

NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL MEETING
Wednesday, March 27, 2024
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 March 27, 2024 commencing at 5:00 PM. The meeting will be broadcast via You Tube linked on our website at <https://santaclarautah.gov>

1. Call to Order:

2. Opening Ceremony:

- Pledge of Allegiance: Ben Shakespeare
- Opening Comments: Pastor Greg Wright, Westside Baptist Church, St. George Interfaith Council.

3. Conflicts and Disclosures:

4. Working Agenda:

A. Public Hearing(s) 5:00 p.m.

1. Public Hearing to receive public input regarding the Adoption of an Annexation Policy Plan.

B. Consent Agenda:

1. Approval of Claims and Minutes:

- Feb. 28, 2024 City Council Meeting
- Mar. 6, 2024, Special City Council Meeting
- Mar. 20, 2024 City Council Work Meeting
- Claims through Mar. 27, 2024

2. Calendar of Events

- April 10, 2024, Regular City Council Meeting
- April.17, 2024 City Council Work Meeting
- April.24, 2024 Regular City Council Meeting.

C. General Business:

1. Discussion and action to consider adopting an Annexation Policy Plan, the Plan is intended to comply with the provisions of UCA 10-2-401.5(4) and incorporate all criteria required and suggested by Section 10-2-401.5(3). This opportunity will allow for affected entities to examine the proposed Annexation Policy Plan and provide input on it and approve Ordinance 2024-04. Presented by Jim McNulty, City Planner.
2. Discussion and action to consider approving the purchase of a Bison Statue from Utah Tech. University and approve Resolution 2024-04. Presented by Jim McNulty, City Planner.

5. **Reports:**

- a. Mayor / Council Reports

6. **Executive Session**

7. **Adjournment**

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

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

The undersigned, duly appointed City Recorder does hereby certify that the above notice and agenda was posted within the Santa Clara City limits on this 21st day of March, 2024 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 2024 meeting schedule was also provided to the Spectrum on January 1, 2024.


Chris Shelley - City Recorder

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 28, 2024
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, February 28, 2024, 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://santaclarautah.gov>.

Mayor: Rick Rosenberg

Council Members: Janene Burton
Christa Hinton
Dave Pond
Ben Shakespeare (arrived late)
Jarett Waite

City Manager: Brock Jacobsen

City Recorder: Chris Shelley

Others Present: Jim McNulty, Planning and Economic Development Manager
Matt Ence, City Attorney
Cody Mitchell, Building Official
Dustin Mouritzen, Public Works 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 5:00 p.m. and welcomed those present.

2. Opening Ceremony.

A. Pledge of Allegiance: Dave Pond.

B. Opening Comments: Rev. Jimi Kestin, Solomon's Porch Foursquare Fellowship; St. George Interfaith Council.

3. Conflicts and Disclosures.

There were no conflicts or disclosures.

4. Working Agenda.

A. Public Hearing.

i. None.

B. Consent Agenda.

i. Approval of Claims and Minutes:

- February 14, 2024, Regular City Council Meeting Minutes.
- February 21, 2024, City Council Work Meeting.
- Claims through January 24, 2024.

ii. Calendar of Events:

- March 6, 2024, Santa Clara City Special Meeting.
- March 13, 2024, Regular City Council Meeting – Canceled.
- March 20, 2024, City Council Work Meeting.
- March 27, 2024, Regular City Council Meeting.

Council Member Waite asked about the payment to Tuacahn and if it is valid through the end of the Recreation, Arts, and Parks (“RAP”) tax period. City Manager, Brock Jacobsen reported that it was for the duration of the 10-year period at which time the sunset clause will go into effect.

Council Member Waite moved to APPROVE the Consent Agenda, as presented. Council Member Pond seconded the motion. Vote on motion: Council Member Waite-Yes, Council Member Pond-Yes, Council Member Hinton-Yes, Council Member Burton-Yes. The motion passed unanimously. Council Member Shakespeare was not present for the vote.

C. General Business.

- 1. Discussion and action to consider an Agreement between Santa Clara City and St. George City’s Consolidated Communications Center. Presented by Lance Haynie, Government Affairs Director/Human Resources.**

Mayor Rosenberg reported that Government Affairs/Human Resources Director, Lance Haynie was not present, however, the matter was discussed extensively at the last meeting.

Council Member Waite asked City Attorney, Matt Ence if he had concerns with the Agreement. Mr. Ence felt good about the discussion that took place at the last meeting. Something that was discussed that had not yet been reflected in the agreement was the need to add the currently agreed-upon fee for the current term. The fee can be adjusted going forward for each subsequent term. He suggested that the Agreement be approved subject to that addition.

Council Member Shakespeare joined the meeting.

Council Member Pond moved to APPROVE the Agreement between Santa Clara City and St. George City’s Consolidated Communications Center, with the fee changes to be included in the agreement, as noted. Council Member Hinton seconded the motion. Vote on motion: Council Member Waite-Yes, Council Member Pond-Yes, Council Member Hinton-Yes, Council Member Burton-Yes, Council Member Shakespeare-Yes. The motion passed unanimously.

- 2. Discussion and action to consider a proposed Partial Plat Amendment for the Santa Clara Heights Subdivision, Plat M (Lots 10 and 11) located at 1297 Canyon View Drive and 1305 Canyon View Drive. Presented by Jim McNulty, Planning and Economic Development Manager.**

Planning and Economic Development Manager, Jim McNulty presented an aerial of the site. He recently spoke to Ryan Skols who was present on behalf of the applicant, Melodie Finlinson. The request is for a Plat Amendment to Plat M of the Santa Clara Heights Subdivision. Lot 10 will be gaining property the owner currently owns to be shown on the reflected Subdivision Plat. The size will increase from 11,935 square feet to 13,046. Lot 11 is currently 21,205 square feet in size and will remain unchanged. Ms. Finlinson owns Parcel SC-SCH-M-11-B between the two lots which is approximately 0.2 acres or 1,100 square feet in size. The original lot line will be removed, and the lot line will be changed to reflect what exists. The purchase occurred in 2020 as County Records Entry #20200076189. The proposed Partial Plat Amendment will allow the parcel to be included in Lot 10. The properties are located in the eastern part of the City on Canyon View Drive just north of Santa Clara Drive.

No concerns were identified at a Staff level and notices were sent to property owners within the Santa Clara Heights Plat M Subdivision. No responses were received. Mr. McNulty reported that the property was also posted with a sign per the State Code. The Building Department reviewed the request, and a Geotechnical Report will be required for Lots 10 and 11 if any additional structures are proposed in the future. A Building Permit cannot be processed until the area of the plat is recorded. There is also a Public Utility Easement (“PUE”) that is affected by the amendment and needs to be relocated. A mylar will also need to be submitted and recorded. All State Statute requirements have been met. Proper notice was sent, and a public meeting was held with the Planning Commission. On February 22, 2024, the Planning Commission held a public hearing and forwarded a recommendation of approval to the City Council. Staff recommended that the City Council consider approving the Partial Plat Amendment for Lots 10 and 11 of the Santa Clara Heights Plat M Subdivision subject to the conditions enumerated in the Staff Report.

Council Member Hinton moved to APPROVE the Partial Plat Amendment for the Santa Clara Plat M Subdivision located at 1297 Canyon View Drive and 1305 Canyon View Drive subject to the following conditions:

- 1. The applicant shall be required to comply with the recommendations from all City reviewing departments.**
- 2. The Owner's Dedication & Acknowledgement shall be signed prior to final plat recordation.**
- 3. The applicant shall be required to record the amended subdivision plat and provide an electronic copy to City Staff.**

Council Member Shakespeare seconded the motion. Vote on motion: Council Member Waite-Yes, Council Member Pond-Yes, Council Member Hinton-Yes, Council Member Burton-Yes, Council Member Shakespeare-Yes. The motion passed unanimously.

- 3. Discussion and action to consider a proposed Phasing Plan Amendment for Quail Crossing and Coyote Landing at Deserts Edge. Robert Smith, Applicant. Presented by Jim McNulty, City Planner.**

Mr. McNulty presented the Phasing Plan and stated that Ben Willis was made aware of tonight's meeting as well as the applicant, Robert Smith. Mr. Willis was present at the previous week's Planning Commission Meeting where the matter was discussed. Robert Smith is requesting a Phasing Plan Amendment. Mr. McNulty reported that the Deserts Edge Project includes two products consisting of Quail Crossing and Coyote Landing at Deserts Edge. There is an apartment component identified as Phases 2 and 6 and a townhome component identified as Phases 1, 3, 4, and 5. The applicant is requesting to begin construction on Phase 3 before Phase 2 while waiting for the next round of affordable housing credits through the Utah Housing Authority ("UHA"). Staff recently discussed the project with the UHA, and it was their understanding that the next round of applications is due in June of 2024. In the past, the process has taken place once a year. They are offering a mid-year process this year. Mr. Smith plans to take advantage of that.

Phase 1 is currently under construction and includes 24 townhome units, the road, and utilities and infrastructure to accommodate Phase 1. Phase 2 includes 60 apartment units in two buildings and 44 townhome units on 4.04 acres with centrally located open space, the detention basin, and roadway improvements. Phase 1 is on 5.807 acres of property. Phase 3 includes a total of 44 townhome units on just over four acres of property. By combining the two phases there will be 68 units on 9.85 acres, which equates to a density of 6.90 units per acre. Calculating the project density is important as City Ordinance 2021-13 was approved by the City Council on September 8, 2021. This approval included a density bonus from 8 to 12 units per acre because of the affordable housing component included with the overall project. Until the affordable housing credits are approved by the UHA, which allows for the apartment project to commence, the project density will be limited to 8 units per acre.

The applicant approached the Planning Commission in November of 2023 and the City Council in December 2023 to get approval for an Updated Phasing and Amenity Plan Amendment for Phases 1, 3, and 4. Changes were made to the Phasing and Amenity Plan for the project. Phase 1 of the Amenity Area includes the clubhouse, the main pool, spa, and pickleball courts to be completed by the end of Phase 1 vertical construction. Phase 3 includes a water play area to be completed by the end of Phase 3 vertical construction. Phase 4 will include a water slide by the end of the Phase 4 vertical construction. If 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.

Mr. McNulty reported that Mr. Smith developed Arcadia, which has one water slide. The current proposal includes three water slides. There is now a requirement to have a full-time lifeguard on duty, which was not required with the Arcadia project. As a result, Mr. Smith is grandfathered. Mr. McNulty was not sure if Mr. Smith plans to develop the three side slides as shown or just one. More information will be available when Phase 4 is developed. On February 22, 2024, the Planning Commission held a public meeting and forwarded a recommendation of approval to the City Council. Staff recommended that the City Council consider approving the proposed Phasing Plan Amendment for Quail Crossing and Coyote Landing at Deserts Edge subject to the conditions enumerated in the Staff Report.

Mr. McNulty reported that a letter was received from the UHA that was addressed to the Mayor in December indicating that it was a good project, but it was beaten out by another. The applicant was encouraged to reapply, which was the intent. The density bonus was granted. The Phasing Plan was referenced. It was noted that originally Phases 2 and 6 included 120 apartment units with 30 units proposed per building. Phases 2 and 6 will have two buildings. If the housing credits do not come through, the applicant will be required to update the Project Plan and go through the original process.

Council Burton asked about the height of the two-story townhomes, which was confirmed as 28 to 30 feet. Mr. McNulty stated that the zone allows heights of up to 35 feet. It was noted that the proposed project is located across from Arcadia to the west. They are intended to be overnight rentals and were approved as short-term rentals for the townhome units. The 120 apartment units, however, are not and are intended to be priced at 50 to 80 percent of the Area Median Income (“AMI”) to allow for affordability. The number was reduced because the owner/developer gets the tax credit.

Council Member Hinton recalled that the short-term rental was based on the affordable housing component. Mr. McNulty explained that Mr. Smith got the density bonus for doing the UHA Affordability. If the apartments are not built, they will have to address the short-term rental issue. Mayor Rosenberg reported that the plan requires the apartment units meet the AMI affordability requirements. The developer can choose to use the tax credit or private funding. To achieve the goals of the plan he must build what is presented.

Council Member Shakespeare assumed from a development perspective that Mr. Smith plans to proceed with the apartments at some point. He understood why the developer would want to continue to work with the UHA. He commented that the State is motivated to make awards as

funding becomes available, which is why they increased to every six months. He commented on the short-term rentals that were approved based on reduced rents from the apartments. They are to be sold as short-term rentals and asked Mr. Ence if they could retract the nightly rental component if the apartments are not developed. Mr. Ence was not sure they could not. He explained that the short-term rental approval is a Conditional Use. If the Conditional Use does not satisfy the conditions it was approved under, it can be lost regardless of who the owner is going forward. With this particular project, they are addressing the order of how the phases are to proceed. He was prepared to address how that would play out going forward but stated that generally speaking the short-term rental Conditional Use must comply with the conditions.

Mr. McNulty reported that the process enumerated in the City Code involves revocation of a Conditional Use if the requirements are not met. Mr. Ence recalled that there had been discussions about what is to be built first. Before any short-term rental is completed, Mr. Smith must have the credits in order to develop as anticipated.

Council Member Shakespeare recalled having those types of discussions previously. He stated that there is a limited amount of State funds and recognized that there are risks. A developer will either get the tax credits or find other ways to fund the project to comply with the Development Agreement. Mr. Ence explained that when it was originally made a part of the Density Bonus Ordinance, the condition was that the developer obtain the tax credit so that they are governed by another agency that would monitor the affordability component. That was done intentionally because the City did not want to be the agency doing the monitoring. The developer obtaining that tax credit triggers that the agency oversight is outside the City. The condition is as stated in the ordinance and specifies that the tax credits must be obtained. Mr. Ence stated that there will be oversight provided, which is crucial. Mayor Rosenberg commented that he has spoken to representatives from non-profits at Housing Action Coalition (“HAC”) meetings who ensure that tenants meet the required income levels and provide monitoring. There are groups other than the State that can do this. Mr. McNulty agreed and stated that there are income thresholds as well. Private funding can be used, and a non-profit group used for monitoring.

Council Member Hinton asked about the timing once Mr. Smith’s application has been resubmitted. Mr. McNulty was unsure but expected to know within a few months. Council Member Hinton asked about the completion of the amenities as part of Phase 1. Mr. McNulty stated that the developer is aware that the amenities must be in with the end of vertical construction in order to get a Certificate of Occupancy (“CO”) on the last building.

Ben Willits was asked to comment on the status of the scheduling of the amenities. He stated that the permits have been finalized and they will mobilize in the next few weeks to begin work on the main phase of the clubhouse. The amenities provided in Phase 1 were described and constitute the bulk of what is planned. Phases 3 and 4 include the play structure, pool, and slide area which will come online later. He expected the work to be done by the end of the year. Work on Phase 3 was not expected to begin until early summer with a pad ready by the first of next year. He expected to hear back from the UHA by the end of the summer.

In response to a question raised by Council Member Burton, Mr. Willits stated that the Amenity Plan was submitted on September 21, 2023.

Council Member Waite asked about the dotted lines on the plans shown in the parking lot. Mr. Willets stated that it is a gutter, which is how the area and alleys will drain.

City Manager, Brock Jacobsen, asked about Alley A in Phase 3. Mr. Willets clarified that alleys are private. The private and public areas were identified. Mr. McNulty reported that everything frontloads onto a public street but there are rear-loaded alleys, which were approved with the Project Plan and zoning.

Council Member Pond asked if the order of the phases is changed if the Conditional Use Permit can be withheld until the approval of Phase 2 for the short-term rentals. Mr. Ence stated that the Conditional Use is not valid until the conditions are met. The developer would not be able to do any short-term rentals of property until all of the conditions are satisfied with the main one being to get the tax credit and being subject to the Utah Housing Authority. Marketing issues were discussed. Mr. Ence stated that if the developer were to market them it would be a fundamental misrepresentation because the units in Phase 2 cannot be rented short-term until the conditions are satisfied.

Mr. Willets mentioned that the recent Switch Point facility was deemed to be a higher priority and was funded instead of this project. Mr. McNulty stated that it was found to have a higher need because it is helping people with homelessness. He reported that along the Wasatch Front, there are a lot of apartment buildings being constructed. He wanted to make sure that some of the available funding is made available in Southern Utah as well.

Council Member Shakespeare was unsure how the project could be marketed. He expected it to be two to three years before the project is fully built out and longer depending on the market. Mr. Ence clarified that the condition is that the developer has the approval. Mr. Willets stated that horizontal construction costs are 40% higher today than they were three years ago. Building Official, Cody Mitchell commented that the City has permitted Units 1 through 24 in Phase 1 and the first six are complete.

Council Member Waite appreciated Mr. Smith's efforts and for continuing to pursue this option. Mr. Ence did not want his comments to give the impression that the City and Staff are not supportive of what Mr. Smith is trying to do but they have to be clear that they have established conditions, and it is the responsibility of the developer to meet them. If the conditions cannot be met, he can pursue other options.

Council Member Waite moved to APPROVE the Proposed Phasing Plan Amendment for Quail Crossing and Coyote Landing at Deserts Edge subject to the following conditions:

- 1. The applicant shall be allowed to proceed with Phase 3 of the project which includes 44 townhome units on 4.04 acres (combined with Phase 1 this equates to a density is 6.90 units/acre).**
- 2. The required amenities shall be completed in Phase 1 prior to issuance of the first Building Permit for a townhome unit in Phase 3.**

3. **The applicant shall be required to come back to the Planning Commission and City Council if Phase 2 construction does not commence before Phase 4 construction is anticipated allowing for additional review and consideration.**

Council Member Shakespeare seconded the motion. Vote on motion: Council Member Waite-Yes, Council Member Pond-Yes, Council Member Hinton-Yes, Council Member Burton-Yes, Council Member Shakespeare-Yes. The motion passed unanimously.

5. Reports.

A. Mayor/Council Reports.

Council Member Shakespeare reported on the following:

- He has attended recent Historic District Committee Meetings. The Committee has been working diligently and meeting frequently to complete the assigned task. He looked forward to seeing the final product.

Council Member Burton reported on the following:

- She also attended recent Historic District Committee Meetings and was impressed by the efforts of the Committee. The next time they meet is Caucus Night, which surprised her. Mr. McNulty stated that they have a deadline to meet, and the Committee is focused and wants to keep the Meeting scheduled for March 5.
- She thanked Mayor Rosenberg and Public Works Director, Dustin Mouritsen for signing her up to attend the Rural Water Association of Utah Conference. She learned a lot. She spoke with Dan Matthews from WETx who offered to make a presentation to the City Council. She stated that excess water can be used for water banking which allows the City to profit from its excess water, which can be leased to other cities. Mayor Rosenberg was not sure that could be done due to the City's relationship with the Washington County Water Conservancy District ("WCWCD") because the area cities pool their water already. As a result, they do not have excess water to lease out to another entity. Council Member Burton stated that in speaking with Mr. Matthews it sounded like that was a possibility. Mayor Rosenberg explained that the City has excess water rights but not excess water capacity to deliver. All of the water is pooled with the cities of St. George, Ivins, and Washington.
- She will meet with the City Manager of Ashland, Virginia, who is considering being the sister city to Santa Clara. The mayors will have to agree and there is no cost. The reason she went with Ashland was because there are similarities between the two cities such as demographics. There are also differences that can provide learning opportunities. For example, Ashland's history goes back to the Revolutionary War.
- She continued to work on the Fair.

Council Member Hinton reported on the following:

- She attended the recent Legislative Policy Committee (“LPC”) Meeting. She reported that this is the last week of the Legislative Session. SB-268-The First Home Investment Zone (“FHIZ”) Act pertains to housing and passed in the House and Senate and is awaiting the Governor’s signature. It allows municipalities to create a First Home Investment Zone to provide affordable owner-occupied housing and capture tax increment. It also counts toward the City’s Moderate-Income Housing Plans.
- HB-572 – The State Treasurer Investment Amendments passed in both the House and Senate. It requires that at least 60% of the units in a development be affordable. They also must be owner-occupied for a minimum of five years. They will be working with the First-Time Home Buyers Assistance Program.
- SB-185 – The Residential Building Inspection Amendments is dead.

