



## NOTICE OF PUBLIC MEETING PLANNING COMMISSION

Planning Commission  
May 28, 2026 @ 5:30 PM

2603 Santa Clara Drive  
Santa Clara, Utah 84765

Phone: (435) 673-6712  
Email: [contact@sccity.org](mailto:contact@sccity.org)

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**Public Notice** is hereby given that the Planning Commission of the City of Santa Clara, Washington County, Utah, will hold a Planning Commission Meeting in the City Council Chambers, 2603 Santa Clara Drive, Santa Clara, Utah, on Thursday, May 28, 2026, commencing at 5:30 PM. The meeting will be broadcasted on our City website at <https://santaclarautah.gov>.

The agenda for the meeting is as follows:

**1. Call to Order**

**2. Opening Ceremony**

A. Pledge of Allegiance: Logan Blake

**3. Conflicts and Disclosures**

**4. Working Agenda**

A. Public Hearing

1. None.

B. Public Meeting

1. See General Business Items.

**5. General Business**

A. Planning Commission Approval

1. Preliminary Subdivision Plat Review for the proposed South Hills Ranch Estates Subdivision, located on the northwest corner of Gates Lane and Clary Hills Drive. Ferron Leavitt, applicant. Emmitt Younger, engineer.

**6. Discussion Items**

A. City Code, Title 17 Updates.

B. City Code, Chapter 17.66 Update.

**7. Approval of Minutes**

A. Approval of Meeting Minutes: April 23, 2026

**8. Adjournment**

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City at least 24 hours in advance of the meeting by calling (435) 673-6712.

Posted this 21st day of May 2026.

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Jim McNulty, Planning Director



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

Staff Report

## Preliminary Subdivision Plat Review Summary and Recommendation

**Public Body:** Santa Clara Planning Commission

**Meeting Date:** May 28, 2026

**Current Zone:** Residential Agriculture RA Single-Family Zone

**General Plan Designation:** Low-Density Residential LDR

**Property Size:** 5.21 acres

**Property Location:** Northwest corner of Gates Lane and Clary Hills Drive

**Request:** Preliminary Subdivision Plat Review

**Applicant Name:** [REDACTED]

**Staff Planner:** Jim McNulty

**City Staff Recommendation:** Approval with conditions

**Meeting Type:** Public Meeting

### PROJECT DESCRIPTION

The applicant, [REDACTED], represented by [REDACTED], is requesting a Preliminary Subdivision Plat Review for the proposed South Hills Ranch Estates Subdivision. The preliminary plat includes a total of two (2) lots on 1.04 acres. This equates to a project density of 0.52 units per acre. Additionally, a remainder parcel of 4.17 acres (181,843 sq ft) is included for future development and will require a separate subdivision review process. Lot 1 is 22,191 sq ft (0.51 acres), and Lot 2 is 23,851 sq ft (0.53 acres) which comply with the RA Zone requirement of a minimum ½ acre lot size.

Both lots within the proposed subdivision will be required to meet the area, width, and yard regulations as per Section 17.60.050 of city code. Additionally, building height for homes in this zoning district is limited to 35'.

Ingress/Egress to the site will be provided via Gates Lane which connects with Clary Hills Drive. Lot 1 will be accessed off Clary Hills Drive. Lot 2 is likely to be accessed off Clary Hills Drive; however, it may also be accessed off Gates Lane.

### SITE & VICINITY DESCRIPTION

The subject property is in the southwestern part of the City. Public improvements will be required for Gates Lane and Clary Hills Drive.

## PRELIMINARY SUBDIVISION PLAT REVIEW ITEMS

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City staff have identified the following items that need to be addressed with Preliminary Plat Approval:

1. **Public Street & Dedication:** The public road cross-section for both Gates Lane and Clary Hills Drive is 55' as shown on the preliminary subdivision plat. This cross-section allows for a 10' multi-purpose trail as per the 2018 Trails Master Plan (attached). The remainder parcel does not include public improvements.
2. **Building Setbacks/Height:** The building setbacks are required to meet the requirements of Chapter 17.60.050 of city code. The building height for homes in this zoning district is limited to 35'.
3. **Water Availability:** The applicant is required to obtain a will-serve letter or other verified documentation from the Washington County Water Conservancy District, WCWCD, prior to obtaining a building permit.
4. **Dust Control:** The applicant will be required to **submit a Dust Control Plan** prior to final plat recordation. Precautionary measures are needed to protect the general health, safety, and welfare of residents living in the vicinity.

## NEIGHBORHOOD RESPONSE

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Public notices are not required for a subdivision. The Planning Commission agenda has been posted in multiple locations as per State code. No comments have been received by City staff as of the writing of this report.

## REVIEWING DEPARTMENTS

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**DEPARTMENT:** *Building*

Recommendations: A Geotechnical Report will be required for each residential building prior to building permit issuance.

Required Revisions: None at this time.

**DEPARTMENT:** *Parks & Trails*

Recommendations: A 10' multi-purpose trail is required for both Gates Lane and Clary Hills Drive as per the 2018 Trails Master Plan.

Required Revisions: None at this time.

**DEPARTMENT:** *Police & Fire*

Recommendations: N/A

Required Revisions: None at this time.

**DEPARTMENT:** *Power*

Recommendations: Public Utility Easements (PUE's) are required to be shown on the Final Plat.

Required Revisions: None at this time.

**Request:** Preliminary Subdivision Plat Review

**DEPARTMENT:** *Public Works*

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

Required Revisions: None at this time.

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## STATE CODE CONSIDERATIONS

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Utah Code, Section 10-20-803, includes requirements for subdivisions. A City must hold a public meeting to consider a subdivision plat. The meeting agenda, date, time, and place of the meeting must be placed on the city website and in public locations (e.g., City Hall and Post Office) at least 24 hours before the meeting. The City is also required to post on the State Public Notice Website. City staff have determined that all State Code requirements have been met with this application.

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## CITY STAFF RECOMMENDATION

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City staff recommend that the Planning Commission consider granting Preliminary Subdivision Plat Approval for the **South Hills Ranch Estates Subdivision**, subject to the following conditions:

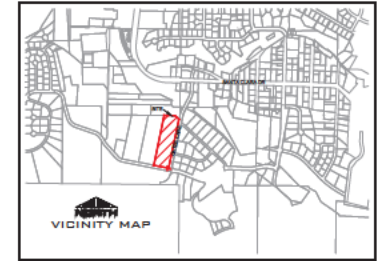
1. That the applicant is required to comply with the recommendations from all city reviewing departments.
2. That the public road cross-section for both Gates Lane and Clary Hills Drive is required to be 55' (including 10' multi-purpose trail) as indicated on the preliminary plat.
3. That the building setbacks are required to comply with Chapter 17.60.050 of city code. Building height is limited to 35'.
4. That the applicant be required to obtain a will-serve letter or other verified documentation from the Washington County Water Conservancy District, WCWCD prior to obtaining a building permit.
5. That the applicant is required to submit a Dust Control Plan prior to final plat recordation.
6. That the remainder parcel as shown on the preliminary plat is required to go through a separate subdivision review process.

# SOUTH HILLS RANCH ESTATES SUBDIVISION

\*ALL ELEVATIONS ARE BASED ON THE NAVD 88 VERTICAL DATUM\*

SANTA CLARA CREEK  
PROPERTIES LLC  
PARCEL NO. 80-32

LOCATED IN SECTION 17, TOWNSHIP 42 SOUTH, RANGE 16 WEST OF THE  
SALT LAKE BASE AND MERIDIAN  
CITY OF ST. GEORGE, WASHINGTON COUNTY, UTAH.



\*NO GRADING ON LOT 1\*

\*DETENTION/RETENTION TO BE PROVIDED ON INDIVIDUAL LOTS

**SITE DEVELOPMENT DATA**

PARCEL NUMBER: SC-31-A  
SITE ADDRESS: TBD  
ACRES: 5.21  
NUMBER OF LOTS: 2  
DENSITY: 174 UNITS PER ACRE  
ZONING: RA  
GENERAL PLAN: LDR  
SETBACKS: 25' FRONT  
6' - 12' SIDES  
10' REAR

**PROJECT OWNER/DEVELOPER**

SOUTH HILLS PROPERTIES LLC CONTACT: LANCE ROBBY  
504 N GAIL ST (435) 224-2534  
SANTA CLARA, UT 84786

**PROJECT ENGINEER**

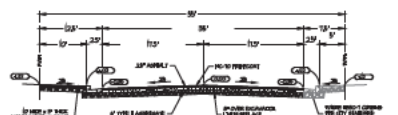
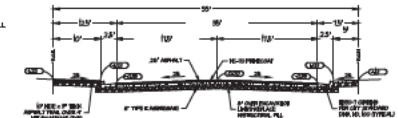
ROSENBERG ASSOCIATES CONTACT: JAMES BATES, PE  
180 EAST REVERENDS DRIVE, SUITE A2 (435) 678-6566  
ST. GEORGE, UT 84780

**LEGEND**

- EXISTING ASPHALT
- PROPOSED ASPHALT
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXISTING GOM-HR
- PROPOSED GOM-HR
- EXISTING CONCRETE RETAINING WALL
- PROPOSED CONCRETE RETAINING WALL
- PROPOSED ON-SITE RETENTION (LSD)

**UTILITY LEGEND**

- EXISTING AWWER LINE
- PROPOSED WATER LINE
- EXISTING 30-40 LINE
- EXISTING POWER LINE
- EXISTING STORM DRAIN LINE
- EXISTING AWWER METER
- EXISTING FIRE HYDRANT
- EXISTING AWWER VALVE
- PROPOSED AWWER METER
- PROPOSED 30-40 LINE
- PROPOSED AWWER LATERAL
- EXISTING GPD 3.0 FT



**EARTHWORK VOLUMES:**

- 0.571 (F) CU. YD. FILL
- 2 (C) CU. YD. CUT
- 0.575 (F) CU. YD. NET

THE EARTHWORK CUT AND FILL VOLUMES SHOWN ON THIS PLAN ARE BASED ON THE VOLUME DIFFERENCES BETWEEN TWO DIGITAL TERRAIN MODELS (DTM) OR SURFACES: THE EXISTING GROUND SURFACE AND THE PROPOSED FINISHED GROUND SURFACE. THIS COMPARISON IS PRESENTED FOR REFERENCE ONLY AS THE FIRST STEP IN THE PROCESS OF PERFORMING THOROUGH EARTHWORK CALCULATIONS AND DOES NOT REFLECT OR REPRESENT A FINAL ESTIMATE OF ACTUAL EARTH TO BE MOVED. UPON REVIEW OF THE GEO-TECHNICAL REPORT, THE CONTRACTOR RESPONSIBLE FOR EXCAVATION SHALL ACCOUNT FOR OVER-EXCAVATION, SCARPINGS, AND ADJUSTMENT FOR ALL IMPROVEMENTS NOT ACCOUNTED FOR IN THE FINISHED GROUND SURFACES INCLUDING LANDSCAPING, BUILDING AND/OR SHORORAGE OF MATERIAL, IMPORT OF BEDDING MATERIAL, AND OTHER MATERIALS, EXCAVATION AND CONSTRUCTION OF UTILITY TRENCHES, AND OTHER FACTORS TO MAKE A FINAL DETERMINATION OF THE TOTAL EARTHWORK REQUIRED FOR THE PROJECT. IN SOME CASES, ADDITIONAL CONSULTATIONS WITH THE GEO-TECHNICAL ENGINEER AND CIVIL ENGINEER MAY BE REQUIRED.



