



**NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, JUNE 11, 2025
TIME: 6:00 PM**

Public Notice is hereby given that the Santa Clara City Council will hold a Regular Meeting in the Santa Clara City Council Chambers located at 2603 Santa Clara Drive, Santa Clara Utah on Wednesday, June 11, 2025, commencing at 6:00 PM. The meeting will be broadcasted on our city website at <https://santaclarautah.gov>

1. Call to Order:

2. Opening Ceremony:

- Pledge of Allegiance: Councilman Waite
- Opening Comments: Reverend Rickine Kestin, Solomon's Porch Foursquare Fellowship

3. Conflicts and Disclosures:

4. Working Agenda:

A. General Business:

1. Public Hearing to receive public comment regarding the Parks Impact Fees and Capital Facilities Plan.
2. Public Hearing to receive public comment regarding the FY2025-2026 Final Budget.

B. Consent Agenda:

1. Approval of Minutes and Claims:
 - May 28, 2025, City Council Work Meeting
 - May 28, 2025, City Council Work Meeting
 - Claims through June 11, 2025
2. Calendar of Events:
 - June 16, 2025, Juneteenth National Freedom Day (Offices Closed)
 - June 25, 2025, City Council Work Meeting
 - June 25, 2025, City Council Regular Meeting
 - July 4, 2025, Independence Day (Offices Closed)
 - July 9, 2025, City Council Work Meeting
 - July 9, 2025, City Council Regular Meeting

C. General Business:

1. Discussion and action to consider amending the Parks Impact Fees, Capital Facilities and approve Resolution No. 2025-10R. Presented by Dayne Call, Parks and Trail Assistant Director.
2. Discussion and action to consider approval of FY2025-2026 Final Budget and approve Ordinance No. 2025-08. Presented by Brock Jacobsen, City Manager.
3. Discussion and action to consider a Code Amendment to Section 17.08, Definitions, and Section 17.20.280, Non-Depository Institutions of city code and approve Ordinance No. 2025-09. Presented by Jim McNulty, Planning Director.

5. Reports:

A. Mayor / Council Reports

6. Closed Meeting Session:

7. Adjournment:

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

The undersigned, duly appointed City Recorder hereby certify that the above notice and agenda was posted within the Santa Clara City limits on this 5th day of June 2025 at the 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 2025 meeting schedule was also provided to the Spectrum on January 1, 2025.

Selena Nez, CMC
City Recorder

**SANTA CLARA CITY COUNCIL WORK MEETING
WEDNESDAY, MAY 28, 2025
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Work Meeting on Wednesday, May 28, 2025, at 4:00 p.m. in the City Council Chambers located at 2603 Santa Clara Drive, Santa Clara, Utah. The meeting was broadcast on the City website at <https://santaclarautah.gov>.

Council Members: Ben Shakespeare, Mayor Pro Tempore
Janene Burton
Christa Hinton
Dave Pond
Jarett Waite

Excused: Mayor Rick Rosenberg

City Manager: Brock Jacobsen

City Recorder: Chris Shelley

Others Present: Matt Ence, City Attorney
Dustin Mouritsen, Public Works Director
Dan Cazier, Fire Chief
Debbie Bannon, Finance Director
Gary Hall, Power Superintendent
Cody Mitchell, Building Official
Ryan VonCannon, Parks Director
Lance Haynie, Government Affairs Director
Rich Rogers, Police Captain

1. Call to Order.

In the absence of Mayor Rick Rosenberg, Mayor Pro Tempore, Ben Shakespeare called the meeting to order at 4:02 p.m. and welcomed those present.

Power Superintendent, Gary Hall introduced New Apprentice Lineman, Drake Topham. Mr. Topham stated that he was raised in Cedar and moved to the area 10 years previously. He graduated from Salt Lake Community College two years ago and moved to Vernal, Utah, where he worked as a contractor for High Voltage, Inc. He was happy for the opportunity to move home and work in Santa Clara.

2. Working Agenda.

A. General Business.

i. Discussion Regarding Ball Field Rental Fees. Presented by Ryan VonCannon, Parks & Trails Director.

Parks and Trails Director, Ryan VonCannon reported that tournament fees were last updated in February 2022. Several people have indicated that they want to hold tournaments in Santa Clara because the City offers much better service at a significantly lower rate than neighboring cities.

Saint George does not have an attendant on duty during tournaments. They will prep fields between games as needed, but Mr. VonCannon could not get a clear answer on how they determine when and how it is done. Their peak season runs from April 30 through October 1. Santa Clara's peak season is April and May to discourage tournaments during Little League season, but Mr. VonCannon indicated a preference to not specify a peak season. Saint George also charges a non-resident fee, while Santa Clara does not.

During off-season at the Canyons Complex, the fee is \$500 per field per day for residents and \$1,000 for non-residents. In peak season, it increases to \$3,500 for residents and \$7,000 for non-residents. They have seven fields, and in peak season the entire complex must be reserved. At the Little Valley Complex, the fee is \$500 per field per day for residents and \$1,000 for non-residents in the peak season.

Washington City charges \$500 per field, per day. The fee includes daily field preparation and mounds, but no attendant is on duty. They do not have a peak season, but no tournaments are allowed during Little League season.

Ivins makes it clear that they do not want tournaments. On weekdays, their fee is \$500 per field per day. It increases to \$750 on Saturdays and \$900 on holidays. Additional field preparation is \$80, and an attendant is \$40 per hour on weekdays and \$60 on Saturdays and holidays.

Santa Clara charges \$350 per field per day, and that fee includes an on-duty attendant at Gubler Park. Spence Gunn and Little League Parks do not have an attendant, but the agreement stipulates that Gubler must be reserved first for tournaments. Mr. VonCannon would like to modify the agreement to stipulate that tournaments utilizing less than three fields will not have an attendant on duty. On average, the City currently breaks even on tournaments that utilize three fields. Employees periodically check the bathrooms and remove trash at other parks, but they are not on-site full-time during tournaments.

Mr. VonCannon recommended that the City Council consider the following changes:

- Increase fees for Spence Gunn and Little League to \$500 per field per day to match other cities, with a higher increase for Gubler Park.
- Increase the temporary fencing fee from \$50 to \$100, as setup requires two employees and takes approximately two-and-a-half hours.

- Add a non-resident fee. Mr. VonCannon stated that he was conflicted on this as Rocky Mountain Baseball would be considered non-resident, but they are great to work with. However, the American Fastpitch Association (“AFA”) is also non-resident, and he would prefer to discourage them from renting the fields.

Mayor Pro Tem Shakespeare asked how a non-resident fee would work. Mr. VonCannon stated that any organization headquartered in Washington County would be considered a resident. Approximately 95% to 98% of peak season field rentals are for Rocky Mountain Baseball and SU Baseball tournaments. In response to a question from Mayor Pro Tem Shakespeare, Mr. VonCannon stated that it would be very hard to regulate if teams were considered rather than the headquarters location. Some organizations from California and Las Vegas moved their tournaments to Utah during COVID-19, and they occasionally still hold tournaments in the area in the summer. Council Member Hinton suggested defining non-residents as out-of-state organizations. Mr. VonCannon noted that an AFA Softball conducts tournaments approximately two weekends every month in the summer.

In response to a question raised by Mayor Pro Tem Shakespeare, Mr. VonCannon reported that a cost analysis was conducted for all costs except lighting. They determined that if three fields are utilized, on average the City will break even or make a small profit. Each additional field increases the profit margin as staffing needs do not increase. Costs of labor, materials, and routine maintenance were considered in the analysis. The primary factor is overtime pay for employees to staff tournaments.

Council Member Pond asked how often tournaments only use a portion of the available fields and suggested a tiered rate system, with a higher fee for one to two fields that decreases with the number of fields rented. Mr. VonCannon stated that most tournaments only utilize three fields at Gubler Park because the fourth field is smaller. Council Member Hinton asked if Mr. VonCannon would prefer that approach or requiring tournaments to reserve all fields. Mr. VonCannon stated that many tournaments only need two or three fields, and he did not want to negatively affect organizations like Rocky Mountain Baseball.

Mayor Pro Tem Shakespeare stated that they need to maintain a balance. They want to encourage businesses and restaurants to come to Santa Clara, but they also need to cover costs. Mr. VonCannon agreed that tournaments bring a lot of money to the area and agreed that his concern was covering the City’s costs. He recommended that the fees be increased to \$500 per field per day without an attendant and \$550 with an attendant on duty.

City Manager, Brock Jacobsen agreed on the increased fees and suggested adding a cancellation policy similar to that of Washington City. If a tournament is canceled within one or two weeks of the event, the deposit is forfeited. Mr. VonCannon reported that Washington City imposes a 25% cancellation fee if all or a portion of the tournament is canceled. In response to a question from Mayor Pro Tem Shakespeare, he clarified that the policy would not apply to weather-related cancellations. No tournaments had been canceled due to weather during his tenure, although some individual games had been canceled. However, the AFA recently canceled a tournament two days prior to its scheduled opening day because they forgot to advertise it. Directors have been told that they must supply the schedule no later than the Monday before the tournament.

Mr. VonCannon stated that he would also like to stop specifying a peak season. Mayor Pro Tem Shakespeare agreed and noted that it would be easier to manage.

Council Member Hinton was in favor of increasing the fee to \$500 to match other cities. She questioned if \$50 would cover the cost of an attendant but deferred to Mr. VonCannon on that matter. She also agreed with increasing the cost of temporary fencing. In response to her question, Mr. VonCannon stated that the Huntsman World Senior Games would not be affected because that is a sponsored event.

Council Member Pond was in favor of a cancellation policy specifying that the City will retain 25% of the deposit for cancellations made more than one week prior to an event and the deposit is nonrefundable within one week of the event. Mr. Jacobsen stated that the deposit is \$200 per field. If someone reserved all four fields at Gubler Park, the 25% fee would be \$200. Mayor Pro Tem Shakespeare noted that the maximum deposit is \$600.

Mr. VonCannon will bring the item back before the Council for a vote.

**ii. Discussion Regarding Playground Equipment for Black Rock Park.
Presented by Ryan VonCannon, Parks & Trails Director.**

Mr. VonCannon reported that the following changes were made to the playground design based on Council feedback during their last discussion:

- The swing set was modified to include a toddler swing and a regular swing.
- A rope climbing wall and tumbler blocks were added.
- The total cost increased to approximately \$104,000.

In response to a question from Mr. VonCannon, Historic District Committee Chair, Mimi McKenna stated that the equipment looked better than what is currently at Black Rock Park but was not comparable to other City parks. She asked why this park will have such different equipment. Mr. VonCannon stated that the smaller playing surface is one factor. They also want Black Rock to remain a quiet neighborhood park. Ms. McKenna clarified that she was not referring to the size but rather how user-friendly the equipment at other parks is.

Mayor Pro Tem Shakespeare noted that Gubler, Canyon View, and Swiss Pioneer Memorial Parks all have parking. Their intention is for Black Rock Park to remain a neighborhood park that does not attract residents from other areas. Ms. McKenna stated that she believes residents are being punished for it being a neighborhood park, and more money is put into other parks because they cater to Airbnb renters. It is better than the existing equipment because it is new, but she was not pleased with it. She drove around to other parks and that equipment is much better. They have things like climbing walls and pretend trees.

Council Member Waite indicated that the Black Rock Park playground is for a younger demographic. Ms. McKenna noted that small children cannot climb the netting and asked about the target age for the playground. Mr. VonCannon stated that residents have indicated they would like equipment geared toward toddlers to seven-year-olds, and the existing playground has a

feature that is similar to the netting. Ms. McKenna stated that she has lived near the park for over 20 years, and young children do not play on that equipment.

Mr. VonCannon reported that cost was another factor because no grants were available for the project. Mr. Jacobsen added that Impact Fees were used for the Swiss Pioneer Memorial Park and Gubler Park playgrounds. Because they are replacing the equipment, the Black Rock Park playground is not Impact Fee eligible.

In response to a question from Council Member Hinton, Mr. VonCannon reported that an exact budget had not been set for the project. He brought the options to the City Council to determine the required amount.

Council Member Waite stated that Option 2 is more unique. In response to a concern raised by Ms. McKenna, Mr. VonCannon clarified that it was designed to fit the existing area. Option 1 has more open space because a larger area is required between swings and other play structures. Ms. McKenna stated that swings would be a better option because children love them, and they also need shade. She asked what funds were available for the replacement equipment. Mr. Jacobsen clarified that Recreation, Arts, and Parks (“RAP”) tax funds could be used, but not Impact Fees collected from new developments. Ms. McKenna stated that if the City cannot spend more on different equipment, then the playground the City Council chose is a good option. She does not like having to drive to another park to play with her grandkids because it has better, more kid-friendly toys than the one directly behind her house.

In response to a question from Council Member Burton, Ms. McKenna stated that children aged two to six have a hard time using their body strength to pull themselves up, and they can fall out of equipment that has ladders and open sides. Small, gradual steps are a better option. Mr. VonCannon clarified that the rear of Option 1 includes either a ladder or stairs. Ms. McKenna agreed that that would be sufficient. Mayor Pro Tem Shakespeare stated that it could be possible to add on to the playground in the future, but the City Council believed that the chosen option was the most practical solution for Black Rock Park.

In response to a question from Council Member Burton, Mr. VonCannon confirmed that the existing tree would be removed, and the required clearances will prevent them from installing landscaping inside the play area. Saving the tree would require redesigning the playground, which would be very expensive and decrease its size. The play surface will be replaced at the same time as the equipment.

Ms. McKenna asked if they would replace landscaping in the park at the same time. Mr. VonCannon clarified that they were only replacing the playground at this time. The irrigation system will be updated in Winter 2025, and new landscaping will be installed after that project is completed. Options for trees that would be appropriate and grow in the existing planter were discussed, and it was noted that only ornamental trees would survive in that area. Shade will be provided by the play structure, not trees.

Council Member Hinton asked that the proposal be updated to include additional toddler and regular swings. Council Member Waite indicated that Vernon Worthen Park has six tire swings,

and they are always in use. Mr. VonCannon stated that there should be room to expand the swings, and he would request an updated proposal.

In response to a question from Council Member Burton, Mr. VonCannon reported that every company that visited the site indicated that the tree would have to be removed. The playground will not pass inspection otherwise. Mayor Pro Tem Shakespeare stated that it is a small playground, but east of the restrooms or in the turf area may be suitable for a larger shade tree like a mulberry tree.

Mayor Pro Tem Shakespeare and Council Member Pond agreed that, if possible, additional swings should be added. After discussion, it was decided that Mr. VonCannon would also obtain pricing on a few other pieces of equipment that could be added at the same time or at a later date.

**iii. Discussion Regarding Park Impact Fees and Capital Facilities Plan.
Presented by Ryan VonCannon, Parks & Trails Director.**

Mr. VonCannon reported that the previous study conducted in 2019 did not consider bicycle lanes, dirt trails, and paved trails separately. However, there is a large cost difference between, for example, painting lines on an existing trail and paving a new trail. The current maximum Parks Impact Fee is \$4,175, but the average collected is \$2,900. The new maximum Impact Fee will be \$2,356, which will result in a reduction of \$546 from that average. However, the study concluded that the splash pad, cemetery addition, and columbarium are 100% Impact Fee eligible.

Changes to the previous study include the removal of the Adventure Park and updated pricing for the cemetery land purchase. Batting cages for Gubler Park Phase 4 would be added prior to finalizing the plan. In response to a question from Mayor Pro Tem Shakespeare, Mr. VonCannon stated that Sunrise Engineering had not yet determined if the batting cages will be Impact Fee eligible.

Mayor Pro Tem Shakespeare asked if future parks were considered. Mr. VonCannon stated that most developers include parks as amenities in their Site Plans, but the City may need to add one park in the next 20 years to maintain the level of service. Tobler Park is included in the study and will be 100% Impact Fee eligible, but that will be considered an aesthetic or historical park because it will not have a playground.

Mr. Jacobsen indicated that the City's Impact Fee studies do not take the South Hills into account. If the Bureau of Land Management were to open that land for sale and development, all studies would need to be updated to include the area. Only currently available, developable projects were included. Mr. VonCannon noted that studies are updated every five years.

