

NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL MEETING
Wednesday, August 14, 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 August 14, 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: Dave Pond
- Opening Comments: Rickine Kestin, Soloman's Porch Foursquare Fellowship, St. George Interfaith Council.

3. General Citizen Public Comment:

4. Conflicts and Disclosures:

5. Working Agenda:

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

B. Consent Agenda:

1. Approval of Claims & Minutes:

- July 10, 2024 City Council Regular Meeting
- July 17, 2024 City Council Work Meeting
- July 31, 2024 Special City Council Meeting
- Claims through August 14, 2024

2. Calendar of Events:

- Aug. 21, 2024 City Council Work Meeting Cancelled
- Aug. 28, 2024 City Council Regular Meeting

C. General Business:

1. Discussion and action to approve a Proclamation declaring September 17 through September 23, 2024 as Constitution Week. Presented by Heather Jenkins.
2. Discussion and action to award the Rap Tax. Presented by Ryan VonCannon, Parks & Trails Director.
3. Discussion and action to consider approval of the Fraud Risk Assessment. Presented by Brock Jacobsen, City Manager / Debbie Bannon, Finance Director.
4. Discussion and action to update Chapter 17.74 the Historic District /Mixed Use Zone and

Chapter 17.76 Historic District Overlay Zone and adopt Ordinance 2024-12. These updates are necessary as the City recently adopted the updated Historic District Guidelines on May 8, 2024 as a companion document to the City Code. Presented by Jim McNulty, City Planner.

5. Discussion and action to update Chapter 17.42, Telecommunication Facilities, Section 17.42.020, Definitions and adopt Ordinance 2024-13. Presented by Jim McNulty, City Planner.

6. **Reports:**

- a. Mayor / Council Reports:

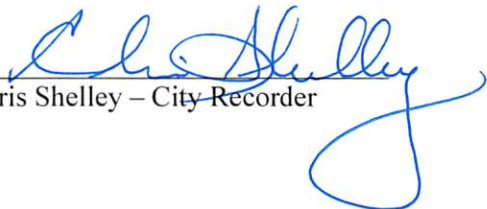
7. **Executive Session:**

8. **Adjournment:**

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

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

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Santa Clara City limits on this 12th day of August 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://santaclarautah.gov>. The 2024 meeting schedule was also provided to the Spectrum on January 1, 2024.


Chris Shelley – City Recorder

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, JULY 10, 2024
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, July 10, 2024, at 5:00 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara, Utah. The meeting was broadcast on the City website at <https://santaclarautah.gov>.

Mayor: Rick Rosenberg

Council Members: Janene Burton
Christa Hinton
Dave Pond
Ben Shakespeare
Jarett Waite

City Recorder: Chris Shelley

Others Present: Jim McNulty, Planning and Economic Development Manager
Kristelle Hendrickson, Executive Assistant
Cody Mitchell, Building Official
Gary Hall, Power Director
Ryan VonCannon, Parks and Trails Director
Lance Haynie, Interim Fire Chief
Rich Rogers, Police Captain
Matt Ence, City Attorney

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: Council Member Christa Hinton

B. Opening Comments: Rev. Derek DeToni-Hill, Shepherd of the Hills United Methodist Church, St. George Interfaith Council

3. General Citizen Public Comment.

There were no public comments.

4. Conflicts and Disclosures.

There were no conflicts or disclosures.

5. Working Agenda.

A. Public Hearing

- i. None.

B. Consent Agenda.

i. Approval of Claims and Minutes:

- June 19, 2024, City Council Work Meeting Minutes
- June 26, 2024, Regular City Council Meeting Minutes
- Claims through July 10, 2024

ii. Calendar of Events:

- July 17, 2024, City Council Work Meeting
- July 24, 2024, Regular City Council Meeting (Canceled – City Offices Closed)
- August 21, 2024, City Council Work Meeting. (Canceled)

Mayor Rosenberg reported that a Special Meeting would be necessary on July 31, 2024, to take action on the Black Desert Special Event Permit. Council Member Pond indicated that he will be unavailable to attend in person but will likely be able to attend remotely. All other Council Members planned to attend.

Council Member Shakespeare moved to APPROVE the Consent Agenda as presented, including a July 31, 2024 Special City Council Meeting. Council Member Waite seconded the motion. Vote on motion: Council Member Shakespeare-Yes, Council Member Burton-Yes, Council Member Hinton-Yes, Council Member Pond-Yes, Council Member Waite-Yes. The motion passed unanimously.

C. General Business.

i. Introduction of Santa Clara Royalty. Presented by Monica Bracken.

Former Pageant Coordinator, Monica Bracken, introduced the Santa Clara Royalty and noted that they recently represented Santa Clara in the Saint George City 4th of July Parade.

Emma Hunter, Miss Santa Clara 2024/2025, introduced First Attendant, Taija Batt. Her Second Attendant, Lolly Ashton, was unable to attend. She also introduced Miss Spirit, Klara Frey. She thanked the City Council for inviting them to attend the meeting. Ms. Hunter's parents are Dave and Connie Hunter. Mayor Rosenberg reported that Connie Hunter is a former Santa Clara Princess. *Taija Batt's* parents are Shane and Mindy Batt. *Klara Frey's* parents are Rett and Sarah Frey.

Mayor Rosenberg thanked the Royalty for their service and commitment to the City and encouraged them to have fun and ask questions. He thanked Ms. Bracken for her work on the pageant and presented her with a gift of appreciation. Photographs were taken with the City Council.

ii. Discussion and Action to Consider Amending the Snow Canyon Little League Agreement. Presented by Ryan VonCannon, Parks and Trails Director.

Parks and Trails Director, Ryan VonCannon reported that all parties involved had reviewed and agreed to the Amended Agreement. In response to a question from Mayor Rosenberg, he verified that no changes had been made to the Agreement since it was reviewed at the last City Council Meeting.

Council Member Pond moved to APPROVE the Amended Little League Agreement, as presented. Council Member Shakespeare seconded the motion. Vote on motion: Council Member Shakespeare-Yes, Council Member Burton-Yes, Council Member Hinton-Yes, Council Member Pond-Yes, Council Member Waite-Yes. The motion passed unanimously.

iii. Small Lot Single-Family Zone Discussion. Presented by Jim McNulty, City Planner.

Mayor Rosenberg reported that he directed Planning and Economic Development Manager, Jim McNulty, to include this item on the Agenda to initiate a discussion on the possibility of creating a small, single-family lot zone to allow lots as small as 4,000 square feet. The new zone will be in line with the Governor's desire and follow the Mayor's Association's recent discussion on attainable housing. It would potentially allow for the development of smaller single-family homes that would be more attainable for residents.

Mr. McNulty presented a sketch of an approximately 50-foot by 80-foot (4,000 square feet) lot in the proposed R-1-4 zone. Lehi, Saratoga Springs, Eagle Mountain, Herriman, and other areas in southwest Salt Lake County and northern Utah County have introduced R-1-4 zoning to accommodate smaller lots. He referenced Pioneer Pointe, the Clayton Leavitt Project, which includes four different products consisting of 6,000 to 7,000-square-foot single-family lots, 2,500- to 3,000-square-foot pad lots with separation between the units, two-story townhomes, and one-story townhomes. He noted that the one-story townhomes will be approximately 1,200 square feet in size with one-car garages and two-car driveways. The proposed R-1-4 zoning differs from that development in that it would require individual lots that are no less than 4,000 square feet in size.

The proposed zone includes public improvements of curb, gutter, and sidewalk in a 45-foot right-of-way. Lots will be 50 feet wide and 80 feet deep, which allows for a 20-foot front yard and 10-foot rear yard. The R-1-6 zone adopted in 2023 also allows for a 20-foot front yard. The side yards are five feet per side, or 10 feet between buildings, which would not require fire-rated walls and would provide room for an HVAC pad if needed. In Desert Color, Ence Homes has a product with only seven or eight feet between buildings, but Mr. McNulty's preference is to require a 10-

foot separation to avoid a tunnel effect in between the units. The proposed lot size creates a 40-foot by 50-foot, or 2,000-square-foot, envelope. A 20-foot by 20-foot garage requires 400 square feet, leaving approximately 1,600 square feet for a home.

Mr. McNulty stated that people tend to gravitate to two-story homes and communities like Lehi are allowing three-story townhomes with no basements. He believes that creates an unattractive appearance with a shadow effect between the units. With the proposed R-1-4 lot size, someone could build a 1,500-square-foot Rambler or a 2,500-square-foot two-story home with a two-car garage. He does not recommend allowing basements or Accessory Dwelling Units ("ADU") due to soil and space issues. Internal Accessory Dwelling Units ("IADU") could be allowed if parking requirements are met. Each home will have a two-car garage with a two-car driveway, and the Code requires one covered and one uncovered parking space per dwelling unit. He also recommended setting a height restriction. The R-1-6 zone has a maximum height of 30 feet for the main dwelling and 15 feet for accessory structures like a small shop or storage shed.

Mr. McNulty reported on similar zoning in other cities. He noted that Washington City Planner, Drew Ellerman, is now a City Council Member in Hurricane, and the Hurricane City Council will consider R-1-4 zoning at their August 15, 2024, meeting. Mr. Ellerman informed him that Washington City has an R-1-6 zone, and anyone wishing for smaller lots must go through the Planned Development ("PD") process. Saint George City has no plans to create an R-1-4 zone. They currently have an R-1-6 zone, as well as a downtown infill zone that allows for 5,000-square-foot lots.

Mr. McNulty suggested that the City Council consider an R-1-4 zone on an infill basis to create lots of parcels of up to five acres. He does not believe the zoning should be applied to larger properties like the Silverado site. The City has been approached by brokerage firms considering purchasing that property who are proposing townhomes or small pad lots on the north end. The south 50% of the property would be commercial, so 50% could be residential to create a true mixed-use. That property could be a viable site for R-1-4 zoning as it is adjacent to Desert Village and behind Harmons Grocery.

Mayor Rosenberg stated that small lots are possible in Saint George under the PD designation, but PD brings in common area, recreation, and open space requirements that add to development costs. R-1-4 zoning would allow for single-family homes on small lots that do not require a Homeowners Association ("HOA"). You could have a cottage-style building footprint with a front porch and add a limitation to prevent three-car garages, so you don't just see doors across the front of the home. He has seen homes with two-car garages that are only one car wide and two cars deep, so more of the homes face the street. He agreed that the height should be limited, as well as possibly the home's square footage to keep the homes in an attainable price range.

Mayor Rosenberg stated that if the City Council was interested in pursuing it, they could direct Staff to work with the Planning Commission to determine potential requirements and identify areas of the City where R-1-4 zoning could be applied. There are undeveloped two to three-acre parcels near his home where smaller single-family homes could be constructed. Referring to the Silverado site, he noted that mancaves may or may not make sense. Townhomes make sense but a row of

small cottage homes may be more appealing. The smaller lot configuration gives developers the ability to build small homes on sites that are problematic for larger lots.

Council Member Burton stated that this would be reminiscent of the bungalows that were built in the Avenues after World War II, which are very nice homes and similar in size. Mr. McNulty added that many of the lots in the Avenues are 3,000 to 4,000 square feet.

Council Member Shakespeare asked if the maximum height should be 30 feet, as a two-story home would be approximately 26 feet. Mr. McNulty stated that it would be reasonable to set the maximum height at 30 feet like the R-1-6 zone, but it could be reduced.

Mayor Rosenberg noted that the zone would include platted lots without an HOA or common areas. Council Member Shakespeare asked how zoning would be determined on particular parcels. Mayor Rosenberg noted when the General Plan was updated in approximately 2005, they identified smaller, vacant properties where R-1-6 zoning could be applied and designated them Medium Density in the General Plan. Similarly, Staff could identify vacant properties where R-1-4 zoning should be applied for and designate them Medium Density in the General Plan. Property owners would then request a zoning change to R-1-4. Mr. McNulty noted that zoning changes are to be considered on a case-by-case basis. For instance, if R-1-4 zoning was requested adjacent to a Residential Agriculture ("RA") area, it might be denied. Mayor Rosenberg gave the example of the Anderson property on Arrowhead Trail. The property was designated Medium Density in the General Plan. The owner proposed three townhome buildings. Neighbors spoke out against it, and the City Council denied the application. The owner then rezoned it R-1-10 with three lots. R-1-4 zoning may have been more appropriate for that site and had less negative impact on the neighbors than townhomes. Any rezoning would require a General Plan amendment, then a zoning change, and then the subdivision process.

Mr. McNulty indicated that lot limits could be specified. A maximum of eight single-family detached homes per acre with a one-car garage minimum or two-car garage maximum would be practical. All zones currently include minimum home sizes, but the R-1-4 zone could also include a maximum to keep the cottage feel. The intention is to allow for single-family detached homes on smaller lots with drought-tolerant, low-maintenance landscaping. Limitations can be put in place for height, size, scale, and square footage.

Council Member Shakespeare stated that if cities do not get involved, states or the federal government will mandate smaller lot sizes, and he believes it is important to get in front of it. Mr. McNulty noted that Representative Ward sponsored a bill in the state legislature allowing for 5,400-square-foot lots in any zoning district. In Santa Clara, that would mean that small lots would have to be approved in R-1-10 or RA zones. It would upset citizens with quarter-acre or larger properties if someone could create such small lots in or adjacent to their neighborhood. He believes that if the City already has appropriate zoning in place, they will not be required to allow smaller lots in other zones. He added that Representative Ward will be resubmitting the bill in the next session.

Council Member Shakespeare stated that people say they cannot afford where they live but they also do not want small lots. He was in favor of having the discussion and considering the new

zone and noted that it would be helpful for Staff to identify applicable areas on the next Master Plan. He then asked if lots in the R-1-4 zone would generate impact fees. Public Works Director, Dustin Mouritsen stated that it would incur the same single-family impact fee as other zones.

Council Member Burton asked about allowing ADUs of 1,000 square feet in this zone. Mr. McNulty clarified that ADUs would be prohibited in the R-1-4 zone because the lot size is too small to accommodate an ADU. An IADU would be allowed. For example, someone could build a two-story home, live on one level, and have an IADU on the other level.

Council Member Hinton asked if developers have approached the City about this zoning. Mr. McNulty reported that he has not been approached personally, but it has come up in Hurricane. In the monthly Land Use Task Force meetings, in which all the cities are part, it has been mentioned that builders are looking for this type of zoning. The Governor is also encouraging smaller lots. Mr. McNulty has not been directly approached by a developer about R-1-4 zoning, but it is prevalent in the Wasatch Front and is now being seen nearby.

Mayor Rosenberg noted that it is likely no one has approached the City because the only way they can currently have smaller lots is through a PD zone. Developers have approached the City for PDs with smaller building pads. Mr. McNulty added that that is theoretically what Clayton Leavitt is doing. He has approximately 75 single-family homes. There is some larger lots fronting Patricia, but 50 or 60 of the lots are pads. He is doing this product with a different approval. Mayor Rosenberg stated that the building pads are similar in size to those in Sun River, which has approximately six units per acre in the PD. This zoning would allow for up to two more lots per acre if the property is perfectly dimensioned, but they would be single-family homes, not side-by-side townhomes.

Council Member Burton asked if these homes would really be affordable once they're built. Mayor Rosenberg and Mr. McNulty agreed that it is possible they will not be. The Governor's housing advocate, Steve Waltrip, championed a bill with up to \$1 billion in funding, including \$300 million available for developers willing to build affordable or attainable housing in the \$350,000 to \$450,000 range. Conditions on those funds include that 60% of units must be sold in that range. Owners must live in the homes for five years before they can sell, and they can only be sold for a specified profit percentage.

Council Member Hinton approved of the lot size and the creative way to bring more attainable housing to appropriate areas of the City. She asked if there was a way to prevent these homes from being purchased by investors. She understands that rentals would meet housing needs in a different way, but she would like to see them purchased by people who will live in them. Mayor Rosenberg stated that, in his discussions with Mr. Waltrip and groups advocating for community housing, it was noted that there is a fine line between government-regulated housing and the market. He believes it will be interesting to see what kinds of restraints can legally be placed on the lots. Deed restrictions to mandate ownership are possible, but you can run into issues regarding mortgage default or other factors. He would like the opportunity to come up with design parameters for discussion. Even if it isn't eventually adopted, it will be worthwhile to go through the exercise and pay attention to what other cities are doing because a mandate is coming.

Mr. McNulty was curious to see if Hurricane adopts R-1-4 zoning in August, as they will be the first city in Washington County to do so. More populated areas of Iron County have already adopted it. He mentioned that a possible outcome is that Staff and Council work on it, but then table it until the new General Plan is adopted. The request for proposals will go out in August and they plan to start working on the General Plan in the fourth quarter of 2024, but it will take approximately one year to complete.

Council Member Waite expressed interest in researching it further and would like to see what the homes could look like. He appreciates the footprint. Washington City Mayor Staheli has talked a lot about Red Trails, which is an Ence development. His brother-in-law works for Ence and indicated that Red Trails has sold extremely well to families. They have not had much investor interest. The homes are very close together, but they are single-family detached homes with garages in the \$300,000 to \$450,000 range. Mayor Rosenberg added that the smaller houses in that development are 800 square feet. Mr. McNulty stated that he did not think Santa Clara should allow smaller than 1,000 square feet and added that Desert Color has many homes in the 1,200-square-foot range.

Council Member Waite reported that he asked his brother-in-law, who is involved with development and mortgages if they would lend to a developer wanting to build in an R-1-4 zone. His brother-in-law said that you would need an altruistic developer willing to do more work for less money. For example, his company recently funded a home on a quarter-acre lot that sold for \$1.4 million, and the profit was approximately \$400,000. That builder could not make nearly as much profit on a smaller home in an R-1-4 zone. However, he is aware of people who would be interested in building homes that young families could purchase. His brother-in-law mentioned the uncertainty of the PD process as the reason more developers don't pursue that zoning. If the R-1-4 zone was available, there could still be opposition, but it would be different because the Council wouldn't need to consider things like amenities. Mr. McNulty stated that a PD might include 10 or 20 acres, but it comes with benefits to the City that larger developments in the R-1-4 zone would not provide. He suggested that during the General Plan process, they might identify larger parcels that would be suitable for R-1-4 zoning. Council Member Waite noted that he has family members who are recent college graduates who would love to purchase a starter home. He has family in Idaho where most of the homes are on 4,000 or 5,000-square-foot lots and were built in the 1940s, and he believes a similar product would be good for Santa Clara citizens.

Council Member Pond liked the idea of R-1-4 zoning and agreed that it would have been ideal for Clayton Leavitt's project. Neighbors have asked him about Pioneer Pointe because there is interest in smaller homes. He believes the demand would be there. He agreed that limitations should be added to keep the price point in the starter home range.

Council Member Shakespeare suggested designating a minimum front width. Mr. McNulty stated that 50 feet would be an appropriate minimum. Council Member Shakespeare asked for examples from cities that have this zoning in place to be included when it is brought back before the Council so they can better understand what those subdivisions look like. Those cities have already researched and discussed the issue.

Mayor Rosenberg stated that based on the discussion, the matter should be taken before the Planning Commission. Mr. McNulty stated it would be included as a discussion item at the July 11, 2024, Planning Commission Meeting, and he expected to bring the subject back before the City Council in September.

6. Reports.

A. Mayor/Council Reports.

Council Member Shakespeare reported on the following:

- He has registered for the Utah Associated Municipal Power Systems (“UAMPS”) Annual Conference.