Know what's below.  
Call before you dig.



|                       |             |
|-----------------------|-------------|
| DATE:                 | 4/20/20     |
| PROJECT NO.:          | 2019-22-020 |
| DESIGNED BY:          | ETJ         |
| CHECKED BY:           | JHB         |
| DWG: PRELIMINARY PLAT |             |
| DATE:                 |             |
| DATE:                 |             |
| DATE:                 |             |
| DATE:                 |             |
| DATE:                 |             |
| DATE:                 |             |
| DATE:                 |             |

**ROSENBERG**  
CIVIL ENGINEERS & LAND SURVEYORS

110 East Riverside Drive, Suite A-1  
St. George, Utah 84770  
PH (435) 678-6566 FX (435) 678-6567  
www.rosenberg.com

PRELIMINARY PLAT  
FOR  
SOUTH HILLS RANCH ESTATES SUBDIVISION  
SANTA CLARA, UT



# SOUTH HILLS RANCH ESTATES SUBDIVISION

### SITE DEVELOPMENT DATA

\*NO GRADING ON LOT 1\*

\*DETENTION/RETENTION TO BE PROVIDED ON INDIVIDUAL LOTS

PARCEL NUMBER: SC-208-A  
 SITE ADDRESS: TBD  
 ACRES: 5.2  
 NUMBER OF LOTS: 2  
 DENSITY: 1.34 UNITS PER ACRE  
 ZONING: RA  
 GENERAL PLAN: LDR  
 SETBACKS: 25' FRONT  
 5' - 12' SIDES  
 10' REAR

LOCATED IN SECTION 17, TOWNSHIP 42 SOUTH, RANGE 16 WEST OF THE  
 SALT LAKE BASE AND MERIDIAN  
 CITY OF ST. GEORGE, WASHINGTON COUNTY, UTAH.

### PROJECT OWNER/DEVELOPER

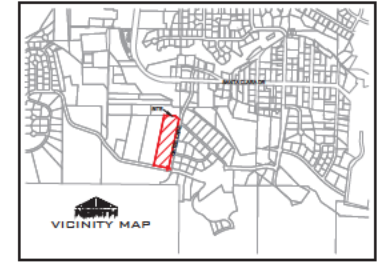
SOUTH HILLS PROPERTIES LLC  
 894 N. GUALI ST.  
 SANTA CLARA, UT 84785

CONTACT: LANCE ROBERT  
 (435) 224-0284

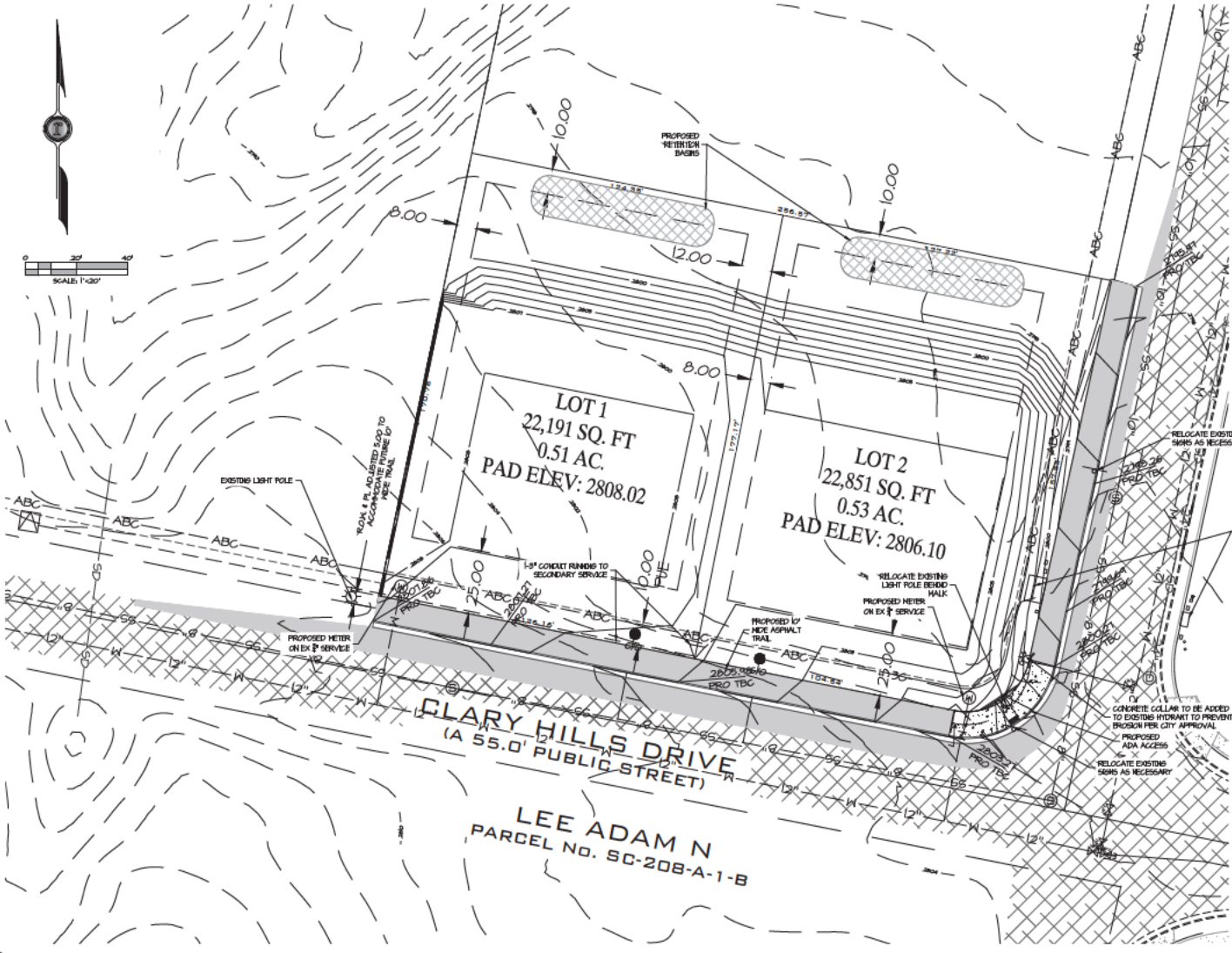
### PROJECT ENGINEER

ROSENBERG ASSOCIATES  
 203 EAST HYDROGEN DRIVE, SUITE A2  
 ST. GEORGE, UT 84780

CONTACT: JARED BATES, PE  
 (435) 673-9550



\*ALL ELEVATIONS ARE BASED ON THE NAVD 88 VERTICAL DATUM\*

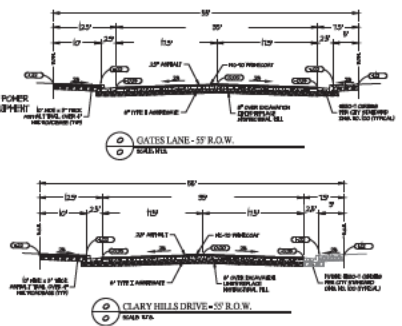


### UTILITY LEGEND

|         |                           |   |                        |
|---------|---------------------------|---|------------------------|
| — W —   | EXISTING WATER LINE       | ⊙ | EXISTING WATER METER   |
| — W —   | PROPOSED WATER LINE       | ⊙ | EXISTING FIRE HYDRANT  |
| — SS —  | EXISTING SEWER LINE       | ⊙ | EXISTING WATER VALVE   |
| — ABC — | EXISTING POWER LINE       | ⊙ | PROPOSED WATER METER   |
| — SD —  | EXISTING STORM DRAIN LINE | ⊙ | EXISTING SEWER MANHOLE |
|         |                           | ⊙ | PROPOSED SEWER LATERAL |
|         |                           | ⊙ | EXISTING GRID SILENT   |

### LEGEND

|           |                                  |
|-----------|----------------------------------|
| [Pattern] | EXISTING ASPHALT                 |
| [Pattern] | PROPOSED ASPHALT                 |
| [Pattern] | EXISTING CONCRETE                |
| [Pattern] | PROPOSED CONCRETE                |
| [Pattern] | EXISTING CONC-HLR                |
| [Pattern] | PROPOSED CONC-HLR                |
| [Pattern] | EXISTING CONC-HLR                |
| [Pattern] | PROPOSED CONC-HLR                |
| [Pattern] | EXISTING CONCRETE RETAINING WALL |
| [Pattern] | PROPOSED CONCRETE RETAINING WALL |
| [Pattern] | PROPOSED ON-SITE RETENTION (L&D) |



### EARTHWORK VOLUMES:

- 8,371 (F) CU. YD. FILL
- 2 (C) CU. YD. CUT
- 8,375 (F) CU. YD. NET

THE EARTHWORK CUT AND FILL VOLUMES SHOWN ON THIS PLAN ARE BASED ON THE VOLUME DIFFERENCES BETWEEN TWO DIGITAL TERRAIN MODELS (DTM) OR SURFACES: THE EXISTING GROUND SURFACE AND THE PROPOSED FINISHED GROUND SURFACE. THIS COMPARISON IS PRESENTED FOR REFERENCE ONLY AS THE FIRST STEP IN THE PROCESS OF PERFORMING THOROUGH EARTHWORK CALCULATIONS AND DOES NOT REFLECT OR REPRESENT A FINAL ESTIMATE OF ACTUAL EARTH TO BE MOVED. UPON REVIEW OF THE GEO-TECHNICAL REPORT, THE CONTRACTOR RESPONSIBLE FOR EXCAVATION SHALL ACCOUNT FOR OVER-EXCAVATION, SCARPING, AND ADJUSTMENT FOR ALL IMPROVEMENTS NOT ACCOUNTED FOR IN THE FINISHED GROUND SURFACE, INCLUDING LANDSCAPING, BULKING AND/OR SHORING OF MATERIAL, IMPORT OF BEDDING MATERIAL, AND OTHER MATERIALS, EXCAVATION AND CONNECTION OF UTILITY TRENCHES, AND OTHER FACTORS TO MAKE A FINAL DETERMINATION OF THE TOTAL EARTHWORK REQUIRED FOR THE PROJECT. IN SOME CASES, ADDITIONAL CONSULTATIONS WITH THE GEO-TECHNICAL ENGINEER AND CIVIL ENGINEER MAY BE REQUIRED.

|                       |             |
|-----------------------|-------------|
| DATE:                 | 4/20/20     |
| PROJECT NO.:          | 2019-22-022 |
| DESIGNED BY:          | ETJ         |
| CHECKED BY:           | JRB         |
| DWG. PRELIMINARY PLAT |             |
| SCALE:                |             |