Council Member Pond reported on the following:

- He was contacted about whether the City has plans to implement a time of use for electric usage. He noted that this is done in Las Vegas as a way to balance out the load. He offered to address it when Power Director, Gary Hall, is present. Mayor Rosenberg reported that it was brought up at the recent Utah Associated Municipal Power Systems (“UAMPS”) Meeting. Council Member Waite reported that the City has contracted with Utility Financial Solutions (“UFS”) to work on that, and he expected to hear back in the next few months. Mr. Jacobsen stated that they are conducting a Rate Study, which was recommended.
- He was contacted by an individual who is currently building a home and became aware that the City has increased its Impact Fees. His Building Permit cost \$36,000 while just a few years ago his neighbor’s Permit cost \$26,000. It seemed high compared to St. George and asked if the fees of other cities had been looked at. Mr. Jacobsen reported that the City does not look at the fees charged by other cities because every Capital Facilities Plan Impact Fee Study has different projects. In Santa Clara, the plan is redone every five years and is based on the Engineer’s estimates. Council Member Shakespeare commented that that figure would include the WCWCD, which is increased by \$1,000 every year.
- Council Member Pond was contacted by a resident who lives near Gubler Park who is concerned about lighting and how frequently the lights are on when the park is not in use. The constituent stated that for the first few weeks in February, the lights were on for 12 plus hours per day when no one was in the park. That concerns residents and the associated cost to the City. Mr. Jacobsen commented that during the winter months when it is dark, the lights are turned on in the mornings so that staff can work. His understanding was they are on a timer to come on every weekday morning. Parks Director, Ryan VonCannon reported that when there are tournaments, the users pay for the lights to be on from 6:00 AM to 11:00 PM. The timers were recently readjusted to go on at 6:45 AM. He noted that Gubler Park is large and sometimes people who are there cannot be seen.

Council Member Waite reported on the following:

- He reported on the mural's progress and stated that he, Council Member Hinton, and Mr. VonCannon recently attended the Art Club Luncheon at the High School where sample drawings were presented. Students came to City Hall, took pictures, and tried to incorporate a lot of history into the design. He was impressed by what they had done. They discussed having City Staff power wash the tunnel when they are about to start and adding a base coat in baby blue throughout the tunnel, including the roof, which would be the base. They also discussed timing with the work likely to take place throughout the summer and potentially into the next school year. The intent was for the mural to be a great addition to the students' portfolios as they apply for college. The students are highly motivated to do a very good job. Mayor Rosenberg suggested that there be discussions about closing the tunnel to ensure public safety while the work is done. Mr. VonCannon stated that signs could be posted prior to work commencing to make the public aware. The intent was to complete one section at a time. Council Member Waite was asked to get permission from the nearby retirement home for parking. Mr. Mitchell offered to work on that. The students would also like to have access to a hose with water. Mr. Mitchell agreed to provide that. Council Member Waite commented that it will be a great addition to the City.
- Council Member Pond reported that he has been attending Fire Department Meetings with Ivins City, which have been productive. The hope was that a good solution would be reached.

Mayor Rosenberg reported on the following:

- He attended the recent Transportation Expo with Mr. Mouritsen.
- He participated in the Dixie Metropolitan Planning Organization ("MPO) Meeting for Dixie Tech University. They have a new trail counter system in place. The user numbers are exceedingly high, and trails are extremely popular.
- An update was given on the Transportation Expo and the Northern Corridor SES. A meeting on the Northern Corridor was scheduled for late March that he planned to attend.
- A letter was received from the County with a follow-up meeting scheduled for the following day at noon with the County Commission. He will provide feedback at the next meeting. He thought there might be some miscommunication on the part of the County with what is being charged with the fees that were approved on January 10, 2024.

Mr. Jacobsen reported on the following:

- The Utah League of Cities and Towns ("ULCT") Spring Conference is scheduled for April 17-19. Registration was open for those interested in attending. Council Members Burton and Waite wanted to attend.
- In conjunction with the mural, Mr. Jacobsen spoke to Assistant Principal, Kyle Campbell, who will be the new Principal next year. He would like to have the City

Council come to the high school and meet with staff and students and walk the halls. Mayor Rosenberg suggested that members of the Youth City Council be with them as well as City Royalty. It was noted that the Princess Pageant is scheduled for the Spring. The contact is Monica Bracken.

- Council Member Burton asked about the RAP tax. Mayor Rosenberg reported that when the RAP tax was approved by the voters, it was for 10 years. Tuscan approached the City and requested an annual payment due to the amount of sales tax revenue they generate for the local economy. The City agreed to pay Tuacahn \$5,000 per year, which was negotiated when the RAP tax was awarded. At the end of the 10-year period, they can decide whether to continue. Mayor Rosenberg stated that the City receives a portion and accepts applications for local projects to be considered for funding. Whatever remains is put toward City parks and recreation. The RAP tax was expected to come up for renewal in 2025. It has been a good program for the City. He reported that 40% of the taxes paid come from tourists. The benefits have been the BMX Track, which was RAP tax-funded, and other worthy programs.

6. **Executive Session.**

There was no Closed Session.

7. **Adjournment.**

Council Member Burton 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 6:24 PM.

Chris Shelley
City Recorder

Approved: _____

**SANTA CLARA CITY COUNCIL SPECIAL MEETING MINUTES
WEDNESDAY, MARCH 6, 2024.**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Special Meeting on Wednesday March 6, 2024 at 5:00 pm. 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, Janene Burton
	City Manager:	Brock Jacobsen
	City Recorder:	Chris Shelley

Others Present: Dustin Mouritsen, Public Works Director, Cody Mitchell Building Official; Kristelle Hendrickson, Executive Assistant.

1. **Call to Order:** Mayor Rosenberg welcomed everyone and introduced the city council members.

2. **Working Agenda:**
 - A. General Business
 1. **Consider awarding the bid for the Santa Clara Crestview Irrigation Line Project. Presented by Dustin Mouritsen, Public Works Director.**

Dustin said he was here tonight to ask the council to consider approval of the two bids for the Crestview Irrigation Project. The first bid was from Scholzen's for Material for the amount of \$136,190.86, they were the lowest bid.

Dustin said they had seven (7) people at the pre-bid and only four (4) showed up today. There was quite a range of bids. Dustin said there were bids from \$547,123.91 all the way down to \$377,201.34.

Dustin said they have worked with Valley Underground before, they just put in the two parking lots at the BMX and the Canyon View Parking lots. They have also done a PR Lead Station for us on Gates Lane, and they did better than expected. He is asking the council tonight to award the materials to Scholzen's Products for \$136,190.86 and Valley Underground for \$377,201.34. The total project is under the Engineers Estimate of \$582,000. Dustin wanted to make the Mayor & Council aware that when this project was put into the Water Master Plan, they did not account for a pump being needed. Where

they are tying into the existing system at Canyon View Park, they will need to install a pump that pushes the water up to Crestview Elementary.

The School District also has to install a pump on their side because Dustin will only be able to provide them with about 40 PSI. He said he had not bought a pump for about 7 – 8 years and the price has gone up seven or eight times the price. The pump came in at \$185,000. That brings the total project to \$698,842.20.

Dustin said he is working on a couple of things. He said the Conservancy District has a program out right now that is supposed to take our excess water surcharge money and give it back to us for water conservation projects. He is meeting with them on Monday at 10:00 am. to present a rebate for the My Meter, this project, and new sprinkler timers for all the parks and city owned property.

He said they are hoping that they get some funding from them, they are offering 50%, so he is going to see what he can get.

He said the School District is also obligated some money to us depending on the pump on their side, so he is looking at having the engineers see if we can put a bigger pump in on our end and not need the pump at the school and the School District will reimburse us that money based on a number of about \$80,000. Dustin feels they should award the pipe and materials and labor tonight and get this project started and when he has more detail and cost on the pump, he will bring it back to council. Dustin said if the council is ok with that, he would ask them to approve the two amounts. The \$136,190.86 and the labor for \$377,201.34 for a total price of \$513,392.20. He asked if there were any questions. There were not.

Mayor asked for a motion.

*Motion by Ben Shakespeare to approve the two bids, one for material to Scholzen's for the amount of \$136,190.86 and to Valley Underground for the Labor in the amount of \$377,201.34, seconded by Christa Hinton.

Voting Aye: Ben, Janene, Christa, and Jarett.

Motion Carried.

3. Adjournment

Motion by Christa, seconded by Jarett with all members present voting aye.

The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 5:07 p.m.

Chris Shelley – City Recorder

Date Approved

City of Santa Clara
Check Register
All Bank Accounts - 02/29/2024 to 02/29/2024

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
SPENDLOVE, GARRETT AND CHE	71057	Refund: 2001701	02/23/2024	02/29/2024	63.99	Refund: 2001701 - SPENDLOVE, GARRETT AND	531311-000 - ACCOUNTS RECEIVABL	
					\$63.99			
STOWE, LOGAN	71058	Refund: 2002326	02/23/2024	02/29/2024	25.73	Refund: 2002326 - STOWE, LOGAN	531311-000 - ACCOUNTS RECEIVABL	
					\$25.73			
STRIVE WORKPLACE SOLUTIONS	71059	OE-54218-1	02/23/2024	02/29/2024	102.25	TONER/OFFICE PAPER	104130-240 - OFFICE SUPPLIES	
STRIVE WORKPLACE SOLUTIONS	71059	OE-54218-1	02/23/2024	02/29/2024	503.92	TONER/OFFICE PAPER	104410-240 - OFFICE SUPPLIES	
					\$606.17			
					\$606.17			
SUNRISE ENGINEERING, INC.	71060	0140761	02/09/2024	02/29/2024	1,560.00	PROFESSIONAL SERVICES THROUGH JAN 2024	515110-370 - PROFESSIONAL SERVI	
SUNRISE ENGINEERING, INC.	71060	0140765	02/09/2024	02/29/2024	11,528.00	SANTA CLARA PARKS & TRAILS MASTER PLAN,I	484200-320 - ENGINEERING SERVIC	
					\$13,088.00			
					\$13,088.00			
TALBOT, AMANDA	71061	Refund: 1082904	02/26/2024	02/29/2024	37.20	Refund: 1082904 - TALBOT, AMANDA	531311-000 - ACCOUNTS RECEIVABL	
					\$37.20			
THOMSON, JANET L.	71062	Refund: 420002	02/26/2024	02/29/2024	5.25	Refund: 420002 - THOMSON, JANET L.	531311-000 - ACCOUNTS RECEIVABL	
					\$5.25			
TILBY, RYAN & BRITTANY	71063	Refund: 229903	02/28/2024	02/29/2024	7.21	Refund: 229903 - TILBY, RYAN & BRITTANY	531311-000 - ACCOUNTS RECEIVABL	
					\$7.21			
TOWER, JERALD D. & GRETCHEN	71064	Refund: 971803	02/22/2024	02/29/2024	85.92	Refund: 971803 - TOWER, JERALD D. & GRETCH	531311-000 - ACCOUNTS RECEIVABL	
					\$85.92			
TROY, AMANDA	71065	Refund: 1029005	02/23/2024	02/29/2024	25.20	Refund: 1029005 - TROY, AMANDA	531311-000 - ACCOUNTS RECEIVABL	
					\$25.20			
TYSON, CHRIS & LARSON SUSAN	71066	Refund: 1097202	02/23/2024	02/29/2024	62.11	Refund: 1097202 - TYSON, CHRIS & LARSON SU	531311-000 - ACCOUNTS RECEIVABL	
					\$62.11			
VERIGAN, KEALA	71067	Refund: 1086105	02/23/2024	02/29/2024	44.66	Refund: 1086105 - VERIGAN, KEALA	531311-000 - ACCOUNTS RECEIVABL	
					\$44.66			
WASH. COUNTY WATER CONSER	71068	53554	01/31/2024	02/29/2024	288.00	EXCESS CONSERVATION SURCHARGE	513714-000 - REGIONAL WATER SUR	
					\$288.00			
WEBB CUSTOM HOMES	71069	PCA Credit Adj	02/21/2024	02/29/2024	117.87	Multiple Accounts - PCA Credit Adjustments	533713-000 - POWER COST ADJUST	
					\$117.87			
WESTERN UNITED ELECTRIC SU	71070	6108112	02/22/2024	02/29/2024	64.22	1/0 PRIMARY ELBOW FOR SC VALLEY HOMES	535310-254 - NEW SUBDIVISION EXP	
					\$64.22			
					\$72,707.74			

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All Bank Accounts - 02/29/2024 to 02/29/2024**

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GRANITE PEAKS INVESTMENTS L	71040	PCE Credit Adj	02/23/2024	02/29/2024	6.46	Multiple PCA Accounts	533713-000 - POWER COST ADJUST	
					\$6.46			
GRAY, DENNIS	71041	Refund: 821804	02/23/2024	02/29/2024	9.20	Refund: 821804 - GRAY, DENNIS	531311-000 - ACCOUNTS RECEIVABL	
					\$9.20			
HESS, ARDEN & GAIL	71042	Refund: 136705	02/23/2024	02/29/2024	142.35	Refund: 136705 - HESS, ARDEN & GAIL	531311-000 - ACCOUNTS RECEIVABL	
					\$142.35			
HOOLEY, DEVIN & NICOLE	71043	Refund: 213249	02/26/2024	02/29/2024	38.76	Refund: 213249 - HOOLEY, DEVIN & NICOLE	531311-000 - ACCOUNTS RECEIVABL	
					\$38.76			
IVIE, ABRAHAM & EMILY	71044	Refund: 973703	02/23/2024	02/29/2024	65.54	Refund: 973703 - IVIE, ABRAHAM & EMILY	531311-000 - ACCOUNTS RECEIVABL	
					\$65.54			
JOHNSON, CARL	71045	Refund: 908024	02/27/2024	02/29/2024	493.25	Refund: 908024 - JOHNSON, CARL	531311-000 - ACCOUNTS RECEIVABL	
					\$493.25			
JOHNSON, WILLIAM & KRISTEL	71046	Refund: 761011	02/23/2024	02/29/2024	66.06	Refund: 761011 - JOHNSON, WILLIAM & KRISTEL	531311-000 - ACCOUNTS RECEIVABL	
					\$66.06			
JONES, TERRY & MICHELLE	71047	Refund: 995103	02/23/2024	02/29/2024	24.60	Refund: 995103 - JONES, TERRY & MICHELLE	531311-000 - ACCOUNTS RECEIVABL	
					\$24.60			
JOY MILES	71048	022024-JM	02/20/2024	02/29/2024	79.62	COURT INTERPRETER FOR CASES ON 2-20-24	104120-330 - LEGAL SERVICES	
JOY MILES	71048	022824-JM	02/27/2024	02/29/2024	79.62	COURT INTERPRETER 02/27/2024	104120-330 - LEGAL SERVICES	
					\$159.24			
					\$159.24			
KIRKPATRICK, JACOB & AUBREY	71049	Refund: 1081405	02/22/2024	02/29/2024	51.61	Refund: 1081405 - KIRKPATRICK, JACOB & AUBR	531311-000 - ACCOUNTS RECEIVABL	
					\$51.61			
LUNT, TROY & AMY	71050	Refund: 1093402	02/26/2024	02/29/2024	41.61	Refund: 1093402 - LUNT, TROY & AMY	531311-000 - ACCOUNTS RECEIVABL	
					\$41.61			
MANLEY, DAVID & MANLEY, JOHN	71051	Refund: 1085506	02/27/2024	02/29/2024	26.25	Refund: 1085506 - MANLEY, DAVID & MANLEY, JO	531311-000 - ACCOUNTS RECEIVABL	
					\$26.25			
MARX, TRAVIS & LAURIE	71052	Refund: 780010	02/23/2024	02/29/2024	67.51	Refund: 780010 - MARX, TRAVIS & LAURIE	531311-000 - ACCOUNTS RECEIVABL	
					\$67.51			
MARY JO HAFEN	71053	401453	01/31/2024	02/29/2024	75.00	JAN 2024 BANQUET ROOM COORDINATOR	104130-370 - PROFESSIONAL SERVI	
					\$75.00			
PHELPS, BILL & SHAUNA	71054	Refund: 413212	02/23/2024	02/29/2024	6.86	Refund: 413212 - PHELPS, BILL & SHAUNA	531311-000 - ACCOUNTS RECEIVABL	
					\$6.86			
ROLFE, JACK & LEXIE	71055	Refund: 414256	02/26/2024	02/29/2024	57.06	Refund: 414256 - ROLFE, JACK & LEXIE	531311-000 - ACCOUNTS RECEIVABL	
					\$57.06			
SIMMONS, ERIC & KRISTEN	71056	Refund: 1084102	02/26/2024	02/29/2024	23.91	Refund: 1084102 - SIMMONS, ERIC & KRISTEN	531311-000 - ACCOUNTS RECEIVABL	
					\$23.91			

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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
ANDRUS, IAN & ELIZABETH	71023	Refund: 113306	02/28/2024	02/29/2024	56.31	Refund: 113306 - ANDRUS, IAN & ELIZABETH	531311-000 - ACCOUNTS RECEIVABL	
					\$56.31			
AVENUE CONSULTANTS	71024	9968	01/09/2024	02/29/2024	3,808.75	DEC INV 2023 -RED MTN/PIONEER RD TRAFFIC	104410-320 - ENGINEERING SERVIC	
					\$3,808.75			
BARTON, GRANT & MARILYN	71025	Refund: 2001970	02/26/2024	02/29/2024	8.08	Refund: 2001970 - BARTON, GRANT & MARILYN	531311-000 - ACCOUNTS RECEIVABL	
					\$8.08			
BLODGETT, ERNIE & LISA	71026	Refund: 9904	02/23/2024	02/29/2024	99.28	Refund: 9904 - BLODGETT, ERNIE & LISA	531311-000 - ACCOUNTS RECEIVABL	
					\$99.28			
BUCKS ACE SANTA CLARA	71027	3847	02/26/2024	02/29/2024	53.98	FUEL FOR SAWS	535310-250 - OPERATING SUPPLIES	
					\$53.98			
CHRISTOFFERSON, CHAD & MIND	71028	Refund: 1051102	02/23/2024	02/29/2024	49.32	Refund: 1051102 - CHRISTOFFERSON, CHAD & M	531311-000 - ACCOUNTS RECEIVABL	
					\$49.32			
CITY OF ST GEORGE - S	71029	FEB 2024 - SEW	02/28/2024	02/29/2024	38,051.20	3008 SEWER CONNECTIONS @12.65 FEB 2024	525210-945 - SEWER TREATMENT -	
					\$38,051.20			
CITY OF ST. GEORGE - MISC	71030	13618	02/22/2024	02/29/2024	11,863.50	FY24 3RD QUARTER SCHOOL RESOURCE OFFI	104220-980 - SRO - ST. GEORGE	
CITY OF ST. GEORGE - MISC	71030	13621	02/22/2024	02/29/2024	2,417.00	ADJUSTING INV FY24 SCHOOL RESOURCE OFFI	104220-980 - SRO - ST. GEORGE	
					\$14,280.50			
					\$14,280.50			
CONDIE, ADAM & DIANA	71031	Refund: 136807	02/23/2024	02/29/2024	43.68	Refund: 136807 - CONDIE, ADAM & DIANA	531311-000 - ACCOUNTS RECEIVABL	
					\$43.68			
DANIELS, JORDAN & KELLI	71032	Refund: 1085706	02/23/2024	02/29/2024	57.17	Refund: 1085706 - DANIELS, JORDAN & KELLI	531311-000 - ACCOUNTS RECEIVABL	
					\$57.17			
DILLON, BRYAN & LYNN	71033	Refund: 935404	02/23/2024	02/29/2024	33.66	Refund: 935404 - DILLON, BRYAN & LYNN	531311-000 - ACCOUNTS RECEIVABL	
					\$33.66			
DRAKE, TRACI	71034	Refund: 1032207	02/23/2024	02/29/2024	26.68	Refund: 1032207 - DRAKE, TRACI	531311-000 - ACCOUNTS RECEIVABL	
					\$26.68			
EMERSON, MATTHEW & STEPHA	71035	Refund: 253908	02/26/2024	02/29/2024	82.52	Refund: 253908 - EMERSON, MATTHEW & STEPH	531311-000 - ACCOUNTS RECEIVABL	
					\$82.52			
EVANS, HUNTER & MADALYN	71036	Refund: 1083805	02/26/2024	02/29/2024	62.89	Refund: 1083805 - EVANS, HUNTER & MADALYN	531311-000 - ACCOUNTS RECEIVABL	
					\$62.89			
EVANS, J. BRENT & PAMELA	71037	Refund: 1175102	02/23/2024	02/29/2024	29.26	Refund: 1175102 - EVANS, J. BRENT & PAMELA	531311-000 - ACCOUNTS RECEIVABL	
					\$29.26			
FREDERICK, SONYA	71038	Refund: 1030003	02/23/2024	02/29/2024	20.04	Refund: 1030003 - FREDERICK, SONYA	531311-000 - ACCOUNTS RECEIVABL	
					\$20.04			
GIBBONS, KEN & SONYA	71039	Refund: 2001545	02/23/2024	02/29/2024	67.62	Refund: 2001545 - GIBBONS, KEN & SONYA	531311-000 - ACCOUNTS RECEIVABL	
					\$67.62			

