAL OPEN SPACE = 6.30 ACRES 34.80%

PARKING

REAR LOAD TOWN HOMES = 3-CAR GARAGE
30 x 2 GARAGES = 60 SPACES + 60 DRIVEWAYS = 120 SPACES

FRONT LOAD TOWN HOMES = 1-CAR GARAGE
21 x 1 GARAGES = 21 SPACES + 43 DRIVEWAYS = 65 SPACES

SURFACE PARKING = 20 STALLS
TOTAL PARKING = 205 STALLS
PARKING RATIO = 4.0 STALLS PER 1 H. UNIT

AREA & DENSITY

PHASE	UNITS	ACRES	DU/ACRE
1A	14	3.5	4.11
1B	21	3.3	6.36
2	31	4.2	7.38
3	17	2.5	6.80
4	11	1.5	7.33
5	18	2.5	7.20
6	10	1.5	6.67
133	18.09		7.35

SCALE: 1" = 50'
(SCALE ONLY VALID FOR 24" x 36" PAPER)

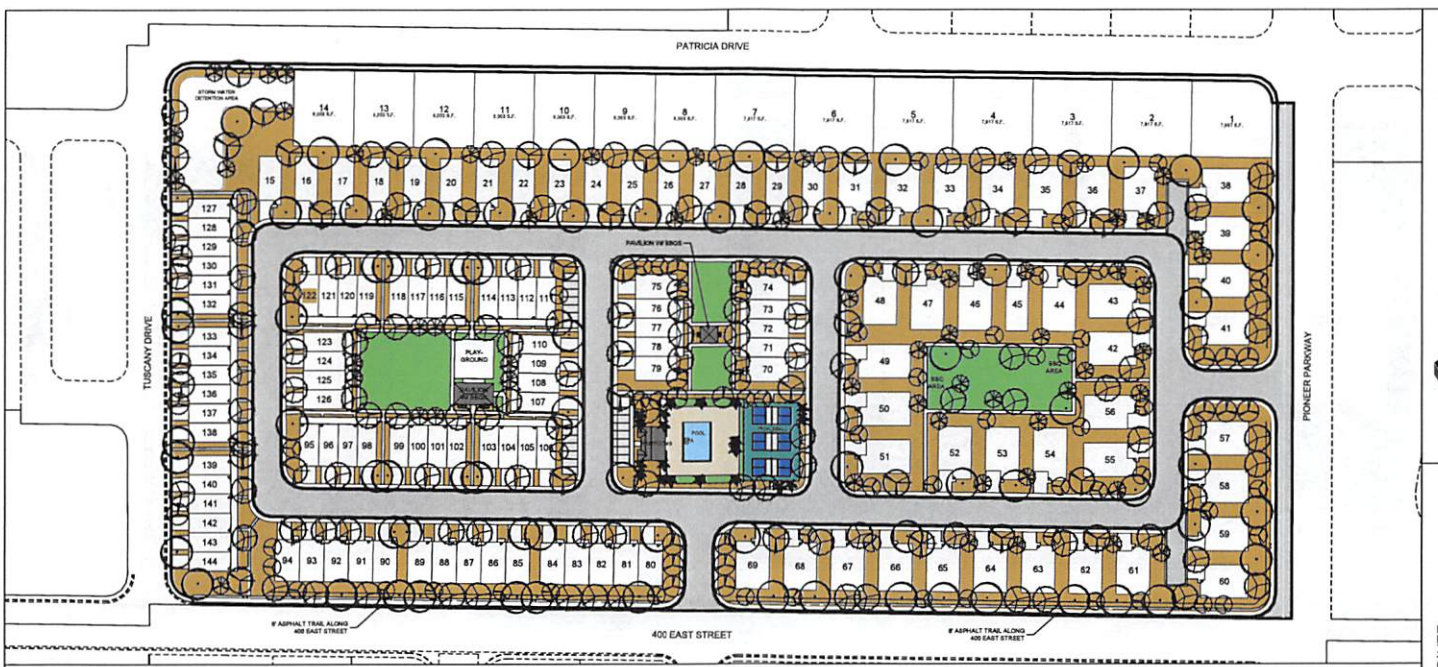
PRELIMINARY PLAT
PIONEER POINTE
LOCATED IN
SECTION 8, TOWNSHIP 42 S, RANGE 16 W, SLB&M
WASHINGTON COUNTY - SANTA CLARA, UTAH

CivilScience
1433 S. 3200 E. SUITE 150
ST. GEORGE, UTAH
435.986.2100

PRELIMINARY PLAT
PIONEER POINTE
SECTION 8, TOWNSHIP 42 S, RANGE 16 W, SLB&M
WASHINGTON COUNTY - SANTA CLARA, UTAH

PROJ. # 9121-01
DRAWN BY: SCM
DATE: 10/12/2021
SCALE OF SHEET: H:50 SCALE: 1"= 50'
SHEET 1 OF 3

PRELIMINARY PLAT
PIONEER POINTE
SECTION 8, TOWNSHIP 43 S, RANGE 16 W, SLB&M
WASHINGTON COUNTY - SANTA CLARA, UTAH
CivilScience
GEOTECHNICAL REPORT CONCLUSIONS
TYPICAL LOT DRAINAGE
LEGEND
PRELIMINARY PLAT
PIONEER POINTE
LOCATED IN
SECTION 8, TOWNSHIP 43 S, RANGE 16 W, SLB&M
WASHINGTON COUNTY - SANTA CLARA, UTAH



PIONEER POINTE SUBDIVISION
PLANT AND LANDSCAPE MATERIALS LEGEND

THE FOLLOWING IS A LIST OF PLANTS AND LANDSCAPE MATERIALS TO USE FOR THE PIONEER POINTE SUBDIVISION. PLANT AND LANDSCAPE MATERIAL NOT SHOWN ON THIS LIST MUST BE APPROVED BY THE PROJECT LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
TREES			
	CHILOPSIS LINEARIS 'BURGUNDY LACE'	BURGUNDY LACE DESERT WILLOW	15 GAL / 24" BOX
	OLEA EUROPAEA 'WILSONII'	WILSON OLIVE	15 GAL / 24" BOX
	PISTACIA CHINENSIS 'RED PUSH'	RED PUSH CHINESE PISTACHE	15 GAL / 24" BOX
	PROSOPIS GLANDULOSA 'MAVERICK'	MAVERICK MESQUITE	15 GAL / 24" BOX
	PYRUS CALLERYANA 'BRADFORD'	BRADFORD FLOWERING PEAR	15 GAL / 24" BOX
	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	15 GAL / 24" BOX
	WASHINGTONIA FILIFERA	CALIFORNIA FAN PALM	6-8' TALL

ARTIFICIAL TURF

LANDSCAPE AREA

SCALE: 1" = 50'
(SCALE ONLY VALID FOR 24" x 36" PAPER)

PIONEER POINTE
LANDSCAPE PLAN

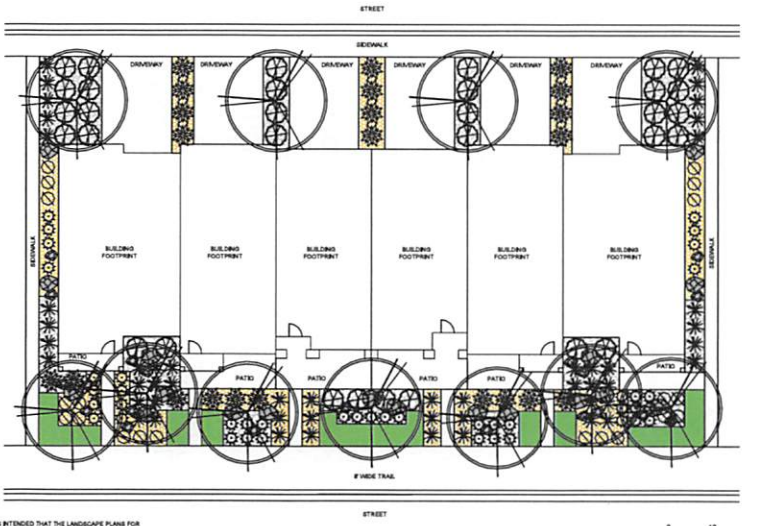
811 Blue Stakes of Utah

CrwlScience
1433 S. 1000 SAINTS, SUITE 150
ST. GEORGE, UT 84770
435.986.5100

PIONEER POINTE
LANDSCAPE PLAN
LOCATED IN: SANTA CLARA, UT

PROJECT NO: 22141.25
DRAWN BY: MK
DATE: 10/06/2023
SCALE OF SHEET
VERT: 1" = 50'
HOR: NA
SHEET
L1

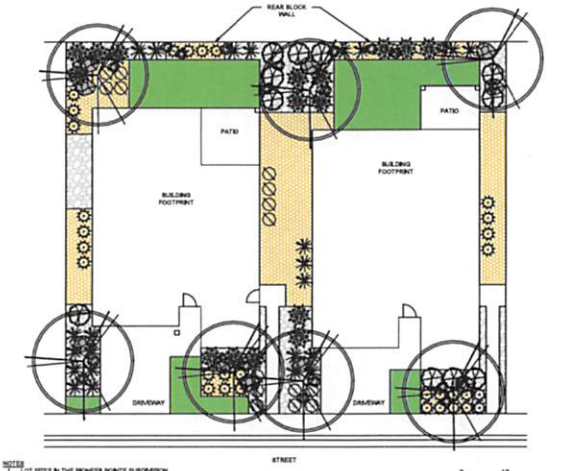
PIONEER POINTE SUBDIVISION TOWN HOMES
TYPICAL LANDSCAPE PLAN



NOTES
1. IT IS INTENDED THAT THE LANDSCAPE PLANS FOR EACH AREA AROUND THE TOWN HOMES IN THE PIONEER POINTE SUBDIVISION FOLLOW THE THEME OF THE TYPICAL LANDSCAPE PLAN SHOWN.
2. PLANT AND LANDSCAPE MATERIAL NOT SHOWN ON THE ADJACENT LIST MUST BE APPROVED BY THE PROJECT LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

0 10 0 20
SCALE: 1" = 10'
(SCALE ONLY VALID FOR 24" x 36" PAPER)

PIONEER POINTE SUBDIVISION SINGLE FAMILY
TYPICAL LANDSCAPE PLAN



NOTES
1. LOT SIZES IN THE PIONEER POINTE SUBDIVISION ARE NOT THE SAME. IT IS INTENDED THAT THE LANDSCAPE PLANS FOR EACH LOT IN THE SUBDIVISION FOLLOW THE THEME OF THE TYPICAL LANDSCAPE PLAN SHOWN.
2. PLANT AND LANDSCAPE MATERIAL NOT SHOWN ON THE ADJACENT LIST MUST BE APPROVED BY THE PROJECT LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

0 10 0 20
SCALE: 1" = 10'
(SCALE ONLY VALID FOR 24" x 36" PAPER)

PLANT AND LANDSCAPE MATERIALS LIST

THIS LIST IS TO PROVIDE OPTIONS FOR WHAT PLANT AND ROCK MATERIAL CAN BE USED FOR THE DIFFERENT PLANT AND ROCK TYPES/SIZES THAT ARE SHOWN ON THE ADJACENT TYPICAL LANDSCAPE PLANS. PLANT AND LANDSCAPE MATERIAL NOT SHOWN ON THIS LIST MUST BE APPROVED BY THE PROJECT LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
TREES			
	CHILOPSIS LINEARIS 'BURGUNDY LACE'	BURGUNDY LACE DESERT WILLOW	15 GAL / 24" BOX
	OLEA EUROPAEA 'WILSONII'	WILSON OLIVE	15 GAL / 24" BOX
	PISTACIA CHINENSIS 'RED PUSH'	RED PUSH CHINESE PISTACHE	15 GAL / 24" BOX
	PROSOPIS GLANDULOSA 'MAVERICK'	MAVERICK MESQUITE	15 GAL / 24" BOX
	PYRUS CALLERYANA 'BRADFORD'	BRADFORD FLOWERING PEAR	15 GAL / 24" BOX
	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	15 GAL / 24" BOX
	WASHINGTONIA FILIFERA	CALIFORNIA FAN PALM	6-8' TALL
LARGE SHRUBS			
	CAESALPINIA GILLIESII	YELLOW BIRD OF PARADISE	15 GAL
	CHAMAEROPS HUMILIS	MEDITERRANEAN FAN PALM	15 GAL
	LEUCOPHYLLUM CANDIDUM 'SILVER CLOUD	SILVER CLOUD TEXAS SAGE	5 GAL
	LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD'	GREEN CLOUD TEXAS SAGE	5 GAL
	LEUCOPHYLLUM FRUTESCENS 'HEAVENLY CLOUD'	HEAVENLY CLOUD TEXAS SAGE	5 GAL
	NERIUM OLEANDER 'PETITE RED'	DWARF RED OLEANDER	5 GAL
	OLEA EUROPAEA 'LITTLE OLLIE'	LITTLE OLLIE OLIVE	5 GAL
SMALL SHRUBS			
	CHRYSACTINIA MEXICANA	DESERT DAISY	1 GAL
	HYMENOXYS ACAULIS	ANGELITA DAISY	1 GAL
	MALEPHORA LUTEA	ROCKY POINT ICE PLANT	1 GAL
	PENSTEMON SATOMI	FIRECRACKER PENSTEMON	1 GAL
	TEUCRIUM CHAMAEDRYS	GERMANDER	1 GAL
LARGE ACCENT/SUCCULENTS			
	AGAVE SCABRA	ROUGH-LEAVED AGAVE	5 GAL
	DASYLIRION WHEELERI	GRAY DESERT SPOON	5 GAL
	FOUQUIERIA SPLENDENS	OCOTILLO	6' TALL
	HESPERALOE FUNIFERA	GIANT HESPERALOE	5 GAL
	YUCCA BACCATA	BANANA YUCCA	5 GAL
	YUCCA ROSTRATA	BEAKED YUCCA	5 GAL

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
SMALL ACCENT/SUCCULENTS			
	AGAVE PARRYI VARIETY PARRYI	PARRY'S AGAVE	5 GAL
	ECHINOCEREUS GRUSONII	GOLDEN BARREL CACTUS	5 GAL
	EUPHORBIA RIGIDA	GOPHER PLANT	5 GAL
	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL
GRASSES			
	BOUTELOUA GRACILIS 'BLONDE AMBITION'	BLONDE AMBITION BLUE GRAMMA	5 GAL
	MUHLENBERGIA CAPILLARIS 'REGAL MIST'	REGAL MIST GRASS	5 GAL
	STIPA TENUISSIMA	MEXICAN FEATHER GRASS	5 GAL

BOULDERS
- SMALL: 2-3' DIAMETER, BLACK BASALT
- SMALL: 2-3' DIAMETER, TAN LIMESTONE
- LARGE: 4-6' DIAMETER, BLACK BASALT
- LARGE: 4-5' DIAMETER, TAN LIMESTONE

ROCK MULCH
- 1/2" BLACK BASALT, 3" DEPTH
- 1/2" TAN LIMESTONE, 3" DEPTH
- 1" BLACK LAVA CINDERS
- 1" KANOSH VALLEY RIVER ROCK
- 2-4" BLACK LAVA CINDERS, 6" DEPTH
- 2-4" KANOSH VALLEY RIVER ROCK
- 2-4" TAN LIMESTONE, 6" DEPTH

ARTIFICIAL TURF

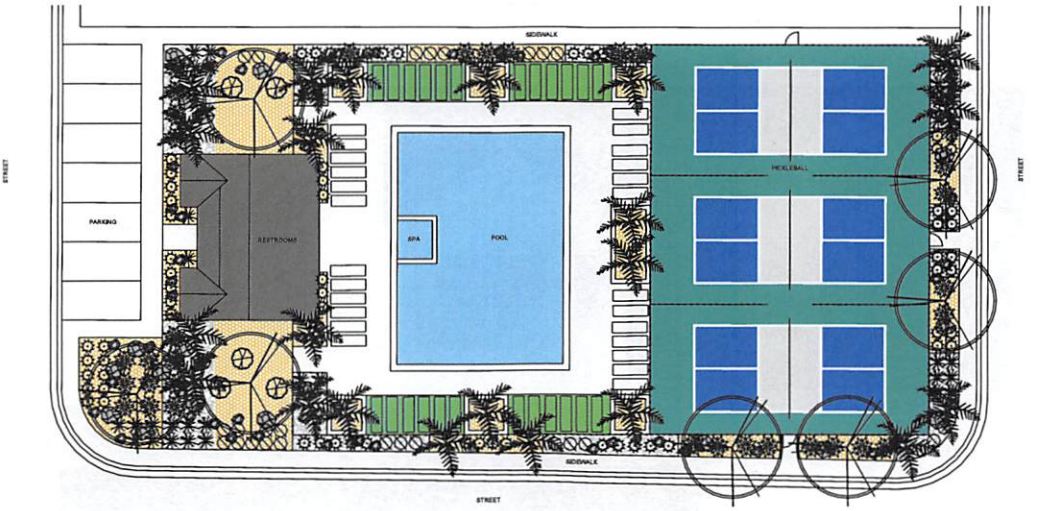
PIONEER POINTE
TYPICAL LANDSCAPE PLAN

1455 E. 1060 SOUTH, SUITE 150
ST. GEORGE, UT 84770
435.986.3100
CivilScience

PIONEER POINTE
LANDSCAPE PLAN
LOCATED IN: SANTA CLARA, UT

PROJECT NO. 22-01-25
DRAWN BY: MD
DATE: 05/09/2023
SCALE OF SHEET:
HORZ: 1" = 10'
VERT: NA
SHEET
L2

PIONEER POINTE SUBDIVISION CLUBHOUSE
LANDSCAPE PLAN



SCALE: 1" = 10'
(SCALE ONLY VALID FOR 30" x 42" PAPER)

NOTES
1. IT IS INTENDED THAT THE LANDSCAPE PLAN FOR THE CLUBHOUSE IN THE PIONEER POINTE SUBDIVISION FOLLOW THE THEME OF THE LANDSCAPE PLAN SHOWN.
2. PLANT AND LANDSCAPE MATERIAL NOT SHOWN ON THE ADJACENT LIST MUST BE APPROVED BY THE PROJECT LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

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	TEUCRIUM CHAMAEDRYS	GERMANDER	1 GAL
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	YUCCA BACCATA	BANANA YUCCA	5 GAL
	YUCCA ROSTRATA	BEARED YUCCA	5 GAL

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	SMALL: 2-3' DIAMETER, TAN LIMESTONE		
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	LARGE: 4-5' DIAMETER, TAN LIMESTONE		
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	1/2" BLACK BASALT, 3" DEPTH		
	1/2" TAN LIMESTONE, 3" DEPTH		
	1" BLACK LAVA CINDERS		
	1" RANCHI VALLEY RIVER ROCK		
	2-4" BLACK LAVA CINDERS, 6" DEPTH		
	2-4" RANCHI VALLEY RIVER ROCK		
	2-4" TAN LIMESTONE, 6" DEPTH		
	ARTIFICIAL TURF		

PIONEER POINTE
CLUBHOUSE LANDSCAPE PLAN

1453 S. 1000 EAST, SUITE 150
ST. GEORGE, UT 84770
435 986 8100
CivilScience

PIONEER POINTE
LANDSCAPE PLAN
LOCATED IN: SANTA CLARA, UT

PROJECT NO: 22147.01
DRAWN BY: MS
DATE SUBMITTED:
SCALE: AS SHOWN
HORIZ: 1" = 10'
VERT: NA

SHEET
L3



Front Elevation Rendering



Rear Elevation Rendering

PLAN 01 - RAMBLER ELEVATION B

1/15/2023

RAMBLER

PLAN 01

FRONT/REAR ELEVATIONS RENDERINGS

A2.3


202


202



Front Elevation Rendering



Rear Elevation Rendering

6 PLEX ELEVATION A

VERS. 6

12/20/2022

6 PLEX

SANTA CLARA

FRONT/REAR ELEVATIONS RENDERINGS

A2.3



Right Elevation Rendering



Left Elevation Rendering

6 PLEX ELEVATION A

VERS. 6

12/20/2022

6 PLEX

SANTA CLARA

SIDE ELEVATIONS
RENDERINGS

A2.4



Front Right 3D View



Front Left 3D View

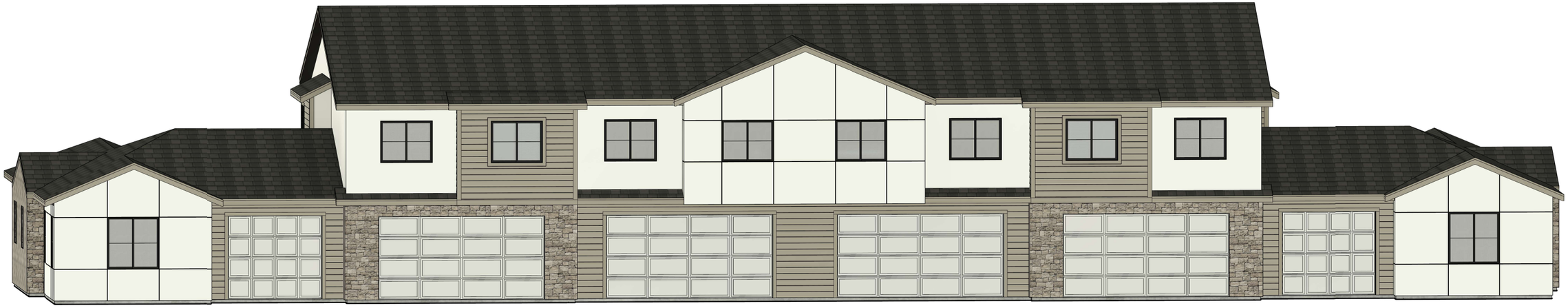
A2.5

3D VIEWS

PIONEER
POINT



Back Left 3D View



Back Right 3D View

A2.6

3D VIEWS

PIONEER
POINT



A2.7

FRONT 3D VIEW

PIONEER
POINT


WFRMLS

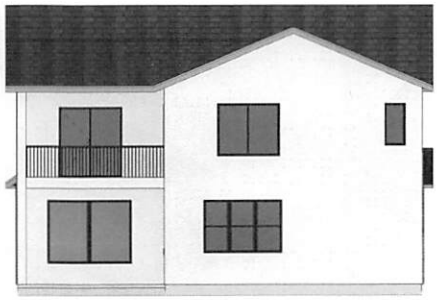


Plan 03 - 2 Stor Elevation A

1/20/2023
2 STOR
PLAN 03
FRONT 3D VIE
A2.



Front Elevation Rendering



Rear Elevation Rendering

Plan 03 - 2 Stor Elevation A

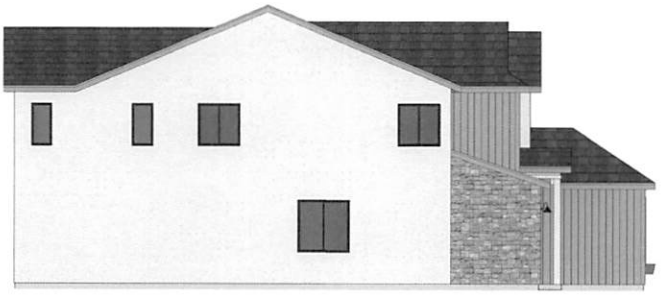
1/20/2023

2 STOR

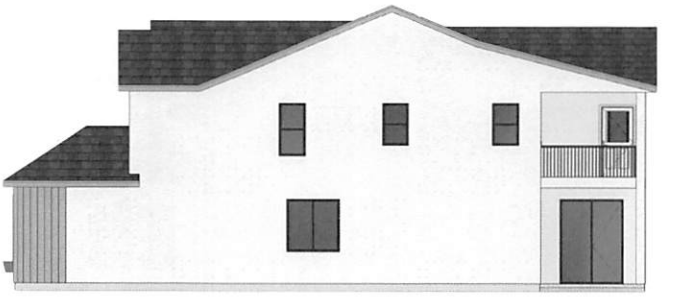
PLAN 03

FRONT/REAR ELEVATIONS RENDERINGS

A2.3



Left Elevation Rendering



Right Elevation Rendering

Plan 03 - 2 Stor Elevation A

1/20/2023

2 STOR

PLAN 03

SIDE ELEVATIONS RENDERINGS

A2.4



Front Left 3D View



Front Right 3D View

Plan 03 - 2 Stor Elevation A

1/20/2023

2 STOR

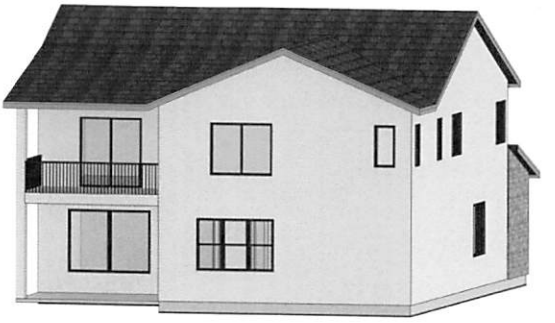
PLAN 03

3D VIE S

A2.5



Back Left 3D View



Back Right 3D View

Plan 03 - 2 Stor Elevation A

1/20/2023

2 STOR

PLAN 03

3D VIE S

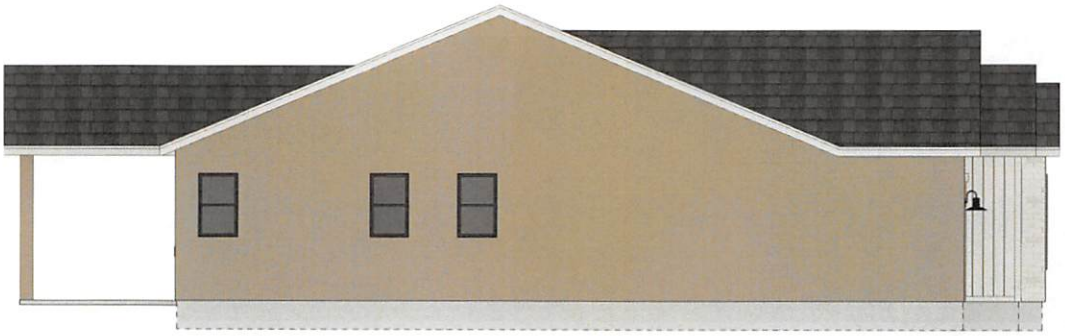
A2.



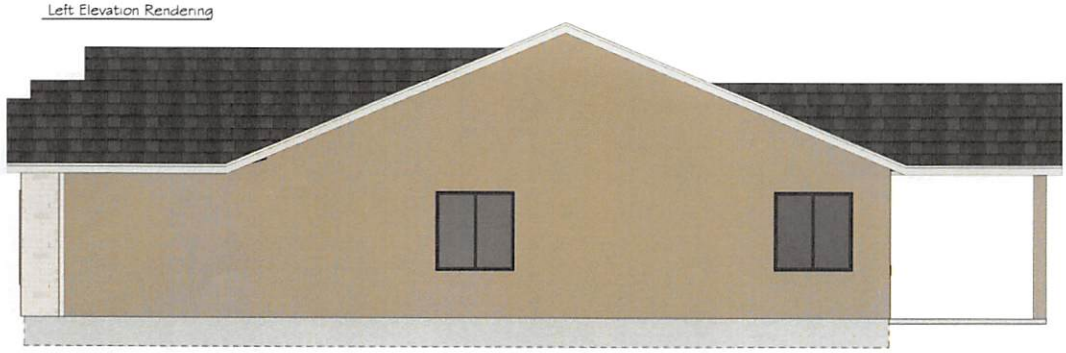
Front Left 3D View



Front Right 3D View



Left Elevation Rendering



Right Elevation Rendering

PLAN 01 - RAMBLER ELEVATION B

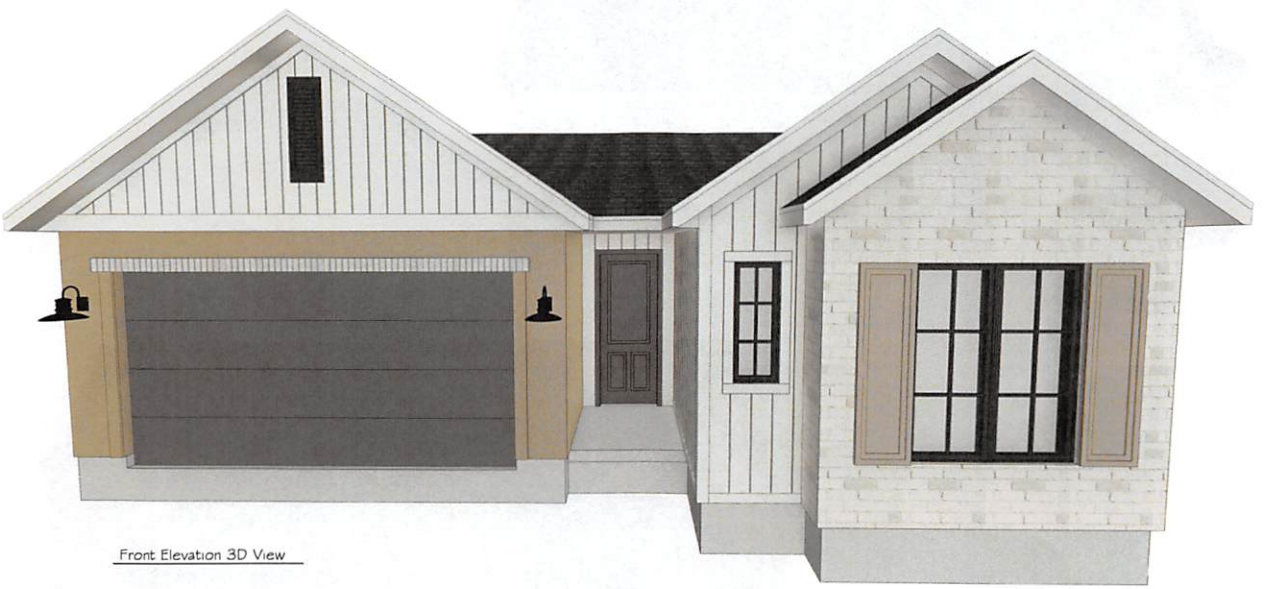
1/15/2023

RAMBLER

PLAN 01

SIDE ELEVATIONS RENDERINGS

A2.4



Front Elevation 3D View



Back Left 3D View



Back Right 3D View

CITY OF SANTA CLARA
ORDINANCE NO. 2023-15

AN ORDINANCE OF THE CITY OF SANTA CLARA, UTAH, AMENDING THE ZONE FROM SINGLE FAMILY RESIDENTIAL (R-1-10) TO PLANNED DEVELOPMENT RESIDENTIAL (PDR), ON APPROXIMATELY 18.09 ACRES, LOCATED AT PATRICIA DRIVE AND PIONEER PARKWAY, PARCEL NOS. SC-SB-90-A-2 AND SC-SB-90-A-4-B.

WHEREAS, the applicant, Oak Creek R-1-10, LLC, owns certain parcels designated in the General Plan and Land Use Map as Medium Density Residential (MDR), located at Patricia Drive and Pioneer Parkway, upon approximately 18.09 acres including Parcel Nos. SC-SB-90-A-2 and SC-SB-90-A-4-B; and

WHEREAS, the applicant now seeks to obtain a zone change to the PDR zone, due to applicant's desire to develop a total of 82 single-family lots and pad lots, along with 51 multi-family townhome units, at a density of approximately 7.35 units per acre; and

WHEREAS, pursuant to the requirements of the Santa Clara City Code, the Planning Commission properly advertised and conducted a public hearing on the proposed zone change on May 25, 2023; and

WHEREAS, during the regular meeting of the Planning Commission held on said date, a motion was made and approved to recommend approval of the zone change; and

WHEREAS, the City Council, during its regular meeting held on July 12, 2023, considered the application for the proposed zone change, the public comments received, and the minutes of the Planning Commission's deliberations, and voted to approve the proposed amendment; and

WHEREAS,

NOW, THEREFORE, BE IT ORDAINED by the Santa Clara City Council, State of Utah, as follows:

Section 1. Classification

This ordinance amends the Zoning Map of the City of Santa Clara, Utah.

Section 2. Amendment

The Zoning Map of the City of Santa Clara, Utah, is hereby amended to change the following described property from Single Family Residential (R-1-10) to Planned Development Residential (PDR). The zoning approval incorporates the Project Plan materials provided by the applicant and considered by the City Council at the time this ordinance was approved.

DESCRIPTION:

Property located at approximately Patricia Drive and Pioneer Parkway, approximately 18.09 acres including Parcel Nos. SC-SB-90-A-2 and SC-SB-90-A-4-B, and more particularly described as follows:

See Exhibit A attached and incorporated with this reference.

Section 3. Findings, Conditions

The amendment approved herein is subject to the following findings:

1. That the Rezoning is complaint with the Santa Clara City General Plan, Section 3.4.1, Residential Land Uses (Medium Density Residential, MDR).

2. That the MDR Land Use Designation allows for townhomes, multi-unit buildings, and small single- family structures on small lots.

3. That other properties in the immediate vicinity (north and south) of the site are zoned Planned Development Residential, PDR.

4. That in reviewing the proposed Rezoning application, the City Council considered the items set forth in Chapter 17.18.090, and find as follows:

a. The proposed use is suitable in view of the zoning and development of adjacent and nearby property;

b. The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;

c. There are not substantial reasons why the property cannot or should not be used as currently zoned; however, the applicant will apply for PD Subdivision approvals with both single-family and multi-family townhomes as per the MDR land use designation of the General Plan;

d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;

e. The proposed use is compatible with the purpose and intent of the General Plan;

f. The proposed use is consistent with the purpose and intent of the proposed zoning district;

g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;

h. The proposed use does reflect a reasonable balance between the promotion of public health, safety, morality, or general welfare and the right to the unrestricted use of property.

The amendment approved herein is subject to the following conditions:

1. That the applicant be required to go through the PD Subdivision Review process for each project phase (overall preliminary & final plats).

2. That a total of one hundred thirty-three (133) units on 18.09 acres be allowed as per the Project Plan. This equates to a density of 7.35 units/acre.

3. That the project be phased in compliance with the Project Phasing Plan provided at the time of approval.

4. That the building design/materials/height/setbacks comply with the approved Project Plan. That substantial changes to these items require an amendment to the Project Plan.

5. That at least 30% of the project area be in common open space. The approved Project Plan includes approximately 34.83% (6.30 acres) of open space.

6. That the project amenities be developed and operated as per the Project Plan and Phasing Plan.

7. That the required public trail (as depicted on the 2018 Trails Master Plan) be dedicated and improved as per the Project Plan.

8. That the applicant comply with City Ordinance #2022-05, Water Efficient Landscaping & Conservation Standards. Also, secondary water connections are required for outdoor water use.

9. That a 45' public road cross-section as per the Project Plan be required for the interior of the project. That a 26' private driveway be allowed to access Lots 38-39, and 59-60 only. That future improvements to Patricia Drive, Pioneer Parkway, and 400 East be determined during the PD Subdivision review process.

10. That 203 parking spaces for the 51 multi-family units be provided, along with 20 surface parking spaces adjacent to the amenity areas as per the Project Plan.

11. That the Geotech Report for the project be implemented during construction.

12. That the Traffic Impact Study, TIS for the project be implemented except for a third access to Patricia Drive.

13. That a six foot (6') solid block privacy wall be required along Pioneer Parkway and 400 East.

14. That the Covenants, Conditions and Restrictions (CC&Rs) recorded for the Project require that a minimum of fifty percent (50%) of all units be owner-occupied, to be enforced as set forth in the CC&Rs.

Section 4. Effective Date

This ordinance shall become effective immediately upon adoption, recording and posting in the manner required by law.

ADOPTED by a duly constituted quorum of the Santa Clara City Council this 12th day of July, 2023.

IN WITNESS THERETO:

Attest:

~~Rick Rosenberg~~, Mayor
Jared Waite, Mayor Pro Tem

Selena Nez, Deputy City Recorder

CITY OF SANTA CLARA STATE OF UTAH

CivilScience
Engineers Surveyors Solutions
1453 S Dixie Drive, Suite 150
St. George, UT 84770
435-986-0100

EXHIBIT "A"

BOUNDARY DESCRIPTION

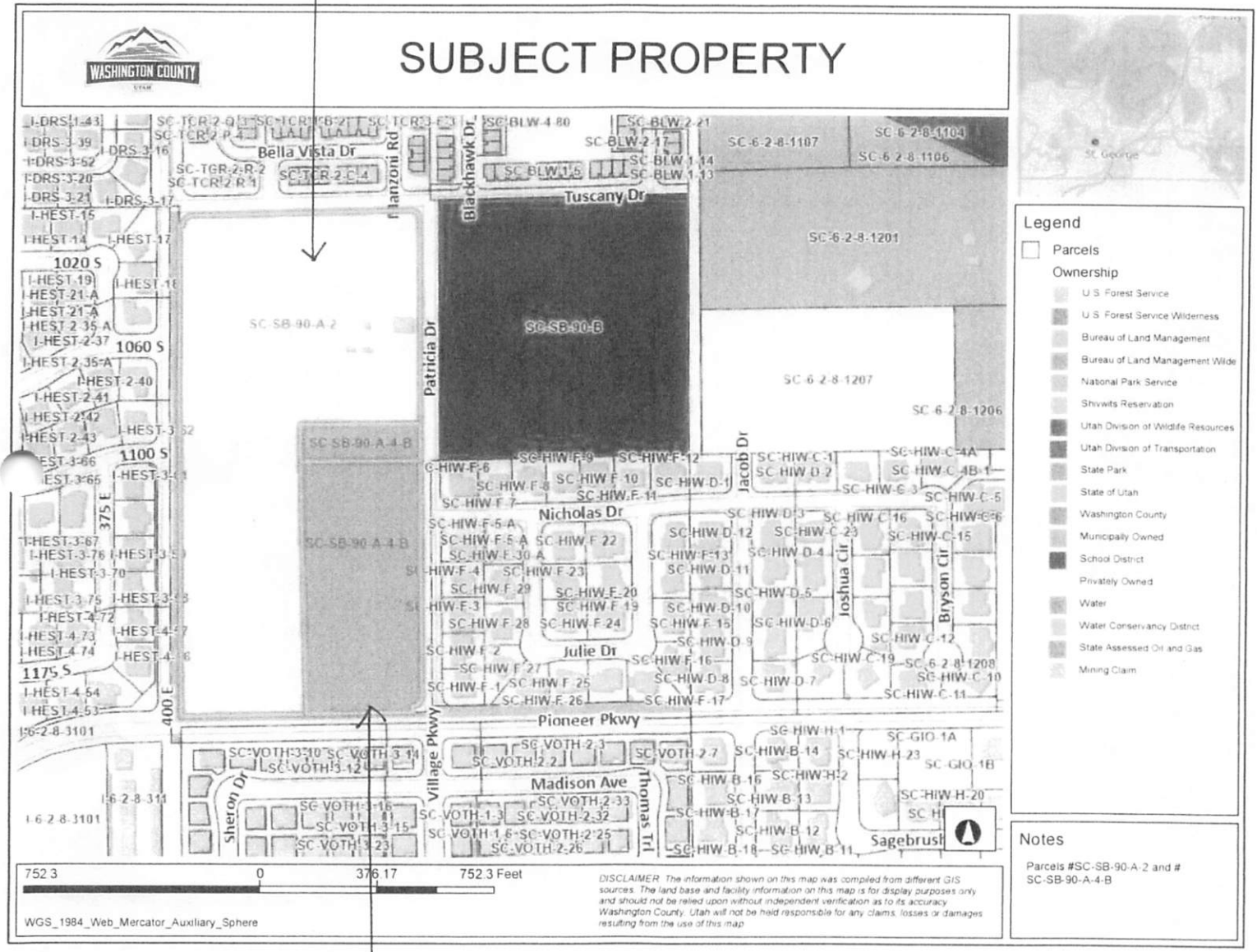
BEGINNING AT A POINT IN THE NORTH RIGHT OF WAY LINE OF PIONEER PARKWAY, POINT BEING N 89°50'24" W 2041.17 FEET ALONG THE CENTER SECTION LINE OF SECTION 8, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN AND N 0°09'36" E 15.25 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 8, AND RUNNING THENCE N 89°50'24" W 589.64 FEET ALONG SAID RIGHT OF WAY, TO A POINT ON THE EAST RIGHT OF WAY LINE OF 400 EAST STREET; THENCE N 0°47'18" E 1259.42 FEET, TO A POINT ON THE BOUNDARY OF TUSCANY AT CLIFFROSE PHASE 1, RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH; THENCE ALONG SAID BOUNDARY THE FOLLOWING SIX (6) COURSES, (1) THENCE S 89°12'42" E 8.25 FEET, TO A POINT ON A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, WITH A RADIUS WHICH BEARS S 89°12'42" E, (2) THENCE ALONG THE ARC OF SAID CURVE 38.84 FEET THROUGH A CENTRAL ANGLE OF 89°01'03", (3) THENCE N 89°48'21" E 555.06 FEET ALONG SAID RIGHT OF WAY LINE, TO THE POINT OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT, (4) THENCE ALONG THE ARC OF SAID CURVE 39.68 FEET THROUGH A CENTRAL ANGLE 90°56'35", (5) THENCE S 0°44'56" W 1212.72 FEET TO THE POINT OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT, (6) THENCE ALONG THE ARC OF SAID CURVE 39.01 FEET THROUGH A CENTRAL ANGLE OF 89°24'39"; THENCE S 0°09'36" W 24.75 FEET, TO THE POINT OF BEGINNING.

CONTAINS 18.09 ACRES MORE OR LESS



TWS, 22141

SC-SB-90-A-2



SC-SB-90-A-4-B

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF
SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 6

Applicant: Silverado LLC, Julian Stemmer **Requested by:** Jim McNulty

Subject: Property Rezoning & Project Plan

Description:

Julian Stemmer (Silverado LLC), is requesting to Rezone the property at the intersection of Pioneer parkway and future extension of Red Mountain Drive (Lots 1, 2, and 3 of the Silverado Santa Clara Subdivision), and directly east of Harmon's Shopping Center. The property is currently zoned Planned Development Residential, PDR and the applicant proposes to rezone it to the Planned Development Commercial, PDC Zone to allow for a mixed-use project.

Recommendation: N/A

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

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

Staff Report

Property Rezoning & Project Plan Summary and Recommendation

Public Body: Santa Clara City Council
Meeting Date: December 13, 2023
Current Zone: Planned Development Residential, PDR
Proposed Zone: Planned Development Commercial, PDC
General Plan Designation: Mixed-Use Residential, MUR (Lots 1 and 2) and Main Street Commercial, MSC (Lot 3)
Property Address: Intersection of Pioneer Parkway/future extension of Red Mountain Drive, east of Harmon's Shopping Center
Property Size: 14.27 Acres
Request: Property Rezoning & Project Plan
Applicant Name: Julian Stemmer
Staff Planner: Jim McNulty
Meeting Type: Public Hearing

PROJECT DESCRIPTION

The applicant, Julian Stemmer (Silverado LLC), is requesting to ***Rezone*** the property at the intersection of Pioneer Parkway and future extension of Red Mountain Drive (Lots 1, 2, and 3 of the Silverado Santa Clara Subdivision), and directly east of the Harmon's Shopping Center. The property is currently zoned Planned Development Residential, PDR and the applicant proposes to rezone it to the Planned Development Commercial, PDC Zone to allow for a mixed-use project including both commercial and residential uses. The subject property is 14.27 acres in size.

A public hearing for this project was held by the Planning Commission on July 14, 2022. A motion was made to recommend approval to the City Council. ***On August 10, 2022, the City Council*** held a public meeting on this item as required by State Code. A ***rezoning of property is a legislative decision*** which requires the City Council to approve or deny the application. A motion was made by the City Council to table the item to allow the applicant to work with adjacent residents and incorporate City Council comments prior to resubmitting. ***On November 9, 2023, the Planning Commission held a public hearing on this item (draft minutes attached).***

The updated ***Project Plan/Rezone Application includes three (3) project phases.*** The original Project Plan included a 4th Phase (Pickleball Facility with a Sports Bar & Grille) which has been removed. This site (Lot 4) has been sold to Intermountain Health Care, IHC for a future InstaCare facility. City staff will further address the proposed Project Plan and requirements in the staff report.

PROJECT PLAN REVIEW ITEMS

City staff has worked with the applicant on several items associated with the Project Plan. The following includes information on each item as required by Chapter 17.68, Planned Development Zone:

1. **Residential Unit Count/Commercial Buildings/Phasing Plan:** The Project Plan includes a total of one hundred twenty-four (124) units. ***Phase I includes 28 two-story Townhome/Toy Garage Units with a 2nd story living area, and Phase 2 includes 96 apartment units to be in four (4) buildings.*** The acreage for these two phases is 11.66 acres. This equates to a proposed density of 10.63 units/acre. As previously determined, ***the requested PDC Zone does not require a density bonus if the units proposed exceed 8 units/acre***. The Project Plan includes ***three (3) commercial buildings*** with an approximate square footage of ***16,900 to be in Phase 3*** of the project.

2. **Project Amenities:** Chapter 17.68 requires project amenities including recreational facilities such as tennis courts, playground equipment, swimming pool, clubhouse, and other common amenities such as outdoor cooking/eating areas, gazebo, or gardens. ***The Silverado Project is proposing the following amenities:***

    - ***Phase 1 will include open space and a trail connection that extends from the pedestrian crossing on Red Mountain Drive.***
    - ***Phase 2 will include restrooms with changing areas, a large pool, hot tub, BBQ area, and an outdoor patio structure.***
    - ***Phase 3 includes open space and outdoor seating areas adjacent to the proposed buildings.***

3. **Building Design & Materials:** Chapter 17.68 requires the review of building design and materials. The Project Plan includes three (3) project phases as follows:

    - ***Phase 1 (Townhome/Toy Garage Units)*** includes a modern design with an aluminum panel system utilizing both a wood and metal finish appearance, with large windows for natural light. The roof will include a single ply membrane system. The building height for these buildings is 24' – 6".

    - ***Phase 2 (Apartment Buildings)*** includes a modern design with an exterior stucco system, a metal panel system, an aluminum panel system with wood finish, metal guard rails and large windows. The roof will include a single ply membrane system. The building height for the apartment buildings is 34' to the top of the roof canopy.

    - ***Phase 3 (Commercial Buildings)*** includes an exterior stucco system, color fiber-cement or pre-finished metal cladding system, with an aluminum storefront and windows. The roof will include a single ply membrane system. The building height for the commercial buildings is 21' – 4" to the top of parapet. The applicant will be required to work with city staff and comply with all department recommendations to verify that all requirements have been met during Site Plan Review for each project phase.

4. **Open Space:** Chapter 17.68 requires ***at least 30% of a project area to be in common open space.*** The Project Plan includes ***approximately 40% (4.65 acres) of open space for the residential area (Phases 1 & 2), with approximately 32% (0.82 acres) of open space for the commercial area (Phase 3).*** The applicant will be required to work with city staff during both the Subdivision Plat and Site Plan review process for each project phase to verify these calculations.

5. ***Public Trail Access:*** An ***existing pedestrian trail is located along the property frontage (Pioneer Parkway***) and will remain in place. Along the eastern edge of the project and Red Mountain Drive, a 15' maintenance/trail easement is shown on the Project Plan. This will allow for a future connection to the IHC property when this site is developed, allowing for a connection to Pioneer Parkway. The trail will include a pedestrian crossing at Red Mountain Drive. The applicant will be required to work with city staff and comply with all department recommendations during Subdivision Plat and Site Plan Review.

6. **Landscaping & Water Efficiency:** Chapter 17.68 requires project landscaping and puts standards in place for the PD Zone. Section 17.68.050 discusses landscape design and water conservation principles. However, the city has an ordinance in place ***(Ordinance #2022-05)*** requiring all new development to be complaint with the Water Efficient Landscaping & Conservation Standards. ***A secondary water connection will be required for outdoor water use.*** The applicant will be required to work with city staff and comply with all department recommendations to verify that all requirements have been met during Site Plan Review for each project phase.

7. **Public Road Cross-Sections:** Silverado will be required to do public roadway improvements and dedications as part of the project. These public roads include but aren't limited to the proposed public road in **Phase 1 (*50' right-of-way)*** from Rachel Drive to Red Mountain Drive, and ***Red Mountain Drive (66' right-of-way)*** which connects to Pioneer Parkway to gain access to the site. The applicant will be required to work with city staff and comply with all department recommendations during both the Subdivision Plat and Site Plan review process.

8. **Private Drive/Alley Cross-Sections:** Silverado will be required to do ***private driveway improvements at 26' within the interior of the project (Phases 2, and 3).*** The applicant will be required to work with city staff and comply with all department recommendations during both the Subdivision Plat and Site Plan review process.

9. **Parking:** The ***Project Plan includes a total of 384 parking spaces.*** This includes a minimum of ***192 spaces (1 covered, 1 uncovered) for the apartments project, with 56 spaces being required for the Townhome/Toy Garage Units.*** The proposed ***commercial uses adjacent to Santa Clara Drive require 68 parking spaces; however, 84 parking spaces are provided.*** A total of ***34 additional parking spaces*** have been provided in Phases 1, 2, and 3 for shared use as needed. Chapter 17.32 requires a total of 316 parking spaces. The applicant will be required to work with city staff during both the Subdivision Plat and Site Plan review process to verify required parking.

10. **Project Utilities*:*** Utilities (e.g., water, sewer, gas, etc.) will be required for the project. ***A secondary water connection will be required for outdoor water use.*** The applicant will be required to work with city staff and comply with all department recommendations during Subdivision Plat and Site Plan Review.

11. **Soils Report:** A ***Geotech Report (Subsurface Investigation)*** done by Applied Geo-Tech was submitted for the property. ***The site is suitable for various types of development including commercial or residential.*** However, precautionary measures are needed, and an updated Geotech Report will be required prior to development of each project phase. The applicant will be required to work with city staff during Subdivision Plat and Site Plan Review for each project phase to determine compliance.

12. **Traffic Study:** A ***Traffic Impact Study, TIS done by Horrocks Engineering*** was submitted for the property. ***Three project accesses were assumed, which resulted in an acceptable LOS at each intersection.*** It is expected that the traffic signal at the intersection of Pioneer Parkway and Red Mountain Drive will be needed by 2029. If the signal is not installed by 2029, the LOS in the area will not be acceptable.

However, ***the city is currently having a study done*** to move forward with this signal soon. By putting this signal in soon, it will keep the LOS at acceptable levels as developed occurs in the area.

13. **Project Narrative:** The applicant has submitted ***an updated project narrative for your review and consideration (copy attached).*** City staff asked the applicant to update this item to match the Project Plan. It's likely that Planning Commission members will have questions for the applicant during the meeting.

14. **Development Agreement:** An ***updated Development Agreement*** is being reviewed by city legal counsel and will be required prior to any site development.

REZONING CONSIDERATION

Chapter 17.18.090 of the city code provides standards of review for the city. In consideration of any zoning map amendment (rezoning), the land use authority shall consider the following matters and the city council shall give reasonable consideration to the following:

a. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property. **Yes.**

b. Will the proposed use adversely affect the existing use or suitability of adjacent or nearby property. **No.**
c. **Are there substantial reasons why the property cannot or should not be used as currently zoned. No.**
d. Will the proposed use cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection. **No.**
e. Is the proposed use compatible with the purpose and intent of the General Plan. **Yes.**
f. Will the use be consistent with the purpose and intent of the proposed zoning district. **Yes.**
g. Is the proposed use supported by new or changing conditions not anticipated by the General Plan. **No.**
h. Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property. **Yes.**

GENERAL PLAN CONSIDERATION

The Santa Clara City General Plan indicates a **Mixed-Use Residential, MUR land use designation for Lots 1 & 2, with a Main Street Commercial, MSC land use designation for Lot 3.** The proposed Planned Development Commercial, PDC Zone complies with the intent of the General Plan. ***The description and character objectives for MUR states the following:***

> "The mix of uses is mostly residential, in the form of townhomes, multi-unit buildings, but also might include small-lot single-family homes. Design to blend in with the adjacent residential neighborhoods with interconnected street grid, sidewalks, and shared parking".

The description and character objectives for the MSC states the following:

Request: Property Rezoning & Project Plan

"Predominantly commercial uses on the ground level, including uses such as stores, restaurants, and offices with residences and/or offices on the 2nd floor. Projects should strive for continuous building frontage, with the ground floor being mostly storefront windows to create a pedestrian-friendly development".

The proposed Project Plan/Rezone application includes elements from both the MUR and MSC land use designations. This proposed use of property is encouraged by the General Plan. ***A copy of Ordinance #2023-18, Silverado General Plan Amendment has been attached.***

NEIGHBORHOOD RESPONSE

The city Council agenda has been posted on the city website as well as City Hall, the Santa Clara Post Office, and local library. No comments have been received by city staff as of the writing of this report.

STATE CODE CONSIDERATIONS

Utah Code, Section 10-9a-205 includes requirements for a Rezoning of property (zoning map amendment). To rezone a property, a city must hold at least one public hearing. Additionally, a public hearing to consider a rezoning of property requires 10 days' notice rather than 24 hours' notice. A notice must also be sent to all property owners within 300' of the subject property, with a notice in a visible location, with a sign of sufficient size and durability. The city is also required to post on the State Public Notice website. City Staff has determined that all State Code requirements have been met with this application.

CITY STAFF RECOMMENDATION

On November 9, 2023, the Planning Commission held a public hearing and forwarded a recommendation of Approval for this item to the City Council. City staff recommends that the City Council review the submitted Rezoning Application and Project Plan to determine if the application is complete. **If the application is determined to be complete, City staff would recommend that the City Council consider the application subject to the following conditions:**

1. That the applicant be required to go through the Subdivision Plat and Site Plan Review process for each project phase.
2. That a total of one hundred twenty-four (124) units on 11.66 acres be allowed as per the Project Plan. This equates to a density of 10.63 units/acre.
3. That a Project Phasing Plan be required for the overall project. That project amenities be provided and put in place as per the Project Plan and Phasing Plan. That this plan be reviewed for compliance with each project phase.
4. That the building design/materials/height/setbacks comply with the Project Plan as presented by the applicant. That substantial changes to these items require an amendment to the Project Plan.
5. That at least 30% of the overall project area be in common open space. The Project Plan includes approximately 40% (4.65 acres) of open space for the residential area (Phases 1 & 2), with approximately 32% (0.82 acres) of open space for the commercial area (Phase 3).
6. That along the eastern edge of the project (Phase 1) and Red Mountain Drive, a 15' maintenance/trail easement be provided to allow for a future connection to the IHC property and Pioneer Parkway.
7. That the applicant be required to comply with City Ordinance #2022-05, Water Efficient Landscaping & Conservation Standards. Also, secondary water connections are required for outdoor water use.

8. That a 50' public road cross-section as per the Project Plan be required for Phase 1 from Rachel Drive to Red Drive. That a 66' public road cross-section as per the Project Plan be required for Red Mountain Drive which connects to Pioneer Parkway to gain access to the site.
9. That a 26' private driveway be allowed within the interior of the project (Phases 2, and 3).
10. That 384 parking spaces be provided. This includes 192 parking spaces (1 covered, 1 uncovered) for the apartment project (Phase 2), with 56 parking spaces being required for the Townhome/Toy Garage Units (Phase 1). That 84 parking spaces be provided for the commercial area (Phase 3) of the project as per the Project Plan. Additionally, 34 parking spaces be provided for Phases 1, 2, and 3 for shared use as needed.
11. That an updated Geotech Report for each project phase be required prior to site construction.
12. That the Traffic Impact Study, TIS for the project be implemented.
13. That a Development Agreement for the overall project be required and approved by the City Council prior to any site development.
14. That the proposed **property Rezoning** complies with Chapter 17.18.090 items, (**except item c below**)**:**
    a. The proposed use is suitable in view of the zoning and development of adjacent and nearby property;
    b. The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;
    c. There are not substantial reasons why the property cannot or should not be used as currently zoned;
        i. The applicant intends to do a PDC mixed-use project as per the MUR (Lots 1 & 2) and MSC (Lot 3) land use designations of the General Plan.
    d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;
    e. The proposed use is compatible with the purpose and intent of the General Plan;
    f. The proposed use is consistent with the purpose and intent of the proposed zoning district.
    g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;
    h. The proposed use does reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.

With the following findings:

1. That the Rezoning is complaint with the Santa Clara City General Plan, Section 3.4.2, Mixed-Use Land Uses (Mixed-Use Residential, MUR and Main Street Commercial, MSC).
2. That the MUR Land Use Designation allows for mostly residential uses including townhomes, multi-unit buildings, and small lot single-family.
3. The MSC Land Use Designation allows for commercial uses on the ground floor, including stores, restaurants, and offices.
4. That the Harmon's Shopping Center directly west of the subject property is located within the Planned Development Commercial, PDC zone.

SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, November 9, 2023

Present: Logan Blake, Chair
Shelly Harris
Kristen Walton
Curtis Whitehead

Staff: Jim McNulty, Planning and Economic Development Manager
Cody Mitchell, City Engineer
Selena Nez, Deputy City Recorder
Kristelle Hendrickson, Executive Assistant

Excused: Ryan Anderson
Mark Weston

1. Call to Order.

Chair Logan Blake called the Santa Clara Planning Commission Meeting to order at 5:30 p.m.

2. Opening Ceremony.

A. Pledge of Allegiance: Logan Blake.

B. Opening Comments (Invocation): Logan Blake.

3. Working Agenda.

A. Public Hearing.

i. Consider a Proposed Rezoning and Project Plan for Property at the Intersection of Pioneer Parkway and Future Extension of Red Mountain Drive (Lots 1, 2, and 3 of the Silverado Santa Clara Subdivision) and Directly East of the Harmon's Shopping Center. The Applicant, Julian Stemmer, is Proposing to Rezone the Property from the Planned Development Residential, PDR Zone, to the Planned Development Commercial, PDC Zone, to Allow for a Mixed-Use Project including Both Commercial and Residential Uses. The Subject Properties are 14.27 Acres.

Planning and Economic Development Manager, Jim McNulty, presented the Staff Report and stated that the applicant is Julian Stemmer with Silverado, LLC. The request was to rezone property at the intersection of Pioneer Parkway and the future extension of Red Mountain Drive (Lot 1, Lot 2, and Lot 3 of the Silverado Santa Clara Subdivision) that is directly east of the Harmon's Shopping Center. The subject property is 14.27 acres in size. There was a Phase 1, Phase 2, and Phase 3 of the project. Mr. McNulty reported that the property is currently zoned Planned Development Residential

("PDR"), and the applicant proposed to rezone it to the Planned Development Commercial ("PDC") Zone. The rezone would allow for a mixed-use project that includes both commercial and residential uses. The proposal was to have commercial development in Phase 3, apartments in Phase 2, and townhome-type units in Phase 1.

A public hearing was held on July 14, 2022, by the Planning Commission. At that meeting, a motion was made to recommend approval to the City Council. On August 10, 2022, the City Council held a public meeting on the item as required by State Code. Mr. McNulty reminded the Commissioners that rezoning of property was a legislative decision that required the City Council to approve or deny the application. A motion was made by the City Council to table the item to allow the applicant to work with adjacent residents and incorporate City Council comments. Since that time, an updated Project Plan had been submitted with the Rezoning application. Mr. McNulty explained that the original Project Plan included a fourth phase, which had a pickleball facility as well as a sports bar and grill. That had since been removed and the property was sold to IHC.

Mr. McNulty reviewed the Project Plan. He reported that Phase 1 included 28 two-story townhome/toy garage units with a second-story living area. Phase 2 would include 96 apartment units in four buildings, which meant there would be 28 units per building in a three-story structure. Those two phases together were 11.66 acres. That equated to a proposed density of 10.63 units per acre. The PDC Zone did not require a density bonus if the units proposed exceeded 8 units per acre because it promoted both horizontal and vertical mixed use. The Phase 3 area included commercial buildings with a square footage of approximately 16,900 in three buildings. The applicant had indicated that the intention was to have primarily restaurant uses there.

The project amenities were discussed. Mr. McNulty reported that Phase 1 would include open space and a trail connection that extended from the pedestrian crossing on Red Mountain Drive. He pointed out the location of the trail connection on a map of the area. Phase 2 would include restrooms with changing areas, a large pool, a hot tub, a barbecue area, and an outdoor patio structure. Phase 3 would include open space and outdoor seating areas adjacent to the proposed buildings.

The proposed architectural elevations were discussed. Mr. McNulty first reviewed the Phase 2 apartment buildings. The apartments would have a modern design with an exterior stucco system, a metal panel system, an aluminum panel system with wood finish, metal guard rails, and large windows. The roof would be a single-ply membrane system, which was prevalent in the area. He reported that the building height was proposed to be 34 feet to the peak. The ordinance currently allows a maximum height of 35 feet. As for Phase 1, which had the townhome/toy garage units, those were proposed to have a modern design with an aluminum panel system that utilized both a wood and metal finish, with large windows for natural light. The roof would also include a single-ply membrane system. He noted that the proposed building height was 24.6 feet. The Phase 3 commercial buildings would include an exterior stucco system, color fiber-cement, or pre-finished metal cladding system, with an aluminum storefront and windows. The roof would include a single ply membrane system and the building height was proposed to be 21.4 feet to the top of the parapet.