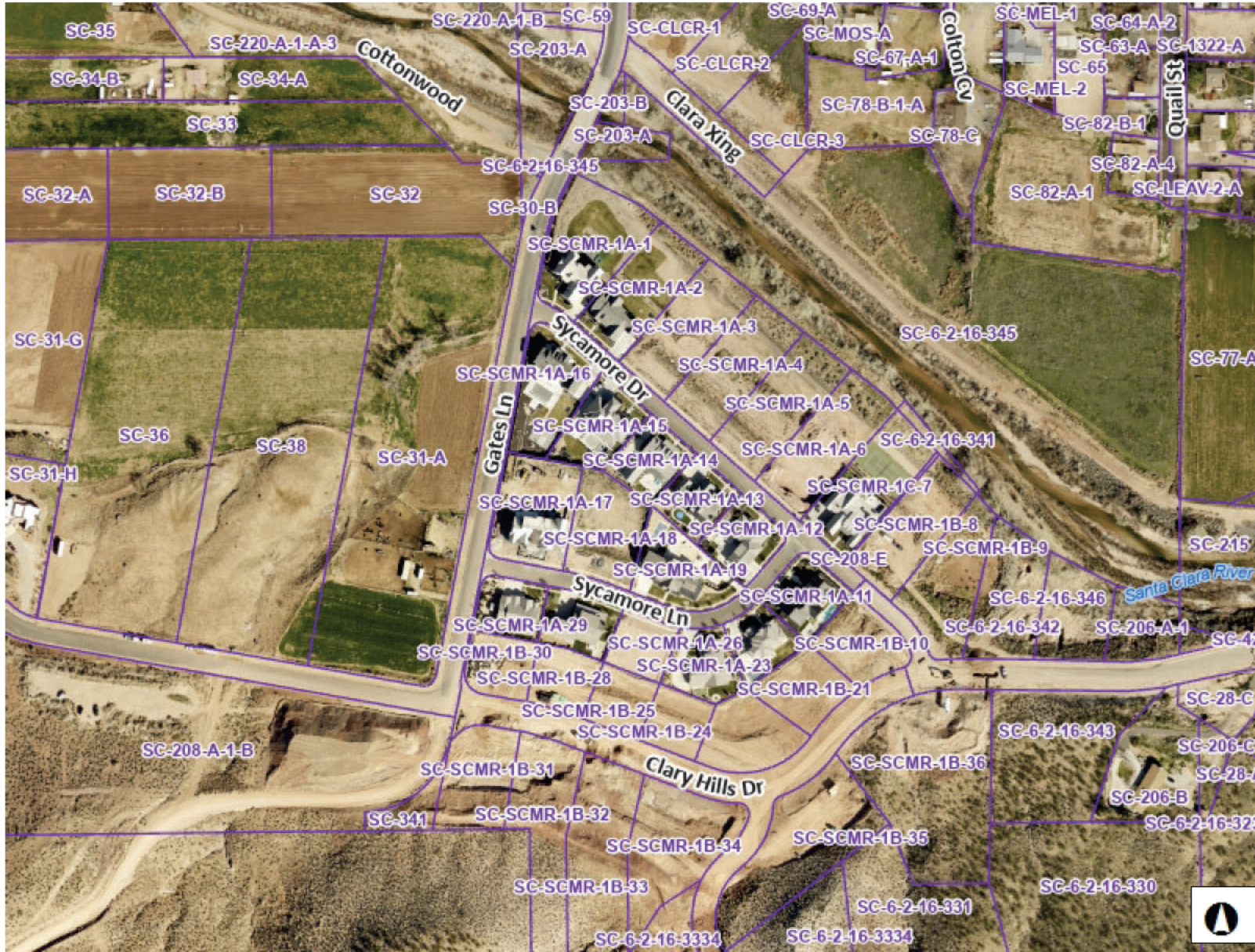
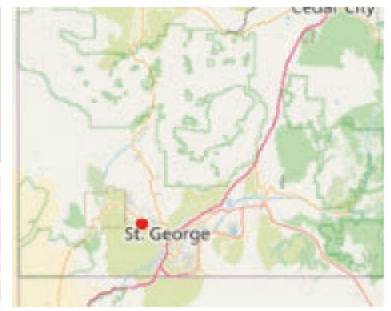
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PRELIMINARY PLAT  
 FOR  
 SOUTH HILLS RANCH ESTATES SUBDIVISION  
 SANTA CLARA, UT





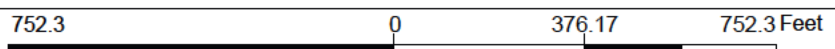
# Property Map



### Legend

- Parcels
- Ownership**
  - U.S. Forest Service
  - U.S. Forest Service Wilderness
  - Bureau of Land Management
  - Bureau of Land Management Wild
  - National Park Service
  - Shivwits Reservation
  - Utah Division of Wildlife Resources
  - Utah Division of Transportation
  - State Park
  - State of Utah
  - Washington County
  - Municipally Owned
  - School District
  - Privately Owned
  - Water
  - Water Conservancy District
  - State Assessed Oil and Gas
  - Mining Claim

Notes



*DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.*



TO: Santa Clara Planning Commission  
FROM: Jim McNulty, Planning Director  
DATE: May 28, 2026  
RE: City Code, Title 17 Updates (**Discussion Item**)

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City staff would like to discuss several proposed City Code, Title 17 updates. This includes the following items: Chapter 17.12, Planning Commission, Chapter 17.20, Supplementary and Qualifying Regulations, Chapter 17.22, Accessory Dwelling Units, Chapter 17.63, R-1-6 Zone, Chapter 17.64, R-1-10 Zone, Chapter 17.65, R-1-10/Mixed Lot Size Zone, and Chapter 17.60, Residential Agriculture Zone. A copy of each draft document has been included for review.

This item was previously discussed with the Planning Commission on April 23, 2026. City staff have updated the documents as per the last discussion. Additionally, this item was discussed with the City Council on May 13, 2026. The City Council is in favor of moving forward with the proposed updates.

CHAPTER 17.22  
ACCESSORY DWELLING UNITS

SECTION:

17.22.010: Definitions

17.22.020: Internal Accessory Dwelling Units

17.22.030: Accessory Dwelling Units

17.22.010: DEFINITIONS:

For purposes of this chapter, the following words or phrases shall have the following meanings:

|  |   |
|--|---|
| ACCESSORY DWELLING UNIT (ADU):           | A separate dwelling unit located on a residentially zoned property, that is clearly incidental and accessory to the primary dwelling on the property. In addition to the standards described in this section, ADUs must meet the standards described in section 10- <del>21-3039a-530</del> of the Utah Code.   |
| INTERNAL ACCESSORY DWELLING UNIT (IADU): | A separate dwelling unit located entirely within the footprint of an owner-occupied single-family detached dwelling on residentially zoned property, that is clearly incidental and accessory to the primary dwelling on the property. In addition to the standards described in this section, IADUs must meet the standards described in section 10- <del>21-3039a-530</del> of the Utah Code. |
| PRIMARY DWELLING:                        | A single-family detached dwelling that is occupied as the primary residence of the owner of record. (Ord. 2022-04 § 1: Ord. 2021-14 § 1)  |

17.22.020: INTERNAL ACCESSORY DWELLING UNITS:

A. Allowed Zones: An IADU is a permitted use in all residential zones, subject to the standards set forth in this section.

B. Standards: All IADUs must conform to the following standards:

1. The IADU must contain complete cooking and bathroom facilities that are separate from the facilities located in the primary dwelling.

a. The cooking facility in the IADU must contain:

- (1) A sink and water faucet,
  - (2) Capacity for food refrigeration, and
  - (3) A permanent, built-in stove top, range, or other similar device for cooking food.
- b. The bathroom facility in the IADU must contain:
- (1) A sink and water faucet,
  - (2) A toilet, and
  - (3) A shower or bathtub.
2. The owner of the property must occupy the primary dwelling on the property.
  3. One off-street parking space must be provided for the IADU, in addition to parking required for the primary dwelling on the property.
  4. IADUs must meet all applicable Health, Fire and Building Codes.
  5. The lot where the IADU is located must maintain the single-family appearance and character of the neighborhood. IADUs should be compatible in design and appearance with the primary dwelling on the property and shall not be located in detached structures connected by a breezeway.
  6. Only one IADU per property is permitted.
  7. The lot where the IADU is located must be at least ~~four~~six thousand (~~46,000~~) square feet in size. However, a single-family detached dwelling in a Planned Development Residential (PDR) Zone with a lot size of less than ~~four~~six thousand (~~46,000~~) square feet may be allowed if all other requirements of this section are met.
  8. The total number of residents that reside in an IADU may not exceed the number allowed for a single-family dwelling.
  9. If a garage or carport is converted to an IADU, the property owner must replace any parking spaces contained in the garage or carport which are required by code with an equal number of off-street parking spaces elsewhere on the property in a manner that complies with all land use standards.
  10. An IADU shall not be permitted within a mobile home.
  11. A property owner may not install power or culinary water utility meters that serve only the IADU. The IADU must be served by the same power and culinary water utility meters as the primary dwelling on the property.
  12. No IADU may be located in a primary dwelling served by a failing septic tank.
  13. The owner shall provide a separate address marking for emergency services and mailing services.

C. Rental Period: The IADU must be rented for periods of thirty (30) consecutive days or more.

D. Permit Required: Prior to renting or offering to rent an IADU, a property owner must obtain an Internal accessory dwelling unit permit from the city.

1. The IADU permit application is reviewed by city staff.

2. The IADU must be inspected by the city prior to issuance of any permit and may be inspected by the city up to one (1) time per calendar year. In the event that the IADU requires improvements be made in order to meet required standards, the property owner shall be required to obtain a building permit.

3. City staff shall issue the IADU permit, only after finding all of the standards in this section and all other applicable land use standards have been met and may revoke the IADU permit if an inspection finds that the IADU no longer meets applicable standards, after ninety (90) days written notice to the property owner and an opportunity to cure any deficiencies.

4. The ~~e~~City will provide an Affidavit of Understanding allowing the applicant to shall record ~~a notice~~ notice of the permit with the Washington County Recorder, ~~as detailed in Utah Code Section 10-9a-530(6).~~

E. Business License: Renting of any IADU requires a business license. The business license must be maintained and renewed annually if the unit is rented.

F. In addition to other remedies available to the city, the city may hold a lien against a property that contains an ~~internal~~ IADU if the property owner violates any standards for operation of an ~~internal~~ IADU. The amount, notice, and procedure for the lien shall be in accordance with state law. (Ord. 2021-14, 10-27-2021)

#### 17.22.030: ACCESSORY DWELLING UNITS:

A. ~~An ADU One Accessory Dwelling Unit (ADU) may be~~ is a permitted use in residential zones requiring a minimum lot size of 6,000 square feet, as a conditional use in a single-family residential zone subject to the following requirements:

1. Before an ADU occupancy permit is issued, the applicant must:

a. Submit a site plan, drawn to scale, that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, distances from buildings or additions to property lines, the location of parking stalls and utility meters.

b. Include detailed floor plans drawn to scale with labels on rooms indicating uses or proposed uses.

c. Pay the required application fee as determined by resolution of the City Council.

d. Obtain a building permit following approval of the ADU and subject to all the requirements listed herein.

e. An ADU is allowed over an attached garage or a detached garage, provided that the existing parking underneath the created additional living unit remains parking and is not converted to a living space.

f. An ADU may be in a front, side, or rear yard if it meets all primary dwelling setback requirements.

g. An ADU may not exceed ~~twenty feet (20')~~ in height limit requirements for an accessory structure established in each residential zone unless it is attached to the primary structure.

h. An ADU is allowed up to one thousand (1,000) square feet, or thirty percent (30%) of the footprint of the primary dwelling, excluding the garage, whichever is greater.

i. One additional off-street parking space must be provided for an ADU.

j. The primary dwelling and the ADU must be served by the same electric meter, water meter, and sewer connection. Additional impact fees, as established by the city may be assessed for the second dwelling unit.

k. The primary dwelling and the ADU must have the same address, except for a letter (A) designation, as may be approved by the city, to provide differentiation between the main dwelling and the ADU for mail or emergency response purposes.

l. The ADU may not be constructed until after the building permit is issued for the primary dwelling, and no certificate of occupancy may be issued for an ADU until after the certificate of occupancy is issued for the primary dwelling.