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AIONO, JULIUS	71071	Refund: 905922	03/06/2024	03/07/2024	70.87	Refund: 905922 - AIONO, JULIUS	531311-000 - ACCOUNTS RECEIVABL	
					\$70.87			
ASONG, CAHENCE	71072	030724-BAIL RE	03/07/2024	03/07/2024	150.00	BAIL REFUND CASE#225201173	102560-000 - BAIL & RESTITUTION	
					\$150.00			
BUCKS ACE SANTA CLARA	71073	3864	02/29/2024	03/07/2024	5.99	BOLTS U SQ	104510-260 - BUILDING MAINTENAN	
BUCKS ACE SANTA CLARA	71073	3881	03/05/2024	03/07/2024	41.55	SHOP SUPPLIES	535310-260 - BUILDING MAINTENAN	
					\$47.54			
					\$47.54			
CANNON TECHNOLOGIES INC.	71074	951794673	03/02/2024	03/07/2024	443.04	CL20 ELECTRICAL METERS	535310-252 - METERS	
					\$443.04			
CHILD SUPPORT SERVICES	71075	030624-873789	03/04/2024	03/07/2024	206.77	CASEY-C000873789 PAY PERIOD END 3/06/2024	102595-000 - GARNISMENTS PAYABL	
					\$206.77			
CITY OF ST GEORGE - UTILITIES	71076	030424-SC WELL	02/29/2024	03/07/2024	39.75	SNOW CANYON WELL 7	515110-271 - WELLS UTILITY COSTS	
CITY OF ST GEORGE - UTILITIES	71076	030424-WTR TA	02/29/2024	03/07/2024	12,426.85	WTR TANK AT MOUTH OF	515110-275 - SNOW CANYON OP CO	
					\$12,466.60			
					\$12,466.60			
COASH, MARY	71077	Refund: 255102	03/06/2024	03/07/2024	10.74	Refund: 255102 - COASH, MARY	531311-000 - ACCOUNTS RECEIVABL	
					\$10.74			
D.A.T. MANAGEMENT INC	71078	437013	02/06/2024	03/07/2024	49.00	RANDOM SELECTION TEST	104230-350 - HEALTH & WELLNESS	
D.A.T. MANAGEMENT INC	71078	437013	02/08/2024	03/07/2024	49.00	RANDOM SELECTION TEST	535310-350 - MEDICAL & DRUG TEST	
D.A.T. MANAGEMENT INC	71078	437113	03/05/2024	03/07/2024	49.00	POST ACCIDENT TESTFRED FAGE & PRE EMPL	104410-350 - MEDICAL & DRUG TEST	
D.A.T. MANAGEMENT INC	71078	437113	03/05/2024	03/07/2024	49.00	POST ACCIDENT TESTFRED FAGE & PRE EMPL	535310-350 - MEDICAL & DRUG TEST	
					\$196.00			
					\$196.00			
DOUG'S MASTER AUTO CARE	71079	Refund: 3204	03/06/2024	03/07/2024	153.35	Refund: 3204 - DOUG'S MASTER AUTO CARE	531311-000 - ACCOUNTS RECEIVABL	
					\$153.35			
DR. ROBERT R. FOSTER, D.O. P.C.	71080	MARCH2024-ME	03/04/2024	03/07/2024	1,200.00	MEDICAL SERVICES DIRECTOR	104230-400 - EMERGENCY MEDICAL	
					\$1,200.00			
ERICKSON, M. RICK	71081	FEB 2024- CITY	03/04/2024	03/07/2024	1,500.00	CITY PROSECUTOR FEB 2024	104120-330 - LEGAL SERVICES	
					\$1,500.00			
EXCAVATING, J P	71082	Refund: 111113	03/06/2024	03/07/2024	3.02	Refund: 111113 - EXCAVATING, J P	531311-000 - ACCOUNTS RECEIVABL	
					\$3.02			
FREEDOM MAILING SERVICES, IN	71083	47275	02/27/2024	03/07/2024	2,113.37	BILL PROCESSING	104130-370 - PROFESSIONAL SERVI	
					\$2,113.37			
GACHELL, TANNER	71084	Refund: 217126	03/06/2024	03/07/2024	13.62	Refund: 217126 - GACHELL, TANNER	531311-000 - ACCOUNTS RECEIVABL	
					\$13.62			
GRAF, HANS & MOLLY	71085	Refund: 1608	03/06/2024	03/07/2024	2.07	Refund: 1608 - GRAF, HANS & MOLLY	531311-000 - ACCOUNTS RECEIVABL	
					\$2.07			

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GRANICUS	71086	175480	11/27/2023	03/07/2024	4,646.58	CLEARCASTER SOFTWARE/LIVECAST	104130-310 - IT SERVICES	
					\$4,646.58			
HETHERINGTON, MICHAEL & TRA	71087	Refund: 1122204	03/06/2024	03/07/2024	90.38	Refund: 1122204 - HETHERINGTON, MICHAEL &	531311-000 - ACCOUNTS RECEIVABL	
					\$90.38			
LIFEMED SAFETY, INC.	71088	24-043	01/24/2024	03/07/2024	2,148.00	ZOLL CPR PADS HVP ELECTRODES	104230-400 - EMERGENCY MEDICAL	
					\$2,148.00			
MCDANIEL, AARON & CARTY, JAC	71089	Refund: 740607	03/04/2024	03/07/2024	86.93	Refund: 740607 - MCDANIEL, AARON & CARTY, J	531311-000 - ACCOUNTS RECEIVABL	
					\$86.93			
MOUNT OLYMPUS WATERS (1385	71090	10221385-02272	02/27/2024	03/07/2024	37.48	COOLER RENT & 5 GAL WATERS	104130-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	71090	10221385-02272	02/27/2024	03/07/2024	47.97	COOLER RENT & 5 GAL WATERS	104410-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	71090	10221385-02272	02/27/2024	03/07/2024	91.38	COOLER RENT & 5 GAL WATERS	104240-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	71090	10221385-02272	02/27/2024	03/07/2024	128.41	COOLER RENT & 5 GAL WATERS	104510-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	71090	10221385-02272	02/27/2024	03/07/2024	248.13	COOLER RENT & 5 GAL WATERS	104230-775 - STATIONS OPERATION	
					\$553.37			
					\$553.37			
NAYLOR, MATT	71091	Refund: 995003	03/06/2024	03/07/2024	36.18	Refund: 995003 - NAYLOR, MATT	531311-000 - ACCOUNTS RECEIVABL	
					\$36.18			
NORTH STAR RESTORATION CO.	71092	2845	03/05/2024	03/07/2024	2,620.60	MATERIALS & LABOR INSTALL NEW DOOR HUG	104510-260 - BUILDING MAINTENAN	
					\$2,620.60			
NUNLEY, JASON	71093	Refund: 400509	03/05/2024	03/07/2024	11.07	Refund: 400509 - NUNLEY, JASON	531311-000 - ACCOUNTS RECEIVABL	
					\$11.07			
PADDOCK, KADEN	71094	Refund: 416410	03/06/2024	03/07/2024	33.46	Refund: 416410 - PADDOCK, KADEN	531311-000 - ACCOUNTS RECEIVABL	
					\$33.46			
PROGRESSIVE CONTRACTING, IN	71095	030524-FINAL P	02/22/2024	03/07/2024	469,216.70	FINAL PMT #3 SC CANYON VIEW PARK/ BMX PA	494510-730 - PARKS IMPROVEMENT	
					\$469,216.70			
RAMIREZ, BRIANA S	71096	Refund: 670611	03/05/2024	03/07/2024	24.58	Refund: 670611 - RAMIREZ, BRIANA S	531311-000 - ACCOUNTS RECEIVABL	
					\$24.58			
RICHARDSON, SCOTT & STACY	71097	Refund: 231404	03/05/2024	03/07/2024	15.19	Refund: 231404 - RICHARDSON, SCOTT & STACY	531311-000 - ACCOUNTS RECEIVABL	
					\$15.19			
ST. GEORGE CHAMBER OF COM	71098	53339	01/31/2024	03/07/2024	405.00	ANNUAL MEMBERSHIP 6-10 EMPLOYEES	104130-210 - SUBSCRIPTIONS & ME	
					\$405.00			
STAPLEY PHARMACY DOWNTOW	71099	2225	01/31/2024	03/07/2024	254.50	FIRE MEDICATION CHARGES ACT#2225	104230-400 - EMERGENCY MEDICAL	
					\$254.50			
TALLEY, DAVID & KALEEN	71100	Refund: 694816	03/06/2024	03/07/2024	119.57	Refund: 694816 - TALLEY, DAVID & KALEEN	531311-000 - ACCOUNTS RECEIVABL	
					\$119.57			
TOLBERT, STAN & BETH	71101	Refund: 77601	03/06/2024	03/07/2024	22.98	Refund: 77601 - TOLBERT, STAN & BETH	531311-000 - ACCOUNTS RECEIVABL	
					\$22.98			

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TRUMAN, KAREN	71102	Refund: 362004	03/06/2024	03/07/2024	52.96	Refund: 362004 - TRUMAN, KAREN	531311-000 - ACCOUNTS RECEIVABL	
					\$52.96			
UPPER CASE PRINTING INK.	71103	1490	02/27/2024	03/07/2024	217.35	BACK OF BILL PRINTING	104130-370 - PROFESSIONAL SERVI	
					\$217.35			
UTAH STATE TREASURER / FINES	71104	FEB 2024- COUR	03/06/2024	03/07/2024	13,422.82	COURT SURCHARGES	104120-905 - STATE FINE COLLECTI	
					\$13,422.82			
VENEGAS, ROSELIA	71105	Refund: 161814	03/06/2024	03/07/2024	88.97	Refund: 161814 - VENEGAS, ROSELIA	531311-000 - ACCOUNTS RECEIVABL	
					\$88.97			
WALTON HOMES LLC	71106	Refund: 2001993	03/06/2024	03/07/2024	19.61	Refund: 2001993 - WALTON HOMES LLC	531311-000 - ACCOUNTS RECEIVABL	
WALTON HOMES LLC	71107	Refund: 1134002	03/06/2024	03/07/2024	49.21	Refund: 1134002 - WALTON HOMES LLC	531311-000 - ACCOUNTS RECEIVABL	
					\$68.82			
WASH. CO. FLOOD CONTROL DIS	71108	FEB2024-FLOOD	03/04/2024	03/07/2024	4,920.00	FLOOD CONTROL DISTRICT FEB 2024	545410-770 - FLOOD CONTROL DIST.	
					\$4,920.00			
WASH. COUNTY WATER CONSER	71109	53565	03/01/2024	03/07/2024	4,515.57	REG.PIPELINE BOND PAYMENT	515110-822 - DEBT PAYMENT TO WA	
					\$4,515.57			
WESTERN UNITED ELECTRIC SU	71110	6109020	03/05/2024	03/07/2024	1,489.00	STREETLIGHT HEAD FOR SC VALLEY HOMES	535310-254 - NEW SUBDIVISION EXP	
					\$1,489.00			
					\$523,637.57			

**City of Santa Clara
Check Register
All Bank Accounts - 03/14/2024 to 03/14/2024**

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
AJ CONSTRUCTION	71111	MULTI PCA REF	03/12/2024	03/14/2024	121.81	MULTIPLE ACCOUNTS-PCA REFUND	533713-000 - POWER COST ADJUST	
					\$121.81			
AVENUE CONSULTANTS	71112	10161	03/06/2024	03/14/2024	10,462.50	PROJECT 23-269 RED MTN/PIONEER RD TRAFFI	484100-320 - ENGINEERING SERVIC	5
					\$10,462.50			
BRAD SHELKEY	71113	Refund: 632208	03/11/2024	03/14/2024	29.44	Refund: 632208 - BRAD SHELKEY	531311-000 - ACCOUNTS RECEIVABL	
					\$29.44			
CALEGORY, JEFF	71114	Refund: 350802	03/13/2024	03/14/2024	44.81	Refund: 350802 - CALEGORY, JEFF	531311-000 - ACCOUNTS RECEIVABL	
					\$44.81			
CITY OF ST GEORGE - S	71115	13735	03/11/2024	03/14/2024	36,303.00	SEWER TREATMENT CATCH UP PAYMENTS	525210-945 - SEWER TREATMENT -	
					\$36,303.00			
CITY OF ST GEORGE - UTILITIES	71116	031124- SC WEL	02/29/2024	03/14/2024	11,086.94	SNOW CANYON WELL #6	515110-271 - WELLS UTILITY COSTS	
					\$11,086.94			
GANNETT NEVADA-UTAH LOCALI	71117	0006252029	02/29/2024	03/14/2024	133.76	STG ST.GEORGE SPECTRUM-PUBLIC NOTICE	104130-220 - PUBLIC NOTICES	
					\$133.76			
HATCH, SASHIA ANN	71118	031134- BAIL RE	03/11/2024	03/14/2024	25.00	BAIL REFUND CASE#225200364	102560-000 - BAIL & RESTITUTION	
					\$25.00			
INTERMOUNTAIN WORKMED	71119	SG3495533	03/01/2024	03/14/2024	73.00	DOT PHYSICAL EXAM - LUIS GRADILLA	535310-350 - MEDICAL & DRUG TEST	
					\$73.00			
MILLER, WILLIAM & ROBIN	71120	Refund: 1065202	03/11/2024	03/14/2024	44.65	Refund: 1065202 - MILLER, WILLIAM & ROBIN	531311-000 - ACCOUNTS RECEIVABL	
					\$44.65			
STOTT, DEBORAH	71121	Refund: 161816	03/11/2024	03/14/2024	0.50	Refund: 161816 - STOTT, DEBORAH	531311-000 - ACCOUNTS RECEIVABL	
					\$0.50			
SUMMIT PRINTING	71122	223092	02/29/2024	03/14/2024	91.40	NEW CITY COUNCIL BUSINESS CARDS- NAME C	104130-240 - OFFICE SUPPLIES	
					\$91.40			
TOFU, SEBASTIAN SR	71123	031124- REFUND	03/11/2024	03/14/2024	43.63	TRUST OVERPAYMENT CASE#225200301	102560-000 - BAIL & RESTITUTION	
					\$43.63			
UTAH RETIREMENT SYSTEMS	71124	J BURTON 01242	01/24/2024	03/14/2024	34.82	J BURTON 012424 URS ERROR	104130-132 - RETIREMENT	
UTAH RETIREMENT SYSTEMS	71127	J BURTON 02072	02/07/2024	03/14/2024	17.41	J BURTON 020724 URS ERROR	104130-132 - RETIREMENT	
					\$52.23			
WESTERN UNITED ELECTRIC SU	71125	6109519	03/12/2024	03/14/2024	211.85	H-TAP STOCK	535310-466 - POWER LINES/POLES/	
					\$211.85			
WHITAKER CONSTRUCTION CO.	71126	36622	12/05/2023	03/14/2024	5,766.45	RETENTION FOR APP#5 SC WATERLINE REPLA	515110-730 - IMPROVEMENTS	
					\$5,766.45			
					\$64,490.97			

**City of Santa Clara
Check Register
All Bank Accounts - 03/21/2024 to 03/21/2024**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Invoice Number</u>	<u>Invoice Ledger Date</u>	<u>Payment Date</u>	<u>Amount</u>	<u>Description</u>	<u>Ledger Account</u>	<u>Activity Code</u>
DOMINION ENERGY	ACH032124	032124-HERITAG	03/21/2024	03/21/2024	7.16	HERITAGE SQUARE GAS - 6142840000	104510-270 - UTILITIES	
					\$7.16			
EMERSON, PATRICK	71128	Refund: 2005121	03/19/2024	03/21/2024	140.39	Refund: 2005121 - EMERSON, PATRICK	531311-000 - ACCOUNTS RECEIVABL	
					\$140.39			
HOWARD, CHRIS & LINDSEY	71129	Refund: 91307	03/18/2024	03/21/2024	126.25	Refund: 91307 - HOWARD, CHRIS & LINDSEY	531311-000 - ACCOUNTS RECEIVABL	
					\$126.25			
JACKSON, VICKIE SMITH	71130	031824-REFUND	03/18/2024	03/21/2024	1,560.81	AMBULANCE REFUND ACT#11043	103426-000 - AMBULANCE SERVICE	
					\$1,560.81			
QUINTO, MICHAEL	71131	031824-REFUND	03/18/2024	03/21/2024	2,049.23	AMBULANCE REFUND ACT#11030	103426-000 - AMBULANCE SERVICE	
					\$2,049.23			
RICHARDS, BOB	71132	RFD 1108.03192	03/19/2024	03/21/2024	25.12	Deposit Refund: 1108 - RICHARDS, BOB	512135-000 - CUSTOMER DEPOSIT	
					\$25.12			
SLADEN D MARKHAM, LLC	71133	8911	01/31/2024	03/21/2024	1,859.37	E-31 SO INVOICE#8911	104230-250 - VEHICLE OPERATIONS	
SLADEN D MARKHAM, LLC	71133	8912	01/31/2024	03/21/2024	1,577.20	AMBULANCE	104230-250 - VEHICLE OPERATIONS	
SLADEN D MARKHAM, LLC	71133	9158	03/15/2024	03/21/2024	445.00	LABOR- DRIVE UNIT SERVICE CALL	104230-250 - VEHICLE OPERATIONS	
					\$3,881.57			
					\$3,881.57			
WALLENFELS, WILLIAM B	71134	Refund: 540203	03/18/2024	03/21/2024	36.36	Refund: 540203 - WALLENFELS, WILLIAM B	531311-000 - ACCOUNTS RECEIVABL	
					\$36.36			
WASH. COUNTY WATER CONSER	71135	53591	02/29/2024	03/21/2024	289.80	EXCESS CONSERVATION SURCHARGE	513714-000 - REGIONAL WATER SUR	
					\$289.80			
WESTERN UNITED ELECTRIC SU	71136	6110161	03/20/2024	03/21/2024	1,594.16	SECONDARY SQUIDS & SECONDARY BUSHING	535310-254 - NEW SUBDIVISION EXP	
WESTERN UNITED ELECTRIC SU	71136	6110162	03/20/2024	03/21/2024	877.21	H-TAPS & SECONDARY SPLICES	535310-466 - POWER LINES/POLES/	
WESTERN UNITED ELECTRIC SU	71136	6110163	03/20/2024	03/21/2024	2,506.00	STREET LIGHT BASE FOR SC VALLEY HOMES	535310-254 - NEW SUBDIVISION EXP	
					\$4,977.37			
					\$4,977.37			
					\$13,094.06			

Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Jarett Waite

Ben Shakespeare

Christa Hinton

Janene Burton

Dave Pond

CITY COUNCIL

Meeting Date: 27/Mar/24

Agenda Item: 1

Applicant: annexation Policy Plan

Requested by: Jim McNulty

Subject: Annexation Policy Plan (Public
Hearing)

Description:

Under the State Annexation Statute, UCA 10-2-401.5, Santa Clara City intends to adopt an Annexation Policy Plan. The public hearing is an opportunity for affected entities to examine the proposed Annexation Policy Plan and provide input.

Recommendation: Approval

Attachments: N/A

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A

2603 Santa Clara Drive, Santa Clara, Utah 84765

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



TO: Santa Clara City Council
FROM: Jim McNulty, Planning Manager
DATE: March 27, 2024
RE: Annexation Policy Plan (**Public Hearing**)

Under the State Annexation Statute, UCA 10-2-401.5, Santa Clara City intends to adopt an Annexation Policy Plan. The Annexation Policy Plan is intended to comply with the provisions of UCA 10-2-401.5(4) and incorporate all criteria required and suggested by Section 10-2-401.5(3). This public hearing is an opportunity for affected entities to examine the proposed Annexation Policy Plan and provide input on it. A list of the affected entities has been attached for review.