With regard to open space, there were some calculations included in the Project Plan. The zone required open space of at least 30%. The Project Plan included approximately 40% (4.65 acres of open space) for the residential area in Phase 2 and Phase 2, with approximately 32% (0.82 acres) of open space in the commercial area in Phase 3. Mr. McNulty noted that public trail access had been referenced earlier. There would need to be coordination with the IHC property as well as the future

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extension and build-out of Red Mountain Drive. Landscaping and water efficiency were promoted throughout the City, so all outdoor water would require a secondary water connection and system.

Mr. McNulty shared information about the public road cross-sections. He explained that this had been discussed previously. Phase 1 showed a 50-foot public street from Rachel Drive to Red Mountain Drive. That public road would be required to be put in. Additionally, the applicant would be able to put in a connection from Red Mountain Drive to Pioneer Parkway to allow access to the site. Silverado would also be required to do private driveway improvements at 26 feet within the interior of the project in Phase 2 and Phase 3. Mr. McNulty discussed parking and explained that Chapter 17.32 of the code required a total of 316 parking spaces for the project. 384 parking spaces were shown in the Project Plan. That included 192 spaces (1 covered and 1 uncovered) for the apartment project and 56 spaces required for the townhome/toy garage units. The proposed commercial uses adjacent to Santa Clara Drive required 68 parking spaces. However, it was noted that 84 parking spaces were provided for those commercial uses.

Mr. McNulty reported that a soil report had been submitted. The Subsurface Investigation was done by Applied Geo-Tech. Based on the report, the site was suitable for various types of development, including commercial and residential. A Traffic Impact Study had been done by Horrocks Engineers and was recently updated to include the removal of the fourth phase. Three access points were assumed with an acceptable level of service ("LOS") at each intersection. The study indicated that the traffic signal at the intersection of Pioneer Parkway and Red Mountain Drive would be needed by 2029. If not put in place by 2029, the LOS would not be acceptable. That being said, the City was currently having a study done to move forward with the signal soon. Mr. McNulty informed the Planning Commission that the contract had been awarded to Avenue Consultants, who specialized in transportation engineering. The signal would be put in shortly, which would ensure that the LOS was at an acceptable level. He added that the City Attorney was present at the meeting to answer any outstanding Commissioner questions about that matter.

It was noted that a Project Narrative was submitted by the applicant. Mr. McNulty explained that Chapter 17.18.090 of the City Code outlined the standards for rezones. There were items A through H included in the Staff Report with the answers listed. He pointed out Item C, which posed the following question: "Are there substantial reasons why the property cannot or should not be used as currently zoned?" The answer from City Staff was no. The property was currently zoned PDR, but the applicant wanted to rezone it to PDC to allow for a mixed-use project.

As far as the General Plan considerations are concerned, a General Plan amendment was processed with the City during the summer. On July 13, 2023, there was a public hearing that the Planning Commission held to review the General Plan amendment. It would allow for the Mixed-Use Residential ("MUR") land use designation for Lots 1 and Lot 2, with a Main Street Commercial ("MSC") land use designation for Lot 3. That General Plan was approved by City Ordinance 2023-18 by the City Council on July 26, 2023. He clarified that those were land use designations and not zones. The proposed Project Plan and Rezoning application included elements from both the MUR and MSC land use designations, which meant the proposed use was encouraged by the General Plan.

Mr. McNulty discussed the neighborhood response to the proposal. Notices were sent to property owners within 300 feet of the subject property. The subject property was also posted as per State Code. No comments were received at the time of writing the Staff Report. He reviewed the State Code Considerations. Utah Code, Section 10-9a-205, included requirements for a rezoning of

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property or zone map amendment. That statute had been met as notices had been sent out and a public hearing was scheduled for the current Planning Commission Meeting. City Staff recommended that the Planning Commission review the submitted Rezoning Application and Project Plan to determine whether the application was complete. If it was determined to be complete, City Staff recommended that the Planning Commission forward a recommendation to the City Council for their review and consideration of the application with the conditions listed.

Mr. McNulty referenced Condition of Approval #14, which stated: "That the proposed property rezoning complies with Chapter 17.18.090 items, except Item C below." It went on to state that there were no substantial reasons why the property could not or should not be used as currently zoned. The applicant intended to do a PDC mixed-use project as per the MUR (Lot 1 and Lot 2) and MSC (Lot 3) land use designations of the General Plan. In addition to the Conditions of Approval, there were four Findings of Fact listed in the Staff Report, which were read aloud.

Mr. McNulty read a statement to remind those present that the Planning Commission's role in considering the application was as an advisory body to the City Council. The City Council was the land use authority and would make the final decision to approve or deny the application. However, the Planning Commission Meeting would be part of the official record. It would include a discussion of the application as well as public comments. The meeting would provide information to the City Council that may be considered during their process. Under State Law, public comment by itself could not be the sole basis of the recommendation made. That being said, it could provide context, help to identify concerns or questions about the application and help to form any necessary Conditions of Approval or Findings of Fact. All public comments received were preserved, along with all of the other information considered. As a legislative body and the land use authority for the application, the City Council could decide how to weigh the information and the recommendation provided by the Planning Commission. Since the recommendation from the Planning Commission was not a final decision, it could not be challenged or appealed. Appeal rights arose only after the City Council made their final decision.

Chair Blake wondered if it was an appropriate time to further discuss Item C. City Attorney, Matt Ence, explained that originally the subject property and the surrounding properties were part of a master plan that was referred to as the Knoll Pasture Master Plan. It was originally approved in 2006. That project never materialized, though it received entitlements and certain zone changes. As for the PDR that was previously approved on the property, there was no longer a valid Project Plan that accompanied that. It was essentially just a PDR designation.

As properties that were previously part of the Knoll Pasture Master Plan came to the City, the previous approvals had been treated as still valid in terms of the designations, but on most of those properties, there needed to be a zone change. In some cases, General Plan amendments were needed. The way to look at the current PDR designation was that there was currently no Project Plan attached. Even if the current property owner wanted to keep the current PDR designation, there would still need to be a process where a Project Plan was presented for approval.

Mr. Ence noted that someone handed out a document at the beginning of the meeting titled, "Santa Clara Resident Petition." He wanted to acknowledge the document and express his appreciation for the effort that went into it. That being said, there was no procedure to accept petitions. Those who decided to attend the Planning Commission Meeting were welcome to share comments during the public hearing. As a courtesy, he was willing to pass along the petition to the City Council before the

item was considered at that level, but he encouraged whoever submitted the petition to address the petition during the public hearing portion of the meeting.

Mr. Ence explained that there were some challenges with petitions. There were certain times under the law that a citizen petition was both appropriate and had legal status. If the City received a petition related to a certain matter, then the City had to take certain actions in response. In this particular scenario, nothing like that was applicable. There was no procedure for the City to receive the petition and there was no action mandated for consideration. Mr. Ence reminded those present that the City Council was the legislative body of the City and could consider anything within reason when making that final decision. As a result, it would be possible for him to pass the petition to the City Council for future consideration. When petitions were specifically provided for under the law, there was a procedure that went along with that, because of due process requirements. The petition submitted was essentially a list of names and it was not clear what information was shared with the signatories. There was a desire to balance all competing interests.

The applicant, Julian Stemmer, introduced himself to the Commission. He wanted to make sure that everyone understood they had been very mindful about the adjacent neighborhood. The development process started a little over two years ago and there has been a lot of collaboration with City Staff. The original plan presented was something he thought was excellent, but during the review process, it was discovered that there were certain pain points, especially for the adjacent neighborhood. Those pain points were the gas station and the pickleball facility. In the plan that was now before the Planning Commission, it was clear that the land would be used in the best possible way, and was mindful of the neighbors. An offer had been received from IHC and the fourth phase of the project area had been sold. The gas station originally proposed had been shifted to a restaurant. Phase 3 did not show a gas station but showed three restaurant buildings.

Commissioner Whitehead asked if there were any commitments from restaurants. Mr. Stemmer stated that there were no finalized commitments. There were a few interesting options, but that was something that he felt should be worked on with City Staff moving forward. Commissioner Harris wanted to hear more about the affordable housing element. Mr. Stemmer explained that there had been discussions about that last year. Development in general has changed a lot since last summer. The plan and the economy had changed, and it was no longer possible to offer any affordability for the units. The units would be market rate one and two-bedroom units. He felt the unit types would suit a wide variety of people. The intention was to create a cohesive product throughout the development that people would be proud to live in.

Chair Blake opened the public hearing.

Helen Zureic gave her address as 1838 Red Mountain Drive and asked if it was possible to make the traffic light a roundabout. She also wanted to know whether the restaurants would be drive-thru establishments or sit-down restaurants. Mr. Ence suggested that a note be made of the questions asked during the public hearing so the applicant could answer those afterward.

Joseph Banudy gave his address as 3452 Sagebrush Drive and reported that he is a developer with 25 years of land development experience. He thought the proposal had a good layout and was excited about the project, though he was disappointed that there was no pickleball court. At most meetings, many people voiced opposition to proposals and the people who were supportive of the development rarely came out to speak. That was the reason he felt it was important to attend the Planning

Commission Meeting and express his support for the layout. As far as one- and two-bedroom units, he had been selling two-bedroom units in Hurricane, and there was a significant demand for that. He believed this project would fulfill a need in the area. Something that cities were looking for was walkability and this development seemed to have that. Mr. Banudy stressed the importance of commercial because that was what Santa Clara needed.

Jim Spendlove gave his address as 3475 Robbin Court. The previous version of the map showed the commercial property with parking on the inside of the property, which meant that the back of the commercial buildings faced Pioneer Parkway. In the current rendering, that did not look to be the same. That meant the lights from those buildings would shine directly towards his home. He wondered if there was a reason for that change as he was concerned about the light. Mr. Spendlove asked whether the elevation of the buildings would start from Pioneer Parkway.

Joseph Robinson gave his address as 3834 Brenna Drive. He expressed his gratitude that the zoning situation had been discussed and believed that information would clear up a lot of confusion. Mr. Robinson shared information about overdevelopment and the lack of affordable housing. He appreciated the efforts the developer had taken but did not believe there needed to be more multi-family high-density units, especially when there was no affordable housing as a result. He asked what the units in this development would cost. It was clarified that the units would be at market rate. Mr. Robinson explained that market rates were not affordable. He did not feel the development, as proposed, would address affordable housing needs. As for the document that had been submitted ahead of the meeting, he was one of the signatories on that petition.

Lynette Hughes gave her address as 3485 Red Butte Drive. She wondered whether the land was privately owned. This was confirmed. Ms. Hughes was concerned about the overdevelopment that was occurring. It was no longer possible to sit in her backyard at night and have a quiet evening due to traffic, sirens, and noise. She had a hard time being able to access Pioneer Parkway because of the traffic levels. Given the existing issues, she did not believe the extra traffic from the development was appropriate. Ms. Hughes appreciated the amount of effort that had been put into the project and the changes that had been made, but she felt the needs of the community should be considered as well. Many people were being forced to leave the community because there was not enough affordable housing. She asked the Commission to pause the development discussions.

Harold Welling gave his address as 1836 Red Mountain Drive. He agreed with many of the comments that had been shared by Ms. Hughes, especially the ones that related to traffic patterns. He wondered whether the traffic patterns accounted for new developments in the area. In the time that he had been in Santa Clara, that section of Pioneer Parkway had changed and there was significantly more traffic and noise. It was suggested that sound barriers be considered to address the noise. With each new development, it seemed that there would be increases to the traffic levels.

Janene Burton gave her address as 31 Bedrock Circle. She referenced the property that had been sold to IHC and wondered whether it would be possible to have something different there. She asked about the possibility of a Costco at this location.

Helen Zureic shared an additional comment. She wondered whether a water usage study had been conducted to determine that there was enough water for the proposed residential development.

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Leslie Benson gave her address as 1866 Red Mountain Drive. She was grateful that the developer had responded to the concerns expressed about the gas station and the pickleball court. Ms. Benson reported that she was the person who initiated the petition. It was more for the benefit of the City Council, but she wanted to let the Planning Commission see that document as well. There were 142 signatures on the petition. Her main concern with the development related to the apartments and the high-density housing proposed. Ms. Benson loved the small-town feel and the beauty of Santa Clara and was sad to see how quickly the area had started to change. The Santa Clara General Plan references a vibrant and small-town community, which she felt was being lost. She hoped that the Planning Commission would decide not to recommend approval.

There were no further comments. The public hearing was closed.

Mr. Ence informed those present that he needed to leave the meeting shortly due to a family commitment. Chair Blake noted that a number of questions were asked during the public hearing portion of the meeting and asked the applicant to address those. The first question related to a roundabout and the type of restaurants there would be. Mr. Stemmer mentioned earlier that some restaurants were in mind, but nothing was finalized at the current time. Different restaurants needed different square footages. The buildings that were planned would each be 6,000 square feet. Some of those buildings may have one, two, or three tenants depending on the size needs. The site was designed so that all three of the buildings would allow for one drive-thru user.

Mr. McNulty addressed the question about a potential roundabout. He knew that Ivins had roundabouts but those had not been done in Santa Clara. He reminded those present that the application related to a Rezoning and Project Plan and not a potential roundabout. That was something that could be considered in the future but was not relevant to the current discussion.

Chair Blake wondered why the parking lot would be in the front. Mr. McNulty explained that City Staff had been involved in that decision. There had been pushback from elected officials and others about the four corners area off of Pioneer Parkway. There was not a lot of support for putting the drive-thru's right next to the road. There was a preference for buildings to be pushed back and the drive-thrus to be partially screened. As a result, the proposal was to push it back and allow there to be some screening of the buildings. However, that was a Site Plan issue. Mr. McNulty reported that some jurisdictions did not allow drive-thrus next to roadways. Some jurisdictions require landscaping high enough that only the tops of vehicles were visible or that there be a certain level of screening done with berming. He acknowledged that there were some valid concerns related to drive-thru designs, but reminded Commissioners that this was not a Site Plan review. At this time, the Planning Commission was considering the Rezoning and Project Plan. Mr. Stemmer explained that different layouts could be considered based on what was desired.

Chair Blake noted that there had been a comment during the public hearing about wanting the development to be fully commercial. He felt that had already been addressed with the General Plan amendment. It seemed that the City Council was supportive of the development, being both residential and commercial. Mr. Stemmer explained that the property was currently zoned PDR, and no commercial was allowed. It was important to make the most out of the site. He felt the mixture of residential and commercial uses would be beneficial to the community. Mr. Stemmer discussed walkability and explained that there would be a stairway to reach Harmon's Shopping Center so people in the apartment units could walk there and access commercial sites.

Mr. McNulty reminded those present that a question had been posed during the public hearing about the elevations and building heights. Chair Blake was curious if any preliminary grading had been done. Mr. Stemmer explained that he had some renderings that could be shared for context. With the grading, almost a full story of the apartments would be hidden when looking from Pioneer Parkway. The retail and the apartments would appear to be almost the same height, even though the apartments would be approximately 9 feet taller. He explained that this would be the result of the different grades and grading on the site. Mr. Stemmer reiterated that renderings could be shared and further discussed the elevations of the site. Jay Taggart reported that some studies had been done with renderings and the apartments sat 5 to 8 feet below where Pioneer Parkway was. If someone was standing across the street from the development, a large majority of the apartments would be screened by the commercial buildings due to the way the apartments sat down on the site.

Mr. McNulty noted that there had been a question about market rate costs. Mr. Stemmer explained that the market rate tended to fluctuate. He understood that it was difficult to afford house costs in the current market and believed that the units in the development would be a benefit. Mr. McNulty referenced the concerns raised during the public hearing about traffic patterns. He reminded those present that a Traffic Impact Study had been submitted by Horrocks Engineers. While the applicant needed to have a study for their property and the impacts to the immediate surrounding areas, there was no requirement to complete a traffic study for other areas in the city.

Horrocks Engineers had completed a thorough traffic study for the project and a representative was present at the Planning Commission Meeting. Emily Andrus introduced herself to those present. The Traffic Impact Study from Horrocks Engineers addressed all of the intersections adjacent to the project. The traffic that would come from the north on Red Mountain Drive was also taken into account. She clarified that all of Black Desert was not taken into account, but some of the townhome developments that were going in just north of the property were considered. There would be a signal at the intersection, and it would alleviate the majority of the concerns as far as LOS and delays. Mr. McNulty reported that the City had Impact Fees available to have a study done for the traffic signal. He explained that the signal work was continuing to move ahead.

Ms. Andrus reported that the Traffic Impact Study determined that the most impacted locations would be the accesses coming out of Harmon's Shopping Center and out of the development when trying to turn left. The signal would alleviate a lot of those impacts. As for the suggestion that had been made for a roundabout, she pointed out that a roundabout required a lot of space. There was likely not the space available for a roundabout. Additionally, a traffic signal would have more capacity long-term and move traffic better. Ms. Andrus informed those present that when the Traffic Impact Study was conducted, a noise-related study was also conducted on Pioneer Parkway. It was determined that the increase in noise caused by the development, which at that time included the pickleball facility, would not be significant. Mr. McNulty noted that the commercial use would abut an arterial roadway. The average daily trips were between 9,000 and 10,000 trips per day, but the roadway was designed to handle up to 20,000 trips per day as it was an arterial road.

Mr. McNulty stated that there had been a question during the public hearing about water availability and capacity. There was work being done with the water district. Additionally, there was a Water Efficient Land Use Ordinance. The intention was to plan for future growth and development. He assured those present that water capacity had been contemplated. It was noted that there was also a question asked about lighting. Mr. McNulty explained that it would be possible for the City to work with the future business owners on the proposed lighting. In another commercial area of the City, a

request had been made for the commercial signs to be turned off at 10:00 p.m. That was something that could be discussed for this project as well in the future.

Mr. Stemmer reported that there was a desire to rezone from PDR to PDC so there was enough density to provide a variety of housing and some commercial. Commissioner Walton wondered whether the rezone could be broken into different parts, where Phase 1 and Phase 2 were zoned as PDR and Phase 3 allowed for commercial. She was a fan of the commercial that was proposed, but the density of the apartment buildings was something that she was concerned about. Mr. McNulty explained that for the applicant to achieve the higher density desired, but stay within the PDR Zone, there would need to be affordability and possible collaboration with Utah Housing. That was not what had been proposed in this case. He reminded Commissioners that the PDC Zone had been requested. The PDC Zone was mixed-use and did not require the density bonuses or affordability element in order for there to be more units. The PDC Zone allowed for horizontal or vertical mixed-use. The Commission had been asked to make a recommendation.

Commissioner Harris asked about the proposed parking on the site. Mr. McNulty reported that there was more parking proposed than was required. Commissioner Harris wanted to know if each phase had adequate parking for the use. Mr. McNulty confirmed this. Each phase had adequate parking and there were also additional parking spaces proposed beyond what was required.

ii. Consider a Proposed Rezoning and Historic District Overlay Map Adjustment for Property Located at the Southeast Corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435, Described as 2.97 acres). Granite Peaks Investment, LLC is proposing a Rezoning of the Subject Property to Allow for the R-1-10 Single-Family/Historic District Zone on a Portion of the Property (0.52 acres) with Frontage on Santa Clara Drive, with the Remaining Property (2.45 acres) with Frontage along the Future Extension of Bonelli Trail to be within the RA Single-Family Zone. Additionally, the Applicant has Requested that the Historic District Overlay be Adjusted on the City Zoning Map to Follow the Described Zoning Boundary.

Mr. McNulty presented the Staff Report and stated that the application was for a proposed Rezoning and Historic District Overlay Map Adjustment. The applicant was Granite Peaks Investment, LLC, and was represented by Neil Walter. The property was located at the southeast corner of Santa Clara Drive and Gates Lane, Parcel #SC-6-2-16-435. The subject property was 2.97 acres in size. Mr. McNulty pointed out the subject property on a map of the area. It showed Parcels 1 and 2. Parcel 1 would be in the R-1-10 Single-Family/Historic District Zone. It was a 0.52-acre portion of the property with frontage on Santa Clara Drive. Parcel 2 would be in the RA Single-Family Zone, and it was 2.45 acres with frontage along the future extension of Bonelli Trail Road. Though the subject property was currently located within the zoning districts, the applicant wanted to reconfigure the zoning boundaries to improve the use of the property.

There had been multiple meetings with the applicant at the Technical Review Committee ("TRC") level. The applicant would be required to provide access to the lots. Mr. McNulty shared the Concept Plan that had been submitted for additional context. He noted that it was important to plan for the future. The applicant had requested that the Historic District Overlay be adjusted to follow a proposed zoning boundary. The Historic District Overlay was a layer that was included on the City Zoning

Map and may be adjusted concurrently with the Rezoning application. The application included property that would remain in the Historic District. Mr. McNulty reported that notices were sent out to property owners within 300 feet of the subject property and the property was also posted, as per State Code. No responses were received ahead of the meeting.

Mr. McNulty reviewed the General Plan considerations. The applicant came to the Planning Commission on June 22, 2023, for a General Plan Amendment. It then went to the City Council on July 12, 2023. The applicant wanted a General Plan Amendment to allow for commercial buildings on the site. The amendment was adopted by ordinance, but there was a trigger mechanism to state that there was one year to rezone the property to match the General Plan, or it would revert back. In this case, the applicant had elected to move forward with a single-family residential project rather than the commercial project that was previously contemplated. The proposed Rezoning application would allow for single-family homes on lots of 10,000 square feet or greater and lots of a half-acre or greater. He noted that the proposed use of the property was encouraged by the General Plan.

As far as the Rezoning consideration, it was noted that Chapter 17.18.090 of the City Code provided standards of review for the City. All of those requirements were met and were listed in the Staff Report. Mr. McNulty discussed the State Code Considerations. Utah Code, Section 10-9a-205 included requirements for a Rezoning of property or zoning map amendment. To consider a Rezoning, the City needed to hold a public hearing, post the property, and send out notices. It was determined that all State Code requirements had been met. The City Staff recommendation was that the Planning Commission review the submitted Rezoning and Historic District Overlay adjustment to the City Zoning Map to determine if the application was complete. If the application was determined to be complete, City Staff recommended that the Planning Commission forward a recommendation to the City Council for their review and consideration of the application. He noted that there were two Conditions of Approval listed in the Staff Report as well as findings.

Commissioner Whitehead wanted to know whether the adjustment to the Historic District Overlay meant the applicant would not need to go through the Heritage Commission for the other lots. This was confirmed. Mr. McNulty also noted that Parcel 2 would front onto Bonelli Trail Road. He reviewed the zoning map with the Commission and pointed out the surrounding zones. Chair Blake asked about the zoning map on the Santa Clara website. Mr. McNulty reported that the map on the website was recently updated. What was posted was accurate to the current conditions.

The applicant, Neil Walter was not present, but Michelle Walter was present to address the Planning Commission. While there was support for an office building in the area, she did not believe there would be consensus on the design of the building. The current zoning was already residential and many of the Santa Clara residents had expressed support for residential development. As a result, the decision had been made to shift from an office building use to a residential use. The way that the zoning was currently, there was R-1-10 on Gates Lane, and the rest was RA. The intention was to move the R-1-10 to the two lots that would front Santa Clara Drive. Those two lots would be subject to the Historic District guidelines and would go through the Heritage Commission.

Chair Blake opened the public hearing.

Justin Caplin gave his address as 1454 Boys Pond Circle. He was supportive of what was proposed and appreciated the change that had been made. He did not mind the idea of an office building but did not like the look of the proposed building. He appreciated that a change had been made.

Denise Webster gave her address as 1485 Chapel Street. She wanted to thank the City Council for the moratorium that was placed on the Historic District to ensure that there were clear design guidelines. She also wanted to thank the Planning Commission for listening to the residents' comments. Ms. Webster was at the Planning Commission Meeting to express her support for Mr. Walter. A lot of the time, people only came to meetings when there was opposition, so she felt it was important to share support. She was grateful for the preservation of the residential use.

There were no further comments. The public hearing was closed.

iii. <u>Consider a Proposed Code Amendment to the Santa Clara City Zoning Ordinance, Section 17.92, Water Efficient Landscaping and Conservation Standards. This includes Updates as Recommended by the Washington County Water Conservancy District, WCWCD, to Allow City Residents to Participate in the Water Efficient Landscape (Lawn Replacement) Rebate Program.</u>

Mr. McNulty presented the Staff Report and stated that Conservation Manager, Doug Bennett, from the Washington County Water Conservancy District ("WCWCD") was present. Mr. Bennett had a few edits to the proposed draft of Chapter 17.92 – Water Efficient Landscaping and Conservation Standards. Mr. McNulty noted that the language had been discussed in a Work Meeting with the City Council on October 18, 2023. There was also a Work Session with the Planning Commission on September 28, 2023. Both the City Council and Planning Commission were in favor of proceeding with the amendments. He explained that this was a clean-up of the existing language. Ordinance 2022-05 was adopted on February 23, 2022. Santa Clara was one of the first communities in Washington County to adopt the recommended standards put in place by WCWCD. However, on August 7, 2023, the WCWCD Board adopted a new resolution requiring communities to accept some updated standards to allow for participation in the Water Efficient Landscape Rebate Program. WCWCD now requested that the ordinance be updated.

Mr. McNulty shared a copy of Chapter 17.92 – Water Efficient Landscaping and Conservation Standards language with the proposed amendments. He noted that this had been reviewed on September 28, 2023. Utah State Code, Section 10-9a-205, included requirements for Land Use Ordinance amendments. To amend an ordinance, the Planning Commission needed to hold a public hearing. There was also a 10-day noticing required. All State Code requirements had been met. City Staff recommended that the Planning Commission hold a public hearing and forward a recommendation of approval for the code amendment of Chapter 17.92 to the City Council. If a recommendation of approval was forwarded, the item would be considered in December 2023.

Mr. Bennett introduced himself to the Commission. He commended the City for all the work that had been done. The State of Utah had gotten very involved in water conservation and had made hundreds of millions of dollars available for water development and tens of millions of dollars available for water conservation. There was a requirement that all of the main districts in the State of Utah establish common standards for the communities that they served. Those standards had been created and there had been a number of vetting meetings with all seven of the jurisdictions that WCWCD served. Most of what was intended to be in the standards was already in the Santa Clara ordinance. Mr. Bennett explained that there were a few items that needed to be corrected.

The proposed corrections were shared. Mr. Bennett referenced the Park Strip definition and explained that there was a minor correction that needed to be made. In 17.92.040 - 7B1, it stated that "Lawn is not permitted outside of an active recreation area." That only applied to non-residential properties, which meant that the sentence could be removed. He referred to 17.02.030 – B – Landscape Standards. Santa Clara already has an exemption where landscaping was being irrigated solely with private non-municipal water sources, so none of the standards listed would apply to that. WCWCD had been notified by the State of Utah that they would not give money for landscape conversions in Santa Clara because of that exemption. When WCWCD was notified of this, Santa Clara had been told that WCWCD would continue to fund those until the issue could be resolved. The State of Utah saw it as a land use regulation and not a water use regulation. Regardless of the source of water, the State wanted to see that all of the landscape was developed to the same standard. He had asked the State of Utah Department of Natural Resources for more interpretative capabilities in order to better work with the seven different municipalities.

Mr. McNulty noted that there had been discussions with Public Works Director, Dustin Mouritsen, Mayor Rick Rosenberg, and Mr. Ence. All were aware of the issue with the State, and it was something that would be decided on during the next meeting with the City Council. Mr. Bennett reported that both Santa Clara and Ivins had been called out by the State. Ivins had a minor issue that was corrected. WCWCD continued to fund the program while the next iteration of the ordinance was handled. All of the districts in the State of Utah wanted to have more discretion to work with cities and determine what was reasonable. Discussions were still taking place about that. Mr. McNulty requested that Mr. Bennett attend the City Council Meeting in December 2023.

Chair Blake opened the public hearing. There were no comments. The hearing was closed.

4. General Business.

A. Recommendation to the City Council.

i. Recommendation to the City Council for a Proposed Rezoning and Project Plan for Property at the Intersection of Pioneer Parkway and Future Extension of Red Mountain Drive (Lots 1, 2, and 3 of the Silverado Santa Clara Subdivision), and Directly East of the Harmon's Shopping Center. The Applicant, Julian Stemmer, is Proposing to Rezone the Property from the Planned Development Residential, PDR Zone to the Planned Development Commercial, PDC Zone to Allow for a Mixed-Use Project including Both Commercial and Residential Uses. The Subject Properties are 14.27 acres.

Chair Blake asked for further discussion from Commissioners about the proposed Rezoning and Project Plan. Commissioner Whitehead was thankful for the residents who shared comments during the public hearing portion of the meeting. It had been good to hear a comment that expressed support for the development because it was rare that those in support of an application attended a Planning Commission Meeting. Commissioner Whitehead acknowledged that some residents wanted the property to be residential only, but it was important to remember that this was the last opportunity for commercial in Santa Clara based on the current zoning. It was necessary to have a tax base and this property could provide tax revenue for the City. He liked the proposal.

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Commissioner Harris echoed the comments shared by Commissioner Whitehead. She appreciated everyone who had attended the meeting to express their opinions. It was clear that the developer had listened to the input expressed by residents and the City Council. She thought a good project had been designed and there had been a certain level of compromise. Commissioner Walton thanked residents for reaching out and sharing their comments. She was concerned about the limited commercial space available in the City and liked the commercial aspects of the proposal. That being said, she was concerned about the amount of density that was proposed for the project.

Chair Blake asked about a cross-access easement. He wondered whether there was something like that in place with Harmon's Shopping Center for the other entrance. Mr. McNulty explained that it was something that had been discussed. There was a desire to have a cross-access agreement in place. That was something that would be discussed more thoroughly during the Site Plan review phase. Mr. McNulty added that it would be addressed within a Development Agreement.

Chair Blake was not a fan of the look of the retail buildings. As for the apartments, he knew there was a need for one- and two-bedroom units and there were not enough available for those who were interested. In some areas, accessory dwelling units ("ADU") were becoming more prevalent to meet that need. Chair Blake reiterated that one of his main concerns with what had been proposed related to the appearance of the retail buildings. He was not comfortable with the design.

Commissioner Whitehead moved to forward a recommendation of APPROVAL to the City Council for a Proposed Rezoning and Project Plan for Property at the Intersection of Pioneer Parkway and Future Extension of Red Mountain Drive (Lots 1, 2, and 3 of the Silverado Santa Clara Subdivision) and Directly East of the Harmon's Shopping Center, rezoning from the Planned Development Residential ("PDR") Zone to the Planned Development Commercial ("PDC") Zone, subject to the following:

Conditions:

1. **That the applicant be required to go through the Subdivision Plat and Site Plan Review process for each project phase.**

2. **That a total of one hundred twenty-four (124) units on 11.66 acres be allowed as per the Project Plan. This equates to a density of 10.63 units/acre.**

3. **That a Project Phasing Plan be required for the overall project. That project amenities be provided and put in place as per The Project Plan and Phasing Plan. That this plan be reviewed for compliance with each project phase.**

4. **That the building design/materials/height/setbacks comply with the Project Plan as presented by the applicant. That substantial changes to these items require an amendment to the Project Plan.**

5. **That at least 30% of the overall project area be in common open space. The Project Plan includes approximately 40% (4.65 acres) of open space for the residential area (Phases 1 and 2) with approximately 32% (0.82 acres) of open space for the commercial area (Phase 3).**

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6. **That along the eastern edge of the project (Phase 1) and Red Mountain Drive, a 15' maintenance/trail easement be provided to allow for a future connection to the IHC property and Pioneer Parkway.**

7. **That the applicant be required to comply with City Ordinance #2022-05, Water Efficient Landscaping and Conservation Standards. Also, secondary water connections are required for outdoor water use.**

8. **That a 50' public road cross-section, as per the Project Plan, be required for Phase 1 from Rachel Drive to Red Mountain Drive. That a 66' public road cross-section, as per the Project Plan, be required for Red Mountain Drive, which connects to Pioneer Parkway to gain access to the site.**

9. **That a 26' private driveway be allowed within the interior of the project (Phase 2 and Phase 3).**

10. **That 384 parking spaces be provided. This includes 192 parking spaces (1 covered, 1 uncovered) for the apartment project (Phase 2), with 56 parking spaces being required for the Townhome/Toy Garage Units (Phase 1). That 84 parking spaces be provided for the commercial area (Phase 3) of the project as per the Project Plan. Additionally, 34 parking spaces be provided for Phases 1, 2, and 3 for shared use as needed.**

11. **That an updated Geotech Report for each project phase be required prior to site construction.**

12. **That the Traffic Impact Study ("TIS") for the project be implemented.**

13. **That a Development Agreement for the overall project be approved by the City Council.**

14. **That the proposed property Rezoning complies with Chapter 17.18.090 items, except Item C below:**

    a. **The proposed use is suitable in view of the zoning and development of adjacent and nearby property;**

    b. **The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;**

    c. **There are no substantial reasons why the property cannot or should not be used as currently zoned;**

        i. **The applicant intends to do a PDC mixed-use project as per the MUR (Lots 1 and 2) and MSC (Lot 3) land use designations of the General Plan.**

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d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;

e. The proposed use is compatible with the purpose and intent of the General Plan;

f. The proposed use is consistent with the purpose and intent of the proposed zoning district;

g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;

h. The proposed use does reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.

Findings:

1. That the Rezoning is compliant with the Santa Clara City General Plan, Section 3.4.2, Mixed-Use Land Uses (Mixed-Use Residential, MUR, and Main Street Commercial, MSC).

2. That the MUR Land Use Designation allows for mostly residential uses, including townhomes, multi-unit buildings, and small lot single-family.

3. The MSC Land Use Designation allows for commercial uses on the ground floor, including stores, restaurants, and offices.

4. That the Harmon's Shopping Center directly west of the subject property is located within the Planned Development Commercial, PDC, Zone.

Commissioner Harris seconded the motion. Vote on Motion: Commissioner Whitehead-Aye; Commissioner Blake-Nay; Commissioner Harris-Aye; Commissioner Walton-Nay. The motion failed with a 2-to-2 tie vote.

Mr. McNulty explained that there was a recent example where an application moved to the City Council with no recommendation. A tie vote from the Planning Commission meant there would be no recommendation made to the City Council. Even though there was no recommendation made, the City Council would still make a determination next month. Chair Blake wondered whether a substitute motion was possible. Mr. McNulty confirmed that a substitute motion could be made that there was agreement on. Chair Blake reiterated his concerns about the look of the retail buildings. Mr. McNulty explained that after the rezone, it would come back for a thorough Site Plan review for the commercial. The residential components would require subdivision reviews as well. Those types of details would be finalized later on in the process. The Project Plan was subject to change and there were opportunities to discuss matters further in the future. With this new information, Commissioner Whitehead offered to make a motion.

Commissioner Whitehead moved to forward a recommendation of APPROVAL to the City Council for a Proposed Rezoning and Project Plan for Property at the Intersection of Pioneer Parkway and Future Extension of Red Mountain Drive (Lots 1, 2, and 3 of the Silverado Santa Clara Subdivision) and Directly East of the Harmon's Shopping Center, rezoning from the Planned Development Residential ("PDR") Zone to the Planned Development Commercial ("PDC") Zone, subject to the following:

Conditions:

1. **That the applicant be required to go through the Subdivision Plat and Site Plan Review process for each project phase.**

2. **That a total of one hundred twenty-four (124) units on 11.66 acres be allowed as per the Project Plan. This equates to a density of 10.63 units/acre.**

3. **That a Project Phasing Plan be required for the overall project. That project amenities be provided and put in place as per The Project Plan and Phasing Plan. That this plan be reviewed for compliance with each project phase.**

4. **That the building design/materials/height/setbacks comply with the Project Plan as presented by the applicant. That substantial changes to these items require an amendment to the Project Plan.**

5. **That at least 30% of the overall project area be in common open space. The Project Plan includes approximately 40% (4.65 acres) of open space for the residential area (Phases 1 and 2) with approximately 32% (0.82 acres) of open space for the commercial area (Phase 3).**

6. **That along the eastern edge of the project (Phase 1) and Red Mountain Drive, a 15' maintenance/trail easement be provided to allow for a future connection to the IHC property and Pioneer Parkway.**

7. **That the applicant be required to comply with City Ordinance #2022-05, Water Efficient Landscaping and Conservation Standards. Also, secondary water connections are required for outdoor water use.**

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Project Plan. Additionally, 34 parking spaces be provided for Phases 1, 2, and 3 for shared use as needed.

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13. That a Development Agreement for the overall project be approved by the City Council.

14. That the proposed property Rezoning complies with Chapter 17.18.090 items, except Item C below:

a. The proposed use is suitable in view of the zoning and development of adjacent and nearby properties;

b. The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;

c. There are no substantial reasons why the property cannot or should not be used as currently zoned;

i. The applicant intends to do a PDC mixed-use project as per the MUR (Lots 1 and 2) and MSC (Lot 3) land use designations of the General Plan.

d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;

e. The proposed use is compatible with the purpose and intent of the General Plan;

f. The proposed use is consistent with the purpose and intent of the proposed zoning district;

g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;

h. The proposed use does reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.

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Findings:

1. **That the Rezoning is compliant with the Santa Clara City General Plan, Section 3.4.2, Mixed-Use Land Uses (Mixed-Use Residential, MUR, and Main Street Commercial, MSC).**

2. **MUR Land Use Designation allows for mostly residential uses, including townhomes, multi-unit buildings, and small lot single-family.**

3. **The MSC Land Use Designation allows for commercial uses on the ground floor, including stores, restaurants, and offices.**

4. **That the Harmon's Shopping Center directly west of the subject property is located within the Planned Development Commercial, PDC, Zone.**

Commissioner Harris seconded the motion. Vote on Motion: Commissioner Whitehead-Aye; Commissioner Blake-Aye; Commissioner Harris-Aye; Commissioner Walton-Nay. The motion passed 3-to-1.

ii. **Recommendation to the City Council for a Proposed Rezoning and Historic District Overlay Map Adjustment for Property Located at the Southeast Corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435, described as 2.97 acres). Granite Peaks Investment, LLC is Proposing a Rezoning of the Subject Property to Allow for the R-1-10 Single Family/Historic District Zone on a Portion of the Property (0.52 acres) with Frontage on Santa Clara Drive, with the Remaining Property (2.45 acres) with Frontage Along the Future Extension of Bonelli Trail to be within the RA Single-Family Zone. Additionally, the Applicant has Requested that the Historic District Overlay be Adjusted on the City Zoning Map to Follow the Described Zoning Boundary.**

Chair Blake asked for further discussion from Commissioners about the proposed Rezoning and Historic District Overlay Map Adjustment. Commissioner Whitehead believed what was proposed made the most sense for all involved. It would work for the landowner and neighbors.

Commissioner Walton moved to forward a recommendation of APPROVAL to the City Council for a Proposed Rezoning and Historic District Overlay Map Adjustment for Property Located at the Southeast Corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435, described as 2.97 acres) subject to the following:

Conditions:

1. **That the proposed property Rezoning complies with Chapter 17.18.090 items:**

   a. **The proposed use is suitable in view of the zoning and development of adjacent and nearby properties;**

b. The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;

c. There are substantial reasons why the property cannot or should not be used as currently zoned;

d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;

e. The proposed use is compatible with the purpose and intent of the General Plan;

f. The proposed use is consistent with the purpose and intent of the proposed zoning district;

g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;

h. The proposed use does reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.

2. That the proposed Historic District Overlay adjustment to the City Zoning Map be allowed as the application includes property with frontage along Santa Clara Drive that will remain in the Historic District.

Findings:

1. That the Rezoning is compliant with the Santa Clara General Plan, Section 3.4.1, Residential Land Uses (Very Low-Density Residential, VLD).

2. That the Rezoning is compliant with the Santa Clara General Plan, Section 3.4.2, Mixed-Use Land Uses (Mixed-Use Residential, MUR).

3. That the R-1-10 Single-Family/Historic District Zone allows for homes on lots of 10,000 square feet or larger.

4. That the RA Single-Family Zone allows for homes on lots of ½ acre or larger.

5. That the properties in the immediate vicinity of the proposed R-1-10 Single-Family/Historic District Zone with frontage along Santa Clara Drive are generally located within the Historic District.

6. That the properties in the immediate vicinity of the proposed RA Single-Family Zone are generally located within the RA Zone.

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Commissioner Harris seconded the motion. Vote on Motion: Commissioner Whitehead-Aye; Commissioner Blake-Aye; Commissioner Harris-Aye; Commissioner Walton-Aye. The motion passed unanimously.

iii. **Recommendation to the City Council for a Proposed Code Amendment to the Santa Clara City Zoning Ordinance, Section 17.92, Water Efficient Landscaping and Conservation Standards. This includes Updates as Recommended by the Washington County Water Conservancy District, WCWCD, to Allow City Residents to Participate in the Water Efficient Landscape (Lawn Replacement) Rebate Program.**

Chair Blake asked for further discussion from Commissioners about the proposed Code Amendment. He noted that this was something that had been discussed previously. He thought it made sense to forward a recommendation to the City Council with the suggestions mentioned.

Commissioner Harris moved to forward a recommendation of APPROVAL to the City Council for a Proposed Code Amendment to the Santa Clara City Zoning Ordinance, Section 17.92 – Water Efficient Landscaping and Conservation Standards, as corrected. Commissioner Whitehead seconded the motion. Vote on Motion: Commissioner Whitehead-Aye; Commissioner Blake-Aye; Commissioner Harris-Aye; Commissioner Walton-Aye. The motion passed unanimously.

iv. **Subdivision Plat Amendment and Phasing Plan Update for Coyote Landing at Deserts Edge. The Subject Property is East of 400 East and North of North Town Road. Robert Smith, applicant.**

Mr. McNulty presented the Staff Report and stated that the application was for a Subdivision Plat Amendment and Phasing Plan Update for Coyote Landing at Deserts Edge. The applicant was Robert Smith. Mr. McNulty reported that a Plat Amendment was requested for Phase 1 as well as an updated Phasing/Amenity Plan for Phases 1, 3, and 4. The recorded Subdivision Plat for Phase 1 included a total of 24 townhome units within five buildings. The applicant was proposing to amend the plat to include the front porch within the designated building envelope of each unit. That was previously not shown accurately. The amended drawing was shared. He explained that the drawing now depicted the front porch area within the building envelope.

The original Phasing Plan was shared. It showed all of the amenities that were within Phase 1. The proposed update to the plan was shared. Phase 1 would include the clubhouse, main pool, spa, and pickleball courts. Phase 3 would include the water play area. Depending on economic conditions, the Phase 4 slide area may change to artificial turf and a pool deck expansion area with shade structures and various games. There had been discussions at a City Staff level and there were concerns about the open-ended proposal for the Phase 4 amenity area. City Staff recommended that the applicant be required to come back to the Planning Commission and City Council for approval of the Phase 4 amenity area when the applicant has more information.

The necessary noticing had been done. All of the City reviewing departments had reviewed the application and supported the project moving forward with the proposed changes. Mr. McNulty reported that Utah Code, Section 10-9a-608, included requirements for Subdivision Amendments. All of the State requirements had been met in terms of noticing and holding a public meeting. City

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Staff recommended that the Planning Commission consider recommending approval of the Plat Amendment (Phase 1) and Updated Phasing/Amenity Plan (Phases 1, 3, and 4) for Coyote Landing at Deserts Edge to the City Council, subject to the conditions listed in the Staff Report. Chair Blake wondered whether the Planning Commission would approve the application. Mr. McNulty clarified that the Planning Commission would recommend approval to the City Council.

The applicant, Robert Smith, introduced himself to the Commission. He noted that the Plat Amendment was a fairly straightforward correction. As for the Phasing Plan update, there was no intention to take away anything that had already been proposed. He pointed out that the pool had actually been added to the project. The proposed tennis courts had been removed in favor of the pickleball courts. Information about the water play area was shared with the Commission. As for Phase 4, it was noted that there was support to come back for those discussions in the future.

Commissioner Whitehead moved to forward a recommendation of APPROVAL to the City Council for a Subdivision Plat Amendment and Phasing Plan Update for Coyote Landing at Deserts Edge 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 record the Plat Amendment for Phase 1 and provide City Staff with an electronic copy.**

3. **That the applicant be required to submit a Geotechnical Report for all buildings in the project prior to Building Permit issuance.**

4. **That the Updated Phasing/Amenity Plan for Deserts Edge be followed by the applicant and include the following amenities:**

    a. **Phase 1 will include the clubhouse, main pool, spa, and pickleball courts to be completed by the end of Phase 1 vertical construction.**

    b. **Phase 3 will include the water play area to be completed by the end of Phase 3 vertical construction.**

    c. **Phase 4 will include a waterslide area by the end of Phase 4 vertical construction. If the Phase 4 amenities need to change based on future economic conditions, the applicant will be required to come back to the Planning Commission and City Council for approval when the applicant has more information to share with the City.**

Commissioner Harris seconded the motion. Vote on Motion: Commissioner Whitehead-Aye; Commissioner Blake-Aye; Commissioner Harris-Aye; Commissioner Walton-Aye. The motion passed unanimously.

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B. Planning Commission Approval.

i. Alfredo's A Wall Sign Located at 3687 Pioneer Parkway, Suite #4. Kelly Harward with YESCO Signs, Applicant.

Mr. McNulty presented the Staff Report and stated that the application was for a wall sign for the property located at 3687 Pioneer Parkway. The applicant was Kelly Harward with YESCO Signs. Mr. McNulty reported that the application was for the last retail tenant in the Giovengo Building #2. At the last Planning Commission Meeting, three wall signs were approved for the building. This was the last tenant, and one wall sign was proposed. The Santa Clara City Sign Ordinance, Chapter 17.44, stated that wall signs were allowed in the Planned Development Commercial ("PDC") Zone, subject to Planning Commission approval. Section 17.44.090(C) of City Code indicated that wall signs may not exceed 10% of the total square footage of the wall on which the sign was placed. The applicant provided calculations that indicated 10% would allow for a wall sign of up to 72 square feet on the east building elevation. The proposed wall sign included internally illuminated letters with a human figure flush mounted to the building. The east building elevation wall sign was proposed to be 71 square feet. It met the standards for wall signs as per Chapter 17.44.

Planning Staff recommended that the Planning Commission approve the proposed wall sign for Alfredo's A Restaurant, located at 3687 Pioneer Parkway, Giovengo Building #2, subject to the conditions listed in the Staff Report. It was noted that this was a Planning Commission decision. Discussions were had about the placement of the sign as well as other signs in the development.

Commissioner Harris moved to APPROVE the Wall Sign for Alfredo's A Restaurant, located at 3687 Pioneer Parkway, Giovengo Building #2, subject to the following conditions:

1. **That the east building elevation wall sign (facing the parking lot) be allowed at 71 square feet with internally illuminated letters (white LED illumination) flush mounted to the building.**

2. **That a Building Permit be applied for and obtained prior to placement of the wall sign on the building.**

Commissioner Walton seconded the motion. Vote on Motion: Commissioner Whitehead-Aye; Commissioner Blake-Aye; Commissioner Harris-Aye; Commissioner Walton-Aye. The motion passed unanimously.

5. Discussion Items.

A. None.

Mr. McNulty reported that the next Planning Commission Meeting will take place on December 14, 2023. There will only be one Planning Commission Meeting in December.

Mr. McNulty informed the Commissioners that the City Council passed a Temporary Land Use Ordinance, which was a moratorium for the Historic District that would last for 180 days. That gave the City six months to create a set of standards or guidelines. The Mayor had organized a committee to handle that work, which included Commissioner Harris from the Planning Commission as well as

Mandi Gubler and Mimi McKenna from the Heritage Commission. The Mayor had asked Ms. McKenna to Chair the committee. There were five residents included on the committee as well, and the City had reached out to a local architect. Members of City Staff would also participate. He noted that there would be a kickoff meeting at the start of December.

Discussions were had about whether residents could listen to the committee meetings. Mr. McNulty confirmed that residents could listen to the meetings, but he did not believe that comments would be taken. Later on, in the process when there was a document to review, it would move through the Planning Commission and the City Council. The Mayor had stated that the intention was primarily to create commercial design standards. Mr. McNulty clarified that commercial would be the emphasis, but some revisions might be made to the residential language. He stressed the importance of moving forward and everyone working together on the language.

6. Approval of Minutes.

A. Request Approval of the Regular Meeting Minutes – October 26, 2023.

Commissioner Harris moved to APPROVE the Meeting Minutes of the October 26, 2023, Santa Clara Planning Commission Meeting. Commissioner Walton seconded the motion. The motion passed with the unanimous consent of the Commission.

7. Adjournment

Commissioner Blake moved to ADJOURN. Commissioner Whitehead seconded the motion. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 8:02 p.m.

_____
Jim McNulty
Planning Manager

Approved: _____

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DOC # 20230022416
Ordinance Page 1 of 4
Gary Christensen Washington County Recorder
07/27/2023 01:49:12 PM Fee $ 0.00
By SANTA CLARA CITY

CITY OF SANTA CLARA
ORDINANCE NO. 2023-18

AN ORDINANCE OF THE CITY OF SANTA CLARA, UTAH, AMENDING THE GENERAL PLAN & LAND USE MAP FROM MAIN STREET COMMERCIAL (MSC) AND OPEN SPACE (OS), TO MIXED USE RESIDENTIAL (MUR) FOR SILVERADO SANTA CLARA SUBDIVISION LOTS 1 & 2, AND TO MAIN STREET COMMERCIAL (MSC) ON LOT 3, PARCEL NOS. SC-SILS-1, -2, AND -3.

WHEREAS, the applicant, Silverado Development, LLC, is requesting an amendment of the General Plan and Land Use Map from Main Street Commercial (MSC) and Open Space, to Mixed Use Residential (MUR) for Silverado Santa Clara Subdivision Lots 1 & 2, and to Main Street Commercial (MSC) for Silverado Santa Clara Subdivision Lot 3, being Parcel Nos. SC-SILS-1, -2, and -3, respectively; and

WHEREAS, the purposes for the amendment are to unify the land use designations on each of the three lots into a single designation per lot, and to permit application for subsequent zone changes for a potential mixed-use development, including multi-family townhome units (specifically to be used as "man caves" but each including a dwelling unit), apartment units with a pool and other amenities, and commercial uses, including office and restaurant use; and

WHEREAS, pursuant to the requirements of the Santa Clara City Code, the Planning Commission conducted properly advertised a public hearing on the proposed General Plan and Land Use Map amendment on July 13, 2023; and

WHEREAS, the Planning Commission, during its regular meeting held on said date, voted to recommend approval of the proposed amendment to the City Council, with certain conditions; and

WHEREAS, the City Council, during its regular meeting held on July 26, 2023, considered the applications for the proposed amendment, the public comments received, and the Planning Commission's recommendation of approval, and voted to approve the proposed amendment.

NOW, THEREFORE, BE IT ORDAINED by the Santa Clara City Council, State of Utah, as follows:

Section 1. Classification

This ordinance amends the General Plan and Land Use Map of the City of Santa Clara, Utah.

Section 2. Amendment

2.1 The General Plan and Land Use Map of the City of Santa Clara, Utah, is hereby amended to change the following described property from Main Street Commercial (MSC) and Open Space (OS), to Mixed Use Residential (MUR).

DESCRIPTION:

Parcel Nos. SC-SILS-1 and SC SILS-2, and more particularly described as follows:

Lots 1 and 2, Silverado Santa Clara Subdivision, as the same is described in the official records of the recorder for Washington County, State of Utah.

2.2 The General Plan and Land Use Map of the City of Santa Clara, Utah, is hereby amended to change the following described property from Main Street Commercial (MSC) and Open Space (OS), to Main Street Commercial (MSC).

DESCRIPTION:

Parcel No. SC-SILS-3, and more particularly described as follows:

Lot 3, Silverado Santa Clara Subdivision, as the same is described in the official records of the recorder for Washington County, State of Utah.

Section 3. Findings, Conditions

The amendment approved herein is subject to the following findings:

1. That the proposed General Plan Amendment complies with Section 3.4.2 of the General Plan (Mixed-Use Land Uses).

2. That the proposed General Plan Amendment complies with Section 3.4.2 of the General Plan (Policy 3.1, Mixed-Use Development).

3. That the proposed General Plan Amendment complies with Section 4.6 of the General Plan (Pioneer Parkway Retail Core).

4. That the proposed General Plan Amendment complies with Section 4.6 of the General Plan (Pioneer Parkway Retail Core Objective, and Policy 4.10 in support of objective).

5. That the proposed General Plan Amendment complies with Section 6 of the General Plan (Economic Development Objective and Policy 6.1).

The amendment approved herein is subject to the following conditions:

1. That this amendment is approved subject to the approval of a zone change consistent with the applicant's presentation within one year of the date of approval of this amendment, and if not approved within one year, the land use designation shall revert back as if this amendment had not been approved.

Section 4. Effective Date

This ordinance shall become effective immediately upon adoption, recording and posting in the manner required by law.

ADOPTED by a duly constituted quorum of the Santa Clara City Council this 26th day of July, 2023.

IN WITNESS THERETO:

Attest:

Rick Rosenberg, Mayor

Chris Shelley, City Recorder


CITY OF SALT LAKE
STATE OF UTAH

ROSENBERG ASSOCIATES™
CIVIL ENGINEERS LAND SURVEYORS

Exhibit "A"

All of Lots 1, 2 & 3 of Silverado Santa Clara, as found on file with the Washington County Recorder's Office.



June 21, 2023

Narrative for Zone Change

This is a description for the rezone application of the proposed uses of the Silverado Storage SG LLC development for the 14.27 acres on Pioneer Pkwy in Santa Clara.

Silverado Storage SG LLC intends to develop the Parcel Number SC-6-2-9-43051212 to have the best possible value for local residents, visitors and the city. Therefore we propose a mixed use plan that is divided into 3 different phases that each serve a distinct purpose.

Phase one is toy garages. The surroundings of Santa Clara offer various outdoor activities, that often include the use of dirt bikes, side by sides and other vehicles. To support this need, Silverado Storage SG LLC plans to build 2-story luxury toy garages. These buildings are situated at the north side of the property and will take in the breathtaking views of the valley and beautiful red rock. The proposed plan shows 28 toy garages, future owners have the option to build out the upstairs to have bedrooms upstairs, which is convenient for owners that do not permanently reside in Santa Clara.

Phase two is multi family housing. Santa Clara has seen tremendous population growth in the past 10 years and it is only accelerating. To support that need, we plan to build 4 multi family buildings with 96 units in total. We strive to build desert modern housing that integrates well with the surroundings of Santa Clara and adds additional value to the community through well built quality and amenities for the residents. These amenities will include a pool and hot tub.

Phase one and two sit on 11.66 acres and will be used as residential area. The density is 10.6 units/acre with 124 units.
The building footprint of the toy garages is 57,819 sqft. The building footprint of the apartments is 39,110 sqft. This adds up to a gross footprint area of 96,929 sqft, which accounts for 19% of the residential area. Driveway/Parking is 20% of total area (107,701 sqft). Public street area is 14% of total area (68,866 sqft). Open space area is 47% (230,383 sqft). Landscaped open space is 40% (202,782 sqft).

Phase three is commercial retail buildings. These may include restaurants and/or stores, which will be convenient for residents of the multi family housing, owners of toy garages, and residents or visitors of the Santa Clara area.

Total acreage of the commercial retail area is 2.61 acres. Total number of buildings is 3. The building footprint is 15% (16,895 sqft) of the total area. Driveway/parking is 50% (57,192 sqft) of the total area. Landscaped open space is 29% (32,776 sqft) of the total area.

Our proposed exterior building materials to provide a cohesive design aesthetic are the following:
- Aluminium cladding and shading systems with wood finish
- Weathered steel exterior panel system
- Exterior stucco system
- Landscape wall features
- Pre-finished metal system
- Metal panel shade fin elements

The attached document “Elevations and Building Materials_SilveradoSantaClara” shows all materials. The elevation sheet show examples of use of these materials for the different phases.

The roofing material for Phase 1,2 and 3 is single ply membrane.

We would also like to add that Silverado Storage SG LLC designs all 3 phases to not only fit into Santa Clara but also to complement each other. We strive to provide a mixed use development that addresses Santa Claras needs and adds value to the community.

As all of you know, we applied for the zone change with a project plan last year. The site plan that was attached at that time included a pickle ball facility with a restaurant and a gas station. The site plan we are submitting with this application does not include those anymore.
As we faced headwinds with the neighborhood and the city council we were willing to make concessions to be able to get the project approved. Those concessions were:

- Swapping the gas station for a restaurant
- Lease 10% of the apartments 10% cheaper for city employees.

Those concessions were tied on getting the presented project approved.

After offering these concessions, we received support from the neighborhood to push the project further along. Even though we had the neighborhood on our side, we were not sure if we had the support from the city council. Our understanding was, that the size and potential noise were still a major concern for the city council. For that reason, we decided to look for other options, even though the pickle ball center was a very popular and profitable component of the project. We ended up selling the land to IHC for an Instacare, which will add value to the community and has the support of the neighborhood and appears to have the support of the city council.

With our understanding this application is in line with the neighborhood and the city council as we are not building a gas station or a pickle ball center. We had conversations with representatives of the neighborhood after our last Planning Commission Meeting and we have their full support.
By taking out the pickle ball center, we addressed the biggest issue that the city council had with the project. In addition to that, we are trying to implement further wants from the city council such as a plaza in the retail space and connectivity to Harmons.
Having made those changes we are not in a position to add more concessions, especially in the current economy with high interest rates and increased capital requirements from banks.

We plan to build 1 and 2 bedroom apartments which sit at a lower price point and are more affordable than the townhomes to the north of this project. We intently build efficiently designed units to bring apartments to the market that can be attainable to young professionals, newly weds, young families and retirees.

Please reach out to Julian Stemmer (julian@silveradobc.com) for any questions.

SILVERADO
TRAFFIC IMPACT STUDY

Prepared For: Method Studio
360 West Aspen Avenue
Salt Lake City, UT 84101

Prepared By: Horrocks Engineers
555 S. Bluff Street, Suite 101
St. George, UT 84770

Date: September 2023

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Introduction

This report presents the findings of the Traffic Impact Study (TIS) performed for the Silverado development in Santa Clara, Utah. This report addresses the impacts based on Level of Service (LOS) values calculated by delay per vehicle for selected study intersections.

In this report, the potential traffic impact of the Silverado development is addressed as proposed by Method Studios. The study horizon will be for the year of its completion and five years after completion.

Proposed Development

The proposed development at Silverado is planned to be built in three phases. The anticipated build-out year is 2024. Figure 1 shows the location of the development. The development is planned to include 28 “man-cave” storage units (Phase 1), 96 apartment units (Phase 2), and approximately 17,000 square feet (sq. ft.) of fast-food restaurants (Phase 3).



Figure 1-Location of Silverado Santa Clara

The accesses to the development are planned to connect to Rachel Drive and Pioneer Parkway. There is one access planned on Rachel Drive and three accesses planned on Pioneer Parkway. One of the accesses on Pioneer Parkway is an extension of Red Mountain Drive at its intersection with Pioneer

Parkway. There is additional access onto Pioneer Parkway through the existing Harmons access. A full site plan is shown in Figure 2 and included in the Appendix.

For the purposes of this report, the accesses are labelled as shown in Figure 2.