Council Member Burton reported on the following:

- Hurricane City Manager, Clark Fawcett, has asked for a seed mural for Peach Days. She believes there is one already started in the museum and will check with the art department at the high school to see if they will help complete it.
- She has been working with Kara Rodriguez in Leesburg, Virginia regarding being Santa Clara's sister city. They are very interested.
- She thanked Interim Fire Chief, Lance Haynie for his recent help.
- She suggested that Santa Clara do something similar to Saint George City to recognize animals in the City and proposed having a Pet Walk of Fame. She would like to discuss it at the next Work Meeting. She believes families would donate \$100 for a stone with their name and their pet's name and photo. Mr. VonCannon suggested designating a space in one of the parks.

Council Member Hinton reported on the following:

- She attended the Mayor's Association panel on attainable housing. It was informative and well-received by the public. She appreciated Mayor Rosenberg's participation and insights.

Council Member Waite reported on the following:

- He also attended the Mayor's Association panel. He thought it was well done and provided a lot of food for thought.
- His mother visited recently and rented one of the houses in Arcadia. She asked why there are not a lot of entrances into the development, why there aren't walls between the houses, and other questions about the design of the development, and he explained the reasoning behind it. It was a great experience.
- He completed sod removal at his home, and the process was extremely efficient. If he had a question for the Water District, he usually heard back from them the same day. He submitted the application for the front yard and then decided to include part of the backyard, and they just amended the application instead of requiring a new

one. Conservation easement recordation was fast, and they received their check less than a week after they submitted the final paperwork.

Mayor Rosenberg reported on the following:

- They had a follow-up meeting with the property owner regarding the Daniel Growler mural where they discussed the right-of-way and possible property acquisition to facilitate installation of the structural awning to protect the mural. The meetings are going well. They are still working out the details, but the process is moving forward.
- He attended the Growing Water Smart meeting. Santa Clara met most of the goals set at the beginning of 2024. Water use is down to 132 gallons per capita per day, combined with irrigation and culinary.
- They had a Water Workgroup meeting with the Water District and representatives from the seven cities in the Rural Water Supply Agreement to discuss ways to supplement water needs over the next 20 years using reuse water. Reuse water is extremely expensive, so they are considering funding options. It will buy time while other options like the pipeline, Beaver Dam Wash, and desalinization are explored.

Interim Fire Chief, Lance Haynie reported on the following:

- Some of the funds requested for the Lava Flow Sewer Pipeline, the community funding project, has been made into the appropriations bill. It will be enough to cover the City's portion. As long as it makes it through the appropriations process, it will be funded this year.
- There were two small brush fires and two small trash fires on July 4th. Dammeron Valley helped.
- One wildland crew is out at the fire near Kanab, and they will be sending out a Type 3 engine to Cedar on Friday.
- The new Type 4 engine was scheduled to arrive the following day.
- City Manager, Brock Jacobsen, participated in live fire training. Chief Haynie invited the City Council Members to participate in the training as well.

Police Captain, Rich Rogers reported on the following:

- They are in the process of promoting someone from patrol to Administrative Sergeant to take on tasks that Chief Studley performed as a Lieutenant.
- The two new hires are halfway through their field training. They will graduate from the academy on August 18 and finish the FTO process the same week. The department will then only have one position open.

Parks and Trails Director, Ryan VonCannon reported on the following:

- Regarding problems with Ash and Pistachio trees around the City, a resident who lives on the trail from Rachel Drive to Pioneer Parkway has the same two species

of trees and was told by an arborist that somebody sprayed the trees. Amy Davidson, a compliance specialist for the Utah Department of Agriculture and Food, contacted Mr. VonCannon two weeks previously to request the spray logs. He asked to meet with her to see if they could help diagnose the issue, and they met the previous Monday morning. They took samples from the resident's trees and sent them for a full herbicide screening, as well as pathogen and disease testing. The herbicide screening was negative. They are awaiting the other test results to see if it is a disease that's new to the area. There is a new ash tree disease called Yellow Leaf, but that shouldn't affect the Pistachios. Ms. Davidson indicated that there are several cases across the county involving these two species of trees at private residences, and they do not know what is causing it. He will update the City Council as soon as more information is available.

Power Director, Gary Hall reported on the following:

- Three generators are running. He had a meeting scheduled with Wheeler Machinery the following day to discuss the repair of Generator 1 and get their opinion on replacing all the valve springs, so it doesn't break down again. Generator 2 is the same age, so he is concerned that it might fail as well. He will research options and costs.
- Interviews for the open Lineman position were scheduled for the following Tuesday. They have a strong candidate who currently works for Hunt Electric. He was the foreman for the crew that worked on the two power poles on Pioneer Parkway and Red Mountain Drive. He is from Hurricane, and he gets along well with department staff.

Public Works Director, Dustin Mouritsen reported on the following:

- Vineyard Drive Phase 3 is on schedule. They have decided to remove the landscaping behind the Town Hall and install sidewalk, so they'll have connectivity on both sides of the streets. It is a minimal added cost, and the project will still be under budget.
- The New Public Works Subdivision Inspector, Scott Bannon, was due to begin work the following day. Mr. Bannon relocated to Minnesota but recently moved back. A Building Department employee previously inspected subdivisions but the workload was too high. Mr. Bannon is also stormwater certified and will assist in Code Enforcement. They are excited to have him back.

Building Official, Cody Mitchell, reported on the following:

- A delinquent builder has finally paid to pull a permit that had been extended for several months.
- Solace is moving forward.
- Wayne Barber from Powell Engineering found a used tank for the geothermal system, which saved the City a few hundred dollars.
- They refastened the banquet chairs.

- The building exterior is looking rugged, so they are obtaining bids to power wash the soffit and fascia in preparation for Swiss Days.

7. **Executive Session.**

There was no Executive Session.

8. **Adjournment.**

Council Member Hinton 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 6:17 p.m.

Chris Shelley
City Recorder

Approved: _____

**SANTA CLARA CITY COUNCIL SPECIAL MEETING
WEDNESDAY, JULY 31, 2024
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Special Meeting on Wednesday, July 31, 2024, at 5:00 p.m. in the Santa Clara City Downstairs Executive Board Room located at 2603 Santa Clara Drive, Santa Clara, Utah. The meeting was broadcast via a YouTube link on the City website at <https://santaclarautah.gov>.

Mayor: Rick Rosenberg

Council Members: Janene Burton
Christa Hinton
Dave Pond (via Zoom)
Ben Shakespeare
Jarett Waite

City Manager: Brock Jacobsen (via Zoom)

Others Present: Jim McNulty, Planning and Economic Development Manager
Selena Nez, Deputy City Recorder
Kristelle Hendrickson, Executive Assistant
Dustin Mouritsen, Public Works Director
Cody Mitchell, Building Official
Gary Hall, Power Director
Lance Haynie, Government Affairs Director
Con Fulde, Fire Chief
Rich Rodgers, Police Captain
Nick Tobler, Police Sergeant

1. Call to Order.

Mayor Rick Rosenberg called the meeting to order at 5:02 p.m. and welcomed those present.

2. Working Agenda.

A. General Business.

i. Presentation & Discussion of a Special Event Permit for the PGA Tournament at Black Desert Resort from October 7, 2024, to October 13, 2024. Presented by the Black Desert Group.

Koko Head, Managing Counsel for the Black Desert Group, introduced himself and Director of Championship Operations, John Coolbaugh. He reported that the tournament is on schedule and is now being advertised. Player names were to be announced at a later date.

Planning and Economic Development Manager, Jim McNulty, stated that Items 1, 2, 3, 6, 7, 12, and 13 on the Special Events Checklist were complete. Item 4, the required Security Plan, was still in process. He noted that Police Sergeant, Nick Tobler, and Fire Chief, Con Fulde were present to address questions regarding the plan. Items 5, 8, and 10 were also still in progress and Item 11 was not applicable. Mr. McNulty stated that the Single Event Permit requires a public hearing with the City Council, which was to be held in August. The temporary sales tax number for events and vendors was received from the State and they were waiting for Health Department approval.

City Attorney, Matt Ence noted that a separate public hearing for the Single Event Liquor License is required by City Ordinance and was not covered by the current application. Additionally, Verizon has approached the City about erecting a temporary cell tower facility on the Black Desert property and Staff will be proposing an amendment to the Telecommunications Facilities Ordinance to allow it as an exception. It will then need to be approved by the Planning Commission as a temporary facility, similar to the Black Desert Golf Maintenance Facility. The ordinance change will be brought to the City Council at a later date and then the temporary facility will be considered by the Planning Commission. Staff was learning how to best facilitate the review, application, and permit processes. It has been a learning process for both Black Desert and City Staff, but they anticipate that the process will become more streamlined after each event.

Mr. McNulty reported that he received a message from City Manager, Brock Jacobsen, indicating that a Sales Tax License has been issued for Black Desert which is located in Ivins. There are concerns that all sales tax revenue will be remitted to Ivins City and they believe a separate Sales Tax License is required for the Santa Clara side. Many of the built facilities are in Ivins and more temporary structures associated with the golf tournament will be in Santa Clara, however, point-of-sale taxes should be collected in Santa Clara as well. Mr. Head stated that the sales tax license is for the entity, regardless of where the sales occur. Mr. McNulty remarked that they need to make sure Santa Clara receives its proper share of tax revenue.

Mr. Coolbaugh indicated that parking, transportation, and traffic are important aspects of executing the event properly. The steps they have taken thus far include a Traffic Impact Study that showed positive responses at the intersections in Santa Clara and Ivins. He noted that the event will be a smaller, more intimate tournament with capacity caps related to how people arrive at and move around the property. Parking in Santa Clara and Ivins will be by permit only, which allows them to control the number of cars on the roadways. General Admission parking will be in Saint George, and those attendees will be shuttled to the property. They expect between 2,000 and 2,500 cars on Pioneer Parkway and Red Mountain Drive in two waves. First will be approximately 1,000 volunteers, security, catering, scoring, and Golf Channel staff who will arrive early and stay later than attendees. Approximately 40% of the traffic will be generated by ticket holders who have access to the parking lots.

They are working to finalize the Transportation Plan and incorporating the fact that Black Desert is easily accessible via walking or cycling. They will be encouraging ticket holders in the immediate area to take advantage of Lava Flow Trail or the trail system along Snow Canyon Parkway to get to Black Desert. The proposed route of travel for shuttle buses from Saint George traverses Santa Clara roadways but they have full control of the routing from Tech Ridge to Pioneer

Parkway and how the buses access the Black Desert property. He will work with the Public Safety Team to determine the exact route.

Mayor Rosenberg indicated that Parking Lot 7 is the old Regal Homes site on the west side of Rachel Drive. Vehicle traffic will be primarily on Red Mountain Drive, but shuttle buses will access the event via Rachel Drive as well. The traffic that discharges onto Rachel Drive will be shuttle buses only. Vehicle traffic will go both north and south on Red Mountain Drive.

Mr. Coolbaugh stated that their goal is to build a foundation that works well for this tournament moving forward, and the shuttle bus experience must be a good one so that it is successful in future years. The more the property is developed, the more people will need to be shuttled in for events. Their proposed Transportation Plan will help them maintain control and monitor parking and traffic with the help of the Parking Management Team and Police Department.

In response to a question from Council Member Hinton, Mr. Coolbaugh indicated that the rideshare drop-off point will be on the Ivins City side. He noted that they anticipate less than a third of attendees to arrive via rideshare.

In response to a question from Council Member Shakespeare, Mr. Coolbaugh stated that the parking in Santa Clara will be primarily used by event staff. Holders of Greater Zion tickets, which is a sponsored ticket, will also park in Lot 7 in Santa Clara. Parking on the Snow Canyon side will be for players, caddies, PGA Tour staff, and other sponsor levels. Including the Tuacahn park-and-ride location, that side will have approximately 1,700 cars traversing Snow Canyon Parkway.

In response to a question from Council Member Waite, Mr. Coolbaugh indicated that the Police Department will post "no parking" signs along Pioneer Parkway to prevent onlookers. They do not want to impede normal public access to the bike trail. If someone stops their bicycle to look over the lava at the golf course, he has no issue with it, but people stopping and blocking the trail could be an issue. They intend to add signage along Lava Flow Trail to direct people into the tournament, and they will consider adding signage reminding cyclers to be respectful of normal use of the trail.

Council Member Waite stated that he spoke with an employee of a business on Pioneer Parkway who indicated that they are considering holding a special sale during the event. He asked if Black Desert had an opinion on that and or any guidance he could share with them. Mr. Head stated that they could not allow, for example, Cafe Rio to have a Black Desert Luncheon Special on their patio without first going through proper channels and obtaining licensing permits from the different sponsors. Mr. Coolbaugh added that they believe this is Utah's PGA Tour tournament and it should benefit everybody. If they can help local businesses, they are happy to do so, but the businesses must obtain the proper licensing to use the event name. They can, however, take advantage of the fact that the city's population is increasing during that week. Many of their clientele are riding shuttle buses in and will be contained within Black Desert, but some who are driving in will be looking for things to do before or after the tournament.

Council Member Pond asked how the City will prevent attendees from parking in the neighborhoods or shopping areas. Police Sergeant, Nick Tobler stated that that could be addressed

with barricades or signage if needed, but it is a long walk. As attendees can shuttle to the front entrance, he does not believe it will be a concern. Council Member Pond stated that his concern was for people who do not want to wait for a shuttle or who want to park in the area and bike in. He intended to minimize the impact on local residents. Mr. Head stated that they do not anticipate many issues in that area because all tickets will have associated permit parking. Attendees who might otherwise want to park on Rachel Drive or in Solace would have closer parking in the permitted lot. People without tickets who stop and look over Red Mountain to see what they can see from a distance might be an issue, but they will not get a good view. Officer Tobler noted that there will be "no parking" signs along Pioneer Parkway, and the Utah Highway Patrol will be enforcing that and keeping people moving on the trail.

Mr. Coolbaugh provided an overview of the Safety and Security Plan. Six primary groups are assisting in that category. The Utah Department of Public Safety is doing risk assessments and supporting them on a state level. Different categories of VIPs will be represented at the championship, including players, the Governor, Utah Jazz players, etc.

Washington County will be assisting and the Santa Clara/Ivins Police Department will be leading the safety practices around the tournament in addition to their local responsibilities. They will be bringing in officers from Utah Tech and neighboring cities to help support the increased need during the championship.

Black Desert Resort Security Department will be assisting under Bob Flowers' leadership. They will be primarily responsible for building security. The PGA Tour travels with its own security personnel who will provide guidance on security for the players. A private security company has also been hired to provide approximately 115 unarmed personnel to assist with admissions, magnetometers, bag checking, customer service, etc.

Mr. Coolbaugh stated that he has regular discussions with Sargent Tobler about the Security Plan. The plan is robust and the security infrastructure is significant. They have magnetometers and crowd control and both external and internal entry points will have controlled access. There is also a long list of prohibited items.

With regard to ticketing and credentials, they use Ticketmaster and utilize wristbands, which allows them to control the numbers. The maximum daily capacity is 10,000 people, which can be monitored based on the number of tickets issued and redeemed. That is helpful both for control and future planning.

Sergeant Tobler referred to the list of agencies that will be assisting with the event, including non-law enforcement like Black Desert Resort personnel, private security, and PGA security. They will use license plate readers and cameras to provide advance notice of any potential threats. He noted that the Council had been provided with a preliminary threat assessment, and an updated assessment will be provided once the VIPs and players are determined. He has also created a map that shows where officers will be stationed, which will be finalized with the Security Plan immediately prior to the event.

In response to a question from Council Member Shakespeare, Sergeant Tobler noted that they expect to have between 20 and 23 officers at all times.

In response to a question from Sergeant Tobler, Mr. Ence clarified that for the purposes of the permit, the Council will accept the preliminary Security Plan with the understanding that it will be refined and modified as needed in the interim between approval and the actual event.

Fire Chief, Con Fulde, stated that Fire and EMS will serve two purposes at the event. First, they will ensure that all the infrastructure on the golf course is safe for the public. That includes tent inspections, cooking facilities, and fuel sources. They will also have 11 staff members onsite daily to provide medical coverage for the tournament, as well as two fully staffed stations. An agreement has been reached with Dammeron Valley to provide fully trained EMTs and fire captains, and they will have three staff members from Dammeron Valley each day. The apparatus will be provided by Santa Clara including two ambulances, two bike crews, and a medical cart. Intermountain Healthcare is also partnering for the event, med by Medical Director, Dr. Foster. There will be an onsite medical tent staffed by a physician and ER nursing staff. An exit plan is in place for ambulances, as well as landing zones for any unforeseen helicopter usage. He believes the plan is well-formed, and it will be finalized one to two weeks prior to the event.

In response to a question from Council Member Shakespeare, it was clarified that there will be airspace restrictions during the tournament. The PGA has its own restrictions against things like drones in the area, and Black Desert has reached out to the FAA to get a temporary no-fly zone in the area. In response to a question from Council Member Burton, it was noted that any drones that are not the property of the City or PGA could be brought down.

Mr. Coolbaugh stated that the emergency accident and incident planning is a group effort with the Public Safety Team, State, and everyone on the property. They will have a complete Incident and Emergency Action Plan prior to the event.

Mr. Coolbaugh indicated that he had uploaded all temporary infrastructure diagrams that were available into City Inspect, as well as a letter from the engineer. Any pages that had not yet been stamped by the engineer would be resubmitted once stamped. Tent frames have already been erected on the Ivins City side. Because of the way the golf course is laid out, the finishing holes are on the Ivins City side, and those are the holes most people want to see. Ivins City will receive a bigger tax benefit because the majority of the infrastructure is on their side, but there is an opportunity for tax revenue for Santa Clara as well.

The Temporary Sales Tax License was issued by the state with only one number, so he will follow up with them regarding how Santa Clara will receive its revenue. He noted that Black Desert tracks sales at each location. If there is an opportunity to get a second number from the state and divide the revenue between the cities, he will pursue that. If not, they can run reports from the Santa Clara concession stands and pay all taxes due based on those reports. Mr. Coolbaugh was unsure how revenues will be accounted for because parking in Lot 7 is by permit only. However, he is confident that there is a way to determine the appropriate taxable portion of those tickets in order to provide more tax dollars to Santa Clara. They will learn a lot about how people will move

around the property this year. They might need more infrastructure on the Santa Clara side in subsequent years, which would provide more tax benefits to Santa Clara.

Currently, only sponsorship-level tickets are available for the event. A limited number of daily tickets will be available beginning August 7, 2024. They are limiting the number of attendees, and the available tickets will be less than the demand. Residents who want to attend the tournament can purchase on August 7 through www.BlackDesertEvents.com.

Mr. Coolbaugh provided an overview of the schedule. The first two days of the event, October 7 - 8, 2024, are closed to ticketholders. Some workers will park in the Santa Clara lot, but there will only be approximately 2,000 total people on the property including players, caddies, and workers. Those days provide the players an opportunity to learn the golf course. Wednesday, October 7, 2024, is the official Pro-Am day and the first day the tournament is open to the public. It is not a competition day. The Pro-Am is a sponsored event that allows amateurs to play nine holes with one player and a second nine holes with a different player. It is considered a preview day for the public and will be open from approximately 9:00 a.m. to 6:00 p.m. Tickets may only be available for that day. The competition begins on Thursday, October 8, 2024. Golf Channel coverage also begins on that day. The gates will open at approximately 7:30 a.m. on October 8 - 10, 2024. Approximately half of the players will score high enough to participate on Saturday and Sunday and compete for the real prize money. The event will be longer on Thursday and Friday and shorter on Saturday and Sunday. PGA Tournaments are normally busiest on Friday and Saturday, but due to ticket scarcity, this event may be busy all four days.