State Code Requirements:

Utah State Code, Section 10-2-401.5(2)(a) requires the Planning Commission to hold a public meeting to allow affected entities to examine the proposed annexation policy plan and provide input on it. It also requires the city to accept and consider any additional written comments from affected entities until 10 days after the public meeting under Subsection (2)(a)(ii). **The Planning Commission held a public meeting on December 14, 2023 (see attached meeting minutes)** and received comments from Ivins City. The other affected entities have not provided comments.

Additionally, before holding a public hearing required under Subsection (2)(a)(vi), make any modifications to the proposed annexation policy plan the Planning Commission considers appropriate, based on input provided at or within 10 days after the public meeting. City staff and legal counsel reviewed the comments submitted by Ivins City. As a result, some modifications were made to the proposed Annexation Policy Plan Map which was discussed with the **Planning Commission on February 22, 2024 (see attached meeting minutes)**. Comments were received from Ivins City, with the other affected entities not providing comments.

The **City Council is required to hold a public hearing on the Annexation Policy Plan** recommended by the Planning Commission as per Subsection (2)(b)(ii) and may make any modifications to the recommended Annexation Policy Plan that the legislative body considers appropriate; and adopt the recommended Annexation Policy Plan, with or without modifications. A **copy of the updated map (dated March 27, 2024)**, which is the same map shared with the Planning Commission on February 22, 2024, as well as the **original map (dated December 7, 2023)** has been attached for review.

Recommendation:

On February 22, 2024, the Planning Commission held a public hearing and forwarded a recommendation of **Approval** to the City Council. City staff recommends that the City Council hold a public hearing and allow for the affected entities to provide input on the Annexation Policy Plan. City staff also recommends that the City Council consider granting **Approval** of the Annexation Policy Plan.

SANTA CLARA CITY ANNEXATION POLICY PLAN

Under the State Annexation Statute, UCA 10-2-401.5, which was amended by the Utah State Legislature in 2021, Santa Clara City hereby adopts the following Annexation Policy Plan. This Annexation Policy Plan is intended to comply with the provisions of UCA 10-2-401.5(4) and incorporate all criteria required and suggested by Section 10-2-401.5(3).

The Annexation Policy Plan is a guide to the orderly and well-planned annexation and development of lands contiguous to the city's boundaries. It may be modified from time to time to meet changing needs and to reflect the best interests of the community. An Annexation Policy Plan consists of the following elements:

1. General Annexation Criteria;
2. A Map of the Proposed Expansion Area;
3. Procedure for Submission of an Annexation Request;
4. Extension of needed Municipal Services in Developed and Developing Unincorporated Areas and Payment.

To qualify for annexation, a parcel of property must meet the annexation standards as established by Utah Code as well as standards established by Santa Clara City.

A. GENERAL ANNEXATION CRITERIA

1. As part of its ongoing effort to plan and prepare for quality growth, Santa Clara City has identified certain territory outside of and contiguous to its present boundaries (see Appendix A) which could, at some future time, reasonably be considered for annexation into the City. The areas proposed for possible future annexation include areas that in some instances are bordered by other municipalities.
2. Areas to be annexed must be contiguous to Santa Clara City.
3. The property must be within the area projected for expansion under the Santa Clara City annexation declaration area (**see Exhibit A**).
4. The property cannot be included within the boundaries of another incorporated municipality except as provided by law.
5. If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:
 - a. along the boundaries of existing districts for sewer, water, power; along the boundaries of school districts, and along boundaries of other taxing entities.
 - b. to eliminate islands and peninsulas of territory that are not receiving municipal services.
 - c. to facilitate the consolidation of overlapping functions of local government.
 - d. to promote the efficient delivery of services.
 - e. to encourage the equitable distribution of community resources and obligations.
6. Santa Clara City has a rural agricultural history with a mix of land uses provided in the city. The City is growing in population and the demand for both residential and commercial uses of land is high. The City encourages commercial uses that will benefit

its growing population. Areas to be annexed should be compatible with the needs of Santa Clara City.

7. Santa Clara City is concerned about the interests of all affected entities and has considered written comments from affected entities in finalizing this plan. The City is in support of property within the expansion area being developed so utility and transportation systems can be incorporated into a comprehensive plan for the area. Wherever practical, new City boundaries should conform to the boundaries of existing districts for sewer, water, power, along the boundaries of school districts, and along the boundaries of other taxing entities.
8. Santa Clara City shall not favor the annexation of areas for which it does not have the capability or the intention of providing municipal services, except for utility services that are not provided by the City but are provided by other entities in the areas to be annexed.
9. It is not Santa Clara City's intent to annex property for the sole purpose of acquiring revenues.
10. This Annexation Policy Plan does not exclude from the expansion area any area containing urban development within one half (1/2) mile of the City's boundaries.

B. PROCEDURE FOR SUBMISSION OF AN ANNEXATION REQUEST

1. Except for annexations initiated by the City in accordance with the provisions of Section 10-2-401.5, Utah Code Annotated, all annexations shall be commenced by the filing of a petition and plat meeting the requirements of Section 10-2-403.
2. The petition and plat map shall be filed with the City Recorder and shall:
 - a. File with the City Recorder a notice of intent to file a petition. Provide a copy of the notice sent to affected entities as required under Subsection (2)(a)(i)(B) and a list of the affected entities to which the notice was sent.
 - b. Contain the signatures of, if all the real property within the area proposed for annexation is owned by a public entity other than the federal government, the owners of all publicly owned real property, or the owners of private real property that is located within the area proposed for annexation.
 - c. Be equal in value to at least one third (1/3) of the value of all private real property within the proposed area for annexation.
 - d. Represent an area contiguous to the existing corporate limits of Santa Clara City and shown to be within the areas designated for annexation in the Santa Clara City Annexation Policy Plan.
 - e. Have an accurate and recordable plat map, prepared by a surveyor licensed in the State of Utah.
 - f. Contain on each signature page a notice in bold and conspicuous terms that states substantially the following:
 - "Notice": There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.

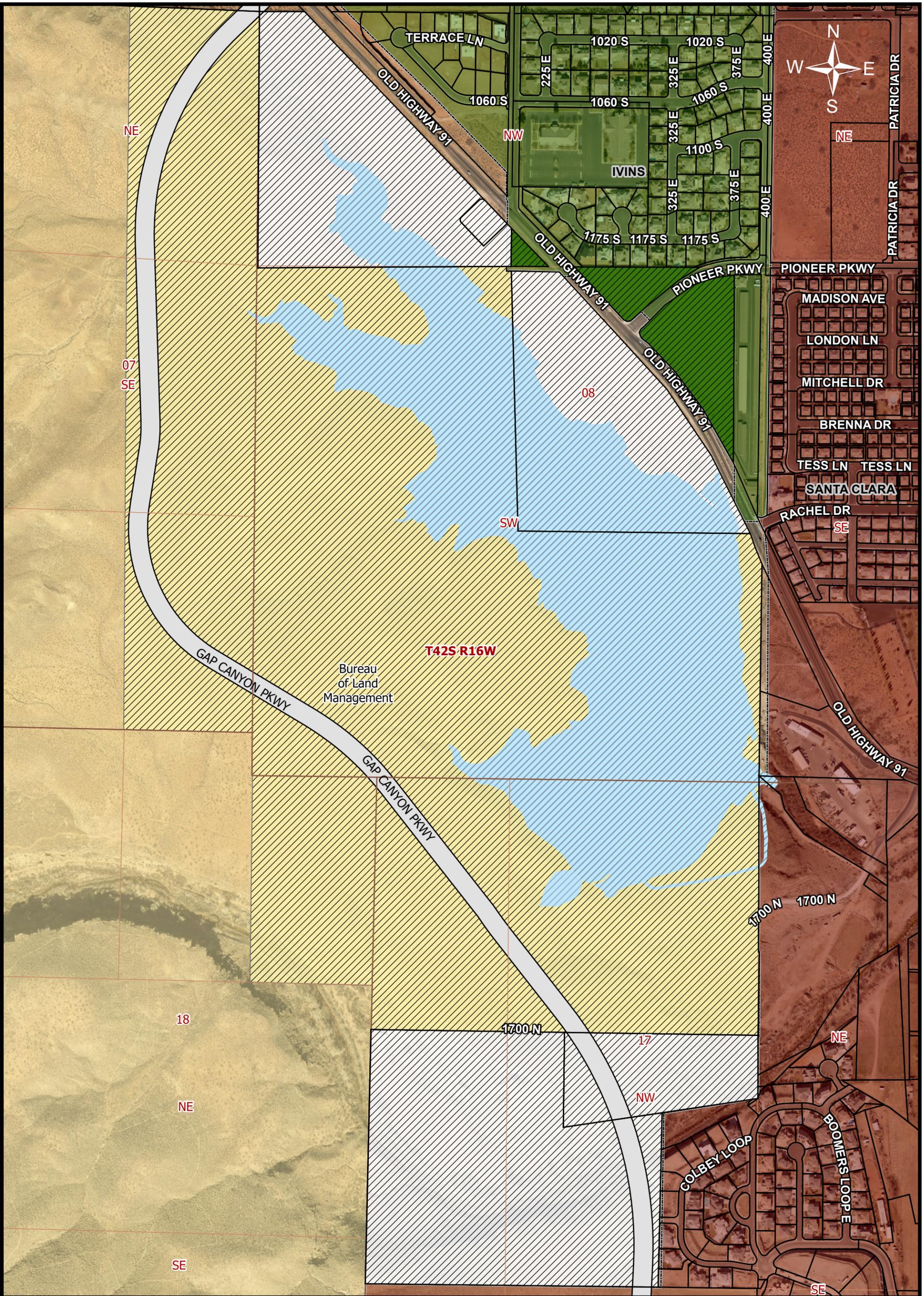
- If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of (state the name of the proposed annexing municipality). If you choose to withdraw your signature, you shall do so no later than 30 days.
after (state the name of the proposed annexing municipality) receives notice that the petition has been certified.
 - g. Designate up to five (5) of the signers of the petition as sponsors, one (1) of which shall be designated as the contact sponsor and indicate the mailing address of each sponsor.
 - h. Comply with any other applicable provisions of Section 10-2-403, Utah Code Annotated, not stated herein.
- 3. The City Recorder, upon receipt of a properly documented annexation petition accompanied by the proper plat, shall impose such fees as established by the City Council to recover the costs of processing such petition and shall place the petition on the agenda of a regular City Council meeting for consideration within fourteen (14) days of receipt of the petition, plat, and fees. The City Recorder shall also notify the petition sponsors at the time of petition receipt that they must deliver or mail a copy of the petition to the Washington County Clerk, on the same day it is filed with the City.
- 4. The City Council shall review the annexation petition and shall accept or deny the petition for further proceedings and consideration.
- 5. If accepted, the City Recorder shall, within thirty (30) days, certify that it meets the above requirements, or determine that the petition fails to meet the above requirements, and send the required notices of certification or rejection, including a written notice to the City Council. If denied, the City Recorder shall send the required notices within five (5) days of the denial.
- 6. Within ten (10) days after receipt of the City Recorder's notice of certification, the City shall cause to be published a notice of proposed annexation in a newspaper of local circulation at least once a week for three (3) consecutive weeks. Within twenty (20) days after receipt of the City Recorder's notice of certification, the City shall mail written notice of the proposed annexation to each affected entity as defined in State law. The notice shall explain how a written protest is to be filed within thirty (30) days after the date of the City Council's receipt of the City Recorder's certification notice (with the actual deadline date being stated).
- 7. If no protest is filed during the designated protest period, the City Council may hold a public hearing, after a minimum seven (7) day notice, and consider an ordinance approving the proposed annexation. If a protest is filed, the Washington County Boundary Commission shall hold a public hearing on the protest within thirty (30) days. If a protest is pending, the city Council may deny the proposed annexation at its next regularly scheduled meeting. Required notices will be sent if the petition is denied, within five (5) days of the denial.

8. Upon receipt of the Washington County Boundary Commission's decision if a protest public hearing is held, and subject to their decision, the City Council may approve or deny the proposed annexation.
9. If the City Council approves the proposed annexation by ordinance, the City shall comply with the filing and notice requirements outlined in Section 10-2-425, Utah Code Annotated, within thirty (30) days of annexing the unincorporated area.

C. EXTENSION OF NEEDED MUNICIPAL SERVICES IN DEVELOPED AND DEVELOPING UNINCORPORATED AREAS AND PAYMENT

1. In areas where municipal services are not presently extended, services will be extended on an as-needed basis at the developer's expense. All extensions of municipal services shall comply with all City ordinances and policy criteria.
2. An Annexation Agreement may be prepared between the City and future developers outlining specific requirements relating to culinary water, secondary water, wastewater, storm water drainage, transportation, electricity, and other specific improvements prior to the annexation approval.
3. An approved Annexation Petition will allow developers of the annexed property to connect to City Facilities, provided that all infrastructure proposed to be connected meets City standards and specifications and complies with all applicable development and land use ordinances.
4. The way the infrastructure additions are developed will have a bearing on how they are financed. The increased valuation of property and the subsequent increase in property and sales tax revenues will help increase contributions to the City's general fund. This increase will help defray the added cost of providing services to the annexed area.
5. In general, the costs and expenses of capital improvements, such as utilities, streets, curbs, gutters, sidewalks, storm drain systems, and other improvements deemed necessary in the annexed area, shall be borne by the developer as development within the area occurs.
6. When the annexation is approved, the newly annexed area shall receive the following services:
 - a. Fire Protection;
 - b. Police Protection;
 - c. Building & Safety;
 - d. Planning & Zoning;
 - e. Utilities provided by the City at the time of annexation;
 - f. Maintenance of dedicated City (public) streets; and
 - g. Other services provided by the City at the time of annexation.
7. It is not anticipated that an annexation will cause any adverse consequences to the residents currently living within the City or living within the annexed area, except that there may be a slight reduction in general services available to current residents because of expansions of services into the newly annexed territory.

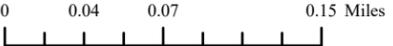
8. It is anticipated that the residents in the newly annexed territory will experience an increase in their property taxes due to the difference in certified tax rates between the City and Washington County. It is further anticipated that as the City receives property tax revenue from the newly annexed territory, the level of service for the entire community will increase.



2603 Santa Clara Drive, Santa Clara, UT 84765
 Phone: (435) 673-6712 | Fax: (435) 628-7338
www.santaclarautah.maps.arcgis.com

LEGEND

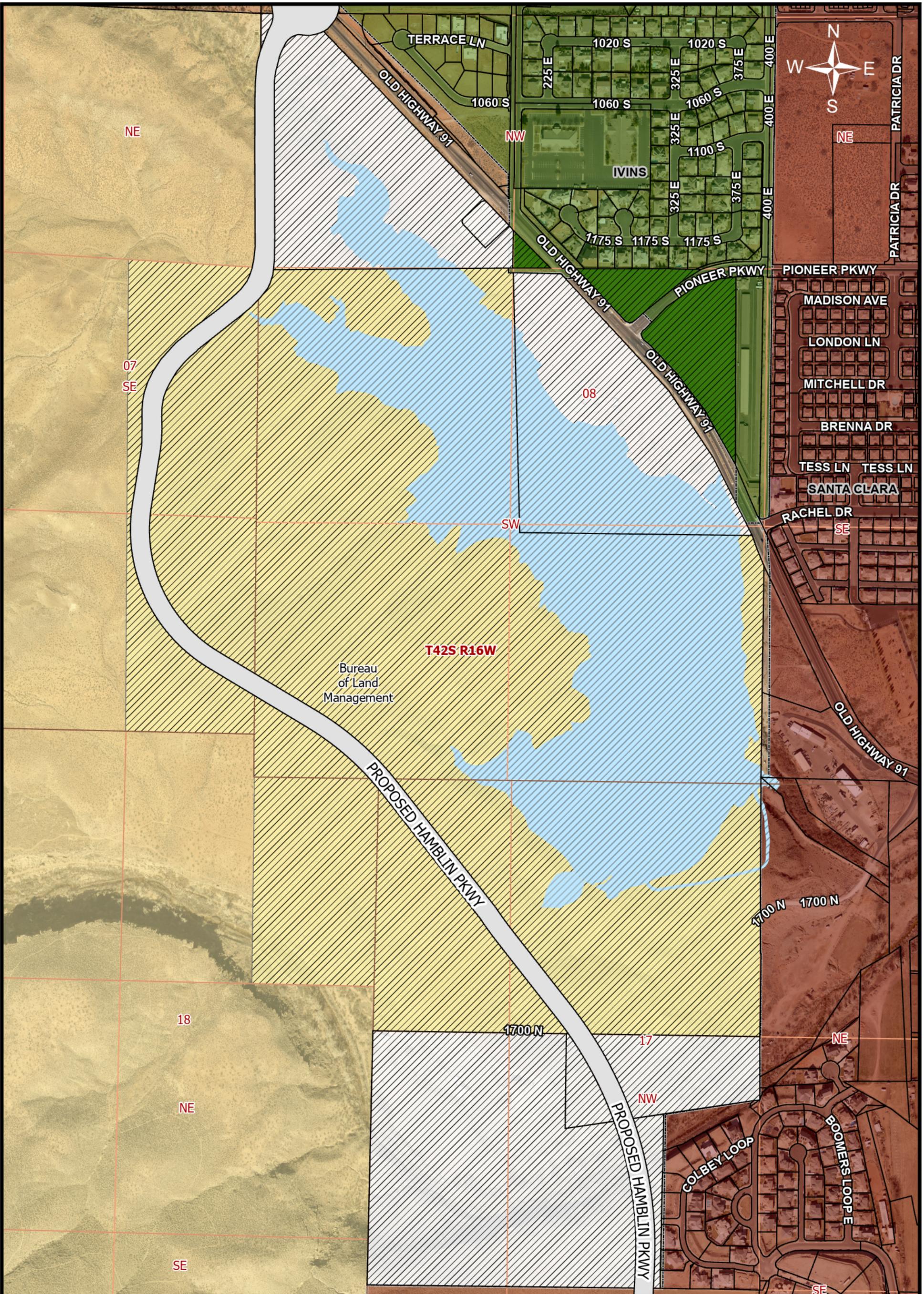
- | | |
|-------------------------------|-----------------------------------|
| Santa Clara Incorporated Area | Washington County Parcels |
| Ivins Incorporated Area | Future Graveyard Wash |
| Future Gap Canyon Pkwy | Potential Annexation Areas |
| Bureau of Land Management | Bureau of Land Management |
| PLSS Section | Ivins |
| PLSS Quarter Section | Unincorporated County |



Annexation Policy Plan Map

City of Santa Clara

Spatial Reference: NAD 1983 State Plane Utah South FIPS 4303 (US Feet)
 Scale: 1 inch equals 0.09 miles
 Date: December 7, 2023



T42S R16W

Bureau of Land Management



2603 Santa Clara Drive, Santa Clara, UT 84765
 Phone: (435) 673-6712 | Fax: (435) 628-7338
 www.santaclarautah.maps.arcgis.com

LEGEND

- | | |
|-------------------------------|-----------------------------------|
| Santa Clara Incorporated Area | Washington County Parcels |
| Ivins Incorporated Area | Future Graveyard Wash |
| Future Hamblin Pkwy | Potential Annexation Areas |
| Bureau of Land Management | Bureau of Land Management |
| PLSS Section | Ivins |
| PLSS Quarter Section | Unincorporated County |



Annexation Policy Plan Map

City of Santa Clara

Spatial Reference: NAD 1983 State Plane Utah South FIPS 4303 (US Feet)

Scale: 1 inch equals 0.09 miles

Date: March 27, 2024

St. George City
Christina Fernandez, Recorder
175 East 200 North
St. George, UT 84770

Bureau of Land Management
Jason West, District Manager
345 Riverside Drive
St. George, UT 84790

Ivins City
Kari Jimenez, Recorder
55 N. Main St.
Ivins, UT 84738

Washington County
Susan Lewis, Clerk/Audit
197 E. Tabernacle St.
St. George, UT 84770

Washington County Water
Conservancy District
533 E. Waterworks Drive
St. George, UT 84770

Southwest Mosquito Abatement
District
1460 S. Sandhill Drive
Washington, UT 84780

Washington County Special Service
District #1
325 N. Landfill Road
Washington, UT 84780

Washington County School District
121 W. Tabernacle St.
St. George, UT 84770

**SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, December 14, 2023**

Present: Logan Blake, Chair
Ryan Anderson
Shelly Harris
Koni Hunter
Kristen Walton
Mark Weston
Curtis Whitehead

Staff: Jim McNulty, Planning and Economic Development Manager
Cody Mitchell, Building Official
Selena Nez, Deputy City Recorder
Matt Ence, City Attorney

1. Call to Order.

Chair Logan Blake called the meeting to order at 5:30 p.m. Koni Hunter (new PC member) was introduced to the Planning Commission. She was appointed by the Mayor and City Council on December 13, 2023.