2. The property owner must occupy either the primary dwelling or the ADU.

3. The total number of residents that reside in an ADU may not exceed the number allowed for a single-family dwelling.

4. The lot where the ADU is located must maintain the single-family appearance and character of the neighborhood.

5. Only one (1) ADU or IADU per property is permitted.

6. Rental Period: The ADU must be rented for periods of thirty (30) consecutive days or more.

7. The City will provide an Affidavit of Understanding allowing the applicant to record-a notice of the permit with the Washington County recorder, ~~as detailed in Utah Code Section 10-9a-530(6).~~

8. Business License: Renting of any ADU requires a business license. The business license must be maintained and renewed annually if the unit is rented. (Ord. 2022-04 § 1)

CHAPTER 17.63  
R-1-6 SINGLE-FAMILY RESIDENTIAL ZONE

SECTION:

17.63.010: Purpose

17.63.020: Permitted Uses

17.63.030: Conditional Uses

17.63.040: Height Regulations

17.63.050: Area, Width and Yard Regulations

17.63.060: Modifying Regulations

17.63.010: PURPOSE:

To provide appropriate locations where low to medium density residential neighborhoods may be established, maintained, and protected. The regulations also permit the establishment, with proper controls of uses such as churches, schools, libraries, parks, and permitted open spaces which serve the needs of families. The regulations are intended to prohibit those uses that would be harmful to a single-family residential neighborhood. (Ord. 2022-21, 9-28-2022)

17.63.020: PERMITTED USES:

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

[Accessory Dwelling Unit, ADU as per Chapter 17.22 of city code.](#)

Home gardens and fruit trees, keeping of household pets, etc., but not agricultural industry, or business, or the keeping of domestic animals or ~~fowl~~fowls.

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

Single-family detached dwellings and manufactured homes as defined herein. (Ord. 2022-21, 9-28-2022)

17.63.030: CONDITIONAL USES:

[Accessory Dwelling Unit, ADU as per Chapter 17.22 of city code.](#)

Child nursery, as defined herein. The dwelling shall be the permanent residence of the operator. The land use authority will determine the maximum number of children to be allowed, and other requirements, depending upon specific conditions relating to the request.

Parking shall be as required by the land use authority. All other requirements of the zone shall be complied with.

Churches, schools, parks, and open space.

Home occupation, as defined herein, and approved by the land use authority staff, or as may be recommended to the land use authority.

**Public buildings.**

Public utilities and buildings.

Residential Facility for the Elderly. (Ord. 2022-21, 9-28-2022)

**17.63.040: HEIGHT REGULATIONS:**

No building shall be erected to a height greater than thirty feet (30'), and no accessory building shall be erected to a height greater than twenty feet (20'). An Accessory Dwelling Unit, ADU may not exceed a height of twenty feet (20'). (Ord. 2022-21, 9-28-2022)

**17.63.050: AREA, WIDTH AND YARD REGULATIONS:**

| District | Area  | Width   | Front   | Side       | Rear    |
|----------|-------|---------|---------|------------|---------|
| R-1-6    | 6,000 | 50 feet | 20 feet | 6 - 8 feet | 10 feet |

The front yard setback is required to be twenty feet (20') from property line or back of sidewalk, whichever is closer to the structure. (Ord. 2022-21, 9-28-2022)

**17.63.060: MODIFYING REGULATIONS:**

A. Side yard setbacks on a "street side" (corner lot) shall be the same as for a front yard setback.

B. Accessory buildings located to the rear of a main dwelling, and at least ten feet (10') away from the main dwelling may be built five feet (5') from the property line provided that: 1) projection beyond exterior wall shall not exceed twelve inches (12") into the area where openings are prohibited, 2) stormwater runoff from the building shall not run onto

adjacent property, 3) all corner lots shall maintain required setbacks on street sides, and 4) construction shall comply with current International Residential Code (IRC) exterior wall and opening protection. No building, or swimming pool, shall be in any easement without city approval.

1. After first obtaining a building permit from the City Building Official, a carport or awning may be constructed in the required six-foot (6') side yard setback or ten-foot (10') rear yard area subject to the following conditions:

a. All three (3) sides of the carport/awning away from the dwelling shall be kept completely open. No storage areas shall be permitted in any part of the carport/awning.

b. The height of the carport/awning shall not exceed the height of the top plate of the walls of the first floor of the dwelling, or a maximum of ten feet (10') above the normal grade of the side yard setback.

c. A two-foot (2') setback shall be maintained from the side property line.

d. The roof shall be sloped away from the dwelling, and a rain gutter shall be installed along the roof edge on the side yard of the two-foot (2') setback to keep all roof runoff on the property of the owner of the carport/awning.

2. All construction materials shall be completely noncombustible and shall meet all applicable requirements of the international residential code.

a. Color of the construction material shall be of earth tones or harmonize with the colors of the dwelling unit.

b. The carport/awning shall always be well maintained and shall be repainted from time to time as necessary.

3. The side of the carport/awning nearest the front street shall be set back a minimum of ten feet (10') behind the front face of the dwelling unit.

a. An accessory structure building or ADU shall use finish materials colored to blend with the be required to utilize building materials and colors to blend in with the construction of the primary dwelling unit on the property. An accessory structure or ADU shall comply with the most recently adopted International Residential Code (IRC).

b. The lot width for cul-de-sac lots may be approved by the land use authority with less than fifty feet (50') of frontage; however, this requirement shall be meetmet at the twenty feet (20') front setback line.

c. Other conditions that may be required by the land use authority to protect the intent and purpose of the zone.

d. The minimum square footage of any main residence shall be one thousand two hundred (1,200) square feet of living space on the main floor of a single-story home. For a two-story home there shall be a minimum of eight hundred (800) square feet of living space on the main floor, and a minimum of seven hundred (700) square feet of living space

on the second floor. A split-level home shall have a minimum of one thousand (1,000) square feet on the main and upper floor ~~combined, but~~combined but not including the square footage of the lower level.

e. No trash, weeds, or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, debris, abandoned, inoperable, or dismantled automobile or automobile parts or similar material shall be stored or allowed to remain on any lot in any residential zone. (Ord. 2022-21, 9-28-2022)

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CHAPTER 17.64  
R-1-10 SINGLE-FAMILY RESIDENTIAL ZONE

SECTION:

17.64.010: Purpose

17.64.020: Permitted Uses

17.64.030: Conditional Uses

17.64.040: Height Regulations

17.64.050: Area, Width ~~And~~ Yard Regulations

17.64.060: Modifying Regulations

17.64.010: PURPOSE:

To provide appropriate locations where ~~low-density~~ residential neighborhoods may be established, maintained, and protected. The regulations also permit the establishment, with proper controls, of public and semipublic uses such as churches, schools, libraries, parks, and playgrounds which serve the needs of families. The regulations are intended to prohibit those uses that would be harmful to a single-family residential neighborhood. (Ord. 97-06 § 15-1)

17.64.020: PERMITTED USES:

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

[Accessory Dwelling Unit, ADU as per Chapter 17.22 of city code.](#)

Home gardens and fruit trees, keeping of household pets, etc., but not agricultural industry, or business, ~~or the keeping of domestic animals or fowl.~~

[Internal Accessory Dwelling Unit, IADU as per Chapter 17.22 of city code.](#)

Single-family [detached](#) dwellings and manufactured homes as defined herein. (Ord. 2008-11 § 1; Ord. 2007-01 § 1; Ord. 97-06 § 15-2)

17.64.030: CONDITIONAL USES:

"Child nursery", as defined herein. The dwelling shall be the permanent residence of the operator. The land use authority will determine the maximum number of children to be

allowed, and other requirements, depending upon specific conditions relating to the request.

Parking shall be as required by the land use authority. All other requirements of the zone shall be complied with.

~~Churches, schools, parks, and open space.-~~

"Home occupation", as defined herein, and approved by the land use authority staff, or as may be recommended to the land use authority for hearing.

Keeping of livestock animals or fowl subject to the conditions found in the modifying regulations of this zone.

~~Park or playground.~~

~~Public buildings.~~

Public utilities ~~and buildings, including cable television.~~

~~Residential Facility for the Elderly.~~

School.

~~Second dwelling—subject to modifying regulations in section 17.64.060 of this chapter.~~

Other uses recommended by the land use authority as being in harmony with the intent of the zone and similar in nature to the above listed uses. (Ord. 2009-12 § 1: Ord. 2008-11 § 1: Ord. 97-06 § 15-3)

17.64.040: HEIGHT REGULATIONS:

No building, shall be erected to a height greater than thirty five feet (35'), and no accessory building ~~or ADU~~ shall be erected to a height greater than twenty feet (20'), ~~without a conditional use permit approved by the land use authority.~~ (Ord. 2008-11 § 1: Ord. 2004-35 § 1: Ord. 97-06 § 15-4)

17.64.050: AREA, WIDTH AND YARD REGULATIONS:

| District | Area   | Width   | Front   | Side        | Rear    |
|----------|--------|---------|---------|-------------|---------|
| R-1-10   | 10,000 | 80 feet | 25 feet | 8 - 12 feet | 10 feet |

Where a sidewalk and a driveway are located in the same setback of a dwelling, the garage setback shall be a minimum of twenty feet (20') from the back edge of the sidewalk to the

garage. Where no sidewalk is located in the setback, or where a side entry garage has a minimum twenty foot (20') long driveway from the back edge of the sidewalk, the garage setback shall be the same as required for the dwelling unit. (Ord. 2017-07: Ord. 97-06 § 15-5)

#### 17.64.060: MODIFYING REGULATIONS:

- A. Side yard setbacks on a "street side" shall be the same as for a front yard setback.
- B. Accessory Structures (Non-habitable structures accessory to the primary residence)
  1. Accessory Structures shall only be authorized concurrently or following the establishment of the primary residence.
    2. An accessory garage may be attached to, or detached from, the primary building.
      - a. An accessory garage that is attached to a primary building shall meet all requirements for the location of the primary building.
      - b. All garages and other accessory buildings located within ten feet (10') of the primary building shall be considered attached and part of the primary building and the setback and height requirements applicable to the primary building shall apply.
      - c. An accessory garage that is detached from a primary building shall meet all requirements for the location of a detached accessory building, as provided.
      - d. The cumulative square footage of all accessory structures shall not be greater than twenty five percent (25%) of the rear yard area as measured from the rear wall line of the primary structure to the rear property line (pools excluded).
    3. All garages and other accessory buildings located ten feet (10') or more away from the primary residence may be constructed five feet (5') from the side and rear property lines provided that.
      - a. Setbacks may be allowed to be reduced with clearance from city utility departments.
      - b. Structures permitted to have reduced setbacks shall only utilize 40% of the rear property line width.
      - c. Maximum Height: twenty feet (20') for structures with flat roofs and twenty-five feet (25') for structures with pitched roofs.
      - d. Projection beyond exterior walls shall not exceed twelve inches (12") into the area where openings are prohibited.
      - e. Stormwater runoff from the building shall not run onto adjacent property. Exception: Small accessory structures that are less than two hundred (200) square feet in area do not require a building permit unless; power, plumbing, or HVAC utilities are

intended to be installed. A small accessory structure may be located in the rear yard, three feet (3') from side and rear property lines so long as the structure does not exceed ten feet (10') maximum height.

4. Accessory structures located on corner lots shall meet the required corner side yard setback applicable to the zone.

5. Accessory structures shall use finish materials colored to blend with the primary structure.

6. Accessory structures shall comply with the most recently adopted International Residential Code (IRC).

7. No shipping container, cargo container, shipping crate, box trailer or similar movable pieces of equipment or object shall be used as an accessory structure.

8. No utility connections or meters, separate from the primary residence, shall be allowed for accessory structures.

9. No accessory structure shall be used as a permanent dwelling unit.

10. No accessory structure shall be located in any required front yard setback.

#### C. Carports:

1. A building permit shall be required to construct or install all carports. Installations shall comply with the requirements of this section and the adopted Building Code, as applicable.

2. Any enclosed carport (a carport enclosed on more than 2 sides, or 60% of wall areas, whichever is less) shall comply with the required setbacks applicable to the primary residence.