Council Member Shakespeare asked how spectators will move through the resort. Mr. Head stated that they are involving more of the risk and legal teams in this planning than typical because of the property's unique challenges. Mr. Coolbaugh noted that Fairway 4 through Fairway 7 will be closed to spectators. Those holes are on the Santa Clara side and can be viewed from Pioneer Parkway. They will provide suggested trail routes for viewing specific holes and directions from the parking areas to the assigned viewing platforms. Ranch Road, which is the extension of Red Mountain Drive that cuts through the golf course, will be a pedestrian artery that people will use to reach specific holes. Ranch Road intersects with Red Mountain Drive at the twelfth hole.

Mr. Coolbaugh stated that they have a team of 100 people working on the tournament. A lot is going on with resort construction and in preparation for the special event. They will take what they learn at this event and apply it to the LPGA and PGA tournaments in 2025. The LPGA tournament will be held April 28 - May 4, 2025.

In response to a question from Council Member Hinton, Mr. Coolbaugh stated that there will be designated parking areas for bicycles, scooters, and golf carts, but they will not be allowed inside the gates.

Mayor Rosenberg thanked Mr. Coolbaugh for the presentation and asked Mr. Ence about the next steps. Mr. Ence indicated that a formal action was not required. The purpose of the presentation was to allow the Council to ask any questions prior to Mr. Jacobsen signing the agreement.

ii. Discussion and Action Regarding an Agreement between the Cities of Santa Clara, Utah, and Leesburg, Virginia. Presented by Janene Burton, Council Member.

Council Member Burton reported that the Sister Cities Initiative was started in the 1950s by President Eisenhower as a way for people within the United States and internationally to learn about other cities. The Sister Cities Agreement has no associated costs. It allows each city to partner with another city in the United States that has both similarities and distinct differences. It is also a promoter for each city and will be featured on each city's website. It is an opportunity to share history, culture, and people, and get to know a different area of the country. It will provide opportunities for the High School English Department to teach students how to write letters and the History Department to learn more about the area's history. There is also a possibility for exchange students through the schools, but that would not be facilitated by the City.

Mayor Rosenberg reported that he graduated from high school in Virginia and has visited Leesburg. It is a beautiful area northwest of Washington, D.C. He noted that the agreement contains no commitments other than to build a relationship between the two cities.

Council Member Shakespeare stated that he sent an email the previous day but had not heard back. Council Member Burton indicated that she had responded to everyone, but would resend the email. Council Member Shakespeare asked about the reasoning behind the agreement and the choice of Leesburg as a sister city. Council Member Burton stated that she was pointed in their direction by people she was speaking to in another city. She noted that Leesburg is more liberal whereas Santa Clara is more conservative, and she believes the ability to discuss those differences would be beneficial.

Council Member Hinton pointed to Item 5 in the agreement, which states, "Both cities agree to celebrate and showcase the rich history, traditions, and diversity of Santa Clara and Leesburg through joint events, festivals, and collaborations," and asked if there would be joint events and festivals. Council Member Waite asked if Leesburg would have a booth at Swiss Days, for example. Council Member Burton stated that Leesburg has its own historic days celebrating its history with the railroad.

Mayor Rosenberg stated that Council Member Burton expressed interest in developing a relationship with a sister city prior to the National League of Cities in Washington, D.C. He noted that the agreement is simply to exchange ideas and information with another community, but neither city is mandated to do anything. Santa Clara could send them tourism brochures that they will likely display, and they could do the same. As things develop, volunteer committees could be formed in each city to do an idea exchange and possibly explore hosting between cities, similar to what Saint George does with their sister city in Japan which sends a delegation of runners each year to participate in the marathon. Several Saint George City Council members have traveled to Japan as well. He noted that Saint George City Council members he has worked with seem to enjoy the relationship. Leesburg is in a beautiful area that is close to Washington, D.C. It's in a mountainous, vegetated, high-humidity area. Santa Clara's contingent to the National League of Cities could visit Leesburg one afternoon.

**SANTA CLARA CITY COUNCIL WORK MEETING
WEDNESDAY, JULY 17, 2024
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Work Meeting on Wednesday, July 17, 2024, at 5:00 p.m. in the Santa Clara City Downstairs Executive Board Room located at 2603 Santa Clara Drive, Santa Clara, Utah. The meeting was broadcast on the City website at <https://santaclarautah.gov>.

Mayor: Rick Rosenberg

Council Members: Janene Burton
Christa Hinton
Dave Pond
Ben Shakespeare

City Manager: Brock Jacobsen

City Recorder: Chris Shelley

Others Present: Jim McNulty, Planning and Economic Development Manager
Kristelle Hendrickson, Executive Assistant
Jaron Studley, Police Chief
Con Fulde, Fire Marshall
Dustin Mouritsen, Public Works Director
Cody Mitchell, Building Official
Gary Hall, Power Director
Ryan VonCannon, Parks Director
City Attorney, Matt Ence
Adam Hyder, Fire Captain

1. Call to Order.

Mayor Rick Rosenberg called the meeting to order at 5:00 p.m. and welcomed those present.

2. Working Agenda.

A. General Business.

The City Manager, Brock Jacobsen, introduced new Customer Service and Accounts Payable Representatives, Michelle Ortezt, who has been with the City for approximately one month. Ms. Ortezt reported that she has lived in Santa Clara for 17 years and previously worked for Washington County. She was pleased to be working for Santa Clara City.

New Deputy Treasurer, Sabrina Fletcher, was also introduced. Ms. Fletcher relocated to the area from Meeker, Colorado in late March and was excited about the opportunity.

Public Works Director, Dustin Mouritsen, introduced New Subdivision Inspector, Scott Bannon. Mr. Bannon stated that he was happy to be working with the City again.

Mayor Rosenberg welcomed the new employees.

i. Power Department Financial Projections and Rate Design.

Power Director, Gary Hall, reported that the City recently hired Utility Financial Solutions, LLC ("UFS") to update the rate design and financial projections. Projections are done every three years and calculated for five years. He introduced Mark Beauchamp, President of UFS, who would present their findings. Mr. Beauchamp reported that UFS started in 2001. They do approximately 18% of all municipal systems in the United States, including 45 states as well as Guam, Barbados, and Bermuda, and they first worked with Santa Clara in 2015.

The Financial Projection Study was originally updated in 2022 to include 2.5% increases in 2025 and 2026, then 2% thereafter. It has since been determined that those rate adjustments could be decreased to 2%. Mr. Beauchamp noted that the electric utility is moving in a positive direction. In 2022, the energy markets were very volatile. At the time, the volatility was driven by the war in Ukraine. In some ways it still is, but positive changes have made it possible to modify the power cost adjustment ("PCA"). These include the debt-to-equity ratio; in 2022 Santa Clara was 50% leveraged, but that has decreased to 24%. Additionally, because the City has been reinvesting in the power system, its infrastructure is now 42% depreciated compared to 48% in 2022.

UFS did not perform a complete Cost Of Service Study because they did not believe it was necessary. Instead, they updated the financial projections. Financial projections are built on the following assumptions about how costs will change in the future:

1. Inflation: 3%
2. Growth: 3.5% for the next two years, then 2.5%
3. Purchased Power Change: 0%
4. Investment income: 0.5%
5. Capital Improvements: Approximately \$12 million over the next five years.

With regard to capital improvements, Mr. Beauchamp reported that the study identifies how much needs to be funded through rates and how much should be funded through Impact Fees. He noted that 2027 shows \$5.2 million in capital improvements, 40% of which would be funded through Impact Fees. The study assumes that the City will incur debt to fund a portion of capital improvements. When setting a rate track to determine rates over the next five years, the goals are to maintain the stability of the utility and minimize rate impacts on customers. In doing so, they look at three key financial targets:

1. **Debt Coverage Ratio**, which is the ratio between cash generated from operations and the total debt service payment. The electric service utility issues debt revenue bonds, which are guaranteed by the Power Department's revenues and thus come with certain restrictions, including a coverage ratio of approximately 1.2. If the City falls below that ratio, they are

in technical default. It is important to ensure that the City is financially stable so that if it does need financing, it is eligible for the lowest possible interest rates. UFS recommends a minimum debt coverage ratio of 1.4, and Santa Clara is projected to be at 3.46 in 2025 because it is a low-debt utility. The debt coverage ratio is not a concern even without a rate adjustment.

2. **Minimum Cash Reserves**, which has been identified to increase from approximately \$3 million in 2025 to approximately \$3.7 million in 2029. Projected reserves are slightly above the recommended level in 2025 but fall below that number in later years without a rate increase. Because the goal is to avoid large rate increases in future years, UFS recommended regular small increases to maintain the utility's financial stability without requiring a substantial increase in 2027 or 2028.

Mr. Beauchamp stated that the third target is more of an upper boundary. Rate tracks for utilities are not an exact science, so they establish boundaries. The Debt Coverage Ratio and Cash Reserves targets are minimums. The upper boundary is to not exceed the optimal Operating Income target and overcharge customers.

3. **Target Operating Income**, which considers inflationary changes in electric infrastructure costs to determine an upper boundary. They use tools such as the Handy-Whitman Index to determine average cost increases over the last 20 years. Costs have increased substantially in the last two years, but that is mitigated by using the 20-year average. Projected indicated that the City would fall below the recommended level in 2027.

UFS proposed a series of 2% yearly price increases instead of the originally proposed 2.5% increases in 2025 and 2026. The primary goal was to increase cash reserves to over \$3 million. In 2025, available operating cash is projected at approximately \$460,000, not including Impact Fees of approximately \$3.2 million. Ideally, the City would not need to access Impact Fee funds, but it does provide a temporary cushion to cover unexpected expenses. Projections indicated that Operating Cash would rise above the minimum level in 2028.

Mr. Beauchamp stated that small, periodic rate adjustments will keep the utility financially stable, which he believed was the most important consideration for the Council. He asked for the Council's input on their recommended 2% rate adjustment.

Mayor Rosenberg asked if it would make sense to keep the planned 2.5% increases in 2025 and 2026 and then institute the 2% yearly increases beginning in 2027. Mr. Beauchamp stated that that would be very helpful. The 2.5% increase would add approximately 50 to 75 cents per month to residential bills. Increases of 2.5% in 2025 and 2026 and then 2% thereafter would bring the utility into a financially stable position more quickly. Mayor Rosenberg added that it would put the City in a better position in case of higher than 3% inflation.

Council Member Shakespeare noted that the study includes assumptions about capital projects, which can fluctuate and be moved from one budget year to the next. Cash and Impact Fees are projected to decrease based on approximately \$12 million in projects. He asked Mr. Hall to review the scheduled projects. Mr. Hall stated that the two largest projects are the South Hills substation

and the Green Valley transmission line. An additional 2.5-megawatt generator is also planned. The substation is the largest expense but will be necessary due to growth. Currently, if one substation becomes inoperable, the second substation may not be able to provide electricity to the entire City. The third substation would share the load.

Council Member Shakespeare asked if keeping the 2.5% increase would reduce the potential of acquiring debt for capital projects. Mr. Beauchamp stated that he would still recommend bond issuance, but the \$2.1 million required could be reduced by at least \$1 million, and the City would still be above the minimum recommended Cash Reserves. Council Member Shakespeare stated that the increase is already on the schedule, and it is easier to adjust in the future.

In response to a comment from Mayor Rosenberg about inflation, Mr. Beauchamp stated that inflation has a significant impact on water utilities, but the impact on power utilities is less significant. An inflation rate of 5% would not change the projections drastically; it would lower the cash balance by about \$500,000 over a four-year period. Approximately 75% of the cost of electricity is driven by the power supply. The City has control over the distribution infrastructure, which represents 25% to 30% of the total cost. If the power supply costs change, that is covered through the power cost adjustment. The rate adjustment would cover increased distribution costs.

Mr. Beauchamp indicated that the average Santa Clara customer uses approximately 1,200 kilowatt hours per month. A 2% increase would equal \$3.06 per month, and 2.5% would be \$3.50 to \$4.00 per month.

Council Member Shakespeare noted that the intent of the 2.5% increase was to have a steady increase that the user can anticipate and see through the PCA. Mayor Rosenberg added that it would prevent the need for a 5% or larger increase in the future. Mr. Beauchamp stated that the Power Department has done many things over the past few years to control Santa Clara's reliance on market volatility, primarily the purchase of new generating units. The City is not as reliant on the market, which helps to stabilize costs. They will still fluctuate, but they will do so within a range instead of the dramatic increases experienced two years previously.

Council Member Hinton asked if the rates would be reevaluated for 2028 and 2029 and if the \$1 million recommended cash balance was typical. Mr. Beauchamp stated that it is a minimum, so ideally the cash balance will be above \$1 million. He recommended that Santa Clara commission a full study in 2028, which would include both financial modeling and cost of service. The last cost-of-service study was completed in 2022, and that is normally done every three to five years, so it should be completed again in 2027. At that time, they will review the projections versus actuals. He did not recommend a five-year rate design because he believes it is important that the City review its models every three years. From a rate payer's standpoint, he does not want something unexpected to happen to the assets that would require a future 5% or 6% increase.

Council Member Burton stated her preference to keep a consistent 2.5% increase.

Mayor Rosenberg stated that the bond covenants were too low at one time, and that was not a good position for the City to be in. It is important to ensure that the debt coverage ratio is positive, and the City has the recommended minimum cash. He noted that the available cash balance is a

projection. When the rates are reevaluated in three years, they may be able to lower the planned increase.

Council Member Shakespeare stated that raising the capital upfront will save money in the long run. If the City can borrow less, that will benefit everyone. He was in favor of the 2.5% increase. Council Member Hinton agreed.

Mr. Beauchamp explained the theory behind the minimum cash calculations. When determining the minimum cash required, they consider the working capital delay, which is the time between when the City incurs expenses, and the revenue is received from the customer. For example, in January the City will pay for labor, materials, and supplies. The customer is billed for January usage in the first week of February, but the money is not received until March. Traditionally, there is a 45-day working capital delay, which needs to be qualified. It is also important to ensure that the highest debt service payment is kept in reserve. Debt service payments traditionally occur twice each year; one interest-only payment and one interest-and-principal payment. Additionally, funds for capital expenditures should be in the reserves prior to the start of construction. Last is funds for unexpected or catastrophic events. For example, hurricanes in Florida, ice storms in Michigan, or a transformer that overheats and must be replaced. All those items are considered in determining how much cash the utility needs to maintain at a minimum to ensure reliable service to ratepayers.

When the PCA was set up in 2022, they established a base of 6.56 cents. Buried within the standard rates charged to customers is an assumption that the power cost is going to recover 6.56 cents, but actual power costs vary from that amount. When the actual cost is higher, the customer receives an additional charge. When it is lower, they receive a credit. To reduce the PCA number on the bills, UFS proposed changing the base from 6.56 cents to 7.56 cents. That would not affect the actual amount paid, but it would affect the presentation. Mr. Beauchamp presented a sample rate design showing that the current cost for Block 1 is .095 cents. The projected power cost adjustment for the coming year is 2.3 cents. He proposed to lower the PCA to 1.3 cents and add the difference to the energy blocks. For example, adding one cent PCA to Block 1 increases it to .107 cents in the first year. Mr. Hall added that when the PCA was high, customers complained that it was almost as high as the regular rate. Mr. Beauchamp's recommendation would not change what they pay, but utility bills would not show such large fluctuations in the PCA.

Mr. Beauchamp stated that the 2.5% rate increase would not be an across-the-board adjustment to every rate class. Most classes will see an adjustment of 2.4% to 2.6%.

Mayor Rosenberg thanked Mr. Beauchamp and stated that he was pleased to see 2% instead of 5%. Mr. Beauchamp stated that he would follow up with Mr. Hall and update the rate design, then present the updated rate designs to the Council at a later meeting.

ii. BMX Track Update, Presented by Brooke Seely.

Brooke Seely provided an update on the BMX Track, which is featured in the July issue of Pull BMX magazine. The article is entitled "Santa Clara Facelift: A Gem of BMX in Utah" and reads, "The already beautiful Santa Clara BMX gets a facelift to wow its local community. Like

something out of the Olympic Games style guide, Santa Clara BMX brings a new coat of the iconic orange slurry to its surface with an added pop of color thanks to the turf lining the track. A program built around accessibility, support, and fun; the track located in the southwest corner of Utah is atop our must-visit tracks list." Many track operators have visited the track since it was featured. Last week, the @stgeorge_kids Instagram uploaded a reel of the track that received approximately 25,000 views.

Ms. Seely noted that donations covered most of the materials and labor for the new concessions stand, and she thanked Council Member Shakespeare for his assistance in that area. She thanked the Santa Clara Fire Department for their assistance with the removal of red clay in the parking lot and noted that someone donated \$5,000 for children who could not afford memberships or entry fees.

In response to a question from Mayor Rosenberg, Ms. Seely noted that practices are held on Monday, Tuesday, and Friday. Summer camp is on Monday mornings, clinic on Wednesdays, and they race on Thursdays and Saturdays. Balance bikes were moved to Fridays before practice. She noted that comments on the Instagram video asked if STACYC electric balance bikes are allowed on the track. STACYC is partnered with USA BMX, so they will soon begin having STACYC races as well. They have received a lot of positive feedback on the new track. Ms. Seely plans to speak with USA BMX about holding a national event at the track. They now require timers for national events, and she is fundraising to cover the approximately \$12,000 purchase price. She is hoping to have a Gold Cup Final in 2025 and a national in 2026 after the timing system is installed.

Council Member Hinton asked how many children are regularly using the track. Ms. Seely indicated that it is always slow in the summer, and they currently average approximately 30 riders on race nights. Fall races usually have 100 riders. They currently have eight motos, in contrast to 28 the previous fall. To combat the heat, they are holding night races. They also set up an ice bath in the staging area; the riders put their arms in the water and then raise them above their heads, which lowers their core temperature. A swamp cooler and mister system are set up as well. A drinking fountain and bottle filler were donated, which has saved a lot of children from overheating.

Council Member Shakespeare thanked Ms. Seely for her work on the BMX Track and asked about the next planned project now that the parking lot and concessions are completed. Ms. Seely verified that they are fundraising for the required timers as well as trophies, which are an ongoing cost. She hopes to also raise funds to eventually asphalt the inside. The owner of Alexander Asphalt has offered to do the work for the cost of asphalt only.

In response to a question from Council Member Burton, Ms. Seely stated that the State Championship was held at the Santa Clara BMX Track in 2022, and they hold a state qualifier every year. Riders must qualify at four different tracks to be eligible to race in the State Championship. She hopes to hold the Championship at Santa Clara again but would prefer to hold a Gold Cup Final and then a National. She noted that 28 motos are slightly more than 100 people, but a National has 200 motos. Four people usually attend with each BMX racer. She added that racers have been happy with the availability of nearby Airbnbs, as well as the RV Park.

Ms. Seely thanked the City Council for their support. Mayor Rosenberg expressed his appreciation for her efforts and gratitude that she is cancer-free.

iii. Reuse Agreement Discussion with WCWCD. Presented by Morgan Drake, WCWCD.

Morgan Drake from the Washington Valley Water Conservancy District ("WCWCD") presented the Reuse Agreement. The Regional Reuse System is one of the five components of the Water District's 20-year plan, which includes:

1. Water Conservation
2. Reuse Water
3. New Water Supply Development
4. Municipal Groundwater Optimization
5. Agricultural Conversion

The Regional Reuse System accounts for more than half of the community's water supply over the next 20 years. Some reuse will come online in 2026, but the system will be more fully implemented to satisfy demand in 2030. Reuse program partners like Saint George City and Ash Creek Special Service District will continue to provide treatment of Type 1 reuse water and the WCWCD will do multiple expansions to treat, convey, store, and deliver to Regional Water Service Agreement partners.