2. Opening Ceremony.

A. Pledge of Allegiance: Shelly Harris.

B. Opening Comments (Invocation): Kristen Walton.

3. Working Agenda.

A. Public Hearing.

i. None.

4. General Business.

A. Public Meeting.

i. Under the State Annexation Statute, UCA 10-2-401.5, which was Amended by the Utah Legislature in 2021, Santa Clara City Intends to Adopt an Annexation Policy Plan. The Annexation Policy Plan is Intended to Comply with the Provisions of UCA 10-2-401.5(4) and Incorporate All Criteria Required and Suggested by Section 10-2-401.5(3). This Opportunity will Allow for Affected Entities to Examine the Proposed Annexation Policy Plan and Provide Input on It.

Planning and Economic Development Manager, Jim McNulty presented the Staff Report and stated that the City of Santa Clara does not currently have an Annexation Policy Plan, which is a guide to the orderly and well-planned annexation and development of lands contiguous to the City's boundaries. It can be modified from time to time based on the best interests of the community. Entities that will be affected by the Annexation Policy Plan include St. George City, Washington County, Washington County Special Service District #1, the Bureau of Land Management, the Washington County Water Conservancy District; the Washington County School District; Ivins City; and the Southwest Mosquito Abatement District. Staff recommended that the Planning Commission hold a public meeting and allow for the impacted entities to provide input on the Annexation Policy Plan. City staff will then determine when it will come back to the Planning Commission for a public hearing.

Mr. McNulty explained that an Annexation Policy Plan consists of the following elements:

1. General Annexation Criteria;
2. A Map of the Proposed Expansion Area;
3. Procedure for Submission of an Annexation Request; and
4. Extension of needed Municipal Services in Developed and Developing Unincorporated Areas and Payment.

Mr. McNulty reported that to qualify for annexation, a parcel of property must meet the annexation standards as established by Utah Code as well as standards established by Santa Clara City. Mr. McNulty then reviewed the map (Appendix A), which showed an expansion of the proposed Graveyard Wash. He noted that it is currently mostly Bureau of Land Management ("BLM") property, but some is unincorporated County property. The map shows the Santa Clara incorporated areas, some areas within Ivins City, Hamblin Parkway, BLM property, Washington County properties, and the future Graveyard Wash. There are also potential annexation areas that include the BLM land; three parcels in Ivins City, the unincorporated County, and Hamblin Parkway future road improvements.

Mr. McNulty reported that the General Annexation Criteria are as follows:

1. As part of its ongoing effort to plan and prepare for quality growth, Santa Clara City has identified certain territory outside of and contiguous to its present boundaries (see Appendix A, the Annexation Map) which could, at some future time, reasonably be considered for annexation into the City. The areas proposed for possible future annexation include areas that in some instances are bordered by other municipalities.
2. Areas to be annexed must be contiguous to Santa Clara City.
3. The property must be within the area projected for expansion under the Santa Clara City annexation declaration area (see Appendix A).

4. The property cannot be included within the boundaries of another incorporated municipality except as provided by law.
5. If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:
 - a. Along the boundaries of existing districts for sewer, water, and power, and along the boundaries of school districts, and along the boundaries of other taxing entities.
 - b. To eliminate islands and peninsulas of territory that are not receiving municipal services.
 - c. To facilitate the consolidation of overlapping functions of local government.
 - d. To promote the efficient delivery of services.
 - e. To encourage the equitable distribution of community resources and obligations.
6. Santa Clara City has a rural agricultural history with a mix of land uses provided in the City. The City is growing in population and the demand for both residential and commercial uses of land is high. The City encourages commercial uses that will benefit its growing population. Areas to be annexed should be compatible with the needs of Santa Clara City.
7. Santa Clara City is concerned about the interests of all affected entities and has considered written comments from affected entities in finalizing this plan. The City is in support of property within the expansion area being developed so utility and transportation systems can be incorporated into a comprehensive plan. Wherever practical, new City boundaries should conform to the boundaries of existing districts for sewer, water, and power, and along the boundaries of school districts, and the boundaries of other taxing entities.
8. Santa Clara City shall not favor the annexation of areas for which it does not have the capability or the intention of providing municipal services, except for utility services that are not provided by the City but are provided by other entities in the areas to be annexed.
9. It is not Santa Clara City's intent to annex property for the sole purpose of acquiring revenues.
10. This Annexation Policy Plan does not exclude from the expansion area any area containing urban development within one-half (1/2) mile of the City's boundaries.

Mr. McNulty reported that the procedure for submission of an annexation request is per State Code and the requirements of the City Recorder to accept a petition and go through the process. He reviewed the following eight key points under the Extension of Needed Municipal Services in Developed and Developing Unincorporated Areas and Payment:

1. In areas where municipal services are not presently extended, services will be extended on an as-needed basis at the developer's expense. All extensions of municipal services shall comply with all City ordinances and policy criteria.
2. An Annexation Agreement may be prepared between the City and future developers outlining specific requirements relating to culinary water, secondary water, wastewater, stormwater drainage, transportation, electricity, and other specific improvements prior to the annexation approval.
3. An approved Annexation Petition will allow developers of the annexed property to connect to City Facilities, provided that all infrastructure proposed to be connected meets City standards and specifications and complies with all applicable development and land use ordinances.
4. The way the infrastructure additions are developed will have a bearing on how they are financed. The increased valuation of property and the subsequent increase in property and sales tax revenues will help increase contributions to the City's General Fund. This increase will help defray the added cost of providing services to the annexed area.
5. In general, the costs and expenses of capital improvements, such as utilities, streets, curbs, gutters, sidewalks, storm drain systems, and other improvements deemed necessary in the annexed area, shall be borne by the developer as development within the area occurs.
6. When the annexation is approved, the newly annexed area shall receive the following services:
 - a. Fire Protection;
 - b. Police Protection;
 - c. Building & Safety;
 - d. Planning & Zoning;
 - e. Utilities provided by the City at the time of annexation;
 - f. Maintenance of dedicated City (public) streets; and

- g. Other services provided by the City at the time of annexation.
7. It is not anticipated that annexation will cause any adverse consequences to the residents currently living within the City or living within the annexed area, except that there may be a slight reduction in general services available to current residents because of expansions of services into the newly annexed territory.
 8. It is anticipated that the residents in the newly annexed territory will experience an increase in their property taxes due to the difference in certified tax rates between the City and Washington County. It is further anticipated that as the City receives property tax revenue from the newly annexed territory, the level of service for the entire community will increase.

City Attorney, Matt Ence reported that the proposed Annexation Policy Plan was prompted by a discussion with the staff and the Mayor about the potential impacts of the new reservoir, which led to discussions about the future extension of Hamblin Drive. The City of Santa Clara does not currently have an Annexation Policy Plan in place, which is a prerequisite before any annexations can be considered. Mr. Ence emphasized that the map (Appendix A) is a first draft prepared by staff, with no consultations with property owners or neighboring cities. The purpose of tonight's meeting is to gather input from the Planning Commission and the affected entities. Mr. Ence explained that the proposed policy has a similar function as the General Plan for zoning. It can be thought of as a General Plan for future annexations. Nothing is eligible for annexation unless it's in a plan.

Commissioner Whitehead asked which entity would be responsible for the police and Emergency Management Services ("EMS") services at the reservoir. Mr. Ence responded that since it will be owned by St. George City but is within the Santa Clara and Ivins coverage area, it will be the cities' shared responsibility. He added that if the reservoir is annexed, it will be within Santa Clara City boundaries. Mr. Ence reminded the Commission that what is being discussed tonight is a policy plan, not an annexation of any specific place.

Commissioner Whitehead was surprised that once the annexation petition is completed, it does not come back to the Planning Commission. Messrs. McNulty and Ence shared that per State Code, there is no Planning Commission component to the annexation process. Mr. McNulty explained that the City Council decides whether to accept the annexation petition. Once a property is annexed, any land use decision on developing the property will come before the Planning Commission.

Commissioner Whitehead asked if, as part of the annexation petition, there must be an intent listed for the property being discussed. Mr. McNulty explained that typically the City or property owner will be the entities wanting to annex a particular property into the City. Mr. Ence stated that once a property is annexed into the City, it automatically comes in under the Open Space Zone. Some of the property, such as the property around the future reservoir, will likely remain open space if it is annexed. If someone wants to develop a property that was annexed, they will need to go through the regular process of getting a zone change, project plan, and entitlements.

Chair Blake asked for clarification as to whether other cities would have to remove the property from their city first for Santa Clara to annex it. Mr. Ence explained that if a property owner seeks to annex property into Santa Clara from Ivins, the process would involve both Ivins and Santa Clara. The property owner would petition the City to state that they want to develop in Santa Clara and de-annex out of Ivins. If a decision cannot be agreed upon, it would go before the Boundary Commission, which is set up at the County level to address conflicts between municipalities over their boundaries. The Boundary Commission would make the ultimate decision on where the property would remain or be developed.

Ivins City Manager, Dale Coulam, reported that Ivins City's Mayor is currently out of town and asked him to attend tonight's meeting in his place and provide input. Mr. Coulam reported that the City of Ivins objects to the two parcels at the intersection of Pioneer Parkway and Old Highway 91 being annexed by Santa Clara. He explained that the state insisted on retaining ownership of Old Highway 91 and will not allow the highway to be annexed by Ivins City, however, Ivins was given authority to govern how it develops and what it will look like. Mr. Coulam stated that on the Pioneer Side of Old Highway 91, there is a storage facility and the Ivins City entrance sign at the tip, which means Santa Clara would be crossing Ivins City property to annex the other parcel. Doing so would create a peninsula, even though the language in the policy says to attempt to avoid peninsulas. In addition, the two parcels on either side of Pioneer Parkway are zoned commercial and are being considered as future revenue sources for Ivins City. He also expressed a desire to avoid the overlap of services. Mr. Coulam stated that he intends to file a written response. Mr. Coulam also informed the Commission that the updated address for Ivins City Hall is 85 North Main.

Mr. Ence reported that Santa Clara will accept a written response under the Mayor's signature and that it need not be a formal resolution. Mr. McNulty asked Mr. Coulam if he could share Ivins' Annexation Plan and Map. Mr. Coulam agreed to ask their City Engineer for a copy of the map and include it with their written response. Mr. Ence asked if Ivins would be willing to consider removing the northwestern parcel from Ivins' plan so that there would not be a conflict. Mr. Coulam stated that there was a potential for discussion about that. He stated that it depends on how steep the area is in terms of what can be developed. He added that Santa Clara has chosen to put a lot of short-term rental housing along 400 East on the Ivins side so there is some concern as to what might go on Highway 91. If there is room to build something like that, Ivins may decide to keep the area in its Annexation Plan. Mr. McNulty commented that the appetite for short-term rentals has significantly decreased although that is not an absolute guarantee that it will not happen. Mr. Coulam stated there is concern that Santa Clara could potentially build moderate-income housing there in the form of apartments. Chair Blake stated that it would be difficult for Ivins to develop that area since it is so steep. Mr. Coulam agreed that if it is very steep, Ivins may not be interested in developing it and might be open to discussion.

Commissioner Walton understood why Ivins would want to keep that peninsula. Mr. Ence stated that the language against creating an island, or a peninsula used to be quite strong but has softened some. He commented that it is unlikely that Santa Clara will push to annex a property that Ivins wants to keep. Mr. McNulty pointed out that the parcels are a gateway into Santa Clara as well. The concern

is that when another city puts retail and commercial development on Santa Clara's boundaries, Santa Clara residents spend their money there instead of in Santa Clara.

Chair Blake asked about the specific benefits Santa Clara will gain by annexing the property around the reservoir. Mr. Ence's understanding was that it would be a seasonal reservoir that would be drawn down during the summer months mainly for irrigation water. Mr. McNulty reported that the Mayor wants some recreational opportunities on the reservoir such as kayaking, swimming, and paddleboarding. Development potential is limited on BLM property but there could be some areas that allow for future housing, especially since the Governor's Office is starting to push for more single-family, small-lot starter homes for affordable housing rather than apartments and townhomes. It was possible that some BLM property would allow for that opportunity, although it was unknown how much is developable. He added that the City has no control over any of the BLM property and most of it likely will never be available for development. There are, however, two parcels on the south end that are not BLM property. One is owned by the Rosenbrook Family and the other is owned by the Santa Clara Canal Company, which may have some development opportunities.

A question was raised about the road known as the Western Corridor. Mr. Ence stated that it eventually will go to the airport and is part of the loop that is planned for the area.

5. **Discussion Items.**

A. **None.**

6. **Approval of Minutes.**

A. **Request Approval of the Regular Meeting Minutes – November 9, 2023.**

Commissioner Walton moved to APPROVE the minutes of the November 9, 2023, Santa Clara Planning Commission Regular Meeting. Commissioner Whitehead seconded the motion. The motion passed with the unanimous consent of the Commission.

7. **Adjournment**

The Planning Commission Meeting adjourned at 6:32 p.m.

Jim McNulty

Jim McNulty
Planning Manager

Approved: _____ January 11, 2024

**SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, February 22, 2024**

Present: Logan Blake, Chair
Shelly Harris
Koni Hunter
Kristen Walton

Staff: Jim McNulty, Planning and Economic Development Manager
Matt Ence, City Attorney
Selena Nez, Deputy City Recorder

Absent: Kayde Roberts
Mark Weston
Curtis Whitehead

Call to Order.

Chair Logan Blake called the meeting to order at 5:30 p.m.

1. Opening Ceremony.

A. Pledge of Allegiance: Kristen Walton.

B. Opening Comments (Invocation): Kristen Walton.

2. Working Agenda.

A. Public Hearing.

- i. Under the State Annexation Statute, UCA 10-2-401.5, which was amended by the Utah Legislature in 2021, Santa Clara City intends to adopt an Annexation Policy Plan. The Annexation Policy Plan is Intended to Comply with the Provisions of UCA 10-2-401.5(4) and Incorporate all Criteria Required and Suggested by Section 10-2-401.5(3). This Opportunity will Allow for Affected Entities to Examine the Proposed Annexation Policy Plan and Provide Input on it.**

Planning and Economic Development Manager, Jim McNulty reported that Santa Clara City intends to adopt an Annexation Policy Plan to comply with the provisions of UCA 10-2-401.5(4) and incorporate all criteria required and suggested by Section 10-2-401.5(3). Mr. McNulty noted that the Planning Commission received comments from Ivins City at the public meeting that took place on December 14, 2023. They have been reviewed by City staff and legal counsel, and Mayor Rosenberg. As a result, modifications were made to the proposed Annexation Policy Plan Map. Mr. McNulty reported that tonight's public hearing will provide all impacted entities the opportunity to examine

and provide feedback on the proposal. Staff recommended that the Planning Commission consider forwarding a recommendation of Approval on the Annexation Policy Plan to the City Council.

Mr. McNulty reviewed with the Commission the updated map (dated 2/22/2024), as well as the original map (dated 12/7/2023). The changes were made primarily in the northwestern portion of the map as a result of the meeting with Ivins City. One section of property has been removed because Ivins has been working with the Bureau of Land Management (“BLM”) to purchase property there. Mr. McNulty reported that the intent is to keep the two properties shown in the green area (corner of Pioneer Parkway and Highway 91) on the map in Santa Clara. He noted that there is always the possibility that someone could come to the City wanting to annex and develop in Santa Clara City rather than Ivins. It was not expected, but is possible.

Mr. McNulty reported that Ivins City has made some improvements along Highway 91. They have utilities, so they may be able to provide utilities to some of the properties that have direct frontage on Highway 91. It has been agreed to leave those in an overlap area at this time. Mr. McNulty reported that the extension of the Graveyard Wash Reservoir is slightly larger than shown on the previous map. Mr. McNulty noted that the Policy Plan has not changed since it was discussed at the Planning Commission Meeting. He emphasized that the final decision about any annexation would come to the City Council. The City Council determines whether they want to annex a certain piece of property that is within the boundary map and provide services to it.

City Attorney, Matt Ence reported that Santa Clara recognizes the concerns raised by Ivins City about whether some of the properties should remain on Santa Clara’s Annexation Map. After meeting with Ivins City, it was discussed at the City staff level that those parcels stayed on the map because Santa Clara wants to give property owners the option to have their property in Santa Clara or Ivins. Mr. Ence acknowledged that this means that Ivins may choose to keep some Santa Clara property in its Annexation Policy Plan. That is something the Planning Commission can examine. It will ultimately be up to the City Council to decide. Mr. Ence emphasized that if the parcels remain on the map, they will never be considered for annexation unless a property owner petitions for it.

Mr. McNulty agreed and stated that the plan is a signal to the property owners that both cities may have an interest in the property, and the property owner will decide. When there are disputes, the Boundary Commission gets involved. Mr. McNulty stated that in his experience, the Boundary Commission agrees with the property owner in the overwhelming majority of cases.

Chair Blake opened the public hearing.

Dale Coulam gave his business address as 85 North Main Street in Ivins. He appreciated meeting with representatives of Santa Clara and felt they had engaged in good discussions. Mr. Coulam also expressed appreciation for the City changing the alignment of Hamblin Parkway as it comes off the roundabout on Highway 91 to accommodate Ivins City’s purchase of BLM property to construct a Park, Cemetery, and Public Works yard. He referenced two triangles shown in white identified as County property to the east of Hamblin Parkway and southwest of Highway 91 and recognized that they will be overlapping on both City maps. Mr. Coulam reported that Ivins City does not need to include property west of Hamblin Parkway in Ivins City’s Annexation Plan. Mr. Coulam reiterated Ivins City’s opposition to the two parcels on Pioneer Parkway and Highway 91 that are in Ivins City on the basis that they are not contiguous with Santa Clara. Both are commercially zoned properties in Ivins City, and Ivins sees them as very important commercial pieces to their overall future financial

plan. Mr. Coulam added that Ivins will likely still remove from their map the portion of Santa Clara that is north of Rachel Drive as it has already been platted.

There were no further public comments. Chair Blake closed the public hearing.

Chair Blake noted that the two parcels on Pioneer Parkway and Highway 91 are contiguous with the other annexation areas. Mr. Ence agreed but indicated that Ivins does not consider them contiguous to Santa Clara because the strip of property where storage units are is in Ivins City and that strip of property divides them from Santa Clara.

Commissioner Harris asked for more details as to how Santa Clara and Ivins see it differently. Mr. Ence explained that because Ivins now controls Highway 91, which has been turned over to Ivins from the Utah Department of Transportation (“UDOT”), they felt it essentially created a barrier. So, even if Santa Clara annexed the property on the southwest side of Highway 91, the property on the northwest side would not be considered contiguous. Messrs. Ence and McNulty agreed that it is a gray area in the statute and state law. There is no clear answer, which allows for some interpretation. Mr. Ence sensed that a public street would not necessarily be considered an obstacle or create an island.

Chair Blake reported that the Utah State Code provides an estimate of the tax consequences. Mr. McNulty pointed out Item C.8, which states: “It is anticipated that the residents in the newly annexed territory will experience an increase in their property taxes due to the difference in certified tax rates between the City and Washington County. It is further anticipated that as the City receives property tax revenue from the newly annexed territory, the level of service for the entire community will increase.”

Chair Blake stated that all of the parcels shown in white are currently Unincorporated County property so there would be a tax increase because they would be paying Santa Clara City taxes. Mr. Ence explained that they could pull the taxable values and the tax rates to calculate an estimate. It would change as taxable values change but a current estimate could be calculated.

Mr. McNulty reported that a current estimate could be done but it would be difficult to project because it would change in the future. He agreed that the property tax would increase but in return, the property owners would get more services. Mr. Ence noted that he is not sure how accurate this is because he has not verified it, but the effective property tax rate in unincorporated Washington County appears to be 0.61%, as compared to 0.9% in Santa Clara City. A question was asked about how often an Annexation Plan/Map is redone. Mr. McNulty stated that it would likely be re-examined in three to five years.