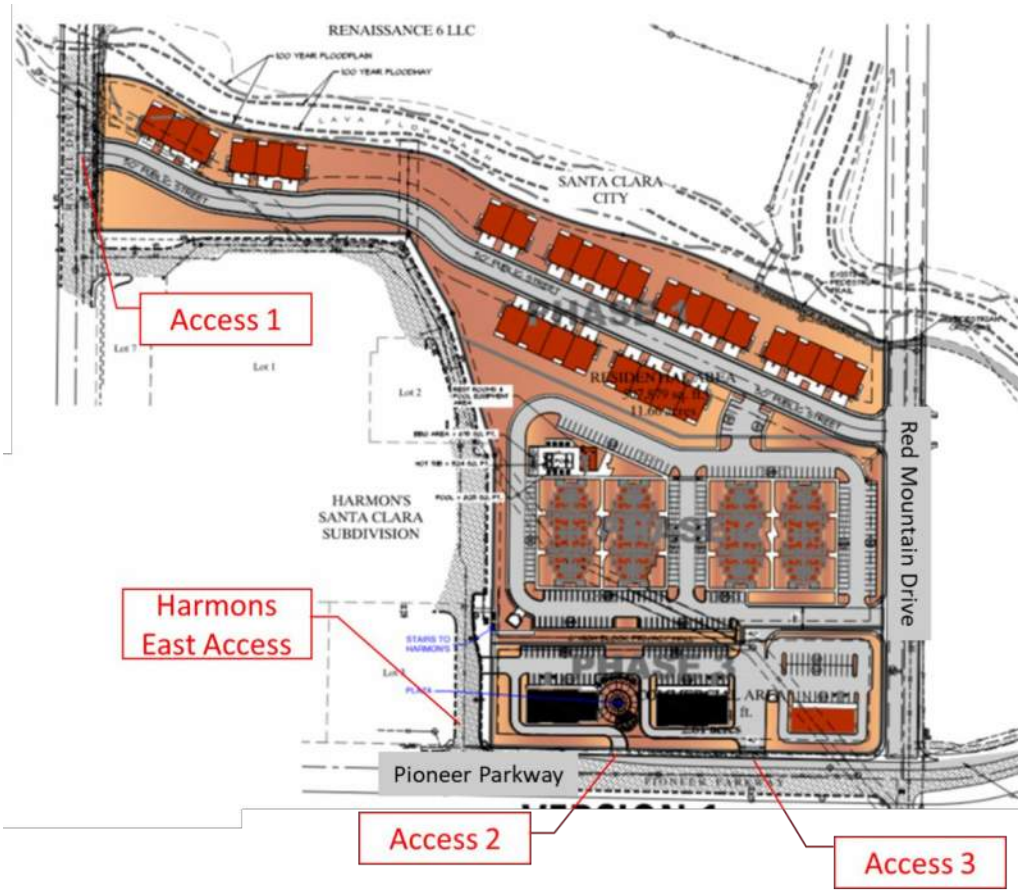


Figure 2-Access Locations

Study Area Conditions

The Silverado development is located on the northeast corner of Rachel Drive and Pioneer Parkway, east of the existing Harmons grocery store. The surrounding area south of the project is residential. The area from Harmons grocery store to Pioneer Parkway is commercial.

ROADWAY CHARACTERISTICS

RACHEL DRIVE

Rachel Drive is a three-lane Minor Collector road that runs north/south on the west side of the subject property. The speed limit is 25 miles-per-hour (mph) in the project area. Rachel Drive has a two-way left-turn lane (TWLTL).

PIONEER PARKWAY

Pioneer Parkway is a three-lane Major Arterial road that runs east/west on the south side of the project area. On the south edge of the proposed Silverado development, east of the southeast Harmons access, Pioneer Parkway is a two-lane roadway and does not have curb and gutter on the north side. East of Red Mountain Drive, there is no curb and gutter. The speed limit is 35 mph. It is planned to eventually be a five-lane roadway, though there is no specific year planned for the widening to occur.

RED MOUNTAIN ROAD

Red Mountain Road south of Pioneer Parkway is a Local Collector to the neighborhoods in Santa Clara. By the build out of the Silverado Development, it is expected to extend from Pioneer Parkway to the north, where it will connect to the future Western Corridor as a collector road. It is assumed that the speed limit will be 30 mph.

CRASH HISTORY

Current crash data in the study area were reported from Numetric Crash Query. The Numetric data include crashes from the last 3 years, between August 2018 and June 2022. In that period, there were 21 crashes reported in the study area. A full crash data report is included in the Appendix.

Figure 3 shows a map of the crash locations in the study area. The blue markers indicate a property damage only (PDO) crash, and the yellow, orange, and dark orange indicate a crash with injuries. There were no fatal crashes within this area in this period.

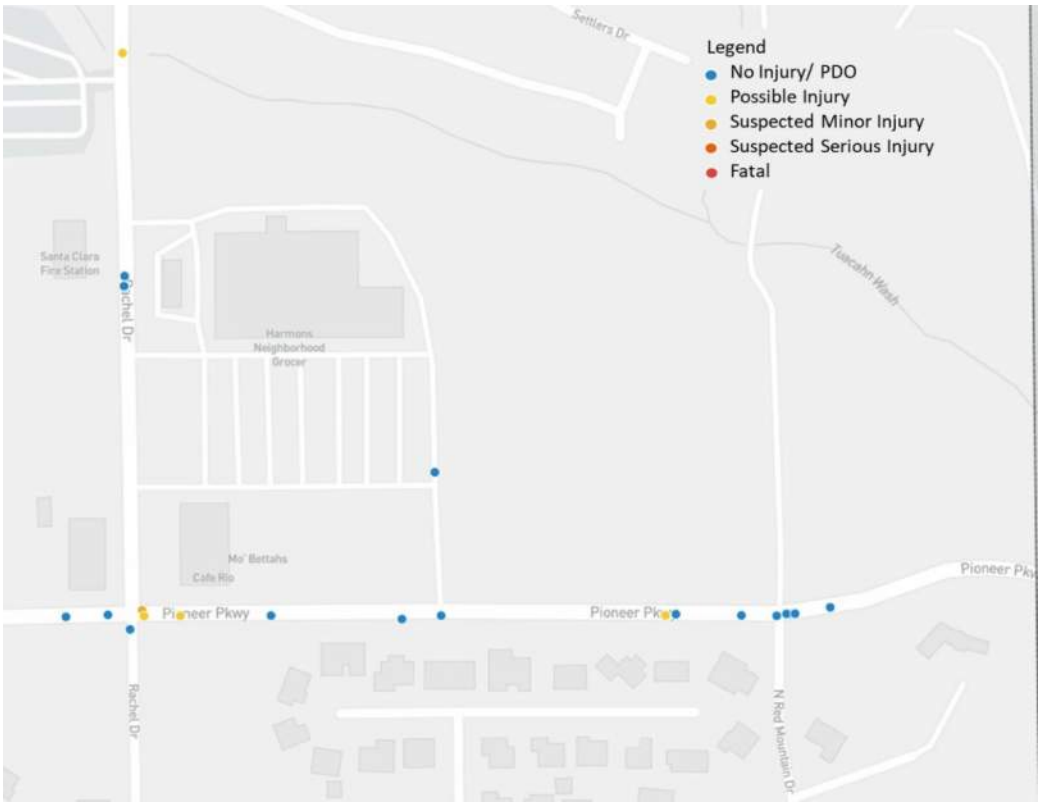


Figure 3-Study Area Crash History

Of the 21 crashes, 16 (76%) were property damage only (PDO). Four had possible injuries, and one had a suspected minor injury. One third of the crashes were front-to-rear crashes, which are common at signalized intersections. Six of the crashes were due to turning errors made by drivers.

With the addition of new accesses in this area, it is recommended that dedicated left and right turn lanes be installed to prevent further front-to-rear crashes and provide safe areas to turn into the proposed accesses.

EXISTING TRAFFIC CONDITIONS

Weekday AM and PM turning movement counts were performed at the following intersections:

- Rachel Drive & Harmons fuel station (North) access
- Rachel Drive & Harmons front door (Center) access
- Rachel Drive & Café Rio (South) access
- Rachel Drive & Pioneer Parkway
- Pioneer Parkway & Harmons southeast (East) access
- Pioneer Parkway & Red Mountain Drive

Existing intersection geometry, control, and turn pocket lengths were obtained by field review and entered with the turning movement volumes into PTV Vistro 2023 for analysis. Future traffic data was forecasted for the AM and PM peak hours using historic traffic counts.

Turning movement counts were used to establish a base condition for the analysis and provide a comparison for new traffic around the proposed development. The existing turning movement counts are shown in Figure 4.

In order to quantify the traffic conditions currently exhibited in the study area, the roadway geometries and traffic data were entered in the PTV Vistro 2023 software package. Using the 6th edition of Highway Capacity Manual (HCM) method of calculating intersection delay, a Level of Service (LOS) grade was assigned to the intersection for both the AM and PM peak hours.

Level of Service (LOS) is a term used by the HCM to describe the traffic operations of an intersection, based on congestion and delay. LOS ranges from A (almost no congestion or delay) to F (traffic demand exceeds capacity and intersection experiences long queues and delay). In Santa Clara, LOS D is the threshold when the intersection exceeds an acceptable standard and intersection improvements are required. In discussions with the City of Santa Clara, all intersections should be mitigated to LOS C. The delay criteria used to assign a letter grade to an intersection for signalized and unsignalized intersections is shown below in Table 1. The full Vistro reports are included in the Appendix. Unsignalized intersections include roundabouts, two-way stop controlled (TWSC), and all-way stop controlled (AWSC).

Table 1-Intersection Level of Service

Level of Service	Average Control Delay (sec/veh)	
	Signalized	Un-signalized
A	≤ 10	≤ 10
B	> 10 - 20	> 10 - 15
C	> 20 - 35	> 15 - 25
D	> 35 - 55	> 25 - 35
E	> 55 - 80	> 35 - 50
F	> 80	> 50

Table 2 shows the existing LOS conditions at the study intersections.

Table 2-Existing LOS Analysis

Intersection	AM Peak Hour		PM Peak Hour	
	Average Delay (sec/veh)	Level of Service	Average Delay (sec/veh)	Level of Service
Rachel Drive & Harmon's North Access (TWSC)	9.8	A	11.1	B
Rachel Drive & Harmon's Center Access (TWSC)	10.0	A	11.4	B
Rachel Drive & Harmon's South Access (TWSC)	9.9	A	12.7	B
Rachel Drive & Pioneer Parkway (Signalized)	9.0	A	10.0	A
Pioneer Parkway & Harmon's East Access (TWSC)	12.3	B	15.3	C
Pioneer Parkway & Red Mountain Drive (TWSC)	13.4	B	18.5	C

All of the study intersections are currently operating at an acceptable LOS C or better.

Figure 4-Existing Turning Movement Counts AM



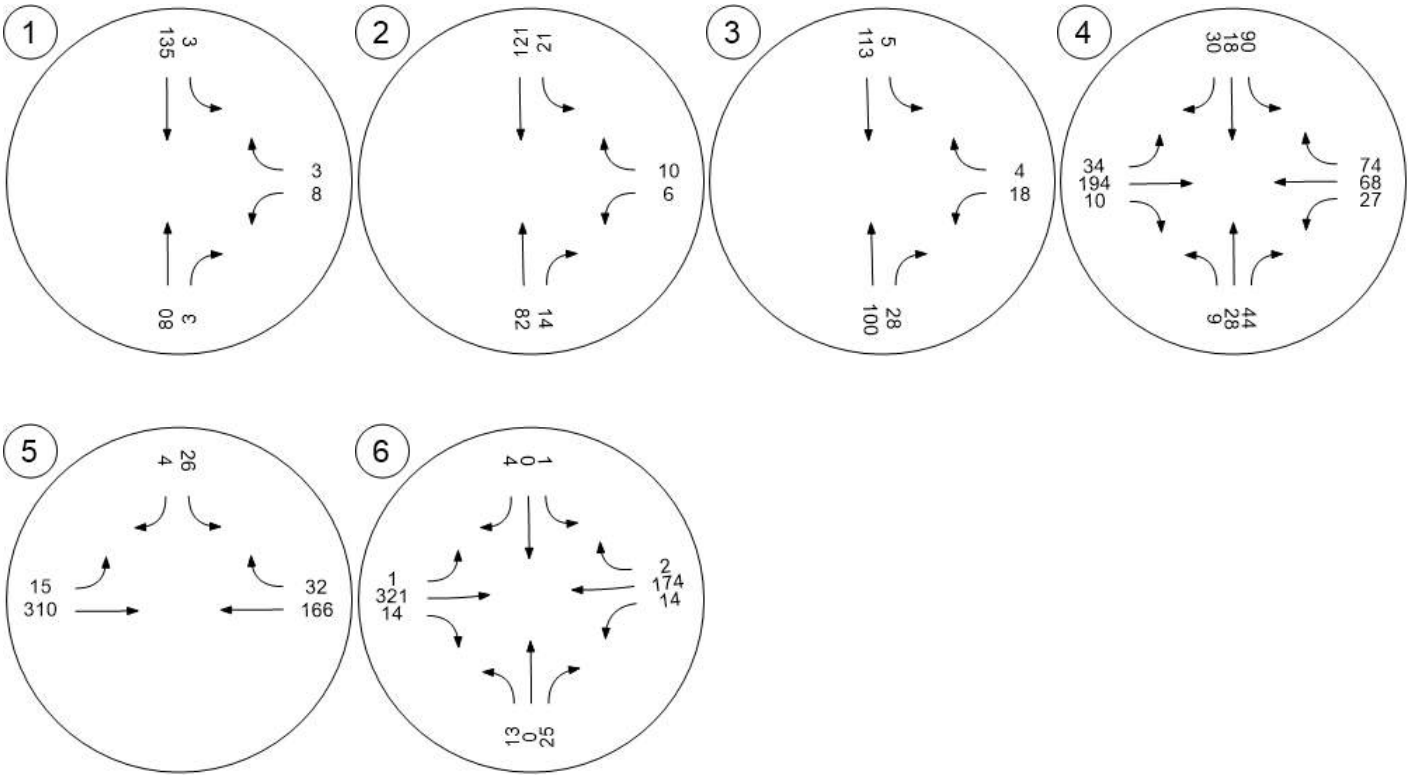
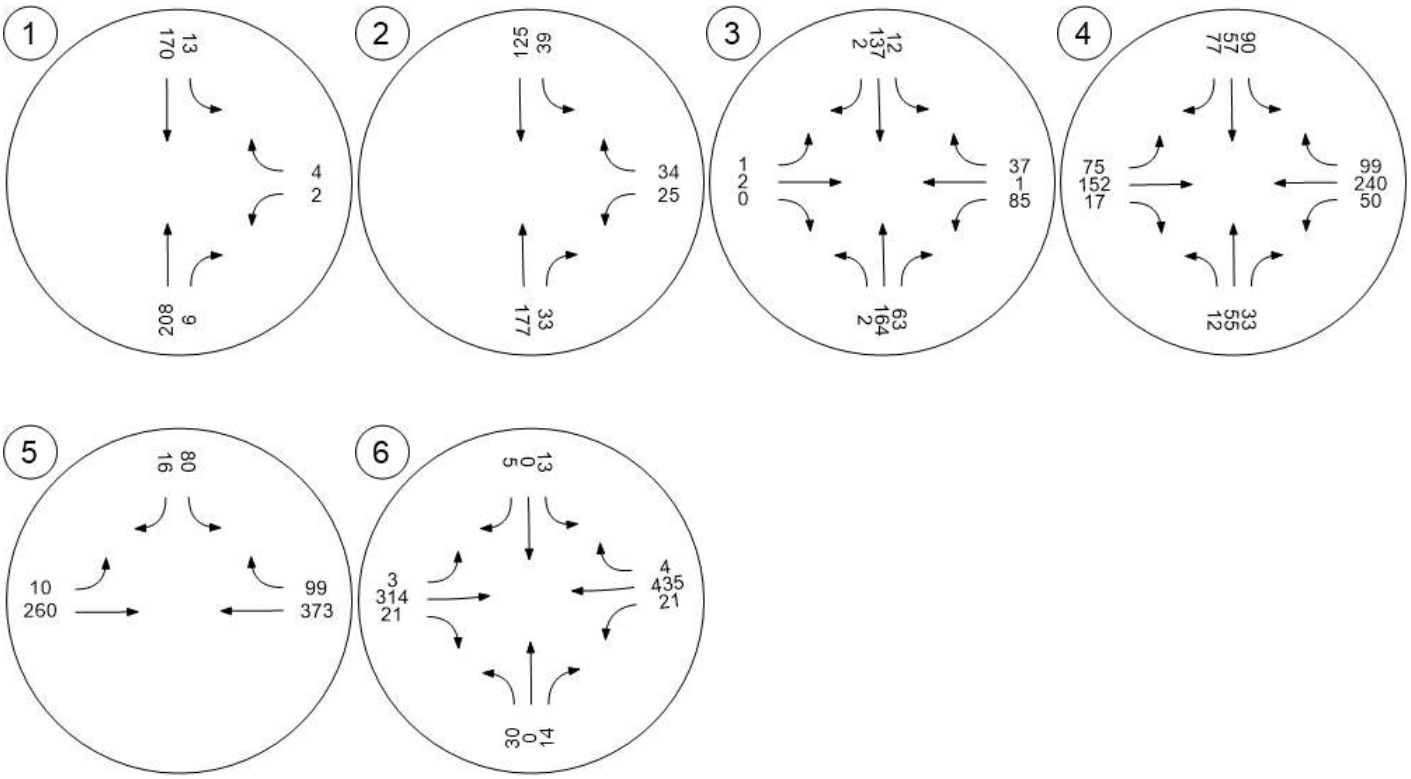


Figure 4-Existing Turning Movements Counts PM





Projected Traffic

In order to successfully analyze traffic conditions for future scenarios, existing traffic is grown based on the projected growth in the surrounding area. To find an appropriate growth rate, historic average annual daily traffic (AADT) counts from the Utah Department of Transportation (UDOT) were analyzed for roadways surrounding the project area. UDOT has AADT data up to 2019.

Table 3 shows the AADT for the roadways around the Silverado development. Growth per year from 2017 to 2019 for the area has generally been about 3 percent. Pioneer Parkway has shown higher growth (44% average per year) in the last three years. In discussions with Santa Clara City, 8 percent growth is being used to plan for impact fees. For this traffic study, traffic from developments to the north of Silverado are included in the background traffic, so 5 percent growth per year will be used to estimate future traffic around the development in addition to the developments to the north.

Table 3-Average Growth from Historic Data

Roadway	3 Year	5 Year	10 Year	2019 AADT	2018 AADT	2017 AADT	2016 AADT	2015 AADT	2014 AADT	2013 AADT	2012 AADT	2011 AADT	2010 AADT	2009 AADT	2008 AADT
Rachel Drive (North of Pioneer Parkway)	0.00%			500	500	500									
				0.00%	0.00%	0.00%									
Rachel Drive (South of Pioneer Parkway)	0.00%			500	500	500									
				0.00%	0.00%	0.00%									
Pioneer Parkway (West of Rachel Drive)	43.64%	28.47%	13.18%	4,500	4,400	4,300	1,900	1,800	1,700	1,700	1,700	1,700	1,900	1,900	--
				2.27%	2.33%	126.32%	5.56%	5.88%	0.00%	0.00%	0.00%	-10.53%	0.00%	--	
Pioneer Parkway (East of Rachel Drive)	3.40%	43.15%	21.05%	6,300	6,200	6,000	5,700	5,400	1,800	1,800	1,800	1,900	1,900	1,900	--
				1.61%	3.33%	5.26%	5.56%	200.00%	0.00%	0.00%	-5.26%	0.00%	0.00%	--	
Average	11.76%	35.81%	17.12%												

TRIP GENERATION

The estimated number of vehicle trips to be generated by the development was calculated using the methodology found in the Institute of Transportation Engineers (ITE) Trip Generation Manual 11th edition. The following ITE Land Uses were used for this development:

- 151: Mini-Warehouse
- 221: Multifamily Housing (Low-Rise)
- 934: Fast-Food Restaurant with Drive-Through Window

Mini-Warehouse is used to represent the man-cave storage units. Multifamily housing is used to estimate the trips for the apartment complex. The apartments are low-rise because they are less than four stories high. Fast-food restaurants were used to estimate the trips in the commercial area as the highest traffic use. A description for each of these land uses can be found in the Appendix. Table 4 shows the estimated trip generation of the development.

Table 4-Trip Generation for the Proposed Development

Silverado Development: Build-Out 2024											
ITE Land Use	Units		AM Peak Hour			PM Peak Hour			Daily		
			In	Out	Total	In	Out	Total	In	Out	Total
151: Mini-Warehouse	28	units	2	1	3	2	2	4	20	20	41
221: Multifamily Housing (Low-Rise)	96	units	8	27	36	23	15	38	218	218	436
934: Fast-Food Restaurant with Drive-Through Window	17	1000 sq. ft.	387	372	758	292	270	562	3974	3974	7947
Total:			397	400	796	317	287	604	4212	4212	8424

Pass-by trips were calculated for this project. PTV Group, the makers of the Vistro software used for this analysis describe pass-by trips as, “existing trips making an intermediate stop at a development site. Then, these trips continue onto a destination, as originally planned. For example, think of how a new gas (petrol) station attracts trips already existing on the roadway. These trips are not considered “new” to the network.” Pass-by trips only apply to specific land uses, in this case, Fast-Food Restaurant is the only land use that has pass-by data available.

A 50 percent reduction was applied to the Fast-Food use in the AM peak hour, and a 55 percent reduction was applied to the Fast-Food use in the PM peak hour to account for pass-by trips to the site as recommended by the ITE Traffic Engineering Handbook. These trips were reduced from the roadway network, but still included in the volumes at the project accesses. The pass-by trips added to the proposed project accesses are shown in Table 5.

Table 5-Pass-by Trips

Silverado Development Pass-By Trips						
ITE Land Use	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
934: Fast-Food Restaurant with Drive-Through Window	193	186	379	161	148	309

Trip Distribution

The new trips estimated to be generated from the proposed development were distributed onto the roadway network based on the proposed site access locations, existing turning movements, existing traffic patterns, and proximity to major roadways. Figure 5 shows the AM peak hour trip distribution to and from the development and the surrounding areas. In the AM peak hour, Pioneer Parkway has more vehicles traveling to the east than to the west.

Figure 6 shows the trip distribution for the PM peak hour. In the PM peak hour, there is similar traffic going both directions.



Figure 5-AM Trip Distribution for the Silverado Development



Figure 6-PM Trip Distribution for the Silverado Development

Traffic Analysis

Future traffic was analyzed by projecting the existing 2022 traffic based on the historical data and growth rate discussed previously. The development traffic was then added to the background traffic to estimate the total future traffic. The AM and PM peak hours were analyzed for the future development scenarios.

2024 BACKGROUND TRAFFIC

For the 2024 background traffic analysis, it was assumed that the existing roadway configuration (lanes, intersection control, etc.) will be used in 2024. It was also assumed that two developments to the north of Silverado will be built by 2024. A traffic study completed by Avenue Consultants in March 2021 provided the proposed trip generation for the Solace and Regal Living developments directly north of Silverado on Red Mountain Drive. The traffic generated by these two developments was included in the background traffic. The full study is also included in the Appendix. The 2024 turning movement counts without the Silverado development traffic are shown in Figure 7. Table 6 shows the LOS analysis for the 2024 traffic.

Table 6-2024 LOS Analysis

Intersection	AM Peak Hour		PM Peak Hour	
	Average Delay (sec/veh)	Level of Service	Average Delay (sec/veh)	Level of Service
Rachel Drive & Harmon's North Access (TWSC)	10.1	B	11.6	B
Rachel Drive & Harmon's Center Access (TWSC)	10.4	B	12.0	B
Rachel Drive & Harmon's South Access (TWSC)	10.3	B	13.6	B
Rachel Drive & Pioneer Parkway (Signalized)	9.5	A	10.3	B
Pioneer Parkway & Harmon's East Access (TWSC)	12.9	B	16.8	C
Pioneer Parkway & Red Mountain Drive (TWSC)	16.6	C	38.8	E

In 2024, all of the study intersections are expected to operate at LOS C or better except for the intersection of Pioneer Parkway and Red Mountain Drive. As a two-way stop-controlled (TWSC) intersection, it is expected to operate at LOS E in the PM peak hour. Table 7 shows the LOS of Pioneer Parkway and Red Mountain Drive as an all-way stop-controlled intersection.

Table 7-2024 Background Traffic Mitigation LOS Analysis

Intersection	AM Peak Hour		PM Peak Hour	
	Average Delay (sec/veh)	Level of Service	Average Delay (sec/veh)	Level of Service
Pioneer Parkway & Red Mountain Drive (AWSC)	12.1	B	20.5	C

As an AWSC intersection, Pioneer Parkway and Red Mountain Drive is expected to operate at LOS C in the PM peak hour. The 2021 traffic study by Avenue Consultants proposed a traffic signal at this intersection by the buildout of all three developments; Silverado, Solace, and Regal Living. An AWSC intersection may be an interim mitigation for a traffic signal.

2024 TRAFFIC WITH DEVELOPMENT

2024 traffic with the addition of the proposed Silverado traffic at buildout was estimated by adding the distributed development traffic to the 2024 background traffic. It is assumed that the mitigations recommended in the background scenario are applied in this scenario as well. The estimated turning movement counts are shown in Figure 8.

Table 8 shows the LOS analysis for the background 2024 traffic with the Silverado development traffic.

Table 8-2024 with Development Traffic LOS Analysis

Intersection	AM Peak Hour		PM Peak Hour	
	Average Delay (sec/veh)	Level of Service	Average Delay (sec/veh)	Level of Service
Rachel Drive & Silverado Access 1 (TWSC)	10.1	B	11.5	B
Rachel Drive & Harmon's North Access (TWSC)	10.2	B	11.7	B
Rachel Drive & Harmon's Center Access (TWSC)	10.4	B	12.1	B
Rachel Drive & Harmon's South Access (TWSC)	10.4	B	14.0	B
Rachel Drive & Pioneer Parkway (Signalized)	9.8	A	10.5	B
Pioneer Parkway & Harmon's East Access (TWSC)	17.8	C	21.9	C
Pioneer Parkway & Silverado Access 2 (TWSC)	9.9	A	12.3	B
Pioneer Parkway & Silverado Access 3 (TWSC)	18.4	C	21.8	C
Pioneer Parkway & Red Mountain Drive (AWSC)	16.1	C	34.7	D

The intersection of Pioneer Parkway and Red Mountain Drive is expected to operate at LOS D as an AWSC intersection with the addition of the Silverado traffic. Table 9 shows the LOS analysis for the intersection with an additional right-turn lane in the westbound direction.

Table 9-2024 Traffic Mitigation LOS Analysis

Intersection	AM Peak Hour		PM Peak Hour	
	Average Delay (sec/veh)	Level of Service	Average Delay (sec/veh)	Level of Service
Pioneer Parkway & Red Mountain Drive (AWSC with WB right turn lane)	14.5	B	18.9	C

With an additional turn lane, the intersection is expected to operate at LOS C in the PM peak hour. As discussed in the 2024 Background scenario, the 2021 traffic study by Avenue Consultants proposed a traffic signal at this intersection by the buildout of Silverado, Solace, and Regal Living. An AWSC intersection with the additional widening may be an interim mitigation for a traffic signal.

Figure 7- 2024 Background Turning Movement Counts AM



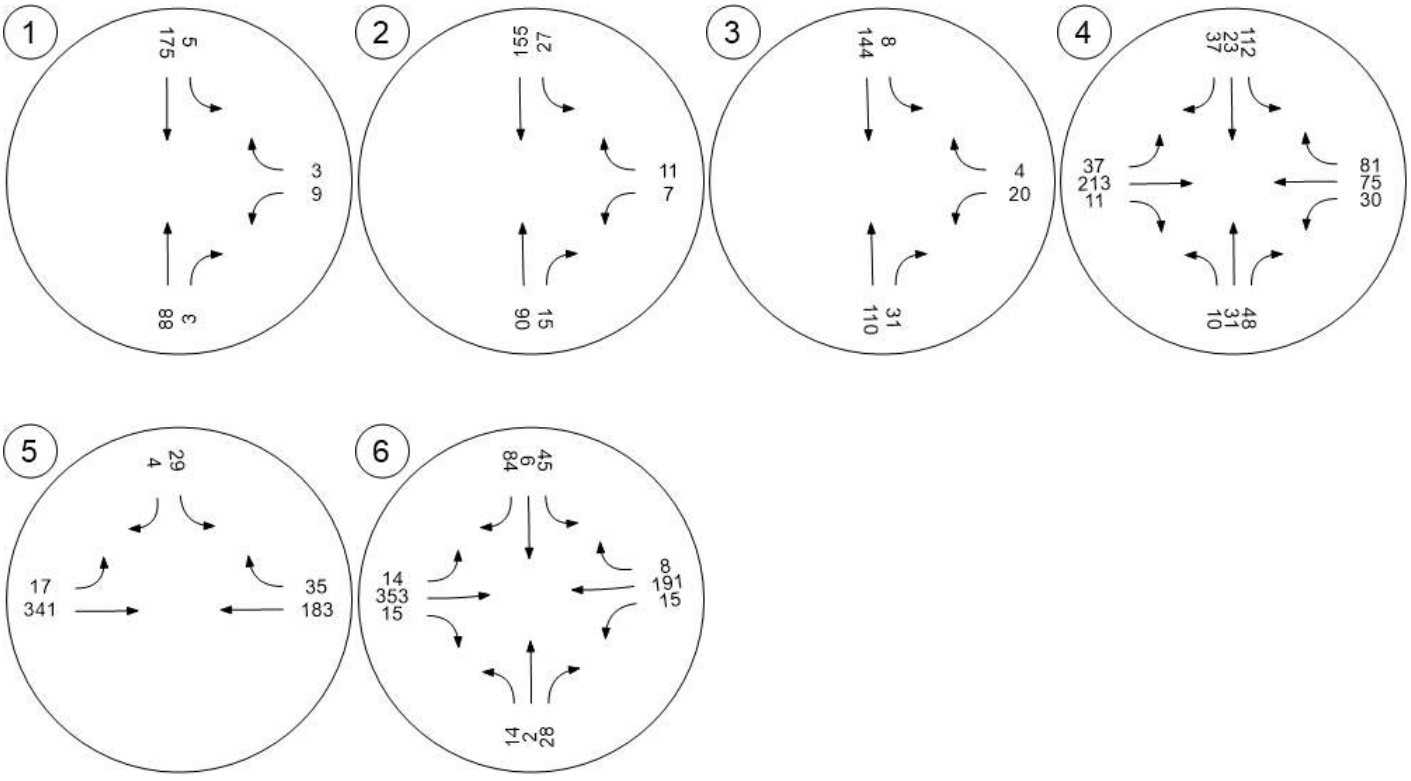


Figure 7- 2024 Background Turning Movement Counts PM



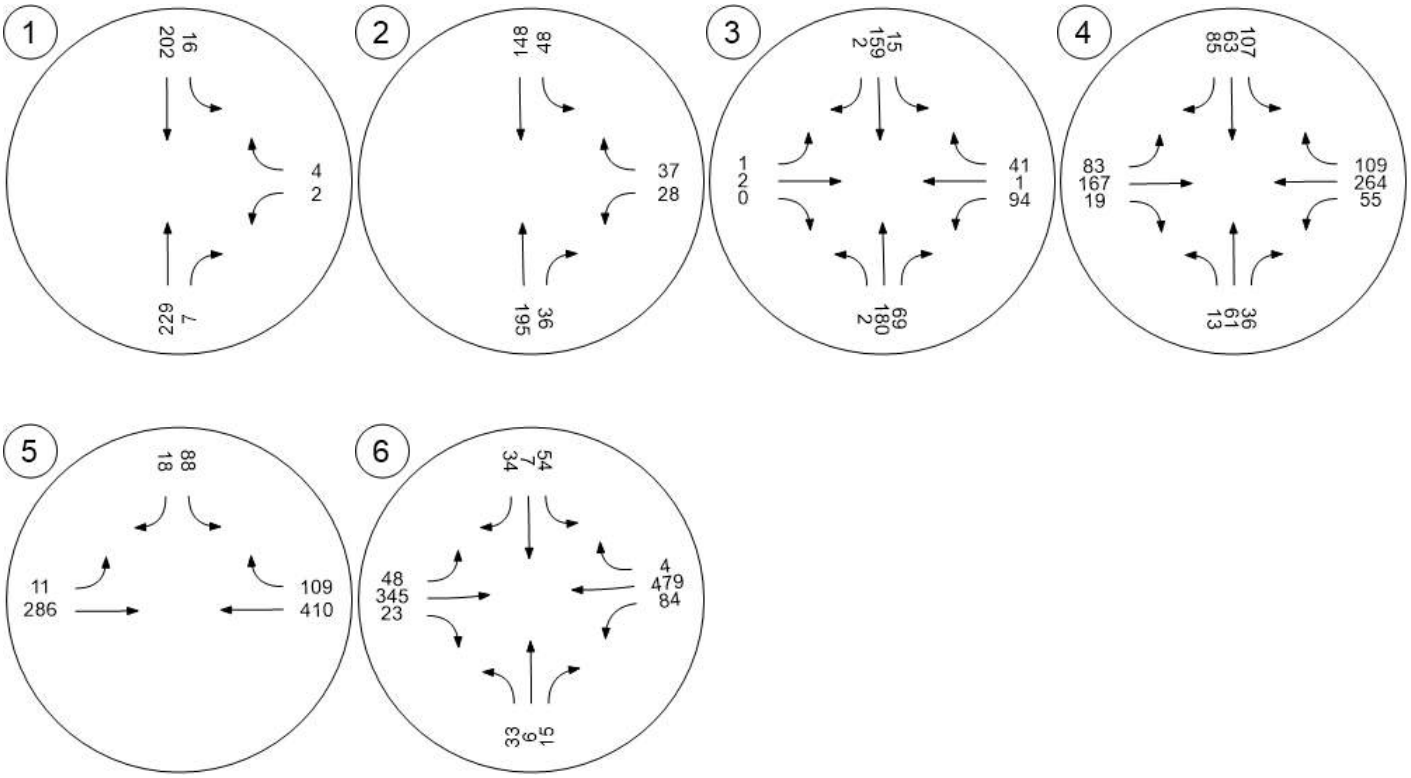
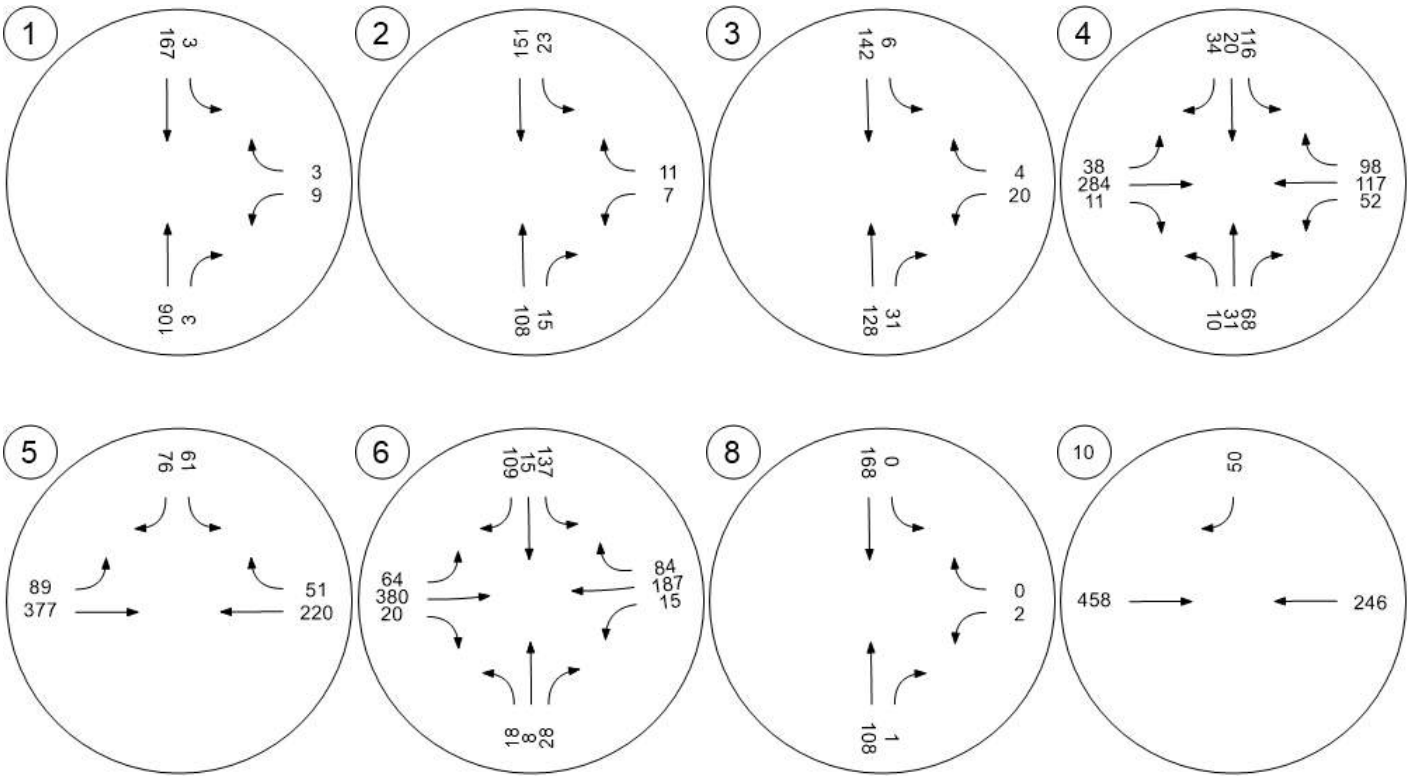


Figure 8-2024 Background Turning Movement Counts with Development Traffic AM





Traffic Volume - Future Total Volume



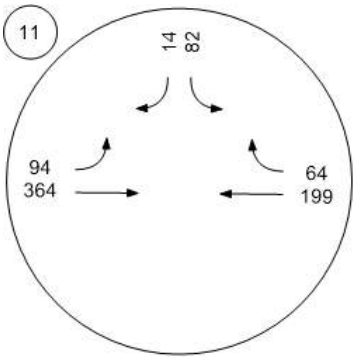
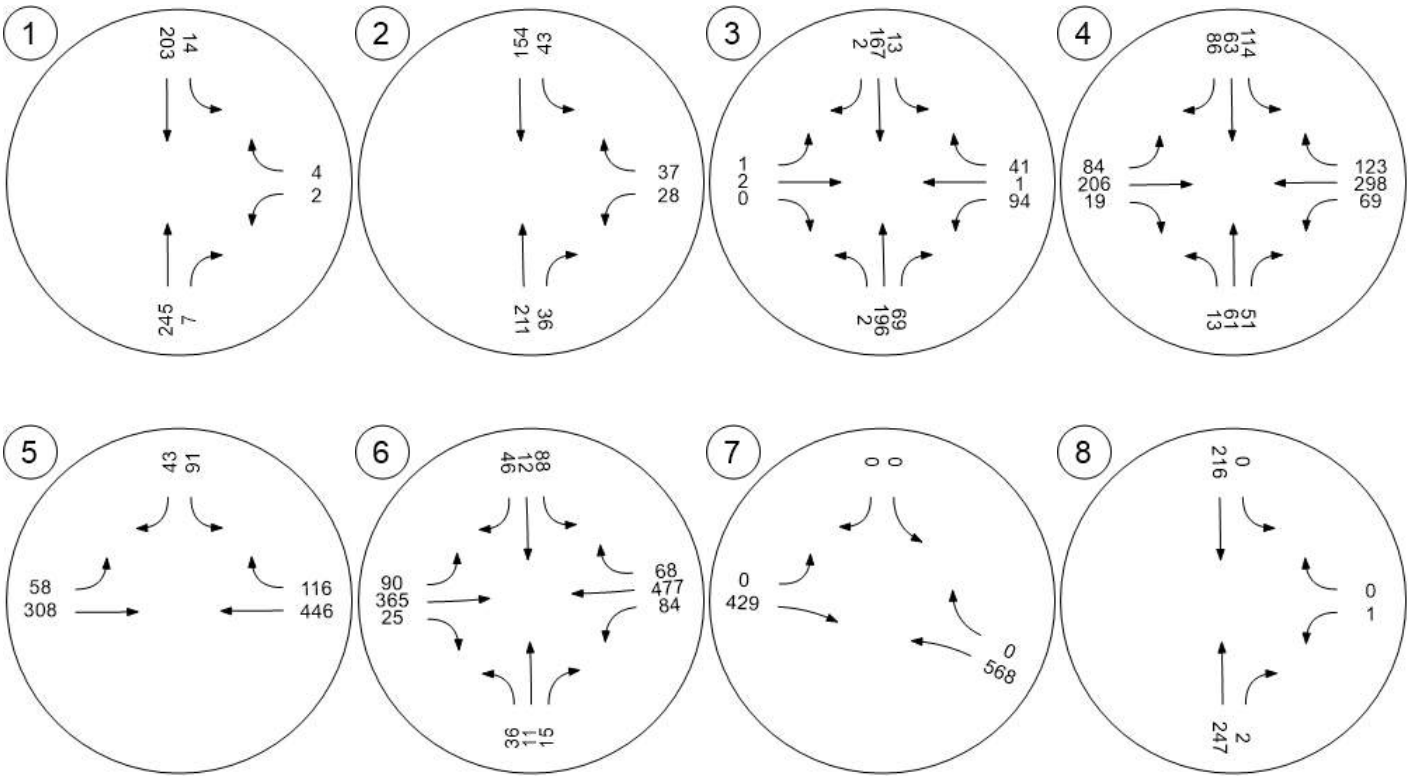


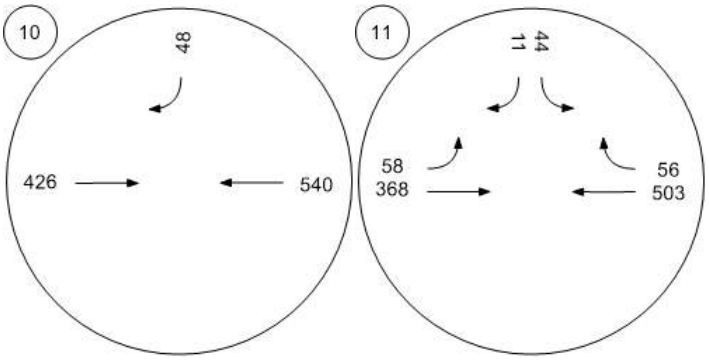
Figure 8-2024 Background Turning Movement Counts with Development Traffic PM





Traffic Volume - Future Total Volume





2024 WITH DEVELOPMENT TRAFFIC QUEUE LENGTH ANALYSIS

Table 10 shows the queue length analysis for the 2024 traffic with the addition of the project traffic at each of the Silverado accesses. The table shows the maximum queue length required at each access and at which movement or approach the maximum queue length occurs.

Table 10-2024 Queue Length Analysis with Development Traffic

Intersection	AM Peak Hour		PM Peak Hour	
	95th Percentile Queue Length (ft/ln)	Movement	95th Percentile Queue Length (ft/ln)	Movement
Rachel Drive & Silverado Access 1 (TWSC)	<10	WBLR	<10	WBLR
Pioneer Parkway & Silverado Access 2 (TWSC)	<10	SBLR	<10	SBLR
Pioneer Parkway & Silverado Access 3 (TWSC)	24	SBLR	17	SBLR
Pioneer Parkway & Red Mountain Drive (AWSC with WB right turn lane)	116	EBT	190	WBT

Where the queue lengths are less than 20 feet, there is expected to be no queuing at the intersection. At these intersections, there should be enough storage for at least one vehicle at each approach.

At the intersections with queues greater than 20 feet, sufficient storage length should be provided for the 95th percentile queue length at each approach.

PERCENTAGE OF DEVELOPMENT TRAFFIC

With the addition of the development traffic to the existing roadway system, traffic from the Silverado development accounts for an average of 10 percent of the total traffic in the AM peak hour and 22 percent of the total traffic during the PM peak hour. Table 11 shows the percentage of the total traffic that come from the Silverado development at each of the accesses to the development.

Table 11-Percentage of Development Traffic

Intersection	Percent Development Traffic	
	AM	PM
Rachel Drive & Silverado Access 1	8%	7%
Pioneer Parkway & Silverado Access 2	22%	12%
Pioneer Parkway & Silverado Access 3	29%	14%
Pioneer Parkway & Red Mountain Drive	27%	14%

2029 BACKGROUND TRAFFIC

For the 2029 background traffic analysis, it was assumed that the existing roadway configuration (lanes, intersection control, etc.) will be used in 2029. The same assumptions that were used for the 2024 background traffic were also used for 2029. The 2029 turning movement counts without the development traffic are shown in Figure 9. Table 12 shows the LOS analysis for the 2029 traffic.

Table 12-2029 Background Traffic LOS Analysis

Intersection	AM Peak Hour		PM Peak Hour	
	Average Delay (sec/veh)	Level of Service	Average Delay (sec/veh)	Level of Service
Rachel Drive & Harmon's North Access (TWSC)	10.4	B	12.6	B
Rachel Drive & Harmon's Center Access (TWSC)	10.8	B	13.3	B
Rachel Drive & Harmon's South Access (TWSC)	10.7	B	16.2	C
Rachel Drive & Pioneer Parkway (Signalized)	10.0	A	11.0	B
Pioneer Parkway & Harmon's East Access (TWSC)	15.1	C	24.5	C
Pioneer Parkway & Red Mountain Drive (AWSC)	16.0	C	54.2	F

In the 2029 background conditions, the intersection of Pioneer Parkway and Red Mountain Drive is expected to operate at LOS F in the PM peak hour as an AWSC intersection. As a signalized intersection, it is expected to operate at LOS A in the AM and PM peak hours.

Table 13-2029 Background Traffic Mitigation LOS Analysis

Intersection	AM Peak Hour		PM Peak Hour	
	Average Delay (sec/veh)	Level of Service	Average Delay (sec/veh)	Level of Service
Pioneer Parkway & Red Mountain Drive (Signalized)	7.5	A	8.4	A

2029 TRAFFIC WITH DEVELOPMENT

2029 traffic with the addition of the proposed development traffic at buildout was estimated by adding the distributed development traffic to the projected 2029 traffic. It is assumed that the mitigations recommended in the background scenario are applied in this scenario as well. The estimated turning movement counts are shown in Figure 10.

Table 14 shows the LOS analysis for the projected 2029 traffic with the Silverado development traffic.

Table 14-2029 with Development Traffic LOS Analysis

Intersection	AM Peak Hour		PM Peak Hour	
	Average Delay (sec/veh)	Level of Service	Average Delay (sec/veh)	Level of Service
Rachel Drive & Silverado Access 1 (TWSC)	10.6	B	12.6	B
Rachel Drive & Harmon's North Access (TWSC)	10.7	B	13.0	B
Rachel Drive & Harmon's Center Access (TWSC)	11.1	B	13.7	B
Rachel Drive & Harmon's South Access (TWSC)	11.0	B	17.7	C
Rachel Drive & Pioneer Parkway (Signalized)	10.5	B	11.3	B
Pioneer Parkway & Harmon's East Access (TWSC)	22.5	C	36.3	E
Pioneer Parkway & Silverado Access 2 (TWSC)	10.3	B	14.0	B
Pioneer Parkway & Silverado Access 3 (TWSC)	23.0	C	31.0	D
Pioneer Parkway & Red Mountain Drive (Signalized)	7.7	A	7.2	A

In 2029, all the study intersections are expected to operate at LOS D or better except at the East Harmon's Access on Pioneer Parkway, which is expected to operate at LOS E. As it becomes difficult to turn left onto Pioneer Parkway from the Silverado development, traffic will reroute to the signals at Rachel Drive and Pioneer Parkway and Red Mountain Drive and Pioneer Parkway. The Silverado accesses

onto Pioneer Parkway should be monitored in the future and may be restricted to right turns only if necessary to improve the operations. It is up to the determination of the City to restrict these accesses to improve the LOS.

Figure 9-2029 Background Turning Movement Counts AM



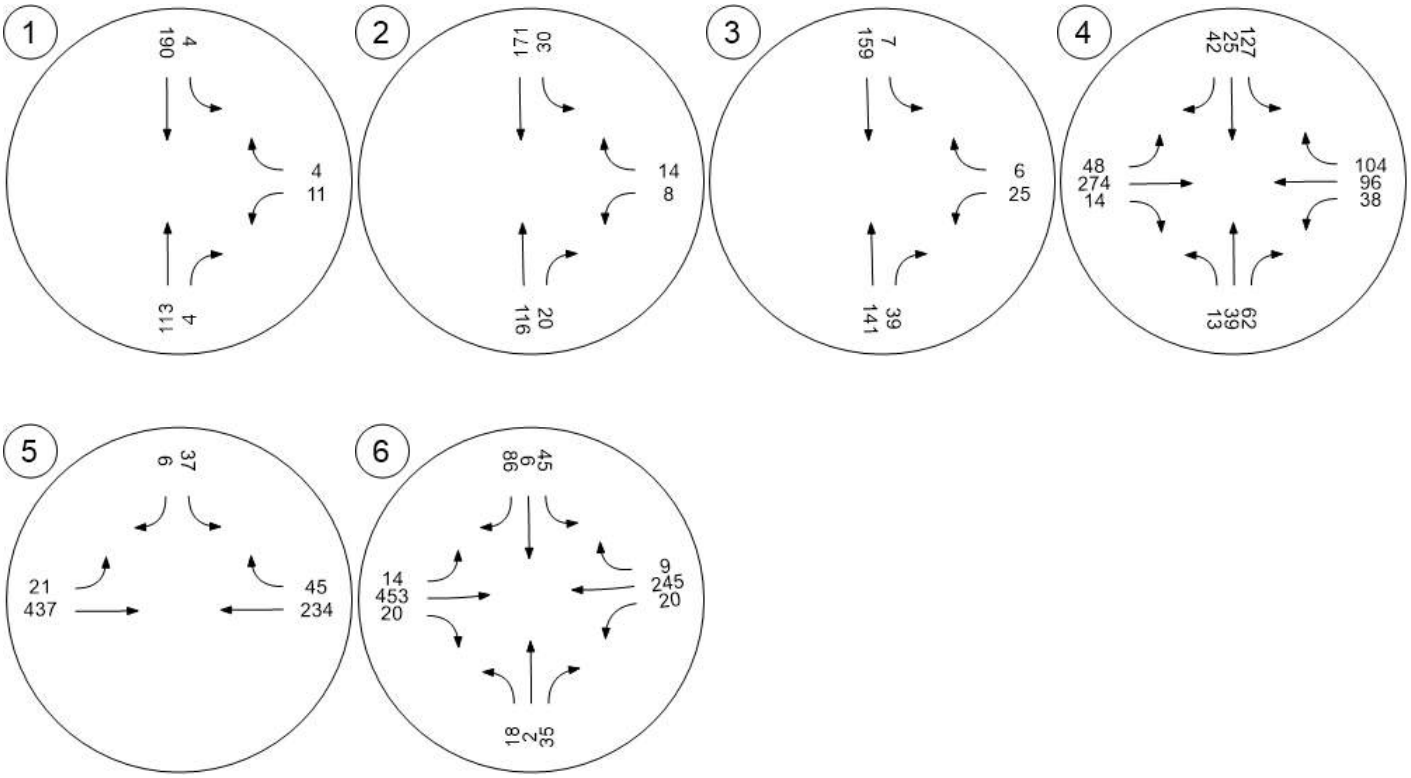


Figure 9-2029 Background Turning Movement Counts PM



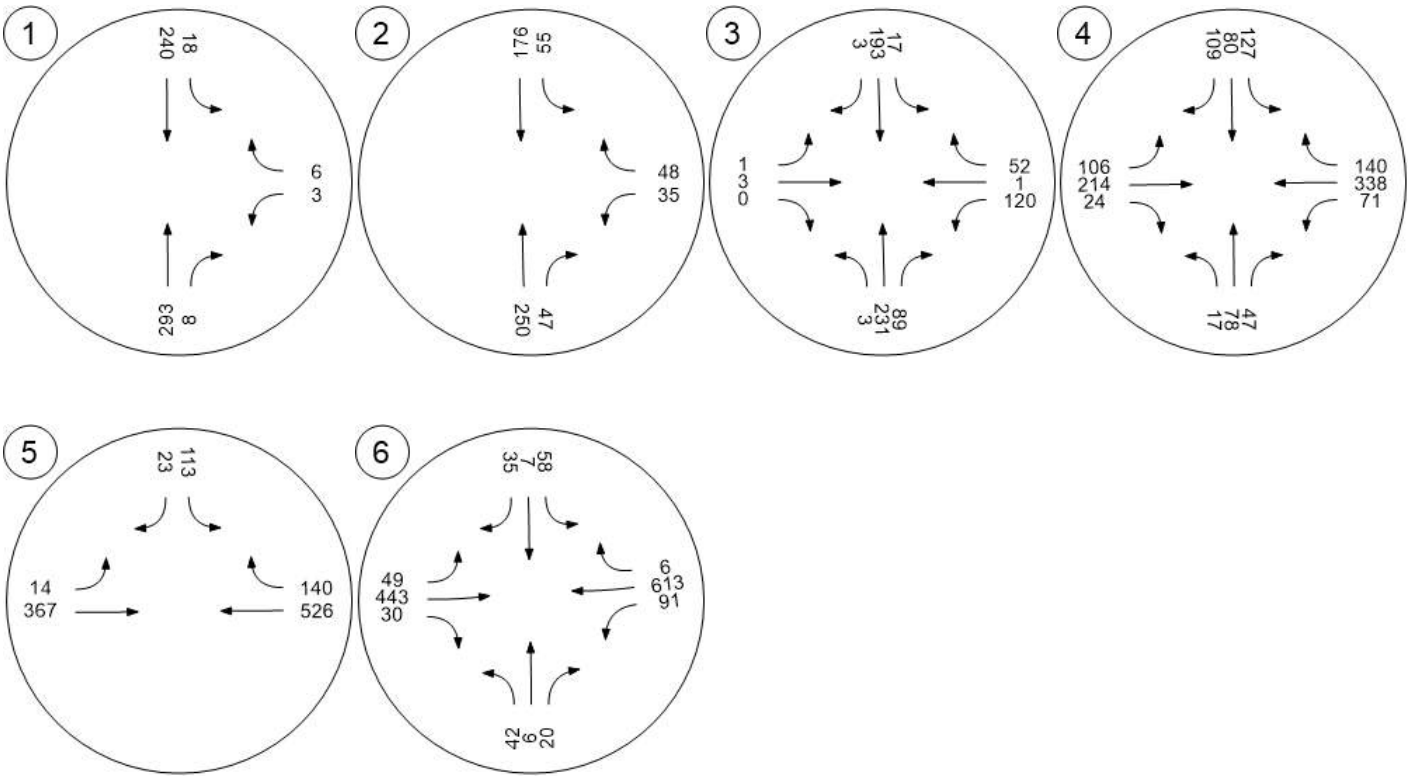
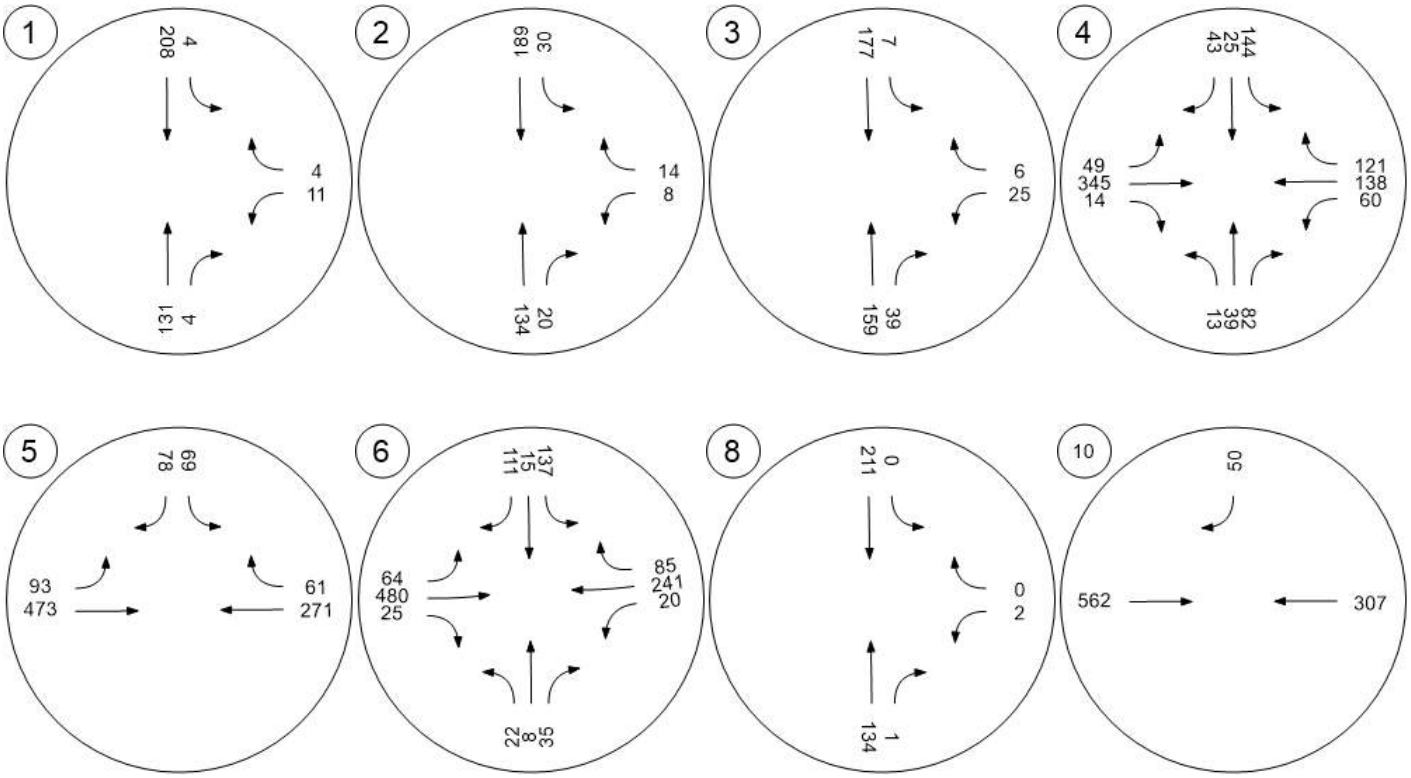


Figure 10- 2029 Turning Movement Counts with Development Traffic AM





Traffic Volume - Future Total Volume



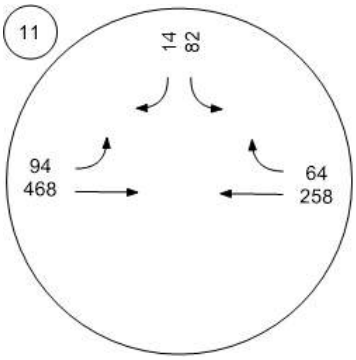
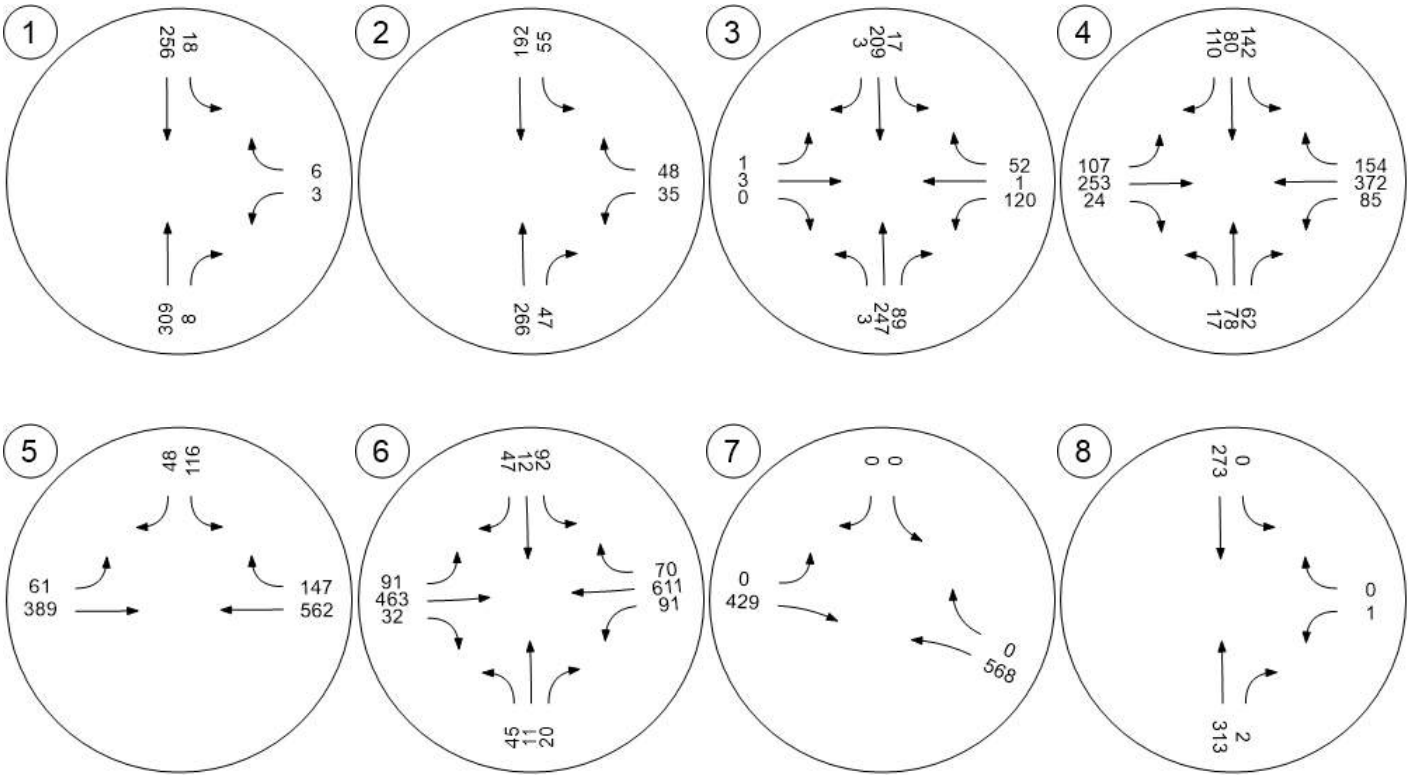


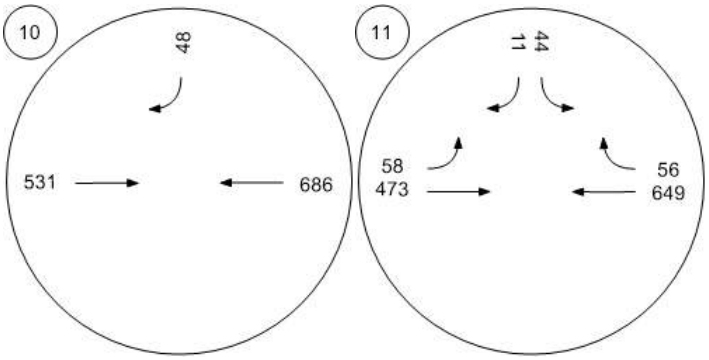
Figure 10- 2029 Turning Movement Counts with Development Traffic PM





Traffic Volume - Future Total Volume





2029 WITH DEVELOPMENT TRAFFIC QUEUE LENGTH ANALYSIS

Table 15 shows the queue length analysis for the 2029 traffic with the addition of the project traffic. The table shows the maximum queue length required at each intersection and at which movement or approach the maximum queue length occurs.