Mayor Pro Tem Shakespeare stated that the updated study is more in line with his expectations for parks, and he did not believe the South Hills would add additional density. Mr. VonCannon reported that the target level of service is 4.5 acres per 1,000 people and the City is currently at 4.8 acres per 1,000 people. The study projects that they will fall below target in approximately 15 years, but the Council had previously discussed whether that level of service was necessary due to the amount of public open space in the area. Ivins was told that 3.3 acres per 1,000 people was

adequate. Higher levels of service are recommended for urban areas. Mayor Pro Tem Shakespeare noted that world-class mountain biking and hiking are abundant in the area.

In response to a question, Mr. VonCannon reported that when they can begin work on the splash pad would depend on the scope of the project. A recirculating system would be considerably more expensive than allowing the water to drain into the sewer system, and all maintenance staff would have to be certified pool operators. Council Member Hinton noted that the Washington County Water Conservancy District ("WCWCD") has indicated that they would prefer the water drain into the sewer system so it can be reused. Mr. VonCannon confirmed that preference, but the City would need to determine if the water line is large enough to drain directly into the sewer line.

In response to a question from Council Member Burton, Mr. VonCannon reported that a new skate park is planned, but they have not determined its location or timeline. The splash pad is the priority. In response to a follow-up question, he reported that the Graf River Park is located near the Chapel Street bridge. It currently has a dirt trail, and planned improvements include benches.

Council Member Waite asked about the \$884,000 in recommended improvements at Tobler Park and noted that the Council had discussed scaling the plan down significantly. Mr. VonCannon explained that the total was calculated based on the 2019 Concept Plan and the original intention was to complete the project in phases. Prices have increased, but he believes the estimate is still accurate.

In response to a question from Council Member Burton regarding the Bonneli Trail improvements indicated in the study, it was clarified that completing the trail is part of the Trails Master Plan. The project may not be feasible, but it was agreed that it should remain in the plan. Mr. VonCannon reported that Greater Zion has plans for a trail from Mathis Park to Shivwits that would include the area, but they may need to reroute it to the south side of the Santa Clara River.

Mr. VonCannon will bring the Park Impact Fees and Capital Facilities Plan back for approval at a future City Council meeting.

iv. Discussion Regarding Short-Term Rental Ordinance. Presented by Lance Haynie, Governmental Affairs.

Government Affairs Director, Lance Haynie reported that municipalities were previously prohibited from identifying illegal short-term rentals through rental listings without additional evidence such as resident complaints. HB 256 was passed in the last legislative session and now allows that advertising to be used as evidence for enforcement in conjunction with another mechanism. If the City's existing ordinance were updated to require short-term rentals to include their Business License in all advertising, the City could then take action on unlicensed rentals that do not include it. Mr. Haynie indicated that both VRBO and Airbnb are cooperating with municipalities to remove non-compliant properties.

In response to a question from Council Member Hinton, Mr. Haynie confirmed that owners of the illegal short-term rentals on Red Mountain Drive, for example, would not be able to obtain a Business License. Council Member Hinton stated that she was in favor of amending the ordinance.

Mayor Pro Tem Shakespeare agreed. Mr. Jacobsen stated that it was a victory for cities and would aid them in keeping short-term rentals in appropriate zones.

Mr. Haynie stated that the current ordinance requires a local property manager that must be available at all times, but it does not define the term “local.” Mr. Jacobsen recommended requiring the owner or their agent to be located within Washington County. The Council agreed. Mr. Haynie will update the ordinance as discussed and bring it back at a future City Council meeting.

v. Discussion Regarding Arcadia Resort. Presented by Matt Ence, City Attorney.

City Attorney, Matt Ence reported that the item was placed on the Agenda to provide the City Council with the opportunity to discuss it in further detail. He proposed that the discussion be focused on options regarding the two pending Conditional Use Permit (“CUP”) applications.

The first application was an amendment to the existing CUP allowing short-term rentals at Arcadia Resort. The original permit was approved under certain conditions, which in Staff’s view had changed. The second application was for a new CUP specific to the resort amenity, which is now under separate ownership from the Arcadia Resort. City Code allows for a CUP to be issued for a club use, which in Mr. Ence’s opinion is functionally similar to the membership-based amenities at Arcadia Resort. Staff was in favor of granting that CUP subject to conditions to address potential negative impacts of the use.

Mr. Ence explained that when the Arcadia Phase 1 Subdivision Plat was approved, the club parcel was not separated on the Plat. The property owner had since produced other versions of the Plat for review, but it was confirmed that the official version that was approved by the City and recorded at the County did not create a separate club parcel. However, some items suggest that it was intended as a separate parcel. For example, the Covenants, Conditions, and Restrictions (“CC&Rs”) that were recorded with the original Plat state that the developer had the option of operating the resort parcel separate from HOA amenities. Additionally, improvements approved by the City provide separate services to that parcel. Those items suggest that, even though it was not apparent to the City at the time, the developer’s intent was to pursue this course of action.

Mr. Ence cautioned the City Council against discussing whether property owners received adequate notice of the developer’s intent, as that was not a question for the City. The question before them was how to resolve the issue that the approved Plat did not create a separate parcel, but it had been treated as a separate parcel. He reported that within one month of Plat recordation, the County Recorder’s office assigned a separate parcel number and began treating it as a separate parcel in County records, even though the City had not created it as such. State code requires parcels to be created through the subdivision process, but there are exceptions allowing common areas to be split and used for other purposes.

The City realized that the parcel was being used as a resort separate from HOA amenities when it was sold to another property owner. At that point, Staff began investigating the matter. It was determined that because costly formal action would be required to correct it, the best solution

would be to mitigate any issues that may have arisen by issuing Conditional Use Permits. That process allows the City to review things like parking.

When the project was originally approved, the uses were reviewed based on it being a single project with HOA amenities. Now there are two separate uses, the resort and a separate club use that has its own requirements. Staff determined that additional parking stalls would be required for the club's use. Robert Smith retained an engineering firm to conduct a traffic study to determine how to accommodate the parking needs of each use. Based on that study, a recommended Condition of Approval was to place a limit on the number of day-use passes that could be sold.

Mr. Ence reported that the Planning Commission reviewed the applications and recommended approval with conditions. The City Council could accept their recommendation and proposed conditions, add new conditions, or reject the recommendation and deny the CUPs. He cautioned that under Utah law, CUPs can only be denied if there is a negative impact that cannot be reasonably mitigated. It is the City Council's obligation to consider the permits and whether reasonable conditions can be imposed to mitigate any negative impacts. If those conditions could be identified, they would be obligated to approve the CUP with those conditions.

As the legislative authority in the City, it was the Council's prerogative to approve or deny the applications. Affected property owners and other interested parties have threatened litigation against the developer, but Mr. Ence did not believe the City had substantial legal exposure on the matter. If the City Council decided to deny the applications, the Applicant would have the right to evaluate whether they had a potential claim against the City, but he was also unconcerned about that potential outcome. Staff had worked hard to present a reasonable proposal but would support and defend any decision the Council made.

In response to a question from Mayor Pro Tem Shakespeare, Mr. Jacobsen confirmed that the property has had a Business License since it opened. It is different from other resorts as everything is managed by Arcadia Resorts.

Mayor Pro Tem Shakespeare stated that he did not believe requiring the developer to go back through the Plat process would change the outcome. His focus was on determining the City's true concern and addressing that through the CUPs. If he owned property at Arcadia Resort, he would be concerned that the separately owned and managed club amenities would become inaccessible to him, so he wanted to ensure that the amenities are always available to property owners at an additional fee. Mr. Ence reported that the club amenities were the only amenities developed in Arcadia Resort Phase 1. Exclusive HOA amenities were developed in subsequent phases. The City was assured that property owners would always have access to the club amenities, but that would need to be confirmed by Mr. Smith.

Mayor Pro Tem Shakespeare stated that he had read the CC&Rs, and he agreed that the club amenities were intended to be separate even though that was not indicated on the Subdivision Plat. He was comfortable that other issues could be addressed with Conditions of Approval. Mr. Smith clarified that the CC&Rs grant homeowners the right to club facilities through a separate membership fee.

Mayor Pro Tem Shakespeare stated that he had read the meeting minutes, and it was obvious that the City's intent was that the resort always be specific to the homes. Mr. Ence noted that another Council Member had indicated that if they had realized the club would be separate from the HOA when they approved the initial Plat, they may not have approved it. He acknowledged that that may have been a concern, but his opinion was that the City did not make a mistake. The City Council reviewed the available information and approved the Plat that was presented to it. The issue was created by circumstances that occurred since that approval. As soon as Staff became aware of it, they proactively tried to determine the best approach to correct the issue, but he did not believe they had an obligation to do so. However, it impacts the developer, club owner, and property owners, and he believed the best approach would be to try to reconcile what was approved and what was actually happening. If property owners still believe they are not receiving what they are entitled to, they can pursue their rights.

Mr. Ence explained that the State statute regarding creating lots through the subdivision process specifies that if a legal lot is not properly created, conveyance of the property that was not legally created is voidable by the City. The term "voidable" means that it can potentially be reversed but steps are required to do so, whereas "void" means that it is automatically canceled. He did not believe the City had the desire to request a court order to void the sale, because in his opinion that would not serve the City's interests or those of other parties. The City could also require the developer to file an amended Subdivision Plat, but Mr. Ence believed the practical issues surrounding that requirement would be daunting. After consideration, Staff determined that the CUPs were the best approach. The Council could choose not to address it and allow it to potentially be worked out through the courts, but Staff felt that the City has some responsibility to bring clarity to the matter.

Council Member Waite asked what mechanism would be used to regulate the number of day passes or non-owner club memberships. Mr. Ence stated that it would be enforced like other zoning restrictions; the City could proactively review sales to ensure compliance, or they could perform a review if complaints are made. However, he acknowledged that enforcement can be challenging. Mayor Pro Tem Shakespeare stated that they could require an annual accounting of day passes, but he was unsure if that was necessary.

In response to a question, Police Captain, Rich Rogers stated that Arcadia Resort has no more issues than other neighborhoods.

Mayor Pro Tem Shakespeare stated that they have seven years of history to consider, and the City Council can review the recommended conditions. The sale has already taken place, and there is language in the CC&Rs that allows for it. He believes the City Council had an obligation to address concerns through Conditions of Approval and create a clear path forward.

Mr. Ence stated that Staff worked with the property owners' attorneys to draft an affidavit explaining the history of the issue and stating that it is intended by all parties to be treated as a legal parcel. The document would bring clarity to title records. It would be presented to the City Council after the final decision on the CUPs.

Mr. Jacobsen asked for the Council's direction on whether the CUPs should be added to the next Agenda or if they should be postponed to a later date. Council Member Hinton stated that she would like to review the Planning Commission's recommended conditions. Mayor Pro Tem Shakespeare agreed. Mr. Ence noted that the Conditions of Approval would be included in the Staff Report. Mr. Jacobsen indicated that the Staff Report that was presented to the Planning Commission would be forwarded to the Council the following day and asked that the Council Members inform him as to whether they would like the item on the June 11 or June 25 Agenda. Council Member Pond stated that he would not be in attendance at the June 25 meeting. Mayor Pro Tem Shakespeare stated that he would not be present on June 11.

In response to a question from Council Member Hinton, Mr. Ence reported that if the CUP were not approved, the club amenity would be operating in violation of zoning ordinances, as a CUP is required for the use. They would then need to discuss next steps and whether to actively pursue remediation.

3. Staff Reports.

Mayor Pro Tem Shakespeare stated that Staff Reports would be postponed to the regular meeting.

4. Adjournment.

The City Council Meeting adjourned at 5:39 p.m.

Selena Nez
City Recorder

Approved: _____

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, MAY 28, 2025
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, May 28, 2025, at 6:00 p.m. in the City Council Chambers located at 2603 Santa Clara Drive, Santa Clara, Utah. The meeting was broadcast on the City website at <https://santaclarautah.gov>.

Council Members: Ben Shakespeare, Mayor Pro Tempore
Janene Burton
Christa Hinton
Dave Pond
Jarett Waite

Excused: Mayor Rick Rosenberg

City Manager: Brock Jacobsen

City Recorder: Chris Shelley

Others Present: Matt Ence, City Attorney
Dustin Mouritsen, Public Works Director
Dan Cazier, Fire Chief
Debbie Bannon, Finance Director
Gary Hall, Power Superintendent
Cody Mitchell, Building Official
Ryan VonCannon, Parks Director
Rich Rogers, Police Captain
Lance Haynie, Government Affairs Director

1. Call to Order.

In the absence of Mayor Rick Rosenberg, Mayor Pro Tempore Ben Shakespeare called the meeting to order at 6:05 p.m. and welcomed those present.

2. Opening Ceremony.

- A. Pledge of Allegiance: Council Member Pond.**
- B. Opening Comments: Reverend Alex Wilkie, Retired Baptist Minister, St. George Interfaith Council.**

3. General Citizen Public Comments.

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:

- May 14, 2025, City Council Work Meeting.
- May 14, 2025, City Council Regular Meeting.
- Claims through May 28, 2025.

ii. Calendar of Events:

- June 11, 2025, City Council Work Meeting.
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- June 25, 2025, City Council Regular Meeting.

Council Member Pond reported that he would not be in attendance at the June 25 City Council Meeting. Council Member Waite reported that he would also be absent from that meeting. Mayor Pro Tem Shakespeare reported that he would not be present at the June 11 meeting.

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

C. General Business.

i. Swear In Selena Nez as City Recorder.

Selena Nez was sworn in by City Recorder, Chris Shelley. Mayor Pro Tem Shakespeare stated that the City is excited and grateful to have Ms. Nez stepping into the position of City Recorder. Photographs were taken with the City Council.

Ms. Nez expressed her gratitude for the opportunity to serve as Santa Clara City Recorder. Taking the oath marked the beginning of a responsibility she takes very seriously; one that requires attention to detail, consistency, and a strong commitment to work ahead. She thanked Mayor Rosenberg, the City Council, and everyone who made the moment possible. She thanked Ms. Shelley for her service. Her guidance and example paved the way, and she appreciated the

strong foundation Ms. Shelley built. She thanked her family for their love and support and expressed her excitement to serve the community with this important and demanding work. She will approach it with dedication, integrity, and a strong commitment to serve the community. She looked forward to working with everyone to keep City government transparent, efficient, and responsive to the people it serves.

City Manager, Brock Jacobsen stated that they are very excited for Ms. Nez and grateful for Ms. Shelley's service to the City.

ii. Discussion and Action to Consider an Amendment to Title 17, Zoning Chapter 17.44.130, Temporary Signs; and Section 17.44.135, Political Signs; and Approve Ordinance 2025-05. Presented By Brock Jacobsen, City Manager.

City Manager, Brock Jacobsen presented the Staff Report and indicated that the amendment was discussed at the last Work Session. Planning and Economic Development Manager, Jim McNulty presented the item to the Planning Commission at its last meeting, and they unanimously forwarded a recommendation of approval.

Section 17.44.135, Political Signs was reviewed. Highlights include:

- Political signs must be located at least two feet from the back of the sidewalk or 12 feet from the public right-of-way, whichever is nearest.
- It is specified that park strips are located within the public right-of-way.
- Signs are not allowed on public property but may be placed on private property with the owner's permission for up to 60 days before a general or special election.
- All signs must be removed within 30 days after an election.
- Political signs are not allowed within 150 feet of a polling location, including ballot drop boxes.
- In residential zones, signs cannot exceed 12 square feet in area or three feet in height. In nonresidential zones, signs cannot exceed 24 square feet or four feet in height.

Mr. Jacobsen reported that a map of allowed locations will be distributed to candidates, and it will also be available via the City website. Political signs are prohibited in all public parks, park strips, and the City offices. This should clarify the regulations for candidates in the upcoming Mayoral and City Council elections.

In response to a question from Mayor Pro Tem Shakespeare, Mr. Jacobsen confirmed that if there is no sidewalk, signs must be placed 12 feet from the travel lane.

Council Member Pond moved to APPROVE the Amendment to Title 17, Zoning Chapter 17.44.130, Temporary Signs; and Section 17.44.135, Political Signs; and APPROVE Ordinance 2025-05, as presented. Council Member Waite seconded the motion. Vote on motion: Council Member Waite-Yes, Council Member Pond-Yes, Council Member Shakespeare-Yes, Council Member Hinton-Yes, Council Member Burton-Yes. The motion passed unanimously.

iii. Discussion and Action to Consider an Amendment to Title 17 Zoning Chapter 17.64.060, Modifying Regulations and Approve Ordinance 2025-06; and an Amendment to Title 17 Zoning Chapter 17.08.010, Terms Defined and Approve Ordinance 2025-07. Presented by Cody Mitchell, Building Official.