The program is starting with non-potable reuse. The WCWCD currently delivers potable water to golf courses and schools that have a large amount of functional turf, and it wants to ensure that reuse water is used outdoors so drinking water is freed up for its intended purpose. The agricultural exchange will deliver reuse water to agricultural users and free up the river water they're currently using to be treated to drinking standards. On the west side of the county, Gunlock Reservoir will become a drinking water reservoir.

In the future, the WCWCD will transition to indirect potable reuse where reuse water is treated to Type 1 standards in an advanced water treatment facility, making it safe for human contact, and then deposited in the Quail Creek and Sand Hollow drinking water reservoirs. The water will then be treated a third time at the Quail Creek Water Treatment Plant and delivered through the drinking water system. The WCWCD foresees this occurring within the next five to 10 years.

The drinking water infrastructure is currently being built out. It is very flexible and interconnected throughout the service area, and the intention is to make the reuse water system just as flexible so it can be sent anywhere in the county to free up drinking water. The existing line from the Saint George Regional Water Reclamation Facility will connect Dry Wash and Graveyard Reservoirs and help transition Gunlock to a drinking water reservoir.

The reuse program includes many projects that will be brought on in phases. On the east side, projects include the Chief Toquer Reservoir and the Ash Creek Special Service District's Confluence Park Reclamation Facility. On the west side, it includes the Graveyard and Dry Wash Reservoirs. Those projects will be brought online in 2026. By 2030, the pipelines to allow

agricultural exchange and treatment upgrades should be completed. Ms. Blake noted that the Warner Valley Reservoir is not included in the Water District's 20-year plan.

Ms. Blake reported that the benefits of the reuse water system include that it is new water with its own water rights number through the Utah State Engineer. Especially when the system transitions to potable reuse, it can be used over and over again. In drought, there is depletion, but you can keep reusing. In the event of a water quality problem in the Virgin River, the reuse water would already be in the cycle. It will also be locally controlled.

Other states have already implemented reuse water. Utah has Type 1 Reuse. Most states along the Colorado River have indirect potable reuse regulations and are now working on direct potable reuse regulations. The WCWCD project will create the potable reuse regulations for the State of Utah.

Ms. Blake indicated that program partners have worked to secure nearly \$50 million in federal funds. As the design is completed and they are ready for construction on certain components, the WCWCD will apply for additional funding. Each grant program has a spending period in which the project must be designed and constructed. Federal funding generally covers 25% of the project cost and 75% must be paid by the WCWCD. If projects are delayed, the grant amount is proportionately reduced. State funding requires a Reuse Water Rights application filed with the Utah State Engineer. Saint George went through this process, and one has been filed for the east side from Chief Toquer Reservoir to the Confluence Park water reclamation facility. The next application will be for the west side, from Washington City westward. The application details the water rights for each municipal partner and the WCWCD and also includes a depletion analysis.

The Reuse Authorization Contract is a main requirement and includes treatment, delivery, and reuse exchange. The same contract is used for each partner and is administered under the existing terms of the Regional Water Supply Agreement. The contract tells the state engineer that Santa Clara authorized the WCWCD to deliver, store, and convey reuse water consistent with Santa Clara's underlying municipal water rights. The depletion analysis determines how much of Santa Clara's water rights remain intact at the Saint George water reclamation facility. Some water evaporates or is used and never makes it to the facility. Each municipal partner that signs the contract agrees that the WCWCD can deliver its reuse water back to it. That is done through minimum delivery, which is what the state engineer determines is its reuse water amount. Partners benefit from the system because of its infrastructure to enable the agricultural exchange and water storage. Municipal partners will pay for the reuse system through the drinking water rate, impact fees, property taxes, and grants. Ms. Drake noted that reuse water must be consistent with the underlying water rights. Most municipal partners' water rights are for their municipal boundary. If they are not using their minimum delivery, the water flows down the river to Lake Meade. The contracts ask each municipal partner that if they are not using their minimum delivery, they sign a change application to allow the excess to be used throughout the region.

Ms. Drake reviewed the WCWCD's anticipated timeline. She presented the contract to Mr. Mouritsen and Mr. Jacobsen in June. In July, each municipal partner will review the agreements and provide feedback. The WCWCD will review the feedback and respond to municipal partners in August. Their goal is to present the contract to the City Council for approval in September so

they can file the west side Reuse Water Application and begin implementing the project. Mayor Rosenberg stated that the agreement was forwarded to City Attorney, Matt Ence for review, and was included in the meeting packet for Council review. It may be included as a discussion item on an August agenda and will be brought back for approval in September.

Ms. Drake expressed her willingness to return to discuss the contract or reuse in general. In response to a question from Mayor Rosenberg, she indicated that the lagoon facility does not treat to Type 1 reuse and does not have a discharge permit. They have plans to do a mechanical upgrade at that facility so they can create Type 1 reuse water, and it will then mostly service Hurricane. The Reuse Water Application for that facility will be filed later, but they received the application at the same time as all other municipal partners.

Council Member Shakespeare asked about if the existing piping from the treatment plant to the Graveyard Wash Reservoir will be used. Mayor Rosenberg stated that it will be the same pipeline they use now to deliver water from Gunlock Reservoir to the irrigators. In the future, it will run from the sewer plant to the Dry Wash Reservoir in Ivins City.

In response to a question from Council Member Shakespeare, Ms. Drake confirmed that Warner Valley is not included in the 20-year plan, but they will continue to contract with Bowen Collins and Stantec to develop an appropriate timeline. It will be an up to 55,000-acre foot reservoir. Mayor Rosenberg stated that the WCWCD is actively pursuing obtaining the property. Ms. Blake added that they are in the process of a land exchange with the Bureau of Land Management to obtain the property. Some permitting will still be required. Each secondary reservoir can hold reuse water and river water. Warner Valley will hold Virgin River water at the Washington Fields diversion. There will need to be an environmental analysis. The WCWCD will ensure that they start the process well in advance of need. Many of the pipelines will also require permitting, and federal government funding requires additional permitting. It would be premature to include the Warner Valley Reservoir in the current permitting process because they do not have the necessary information and it would slow permitting of the other facilities.

Mayor Rosenberg thanked Ms. Drake for the presentation.

iv. Fraud Risk Assessment Discussion.

City Manager, Brock Jacobsen, stated that the Fraud Risk Assessment is conducted yearly. It will be presented for approval at the Special City Council Meeting on July 31, 2024. Council members should have received an email from Finance Director, Debbie Bannon, with a link to the assessment. Nothing has changed since 2023. Santa Clara is still in the "low risk" tier but is close to the "very low risk" tier. Once Council Members completed the assessment, they were instructed to send the completion certificate to Ms. Bannon.

v. Pet Memorial Discussion.

Parks Director, Ryan VonCannon stated that he had spoken with City Staff regarding the best way to create a pet memorial while minimizing the City's responsibility and liability. Something like Saint George's Rainbow Bridge for pet collars would have limited liability. He suggested that the

pedestrian bridge where the Lava Flow Trail crosses the wash east of Harmons Grocery would be an ideal location. Another option would be a trail of paving stones. The stones would be engraved at each citizen's expense and the City would maintain it. Council Member Burton added that individuals could order the stones themselves. The City would provide the dimensions. She liked the idea of having a different memorial from Saint George.

Mr. Jacobson stated that if the stones were placed in the parks, that responsibility could fall on the City. The costs would be more significant to the pet owner than the City, but if they are vandalized or a child playing in the park trips over one of the stones, which would be a liability to the City. Santa Clara would incur less liability with a bridge.

Council Member Burton stated that she did not want to copy the Saint George Rainbow Bridge and suggested that Santa Clara do something different, like a placard or stone. Residents could be given several different options. She indicated that the City could charge a fee of \$100 to allow plaques to be placed. Residents would sign an agreement that the City has no liability for the placard and then place it in a designated area. She stated that Mr. Ence could draft the agreement. If the memorial is broken or damaged, the resident would be responsible for replacing it. In response to a question from Mayor Rosenberg, Council Member Burton indicated that it would be a stone that they order online. The cost is between \$30 and \$50. The resident would put it in the designated area and pay the City to do so. She did not believe it should be limited to service animals. The stone could include the pet's name and potentially their photo.

Mayor Rosenberg stated that the City is responsible for maintaining its parks. For example, the old part of the cemetery that does not have grass requires a lot of maintenance and is currently maintained by a volunteer group. There would also need to be minimum standards for the stones, so they do not break down. He noted that the contract would need to include language similar to the cemetery contract. Residents would pay more than the cost of the stone because they would also pay for the cost of operations and maintenance. Volunteers would also need to be recruited to maintain it. If the stones are placed in Black Rock Park or an open space area, that area will need to be weeded. Council Member Burton suggested that the contract could include a requirement that the owner maintain the area around the stone. Mayor Rosenberg noted that if the person died or did not maintain the area, the City would then have the burden of maintaining it. He indicated that the fee would need to be several hundred dollars. For example, the \$600 cemetery maintenance fee includes ongoing maintenance forever.

Mayor Rosenberg noted that Messrs. Jacobsen and VonCannon prefer a bridge because the bridge would not require much additional maintenance. A wall or other memorial location that would mimic the bridge and require less maintenance than stones would also be more practical.

Council Member Pond mentioned the pavers at Tuacahn and noted that there would be an up-front cost to the City to do a paved path. Mayor Rosenberg stated that that would be a one-time cost that could be easily assessed. It could be similar to the Veterans Memorial, where they pay the \$300 upfront to cover maintenance costs.

Mayor Rosenberg was in favor of doing something to recognize pets but thought it should not include ongoing maintenance costs for the City. An existing wall could be used, or one could be

built for a comparatively low cost. Mr. VonCannon added that potential vandalism should be considered. Residents near the cemetery watch the Veterans Memorial, so they do not have issues with vandalism there. Black Rock Park was the first park they considered, but it is not as visible. Mayor Rosenberg noted that a wall could be built adjacent to a pathway in Black Rock Park, in an area either with existing cameras or nearby residents who can keep an eye on it. Mr. VonCannon stated that another option would be a brick path through the trees with a plaque at each end indicating it is a pet memorial.

In response to a question from Council Member Shakespeare, it was noted that the Rainbow Bridge is the only pet memorial in Saint George. Council Member Shakespeare stated that Saint George recently did a \$20 million park bond that will cost \$40 million. Each time Santa Clara adds something like a pet memorial, it will add costs. He was in favor of recommending residents use the one in Saint George. Council Member Burton stated that she would prefer Santa Clara to have its own memorial. Council Member Shakespeare mentioned that it could be done by the shelter. He was not in favor of adding additional costs.

Mayor Rosenberg indicated that the Council should consider costs and ideas in future discussions. The worst case would be to use the one in Saint George, and the best case would be for Santa Clara to create its own pet memorial. Mr. VonCannon stated that Staff will look research the different options and their associated costs. Mayor Rosenberg thanked Council Member Burton and Mr. VonCannon for the presentation.

3. Staff Reports.

Parks Director, Ryan VonCannon reported on the following:

- Trees and shrubs were removed in preparation for the new sidewalk behind City Hall. The next step is to remove the stumps and install the new water line, then the Public Works Department can install the sidewalk.
- They installed a new river rock spillway along the sidewalk at the new Canyon View parking lot. Shrubs need to be added in some bare areas, but they are waiting for cooler weather. They will then have TurboScape add wood chips.
- Work on the mural has slowed due to summer travel and the hot weather. He purchased additional paint for the project last week, and they will work on it again the following Thursday and Friday. They hope to complete it by the end of summer. There has not been an issue with vandalism, but the mural guard has been applied on all completed areas to protect against it.

Power Director, Gary Hall reported on the following:

- The open lineman position has been filled by a former Hunt Electric employee who previously worked with the City on several jobs. They found funds in the budget to hire an additional lineman, and that position has also been filled. Both new linemen are journeymen.
- He has been speaking with Wheeler Machinery regarding the generator. They are still determining what happened and how Wheeler and Caterpillar can cover some of the repair

costs. The parts are on order. He has asked them to evaluate if it would be better to replace all valves and valve springs, so it does not happen again. It was a premature system failure. A rebuild on the top end should only be done between 10,000 and 20,000 hours, and the generator only had 6,000 to 7,000 hours.

- The JUT trench is nearly completed for the Vineyard Drive Phase 3 project.

Public Works Director, Dustin Mouritsen reported on the following:

- The vault and pump for the Crestview Irrigation Line are scheduled for mid-September.
- The block wall on Cinnamon Circle was started that week. The footings have been dug and the first course installed. It will beautify the area and make it safer, and residents are very happy with the project.
- They are waiting for the design for the new shop. The bid process will begin as early as the following week.
- Material for the traffic signal should arrive shortly, and the contractor is ready to begin as soon as it is delivered.
- Vineyard Drive Phase 3 is on schedule. The JUT is completed, and they will soon begin subgrade for curb and gutter.
- He has asked Wayne Rogers with Applied Geotech to begin the hillside study to check the slope for any movement. Mayor Rosenberg noted that he has the original survey from when the monuments were installed, which he can provide to Mr. Rogers.
- The asphalt roller arrived. It was leased through Unified Fleet Services. Instead of a \$90,000 purchase, it will be a \$14,000 yearly lease with the option to purchase after three years.
- They purchased a used hydro-excavator/valve exerciser from Washington City. A state-mandated lead and copper service line inventory is required for all homes built prior to 1990, and the machine will allow them to make a small hole in the meter with the hydro excavator to determine the pipe type.

Fire Captain, Adam Hyder, reported on the following:

- The department responded to 1467 calls for service in FY 2023-2024:
 - 66 fire calls
 - 80 fire/other calls
 - 906 EMS calls
 - 415 other calls for service
- The three new full-time firefighters have completed training and are now on regular shifts. The department is now staffed at five employees per shift, and one reserve firefighter will fill in shifts as needed.
- One Type 3 engine is currently deployed on a wildland assignment with three firefighters.
- One individual is in training as a medical unit leader with the Incident Management Team.
- They took delivery of the new Type 4 engine and are obtaining licensing and insurance. It is expected to be in service within two weeks.

Building Official, Cody Mitchell reported on the following:

- In FY 2023-2024, they issued 72 single-family or townhome permits.
- Five permits have been issued so far in July, with four pending. There were no pending commercial permits.

City Manager, Brock Jacobsen reported on the following:

- He participated in the training with the new firefighters.
- Interviews for the open court clerk position were scheduled for the following day.
- The Black Desert coordination meeting will be held on July 18, 2024, to discuss their preparations for the PGA Tour event.
- He reminded the Council that the League of Cities training would be held September 4-5, 2024.
- The annual financial audit will begin the first week of September.

Council Member Burton reported on the following:

- She is continuing to work with Kyra Gonzales of Leesburg, Virginia on becoming sister cities. The mayors will need to approve the contract once it is completed. She noted that Leesburg and Santa Clara have many similarities. It is also a big farming community. They have discussed the possibility of exchange students, which would allow Santa Clara students to live close to the area where much of the country's early historical events took place and students from Leesburg to visit Santa Clara and see the Red Mountains. It would also promote tourism for both cities.

4. **Adjournment.**

The City Council Meeting adjourned at 6:56 p.m.

Chris Shelley
City Recorder

Approved: _____

Council Member Shakespeare asked if there would be a budget allotment associated with the agreement. Mayor Rosenberg stated that there could be one in the future, but there would not be one at present and the agreement does not mandate one. Any budget allotment would have to go through the normal budgeting process or be pulled from the City Council or other departmental budget. Either city may decide that the agreement doesn't work for them. He noted that he could reach out to the Mayor of Leesburg to discuss the agreement, but would like the Council's authorization to do so.

Council Member Shakespeare expressed his opinion that it should be a community decision. Council Member Burton stated that she believed the agreement would be a good thing and she did not think the residents would be angry at the sister city selection. Leesburg is surrounded by many beautiful cities, but their form of government aligns with Santa Clara's. Council Member Shakespeare stated that he believed more information was necessary before making a decision.

Mayor Rosenberg indicated that he would speak with Leesburg Mayor, Kelly Burke, and bring the topic back for discussion once he has more information. Council Member Waite and Council Member Hinton agreed that more information was needed. Council Member Hinton noted that she needed to see the response to Council Member Shakespeare's questions as well.

3. Executive Session.

There was no executive session.

4. Adjournment.

The City Council Meeting adjourned at 6:26 p.m.

Chris Shelley
City Recorder

Approved: _____

**City of Santa Clara
Check Register
All Bank Accounts - 07/16/2024 to 07/16/2024**

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
5 STAR INTERPRETING, LLC	71340	438588	06/30/2024	07/16/2024	150.00	COURT INTERPRETATION 06/18/244	104120-330 - LEGAL SERVICES	
					\$150.00			
ANDERSON, KYLE	71341	RFD 1085406.07	07/02/2024	07/16/2024	200.00	Deposit Refund: 1085406 - ANDERSON, KYLE	512135-000 - CUSTOMER DEPOSIT	
					\$200.00			
CITY OF SANTA CLARA-UTILITIES	ACH	2024-06	06/30/2024	07/16/2024	259.86	CITY BILLS	515110-270 - UTILITIES	
CITY OF SANTA CLARA-UTILITIES	ACH	2024-06	06/30/2024	07/16/2024	405.56	CITY BILLS	535310-271 - UTILITIES - STREETSC	
CITY OF SANTA CLARA-UTILITIES	ACH	2024-06	06/30/2024	07/16/2024	816.73	CITY BILLS	104230-775 - STATIONS OPERATION	
CITY OF SANTA CLARA-UTILITIES	ACH	2024-06	06/30/2024	07/16/2024	846.98	CITY BILLS	104410-270 - UTILITIES	
CITY OF SANTA CLARA-UTILITIES	ACH	2024-06	06/30/2024	07/16/2024	2,503.27	CITY BILLS	104240-270 - BUILDING UTILITIES	
CITY OF SANTA CLARA-UTILITIES	ACH	2024-06	06/30/2024	07/16/2024	4,662.73	CITY BILLS	535310-270 - UTILITIES - GENERATO	
CITY OF SANTA CLARA-UTILITIES	ACH	2024-06	06/30/2024	07/16/2024	11,649.50	CITY BILLS	104510-270 - UTILITIES	
					\$21,144.61			
					\$21,144.61			
CITY OF ST GEORGE - UTILITIES	71342	062824 - WELL 6	06/28/2024	07/16/2024	9,099.23	SC WELL 6	515110-270 - UTILITIES	
					\$9,099.23			
EQUITABLE	EFT	1588858	07/16/2024	07/16/2024	3,453.21	DENTAL INSURANCE	102251-000 - DENTAL PAYABLE	
					\$3,453.21			
FALCON BUILDINGS,	71343	P202405221036	07/09/2024	07/16/2024	20,000.00	DOWN PMT - NEW BLDG	484100-320 - ENGINEERING SERVIC	4
FALCON BUILDINGS,	71343	P202405221036	07/09/2024	07/16/2024	20,000.00	DOWN PMT - NEW BLDG	535310-730 - IMPROVEMENTS	4
					\$40,000.00			
					\$40,000.00			
GCS BILLINGS	71344	3771	06/30/2024	07/16/2024	2,454.00	JUNE 2024 BILLING SERVICES	104230-400 - EMERGENCY MEDICAL	
					\$2,454.00			
GRACE, TRAYL	71345	Refund: 1087305	07/09/2024	07/16/2024	101.32	Refund: 1087305 - GRACE, TRAYL	531311-000 - ACCOUNTS RECEIVABL	
					\$101.32			
KIMBERLING, DAVID & MACY	71346	Refund: 1081305	07/15/2024	07/16/2024	126.83	Refund: 1081305 - KIMBERLING, DAVID & MACY	531311-000 - ACCOUNTS RECEIVABL	
					\$126.83			
SISLER, SANDRA	71347	072224 - BAIL RE	07/15/2024	07/16/2024	1,609.48	BAIL / BOND REFUND	102560-000 - BAIL & RESTITUTION	
					\$1,609.48			
SUNRISE ENGINEERING, INC.	71348	143643	07/09/2024	07/16/2024	975.00	PROFESSIONAL ENGINEERING	525210-320 - ENGINEERING SERVIC	
					\$975.00			
TAYLOR BUILT HOMES LLC	71349	TB1132	07/08/2024	07/16/2024	25,530.00	IRRIGATION - COYOTE LANDING	515110-730 - IMPROVEMENTS	
					\$25,530.00			
UTAH HEAT PROGRAM	71350	Refund: 1085406	07/02/2024	07/16/2024	435.45	Refund: 1085406 - UTAH HEAT PROGRAM	531311-000 - ACCOUNTS RECEIVABL	
					\$435.45			
VALLEY UNDERGROUND, INC.	71351	678	07/11/2024	07/16/2024	1,500.00	IRRIGATION SVC - WITWER HOME - 2646 W CRE	515110-460 - WATERLINES AND ASS	
					\$1,500.00			
WASH. COUNTY WATER CONSER	71352	53571	02/29/2024	07/16/2024	6,143.52	WATER DEVELOPMENT SURCHARGE	513714-000 - REGIONAL WATER SUR	
WASH. COUNTY WATER CONSER	71352	53609	03/31/2024	07/16/2024	6,194.27	WATER DEVELOPMENT SURCHARGE	513714-000 - REGIONAL WATER SUR	
					\$12,337.79			
					\$12,337.79			