Table 15-2029 Queue Length Analysis with Development Traffic

Intersection	AM Peak Hour		PM Peak Hour	
	95th Percentile Queue Length (ft/ln)	Movement	95th Percentile Queue Length (ft/ln)	Movement
Rachel Drive & Silverado Access 1 (TWSC)	<10	WBLR	<10	WBLR
Pioneer Parkway & Silverado Access 2 (TWSC)	<10	SBLR	<10	SBLR
Pioneer Parkway & Silverado Access 3 (TWSC)	32	SBLR	26	SBLR
Pioneer Parkway & Red Mountain Drive (Signalized)	55	EBT	55	WBT

Where the queue lengths are less than 20 feet, there is expected to be no queuing at the intersection. At these intersections, there should be enough storage for at least one vehicle at each approach.

At the intersections with queues greater than 20 feet, sufficient storage length should be provided for the 95th percentile queue length at each approach.

Recommendations

The following is a summary of the recommendations to mitigate traffic from the Silverado Development based on the findings in this report.

There were 21 crashes in the project area in the last three years. Most of the crashes were front-to-rear crashes or crashes due to turning errors. Dedicated left and right turn lanes are recommended on Pioneer Parkway to protect the turning vehicles and reduce the number of crashes of this nature.

In the background conditions without construction of the Silverado development, it is expected that a signal will be needed at the intersection of Red Mountain Drive and Pioneer Parkway by 2029. With traffic from Silverado and developments to the north, it is expected that a signal will need to be installed within five years of the buildout of the Silverado development. A four-way stop with additional widening may be an interim traffic control measure that could be implemented if delay needs to be mitigated before then.

Within five years after the buildout of the Silverado development, the East Harmon's Access on Pioneer Parkway is expected to operate at LOS E and Silverado Access 3 on Pioneer Parkway is expected to operate at LOS D. As delay increases at these accesses, vehicles are expected to reroute to the signals on Rachel Drive and Red Mountain Drive to improve the LOS. The accesses should be monitored into the future and may be restricted to right-turns only as traffic increases on Pioneer Parkway. It is up to the determination of the City to restrict this access to improve the LOS.

Sufficient vehicle storage at each access to the Silverado development should be provided for the 95th percentile queue length at each approach. The 95th percentile queue lengths are included in the Vistro Reports in the Appendix.



APARTMENT CONCEPT
SANTA CLARA, UTAH
11/02/2021

method studio 10



APARTMENT CONCEPT

SANTA CLARA, UTAH

11/02/2021

method studio 10



APARTMENT CONCEPT
SANTA CLARA, UTAH
11/02/2021

method studio 10



GARAGE CONCEPT
SANTA CLARA, UTAH
11/02/2021

method studio 10



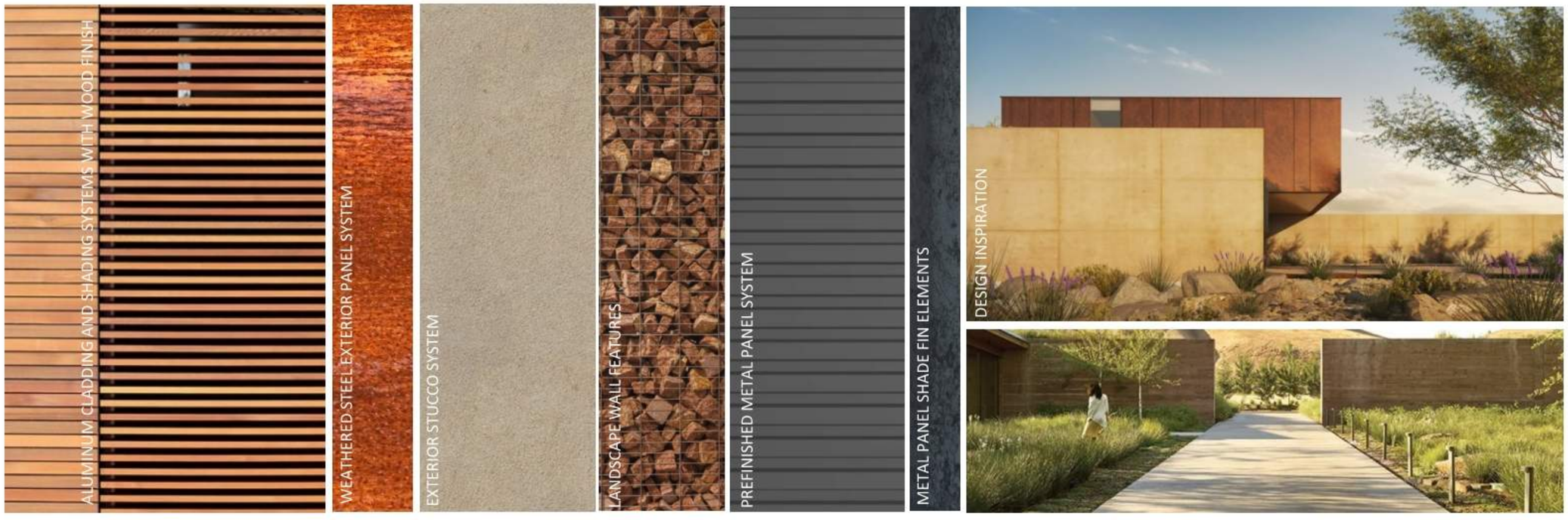
GARAGE CONCEPT
SANTA CLARA, UTAH
11/02/2021

method studio 10









MATERIALS BOARD

Silverado Santa Clara Development

March 3, 2020

method studio

architecture | interiors | planning



APARTMENT - FRONT ELEVATION - TYPICAL

SCALE 1/8" = 1'-0"



APARTMENT - RENDERING

NTS



APARTMENT - SIDE ELEVATION - TYPICAL

SCALE 1/8" = 1'-0"

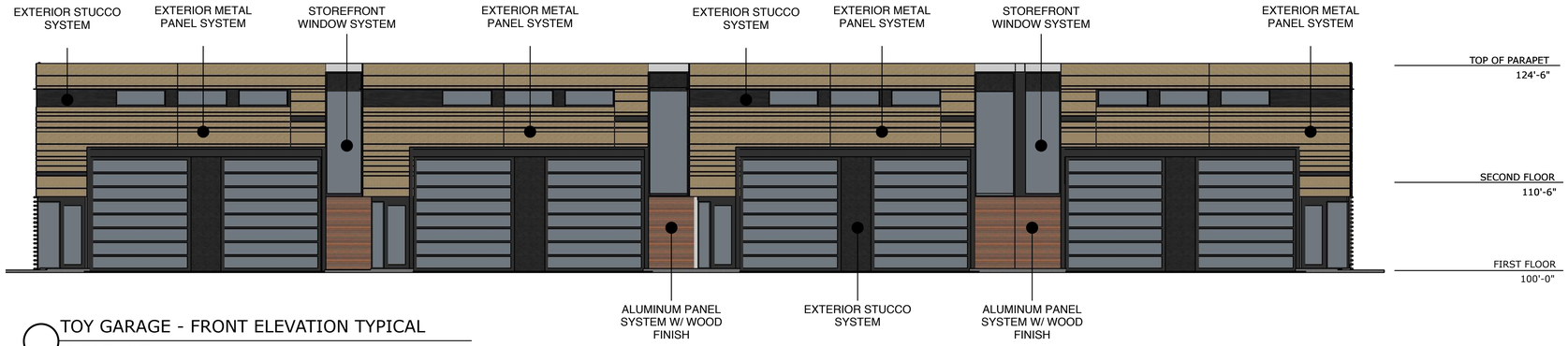
SILVERADO MANAGEMENT

Silverado Santa Clara Development

March 3, 2020

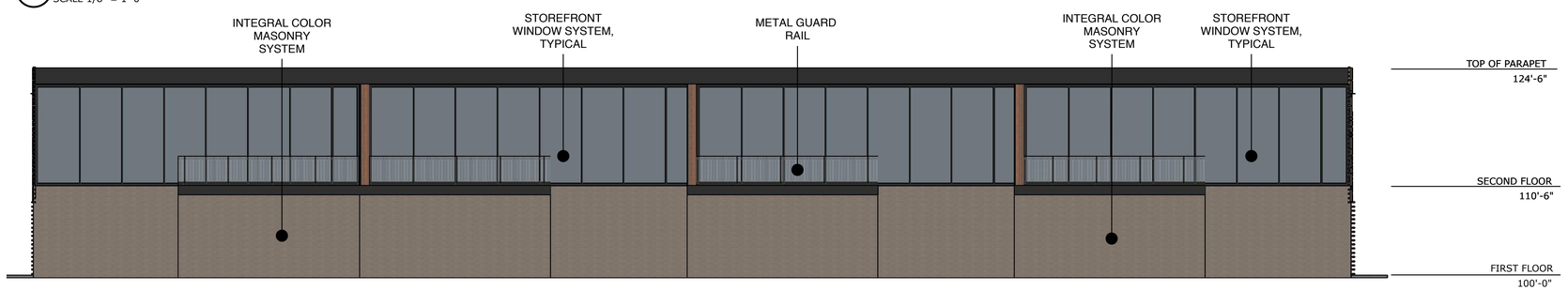
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architecture | interiors | planning



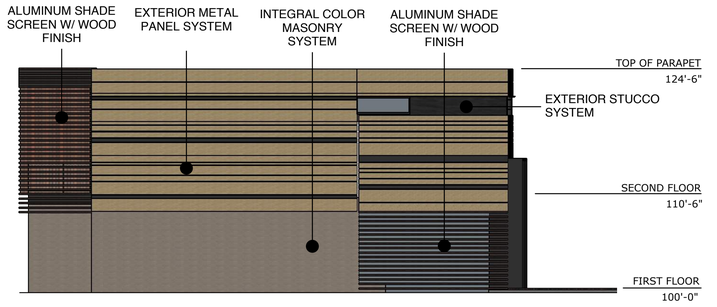
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SCALE 1/8" = 1'-0"



TOY GARAGE - REAR ELEVATION TYPICAL

SCALE 1/8" = 1'-0"



TOY GARAGE - SIDE ELEVATION TYPICAL

SCALE 1/8" = 1'-0"



TOY GARAGE - RENDERING

NTS

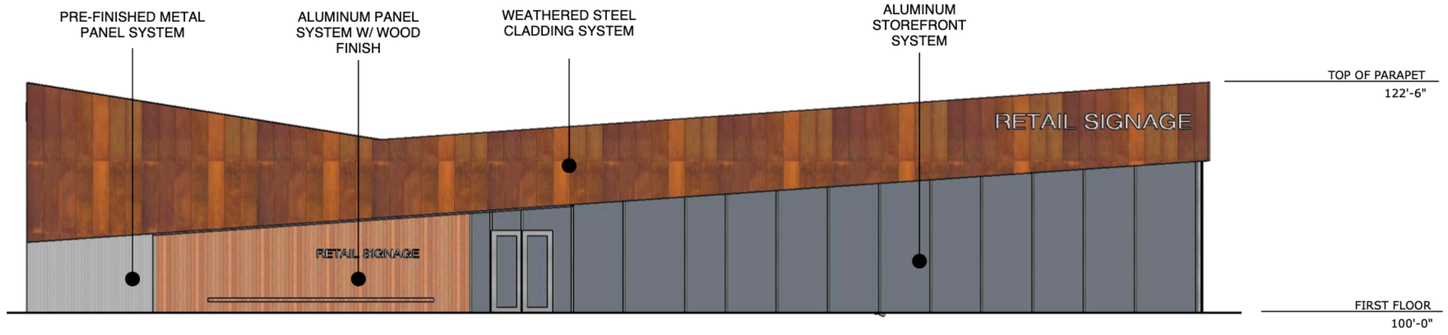
SILVERADO MANAGEMENT

Silverado Santa Clara Development

March 3, 2020

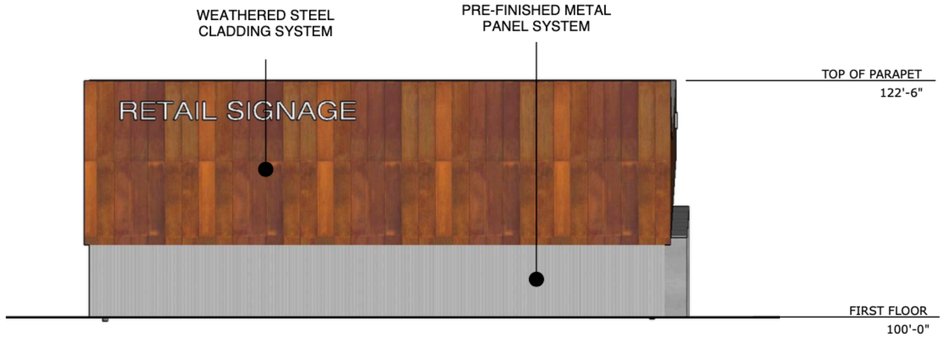
method studio

architecture | interiors | planning



RETAIL STORE - FRONT ELEVATION TYPICAL

SCALE 1/8" = 1'-0"



RETAIL STORE - SIDE ELEVATION TYPICAL

SCALE 1/8" = 1'-0"



RETAIL STORE - RENDERING

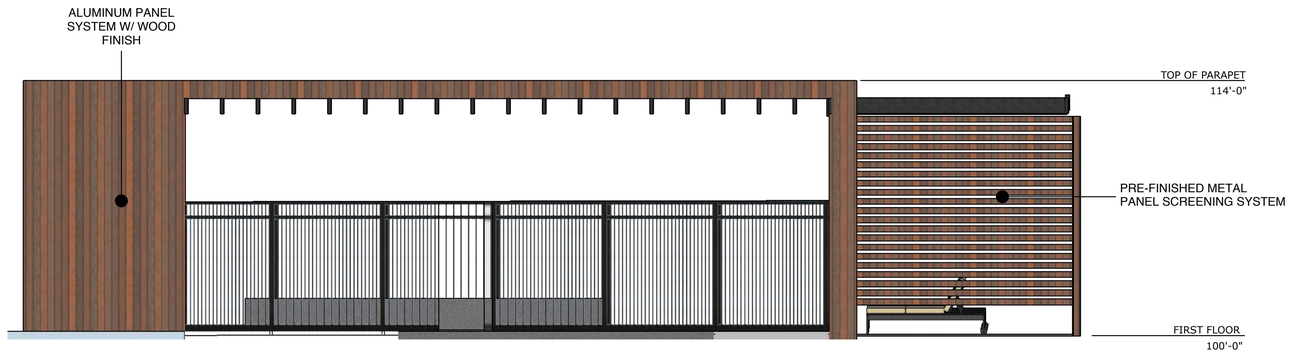
NTS

Silverado Santa Clara Development

March 3, 2020

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architecture | interiors | planning



CLUBHOUSE/POOL - FRONT ELEVATION TYPICAL

SCALE 1/4" = 1'-0"



CLUBHOUSE/POOL - FRONT ELEVATION TYPICAL

SCALE 1/4" = 1'-0"



CLUBHOUSE/POOL - RENDERING

NTS

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RESIDENTIAL PARKING: (APARTMENTS)

DWELLING UNITS -	96
SPACES PER UNIT -	x 2.0
TOTAL SPACES REQ'D. -	192
STANDARD SPACES PROVIDED -	196
VAN ACCESSIBLE PROVIDED -	4
TOTAL SPACES PROVIDED -	200
COVERED SPACES REQ'D. -	(192/2 = 96)
COVERED SPACES PROVIDED -	96

RESIDENTIAL PARKING: (MAN CAVES)

DWELLING UNITS -	28
SPACES PER UNIT -	x 2.0
TOTAL SPACES REQ'D. -	56
STANDARD SPACES PROVIDED -	56
SHARED SPACES PROVIDED -	10
TOTAL SPACES PROVIDED -	66
COVERED SPACES REQ'D. -	(56/2 = 28)
COVERED SPACES PROVIDED -	56

COMMERCIAL PARKING:

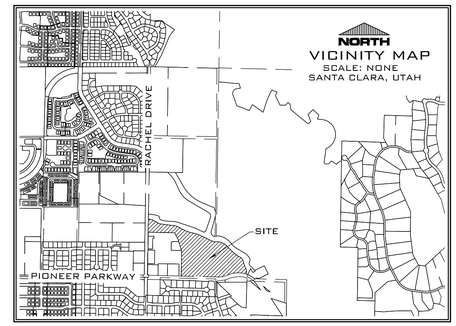
UNITS -	3
TOTAL SQ. FT. OF UNITS -	16,900
SPACES PER SQ. FT. -	1/250
TOTAL SPACES REQ'D. -	68
STANDARD SPACES PROVIDED -	78
VAN ACCESSIBLE PROVIDED -	6
TOTAL SPACES PROVIDED -	84

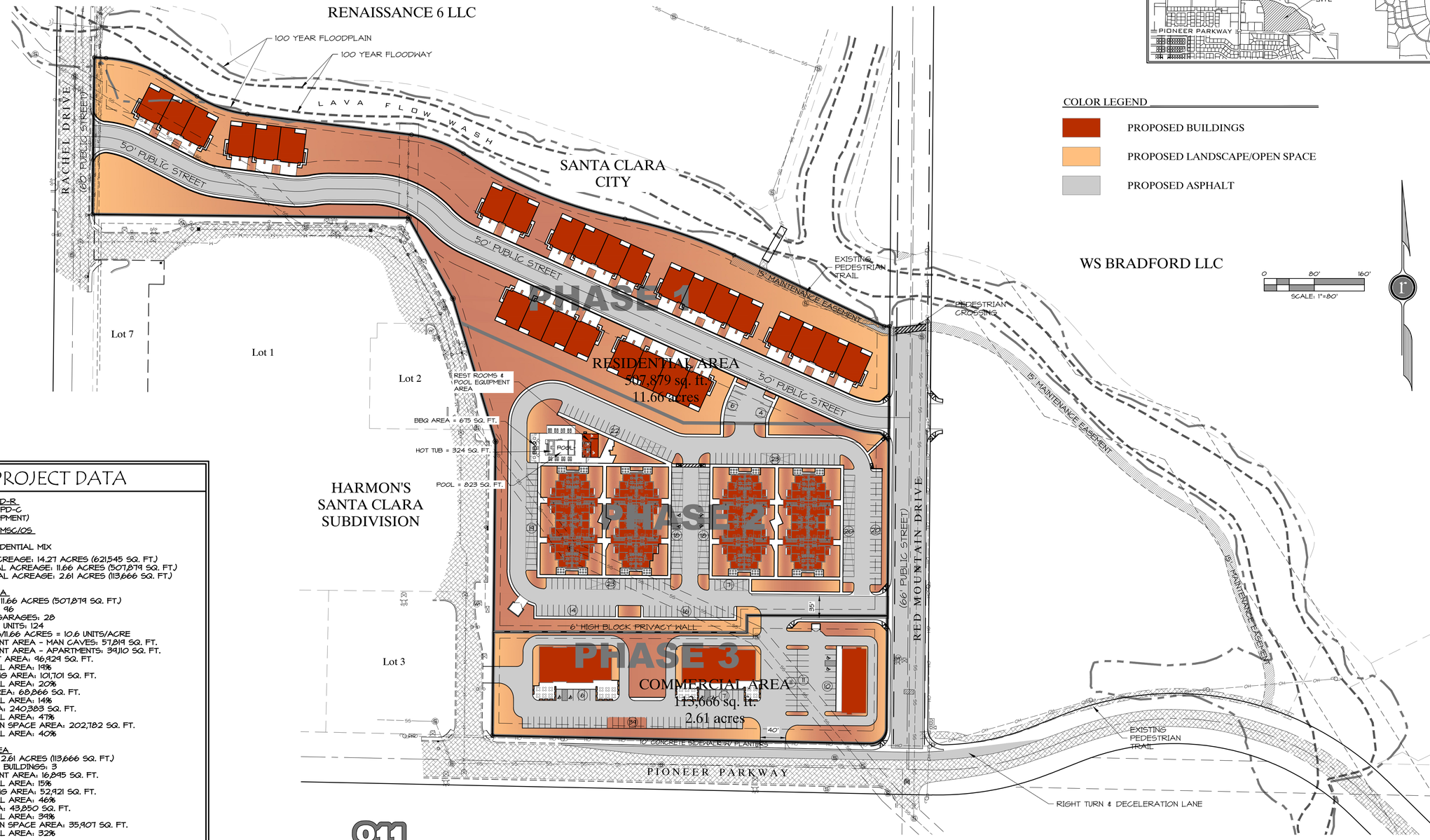
PROJECT PARKING TOTALS:

PARKING REQUIRED -	316
PARKING PROVIDED -	350
ADDITIONAL PARKING PROVIDED -	34

SILVERADO SANTA CLARA DEVELOPMENT

LOCATED IN SECTION 28, TOWNSHIP 42 SOUTH, RANGE 16 WEST OF THE
SALT LAKE BASE AND MERIDIAN
CITY OF ST. GEORGE, WASHINGTON COUNTY, UTAH.





COLOR LEGEND

- PROPOSED BUILDINGS
- PROPOSED LANDSCAPE/OPEN SPACE
- PROPOSED ASPHALT

PROJECT DATA

CURRENT ZONE: PD-R
PROPOSED ZONE: PD-C
(PLANNED DEVELOPMENT)

GENERAL PLAN: MSC/OS
PROPOSED USE:
COMMERCIAL/RESIDENTIAL MIX

TOTAL PARCEL ACREAGE: 14.27 ACRES (621,545 SQ. FT.)
TOTAL RESIDENTIAL ACREAGE: 11.66 ACRES (507,879 SQ. FT.)
TOTAL COMMERCIAL ACREAGE: 2.61 ACRES (113,666 SQ. FT.)

RESIDENTIAL AREA
TOTAL ACREAGE: 11.66 ACRES (507,879 SQ. FT.)
APARTMENT UNITS: 96
MAN CAVES/TOY GARAGES: 28
TOTAL NUMBER OF UNITS: 124
DENSITY: 124 UNITS/11.66 ACRES = 10.6 UNITS/ACRE
BUILDING FOOTPRINT AREA - MAN CAVES: 57,819 SQ. FT.
BUILDING FOOTPRINT AREA - APARTMENTS: 391,10 SQ. FT.
GROSS FOOTPRINT AREA: 96,929 SQ. FT.
PERCENT OF TOTAL AREA: 19%
DRIVEWAY/PARKING AREA: 101,701 SQ. FT.
PERCENT OF TOTAL AREA: 20%
PUBLIC STREET AREA: 68,866 SQ. FT.
PERCENT OF TOTAL AREA: 14%
OPEN SPACE AREA: 240,383 SQ. FT.
PERCENT OF TOTAL AREA: 47%
LANDSCAPED OPEN SPACE AREA: 202,782 SQ. FT.
PERCENT OF TOTAL AREA: 40%

COMMERCIAL AREA
TOTAL ACREAGE: 2.61 ACRES (113,666 SQ. FT.)
TOTAL NUMBER OF BUILDINGS: 3
BUILDING FOOTPRINT AREA: 16,845 SQ. FT.
PERCENT OF TOTAL AREA: 15%
DRIVEWAY/PARKING AREA: 52,921 SQ. FT.
PERCENT OF TOTAL AREA: 46%
OPEN SPACE AREA: 43,850 SQ. FT.
PERCENT OF TOTAL AREA: 39%
LANDSCAPED OPEN SPACE AREA: 35,907 SQ. FT.
PERCENT OF TOTAL AREA: 32%

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

NOTICE:
EXISTING UTILITIES ARE SHOWN ON PLANS FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE CONTRACTOR IS RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL UTILITIES. THE ENGINEER BEARS NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR SHOWN INCORRECTLY.

PROJECT OWNER/ DEVELOPER
SILVERADO DEVELOPMENT CO.
1510 EAST 840 NORTH
OREM, UT 84097

PROJECT ARCHITECT
METHOD STUDIO
360 WEST ASPEN AVENUE
SALT LAKE CITY, UTAH 84101 (801) 532-4422

PROJECT ENGINEER
ROSENBERG ASSOCIATES
352 EAST RIVERSIDE DRIVE, SUITE A2
ST. GEORGE, UT 84790 (435) 673-8586

GEOTECHNICAL ENGINEER
APPLIED GEOTECHNICAL AGEC
1420 SOUTH 270 EAST
ST. GEORGE, UT 84790 (435) 673-6850

UTILITY NOTES

1. ALL UTILITIES FOR THIS PROJECT WILL BE UNDERGROUND.
2. ANY EXISTING UTILITIES ACROSS THE SITE THAT MAY INTERFERE WITH ANY OF THE PROPOSED SITE ELEMENTS WILL BE RELOCATED BY DEVELOPER AND NEW EASEMENTS WILL BE GRANTED.

DATE: 10/11/23
JOB NO.: 12412-21-001
DESIGNED BY: AMH
CHECKED BY: JWB
DWG: Site Plan
DATE
REVISIONS

ROSENBERG ASSOCIATES
CIVIL ENGINEERS • LAND SURVEYORS
352 East Riverside Drive, Suite A-2
St. George, Utah 84790
Ph (435) 673-8586 Fx (435) 673-8397
www.racivil.com

SITE PLAN
FOR
SILVERADO SANTA CLARA DEVELOPMENT
SANTA CLARA
UTAH

SHEET
1
1 OF 1 SHEETS

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF
SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 7

Applicant: Granite Peaks Investment LLC, Neil Walter

Requested by: Jim McNulty

Subject: Property Rezoning/Map Adjustment

Description:

Granite Peaks Investment, LLC (Neil Walter), is requesting a Rezoning and Historic District Overlay adjustment to the City Zoning Map for property located at the southeast corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435). The applicant is proposing a rezoning of the subject property to allow for R-1-10 Single-Family/Historic District Zone on a portion of the property (0.52 acres) with frontage along Santa Clara Drive, with the remaining property (2.45 acres) with frontage along the future extension of Bonelli Trail Road to be within the RA Single-Family Zone.

Recommendation: N/A

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

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

Staff Report

Property Rezoning/Map Adjustment Summary and Recommendation

Public Body: Santa Clara City Council
Meeting Date: December 13, 2023
Current Zone: R-1-10 Single-Family/Historic District & RA Single-Family
Proposed Zone: R-1-10 Single-Family/Historic District & RA Single-Family *(Reconfigured)*
General Plan Designation: Mixed-Use Residential, MUR and Very Low Density Residential, VLD
Property Location: Southeast corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435)
Property Size: 2.97 Acres
Request: Property Rezoning
Applicant Name: Granite Peaks Investment, LLC *(Neil Walter)*
Staff Planner: Jim McNulty
Meeting Type: Public Hearing

PROJECT DESCRIPTION

The applicant, Granite Peaks Investment, LLC is requesting a **Rezoning and Historic District Overlay adjustment** to the **City Zoning Map** for property located at the southeast corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435). The subject property is 2.97 acres in size. The applicant is proposing a rezoning of the subject property to allow for R-1-10 Single-Family/Historic District Zone on a portion of the property (0.52 acres) with frontage on Santa Clara Drive, with the remaining property (2.45 acres) with frontage along the future extension of Bonelli Trail Road to be within the RA Single-Family Zone. Although the subject property is currently located within these zoning districts, **the applicant is proposing to reconfigure the zoning boundaries** to allow for improved use of property.

The applicant has requested that the **Historic District Overlay** be adjusted to follow the proposed zoning boundary (map attached). The Historic District Overlay is a layer that's included on the **City Zoning Map** and may be adjusted concurrently with the rezoning application. Additionally, the application includes property that will remain in the Historic District.

The proposed **Rezoning to the R-1-10** Single-Family/Historic District Zone would allow for two (2) homes on lots of 10,000 square feet and larger. Additionally, the proposed **Rezoning to the RA** Single-Family Zone would allow for three (3) homes on lots of ½ acre or larger. The applicant intends to develop a single-family subdivision on the subject property. A **Concept Plan** has been included for your review. **Area 1 includes 5-lots** on the subject property (2.97 acres) as described. Area 2 is also owned by the applicant and currently zoned RA.

Request: Property Rezoning/Map Adjustment

NEIGHBORHOOD RESPONSE

The City Council agenda has been posted on the city website as well as City Hall, the Santa Clara Post Office, and local library. No comments have been received by city staff as of the writing of this report.

GENERAL PLAN CONSIDERATION

The Santa Clara City General Plan Map includes a **Very Low-Density Density Residential, VLD** land use designation for the subject property. The description for VLD **(Section 3.4.1, Land Uses)** states the following:

> *"Single-family detached homes on large lots. The VLD designation is generally located between Santa Clara's downtown and the Santa Clara River. Neighborhoods have tree-lined local streets that extend the grid and interconnected pedestrian circulation systems".*

The Santa Clara city General Plan Map includes the **Mixed-Use Residential, MUR** land use designation for a portion of the property fronting Santa Clara Drive. The description for the MUR **(Section 3.4.2, Land Uses)** states the following:

> *"The mix of uses is mostly residential, in the form of townhomes, multi-unit buildings, but may also include small-lot single family homes. Design to blend in with the adjacent residential neighborhoods with interconnected street grid, sidewalks, and shared parking".*

The proposed Rezoning application would allow for single-family homes on lots of 10,000 square feet or greater, and ½ acre lots or greater. This proposed use of property is encouraged by the General Plan.

REZONING CONSIDERATION

Chapter 17.18.090 of city code provides standards of review for the city. In consideration of any zoning map amendment (rezoning), the land use authority shall consider the following matters and the city council shall give reasonable consideration to the following:

a. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property.
   Yes.
b. Will the proposed use adversely affect the existing use or suitability of adjacent or nearby property.
   No.
c. Are there substantial reasons why the property cannot or should not be used as currently zoned.
   Yes.
d. Will the proposed use cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection.
   No.
e. Is the proposed use compatible with the purpose and intent of the General Plan.
   Yes.
f. Will the use be consistent with the purpose and intent of the proposed zoning district.
   Yes.
g. Is the proposed use supported by new or changing conditions not anticipated by the General Plan.
   No.
h. Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.
   Yes.

Request: Property Rezoning/Map Adjustment

STATE CODE CONSIDERATIONS

Utah Code, Section 10-9a-205 includes requirements for a Rezoning of property (zoning map amendment). To consider a rezoning, a city must hold at least one public hearing. Additionally, a public hearing to consider the item requires 10 days' notice rather than 24 hours' notice. A notice must also be sent to all property owners within 300' of the subject property, with a notice in a visible location, with a sign of sufficient size and durability. 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

On November 9, 2023, the Planning Commission held a public hearing and forwarded a recommendation of Approval for this item to the City Council. City staff recommends that the City Council review the submitted Rezoning and Historic District Overlay adjustment to the City Zoning Map to determine if the application is complete. **If the application is determined to be complete, City staff would recommend that the City Council consider the application subject to the following conditions:**

1. That the proposed property Rezoning complies with Chapter 17.18.090 items below:
    a. The proposed use is suitable in view of the zoning and development of adjacent and nearby property;
    b. The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;
    c. There are substantial reasons why the property cannot or should not be used as currently zoned**;**
    d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;
    e. The proposed use is compatible with the purpose and intent of the General Plan;
    f. The proposed use is consistent with the purpose and intent of the proposed zoning district.
    g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;
    h. The proposed use does reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.

2. That the proposed Historic District Overlay adjustment to the City Zoning Map be allowed as the application includes property with frontage along Santa Clara Drive that will remain in the Historic District.

With the following findings:

1. That the Rezoning is compliant with the Santa Clara City General Plan, Section 3.4.1, Residential Land Uses (Very Low-Density Residential, VLD).
2. That the Rezoning is compliant with the Santa Clara City General Plan, Section 3.4.2, Mixed-Use Land Uses (Mixed-Use Residential, MUR).
3. That the R-1-10 Single-Family/Historic District Zone allows for homes on lots of 10,000 square feet or larger.
4. That the RA Single-Family Zone allows for homes on lots of ½ acre or larger.

5. That the properties in the immediate vicinity of the proposed R-1-10 Single-Family/Historic District Zone with frontage along Santa Clara Drive are generally located within the Historic District.
6. That the properties in the immediate vicinity of the proposed RA Single-Family Zone are generally located within the RA Zone.

SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, November 9, 2023

Present: Logan Blake, Chair
Shelly Harris
Kristen Walton
Curtis Whitehead

Staff: Jim McNulty, Planning and Economic Development Manager
Cody Mitchell, City Engineer
Selena Nez, Deputy City Recorder
Kristelle Hendrickson, Executive Assistant

Excused: Ryan Anderson
Mark Weston

1. Call to Order.

Chair Logan Blake called the Santa Clara Planning Commission Meeting to order at 5:30 p.m.

2. Opening Ceremony.

A. Pledge of Allegiance: Logan Blake.

B. Opening Comments (Invocation): Logan Blake.

3. Working Agenda.

A. Public Hearing.

i. Consider a Proposed Rezoning and Project Plan for Property at the Intersection of Pioneer Parkway and Future Extension of Red Mountain Drive (Lots 1, 2, and 3 of the Silverado Santa Clara Subdivision) and Directly East of the Harmon's Shopping Center. The Applicant, Julian Stemmer, is Proposing to Rezone the Property from the Planned Development Residential, PDR Zone, to the Planned Development Commercial, PDC Zone, to Allow for a Mixed-Use Project including Both Commercial and Residential Uses. The Subject Properties are 14.27 Acres.

Planning and Economic Development Manager, Jim McNulty, presented the Staff Report and stated that the applicant is Julian Stemmer with Silverado, LLC. The request was to rezone property at the intersection of Pioneer Parkway and the future extension of Red Mountain Drive (Lot 1, Lot 2, and Lot 3 of the Silverado Santa Clara Subdivision) that is directly east of the Harmon's Shopping Center. The subject property is 14.27 acres in size. There was a Phase 1, Phase 2, and Phase 3 of the project. Mr. McNulty reported that the property is currently zoned Planned Development Residential

("PDR"), and the applicant proposed to rezone it to the Planned Development Commercial ("PDC") Zone. The rezone would allow for a mixed-use project that includes both commercial and residential uses. The proposal was to have commercial development in Phase 3, apartments in Phase 2, and townhome-type units in Phase 1.

A public hearing was held on July 14, 2022, by the Planning Commission. At that meeting, a motion was made to recommend approval to the City Council. On August 10, 2022, the City Council held a public meeting on the item as required by State Code. Mr. McNulty reminded the Commissioners that rezoning of property was a legislative decision that required the City Council to approve or deny the application. A motion was made by the City Council to table the item to allow the applicant to work with adjacent residents and incorporate City Council comments. Since that time, an updated Project Plan had been submitted with the Rezoning application. Mr. McNulty explained that the original Project Plan included a fourth phase, which had a pickleball facility as well as a sports bar and grill. That had since been removed and the property was sold to IHC.

Mr. McNulty reviewed the Project Plan. He reported that Phase 1 included 28 two-story townhome/toy garage units with a second-story living area. Phase 2 would include 96 apartment units in four buildings, which meant there would be 28 units per building in a three-story structure. Those two phases together were 11.66 acres. That equated to a proposed density of 10.63 units per acre. The PDC Zone did not require a density bonus if the units proposed exceeded 8 units per acre because it promoted both horizontal and vertical mixed use. The Phase 3 area included commercial buildings with a square footage of approximately 16,900 in three buildings. The applicant had indicated that the intention was to have primarily restaurant uses there.

The project amenities were discussed. Mr. McNulty reported that Phase 1 would include open space and a trail connection that extended from the pedestrian crossing on Red Mountain Drive. He pointed out the location of the trail connection on a map of the area. Phase 2 would include restrooms with changing areas, a large pool, a hot tub, a barbecue area, and an outdoor patio structure. Phase 3 would include open space and outdoor seating areas adjacent to the proposed buildings.

The proposed architectural elevations were discussed. Mr. McNulty first reviewed the Phase 2 apartment buildings. The apartments would have a modern design with an exterior stucco system, a metal panel system, an aluminum panel system with wood finish, metal guard rails, and large windows. The roof would be a single-ply membrane system, which was prevalent in the area. He reported that the building height was proposed to be 34 feet to the peak. The ordinance currently allows a maximum height of 35 feet. As for Phase 1, which had the townhome/toy garage units, those were proposed to have a modern design with an aluminum panel system that utilized both a wood and metal finish, with large windows for natural light. The roof would also include a single-ply membrane system. He noted that the proposed building height was 24.6 feet. The Phase 3 commercial buildings would include an exterior stucco system, color fiber-cement, or pre-finished metal cladding system, with an aluminum storefront and windows. The roof would include a single ply membrane system and the building height was proposed to be 21.4 feet to the top of the parapet.

With regard to open space, there were some calculations included in the Project Plan. The zone required open space of at least 30%. The Project Plan included approximately 40% (4.65 acres of open space) for the residential area in Phase 2 and Phase 2, with approximately 32% (0.82 acres) of open space in the commercial area in Phase 3. Mr. McNulty noted that public trail access had been referenced earlier. There would need to be coordination with the IHC property as well as the future

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extension and build-out of Red Mountain Drive. Landscaping and water efficiency were promoted throughout the City, so all outdoor water would require a secondary water connection and system.

Mr. McNulty shared information about the public road cross-sections. He explained that this had been discussed previously. Phase 1 showed a 50-foot public street from Rachel Drive to Red Mountain Drive. That public road would be required to be put in. Additionally, the applicant would be able to put in a connection from Red Mountain Drive to Pioneer Parkway to allow access to the site. Silverado would also be required to do private driveway improvements at 26 feet within the interior of the project in Phase 2 and Phase 3. Mr. McNulty discussed parking and explained that Chapter 17.32 of the code required a total of 316 parking spaces for the project. 384 parking spaces were shown in the Project Plan. That included 192 spaces (1 covered and 1 uncovered) for the apartment project and 56 spaces required for the townhome/toy garage units. The proposed commercial uses adjacent to Santa Clara Drive required 68 parking spaces. However, it was noted that 84 parking spaces were provided for those commercial uses.

Mr. McNulty reported that a soil report had been submitted. The Subsurface Investigation was done by Applied Geo-Tech. Based on the report, the site was suitable for various types of development, including commercial and residential. A Traffic Impact Study had been done by Horrocks Engineers and was recently updated to include the removal of the fourth phase. Three access points were assumed with an acceptable level of service ("LOS") at each intersection. The study indicated that the traffic signal at the intersection of Pioneer Parkway and Red Mountain Drive would be needed by 2029. If not put in place by 2029, the LOS would not be acceptable. That being said, the City was currently having a study done to move forward with the signal soon. Mr. McNulty informed the Planning Commission that the contract had been awarded to Avenue Consultants, who specialized in transportation engineering. The signal would be put in shortly, which would ensure that the LOS was at an acceptable level. He added that the City Attorney was present at the meeting to answer any outstanding Commissioner questions about that matter.

It was noted that a Project Narrative was submitted by the applicant. Mr. McNulty explained that Chapter 17.18.090 of the City Code outlined the standards for rezones. There were items A through H included in the Staff Report with the answers listed. He pointed out Item C, which posed the following question: "Are there substantial reasons why the property cannot or should not be used as currently zoned?" The answer from City Staff was no. The property was currently zoned PDR, but the applicant wanted to rezone it to PDC to allow for a mixed-use project.

As far as the General Plan considerations are concerned, a General Plan amendment was processed with the City during the summer. On July 13, 2023, there was a public hearing that the Planning Commission held to review the General Plan amendment. It would allow for the Mixed-Use Residential ("MUR") land use designation for Lots 1 and Lot 2, with a Main Street Commercial ("MSC") land use designation for Lot 3. That General Plan was approved by City Ordinance 2023-18 by the City Council on July 26, 2023. He clarified that those were land use designations and not zones. The proposed Project Plan and Rezoning application included elements from both the MUR and MSC land use designations, which meant the proposed use was encouraged by the General Plan.

Mr. McNulty discussed the neighborhood response to the proposal. Notices were sent to property owners within 300 feet of the subject property. The subject property was also posted as per State Code. No comments were received at the time of writing the Staff Report. He reviewed the State Code Considerations. Utah Code, Section 10-9a-205, included requirements for a rezoning of

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property or zone map amendment. That statute had been met as notices had been sent out and a public hearing was scheduled for the current Planning Commission Meeting. City Staff recommended that the Planning Commission review the submitted Rezoning Application and Project Plan to determine whether the application was complete. If it was determined to be complete, City Staff recommended that the Planning Commission forward a recommendation to the City Council for their review and consideration of the application with the conditions listed.

Mr. McNulty referenced Condition of Approval #14, which stated: "That the proposed property rezoning complies with Chapter 17.18.090 items, except Item C below." It went on to state that there were no substantial reasons why the property could not or should not be used as currently zoned. The applicant intended to do a PDC mixed-use project as per the MUR (Lot 1 and Lot 2) and MSC (Lot 3) land use designations of the General Plan. In addition to the Conditions of Approval, there were four Findings of Fact listed in the Staff Report, which were read aloud.

Mr. McNulty read a statement to remind those present that the Planning Commission's role in considering the application was as an advisory body to the City Council. The City Council was the land use authority and would make the final decision to approve or deny the application. However, the Planning Commission Meeting would be part of the official record. It would include a discussion of the application as well as public comments. The meeting would provide information to the City Council that may be considered during their process. Under State Law, public comment by itself could not be the sole basis of the recommendation made. That being said, it could provide context, help to identify concerns or questions about the application and help to form any necessary Conditions of Approval or Findings of Fact. All public comments received were preserved, along with all of the other information considered. As a legislative body and the land use authority for the application, the City Council could decide how to weigh the information and the recommendation provided by the Planning Commission. Since the recommendation from the Planning Commission was not a final decision, it could not be challenged or appealed. Appeal rights arose only after the City Council made their final decision.

Chair Blake wondered if it was an appropriate time to further discuss Item C. City Attorney, Matt Ence, explained that originally the subject property and the surrounding properties were part of a master plan that was referred to as the Knoll Pasture Master Plan. It was originally approved in 2006. That project never materialized, though it received entitlements and certain zone changes. As for the PDR that was previously approved on the property, there was no longer a valid Project Plan that accompanied that. It was essentially just a PDR designation.

As properties that were previously part of the Knoll Pasture Master Plan came to the City, the previous approvals had been treated as still valid in terms of the designations, but on most of those properties, there needed to be a zone change. In some cases, General Plan amendments were needed. The way to look at the current PDR designation was that there was currently no Project Plan attached. Even if the current property owner wanted to keep the current PDR designation, there would still need to be a process where a Project Plan was presented for approval.

Mr. Ence noted that someone handed out a document at the beginning of the meeting titled, "Santa Clara Resident Petition." He wanted to acknowledge the document and express his appreciation for the effort that went into it. That being said, there was no procedure to accept petitions. Those who decided to attend the Planning Commission Meeting were welcome to share comments during the public hearing. As a courtesy, he was willing to pass along the petition to the City Council before the

item was considered at that level, but he encouraged whoever submitted the petition to address the petition during the public hearing portion of the meeting.

Mr. Ence explained that there were some challenges with petitions. There were certain times under the law that a citizen petition was both appropriate and had legal status. If the City received a petition related to a certain matter, then the City had to take certain actions in response. In this particular scenario, nothing like that was applicable. There was no procedure for the City to receive the petition and there was no action mandated for consideration. Mr. Ence reminded those present that the City Council was the legislative body of the City and could consider anything within reason when making that final decision. As a result, it would be possible for him to pass the petition to the City Council for future consideration. When petitions were specifically provided for under the law, there was a procedure that went along with that, because of due process requirements. The petition submitted was essentially a list of names and it was not clear what information was shared with the signatories. There was a desire to balance all competing interests.

The applicant, Julian Stemmer, introduced himself to the Commission. He wanted to make sure that everyone understood they had been very mindful about the adjacent neighborhood. The development process started a little over two years ago and there has been a lot of collaboration with City Staff. The original plan presented was something he thought was excellent, but during the review process, it was discovered that there were certain pain points, especially for the adjacent neighborhood. Those pain points were the gas station and the pickleball facility. In the plan that was now before the Planning Commission, it was clear that the land would be used in the best possible way, and was mindful of the neighbors. An offer had been received from IHC and the fourth phase of the project area had been sold. The gas station originally proposed had been shifted to a restaurant. Phase 3 did not show a gas station but showed three restaurant buildings.

Commissioner Whitehead asked if there were any commitments from restaurants. Mr. Stemmer stated that there were no finalized commitments. There were a few interesting options, but that was something that he felt should be worked on with City Staff moving forward. Commissioner Harris wanted to hear more about the affordable housing element. Mr. Stemmer explained that there had been discussions about that last year. Development in general has changed a lot since last summer. The plan and the economy had changed, and it was no longer possible to offer any affordability for the units. The units would be market rate one and two-bedroom units. He felt the unit types would suit a wide variety of people. The intention was to create a cohesive product throughout the development that people would be proud to live in.

Chair Blake opened the public hearing.

Helen Zureic gave her address as 1838 Red Mountain Drive and asked if it was possible to make the traffic light a roundabout. She also wanted to know whether the restaurants would be drive-thru establishments or sit-down restaurants. Mr. Ence suggested that a note be made of the questions asked during the public hearing so the applicant could answer those afterward.

Joseph Banudy gave his address as 3452 Sagebrush Drive and reported that he is a developer with 25 years of land development experience. He thought the proposal had a good layout and was excited about the project, though he was disappointed that there was no pickleball court. At most meetings, many people voiced opposition to proposals and the people who were supportive of the development rarely came out to speak. That was the reason he felt it was important to attend the Planning

Commission Meeting and express his support for the layout. As far as one- and two-bedroom units, he had been selling two-bedroom units in Hurricane, and there was a significant demand for that. He believed this project would fulfill a need in the area. Something that cities were looking for was walkability and this development seemed to have that. Mr. Banudy stressed the importance of commercial because that was what Santa Clara needed.

Jim Spendlove gave his address as 3475 Robbin Court. The previous version of the map showed the commercial property with parking on the inside of the property, which meant that the back of the commercial buildings faced Pioneer Parkway. In the current rendering, that did not look to be the same. That meant the lights from those buildings would shine directly towards his home. He wondered if there was a reason for that change as he was concerned about the light. Mr. Spendlove asked whether the elevation of the buildings would start from Pioneer Parkway.

Joseph Robinson gave his address as 3834 Brenna Drive. He expressed his gratitude that the zoning situation had been discussed and believed that information would clear up a lot of confusion. Mr. Robinson shared information about overdevelopment and the lack of affordable housing. He appreciated the efforts the developer had taken but did not believe there needed to be more multi-family high-density units, especially when there was no affordable housing as a result. He asked what the units in this development would cost. It was clarified that the units would be at market rate. Mr. Robinson explained that market rates were not affordable. He did not feel the development, as proposed, would address affordable housing needs. As for the document that had been submitted ahead of the meeting, he was one of the signatories on that petition.

Lynette Hughes gave her address as 3485 Red Butte Drive. She wondered whether the land was privately owned. This was confirmed. Ms. Hughes was concerned about the overdevelopment that was occurring. It was no longer possible to sit in her backyard at night and have a quiet evening due to traffic, sirens, and noise. She had a hard time being able to access Pioneer Parkway because of the traffic levels. Given the existing issues, she did not believe the extra traffic from the development was appropriate. Ms. Hughes appreciated the amount of effort that had been put into the project and the changes that had been made, but she felt the needs of the community should be considered as well. Many people were being forced to leave the community because there was not enough affordable housing. She asked the Commission to pause the development discussions.

Harold Welling gave his address as 1836 Red Mountain Drive. He agreed with many of the comments that had been shared by Ms. Hughes, especially the ones that related to traffic patterns. He wondered whether the traffic patterns accounted for new developments in the area. In the time that he had been in Santa Clara, that section of Pioneer Parkway had changed and there was significantly more traffic and noise. It was suggested that sound barriers be considered to address the noise. With each new development, it seemed that there would be increases to the traffic levels.

Janene Burton gave her address as 31 Bedrock Circle. She referenced the property that had been sold to IHC and wondered whether it would be possible to have something different there. She asked about the possibility of a Costco at this location.

Helen Zureic shared an additional comment. She wondered whether a water usage study had been conducted to determine that there was enough water for the proposed residential development.

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Leslie Benson gave her address as 1866 Red Mountain Drive. She was grateful that the developer had responded to the concerns expressed about the gas station and the pickleball court. Ms. Benson reported that she was the person who initiated the petition. It was more for the benefit of the City Council, but she wanted to let the Planning Commission see that document as well. There were 142 signatures on the petition. Her main concern with the development related to the apartments and the high-density housing proposed. Ms. Benson loved the small-town feel and the beauty of Santa Clara and was sad to see how quickly the area had started to change. The Santa Clara General Plan references a vibrant and small-town community, which she felt was being lost. She hoped that the Planning Commission would decide not to recommend approval.

There were no further comments. The public hearing was closed.

Mr. Ence informed those present that he needed to leave the meeting shortly due to a family commitment. Chair Blake noted that a number of questions were asked during the public hearing portion of the meeting and asked the applicant to address those. The first question related to a roundabout and the type of restaurants there would be. Mr. Stemmer mentioned earlier that some restaurants were in mind, but nothing was finalized at the current time. Different restaurants needed different square footages. The buildings that were planned would each be 6,000 square feet. Some of those buildings may have one, two, or three tenants depending on the size needs. The site was designed so that all three of the buildings would allow for one drive-thru user.

Mr. McNulty addressed the question about a potential roundabout. He knew that Ivins had roundabouts but those had not been done in Santa Clara. He reminded those present that the application related to a Rezoning and Project Plan and not a potential roundabout. That was something that could be considered in the future but was not relevant to the current discussion.

Chair Blake wondered why the parking lot would be in the front. Mr. McNulty explained that City Staff had been involved in that decision. There had been pushback from elected officials and others about the four corners area off of Pioneer Parkway. There was not a lot of support for putting the drive-thru's right next to the road. There was a preference for buildings to be pushed back and the drive-thrus to be partially screened. As a result, the proposal was to push it back and allow there to be some screening of the buildings. However, that was a Site Plan issue. Mr. McNulty reported that some jurisdictions did not allow drive-thrus next to roadways. Some jurisdictions require landscaping high enough that only the tops of vehicles were visible or that there be a certain level of screening done with berming. He acknowledged that there were some valid concerns related to drive-thru designs, but reminded Commissioners that this was not a Site Plan review. At this time, the Planning Commission was considering the Rezoning and Project Plan. Mr. Stemmer explained that different layouts could be considered based on what was desired.

Chair Blake noted that there had been a comment during the public hearing about wanting the development to be fully commercial. He felt that had already been addressed with the General Plan amendment. It seemed that the City Council was supportive of the development, being both residential and commercial. Mr. Stemmer explained that the property was currently zoned PDR, and no commercial was allowed. It was important to make the most out of the site. He felt the mixture of residential and commercial uses would be beneficial to the community. Mr. Stemmer discussed walkability and explained that there would be a stairway to reach Harmon's Shopping Center so people in the apartment units could walk there and access commercial sites.

Mr. McNulty reminded those present that a question had been posed during the public hearing about the elevations and building heights. Chair Blake was curious if any preliminary grading had been done. Mr. Stemmer explained that he had some renderings that could be shared for context. With the grading, almost a full story of the apartments would be hidden when looking from Pioneer Parkway. The retail and the apartments would appear to be almost the same height, even though the apartments would be approximately 9 feet taller. He explained that this would be the result of the different grades and grading on the site. Mr. Stemmer reiterated that renderings could be shared and further discussed the elevations of the site. Jay Taggart reported that some studies had been done with renderings and the apartments sat 5 to 8 feet below where Pioneer Parkway was. If someone was standing across the street from the development, a large majority of the apartments would be screened by the commercial buildings due to the way the apartments sat down on the site.

Mr. McNulty noted that there had been a question about market rate costs. Mr. Stemmer explained that the market rate tended to fluctuate. He understood that it was difficult to afford house costs in the current market and believed that the units in the development would be a benefit. Mr. McNulty referenced the concerns raised during the public hearing about traffic patterns. He reminded those present that a Traffic Impact Study had been submitted by Horrocks Engineers. While the applicant needed to have a study for their property and the impacts to the immediate surrounding areas, there was no requirement to complete a traffic study for other areas in the city.

Horrocks Engineers had completed a thorough traffic study for the project and a representative was present at the Planning Commission Meeting. Emily Andrus introduced herself to those present. The Traffic Impact Study from Horrocks Engineers addressed all of the intersections adjacent to the project. The traffic that would come from the north on Red Mountain Drive was also taken into account. She clarified that all of Black Desert was not taken into account, but some of the townhome developments that were going in just north of the property were considered. There would be a signal at the intersection, and it would alleviate the majority of the concerns as far as LOS and delays. Mr. McNulty reported that the City had Impact Fees available to have a study done for the traffic signal. He explained that the signal work was continuing to move ahead.

Ms. Andrus reported that the Traffic Impact Study determined that the most impacted locations would be the accesses coming out of Harmon's Shopping Center and out of the development when trying to turn left. The signal would alleviate a lot of those impacts. As for the suggestion that had been made for a roundabout, she pointed out that a roundabout required a lot of space. There was likely not the space available for a roundabout. Additionally, a traffic signal would have more capacity long-term and move traffic better. Ms. Andrus informed those present that when the Traffic Impact Study was conducted, a noise-related study was also conducted on Pioneer Parkway. It was determined that the increase in noise caused by the development, which at that time included the pickleball facility, would not be significant. Mr. McNulty noted that the commercial use would abut an arterial roadway. The average daily trips were between 9,000 and 10,000 trips per day, but the roadway was designed to handle up to 20,000 trips per day as it was an arterial road.

Mr. McNulty stated that there had been a question during the public hearing about water availability and capacity. There was work being done with the water district. Additionally, there was a Water Efficient Land Use Ordinance. The intention was to plan for future growth and development. He assured those present that water capacity had been contemplated. It was noted that there was also a question asked about lighting. Mr. McNulty explained that it would be possible for the City to work with the future business owners on the proposed lighting. In another commercial area of the City, a

request had been made for the commercial signs to be turned off at 10:00 p.m. That was something that could be discussed for this project as well in the future.

Mr. Stemmer reported that there was a desire to rezone from PDR to PDC so there was enough density to provide a variety of housing and some commercial. Commissioner Walton wondered whether the rezone could be broken into different parts, where Phase 1 and Phase 2 were zoned as PDR and Phase 3 allowed for commercial. She was a fan of the commercial that was proposed, but the density of the apartment buildings was something that she was concerned about. Mr. McNulty explained that for the applicant to achieve the higher density desired, but stay within the PDR Zone, there would need to be affordability and possible collaboration with Utah Housing. That was not what had been proposed in this case. He reminded Commissioners that the PDC Zone had been requested. The PDC Zone was mixed-use and did not require the density bonuses or affordability element in order for there to be more units. The PDC Zone allowed for horizontal or vertical mixed-use. The Commission had been asked to make a recommendation.

Commissioner Harris asked about the proposed parking on the site. Mr. McNulty reported that there was more parking proposed than was required. Commissioner Harris wanted to know if each phase had adequate parking for the use. Mr. McNulty confirmed this. Each phase had adequate parking and there were also additional parking spaces proposed beyond what was required.

ii. Consider a Proposed Rezoning and Historic District Overlay Map Adjustment for Property Located at the Southeast Corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435, Described as 2.97 acres). Granite Peaks Investment, LLC is proposing a Rezoning of the Subject Property to Allow for the R-1-10 Single-Family/Historic District Zone on a Portion of the Property (0.52 acres) with Frontage on Santa Clara Drive, with the Remaining Property (2.45 acres) with Frontage along the Future Extension of Bonelli Trail to be within the RA Single-Family Zone. Additionally, the Applicant has Requested that the Historic District Overlay be Adjusted on the City Zoning Map to Follow the Described Zoning Boundary.

Mr. McNulty presented the Staff Report and stated that the application was for a proposed Rezoning and Historic District Overlay Map Adjustment. The applicant was Granite Peaks Investment, LLC, and was represented by Neil Walter. The property was located at the southeast corner of Santa Clara Drive and Gates Lane, Parcel #SC-6-2-16-435. The subject property was 2.97 acres in size. Mr. McNulty pointed out the subject property on a map of the area. It showed Parcels 1 and 2. Parcel 1 would be in the R-1-10 Single-Family/Historic District Zone. It was a 0.52-acre portion of the property with frontage on Santa Clara Drive. Parcel 2 would be in the RA Single-Family Zone, and it was 2.45 acres with frontage along the future extension of Bonelli Trail Road. Though the subject property was currently located within the zoning districts, the applicant wanted to reconfigure the zoning boundaries to improve the use of the property.

There had been multiple meetings with the applicant at the Technical Review Committee ("TRC") level. The applicant would be required to provide access to the lots. Mr. McNulty shared the Concept Plan that had been submitted for additional context. He noted that it was important to plan for the future. The applicant had requested that the Historic District Overlay be adjusted to follow a proposed zoning boundary. The Historic District Overlay was a layer that was included on the City Zoning

Map and may be adjusted concurrently with the Rezoning application. The application included property that would remain in the Historic District. Mr. McNulty reported that notices were sent out to property owners within 300 feet of the subject property and the property was also posted, as per State Code. No responses were received ahead of the meeting.

Mr. McNulty reviewed the General Plan considerations. The applicant came to the Planning Commission on June 22, 2023, for a General Plan Amendment. It then went to the City Council on July 12, 2023. The applicant wanted a General Plan Amendment to allow for commercial buildings on the site. The amendment was adopted by ordinance, but there was a trigger mechanism to state that there was one year to rezone the property to match the General Plan, or it would revert back. In this case, the applicant had elected to move forward with a single-family residential project rather than the commercial project that was previously contemplated. The proposed Rezoning application would allow for single-family homes on lots of 10,000 square feet or greater and lots of a half-acre or greater. He noted that the proposed use of the property was encouraged by the General Plan.

As far as the Rezoning consideration, it was noted that Chapter 17.18.090 of the City Code provided standards of review for the City. All of those requirements were met and were listed in the Staff Report. Mr. McNulty discussed the State Code Considerations. Utah Code, Section 10-9a-205 included requirements for a Rezoning of property or zoning map amendment. To consider a Rezoning, the City needed to hold a public hearing, post the property, and send out notices. It was determined that all State Code requirements had been met. The City Staff recommendation was that the Planning Commission review the submitted Rezoning and Historic District Overlay adjustment to the City Zoning Map to determine if the application was complete. If the application was determined to be complete, City Staff recommended that the Planning Commission forward a recommendation to the City Council for their review and consideration of the application. He noted that there were two Conditions of Approval listed in the Staff Report as well as findings.

Commissioner Whitehead wanted to know whether the adjustment to the Historic District Overlay meant the applicant would not need to go through the Heritage Commission for the other lots. This was confirmed. Mr. McNulty also noted that Parcel 2 would front onto Bonelli Trail Road. He reviewed the zoning map with the Commission and pointed out the surrounding zones. Chair Blake asked about the zoning map on the Santa Clara website. Mr. McNulty reported that the map on the website was recently updated. What was posted was accurate to the current conditions.

The applicant, Neil Walter was not present, but Michelle Walter was present to address the Planning Commission. While there was support for an office building in the area, she did not believe there would be consensus on the design of the building. The current zoning was already residential and many of the Santa Clara residents had expressed support for residential development. As a result, the decision had been made to shift from an office building use to a residential use. The way that the zoning was currently, there was R-1-10 on Gates Lane, and the rest was RA. The intention was to move the R-1-10 to the two lots that would front Santa Clara Drive. Those two lots would be subject to the Historic District guidelines and would go through the Heritage Commission.

Chair Blake opened the public hearing.

Justin Caplin gave his address as 1454 Boys Pond Circle. He was supportive of what was proposed and appreciated the change that had been made. He did not mind the idea of an office building but did not like the look of the proposed building. He appreciated that a change had been made.