Mr. Ence indicated that in recent years as development has occurred, there have been a couple of places where boundary adjustments have been made such as between Santa Clara and St. George. He noted that if a property owner who adjoins Santa Clara wanted to be in Santa Clara, the Policy Plan would be brought back for an amendment and the property owner would petition for annexation. It would be a multi-step process, and the map could be brought back for an update at any time.

ii. **Consider a Proposed Partial Plat Amendment for the Santa Clara Heights Subdivision, Plat M (Lots 10 and 11) located at 1297 Canyon View Drive and 1305 Canyon View Drive.**

Mr. McNulty reported that the applicant, Melodie Finlinson, is requesting to amend the Santa Clara Heights, Plat A Subdivision. The applicant is proposing to amend Lot 10 and Lot 11. Lot 10 is currently 11,935 square feet based on the recorded plat, and will be increased to 13,046 square feet of 0.30 acres in size. Lot 11 is currently 21,205 square feet (0.49 acres) and will remain this size. Mr. McNulty explained that Ms. Finlinson owns a small parcel (#SC-SCH-M-11-B) in between these two lots which is 0.02 acres (approximately 1,100 square feet), which has not been properly added to her existing lot. Both lots have existing single-family homes on them. The proposed partial plat amendment would allow this small parcel to be included within Lot 10 on a recorded subdivision plat. The properties are in the southeastern part of the City on Canyon View Drive, just north of Santa Clara Drive. Mr. McNulty reported that City staff recommends the Planning Commission consider recommending approval of the Partial Plat Amendment for Lot 10 and Lot 11 of the Santa Clara Heights, Plat M Subdivision to the City Council, subject to the conditions in the Staff Report.

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

Chair Blake expressed support for the proposed partial plat amendment. A question was raised as to whether it was formerly part of Lot 11 when Ms. Finlinson purchased it in 2020. Mr. McNulty did not know what led to the sale but Ms. Finlinson has owned it for four years now and she wants to include it in her property.

3. **General Business.**

A. **Recommendation to the City Council.**

i. **Recommendation to the City Council Under the State Annexation Statute, UCA 10-2-401.5, which was Amended by the Utah Legislature in 2021, Santa Clara City Intends to Adopt an Annexation Policy Plan. The Annexation Policy Plan is Intended to Comply with the Provisions of UCA 10-2-401.5(4) and Incorporate All Criteria Required and Suggested by Section 10-2-401.5(3). This Opportunity will Allow Affected Entities to Examine the Proposed Annexation Policy Plan and Provide Input on it.**

Commissioner Harris moved to recommend that the City Council APPROVE the Approved Annexation Policy Plan that is presented under Item 4.A.1 as per the map dated February 22, 2024. Commissioner Walton seconded the motion. The motion passed with the unanimous consent of the Commission.

ii. **Recommendation to City Council for a proposed Partial Plat Amendment for the Santa Clara Heights Subdivision, Plat M (Lots 10 and 11) located at 1297 Canyon View Drive and 1305 Canyon View Drive.**

Commissioner Walton moved to recommend that the City Council APPROVE the proposed Partial Plat Amendment for the Santa Clara Heights Subdivision, Plat M (Lots 10 and 11) located at 1297 Canyon View Drive and 1305 Canyon View Drive subject to the following conditions:

1. The applicant shall be required to comply with the recommendations from all City reviewing departments.
2. The Owner's Dedication & Acknowledgement shall be signed prior to final plat recordation.
3. The applicant shall be required to record the amended subdivision plat and provide an electronic copy to City staff.

Commissioner Harris seconded the motion. The motion passed with the unanimous consent of the Commission.

iii. **Recommendation to City Council for a Proposed Phasing Plan Amendment for Quail Crossing and Coyote Landing at Deserts Edge. Robert Smith, Applicant.**

Mr. McNulty reported that the applicant, Robert Smith, is requesting a Phasing Plan Amendment for the Quail Crossing and Coyote Landing at Deserts Edge Project. The applicant is requesting to start construction on Phase 3 before Phase 2 so he can go through the next round of Affordable Housing Credits through Utah Housing. Phases 1, 3, 4, and 5 are townhomes, and Phases 2 and 6 are apartments. In 2021 a rezoning of the property was done, which included a density bonus from 8 units per acre to 12 units per acre because of the affordable housing component included with the overall project. Until the affordable housing credits are approved by Utah Housing allowing for the apartment project to begin, the project density will be limited to eight units per acre. Mr. McNulty reported that City staff recently discussed the project with Utah Housing who is encouraging the applicant to reapply in the next round of applications that are due in June 2024.

Mr. McNulty explained that the applicant will now proceed to Phase 3 to develop 44 townhome units on 4.04 acres, centrally located open space, a detention basin, a private alley, and public roadway improvements while waiting to hear from Utah Housing about Phase 2. Mr. McNulty reminded the Commission that Phase 1 includes 24 townhome units on 5.807 acres, centrally located amenities, boat and RV parking, and public roadway improvements, including two required public accesses to 400 East. Phase 3 includes 44 townhome units (4.04 acres), centrally located open space, a detention basin, a private alley, and public roadway improvements. Therefore, a total of 68 units on 9.85 acres for both phases equates to a density of 6.90 units per acre. Mr. McNulty reported that calculating the project density is important because City Ordinance #2021-13 was approved by the City Council on September 8, 2021. This approval included a density bonus from eight to 12 units per acre because of the affordable housing component included with the overall project. However, until the affordable

housing credits are approved by Utah Housing allowing for the apartment project to begin, the project density will be limited to eight units per acre.

Recently, the applicant went to both the Planning Commission (November 9, 2023), and City Council (December 13, 2023) to get approval for an Updated Phasing/Amenity Plan (Phases 1, 3, and 4) for the Deserts Edge Project. This item was approved by the City Council on December 13, 2023, as follows:

1. The Updated Phasing/Amenity Plan for Deserts Edge shall 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.

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 the northern and western boundaries of the subject property are adjacent to Ivins City.

Staff recommended that the Planning Commission consider recommending approval of the proposed Phasing Plan Amendment for Quail Crossing & Coyote Landing at Deserts Edge to the City Council subject to the conditions set forth in the Staff Report.

Mr. McNulty reported that without the apartments being approved by Utah Housing, there will not be 12 units per acre and they will have to re-do the zoning and the Project Plan. It will involve an amendment to the PDR, a new Project Plan, and Phases 2 and 6 will have to be re-evaluated by a public hearing process through both the Planning Commission and the City Council. Without approval of the apartments by Utah Housing, the density will be approximately eight units per acre.

Chair Blake wondered if the applicant asked to not build the Phase 3 amenities until they have a lot more units in Phase 2. Mr. McNulty stated the applicant has not asked because they are providing amenities for the apartments. The apartments have separate amenities from the townhomes.

A question was raised about nightly rentals. Mr. McNulty stated that the project has a nightly rental component but the apartments do not have a nightly rental. The nightly rental was allowed for the townhome units when approved in 2021. Mr. McNulty believed they would be available for sale to certain companies who may want to purchase them and use them as nightly rentals.

Engineer and representative for the applicant, Ben Willits, stated that the units are all individually platted, marketed, and sold and will not be sold to a corporation. Each unit has its own Tax ID and

everything around it is space that is common to the community. The apartments are separate and per the State Tax Code, they must have their own amenities.

Commissioner Harris asked Mr. Willits about the applicant's commitment to the affordable housing component. Mr. Willits confirmed that the applicant is committed to it.

Commissioner Walton asked for clarification as to the applicant's options if the approval from Utah Housing does not come through. Mr. McNulty explained that the applicant will have to re-do the zoning and Project Plans for Phases 2 and 6. Because it is zoned PD, one possibility is that Phases 2 and 6 could become a small community of 6,000 square foot lots, to offer a housing option for the "missing middle" which is housing that occupies the "middle" ground between large-lot single-family homes and large apartment complexes.

Commissioner Walton moved to recommend that the City Council APPROVE the proposed Phasing Plan Amendment for Quail Crossing and Coyote Landing at Deserts Edge, subject to the following conditions:

- 1. The applicant shall be allowed to proceed with Phase 3 of the project which includes 44 townhome units on 4.04 acres (combined with Phase 1 this equates to a density is 6.90 units/acre).**
- 2. The required amenities shall be completed in Phase 1 prior to issuance of the first building permit for a townhome unit in Phase 3.**
- 3. The applicant shall be required to come back to the Planning Commission and City Council if Phase 2 construction does not commence before Phase 4 construction is anticipated allowing for additional review and consideration.**

Commissioner Harris seconded the motion. The motion passed with the unanimous consent of the Commission.

4. Discussion Items.

- A. None.**

5. Approval of Minutes.

- A. Request Approval of the Regular Meeting Minutes – January 25, 2024.**

Commissioner Harris moved to APPROVE the minutes of the January 25, 2024, Santa Clara Planning Commission Regular Meeting. Commissioner Hunter seconded the motion. The motion passed with the unanimous consent of the Commission.

6. **Adjournment**

The Planning Commission Meeting adjourned at 6:38 p.m.

Jim McNulty

Jim McNulty
Planning Manager

Approved: March 14, 2024

Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Jarett Waite

Ben Shakespeare

Christa Hinton

Janene Burton

Dave Pond

CITY COUNCIL

Meeting Date: 27/Mar/24

Agenda Item: 2

Applicant: Santa Clara City

Requested by: Jim McNulty

Subject: Utah Tech University Bison

Description:

On March 20, 2024, the City Council had a work meeting discussion with Jordon Sharp from Utah Tech University. The City Council decided to move forward with the purchase of a Bison Statue for Santa Clara City. City staff recommends that the City Council consider the purchase of this item with \$5,500 being spent from this year's budget. The remaining \$5,500 would be paid from next year's budget.

Recommendation: Approval

Attachments: N/A

Cost: N/A

Legal Approval: N/A

Finance Approval: Yes

Budget Approval: Yes

Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Jarett Waite

Ben Shakespeare

Christa Hinton

Janene Burton

Dave Pond

CITY COUNCIL

Meeting Date: 27/Mar/24

Agenda Item: 1

Applicant: annexation Policy Plan

Requested by: Jim McNulty

Subject: Annexation Policy Plan (Public

Hearing)

Description:

Under the State Annexation Statute, UCA 10-2-401.5, Santa Clara City intends to adopt an Annexation Policy Plan. The public hearing is an opportunity for affected entities to examine the proposed Annexation Policy Plan and provide input.

Recommendation: Approval

Attachments: N/A

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A

2603 Santa Clara Drive, Santa Clara, Utah 84765

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



TO: Santa Clara City Council
FROM: Jim McNulty, Planning Manager
DATE: March 27, 2024
RE: Annexation Policy Plan (**Public Hearing**)

Under the State Annexation Statute, UCA 10-2-401.5, Santa Clara City intends to adopt an Annexation Policy Plan. The Annexation Policy Plan is intended to comply with the provisions of UCA 10-2-401.5(4) and incorporate all criteria required and suggested by Section 10-2-401.5(3). This public hearing is an opportunity for affected entities to examine the proposed Annexation Policy Plan and provide input on it. A list of the affected entities has been attached for review.

State Code Requirements:

Utah State Code, Section 10-2-401.5(2)(a) requires the Planning Commission to hold a public meeting to allow affected entities to examine the proposed annexation policy plan and provide input on it. It also requires the city to accept and consider any additional written comments from affected entities until 10 days after the public meeting under Subsection (2)(a)(ii). **The Planning Commission held a public meeting on December 14, 2023 (see attached meeting minutes)** and received comments from Ivins City. The other affected entities have not provided comments.

Additionally, before holding a public hearing required under Subsection (2)(a)(vi), make any modifications to the proposed annexation policy plan the Planning Commission considers appropriate, based on input provided at or within 10 days after the public meeting. City staff and legal counsel reviewed the comments submitted by Ivins City. As a result, some modifications were made to the proposed Annexation Policy Plan Map which was discussed with the **Planning Commission on February 22, 2024 (see attached meeting minutes)**. Comments were received from Ivins City, with the other affected entities not providing comments.

The **City Council is required to hold a public hearing on the Annexation Policy Plan** recommended by the Planning Commission as per Subsection (2)(b)(ii) and may make any modifications to the recommended Annexation Policy Plan that the legislative body considers appropriate; and adopt the recommended Annexation Policy Plan, with or without modifications. A **copy of the updated map (dated March 27, 2024)**, which is the same map shared with the Planning Commission on February 22, 2024, as well as the **original map (dated December 7, 2023)** has been attached for review.

Recommendation:

On February 22, 2024, the Planning Commission held a public hearing and forwarded a recommendation of **Approval** to the City Council. City staff recommends that the City Council hold a public hearing and allow for the affected entities to provide input on the Annexation Policy Plan. City staff also recommends that the City Council consider granting **Approval** of the Annexation Policy Plan.

SANTA CLARA CITY ANNEXATION POLICY PLAN

Under the State Annexation Statute, UCA 10-2-401.5, which was amended by the Utah State Legislature in 2021, Santa Clara City hereby adopts the following Annexation Policy Plan. This Annexation Policy Plan is intended to comply with the provisions of UCA 10-2-401.5(4) and incorporate all criteria required and suggested by Section 10-2-401.5(3).

The Annexation Policy Plan is a guide to the orderly and well-planned annexation and development of lands contiguous to the city's boundaries. It may be modified from time to time to meet changing needs and to reflect the best interests of the community. An Annexation Policy Plan consists of the following elements:

1. General Annexation Criteria;
2. A Map of the Proposed Expansion Area;
3. Procedure for Submission of an Annexation Request;
4. Extension of needed Municipal Services in Developed and Developing Unincorporated Areas and Payment.

To qualify for annexation, a parcel of property must meet the annexation standards as established by Utah Code as well as standards established by Santa Clara City.

A. GENERAL ANNEXATION CRITERIA

1. As part of its ongoing effort to plan and prepare for quality growth, Santa Clara City has identified certain territory outside of and contiguous to its present boundaries (see Appendix A) which could, at some future time, reasonably be considered for annexation into the City. The areas proposed for possible future annexation include areas that in some instances are bordered by other municipalities.
2. Areas to be annexed must be contiguous to Santa Clara City.
3. The property must be within the area projected for expansion under the Santa Clara City annexation declaration area (**see Exhibit A**).
4. The property cannot be included within the boundaries of another incorporated municipality except as provided by law.
5. If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:
 - a. along the boundaries of existing districts for sewer, water, power; along the boundaries of school districts, and along boundaries of other taxing entities.
 - b. to eliminate islands and peninsulas of territory that are not receiving municipal services.
 - c. to facilitate the consolidation of overlapping functions of local government.
 - d. to promote the efficient delivery of services.
 - e. to encourage the equitable distribution of community resources and obligations.
6. Santa Clara City has a rural agricultural history with a mix of land uses provided in the city. The City is growing in population and the demand for both residential and commercial uses of land is high. The City encourages commercial uses that will benefit

its growing population. Areas to be annexed should be compatible with the needs of Santa Clara City.

7. Santa Clara City is concerned about the interests of all affected entities and has considered written comments from affected entities in finalizing this plan. The City is in support of property within the expansion area being developed so utility and transportation systems can be incorporated into a comprehensive plan for the area. Wherever practical, new City boundaries should conform to the boundaries of existing districts for sewer, water, power, along the boundaries of school districts, and along the boundaries of other taxing entities.
8. Santa Clara City shall not favor the annexation of areas for which it does not have the capability or the intention of providing municipal services, except for utility services that are not provided by the City but are provided by other entities in the areas to be annexed.
9. It is not Santa Clara City's intent to annex property for the sole purpose of acquiring revenues.
10. This Annexation Policy Plan does not exclude from the expansion area any area containing urban development within one half (1/2) mile of the City's boundaries.

B. PROCEDURE FOR SUBMISSION OF AN ANNEXATION REQUEST

1. Except for annexations initiated by the City in accordance with the provisions of Section 10-2-401.5, Utah Code Annotated, all annexations shall be commenced by the filing of a petition and plat meeting the requirements of Section 10-2-403.
2. The petition and plat map shall be filed with the City Recorder and shall:
 - a. File with the City Recorder a notice of intent to file a petition. Provide a copy of the notice sent to affected entities as required under Subsection (2)(a)(i)(B) and a list of the affected entities to which the notice was sent.
 - b. Contain the signatures of, if all the real property within the area proposed for annexation is owned by a public entity other than the federal government, the owners of all publicly owned real property, or the owners of private real property that is located within the area proposed for annexation.
 - c. Be equal in value to at least one third (1/3) of the value of all private real property within the proposed area for annexation.
 - d. Represent an area contiguous to the existing corporate limits of Santa Clara City and shown to be within the areas designated for annexation in the Santa Clara City Annexation Policy Plan.
 - e. Have an accurate and recordable plat map, prepared by a surveyor licensed in the State of Utah.
 - f. Contain on each signature page a notice in bold and conspicuous terms that states substantially the following:
 - "Notice": There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.

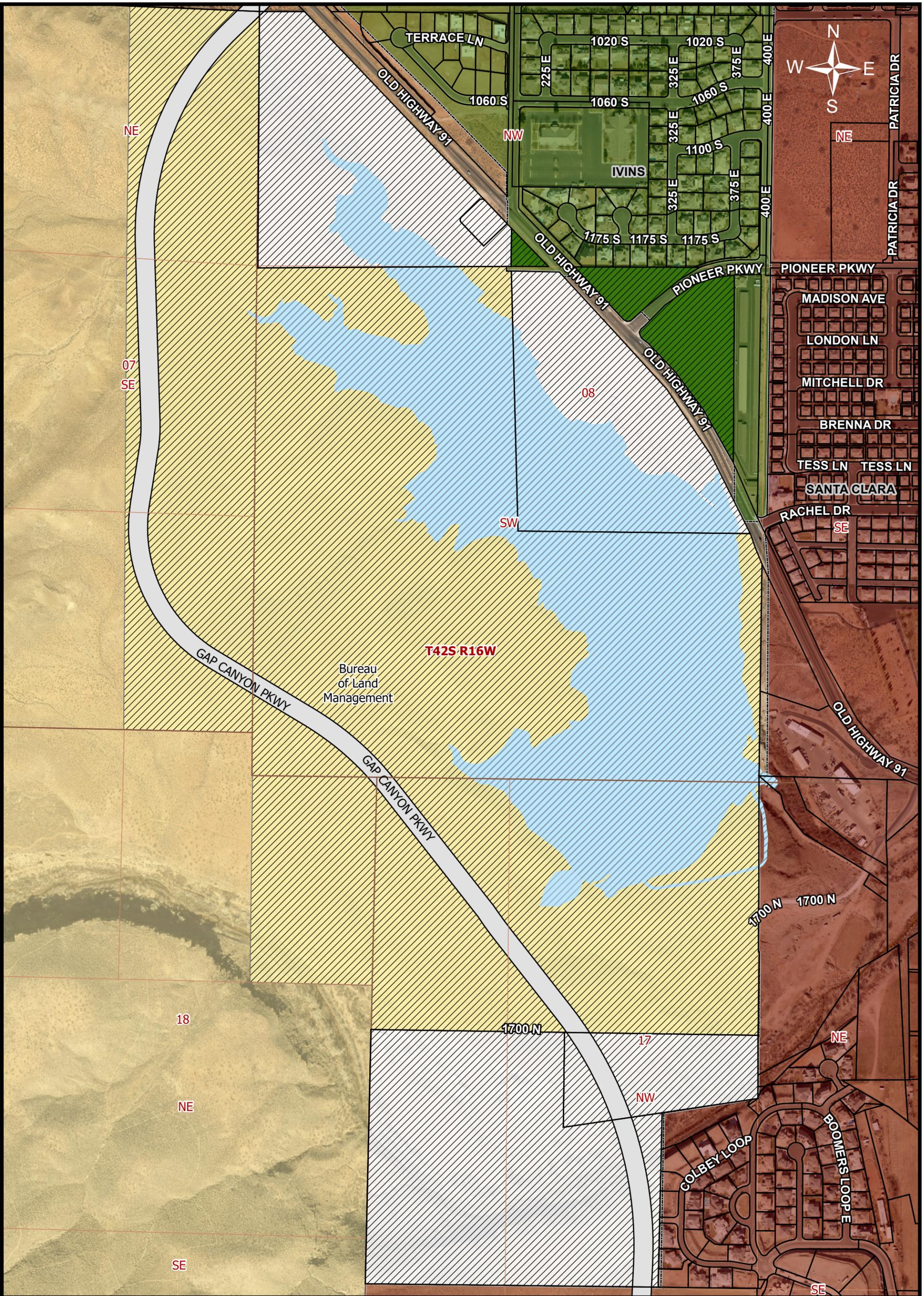
- If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of (state the name of the proposed annexing municipality). If you choose to withdraw your signature, you shall do so no later than 30 days.
after (state the name of the proposed annexing municipality) receives notice that the petition has been certified.
 - g. Designate up to five (5) of the signers of the petition as sponsors, one (1) of which shall be designated as the contact sponsor and indicate the mailing address of each sponsor.
 - h. Comply with any other applicable provisions of Section 10-2-403, Utah Code Annotated, not stated herein.
- 3. The City Recorder, upon receipt of a properly documented annexation petition accompanied by the proper plat, shall impose such fees as established by the City Council to recover the costs of processing such petition and shall place the petition on the agenda of a regular City Council meeting for consideration within fourteen (14) days of receipt of the petition, plat, and fees. The City Recorder shall also notify the petition sponsors at the time of petition receipt that they must deliver or mail a copy of the petition to the Washington County Clerk, on the same day it is filed with the City.
- 4. The City Council shall review the annexation petition and shall accept or deny the petition for further proceedings and consideration.
- 5. If accepted, the City Recorder shall, within thirty (30) days, certify that it meets the above requirements, or determine that the petition fails to meet the above requirements, and send the required notices of certification or rejection, including a written notice to the City Council. If denied, the City Recorder shall send the required notices within five (5) days of the denial.
- 6. Within ten (10) days after receipt of the City Recorder's notice of certification, the City shall cause to be published a notice of proposed annexation in a newspaper of local circulation at least once a week for three (3) consecutive weeks. Within twenty (20) days after receipt of the City Recorder's notice of certification, the City shall mail written notice of the proposed annexation to each affected entity as defined in State law. The notice shall explain how a written protest is to be filed within thirty (30) days after the date of the City Council's receipt of the City Recorder's certification notice (with the actual deadline date being stated).
- 7. If no protest is filed during the designated protest period, the City Council may hold a public hearing, after a minimum seven (7) day notice, and consider an ordinance approving the proposed annexation. If a protest is filed, the Washington County Boundary Commission shall hold a public hearing on the protest within thirty (30) days. If a protest is pending, the city Council may deny the proposed annexation at its next regularly scheduled meeting. Required notices will be sent if the petition is denied, within five (5) days of the denial.