**City of Santa Clara
Check Register
All Bank Accounts - 07/16/2024 to 07/16/2024**

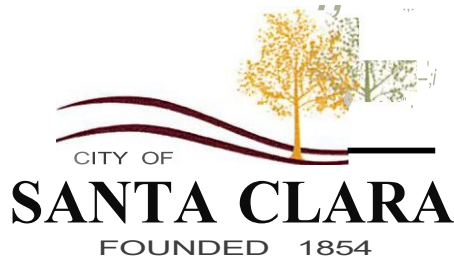
Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
WASHINGTON COUNTY SOLID WA	71353	168763	06/30/2024	07/16/2024	13,901.90	UNIT BILLING GARBAGE & BLUCAN	103445-000 - RECYCLING CHARGE	
WASHINGTON COUNTY SOLID WA	71353	168763	06/30/2024	07/16/2024	40,054.90	UNIT BILLING GARBAGE & BLUCAN	104430-311 - SOLID WASTE DISPOS	
					<u>\$53,956.80</u>			
					\$53,956.80			
WITTWER, KEENAN RAY	71354	071124 - BAIL RE	07/15/2024	07/16/2024	10.00	BAIL REFUND - CASE #235200634	102560-000 - BAIL & RESTITUTION	
					<u>\$10.00</u>			
					\$173,083.72			

**City of Santa Clara
Check Register
All Bank Accounts - 07/23/2024 to 07/23/2024**

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
CHILD SUPPORT SERVICES	71355	72424-C0008737	07/23/2024	07/23/2024	206.77	CASEY-C000873789 PAY PERIOD END 07/24/24	102595-000 - GARNISMENTS PAYABL	
					\$206.77			
CORREA, NATALIA	71356	RFD 193827.071	07/18/2024	07/23/2024	200.00	Deposit Refund: 193827 - CORREA, NATALIA	512135-000 - CUSTOMER DEPOSIT	
					\$200.00			
DEPARTMENT OF HEALTH	71357	24H5001032	07/19/2024	07/23/2024	4,564.62	AMBULANCE ASSESSMENT SFY 2024 QTR4	104230-400 - EMERGENCY MEDICAL	
					\$4,564.62			
SHOSTED, HOWARD MARTIN	71358	72324- HSHOST	07/23/2024	07/23/2024	260.00	COURT REFUND #245200588	103511-000 - FINES AND PENALTIES	
					\$260.00			
STRAIGHT STRIPE PAINTING INC	71359	24670	07/22/2024	07/23/2024	7,446.88	PAVEMENT MARKING PAINT/	104410-414 - ROAD MATERIAL & SUP	
					\$7,446.88			
STUART C. IRBY CO.	ACH72324	S013152530.002	07/23/2024	07/23/2024	2,400.00	POLE MOUNT TRANSFER	535310-466 - POWER LINES/POLES/	
					\$2,400.00			
UTAH HEAT PROGRAM	71360	Refund: 193827	07/18/2024	07/23/2024	124.97	Refund: 193827 - UTAH HEAT PROGRAM	531311-000 - ACCOUNTS RECEIVABL	
					\$124.97			
WASH. COUNTY WATER CONSER	71361	53731	07/01/2024	07/23/2024	4,515.57	REG.PIPELINE BOND PAYMENT	515110-822 - DEBT PAYMENT TO WA	
WASH. COUNTY WATER CONSER	71361	53737	06/30/2024	07/23/2024	6,197.77	WATER DEVELOPMENT SURCHARGE	513714-000 - REGIONAL WATER SUR	
					\$10,713.34			
					\$10,713.34			
WESTERN UNITED ELECTRIC SU	71362	6118836	07/08/2024	07/23/2024	97.10	BODY ACCESSORIES - VILLAGE AT BLACK DE	535310-254 - NEW SUBDIVISION EXP	
WESTERN UNITED ELECTRIC SU	71362	6118909	07/08/2024	07/23/2024	65.40	COLD SHRINK - S VILLAGE BLACK DESERT	535310-254 - NEW SUBDIVISION EXP	
					\$162.50			
					\$162.50			
					\$26,079.08			

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Janene Burton
Christa Hinton
Dave Pond
Ben Shake5peare
Jarett Waite

Meeting Date: 8/14/24

Agenda Item: 1

Applicant: Santa Clara City

Requested by: Heather Jenkins

Subject: Constitution Week Proclamation

Description:

Discussion and action to consider approval of a Proclamation declaring September 17th through September 23rd, 2024.

Proposed Action: Approval

Cost: None

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

Proclamation

Constitution Week

September 17 through September 23, 2024

Whereas, September 17, 2024 marks the two hundred and thirty-seventh anniversary of the drafting of the Constitution of the United States of America by the Constitution Convention; and

Whereas, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

Whereas, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through the 23rd as Constitution Week, and

Now, Therefore, I, Rick Rosenberg, Mayor of the City of Santa Clara, Utah, by virtue of the authority vested in me as Mayor do hereby proclaim the week of September 17th through 23rd, 2024 as Constitution Week,

And ask our citizens to reaffirm the ideals of the framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties,

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Santa Clara to be affixed this 14th day of August of the year of our Lord two thousand and twenty-four.

Dated this 14th, day of August 2024.

Mayor: _____

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Dave Pond
Christa Hinton
Janene Burton
Ben Shakespeare
Jarett Waite

Applicant: Santa Clara City

Agenda Item:

Meeting Date: August 14th, 2024

Subject: RAP Tax

Discussion:
RAP Tax discussion and award

Recommendation:
Approval

Discussion

Cost: N/A
Legal Approved: N/A
Budget Approved: N/A

Santa Clara City RAP Tax Application

Date of Application: July 11, 2024

Applicant's Name: HAM Productions

Address: 2312 Jacob Drive
Santa Clara, UT 84765

Email: heidischramlee@gmail.com

Non-profit status: Attached

Financial Statement: Attached

Existence: HAM Productions was established in April 2018

Proposed Qualifying Expenses:

We will use the money still in our accounts intended for our postponed April 2024 show for the largest expenses such as stage/light/sound/truss rentals and set construction.

We intend to use money awarded in this year's application to pay for a year of storage/website fees that accrued during this past year that the show was postponed. We also intend to use the money for flag pole banners that we have wanted to invest in to advertise the show in downtown Santa Clara. We also would like to start using steel in some of our construction (Juliet's balcony?) so we would like to increase our set design budget for April 2025.

Requested total amount:	\$8,000
Storage Corner appx.	\$2,700
Just Host Web appx	\$450
Flagpole Banners appx.	\$2,850
Set construction appx.	\$2,000

Other sources of funding:

We will apply for Washington County RAP tax funds and will solicit some private donors/sponsors. The main sources will be Santa Clara City RAP tax and Washington County RAP tax.

Accounting of the past 2-3 years:

We apply for funds in July for an event that doesn't take place until April. We estimate Shakespeare in the Park's expenses from July

through June of the following year. So the money awarded in July of 2022 is actually mostly spent in the spring of 2023. The vast majority of the spending takes place March-May. I will attach our financial spreadsheets for 2021, 2022, & 2023. However, they are actually recorded by calendar year, which is what I must submit to our accountant for tax purposes. As of this application, we have spent appx. \$1,550 in the calendar year of 2024 on storage/website fees and our non-profit license renewal.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: APR 30 2018

HAM PRODUCTIONS INC
2312 JACOB DRIVE
SANTA CLARA, UT 84765-0000

Employer Identification Number:
82-5079032

DLN:
26053506008248

Contact Person:
CUSTOMER SERVICE ID# 31954

Contact Telephone Number:
(877) 829-5500

Accounting Period Ending:
December 31

Form 990-PF Required:
Yes

Effective Date of Exemption:
April 10, 2018

Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a private foundation within the meaning of Section 509(a).

You're required to file Form 990-PF, Return of Private Foundation or Section 4947(a)(1) Trust Treated as Private Foundation, annually, whether or not you have income or activity during the year. If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PF" in the search bar to view Publication 4221-PF, Compliance Guide for 501(c)(3) Private Foundations, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 1076



SANTA CLARA CITY
RECREATION, ARTS AND PARKS

2603 Santa Clara Drive, Santa Clara, UT 84765

Phone: 435-673-6712 Fax: 435-628-7338

RAP Tax Funding Application

Submit Fund Request by May 31st of each year that RAP tax revenues exist.

Applicant/Entity Name: Susannah Nilsson-Santa Clara Historical Museum

Mailing Address: 2764 Canyonview Dr

City: Santa Clara State: Ut Zip: 84765

Physical Address: Santa Clara Arboretum

City: Santa Clara State: Utah Zip: 84765

Website: _____

Contact Person: Susannah Nilsson

Contact Phone: 435 668 7285 Fax: _____

Contact Email: susannah_nilsson@yahoo.com

RAP Funds Requested: \$1,200

RAP Funds Purpose: rebuild the shade shelter on the
cactus Garden trail loop w/volunteer labor
hold a public educational event at the Arboretum

Signature of Applicant or Entity Contact: Susannah Nilsson

Print Name of Applicant or Entity Contact: Susannah Nilsson

Title: board member Date: May 31, 2024

Please provide and attach the following information for Fund Request:

A. Proof of applicant's non-profit status:

 Private Non-Profit with 501 ©(3) letter

 Private Non-Profit with 501 ©(3) letter from Financial Sponsor

✓ Publicly Owned or Operated *Santa Clara Historical Museum*

B. Attachment showing applicant's other sources of funding for the project for which RAP tax revenue is requested *Community Volunteer work*

C. A statement of how long applicant has been in existence; brief history of applicant business *community member 17 years / historical Museum board member 10 years*

D. Proposed qualifying expenses to be paid with RAP Tax funds. *Rebuild Shade shelter w/ volunteer labor / hold public event*

E. Detailed cost estimates for the proposed project. *1000⁰⁰ 200⁰⁰*

F. If applicant has received RAP Tax funds within the past three (3) years, an accounting showing how the prior RAP funds were spent. *(see enclosed)*

G. Any other information that is reasonably related to determining how RAP Tax funds would be spent by the applicant. *supplies for shade shelter / public event expenses*

Review of Requests for Funds & Awarding of Funds:

- a. By June 30th of that fiscal year in which RAP Tax revenue was received by Santa Clara City, the Santa Clara City Council shall meet to determine the recipients for that year's RAP Tax funds and the amount to be distributed to each recipient.
- b. Due to the limited amount of RAP Tax revenue that will be allotted to Santa Clara City, funds awarded by the Santa Clara City Council shall be limited to activities located within Santa Clara City or which provide significant tax revenue to Santa Clara City. All other projects outside of Santa Clara City have the ability to petition Washington county or other cities for funding.

Per Santa Clara City Resolution No. 2016-09R

Proposed Qualifying Expenses for ²⁰²⁵2025 RAP tax fund

Birds and Botany Santa Clara Arboretum
to be held in late April with botany trail guide and hawk
demonstration. Introduction to the public to plants and
animals within the Santa Clara Arboretum

Expenses: \$100 Lee Hughes Botany trail guide
\$100 Mr. Christensen Hawk trainer

Total: \$200

Star Sign Inc
1060 E. Tabernacle St St. George, UT 84770
sales@starsignonline.com
(435) 628-7806

www.starsignonline.com



Sales Order # 155936

Santa Clara Arboretum signs

SALES REP INFO

Emilee Smith
emilee@starsignonline.com
+1

SALES ORDER DATE

02/20/2024

DUE DATE

02/27/2024

TERMS

Net 30 Days

QT#

31594

ORDERED BY

Santa Clara City
2603 Santa Clara Drive
Santa Clara City, UT 84765

CONTACT INFO

Susie Nilsson
susannah_nilsson@yahoo.com
(435) 668-7285

ITEM	QTY	UOM	U PRICE	TOTAL EXCL TAX	TAXABLE
1 Set Up Fee	1	Each	\$25.00	\$25.00	N
2 Arboretum signs ACM composite board Width: 42 Inches Height: 42 Inches Sides: 1 Lamination - Automotive Clear Coat ACM 3mm White Ink - UV - CMYK (FUJI)	2	Sqft	\$214.32	\$428.64	N
3 Arboretum - Ancient Pueblo sign ACM composite board Width: 36 Inches Height: 24 Inches Sides: 1 ACM 3mm White Ink - UV - CMYK (FUJI) Lamination - Automotive Clear Coat	1	Sqft	\$104.97	\$104.97	N
4 Arboretum - Plants - Wetland - Lava ACM composite board Width: 42 Inches Height: 42 Inches Sides: 1 ACM 3mm White Ink - UV - CMYK (FUJI) Automotive Clear Coat	1	Sqft	\$214.32	\$214.32	N
1 02/27/2024 Check 1475					\$772.93

Star Sign Inc
1060 E. Tabernacle St St. George, UT 84770
sales@starsignonline.com
(435) 628-7806

www.starsignonline.com



Sales Order # 156024

Arboretum trails maps

SALES REP INFO
Emilee Smith
emilee@starsignonline.com
+1
QT#
31917

SALES ORDER DATE
02/27/2024
DUE DATE
03/05/2024
TERMS
Net 30 Days

ORDERED BY
Santa Clara City
2603 Santa Clara Drive
Santa Clara City, UT 84765

CONTACT INFO
Susie Nilsson
susannah_nilsson@yahoo.com
(435) 668-7285

ITEM	QTY	UNIT	PRICE	TOTAL (EXCL. TAX)	TAXABLE
1 Design - **Price is subject to change due to time spent on design	1	Each	\$100.00	\$100.00	N
2 Arboretum Trails Maps ACM composite board Width: 12 Inches Height: 20 Inches Sides: 1 ACM 3mm White Ink - UV - CMYK (FUJI) Automotive Clear Coat	2	Sqft	\$29.16	\$58.32	N
PAID ON METHOD					AMOUNT
1 02/27/2024 Check 1475					\$158.32

All prices are fixed for 30 days from the quotation date. Should there be any changes in the cost, we will advise the customer of any price changes prior to the start of the contract.

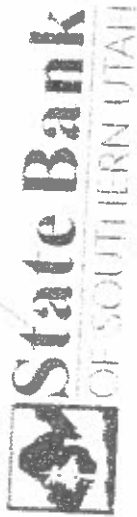
A 50% deposit is required with the Sales Order confirmation. Deposits are due prior to commencement of production. Final payment is due when invoices are received unless credit terms have been extended to include NET 30. If payments for past orders are not received within 60 days, we reserve the right to cancel future orders.

We cannot accept responsibility for damages or loss of any kind resulting from the sale, installation, or delivery of our products. Company Name does not accept returns. All products are manufactured to the customer's specifications and cannot be returned for a refund. All sales are final and no return will be accepted.

Subtotal:	\$158.32
Sales Tax (0%):	\$0
Total:	\$158.32
 Total Paid:	 \$158.32
Balance Due:	\$0

SIGNATURE:

DATE:



State Bank of Southern Utah
Santa Clara
2287 Santa Clara Drive
Santa Clara UT 84705

Teller # 804
08/31/2023
Seq # 50
4:55:04 PM

Deposit Transaction
Demand Deposit
Account # *****447500

Amounts Received

Checks In: \$1,000.00

Grand Total: \$1,000.00

All items credited are
subject to payment.
Thank you for your business!

The UPS Store #4057
1812 W SUNSET BLVD #1
ST GEORGE, UT 84770-6568
435-652-8900

Terminal: PUS4057C
Employee: 250683

Date: 5/4/2024
Time: 02:52 PM

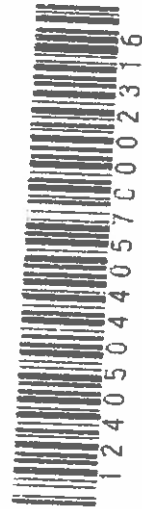
ITEM NAME	QTY	PRICE	TOTAL
8.5x11 Copies	55 @	\$0.18	\$9.90
10 % Discount			(\$0.99)
Tax			\$0.60
0.5x11 Color Copies	11 @	\$0.65	\$7.15
10 % Discount			(\$0.72)
Tax			\$0.43

Subtotal \$15.34
Shipping/Other Charges \$0.00
Total Tax \$1.00

Total \$16.37
Cards \$16.37

Items Designated NR are NOT eligible
for Returns, Refunds, or Exchanges.

US Postal Rates Are Subject to Surcharge.



12405044057C002316

View The UPS Store, Inc.'s privacy notice at
<https://www.theupsstore.com/privacy-policy>

Win a \$250 gift card
Tell us how we're doing for your chance to win

Vendor: SUSANNAH NILSSON

Invoice Number
080823-RAP TAX

Invoice Date
08/08/2023

Description
FY 23-24 RAP TAX AWARD

08/09/2023

CHECK NO.
70572

070572

Invoice Amount
1,000.00

Total Check Amount

\$1,000.00

STAR SIGN
E TABERNACLE ST
ST GEORGE, UT 84770

George, UT 84770

SALE

Store: 0822

REF#: 00000012

Batch #: 082 RRN: 412119498792
04/30/24 13:20:18

Trans ID: 0430MWEGYN60U

APPR CODE: 97233P

MASTERCARD

Contactless

*****7003

AMOUNT

\$43.33

APPROVED

Mastercard

AID: A0000000041010

TVR: 00 00 00 80 01

THANK YOU

CUSTOMER COPY

Order: 1111111111111111

ACM composite board

Width: 48 Inches

Height: 5.5 Inches

Sides: 1

ACM 3mm White

Ink - UV - CMYK (FUJI)

Automotive Clear Coat

SALES REP INFO

Meghan Bean

meghan.bean@starsignonline.com

INVOICE DATE

04/30/2024

INV.DUE DATE

05/30/2024

TERMS

Net 30 Days

CONTACT INFO

Susie Nilsson

susannah_nilsson@yahoo.com

(435) 668-7285

QTY	UOM	U.PRICE	TOTAL (EXCL. TAX)	TAXABLE
-----	-----	---------	-------------------	---------

1	Each	\$10.00	\$10.00	N
---	------	---------	---------	---

1	Sqft	\$32.07	\$32.07	N
---	------	---------	---------	---

#	PAID ON	METHOD	AMOUNT
---	---------	--------	--------

1	04/30/2024	: Cardholder-XXXX-7003, Auth: 97233P	\$43.33
---	------------	--------------------------------------	---------

In the event of any collection efforts, the unpaid balance will be augmented by collection costs, including reasonable attorney's fees and costs. Past due balances will be charged an interest fee of 5% per month for the first two months then 2% monthly or 30% annually. By signing, Customer agrees to the terms and conditions of this invoice.