3. Carports constructed completely of noncombustible materials may be allowed in the side and rear yard area so long as no portion of the carport structure is closer than two feet (2') to any side or rear property line. Reduced setbacks shall only be allowed with clearance from city utility departments.

4. Maximum height of a noncombustible carport shall not exceed fifteen feet (15') or the height of the primary structure, whichever is less.

5. Carports constructed from any combustible materials may be allowed in the required rear yard area when located ten feet (10') or more away from the primary residence. No portion of any such carport shall be closer than five feet (5') to any side or rear property line and shall not exceed twenty feet (20') in height.

6. No stormwater runoff from any carport shall be allowed to run onto adjacent properties.

7. Construction material of carports and awnings shall be color tones designed to blend/harmonize with the primary structure.

8. Carports shall always be well maintained and kept in good repair.

D. Awnings and Patio Covers:

1. A building permit shall be required to construct all awnings and patio covers.
2. Any enclosed awning or patio cover (a structure enclosed on more than 2 sides) shall comply with the required setbacks applicable to the primary residence.
3. Awnings and patio covers constructed of noncombustible materials may be allowed in the side and rear yard area so long as no portion of the awning/patio cover structure is closer than two feet (2') to any side or rear property line. Reduced setbacks shall only be allowed with clearance from city utility departments.
4. Awnings and patio covers constructed of any combustible materials may be allowed in the side and rear yard area so long as no portion of the awning/patio cover structure is closer than five feet (5') to any side or rear property line.
5. No stormwater runoff from any awning or patio cover shall be allowed to run onto adjacent property.
6. Construction material of awnings and patio covers shall be color tones designed to blend/harmonize with the primary structure.
7. Awnings and patio covers shall always be well maintained and kept in good repair.
8. Awnings proposed in front yard areas shall comply with section 17.20.090 of this title.

E. Swimming Pools:

1. A building permit shall be required to construct all hot tubs, swimming pools and swimming pool accessory features.
2. Swimming pools must be constructed and protected in compliance with the adopted International Swimming Pool and Spa Code (ISPSC).
3. Swimming pools are allowed to be constructed within the prescribed setbacks and public utility easements with clearance from city utility departments.
  - a. Exception: Swimming pools proposed along the street facing front and side yards, and rear yards on double-fronted lots, shall not be constructed within public utility easements.
  - b. Swimming pools installed in street-facing yard areas will require a safety barrier compliant with the adopted International Swimming Pool and Spa Code (ISPSC).
4. Swimming pools may be constructed within three feet (3') of property lines as measured from property line to water's edge.
5. Pool equipment shall be placed in an area compliant with the Residential Electrical, Fuel and Gas Codes.

6. Privacy of neighboring properties shall be considered when installing accessory pool features such as slides, diving platforms, and faux rock. Pool amenities shall be placed at a height to distance ratio of 1:1 from property line until meeting the prescribed setback for the residential zone.

F. Domestic Livestock and Fowl:

1. On lots of less than two (2) acres in size, no large or medium sized animals shall be kept or maintained.

2. On lots of two (2) acres or more, domestic livestock shall be limited to one (1) domestic animal for each one-half acre.

3. On lots of less than two (2) acres, ten (10) hen chickens (no roosters) may be kept per ten thousand (10,000) square feet of lot area.

4. Residential lots may have one chicken run.

5. Chicken runs are limited to a maximum size of one hundred twenty (120) square feet and a maximum height of eight feet (8').

6. No chicken shall be allowed to roam outside the chicken run.

7. Household Pets: (See Title 6: Animals). (Ord. 2025-06 § 1: Ord. 2022-04 § 1: Ord. 2020-03 § 1: Ord. 2015-05: Ord. 2014-02: Ord. 2012-06: Ord. 2009-12 § 1: Ord. 2008-11 § 1: Ord. 2007-20 § 1: Ord. 2004-35 § 1: Ord. 99-23 § 1: Ord. 97-06 § 15-6)

CHAPTER 17.65  
R-1-10/RA MIXED LOT SIZE RESIDENTIAL ZONE

SECTION:

17.65.010: Purpose

17.65.020: Permitted Uses

17.65.030: Conditional Uses

17.65.040: Height Regulations

17.65.050: Area, Width, ~~A~~and Yard Regulations

17.65.060: Modifying Regulations

17.65.010: PURPOSE:

To provide appropriate locations where low to medium density mixed lot residential neighborhoods may be established, maintained, and protected. Residential agriculture areas which preserve agricultural use of the land may also allow a variety of lot sizes. The regulations permit the establishment, with proper controls, of uses such as churches, schools, parks, and permitted open spaces which serve the needs of families. The regulations are intended to prohibit those uses that would be harmful to a single-family residential neighborhood. (Ord. 2012-11)

17.65.020: PERMITTED USES:

The uses permitted in the R-1-10 zone, except for small animals, on ten thousand (10,000) square foot lots in the mixed lot size zone.

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

[Accessory Dwelling Unit, ADU as per Chapter 17.22 of city code.](#)

Home gardens and fruit trees. ~~The~~ keeping of household pets [etc. are permitted](#), but not agricultural industry, [or commercial](#) business, or the keeping of domestic animals or fowl.

[Internal Accessory Dwelling units, IADU as per Chapter 17.22 of city code.](#)

Single-family [detached](#) dwellings and manufactured homes as defined herein. (Ord. 2012-11)

17.65.030: CONDITIONAL USES:

~~Child nursery, as defined herein. The dwelling shall be the permanent residence of the operator. The land use authority will determine the maximum number of children to be allowed, and other requirements, depending upon the specific conditions relating to the request. Parking shall be required by the land use authority. All other requirements of the zone shall be complied with.~~

~~A residential facility for the elderly.~~

~~Accessory structures on lots where a main dwelling exists, or for which a building permit has been issued, but not including detached second dwellings unless permitted on ten thousand (10,000) square foot lots by the R-1-10 zone.~~

Churches, schools, parks, and open space.

Home occupation, as defined herein, and approved by the land use authority staff, or as may be recommended to the land use authority.

Public utilities and buildings.

Residential Facility for the Elderly.

~~All requirements for a single-family dwelling, i.e., setbacks, heights, parking requirements, street access locations, utilities, occupancy permits, signs, etc., shall be complied with as required for such uses by this chapter. (Ord. 2012-11)~~

#### 17.65.040: HEIGHT REGULATIONS:

No main dwelling shall be erected to a height greater than ~~thirty five~~thirty-five feet (35'), and no ~~detached~~ accessory building or ADU shall be erected to a height greater than twenty feet (20') ~~without approval of the planning commission.~~ (Ord. 2012-11)

#### 17.65.050: AREA, WIDTH, AND YARD REGULATIONS:

| Mixed Lot Sizes    | Width   | Front   | Side        | Rear    |
|--------------------|---------|---------|-------------|---------|
| 10,000 square feet | 80 feet | 20 feet | 8 - 12 feet | 10 feet |
| 9,000 square feet  | 75 feet | 20 feet | 8 - 10 feet | 10 feet |
| 8,000 square feet  | 70 feet | 20 feet | 8 - 10 feet | 10 feet |
| 7,000 square feet  | 60 feet | 20 feet | 6 - 10 feet | 10 feet |

Where a sidewalk and a driveway are located in the same setback of a dwelling, the garage setback shall be a minimum of twenty feet (20') from the back edge of the sidewalk to the garage. Where no sidewalk is located in the setback, or where a side entry garage has a minimum twenty foot (20') long driveway from the back edge of the sidewalk, the garage setback shall be the same as required for the dwelling unit. (Ord. 2017-07; Ord. 2012-11)

#### 17.65.060: MODIFYING REGULATIONS:

A. For all lots in the mixed lot zone the side yard setbacks on a street side shall be the same as for a front yard setback unless the development has no dwellings fronting on any side yard in the entire phase of development, in which case the side yard may be reduced to fifteen feet (15').

B. The percentage of mixed lot sizes shall be:

40 percent that are 10,000 square feet,

20 percent that are 9,000 square feet,

20 percent that are 8,000 square feet, and

20 percent that are 7,000 square feet.

~~C. The number of lots allowed in the development will be determined by the gross area of the proposed phase or development, and subtracting fifteen percent (15%) of the gross area for streets and public rights-of-way. The net land area may be divided into mixed lot sizes as shown by the percentages in subsection B of this section.~~

~~D. Eight thousand (8,000) and nine thousand (9,000) square foot lots in the mixed lot development may include a casita or "mother-in-law" attached apartments if all requirements of this chapter, and the international residential building code, are complied with. Such units shall not be less than four hundred fifty (450) square feet in size or greater in size than eight hundred (800) square feet.~~

~~E. The additional units approved above for eight thousand (8,000) and nine thousand (9,000) square foot lots are not approved for public rental, and may only be occupied by persons related to those residing in the primary dwelling. No additional parking spaces will be required for such units.~~

C. An accessory structure or ADU shall use finish materials colored to blend with the primary structure. An accessory structure or ADU shall comply with the most recently adopted International Residential Code (IRC).

DF. In the residential agricultural zone, mixed lot developments may be approved. ~~However~~However, the number of parcels shall not exceed the density, or number of lots allowed by the RA zone. All excess land must be maintained in some form of agricultural use, and may be maintained by the lot owners, leased to someone else, deeded to a

conservation group, or to the city of Santa Clara at the city's option. The land may be requested to be placed in an agricultural protection zone as provided by the RA zoning district classification.

EG. The minimum square footage of any main dwelling on any lot shall be one thousand (1,000) square feet of living space on the main floor of a single-story home, or one thousand two hundred fifty (1,250) square feet of living space on the main floor of any dwelling on a ten thousand (10,000) square foot lot.

~~H. Parking shall be as required by chapter 17.32 of this title (off street parking standards), except that no additional parking shall be required on an eight thousand (8,000) or nine thousand (9,000) square foot lot for a casita or mother-in-law apartment in the R-1-10/RA mixed lot zone.~~

~~Ff. This zoning district allows for subdivision design flexibility. The following items are required: One purpose of the R-1-10/RA mixed lot size zone is to allow for all individual lots and homes having front yards fully completed at the time of occupancy.~~

~~1. Drawings showing the development layout, lot landscaping, and fencing and other items determined by the TRC are required as part of the subdivision review process. shall be submitted to the planning staff at the time of application for a building permit being requested by the developer or the owner. Developers are encouraged to arrange for completion of the required front yard landscaping as a part of the lot sales in the development.~~

~~2. In order to achieve a harmonious subdivision appearance and assure compliance, no certificate of occupancy shall be issued until a dwelling has been completely finished and includes all front yard landscaping, driveways, sidewalks, and fencing where necessary.~~

~~2. Parking shall comply with Chapter 17.32 of city code. One (1) additional off-street parking space is required on the property for an ADU or an IADU as per Chapter 17.22 of city code.~~

~~3. 3. The lot width for cul-de-sac lots may be approved by the land use authority with less than fifty feet (50') of frontage; however, this requirement shall be met at the twenty feet (20') front setback line. front yard of a cul-de-sac shall maintain a twenty foot (20') setback. However, this setback may be reduced to fifteen feet (15') upon the approval of the staff, or, if referred, by the planning commission.~~

~~4. Other conditions that may be required by the land use authority to protect the intent and purpose of the zone.~~

Gf. Private garages and accessory buildings located to the rear, and at least ten feet (10') away from the main dwelling may be built five feet (5') from the property line. All building code requirements shall be complied with. No detached garage shall be supplied with utilities except for electricity and water for a sink and/or toilet.

HK. All other modifying regulations of the R-1-10 residential zone shall apply to ten thousand (10,000) square foot lots in the R-1-10/RA mixed lot size zone.