Denise Webster gave her address as 1485 Chapel Street. She wanted to thank the City Council for the moratorium that was placed on the Historic District to ensure that there were clear design guidelines. She also wanted to thank the Planning Commission for listening to the residents' comments. Ms. Webster was at the Planning Commission Meeting to express her support for Mr. Walter. A lot of the time, people only came to meetings when there was opposition, so she felt it was important to share support. She was grateful for the preservation of the residential use.

There were no further comments. The public hearing was closed.

iii. <u>Consider a Proposed Code Amendment to the Santa Clara City Zoning Ordinance, Section 17.92, Water Efficient Landscaping and Conservation Standards. This includes Updates as Recommended by the Washington County Water Conservancy District, WCWCD, to Allow City Residents to Participate in the Water Efficient Landscape (Lawn Replacement) Rebate Program.</u>

Mr. McNulty presented the Staff Report and stated that Conservation Manager, Doug Bennett, from the Washington County Water Conservancy District ("WCWCD") was present. Mr. Bennett had a few edits to the proposed draft of Chapter 17.92 – Water Efficient Landscaping and Conservation Standards. Mr. McNulty noted that the language had been discussed in a Work Meeting with the City Council on October 18, 2023. There was also a Work Session with the Planning Commission on September 28, 2023. Both the City Council and Planning Commission were in favor of proceeding with the amendments. He explained that this was a clean-up of the existing language. Ordinance 2022-05 was adopted on February 23, 2022. Santa Clara was one of the first communities in Washington County to adopt the recommended standards put in place by WCWCD. However, on August 7, 2023, the WCWCD Board adopted a new resolution requiring communities to accept some updated standards to allow for participation in the Water Efficient Landscape Rebate Program. WCWCD now requested that the ordinance be updated.

Mr. McNulty shared a copy of Chapter 17.92 – Water Efficient Landscaping and Conservation Standards language with the proposed amendments. He noted that this had been reviewed on September 28, 2023. Utah State Code, Section 10-9a-205, included requirements for Land Use Ordinance amendments. To amend an ordinance, the Planning Commission needed to hold a public hearing. There was also a 10-day noticing required. All State Code requirements had been met. City Staff recommended that the Planning Commission hold a public hearing and forward a recommendation of approval for the code amendment of Chapter 17.92 to the City Council. If a recommendation of approval was forwarded, the item would be considered in December 2023.

Mr. Bennett introduced himself to the Commission. He commended the City for all the work that had been done. The State of Utah had gotten very involved in water conservation and had made hundreds of millions of dollars available for water development and tens of millions of dollars available for water conservation. There was a requirement that all of the main districts in the State of Utah establish common standards for the communities that they served. Those standards had been created and there had been a number of vetting meetings with all seven of the jurisdictions that WCWCD served. Most of what was intended to be in the standards was already in the Santa Clara ordinance. Mr. Bennett explained that there were a few items that needed to be corrected.

The proposed corrections were shared. Mr. Bennett referenced the Park Strip definition and explained that there was a minor correction that needed to be made. In 17.92.040 - 7B1, it stated that "Lawn is not permitted outside of an active recreation area." That only applied to non-residential properties, which meant that the sentence could be removed. He referred to 17.02.030 – B – Landscape Standards. Santa Clara already has an exemption where landscaping was being irrigated solely with private non-municipal water sources, so none of the standards listed would apply to that. WCWCD had been notified by the State of Utah that they would not give money for landscape conversions in Santa Clara because of that exemption. When WCWCD was notified of this, Santa Clara had been told that WCWCD would continue to fund those until the issue could be resolved. The State of Utah saw it as a land use regulation and not a water use regulation. Regardless of the source of water, the State wanted to see that all of the landscape was developed to the same standard. He had asked the State of Utah Department of Natural Resources for more interpretative capabilities in order to better work with the seven different municipalities.

Mr. McNulty noted that there had been discussions with Public Works Director, Dustin Mouritsen, Mayor Rick Rosenberg, and Mr. Ence. All were aware of the issue with the State, and it was something that would be decided on during the next meeting with the City Council. Mr. Bennett reported that both Santa Clara and Ivins had been called out by the State. Ivins had a minor issue that was corrected. WCWCD continued to fund the program while the next iteration of the ordinance was handled. All of the districts in the State of Utah wanted to have more discretion to work with cities and determine what was reasonable. Discussions were still taking place about that. Mr. McNulty requested that Mr. Bennett attend the City Council Meeting in December 2023.

Chair Blake opened the public hearing. There were no comments. The hearing was closed.

4. General Business.

A. Recommendation to the City Council.

i. Recommendation to the City Council for a Proposed Rezoning and Project Plan for Property at the Intersection of Pioneer Parkway and Future Extension of Red Mountain Drive (Lots 1, 2, and 3 of the Silverado Santa Clara Subdivision), and Directly East of the Harmon's Shopping Center. The Applicant, Julian Stemmer, is Proposing to Rezone the Property from the Planned Development Residential, PDR Zone to the Planned Development Commercial, PDC Zone to Allow for a Mixed-Use Project including Both Commercial and Residential Uses. The Subject Properties are 14.27 acres.

Chair Blake asked for further discussion from Commissioners about the proposed Rezoning and Project Plan. Commissioner Whitehead was thankful for the residents who shared comments during the public hearing portion of the meeting. It had been good to hear a comment that expressed support for the development because it was rare that those in support of an application attended a Planning Commission Meeting. Commissioner Whitehead acknowledged that some residents wanted the property to be residential only, but it was important to remember that this was the last opportunity for commercial in Santa Clara based on the current zoning. It was necessary to have a tax base and this property could provide tax revenue for the City. He liked the proposal.

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Commissioner Harris echoed the comments shared by Commissioner Whitehead. She appreciated everyone who had attended the meeting to express their opinions. It was clear that the developer had listened to the input expressed by residents and the City Council. She thought a good project had been designed and there had been a certain level of compromise. Commissioner Walton thanked residents for reaching out and sharing their comments. She was concerned about the limited commercial space available in the City and liked the commercial aspects of the proposal. That being said, she was concerned about the amount of density that was proposed for the project.

Chair Blake asked about a cross-access easement. He wondered whether there was something like that in place with Harmon's Shopping Center for the other entrance. Mr. McNulty explained that it was something that had been discussed. There was a desire to have a cross-access agreement in place. That was something that would be discussed more thoroughly during the Site Plan review phase. Mr. McNulty added that it would be addressed within a Development Agreement.

Chair Blake was not a fan of the look of the retail buildings. As for the apartments, he knew there was a need for one- and two-bedroom units and there were not enough available for those who were interested. In some areas, accessory dwelling units ("ADU") were becoming more prevalent to meet that need. Chair Blake reiterated that one of his main concerns with what had been proposed related to the appearance of the retail buildings. He was not comfortable with the design.

Commissioner Whitehead moved to forward a recommendation of APPROVAL to the City Council for a Proposed Rezoning and Project Plan for Property at the Intersection of Pioneer Parkway and Future Extension of Red Mountain Drive (Lots 1, 2, and 3 of the Silverado Santa Clara Subdivision) and Directly East of the Harmon's Shopping Center, rezoning from the Planned Development Residential ("PDR") Zone to the Planned Development Commercial ("PDC") Zone, subject to the following:

Conditions:

1. **That the applicant be required to go through the Subdivision Plat and Site Plan Review process for each project phase.**

2. **That a total of one hundred twenty-four (124) units on 11.66 acres be allowed as per the Project Plan. This equates to a density of 10.63 units/acre.**

3. **That a Project Phasing Plan be required for the overall project. That project amenities be provided and put in place as per The Project Plan and Phasing Plan. That this plan be reviewed for compliance with each project phase.**

4. **That the building design/materials/height/setbacks comply with the Project Plan as presented by the applicant. That substantial changes to these items require an amendment to the Project Plan.**

5. **That at least 30% of the overall project area be in common open space. The Project Plan includes approximately 40% (4.65 acres) of open space for the residential area (Phases 1 and 2) with approximately 32% (0.82 acres) of open space for the commercial area (Phase 3).**

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6. **That along the eastern edge of the project (Phase 1) and Red Mountain Drive, a 15' maintenance/trail easement be provided to allow for a future connection to the IHC property and Pioneer Parkway.**

7. **That the applicant be required to comply with City Ordinance #2022-05, Water Efficient Landscaping and Conservation Standards. Also, secondary water connections are required for outdoor water use.**

8. **That a 50' public road cross-section, as per the Project Plan, be required for Phase 1 from Rachel Drive to Red Mountain Drive. That a 66' public road cross-section, as per the Project Plan, be required for Red Mountain Drive, which connects to Pioneer Parkway to gain access to the site.**

9. **That a 26' private driveway be allowed within the interior of the project (Phase 2 and Phase 3).**

10. **That 384 parking spaces be provided. This includes 192 parking spaces (1 covered, 1 uncovered) for the apartment project (Phase 2), with 56 parking spaces being required for the Townhome/Toy Garage Units (Phase 1). That 84 parking spaces be provided for the commercial area (Phase 3) of the project as per the Project Plan. Additionally, 34 parking spaces be provided for Phases 1, 2, and 3 for shared use as needed.**

11. **That an updated Geotech Report for each project phase be required prior to site construction.**

12. **That the Traffic Impact Study ("TIS") for the project be implemented.**

13. **That a Development Agreement for the overall project be approved by the City Council.**

14. **That the proposed property Rezoning complies with Chapter 17.18.090 items, except Item C below:**

    a. **The proposed use is suitable in view of the zoning and development of adjacent and nearby property;**

    b. **The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;**

    c. **There are no substantial reasons why the property cannot or should not be used as currently zoned;**

        i. **The applicant intends to do a PDC mixed-use project as per the MUR (Lots 1 and 2) and MSC (Lot 3) land use designations of the General Plan.**

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d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;

e. The proposed use is compatible with the purpose and intent of the General Plan;

f. The proposed use is consistent with the purpose and intent of the proposed zoning district;

g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;

h. The proposed use does reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.

Findings:

1. That the Rezoning is compliant with the Santa Clara City General Plan, Section 3.4.2, Mixed-Use Land Uses (Mixed-Use Residential, MUR, and Main Street Commercial, MSC).

2. That the MUR Land Use Designation allows for mostly residential uses, including townhomes, multi-unit buildings, and small lot single-family.

3. The MSC Land Use Designation allows for commercial uses on the ground floor, including stores, restaurants, and offices.

4. That the Harmon's Shopping Center directly west of the subject property is located within the Planned Development Commercial, PDC, Zone.

Commissioner Harris seconded the motion. Vote on Motion: Commissioner Whitehead-Aye; Commissioner Blake-Nay; Commissioner Harris-Aye; Commissioner Walton-Nay. The motion failed with a 2-to-2 tie vote.

Mr. McNulty explained that there was a recent example where an application moved to the City Council with no recommendation. A tie vote from the Planning Commission meant there would be no recommendation made to the City Council. Even though there was no recommendation made, the City Council would still make a determination next month. Chair Blake wondered whether a substitute motion was possible. Mr. McNulty confirmed that a substitute motion could be made that there was agreement on. Chair Blake reiterated his concerns about the look of the retail buildings. Mr. McNulty explained that after the rezone, it would come back for a thorough Site Plan review for the commercial. The residential components would require subdivision reviews as well. Those types of details would be finalized later on in the process. The Project Plan was subject to change and there were opportunities to discuss matters further in the future. With this new information, Commissioner Whitehead offered to make a motion.

Commissioner Whitehead moved to forward a recommendation of APPROVAL to the City Council for a Proposed Rezoning and Project Plan for Property at the Intersection of Pioneer Parkway and Future Extension of Red Mountain Drive (Lots 1, 2, and 3 of the Silverado Santa Clara Subdivision) and Directly East of the Harmon's Shopping Center, rezoning from the Planned Development Residential ("PDR") Zone to the Planned Development Commercial ("PDC") Zone, subject to the following:

Conditions:

1. **That the applicant be required to go through the Subdivision Plat and Site Plan Review process for each project phase.**

2. **That a total of one hundred twenty-four (124) units on 11.66 acres be allowed as per the Project Plan. This equates to a density of 10.63 units/acre.**

3. **That a Project Phasing Plan be required for the overall project. That project amenities be provided and put in place as per The Project Plan and Phasing Plan. That this plan be reviewed for compliance with each project phase.**

4. **That the building design/materials/height/setbacks comply with the Project Plan as presented by the applicant. That substantial changes to these items require an amendment to the Project Plan.**

5. **That at least 30% of the overall project area be in common open space. The Project Plan includes approximately 40% (4.65 acres) of open space for the residential area (Phases 1 and 2) with approximately 32% (0.82 acres) of open space for the commercial area (Phase 3).**

6. **That along the eastern edge of the project (Phase 1) and Red Mountain Drive, a 15' maintenance/trail easement be provided to allow for a future connection to the IHC property and Pioneer Parkway.**

7. **That the applicant be required to comply with City Ordinance #2022-05, Water Efficient Landscaping and Conservation Standards. Also, secondary water connections are required for outdoor water use.**

8. **That a 50' public road cross-section, as per the Project Plan, be required for Phase 1 from Rachel Drive to Red Mountain Drive. That a 66' public road cross-section, as per the Project Plan, be required for Red Mountain Drive, which connects to Pioneer Parkway to gain access to the site.**

9. **That a 26' private driveway be allowed within the interior of the project (Phase 2 and Phase 3).**

10. **That 384 parking spaces be provided. This includes 192 parking spaces (1 covered, 1 uncovered) for the apartment project (Phase 2), with 56 parking spaces being required for the Townhome/Toy Garage Units (Phase 1). That 84 parking spaces be provided for the commercial area (Phase 3) of the project as per the**

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Project Plan. Additionally, 34 parking spaces be provided for Phases 1, 2, and 3 for shared use as needed.

11. That an updated Geotech Report for each project phase be required prior to site construction.

12. That the Traffic Impact Study ("TIS") for the project be implemented.

13. That a Development Agreement for the overall project be approved by the City Council.

14. That the proposed property Rezoning complies with Chapter 17.18.090 items, except Item C below:

a. The proposed use is suitable in view of the zoning and development of adjacent and nearby properties;

b. The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;

c. There are no substantial reasons why the property cannot or should not be used as currently zoned;

i. The applicant intends to do a PDC mixed-use project as per the MUR (Lots 1 and 2) and MSC (Lot 3) land use designations of the General Plan.

d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;

e. The proposed use is compatible with the purpose and intent of the General Plan;

f. The proposed use is consistent with the purpose and intent of the proposed zoning district;

g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;

h. The proposed use does reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.

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Findings:

1. **That the Rezoning is compliant with the Santa Clara City General Plan, Section 3.4.2, Mixed-Use Land Uses (Mixed-Use Residential, MUR, and Main Street Commercial, MSC).**

2. **MUR Land Use Designation allows for mostly residential uses, including townhomes, multi-unit buildings, and small lot single-family.**

3. **The MSC Land Use Designation allows for commercial uses on the ground floor, including stores, restaurants, and offices.**

4. **That the Harmon's Shopping Center directly west of the subject property is located within the Planned Development Commercial, PDC, Zone.**

Commissioner Harris seconded the motion. Vote on Motion: Commissioner Whitehead-Aye; Commissioner Blake-Aye; Commissioner Harris-Aye; Commissioner Walton-Nay. The motion passed 3-to-1.

ii. **Recommendation to the City Council for a Proposed Rezoning and Historic District Overlay Map Adjustment for Property Located at the Southeast Corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435, described as 2.97 acres). Granite Peaks Investment, LLC is Proposing a Rezoning of the Subject Property to Allow for the R-1-10 Single Family/Historic District Zone on a Portion of the Property (0.52 acres) with Frontage on Santa Clara Drive, with the Remaining Property (2.45 acres) with Frontage Along the Future Extension of Bonelli Trail to be within the RA Single-Family Zone. Additionally, the Applicant has Requested that the Historic District Overlay be Adjusted on the City Zoning Map to Follow the Described Zoning Boundary.**

Chair Blake asked for further discussion from Commissioners about the proposed Rezoning and Historic District Overlay Map Adjustment. Commissioner Whitehead believed what was proposed made the most sense for all involved. It would work for the landowner and neighbors.

Commissioner Walton moved to forward a recommendation of APPROVAL to the City Council for a Proposed Rezoning and Historic District Overlay Map Adjustment for Property Located at the Southeast Corner of Santa Clara Drive and Gates Lane (Parcel #SC-6-2-16-435, described as 2.97 acres) subject to the following:

Conditions:

1. **That the proposed property Rezoning complies with Chapter 17.18.090 items:**

   a. **The proposed use is suitable in view of the zoning and development of adjacent and nearby properties;**

b. The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;

c. There are substantial reasons why the property cannot or should not be used as currently zoned;

d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;

e. The proposed use is compatible with the purpose and intent of the General Plan;

f. The proposed use is consistent with the purpose and intent of the proposed zoning district;

g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;

h. The proposed use does reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.

2. That the proposed Historic District Overlay adjustment to the City Zoning Map be allowed as the application includes property with frontage along Santa Clara Drive that will remain in the Historic District.

Findings:

1. That the Rezoning is compliant with the Santa Clara General Plan, Section 3.4.1, Residential Land Uses (Very Low-Density Residential, VLD).

2. That the Rezoning is compliant with the Santa Clara General Plan, Section 3.4.2, Mixed-Use Land Uses (Mixed-Use Residential, MUR).

3. That the R-1-10 Single-Family/Historic District Zone allows for homes on lots of 10,000 square feet or larger.

4. That the RA Single-Family Zone allows for homes on lots of ½ acre or larger.

5. That the properties in the immediate vicinity of the proposed R-1-10 Single-Family/Historic District Zone with frontage along Santa Clara Drive are generally located within the Historic District.

6. That the properties in the immediate vicinity of the proposed RA Single-Family Zone are generally located within the RA Zone.

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Commissioner Harris seconded the motion. Vote on Motion: Commissioner Whitehead-Aye; Commissioner Blake-Aye; Commissioner Harris-Aye; Commissioner Walton-Aye. The motion passed unanimously.

iii. **Recommendation to the City Council for a Proposed Code Amendment to the Santa Clara City Zoning Ordinance, Section 17.92, Water Efficient Landscaping and Conservation Standards. This includes Updates as Recommended by the Washington County Water Conservancy District, WCWCD, to Allow City Residents to Participate in the Water Efficient Landscape (Lawn Replacement) Rebate Program.**

Chair Blake asked for further discussion from Commissioners about the proposed Code Amendment. He noted that this was something that had been discussed previously. He thought it made sense to forward a recommendation to the City Council with the suggestions mentioned.

Commissioner Harris moved to forward a recommendation of APPROVAL to the City Council for a Proposed Code Amendment to the Santa Clara City Zoning Ordinance, Section 17.92 – Water Efficient Landscaping and Conservation Standards, as corrected. Commissioner Whitehead seconded the motion. Vote on Motion: Commissioner Whitehead-Aye; Commissioner Blake-Aye; Commissioner Harris-Aye; Commissioner Walton-Aye. The motion passed unanimously.

iv. **Subdivision Plat Amendment and Phasing Plan Update for Coyote Landing at Deserts Edge. The Subject Property is East of 400 East and North of North Town Road. Robert Smith, applicant.**

Mr. McNulty presented the Staff Report and stated that the application was for a Subdivision Plat Amendment and Phasing Plan Update for Coyote Landing at Deserts Edge. The applicant was Robert Smith. Mr. McNulty reported that a Plat Amendment was requested for Phase 1 as well as an updated Phasing/Amenity Plan for Phases 1, 3, and 4. The recorded Subdivision Plat for Phase 1 included a total of 24 townhome units within five buildings. The applicant was proposing to amend the plat to include the front porch within the designated building envelope of each unit. That was previously not shown accurately. The amended drawing was shared. He explained that the drawing now depicted the front porch area within the building envelope.

The original Phasing Plan was shared. It showed all of the amenities that were within Phase 1. The proposed update to the plan was shared. Phase 1 would include the clubhouse, main pool, spa, and pickleball courts. Phase 3 would include the water play area. Depending on economic conditions, the Phase 4 slide area may change to artificial turf and a pool deck expansion area with shade structures and various games. There had been discussions at a City Staff level and there were concerns about the open-ended proposal for the Phase 4 amenity area. City Staff recommended that the applicant be required to come back to the Planning Commission and City Council for approval of the Phase 4 amenity area when the applicant has more information.

The necessary noticing had been done. All of the City reviewing departments had reviewed the application and supported the project moving forward with the proposed changes. Mr. McNulty reported that Utah Code, Section 10-9a-608, included requirements for Subdivision Amendments. All of the State requirements had been met in terms of noticing and holding a public meeting. City

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Staff recommended that the Planning Commission consider recommending approval of the Plat Amendment (Phase 1) and Updated Phasing/Amenity Plan (Phases 1, 3, and 4) for Coyote Landing at Deserts Edge to the City Council, subject to the conditions listed in the Staff Report. Chair Blake wondered whether the Planning Commission would approve the application. Mr. McNulty clarified that the Planning Commission would recommend approval to the City Council.

The applicant, Robert Smith, introduced himself to the Commission. He noted that the Plat Amendment was a fairly straightforward correction. As for the Phasing Plan update, there was no intention to take away anything that had already been proposed. He pointed out that the pool had actually been added to the project. The proposed tennis courts had been removed in favor of the pickleball courts. Information about the water play area was shared with the Commission. As for Phase 4, it was noted that there was support to come back for those discussions in the future.

Commissioner Whitehead moved to forward a recommendation of APPROVAL to the City Council for a Subdivision Plat Amendment and Phasing Plan Update for Coyote Landing at Deserts Edge 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 record the Plat Amendment for Phase 1 and provide City Staff with an electronic copy.**

3. **That the applicant be required to submit a Geotechnical Report for all buildings in the project prior to Building Permit issuance.**

4. **That the Updated Phasing/Amenity Plan for Deserts Edge be followed by the applicant and include the following amenities:**

    a. **Phase 1 will include the clubhouse, main pool, spa, and pickleball courts to be completed by the end of Phase 1 vertical construction.**

    b. **Phase 3 will include the water play area to be completed by the end of Phase 3 vertical construction.**

    c. **Phase 4 will include a waterslide area by the end of Phase 4 vertical construction. If the Phase 4 amenities need to change based on future economic conditions, the applicant will be required to come back to the Planning Commission and City Council for approval when the applicant has more information to share with the City.**

Commissioner Harris seconded the motion. Vote on Motion: Commissioner Whitehead-Aye; Commissioner Blake-Aye; Commissioner Harris-Aye; Commissioner Walton-Aye. The motion passed unanimously.

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B. Planning Commission Approval.

i. Alfredo's A Wall Sign Located at 3687 Pioneer Parkway, Suite #4. Kelly Harward with YESCO Signs, Applicant.

Mr. McNulty presented the Staff Report and stated that the application was for a wall sign for the property located at 3687 Pioneer Parkway. The applicant was Kelly Harward with YESCO Signs. Mr. McNulty reported that the application was for the last retail tenant in the Giovengo Building #2. At the last Planning Commission Meeting, three wall signs were approved for the building. This was the last tenant, and one wall sign was proposed. The Santa Clara City Sign Ordinance, Chapter 17.44, stated that wall signs were allowed in the Planned Development Commercial ("PDC") Zone, subject to Planning Commission approval. Section 17.44.090(C) of City Code indicated that wall signs may not exceed 10% of the total square footage of the wall on which the sign was placed. The applicant provided calculations that indicated 10% would allow for a wall sign of up to 72 square feet on the east building elevation. The proposed wall sign included internally illuminated letters with a human figure flush mounted to the building. The east building elevation wall sign was proposed to be 71 square feet. It met the standards for wall signs as per Chapter 17.44.

Planning Staff recommended that the Planning Commission approve the proposed wall sign for Alfredo's A Restaurant, located at 3687 Pioneer Parkway, Giovengo Building #2, subject to the conditions listed in the Staff Report. It was noted that this was a Planning Commission decision. Discussions were had about the placement of the sign as well as other signs in the development.

Commissioner Harris moved to APPROVE the Wall Sign for Alfredo's A Restaurant, located at 3687 Pioneer Parkway, Giovengo Building #2, subject to the following conditions:

1. **That the east building elevation wall sign (facing the parking lot) be allowed at 71 square feet with internally illuminated letters (white LED illumination) flush mounted to the building.**

2. **That a Building Permit be applied for and obtained prior to placement of the wall sign on the building.**

Commissioner Walton seconded the motion. Vote on Motion: Commissioner Whitehead-Aye; Commissioner Blake-Aye; Commissioner Harris-Aye; Commissioner Walton-Aye. The motion passed unanimously.

5. Discussion Items.

A. None.

Mr. McNulty reported that the next Planning Commission Meeting will take place on December 14, 2023. There will only be one Planning Commission Meeting in December.

Mr. McNulty informed the Commissioners that the City Council passed a Temporary Land Use Ordinance, which was a moratorium for the Historic District that would last for 180 days. That gave the City six months to create a set of standards or guidelines. The Mayor had organized a committee to handle that work, which included Commissioner Harris from the Planning Commission as well as

Mandi Gubler and Mimi McKenna from the Heritage Commission. The Mayor had asked Ms. McKenna to Chair the committee. There were five residents included on the committee as well, and the City had reached out to a local architect. Members of City Staff would also participate. He noted that there would be a kickoff meeting at the start of December.

Discussions were had about whether residents could listen to the committee meetings. Mr. McNulty confirmed that residents could listen to the meetings, but he did not believe that comments would be taken. Later on, in the process when there was a document to review, it would move through the Planning Commission and the City Council. The Mayor had stated that the intention was primarily to create commercial design standards. Mr. McNulty clarified that commercial would be the emphasis, but some revisions might be made to the residential language. He stressed the importance of moving forward and everyone working together on the language.

6. Approval of Minutes.

A. Request Approval of the Regular Meeting Minutes – October 26, 2023.

Commissioner Harris moved to APPROVE the Meeting Minutes of the October 26, 2023, Santa Clara Planning Commission Meeting. Commissioner Walton seconded the motion. The motion passed with the unanimous consent of the Commission.

7. Adjournment

Commissioner Blake moved to ADJOURN. Commissioner Whitehead seconded the motion. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 8:02 p.m.

_____
Jim McNulty
Planning Manager

Approved: _____

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CIVIL ENGINEERS LAND SURVEYORS

Exhibit "A"

Parcel 1:

Beginning at a point on the Easterly line of Gates Lane, said point being South 89°35'38" East 226.47 feet along the section line and North 334.83 feet from the West Quarter Corner of Section 16, Township 42 South, Range 16 West, Salt Lake Base & Meridian, and running;

thence Northerly along said Easterly line Gates Lane the following (2) courses;
thence North 02°44'35" East 57.76 feet;
thence Northeasterly 46.73 feet along an arc of a 30.00 foot radius curve to the right (center bears South 87°15'25" East, long chord bears North 47°22'02" East 42.15 feet with a central angle of 89°14'55") to the Southerly line of Santa Clara Drive;
thence South 88°00'30" East 228.50 feet along said Southerly line Santa Clara Drive;
thence South 03°11'55" West 90.70 feet;
thence North 87°16'07" West 257.36 feet to the Point of Beginning.

Containing 22,758 square feet or 0.52 acres.

Parcel 2:

Beginning at a point on the Easterly line of Gates Lane, said point being South 89°35'38" East 226.47 feet along the section line and North 334.83 feet from the West Quarter Corner of Section 16, Township 42 South, Range 16 West, Salt Lake Base & Meridian, and running;

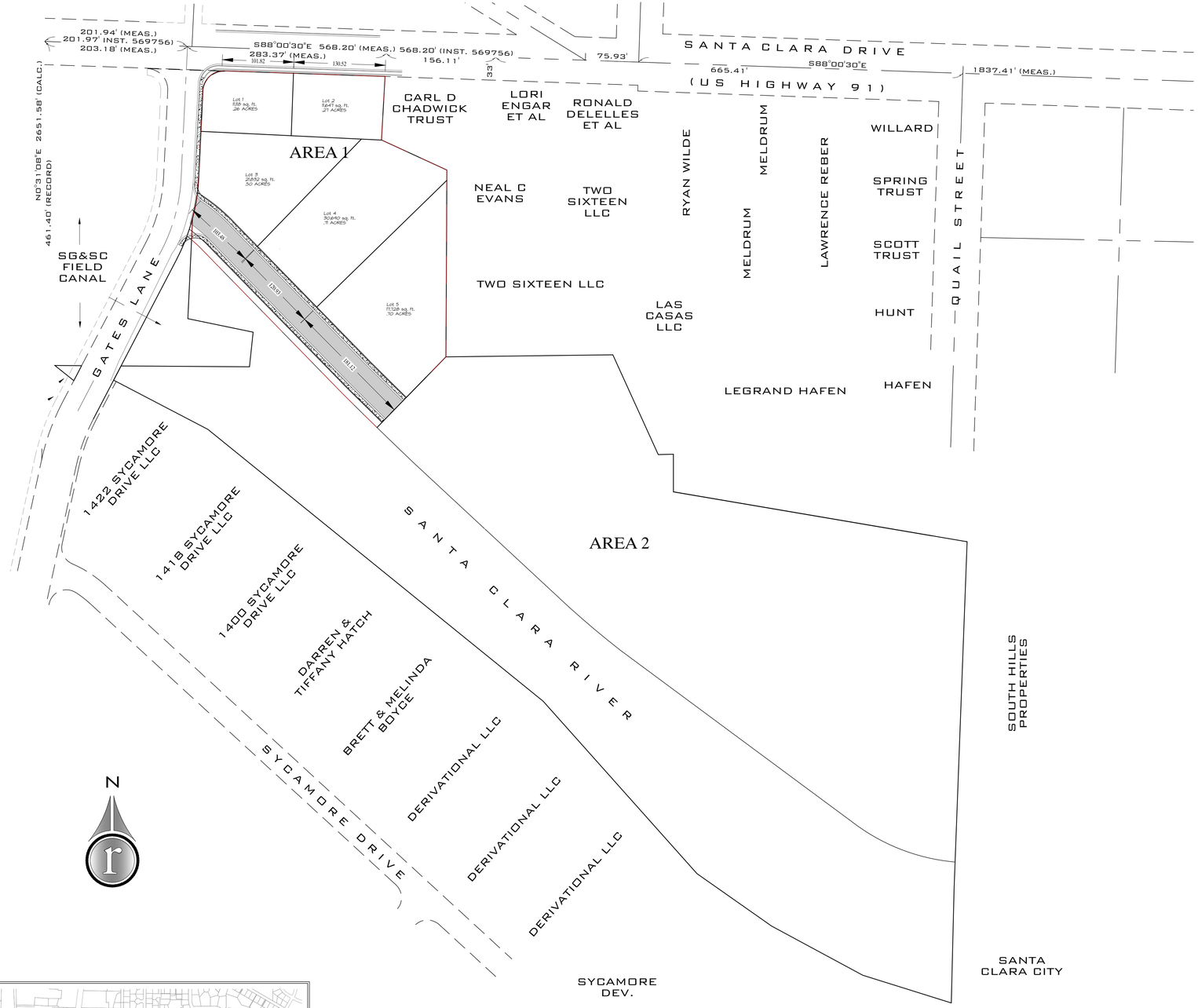
thence South 87°16'07" East 257.36 feet;
thence South 65°19'05" East 102.41 feet;
thence South 00°13'13" West 78.28 feet;
thence South 00°19'26" West 187.83 feet;
thence South 44°16'08" West 140.56 feet;
thence North 45°21'31" West 72.18 feet;
thence North 44°17'29" West 280.02 feet;
thence Northwesterly 23.51 feet along an arc of a 190.42 foot radius curve to the left (center bears South 46°41'15" West, long chord bears North 46°50'58" West 23.49 feet with a central angle of 07°04'25");
thence North 02°42'30" East 30.61 feet to said Easterly line Gates Lane;
thence Northerly along said Easterly line Gates Lane the following (2) courses;
thence Northerly 57.54 feet along an arc of a 275.00 foot radius non-tangent curve to the left (center bears North 75°16'10" West, long chord bears North 08°44'13" East 57.43 feet with a central angle of 11°59'15");
thence North 02°44'35" East 67.30 feet to the Point of Beginning.

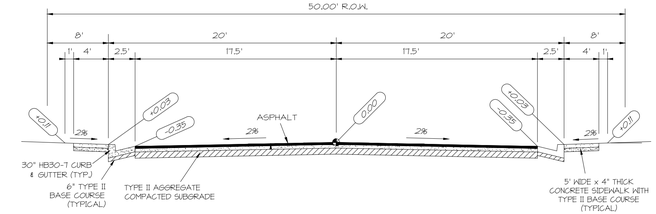
Containing 106,910 square feet or 2.45 acres.



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CIVIL ENGINEERS LAND SURVEYORS

October 16, 2023





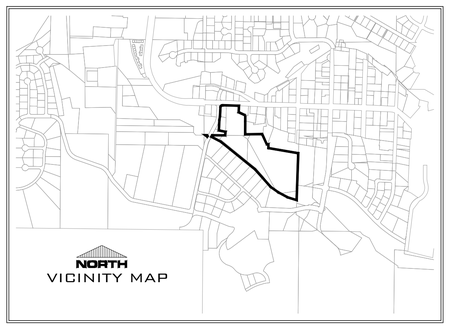
TYPICAL 50' R.O.W.

SCALE: NONE

LEGEND

2600 EXISTING CONT-MJR

EXISTING CONT-MNR



0 80' 160'

SCALE: 1"=80'

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

NOTICE:
EXISTING UTILITIES ARE SHOWN ON PLANS FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE CONTRACTOR IS RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL UTILITIES. THE ENGINEER BEARS NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR SHOWN INCORRECTLY.

DATE: 1/11/22
JOB NO.: #8219-22-020
DESIGNED BY: ETY
CHECKED BY: JWB
DWG: CONCEPT

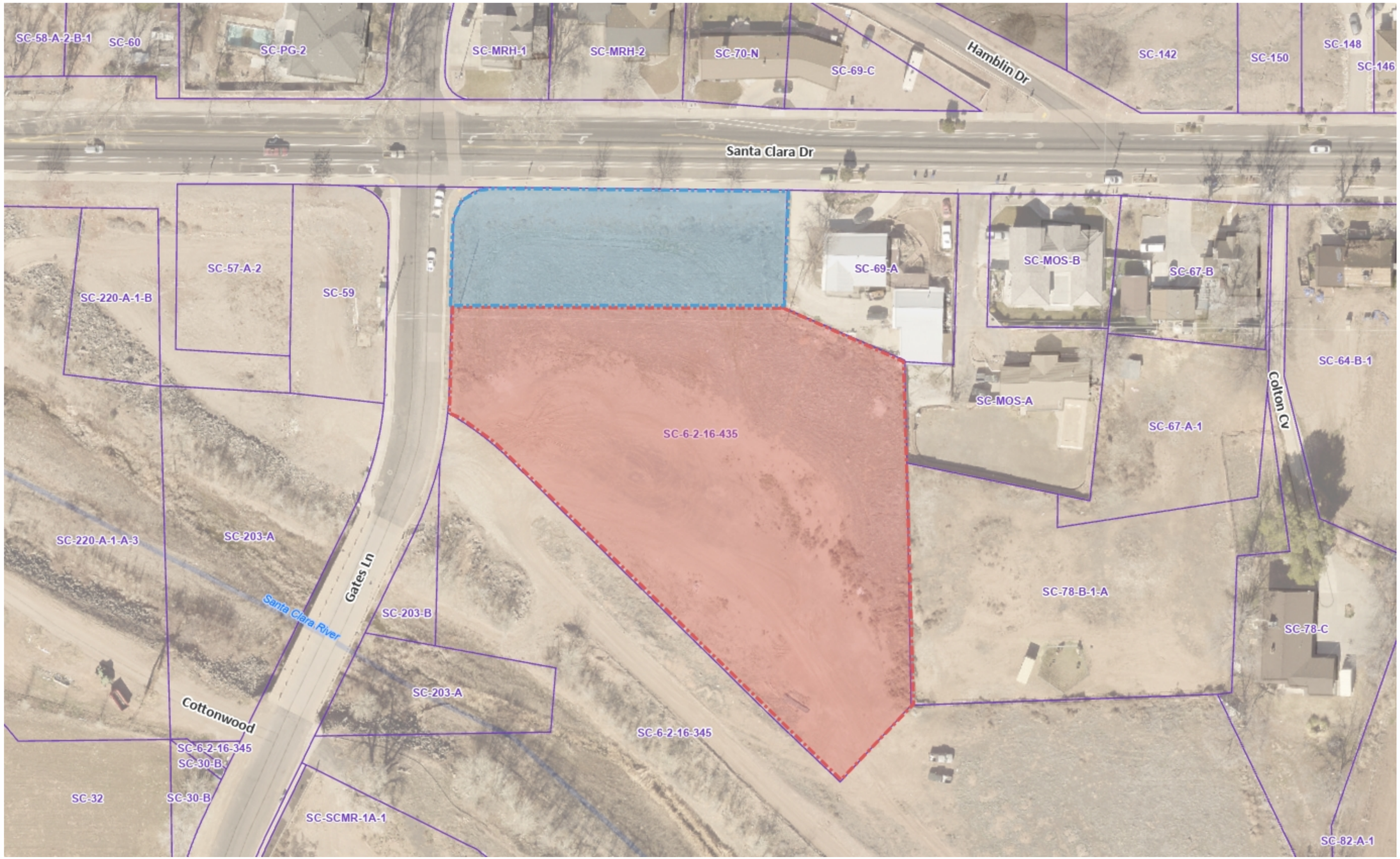
DATE
REVISIONS

ROSENBERG ASSOCIATES
CIVIL ENGINEERS • LAND SURVEYORS
352 East Riverside Drive, Suite A-2
St. George, Utah 84790
Ph (435) 673-8586 Fx (435) 673-8397
www.racivil.com

CONCEPT LAYOUT
FOR
GATES LANE PROPERTY
SANTA CLARA
UT

SHEET
1
OF SHEETS

Zone Change Parcel Exhibit





Legend

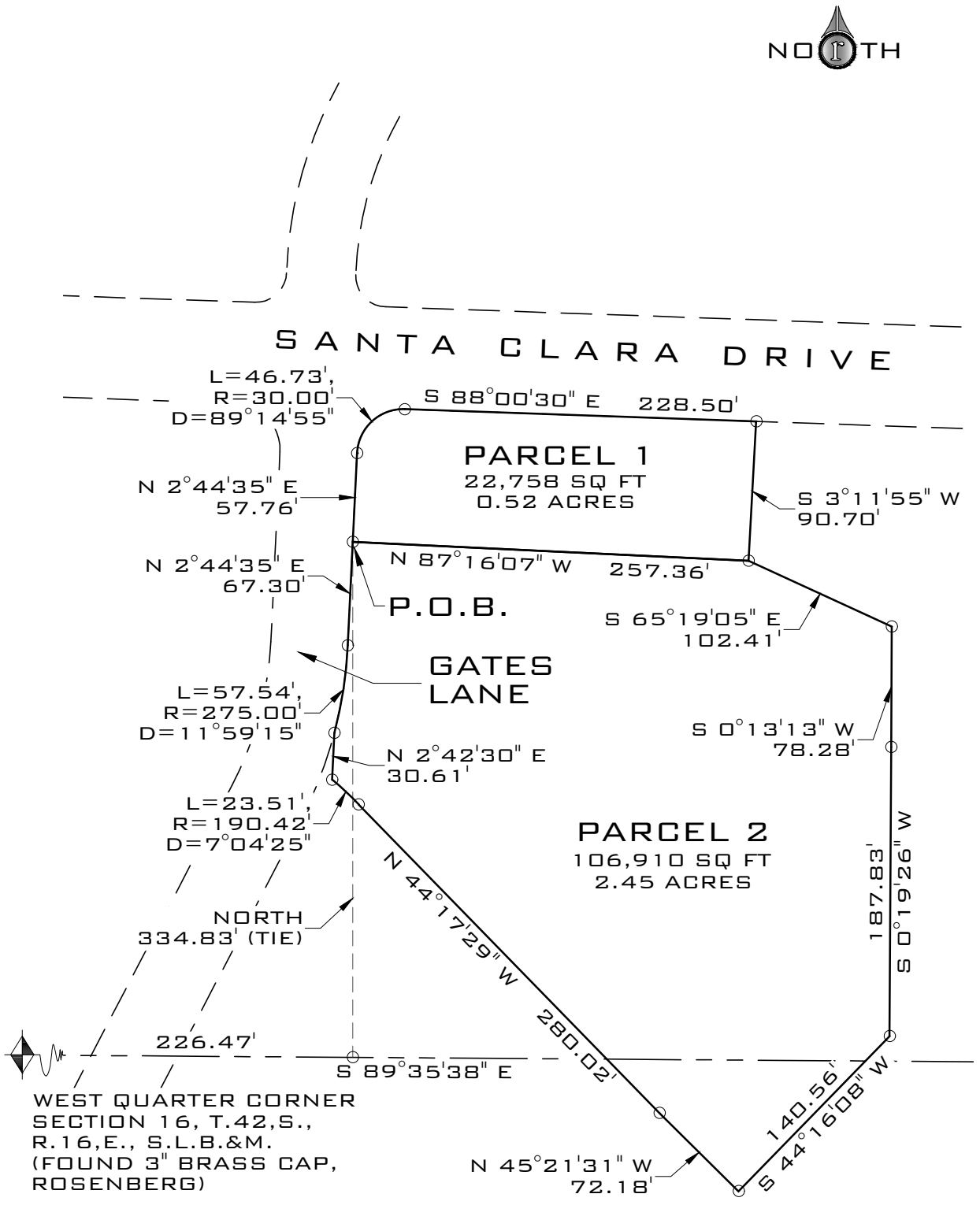
- Basemap Labels
- Watercourses
- Water Bodies
- Parcel Number
- Interstate Exits
- Streets
- Interstate Exits
- Streets
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- Streets
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- Interstate Exits
- Streets
- Streets
- Streets
- Streets
- Streets
- Unincorporated
- A-5
- A-10
- A-20
- AEO
- C-1
- C-2
- C-3
- FR-13.5
- FR-0.5
- FR-1
- FR-2.5
- FR-5
- FR-10
- I-1
- M-1
- MH
- OSC-20
- OST-20

Notes

188.1 0 94.04 188.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.



DATE: 10/16/23
JOB NO.: 8219-22-002
DRAWN BY: C.G.A.
SCALE: 1"=100'
DWG: SURVEY-EXHIBIT

REVISIONS DATE

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St. George, Utah 84790
435.673.8586
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EXHIBIT MAP

SHEET 1 OF 1 SHEETS

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF
SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 8

Applicant: Robert Smith **Requested by:** Jim McNulty

Subject: Subdivision Plat Amendment & Phasing Plan Update

Description:

Robert Smith is requesting a Plat Amendment for Coyote Landing at Deserts Edge, Phase 1. Additionally, an updated Phasing/Amenity Plan for phases 1, 3, and 4 has been requested. Supporting project material has been included for your review.

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

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

Staff Report

Subdivision Plat Amendment & Phasing Plan Update Summary and Recommendation

Public Body: Santa Clara City Council
Meeting Date: December 13, 2023
Current Zone: Planned Development Residential, PDR
General Plan Designation: Medium Density Residential, MDR
Property Address: East of 400 East & North of North Town Road
Request: Plat Amendment & Updated Phasing Plan for Coyote Landing at Deserts Edge
Applicant Name: Robert Smith
Staff Planner: Jim McNulty
Planning Staff Recommendation: Approval with conditions
Meeting Type: Public Meeting

PROJECT DESCRIPTION

The applicant, ***Robert Smith, is requesting a Plat Amendment*** for Coyote Landing at Deserts Edge, Phase 1. Additionally, an ***updated Phasing/Amenity Plan for Phases 1, 3, and 4*** has been requested. The recorded subdivision plat for Phase 1 includes a total of twenty-four (24) townhome units within five (5) buildings. The applicant is proposing to amend the plat to include the front porch within the designated building envelope of each unit. The front porch element is part of the primary structure and includes supports with location in the ground. Additionally, the applicant has expanded the limited common area behind the units to include the entire area behind each unit, and a correction has been made to the amenity area to identify it as common area rather than limited common area. **The proposed plat amendment drawing has been attached for your review.**

The overall Preliminary Plat approval for the Deserts Edge Project included a total of 240 multi-family units (120 townhome units and 120 apartment units) to be built in six (6) phases. **A Phasing/Amenity Plan *(original plan attached)*** was approved for the project as follows:

- ***Phase 1*** includes 24 townhome units, centrally located amenities, boat and RV parking, and public roadway improvements including two required public accesses to 400 East.
- Phase 2 includes 60 apartments within two buildings, project amenities, required parking, and primary access to and from the project from North Town Road.
- ***Phase 3*** includes 44 townhome units, centrally located open space, detention basin, a private alley, and public roadway improvements.
- ***Phase 4*** includes 32 townhome units, a private alley, and required parking spaces.
- Phase 5 includes 20 townhome units, two private alleys, and required parking spaces.

- Phase 6 includes 60 apartments within two buildings, a detention basin, required parking, and extension of the private driveway system in the project.

The applicant is **proposing to update the Phasing/Amenity Plan for Coyote Landing at Deserts Edge (attached)** as follows:

- ***Phase 1*** will include the clubhouse, main pool, spa and pickleball courts to be completed by the end of Phase 1 vertical construction.
- ***Phase 3*** will include the water play area to be completed by the end of Phase 3 vertical construction.
- Depending on economic conditions, the ***Phase 4*** slide area may change to artificial turf, pool deck expansion area with shade structures and various games. This area will be completed by the end of Phase 4 vertical construction.

City staff is **concerned with the open-ended proposal for the Phase 4 amenity area.** City staff would recommend that the applicant be required to come back to the Planning Commission and City Council for approval of the Phase 4 amenity area when the applicant has more information to share with the city.

SITE & VICINITY DESCRIPTION

The subject property is located east of 400 East and north of North Town Road. The future extension of Hamblin Parkway will run along the eastern boundary of the site. Both northern and western boundaries of the subject property are adjacent to Ivins City.

NEIGHBORHOOD RESPONSE

The City Council agenda has been posted on the city website as well as City Hall, the Santa Clara Post Office, and local library. No comments have been received by city staff as of the writing of this report.

REVIEWING DEPARTMENTS

DEPARTMENT: *Building*
Recommendations: A geotechnical report will be required for all buildings in the project at the time of building permit submittal.
Required Revisions: None at this time.

DEPARTMENT: *Parks & Trails*
Recommendations: N/A
Required Revisions: N/A

DEPARTMENT: *Police & Fire*
Recommendations: N/A
Required Revisions: N/A

DEPARTMENT: *Power*
Recommendations: Public Utility Easements (PUE's) are required.
Required Revisions: None at this time.

Request: Plat Amendment & Updated Phasing/Amenity

DEPARTMENT: *Public Works*
Recommendations: Public Utility Easements (PUE's) are required. A final mylar with signature blocks is required.
Required Revisions: None at this time.

STATE CODE CONSIDERATIONS

Utah Code, Section 10-9a-608 includes requirements for subdivision amendments. To amend a subdivision, a city must hold at least one public meeting (not public hearing). Additionally, a public meeting to consider an amendment to a subdivision requires 10 days' notice rather than 24 hours' notice. A notice must also be sent to all property owners in the subdivision, with a notice in a visible location, with a sign of sufficient size and durability. City staff has determined that all State Code requirements have been met with this application.

CITY STAFF RECOMMENDATION

On November 9, 2023, the Planning Commission held a public meeting and forwarded a recommendation of Approval for this item to the City Council. City staff recommends that the City Council consider granting approval of the Plat Amendment (Phase 1) and Updated Phasing/Amenity Plan (Phases 1, 3, and 4) for Coyote Landing at Deserts Edge 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 record the Plat Amendment for Phase 1 and provide city staff with an electronic copy.
3. That the applicant be required to submit a Geotechnical Report for all buildings in the project prior to building permit issuance.
4. That the Updated Phasing/Amenity Plan for Deserts Edge be followed by the applicant and include the following amenities:
    a. Phase 1 will include the clubhouse, main pool, spa and pickleball courts to be completed by the end of Phase 1 vertical construction.
    b. Phase 3 will include the water play area to be completed by the end of Phase 3 vertical construction.
    c. Phase 4 will include a waterslide area by the end of Phase 4 vertical construction. If the Phase 4 amenities need to change based on future economic conditions, the applicant will be required to come back to the Planning Commission and City Council for approval when the applicant has more information to share with the city.

10-23-23

Coyote Landing at Deserts Edge Phase 1 Plat Amendment Narrative

The amendment to the phase 1 plat is being requested to include the front porch posts to be included in the building envelop. The post for the rear patio was already included in the original plat building envelop dimensions. With this amendment the covered front porches and rear patios will both be located within the building envelop. The driveways and sidewalk from the driveway up to the front porch will be limited common area as will the land directly behind each unit.

Added private parking stalls (similar to north amenity area) to accommodate the demand of both the amenity and guest parking to the town homes in the vicinity

new cross gutter

SHADE SHELTERS WITH BENCHES

LAWN

LAWN

LAWN

Phase 1

Phase 4

TRASH PAD

RAISED PLANTERS

SURGE TANK, TO BE SCREENED WITH VEGETATION

Phase 3

T

W W W

Amenity Phase 1 will include the clubhouse, main pool, spa and pickle ball courts to be completed by the end of ph1 vertical construction. Amenity Phase 3 will include the water play area and completed by the end of ph3 vertical construction. Depending on future economic conditions, the Phase 4 slide area may change to an artificial turf, pool deck expansion area with shade structures and various games such as corn hole, lawn ball, etc... This area will be completed by the end of the ph4 vertical construction.

Think Architecture

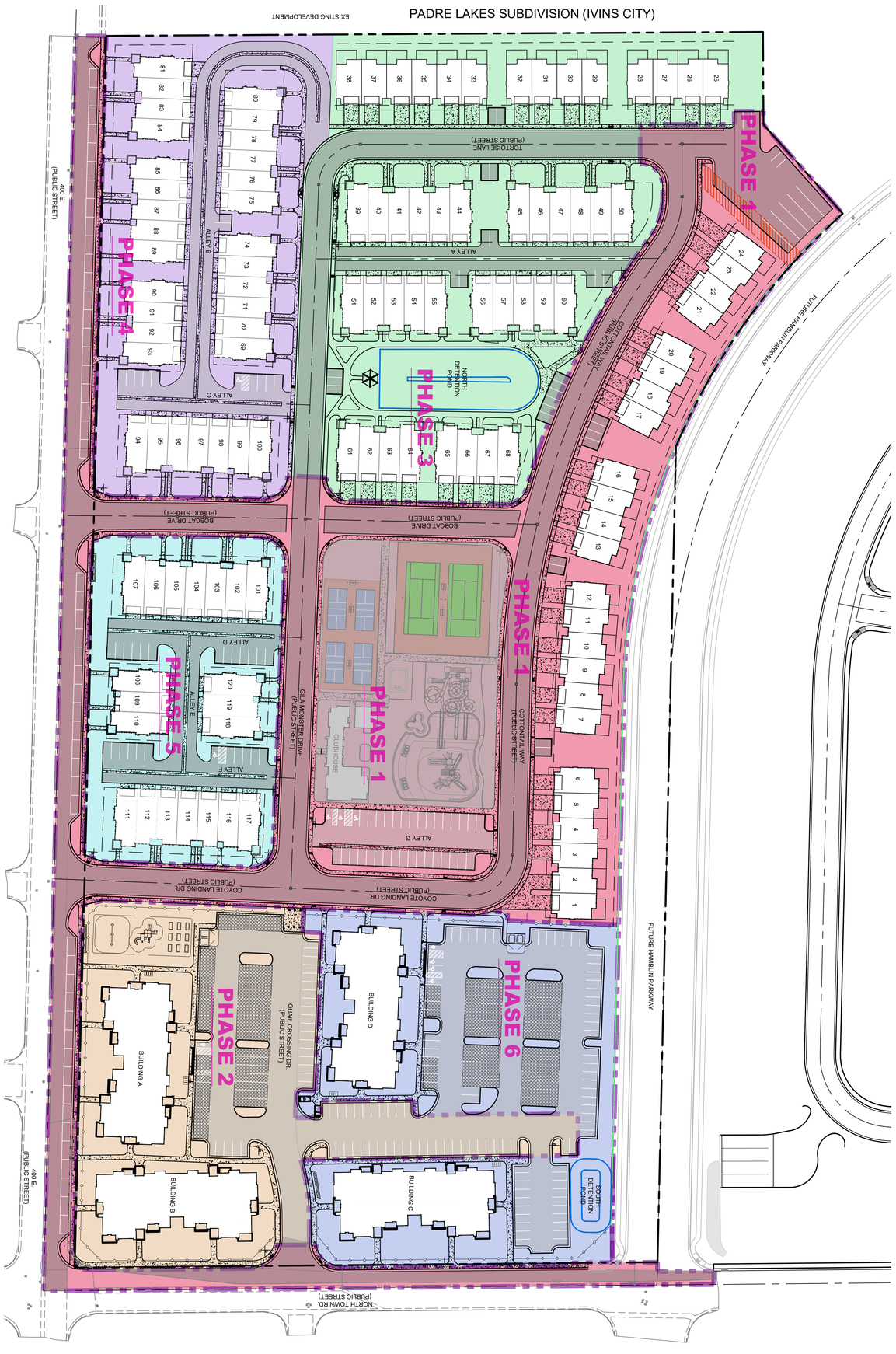
September 21, 2023*

0 30 60 90

Concept Plan

Deserts Edge, Santa Clara, Utah

H:\2022\Jul\3683\2106 quail crossing and coyote landing\project data\02 CAD\2.03 sheet files\construction drawings\Phase 1\LD Site Plan.dwg - SP-01 OVERALL SITE PLAN - 11/04/2022 10:43am tcarter



SCALE: 1" = 60'

QUAIL CROSSING AND COYOTE LANDING
PHASE 1

SANTA CLARA CITY, UTAH

OVERALL SITE PLAN

REGISTERED PROFESSIONAL ENGINEER
No. 12982989
-2202
TODD CARTER
07-18-22
STATE OF UTAH

DRAWING INFO	
DATE	11/04/2022
DESIGNED	SM
DRAWN	CC
CHECKED	TC
PROJECT	UT-LD-4549-21

REVISIONS		
REV #	DATE	

*SEE GENERAL NOTES SHEET

WARNING

0 1 2

IF THIS BAR DOES NOT MEASURE 2" THEN DRAWING IS NOT TO SCALE

HORROCKS ENGINEERS
555 South Bluff St., Suite 101
St. George, UT 84770
(435) 986-7888
www.horrocks.com

SP-01

GENERAL NOTES

1. NOT WITHSTANDING THE POSTING OF BOND FOR INSTALLATION OF OFF-SITE IMPROVEMENTS, NO BUILDING PERMIT WILL BE ISSUED FOR ANY LOT IN THIS SUBDIVISION UNTIL ALL UTILITIES ARE FULLY INSTALLED IN THE ENTIRE SUBDIVISION.

2. UNSTABLE SOIL CONDITIONS MIGHT EXIST ON LOTS IN THIS SUBDIVISION. PURCHASERS OF LOTS HEREIN HAVE THE SOLE RESPONSIBILITY FOR OBTAINING APPROPRIATE ENGINEERING SERVICES AND ADVICE RELATIVE TO THE USABILITY OF THE LOTS. THE CITY OF SANTA CLARA DISCLAIMS ALL RESPONSIBILITY FOR SUCH SOIL CONDITIONS, WATER CONTROL (SURFACE AND/OR SUBSURFACE), AND DRAINAGE CONTROL.

3. MINIMUM BUILDING SETBACK REQUIREMENTS ARE INCORPORATED INTO THE PAD LAYOUT AS SHOWN. FRONT YARD SETBACKS ARE 20 FEET, SIDE AND REAR YARD SETBACKS ARE 10 FEET. ALL STRUCTURES SHALL BE BUILT ENTIRELY WITHIN THEIR RESPECTIVE PAD.

4. ALL STREET LANDSCAPING SHALL CONFORM TO SANTA CLARA CITY'S LANDSCAPE ORDINANCE.

5. THE ASSOCIATION SHALL BE RESPONSIBLE FOR REPAIRING, RESTORING, OR REPLACING LANDSCAPING, OR OTHER PRIVATE IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION RESULTING FROM DAMAGE OR DISRUPTION CAUSED BY SANTA CLARA CITY IN INSTALLING, MAINTAINING, REPAIRING, OR REPLACING PUBLIC POWER, WATER, SEWER, AND DRAINAGE IMPROVEMENTS.

6. IN ADDITION TO ANNUAL, USUAL AND SPECIAL ASSESSMENTS FOR MAINTENANCE OF COMMON NON-PUBLIC IMPROVEMENTS CONTAINED WITHIN THIS SUBDIVISION, THE ASSOCIATION SHALL LEVY SUCH ASSESSMENTS AS MAY BE NECESSARY FROM TIME TO TIME TO REPAIR, RESTORE, OR REPLACE LANDSCAPING, OR OTHER PRIVATE IMPROVEMENTS CONTAINED WITHIN THIS RESULTING FROM DAMAGE OR DISRUPTION CAUSED BY SANTA CLARA CITY IN INSTALLING, MAINTAINING, REPAIRING, OR REPLACING POWER, WATER, SEWER AND DRAINAGE IMPROVEMENTS.

7. BY RECORDING THIS SUBDIVISION PLAT, EASEMENTS ARE HEREBY GRANTED TO THE COMMON USE OF THE PROPERTY OWNERS, BUT NOT TO THE USE OF THE GENERAL PUBLIC (UNLESS NOTED) WITHIN ALL COMMON AND LIMITED COMMON AREAS WITHIN THIS SUBDIVISION FOR INSTALLATION, ACCESS, MAINTENANCE, AND REPAIR OF ALL UTILITIES INCLUDING NATURAL GAS, CABLE TV, TELEPHONE, WATER AND POWER, AND FOR SEWER AND DRAINAGE IMPROVEMENTS.

8. ALL COMMON AREAS AND PRIVATE DRIVEWAYS SHOWN ON THIS PLAT ARE SUBJECT TO A PUBLIC UTILITIES AND DRAINAGE EASEMENT FOR INSTALLATION AND MAINTENANCE OF IMPROVEMENTS AND SUCH EASEMENTS SHALL BE SUBJECT TO THE RIGHT OF SANTA CLARA CITY TO REQUIRE THE HOMEOWNER'S ASSOCIATION TO ASSESS ITS MEMBERS TO REPAIR DRIVEWAYS, LANDSCAPING, ETC. WHERE NEEDED TO REPAIR OR REPLACE THE PUBLIC UTILITIES.

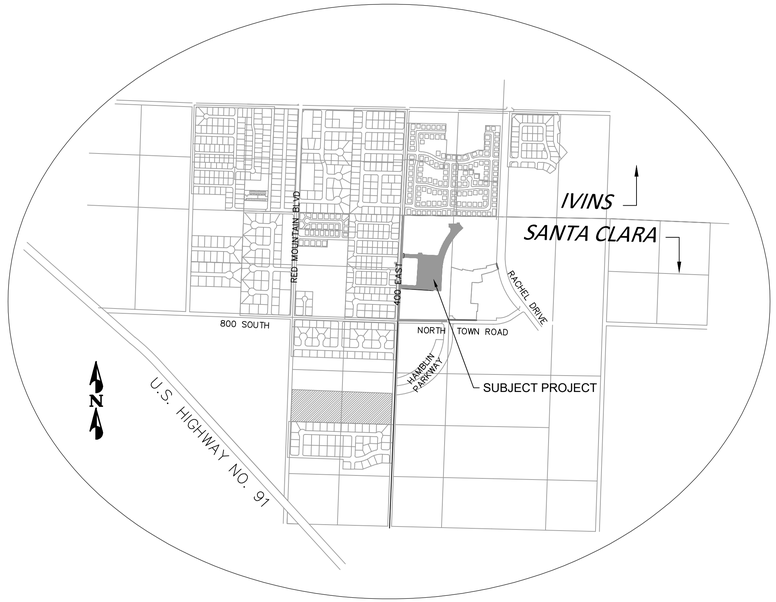
9. 10' PUBLIC UTILITY AND DRAINAGE EASEMENTS ARE HEREBY CREATED ALONG ALL STREET FRONTAGES BY RECORDING OF THIS PLAT.

GEOTECHNICAL INVESTIGATION

A GEOTECHNICAL INVESTIGATION WAS PERFORMED BY AGEC. THE INVESTIGATION RESULTS AND SPECIFIC RECOMMENDATIONS FOR THE CONSTRUCTION OF FOUNDATIONS, FLOOR SLABS, AND EXTERIOR FLATWORK ARE COMPLIED IN A REPORT DATED JULY 22, 2022. THIS REPORT IS AVAILABLE FROM THE DEVELOPER AND A COPY IS ON FILE WITH SANTA CLARA CITY. OWNERS, BUILDERS, AND CONTRACTORS SHOULD BECOME FAMILIAR WITH THIS REPORT AND COMPLY WITH ITS RECOMMENDATIONS.