Building Official, Cody Mitchell presented the Staff Report and indicated that the proposed amendments were intended to add clarity and provide language updates to accessory structures, carports, awnings and patio covers, swimming pools, and domestic livestock and fowl.

City Staff discussed the amendments with the Planning Commission on January 23 and April 24, 2025. They were also discussed with the City Council on January 29 and March 5, 2025. At the last Planning Commission meeting, some Commissioners expressed an interest in modifying the number of chickens allowed. However, due to the City Council's previous comments, no changes were made and 10 total hens will be allowed. A change was made to 17.64.060(D) Awnings and Patio Covers to allow awnings to extend as close as 15 feet to the front property line as specified in Santa Clara City Code Section 17.20.090. Some minor text updates had also been applied.

Per Utah State Code Section 10-9a-205, the Planning Commission must hold a public hearing on any Land Use Ordinance Amendments, and notice must be posted 10 days in advance of the hearing. A public Planning Commission hearing was held on May 22, 2025, and a unanimous recommendation of approval was forwarded to the City Council. The City Attorney had reviewed and approved the proposed amendments. City Staff determined that all State Code requirements had been met and recommended that the City Council consider granting approval.

In response to a question from Council Member Waite, it was confirmed that roosters are prohibited in the City.

Council Member Hinton moved to APPROVE the Amendment to Title 17 Zoning Chapter 17.64.060, Modifying Regulations and Approve Ordinance 2025-06; and an Amendment to Title 17 Zoning Chapter 17.08.010, Terms Defined and Approve Ordinance 2025-07, as presented. Council Member Burton seconded the motion. Vote on motion: Council Member Burton-Yes, Council Member Hinton-Yes, Council Member Shakespeare-Yes, Council Member Pond-Yes, Council Member Waite-Yes. The motion passed unanimously.

iv. Discussion and Action to Consider Approval of the Regional Water Rate Increase and Approve Resolution 2025-09. Presented By Dustin Mouritsen, Public Works Director.

Public Works Director, Dustin Mouritsen presented the Staff Report and indicated that the increase would be a pass-through of the Washington County Water Conservancy District ("WCWCD") regional water rate increase of \$0.15 per 1,000 gallons effective July 1, 2025. He reported that the proposed new rate would still be significantly lower than other cities.

In response to a question from Mayor Pro Tem Shakespeare, Mr. Mouritsen clarified that because the increase was a direct pass-through, a public hearing was not required.

In response to a question from Council Member Burton, Mr. Mouritsen reported that the current rate of \$1.05 per 1,000 gallons will increase to \$1.20 per 1,000 gallons for Tier 1. Incremental rates per tier were outlined in the Staff Report, but the increase was only applied to Tier 1. Mayor Pro Tem Shakespeare stated that if the City did not pass the increase through to users, it would decrease the funds available for infrastructure repair and replacement.

Council Member Waite moved to APPROVE the Regional Water Rate Increase and APPROVE Resolution 2025-09, as presented. Council Member Pond seconded the motion. Vote on motion: Council Member Waite-Yes, Council Member Pond-Yes, Council Member Shakespeare-Yes, Council Member Hinton-Yes, Council Member Burton-Yes. The motion passed unanimously.

Staff Reports were presented next.

Police Captain, Rich Rogers reported on the following:

- The City Council should have received the department report earlier that day.
- Two new police officers were hired, but one decided that they were not suited for law enforcement and gave notice. They made an offer to another candidate and hoped to be fully staffed within the week.

Parks Director, Ryan VonCannon reported on the following:

- Boy Scouts Troop 407 completed a service project at the cemetery the previous week. They mulched around trees, trimmed hedges, and weeded.
- Interviews were scheduled for May 29 for the position vacated by Chad Hendrickson.
- Work should be completed on the mural after two to three more visits. Mural Guard will be added to the remainder once it is completed. Once it is finalized, he will order a plaque with the names of everyone who worked on the mural and they can schedule the ribbon cutting.
- Three pickleball courts are scheduled for resurfacing in FY2026 and an additional three in FY2027. The work will begin as soon as possible after the new fiscal year begins July 1.

Power Superintendent, Gary Hall reported on the following:

- The generators will begin running for the season on May 29.
- Crews have been performing preventative maintenance.
- A vehicle collided with a power pole on Pioneer Parkway and broke it approximately two feet underground. That has been repaired.
- There is one open lineman position.
- He will be attending the American Public Power Association ("APPA") Conference from June 5 through 11.
- Utah Associated Municipal Power Systems ("UAMPS") has approved upgrades to the 138kV lines in Washington County. Some transformer upgrades will be required to improve service in the area, which will incur additional costs. He will bring a resolution approving changes to the agreement to a future City Council meeting. Most of the work

will be performed in Saint George, but Santa Clara is a member of the project. The first phase will cost approximately \$15 million, of which the City will be responsible for 6%.

Public Works Director, Dustin Mouritsen reported on the following:

- He toured the future Western Corridor with legislative staff and the Dixie Metropolitan Planning Organization. They were pleased to hear that funding was received to begin the environmental and design this year. The Washington County Council of Governments has also provided \$156,000 to fund an alignment study.
- Pioneer Parkway chip seal was scheduled to begin Sunday, June 1. The two-lane section would be closed and detoured through town. The three-lane section would have lane closures on Monday and Tuesday but remain open for travel. Lava Cove Drive will be closed on Tuesday, June 3. All local residents and businesses were notified via Yoppify, and a flyer was delivered to businesses. Message boards were also placed at each end to make drivers aware of the project. One week after the chip seal is completed, the road will be striped with right-turn deceleration lanes at businesses and residences.
- Two staff members responded to a high water usage notification through the metering system and found a cross-connection. A resident hired a landscaping company to move their valve box, but they tied the culinary and secondary water systems together. The culinary system has higher pressure, so it did not take on any secondary water. This incident was evidence of the value of the technology provided by the advanced metering infrastructure and the MyMeter web portal.
- Funding was received from the Utah Department of Transportation ("UDOT") for traffic signal upgrades. Radios will be installed on the new traffic signals on Red Mountain Drive and Rachel Drive so the signal technician can make adjustments from his location in Salt Lake City. Saint George City and UDOT will also be able to monitor the signals for accuracy and troubleshooting.
- They will be hiring a part-time street sweeper operator to begin work in the new budget year.
- Council Member Pond stated that when the light changes for the left turn from Red Mountain Drive onto Pioneer Parkway, the signal briefly stays red. He asked if it could be adjusted so the flashing arrow appears immediately. Mr. Mouritsen will determine if an adjustment can be made.

Fire Chief, Dan Cazier reported on the following:

- The risk assessment is ongoing and scheduled to be completed in June.
- Annual hose testing is also ongoing to ensure that all hoses can withstand operating pressures. This is required for their International Organization for Standardization ("ISO") rating.
- They will be hiring three seasonal wildland firefighters.
- Each year during the last week of school, they lower the hose pressure and spray the schoolchildren with water. That is always a highlight of the year. Council Member Waite stated that his daughter looks forward to it every year.

Building Official, Cody Mitchell reported on the following:

- There are 11 Building Permits on hold, but they hope to clear them by the end of the fiscal year.

- Fred Fage's retirement party was held on May 27. They will be hiring a part-time building inspector to replace him.
- The carpet was replaced on May 27. The Fire, Public Works, Power, and Parks departments assisted in moving the furniture. He thanked Ms. Shelley for her assistance as well.
- The carport contractor reported that they would begin work on the verticals the following Monday, and the project should be completed within four to six weeks.
- The bicycle rack has been delivered but not installed.

Finance Director, Debbie Bannon reported on the following:

- She continues to work on the FY2026 Budget, and a Budget Amendment for the current year will be on the next Agenda.

City Manager, Brock Jacobsen reported on the following:

- He would be attending the APPA Conference with Mr. Hall but would be present for the June 11 City Council meeting.
- With Ms. Shelley's retirement, Sherry Laier will now oversee the front office staff. Tia Benson will be responsible for human resources.
- Due to the recent tragedy in Saint George, he asked everyone to be mindful of golf carts. A nine-year-old child passed away after being hit by a golf cart driven by a young girl.
- The Final Budget would be adopted at the next City Council meeting, and Council Member Burton and Mindy Batt requested an additional \$3,000 for the pageant scholarships. His research indicates that scholarship amounts vary from \$1,500 to \$4,000. He asked the City Council's permission to increase the amount from \$4,000 to \$7,000. Council Member Burton stated that the entire amount would not be applied to scholarships; some additional funds were needed to offset increased costs. She was grateful for any additional funds the City could contribute. Mr. Jacobsen stated that Draper requires scholarship recipients to agree to clearly defined expectations and suggested that Santa Clara should have a similar requirement. Council Member Burton stated that the royalty commits 40 hours or more to the community every year.
- He thanked Ms. Shelley for her 21 years of service and dedication to the City.

6. **Reports.**

A. Mayor/Council Reports.

Council Member Burton reported on the following:

- The Youth City Council's year-end pizza party was held the previous day. All members have a 3.8 or higher grade point average and have been excited about all their duties, including the service projects. The next Youth Council will have nine to ten members and begin in late August.
- The Miss Santa Clara Pageant will be held on May 29 at the Santa Rosa. This year's pageant includes a talent show. Director, Mindy Batt committed a lot of time to the event. The contestants had already turned in their platforms, and their essays had been judged.
- She thanked Ms. Shelley for everything she has done for the City.

- The vice president of the Paradise Village Board of Directors asked her to thank Mr. Mouritsen for the work on the sidewalks. He also expressed his appreciation in advance for taking care of a broken drainage culvert gate. She would forward photographs to Mr. Mouritsen.
- She attended Mr. Fage's retirement party, and it was very nice.
- She attended the Snow Canyon Retirement Center ribbon cutting. It was a great grand opening.

Council Member Hinton reported on the following:

- She attended some Utah League of Cities and Towns ("ULCT") meetings the previous week, including Board and Legislative Policy Committee meetings.
- At the midyear conference, they discussed legislation that is brought about based on one city's experience but affects all cities. One idea to create better outcomes is to have better relationships with legislators. They have created a Faces and Places program that will assist cities in building relationships of trust. To start building those relationships, they recommend inviting legislators to City events like Swiss Days or the Miss Santa Clara Pageant. They also recommend inviting legislators to go on ride-alongs with the Police and Fire Departments so they can get a better sense of issues facing the City. She would also like to have a post-legislative session meeting to discuss what happened and ask questions of legislatures about the session. Information about the program is available in this week's Friday Facts emails.
- Housing workgroups are being formed within the ULCT. A controversial one is the Market Rate Housing Workgroup.
- Santa Clara was included on the list of cities that had not informed the ULCT of its compliance with Moderate Income Housing Plan requirements. She informed Community and Economic Development Manager, Jim McNulty, who confirmed that the requirement had been met and contacted the ULCT to resolve the matter quickly.

Council Member Pond reported on the following:

- He also attended the Legislative Policy Committee meeting. Mr. Haynie was appointed to one housing workgroup.
- He attended the Snow Canyon Retirement Center ribbon cutting and went on a self-guided tour of the facility. It is a very nice facility.
- A ribbon cutting would be held the following week for the landfill's new administration building and scale house.

Council Member Waite reported on the following:

- He also attended the Snow Canyon Retirement Center ribbon cutting.
- He thanked Ms. Shelley for all her help and guidance over the years. She did an amazing job and will be missed. He thanked her for training Ms. Nez and setting the City up for continued success.

Mayor Pro Tem Shakespeare thanked Ms. Shelley for her hard work and asked for her comments. Ms. Shelley stated that she was grateful to Mayor Rosenberg and the City Council for everything they do for City employees. She is grateful to have worked in Santa Clara and everything she learned over the years in her positions as Court Clerk, Administrative Supervisor, Deputy

Recorder, and City Recorder. Santa Clara is the best city in the state, and it has been a blessing to be a part of it.

7. Closed Meeting Session.

There was no Closed Meeting Session.

8. Adjournment.

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

The City Council Meeting adjourned at 7:04 p.m.

Selena Nez
City Recorder

Approved: _____

**City of Santa Clara
Check Register
All Bank Accounts - 05/28/2025 to 05/28/2025**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Invoice Number</u>	<u>Invoice Ledger Date</u>	<u>Payment Date</u>	<u>Amount</u>	<u>Description</u>	<u>Ledger Account</u>	<u>Activity Code</u>
BOWEN COLLINS & ASSOCIATES,	72023	37955	05/19/2025	05/28/2025	16,961.75	PIONEER PARKWAY CULVERT REPLACEMENT P	545410-320 - ENGINEERING SERVIC	
					\$16,961.75			
BRIAN HATCH	72024	SAC2004053	05/27/2025	05/28/2025	100.00	MAINTENANCE DEPOSIT SAC200414053	102570-000 - BLDG SITE MAINTENAN	
					\$100.00			
CHILD SUPPORT SERVICES	72025	052825	05/28/2025	05/28/2025	206.77	PAY PERIOD 5-28-25 #873789	102595-000 - GARNISHMENTS PAYA	
					\$206.77			
CITY OF ST GEORGE - S	72026	MAY 2025 - SEW	05/28/2025	05/28/2025	44,020.65	3111 SEWER CONNECTIONS @14.15	525210-945 - SEWER TREATMENT -	
					\$44,020.65			
DR. ROBERT R. FOSTER, D.O. P.C.	72027	JUNE 2025 - ME	05/28/2025	05/28/2025	1,200.00	MEDICAL SERVICES DIRECTOR	104230-370 - PROFESSIONAL SERVI	
					\$1,200.00			
ERICKSON, M. RICK	72028	MAY 2025 - CITY	05/28/2025	05/28/2025	1,850.00	CITY PROSECUTOR MAY 2025	104120-330 - LEGAL SERVICES	
					\$1,850.00			
LAMOREAUX, TERESA	72029	CUPCAKES	05/28/2025	05/28/2025	187.50	CUPCAKES - CHRIS RETIREMENT	104130-999 - CONTINGENCY	
					\$187.50			
MEDPRO DISPOSAL	72030	1511977	05/01/2025	05/28/2025	272.13	MEDICAL WASTE REMOVAL	104230-370 - PROFESSIONAL SERVI	
					\$272.13			
PUBLIC EMPLOYEES LTD PROGR	ACH	2025 04 LTD	04/30/2025	05/28/2025	1,095.31	MONTHLY LTD PAYMENT	102235-000 - DISABILITY PAYABLE	
PUBLIC EMPLOYEES LTD PROGR	EFT	2025 05 LTD	05/28/2025	05/28/2025	1,105.52	MONTHLY LTD PAYMENT	102235-000 - DISABILITY PAYABLE	
					\$2,200.83			
RED MOUNTAIN MERCANTILE LL	72031	Refund: 33408	05/27/2025	05/28/2025	157.03	Refund: 33408 - RED MOUNTAIN MERCANTILE LL	531311-000 - ACCOUNTS RECEIVABL	
					\$157.03			
SAM BROWN SHIELDS INC.	72032	8106	05/27/2025	05/28/2025	1,509.00	SEW ON PATCHES - HELMET BASE	104230-454 - SAFETY EQUIPMENT	
					\$1,509.00			
STELLA-JONES CORPORATION	72033	90388256	05/21/2025	05/28/2025	8,722.86	POWER POLES	535310-466 - POWER LINES/POLES/	
					\$8,722.86			
UTAH RETIREMENT SYSTEMS	ACH	PR052525-444	05/27/2025	05/28/2025	144.55	Post Retired	102230-000 - RETIREMENT PAYABLE	
UTAH RETIREMENT SYSTEMS	ACH	PR052525-444	05/27/2025	05/28/2025	200.00	457 Loan Payment	102230-000 - RETIREMENT PAYABLE	
UTAH RETIREMENT SYSTEMS	ACH	PR052525-444	05/27/2025	05/28/2025	894.56	401-K Loan Payment	102230-000 - RETIREMENT PAYABLE	
UTAH RETIREMENT SYSTEMS	ACH	PR052525-444	05/27/2025	05/28/2025	1,218.77	401-K State	102230-000 - RETIREMENT PAYABLE	
UTAH RETIREMENT SYSTEMS	ACH	PR052525-444	05/27/2025	05/28/2025	1,650.93	457 Plan	102230-000 - RETIREMENT PAYABLE	
UTAH RETIREMENT SYSTEMS	ACH	PR052525-444	05/27/2025	05/28/2025	1,739.00	Roth IRA	102230-000 - RETIREMENT PAYABLE	
UTAH RETIREMENT SYSTEMS	ACH	PR052525-444	05/27/2025	05/28/2025	5,093.74	401-K	102230-000 - RETIREMENT PAYABLE	
UTAH RETIREMENT SYSTEMS	ACH	PR052525-444	05/27/2025	05/28/2025	26,330.02	State Retirement	102230-000 - RETIREMENT PAYABLE	
					\$37,271.57			
					\$37,271.57			
WASH. COUNTY WATER CONSER	72034	54227	05/01/2025	05/28/2025	4,505.28	REG. PIPELINE BOND PAYMENT	515110-810 - PRINCIPAL ON BONDS	
WASH. COUNTY WATER CONSER	72034	54230	04/30/2025	05/28/2025	6,231.60	WATER DEVELOPMENT SURCHARGE	513714-000 - REGIONAL WATER SUR	
					\$10,736.88			
					\$10,736.88			