Credit Card Processing Fee:	\$1.26
Subtotal:	\$43.33
Sales Tax (0%):	\$0
Total:	\$43.33
Total Paid:	\$43.33
Balance Due:	\$0

SIGNATURE:

DATE:

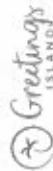
SAVE THE DATE

22



April
2024

Earth day Celebration
Santa Clara Arboretum
5:30-7pm
Lava Cove - Little league dr
SEE NEW SIGNS
TRAILS-EXPLORE
SNACKS



SAVE THE DATE

22



April
2024

Earth day Celebration
Santa Clara Arboretum
5:30-7pm
Lava Cove - Little league dr
SEE NEW SIGNS
TRAILS-EXPLORE
SNACKS



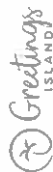
SAVE THE DATE

22



April
2024

Earth day Celebration
Santa Clara Arboretum
5:30-7pm
Lava Cove - Little league dr.
SEE NEW SIGNS
TRAILS-EXPLORE
SNACKS



SAVE THE DATE

22



April
2024

Earth day Celebration
Santa Clara Arboretum
5:30-7pm
Lava Cove - Little League Dr
SEE NEW SIGNS
TRAILS-EXPLORE
SNACKS



Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Janene Burton
Christa Hinton
Dave Pond
Ben Shakespeare
Jarett Waite

Meeting Date: 8/14/24

Agenda Item: 4

Applicant: Santa Clara City

Requested by: Debbie Bannon

Subject: Fraud Risk Assessment

Description:

Review and approval of the annual Fraud Risk Assessment.

Proposed Action: Approval

Cost: None
Legal Approval: N/A
Finance Approval: Yes
Budget Approval: N/A

Fraud Risk Assessment

Continued

*Total Points Earned: 335 /395 *Risk Level: Very Low Low Moderate High Very High
> 355 316-355 276-315 200-275 < 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	Yes	200
2. Does the entity have governing body adopted written policies in the following areas:		
a. Conflict of interest?	Yes	5
b. Procurement?	Yes	5
c. Ethical behavior?	Yes	5
d. Reporting fraud and abuse?	Yes	5
e. Travel?	Yes	5
f. Credit/Purchasing cards (where applicable)?	Yes	5
g. Personal use of entity assets?	Yes	5
h. IT and computer security?	Yes	5
i. Cash receipting and deposits?	Yes	5
3. Does the entity have a licensed or certified (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?		20
a. Do any members of the management team have at least a bachelor's degree in accounting?	Yes	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?	Yes	20
5. Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training (training.auditor.utah.gov) within four years of term appointment/election date?	Yes	20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?	Yes	20
7. Does the entity have or promote a fraud hotline?	Yes	20
8. Does the entity have a formal internal audit function?		20
9. Does the entity have a formal audit committee?		20

*Entity Name: Santa Clara City

*Completed for Fiscal Year Ending: 2024 *Completion Date: 08/14/2024

*CAO Name: Brock Jacobsen *CFO Name: Debbie Bannon

*CAO Signature:  *CFO Signature: 

*Required

Basic Separation of Duties

See the following page for instructions and definitions.

	Yes	No	MC*	N/A
1. Does the entity have a board chair, clerk, and treasurer who are three separate people?	X			
2. Are all the people who are able to receive cash or check payments different from all of the people who are able to make general ledger entries?	X			
3. Are all the people who are able to collect cash or check payments different from all the people who are able to adjust customer accounts? If no customer accounts, check "N/A".	X			
4. Are all the people who have access to blank checks different from those who are authorized signers?			X	
5. Does someone other than the clerk and treasurer reconcile all bank accounts OR are original bank statements reviewed by a person other than the clerk to detect unauthorized disbursements?	X			
6. Does someone other than the clerk review periodic reports of all general ledger accounts to identify unauthorized payments recorded in those accounts?	X			
7. Are original credit/purchase card statements received directly from the card company by someone other than the card holder? If no credit/purchase cards, check "N/A".	X			
8. Does someone other than the credit/purchase card holder ensure that all card purchases are supported with receipts or other supporting documentation? If no credit/purchase cards, check "N/A".	X			
9. Does someone who is not a subordinate of the credit/purchase card holder review all card purchases for appropriateness (including the chief administrative officer and board members if they have a card)? If no credit/purchase cards, check "N/A".	X			
10. Does the person who authorizes payment for goods or services, who is not the clerk, verify the receipt of goods or services?	X			
11. Does someone authorize payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	X			
12. Does someone review all payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	X			

* MC = Mitigating Control

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Ben Shakespeare
Jarett Waite
Christa Hinton
David Pond
Janene Burton

CITY COUNCIL

Meeting Date: August 15, 2024

Agenda Item: 5

Applicant: Santa Clara

Requested by: Jim McNulty

Subject: Code Amendment

Description: Updates to Chapter 17.74, Historic District/Mixed Use Zone, and Chapter 17.76, Historic District Overlay Zone. These updates are necessary as the City recently adopted the updated Historic District Design Guidelines on May 8, 2024, as a companion document to the city code. This item was previously discussed during on Council work meeting on June 19, 2024.

Recommendation: Yes

Attachments: Yes

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: August 14, 2024
RE: Chapter 17.74, Historic District/Mixed Use Zone, and Chapter 17.76, Historic District Overlay Zone **(Public Meeting)**

City staff and legal counsel have been working on updates to Chapter 17.74, Historic District/Mixed Use Zone, and Chapter 17.76, Historic District Overlay Zone. These updates are necessary as the City recently adopted the updated Historic District Design Guidelines on May 8, 2024, as a companion document to the city code. Now we're moving forward with updating the city code language to better align with the adopted Historic District Design Guidelines.

City staff had discussions on the proposed code amendments as follows:

- Planning Commission on June 13, 2024
- City Council on June 19, 2024
- Heritage Commission on June 20, 2024

The Planning Commission, City Council, and Heritage Commission were in favor of moving forward with the suggested code amendments with some slight revisions as discussed with each group.

A working copy of both Chapter 17.74, Historic District/Mixed Use, and Chapter 17.76, Historic District Overlay Zone has been included for your review and consideration.

State Code Requirements:

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

Recommendation:

The Planning Commission held a public hearing on July 11, 2024, and forwarded a recommendation of **Approval** to the City Council. City staff recommends that the City Council consider granting approval of this code amendment (Chapter 17.74, Historic District/Mixed Use Zone, and Chapter 17.76, Historic District Overlay Zone).

CHAPTER 17.74
HISTORIC DISTRICT/MIXED USE ZONE

SECTION:

17.74.010: Purpose

17.74.020: Fees And Permits

17.74.030: Permitted Uses

17.74.035: Conditional Uses

17.74.040: ~~Development Standards~~~~dimensional Requirements~~

17.74.050: Modifying Regulations

17.74.060: Supplementary And Qualifying Regulations

17.74.070: Walls, Fences ~~And~~and Hedges

17.74.080: Access And Loading

17.74.090: Parking Areas

17.74.100: Signs

17.74.110: Natural Hazards

17.74.120: ~~Property Rezoning~~~~Zone Change Procedure~~

17.74.130: Site Plan Review

17.74.140: Plan Approval

17.74.010: PURPOSE:

The purpose of the Historic District/Mixed Use Zone is:

A. —A. Santa Clara has a strong historical background. There is a special character about the early pioneer homes that were constructed along, and near Santa Clara Drive that the city wants to maintain and preserve. Many of these early pioneer homes are already listed on the State and national list of historic places. The city has previously created a Historic District ~~from east to west~~ along Santa Clara Drive. Development that takes place in ~~the Historic District is zone~~ will be subject to architectural design review ~~standards~~ and careful site plan review by the Heritage Commission, ~~the~~ Planning Commission, and ~~the~~ City Council.

B. Santa Clara City has adopted Historic District Design Guidelines that are intended to be a companion document to Chapters 17.74 and 17.76 of city code. The design

Formatted: Numbered + Level: 1 + Numbering Style:
A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at:
0.11" + Indent at: 0.36"

guidelines are intended to promote sensitive design. The design guidelines provide a framework to create an environment that respects the special setting of the Santa Clara Historic District. All commercial and residential buildings within the Historic Districts shall be compatible with both the visual qualities of the immediate area in which the property is located, as well as the overall context of the Historic District.

CB. To encourage the continued use, maintenance and special character of homes and businesses in the Historic District ~~of the City~~, this chapter contains provisions allowing for the mixed use of land for residential, and commercial uses, ~~and certain types of research and development uses not found elsewhere in the zoning ordinance.~~ The intent of these provisions is to encourage flexibility and creativity in the design and development of comprehensively planned mixed use of property that would not be possible under conventional zoning districts ~~and planned development zones~~. Some of the specific purposes of this zone are to:

1. Encourage residential uses in conjunction with commercial and other compatible activities to create an active street life, enhance the vitality of businesses, reduce vehicular traffic, and maintain the special character of the Historic ~~District; District~~.
2. Encourage orderly, planned development of mixed-use developments in the Historic District by providing procedures for plan review and approval, ~~and where appropriate, approve higher density residential uses integrated into the overall mixed-use development;~~
3. Assure compatibility of proposed land uses with surrounding historic uses by incorporating development standards designed specifically for the Historic District. higher standards of development than could be accomplished under conventional zoning, and to provide flexibility from standard zoning requirements that may not be applicable in a mixed-use area;
4. Strengthen the City's economic base and to provide linkages between employment opportunities and ~~housing; housing~~.
5. Encourage open space to function for the general benefit of the ~~City; City~~.
6. Encourage and provide for non-vehicular circulation linking developed areas, open spaces and public ~~facilities; facilities~~.
7. Promote the reuse of existing historic structures for the purpose of stabilizing and improving property values.
8. Foster civic pride in the beauty, history, and accomplishments of the past.
9. Protect and enhance the City's attractions for tourists and visitors.
10. Strengthen and help diversify the economic well-being of the City and promote the use of historical-cultural landmarks for education, pleasure, and the welfare of the community. (Ord. 2022-22: Ord. 2017-14: Ord. 2004-01 § 2)

17.74.020: FEES AND PERMITS:

The requirements of chapter 17.04 of this title regarding such things as fees, enforcement, permits, violation, and all other similar items, including penalties, shall apply to this chapter. (Ord. 2022-22: Ord. 2004-01 § 2)

17.74.030: PERMITTED USES:

Subject to the requirements imposed in this chapter, ~~or as may be recommended by the Heritage Commission and Planning Commission and approved by the City Council,~~ permitted uses within this zone ~~may~~ include:

~~Commercial businesses as listed in section 17.66.030 of this title, except for the following uses which are not permitted: automobile parts sales; department store; exotic animals; pawn shop; tire sales and service.~~

Commercial Uses:

Animal Hospital for small animals conducted within an enclosed building.

Antique, import, or souvenir shop.

Athletic and sporting goods store.

Bakery manufacture limited to foods retailed on the premises.

Barber or beauty shop.

Bed & Breakfast.

Bicycle sales and service.

Bookstore, retail.

Camera and small electronic sales.

Candy store, confectionary.

Clinics, medical or dental.

Coffee shop, walk-up.

Florist shop.

Fruit and produce stand.

Gift store.

Government buildings or uses, non-industrial.

Grocery store, neighborhood market.

Hardware store.

Health food store.

Hobby and craft store.

Ice Cream parlor.

Insurance agency.

Interior decorating and design.

Jewelry store sales and service.

Laundry or dry cleaners.

Legal office.

Library.

Medical office.

Mortuary.

Museum.

Music Store.

Nursery school.

Open space and recreation facilities.

Optometrist, optician, or ophthalmologist.

Outdoor dining area.

Pet and pet supply store.

Pharmacy/drugstore.

Physician or surgeon office and clinic.

Professional office.

Real estate agency.

Retail sales.

Restaurant, sit down.

Soda Shop, walk-up

Shoe store and repair.

Theater.

Travel agency.

Variety store.

Open space and recreation facilities approved by the Planning Commission, upon recommendation from the Heritage Commission.

Residential Uses:

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Accessory buildings on lots where a main building exists, or for which a building permit has been issued.

Conversion between single-family residential and commercial use.

Home gardens and fruit trees, keeping of household pets, etc.

Internal Accessory Dwelling Unit, IADU as per Chapter 17.22 of city code.

Single-family residential dwellings.

Multi-family dwellings, such as a duplex, twin home, or townhome, but only in the following circumstances:

- A. When attached to a commercial building (vertical or horizontal), or part of a commercial, mixed-use development; or
- B. When constructed to the rear of an existing single-family dwelling; or
- C. When constructed on a vacant parcel which does not have frontage on Santa Clara Drive.

Single-family residential dwellings.

Other uses determined by the Planning Commission, with input from the Heritage Commission, as being in harmony with the intent and purpose of the zone. (Ord. 2022-22; Ord. 2017-14)

17.74.035: CONDITIONAL USES:

Subject to the requirements imposed in this chapter, or as may be recommended by the Heritage Commission and approved by the Planning Commission, conditional uses within this zone may include:~~Subject to the conditions listed herein:~~

Accessory Dwelling Unit, ADU as per Chapter 17.22 of city code.

Childcare ~~or~~ nursery ~~ies~~ school, as defined in the Zoning Ordinance.

Coffee Shop, drive-through

Commercial Warehouse constructed on a vacant parcel that does not have frontage on Santa Clara Drive.

Convenience store, including gasoline sales.

Office and professional space meeting the requirements of the Commercial Zone and the Zoning Ordinance as may be applicable.

Public and quasi-public buildings and facilities meeting all requirements of the Residential Zone and this chapter.

Restaurant, drive-through.

Research and technology offices as approved by the Planning Commission and meeting all requirements of this chapter.

Short-term rental properties, which shall be subject to the applicable requirements of this chapter along with the following specific requirements:

A. Each short-term residential rental property shall have one parking space for each ~~very~~ bedroom, ~~with a minimum of two (2) parking spaces.~~

B. The owner, or the property manager, of a short-term residential property shall obtain a yearly residential business license as required by the City of Santa Clara.

~~—C. All conditional uses shall meet the requirements of the Landscape Ordinance of the City.~~

~~CD.~~ Short-term ~~Short-term~~ residential properties shall meet all other standard requirements of the zone.

~~DE.~~ There shall be no violations of laws, ordinances, or regulations of this Code, with any violation being grounds for termination/revocation of the conditional use permit.

Soda shop, drive-through

Other uses determined by the Planning Commission, with input from the Heritage Commission, as being in harmony with the intent and purpose of the zone. (Ord. 2022-22; Ord. 2017-14)

Very "clean" (no emissions) industry development having strong historic residential architectural appearance, with input from the Heritage Commission, and approved by the Planning Commission, and meeting all requirements of this chapter. (Ord. 2022-22; Ord. 2017-14; Ord. 2013-16)

17.74.040: DIMENSIONAL REQUIREMENTS; DEVELOPMENT STANDARDS:

A. Primary Building Height: Primary building height shall be the average height of adjacent units on the same block unless a greater height is approved by the Planning Commission, upon recommendation from the Heritage Commission, as being necessary for proper compatibility of various elements of the overall development plan, and to ensure that any infill and replacement dwellings are compatible with the dimensions of the adjacent dwellings. In no event shall the maximum height of any building exceed thirty feet (30'). Accessory buildings shall not exceed two (2) stories ~~in height~~, up to twenty-five feet (25') in height, ~~unless a taller building is approved by the City Council after considering the recommendations from the Heritage Commission and Planning Commission and based on the compatibility of the architectural design with the other buildings in the Historic District.~~

~~B. B.~~ Minimum Lot Size: Six thousand (6,000) square feet for a single-family dwelling unit, and eight thousand (8,000) square feet for a ~~multi~~two-family dwelling unit. ~~For projects without individual lots but rather building pads and common areas, t~~

C. Density: The maximum residential density shall not exceed eight (8) dwelling units per acre whether single-family or ~~multi~~two-family residential units. This also applies to projects without individual lots but rather building pads and common area. For properties with an existing dwelling unit(s), this will apply to density calculations.

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~~D. D.~~ Front Yard Setbacks: Front yard setbacks shall be twenty feet (20') from the property line for residential uses unless the dwellings (buildings) on adjacent lots are less than twenty feet (20'), in which case the building may be located at the average of the buildings on each side of the subject parcel. The front setback of any commercial use building with frontage along Santa Clara Drive adjacent to the "Mmercantile" building (3097 Santa Clara Drive) shall be determined through discussion with, and approval of, the Planning Commission, but shall not be less than ~~ten~~twelve feet (102') from the front property line.

~~E. E.~~ Corner Side Yards: Side yards on a corner lot having street frontage on two (2) or more sides shall be the same as that required for the front yard, or the average of adjacent units or the block, or as may be approved by the Planning Commission.

~~F. F.~~ Interior Lot Line Side Yards: Side yards on the interior lot line shall be a minimum of ~~five~~ten feet (510') to property line, with a minimum of ten feet (10') between structures on adjacent parcels ~~unless otherwise approved by the Planning Commission. A zero lot line may be considered by the Planning Commission depending upon the location of buildings on adjacent lots. In the case of a zero lot line, the opposite side yard shall not be less than twelve feet (12').~~

~~G. G.~~ Rear Yards: Rear yards shall be a minimum of ten feet (10') unless otherwise approved by the Planning Commission.

~~H. H.~~ Multiple Building Setbacks on The Same Lot: Setbacks between multiple detached buildings on the same lot shall be a minimum of ten feet (10').

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~~I~~H. Floor Area: In new developments the minimum floor area shall be a minimum of seven hundred (700) square feet living space per unit unless otherwise recommended by the Planning Commission and approved by the City Council, plus required ~~parking~~parking, and landscaped areas.

~~I~~J. Minimum Lot Frontage: ~~Fifty feet (50') for a 6,000 square foot lot, and \$~~seventy feet (70') ~~for an 8,000 square foot lot,~~ unless approved as a flag lot, or as may be otherwise approved by the Planning Commission.

~~K~~J. Maximum Size of Accessory Buildings: The maximum ground floor area of any accessory building shall not exceed one thousand (1,000) square feet, unless a larger building is approved by the City Council after considering the recommendations of the Heritage Commission and Planning Commission. (Ord. 2022-22: Ord. 2019-01: Ord. 2017-14)

17.74.050: MODIFYING REGULATIONS:

A. It is the intent of the city to encourage creative design. Existing historical dwellings and buildings may be preserved and enhanced with commercial, residential, or mixed uses.

B. Open spaces and outdoor living areas are encouraged. Lack of such areas may be the basis for denial of a zone change request. ~~Walls and fences between properties are discouraged. Their proposed use may also be a reason for denial of a request.~~ Circulation between developments in the Historic District is encouraged. Visitors to the area should be encouraged to visit, park, walk between developments, and enjoy the time spent in a quiet and relaxing atmosphere. Public access to open space areas will also be considered in approving the Development Plan.