~~I.~~ In small projects not exceeding ten (10) units, the planning commission may ~~recommend, and the council may~~ approve any mixture of lot sizes that may or may not match the percentages of each lot size as found in subsection B of this section.

~~J.~~ No lot may be less than seven thousand (7,000) square feet. The project must include more than one lot size, and the project must include two (2) or more lots that are ten thousand (10,000) square feet, or forty percent (40%) of lots if the total number is less than ten (10).

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

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

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

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

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

~~5.~~ Where an unusual health related hardship exists for an extended family member of the principal dwelling unit, the zoning administrator may grant a time extension beyond the eight (8) day time limit for occupancy of the recreational housing unit. However, any time extension beyond sixty (60) days shall require the approval of the city council. (Ord. 2015-05; Ord. 2013-06; Ord. 2012-11)

CHAPTER 17.60  
RA RESIDENTIAL AGRICULTURE ZONE

SECTION:

17.60.010: Purpose

17.60.020: Permitted Uses

17.60.030: Conditional Uses

17.60.040: Height Regulations

17.60.050: Area, Width ~~And~~and Yard Regulations

17.60.060: Modifying Regulations

17.60.010: PURPOSE:

To promote and preserve, in appropriate areas, conditions favorable to large lot family living ~~and also~~and allowing the keeping of a limited number of animals and fowl. This zoning district is intended to be primarily residential in ~~character, but~~character but is intended to encourage the maintenance and continued use of agricultural land. (Ord. 2009-01 § 1)

17.60.020: PERMITTED USES:

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

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

~~Exotic animals. No exotic animals may be kept within the RA zone.~~

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

Large and small animals and fowl. The keeping of large (see definition of "livestock") and small animals and fowl as an accessory use to a single-family dwelling. The number and type of animals and fowl allowed shall be limited as follows:

A. For every twenty thousand (20,000) square feet of lot area, two (2) large animals; for lots over thirty thousand (30,000) square feet, three (3) large animals, up to a total of four (4) large animals for the first acre. For lots of two (2) or more acres, the requirement for one acre lots may be repeated. Medium sized animals may be allowed up to the total allowed by this ~~zone, or~~zone or may be interspersed with large animals up to the total number of large and medium animals combined.

B. For every twenty thousand (20,000) square feet of lot area, not more than twenty (20) small animals or fowl. For each additional ten thousand (10,000) square feet of lot area over twenty thousand (20,000) square feet, ten (10) additional small animals or fowl may be included, up to a maximum of forty (40) small animals or fowl. Small animals may include poultry, rabbits, and fowl of similar size, or other animals judged by the planning commission to be compatible with this category of small animals.

C. 4-H projects that include wiener pigs may be permitted on an annual basis subject to meeting specific conditions:

1. "Wiener pigs" shall be defined as pigs that will be one ~~year of age~~year old or less and do not weigh more than three hundred fifty (350) pounds at the end of the five (5) month period in which the wiener pig is kept.

2. A wiener pig shall be considered a medium animal.

3. All wiener pigs shall only be permitted on ~~one-acre~~one-acre parcels, or larger.

4. Setbacks for pens for wiener pigs shall be the same as required for other large or medium sized animals.

5. All pens shall be cleaned regularly, a minimum of three (3) times weekly.

6. No wiener pigs shall be allowed to run loose (not in a restricted environment, such as a pen) unless attended by the owner or keeper of the pig.

7. No mud bogs shall be allowed in the pens. All pens shall have drainage to keep water from pooling within the pen.

D. All large animals shall be fenced and sheltered in a stable, barn, or covered outdoor shelter.

Raising of crops, horticulture, and gardening.

Single-family detached dwellings and manufactured homes as defined herein. (Ord. 2009-12 § 1: Ord. 2009-01 § 1)

#### 17.60.030: CONDITIONAL USES:

~~A second dwelling subject to the modifying regulations of section 17.60.060 of this chapter.~~

Child nursery, as defined herein. The dwelling shall be a permanent residence of the operator. The land use authority will determine the maximum number of children to be allowed, and other requirements, depending upon specific conditions relating to the request. Parking shall be required by the land use authority. All other requirements of the zone shall be complied with.

Churches, schools, parks, and open space.

Home occupations as defined herein, ~~and approved by the land use authority staff, or as may be recommended to the land use authority, and approved by the planning commission or planning staff.~~

~~Park or playground.~~

Public utilities ~~and buildings, including cable television, communication towers, and high speed internet.~~

~~Residential Facility for the Elderly.~~

~~Schools or churches.~~

Other uses similar to the above and judged by the planning commission to be in harmony with the intent and purpose of the zone. (Ord. 2009-01 § 1)

#### 17.60.040: HEIGHT REGULATIONS:

No main building shall be erected to a height greater than ~~thirty-five~~ thirty-five feet (35') and no accessory building or ADU shall be erected to a height greater than twenty feet (200'). ~~without a conditional use permit approved by the planning commission.~~ (Ord. 2009-01 § 1)

#### 17.60.050: AREA, WIDTH AND YARD REGULATIONS:

| District | Area     | Width    | Front   | Side      | Rear    |
|----------|----------|----------|---------|-----------|---------|
| RA       | 1/2 acre | 100 feet | 25 feet | 8-12 feet | 10 feet |

(Ord. 2009-01 § 1)

#### 17.60.060: MODIFYING REGULATIONS:

A. Side yard setbacks on a "street side" shall be the same as for a front yard setback.

B. Private garages and accessory buildings located to the rear, and at least ten feet (10') away from the main dwelling may be built five feet (5') from the property line provided that: 1) projection beyond exterior wall shall not exceed twelve inches (12") into the area where openings are prohibited, 2) stormwater runoff from the building shall not run onto adjacent property, 3) all corner lots shall maintain required setbacks on street sides, and 4) construction shall comply with current international residential code (IRC) exterior wall and opening protection. No building, or swimming pool, shall be in any easement without city approval.

1. After first obtaining a building permit from the Santa Clara City building official, a carport or awning may be constructed in the required twelve-foot (12') side yard setback or ~~ten foot~~ten-foot (10') rear yard area subject to the following conditions:

a. All three (3) sides of the carport/awning away from the dwelling shall be kept completely open. No storage areas shall be permitted as any part of the carport/awnings.

b. The height of the carport/awning shall not exceed the height of the top plate of the walls of the first floor of the dwelling, or a maximum of ten feet (10') above the normal grade of the side yard setback.

c. A two-foot (2') setback shall be maintained from the side property line.

d. The roof shall be sloped away from the dwelling, and a rain gutter shall be installed along the roof edge on the side yard of the two-foot (2') setback to keep all roof runoff on the property of the owner of the carport/awning.

2. All construction materials shall be completely noncombustible and shall meet all applicable requirements of the international residential code.

a. Color of the construction material shall be of earth tones or harmonize with the colors of the dwelling unit.

b. The carport/awning shall always be well maintained and shall be repainted from time to time as necessary.

3. The side of the carport/awning nearest the front street shall be set back a minimum of ten feet (10') behind the front face of the dwelling unit.

a. An accessory structure or ADU shall use finish materials colored to blend with the primary dwelling unit on the property. An accessory structure or ADU shall comply with the most recently adopted International Residential Code (IRC).

~~C.~~ b. The front yard width in a cul-de-sac may be approved by the land use authority with less than the required width.

~~D.~~ c. Other conditions that may be required by the land use authority to protect the intent and purpose of the zone.

~~E.~~ d. The minimum square footage of any main residence shall be one thousand two hundred fifty (1,250) square feet of living space on the main floor of a single-story home. For a two-story home there shall be a minimum of one thousand (1,000) square feet of living space on the main floor, and a minimum of eight hundred (800) square feet of living space on the second floor. A split-level home shall have a minimum of one thousand two hundred fifty (1,250) square feet on the main and upper floor ~~combined, but~~combined but not including the square footage of the lower level.

~~F.~~ e. No trash, weeds, or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, debris, abandoned, inoperable, or dismantled automobile or automobile parts or similar material shall be

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stored or allowed to remain on any lot in any residential zone. (Ord. 2022-04 § 1: Ord. 2020-03 § 1: Ord. 2015-05: Ord. 2009-12 § 1: Ord. 2009-01 § 1)

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CHAPTER 17.20  
SUPPLEMENTARY AND QUALIFYING REGULATIONS

SECTION:

17.20.010: Effect Of Chapter

17.20.020: Lots Of Record ~~In~~ Separate Ownership

17.20.030: Separately Owned Lots; Reduced Yards

17.20.040: Lot Standards

17.20.050: Every Dwelling ~~To~~ Be ~~On~~ A Lot; Exceptions

17.20.060: Yard Space ~~For~~ One Building Only

17.20.070: Sale ~~Or~~ Lease ~~Of~~ Required Space

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17.20.230: Residential Facilities ~~For~~ Persons ~~With~~ A Disability

17.20.240: Residential Facilities ~~For~~ The Elderly

17.20.250: Limitations ~~On~~ Establishment

17.20.260: Short Term Residential Properties

17.20.270: Garage Setbacks

17.20.280: Non-Depository Institutions

17.20.290: Portable Or Mobile Recreational Units

17.20.010: EFFECT OF CHAPTER:

The regulations hereinafter set forth in this chapter qualify or supplement, as the case may be, the zone regulations appearing elsewhere in this title. (Ord. 97-06 § 4-1)

17.20.020: LOTS OF RECORD IN SEPARATE OWNERSHIP:

Notwithstanding the requirements of this chapter, a conditional use permit may be issued by the city to allow for residential construction on a lot of less than the frontage, or area required by the zone in which it is located, subject to meeting the following conditions:

A. The lot or parcel shall have been identified on the records of the Washington County recorder as being a separate lot or parcel having its own legal description, tax number, and deed as of January 1, 1988, as shown on the records in the Santa Clara City office.

B. A plot plan shall be submitted to the planning commission showing how the home is proposed to be placed on the property and showing that it meets the following requirements:

1. All front, side and rear setbacks required for the zone in which the property is located;

2. That the size of the home meets the square footage requirement (1,250 square feet) as required by this title.

C. A conditional use permit shall first be approved by the planning commission.

D. A request for a conditional use permit shall be filed in the manner required by chapter 17.40 of this title. All conditions of this chapter, as applicable, shall be met. (Ord. 97-06 § 4-2)

17.20.030: SEPARATELY OWNED LOTS; REDUCED YARDS:

On any lot under separate ownership from adjacent lots as identified in subsection 17.20.020A of this chapter, and such lot having a smaller width than required for the zone in which it is located, the width of each of the side yards for a dwelling may be reduced to a width which is not less than the same percentage of the width of the lot as the required side yard would be of the required lot width, provided that on interior lots in no case shall be

less than five feet (5'), and for corner lots, the side yard on the street side shall be in no case less than fifteen feet (15'). (Ord. 97-06 § 4-3)

**17.20.040: LOT STANDARDS:**

Except as provided above, every lot, existing or intended to be created, shall have such area, width and depth as is required by this title for the district in which such lot is located and shall have its required frontage upon a dedicated or publicly approved street unless a private street or right of way has been approved by the planning commission. (Ord. 97-06 § 4-4)

**17.20.050: EVERY DWELLING TO BE ON A LOT; EXCEPTIONS:**

Every dwelling structure shall be located and maintained on a separate lot having no less than the minimum area, width, depth, and frontage required by this title for the district in which the dwelling structure is located unless otherwise recommended by the planning commission, and approved by the city council. Group dwellings, cluster dwellings, condominiums, and townhouses, or other multistructure dwelling complexes under single ownership and management, which are permitted by this title may occupy one lot for each such multistructured complex. (Ord. 97-06 § 4-5)

**17.20.060: YARD SPACE FOR ONE BUILDING ONLY:**

No required yard or other open space around an existing building or which is hereinafter provided around any building for the purpose of complying with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established. (Ord. 97-06 § 4-6)

**17.20.070: SALE OR LEASE OF REQUIRED SPACE:**

No space needed to meet the width, yard, area, coverage, parking, or other requirements of this title for lot or building, may be sold or leased away from such lot or building. (Ord. 97-06 § 4-7)

**17.20.080: SALE OF LOTS BELOW MINIMUM SPACE REQUIREMENTS:**

No parcel of land which has less than the minimum width and area requirements for the district in which it is located may be cut off from a larger parcel of land for the purpose, whether immediate or future, of building or development. (Ord. 97-06 § 4-8)

17.20.090: YARDS TO BE UNOBSTRUCTED; EXCEPTIONS:

A. Porticoes extending from the dwelling over the main doorway and over a circular drive-through driveway, may be allowed to project to within fifteen feet (15') of the front or street side property line. Porticoes shall remain fully open on three (3) sides and not more than thirty feet (30') in width.