**City of Santa Clara
Check Register
All Bank Accounts - 05/28/2025 to 05/28/2025**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Invoice Number</u>	<u>Invoice Ledger Date</u>	<u>Payment Date</u>	<u>Amount</u>	<u>Description</u>	<u>Ledger Account</u>	<u>Activity Code</u>
WASHINGTON COUNTY SOLID WA	72035	184519	04/30/2025	05/28/2025	14,737.50	UNIT BILLING GARBAGE 3097 @ \$13.48 & BLUC	104430-312 - RECYCLING CHARGE	
WASHINGTON COUNTY SOLID WA	72035	184519	04/30/2025	05/28/2025	41,747.56	UNIT BILLING GARBAGE 3097 @ \$13.48 & BLUC	104430-311 - SOLID WASTE DISPOS	
					\$56,485.06			
					\$56,485.06			
					\$181,882.03			

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All Bank Accounts - 06/04/2025 to 06/04/2025**

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
ALDRICH, JOHN	72036	PERMIT #20-047	06/04/2025	06/04/2025	100.00	MAINTENANCE DEPOSIT REFUND PERMIT #20-0	102570-000 - BLDG SITE MAINTENAN	
					\$100.00			
BURROW, CHRIS	72037	05-20-25 - INTER	06/03/2025	06/04/2025	79.62	INTERPRETER SVCS 05-20-25	104120-330 - LEGAL SERVICES	
					\$79.62			
CHANEL, STONE	72038	225201431	06/02/2025	06/04/2025	100.00	BAIL / BOND REFUND	102560-000 - BAIL & RESTITUTION	
					\$100.00			
CITY OF ST GEORGE - UTILITIES	72039	MAY 2025 - SC	05/30/2025	06/04/2025	12,491.57	SNOW CANYON WELL 6	515110-271 - WELLS UTILITY COSTS	
CITY OF ST GEORGE - UTILITIES	72039	MAY 2025 - MES	05/30/2025	06/04/2025	2,914.80	MESA TRAILS WAY MAY 2025	515110-275 - SNOW CANYON OP CO	
CITY OF ST GEORGE - UTILITIES	72039	MAY 2025 - SC	05/30/2025	06/04/2025	8,798.87	SNOW CANYON WELL 7	515110-271 - WELLS UTILITY COSTS	
CITY OF ST GEORGE - UTILITIES	72039	MAY 2025 - WTR	05/30/2025	06/04/2025	21,079.39	WATER TANK AT MOUTH MAY 2025	515110-275 - SNOW CANYON OP CO	
					\$45,284.63			
					\$45,284.63			
CUTTING EDGE HOLDINGS, LLC	72040	PERMIT #18-058	06/03/2025	06/04/2025	500.00	MAINTENANCE DEPOSIT PERMIT #18-058	102570-000 - BLDG SITE MAINTENAN	
CUTTING EDGE HOLDINGS, LLC	72040	PERMIT #18-148	06/03/2025	06/04/2025	500.00	MAINTENANCE DEPOSIT PERMIT #18-148	102570-000 - BLDG SITE MAINTENAN	
CUTTING EDGE HOLDINGS, LLC	72040	PERMIT #20-201	06/03/2025	06/04/2025	500.00	MAINTENANCE DEPOSIT PERMIT #20-201	102570-000 - BLDG SITE MAINTENAN	
					\$1,500.00			
					\$1,500.00			
DAMMERON VALLEY FIRE SPECIA	72041	AEMTSCIFR0529	05/29/2025	06/04/2025	2,500.00	EMT ADVANCED CERTIFICATION ACADEMY STU	104230-360 - TRAINING	
					\$2,500.00			
FLORIAN INTERPRETING & TRAN	72042	05-27-25 - INTER	06/03/2025	06/04/2025	200.00	05-27-25 INTERPRETER SVCS	104120-330 - LEGAL SERVICES	
					\$200.00			
HOLDEN, PATRICK STANLEY	72043	235200325	06/02/2025	06/04/2025	525.00	BAIL / BOND REFUND	102560-000 - BAIL & RESTITUTION	
					\$525.00			
HOLOS	72044	MAY 16 - SESSI	06/03/2025	06/04/2025	600.00	3-90 MIN GROUP SESSIONS - FIRE / INVOICE D	104230-350 - MEDICAL & DRUG TEST	
					\$600.00			
HOYT, GARET RILEY	72045	CASE #20120014	06/03/2025	06/04/2025	452.00	BAIL / BOND REFUND	102560-000 - BAIL & RESTITUTION	
					\$452.00			
L.N. CURTIS & SONS	72046	INV924489	03/10/2025	06/04/2025	437.00	34L 4 GAS CALIBRATION ALUMINUM CYLINDER	104230-253 - REPAIRS & MAINTENA	
L.N. CURTIS & SONS	72046	INV930227	03/25/2025	06/04/2025	963.00	ROUTINE SERVICE - HURST HYDRAULIC TOOLS	104230-370 - PROFESSIONAL SERVI	
L.N. CURTIS & SONS	72046	INV932369	03/31/2025	06/04/2025	1,898.00	ROUTINE SERVICE PERFORMED - BAUER MLI10	104230-370 - PROFESSIONAL SERVI	
L.N. CURTIS & SONS	72046	INV940094	04/22/2025	06/04/2025	1,750.00	5 GALLON PAIL - FOAM CONCENTRATE	104230-250 - OPERATING SUPPLIES	
L.N. CURTIS & SONS	72046	INV950771	05/21/2025	06/04/2025	265.71	45 MIN 4500 #G1 LOW PROFILE CYLINDER WITH	104230-454 - SAFETY EQUIPMENT	
L.N. CURTIS & SONS	72046	PINV991624	05/29/2025	06/04/2025	2,769.25	NOMEX SHIRTS & PANTS - UNIFORMS	104230-135 - UNIFORMS	
					\$8,082.96			
					\$8,082.96			
LARSEN FIRE APPARATUS, INC.	72047	3372	05/17/2025	06/04/2025	775.49	PRESSURE GAUGE - ADJUSTBLE PRESSURE V	104230-253 - REPAIRS & MAINTENA	
					\$775.49			
LEADING TECH CONSTRUCTION	72048	PERMIT #20-180	06/04/2025	06/04/2025	500.00	MAINTENANCE DEPOSIT REFUND PERMIT #20-1	102570-000 - BLDG SITE MAINTENAN	
LEADING TECH CONSTRUCTION	72048	PERMIT #21-003	06/04/2025	06/04/2025	500.00	MAINTENANCE DEPOSIT REFUND PERMIT #21-0	102570-000 - BLDG SITE MAINTENAN	
LEADING TECH CONSTRUCTION	72048	PERMIT #22-023	06/04/2025	06/04/2025	500.00	MAINTENANCE DEPOSIT REFUND PERMIT #22-0	102570-000 - BLDG SITE MAINTENAN	
					\$1,500.00			
					\$1,500.00			

**City of Santa Clara
Check Register
All Bank Accounts - 06/04/2025 to 06/04/2025**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Invoice Number</u>	<u>Invoice Ledger Date</u>	<u>Payment Date</u>	<u>Amount</u>	<u>Description</u>	<u>Ledger Account</u>	<u>Activity Code</u>
MEDPRO DISPOSAL	72049	1528025	06/01/2025	06/04/2025	272.13	MEDICAL WASTE REMOVAL	104230-370 - PROFESSIONAL SERVI	
					\$272.13			
MOTOROLA	72050	1187147905	05/26/2025	06/04/2025	4,402.12	PORTABLE RADIO - ASTRO - SMARTZONE OPER	104230-250 - OPERATING SUPPLIES	
MOTOROLA	72050	1187147908	05/25/2025	06/04/2025	4,402.12	CHARGER - PORTABLE RADIO - ASTRO	104230-250 - OPERATING SUPPLIES	
					\$8,804.24			
					\$8,804.24			
NELSON, SKYLER	72051	PERMIT #20-004	06/04/2025	06/04/2025	100.00	MAINTENANCE DEPOSIT REFUND PERMIT #20-0	102570-000 - BLDG SITE MAINTENAN	
					\$100.00			
PORTER, HEIDI ANN	72052	241200069	06/02/2025	06/04/2025	465.00	BAIL / BOND REFUND	102560-000 - BAIL & RESTITUTION	
					\$465.00			
SEAWESTERN	72053	SO33176	04/10/2025	06/04/2025	2,059.35	EYE PROTECTION - HELMETS -	104230-454 - SAFETY EQUIPMENT	
SEAWESTERN	72053	SO34124	05/16/2025	06/04/2025	25,784.00	AH 3000 XL - PHOTO EYE SET- CONTROL PANEL	104230-740 - CAPITAL EQUIPMENT	
					\$27,843.35			
					\$27,843.35			
SHADE, DIXIE	72054	PERMIT #21-097	06/04/2025	06/04/2025	100.00	MAINTENANCE DEPOSIT REFUND PERMIT #21-0	102570-000 - BLDG SITE MAINTENAN	
					\$100.00			
SIDDONS-MARTIN EMERGENCY	72055	321-0000038087	05/22/2025	06/04/2025	1,011.98	WATEROUS MANUAL / ELECTRIC PRIM KIT	104230-253 - REPAIRS & MAINTENA	
SIDDONS-MARTIN EMERGENCY	72055	700-SIV0039697	05/22/2025	06/04/2025	3,470.00	SETCOM WIRELESS HEADSET RADIO TRANSMI	104230-740 - CAPITAL EQUIPMENT	
SIDDONS-MARTIN EMERGENCY	72055	700-SIV0040088	05/29/2025	06/04/2025	1,990.00	SETCOM LIBERATR MAX MASTER STATION - 18"	104230-740 - CAPITAL EQUIPMENT	
					\$6,471.98			
					\$6,471.98			
SNOW CANYON CONSTRUCTION	72056	3141	05/23/2025	06/04/2025	3,939.00	DEMO AND FORM & POUR SIDEWALK	104230-253 - REPAIRS & MAINTENA	
					\$3,939.00			
SUMMERS, TRISHA	72057	PERMIT #20-098	06/04/2025	06/04/2025	100.00	MAINTENANCE DEPOSIT REFUND PERMIT #20-0	102570-000 - BLDG SITE MAINTENAN	
					\$100.00			
SUNRISE ENGINEERING, INC.	72058	ARIV1002249	04/16/2025	06/04/2025	2,925.00	SANTA CLARA PARK & TRAILS PLAN - PROF SE	484200-320 - ENGINEERING SERVIC	
					\$2,925.00			
TAYLOR BUILT HOMES	72059	PERMIT 18-069	06/03/2025	06/04/2025	100.00	MAINTENANCE DEPOSIT PERMIT 18-069	102570-000 - BLDG SITE MAINTENAN	
					\$100.00			
TK ELEVATOR CORPORATION	72060	3008430504	04/01/2025	06/04/2025	1,338.50	ELEVATOR MAINTENANCE	104230-454 - SAFETY EQUIPMENT	
					\$1,338.50			
UTAH STATE TREASURER / FINES	72061	MAY 2025 - COU	06/03/2025	06/04/2025	12,118.42	COURT SURCHARGES MAY 2025	104120-905 - STATE FINE COLLECTI	
					\$12,118.42			
WASH. CO. FLOOD CONTROL DIS	72062	MAY 2025 - FLO	06/03/2025	06/04/2025	4,995.00	MAY 2025 FLOOD CONTROL	545410-770 - FLOOD CONTROL DIST.	
					\$4,995.00			
WESTERN UNITED ELECTRIC SU	72063	6142940	05/22/2025	06/04/2025	1,648.00	WILDLIFE CUT OUT COVER	535310-466 - POWER LINES/POLES/	
					\$1,648.00			
					\$132,920.32			

Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Jarett Waite

Ben Shakespeare

Christa Hinton

David Pond

Janene Burton

CITY COUNCIL

Meeting Date: June 11, 2025

Agenda Item: 1

Applicant: Ryan VonCannon

Requested by: Ryan VonCannon

Subject: Adoption of new Impact Fee Study Update

Description:

Adopt new Impact Fee Study Update that was presented May 28th, 2025

Recommendation: Approval

Attachments: N/A

Cost: 0

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A



SANTA CLARA, UTAH

Parks & Trails Impact Fee Facilities Plan & Impact Fee Analysis

May 2025 Update

PREPARED BY:

SUNRISE ENGINEERING
11 North 300 West
Washington, UT 84780
TEL: 435-652-8450





Parks & Trails Impact Fee Facilities Plan & Impact Fee Analysis May 2025 Update

MAYOR ----- Rick Rosenberg
COUNCIL MEMBER -----Jarett Waite
COUNCIL MEMBER ----- Christa Hinton
COUNCIL MEMBER ----- Ben Shakespeare
COUNCIL MEMBER ----- Janene Burton
COUNCIL MEMBER -----Dave Pond
CITY MANAGER-----Brock Jacobson
PARKS DIRECTOR-----Ryan VonCannon
PUBLIC WORKS DIRECTOR ----- Dustin Mouritsen
RECORDER-----Chris Shelley

PREPARED BY:



Nathan Wallentine, P.E.
Project Engineer
State of Utah #12338863

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APPENDIX A - MAPS

APPENDIX B – OPINION OF PROBABLE COST

APPENDIX C – IMPACT FEE CERTIFICATION

I. INTRODUCTION

A. PREFACE

In 1997, Sunrise Engineering completed an Impact Fee Analysis for Santa Clara City's Parks and Trails Master Plan. This master plan identified numerous future projects to be undertaken by the City within 20 years of that time. Updates for the impact fee analysis were completed in 2001, 2007, 2013, and again in 2019. Sunrise Engineering has again been contracted to update the plan and impact fee analysis according to future undertakings and current market conditions.

B. INTRODUCTION

This Parks & Trails Impact Fee Facilities Plan & Impact Fee Analysis has been prepared for Santa Clara City, located west of St. George, Utah in Washington County along Highway 91. An area and location map showing the location of Santa Clara City, is provided on Exhibit I.B-1.

Santa Clara City has experienced significant growth over the past 30 years. At times this growth has been somewhat rapid and has required improvements and upgrades to much of the City's public infrastructure to meet the increased demands. The growth slowed in the 2008 recession and has since grown significantly. We are currently seeing a slight slowdown in growth, though it is projected that growth rates will level out over the next several years.