8. Upon receipt of the Washington County Boundary Commission's decision if a protest public hearing is held, and subject to their decision, the City Council may approve or deny the proposed annexation.
9. If the City Council approves the proposed annexation by ordinance, the City shall comply with the filing and notice requirements outlined in Section 10-2-425, Utah Code Annotated, within thirty (30) days of annexing the unincorporated area.

C. EXTENSION OF NEEDED MUNICIPAL SERVICES IN DEVELOPED AND DEVELOPING UNINCORPORATED AREAS AND PAYMENT

1. In areas where municipal services are not presently extended, services will be extended on an as-needed basis at the developer's expense. All extensions of municipal services shall comply with all City ordinances and policy criteria.
2. An Annexation Agreement may be prepared between the City and future developers outlining specific requirements relating to culinary water, secondary water, wastewater, storm water drainage, transportation, electricity, and other specific improvements prior to the annexation approval.
3. An approved Annexation Petition will allow developers of the annexed property to connect to City Facilities, provided that all infrastructure proposed to be connected meets City standards and specifications and complies with all applicable development and land use ordinances.
4. The way the infrastructure additions are developed will have a bearing on how they are financed. The increased valuation of property and the subsequent increase in property and sales tax revenues will help increase contributions to the City's general fund. This increase will help defray the added cost of providing services to the annexed area.
5. In general, the costs and expenses of capital improvements, such as utilities, streets, curbs, gutters, sidewalks, storm drain systems, and other improvements deemed necessary in the annexed area, shall be borne by the developer as development within the area occurs.
6. When the annexation is approved, the newly annexed area shall receive the following services:
 - a. Fire Protection;
 - b. Police Protection;
 - c. Building & Safety;
 - d. Planning & Zoning;
 - e. Utilities provided by the City at the time of annexation;
 - f. Maintenance of dedicated City (public) streets; and
 - g. Other services provided by the City at the time of annexation.
7. It is not anticipated that an annexation will cause any adverse consequences to the residents currently living within the City or living within the annexed area, except that there may be a slight reduction in general services available to current residents because of expansions of services into the newly annexed territory.

8. It is anticipated that the residents in the newly annexed territory will experience an increase in their property taxes due to the difference in certified tax rates between the City and Washington County. It is further anticipated that as the City receives property tax revenue from the newly annexed territory, the level of service for the entire community will increase.



2603 Santa Clara Drive, Santa Clara, UT 84765
 Phone: (435) 673-6712 | Fax: (435) 628-7338
www.santaclarautah.maps.arcgis.com

LEGEND

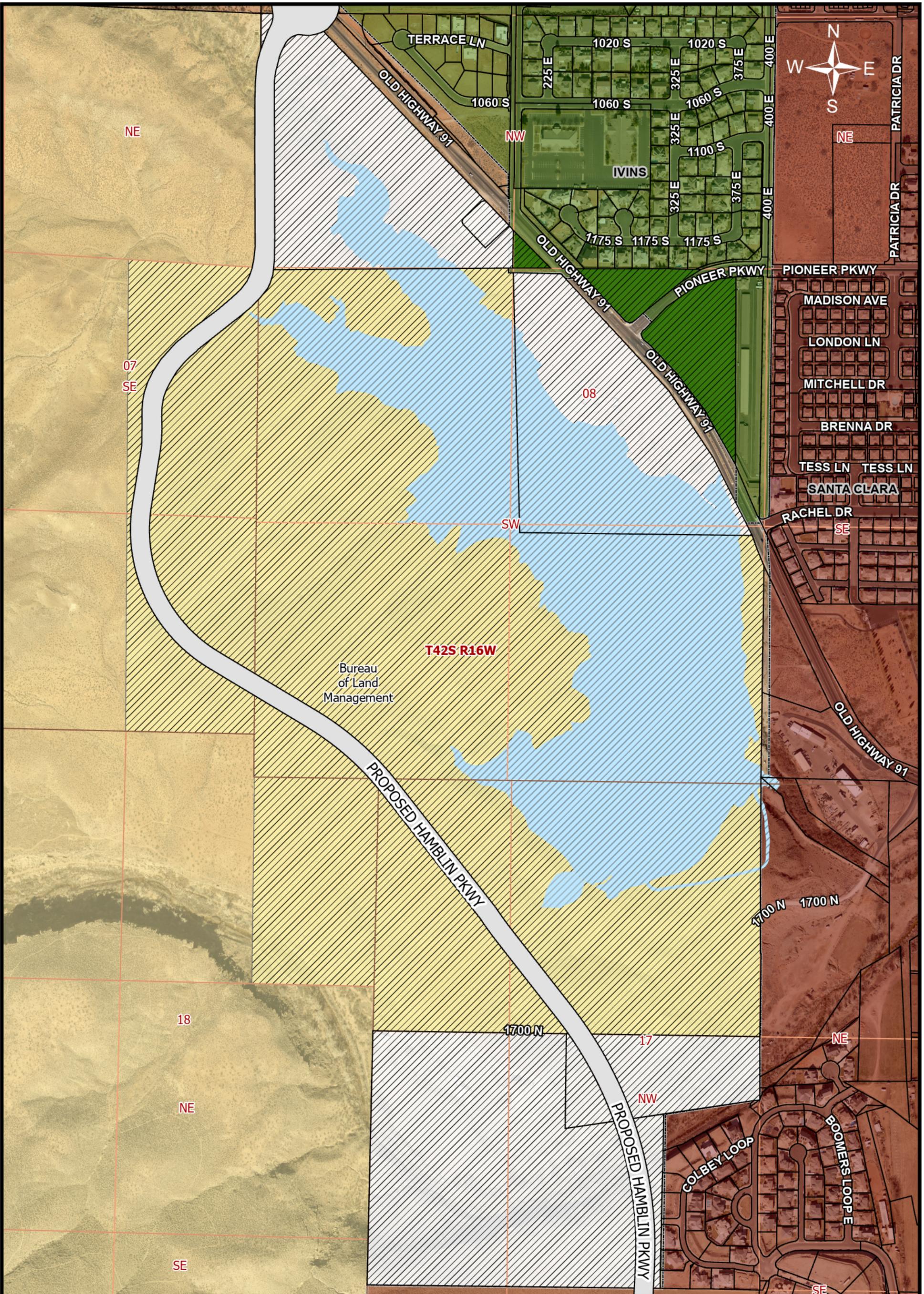
- | | |
|-------------------------------|-----------------------------------|
| Santa Clara Incorporated Area | Washington County Parcels |
| Ivins Incorporated Area | Future Graveyard Wash |
| Future Gap Canyon Pkwy | Potential Annexation Areas |
| Bureau of Land Management | Bureau of Land Management |
| PLSS Section | Ivins |
| PLSS Quarter Section | Unincorporated County |



Annexation Policy Plan Map

City of Santa Clara

Spatial Reference:	NAD 1983 State Plane Utah South FIPS 4303 (US Feet)
Scale:	1 inch equals 0.09 miles
Date:	December 7, 2023



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- | | |
|-------------------------------|-----------------------------------|
| Santa Clara Incorporated Area | Washington County Parcels |
| Ivins Incorporated Area | Future Graveyard Wash |
| Future Hamblin Pkwy | Potential Annexation Areas |
| Bureau of Land Management | Bureau of Land Management |
| PLSS Section | Ivins |
| PLSS Quarter Section | Unincorporated County |



Annexation Policy Plan Map

City of Santa Clara

Spatial Reference: NAD 1983 State Plane Utah South FIPS 4303 (US Feet)
 Scale: 1 inch equals 0.09 miles
 Date: March 27, 2024

St. George City
Christina Fernandez, Recorder
175 East 200 North
St. George, UT 84770

Bureau of Land Management
Jason West, District Manager
345 Riverside Drive
St. George, UT 84790

Ivins City
Kari Jimenez, Recorder
55 N. Main St.
Ivins, UT 84738

Washington County
Susan Lewis, Clerk/Audit
197 E. Tabernacle St.
St. George, UT 84770

Washington County Water
Conservancy District
533 E. Waterworks Drive
St. George, UT 84770

Southwest Mosquito Abatement
District
1460 S. Sandhill Drive
Washington, UT 84780

Washington County Special Service
District #1
325 N. Landfill Road
Washington, UT 84780

Washington County School District
121 W. Tabernacle St.
St. George, UT 84770

**SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, December 14, 2023**

Present: Logan Blake, Chair
Ryan Anderson
Shelly Harris
Koni Hunter
Kristen Walton
Mark Weston
Curtis Whitehead

Staff: Jim McNulty, Planning and Economic Development Manager
Cody Mitchell, Building Official
Selena Nez, Deputy City Recorder
Matt Ence, City Attorney

1. Call to Order.

Chair Logan Blake called the meeting to order at 5:30 p.m. Koni Hunter (new PC member) was introduced to the Planning Commission. She was appointed by the Mayor and City Council on December 13, 2023.

2. Opening Ceremony.

A. Pledge of Allegiance: Shelly Harris.

B. Opening Comments (Invocation): Kristen Walton.

3. Working Agenda.

A. Public Hearing.

i. None.

4. General Business.

A. Public Meeting.

i. Under the State Annexation Statute, UCA 10-2-401.5, which was Amended by the Utah Legislature in 2021, Santa Clara City Intends to Adopt an Annexation Policy Plan. The Annexation Policy Plan is Intended to Comply with the Provisions of UCA 10-2-401.5(4) and Incorporate All Criteria Required and Suggested by Section 10-2-401.5(3). This Opportunity will Allow for Affected Entities to Examine the Proposed Annexation Policy Plan and Provide Input on It.

Planning and Economic Development Manager, Jim McNulty presented the Staff Report and stated that the City of Santa Clara does not currently have an Annexation Policy Plan, which is a guide to the orderly and well-planned annexation and development of lands contiguous to the City's boundaries. It can be modified from time to time based on the best interests of the community. Entities that will be affected by the Annexation Policy Plan include St. George City, Washington County, Washington County Special Service District #1, the Bureau of Land Management, the Washington County Water Conservancy District; the Washington County School District; Ivins City; and the Southwest Mosquito Abatement District. Staff recommended that the Planning Commission hold a public meeting and allow for the impacted entities to provide input on the Annexation Policy Plan. City staff will then determine when it will come back to the Planning Commission for a public hearing.

Mr. McNulty explained that an Annexation Policy Plan consists of the following elements:

1. General Annexation Criteria;
2. A Map of the Proposed Expansion Area;
3. Procedure for Submission of an Annexation Request; and
4. Extension of needed Municipal Services in Developed and Developing Unincorporated Areas and Payment.

Mr. McNulty reported that to qualify for annexation, a parcel of property must meet the annexation standards as established by Utah Code as well as standards established by Santa Clara City. Mr. McNulty then reviewed the map (Appendix A), which showed an expansion of the proposed Graveyard Wash. He noted that it is currently mostly Bureau of Land Management ("BLM") property, but some is unincorporated County property. The map shows the Santa Clara incorporated areas, some areas within Ivins City, Hamblin Parkway, BLM property, Washington County properties, and the future Graveyard Wash. There are also potential annexation areas that include the BLM land; three parcels in Ivins City, the unincorporated County, and Hamblin Parkway future road improvements.

Mr. McNulty reported that the General Annexation Criteria are as follows:

1. As part of its ongoing effort to plan and prepare for quality growth, Santa Clara City has identified certain territory outside of and contiguous to its present boundaries (see Appendix A, the Annexation Map) which could, at some future time, reasonably be considered for annexation into the City. The areas proposed for possible future annexation include areas that in some instances are bordered by other municipalities.
2. Areas to be annexed must be contiguous to Santa Clara City.
3. The property must be within the area projected for expansion under the Santa Clara City annexation declaration area (see Appendix A).

4. The property cannot be included within the boundaries of another incorporated municipality except as provided by law.
5. If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:
 - a. Along the boundaries of existing districts for sewer, water, and power, and along the boundaries of school districts, and along the boundaries of other taxing entities.
 - b. To eliminate islands and peninsulas of territory that are not receiving municipal services.
 - c. To facilitate the consolidation of overlapping functions of local government.
 - d. To promote the efficient delivery of services.
 - e. To encourage the equitable distribution of community resources and obligations.
6. Santa Clara City has a rural agricultural history with a mix of land uses provided in the City. The City is growing in population and the demand for both residential and commercial uses of land is high. The City encourages commercial uses that will benefit its growing population. Areas to be annexed should be compatible with the needs of Santa Clara City.
7. Santa Clara City is concerned about the interests of all affected entities and has considered written comments from affected entities in finalizing this plan. The City is in support of property within the expansion area being developed so utility and transportation systems can be incorporated into a comprehensive plan. Wherever practical, new City boundaries should conform to the boundaries of existing districts for sewer, water, and power, and along the boundaries of school districts, and the boundaries of other taxing entities.
8. Santa Clara City shall not favor the annexation of areas for which it does not have the capability or the intention of providing municipal services, except for utility services that are not provided by the City but are provided by other entities in the areas to be annexed.
9. It is not Santa Clara City's intent to annex property for the sole purpose of acquiring revenues.
10. This Annexation Policy Plan does not exclude from the expansion area any area containing urban development within one-half (1/2) mile of the City's boundaries.

Mr. McNulty reported that the procedure for submission of an annexation request is per State Code and the requirements of the City Recorder to accept a petition and go through the process. He reviewed the following eight key points under the Extension of Needed Municipal Services in Developed and Developing Unincorporated Areas and Payment:

1. In areas where municipal services are not presently extended, services will be extended on an as-needed basis at the developer's expense. All extensions of municipal services shall comply with all City ordinances and policy criteria.
2. An Annexation Agreement may be prepared between the City and future developers outlining specific requirements relating to culinary water, secondary water, wastewater, stormwater drainage, transportation, electricity, and other specific improvements prior to the annexation approval.
3. An approved Annexation Petition will allow developers of the annexed property to connect to City Facilities, provided that all infrastructure proposed to be connected meets City standards and specifications and complies with all applicable development and land use ordinances.
4. The way the infrastructure additions are developed will have a bearing on how they are financed. The increased valuation of property and the subsequent increase in property and sales tax revenues will help increase contributions to the City's General Fund. This increase will help defray the added cost of providing services to the annexed area.
5. In general, the costs and expenses of capital improvements, such as utilities, streets, curbs, gutters, sidewalks, storm drain systems, and other improvements deemed necessary in the annexed area, shall be borne by the developer as development within the area occurs.
6. When the annexation is approved, the newly annexed area shall receive the following services:
 - a. Fire Protection;
 - b. Police Protection;
 - c. Building & Safety;
 - d. Planning & Zoning;
 - e. Utilities provided by the City at the time of annexation;
 - f. Maintenance of dedicated City (public) streets; and

- g. Other services provided by the City at the time of annexation.
7. It is not anticipated that annexation will cause any adverse consequences to the residents currently living within the City or living within the annexed area, except that there may be a slight reduction in general services available to current residents because of expansions of services into the newly annexed territory.
 8. It is anticipated that the residents in the newly annexed territory will experience an increase in their property taxes due to the difference in certified tax rates between the City and Washington County. It is further anticipated that as the City receives property tax revenue from the newly annexed territory, the level of service for the entire community will increase.

City Attorney, Matt Ence reported that the proposed Annexation Policy Plan was prompted by a discussion with the staff and the Mayor about the potential impacts of the new reservoir, which led to discussions about the future extension of Hamblin Drive. The City of Santa Clara does not currently have an Annexation Policy Plan in place, which is a prerequisite before any annexations can be considered. Mr. Ence emphasized that the map (Appendix A) is a first draft prepared by staff, with no consultations with property owners or neighboring cities. The purpose of tonight's meeting is to gather input from the Planning Commission and the affected entities. Mr. Ence explained that the proposed policy has a similar function as the General Plan for zoning. It can be thought of as a General Plan for future annexations. Nothing is eligible for annexation unless it's in a plan.

Commissioner Whitehead asked which entity would be responsible for the police and Emergency Management Services ("EMS") services at the reservoir. Mr. Ence responded that since it will be owned by St. George City but is within the Santa Clara and Ivins coverage area, it will be the cities' shared responsibility. He added that if the reservoir is annexed, it will be within Santa Clara City boundaries. Mr. Ence reminded the Commission that what is being discussed tonight is a policy plan, not an annexation of any specific place.

Commissioner Whitehead was surprised that once the annexation petition is completed, it does not come back to the Planning Commission. Messrs. McNulty and Ence shared that per State Code, there is no Planning Commission component to the annexation process. Mr. McNulty explained that the City Council decides whether to accept the annexation petition. Once a property is annexed, any land use decision on developing the property will come before the Planning Commission.

Commissioner Whitehead asked if, as part of the annexation petition, there must be an intent listed for the property being discussed. Mr. McNulty explained that typically the City or property owner will be the entities wanting to annex a particular property into the City. Mr. Ence stated that once a property is annexed into the City, it automatically comes in under the Open Space Zone. Some of the property, such as the property around the future reservoir, will likely remain open space if it is annexed. If someone wants to develop a property that was annexed, they will need to go through the regular process of getting a zone change, project plan, and entitlements.

Chair Blake asked for clarification as to whether other cities would have to remove the property from their city first for Santa Clara to annex it. Mr. Ence explained that if a property owner seeks to annex property into Santa Clara from Ivins, the process would involve both Ivins and Santa Clara. The property owner would petition the City to state that they want to develop in Santa Clara and de-annex out of Ivins. If a decision cannot be agreed upon, it would go before the Boundary Commission, which is set up at the County level to address conflicts between municipalities over their boundaries. The Boundary Commission would make the ultimate decision on where the property would remain or be developed.