AMENDMENT NARRATIVE

THE PURPOSE FOR AMENDING COYOTE LANDING AT DESERTS EDGE PHASE 1 IS TO EXPAND THE SIZE OF LOTS 1 THROUGH 24 TO ALLOW FOR DESIGNED 4 PLEX AND 6 PLEX BUILDINGS TO FIT WITHIN THE PRIVATE AREA OF THE LOTS.



VICINITY MAP

NOT TO SCALE

BOUNDARY DESCRIPTIONS

400 EAST, NORTH TOWN ROAD AND HAMBLIN PARKWAY:
BEGINNING AT THE SOUTH 1/4 CORNER OF SECTION 5, T42S, R16W, SLB&M, RUNNING THENCE N1°28'10"E, 1354.10 FEET ALONG THE CENTER SECTION LINE TO THE SOUTHWEST CORNER OF "PADRE LAKES TOWNHOMES – PHASE 2", FILED AS RECORDED NO. 483025 IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER; THENCE N89°39'24"E, 33.02 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID "PADRE LAKES TOWNHOMES – PHASE 2"; THENCE S1°28'10"W, 475.39 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY 31.77 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 91°00'26"; THENCE S2°22'57"W, 44.02 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, RADIAL LINE BEARS S0°28'03"W; THENCE SOUTHWESTERLY 31.07 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°59'53"; THENCE S1°28'10"W, 309.73 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY 31.14 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°11'52"; THENCE S0°44'25"W, 44.02 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, RADIAL LINE S2°16'19"W; THENCE SOUTHWESTERLY 31.70 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°48'08"; THENCE S1°28'10"W, 349.61 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY 32.12 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 92°01'16"; THENCE N89°26'54"E, 534.09 FEET TO THE POINT OF CURVATURE OF A 25.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHEASTERLY 38.46 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°09'05; THENCE N1°17'49"E, 590.85 FEET TO THE POINT OF CURVATURE OF A 706.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHEASTERLY 267.30 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°41'35"; THENCE S1°17'49"W, 904.92 FEET TO THE SOUTH LINE OF SAID SECTION 5; THENCE S89°26'54"W, 662.16 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING. CONTAINING 2.426 ACRES.

COYOTE LANDING AT DESERTS EDGE PHASE 1:
BEGINNING AT A POINT N1°28'10"E, 422.01 FEET ALONG THE CENTER SECTION LINE AND S88°31'50"E, 53.28 FEET FROM THE SOUTH 1/4 CORNER OF SECTION 5, T42S, R16W, SLB&M, RUNNING THENCE N0°44'25"E, 44.02 FEET; THENCE S87°43'42"E, 158.35 FEET TO THE POINT OF CURVATURE OF A 23.01 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, RADIAL LINE BEARS N2°15'40"E; THENCE NORTHEASTERLY 36.13 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°57'50"; THENCE N2°16'14"E, 307.70 FEET TO THE POINT OF CURVATURE OF A 23.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, RADIAL LINE BEARS N87°43'42"W; THENCE NORTHWESTERLY 36.52 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°57'55"; THENCE N88°42'11"W, 63.22 FEET TO THE POINT OF CURVATURE OF A 1978.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY 28.82 FEET THROUGH A CENTRAL ANGLE OF 0°50'05"; THENCE N89°32'16"W, 70.94 FEET; THENCE N2°22'57"E, 44.02 FEET; THENCE S89°32'16"E, 69.47 FEET TO THE POINT OF CURVATURE OF A 2022.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHEASTERLY 29.46 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°50'05"; THENCE S88°42'11"E, 64.75 FEET TO THE POINT OF CURVATURE OF A 23.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHEASTERLY 35.74 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°01'31"; THENCE S87°43'42"E, 22.00 FEET; THENCE N2°16'18"E, 1.53 FEET; THENCE S87°43'42"E, 22.00 FEET TO THE POINT OF CURVATURE OF A 23.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, RADIAL LINE BEARS S87°43'42"E; THENCE SOUTHEASTERLY 36.52 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°58'29"; THENCE S88°42'11"E, 168.77 FEET TO THE POINT OF CURVATURE OF A 23.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHEASTERLY 30.28 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 75°26'20" TO THE POINT OF CURVATURE OF A 843.73 FOOT RADIUS REVERSE CURVE; THENCE NORTHEASTERLY 302.22 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 20°31'23" TO THE POINT OF CURVATURE OF A 73.69 FOOT RADIUS NON-TANGENT REVERSE CURVE, RADIAL LINE BEARS N53°31'22"W; THENCE NORTHEASTERLY 47.09 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°36'33"; THENCE N0°03'45"W, 11.92 FEET TO THE POINT OF CURVATURE OF A 23.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY 36.13 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'07"; THENCE N0°01'15"W, 44.00 FEET; THENCE N89°56'15"E, 101.45 FEET; THENCE N0°20'51"W, 13.04 FEET; THENCE N89°41'27"E, 31.50 FEET; THENCE S0°20'51"E, 14.44 FEET; THENCE S41°43'39"E, 128.53 FEET TO THE POINT OF CURVATURE OF A 706.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, RADIAL LINE BEARS S41°43'40"E; THENCE SOUTHWESTERLY 578.83 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 46°58'32"; THENCE S1°17'49"W, 256.39 FEET; THENCE N87°48'32"W, 120.33 FEET TO THE POINT OF CURVATURE OF A 9.51 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, RADIAL LINE BEARS S89°46'37"W; THENCE NORTHWESTERLY 14.53 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 87°28'20"; THENCE N87°43'42"W, 6.07 FEET TO THE POINT OF CURVATURE OF A 67.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, RADIAL LINE BEARS N21°06'21"W; THENCE SOUTHWESTERLY 27.34 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°22'39"; THENCE N87°43'42"W, 394.91 FEET TO THE POINT OF BEGINNING. CONTAINING 5.807 ACRES.

NOTE: A CLOCKWISE ROTATION OF 1°18'39" APPLIED TO BEARINGS ON THE "PADRE LAKES TOWNHOMES – PHASE 2" RECORDED PLAT WILL MATCH BEARINGS SHOWN ON THIS PLAT. A CLOCKWISE ROTATION OF 1°18'07" APPLIED TO BEARINGS ON RED MOUNTAIN TOWNHOMES PHASES 1, 2, AND 3 RECORDED PLATS, AND BEARINGS SHOWN ON THE DESERT SAGE SUBDIVISION RECORDED PLAT WILL MATCH BEARINGS SHOWN ON THIS PLAT.

SURVEYOR'S CERTIFICATE

I, ROGER M. BUNDY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 7654, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, HAVE VERIFIED ALL MEASUREMENTS, HAVE PLACED MONUMENTS AS SHOWN IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, COMMON AREA, LIMITED COMMON AREA, PUBLIC STREETS AND EASEMENTS HEREAFTER KNOWN AS:

COYOTE LANDING AT DESERTS EDGE PHASE 1 AMENDED

10/25/23
DATE:

10/25/23
7654
ROGER M. BUNDY
Roger M. Bundy
STATE OF UTAH
PROFESSIONAL LAND SURVEYOR

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF ALL THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, COMMON AREA, LIMITED COMMON AREA, PUBLIC STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS:

COYOTE LANDING AT DESERTS EDGE PHASE 1 AMENDED

FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNER DOES HEREBY DEDICATE AND CONVEY TO SANTA CLARA CITY FOR PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN AS PUBLIC STREETS AND EASEMENTS. ALL PARCELS OF LAND SHOWN OR NOTED AS LOTS, COMMON AND LIMITED COMMON AREAS ARE NOT FOR THE USE OF THE PUBLIC. ALL LOTS, COMMON AND LIMITED COMMON AREAS ARE AS NOTED OR SHOWN. ALL LOTS, COMMON AND LIMITED COMMON AREAS SHOWN OR NOTED ON THIS PLAT ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, FOR "COYOTE LANDING AT DESERTS EDGE" DATED JULY 20, 2023 AND RECORDED CONCURRENTLY WITH COYOTE LANDING AT DESERTS EDGE PHASE 1 PLAT AS ENTRY NO. 20230021599 IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER. SAID DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ARE HEREBY INCORPORATED AND MADE PART OF THIS PLAT. THE OWNERS DO HEREBY WARRANT TO SANTA CLARA CITY IT'S SUCCESSORS AND ASSIGNS, TITLE TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREIN AGAINST THE CLAIMS OF ALL PERSONS.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS_____DAY OF,_____2023.

DESERTS EDGE HOLDINGS, LLC, A UTAH LIMITED LIABILITY COMPANY

BY: _____
ROBERT SMITH, MANAGER

LIMITED LIABILITY COMPANY ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF WASHINGTON } S.S.

ON THE_____DAY OF_____, 2023, PERSONALLY APPEARED BEFORE ME ROBERT SMITH, WHO BEING DULY SWORN SAYS THAT HE IS MANAGER OF DESERTS EDGE HOLDINGS, LLC, A UTAH LIMITED LIABILITY COMPANY AND THAT HE EXECUTED THE HEREON OWNER'S DEDICATION IN BEHALF OF SAID LIMITED LIABILITY COMPANY, BEING AUTHORIZED AND EMPOWERED TO DO SO BY THE OPERATING AGREEMENT OF DESERTS EDGE HOLDINGS, LLC AND HE ACKNOWLEDGED TO ME THAT DESERTS EDGE HOLDINGS, LLC EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC FULL NAME: _____

COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

NOTARY COMMISSIONED IN WASHINGTON COUNTY, UTAH
(STAMP NOT REQUIRED IF ABOVE INFORMATION IS PROVIDED PER UTAH CODE, TITLE 46, CHAPTER 1, SECTION 16)

Final Plat of:

COYOTE LANDING AT DESERTS EDGE PHASE 1 AMENDED

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 42 SOUTH, RANGE 16 WEST, SLB&M
SANTA CLARA CITY, UTAH

R&B SURVEYING, INC.
862 CAMINO PICO, WASHINGTON, UT 84780
PH: (435) 632-3540

ENGINEER'S APPROVAL:

THE HEREON SUBDIVISION HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE, THIS_____ DAY OF_____, 2023.

ENGINEER
SANTA CLARA CITY, UTAH

APPROVAL OF THE PLANNING COMMISSION:

ON THIS THE_____DAY OF_____, A.D. 2023, THE PLANNING COMMISSION OF SANTA CLARA CITY, HAVING REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF SANTA CLARA CITY'S PLANNING ORDINANCES, AND BY AUTHORIZATION OF SAID COMMISSION HERBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY SANTA CLARA CITY, UTAH.

CHAIRMAN OF THE PLANNING COMMISSION
SANTA CLARA CITY, UTAH

CITY SURVEYOR'S CERTIFICATE:

I THE SANTA CLARA CITY SURVEYOR, DO HERBY VERIFY THAT THIS OFFICE HAS EXAMINED THIS SUBDIVISION PLAT AND HAVE DETERMINED THAT IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE, THIS_____DAY OF _____, 2023.

CITY SURVEYOR
SANTA CLARA CITY, UTAH

APPROVAL AND ACCEPTANCE BY THE CITY OF SANTA CLARA, UTAH:

WE, THE MAYOR AND THE CITY COUNCIL OF SANTA CLARA CITY, UTAH, HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORDED IN THE MINUTES OF IT'S MEETING OF THE_____DAY OF _____A.D. 2023, HEREBY ACCEPT SAID SUBDIVISION WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.

ATTEST: CITY RECORDER
SANTA CLARA CITY, UTAH

MAYOR
SANTA CLARA CITY, UTAH

APPROVAL AS TO FORM:

APPROVED AS TO FORM, THIS _____DAY OF_____, A.D. 2023.

CITY ATTORNEY
SANTA CLARA CITY, UTAH

TREASURER APPROVAL

I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS_____DAY OF _____, A.D. 2023 THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.

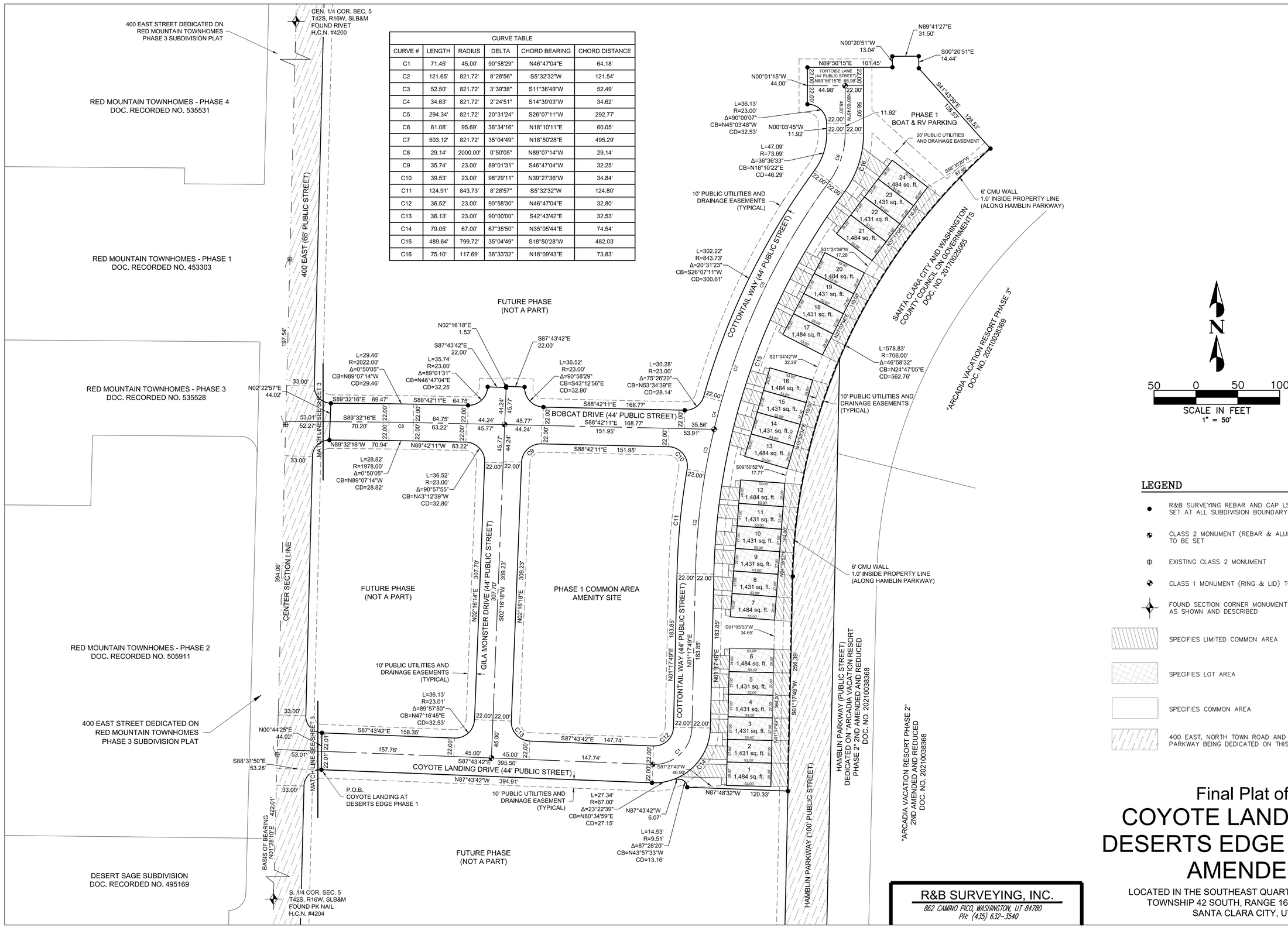
WASHINGTON COUNTY TREASURER

RECORDED NUMBER

_____ FEE: _____

WASHINGTON COUNTY RECORDER
WASHINGTON COUNTY, UTAH

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	71.45'	45.00'	90°58'29"	N46°47'04"E	64.18'
C2	121.65'	821.72'	8°28'56"	S5°32'32"W	121.54'
C3	52.50'	821.72'	3°39'38"	S11°36'49"W	52.49'
C4	34.63'	821.72'	2°24'51"	S14°39'03"W	34.62'
C5	294.34'	821.72'	20°31'24"	S26°07'11"W	292.77'
C6	61.08'	95.69'	36°34'16"	N18°10'11"E	60.05'
C7	503.12'	821.72'	35°04'49"	N18°50'28"E	495.29'
C8	29.14'	2000.00'	0°50'05"	N89°07'14"W	29.14'
C9	35.74'	23.00'	89°01'31"	S46°47'04"W	32.25'
C10	39.53'	23.00'	98°29'11"	N39°27'36"W	34.84'
C11	124.91'	843.73'	8°28'57"	S5°32'32"W	124.80'
C12	36.52'	23.00'	90°58'30"	N46°47'04"E	32.80'
C13	36.13'	23.00'	90°00'00"	S42°43'42"E	32.53'
C14	79.05'	67.00'	67°35'50"	N35°05'44"E	74.54'
C15	489.64'	799.72'	35°04'49"	S18°50'28"W	482.03'
C16	75.10'	117.69'	36°33'32"	N18°09'43"E	73.83'



LEGEND

- R&B SURVEYING REBAR AND CAP LS NO. 7654 SET AT ALL SUBDIVISION BOUNDARY CORNERS
- CLASS 2 MONUMENT (REBAR & ALUMINUM CAP) TO BE SET
- EXISTING CLASS 2 MONUMENT
- CLASS 1 MONUMENT (RING & LID) TO BE SET
- FOUND SECTION CORNER MONUMENT AS SHOWN AND DESCRIBED
- SPECIFIES LIMITED COMMON AREA
- SPECIFIES LOT AREA
- SPECIFIES COMMON AREA
- 400 EAST, NORTH TOWN ROAD AND HAMBLIN PARKWAY BEING DEDICATED ON THIS PLAT

Final Plat of:
COYOTE LANDING AT DESERTS EDGE PHASE 1 AMENDED

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 42 SOUTH, RANGE 16 WEST, SLB&M
SANTA CLARA CITY, UTAH

R&B SURVEYING, INC.
862 CAMINO PICO, WASHINGTON, UT 84780
PH: (435) 632-3540

400 EAST STREET DEDICATED ON
DESERT SAGE SUBDIVISION PLAT

P.O.B.
400 EAST, NORTH TOWN ROAD
AND HAMBLIN DRIVE

400 EAST STREET (PUBLIC STREET)

400 EAST STREET (PUBLIC STREET)

BASIS OF BEARING
N1°28'10"E 1354.10' (S 1/4 TO 1/16TH) (SW CORNER OF PADRE LAKES TH PH 2)

S. 1/4 COR. SEC. 5
T42S, R16W, SLB&M
FOUND PK NAIL
H.C.N. #4204

52.40'
227.02'
212.03'
394.06'
197.54'
54.82'
33.00'
33.00'
33.00'
33.00'
33.00'
400 EAST (66' PUBLIC STREET)
S87°43'42"E 53.01'
S89°32'16"E 53.01'
S01°28'10"W 349.61'
S01°28'10"W 309.73'
S01°28'10"W 475.39'
30.50'
L=32.12'
R=20.00'
Δ=92°01'16"
L=31.70'
R=20.00'
Δ=90°48'08"
22.01'
22.01'
MATCH LINE SEE SHEET 2
L=31.14'
R=20.00'
Δ=89°11'52"
S00°44'25"W
44.02'
L=31.07'
R=20.00'
Δ=88°59'53"
22.01'
22.01'
MATCH LINE SEE SHEET 2
L=31.77'
R=20.00'
Δ=91°00'26"
S02°22'57"W
44.02'
N89°39'24"E
33.02'
CEN. 1/4 COR. SEC. 5
T42S, R16W, SLB&M
FOUND RIVET
H.C.N. #4200

10' PUBLIC UTILITIES AND
DRAINAGE EASEMENTS
(TYPICAL)

FUTURE PHASE
(NOT A PART)

COYOTE LANDING DRIVE (44' PUBLIC STREET)

GILA MONSTER DRIVE (44' PUBLIC STREET)

PADRE LAKES TOWNHOMES - PHASE II
DOC. RECORDED NO. 483025

FUTURE PHASE
(NOT A PART)

FUTURE PHASE
(NOT A PART)

NORTH TOWN ROAD (PUBLIC STREET)
S89°26'54"W 662.16'
534.09'
N89°26'54"E 534.09'

PHASE 1 COMMON AREA
AMENITY SITE

BOBCAT DRIVE (44' PUBLIC STREET)

L=38.46'
R=25.00'
Δ=88°09'05"
30.50'
73.25'
50.05'
53.11'
N01°17'49"E 590.85'
267.16'
R=706.00'
Δ=21°41'35"
50.05'
HAMBLIN PARKWAY (100' PUBLIC STREET)
S01°17'49"W 904.92'
HAMBLIN PARKWAY (PUBLIC STREET)
DEDICATED ON "ARCADIA VACATION RESORT
PHASE 2" 2ND AMENDED AND REDUCED
DOC. NO. 20210038368

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24

COTTONTAIL WAY (44' PUBLIC STREET)

10' PUBLIC UTILITIES AND
DRAINAGE EASEMENTS
(TYPICAL)

TORTOISE LANE
(44' PUBLIC STREET)

PHASE 1
BOAT & RV PARKING

20' PUBLIC UTILITIES
AND DRAINAGE EASEMENT

NORTH TOWN ROAD (PUBLIC STREET)
DOC. NO. 20100014031

"ARCADIA VACATION RESORT PHASE 2"
2ND AMENDED AND REDUCED
DOC. NO. 20210038368

SANTA CLARA CITY AND WASHINGTON
COUNTY COUNCIL ON GOVERNMENTS
DOC. NO. 20170025065

"ARCADIA VACATION RESORT PHASE 3"
DOC. NO. 20210038369

SCALE IN FEET
1" = 50'
50 0 50 100

N

LEGEND

- R&B SURVEYING REBAR AND CAP LS NO. 7654 SET AT ALL SUBDIVISION BOUNDARY CORNERS
- CLASS 2 MONUMENT (REBAR & ALUMINUM CAP) TO BE SET
- EXISTING CLASS 2 MONUMENT
- CLASS 1 MONUMENT (RING & LID) TO BE SET
- FOUND SECTION CORNER MONUMENT AS SHOWN AND DESCRIBED
- SPECIFIES LIMITED COMMON AREA
- SPECIFIES LOT AREA
- SPECIFIES COMMON AREA
- 400 EAST, NORTH TOWN ROAD AND HAMBLIN PARKWAY BEING DEDICATED ON THIS PLAT

Final Plat of:
COYOTE LANDING AT DESERTS EDGE PHASE 1 AMENDED

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 42 SOUTH, RANGE 16 WEST, SLB&M
SANTA CLARA CITY, UTAH

R&B SURVEYING, INC.
862 CAMINO PICO, WASHINGTON, UT 84780
PH: (435) 632-3540

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF
SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 9

Applicant: Santa Clara City **Requested by:** Jim McNulty

Subject: Updates to Chapter 5.04, Business Licenses and Regulations, and Chapter 9.12.021, Excessive Noise Prohibited.

Description:

City staff discussed this item with the City Council on November 15, 2023, during a work meeting. The City Council asked city staff to bring this item back for review and approval in December. Please see the attached supporting documents.

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

CITY OF SANTA CLARA
FOUNDED 1854

TO: Santa Clara City Council

FROM: Jim McNulty, Planning Manager

DATE: December 13, 2023

RE: Updates to Chapter 5.04 (Business Licenses and Regulations), and Chapter 9.12.021 (Excessive Noise Prohibited)

City staff had a discussion with the City Council on November 15, 2023, regarding updates to city code. Recently, there has been concern with commercial businesses and food trucks within close proximity of residential properties in the city. The City Council asked city staff to bring this item back for review and approval in December. As a result, the following updates are proposed to city code:

1. **Chapter 5.04, Business Licenses and Regulations:**

    a. Commercial businesses within 100' of residential property required to meet the following:
        i. The business may be open no earlier than 6:00 AM and no later than 10:00 PM Sunday through Thursday.
        ii. The business may be open no earlier than 6:00 AM and no later than 12:00 PM on Friday and Saturday.
        iii. The use of a drive-up or drive-thru pickup window service must comply with Chapter 9.12.021.

    b. Any food truck is required to meet the following:
        i. A business license and annual health department inspection is required for food trucks. A food truck must comply with Chapter 9.12.021.

2. **Chapter 9.12.021, Excessive Noise Prohibited:**

    a. The use of a drive-up or drive-thru pickup window service before 6:00 AM or after 10:00 PM daily for businesses within 100' of residential property.
    b. The use of drive-up or drive-thru speakers emitting no more than 50 decibels not being audible above daytime ambient noise levels.
    c. The use of a food truck with or without a generator within 75' of residential property.

Recommendation:

City staff recommends that the City Council consider approving the proposed City Code Updates to Chapter 5.04, Business Licenses and Regulations, and Chapter 9.12.021, Excessive Noise Prohibited.

TITLE 5
BUSINESS LICENSES AND REGULATIONS

CHAPTER 5.04
GENERAL LICENSING PROVISIONS

SECTION:

5.04.010: Definitions

5.04.020: Business License Required

5.04.030: License Assessor And Collector

5.04.040: Payment Dates

5.04.050: Penalty For Late Payment

5.04.060: Applications For License

5.04.070: Certificate

5.04.080: Display

5.04.090: Transfer Of License Prohibited

5.04.100: Revocation Or Denial Of Business License

5.04.110: Branch Establishments

5.04.120: Joint License

5.04.130: Reciprocal Recognition Of Licenses

5.04.140: Exemptions To License

5.04.150: Fee Not To Constitute Undue Burden On Interstate Commerce

5.04.160: Categories And Fee Schedule

5.04.170: Business Licenses And Regulations

5.04.180: Residential Rental Properties

5.04.190: Commercial Businesses and

5.04.200: Food Trucks

5.04.010: DEFINITIONS:

As used in this title:

BUSINESS: Means and includes all kinds of vocations, occupations, professions, enterprises, establishments and all other kinds of activities and matters, whether full time or part time, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit or benefit, either directly or indirectly, on any premises within this city or anywhere within its jurisdiction.

EACH SEPARATE PLACE OF BUSINESS: Each separate establishment or place of operation, whether or not operating under the same name, within the city, including a home or other place of lodging if the same is held out by advertisements, listings or otherwise as the establishment or place of operation of a person engaging in the business of selling tangible, personal property at either retail or wholesale, or both, in the city.

EMPLOYEE: The operator, owner or manager of a place of business and any persons employed by such person in the operation of said place of business in any capacity and also any salesman, agent or independent contractor engaged in the operation of the place of business in any capacity.

ENGAGING IN BUSINESS: Means and includes, but is not limited to, the sale of tangible personal property at retail or wholesale, the manufacturing of goods or property and the rendering of personal services for others for a consideration by persons engaged in any profession, trade, craft, business, occupation or other calling, except the rendering of personal services by an employee to his or her employer under any contract of personal employment.

PLACE OF BUSINESS: Each separate location maintained or operated by the licensee within this city from which business activity is conducted or transacted.

WHOLESALE: A sale of tangible personal property by wholesalers to retail merchants, jobbers, dealers or other wholesalers for resale, and does not include a sale by wholesalers or retailers to users or consumers not for resale, except as otherwise specified.

WHOLESALER: A person doing a regularly organized wholesale jobbing business and selling to retail merchants, jobbers, dealers or other wholesalers, for the purpose of resale. (Ord. 99-25 § 1: prior code § 9-111)

5.04.020: BUSINESS LICENSE REQUIRED:

It shall be a class B misdemeanor for any person to transact, engage in or carry on any business, trade, profession, calling or to operate a vending, pinball or coin operated machine without first receiving the class or type of license required by the city. (Prior code § 9-112)

5.04.030: LICENSE ASSESSOR AND COLLECTOR:

The recorder is designated and appointed as ex officio assessor of license fees for this city. On receipt of any application of a license, the recorder shall assess the amount due thereon

and shall collect all license fees based upon the rate established by ordinance. He or she shall enforce all provisions of this title, and shall cause to be filed complaints against all persons violating any of the provisions of this title. (Prior code § 9-113)

5.04.040: PAYMENT DATES:

All license fees shall be due and payable as follows, except as may be otherwise provided in the applicable ordinance:

A. Annual fees shall be payable before each calendar year in advance. The annual license shall date from January 1 of each year and shall expire on December 31 of each year.

B. Annual fees shall be due on the first day of each calendar year and shall become delinquent if not paid by February 1 each year.

C. One-half (1/2) of annual fee shall be payable for all licenses issued by the city pursuant to applications made after July 1 of each year and licenses issued after July 1 shall expire on the following January 1. Payment shall be due upon the date of application approval. (Prior code § 9-114)

5.04.050: PENALTY FOR LATE PAYMENT:

If any license fee is not paid within thirty (30) days of the due date, a penalty of fifty percent (50%) of the amount of such license fee shall be added to the original amount thereof. No license shall be issued until all penalties legally assessed have been paid in full. (Ord. 2005-02 § 2: prior code § 9-115)

5.04.060: APPLICATIONS FOR LICENSE:

A. All applications for license shall include:

1. The name of the person desiring a license;

2. The kind of license desired, stating the business, calling, trade or profession to be performed, practiced or carried on;

3. The class of license desired, if such licenses are divided into classes;

4. The place where such business, calling, trade or profession is to be carried on, giving the street number if the business calling, trade or profession is to be carried on in any building or enclosure having such number;

5. The period of time for which such license is desired to be issued.

B. In the event that the license application relates to a coin operated machine or device, the application shall identify the machine or device to which it applies and the location thereof. (Prior code § 9-116)

5.04.070: CERTIFICATE:

All certificates of license shall be signed by the mayor, attested by the recorder, and shall contain the following information:

A. The name of the person to whom such certificate has been issued;

B. The amount paid;

C. The type of license and the class of such license if licenses are divided into classes;

D. The term of the license with the commencing date and the date of its expiration;

E. The place where such business, calling, trade or profession is to be conducted. (Prior code § 9-117)

5.04.080: DISPLAY:

A. Every certificate of license issued under this title shall be posted by the licensee in a conspicuous place upon the wall of the building, room or office of the place of business so that the same may be easily seen. When such certificate of license has expired, it shall be removed by the licensee from such place in which it has been posted, and no certificate of license which is not in force and effect shall be permitted to remain posted upon the wall or any part of any room within the place of business. If the licensee's business is such that a license cannot be displayed due to the transient or mobile nature of the business, then the licensee shall carry the license on his or her person ready to be shown on request by an authorized officer during all such time or times while the licensee is engaged in or pursuing the business for which a license is granted.

B. In the event the license is for a coin operated machine or device, the certificate shall be attached or displayed in the immediate vicinity of the machine for which it has been issued. (Prior code § 9-118)

5.04.090: TRANSFER OF LICENSE PROHIBITED:

No license granted or issued under any ordinance of this city shall be assigned or transferred to any other person. It shall not be deemed to authorize any person other than therein named to do business or to authorize any other business, calling, trade or profession than is herein named unless by permission of the city council. (Prior code § 9-119)

5.04.100: REVOCATION OR DENIAL OF BUSINESS LICENSE:

A. Any license issued pursuant to the provisions of this code or of any ordinance of this city may be revoked and any application denied by the city council because of:

1. The failure of the licensee or applicant to comply with conditions and requirements of this code or any ordinance of the city;

2. Unlawful activities conducted or permitted on the premises where the business is conducted.

B. Prior to the revocation of a license or denial of an application to renew business license, the licensee or applicant shall be given a notice which shall state in substance that the city council intends to revoke the business license or deny the application to renew, together with the reason or reasons therefor, at a regular or special meeting of the city council (which shall be at least 10 days and not more than 30 days from the date notice is sent) and that the licensee or applicant has a right to appear, to be represented by counsel, to hear the evidence against him or her, to cross examine witnesses and to present evidence as to why the license should not be revoked or the application denied.

C. The preceding subsection shall not apply to applications for licenses for businesses which have not previously been licensed by the city, and such applicants need only be informed that their application has been denied. (Prior code § 9-120)

5.04.110: BRANCH ESTABLISHMENTS:

A separate license must be obtained for each separate place of business in the city and each license shall authorize the licensee to engage only in the business licensed thereby at the location or in the manner designated in such license, provided, that warehouses and distributing places used in connection with or incident to a business licensed under this part shall not be deemed to be separate places of business or branch establishments. (Prior code § 9-121)

5.04.120: JOINT LICENSE:

A person engaged in two (2) or more businesses at the same location may be required to obtain separate licenses for conducting each of such businesses, except that in the discretion of the city when such businesses are complementary a single license may be issued which shall specify on its face all such businesses operated at that location. A fee for each separate business activity specified on the face of such license shall be required. However, such joint license shall not include licenses for beer, liquor setups, or amusement devices. (Ord. 99-25 § 1: prior code § 9-122)

5.04.130: RECIPROCAL RECOGNITION OF LICENSES:

A. No license shall be required for operation of any vehicle or equipment in this city when:

1. Such vehicle is merely passing through the city;

2. Such vehicle is used exclusively in intercity or interstate commerce.

B. No license shall be required by this title of any person whose only business activity in this city is the mere delivery in the city of property sold by him or her at a regular place of business maintained by him or her outside the city where:

1. Such person's business is at the time of such delivery licensed by the Utah municipality or county in which such place of business is situated; and

2. The authority licensing such business grants to licensees of this city making deliveries within its jurisdiction the same privileges, upon substantially the same terms, as are granted by this section; and

3. Neither the property delivered nor any of the facilities by which it was manufactured, produced or processed are subject to inspection by authority of this city for compliance with health or sanitary standards prescribed by this city; and

4. The truck or other conveyance by which such delivery is made prominently displays at all times a license plate or symbol used by the said licensing authority to evidence such business license. Such plate or symbol shall identify the licensing authority by which it is issued, shall indicate that it evidences a license issued thereby, and shall specify the year or term for which it is effective.

C. The recorder shall at the request of any person certify a copy of this section to any municipality or county of the state of Utah to which a copy has not previously been certified. (Prior code § 9-123)

5.04.140: EXEMPTIONS TO LICENSE:

A. No license fee shall be imposed under section 5.04.160 of this chapter on any person engaged in business for solely religious, charitable, eleemosynary or any other types of strictly nonprofit purpose which is tax exempt in such activities under the laws of the United States and the state of Utah, nor shall any license fee be imposed on any person engaged in a business specifically exempted from municipal taxation and fees by the laws of the United States or the state of Utah; nor shall any license fee be imposed upon any person not maintaining a place of business within this city who has paid a like or similar license tax or fee to some other taxing unit within the state of Utah and which taxing unity exempts from its license tax or fee, by reciprocal agreement or otherwise, businesses domiciled in this city and doing business in such taxing unit.

B. The license assessor and collector may, with approval of the city council, enter into reciprocal agreements with the proper officials of other taxing units, as may be deemed equitable and proper in effecting the exemption provided for in subsection A of this section. (Prior code § 9-124)

5.04.150: FEE NOT TO CONSTITUTE UNDUE BURDEN ON INTERSTATE COMMERCE:

None of the license taxes provided for by section 5.04.160 of this chapter shall be applied as to occasion an undue burden on interstate commerce. In any case, where a license tax is believed by a licensee or applicant for license to place an undue burden upon such commerce, he or she may apply to the license assessor and collector for an adjustment of the tax so that it shall not be discriminatory, unreasonable or unfair as to such commerce. Such application may be made before, at or within six (6) months after payment of the prescribed license tax. The applicant shall, by affidavit and supporting testimony show his or her method of business and the gross volume or estimated gross volume of business and such other information as the license assessor and collector may deem necessary in order to determine the extent, if any, of such undue burden on such commerce. The license assessor and collector shall then conduct an investigation, comparing applicant's business with other businesses of like nature and shall make findings of facts from which he or she shall determine whether the tax fixed by section 5.04.160 of this chapter is discriminatory, unreasonable or unfair as to applicant's business and shall recommend to the city council a license tax for the applicant in an amount that is nondiscriminatory, reasonable and fair, and if the city council is satisfied that such license tax is the amount that the applicant should pay, it shall fix the license tax in such amount. If the regular license tax has already been paid, the city council shall order a refund of the amount over and above the tax fixed by the city council. In fixing the fee to be charged, the license assessor and collector shall have the power to base the fee upon a percentage of gross sales, or employees, or may use any other method which will assure that the fee assessed shall be uniform with that assessed on businesses of like nature. (Prior code § 9-125)

5.04.160: CATEGORIES AND FEE SCHEDULE:

A. 1. Commercial (at an established commercial business location): fee as established by council from time to time.

2. Home occupations (conducted entirely from residence): fee as established by council from time to time.

B. Violation of the ordinance codified herein shall be a class B misdemeanor, punishable as set forth in this code. (Ord. 2000-12 §§ 1, 3: Ord. 95-104 § 1: prior code § 9-211)

5.04.170: BUSINESS LICENSES AND REGULATIONS:

A. License And Operational Requirements:

1. License Required: It is unlawful for any person to keep, conduct, operate or maintain a "short term residential rental property" as defined in section 17.20.260 of this code within the city without a business license for such dwelling unit. A person who owns multiple short-term residential rental properties is not required to obtain more than one business license for the operation and maintenance of those short-term residential rental properties.

2. License Not Transferable: A short term residential rental property business license is not transferable between persons or structures. Any person holding such license shall give written notice within thirty (30) days to the business license official after having transferred or otherwise disposed of legal or equitable control of any rental dwelling unit licensed under this section. Such notice of transferred interest shall be deemed a request to cancel an existing business license for such rental dwelling unit and shall include the name, address, and information regarding the person(s) succeeding to the ownership or control thereof.

3. Transient Room Tax: All short-term residential rental properties shall be subject to the collection of the municipality transient room tax as allowed under Utah Code.

4. Garbage Removal: Garbage shall be removed from the property by the owner or property manager and properly disposed of within twenty-four (24) hours of tenants leaving the property.

5. Cleaning Service: Each property shall be cleaned at least weekly while occupied and in between tenant occupancy. Each property shall also comply with the sanitary facilities requirements outlined for motels in this code.

6. Local Property Manager Required: All short-term residential rental properties shall designate a local property manager. The local property manager shall be available twenty-four (24) hours per day to respond to tenant and neighborhood questions or concerns. Each short-term residential rental property shall have a clearly visible sign within the unit containing the following information: the name and phone number of the local property manager, and the maximum occupancy of the unit, and the day of garbage pick-up.

7. Owner And Property Manager Responsible: The owner and property manager shall be jointly and severally liable for any violations of this section. Any rental dwelling unit which is found in violation of this section, or any other requirement of this code may be subject to revocation of the short-term residential rental properties business license.

B. City Inspections: The city may require an inspection of the rental dwelling unit as a condition of obtaining or renewing a business license if determined necessary by city staff. (Ord. 2023-07)

5.04.180: RESIDENTIAL RENTAL PROPERTIES:

A. License Required:

1. It is unlawful for any person to keep, conduct, operate or maintain a rental dwelling unit within the city without a business license for such dwelling. A person who owns multiple rental dwelling units or multiple buildings containing rental dwelling units is not required to obtain more than one business license for the operation and maintenance of those rental dwelling units.

2. A rental dwelling unit business license is not transferable between persons or structures. Any person holding such license shall give written notice within thirty (30) days to the business license official after having transferred or otherwise disposed of legal or equitable control of any rental dwelling unit licensed under this chapter. Such notice of transferred interest shall be deemed a request to cancel an existing business license for such rental dwelling unit and shall include the name, address, and information regarding the person(s) succeeding to the ownership or control thereof. The new owner shall obtain a business license as required by this chapter.

3. A business license shall not be required for a dwelling unit which is ordinarily owner occupied but is temporarily rented because:

a. The owner is placed in a hospital, nursing home, assisted living facility or other similar facility; or

b. The owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, or voluntary service. Indefinite periods of absence from the dwelling shall not qualify for this exception; or

c. The owner is on extended military deployment.

B. City Inspections: The city may require an inspection of the rental dwelling unit as a condition of obtaining or renewing a business license if determined necessary by city staff. (Ord. 2023-07)

5.04.190: COMMERCIAL BUSINESSES:

A. Any commercial business within one hundred feet (100') of residential property is required to meet the following:

1. The business may be open no earlier than 6:00 AM and no later than 10:00 PM Sunday through Thursday.

2. The business may be open no earlier than 6:00 AM and no later than 12:00 PM on Friday and Saturday.

3. The use of a drive-up or drive-thru pickup window service must meet the requirements of Chapter 9.12.021, Excessive Noise Prohibited, of city code.

5.04.200: FOOD TRUCKS:

A. Any food truck is required to meet the following:

1. A food truck is required to get a business license as well as an annual health department inspection, and fire safety inspection. A business license will be granted if the applicant can provide verification of a business license, annual health department inspection, and current fire safety inspection from other Utah jurisdictions. A food truck must meet the requirements of Chapter 9.12.021, Excessive Noise Prohibited, of city code.

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CHAPTER 9.12.021: EXCESSIVE NOISE PROHIBITED; SPECIFICALLY:

The following acts, among others, are declared to be loud, ~~disturbing~~disturbing, or unnecessary noises in violation of this section.

A. The sounding of any horn or signaling device on any automobile, ~~motorcycle~~motorcycle, or other vehicle, except as a danger warning; the creation by means of any such signaling device of any unreasonable loud or harsh sound; the sounding of any such device for an unnecessary or unreasonable period of time, the use of any horn, whistle or other device operated by engine exhaust.

B. The using, operating, or permitting to be played, used or operated in residential areas of any television, radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are volunteer listeners thereto. The operation of any such set, instrument, phonograph, ~~machine~~machine, or device before 7:00 AM or after 11:00 PM~~between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M.~~ in such a manner as to be plainly audible at a distance of thirty feet (30') from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this subsection. At other times, the operation of any such set, instrument, phonograph, ~~machine~~machine, or device as to be plainly audible at a distance of fifty feet (50') from the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this subsection.

C. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instruments, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound upon the public streets for the purpose of commercial advertising or attracting attention of the public to any building or structure without or in violation of a permit issued pursuant to section 9.12.023 of this chapter.

D. Yelling, shouting, hooting, ~~whistling~~whistling, or singing on the public streets, particularly before 7:00 AM or after 11:00 PM ~~between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M.~~ or at any time or place as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

E. The keeping of any dog which by causing frequent or long continued noise disturbs the comfort or repose of any persons in the vicinity.

F. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, ~~motor boat~~motorboat, or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

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G. The use of any automobile, motorcycle, or other vehicle which due to a lack of repair or improper loading creates loud and unnecessary grating, grinding, rattling or other noise.

H. The creation of loud and excessive noise in connection with loading and unloading any vehicle or the opening and destruction of bales, boxes, ~~crates~~crates, and other containers.

I. The erection, (including excavation), demolition, ~~alteration~~alteration, or repair of any building ~~other than between the hours of six o'clock (6:00) A.M.~~ before 6:00 AM or after 9:00 PM~~and nine o'clock (9:00) P.M., local prevailing time,~~ except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the city manager as authorized under section 9.12.023 of this chapter.

J. The creation of any excessive noise adjacent to any school, institution of learning, ~~church~~church, or court while the same is in use; or adjacent to any hospital, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in the hospital; or in any park, which unreasonably disturbs the users thereof.

K. The operation before 6:00 AM or after 9:00 PM~~between the hours of six o'clock (6:00) A.M. and nine o'clock (9:00) P.M.~~ of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliances, the use of which is usually attended by loud or unusual noise.

L. The operation of garbage pickup, in any area zoned residential before 6:00 AM or after 9:00 PM~~between the hours of six o'clock (6:00) A.M. and nine o'clock (9:00) P.M.~~

M. The operation of any power mower, cultivator, or the like or related device in areas zoned residential before 6:00 AM or after 9:00 PM~~between the hours of nine o'clock (9:00) P.M. and six o'clock (6:00) A.M. (Ord. 2001-11 § 1: Ord. 99-12 § 1)~~

N. The use of a drive-up or drive-thru pickup window service before 6:00 AM or after 10:00 PM daily for commercial businesses within one hundred feet (100') of residential property which may also include a menu board and speaker system.

O. The use of a drive-up or drive-thru speaker system shall emit no more than fifty decibels when measured at four feet directly in front of the speaker and shall not be audible above daytime ambient noise levels beyond the property boundaries. The system shall be designed to compensate for ambient noise levels in the immediate area.

P. The use of a food truck with or without a generator within seventy-five feet (75') of residential property. Use of a food truck with or without a generator within this distance is prohibited. The noise levels associated with such use beyond this distance shall emit no more than fifty decibels as measured at the property boundary and shall not be audible above daytime ambient noise levels beyond the property boundaries.

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 10

Applicant: N/A **Requested by:** Casey Stratton

Subject: Re-locate and upsize the north boundary pressure reducing valve

Description:

Consider approval of re-locating and upsizing the north boundary pressure reducing valve. With the development of the Solace subdivision the developer is required to re-locate the existing 10" pressure reducing valve which is aged and undersized. With the addition of the new 16" Black Desert waterline tying into our existing 16" line the upsize of the valve is extremely necessary. This gives us an opportunity to provide the contractor with the new valve and vault and the developer will cover the expense to install and re-locate the valve and vault. This needed upgrade has been modeled by our engineer and is a project in our newly adopted Water Master Plan which makes it impact fee eligible. Total cost the valve, vault and all required material is $138,254.52 to the contractor Desert Hills Construction.

Recommendation: Approval

Cost: 138,254.52

Legal Approval: Yes

Finance Approval: Yes

Budget Approval: Yes

Attachments: N/A

2603 Santa Clara Drive, Santa Clara, Utah 84765
Phone (435) 673-6712 Fax (435) 628-7338

Desert Hills Construction

PO Box 910178
St. George, UT 84791

BID

To

Santa Clara City
2603 Santa Clara Drive
Santa Clara, UT 84765-5466

Date	Project	BID No.
11/20/2023	Solace PRV	23-2992

Item	Description	Qty	Rate	Total
1	install 12" PRV box and all piping	1	138,254.52	138,254.52

435.656.2900 435.656.8001

Total **$138,254.52**

Authorized Acceptance

Signature: Date:

Print Name & Title:

Central Texas
7015 Fairbanks
Houston, TX 77040
Tel 713-937-7602
Fax 713-937-4254

North Texas
1200 I-45 South
Dallas, TX 75125
Tel 972-263-0222
Fax 972-842-8871

South Texas
20943 U.S. 77
Harlingen, TX 78550
Tel 956-428-2079
Fax 956-440-1834

South Central Texas
11239 IH-10
San Antonio, TX 78109
Tel 210-227-PARK
Fax 210-566-7270

Submittal Package for

Santa Clara Vault

Santa Clara, Utah 84765

PRODUCTS

12” x 6” ACV Singer - Pressure Reducing Valve Assembly

SUB-CONTRACTOR
Desert Hills Construction
491 E Riverside Dr. Suite 2A
St. George, Ut 84790
435-656-2900

MANUFACTURER
Park USA
7015 Fairbanks N Houston
Houston, Tx 77040
713-937-7602

November 7, 2023

Project #: 23-57352

PSR: Melissa Cantu

Copy: 1 .

Expect the Best...

Who would expect any less than the best when specifying or purchasing equipment for their construction projects. Engineers and contractors know Park Equipment Company for its quality products and services in the construction industry. Feel free to contact our office for engineering and sales assistance.

Limited Warranty

All goods sold hereunder are warranted to be free from defects in material and factory workmanship for a period of one year from the date of purchase. We will replace at no cost goods that prove defective provided we are notified in writing of such defect and evidence that the product has been properly maintained and used in accordance with manufacturer's intended purpose. We will not be responsible for any labor charges or any loss, injury or damages whatsoever, including incidental or consequential damages. The sole and exclusive remedy shall be limited to the replacement of the defective goods. Before installation and use, the purchaser shall determine the suitability of the product for its intended use and the purchaser assumes all risk and liability whatever in connection there with.

Table of Contents

Subject	*Section*
12" x 6" ACV Singer - Pressure Reducing Valve Assembly	**SECTION 1**

PARK USA
A Northwest Pipe Company

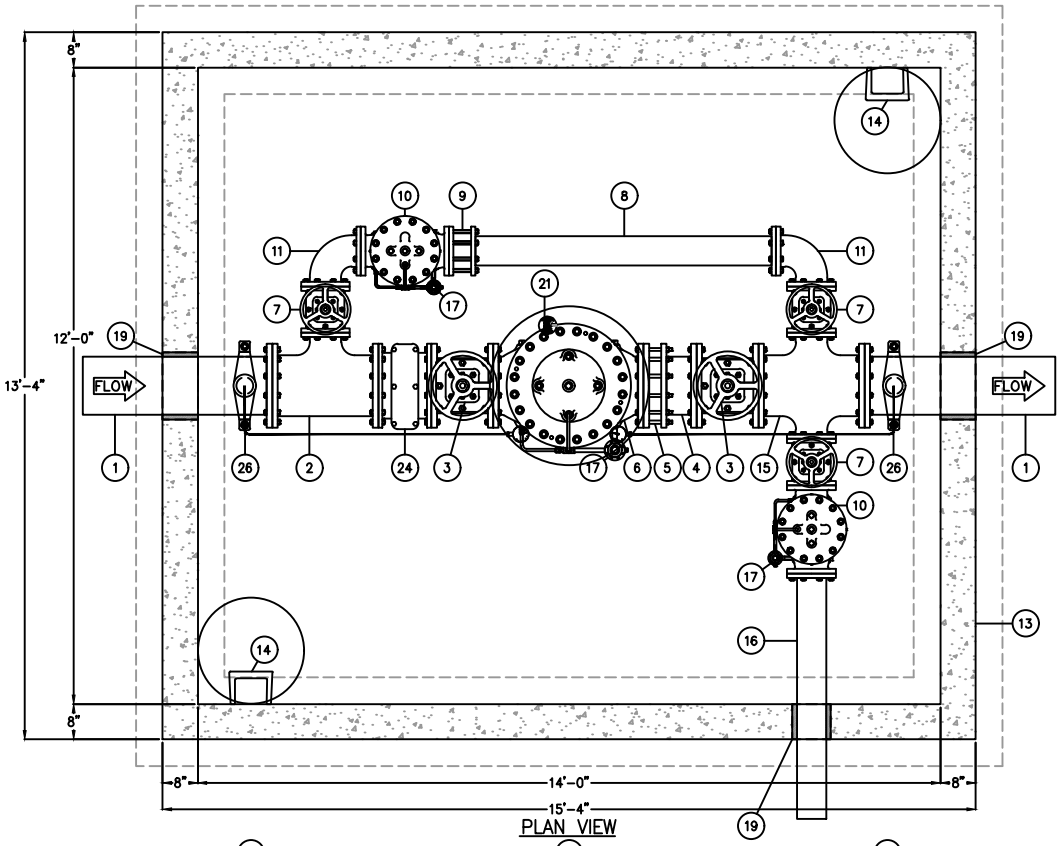
Geneva Pipe and Precast
A Northwest Pipe Company

SECTION 1

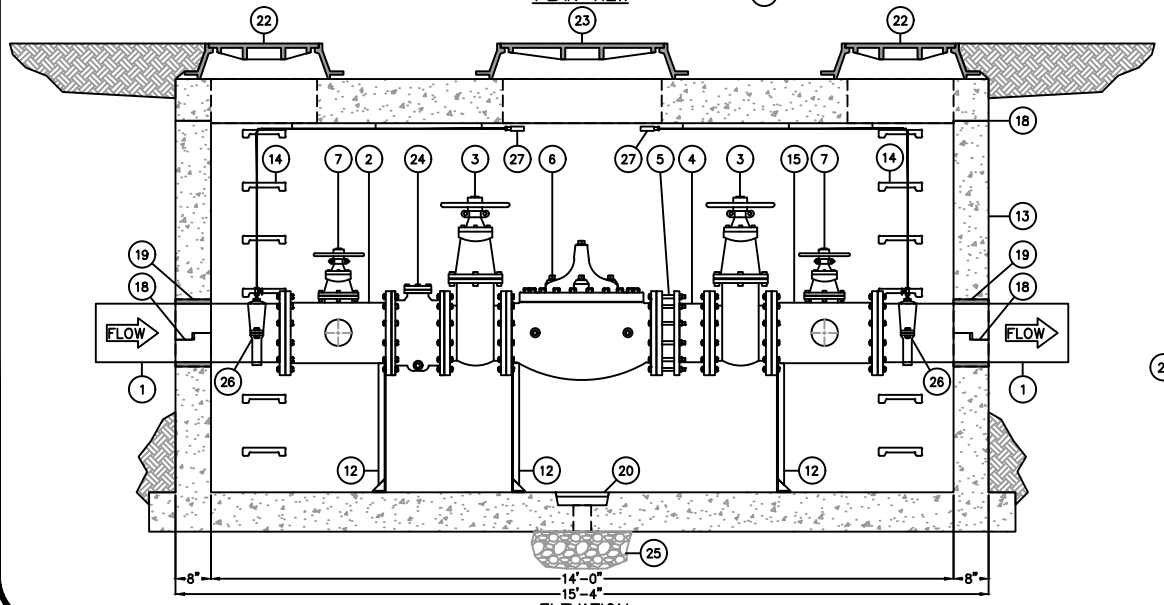
12” x 6” ACV Singer - Pressure Reducing Valve Assembly Valve Assembly

PARK USA
A Northwest Pipe Company

Geneva Pipe and Precast
A Northwest Pipe Company



PLAN VIEW



ELEVATION

BILL OF MATERIAL		
ITEM #	QTY	DESCRIPTION
1	2	12" STUB-OUT PIPE DI PE x FLG
2	1	12"x6" FLG REDUCING TEE
3	2	12" FLG NRS GATE VALVE
4	1	12" x 12" LONG SPOOL
5	1	12" FLG x MJ ADAPTER
6	1	12" FLG PRESSURE REDUCING VALVE
7	3	6" FLG NRS GATE VALVE
8	1	6" x 73" LONG SPOOL PE x FLG
9	1	6" FLG x MJ ADAPTER
10	2	6" FLG PRESSURE REDUCING VALVE
11	2	6" FLG 90° ELL
12	AS REQ'D	GALV STEEL PIPE SUPPORTS
13	1	PRE-CAST CONCRETE VALVE VAULT (3 PIECE)
14	14	MANHOLE STEPS @ 12" O.C.
15	1	12"x6" FLG REDUCING CROSS
16	1	6" STUB-OUT PIPE DI PE x FLG
17	3	PRESSURE REDUCING VALVE TRIM
18	AS REQ'D	PLASTIC FLEXIBLE GASKET (RAMNEK)
19	2	PENETRATION FILLED w/ NON-SHRINK GROUT
20	1	12"x12"x3" DEEP SUMP w/ CAST IRON GRATE (OPTIONAL KNOCKOUT TO DRAIN)
21	1	SS304 NAMEPLATE INDICATING: MFG: www.PARKUSA.com (888) 611-PARK MODEL: PRV12x6 DATE MANUFACTURED
22	2	24" CAST IRON RING & COVER
23	1	36" CAST IRON RING & COVER
24	1	12" FLG STRAINER
25	–	GRAVEL BED (BY OTHERS)
26	2	12" PIPE SADDLE
27	2	0-100 PRESSURE GAUGE

SPECIFICATIONS

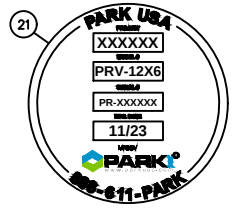
CONCRETE:
CLASS I/II CONCRETE WITH DESIGN STRENGTH OF 5000 PSI AT 28 DAYS. UNIT IS OF MONOLITHIC CONSTRUCTION AT FLOOR AND FIRST STAGE OF WALL WITH SECTIONAL RISER TO REQUIRED DEPTH. COMBINED ASSEMBLY WEIGHT OF APPROXIMATELY 53,000 LBS.

REINFORCEMENT:
GRADE 60 REINFORCED. STEEL REBAR CONFORMING TO ASTM A615 ON REQUIRED CENTERS OR EQUAL. BAR BENDING & PLACEMENT SHALL COMPLY WITH THE LATEST ACI STANDARDS FOR PRECAST CONCRETE. LIFTING INSERTS SHALL BE INSTALLED PER MANUFACTURER'S REQUIREMENTS.

C.I. CASTINGS:
MANHOLE FRAMES, COVERS OR GRATES ARE MANUFACTURED OF GREY CAST IRON CONFORMING TO ASTM A48-76 CLASS 30. MANHOLE SHALL HAVE 24 INCH INSIDE DIAMETER AND BE TRAFFIC DUTY.

ENGINEERING DATA:
FIELD EXCAVATION AND PREPARTAION SHALL BE COMPLETED PRIOR TO DELIVERY OF ASSEMBLY. USE DIMENSIONAL DATA AS SHOWN. PIPE, VALVES AND FITTING OF THE ASSEMBLY ARE APPROVED BY ONE OR MORE OF THE FOLLOWING ASSOCIATIONS:

NOTES:
1. PRV ASSEMBLY AND VAULT SHALL BE MANUFACTURED BY WWW.PARKUSA.COM OR APPROVED EQUAL.
2. ASSEMBLY SHALL BE CONFIGURED TO MEET MINIMUM CLEARANCES FOR SIDE, BOTTOM, AND TOP AS INDICATED.



NAMEPLATE

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REV	DATE	BY	DESCRIPTION
A	11/10/23	CH	ORIGINAL DRAWING

PROJECT: SANTA CLARA VAULT

CUSTOMER: .

ENGINEER: .

ORDER #: . PROJ #: 23-57352

DATE: 11/10/2023 LOCATION: SANTA CLARA, UT

PARK USA
A Northwest Pipe Company

12" PRESSURE REDUCING VALVE ASSEMBLY w/ 6" PRESSURE REDUCING VALVE BYPASS

PM	PC	DRN	ENG
AM	MC	CH	GE

DATE 11/23

DWG. NO. PRV-12X6

REV. A

PLOTTED ON 11/10/2023 5:09 PM BY Howerton, Chris, Y:\Parkdwgs\PRV-Press Red Valve\JOBS\PRV-12x6-SANTA CLARA VAULT-2357352

CREATED ON 11/10/2023 BY -----
LAST MODIFIED ON 11/10/2023 5:09 PM BY chowerton

MODELS 106-PR / 206-PR PRESSURE REDUCING VALVE

KEY FEATURES

- Ideal for maintaining accurate downstream pressure
- Responds quickly and effectively



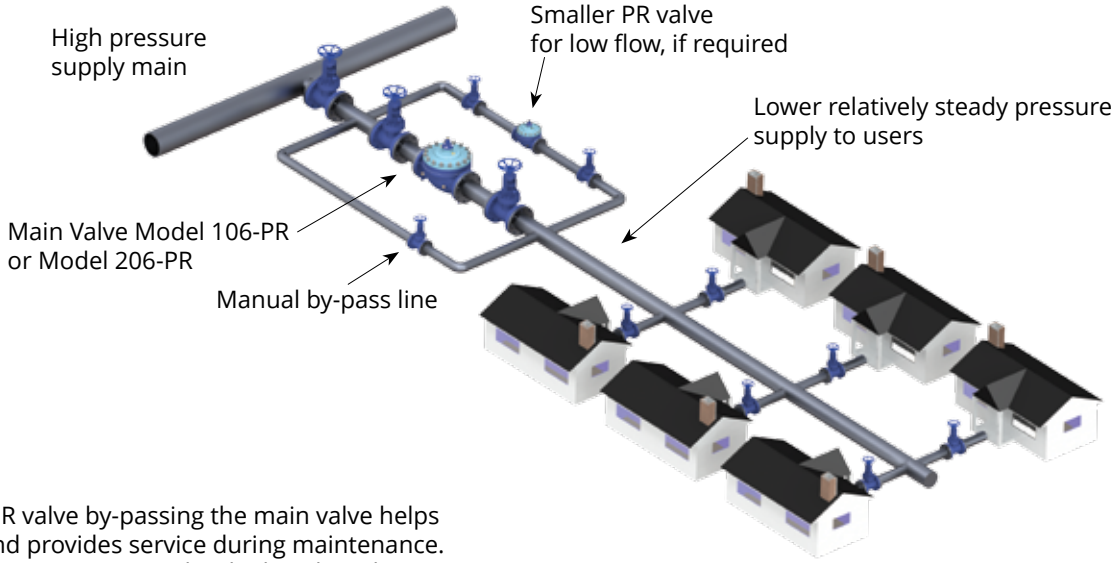
PRODUCT OVERVIEW

The 106-PR and 206-PR series pressure reducing valves are based on the 106-PG or 206-PG main valves.

The pilot valves sense the downstream pressure through a connection at the valve outlet. Under flowing conditions, the pilot reacts to small changes in pressure to control the valve position by modulating the pressure above the diaphragm. The downstream pressure is maintained virtually steady at the pilot set-point.