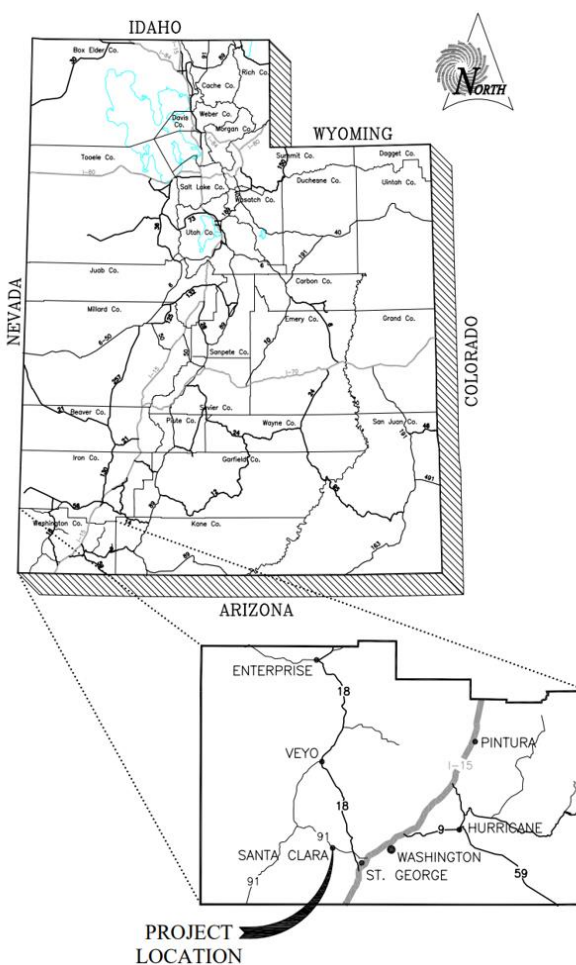


Exhibit I.B-1

To help ensure that the City is prepared to meet the needs of anticipated growth and to ensure up-to-date information is considered in planning efforts, the City of Santa Clara has contracted with Sunrise Engineering to update their existing Impact Fee Facilities Plan and to perform an updated Impact Fee Analysis.

II. USER ANALYSIS

A. PROJECTED GROWTH RATE

An important element in any community plan is the projection of the City's population growth rate. This projection gives the planner an idea of the future demands the City should plan for throughout the planning period.

Projecting the future population can be a subjective process. With this in mind Table II.A-1 below shows the City's historic growth rate according to the US Census Data and provides an idea of how the community has grown from 1970 to 2020.

Table II.A-1: Historic Growth

Santa Clara Population & Growth Projections		
Year	Population	Percent Growth
1970	271	-
1980	1,091	14.9%
1990	2,311	7.8%
2000	4,630	7.2%
2010	6,003	2.6%
2020	7,553	2.3%

The City of Santa Clara has grown significantly since 1970. During the 1970's it grew at almost 15% per year. During the 1980's and 1990's the city grew at over 7% per year. Despite this rapid population growth, there has been very little commercial development in Santa Clara. The city is primarily a residential community supporting the St. George area. Because it is bounded by lava flows, flood plains, environmentally sensitive areas, and other municipalities, it is not expected to grow as fast as it historically has.

This plan will use a projected growth of 4% starting in 2021 until the end of the planning period. This growth rate was used in another recent facilities plan and was determined after consultation with the mayor and staff.

Because the City of Santa Clara will eventually develop all of its available land, build-out projections have been considered in this study. This build-out projection is based on all property within the existing city limits, excluding the South Hills area.

Data from the Santa Clara Water Master Plan August 2023 update was used in determining build-out projections. Population estimates from the Master Plan estimated build-out is 24,466 residents. Based on these growth rates, build-out would most likely

occur by the year 2050, though it is realized that the growth will most likely taper off as the City approaches build-out. The future growth can be projected using the following compound interest formula:

$$F = P(1+i)^N$$

F = Future Population

P = Present Population

i = Projected Growth Rate

N = Years

Table II.A-2 on the following page gives the projected population and number of equivalent residential units (ERUs) throughout the 20-year and 40-year planning periods starting in 2024.

Table II.A-2: Projected Growth

Santa Clara Population & Growth Projections				
Year	Source	Population	Percent Growth	ERUs
1970	Census	271	-	-
1980	Census	1,091	14.9%	-
1990	Census	2,311	7.8%	-
2000	Census	4,630	7.2%	-
2010	Census	6,003	2.6%	-
2020	Census	7,553	2.3%	2,713
2021	Estimate	7,855	4.0%	2,822
2022	Estimate	8,169	4.0%	2,934
2023	Estimate	8,496	4.0%	3,052
2024	Estimate	8,836	4.0%	3,174
2025	Estimate	9,189	4.0%	3,301
2026	Estimate	9,557	4.0%	3,433
2027	Estimate	9,939	4.0%	3,570
2028	Estimate	10,337	4.0%	3,713
2029	Estimate	10,750	4.0%	3,861
2030	Estimate	11,180	4.0%	4,016
2031	Estimate	11,627	4.0%	4,177
2032	Estimate	12,093	4.0%	4,344
2033	Estimate	12,576	4.0%	4,517
2034	Estimate	13,079	4.0%	4,698
2035	Estimate	13,603	4.0%	4,886
2036	Estimate	14,147	4.0%	5,081
2037	Estimate	14,712	4.0%	5,285
2038	Estimate	15,301	4.0%	5,496
2039	Estimate	15,913	4.0%	5,716
2040	Estimate	16,550	4.0%	5,945
2041	Estimate	17,212	4.0%	6,182
2042	Estimate	17,900	4.0%	6,430
2043	Estimate	18,616	4.0%	6,687
2044	Estimate	19,361	4.0%	6,954
2045	Estimate	20,135	4.0%	7,232
2046	Estimate	20,940	4.0%	7,522
2047	Estimate	21,778	4.0%	7,823
2048	Estimate	22,649	4.0%	8,135
2049	Estimate	23,555	4.0%	8,461
2050	Estimate	24,497	4.0%	8,799
2051	Estimate	25,477	4.0%	9,151
2052	Estimate	26,496	4.0%	9,517
2053	Estimate	27,556	4.0%	9,898
2054	Estimate	28,658	4.0%	10,294
2055	Estimate	29,805	4.0%	10,706
2056	Estimate	30,997	4.0%	11,134
2057	Estimate	32,237	4.0%	11,579
2058	Estimate	33,526	4.0%	12,043
2059	Estimate	34,867	4.0%	12,524
2060	Estimate	36,262	4.0%	13,025
2061	Estimate	37,713	4.0%	13,546
2062	Estimate	39,221	4.0%	14,088
2063	Estimate	40,790	4.0%	14,652
2064	Estimate	42,422	4.0%	15,238

It is important to understand that projected growth rates are not the cornerstone of this plan. If the projected population is reached earlier or later than anticipated, then future improvements to support growth may either come earlier or later. Impact Fees should not be significantly affected if the actual rate of growth varies from the rate used in the plan.

B. LENGTH OF PLANNING PERIOD

This Parks & Trails Impact Fee Analysis uses a 20-year planning period beginning in the year 2024 and running through year 2044. These planning periods are consistent with standard practice and will allow an adequate evaluation of the system for potential infrastructure improvements or other needs.

C. EQUIVALENT RESIDENTIAL UNITS

It is estimated that Santa Clara City currently has approximately 3,174 residential culinary water connections. For the purpose of this report, we will assume this number to be the number of existing Equivalent Residential Units (ERUs). By definition, a residential unit is a home or other single-family dwelling. It is not within the scope of this report to define what an ERU would be for other types of connections.

By assuming that the current number of ERUs will grow at the same rate as the population, we can approximate the future number of ERUs over the next 20 years. The calculation to determine the current number of people per ERU and the corresponding number of build-out ERUs is as follows:

Current 2024 People/ERU:

$$\left(\frac{8,836 \text{ People}}{3,174 \text{ ERUs}} \right) = \mathbf{2.784 \frac{People}{ERU}}$$

Future 2044 ERUs:

$$\left(\frac{19,361 \text{ People}}{2.784 \frac{\text{People}}{\text{ERU}}} \right) = \mathbf{6,955 \text{ ERUs}}$$

Future Build-out (~2050) ERUs:

$$\left(\frac{24,466 \text{ People}}{2.784 \frac{\text{People}}{\text{ERU}}} \right) = \mathbf{8,788 \text{ ERUs}}$$

The current value of 2.78 people / ERU is lower than the 2022 census estimate of 3.22 people per household. However, the 2017 estimate was 3.52 people per household, resulting in an estimated decrease in household size of approximately 1.75% each year. This would suggest a 2024 estimate closer to 3.11 people per household. This difference is most likely due to discrepancies in population estimates and Santa Clara developing more nightly rentals that influences the ERU to population ratio.

By dividing the current population by the build-out population estimate, or by dividing the current number of ERUs by the build-out ERU estimate, it can be found that existing population is 36.1% of the build-out population. As a result, Parks and Trails facilities will experience a 63.9% usage increase. Santa Clara City plans to improve and expand its parks and trails facilities to meet this expected usage growth.

III. PARKS & TRAILS IMPACT FEE FACILITIES PLAN

A. EXISTING PARKS & TRAILS

The city established an original parks and trails plan prior to 1997 when they had their first impact fee study completed. They have been actively implementing and updating the plan since that time. A goal that has been previously established by Santa Clara City to govern their Parks and Trails Impact Fee Facilities Plan is that there should be 10 acres of parks/trails for every 1,000 people living within the City. At present the city has approximately 78.1 acres of effective park space and 158,243 feet (28.2 acres) of trail for a total of 106.3 acres as can be seen in Table III.A-1 below. The space has been categorized into four different categories (Recreational, Cemetery, Aesthetic/Historical, and Trails) as can also be seen in the table.

Table III.A-1: Santa Clara Existing Parks & Trails

Description	Area (Acres)	Est. % Comp.	Eff. Area (Acres)
<i>Recreational Parks</i>			
Blackrock Park (Vineyards)	2.3	100%	2.3
BMX Bike Park	2.0	100%	2.0
Gubler Park Ph. 1	13.6	100%	13.6
Gubler Park Ph. 2-3	9.3	100%	9.3
Gubler Park Phase 4	2.1	75%	1.6
Little League Park	5.0	100%	5.0
Canyon View Park	6.1	100%	6.1
Swiss Pioneer Memorial Park	1.2	100%	1.2
Swiss Days Park	0.7	100%	0.7
Boomer Park	0.5	100%	0.5
<i>Cemetery</i>			
Cemetery Park	3.7	100%	3.7
Cemetery Park Ph. 2	2.8	90%	2.5
<i>Aesthetic/Historical</i>			
Pioneer Memorial Park	0.5	100%	0.5
Leavitt Park (City Hall Reception Park)	0.6	100%	0.6
Santa Clara Dr. Streetscape	1.1	100%	1.1
Arboretum	26.4	100%	26.4
Heritage Square	1.0	100%	1.0
TOTAL PARKS	79.0		78.1
<i>Trails</i>			
Trail- Paved	15.6	81%	12.6
Trail- Unpaved	9.3	74%	6.9
TOTAL TRAILS	24.9		19.5
GRAND TOTAL PARKS & TRAILS	103.8		97.6

Dividing the total acreage of 97.6 acres by the existing population estimate of 8,836 people results in a projection of 11.0 acres/1,000 people as shown below. This suggests the City is currently exceeding their overall goal of 10 acres for every 1,000 people.

Existing Parks & Trails LOS (Combined):

$$\frac{97.6 \text{ acres}}{\left(\frac{8,836 \text{ People}}{1,000}\right)} = \underline{\underline{11.0 \text{ acres/1,000 people}}}$$

B. RECOMMENDED IMPROVEMENTS

This Plan recommends improvements to existing and new parks and trails to be completed within the planning horizon. These improvements will increase the amount of effective space. Effective space is calculated by multiplying the total park or trail area by the estimated percent complete of the park or trail to give a better representation of the space available to be used by the public. A summary of the recommended improvements is shown in Table III.B-1.

Table III.B-1: Recommended Improvements

Park/Trail Project	Total Cost	% I.F. Eligible	I.F. Eligible Cost
Gubler Park Phase 4	\$ 1,736,000	100.0%	\$ 1,736,000
Graf River Park	\$ 84,000	100.0%	\$ 84,000
Linear Park	\$ 10,000	100.0%	\$ 10,000
Skate Park	\$ 450,000	100.0%	\$ 450,000
Cemetery Park Ph 2	\$ 35,000	100.0%	\$ 35,000
Cemetery Park Addition	\$ 2,200,000	100.0%	\$ 2,200,000
Tobler Park	\$ 884,000	100.0%	\$ 884,000
Planned Trails	\$ 1,296,000	100.0%	\$ 1,296,000
Future Parks & Trails Impact Fee Facilities Plan & Impact Fee Analysis Updates	\$ 70,000	100.0%	\$ 70,000
Engineering & Incidentals	\$ 2,200,000	100.0%	\$ 2,200,000
TOTALS	\$ 8,965,000	100.0%	\$ 8,965,000

The detailed breakdown of costs for each project is included in Appendix B– Opinion of Probable Cost.

C. PLANNED PARKS

A key part of an Impact Fee Analysis is determining the existing and target level of service (LOS). In the case of parks, the LOS will be determined by acres of parks per 1,000 people. As has been presented in Table III.A-1, the current effective area is estimated as 78.1 acres; which divided by the population estimate of 8,836 people gives an approximate value of the existing LOS at 8.8 acres/1,000 people.

Existing Parks LOS (Combined):

$$\frac{78.1 \text{ acres}}{\left(\frac{8,836 \text{ People}}{1,000}\right)} = \underline{\underline{8.8 \text{ acres/1,000 people}}}$$

This existing LOS combines all parks categories. When each category is broken out separately, the LOS for Recreational Parks, Cemetery, and Aesthetic/Historical respectively is 4.8, 0.7, and 3.4 acres/1,000 people as shown in the following calculations.

Existing Recreational Parks LOS:

$$\frac{42.2 \text{ acres}}{\left(\frac{8,836 \text{ People}}{1,000}\right)} = \underline{\underline{4.8 \text{ acres/1,000 people}}}$$

Existing Cemetery Parks LOS:

$$\frac{6.2 \text{ acres}}{\left(\frac{8,836 \text{ People}}{1,000}\right)} = \underline{\underline{0.7 \text{ acres/1,000 people}}}$$

Existing Aesthetic/Historical Parks LOS:

$$\frac{29.7 \text{ acres}}{\left(\frac{8,836 \text{ People}}{1,000}\right)} = \underline{\underline{3.4 \text{ acres/1,000 people}}}$$

Rather than have a design goal for all parks combined, the City has elected to look at each category and determine a design goal for each category. This target LOS is set at 4.5, 0.5, and 2.0 respectively for Recreational Parks, Cemetery, and Aesthetic/Historical.

A summary of these levels of service is shown below in Table III.C-1. Also shown in this table is the LOS at the end of the planning period with recommended improvements. This number takes into account the effective area after recommended improvements shown in Table III.D-2 and the population assuming all projects are completed in the 20-year planning period.

Table III.C-1: Santa Clara Parks Level of Service

Category	Existing LOS	LOS by 2034 with only Recommended Improvements	LOS by 2044 with only Recommended Improvements	LOS by Build-out with only Recommended Improvements	Target LOS by Build-out
Recreational Parks (acres/1,000 people)	4.8	4.3	2.9	2.3	4.5
Cemetery (acres/1,000 people)	0.7	0.8	0.5	0.4	0.5
Aesthetic/Historical (acres/1,000 people)	3.4	2.5	1.7	1.3	2.0

As can be seen from Table III.C-1, additional park space will be needed to meet the target LOS at build-out in all areas. The following calculations show the additional effective park space needed for each park category within the 20-year planning period by subtracting the projected planning horizon LOS from the target LOS and multiplying by the 2044 population.

Additional Recreational Effective Park Space Requirement:

$$\left(\frac{4.5 \text{ acres}}{1,000 \text{ people}} - \frac{2.9 \text{ acres}}{1,000 \text{ people}} \right) (19,361 \text{ people}) = \mathbf{31.0 \text{ acres}}$$

Additional Cemetery Effective Park Space Requirement:

$$\left(\frac{0.5 \text{ acres}}{1,000 \text{ people}} - \frac{0.5 \text{ acres}}{1,000 \text{ people}} \right) (19,361) = \mathbf{0.0 \text{ acres}}$$

Additional Aesthetic/Historical Effective Park Space Requirement:

$$\left(\frac{2.0 \text{ acres}}{1,000 \text{ people}} - \frac{1.7 \text{ acres}}{1,000 \text{ people}} \right) (19,361) = \mathbf{-5.8 \text{ acres}}$$

These calculations suggest that the City could increase their planned recreational park improvements by 30.9 acres, and decrease their planned aesthetic/historical parks by 6.5 acres or delay improvements and still reach the LOS target goals. It should be noted that it is acceptable to exceed the target goal so a decrease in park space or delay in construction is not necessary.

D. PLANNED TRAILS

In the case of trails, the LOS was determined by feet of trail per person. The trail system implemented by Santa Clara City has approximately 45,698 feet of paved trail and 74,986 feet of unpaved trail for a total of 120,684 feet of existing trails. This does not include

bike lanes. Dividing this value by the population estimate of 8,836 people gives an approximate value of the existing LOS at 17.9 ft/ capita.