C. Cooperation between property owners on adjacent properties ~~is~~will be strongly encouraged ~~and carefully reviewed in the plan approval process.~~

D. In any zone in which residential dwellings or dwelling units are permitted, portable or mobile recreational units such as campers, travel trailers, fifth wheel trailers, tent trailers, tents or any other type of recreational, mobile or portable housing unit ("recreational housing unit") are not permitted for housing use, except that such a unit may be used to house guests of the primary dwelling for up to eight (8) days in any calendar month without being in violation of this title subject to the following conditions:

1. No recreational housing unit may be located on any street or other part of a public right-of-way, except for temporary loading and unloading of such unit but not to exceed forty-eight (48) hours.

2. A recreational housing unit may be in the side or rear yard of the permanent residential dwelling.

3. The use of such recreational housing unit shall not cause unusual noise, require additional automobile parking, or other problems to adjacent neighbors.

4. No recreational housing unit shall be permitted on any property that does not contain a dwelling or dwelling unit located on the property.

5. Where an unusual health related hardship exists for an extended family member of the principal dwelling unit, the Planning Manager or designee may grant a time extension beyond the eight (8) daytime limit for occupancy of the recreational housing unit. However, any time extension beyond sixty (60) days shall require the approval of the City Council. (Ord. 2022-22: Ord. 2015-05: Ord. 2004-01 § 2)

17.74.060: SUPPLEMENTARY AND QUALIFYING REGULATIONS:

The requirements of chapter 17.20, "Supplementary and Qualifying Regulations", of this title, regarding such things as lot ownership and standards, utility requirements, dumping or disposal, moving of dwellings, shall apply to the extent applicable to this chapter. (Ord. 2022-22: Ord. 2004-01 § 2)

17.74.070: WALLS, FENCES AND HEDGES:

Any wall, fence, or hedge proposed to be located on any parcel of land ~~as a part of this zone~~ shall be specifically approved by the Planning Commission. Walls, fences, and hedges separating adjoining properties shall be sensitively designed as per the Historic District Design Guidelines. ~~and restricting pedestrian or vehicular circulation are strongly discouraged.~~ All applicable requirements of ~~Chapter 17.28, "Walls, Fences and Hedges",~~ of this title, shall apply unless modified by the Planning Commission. (Ord. 2022-22: Ord. 2004-01 § 2)

17.74.080: ACCESS AND LOADING:

Access to parcels of property shall be reviewed and approved by the Planning Commission. Requirements of chapter 17.36, "Motor Vehicle Access and Loading", of this title, shall be used as a guideline but may be modified ~~upon approval of the City engineer and the Planning Commission~~ to fit individual situations as part of the site plan review. Some access drives may be approved as being temporary until such time as additional properties in an area are changed to this zone.

All other requirements of chapter 17.36, "Motor Vehicle Access and Loading", of this title, will be reviewed as part of the site plan review and exceptions to the requirements may be made as indicated above to the extent that such exceptions will enhance the overall development of the property and will not compromise the health, safety, and welfare of the public ~~in so doing~~. (Ord. 2022-22: Ord. 2004-01 § 2)

17.74.090: PARKING AREAS:

All parking areas shall be approved by the Planning Commission as to ~~number~~the number of spaces required and the location of off-street parking in relation to the balance of the development. The guideline for parking shall be one (1) space for every two hundred fifty (250) square feet of commercial floor area and two (2) spaces, one (1) of which shall be covered, for each residential dwelling.

A. —A. The Planning Commission may use the additional requirements of ~~e~~Chapter 17.32, "Off Street Parking Requirements", of this title, but shall determine the number of spaces required based upon the plan submitted, and the type of use proposed. Shared parking between adjacent parcels is encouraged, and excessive parking shall be avoided. Parking should ~~preferably~~ be located to the side or behind a building, where its visual impact will be minimized. ~~in the side or rear lot areas.~~

B. Exceptions to the parking requirements contained in Chapter 17.32 of city code may be considered on a case-by-case basis to promote compatibility with the character of the Historic District. The property owner/developer will be required to submit technical information done by a licensed professional that justifies any requested exception.

C.B. All access drives shall be approved as part of the site plan approval. Reduced widths of driveways will be considered on an individual site plan basis. Curb cuts, driveways, and off-street parking shall be carefully designed to protect the historic character of the district.

D.C. All ~~driveway~~driveways and parking areas, unless determined to be temporary in nature, shall be surrounded by a concrete curb or other appropriate material as approved with the Site Plan by the Planning Commission. Surface of parking areas may be as approved by the Planning Commission. (Ord. 2022-22: Ord. 2017-14: Ord. 2004-01 § 2)

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17.74.100: SIGNS:

The requirements of chapter 17.44, "Signs", of this title, will be followed in allowing signs within the zone, unless otherwise approved by the Planning Commission in harmony with the intent and purpose of this zone. (Ord. 2022-22: Ord. 2004-01 § 2)

17.74.110: NATURAL HAZARDS:

The requirements of chapter 17.48, "Construction Subject to Natural Hazards", of this title, relative to hazards related to site development, will be reviewed by the Planning Commission as may be applicable to the development plan submitted. (Ord. 2022-22: Ord. 2004-01 § 2)

17.74.120: ~~PROPERTY REZONING~~ ~~ZONE CHANGE PROCEDURE:~~

An application to rezone property to the Historic District/Mixed Use ~~(HD/MU)~~ Zone shall be made in the same manner as a zone change to any other zone in the City. An application shall be filled out in the City office requesting the zone change. After paying all fees, and submitting all information required by this chapter, or by other chapters of the zoning ordinance where applicable, the zone change will be processed by the city.

Where zoning requests are tied to a parcel of property upon which is located an existing dwelling unit, all requests shall be considered based on creatively maintaining, ~~enhancing~~ ~~and enhancing and~~ preserving the historical character of the original dwelling as a part of the approved zone change. (Ord. 2022-22: Ord. 2017-14)

17.74.130: SITE PLAN REVIEW:

~~The Site Plan Review process includes review and recommendations by the Heritage Commission, TRC, Heritage Commission, Planning Commission and approval by the City Council.~~ The following elements shall be addressed as a part of the site plan review. Other elements that may be required by ~~Heritage Commission, TRC, the the~~ Planning Commission, ~~and City Council~~ shall also be included. The site plan shall be drawn to a reasonable scale by an engineer, land surveyor, architect, or a landscape architect, or a combination thereof.

A. Existing Conditions:

1. The boundary line of the property including dimensions of property lines. An electronic copy shall be submitted showing the property survey so that it can be integrated into the City ~~system;system.~~
2. The location and names of existing adjacent ~~streets;streets.~~
3. Topography at two feet (2') intervals unless waived by City ~~staff;staff.~~
4. The acreage or square footage of the proposed ~~site;site.~~
5. The location of all existing structures and the square footage of ~~each;each.~~
6. A sketch of the floor plan of all existing buildings including the location of all entrances and ~~exits;exits.~~
7. The location of any existing parking or paved ~~areas;areas.~~
8. The location of accessory buildings, sidewalks, large trees, or other site features planned to be retained as part of the new ~~development;development.~~
9. New buildings will require a soils (geotechnical) report to be submitted. A soils report is not required for existing ~~buildings;buildings.~~

10. If stormwater runoff is handled on site, a document showing how the drainage will be handled, stamped by an engineer, must be submitted. Credit may be given for on-site ~~retention;retention.~~

11. Any other features required to be identified by the TRC and/or the Planning Commission.

B. Proposed Development Requirements: The proposed development shall show and include the following information:

1. Common facilities such as recreation, sitting, walking, or other such ~~uses;uses.~~
2. Site amenities such as patios, pools, fountains, play areas, ~~etc.;etc.~~
3. Location of all proposed new buildings including:
 - a. ~~Heights;Heights.~~
 - b. Number of residential dwelling units or commercial ~~units;units.~~
 - c. Proposed use of each ~~area;area.~~
 - d. Floor plan sketch of proposed residential areas; and
 - e. Entrances and exits.
4. Location and type of open space all of which shall show how it is to be developed and used. It may be left as undeveloped property. Plan shall pay special attention to soils conditions and the relationship of development to the toe of the hill if it is adjacent to, or includes any property on, the ~~hillside;hillside.~~
5. Location of driveways and parking ~~areas;areas.~~
6. The percentage of land to be used for various ~~purposes;purposes.~~
7. A generalized landscape plan of the entire ~~parcel;parcel.~~
8. Utility services. The location of all utility services, including fire hydrants shall be indicated on the development plan or a separate ~~sheet;sheet.~~
9. Lighting proposal for businesses, residential areas, parking, and driveway locations. All parking areas shall be lighted during hours of darkness using light fixtures that control the spread of light (~~shielded and directed downward~~)~~upward or outward~~ so that lights will not create a nuisance to other ~~uses;uses.~~
10. Refuse storage ~~areas;areas.~~
11. Locations and plans for all proposed ~~signs;signs.~~
12. Elevation drawings of all proposed ~~buildings;buildings.~~
13. Other items that may be required by the Planning Commission as a part of the site plan review.

C. Architectural Standards: See ~~also~~ "Historic District Design Guidelines".

1. The architectural character of all existing buildings, including accessory ~~buildings~~buildings, shall not be changed until reviewed and approved as a part of the site plan review and approval of the City.

2. The architectural character of new construction on the site shall harmonize with the existing structure unless otherwise approved by the City as a part of the site plan approved by the City.

3. Developers are encouraged to review early pioneer architecture along Santa Clara Drive, and in adjacent cities such as St. George and Washington, to develop an architectural character that is compatible with the early pioneer development of the area.

4. No residential dwelling shall have less than seven hundred (700) square feet of ~~main floor~~living area unless specifically approved by the Planning Commission and City Council as a part of a mixed-use dwelling already existing on the property.

5. The proposed architectural character of all new development and any changes to the existing structures shall be reviewed by the Heritage Commission and Planning Commission. Drawings and elevations are useful in showing how structures are to be designed and constructed.

6. Santa Clara has adopted a "streetscape" plan for the development of Santa Clara Drive right-of-way. For all properties having frontage along this street, the development plan shall include all recommendations of the streetscape plan as it relates to the proposed development. It is important that continuity be created between properties in the Historic District.

D. Impact: The impact on surrounding neighborhood uses shall be considered as a part of the development plan. The developer may submit estimates as to the impact of the project on the following elements, or the Planning Commission may examine these types of issues based upon their knowledge and understanding of the City. Staff opinions may also be considered by the Planning ~~Co~~mission.

1. Any significant impact on ~~traffie~~traffic.

2. The impact on utility ~~systems~~systems.

3. Any anticipated noise ~~levels~~levels.

4. Stormwater runoff from the ~~property~~property.

5. Visual and aesthetic ~~qualities~~qualities.

6. Other considerations, such as hours of operation, that may be raised by the Planning Commission during plan review. (Ord. 2022-22: Ord. 2017-14: Ord. 2004-01 § 2)

17.74.140: PLAN APPROVAL:

The City Council is empowered, upon recommendation of the TRC, Heritage Commission, and the Planning Commission, to approve developments if they find them to be capable of accomplishing the identified purposes of, and in compliance with, the requirements of this zone.

After review of the proposed site plan and following receipt of any recommendations of the TRC and Heritage Commission ~~and the City staff~~, the Planning Commission may recommend the site plan as submitted, or as may be amended because of site plan review, to the City Council for final review and approval. Following action by the City Council, the applicant may request permits for the development to be issued by the Building Department. Upon City Council approval, the development project shall be diligently pursued to final completion.

On the date the site plan and zoning are approved by the City Council, all conditions and requirements attached to that approval are binding on the property unless an amendment is approved. All subsequent development and use of the property shall be in accordance with the approved plan. If aland subdivision was a part of the application, the effect of approval will also result in an approved preliminary plat. The requirements for final subdivision approval and recording shall be met by complying with all requirements of the City subdivision ordinance prior to any development taking place on the property.

~~The intent of this form of zoning is to provide an alternative procedure for specific development proposals and, as such, it is intended that all property under control of the developer or owner, be zoned to allow the complete project to develop and to permit approval of plans using flexible requirements that may be different from all other zones in the City. If development does not move forward in a timely manner, the City staff will report their findings to the Planning Commission in which case the Planning Commission may recommend to the City Council that remedial action be taken which may include the removal of the Historic District/Mixed Use Zoning for the property.~~

The rezoning of property, along with the approval of a site-specific development plan for the property so zoned, shall run with the land. Any subsequent owner will be bound by the same plans and requirements as originally approved unless the specific plans are subsequently amended by the Planning Commission and City Council. (Ord. 2022-22: Ord. 2017-14: Ord. 2004-01 § 2)

CHAPTER 17.76
HISTORIC DISTRICT OVERLAY ZONE

SECTION:

17.76.010: Purpose

17.76.020: Definitions

17.76.030: Overlay Zone ~~a~~And Boundaries

17.76.040: Boundaries

17.76.050: Heritage Commission

17.76.060: Heritage Commission Duties

17.76.070: Review ~~a~~And Permit Procedure

17.76.080: Demolition ~~o~~f Significant Historic Buildings ~~w~~Within ~~t~~The Historic District
~~w~~Which ~~a~~Are ~~n~~Not Designated Landmark Sites

17.76.090: Administration

17.76.010: PURPOSE:

The city of Santa Clara recognizes the historical heritage of the Santa Clara community as a valued and important asset. (Ord. 2022-23 § 1: Ord. 97-06 § 18-1)

17.76.020: DEFINITIONS:

The following terms shall have the meanings set out below for the purposes of this chapter:

CITY COUNCIL: The ~~C~~city ~~C~~council of the city of Santa Clara.

HERITAGE COMMISSION: The ~~H~~heritage ~~C~~commission of the city of Santa Clara.

EXTERIOR DESIGN PROPOSAL: A. Any rehabilitation, reconstruction, painting of a building's exterior, re-roofing, or ~~e~~addition ~~an~~ addition to the exterior of a significant historic building.
B. Any demolition or relocation of a significant historic building.
C. Any new construction within the ~~H~~historic ~~D~~district except for minor additions to non-historic buildings; or
D. Any sign proposed to be placed or modified within the ~~H~~historic ~~D~~district.

HISTORIC DISTRICT: The lands within the city's ~~H~~historic ~~D~~district overlay zone.

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LANDMARK SITE: A building, site, or structure designated as a landmark site by the City Council after recommendation by the Heritage Commission.

MINOR ADDITION, No: An addition to a non-historic building of six hundred (600) square feet or less.

NON-HISTORIC BUILDING: A building within the Historic District that is not a "significant historic building" as defined in this section.

PLANNING COMMISSION: The Planning and zoning Commission of the city of Santa Clara.

SIGNIFICANT HISTORIC BUILDING: A building, site or structure that is:

A. A designated landmark site.

B. A building within the Historic District built as a residence during the prior to 19th late 19th century to mid-20th century (see Historic District Design Guidelines)³⁵; or

C. Within the Historic District determined by the Heritage Commission to be historically important due to its age or architecture. (Ord. 2022-23 § 1: Ord. 2009-17 § 1: Ord. 97-06 § 18-6)

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17.76.030: OVERLAY ZONE AND BOUNDARIES:

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The Santa Clara Historic District zone is established which shall be an overlay zone over the existing districts shown on the official Santa Clara City Zoning Map. In cases of conflict between this chapter and other provisions of this title, this chapter shall apply. (Ord. 2022-23 § 1: Ord. 97-06 § 18-2)

17.76.040: BOUNDARIES:

The boundaries of the Santa Clara Historic District overlay zone are set forth as those areas indicated on the Zoning Map included as a part of this chapter. (Ord. 2022-23 § 1: Ord. 97-06 § 18-3)

17.76.050: HERITAGE COMMISSION:

The City of Santa Clara hereby establishes a Heritage Commission with the following provisions:

~~A.~~ —A. The ~~H~~eritage ~~C~~ommission shall consist of five (5) members appointed by the mayor with the advice and consent of the ~~C~~ity ~~C~~ouncil for a five (5) year term, except that in making the initial appointment, the mayor and council shall appoint two (2) members for a term of three (3) years; and three (3) members for a term of five (5) years. Members shall not serve more than two (2) consecutive five (5) year terms. Each member shall have demonstrated interest, competence, or knowledge in historic preservation. An architect with expertise in historic preservation may be involved in the process on a case-by-case basis as determined by City staff. Additionally, the Planning Manager or designee shall be responsible for providing staff support to the Heritage Commission.

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~~B.~~ The City Council may appoint from time to time one of its members to serve as a non-voting liaison to the Heritage Commission.

B. The ~~H~~eritage ~~C~~ommission shall meet at least four (4) times each year except that the ~~H~~eritage ~~C~~ommission may assemble as required to fulfill the duties of the ~~H~~eritage ~~C~~ommission and conduct meetings in accordance with the open public meeting laws of Utah. Upon appointment of the initial ~~H~~eritage ~~C~~ommission by mayor and ~~C~~ity ~~C~~ouncil, the ~~H~~eritage ~~C~~ommission shall meet and elect one of its members as chairperson. The ~~H~~eritage ~~C~~ommission shall then provide for the rules and procedures for the holding of regular and special meetings of the ~~H~~eritage ~~C~~ommission as deemed advisable and necessary.

C. The ~~H~~eritage ~~C~~ommission shall elect a chair and vice-chair from among its members yearly. The election of the chair and vice-chair will occur during the first regularly scheduled ~~H~~eritage ~~C~~ommission meeting each year.

D. Vacancies shall be filled for the unexpired term of any member whose term is vacant. Any member may be removed for cause by the appointing authority.

E. The members of the ~~H~~eritage ~~C~~ommission shall serve without compensation; however, they shall be entitled to be reimbursed for any actual expenses by them in the performance of their duties. (Ord. 2022-23 § 1: Ord. 2009-17 § 1: Ord. 2009-13 § 1: Ord. 2000-03 § 1: Ord. 97-06 § 18-4)

17.76.060: HERITAGE COMMISSION DUTIES:

The ~~H~~eritage ~~C~~ommission shall have the following duties:

A. Survey ~~a~~And Inventory Community Historic Resources: The ~~H~~eritage ~~C~~ommission shall conduct, or cause to be conducted, a survey of the historic, architectural, and archaeological resources within the city. The survey shall be compatible with the Utah Inventory of Historic Archaeological Sites. Survey and inventory documents shall be maintained and shall be open to the public. The survey shall be updated every ten (10) years.

B. Review Proposed Nominations to ~~t~~The National Register of Historic Places: The ~~H~~eritage ~~C~~ommission shall review and comment to the state historic preservation officer on all proposed national registry nominations for properties within the city's boundaries. When the ~~H~~eritage ~~C~~ommission considers a national register nomination which is normally evaluated by professionals in a specific discipline and that discipline is not represented on the ~~H~~eritage ~~C~~ommission, the ~~H~~eritage ~~C~~ommission shall seek expertise in that area before commenting on the nomination.

C. Provide Advice and Information: The ~~H~~eritage ~~C~~ommission shall:

1. Act in an advisory role to other officials and departments of government regarding the identification and protection of local historic and archaeological resources; and
2. Work toward the continuing education of citizens regarding historic preservation and community history.

D. Enforcement ~~o~~f State Historic Preservation Laws: The ~~H~~eritage ~~C~~ommission shall support the enforcement of all state laws relating to historic preservation. These include but are not limited to: Utah Code Annotated 17A-3-1301, the ~~H~~istoric ~~D~~istrict antiquities, and Utah Code Annotated 9-8-4-4 regarding the notification of the state historic preservation officer of any known proposed action that will destroy, or affect, a site, building, or object, owned by the state of Utah and included on, or eligible for, the state of national registers.