In typical pressure reducing applications, the standard port model 206-PR is often the best selection.

TYPICAL APPLICATION



Note: The smaller PR valve by-passing the main valve helps control low flows and provides service during maintenance. It should be set 3 – 5 psi / 0.2 – 0.35 bar higher than the larger valve setting.

Singer Valve single rolling diaphragm technology 6 in / 150 mm and larger have extremely precise control, even at low flows, making smaller by-pass valves unnecessary except for possible bypass during maintenance.

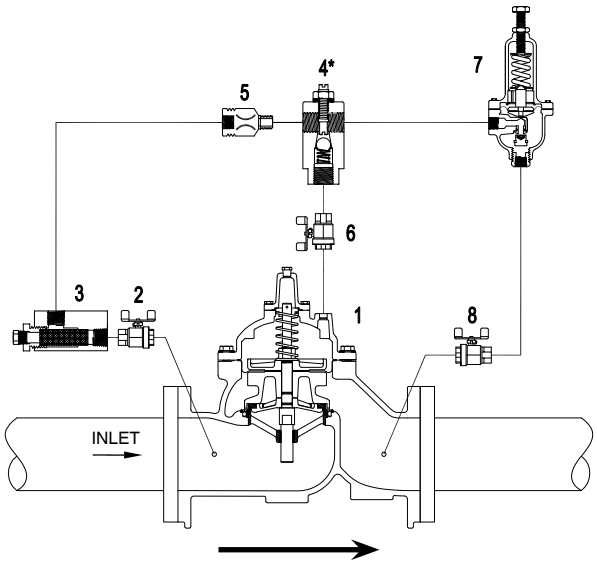
SCHEMATIC DRAWING

1. Main Valve - 106-PG or 206-PG
2. Isolation Valve - standard 4 in / 100 mm and larger
3. Strainer - standard 4 in / 100 mm and larger

4*. Model 26 Flow Stabilizer / Opening Speed Control
- Standard on valves 8 in / 200 mm 106, 10" / 250 mm 206 and smaller

5. Fixed Restriction
6. Isolation Valve - standard 4 in / 100 mm and larger
7. Model 160 pilot
   - Specify for 5 to 50 psi / 0.35 to 3.5 bar,
     10 to 80 psi / 0.70 to 5.5 bar,
     20 to 200 psi / 1.38 to 13.8 bar,
     100 to 300 psi / 6.9 to 20.7 bar.
8. Isolation Valve - standard all sizes

Note: SRD shown is available for 6" 106-PG and larger.



Schematic A-0306C

STANDARD MATERIALS

Standard materials for pilot system components are:

- ASTM B62 bronze or ASTM B16 brass
- AISI 303 / 316 stainless steel trim
- Buna-N / EPDM diaphragm and seals

SELECTION SUMMARY

1. Select the valve series and size with sufficient capacity
2. Check the operating flow against valve minimum.
3. If the outlet pressure is less than 35% of the inlet pressure, check for cavitation.
4. Ensure that the flange rating exceeds the maximum operating pressure.

ORDERING INSTRUCTIONS

Refer to page 244 for the order form and ordering instructions.

Additionally, include the following information for this product:

1. 106 or 206
2. Pilot range

106-PR	Flow Capacity (See 106-PG in Main Valve section for other valve data)								
Size (inches)	1/2 in	3/4 in	1 in	1-1/4 in	1-1/2 in	2 in	2-1/2 in	3 in	4 in
Size (mm)	15 mm	19 mm	25 mm	32 mm	40 mm	50 mm	65 mm	80 mm	100 mm
Minimum (USGPM) Flat Diaphragm	1	1	1	1	1	5	5	5	10
Minimum (L/s) Flat Diaphragm	0.1	0.1	0.1	0.1	0.1	0.3	0.3	0.3	0.6
Maximum Continuous (USGPM)	12	19	49	93	125	210	300	460	800
Maximum Continuous (L/s)	0.8	1	3	6	8	13	19	29	50

106-PR	Flow Capacity (See 106-PG in Main Valve section for other valve data)								
Size (inches)	6 in	8 in	10 in	12 in	14 in	16 in	20 in	24 in	36 in
Size (mm)	150 mm	200 mm	250 mm	300 mm	350 mm	400 mm	500 mm	600 mm	900 mm
Minimum (USGPM) Flat Diaphragm	20	40	-	-	-	-	-	-	-
Minimum (USGPM) Rolling Diaphragm	1	1	3	3	3	3	10	10	20
Minimum (L/s) Flat Diaphragm	1.3	2.5	-	-	-	-	-	-	-
Minimum (L/s) Rolling Diaphragm	0.1	0.1	0.2	0.2	0.2	0.2	0.6	0.6	1.3
Maximum Continuous (USGPM)	1800	3100	4900	7000	8500	11000	17500	25800	55470
Maximum Continuous (L/s)	114	196	309	442	536	694	1104	1628	3500

206-PR	Flow Capacity (See 206-PG in Main Valve section for other valve data)								
Size (inches)	3 in	4 in	6 in	8 in	10 in	12 in	16 in	18 in	20 in
Size (mm)	80 mm	100 mm	150 mm	200 mm	250 mm	300 mm	400 mm	450 mm	500 mm
Minimum (USGPM) Flat Diaphragm	5	5	10	20	40	-	-	-	-
Minimum (USGPM) Rolling Diaphragm	-	-	-	-	-	3	3	3	3
Minimum (L/s) Flat Diaphragm	0.3	0.3	0.6	1.3	2.5	-	-	-	-
Minimum (L/s) Rolling Diaphragm	-	-	-	-	-	0.2	0.2	0.2	0.2
Maximum Continuous (USGPM)	300	580	1025	2300	4100	6400	9230	16500	16500
Maximum Continuous (L/s)	19	37	65	145	260	404	582	1040	1040

206-PR	Flow Capacity (See 206-PG in Main Valve section for other valve data)						
Size (inches)	24 x 16 in	24 x 20 in	28 in	30 in	32 in	36 in	40 in
Size (mm)	600 x 400 mm	600 x 500 mm	700 mm	750 mm	800 mm	900 mm	1000 mm
Minimum (USGPM) Rolling Diaphram	3	3	10	10	10	10	20
Minimum (L/s) Rolling Diaphragm	0.2	0.2	0.6	0.6	0.6	0.6	0.6
Maximum Continuous (USGPM)	16500	21700	33600	33650	33700	33800	62000
Maximum Continuous (L/s)	1041	1370	2120	2123	2126	2132	3912

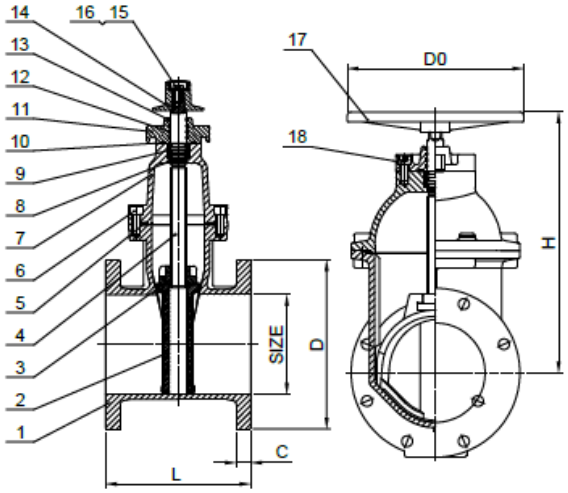
225W DI Flanged Gate Valve • Spec Sheet

FEATURES & BENEFITS • 2” – 12”

- Ductile Iron Flanged Gate Valve
- Resilient Wedge
- Non Rising Stem
- AWWA C515
- 300 PSI 2”- 12”
- 250 PSI 14”- 18”
- 200 PSI 20”- 24”
- UL Listed / FM Approved
- NSF-61 / NSF-372
- AWWA C550 Epoxy







DIMENSIONS

Part #	Size	L	D	G	H	D0	Bolt Circle	Qty.*Dia Bolt Hole
225W08	2”	7.0	6.0	0.62	9.5	7.0	4.8	4*0.75
225W09	2-1/2”	7.5	7.0	0.69	10.0	7.0	5.5	4*0.75
225W10	3”	8.0	7.5	0.75	11.0	10.0	6.0	4*0.75
225W11	4”	9.0	9.0	0.94	11.8	10.0	7.5	8*0.75
225W13	6”	10.5	11.0	1.00	16.4	12.0	9.5	8*0.88
225W14	8”	11.5	13.5	1.12	20.7	14.0	11.8	8*0.88
225W15	10”	13.0	16.0	1.19	24.5	16.0	14.3	12*1.0
225W16	12”	14.0	19.0	1.25	28.0	16.0	17.0	12*1.0

MATERIAL SPECIFICATIONS

No.	Part	Material	ASTM Spec.
1	Body	Ductile Iron	A536-65-45-12
2	Disc	Ductile Iron EPDM Encapsulated	A536-65-45-12
3	Stem Nut	Bronze	ASTM C95200
4	Stem	Stainless Steel	AISI 431/ANSI 304
5	Gasket	Rubber	EPDM
6	Bolt	Stainless Steel	A2-70
7	Bonnet	Ductile Iron	A536-65-45-12
8	O-Ring	Rubber	NBR
9	Thrust Collar	Bronze	ASTM C95200
10	O-Ring	Rubber	NBR
11	Gland	Ductile Iron	A536-65-45-12
12	O-Ring	Rubber	NBR
13	Dust Ring	Rubber	NBR
14	Operating Nut (Optional)	Ductile Iron	A536-65-45-12
15	Bolts	Stainless Steel	A2-70
16	Washer	Stainless Steel	SS304
17	Handwheel (Optional)	Ductile Iron	A536-65-45-12
18	Bolts	Stainless Steel	A2-70

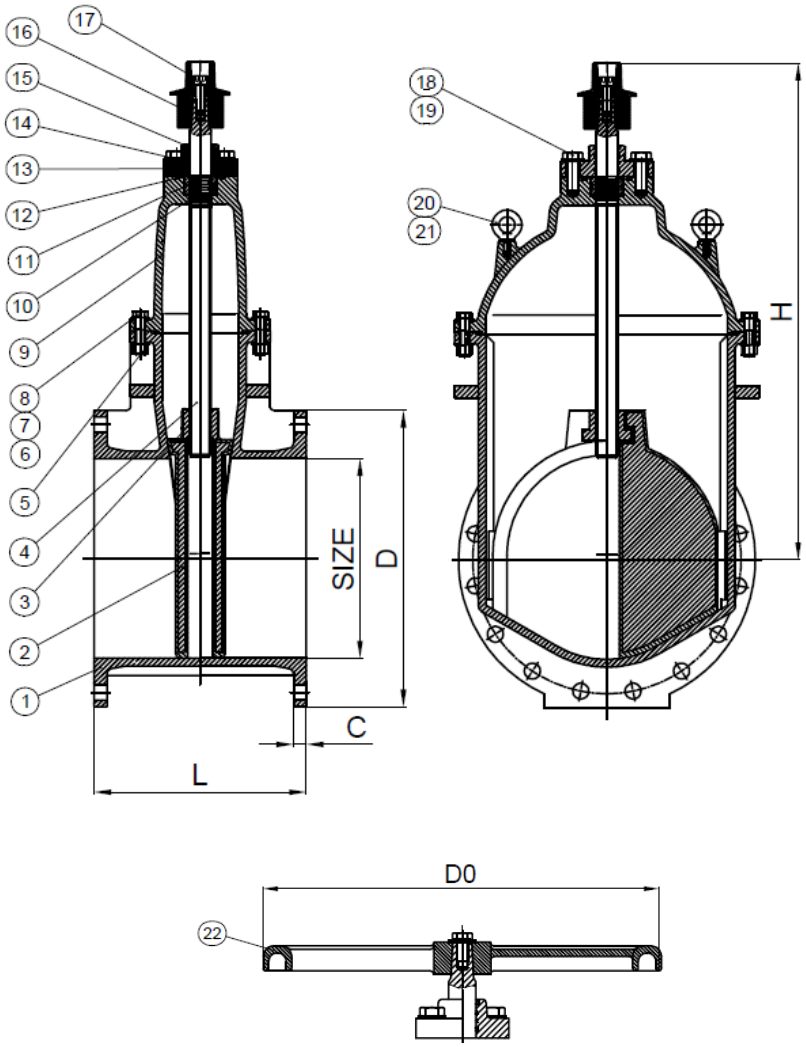
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225W DI Flanged Gate Valve • Spec Sheet

FEATURES & BENEFITS • 14" – 24"

- Ductile Iron Flanged Gate Valve
- Resilient Wedge
- Non Rising Stem
- AWWA C515
- 300 PSI 2"- 12"
- 250 PSI 14"- 18"
- 200 PSI 20"- 24"
- UL Listed / FM Approved
- NSF-61 / NSF-372
- AWWA C550 Epoxy



DIMENSIONS

Part #	Size	L	D	G	H	D0	Bolt Circle	Qty.*Dia Bolt Hole
225W17	14"	15.0	21.0	1.38	35.6	22.0	18.8	12*1.13
225W18	16"	16.0	23.5	1.44	38.5	22.0	21.3	16*1.13
225W19	18"	17.0	25.0	1.56	44.0	24.0	22.8	16*1.25
225W20	20"	18.0	27.5	1.69	47.0	24.0	25.0	20*1.25
225W24	24"	20.0	32.0	1.88	52.8	30.0	29.5	20*1.38

MATERIAL SPECIFICATIONS

No.	Part	Material	ASTM Spec.
1	Body	Ductile Iron	A536-65-45-12
2	Disc	Ductile Iron EPDM Encapsulated	A536-65-45-12
3	Wedge Nut	Bronze	ASTM C95200
4	Stem	Stainless Steel	AISI 431
5	Gasket	Rubber	EPDM
6	Bolt	Stainless Steel	A2-70
7	Nuts	Stainless Steel	A2470
8	Washer	Stainless Steel	SS304
9	Bonnet	Ductile Iron	A536-65-45-12
10	O-Ring	Rubber	NBR
11	Thrust Washer	Bronze	ASTM C95200
12	O-Ring	Rubber	NBR
13	Gland	Ductile Iron	A536-65-45-12
14	O-Ring	Rubber	NBR
15	Dust Proof Ring	Rubber	NBR
16	Operating Nut	Ductile Iron	A536-65-45-12
17	Bolt	Stainless Steel	A2-70
18	Bolt	Stainless Steel	A2-70
19	Washer	Stainless Steel	SS304
20	Lifting Bolt	Stainless Steel	SS304
21	Washer	Stainless Steel	SS304
22	Handwheel	Ductile Iron	A536-65-45-12

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CALIFORNIA 5595 Fresca Dr., La Palma CA 90623 • Phone: 866-532-8306 • Fax: 866-532-8307
TEXAS 1150 Silber Rd., Houston TX 77055 • Phone: 800-935-5456 • Fax: 713-680-2999
ILLINOIS 278 Windy Point Dr., Glendale Heights, IL 60139 • Phone: 844-412-5068 • Fax: 800-640-2252
GEORGIA 113 Industrial Blvd., Americus, Georgia 31709 • Phone: 800-433-7526 • Fax: 800-533-5134
NEW YORK PO Box 27, Rt.22, Brewster NY 10509 • Phone: 800-431-2082 • Fax: 845-278-9056
WEB: **www.matco-norca.com** EMAIL: **mail@matco-norca.com**

Bourdon Tube Pressure Gauge
Stainless Steel Case
Type 212.53 - Dry Case
Type 213.53 - Liquid-filled Case

Applications

- Intended for adverse service conditions where pulsating or vibration exists (with liquid filling)
- Hydraulics & compressors
- Suitable for gaseous or liquid media that will not obstruct the pressure system

Product Features

- Vibration and shock resistant (with liquid filling)
- Stainless steel case
- Pressure ranges up to 15,000 psi (1000 bar)



Bourdon Tube Pressure Gauge Model 21X.53

Specifications

Design
ASME B40.100 & EN 837-1

Sizes
2”, 2½” & 4” (50, 63 & 100 mm)

Accuracy class
2” & 2½”: ± 2/1/2% of span (ASME B40.100 Grade A)
4”: ± 1% of span (ASME B40.100 Grade 1A)

Ranges
Vacuum / Compound to 200 psi (16 bar)
Pressure from 15 psi (1 bar) to 15,000 psi (1000 bar)
Pressure from 15 psi (1 bar) to 10,000 psi (690 bar) - 2” size
or other equivalent units of pressure or vacuum

Working pressure

2 & 2½”:	Steady:	¾ full-scale value
	Fluctuating:	⅔ full-scale value
	Short time:	full-scale value
4”:	Steady:	full-scale value
	Fluctuating:	0.9 x full-scale value
	Short time:	1.3 x full-scale value

Operating temperature
Ambient: -40°F to +140°F (-40°C to +60°C) - dry
-4°F to +140°F (-20°C to +60°C) - glycerine filled
-40°F to +140°F (-40°C to +60°C) - silicone filled
Medium: +140°F (+60°C) maximum

Temperature error
Additional error when temperature changes from reference temperature of 68°F (20°C) ±0.4% of span for every 18°F (10°K) rising or falling.

Weather protection
Weather tight (NEMA 4X / IP 66)

Pressure connection
Material: copper alloy
Lower mount (LM) or center back mount (CBM) - 2” & 2½”
Lower mount (LM) or lower back mount (LBM) - 4”
⅛” NPT, ¼” NPT or ½” NPT limited to wrench flat areaABS (2” & 2½”) and white aluminum (4”)

Bourdon tube
2” (50 mm) ≤ 870 psi (60 bar): C-shape copper alloy
2” (50 mm) > 870 psi (60 bar): Helical copper alloy
2½” (63 mm) ≤ 870 psi (60 bar): C-shape copper alloy
2½” (63 mm) > 870 psi (60 bar): Helical copper alloy
2½” (63 mm) > 6000 psi (400 bar): Helical stainless steel
4” (100 mm) ≤ 1000 psi (70 bar): C-shape copper alloy
4” (100 mm) > 1000 psi (70 bar): Helical stainless steel

Movement
Copper alloy

Dial
White ABS (2” & 2½”) and white aluminum (4”)

Pointer
Black aluminum

Case
304 stainless steel with vent plug and stainless steel crimp ring. Suitable for liquid filling.

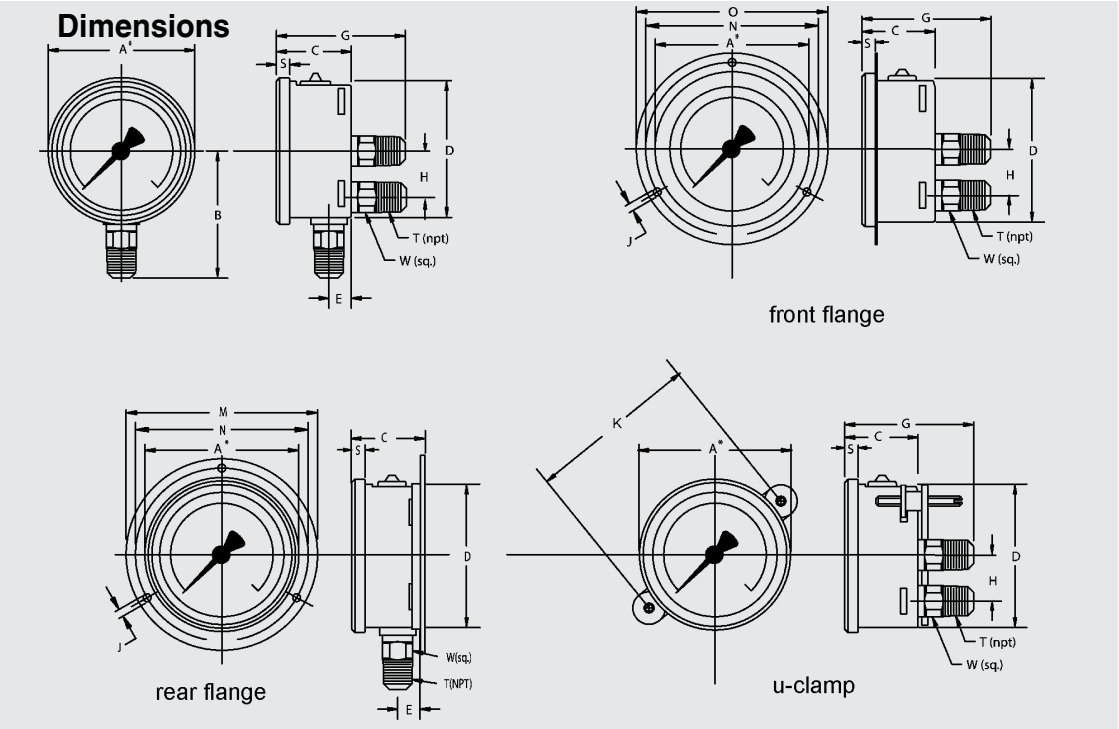
Case connection sealed with O-ring, (O-ring material dependent on the case fill):
- 2½”: EPDM O-ring for Glycerine case fill; Viton O-ring for Silicone fill
- 4”: EPDM O-ring for Glycerine or Silicone case fill; Viton O-ring for Halocarbon or Fluorolube fill

Window
Polycarbonate with Buna-N gasket

Case fill
Glycerine 99.7% - Type 213.53

Optional extras
- Brass restrictor
- Stainless steel front or rear flange - 2½” & 4”
- Zinc-plated steel or SS U-clamp bracket (field installable)
- External zero adjustment (2½” only)
- Red drag pointer or mark pointer
- Silicone or Halocarbon oil case filling
- Special connections limited to wrench flat area
- Custom dial layout
- Other pressure scales available
  bar, kPa, MPa, kg/cm^2 and dual scales

Dimensions



Size		A	B	C	D	E	G	H	J	K	M	N	O	S	T	W	Weight	
2”	mm	55	48	30	50	12	53	-	3.6	72	71	60	17	5.5		14	0.27 lb.	dry
	in	2.17	1.89	1.18	1.97	0.47	2.09	-	0.14	2.83	2.80	2.36	2.80	0.22	¼”	0.55	0.33 lb.	filled
2½”	mm	69	54	32	62	13	54	-	3.6	72	88.1	75	85	6.5		14	0.36 lb.	dry
	in	2.69	2.13	1.26	2.45	0.51	2.13	-	0.14	2.83	3.47	2.95	3.35	0.26	¼”	0.55	0.44 lb.	filled
4”	mm	107	87	48	100	15.5	79.5	30	4.8	109	132	116	132	8		22	1.10 lb.	dry
	in	4.21	3.43	1.89	3.91	0.61	3.13	1.18	0.19	4.29	5.20	4.57	5.20	0.31	½”	0.87	1.76 lb.	filled

Note: For ¼” NPT connections on 4” gauges, reduce B dimension by 5mm/0.2”

Recommended panel cut-out:

2”- U-clamp: 51mm
front flange: n/a

2½”- U-clamp: 63mm
front flange: 65mm

4”- U-clamp: 101mm
front flange: 104mm

4½”- panel mount adapter 104mm minimum (not shown)

WIKA Instrument Corporation
1000 Wiegand Boulevard
Lawrenceville, GA 30043-5868
Tel: 888-WIKA-USA • 770-513-8200
Fax: 770-338-5118
E-Mail: info@wika.com
www.wika.com

ZENNER
Cast Iron Strainers
Sizes 2" through 12"

INTRODUCTION: ZENNER Cast Iron Strainers are designed to protect cold or hot water meters from debris and foreign mater extending th e life of the meter. Additionally they minimize the effects of turbulence which increases overall accuracy.

INSTALLATION: The strainer should be installed immediately upstream from the meter and following the flow direction indicated on the body.

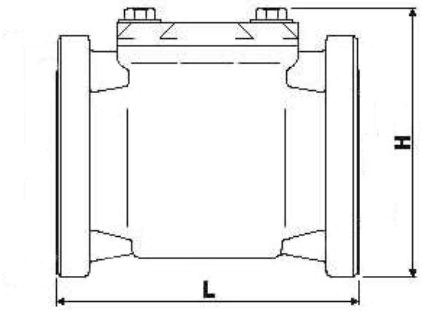
CONSTRUCTION: ZENNER Cast Iron Strainers consist of four basic components: the main case, the cover plate, the screen assembly and a cover plate gasket. The main case and cover plate are made of Epoxy coated cast iron. The strainer screen assembly is made of high strength stainless steel.

CONFORMANCE: ZENNER Cast Iron Strainers comply with AWWA C701 and C702 standards.

CONNECTIONS: Companion flanges for installation of meters on various pipe types and sizes are available in Bronze or cast iron.

SPECIFICATIONS:

Strainer Type:	T-Strainer
Strainer Screen Assembly:	Stainless Steel
Cover Plate Gasket:	Rubber
Cover Plate Bolts:	Stainless Steel
Maximum Working Pressure:	150 PSI

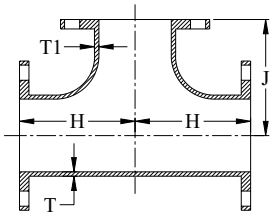


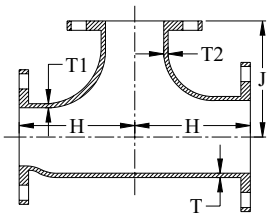


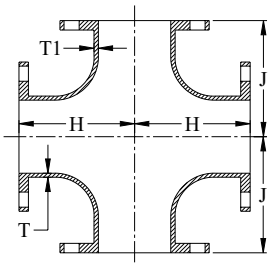
ZSW03

Model		ZSW02	ZSW03	ZSW04	ZSW06	ZSW08	ZSW10	ZSW12
Size		2"	3"	4"	6"	8"	10"	12ò
Weight	Pounds	27	33	39	79	149	208	255
Length	Inches	7-7/8	8-7/8	9-7/8	11-7/8	13-3/4	17-3/4	12-5/8
Height	Inches	6-15/16	8-7/8	9-1/4	10-15/16	14-5/16	15-9/16	19-5/8
# of Holes per Flange		4	4	8	8 8		12	12

ZENNER USA
15280 Addison Rd #340, Addison, TX 75001, (972) 386-6611, Fax (972) 386-1814
www.zennerusa.com







TEES & CROSSES

SIZE	H	J	T	T1	T2	WEIGHT	
						TEE	CROSS
*2 X 2	4.50	4.50	0.31	0.31	---	20	---
*3 X 2	5.50	5.50	0.38	0.31	---	35	---
3 X 3	5.50	5.50	0.48	0.48	---	40	50
*4 X 3 X 3	6.50	5.50	0.52	0.48	0.48	55	---
*4 X 2	6.50	6.50	0.50	0.31	---	50	---
4 X 3	6.50	6.50	0.52	0.48	---	60	70
*4 X 4 X 6	8.00	8.00	0.52	0.52	0.55	90	---
4 X 4	6.50	6.50	0.52	0.52	---	65	80
*5 X 5	7.50	7.50	0.50	0.50	---	80	---
*6 X 4 X 4	8.00	8.00	0.55	0.52	0.52	85	---
*6 X 4 X 6	8.00	8.00	0.55	0.52	0.55	90	---
*6 X 6 X 8	9.00	9.00	0.55	0.55	0.60	140	---
*6 X 2	8.00	8.00	0.55	0.31	---	86	---
6 X 3	8.00	8.00	0.55	0.48	---	85	95
6 X 4	8.00	8.00	0.55	0.52	---	90	110
6 X 6	8.00	8.00	0.55	0.55	---	95	120
*8 X 6 X 4	9.00	9.00	0.60	0.55	0.52	130	---
*8 X 6 X 6	9.00	9.00	0.60	0.55	0.55	135	---
*8 X 6 X 8	9.00	9.00	0.60	0.55	0.60	145	---
*8 X 8 X10	11.00	11.00	0.60	0.60	0.68	260	---
*8 X 8 X12	12.00	12.00	0.60	0.60	0.75	310	---
*8 X 3	9.00	9.00	0.60	0.48	---	130	140
8 X 4	9.00	9.00	0.60	0.52	---	140	155
8 X 6	9.00	9.00	0.60	0.55	---	145	165
8 X 8	9.00	9.00	0.60	0.60	---	155	195
*10X 6 X 6	11.00	11.00	0.68	0.55	0.55	200	---
*10X 6 X10	11.00	11.00	0.68	0.55	0.68	255	---
*10 X 8 X 6	11.00	11.00	0.68	0.60	0.55	210	---
*10 X 8 X 8	11.00	11.00	0.68	0.60	0.60	220	---
*10X 8 X10	11.00	11.00	0.68	0.60	0.68	265	---
10 X 4	11.00	11.00	0.68	0.52	---	205	220
10 X 6	11.00	11.00	0.68	0.55	---	215	240
10 X 8	11.00	11.00	0.68	0.60	---	225	265
10 X 10	11.00	11.00	0.80	0.80	---	270	330
*10X10X12	12.00	12.00	0.68	0.68	0.75	355	---
*12X 6 X 6	12.00	12.00	0.75	0.55	0.55	325	---
*12X 6 X 8	12.00	12.00	0.75	0.55	0.60	345	---
*12X 8 X 6	12.00	12.00	0.75	0.60	0.55	340	---
*12X 8 X 8	12.00	12.00	0.75	0.60	0.60	290	---
*12X 8 X12	12.00	12.00	0.75	0.60	0.75	365	---
*12X10 X 6	12.00	12.00	0.75	0.68	0.55	375	---
*12X10 X 8	12.00	12.00	0.75	0.68	0.60	380	---
*10X10X10	12.00	12.00	0.75	0.68	0.68	345	---
*12X10X12	12.00	12.00	0.75	0.68	0.75	370	---

SIZE	H	J	T	T1	T2	WEIGHT	
						TEE	CROSS
12 X 4	12.00	12.00	0.75	0.52	---	290	310
12 X 6	12.00	12.00	0.75	0.55	---	295	320
12 X 8	12.00	12.00	0.75	0.60	---	310	345
12X10	12.00	12.00	0.87	0.80	---	360	415
12X12	12.00	12.00	0.87	0.87	---	385	460
*14 X 4	14.00	14.00	0.66	0.52	---	370	---
14 X 6	14.00	14.00	0.66	0.55	---	375	400
14 X 8	14.00	14.00	0.66	0.60	---	390	425
14X10	14.00	14.00	0.66	0.68	---	400	460
14X12	14.00	14.00	0.66	0.75	---	425	505
14X14	14.00	14.00	0.66	0.66	---	435	530
*16 X 4	15.00	15.00	0.70	0.52	---	460	---
16 X 6	15.00	15.00	0.70	0.55	---	465	490
16 X 8	15.00	15.00	0.70	0.60	---	475	520
16X10	15.00	15.00	0.70	0.68	---	495	555
16X12	15.00	15.00	0.70	0.75	---	520	605
16X14	15.00	15.00	0.70	0.66	---	530	620
16X16	15.00	15.00	0.70	0.70	--	550	665
18 X 6	13.00	15.50	0.75	0.55	---	480	505
18 X 8	13.00	15.50	0.75	0.60	---	495	535
18X10	13.00	15.50	0.75	0.68	---	510	560
18X12	13.00	15.50	0.75	0.75	---	535	610
18X14	16.50	16.50	0.75	0.66	---	630	720
18X16	16.50	16.50	0.96	0.89	---	760	880
18X16	16.50	16.50	0.75	0.70	---	650	765
18X18	16.50	16.50	0.75	0.75	---	665	795
20 X 6	14.00	17.00	0.80	0.55	---	610	635
20 X 8	14.00	17.00	0.80	0.60	---	620	665
20X10	14.00	17.00	0.80	0.68	---	635	685
20X12	14.00	17.00	0.80	0.75	---	660	735
20X14	14.00	17.00	0.80	0.66	---	665	745
20X16	18.00	18.00	0.80	0.70	---	810	915
20X18	18.00	18.00	0.80	0.75	---	820	945
20X20	18.00	18.00	0.80	0.80	---	855	1015
24 X 6	15.00	19.00	0.89	0.55	---	845	875
24 X 8	15.00	19.00	0.89	0.60	---	860	895
24X10	15.00	19.00	0.89	0.68	---	880	930
24X12	15.00	19.00	0.89	0.75	---	890	960
24X14	15.00	19.00	0.89	0.66	---	900	975
24X16	15.00	19.00	0.89	0.70	---	915	1010
24X18	22.00	22.00	0.89	0.75	---	1220	1365
24X20	22.00	22.00	0.89	0.80	---	1255	1430
24X24	22.00	22.00	0.89	0.89	---	1330	1570
*30 X 6	18.00	23.00	1.03	0.55	---	1725	---

Contd....

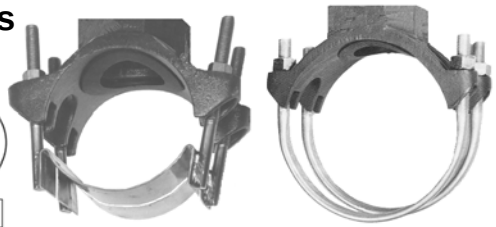
All Dimensions in Inches.
Weights shown are approximate in lbs.

* Not included in AWWA C110.

JCM Coated Service Saddles - Double Straps
JCM 406 Coated Saddle - Double Stainless Steel Straps
JCM 408 Coated Saddle - Electro Galvanized Straps

The JCM 406 and 408 utilize the heavy duty double strap saddle body with a fusion applied, heavy resilient plastic coating. The JCM 406 is furnished with two stainless steel straps. The model 408 is furnished with two electro galvanized steel straps.

NSF Certified to NSF/ANSI 61



NOM. PIPE SIZE (IN.)	PIPE O.D. RANGE (IN.)	WT. EA. LBS.	CTN. QTY.	JCM 406 SERVICE SADDLE BASE CATALOG NUMBER X ADD TAP CODE	JCM 408 SERVICE SADDLE BASE CATALOG NUMBER X ADD TAP CODE
2	2.35 - 2.63	4	6	*406-0238 X --	*408-0238 X --
2-1/2	2.70 - 3.13	5	6	*406-0288 X --	*408-0288 X --
3	3.25 - 3.50	7	6	**406-0350 X --	**408-0350 X --
3 - 4	3.80 - 4.13	7	6	**406-0413 X --	**408-0413 X --
4	4.25 - 4.50	10	4	406-0450 X --	408-0450 X --
4	4.50 - 4.80	10	4	406-0480 X --	408-0480 X --
4	4.74 - 5.45	10	4	406-0545 X --	408-0545 X --
5	5.50 - 5.56	10	4	406-0556 X --	408-0556 X --
6	6.50 - 6.63	10	4	406-0663 X --	408-0663 X --
6	6.63 - 6.90	10	4	406-0690 X --	408-0690 X --
6	6.84 - 7.60	10	4	406-0745 X --	408-0745 X --
8	8.50 - 8.63	12	4	406-0863 X --	408-0863 X --
8	8.63 - 9.05	13	4	406-0905 X --	408-0905 X --
8	8.99 - 9.79	13	4	406-0963 X --	408-0963 X --
10	10.60 - 10.75	14	3	406-1075 X --	408-1075 X --
10	10.75 - 11.10	14	3	406-1110 X --	408-1110 X --
10	11.10 - 11.40	14	3	406-1140 X --	408-1140 X --
10	11.00 - 12.25	14	3	406-1225 X --	408-1225 X --
12	12.75 - 13.20	16	3	406-1320 X --	408-1320 X --
12	12.75 - 13.50	16	3	406-1350 X --	408-1350 X --
12	13.10 - 14.38	16	2	406-1426 X --	408-1426 X --
12 - 14	14.00 - 15.20	15	1	406-1520 X --	408-1520 X --
14	C-905 15.30	15	1	406-1530 X --	408-1530 X --
14 - 16	15.20 - 16.60	15	1	406-1660 X --	408-1660 X --
16	C-905 17.40	16	1	406-1740 X --	408-1740 X --
16 - 18	17.30 - 18.88	16	1	406-1888 X --	408-1888 X --
18	C-905 19.50	18	1	406-1950 X --	408-1950 X --
18 - 20	19.00 - 20.50	18	1	406-2050 X --	408-2050 X --
18 - 20	20.50 - 21.50	18	1	406-2125 X --	408-2125 X --
20	C-905 21.60	20	1	406-2160 X --	408-2160 X --
20	21.35 - 22.60	20	1	406-2260 X --	408-2260 X --
20	22.50 - 23.70	20	1	406-2370 X --	408-2370 X --
24	23.75 - 25.25	20	1	406-2525 X --	408-2525 X --
24	C-905 25.80	20	1	406-2580 X --	408-2580 X --
24	25.50 - 26.50	20	1	406-2650 X --	408-2650 X --

OUTLET SIZES	TAP CODES IP	TAP CODES CC
1/2”	04	--
3/4”	06	07
1”	08	09
1-1/4”	10	11
1-1/2”	12	13
2”	14	15
2-1/2”	16	--

*Outlets Not available in 1-1/4”, 1-1/2”, 2” or 2-1/2”
**Outlets Not available in 2” CC or 2-1/2” IP

HOW TO ORDER

1. Determine O.D. of pipe, outlet size and thread type.
2. Select desired saddle type and tap order code.
3. Look under saddle listing to determine order number. Add tap code after base catalog number.
   Example: For 6” C.I. Pipe with O.D. of 6.90 with 1” IP thread, order: 406-0745 x 08IP.
   For electro galvanized straps, order: 408-0745 x08IP

JCM INDUSTRIES
Pipe Fittings & Fabrications for Industrial Service

P.O. Box 1220, Nash, TX 75569-1220
Phone: 903-832-2581, Fax 903-838-6260
www.jcmindustrialfittings.com

Contact JCM: Call Toll Free 800-527-8482
Fax Toll Free 800-874-9524
sales@jcmindustrialfittings.com

JCM Flanged Coupling Adapters for Industrial Service

JCM 301 Standard Flexible Flanged Coupling Adapter

The JCM 301 FCA provides a quick simple means of joining flanged fittings to plain end pipe. The 301 will dampen vibration, accommodate pipe deflection and expansion, provide for easy equipment removal and reinstallation, and eliminate the need for exact measurements.

The Optional 301 Restrained Flanged Adapter provides torque head set screws which provide restraint for applications in which the pipe may move or pull out of the coupling. Recommended for Steel, Stainless Steel Cast Iron, Ductile Iron and other types of pipe applications.





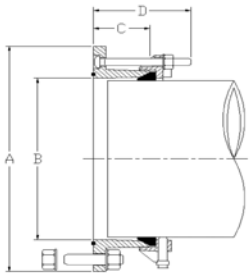
NOMINAL PIPE SIZE		PIPE O.D. RANGE		CATALOG NUMBER	QTY OPTIONAL SET SCREWS	APPR. WT EACH (LBS.)
IN	MM	IN	MM			
3	80	3.50 3.80 - 4.17	88 96 - 150	301-0350 301-0396	4 4	17 17
4	100	4.00 4.50 4.80 - 5.10	101 114 121 - 129	301-0400 301-0450 301-0480	N/A 4 4	22 22 22
6	150	6.00 6.63 6.90 - 7.20	152 168 175 - 182	301-0600 301-0663 301-0690	N/A 8 8	37 37 37
8	200	8.00 8.63 9.05 - 9.40	203 219 229 - 238	301-0800 301-0863 301-0905	N/A 8 8	44 44 44
10	250	10.75 11.10 - 11.40	273 281 - 289	301-1075 301-1110	12 12	67 67
12	300	12.75 13.20 - 13.50	323 335 - 342	301-1275 301-1320	12 12	94 94

*Set Screws are not for use on Asbestos Cement, HDPE or PVC pipe.
Add (R) to end of Catalog Number to indicate optional set screws.

JCM 301 Flanged Coupling Adapter furnished with Class 125/150 bolt pattern for 150 PSI service. For other flanges, see JCM 303 and 304 Fabricated Flanged Coupling Adapters.

JCM 301 Dimensions

Nominal Size	A	B	C	D
3	8-1/8	5-1/4	3	5
4	9-1/8	5-1/4	3	5
6	11-1/8	7-5/16	3-1/2	5
8	13-1/2	9-9/16	3-1/2	5
10	16-1/4	11-9/16	4	6-1/2
12	19	13-5/8	4	6-1/2



Typical Application:
Connection
Temporary/Permanent
Connection/Insertion

Valves
Backflow Preventors
Flanged Fittings
Monitoring Equipment
Retrofit of Inline Fittings

For application parameters, contact JCM Engineered and Technical Sales
800-527-8482 or 903-832-2581

MATERIAL SPECIFICATIONS

Sleeve & Flanges: Sleeve - Ductile Iron Per ASTM A536
Flange - Ductile Iron with ANSI Class 125 & 150 bolt pattern

Gaskets: Styrene-Butadiene Rubber (SBR) has good physical properties. Compounded for use with water, salt solutions, mild acids and bases; has excellent abrasion resistance. Per ASTM D-2000. Standard temperature range from -40° to 150°F (-40° to 65° C) constant, maximum intermittent 180°F (82°C). For applications on high temperatures or chemical pipelines, contact JCM Industries Technical Services. The material is not recommended for use on oil, ozone or weather resistant applications.

Bolts: 5/8" Corrosion resistant, high strength low alloy oval neck track head bolts Corrosion resistant, high strength low alloy ASTM A242, A193 B5, B7. Optional A193 B8 304 stainless steel or 316 stainless steel.

Epoxy Coated Alloy Hardware, Powercron 590-534 black cationic electrocoat.

Coating: Corrosion resistant shop coat paint primer. Optional fusion applied epoxy coating per ANSI C-213. Other coatings available upon request.

©JCM Industries, Inc. I301-1214

MEGA-COUPLING®
Series 3800
Restrained Coupling

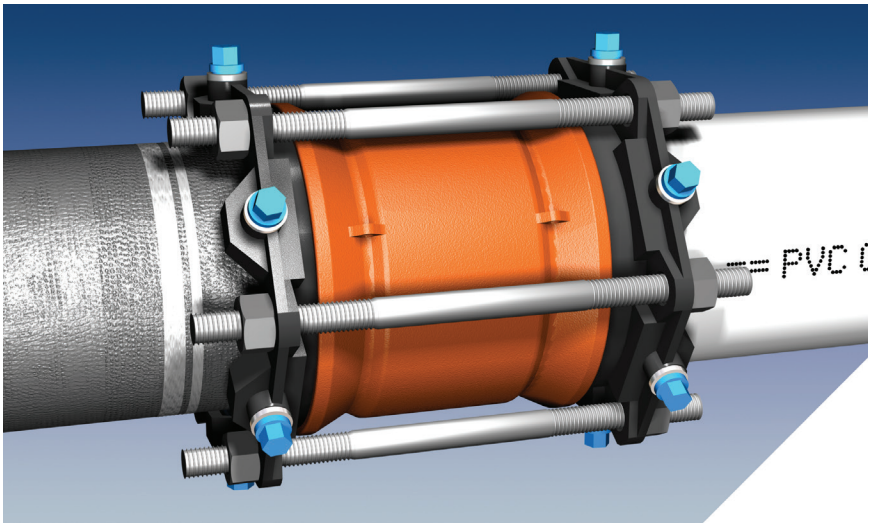


Image depicts Series 3806 on 6 inch ductile iron pipe and 6 inch PVC pipe.

The Series 3800 are designed to restrain forces based on the maximum working pressure ratings listed in the Pressure Ratings Table.

Forces experienced due to expansion/contraction of the pipe require special consideration.

For use on water or wastewater pipelines subject to hydrostatic pressure and tested in accordance with either AWWA C600 or ASTM D2774.

Features and Applications:

- **For use on:**
  - Ductile Iron Pipe, 4 in. - 54 in.
  - C900 or ASTM D2241 PVC Pipe, 4 in. - 12 in.
  - C900-16 PVC Pipe, 14 in. - 36 in.
  - Carbon Steel Pipe, 4 in. - 12 in.
  - HDPE Pipe, 4 in. - 12 in.
- **Minimum 2 to 1 Safety Factor**
- **MEGA-BOND® Restraint Coating System**
  For more information regarding MEGA-BOND, refer to our web site at www.ebaa.com
- **Constructed of:**
  - Restraint Rings - *ASTM A536 Ductile Iron (DI)*
  - Coupling Sleeve - *4 - 12 in., ASTM A536 DI*
  - Coupling Sleeve - *14 in. and greater, Carbon Steel*
  - Double Ended Threaded Rods w/Nuts - *Corrosion Resistant, low alloy, high strength steel per ANSI/AWWA C111/A21.11*
- **Couplings meets or exceeds the applicable requirements of:**
  - AWWA C219
  - ASTM A536
  - ANSI/AWWA C111/A21.11
  - ASTM D2000

					Pressure Ratings (PSI)									
					HDPE Pipe			C900-16 PVC Pipe						
Nominal Pipe Size	Series Number†	Shipping Weight	Ductile Iron Pipe	Steel Pipe	DR11	DR13.5	DR17	DR14	DR18	DR25	DR18	DR25	DR32.5	DR41
4	3804	36.50	350	350	160	130	100	305	235	165	-	-	-	-
6	3806	49.40	350	350	160	130	100	305	235	165	-	-	-	-
8	3808	67.93	350	350	160	130	100	305	235	165	-	-	-	-
10	3810	85.46	350	350	160	130	100	305	235	165	-	-	-	-
12	3812	103.98	350	350	160	130	100	305	235	165	-	-	-	-
14	3814	157.18	350	-	-	-	-	-	-	-	235	165	125	80
16	3816	183.02	350	-	-	-	-	-	-	-	235	165	125	80
18	3818	201.64	250	-	-	-	-	-	-	-	200	165	-	-
20	3820	229.93	250	-	-	-	-	-	-	-	200	165	-	-
24	3824	364.24	250	-	-	-	-	-	-	-	165	165	125	100
30	3830	540.60	250	-	-	-	-	-	-	-	-	165	125	-
36	3836	695.90	250	-	-	-	-	-	-	-	-	125	125	-
42	3842	1,219.48	250	-	-	-	-	-	-	-	-	-	-	-
48	3848	1,449.76	250	-	-	-	-	-	-	-	-	-	-	-
54	3854	1,584.00	200	-	-	-	-	-	-	-	-	-	-	-

Weights units are pounds and are approximate values.

†See Page 3 of this brochure regarding specifying proper Series Number.

Special Notes For Use On HDPE Pipe

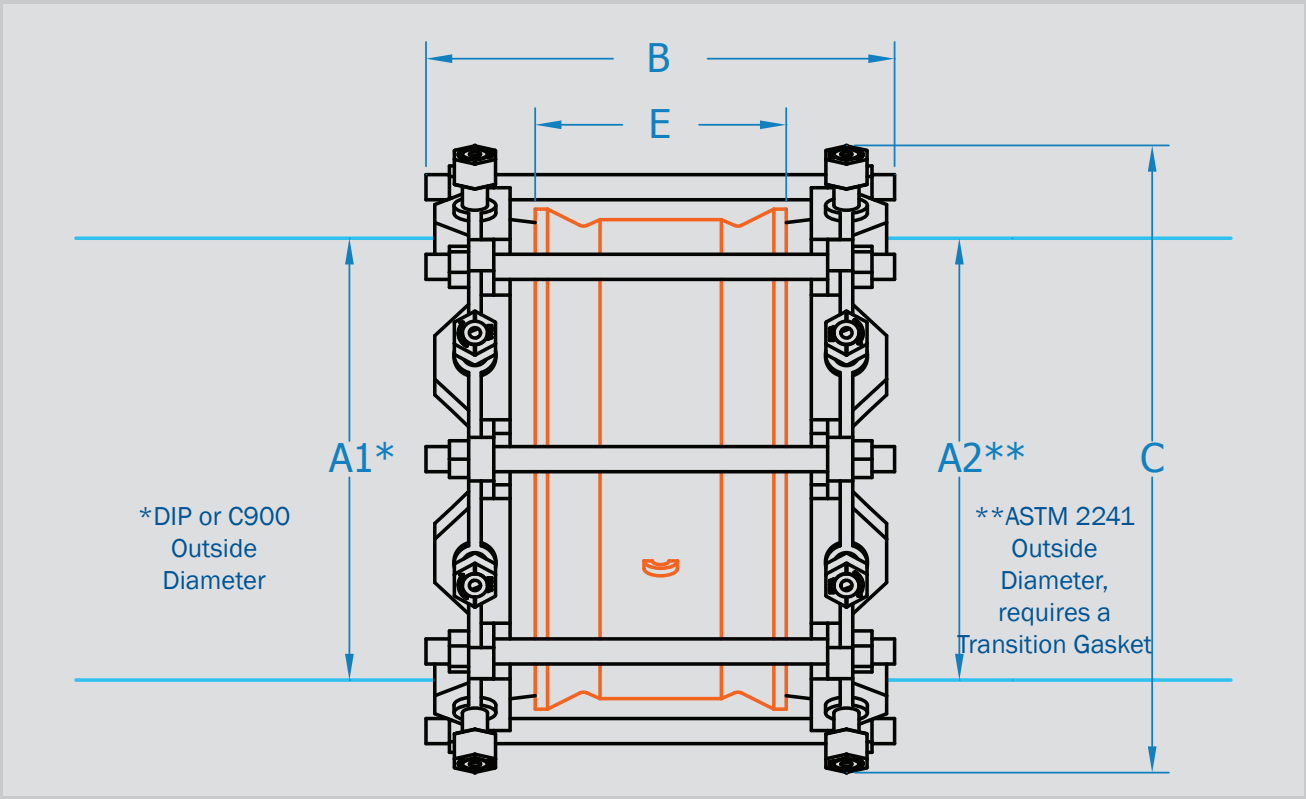
For use on 4 inch through 12 inch HDPE only. The use of a pipe wall stiffening insert is required for use on HDPE pipe. The stiffeners must be sized to encompass the entire bearing length of the restraint devices. Pipe systems must be engineered to prevent movement causing fitting to slide or rotate.

EBAA products for HDPE are designed for underground pressurized fluid service and are pressure rated to match the pipe SDR pressure rating, de-rated as appropriate for service temperature. Maximum test pressure limited to pipe rated pressure.

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Series 3800 Submittal Reference Drawing 4 in. - 12 in.

EBAA IRON



MADE IN USA

Nominal Pipe Size	Series Number†	A1 Pipe O.D. (Maximum)	A2 Pipe O.D. (Minimum)	B Overall Length	C†† Max. Restraint O.D. (Casing Clearance)	D Thrust Bolt (Number-Size)	E Barrel Length	Maximum Deflection
4	3804XX	4.80	4.50	14.0	9.5	4 - ¾ x 14	7.5	4°
6	3806XX	6.90	6.63	14.0	12.1	6 - ¾ x 14	7.5	4°
8	3808XX	9.05	8.63	14.0	13.6	6 - ¾ x 14	7.5	4°
10	3810XX	11.10	10.75	14.0	16.0	8 - ¾ x 14	7.5	4°
12	3812XX	13.20	12.75	14.0	18.1	8 - ¾ x 14	7.5	4°

† See following page regarding specifying proper Series Number.

†† As installed with Twist-Off nuts off.

Note: Dimensions are in inches (± 1%) and are subject to change without notice.

Sample Specification

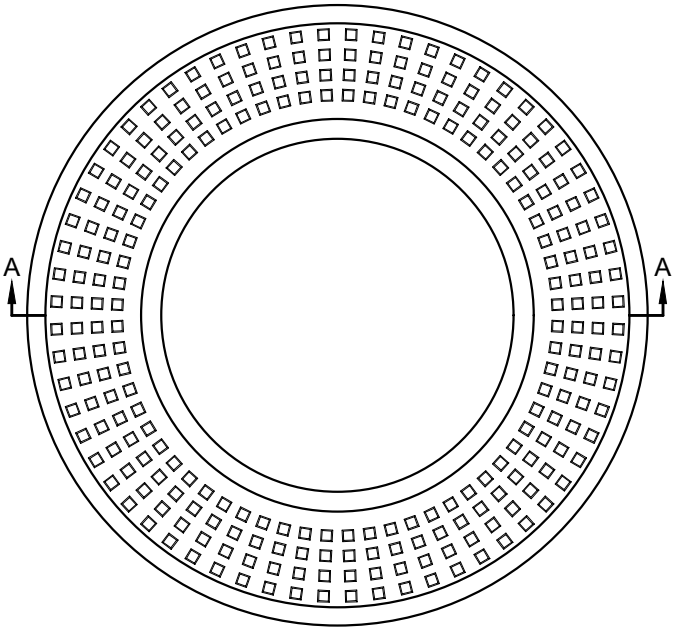
Joint restraint to prevent axial separation shall be incorporated into the design of the sleeve or coupling used to connect two plain ends of same or dissimilar materials, such as Ductile Iron pipe, steel pipe, PVC pipe (C900 or ASTM D2241) and or High Density Polyethylene (HDPE) pipe. Internal pipe wall stiffeners must be used when restraining HDPE.

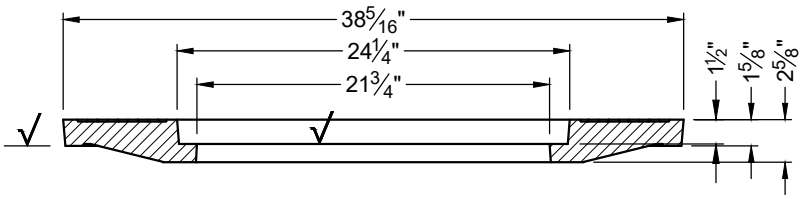
The restraint mechanism shall incorporate a plurality of individually actuating gripping surfaces to maximize restraint capability, and have torque limiting twist off nuts to insure proper actuating of the restraint devices. The restraint devices shall be coated using MEGA-BOND®. For complete specifications on MEGA-BOND visit www.ebaa.com.

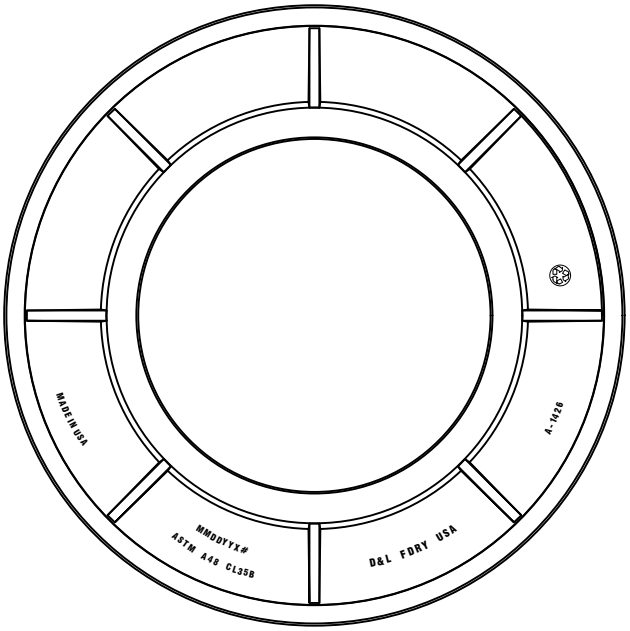
The coupling sleeve internal surfaces (wetted parts) shall be lined with a minimum of 15 mils of fusion bonded epoxy conforming to the applicable requirements of ANSI/AWWA C213. The coating shall meet ANSI/NSF-61. Exterior surfaces shall be coated with a minimum of 6 mils of fusion bonded epoxy conforming to the applicable requirements of ANSI/AWWA C116/A21.16. Ductile Iron components shall meet or exceed the requirements of ASTM A536, and shall be tested in accordance with said standard. Sealing gaskets shall be constructed of SBR and Certified to requirements of ANSI/NSF 61.

The restrained joining system shall meet the applicable requirements of AWWA C219, ANSI/AWWA C111/A21.11, and ASTM D2000.

The restrained coupling system shall be Series 3800 manufactured by EBAA Iron, Inc.