Existing Trails LOS:

$$\frac{120,684 \text{ Feet}}{8,836 \text{ People}} = \underline{\underline{13.7}} \text{ ft/capita}$$

Table III.D-1 is a summary of the existing and planned trails for Santa Clara City.

Table III.D-1: Santa Clara Existing and Planned Trails

EXISTING & PLANNED TRAILS		
Description	Length	
Existing Trails- Paved (2024)	45,698	Feet
Existing Trails- Unpaved (2024)	74,986	Feet
Planned Trails- Paved (2044)	10,799	Feet
Planned Trails- Unpaved (2044)	26,570	Feet
TOTAL	158,053	Feet

The LOS after recommended improvements is 8.2 feet of trails per capita:

Trails LOS by 2044 after Recommended Improvements:

$$\frac{158,053 \text{ Feet}}{19,361 \text{ People}} = \underline{\underline{8.2}} \text{ ft/capita}$$

The target LOS for trails has been set to 5 feet per person. The following calculation shows the additional trail needed by subtracting the projected planning horizon LOS from the target LOS and multiplying by the 2044 population.

Additional Recreational Effective Park Space Requirement:

$$\left(\frac{5 \text{ feet}}{\text{person}} - \frac{8.2 \text{ feet}}{\text{person}} \right) (19,361 \text{ people}) = -61,955.2 \text{ feet}$$

These calculations suggest that the City could decrease their trails by 61,955.2 feet or delay improvements and reach the existing LOS target goal. As with parks it should be noted that it is acceptable to exceed the target goal so a decrease in trail length or delay in construction is not necessary.

Table III.D-2 lists all the existing and planned parks and trails that have not yet been completed. This table shows the effective area anticipated after the improvements recommended by the plan are complete.

Table III.D-2: Santa Clara Existing and Planned Improvements

EXISTING & PLANNED PARKS			
Description	Area (Acres)	% Comp. After Rec.	Area after
<i>Recreational Parks</i>			
Blackrock Park (Vineyards)	2.3	100%	2.3
BMX Bike Park	2.0	100%	2.0
Gubler Park Ph. 1	13.6	100%	13.6
Gubler Park Ph. 2-3	9.3	100%	9.3
Gubler Park Phase 4	2.1	100%	2.1
Graf River Park	8.4	100%	8.4
Little League Park	5.0	100%	5.0
Canyon View Park	6.1	100%	6.1
Linear Park	4.5	100%	4.5
Skate Park	1.0	100%	1.0
Swiss Pioneer Memorial Park	1.2	100%	1.2
Swiss Days Park	0.7	100%	0.7
Boomer Park	0.5	100%	0.5
<i>Cemetery</i>			
Cemetery Park	3.7	100%	3.7
Cemetery Park Ph. 2	2.8	100%	2.8
Cemetery Park Addition	4.0	100%	4.0
<i>Aesthetic/Historical</i>			
Pioneer Memorial Park	0.5	100%	0.5
Leavitt Park (City Hall Reception Park)	0.6	100%	0.6
Santa Clara Dr. Streetscape	1.1	100%	1.1
Arboretum	26.4	100%	26.4
Heritage Square	1.0	100%	1.0
Tobler Park	2.5	100%	2.5
TOTAL PARKS	99.4		99.4
<i>Trails</i>			
Trail- Paved	15.6	100%	15.6
Trail- Unpaved	9.3	100%	9.3
TOTAL TRAILS	24.9		24.9
GRAND TOTAL PARKS & TRAILS	124.2		124.2

IV. PARKS & TRAILS IMPACT FEE ANALYSIS

A. EXISTING IMPACT FEE AMOUNT

Existing Parks & Trails Impact Fees for Santa Clara City are set at \$4,175 per ERU. This value was set by the City based on the projections used in the 2019 Parks and Trails Impact Fee Analysis update.

B. PERCENT IMPACT FEE ELIGIBLE

A project is considered impact fee eligible if it is needed to retain the existing LOS or LOS target goal should future growth occur. The city currently exceeds their LOS goals in all categories. This means they can choose to try and maintain their existing LOS and still receive impact fee eligibility even though it is greater than their goals.

All planned park and trail improvements are considered 100% impact fee eligible because LOS would drop below the existing LOS if growth were to occur and no improvements were made within the 20-year planning period. This was determined by dividing the acreage required to maintain LOS by the total planned acreage with all recommended improvements.

Table III.B-1 shown previously is a summary of the recommended improvements for each park as well as a summary of the amounts considered impact fee eligible for each project. It should be noted that the South Hills Adventure Park is not included in the table. This project is still planned but not expected to be started during the 20-year planning horizon and is therefore not included in the impact fee analysis.

C. PROPOSED IMPACT FEE

The proposed impact fee is found by dividing the total impact fee eligible amount for recommended improvements among the amount of new users projected for the end of the planning horizon in 2044. The estimated costs were determined by evaluating costs of other parks and trails in the area and have been rounded down to be conservative. Costs for recommended improvements are included as Appendix B.

This method of determining the maximum impact fee that can be assessed is demonstrated in Table IV.C-1 on the following pages.

The number listed as the “Maximum Impact Fee” represents the maximum amount that can be charged per ERU. It is up to the city council to determine the actual rate that will be charged. The maximum impact fee shown by this analysis is \$2,372 per ERU. This is

lower than the current maximum impact fee and the city will be required to decrease the amount when this plan is adopted.

Figure IV.C-1: Proposed Impact Fee

TABLE IV.C-1 CITY OF SANTA CLARA IMPACT FEE ANALYSIS FY2024 PARKS AND TRAILS PLAN			
			May-25
IMPACT FEE CALCULATIONS (See Appendix B for probable costs for each project)			
<i>Recreational Parks</i>			
Total Estimated Project Cost		\$	2,280,000
% of New Project Cost Due to New Growth	100.0%		
Impact Fee Eligible Cost for Recommended Improvements		\$	2,280,000
Existing Level of Service (Acres/1,000 People)	4.8		
Level of Service with Recommended Improvements	2.9		
Target Level of Service	4.5		
Additional Park Area (Acres) Needed to Meet Requirement	31.0		
Total Impact Fee Eligible Cost		\$	2,280,000
<i>Cemetery</i>			
Total Estimated Project Cost		\$	2,235,000
% of New Project Cost Due to New Growth	100.0%		
Impact Fee Eligible Cost for Recommended Improvements		\$	2,235,000
Existing Level of Service (Acres/1,000 People)	0.7		
Level of Service with Recommended Improvements	0.5		
Target Level of Service	0.5		
Additional Park Area (Acres) Needed to Meet Requirement	0.0		
Total Impact Fee Eligible Cost		\$	2,235,000

TABLE IV.C-1 (CONT.)
CITY OF SANTA CLARA
IMPACT FEE ANALYSIS FY2024
PARKS AND TRAILS PLAN

May-25

Aesthetic/Historical

Total Estimated Project Cost		\$	884,000
% of New Project Cost Due to New Growth	100.0%		
Impact Fee Eligible Cost for Recommended Improvements		\$	884,000
Existing Level of Service (Acres/1,000 People)	3.4		
Level of Service with Recommended Improvements	1.7		
Target Level of Service	2.0		
Additonal Park Area (Acres) Needed to Meet Requirement	5.8		
Total Impact Fee Eligible Cost		\$	884,000

Trails

Total Estimated Project Cost		\$	1,296,000
% of New Project Cost Due to New Growth	100.0%		
Impact Fee Eligible Cost for Recommended Improvements		\$	1,296,000
Existing Level of Service (Ft./Person)	13.7		
Level of Service with Recommended Improvements	8.2		
Target Level of Service	5.0		
Additonal Trail (Feet) Needed to Meet Requirement	0.0		
Total Impact Fee Eligible Cost		\$	1,296,000

Miscellaneous

Total Estimated Project Cost		\$	2,270,000
% of New Project Cost Due to New Growth	100.0%		
Impact Fee Eligible Cost for Recommended Improvements		\$	2,270,000
Total Impact Fee Eligible Amount		\$	8,965,000

No. of ERUs (2024)	3,174
Future ERU's (2044)	6,954
No. of New ERU's Due to Growth	3,780

Maximum Impact Fee = Total Eligible Cost / New ERU's	\$	2,372	/ERU
Proposed Impact Fee for Santa Clara City (FY2024) =	\$	2,372	/ERU

D. IMPACT FEE CERTIFICATION

The Impact Fee Certification is included as Appendix C.

E. IMPACT FEE RELATED ITEMS

There are a few items related to Impact Fees that City Council should keep in mind when planning for, collecting, and expending Impact Fees.

Generally, it is a good idea to update this plan at least every five years, or more frequently if occasion arises.

Council members should be made aware that, in conformance with Utah Code 11-36a-602, Impact Fees can only be expended for a system improvement that is identified in the Impact Fee Facilities Plan and that is for the specific public facility type for which the fee was collected (i.e. transportation impact fees cannot be used for park projects). Also, Impact Fees in Utah must be expended or encumbered for a permissible use within six years of their receipt unless 11-36a-602(2)(b) applies.

City Council members should also ensure that proper accounting of the Impact Fees occurs (track each fee in and out). See Utah Code 11-36a-601.

APPENDIX A

MAPS

Amended Exhibit III.C-1 Santa Clara City Park System

MAP DATE: 03.25.2024



Legend

- Recreational Parks
- Cemetery
- Aesthetic/Historical
- City Boundary

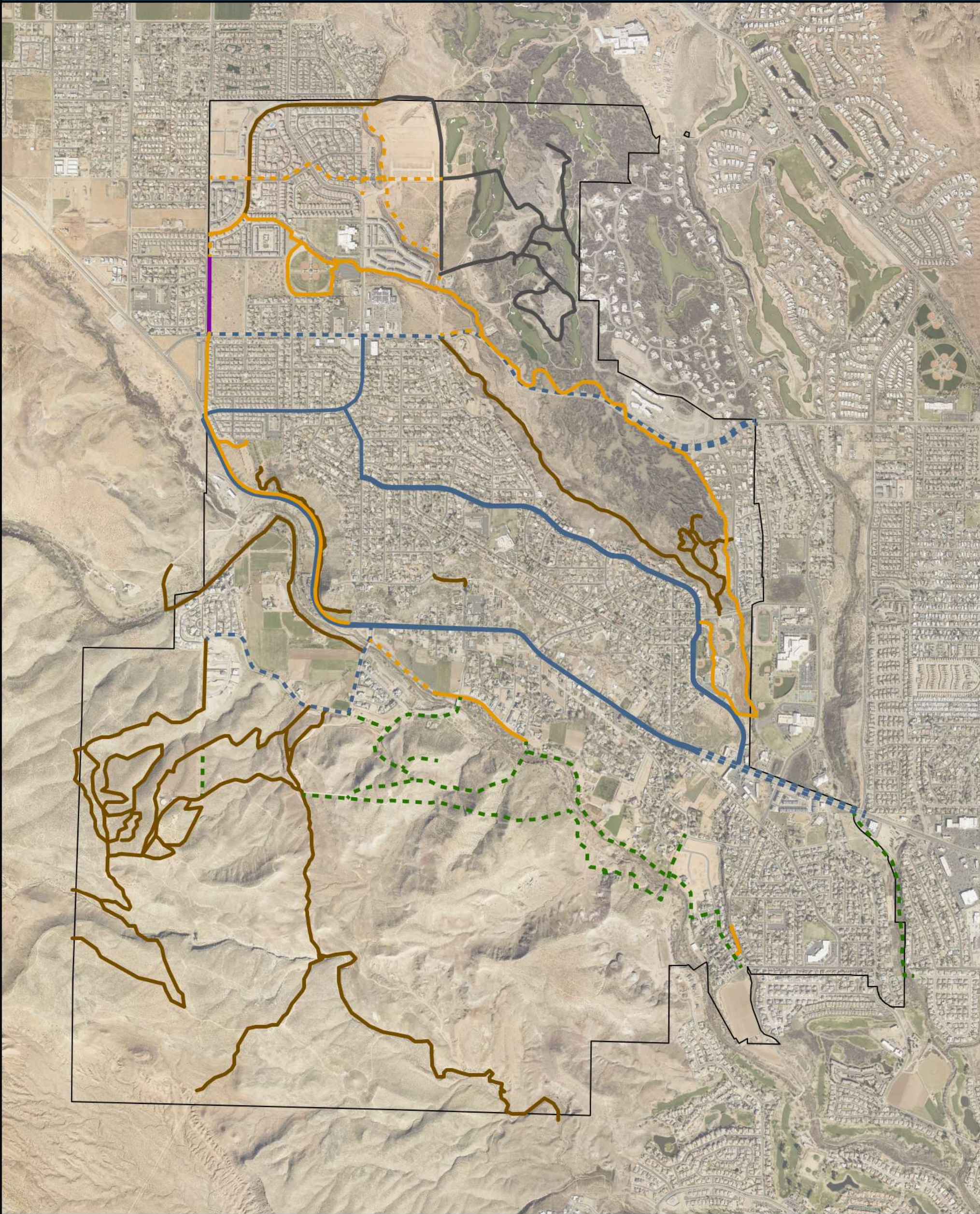
0 0.15 0.3 Miles



Exhibit III.D-1

Santa Clara City Planned Trail System

MAP DATE: 05.06.2025



Legend

- Existing Bike Lane

Existing Paved Trail

Existing Unimproved Trail

Black Desert Installed Paved

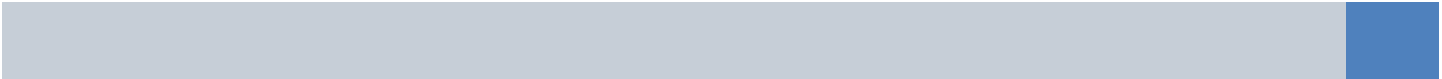
Developer Installed Paved Trail
- Future Bike Lane

Future Paved Trail

Planned Trails
- City Boundary

0 0.15 0.3 Miles





APPENDIX B

OPINION OF PROBABLE COST

SUNRISE ENGINEERING, INC.

11 North 300 West, Washington, Utah 84780

Tel: (435) 652-8450 Fax: (435) 652-8416

Engineer's Opinion of Probable Cost**2024 - PARKS & TRAILS IMPACT FEE ANALYSIS**

Santa Clara, Utah

May-25

MG/nw

NO.	DESCRIPTION	Estimated Quantity	Units	Unit Price	Attributable to New Growth	Total Cost
Recreational Park Improvements						
Gubler Park Phase 4						
1	Pickleball Courts	6	EA	\$ 85,000.00	100.0%	\$ 510,000
2	20 X 20 Pavilion	1	EA	\$ 120,000.00	100.0%	\$ 120,000
3	Landscaping	80,000	SF	\$ 2.50	100.0%	\$ 200,000
4	Dugout Covers	8	EA	\$ 12,000.00	100.0%	\$ 96,000
5	New Splash Pad	1	LS	\$ 750,000.00	100.0%	\$ 750,000
6	Batting Cages	4	EA	\$ 15,000.00	100.0%	\$ 60,000
					Total	\$ 1,736,000.00
Graf River Park						
7	Neighborhood Park	8.4	ACRE	\$ 10,000.00	100.0%	\$ 84,000
					Total	\$ 84,000.00
Linear Park						
8	Landscaping	1	LS	\$ 10,000.00	100.0%	\$ 10,000
					Total	\$ 10,000.00
Skate Park						
9	Skate Park	1	AC	\$ 450,000.00	100.0%	\$ 450,000
					Total	\$ 450,000.00
					Total Recreational Park Improvements	\$ 2,280,000.00

SUNRISE ENGINEERING, INC.