B. Awnings attached to and extending from the front of the dwelling may be allowed to project to within fifteen feet (15') of the front property line, subject to compliance with all of the following conditions:

1. The awning shall remain fully open on three (3) sides.
2. The materials and appearance of the awning are compatible with the dwelling in color and design, in the opinion of the community development director. (Ord. 2016-17)

17.20.100: PLANNED DEVELOPMENTS:

In planned developments a patio cover may be projected into the rear setback area subject to the following conditions:

- A. The patio cover shall not be enclosed on any side except the side attached to the dwelling.
- B. No more than one-third (1/3) of the rear yard area shall be covered.
- C. No cover shall be closer than three feet (3') to the property line. In common areas having limited common areas, the property line shall be considered to be the area assigned to the specific use of an individual property owner, and the outer limits of the area shall be considered to be lot lines of the property for the purposes of this section.
- D. Building permits are required for the installation of a permitted cover.
- E. Covers may be constructed of noncombustible materials only. (Ord. 2004-23 § 1: Ord. 97-06 § 4-10)

17.20.110: DOUBLE FRONTAGE LOTS:

Double frontage lots are lots which have the rear property line adjacent to a public street. Such lots shall meet the following requirements:

- A. A six foot (6') masonry wall shall be constructed along all rear lot lines unless otherwise approved by the planning commission. Accessory buildings no higher than fifteen feet (15') in height may be ten feet (10') from the rear property line, and storage sheds no higher than six feet (6') in height may be placed adjacent to the wall.

B. Where a six foot (6') masonry wall is not required along the rear property line, the minimum rear setback for all structures shall be twenty five feet (25') from the rear property line. (Ord. 2004-23 § 1: Ord. 97-06 § 4-11)

**17.20.120: AREA OF ACCESSORY BUILDINGS:**

No accessory building nor group of accessory buildings in any residential district shall cover more than twenty five percent (25%) of the lot area. No building permit is required for accessory buildings of less than ten by twelve feet (10 x 12') in size as per the international building code provided that such building will have no plumbing or electrical elements. (Ord. 2004-23 § 1: Ord. 97-06 § 4-12)

**17.20.130: EXCEPTIONS TO HEIGHT LIMITATIONS:**

Subject to approval of a conditional use permit by the planning commission, stairways, ventilating fans, or similar equipment required to operate, and towers, steeples, flagpoles, chimneys, wireless or television masts, theater lofts, or similar structures, may be erected above the height limit, but shall not be allowed for the purpose of providing additional floor space. (Ord. 97-06 § 4-13)

**17.20.140: MINIMUM HEIGHT OF MAIN DWELLING:**

No dwelling shall be erected to a height of less than one story above grade. (Ord. 97-06 § 4-14)

**17.20.150: ACCESSORY BUILDINGS, CONSTRUCTION AND MAXIMUM HEIGHT:**

Accessory buildings shall not be constructed upon a lot until a building permit has been issued for the principal building. No building which is accessory to a dwelling shall be erected to a height greater than one story, or twenty feet (20'). (Ord. 97-06 § 4-15)

**17.20.160: UTILITY REQUIREMENTS:**

In all areas of the city, connection shall be made to public water, electrical, and sewer facilities wherever available. All utilities shall be located underground unless specifically approved otherwise by the city. All construction shall comply with city and state building codes and standards. (Ord. 97-06 § 4-16)

**17.20.170: STREETS, CURBS, GUTTERS, SIDEWALKS AND STORM DRAINAGE:**

A. The installation of streets, curbs, gutters, sidewalks and storm drainage of a type approved by the city may be required on any existing street where such improvements are not already in existence or where such improvements are damaged or broken or are substantially substandard.

B. Installation may be required as a condition of obtaining a building permit for a new residential or other structure wherein a new upsized water and/or sewer and/or electrical service is required or when an existing structure's square footage is increased, and shall be completed as a part of the building contract prior to occupancy. All undedicated rights of way for required streets shall be dedicated as well, for any building permit.

C. The city, upon examination, may determine that it is not in the best interest of the city to install full improvements at the time of land development. In this event, the applicant shall be required, as a condition to receiving a building permit, to sign an improvement agreement, which shall be an agreement to post a cash bond for the estimated costs of the improvements, plus a factor of twenty five percent (25%). The funds shall be used to complete the improvements in the overall area when the city determines that it is prepared to complete the required improvements.

D. The exactment for city streets shall be one-half (1/2) of the engineer's estimated cost of a standard city street for the full frontage that the property has on the street, including frontage for corner lots.

E. The cost of curbs, gutters and sidewalks shall be for the engineer's estimated cost for the side of the street that fronts on the lot, including frontage for corner lots.

F. The cost of the storm sewer shall be the engineer's estimate of a standard street's storm sewer cost, also determined by front footage of the storm sewer system that is planned to be placed on the property, according to the city's storm sewer master plan. If there is no storm drain in the street where building is to occur (according to the storm sewer master plan), then no fee shall be exacted.

G. The improvement agreement shall be recorded against the property and shall constitute a covenant to run with the land. A sample of the improvement and cash bond agreement is attached to the ordinance codified herein, and is hereby incorporated by reference herein. The cash bond deposit shall be put at interest by the city to assist in defraying the cost of inflation. The amount of cash bond to be deposited shall be computed by the city engineer based on the engineer's estimate of the cost of installation under the standards stated above. Each applicant shall pay an engineer's review fee in connection with applying for the building permit, as the city council may establish by resolution, to cover the cost of the engineer's review.

H. Upon actual building of the improvements involved, the cash bond, including interest earned thereon, shall be applied to the cost, including the city's reasonably allocated engineering, legal and administrative costs. (Ord. 2007-19 § 1: Ord. 2004-08: Ord. 97-06 § 4-17)

17.20.180: DUMPING OR DISPOSAL:

The use of land for dumping or disposal of scrap materials, garbage, rubbish, or other refuse, or for ashes, or other industrial wastes, shall be prohibited in every district of this title.

No yard or other open space surrounding an existing building shall be used for the storage of junk, debris, abandoned or inoperable motor vehicles, or other unsightly material, judged by the city to create a public nuisance. (Ord. 97-06 § 4-18)

17.20.190: MOVING OF DWELLINGS:

Except for new construction, any dwelling proposed to be moved onto any parcel of land in the city of Santa Clara shall meet the following requirements:

A. All dwellings moved onto any lot must first obtain a conditional use permit as required by chapter 17.40 of this title.

B. Any dwelling proposed to be moved onto a site shall be less than ten (10) years of age at the time of moving unless otherwise approved by the planning commission and the city council.

C. Any dwelling proposed to be moved onto a site shall first be inspected by the building inspector to determine that it is in compliance with the current edition of the applicable building code, or that it is capable of being brought into compliance with said code. Inspection shall be made prior to planning commission review and a report of findings shall be submitted to the planning commission along with the application for a conditional use permit. (Ord. 97-06 § 4-19)

17.20.200: PUBLIC RIGHT OF WAY:

Development of any kind on or within a public right of way shall not be done without having received a permit from the city office, which approval may require planning commission and/or city council approval. (Ord. 97-06 § 4-20)

17.20.210: TIMESHARING:

(Rep. by Ord. 2004-39 § 1)

17.20.220: EXCEPTION TO LOT STANDARDS:

Notwithstanding the requirements of this chapter, the planning commission may consider the approval of flag lots to be developed either as a part of, or separate from a platted subdivision, subject to the following conditions:

A. In the opinion of the planning commission, the property cannot be subdivided with public streets and standard shaped lots, either at the present or in the foreseeable future.

B. The staff portion of the proposed lot(s) shall front on a dedicated and improved public street.

C. No building or construction, except for driveways, shall be allowed on the staff portion of the lot(s).

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

E. All lot size and setback requirements shall be the same as for the zone in which the lot is located. The staff portion of the lot(s) shall not be counted in calculating the size of the lot(s).

F. No more than two (2) flag lots may be served by any one staff portion of said lots.

G. The staff portion of the lot(s) shall be owned by the owner(s) of the flag lot(s). If two (2) lots are served, the staff portion shall be owned jointly by the owners of both lots that are being served.

H. No structure on the adjacent lots located in front of the flag lot(s) shall be closer to the staff portion of the flag lot(s) than eight feet (8'). A required twelve foot (12') side yard setback may be reduced to eight feet (8').

I. A solid fence or wall of six feet (6') in height may be required by the planning commission, between the flag lot and the rear property line of the lot in front of the flag lot.

J. The owner(s) of any lot(s) located in front of a proposed flag lot(s) shall be notified by the city of the date and time at which the flag lot request shall be considered by the planning commission.

K. Each flag lot shall be specifically approved by the planning commission.

L. If the flag lot roadways are not looped, then the provided dead end access roadway shall meet the requirements specified in subsection M of this section.

M. Approved turnarounds for dead end flag lot streets. (Ord. 2007-29 § 1: Ord. 2004-23 § 1: Ord. 97-06 § 4-22)

#### 17.20.230: RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY:

The city building department shall grant a permit for the establishment of a residential facility for persons with a disability in any zone in which single-family dwellings are permitted if the applicant certifies that they meet the following requirements under subsections A through C of this section. The building department shall certify that the applicant meets the requirement in subsections D through F of this section.

A. The residence conforms to all applicable standards and requirements of the Utah state department of human services, and if applicable, the Utah state department of health.

B. No individual whose tenancy would constitute a direct threat to the health or safety of other individuals, or whose tenancy would result in substantial physical damage to the property of others, will be a resident.

C. If the residence is a substance abuse facility located within five hundred feet (500') of a school, the residence provides the following in accordance with rules established by the department of human services:

1. Twenty four (24) hour supervision of residents; and
2. Other twenty four (24) hour security measures.

D. The residence conforms to all state and local building, safety, health, and zoning requirements applicable to similar structures, including the number of unrelated persons allowed in a dwelling in the zone where the residence is located.

E. The residence is of a size, scale, and design such that it is in harmony with other residential uses in the vicinity.

F. The residence may not be located within one thousand feet (1,000') of any other residential facility for persons with a disability, or from a residential facility for elderly persons.

G. Staff will bring to the city council any requests for reasonable accommodations who shall give such consideration to requests under the standards of applicable state and federal law.

H. The right to continue the use under the building permit as a residential facility for persons with a disability shall be contingent upon maintaining the standards and requirements of this section.

I. In order to obtain a building permit the building department must certify the plans and specifications which shall include a rendering of the building with landscape that is compatible with the architectural style of the neighborhood.