CONFIDENTIALITY STATEMENT

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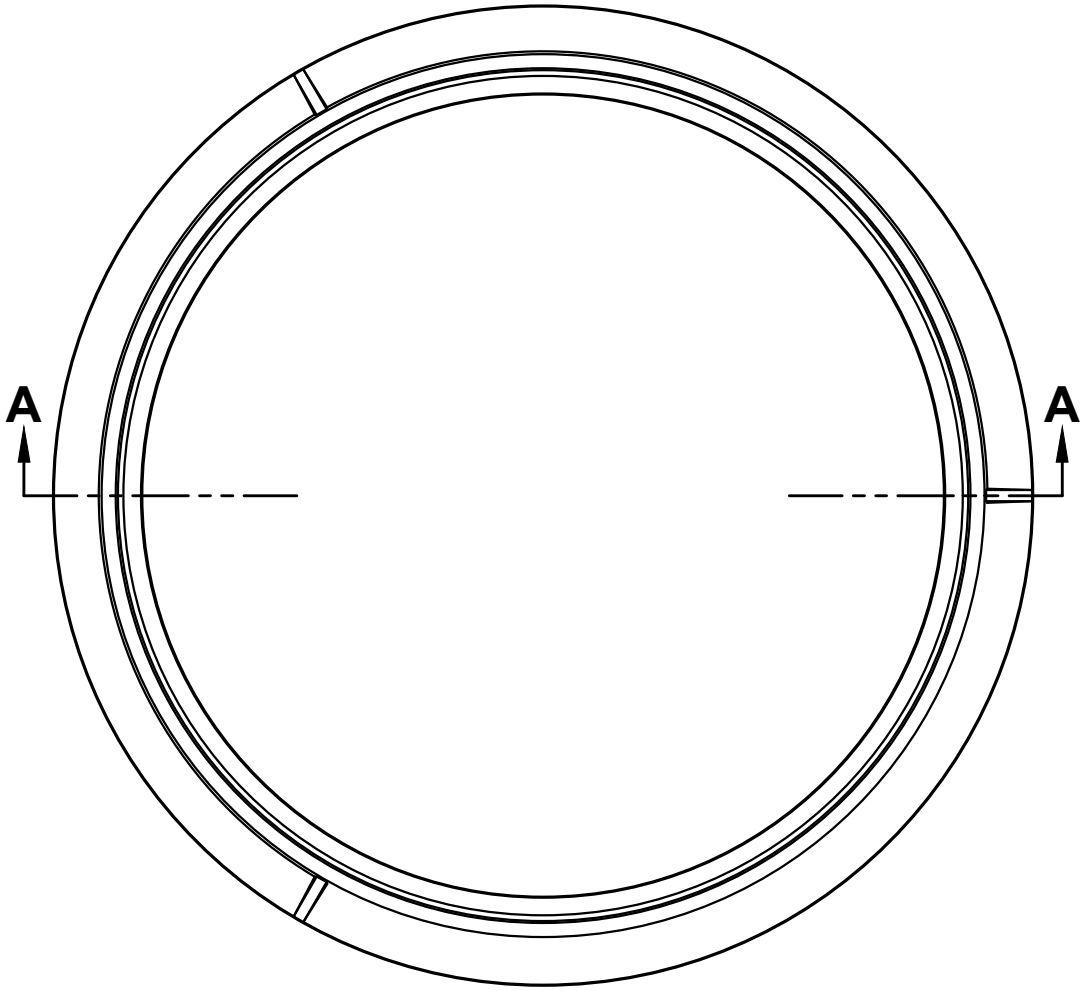
√ = INDICATES MACHINED SURFACE

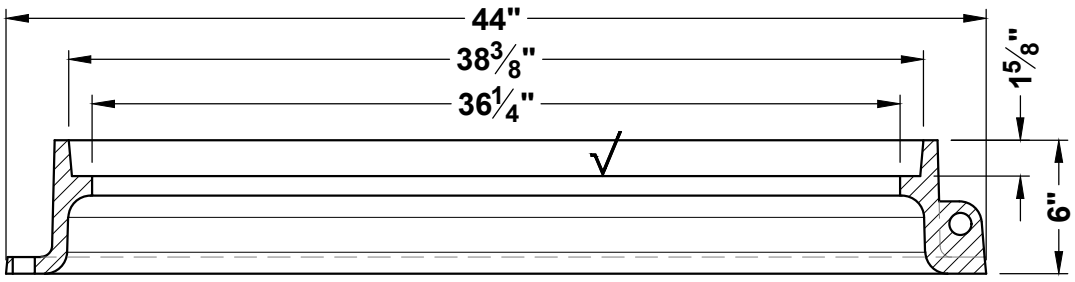
D&L SUPPLY COMPANY EST. 1977

SEE US ONLINE AT DLSUPPLYCO.COM

PRODUCT NUMBER:	MATERIAL TYPE:	DATE:2022-08-31
ADAPTER: A-146-R2L	GRAY IRON: ASTM A-48 CL 35B	EXCEEDS: H20 WHEEL LOADING

c:_dls cad files__dls drawings\a\a-1426\a-1426-r2l.dwg





SECTION A-A

CONFIDENTIALITY STATEMENT

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√ = INDICATES MACHINED SURFACE

D&L SUPPLY COMPANY EST. 1977

SEE US ONLINE AT DLSUPPLYCO.COM

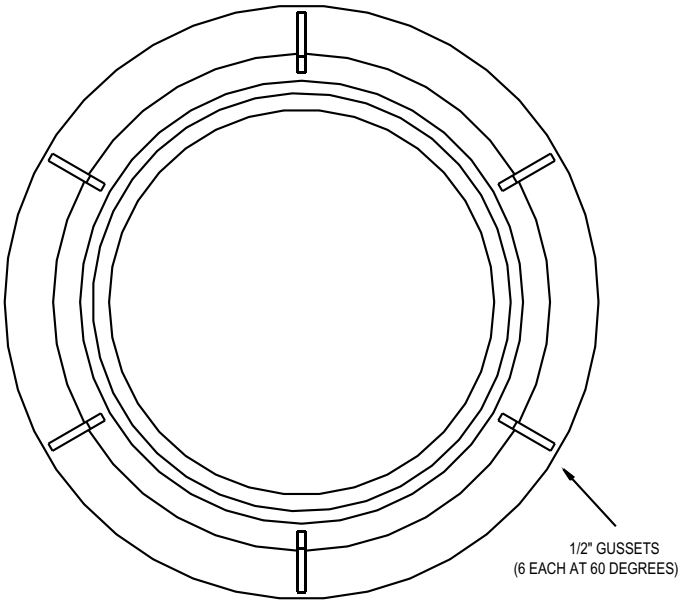
PRODUCT NUMBER:	MATERIAL TYPE:	DATE:2022-08-31
RING: A-1426-L1	GRAY IRON: ASTM A-48 CL 35B	EXCEEDS: H20 WHEEL LOADING

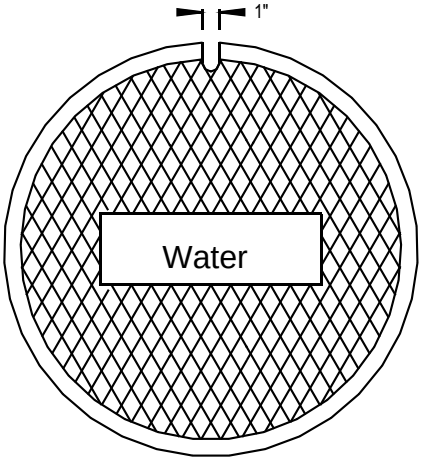
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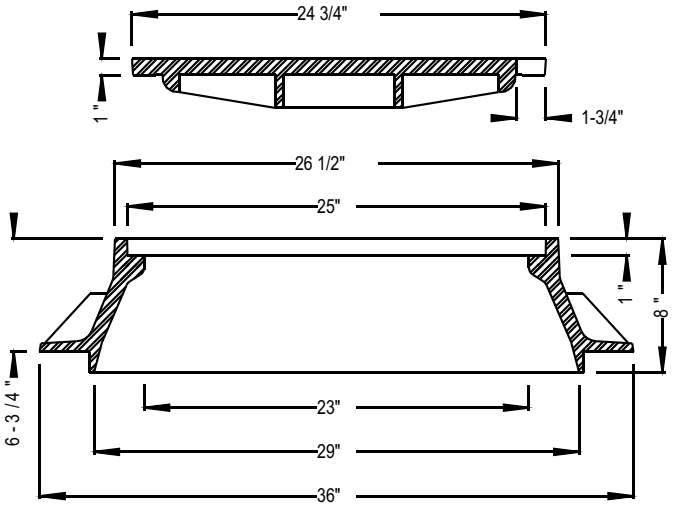
A-1180

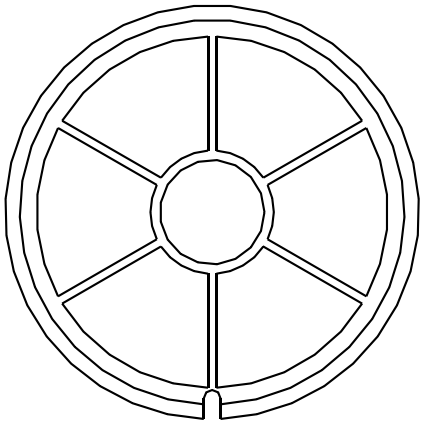
Manhole Ring & Cover

Marked Water









RINGS & COVERS BITUMINOUS COATED, UNLESS SPECIFIED OTHERWISE

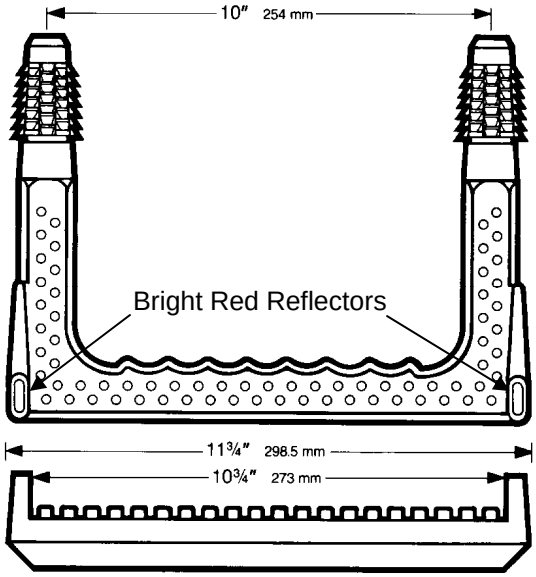
CAST IRON conforms to
ASTM A-48-93 Class 35B
Meets H-20 Wheel Loading

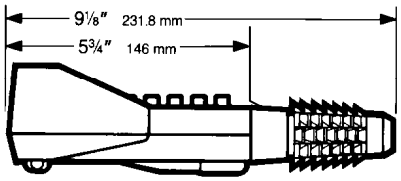
D&L model No. A-1180
Estimated Weight of
A-1180
405 lbs.

D&L Foundry & Supply
CA Sales: (707) 557-4525 fax: (707) 557-4655
UT Sales: (801) 785-5015 fax: (801) 785-0835
WA Sales: (509) 765-7952 fax: (509) 765-8124

Designation:	*Date:*	*Prepared by:*	
A-1180	October 2001	*Jesse Walker*	D&L Supply (not to scale)

P-10938

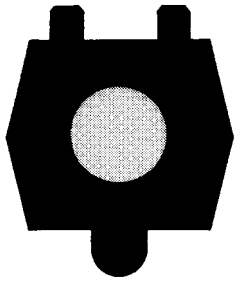




Step #
P-10938

Weight: 2.15 lbs. each

SPECIFICATIONS
All Lane Poly Steps meet the requirements of ASTM C-478 and AASHTO M-199. The polypropylene conforms to ASTM D-4101. The ½" Grade 60 reinforcing bar meets ASTM A-615



RUNG
½" Grade 60 Rebar

LANE POLYPROPYLENE MANHOLE STEPS

LANE INTERNATIONAL CORPORATION

P.O. Box 925 • 10758 S.W. Manhasset Dr. • Tualatin, OR 97062 • 503-692-9860 • 800-666-0076
Fax 503-692-9863 • www.laneinternational.com

SEAL OF SECURITY
ConSeal™
Concrete Sealants Inc.
BOND OF TRUST

Don't Just Seal It, ConSeal It!

ConSeal™ CS-102

Butyl Rubber Sealant



Butyl Rubber Sealant for All Precast Concrete Structures - Meets ASTM C990

Applications

For concrete joints in: Manholes, Concrete Pipe, Vaults, Box Culverts, Septic Tanks, and Vertical Panel Structures. **Not intended for use in expansion joints or joints that move.**

Sealing Properties

- Provides permanently flexible watertight joints.
- Low to high temperature workability: 30°F to 120°F (-1°C to +49°C)
- Rugged service temperature: -30°F to +200°F (-34°C to +93°C)
- Excellent chemical and mechanical adhesion to clean dry surfaces.
- Greater cohesive and adhesive strengths.
- Sealed joints will not shrink, harden or oxidize upon aging.
- Controlled flow resistance for application ease.
- ConSeal CS-102 meets the hydrostatic performance requirement as set forth in ASTM C990 section 10.1. (Performance requirement: 10psi for 10 minutes in straight alignment – in plant, quality control test for joint materials.)
- ConSeal CS-102 meets or exceeds all of the requirements of Federal Specification SS-S-210 (210-A), and AASHTO M-198B.
- No priming normally necessary. When confronted with difficult installation conditions, such as wet concrete or temperatures below 40°F (4°C), priming the concrete will improve the bonding action. Consult Concrete Sealants for the proper primer to meet your application.

Physical Properties & Chemical Composition

Description	Spec	Required	CS-102
Color			Black
Specific Gravity, 77°F (25°C)	ASTM D71	1.15-1.50	1.25
Ductility, 77°F (25°C)	ASTM D113	5.0 min.	10
Penetration, cone 77°F (25°C), 150 gm, 5 sec.	ASTM D217	55-100 dmm	55-60 dmm
Flash Point, C.O.C., °F	ASTM D92	350°F min.	375°F
Fire Point, C.O.C., °F	ASTM D92	375°F min.	475°F
Hydrocarbon plastic content, % by weight	ASTM D297	50% min.	51%
Inert material filler, % by weight	AASHTO T111	30% min.	35%
Volatile Mater, % by weight	ASTM D6	3% max.	1.2%

Immersion Testing

30-Day Immersion Testing: No visible deterioration when tested in 5% Caustic Potash, 5% Hydrochloric Acid, 5% Sulfuric Acid, and 5% saturated Hydrogen Sulfide.

One Year Immersion Testing: No visible deterioration when tested in 5% Formaldehyde, 5% Formic Acid, 5% Sulfuric Acid, 5% Hydrochloric Acid, 5% Sodium Hydroxide, 5% Hydrogen Sulfide, and 5% Potassium Hydroxide.

Installation Guidelines

The following procedures should be followed for optimum sealant performance.

- Clean the upper and lower joint surface with a stiff bristle brush.
- Remove any dirt, debris, flashing, or concrete high points, which could keep the joint from coming together.
- If necessary, a joint primer can be applied to improve sealant adhesion. Allow the primer to dry before placing sealant.
- DO NOT PLACE ANY JOINTS WITHIN 12" OF A CORNER.
- Join the sealant into one continuous strand by kneading the ends together where they meet. **Do not stretch the sealant.**
- A **minimum** compression of 50% is required. Greater than 50% compression is optimal. It may take 15-20 minutes for the sealant to fully compress depending on the ambient temperature and the weight being applied.

Reference Installation Instructions for **"Butyl Sealing Tapes"** for more detailed instructions.

Limited Warranty

This information is presented in good faith, but we cannot anticipate all conditions under which this information and our products, or the products of other manufactures in combination with our products, may be used. We accept no responsibility for results obtained by the application of this information or the safety and suitability of our products, either alone or in combination with other products. Users are advised to make their own tests to determine the safety and suitability of each such product or product combinations for their own purposes. It is the **users' responsibility** to satisfy himself as to the suitability and completeness of such information for this own particular use. We sell this product without warranty, and buyers and users assume all responsibility and liability for loss or damage arising from the handling and use of this product, whether used alone or in combination with other products.

Version: 29-Jan-20

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CONCRETE SEALANTS INC. ■ 9325 State Route 201 ■ Tipp City, OH 45371, USA ■ **www.ConSeal.com**

Toll Free (USA): 800.332.7325 ■ **Phone:** +1.937.845.8776 ■ **Fax:** +1.937.845.3587

ISO 9001 Since 1997

Concrete Sealants, Inc.
ISO 9001:2015 Registered


Santa Clara Existing 16" Water Line
Future 16" Black Desert Water Line
Existing 10" Pressure Reducing Valve to be Re-located and upsized to 12"
MESA VISTA RD
MAJESTIC DR
PADRE LAKES DR
COYOTE LANDING DR
NORTH TOWN RD
PARADISE VILLAGE CIR
WHIRLAWAY TRL
BLACK DESERT DR
SNOW CANYON PKWY
WEISKOPF WAY
PRIVATE ST
SINAGUA TRL
ANASAZI TRL
TACHEENE DR
02/06/2022 - 04/17/2022

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 11

Applicant: Santa Clara City **Requested by:** Chris Shelley

Subject: Notice of Public Meetings

Description:

Staff is asking to Consider approval of the 2024 Notice Of Public Meetings. This is done annually and will bring the City in compliance with Utah Code 52-4-202(2)(a).

Recommendation: N/A **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

CITY OF SANTA CLARA
NOTICE OF PUBLIC MEETINGS
2024

City Council:
Regular Meetings

- 2nd and 4th Wednesday of each month at 5:00 p.m. with the exception of the Thanksgiving and Christmas Holidays.

Regular Work Meeting

- 3rd Wednesday of each month at 5:00 p.m. with the exception of the Thanksgiving and Christmas Holidays.

Planning & Zoning Commission/Land Use Authority:

- 2nd and 4th Thursday of each month at 5:30 p.m.

Heritage Commission:

- 1st Thursday at 4:00 p.m. - Quarterly: January, April, July & December

Economic Development Commission:

- 4th Tuesday of each month at 5:00 pm.

City Council may call Special Meetings When needed.

Agendas of all city meetings, both regularly scheduled and special or work meetings, are sent to the Spectrum and posted at the Santa Clara Town Hall, the Santa Clara Post Office and on the Public Notice Website at http://pmn.utah.gov at least 24 hours prior to the meeting time.

All meetings are held in the Santa Clara Town Hall, 2603 Santa Clara Drive, Santa Clara, Utah unless otherwise noticed on the meeting agenda.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations, including auxiliary communicative aids and services, during any of these meetings, should notify the City Recorder Chris Shelley at 673-6712 Ext. 203 at least 24 hours prior to the meeting.

This notice is published in compliance with Utah Code 52-4-202(2)(a).

Chris Shelley
City Recorder

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF
SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 12

Applicant: Gary Hall **Requested by:** Gary Hall

Subject: Pre-Pay Transaction Tax Certificate

Description:

The Internal Revenue Code and US Treasury Regulations ("Tax Code and Regulations") contain special provisions that allow tax-exempt bonds to be issued to finance prepayments for natural gas and electricity.

The Tax Code and Regulations require that the prepaid (discounted) gas or electricity (including electricity that is generated using prepaid natural gas as fuel) be used by UAMPS members to serve retail customers in their municipal utility service areas. This is referred to as the "Qualifying Use" requirement.

This resolution states that Santa Clara City agrees to the terms and conditions of the Tax Certificate and Agreement.

Recommendation: Approval

Attachments: N/A

Cost: 0

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

TALKING POINTS RE PREPAY TRANSACTION
NOVEMBER 27, 2023

OVERVIEW

- The Internal Revenue Code and US Treasury Regulations ("Tax Code and Regulations") contain special provisions that allow tax-exempt bonds to be issued to finance prepayments for natural gas and electricity. The prepay transactions are structured to convert the difference between the issuer's lower (tax-exempt) cost of funds and the prepaid energy supplier's higher (taxable) cost of funds into a discounted price for prepaid energy.
    - The initial discount is expected to be at least 7.5% and will be determined before closing.
    - The amount of the discount will be reset periodically over the term of the prepay (every five to ten years) when the bonds are refinanced.
- UAMPS will assign existing gas or electricity purchase agreements into the prepay transaction and the discount will be applied to the contract prices under these agreements.
- The Tax Code and Regulations require that the prepaid (discounted) gas or electricity (including electricity that is generated using prepaid natural gas as fuel) be used by UAMPS members to serve retail customers in their municipal utility service areas. This is referred to as the "Qualifying Use" requirement.
- The date of closing has not yet been determined but will likely take place in Q1 2024.
- The term of the transaction is thirty years.

CONTRACT STRUCTURE

- Southeast Energy Authority ("SEA") will issue bonds for a 30-year prepayment for gas or electricity from a special purpose entity ("Prepay LLC") organized by J. Aron & Company, the commodities affiliate of Goldman Sachs & Co.
    - UAMPS has no obligation on the bonds issued by SEA.
- UAMPS will assign previously-executed gas purchase or power purchase agreement(s) to J. Aron through a Limited Assignment Agreement ("LAA").
    - The LAA does not require any changes to the existing purchase agreement, but will be consented to by the seller.
    - The LAA is designed to leave the seller indifferent to the prepay. All interactions between UAMPS and seller remain the same.
    - The amount of gas or electricity purchases assigned to J. Aron under the LAA establishes the monthly cashflows required over the 30-year term of the prepay.
- UAMPS will first assign a 5-year gas purchase made to fuel the Nebo Power Plant into the prepay.
    - UAMPS is assigning less than the total amount of prepaid gas to allow for flexibility in future assignments.
    - In the future UAMPS will assign other gas or power purchase agreements, such as Red Mesa or Steel Solar, into the prepay to support the required monthly cashflows and to continue to receive the discount from the prepay.
- The LAA provides J. Aron "flash title" to the assigned gas or electricity, which is then delivered to Prepay LLC, which is then delivered to SEA, which then delivers the gas or electricity to UAMPS.

    - If the prepaid transaction terminates for any reason, the LAA also terminates and UAMPS and the seller are restored to their original positions.
- UAMPS will enter a "Commodity Supply Agreement" with SEA to purchase the gas or electricity from SEA at a discount.
- The bonds issued by SEA will need to be refinanced from time to time over the 30-year term of the prepay. When the bonds are refinanced, the discount available to UAMPS under the Commodity Supply Agreement will need to be reset.
    - Changes in market conditions could lead to a lower (or higher) savings for UAMPS.
    - The Commodity Supply Agreement will specify the minimum discount to be achieved for each reset period. If minimum is not achieved, UAMPS may choose not to take energy from the prepay project during the reset period.

QUALIFIED USE CERTIFICATE

- UAMPS has provided a resolution for the governing boards of the Payson Power Project Participants ("Participants") that approves the form of a "Qualified Use Certificate" for the prepaid energy. Please have the resolution signed and returned to UAMPS.
    - Complete the resolution by filling in the date it was adopted on page 2 Please do not make changes to these documents without contacting UAMPS.
    - The resolution may be passed at any time.
    - Do not complete or sign the generic form of the Qualified Use Certificate that's attached to the resolution. We will send you a final, individualized Qualified Use Certificate a few weeks before the bond closing for execution.
- The Qualified Use Certificate states that the electricity that the Participant receives from the prepay will be used to serve retail customers located in the established service territory of its electric utility system.
    - If, during the term of the prepay, a Participant uses the electricity for a non-Qualified Use, it agrees that it will cooperate with UAMPS to remediate the non-Qualified Use through its other power purchases from UAMPS.
- The Participant must also confirm in the Qualified Use Certificate that the amount of its historic electricity sales to its retail customers equals or exceeds the amount of electricity attributable to its Entitlement Share under the Payson Power Sales Contract.

RESOLUTION 2023-16R AUTHORIZING A TAX CERTIFICATE AND AGREEMENT FOR UAMPS' PAYSON POWER PROJECT; AND RELATED MATTERS.

*** *** ***

WHEREAS, City of Santa Clara, Utah (the *"Participant"*) is a member of Utah Associated Municipal Power Systems (*"UAMPS"*) and is a Participant in the Payson Power Project (the *"Project"*) under the Payson Power Project Power Sales Contract dated as of June 1, 2002, as supplemented (the *"Power Sales Contract"*) between the Participant and UAMPS;*

WHEREAS, the Participant has been advised that UAMPS proposes to enter into a Commodity Supply Contract (the *"Supply Contract"*) with Southeast Energy Authority, a Cooperative District (*"SEA"*) to purchase a portion of the natural gas necessary for the operation of the Project at price that reflects a discount from the current contract price of natural gas for the Project being paid by UAMPS, and that the savings from such discount will be applied by UAMPS for the benefit of the Participant and the other Participants in the Project based on their respective Entitlement Shares;

WHEREAS, the Participant has been advised that SEA will issue bonds to finance a prepayment for the natural gas that it sells to UAMPS under the Supply Contract (the *"Prepay Bonds"*) with the intention that the interest on the Prepay Bonds will qualify for tax exemption under Section 103 of the Internal Revenue Code of 1986, as amended (the *"Code"*); and

WHEREAS, the Participant acknowledges that its use of the electricity it purchases from its Entitlement Share under the Power Sales Contract will be subject to certain restrictions that are necessary to establish and maintain the tax-exempt status of interest on the Prepay Bonds, and desires to adopt this resolution to authorize a Tax Certificate and Agreement that sets forth the Participant's agreement to comply with such restrictions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, UTAH, AS FOLLOWS:

Section 1. Approval of Tax Certificate and Agreement. The Tax Certificate and Agreement, in substantially the form attached hereto as *Exhibit A*, is hereby authorized and approved.

Section 2. Authorized Officers; Final Changes and Dating. The Participant's Representative and Alternate Representative to UAMPS (the *"Authorized Officers"*) are each hereby authorized to execute and deliver the Tax Certificate and Agreement and to deliver the same to UAMPS on behalf of the Participant. Each of the Authorized Officers is hereby delegated

* Capitalized terms used and not otherwise defined herein have the meanings assigned to them in the Power Sales Contracts and the Tax Certificate and Agreement.

authority to approve such changes to the Tax Certificate and Agreement as are necessary to complete the form thereof, together with any minor or non-substantive changes, and his or her execution of the Tax Certificate and Agreement shall be conclusive evidence of such approval. The Authorized Officers shall deliver an executed and undated copy of the Tax Certificate and Agreement on or prior to the date requested by UAMPS, and UAMPS is hereby be authorized to deliver the Tax Certificate and Agreement, dated the issue date of the Prepay Bonds, to SEA on behalf of the Participant.

Section 3. Other Actions With Respect to the Tax Certificate and Agreement. The Authorized Officers shall take all action necessary or reasonably required to carry out and give effect to the Tax Certificate and Agreement including adjusting the priority of the Participant's resources within the UAMPS Power Pool to ensure the Qualified Use of the electricity from the Participant's Entitlement Share in the Project.

Section 4. Severability. If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

Section 5. Effective Date. This resolution shall be effective immediately upon its approval and adoption.

ADOPTED AND APPROVED by the City Council of the City of Santa Clara, Utah, this day, _____.

CITY OF SANTA CLARA, UTAH

By _____
Mayor

[SEAL]

ATTEST:

_____
City Recorder

EXHIBIT A

TAX CERTIFICATE AND AGREEMENT

This Tax Certificate and Agreement is executed in connection with the Commodity Supply Contract (the *"Supply Contract"*) between Southeast Energy Authority, a Cooperative District (*"SEA"*) and Utah Associated Municipal Power Systems (*"UAMPS"*).

WHEREAS, Santa Clara City (the *"Participant"*) is a member of UAMPS and has entered into the Payson Power Project Power Sales Contract dated as of _____[1] (the *"Power Sales Contract"*) with UAMPS;

WHEREAS, the Participant understands that UAMPS has entered into the Supply Contract to obtain a supply of natural gas for use as fuel in the operation of the Payson Power Project, and that UAMPS will sell a portion of the electricity generated with such natural gas to the Participant in accordance with its Entitlement Share under (and as such term is defined in) the Power Sales Contract;

WHEREAS, the Participant further understands that SEA will issue bonds to finance a prepayment for the natural gas that it sells to UAMPS under the Supply Contract (the *"Prepay Bonds"*) with the intention that the interest on the Prepay Bonds will qualify for tax exemption under Section 103 of the Internal Revenue Code of 1986, as amended (the *"Code"*); and

WHEREAS, the Participant acknowledges that its use of the electricity it purchases from its Entitlement Share under the Power Sales Contract is subject to certain restrictions that are necessary to establish and maintain the tax-exempt status of interest on the Prepay Bonds;

ACCORDINGLY AND IN FURTHERANCE OF THE FOREGOING, THE PARTICIPANT HEREBY CERTIFIES AND AGREES AS FOLLOWS:

1. The Participant is a political subdivision of the State of Utah, and owns and operates a municipal utility system that provides electricity service to retail customers located in an established service area (the *"System"*).

2. The Participant will (a) use all of the electricity it acquires from its Entitlement Share under the Power Sales Contract in a Qualified Use (as defined below), (b) not take any action (or make any allocation) that is inconsistent with the Qualified Use of such electricity, (c) not take or omit to take any action which could adversely affect the tax-exempt or tax-advantaged status of interest on the Prepay Bonds or any refunding bonds issued by SEA, (d) take, and pay the costs of, such remedial actions as may be necessary to maintain the tax-exempt or tax-advantaged status

---

1 (a) "June 1, 2002" for Fairview, Monroe, Mt. Pleasant, Payson and Springville, (b) "June 1, 2002, as supplemented" for Ephraim, Hurricane, Hyrum, Kaysville, Lehi, Logan, Santa Clara, Spring City, SESD and Washington, and (c) "December 1, 2009" for TDPUD.

2 Utah for all Participants, except California for TDPUD.

of interest on the Prepay Bonds or any refunding bonds in the event of its failure to use such electricity in a Qualified Use, and (e) act in accordance with such reasonable written instructions as may be provided by SEA (through UAMPS) from time to time in order to maintain the tax exempt or tax-advantaged status of the Prepay Bonds.

3. *"Qualified Use"* means the sale of electricity to retail customers located within the "electricity service area" of a municipal utility pursuant to generally applicable and uniformly applied rate schedules or tariffs; *provided* that: (a) "Qualified Use" shall not include any sale of electricity that gives rise to "private business use" or a "private loan" within the meaning of Section 141 of the Code; and (b) "Qualified Use" shall include such additional uses of electricity as may be approved by SEA (through UAMPS) with a favorable opinion of bond counsel. For purposes of this definition: (i) "electricity service area" has the meaning assigned to such term in U.S. Treasury Regulation Section 1.148-1(e)(2)(iii); and (ii) a "municipal utility" is a state or local government unit that owns and operates an electric distribution utility.

4. In each of the five calendar years preceding 2024, the amount of electricity sold to retail customers in the Participant's electricity service area has equaled or exceeded the amount of electricity attributable to its Entitlement Share under the Power Sales Contract (excluding the amount of electricity that the Participant was obligated to take under a long term agreement that was either (i) purchased pursuant to a long term prepaid agreement using the proceeds of tax-exempt or tax-advantaged obligations, or (ii) generated from gas that a person is obligated to take under a long term agreement that was purchased pursuant to a long term prepaid agreement using the proceeds of tax-exempt or tax-advantaged obligations), and it anticipates this to be the case in 2024.

5. References to the "Bonds" in Section 17(c) [Sale or Assignment of Electric System or Power Sales Contract] and Section 17(f) [Tax Status] of the Power Sales Contract shall be deemed to include the Prepay Bonds at all times while the Supply Contract is in effect.

6. The Participant expects to make the required payments under the Power Sales Contract solely from the current revenues of the System.

Dated: _____, 2024.

[NAME OF PARTICIPANT]

By: _____
[Name]
[Title]

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen

CITY OF
SANTA CLARA
FOUNDED 1854

City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: 13/Dec/23 **Agenda Item:** 13

Applicant: Black Desert (Enlaw LLC) **Requested by:** Jim McNulty

Subject: Black Desert Amended Development Agreement

Description:

The applicant (Enlaw LLC), is proposing to amend the Black Desert Development Agreement. City Attorney, Matt Ence, has been working with the applicant's legal counsel for several months on this item. The updated Development Agreement and Project Maps have been included.

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

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

This FIRST AMENDMENT TO DEVELOPMENT AGREEMENT ("Amendment") is made and entered into effective December ____, 2023 by and between the City of Santa Clara, a municipal corporation and subdivision of the State of Utah ("City"), and ENLAW LLC, a Utah limited liability company and its assigns ("**Developer**" and collectively with City referred to as the "**Parties**" or each individually as a "**Party**") for the land located in what is generally known as Black Desert Resort ("**Planned Community**").

RECITALS

A. Developer and City entered that certain Development Agreement dated September 23, 2021 (the "Development Agreement").

B. The Parties now desire to amend and/or restate certain provisions of the Development Agreement.

C. Thus, by this Amendment the Parties agree to amend and/or replace the Development Agreement as set forth below.

AMENDMENT

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth and for other good and valuable consideration, the parties agree to amend the Development Agreement as follows:

1. **Concept Plan, Project Plan, Replacement of Exhibit B of the Development Agreement.** For the sake of clarity throughout the Development Agreement, wherever the term "Concept Plan" is used it is intended to mean "Project Plan" as that term is used in the applicable City code for planned developments and set forth in SC City Code § 17.68. The Parties hereby agree that Exhibit B of the Development Agreement is hereby amended, restated and replaced a new Exhibit B as set forth in Exhibit 1 hereto.

2. **Replacement of Paragraph 8.A.i.**. The City and Developer agree that Paragraph 8.A.i. of the Development Agreement is hereby struck in its entirety and replaced with the following:

i. *Subdivision of Planning Areas.*

Developer shall have the discretion to determine when each Planning Area will be developed. When Developer elects to move forward with the development of Planning Area, Developer shall cause the same to be subdivided in accordance with the General Plan and applicable City Code. In no event shall the Development Property or any Planning Area therein or portion thereof be conveyed to any Secondary Developer for development without the Development Property being appropriately subdivided and planned including with respect roadways and the appropriated dedications of

the same to the City pursuant to the General Plan and applicable City Code. City and Developer shall cooperate in development and approval of the division of the Development Property into the distinct Planning Areas, and in that process determine the parcels to be dedicated or otherwise conveyed at no cost to the City as public trails, Open Space and/or other public facilities. City and Developer shall also cooperate in the development of street and utility plans to service the Planned Community. Developer shall coordinate with City through Developer's engineer.

(a) *Temporary Maintenance Facility Agreement*. On [DATE] the City and Developer entered into a Temporary Maintenance Facility Agreement, a copy of which is attached hereto as Exhibit 2 ("TMF Agreement"). Notwithstanding the provisions of the immediately preceding paragraph Developer shall be responsible to meet all of the requirements set forth in the TMF Agreement including with respect to the infrastructure attendant thereto. The TMF Agreement shall only apply to the Temporary Maintenance Facility and nothing in the TMF Agreement shall relieve Developer's responsibilities under the Development Agreement with respect to the remainder of the Development Property.

3. **Replacement of Paragraph 8.N.** The City and Developer agree that Paragraph 8.N. of the Development Agreement is hereby struck in its entirety and replaced with the following:

N. Walking/Biking Trails.

Developer will construct and dedicate to the City all trails designated on the City's trail master plan ("Required Trails"). Such dedication may be by easement or such other means as the Parties mutually agree. All such trails shall be dedicated and constructed not later than the dedication of all other required public rights of way in the given or adjacent parts of the Development Property, and constructed not later than all other required public improvements. Developer shall design and construct all trails in accordance with the trail master plan and applicable City standards set forth in the City Code and General Plan generally and approved plans for such trail specifically. A map of the City's trail master plan is attached hereto as Exhibit "C". The City acknowledges that the actual trails may not be constructed in the precise location shown on the map as changes based upon topography and design layout will affect the as built location. This paragraph shall only apply to the Required Trails, and Developer shall be entitled to build any other trails it chooses and may construct such trails in the form and manner of its choosing.

Developer when filing a subdivision plat for approval shall be required to report with the following information regarding Required Trails: (a) how Required Trails that run within the proposed subdivision will be provided; (b) what if any changes have been made in terms of how such Required Trails will connect to other Required within the Development Property; and (c) how such Required

Trails will connect to the trails within the City's trail master plan that run from the Development Property.

4. **Replacement of Paragraph 8.P.** The City and Developer agree that Paragraph 8.P. of the Development Agreement is hereby struck in its entirety and replaced with the following:

P. Road Circulation and Traffic Impacts.

Except as may be set forth more specifically in this Agreement, Developer agrees generally that (a) all public roadways which are interior to the Development Property shall be dedicated and improved no later than the development of adjacent real property, or real property to be serviced by such roadways, and (b) all public roadways which run adjacent to the Development Property shall be dedicated and improved to half width no later than Developer's adjacent real property, or real property to be serviced by such roadways. Roadways adjacent to unimproved open space shall be dedicated and improved in a time and manner ensuring continuity of access throughout the Development Property. Off-site access roads identified in this Agreement and a Traffic Impact Study must be dedicated and constructed to provide ingress and egress to and from the Development Property. The requirements for off-site traffic improvements shall be as set forth in a separately commissioned third party traffic study paid for by Developer, which study shall consider the following and the timing of the same:

i. A new collector road to connect Red Mountain Drive to Hamlin Parkway. This road is anticipated to be located upon the real property of a third-party. Developer shall take all commercially reasonable efforts to secure the third-party agreements that may be necessary to accomplish the required dedication and construction of related improvements on third-party property.

ii. A new major collector road to connect Rachel Drive to Red Mountain Drive (along the northern boundary of Areas 7 and 8). The City currently owns a portion of this right-of-way; however, the remaining width required for a half-width roadway must be dedicated by Developer and all required improvements constructed to half width, in the time and manner required by this Agreement and applicable ordinances.

iii. A new 3-way or 4-way traffic signal (as appropriate) at the intersection of the new major collector road described in ii. above and Red Mountain Drive. Whether the traffic signal is 3-way or 4-way shall ultimately be determined by whether Developer intends to continue the new major collector road into the Development Property east of Red Mountain Drive.

iv. Road and related improvements at the intersection of Red Mountain Drive and Pioneer Parkway, and all improvements required to accommodate a new 4-way traffic signal; however, the City has determined that the traffic signal improvements themselves are impact fee eligible and installation of the traffic signal improvements will be completed by the City, at the City's cost.

v. That portion of Pioneer Parkway shown on the Plan as being directly adjoining

unimproved open space shall not be required to include sidewalks or landscaping.

vi. There shall be a turnaround at any location between St. George and the City where the public roads of the City meet the private roads of the Entrada development, which may be placed at location mutually agreed upon between the City and Developer.

vii. The Red Mountain Drive extension north of Pioneer Parkway shall not be required to be dedicated or improved until the roadway is required for primary or secondary access to any portion of the Project to be developed. Developer recognizes that this requirement could be triggered by the need to provide secondary access to portions of the Project outside the City. However, the full width crossing over the Tuacahn Wash shall be completed or adequate guarantee of performance given pursuant to City ordinance prior to the recording of any final plat requiring the same for access. Developer and the City agree to work together in good faith on an agreement to establish the parties' respective shares of cost for such crossing, and Developer shall be responsible for construction of the same.

viii. Prior to the triggers for road dedication and improvement set forth in this Section 8.P. and in applicable City ordinances, construction traffic servicing the Project may utilize Red Mountain Drive and other unimproved roadways prior to any bridge construction or road improvement. Construction traffic servicing Developer's properties in Ivins shall not be routed through the City.

ix. Any additional information for the above listed items mutually agreed to by the City and Developer.

x. The third party traffic study described by this section shall be required to be provided to the City by Developer as a condition precedent to the approval of the first condominium plat or subdivision involving the development of the 101st Unit by Developer.

5. **Capitalized Terms.** Capitalized terms not specifically defined herein shall have the meaning set forth in the Development Agreement.

6. **Limit on Amendment**: This Amendment is limited to the terms expressly provided herein and except as set forth in this Amendment the Development Agreement is and shall remain unaffected and shall continue in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the parties hereunder have executed this Agreement on the date first written above.

DEVELOPER

ENLAW, LLC, *a Delaware limited liability company*
By its manager RS18 Entrada Manager LLC, *a Utah limited liability company*

_____
By: Justin Belliveau, Manager of RS18 Entrada Manager LLC

BD Resort Center LLC, *a Delaware limited liability company*
By: BD Resort Center Manager LLC, *a Utah limited liability company, its Manager*
By: Reef Private Equity LLC (f.k.a. Stillwater Equity Partners LLC), *a Utah limited liability company, its Manager*

By: _____
Name: Justin Belliveau
Title: Manager of Reef Private Equity

CITY OF SANTA CLARA

_____
Rick Rosenberg, Mayor
Attest:

_____
Chris Shelley, City Recorder

STATE OF UTAH,)
: ss.
County of Washington.)

On the _____ day of December, 2023, personally appeared before me Justin Belliveau, who being by me duly sworn did say that he is the Manager of RS18 Entrada Manager LLC, which is the Manager of Enlaw, LLC; and further that he is the Director of Stillwater Equity Partners, which is the Manager of BD Resort Center Manager LLC, which is the Manager of BD Resort Center LLC; and that he/she executed the foregoing Black Desert Development Agreement in behalf of said companies, being authorized and empowered to do so, and that the companies executed the same freely and voluntarily for the uses and purposes stated therein.

_____
Notary Public

EXHIBIT 1
(*NEW EXHIBIT B TO DEVELOPMENT AGREEMENT***)**

Exhibit B

(Project Plan)

EXHIBIT 2

(Temporary Maintenance Facility Agreement)

TEMPORARY MAINTENANCE FACILITY AGREEMENT

This TEMPORARY MAINTENANCE FACILITY AGREEMENT ("Agreement") is entered into as of _____ ("Effective Date") by and between Enlaw, LLC, a Delaware limited liability company and BD Resort Center LLC, a Utah limited liability company ("Developer") and the City of Santa Clara, a municipal corporation and political subdivision of the State of Utah ("City" and together with Developer as the "Parties").

RECITALS

WHEREAS, Developer owns or controls approximately 570 acres (297.56 within the City) of land spanning from Pioneer Parkway to the northern and eastern limits of the City's boundary and continuing north and northeast into Ivins City ("Ivins") across the pristine lava flows and north of the Ivins "Horses" roundabout. The portion within the City lies at the City's most northern and eastern boundaries; and

WHEREAS, Developer's real property within the City is described in the Development Agreement's Exhibit "A" (hereafter the "Development Property"); and

WHEREAS, the City and Developer previously entered into that Black Desert Development Agreement ("Development Agreement"), recorded with the Washington County Recorder on September 29, 2021, as Doc # 20210063764; and

Whereas, in furtherance of the development set forth in the Development Agreement, Developer desires to place a temporary maintenance facility ("Maintenance Facility") on the Development Property.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the Parties mutually agree as follows:

TERMS

1. **Recitals.**

   The Recitals above are hereby incorporated into this Agreement.

2. **Definitions.**

   Capitalized terms shall have the meanings as defined herein. Any capitalized term not defined herein shall have the meaning ascribed to it in the Development Agreement.

3. **Maintenance Facility.**

   a. Length of Time: the Maintenance Facility will be installed on the Property for no longer than 12 months, with up to three (3) extensions of up to six (6) months each.

b. Location: the Maintenance Facility will be installed at the location designated in the site plan attached hereto as Exhibit "A".

c. Purpose: the Maintenance Facility will be used for maintenance offices, with a shed that will store maintenance equipment.

d. Structures: the Maintenance Facility will consist of up to 2 trailers and 1 metal shed structure.

e. Fencing: the Maintenance Facility will be screened by a chain-link metal fence, with screening/privacy fabric wrap.

f. Power and Water: power and water shall be connected at the meter nearest to the Maintenance Facility.

g. Sewer: the sewer for the Maintenance Facility will be connected to the nearest accessible sewer utility.

h. Dust: for dust control off the road, Developer will place #2 crushed stone (aggregate) from Pioneer Parkway to the entrance of the Maintenance Facility.

4. Compliance with City Design and Construction Standards.

Developer acknowledges and agrees that unless expressly stated otherwise, nothing in this Agreement shall be deemed to relieve it from the obligation to comply with all applicable laws and requirements of the City necessary for development of the Planned Community, including the payment of fees and compliance with the City's design and construction standards for public improvements which are approved at the time of construction, except as may be specifically set forth otherwise herein. Further, the temporary buildings allowed under this agreement have been approved by the planning commission under Santa Clara City Code section 17.24.100 and will comply with all requirements thereof.

5. Compliance with Planned Community Design Standards.

Developer acknowledges and agrees that unless expressly stated otherwise, nothing in this Agreement shall be deemed to relieve it from the obligation to comply with all applicable architectural, landscape, and other design guidelines for development and construction of lots and parcels in the Planning Areas. The

6. Improvement Costs.

Developer acknowledges and agrees that unless expressly stated otherwise, Developer will bear the costs to install and maintain the Maintenance Facility under this Agreement.

7. Assignment.

Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning also the responsibilities

arising hereunder. This restriction on assignment is not intended to prohibit or impede the sale by Developer.

8. No Joint Venture; Partnership or Third-Party Rights.

This Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto nor any rights or benefits to third parties, except as expressly provided herein.

9. Integration.

This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed and approved by the parties hereto.

10. Notices.

Any notices, requests, or demands required or desired to be given hereunder shall be in writing and should be delivered personally to the party for who intended, or, if mailed by certified mail, return receipt requested, postage prepaid to the parties as communications under this Agreement shall be deemed to have been given and received and shall be effective three (3) days after deposit in the U.S. Mail to the recipient's address as set forth herein:

City:
Santa Clara City
Attn: City Manager
2603 Santa Clara Drive
Santa Clara, UT 84765

With a copy to:
Santa Clara City Attorney
Attn: Matthew J. Ence
Snow Jensen & Reece, PC
912 West 1600 South, Ste. B200
St. George, UT 84765

Developer:

Enlaw, LLC & BD Resort Center LLC
Attn: Patrick Manning
1500 Black Desert Drive
Ivins, UT 84738

With a copy to:
Jenkins Bagley, PLLC
Attn: Bruce C. Jenkins
285 W. Tabernacle, Ste. 301
St. George, UT 8477

Any party may change its address by giving written notice to the other party in accordance with the provisions of this section.

11. Law and Usage.

Any dispute regarding this agreement shall be heard and settled under the laws of the State of Utah. Whenever the context requires, the singular shall include the plural, the plural shall include the singular, the whole shall include any part thereof, any gender shall include all genders, and the term "person" shall include an individual, partnership (general or limited), corporation, trust, or other entity or association, or any combination thereof. This Agreement shall bind and inure to the benefit of the parties hereto and their respective successors and assigns. The provision of this Agreement shall be constructed as both covenants and conditions in the same manner as though the words importing such covenants and conditions were used in each separate provision hereof.

12. Court Costs.

In the event of any litigation between the parties arising out of or related to this Agreement, the prevailing party shall be entitled to an award of reasonable court costs, including reasonable attorney fees.

13. Expenses.

The Developer and the City shall each pay their own costs and expenses incurred in preparation and execution of and performance under this Agreement, except as otherwise expressly provided herein.

14. Waiver.

Acceptance by either party of any performance less than required hereby shall not be deemed to be a waiver of the rights of such party to enforce all of the terms and conditions hereof. No waiver of any such right hereunder shall be binding unless reduced to writing and signed by the party to be charged therewith.

15. Effective Date.

This Agreement shall be effective as of the date first set forth above.

(signatures on the following page)

Remainder of page left blank

In Witness Whereof, the parties hereunder have executed this Agreement on the date first written above.

DEVELOPER

ENLAW, LLC, *a Delaware limited liability company*

By: RS18 Entrada Manager LLC, *a Utah limited liability company*, its Manager

Paul Bringhurst

By: Paul Bringhurst
Title: Manager of RS18 Entrada Manager LLC

BD RESORT CENTER LLC, *a Delaware limited liability company*

By: BD Resort Center Manager LLC, *a Utah limited liability company*, its Manager

By: James B. Boren
Title: Manager of BD Resort Center Manager LLC

CITY OF SANTA CLARA

Rick Rosenberg, Mayor
Attest:

Chris Shelley, City Recorder

STATE OF UTAH)
: ss.
COUNTY OF _____)

On the ___ day of _____, 2022, Paul Bringhurst personally appeared before me, and being duly sworn acknowledged to me that he holds the company title/s as set forth above, that RS18 Entrada Manager LLC is the Manager of Enlaw, LLC, and that he has freely and voluntarily executed the above agreement in their duly authorized capacity and on behalf of said companies.

_____
NOTARY PUBLIC

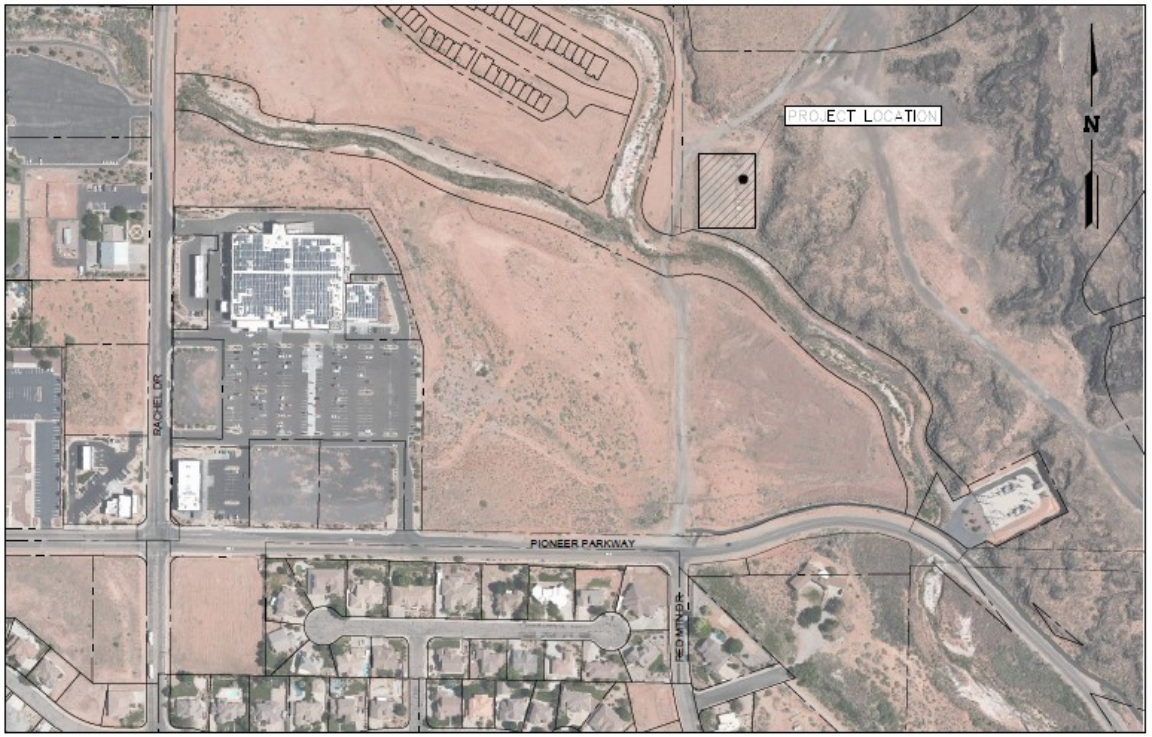
STATE OF UTAH)
: ss.
COUNTY OF _____)

On the ___ day of _____, 2022, James B. Boren personally appeared before me, and being duly sworn acknowledged to me that he holds the company title/s as set forth above, that BD Resort Center Manager LLC is the Manager of BD Resort Center LLC, and that he has freely and voluntarily executed the above agreement in their duly authorized capacity and on behalf of said companies.

_____
NOTARY PUBLIC

EXHIBIT “A”
Site Plan

SITE UTILITY PLANS FOR
BLACK DESERT RESORT
TEMPORARY GOLF MAINTENANCE FACILITIES



SITE NOTES

OWNER/DEVELOPER/APPLICANT
BLACK DESERT RESORT
ATTN: KYLE LAUBSCHER
1508 EAST BLACK DESERT DRIVE
IVINS, UTAH 84738
PH. (630) 774-4926

PLAN PREPARER
ALPHA ENGINEERING COMPANY
13 SOUTH 100 EAST SUITE 100
ST. GEORGE, UTAH 84770
PH. (435) 628-0555
FAX (435) 628-0553

PROJECT LOCATION
NORTH OF PIONEER PARKWAY AND RED MOUNTAIN DRIVE
SANTA CLARA, UTAH 84765

SLAT. SECTION 8 – TOWNSHIP 42 SOUTH – RANGE 16 WEST – SALT LAKE BASE & MERIDIAN.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 SITE PLAN
SHEET 3 UTILITY PLAN

NOTICE!

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

REVISIONS

NO.	DATE	BY	DESCRIPTION

PRELIMINARY NOT FOR CONSTRUCTION

ALPHA ENGINEERING

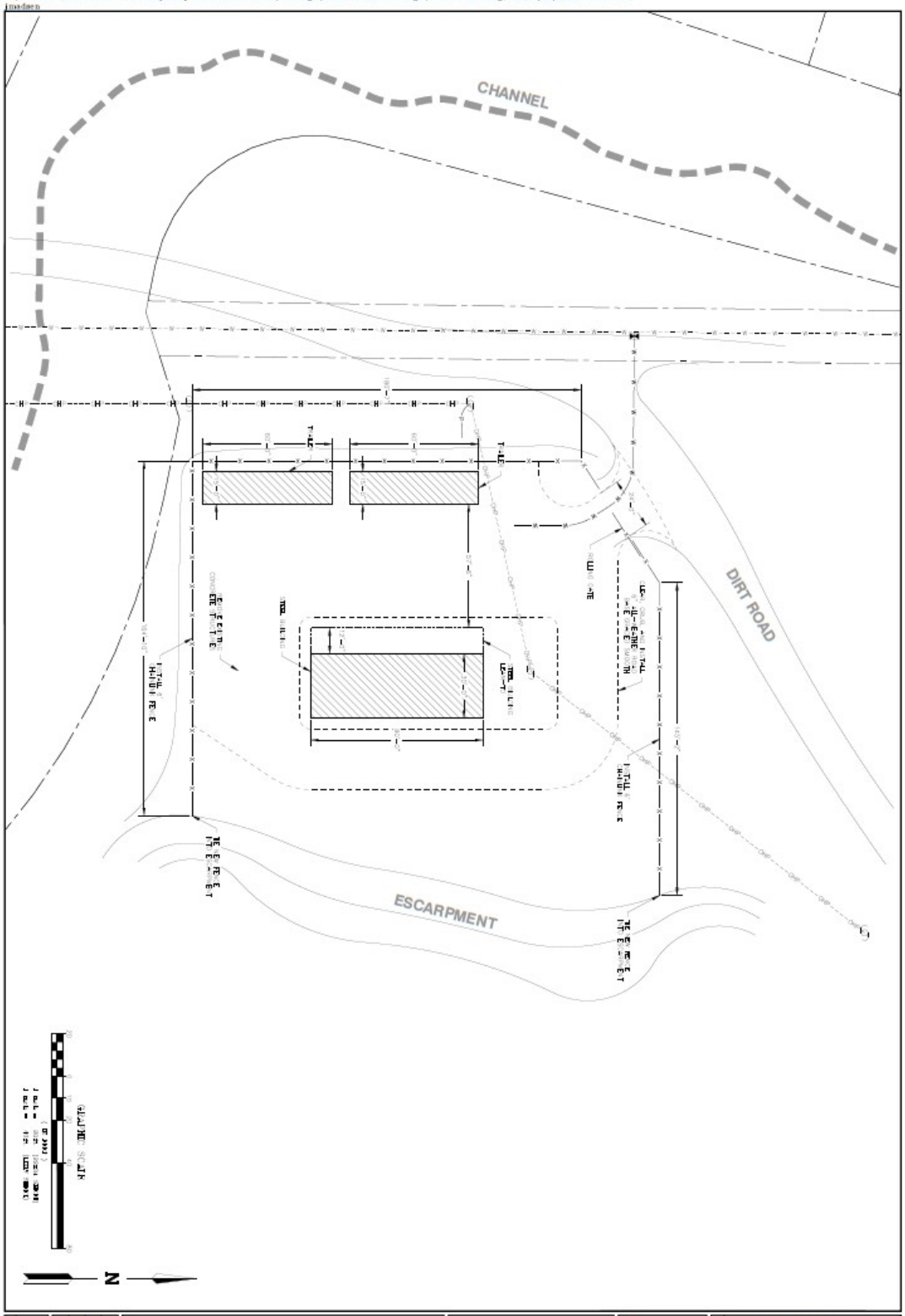
COVER SHEET

TEMPORARY GOLF MAINTENANCE FACILITIES
BLACK DESERT RESORT

1649-09
JTM
MARCH 21, 2022
AS NOTED
1
1 OF 3

P:\1649-09 Black Desert Golf Temporary Maintenance Area\Drawings\Construction Drawings\1649-09 MST.dwg, ex cond, 3/21/2022 3:26:00 PM, jmullen

P:\1649-09 Black Desert Golf Temporary Maintenance Area\Drawings\Construction Drawings\1649-09 MST.dwg, site, 3/21/2022 3:10:51 PM, jmadsen



2

SITE LAYOUT

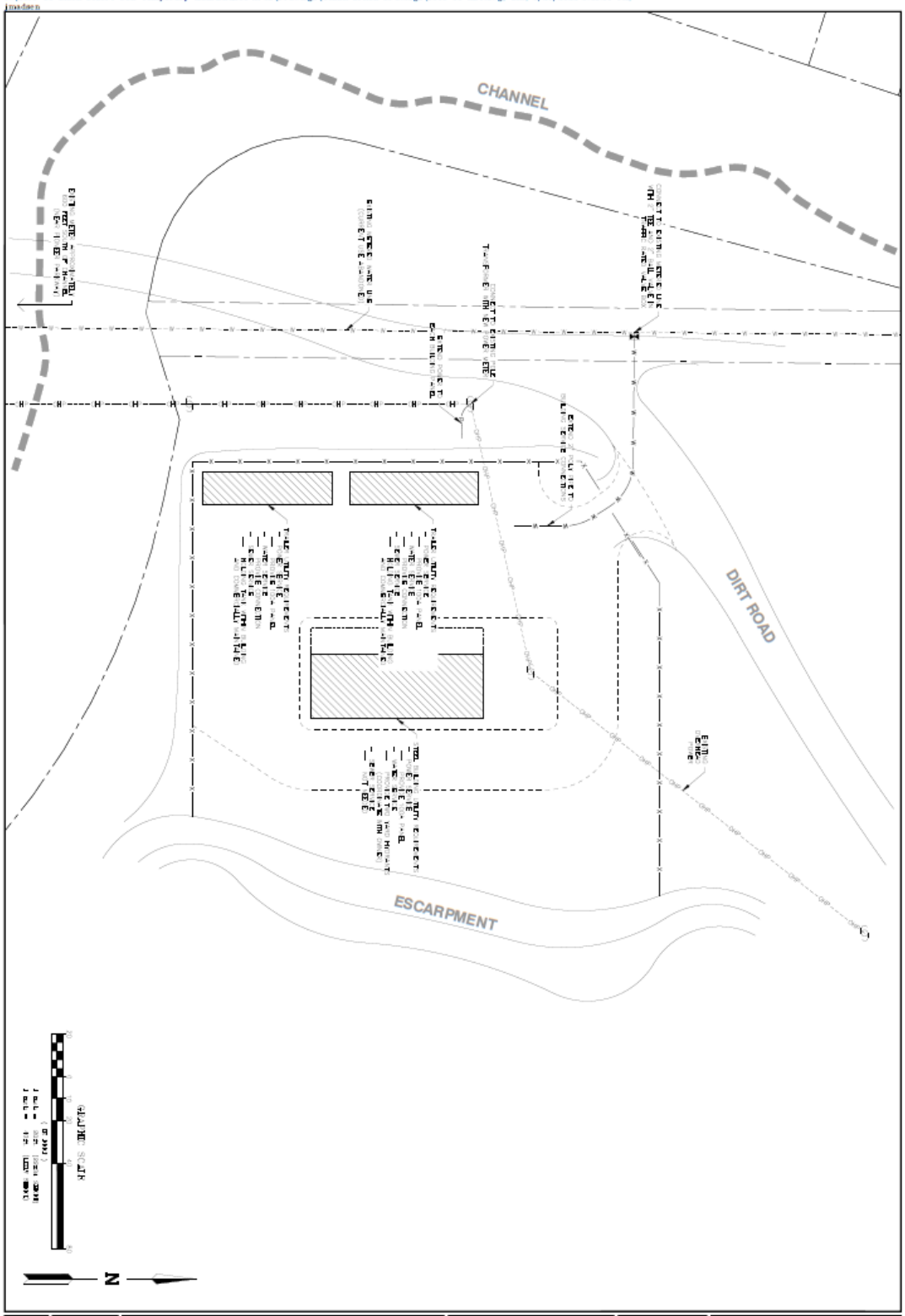
TEMPORARY GOLF MAINTENANCE FACILITIES
BLACK DESERT RESORT

ALPHA ENGINEERING

PRELIMINARY
NOT FOR CONSTRUCTION

NO.	DATE	BY	DESCRIPTION

P:\1649-09 Black Desert Golf Temporary Maintenance Area\Drawings\Construction Drawings\1649-09 MST.dwg, util, 3/21/2022 3:05:11 PM, jmadsen



SHEET NO. 3 OF 3 SHEETS	DATE: MARCH 14, 2022 SCALE: AS NOTED	PROJECT: 1649-09	UTILITY PLAN TEMPORARY GOLF MAINTENANCE FACILITIES BLACK DESERT RESORT

ALPHA ENGINEERING
45 South 1000 East, Suite 100 • St George, Utah 84770
T: 435.628.6500 • F: 435.628.6553 • alphaengineering.com

PRELIMINARY
NOT FOR CONSTRUCTION

REVISIONS	NO.	DATE	BY	DESCRIPTION

N

0 150' 300'

SCALE: 1"=150'

AREA 4
28.68
ACRES

AREA A
34.64
ACRES

AREA 5
38.00
ACRES

AREA 5
41.52
ACRES

AREA 6
13.31
ACRES

ENTRADA

LOT 1
36,982 SQ. FT
0.85 AC.

LOT 2
52,362 SQ. FT
1.20 AC.

LOT 3
27,680 SQ. FT
0.64 AC.

LOT 4
23,240 SQ. FT
0.53 AC.

LOT 5
22,124 SQ. FT
0.51 AC.

LOT 6
31,144 SQ. FT
0.72 AC.

LOT 7
72,640 SQ. FT
1.67 AC.

LOT 8
45,276 SQ. FT
1.04 AC.

LOT 8B
37,042 SQ. FT
0.85 AC.

LOT 9
23,159 SQ. FT
0.53 AC.

LOT 10
21,720 SQ. FT
0.50 AC.

LOT 11
47,556 SQ. FT
1.09 AC.

LOT 12
36,550 SQ. FT
0.82 AC.

LOT 13
44,587 SQ. FT
1.02 AC.

LOT 14
29,117 SQ. FT
0.67 AC.

LOT 15
27,955 SQ. FT
0.64 AC.

LOT 16
25,358 SQ. FT
0.58 AC.

LOT 17
27,324 SQ. FT
0.63 AC.

LOT 18
23,232 SQ. FT
0.53 AC.

LOT 19
29,626 SQ. FT
0.68 AC.

LOT 20
46,078 SQ. FT
1.06 AC.

LOT 21
31,398 SQ. FT
0.71 AC.

LOT 22
31,916 SQ. FT
0.73 AC.

LOT 23
30,538 SQ. FT
0.70 AC.

LOT 24
34,107 SQ. FT
0.78 AC.

LOT 25
23,758 SQ. FT
0.55 AC.

LOT 26
17,585 SQ. FT
0.40 AC.

LOT 27
43,496 SQ. FT
1.00 AC.

LOT 28
61,799 SQ. FT
1.42 AC.

LOT 29
54,671 SQ. FT
1.26 AC.

LOT 30
40,468 SQ. FT
0.93 AC.

LOT 31
28,170 SQ. FT
0.65 AC.

LOT 32
27,467 SQ. FT
0.63 AC.

LOT 33
31,172 SQ. FT
0.72 AC.

LOT 34
26,072 SQ. FT
0.60 AC.

LOT 35
23,757 SQ. FT
0.55 AC.

LOT 36
43,563 SQ. FT
1.00 AC.

LOT 37
AREA TO REMAIN
UNDISTURBED
15,701 SQ. FT
0.36 AC.

LOT 39
25,470 SQ. FT
0.59 AC.

LOT 40
25,515 SQ. FT
0.59 AC.

OPEN SPACE AREA #1
59,484 SQ. FT.
1.37 AC.

FUTURE SQUTH VILLAGE PHASE 2
153,540 SQ. FT.
3.53 AC.

EXISTING TRAIL

LAKE
ELEV. 2884.0

SOUTH VILLAGE DRIVE
(60' PRIVATE STREET)

SOUTH BLACK DESERT BOULEVARD
(60' PRIVATE STREET)

GREENSIDE CIRCLE
(60' PRIVATE STREET)

PHIL SMITH COURT
(60' PRIVATE STREET)

LAVA VIEW DRIVE
(60' PRIVATE STREET)

LAVA VISTA DRIVE
(60' PRIVATE STREET)

KIVA TRAIL
(50' PRIVATE STREET)

TACHEESNI DRIVE
(OLD PRIVATE STREET)

BLUE MOUNTAIN DRIVE
(80' PUBLIC STREET)

PIONEER PARKWAY
(80' PUBLIC STREET)

DATE: 12/5/23
JOB NO.: 4828-22-058
DESIGNED BY: DMH
CHECKED BY: JWB
DWG: AREA MAP 12/5/23

REVISIONS DATE

ROSENBERG ASSOCIATES
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AREA MAP
FOR
BLACK DESERT DEVELOPMENT
SANTA CLARA
UTAH

SHEET
1
OF SHEETS