11 North 300 West, Washington, Utah 84780

Tel: (435) 652-8450 Fax: (435) 652-8416

Engineer's Opinion of Probable Cost**2024 - PARKS & TRAILS IMPACT FEE ANALYSIS**

Santa Clara, Utah

May-25

MG/nw

NO.	DESCRIPTION	Estimated Quantity	Units	Unit Price	Attributable to New Growth	Total Cost
Cemetery Park Improvements						
Cemetery Park Ph 2						
10	Columbarium Wall	1	LS	\$ 35,000.00	100.0%	\$ 35,000
					Total	\$ 35,000.00
Cemetery Park Addition						
11	Landscaping	1	LS	\$ 200,000.00	100.0%	\$ 200,000
12	Land Acquisition	4	AC	\$ 500,000.00	100.0%	\$ 2,000,000
					Total	\$ 2,200,000.00
					Total Cemetery Park Improvements	\$ 2,235,000.00
Aesthetic/Historical Improvements						
Tobler Park						
13	40 x 60 Educational Building and Restroom	1	LS	\$ 540,000.00	100.0%	\$ 540,000
14	20 x 30 Storage Building	1	LS	\$ 105,000.00	100.0%	\$ 105,000
15	Fencing	1,500	LF	\$ 50.00	100.0%	\$ 75,000
16	Pavilions and outdoor seating	1	LS	\$ 75,000.00	100.0%	\$ 75,000
17	Bituminous surface course 2-1/2"	15,500	SF	\$ 0.45	100.0%	\$ 6,975
18	Curb and Gutter	575	LF	\$ 28.00	100.0%	\$ 16,100
19	Sidewalk 6"x4'	575	LF	\$ 30.00	100.0%	\$ 17,250
20	Landscaping	15,500	SF	\$ 1.50	100.0%	\$ 23,250
21	Bonnelli Road Improvements	1	LS	\$ 15,000.00	100.0%	\$ 15,000
22	Bonnelli Trail	1	LS	\$ 10,000.00	100.0%	\$ 10,000
					Total	\$ 884,000.00
					Total Aesthetic/Historical Park Improvements	\$ 884,000.00
Trail Improvements						
Planned Trails						
23	Planned Trails- Paved	10,799	LF	\$ 120.00	100.0%	\$ 1,295,888
24	Planned Trails- Unpaved	26,570	LF	\$ 80.00	100.0%	\$ 2,125,562
					Total	\$ 1,296,000.00
					Total Trail Improvements	\$ 1,296,000.00

SUNRISE ENGINEERING, INC.

11 North 300 West, Washington, Utah 84780

Tel: (435) 652-8450 Fax: (435) 652-8416

Engineer's Opinion of Probable Cost**2024 - PARKS & TRAILS IMPACT FEE ANALYSIS**

Santa Clara, Utah

May-25

MG/nw

NO.	DESCRIPTION	Estimated Quantity	Units	Unit Price	Attributable to New Growth	Total Cost
Miscellaneous Improvements						
Future Parks & Trails Impact Fee Facilities Plan & Impact Fee Analysis Updates						
25	Impact Fee Facilities Plan & Impact Fee Analysis	2	EA	\$ 35,000.00	100%	\$ 70,000
					Total	\$ 70,000.00
					Total Miscellaneous Improvements	\$ 70,000.00
					Grand Total Improvements-Construction	\$ 6,765,000.00
Engineering & Incidentals						
26	Administrative Services	1%	Est.			\$ 150,000
27	Engineering Design	11%	L.S.			\$ 1,000,000
28	Construction Observation	11%	Est.			\$ 1,000,000
29	Miscellaneous Engineering		Est.			\$ 50,000
					Total	\$ 2,200,000.00
					TOTAL PROJECT COST	\$ 8,965,000.00

In providing opinions of probable construction cost, the Client understands that the Engineer has no control over costs or the price of labor, equipment or materials, or over the Contractor's method of pricing, and that the opinion of probable construction cost provided herein is made on the basis of the Engineer's qualifications and experience. The Engineer makes no warranty, expressed or implied, as to the accuracy of such opinions compared to bid or actual costs.



APPENDIX C

IMPACT FEE CERTIFICATION

CERTIFICATION OF IMPACT FEE ANALYSIS BY CONSULTANT

In accordance with Utah Code Annotated, § 11-36a-306 Nathan Wallentine, P.E., on behalf of Sunrise Engineering, makes the following certification:

I certify that the attached impact fee facilities plan and impact fee analysis:

1. Includes only the costs for qualifying public facilities that are:
 - a. Allowed under the Impact Fees Act; and
 - b. Actually incurred; or
 - c. Projected to be incurred or encumbered within six years after each impact fee is paid;
2. Does not include:
 - a. costs of operation and maintenance of public facilities;
 - b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
 - c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and that methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and
3. Offsets costs with grants or other alternate sources of payment (if grants or other sources of payment have been applied for and received and such information was made available when the Impact Fee Analysis was prepared); and
4. Complies in each and every relevant respect with the Impact Fees Act.

Nathan Wallentine, P.E. makes this certification with the following qualifications:

1. All of the recommendations for implementations of the Impact Fee Facilities Plan ("IFFP") made in the IFFP documents or in the Impact Fee Analysis documents are followed in their entirety by Santa Clara City staff and elected officials.
2. If all or a portion of the IFFP's or Impact Fee Analyses are modified or amended, this certification is no longer valid.
3. All information provided to Sunrise Engineering, its contractors or suppliers is assumed to be correct, complete and accurate. This includes information provided by the City and outside sources.
4. The undersigned is trained and licensed as a professional engineer and has not been trained or licensed as a lawyer. Nothing in the foregoing certification shall be deemed an opinion of law or an opinion of compliance with law which under applicable professional licensing laws or regulations or other laws or regulations must be rendered by a lawyer licensed in the State of Utah.
5. The foregoing Certification is an expression of professional opinion based on the undersigned's best knowledge, information and belief and shall not be construed as a warranty or guaranty of any fact or circumstance.
6. The foregoing certification is made only to Santa Clara City and may not be used or relied upon by any other person or entity without the expressed written authorization of the undersigned.

Sunrise Engineering

By: _____

Dated: _____

**CITY OF SANTA CLARA
RESOLUTION NO. 2025-10R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CLARA REDUCING
PARKS IMPACT FEES; AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, Santa Clara City finds it necessary from time to time to amend fee schedules to properly compensate the City for services rendered; and

WHEREAS, Parks Impact fees are deemed a fee for service requiring that the fee cover the cost of the service; and

WHEREAS, the Council and Mayor at a previous City Council Work Meeting recommended to reduce the current Parks Impact Fee from \$2,906 to \$2,372: and

WHEREAS, staff recommends approval, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Santa Clara City, Utah, that the Parks Impact Fees for new residential developments be amended to be \$2,372 per household.

This Resolution shall become effective the billing cycle beginning on September 8, 2025, and upon appropriate adoption, recording, and posting in the manner prescribed by law.

ADOPTED by a duly constituted quorum of the Santa Clara City Council this 11th day of June 2025.

IN WITNESS THERETO:

Rick Rosenberg, Mayor

ATTEST:

Selena Nez, City Recorder

Exhibit A

TABLE IV.C-1			
CITY OF SANTA CLARA			
IMPACT FEE ANALYSIS FY2024			
PARKS AND TRAILS PLAN			
			May-25
IMPACT FEE CALCULATIONS		(See Appendix B for probable costs for each project)	
<i>Recreational Parks</i>			
Total Estimated Project Cost		\$	2,280,000
% of New Project Cost Due to New Growth	100.0%		
Impact Fee Eligible Cost for Recommended Improvements		\$	2,280,000
Existing Level of Service (Acres/1,000 People)	4.8		
Level of Service with Recommended Improvements	2.9		
Target Level of Service	4.5		
Additional Park Area (Acres) Needed to Meet Requirement	31.0		
Total Impact Fee Eligible Cost		\$	2,280,000
<i>Cemetery</i>			
Total Estimated Project Cost		\$	2,235,000
% of New Project Cost Due to New Growth	100.0%		
Impact Fee Eligible Cost for Recommended Improvements		\$	2,235,000
Existing Level of Service (Acres/1,000 People)	0.7		
Level of Service with Recommended Improvements	0.5		
Target Level of Service	0.5		
Additional Park Area (Acres) Needed to Meet Requirement	0.0		
Total Impact Fee Eligible Cost		\$	2,235,000

TABLE IV.C-1 (CONT.)
CITY OF SANTA CLARA
IMPACT FEE ANALYSIS FY2024
PARKS AND TRAILS PLAN

May-25

Aesthetic/Historical

Total Estimated Project Cost		\$ 884,000
% of New Project Cost Due to New Growth	100.0%	
Impact Fee Eligible Cost for Recommended Improvements		\$ 884,000
Existing Level of Service (Acres/1,000 People)	3.4	
Level of Service with Recommended Improvements	1.7	
Target Level of Service	2.0	
Additional Park Area (Acres) Needed to Meet Requirement	5.8	
Total Impact Fee Eligible Cost		\$ 884,000

Trails

Total Estimated Project Cost		\$ 1,296,000
% of New Project Cost Due to New Growth	100.0%	
Impact Fee Eligible Cost for Recommended Improvements		\$ 1,296,000
Existing Level of Service (Ft./Person)	13.7	
Level of Service with Recommended Improvements	8.2	
Target Level of Service	5.0	
Additional Trail (Feet) Needed to Meet Requirement	0.0	
Total Impact Fee Eligible Cost		\$ 1,296,000

Miscellaneous

Total Estimated Project Cost		\$ 2,270,000
% of New Project Cost Due to New Growth	100.0%	
Impact Fee Eligible Cost for Recommended Improvements		\$ 2,270,000

Total Impact Fee Eligible Amount	\$ 8,965,000
----------------------------------	--------------

No. of ERUs (2024)	3,174
Future ERU's (2044)	<u>6,954</u>
No. of New ERU's Due to Growth	3,780

Maximum Impact Fee = Total Eligible Cost / New ERU's	\$ <u>2,372</u> /ERU
Proposed Impact Fee for Santa Clara City (FY2024) =	<u>\$ 2,372</u> /ERU

Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Jarett Waite

Ben Shakespeare

Christa Hinton

David Pond

Janene Burton

CITY COUNCIL

Meeting Date: June 11, 2025

Agenda Item: 3

Applicant: Santa Clara City

Requested by: Jim McNulty

Subject: Code Amendment

Description:

Proposed updates to Chapter 17.08, Definitions, and Chapter 17.20.280, Non-Depository Institutions. This includes two (2) new definitions. A definition for a “Financial Institution” and a definition for a “Non-Depository Institution”. It also includes a new section of code to be added to the Modifying Regulations of city code.

Recommendation: Approval

Attachments: N/A

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A



TO: Santa Clara City council
FROM: Jim McNulty, Planning Director
DATE: June 11, 2025
RE: Chapter 17.08, Definitions, and Chapter 17.20.280, Non-Depository Institutions **(Public Meeting)**

On January 29, 2025, the City Council adopted Ordinance #2025-02. This enacted a temporary land use regulation to allow for study and potential adoption of modifying regulations related to permitted uses for a bank or financial institution.

City staff and legal counsel have been working on updates to Chapter 17.08, Definitions, and Chapter 17.20.280, Non-Depository Institutions. This includes two (2) new definitions. A definition for a “Financial Institution” and a definition for a “Non-Depository Institution”. It also includes a new section of code to be added to the Modifying Regulations of city code.

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

- Planning Commission on May 8, 2025
- City Council on April 23, 2025

The Planning Commission, and City Council were in favor of moving forward with the suggested code amendments.

A working copy of both Chapter 17.08, Definitions, and Chapter 17.20.280, Non-Depository Institutions 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 have determined that all State Code requirements have been met with this application.

Recommendation:

The Planning Commission held a public hearing on May 22, 2025, 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 17.08, Definitions and Chapter 17.20.280, Non-Depository Institutions).

CHAPTER 17.08 DEFINITIONS

SECTION:

17.08.010: Terms Defined

17.08.010: TERMS DEFINED:

For the purpose of this title, certain words and terms are defined as follows:

Words used in the present tense include the future. Words in the singular number include the plural, and the plural the singular. Words not included herein but defined in the building code shall be construed as defined therein.

Some definitions are included for reference purposes and may not be permitted in any current zone found in the Santa Clara City zoning ordinance.

ACCESSORY BUILDING: A structure on the same lot with a main structure but incidental and subordinate to the use thereof. There must first be a "main" building on the lot before a permit can be issued for any other building to be "accessory".

AGRICULTURE: Land devoted to the raising of useful plants and animals with a reasonable expectation of profit, including forage and sod crops, grain and feed crops, nut and fruit crops, vegetables, nursery, floral and ornamental stock, livestock animals including domestic animals, poultry and honeybees. Agricultural land also includes land devoted to and meeting the requirements and qualifications for payments or other compensation under a cropland retirement program with an agency of the state or federal government.

A. Does not permit residential dwellings in an agriculture zone.

B. Not currently zoned anywhere in Santa Clara City.

ANIMAL NUMBERS: The number of animals does not include newborn animals under the age of six (6) months, or those animals that are dependent upon their mother for sustenance of life, whichever is greater, that were born by animals kept on the property in compliance with the numbers of animals allowed by this title.

ANIMAL SIZE: The categorizing of animals is based upon a classification of large, medium, or small animals. The determination may be made by size of animal, irrespective of genetic makeup at the discretion of the planning commission.

BARNs, COOPS, STABLES: A building for the keeping of livestock animals, or fowl, by the occupants of the premises. The above uses are not considered to be accessory buildings and do not require a prior permit for a primary structure. They must meet all setback and height requirements of the zone in which they are located, and any permit requirements of the international building code.

BASEMENT: A story partly underground. A basement shall be counted as a story for the purposes of height measurement if its height is one-half (1/2) or more above grade.

BOARDING HOUSE: A building with not more than five (5) guestrooms, where, for compensation, meals are provided for at least five (5) but not more than fifteen (15) persons.

BUILDING: Any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals or property.

Building Height:

A. The vertical distance measured from the average natural grade of a building pad or approved finished grade of a building lot (whichever is applicable), to the highest point of the building or structure, including architectural features, chimneys, and rooftop mounted equipment.

Exception: Where there is a difference in finish grade on a lot or parcel, the building height shall be measured from the "average grade" height as measured between the "upper grade" and the "lower grade" with the following restrictions:

1. The maximum variation allowed between "upper grade" and "lower grade" is ten feet (10').

2. The highest point on a building or structure, as defined in the section, shall not exceed the maximum allowed height as measured from the "average grade."

B. In the event a building pad is substantially higher than the street grade (greater than 3' measured from top back of curb) the approved building pad elevation shall be established by the natural topography and approved by the Hillside Review Board prior to building permit issuance. In no case shall a building pad be artificially elevated to accomplish a favorable viewshed.

Main Building: The principal building or one of the principal buildings upon a lot, or the building of one of the principal uses upon a lot.

Public Building: A building owned and operated or owned and intended to be operated by a public agency of the United States of America, of the state of Utah, or any of its subdivisions.

CARPORT: A private garage not completely enclosed by walls or doors. For the purposes of this title, a carport shall be subject to all of the regulations prescribed for a private garage.

CHILD NURSERY: An establishment for the care and/or instruction, whether or not for compensation, of six (6) or more children other than members of the family residing on the premises.

CONDITIONAL USE: A use of land for which specific conditions or approval are required by the planning commission, prior to authorizing a permit therefor.

CONDOMINIUM OR TOWNHOUSE PROJECT: A development where there is ownership of a single unit in a multiple-family development, together with an undivided interest in the common area, and facilities, and such project meets all requirements of the condominium ownership act of the state of Utah and requirements of the city of Santa Clara.

COOPS: See definition of Barns, Coops, Stables.

CORRAL OR PEN: A space fenced and used for the confinement of animals. They must meet the setback requirements of the zone in which they are located. They are not considered to be an accessory use (see definition of Barns, Coops, Stables).

DAIRY: A commercial establishment for the manufacture and/or processing of dairy products.

A. Not currently zoned anywhere in Santa Clara City.

DISTRICT: A portion of the city shown on a map attached to the ordinance codified herein and given a district or zoning name.

DOMESTIC ANIMALS: Animals historically found on farms in Washington County. Domestic animals shall not include animals commonly found in zoos and animal preserves, and which animals are not historically endemic to the Washington County areas. Exception: Llamas may be considered as domestic animals, subject to planning commission approval, and limited to the number limitations of the zone in which they are located.

DWELLING: Any building, or portion thereof, which is designed and used for residential purposes and complies with the provisions of the international building code, except for the following: hotels, motels, boarding houses, bed and breakfast homes, travel trailers, recreation vehicles, or motor homes are not considered dwellings.

Multiple-Family Dwelling: A dwelling arranged or designed to be occupied by more than two (2) families.

Single-Family Dwelling: A building arranged or designed to be occupied by one family, the structure having only one dwelling unit.

Two-Family Dwelling: A building arranged or designed to be occupied by two (2) families, the structure having two (2) dwelling units.