Ivins City Manager, Dale Coulam, reported that Ivins City's Mayor is currently out of town and asked him to attend tonight's meeting in his place and provide input. Mr. Coulam reported that the City of Ivins objects to the two parcels at the intersection of Pioneer Parkway and Old Highway 91 being annexed by Santa Clara. He explained that the state insisted on retaining ownership of Old Highway 91 and will not allow the highway to be annexed by Ivins City, however, Ivins was given authority to govern how it develops and what it will look like. Mr. Coulam stated that on the Pioneer Side of Old Highway 91, there is a storage facility and the Ivins City entrance sign at the tip, which means Santa Clara would be crossing Ivins City property to annex the other parcel. Doing so would create a peninsula, even though the language in the policy says to attempt to avoid peninsulas. In addition, the two parcels on either side of Pioneer Parkway are zoned commercial and are being considered as future revenue sources for Ivins City. He also expressed a desire to avoid the overlap of services. Mr. Coulam stated that he intends to file a written response. Mr. Coulam also informed the Commission that the updated address for Ivins City Hall is 85 North Main.

Mr. Ence reported that Santa Clara will accept a written response under the Mayor's signature and that it need not be a formal resolution. Mr. McNulty asked Mr. Coulam if he could share Ivins' Annexation Plan and Map. Mr. Coulam agreed to ask their City Engineer for a copy of the map and include it with their written response. Mr. Ence asked if Ivins would be willing to consider removing the northwestern parcel from Ivins' plan so that there would not be a conflict. Mr. Coulam stated that there was a potential for discussion about that. He stated that it depends on how steep the area is in terms of what can be developed. He added that Santa Clara has chosen to put a lot of short-term rental housing along 400 East on the Ivins side so there is some concern as to what might go on Highway 91. If there is room to build something like that, Ivins may decide to keep the area in its Annexation Plan. Mr. McNulty commented that the appetite for short-term rentals has significantly decreased although that is not an absolute guarantee that it will not happen. Mr. Coulam stated there is concern that Santa Clara could potentially build moderate-income housing there in the form of apartments. Chair Blake stated that it would be difficult for Ivins to develop that area since it is so steep. Mr. Coulam agreed that if it is very steep, Ivins may not be interested in developing it and might be open to discussion.

Commissioner Walton understood why Ivins would want to keep that peninsula. Mr. Ence stated that the language against creating an island, or a peninsula used to be quite strong but has softened some. He commented that it is unlikely that Santa Clara will push to annex a property that Ivins wants to keep. Mr. McNulty pointed out that the parcels are a gateway into Santa Clara as well. The concern

is that when another city puts retail and commercial development on Santa Clara's boundaries, Santa Clara residents spend their money there instead of in Santa Clara.

Chair Blake asked about the specific benefits Santa Clara will gain by annexing the property around the reservoir. Mr. Ence's understanding was that it would be a seasonal reservoir that would be drawn down during the summer months mainly for irrigation water. Mr. McNulty reported that the Mayor wants some recreational opportunities on the reservoir such as kayaking, swimming, and paddle-boarding. Development potential is limited on BLM property but there could be some areas that allow for future housing, especially since the Governor's Office is starting to push for more single-family, small-lot starter homes for affordable housing rather than apartments and townhomes. It was possible that some BLM property would allow for that opportunity, although it was unknown how much is developable. He added that the City has no control over any of the BLM property and most of it likely will never be available for development. There are, however, two parcels on the south end that are not BLM property. One is owned by the Rosenbrook Family and the other is owned by the Santa Clara Canal Company, which may have some development opportunities.

A question was raised about the road known as the Western Corridor. Mr. Ence stated that it eventually will go to the airport and is part of the loop that is planned for the area.

5. **Discussion Items.**

A. **None.**

6. **Approval of Minutes.**

A. **Request Approval of the Regular Meeting Minutes – November 9, 2023.**

Commissioner Walton moved to APPROVE the minutes of the November 9, 2023, Santa Clara Planning Commission Regular Meeting. Commissioner Whitehead seconded the motion. The motion passed with the unanimous consent of the Commission.

7. **Adjournment**

The Planning Commission Meeting adjourned at 6:32 p.m.

Jim McNulty

Jim McNulty
Planning Manager

Approved: _____ January 11, 2024

**SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, February 22, 2024**

Present: Logan Blake, Chair
Shelly Harris
Koni Hunter
Kristen Walton

Staff: Jim McNulty, Planning and Economic Development Manager
Matt Ence, City Attorney
Selena Nez, Deputy City Recorder

Absent: Kayde Roberts
Mark Weston
Curtis Whitehead

Call to Order.

Chair Logan Blake called the meeting to order at 5:30 p.m.

1. Opening Ceremony.

A. Pledge of Allegiance: Kristen Walton.

B. Opening Comments (Invocation): Kristen Walton.

2. Working Agenda.

A. Public Hearing.

- i. Under the State Annexation Statute, UCA 10-2-401.5, which was amended by the Utah Legislature in 2021, Santa Clara City intends to adopt an Annexation Policy Plan. The Annexation Policy Plan is Intended to Comply with the Provisions of UCA 10-2-401.5(4) and Incorporate all Criteria Required and Suggested by Section 10-2-401.5(3). This Opportunity will Allow for Affected Entities to Examine the Proposed Annexation Policy Plan and Provide Input on it.**

Planning and Economic Development Manager, Jim McNulty reported that Santa Clara City intends to adopt an Annexation Policy Plan to comply with the provisions of UCA 10-2-401.5(4) and incorporate all criteria required and suggested by Section 10-2-401.5(3). Mr. McNulty noted that the Planning Commission received comments from Ivins City at the public meeting that took place on December 14, 2023. They have been reviewed by City staff and legal counsel, and Mayor Rosenberg. As a result, modifications were made to the proposed Annexation Policy Plan Map. Mr. McNulty reported that tonight's public hearing will provide all impacted entities the opportunity to examine

and provide feedback on the proposal. Staff recommended that the Planning Commission consider forwarding a recommendation of Approval on the Annexation Policy Plan to the City Council.

Mr. McNulty reviewed with the Commission the updated map (dated 2/22/2024), as well as the original map (dated 12/7/2023). The changes were made primarily in the northwestern portion of the map as a result of the meeting with Ivins City. One section of property has been removed because Ivins has been working with the Bureau of Land Management (“BLM”) to purchase property there. Mr. McNulty reported that the intent is to keep the two properties shown in the green area (corner of Pioneer Parkway and Highway 91) on the map in Santa Clara. He noted that there is always the possibility that someone could come to the City wanting to annex and develop in Santa Clara City rather than Ivins. It was not expected, but is possible.

Mr. McNulty reported that Ivins City has made some improvements along Highway 91. They have utilities, so they may be able to provide utilities to some of the properties that have direct frontage on Highway 91. It has been agreed to leave those in an overlap area at this time. Mr. McNulty reported that the extension of the Graveyard Wash Reservoir is slightly larger than shown on the previous map. Mr. McNulty noted that the Policy Plan has not changed since it was discussed at the Planning Commission Meeting. He emphasized that the final decision about any annexation would come to the City Council. The City Council determines whether they want to annex a certain piece of property that is within the boundary map and provide services to it.

City Attorney, Matt Ence reported that Santa Clara recognizes the concerns raised by Ivins City about whether some of the properties should remain on Santa Clara’s Annexation Map. After meeting with Ivins City, it was discussed at the City staff level that those parcels stayed on the map because Santa Clara wants to give property owners the option to have their property in Santa Clara or Ivins. Mr. Ence acknowledged that this means that Ivins may choose to keep some Santa Clara property in its Annexation Policy Plan. That is something the Planning Commission can examine. It will ultimately be up to the City Council to decide. Mr. Ence emphasized that if the parcels remain on the map, they will never be considered for annexation unless a property owner petitions for it.

Mr. McNulty agreed and stated that the plan is a signal to the property owners that both cities may have an interest in the property, and the property owner will decide. When there are disputes, the Boundary Commission gets involved. Mr. McNulty stated that in his experience, the Boundary Commission agrees with the property owner in the overwhelming majority of cases.

Chair Blake opened the public hearing.

Dale Coulam gave his business address as 85 North Main Street in Ivins. He appreciated meeting with representatives of Santa Clara and felt they had engaged in good discussions. Mr. Coulam also expressed appreciation for the City changing the alignment of Hamblin Parkway as it comes off the roundabout on Highway 91 to accommodate Ivins City’s purchase of BLM property to construct a Park, Cemetery, and Public Works yard. He referenced two triangles shown in white identified as County property to the east of Hamblin Parkway and southwest of Highway 91 and recognized that they will be overlapping on both City maps. Mr. Coulam reported that Ivins City does not need to include property west of Hamblin Parkway in Ivins City’s Annexation Plan. Mr. Coulam reiterated Ivins City’s opposition to the two parcels on Pioneer Parkway and Highway 91 that are in Ivins City on the basis that they are not contiguous with Santa Clara. Both are commercially zoned properties in Ivins City, and Ivins sees them as very important commercial pieces to their overall future financial

plan. Mr. Coulam added that Ivins will likely still remove from their map the portion of Santa Clara that is north of Rachel Drive as it has already been platted.

There were no further public comments. Chair Blake closed the public hearing.

Chair Blake noted that the two parcels on Pioneer Parkway and Highway 91 are contiguous with the other annexation areas. Mr. Ence agreed but indicated that Ivins does not consider them contiguous to Santa Clara because the strip of property where storage units are is in Ivins City and that strip of property divides them from Santa Clara.

Commissioner Harris asked for more details as to how Santa Clara and Ivins see it differently. Mr. Ence explained that because Ivins now controls Highway 91, which has been turned over to Ivins from the Utah Department of Transportation (“UDOT”), they felt it essentially created a barrier. So, even if Santa Clara annexed the property on the southwest side of Highway 91, the property on the northwest side would not be considered contiguous. Messrs. Ence and McNulty agreed that it is a gray area in the statute and state law. There is no clear answer, which allows for some interpretation. Mr. Ence sensed that a public street would not necessarily be considered an obstacle or create an island.

Chair Blake reported that the Utah State Code provides an estimate of the tax consequences. Mr. McNulty pointed out Item C.8, which states: “It is anticipated that the residents in the newly annexed territory will experience an increase in their property taxes due to the difference in certified tax rates between the City and Washington County. It is further anticipated that as the City receives property tax revenue from the newly annexed territory, the level of service for the entire community will increase.”

Chair Blake stated that all of the parcels shown in white are currently Unincorporated County property so there would be a tax increase because they would be paying Santa Clara City taxes. Mr. Ence explained that they could pull the taxable values and the tax rates to calculate an estimate. It would change as taxable values change but a current estimate could be calculated.

Mr. McNulty reported that a current estimate could be done but it would be difficult to project because it would change in the future. He agreed that the property tax would increase but in return, the property owners would get more services. Mr. Ence noted that he is not sure how accurate this is because he has not verified it, but the effective property tax rate in unincorporated Washington County appears to be 0.61%, as compared to 0.9% in Santa Clara City. A question was asked about how often an Annexation Plan/Map is redone. Mr. McNulty stated that it would likely be re-examined in three to five years.

Mr. Ence indicated that in recent years as development has occurred, there have been a couple of places where boundary adjustments have been made such as between Santa Clara and St. George. He noted that if a property owner who adjoins Santa Clara wanted to be in Santa Clara, the Policy Plan would be brought back for an amendment and the property owner would petition for annexation. It would be a multi-step process, and the map could be brought back for an update at any time.

ii. **Consider a Proposed Partial Plat Amendment for the Santa Clara Heights Subdivision, Plat M (Lots 10 and 11) located at 1297 Canyon View Drive and 1305 Canyon View Drive.**

Mr. McNulty reported that the applicant, Melodie Finlinson, is requesting to amend the Santa Clara Heights, Plat A Subdivision. The applicant is proposing to amend Lot 10 and Lot 11. Lot 10 is currently 11,935 square feet based on the recorded plat, and will be increased to 13,046 square feet of 0.30 acres in size. Lot 11 is currently 21,205 square feet (0.49 acres) and will remain this size. Mr. McNulty explained that Ms. Finlinson owns a small parcel (#SC-SCH-M-11-B) in between these two lots which is 0.02 acres (approximately 1,100 square feet), which has not been properly added to her existing lot. Both lots have existing single-family homes on them. The proposed partial plat amendment would allow this small parcel to be included within Lot 10 on a recorded subdivision plat. The properties are in the southeastern part of the City on Canyon View Drive, just north of Santa Clara Drive. Mr. McNulty reported that City staff recommends the Planning Commission consider recommending approval of the Partial Plat Amendment for Lot 10 and Lot 11 of the Santa Clara Heights, Plat M Subdivision to the City Council, subject to the conditions in the Staff Report.

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

Chair Blake expressed support for the proposed partial plat amendment. A question was raised as to whether it was formerly part of Lot 11 when Ms. Finlinson purchased it in 2020. Mr. McNulty did not know what led to the sale but Ms. Finlinson has owned it for four years now and she wants to include it in her property.

3. **General Business.**

A. **Recommendation to the City Council.**

i. **Recommendation to the City Council Under the State Annexation Statute, UCA 10-2-401.5, which was Amended by the Utah Legislature in 2021, Santa Clara City Intends to Adopt an Annexation Policy Plan. The Annexation Policy Plan is Intended to Comply with the Provisions of UCA 10-2-401.5(4) and Incorporate All Criteria Required and Suggested by Section 10-2-401.5(3). This Opportunity will Allow Affected Entities to Examine the Proposed Annexation Policy Plan and Provide Input on it.**

Commissioner Harris moved to recommend that the City Council APPROVE the Approved Annexation Policy Plan that is presented under Item 4.A.1 as per the map dated February 22, 2024. Commissioner Walton seconded the motion. The motion passed with the unanimous consent of the Commission.

ii. **Recommendation to City Council for a proposed Partial Plat Amendment for the Santa Clara Heights Subdivision, Plat M (Lots 10 and 11) located at 1297 Canyon View Drive and 1305 Canyon View Drive.**

Commissioner Walton moved to recommend that the City Council APPROVE the proposed Partial Plat Amendment for the Santa Clara Heights Subdivision, Plat M (Lots 10 and 11) located at 1297 Canyon View Drive and 1305 Canyon View Drive subject to the following conditions:

1. The applicant shall be required to comply with the recommendations from all City reviewing departments.
2. The Owner's Dedication & Acknowledgement shall be signed prior to final plat recordation.
3. The applicant shall be required to record the amended subdivision plat and provide an electronic copy to City staff.

Commissioner Harris seconded the motion. The motion passed with the unanimous consent of the Commission.

iii. **Recommendation to City Council for a Proposed Phasing Plan Amendment for Quail Crossing and Coyote Landing at Deserts Edge. Robert Smith, Applicant.**

Mr. McNulty reported that the applicant, Robert Smith, is requesting a Phasing Plan Amendment for the Quail Crossing and Coyote Landing at Deserts Edge Project. The applicant is requesting to start construction on Phase 3 before Phase 2 so he can go through the next round of Affordable Housing Credits through Utah Housing. Phases 1, 3, 4, and 5 are townhomes, and Phases 2 and 6 are apartments. In 2021 a rezoning of the property was done, which included a density bonus from 8 units per acre to 12 units per acre because of the affordable housing component included with the overall project. Until the affordable housing credits are approved by Utah Housing allowing for the apartment project to begin, the project density will be limited to eight units per acre. Mr. McNulty reported that City staff recently discussed the project with Utah Housing who is encouraging the applicant to reapply in the next round of applications that are due in June 2024.

Mr. McNulty explained that the applicant will now proceed to Phase 3 to develop 44 townhome units on 4.04 acres, centrally located open space, a detention basin, a private alley, and public roadway improvements while waiting to hear from Utah Housing about Phase 2. Mr. McNulty reminded the Commission that Phase 1 includes 24 townhome units on 5.807 acres, centrally located amenities, boat and RV parking, and public roadway improvements, including two required public accesses to 400 East. Phase 3 includes 44 townhome units (4.04 acres), centrally located open space, a detention basin, a private alley, and public roadway improvements. Therefore, a total of 68 units on 9.85 acres for both phases equates to a density of 6.90 units per acre. Mr. McNulty reported that calculating the project density is important because City Ordinance #2021-13 was approved by the City Council on September 8, 2021. This approval included a density bonus from eight to 12 units per acre because of the affordable housing component included with the overall project. However, until the affordable

housing credits are approved by Utah Housing allowing for the apartment project to begin, the project density will be limited to eight units per acre.

Recently, the applicant went to both the Planning Commission (November 9, 2023), and City Council (December 13, 2023) to get approval for an Updated Phasing/Amenity Plan (Phases 1, 3, and 4) for the Deserts Edge Project. This item was approved by the City Council on December 13, 2023, as follows:

1. The Updated Phasing/Amenity Plan for Deserts Edge shall 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.

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 the northern and western boundaries of the subject property are adjacent to Ivins City.

Staff recommended that the Planning Commission consider recommending approval of the proposed Phasing Plan Amendment for Quail Crossing & Coyote Landing at Deserts Edge to the City Council subject to the conditions set forth in the Staff Report.

Mr. McNulty reported that without the apartments being approved by Utah Housing, there will not be 12 units per acre and they will have to re-do the zoning and the Project Plan. It will involve an amendment to the PDR, a new Project Plan, and Phases 2 and 6 will have to be re-evaluated by a public hearing process through both the Planning Commission and the City Council. Without approval of the apartments by Utah Housing, the density will be approximately eight units per acre.

Chair Blake wondered if the applicant asked to not build the Phase 3 amenities until they have a lot more units in Phase 2. Mr. McNulty stated the applicant has not asked because they are providing amenities for the apartments. The apartments have separate amenities from the townhomes.

A question was raised about nightly rentals. Mr. McNulty stated that the project has a nightly rental component but the apartments do not have a nightly rental. The nightly rental was allowed for the townhome units when approved in 2021. Mr. McNulty believed they would be available for sale to certain companies who may want to purchase them and use them as nightly rentals.

Engineer and representative for the applicant, Ben Willits, stated that the units are all individually platted, marketed, and sold and will not be sold to a corporation. Each unit has its own Tax ID and

everything around it is space that is common to the community. The apartments are separate and per the State Tax Code, they must have their own amenities.

Commissioner Harris asked Mr. Willits about the applicant's commitment to the affordable housing component. Mr. Willits confirmed that the applicant is committed to it.

Commissioner Walton asked for clarification as to the applicant's options if the approval from Utah Housing does not come through. Mr. McNulty explained that the applicant will have to re-do the zoning and Project Plans for Phases 2 and 6. Because it is zoned PD, one possibility is that Phases 2 and 6 could become a small community of 6,000 square foot lots, to offer a housing option for the "missing middle" which is housing that occupies the "middle" ground between large-lot single-family homes and large apartment complexes.

Commissioner Walton moved to recommend that the City Council APPROVE the proposed Phasing Plan Amendment for Quail Crossing and Coyote Landing at Deserts Edge, subject to the following conditions:

- 1. The applicant shall be allowed to proceed with Phase 3 of the project which includes 44 townhome units on 4.04 acres (combined with Phase 1 this equates to a density is 6.90 units/acre).**
- 2. The required amenities shall be completed in Phase 1 prior to issuance of the first building permit for a townhome unit in Phase 3.**
- 3. The applicant shall be required to come back to the Planning Commission and City Council if Phase 2 construction does not commence before Phase 4 construction is anticipated allowing for additional review and consideration.**

Commissioner Harris seconded the motion. The motion passed with the unanimous consent of the Commission.

4. Discussion Items.

- A. None.**

5. Approval of Minutes.

- A. Request Approval of the Regular Meeting Minutes – January 25, 2024.**

Commissioner Harris moved to APPROVE the minutes of the January 25, 2024, Santa Clara Planning Commission Regular Meeting. Commissioner Hunter seconded the motion. The motion passed with the unanimous consent of the Commission.

6. **Adjournment**

The Planning Commission Meeting adjourned at 6:38 p.m.

Jim McNulty

Jim McNulty
Planning Manager

Approved: March 14, 2024

Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Jarett Waite

Ben Shakespeare

Christa Hinton

Janene Burton

Dave Pond

CITY COUNCIL

Meeting Date: 27/Mar/24

Agenda Item: 2

Applicant: Santa Clara City

Requested by: Jim McNulty

Subject: Utah Tech University Bison

Description:

On March 20, 2024, the City Council had a work meeting discussion with Jordon Sharp from Utah Tech University. The City Council decided to move forward with the purchase of a Bison Statue for Santa Clara City. City staff recommends that the City Council consider the purchase of this item with \$5,500 being spent from this year's budget. The remaining \$5,500 would be paid from next year's budget.

Recommendation: Approval

Attachments: N/A

Cost: N/A

Legal Approval: N/A

Finance Approval: Yes

Budget Approval: Yes