E. Act ~~a~~s Design Review Committee: Act as the ~~H~~istoric ~~D~~istrict ~~D~~esign ~~R~~eview ~~C~~ommittee with respect to new construction (excluding minor additions), exterior design proposals, demolition, or relocation, of a significant historic building, or any construction or modification of a sign within the ~~H~~istoric ~~D~~istrict. (Ord. 2022-23 § 1: Ord. 2009-17 § 1: Ord. 2000-03 § 1: Ord. 97-06 § 18-5)

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17.76.070: REVIEW AND PERMIT PROCEDURE:

A. Upon submission to the ~~P~~lanning ~~C~~ommission of a ~~C~~oncept~~s~~ket~~c~~h ~~P~~lan for development located within the ~~H~~istoric ~~D~~istrict, the ~~P~~lanning ~~C~~ommission or designee shall inform the developer and/or owner of the ~~H~~eritage ~~C~~ommission's required submittals and review procedures. The ~~H~~eritage ~~C~~ommission shall review all development proposals submitted to the ~~P~~lanning ~~C~~ommission within the ~~H~~istoric ~~D~~istrict and report to the ~~P~~lanning ~~C~~ommission on the proposals.

B. When a request for a building permit is made to the city based upon an exterior design proposal, the heritage commission shall review, at a minimum, the exterior design of buildings, architectural treatment, landscaping, design of signs and other items related to design objectives, to determine whether proposed construction substantially complies with ~~H~~istoric ~~D~~istrict ~~D~~esign ~~G~~uidelines~~s~~tandards and make a report to the ~~P~~lanning ~~C~~ommission prior to the issuance of a building permit.

C. All exterior design proposals shall be subject to Planning Commission approval after recommendation from the Heritage Commission. No building permit shall be issued in the Historic District without this approval.

D. The Heritage Commission and City staff shall exercise continuing review of a project as it progresses from conceptual stage through construction and completion to ensure compliance with Historic District Design Guidelinesstandards and Planning Commission approvals.

E. After the denial of a permit by the Planning Commission, an applicant may request an exemption as provided in subsection F of this section or may appeal to the City Council for approval. On appeal to the City Council, its decision shall be final.

F. A property owner may be exempted from the restrictions imposed by this chapter on significant historic buildings by applying for an exemption. The application shall state the reasons why: 1) the building is no longer suitable for present purposes; and 2) why the applicant cannot earn a reasonable return from use or rental of the building if altered, reconstructed, or demolished within the limitations and guidelines adopted under this chapter. Determination of whether a building is appropriate for exclusion from the application of this chapter shall be made by the Planning Commission upon recommendation by the Heritage Commission. If an applicant desires to appeal the denial of an exemption or the Heritage Commission desires to appeal the granting of an exemption, the applicant or Heritage Commission may request consideration by the City Council, and its decision, after a public hearing, shall be final. (Ord. 2022-23 § 1: Ord. 97-06 § 18-7)

17.76.080: DEMOLITION OF SIGNIFICANT HISTORIC BUILDINGS WITHIN THE HISTORIC DISTRICT WHICH ARE NOT DESIGNATED LANDMARK SITES:

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A. When an application is made for a demolition permit affecting a significant historic building which is not a designated landmark site, the Heritage Commission and Planning Commission shall:

1. Review the condition of the building to determine the impact of the demolition ~~to~~on the neighborhood and the technical feasibility for preserving the structure.

~~2. Inform the property owner of economic incentives available to rehabilitate historic resources.~~

~~3. Encourage the property owner not to demolish the building until an attempt can be made to locate suitable tenants to make the building economically viable or find a purchaser who is willing to acquire and rehabilitate the structure.~~

~~24. If new construction is proposed for the site, it should be reviewed in conjunction with review of the demolition permit application. Review proposed new construction within the neighborhood.~~

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35. The application shall also describe the reason for the demolition and any development proposed for the demolition site including renderings of the proposed new construction.

B. Demolition permits for significant historic buildings not designated a landmark site, shall not be ~~recommended~~approved by the Heritage Commission and approved by the Planning Commission until ~~both the Commission~~ has had a reasonable time, not to exceed ninety (90) days from receipt of completed application, to review the proposed new construction, and make recommendations regarding compliance with the Hhistoric District Design Guidelines~~standards~~. Granting of the permit shall be determined after review by the Heritage Commission of prior to Planning Commission recommendations. The Building Official may allow for an exception on a case-by-case basis for fire and/or water damage. (Ord. 2022-23 § 1: Ord. 97-06 § 18-8)

17.76.090: ADMINISTRATION:

A. The Planning Commission may, upon written recommendation of the Heritage Commission, recommend to the City Council, rules, regulations, and guidelines to implement and administer the purposes and intent of this chapter.

B. Until at least three (3) members of the Heritage Commission are appointed, the Planning Commission shall serve as the Heritage Commission. (Ord. 2022-23 § 1: Ord. 97-06 § 18-9)

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Ben Shakespeare
Jarett Waite
Christa Hinton
David Pond
Janene Burton

CITY COUNCIL

Meeting Date: August 15, 2024 **Agenda Item:** 6

Applicant: Santa Clara

Requested by: Jim McNulty

Subject: Code Amendment

Description: Update to Chapter 17.42, Telecommunication Facilities, Section 17.42.020, Definitions. This proposed code amendment includes a new definition for an exempt Telecommunication Facility. Creation of this definition would allow for a temporary facility with a monopole up to one hundred feet (100') in height, installed on a 2' tall prefabricated structural steel frame foundation with concrete ballast blocks, equipment cabinets and a diesel generator, or similar technology. The proposed code amendment (see attached language) would allow for a cell provider to go through the Temporary Use, Chapter 17.24.100, process. The Black Desert Group would like the City to consider this request to allow for cell service during the upcoming PGA tour event (October 7, 2024, to October 13, 2024), and next spring's LPGA event (May 2025).

The Planning Commission will hold a public hearing on this item on Thursday, August 8, 2024. City staff will provide an updated Memo to the City Council on Monday, August 12, 2024, for Council review and consideration.

Recommendation: Yes

Attachments: Yes

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A

CHAPTER 17.42

TELECOMMUNICATIONS FACILITIES

SECTION:

17.42.010: Facility And Antenna Criteria

17.42.020: Definitions

17.42.030: General Requirements

17.42.040: Registration Of Telecommunications Carriers And Providers

17.42.050: Agreement

17.42.060: Nonexclusive Grant

17.42.070: Rights Granted

17.42.075: Exempt Facilities; Basic Requirements

17.42.080: Minifacilities; Basic Requirements

17.42.090: Minor Facilities; Basic Requirements

17.42.100: Minor Facilities; Referral

17.42.130: Minimum Application Requirements

17.42.140: Standard Agreements Required

17.42.150: Life Of Permits

17.42.160: Structural Requirements

17.42.170: Basic Tower And Building Design

17.42.180: Critical Disaster Response Facilities

17.42.190: Location

17.42.200: Height Determination

17.42.210: Collocated And Multiple User Facilities

17.42.220: Lighting

17.42.230: Roads And Parking

17.42.240: Vegetation Protection And Facility Screening

17.42.250: Fire Prevention

17.42.260: Environmental Resource Protection

17.42.270: Noise And Traffic

17.42.280: Visual Compatibility

17.42.290: NIER Exposure

17.42.310: Exceptions

17.42.320: Public Notice

17.42.330: Ambiguity

17.42.340: Appeal

17.42.010: FACILITY AND ANTENNA CRITERIA:

The purpose and intent of this chapter is to provide a uniform and comprehensive set of standards for the development of telecommunication facilities and installation of antennas. The regulations contained herein are designed to protect and promote public health, safety, community welfare and the aesthetic quality of Santa Clara as set forth within the goals, objectives and policies of the Santa Clara general plan; while at the same time not unduly restricting the development of needed telecommunications facilities and important amateur radio installation and encouraging managed development of telecommunication infrastructure to ensure Santa Clara's role in the evolution of technology. It is also the stated intent of this chapter to provide a public forum to ensure a balance between public concerns and private interest in establishing telecommunication and related facilities.

It is furthermore intended that, to all extent permitted by law, the city shall apply these regulations to specifically accomplish the following:

- A. Protect the visual character of the city from the potential adverse effects of telecommunication facility development and minor antenna installation;
- B. Ensure against the creation of visual blight within or along the city's scenic corridors and ridge lines;
- C. Retain local responsibility for and control over the use of public rights of way to protect citizens and enhance the quality of their lives;
- D. Protect the inhabitants of Santa Clara from the possible adverse health effects associated with exposure to high levels of NIER (nonionizing electromagnetic radiation);
- E. Protect the environmental resources of Santa Clara;

F. Ensure that a competitive and broad range of telecommunications services and high quality telecommunications infrastructure are provided to serve the business community;

G. Create and preserve telecommunication facilities that will serve as an important and effective part of Santa Clara's emergency response network;

H. Simplify and shorten the process for obtaining necessary permits for telecommunication facilities while at the same time protecting the legitimate interests of Santa Clara citizens; and

I. Provide for the charging of reasonable, competitively neutral, nondiscriminatory fees for use of the public ways by telecommunication providers. (Ord. 99-26 § 1)

17.42.020: DEFINITIONS:

For the purpose of this chapter, the following words and phrases shall have the meaning respectively ascribed to them in this section:

ANTENNA: Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves when such system is either external to or attached to the exterior of a structure. Antennas shall include devices having active elements extending in any direction, and directional beam type arrays having elements carried by and disposed from a generally horizontal boom that may be mounted upon and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be a part of the antenna. Antennas shall include cellular on wheels (COWs) and cellular on light trucks (COLTs) facilities; as well as dispatch carriers for specialized mobile radio (SMR) services and enhanced SMR (ESMR).

Building Mounted Antenna: Any antenna, other than an antenna with its supports resting on the ground, directly attached or affixed to a building, tank, tower, building mounted mast less than ten feet (10') tall and six inches (6") in diameter, or structure other than a telecommunication tower.

Directional Antenna Or Panel Antenna: Transmits and/or receives radio frequency signals in a directional pattern of less than three hundred sixty degrees (360°).

Ground Mounted Antenna: Any antenna with its base, single or multiple posts, placed directly on the ground or a mast less than ten feet (10') tall and six inches (6") in diameter.

Omni-Directional Antenna: Transmits and/or receives radio frequency signals in a three hundred sixty degree (360°) radial pattern. For the purpose of this chapter, an omni-directional antenna is up to fifteen feet (15') in height and up to four inches (4") in diameter.

Parabolic Antenna Or Satellite Dish Antenna: Any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, bowl or cornucopia shaped and is used to transmit and/or receive electromagnetic or radio

frequency communication signals in a specific directional pattern. This definition is meant to include, but is not limited to, what are commonly referred to as satellite earth stations, TVROs and satellite microwave antennas.

Portable Antenna: Any device used to transmit and/or receive electromagnetic or radio frequency communication/signals in a specific directional pattern, located on a portable or moveable base designed to be placed either for temporary or long term use at a given site.

Vertical Antenna: A vertical type antenna without horizontal cross sections greater than one-half inch (1/2") in diameter.

COLLOCATION: See definition of Telecommunication Facility.

COMMERCIAL USE: A use that involves the exchange of cash, goods or services, barter, forgiveness of indebtedness, or any other form, or the right to occupy space over any period of time.

DIRECT BROADCAST SATELLITE SERVICE (DBS): A system in which signals are transmitted directly from a satellite to a small (not exceeding 18 inches) home receiving dish. DBS competes with cable television.

EQUIPMENT BUILDING, SHELTER OR CABINET: A cabinet or building used to house equipment used by telecommunication providers to house equipment at a facility.

INHABITED AREA: Any residence, any other structure regularly occupied by people, or any outdoor area used by people on a regular basis.

LATTICE TOWER: A self-supporting support structure, erected on the ground, which consists of metal crossed strips or bars to support antennas and related equipment.

MAXIMUM CREDIBLE EARTHQUAKE: As defined by the uniform building code, zone 2B.

MONOPOLE: A wireless communication facility which consists of a monopolar structure, erected on the ground to support wireless communication antennas and connecting appurtenances.

NIER: Nonionizing electromagnetic radiation (i.e., electromagnetic radiation primarily in the visible, infrared, and radio frequency portions of the electromagnetic spectrum).

PUBLIC SERVICE USE OR FACILITY: A use operated or used by a public body or public utility in connection with any of the following services: water, waste water management, public education, parks and recreation, fire and police protection, solid waste management, transportation or utilities.

PUBLIC WAY: Means and includes all public streets and utility easements, now and hereafter owned by the city, but only to the extent of the city's right, title, interest or authority to grant a license to occupy and use such streets and easements for telecommunications facilities.

QUASI-PUBLIC USE: A use serving the public at large, and operated by a private entity under a franchise or other similar governmental authorization, designed to promote the interests of the general public or operated by a recognized civic organization for the benefit of the general public.

READILY VISIBLE: An object that stands out as a prominent feature of the landscape when viewed with the naked eye.

RELATED EQUIPMENT: All equipment ancillary to the transmission and reception of voice and data via radio frequencies. Such equipment may include, but is not limited to, cable, conduit and connectors.

SATELLITE EARTH STATION: A telecommunication facility consisting of more than a single satellite dish smaller than ten feet (10') in diameter that transmits to and/or receives signals from an orbiting satellite.

SILHOUETTE: A representation of the outline of the towers and antenna associated with a telecommunication facility, as seen from an elevation perspective.

STRUCTURE RIDGE LINE: The line along the top of a roof or top of a structure, if it has no roof.

TELECOMMUNICATION FACILITY: A facility that transmits and/or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers or similar structures supporting said equipment, equipment buildings, parking area, and other accessory development.

Collocated Telecommunications Facility: A telecommunication facility comprised of a single telecommunication tower or building supporting one or more antennas, dishes, or similar devices owned or used by more than one public or private entity.

Commercial Telecommunications Facility: A telecommunication facility that is operated primarily for a business purpose or purposes.

Exempt Telecommunications Facility: Includes, but is not limited to, the following unless located within a recognized historic district:

A. A single ground or building mounted receive- only radio or television antenna including any mast, for the sole use of the tenant occupying a residential parcel on which the radio or television antenna is located; within an antenna height not exceeding twenty five feet (25');

B. A ground or building mounted citizens band radio antenna including any mast, if the height (post and antenna) does not exceed thirty five feet (35');

C. A ground, building, or tower mounted antenna operated by federally licensed amateur radio operator as part of the amateur radio service, if the height (post and antenna) does not exceed thirty five feet (35').

D. A ground or building mounted radio or television satellite dish antenna, which does not exceed thirty six inches (36") in diameter, for the sole use of the resident occupying a residential parcel on which the satellite dish is located; provided the height of said dish does not exceed the height of the ridge line of the primary structure on said parcel.

E. All citizens band radio antenna or antenna operated by a federally licensed amateur radio operator as part of the amateur radio service which existed at the time of the adoption of the ordinance codified in this chapter (September 1996).

F. Mobile services providing public information coverage of news events of a temporary nature.

G. Handheld devices such as cell phones, business band mobile radios, walkie talkies, cordless telephones, garage door openers and similar devices as determined by the city.

H. City government owned and operated receive and/or transmit telemetry station antennas for supervisory control and data acquisition (SCADA) systems for water, flood alert, traffic control devices and signals, storm water, pump stations and/or irrigation systems, with heights not exceeding thirty-five feet (35').

I. A temporary facility with a monopole up to one hundred feet (100') in height, installed on a 2' tall prefabricated structural steel frame foundation with concrete ballast blocks, equipment cabinets and a diesel generator, or similar technology. In no case shall the above-mentioned facility and associated equipment be located within three hundred feet (300') of a residential property that includes any dwelling unit(s). Also, such facilities must be approved as a Temporary Use under Chapter 17.24.100 to qualify for an exemption under this section of city code.

Major Telecommunications Facility: All telecommunication facilities not clearly set forth and included in the definitions of exempt, minor or minifacilities.

Minitelecommunication Facility: An attached wireless communication facility consisting, but not limited to, the following unless located on a structure recognized as a historic landmark:

A. A single ground or building mounted receive- only radio or television antenna including any mast, or the sole use of the tenant occupying the parcel on which the radio or television antenna is located; with an antenna height not exceeding fifty feet (50');

B. A ground or building mounted citizens band radio antenna including any mast, if the height (tower, support structure, post and antenna) does not exceed seventy feet (70');

C. A ground, building, or tower mounted antenna operated by a federally licensed amateur radio operator as part of the amateur radio service, if the height (post and antenna) does not exceed seventy feet (70').

D. A ground or building mounted received-only radio or television satellite dish antenna, with diameter exceeding thirty six inches (36") but less than eight feet (8') in diameter, for the sole use of the resident occupying a residential parcel on which the satellite dish is located; provided the height of said dish does not exceed the height of the ridgeline of the primary structure on said parcel.

E. Exempt telecommunication facility located within a recognized historic district.

F. City owned and operated antennas used for emergency response services, public utilities, operations and maintenance if the height does not exceed seventy feet (70').

If a facility does not meet these criteria then it is considered either a "exempt", "minor" or "major" telecommunication facility.

Minor Telecommunications Facility: Any of the following:

A. Antenna which meet the definition of "mini" with the exception of the height limit.

B. Telecommunication facilities less than thirty five feet (35') in height and that adhere to section 17.42.090 of this chapter.

C. A single ground or building mounted whip (omni) antenna without a reflector, less than four inches (4") in diameter whose total height does not exceed thirty five feet (35'); including any mast to which it is attached, located on commercial and/or industrial zoned property.

D. A ground or building mounted panel antenna whose height is equal to or less than four feet (4') and whose area is not more than four hundred eighty (480) square inches in the aggregate (e.g., 1 foot diameter parabola or 2 foot by 1 1/2 foot panel) as viewed from any one point, located on commercial or industrial zoned property. The equipment cabinets shall be designed, placed and screened to be unobtrusive and effectively unnoticeable.

E. More than three (3) antennas, satellite dishes (greater than 3 feet in diameter), panel antennas, or combination thereof are proposed to be placed on the commercial or industrial parcel, including existing facilities.

F. Building mounted antennas which, in the opinion of the planning director, are unobtrusive or undetectable by way of design and/or placement on the building, regardless of number; when located on commercial or industrial zoned property.

G. Telecommunication facilities less than fifty feet (50') in height, in compliance with the applicable sections of this chapter, located on a parcel owned by the city of Santa Clara

and utilized for public and/or quasi-public uses where it is found by the planning director to be compatible with the existing city uses of the property.

H. Telecommunication facilities, including multiple antennas, in compliance with the applicable sections of this chapter, located on an industrial parcel and utilized for the sole use and purpose of a research and development tenant of said parcel, where it is found by the city to be aesthetically compatible with the existing and surrounding structures.

I. Telecommunication facilities located on a structure recognized as a historic landmark.

If a facility does not meet these criteria then is considered a "major" telecommunication facility.

Multiple User Telecommunications Facility: A telecommunication facility comprised of multiple telecommunication towers or buildings supporting one or more antennas owned or used by more than one public or private entity, excluding research and development industries with antennas to serve internal uses only.

Noncommercial Telecommunications Facility: A telecommunication facility that is operated solely for a nonbusiness purpose.

TELECOMMUNICATIONS TOWER: A mast, pole, monopole, guyed tower, lattice tower, freestanding tower, or other structure designed and primarily used to support antennas. A ground or building mounted mast greater than ten feet (10') tall and six inches (6") in diameter supporting one or more antenna, dishes, arrays, etc. shall be considered a telecommunications tower. (Ord. 99-26 § 1)