DWELLING UNIT: One or more rooms in a dwelling, designed for, or occupied by, one family for living or sleeping purposes, and having kitchen facilities for the use of not more than one family.

EXOTIC ANIMALS: Animals not historically found on farms in the Washington County area. Exotic animals shall include animals commonly found in zoos and animal preserves, and which animals are not historically endemic to the Washington County area. For the purpose of determining the types of animals that may be allowed to be maintained in the various zones of the city of Santa Clara, the term "exotic animals" shall not include traditional household pets, including dogs, small domestic house cats, small caged birds,

gerbils, guinea pigs, and similar traditional household pets, but not including biting or venomous snakes.

FAMILY: A. An individual, or two (2) or more persons related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit; or

B. A group of not more than four (4) persons, who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit in dwelling unit. Persons related by blood, marriage, or adoption may not have more than three (3) additional persons living with them as a single housekeeping unit in a dwelling unit.

FENCE, SOLID: A fence of a material that is sight obscuring, and made of a solid material such as wood, vinyl, or masonry, but not including a chainlink fence with slats inserted into the chainlinks. Any questionable material shall be reviewed by the planning commission for determination.

FINANCIAL INSTITUTION: A depository institution such as a bank, brokerage firm, credit union, mortgage lender, or savings and loan. A Non-Depository Institution (see definition) is not included.

GRADE: Compare to sign height or building elevation.

A. For buildings adjoining one street only, the elevation of the sidewalk at the center of that wall adjoining the street;

B. For buildings adjoining more than one street, the average of the elevations of the sidewalks at the centers of all walls adjoining the street;

C. For buildings having no wall adjoining the street, the average level of the ground (finished surface) adjacent to the exterior walls of the building. All walls approximately parallel to and not more than five feet (5') from a street line are to be considered as adjoining a street.

HANDICAPPED PERSON: A person who has a severe chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments, which results in a substantial functional limitation in three (3) or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and who requires a combination or sequence of special interdisciplinary or generic care, treatment, or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.

HOME OCCUPATION: Any use conducted and carried out by persons residing in the dwelling unit, which is clearly incidental and secondary to the use of the dwelling for dwelling purposes. It shall not cause a change in the character of the dwelling unit. The home occupation shall not change the character of any accessory buildings and shall not use any yard space outside of the main dwelling or accessory buildings. A home occupation shall have no outdoor advertising, except as permitted by this code, and will not generate such traffic as to become a public nuisance to the neighborhood.

A home occupation may be granted with a conditional use permit from the planning commission, but may be rescinded for cause if such use becomes a nuisance to the neighborhood.

HOUSEHOLD PETS: Animals or fowl ordinarily permitted in the house, and kept for personal use, but not for commercial purposes. Household pets do not include, "exotic animals", or "domestic animals" as defined herein, unless specifically approved by the planning commission.

JUNK: Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste of junked, dismantled or wrecked automobiles, or parts thereof, iron, steel, and other old scrap ferrous or nonferrous material.

JUNKYARD: Any place, establishment, or business maintained, used, or operated for storing, keeping, buying, or selling junk, or for the maintenance, or operation of an automobile graveyard, and the term includes garbage and sanitary fills.

KENNEL: Any premises where four (4) or more dogs older than four (4) months are kept.

A. Not currently zoned anywhere in Santa Clara City.

LIVESTOCK: A. Large animals: May include horses, and cattle, or other animals judged by the planning commission to be compatible with this category of animal, but not including pigs, or "exotic animals" as defined in this section.

B. Medium animals: Three (3) medium animals shall equal one large animal, and shall include goats, sheep or ponies which do not exceed thirty six inches (36") in height, measured from the withers, or other animals judged by the planning commission to be compatible with this category of livestock, but not including exotic animals or pigs.

C. Small animals: Include poultry, rabbits, or other small animals judged by the planning commission to be compatible with this category of animal. Small animals do not include exotic animals or pigs.

LIVESTOCK FEED YARD: A commercial operation on a parcel of land where livestock are kept in corrals, or pens, for extended periods of time, at a density which permits little movement, and where all feed is provided for the purpose of fattening or maintaining the condition of the livestock prior to their shipment to a stockyard for sale, etc.

A. Feed yards are not currently zoned anywhere in Santa Clara City.

LIVESTOCK PASTURE: A fenced land area devoted to the production of a grass product in which livestock may be kept in a loosely controlled environment as opposed to being kept in a barn, corral, or stable. No setback is required from any property line.

LOT: A parcel of land occupied or to be occupied by a main building, or group of buildings (main and accessory), together with such yards, open spaces, lot width and lot area, as are required by this title, and having frontage upon a dedicated and improved city street.

LOT, CORNER: A lot having frontage on two (2) or more improved and dedicated city streets.

MANUFACTURED HOME: A transportable factory built housing unit constructed on or after June 15, 1976, according to the federal home construction and safety standards act of 1974 (HUD code), in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width, or forty (40) body feet or more in length, or, when erected on site, is four hundred (400) or more square feet in size, and which is built upon a permanent foundation when connected to required utilities, and includes the plumbing, heating, air conditioning, and electrical systems.

NATURAL WATERWAYS: Those areas, varying in width, along streams, creeks, springs, gullies, or washes, which are natural drainage channels, as determined by the city, and in which areas no buildings shall be constructed.

NONCONFORMING BUILDING OR STRUCTURE: A building or structure, or a portion thereof, lawfully existing at the time the ordinance codified herein became effective, which does not conform to all regulations herein prescribed for the zone in which it is located.

NONCONFORMING USE: A use which lawfully occupied a building or land at the time the ordinance codified herein became effective, and which does not conform to the use regulations of the zone in which it is located. Also including land which was used prior to the time the ordinance codified herein became effective, and which use does not conform with the use regulations of the zone in which it is now located. Any nonconforming use that is abandoned or not used for a period exceeding one year may no longer be used or recognized as a nonconforming use, and must be made to comply with the requirements of the zone in which such use is, or was located.

NON-DEPOSITORY INSTITUTION: A financial business, other than a depository institution, that is registered by the state of Utah pursuant to the Check Cashing Registration Act, the Title Lending Registration Act, or any successor statutes. Non-depository institutions include specifically:

- A. Check cashing business. A person or business that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. "Check cashing business" excludes (1) a state or federally chartered bank, savings association, credit union, industrial loan company or other depository institution, and (2) a retail seller engaged primarily in the business of selling goods (including consumables) to retail buyers that also cashes checks for or issues money orders to its customers, provided that such services are clearly incidental to its main purpose or business and that the fees charged for such services do not exceed 1% of the amount of the check or money order or otherwise de minimus.
- B. Deferred deposit lender. A person or business that conducts transactions where a customer presents to a check casher a check written on the customer's account or provides written or electronic authorization to a check casher to effect a debit to the customer's account, whereupon the check casher (1) advances the customer an

amount of money that is equal to the face value of the check or debit, less any fee or interest charged for the transaction, and (2) agrees to defer processing the check or debit until a specific future date.

C. Payday loan business. An establishment providing short-term loans to individuals in exchange for personal checks or assignment of wages as collateral.

D. Title loan business. An establishment providing short-term loans to individuals in exchange for the title of a motor vehicle, mobile home or motorboat as collateral.

NURSING HOME: An institution providing residence and care for the aged or infirm.

PARKING LOT: A surfaced area other than a street used for the parking of vehicles.

PARKING SPACE: The space within a building or parking lot for the parking of one motorized vehicle.

PENS: See definition of Corral Or Pen.

PLANNED DEVELOPMENT: A development, residential or commercial, in which the regulations of the zone in which the use is situated are modified to allow flexibility and initiative in site and building design and location, in accordance with an approved plan.

SETBACK: The required portion of a yard over which no portion of a building or structure shall encroach unless otherwise permitted in this title. Setback distance shall be measured from the property line of each yard.

SITE DEVELOPMENT STANDARDS: Established regulations concerning lot areas, yard setbacks, building height, lot coverage, open green space, and any other special regulations deemed necessary to accomplish the purpose of this title.

STABLES: See definition of Barns, Coops, Stables.

STORY: The space within a building included between the surface of any floor and the surface of the ceiling of the next floor above.

STORY, HALF: A story with at least two (2) of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds (2/3) of the floor immediately below it.

STREET: A public thoroughfare which affords principal means of access to abutting property and is dedicated and improved to city standards.

STREET, PRIVATE: A right of way, or easement in private ownership, at least twenty five feet (25') wide, not dedicated or accepted as a public street, which affords the principal means of access to one or more sites.

STRUCTURAL ALTERATIONS: Any change in supporting members of a building, such as bearing walls, columns, beams, or girders.

STRUCTURE: Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground.

USE, ACCESSORY: A subordinate use customarily incidental to and located upon the same lot occupied by a main use.

WIDTH OF LOT: The distance between the side lot lines at the distance back from the front lot line required for the front yard setback.

YARD, FRONT: A space on the same lot with a building between the front line of the building and the front lot line, and extending across the full width of the lot.

YARD, REAR: A space on the same lot with a building between the rear line of the building and the rear line of the lot and extending across the full width of the lot.

YARD, SIDE: A space on the same lot with a building between the side line of the building and the side line of the lot and extending from the front yard line to the rear yard line.

ZONE: The area or district within which the regulations of this title are uniform.

(Ord. 2023-17 § 1: Ord. 2009-12 § 1: Ord. 2008-10 § 1: Ord. 2007-01 § 2: Ord. 2004-20 § 1: Ord. 99-16 § 2: Ord. 97-06 ch. 21)

17.20.280: Non-Depository Institutions:

Non-Depository institutions are allowed as a permitted use within the Commercial, C Zone or the Planned Development Commercial, PDC Zone, subject to the following restrictions:

A. A non-depository institution shall not be located within one mile of any other non-depository institution within the City's geographical boundaries. The distance shall be measured from the exterior walls of the building in which the non-depository institution is located or proposed to be located and shall be measured as a straight- and direct-line distance from said point.

B. In addition to the geographical restriction under subsection 17.20.280(A) above, the total number of non-depository institutions located within the City's geographical boundaries shall not exceed one non-depository institution per seven thousand five hundred (7,500) residents of the City. A portion or fraction resulting from such calculation that does not equal a whole number shall not increase, through "rounding" or otherwise, the total number of non-depository institutions possible. For example, if the City's population was 14,999, then a maximum of one non-depository institution would be possible in the City, and a second non-depository institution would not be possible until the City's population was 15,000 or more. For purposes of such calculation, the City's population shall be determined by the numbers provided by the United States Census Bureau's most recent annual estimate.

C. All non-depository institutions are subject to applicable architectural design, aesthetic and other regulations of all applicable zones, and other requirements of City code. Additionally, all non-depository institutions are subject to the following supplemental regulations:

1. The color of the building housing the non-depository institution shall be restricted to earth tones or shall match the design theme of the development of which it is apart.
2. At least 25% of the first-floor façade that faces a public street, or sidewalk shall be windows or doors of clear or lightly tinted glass to allow views into and out of the building at eye level.
3. The use of bars, chains or similar security devices that are visible from a public street or sidewalk shall be prohibited.
4. The use of neon lighting or signage shall be prohibited on the building exterior.
5. All signage associated with any non-depository institution shall conform to the requirements of Chapter 17.44 of City code.

**SANTA CLARA CITY
ORDINANCE NO. 2025-09**

AN ORDINANCE OF THE SANTA CLARA CITY CODE, TO AMEND TITLE 17, CHAPTER 17.08, DEFINITIONS, AND SECTION 17.20.280, NON-DEPOSITORY INSTITUTIONS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is important for the City of Santa Clara to update its code from time to time to remain relevant, reflective, and clear in its rules and regulation; and

WHEREAS, City staff and legal counsel have been working on updates to Chapter 17.08, Definitions, and Chapter 17.20.280, Non-Depository Institutions are necessary to promote clarity, consistency and appropriate land use; and

WHEREAS, in a meeting on May 22, 2025, the Planning Commission reviewed and voted to recommend adoption of Chapter 17.08, Definitions, and Section 17.20.280, Non-Depository Institutions to the City Council, and

WHEREAS, in accordance with the requirements of the UCA 10-9a-302, the Planning Commission of Santa Clara City forwarded its recommendation to the City Council as of May 22, 2025, regarding necessary changes to the Zoning Code; and

NOW, THEREFORE, BE IT ORDAINED by the Santa Clara City Council, State of Utah, that the amendments indicated in Title 17, Chapter 17.08, Definitions, and Section 17.20.280, Non-Depository Institutions attached hereto as Exhibit "A" are hereby adopted and shall be incorporated into the ordinances of the City.

SECTION 1. Classification: This Ordinance amends Title 17, Chapter 17.08, Definitions, and Section 17.20.280, Non-Depository Institutions.

SECTION 2. Effective Date:

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

ADOPTED and approved by a duly constituted quorum of the Santa Clara City Council this 11th day of June 2025.

IN WITNESS THERE TO:

RICK ROSENBERG, Mayor

ATTEST:

SELENA NEZ, City Recorder

EXHIBIT “A”

CHAPTER 17.08 DEFINITIONS

SECTION 17.08.010:

TERMS DEFINED:

FINANCIAL INSTITUTION: A depository institution such as a bank, brokerage firm, credit union, mortgage lender, or savings and loan. A Non-Depository Institution (see definition) is not included.

NON-DEPOSITORY INSTITUTION: A financial business, other than a depository institution, that is registered by the state of Utah pursuant to the Check Cashing Registration Act, the Title Lending Registration Act, or any successor statutes. Non-depository institutions include specifically:

A. Check cashing business. A person or business that for compensation engages, in whole or in part, in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. “Check cashing business” excludes (1) a state or federally chartered bank, savings association, credit union, industrial loan company or other depository institution, and (2) a retail seller engaged primarily in the business of selling goods (including consumables) to retail buyers that also cashes checks for or issues money orders to its customers, provided that such services are clearly incidental to its main purpose or business and that the fees charged for such services do not exceed 1% of the amount of the check or money order or otherwise de minimus.

B. Deferred deposit lender. A person or business that conducts transactions where a customer presents to a check casher a check written on the customer’s account or provides written or electronic authorization to a check casher to effect a debit to the customer’s account, whereupon the check casher (1) advances the customer an amount of money that is equal to the face value of the check or debit, less any fee or interest charged for the transaction, and (2) agrees to defer processing the check or debit until a specific future date.

C. Payday loan business. An establishment providing short-term loans to individuals in exchange for personal checks or assignment of wages as collateral.

D. Title loan business. An establishment providing short-term loans to individuals in exchange for the title of a motor vehicle, mobile home or motorboat as collateral.

CHAPTER 17.20.280:
Non-Depository Institutions:

Non-Depository institutions are allowed as a permitted use within the Commercial, C Zone or the Planned Development Commercial, PDC Zone, subject to the following restrictions:

A. A non-depository institution shall not be located within one mile of any other non-depository institution within the City's geographical boundaries. The distance shall be measured from the exterior walls of the building in which the non-depository institution is located or proposed to be located and shall be measured as a straight- and direct-line distance from said point.

B. In addition to the geographical restriction under subsection 17.20.280(A) above, the total number of non-depository institutions located within the City's geographical boundaries shall not exceed one non-depository institution per seven thousand five hundred (7,500) residents of the City. A portion or fraction resulting from such calculation that does not equal a whole number shall not increase, through "rounding" or otherwise, the total number of non-depository institutions possible. For example, if the City's population was 14,999, then a maximum of one non-depository institution would be possible in the City, and a second non-depository institution would not be possible until the City's population was 15,000 or more. For purposes of such calculation, the City's population shall be determined by the numbers provided by the United States Census Bureau's most recent annual estimate.

C. All non-depository institutions are subject to applicable architectural design, aesthetic and other regulations of all applicable zones, and other requirements of City code. Additionally, all non-depository institutions are subject to the following supplemental regulations:

1. The color of the building housing the non-depository institution shall be restricted to earth tones or shall match the design theme of the development of which it is apart.
2. At least 25% of the first-floor façade that faces a public street, or sidewalk shall be windows or doors of clear or lightly tinted glass to allow views into and out of the building at eye level.
3. The use of bars, chains or similar security devices that are visible from a public street or sidewalk shall be prohibited.
4. The use of neon lighting or signage shall be prohibited on the building exterior.
5. All signage associated with any non-depository institution shall conform to the requirements of Chapter 17.44 of city code.