J. Parking requirements are detailed in section 17.32.040 of this title.

K. The decision to approve a residential facility for the disabled must be based on legitimate land use criteria. (Ord. 2004-23 § 1)

#### 17.20.240: RESIDENTIAL FACILITIES FOR THE ELDERLY:

Subject to granting of a conditional use permit a residential facility for elderly persons without structural or landscaping alterations that would change the structure's residential character, and subject to the requirements of this chapter, the location of residential

facilities for elderly persons may be approved in areas zoned to permit single-family dwellings. (Ord. 2004-23 § 1)

#### 17.20.250: LIMITATIONS ON ESTABLISHMENT:

- A. No person who is being treated for alcoholism or drug abuse may be placed in a residential facility for elderly persons.
- B. Placement in a residential facility for elderly persons shall be on a strictly voluntary basis and may not be a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.
- C. No residential facility for elderly persons may be located within one thousand feet (1,000') of another such facility, or from a residential facility for the handicapped.
- D. The use granted and permitted in this chapter terminates if the structure is devoted to a use other than as a residential facility for elderly persons, or if the structure fails to comply with applicable health, safety, and building codes.
- E. The decision to approve a residential facility for the elderly must be based on legitimate land use criteria and may not be based on the age of the facility's residents.
- F. The requirements of this section that a residential facility for elderly persons obtain a conditional use permit or other permit do not apply if the facility meets the requirements of this chapter relative to the definition of a "family".
- G. In order to obtain a building permit the building department must certify the plans and specifications which shall include a rendering of the building with landscape that is compatible with the architectural style of the neighborhood.
- H. Parking requirements are detailed in section 17.32.040 of this title. (Ord. 2004-23 § 1)

#### 17.20.260: SHORT TERM RESIDENTIAL PROPERTIES:

- A. Definitions: As used in this chapter,

**SELF-CONTAINED:** A project where no public streets provide access to individual units that are no part of the project.

**SHORT TERM RESIDENTIAL PROPERTY:** Property which is used by any person or entity for hostel, hotel, inn, lodging, motel, resort, or other transient lodging uses where the term of occupancy, possession, or tenancy of the property by the person is for twenty nine (29) consecutive calendar days or less, for direct or indirect remuneration. For this section, "remuneration" means compensation, money, rent, or other consideration including free gratis, given for occupancy, possession or use of real property.

B. Requirement: Short term residential properties are prohibited in all zones within the city of Santa Clara except where allowed by conditional use permit in the planned development residential district or historic district/mixed use zone. (Refer to each district or zone for specific conditions for use.) (Ord. 2015-03: Ord. 2013-16)

#### 17.20.270: GARAGE SETBACKS:

Where a sidewalk and a driveway are located in the same setback of a dwelling, the garage setback shall be a minimum of twenty feet (20') from the back edge of the sidewalk to the garage. Where no sidewalk is located in the setback, or where a side entry garage has a minimum twenty foot (20') long driveway from the back edge of the sidewalk, the garage setback shall be the same as required for the dwelling unit. (Ord. 2017-07)

#### 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. (Ord. 2025-09 § 1)

#### 17.20.290: PORTABLE OR MOBILE RECREATIONAL UNITS

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

1. No recreational housing unit may be located on any street or other part of a public right-of-way, except for temporary loading and unloading of such unit but not to exceed forty-eight (48) hours.
2. A recreational housing unit may be located in the side or rear yard of the permanent residential dwelling.
3. The use of such recreational housing unit shall not cause unusual noise, require additional automobile parking, or other problems for adjacent neighbors.
4. No recreational housing unit shall be permitted on any property that does not contain a dwelling or dwelling unit located on the property.
5. Where an unusual health related hardship exists for an extended family member of the principal dwelling unit, the Planning Director may grant a time extension beyond the eight (8) day time limit for occupancy of the recreational housing unit. However, any time extension beyond sixty (60) days shall require approval of the City Council.

CHAPTER 17.12  
PLANNING COMMISSION <sup>1</sup>

SECTION:

17.12.010: Creation ~~Of~~ Planning Commission; Terms; Numbers

17.12.020: Terms ~~Of~~ Office

17.12.030: Removal and Vacancy

17.12.040: Compensation

17.12.050: Officers

17.12.060: Rules ~~And~~ Procedures

17.12.070: Quorum ~~And~~ Vote

17.12.080: Employees; Expenditures

17.12.090: Powers ~~And~~ Duties

17.12.100: Entrance Upon Land

Notes

1. See also chapter 17.16 of this title.

17.12.010: CREATION OF PLANNING COMMISSION; TERMS; NUMBERS:

The Santa Clara Planning Commission shall consist of seven (7) members each to be appointed by the mayor with the advice and consent of the City Council. It is not the intent of this chapter that all the members come from the same field of expertise but shall reflect a variety of backgrounds. The members shall reside in Santa Clara City. (Ord. 2007-16 § 1: Ord. 2004-21 § 1: Ord. 2000-08 § 1: Ord. 99-29 § 1: Ord. 98-26 § 2: Ord. 97-06 § 2-1: Ord. 2022-06)

17.12.020: TERMS OF OFFICE:

The terms of office for the Planning Commission shall be for five (5) years and members shall not serve more than two (2) consecutive five (5) year terms. The terms of the members shall be staggered so that no more than two (2) terms shall expire at the same time. (Ord. 2009-13 § 1: Ord. 2022-06)

17.12.030: REMOVAL AND VACANCY:

Any member of the Planning Commission may be removed from office by the Mayor for any reason with the advice and consent of City Council. The City Council shall also have the right to remove any member of the Planning Commission for a failure to attend at least seventy-five percent (75%) of the Planning Commission's scheduled meetings during any twelve (12) month period. Vacancies of appointed members for purposes other than the expiration of a regular term shall be filled for the remainder of the unexpired term by appointment of the mayor with the consent of the City Council. (Ord. 2007-16 § 1: Ord. 97-06 § 2-3: Ord. 2022-06)

17.12.040: COMPENSATION:

The members of the Planning Commission shall serve with compensation in an amount set by the City Council for meetings attended. Additionally, the City Council will allow for reimbursement of the members for actual expenses incurred, upon presentation of proper receipts and vouchers. (Ord. 2007-16 § 1: Ord. 97-06 § 2-4: Ord. 2022-06)

17.12.050: OFFICERS:

The Planning Commission shall elect a chair and vice-chair from among its members yearly. The election of the chair and vice-chair will occur during the first regularly scheduled Planning Commission meeting each year. (Ord. 2007-16 § 1: Ord. 2004-21 § 1: Ord. 2000-08 § 1: Ord. 99-29 § 1: Ord. 97-06 § 2-5: Ord. 2022-06)

17.12.060: RULES AND PROCEDURES:

The Planning Commission may adopt such rules and procedures as it may deem necessary for the proper conduct of its business. A record shall be kept of its ~~proceedings, proceedings~~; such ~~record records~~ shall be open to inspection by the public during regular office hours. (Ord. 2007-16 § 1: Ord. 97-06 § 2-6: Ord. 2022-06)

17.12.070: QUORUM AND VOTE:

A quorum shall consist of four (4) members of the Planning Commission, including the chair or vice-chair. If the chair or vice-chair is not present, a temporary chair shall serve. No evidence shall be presented unless a quorum is present. The concurring vote of ~~a majority~~ the majority of those present shall be required to carry and pass any motion. All members of the Planning Commission shall vote on all matters before the Planning Commission. (Ord. 2007-16 § 1: Ord. 2004-21 § 1: Ord. 2000-08 § 1: Ord. 99-29 § 1: Ord. 97-06 § 2-7: Ord. 2022-06)

17.12.080: EMPLOYEES; EXPENDITURES:

The Planning Commission may, upon approval of the City Council, employ staff, including consultants, and a secretary, and shall pay such expenses, as may be reasonable and necessary for the carrying out the duties defined in this title, that such expenditures may not exceed the amount appropriated for the operation of the Commission by the City Council. (Ord. 2007-16 § 1; Ord. 97-06 § 2-8; Ord. 2022-06)

17.12.090: POWERS AND DUTIES:

A. The Planning Commission shall act as the land use authority on the following land use applications and issues, except where an approval of the Santa Clara City Council is required by ordinance or state law:

- ~~1.~~ 1. Conditional Use Permits and such conditions as may be imposed on their approval under applicable law, except those specifically delegated to planning staff for approval.
2. Subdivision reviews for new subdivisions, phases of subdivisions, and amendments to existing subdivisions.
3. Site Plan reviews for non-residential projects.
4. Sign reviews as per Chapter 17.44 of city code.
- ~~5.~~ 2. Variances of any kind, except those specifically delegated to planning staff approval.
- ~~6.~~ 3. Interpretation of zoning maps and consideration of disputed questions of lot lines, district boundary lines, and similar questions as they arise in the administration of the land use ordinances, unless the same requires an action that requires final approval of the City Council.
7. 4. Issues or applications otherwise delegated to the planning staff, when the planning staff determines that a public hearing should be held to ensure that citizens can comment on the application.
- ~~8.~~ 5. Issues delegated to the Planning Commission by the City Council which do not otherwise require final approval of the City Council.

B. The Planning Commission shall act as a reviewing and recommending body to the Santa Clara City Council on the following land use applications and issues:

1. General Plan adoption or General Plan Amendments.
2. Adoption of land use regulations or amendments thereto (except for temporary land use regulations).

3. Zoning Map Amendments, i.e., amending the zoning designation of a parcel or parcels under applicable land use regulations, including adopting a project plan for a parcel or parcels previously designated for planned development.

~~4.—4.—~~ Subdivision Ordinance Amendments.

5. Annexation Policy Plan Amendments.

~~5.— Subdivision reviews for new subdivisions, phases of subdivisions, preliminary and final plat approval, and amendments to existing subdivisions.~~

~~6.~~ Determination regarding the existence, expansion, or modification of nonconforming uses.

7. Any other land use applications or issues which the Santa Clara City Council delegates to the Planning Commission for review, preparation, recommendation, or to receive public input at a public hearing, before a final decision is made by the City Council.

C. The Planning Commission is further empowered to hold all public hearings which may be required for any land use application under applicable local or state law, where such hearing is not required to be held by the City Council.

D. Except with respect to the land use applications and issues listed in subsection A of this section, the Planning Commission is a recommending body to the City Council. Final approval of all land use applications and issues except as listed in subsection A or otherwise delegated by ordinance to the planning staff is a City Council responsibility, and City Council approval is required before any such action becomes of record. (Ord. 2007-16 § 1: Ord. 2004-21 § 1: Ord. 97-06 § 2-9: Ord. 2022-06)

#### 17.12.100: ENTRANCE UPON LAND:

The Planning Commission or its authorized agents may enter upon any land at reasonable times to make examinations and surveys which are reasonably required to fulfil its duties hereunder. (Ord. 2007-16 § 1: Ord. 97-06 § 2-10: Ord. 2022-06)



TO: Santa Clara Planning Commission  
FROM: Jim McNulty, Planning Director  
DATE: May 28, 2026  
RE: City Code, Chapter 17.66 Update (**Discussion Item**)

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City staff would like to discuss a proposed update to City Code, Chapter 17.66, Commercial Zone. A rewrite of this zoning district is needed to accommodate a broad range of retail, service, and office uses that serve the community and surrounding region. This includes updates to the following:

- 17.66.010: Purpose
- 17.66.020: Permitted Uses
- 17.66.030: Conditional Uses
- 17.66.040: Area, Width and Yard Regulations
- 17.66.050: Height Regulations
- 17.66.060: Site Design and Building Elevations Review
- 17.66.070: Modifying Regulations
- 17.66.080 Landscaping Regulations

A copy of the draft document has been included for review.

CHAPTER 17.66

COMMUNITY COMMERCIAL ZONE

SECTION:SECTION :

17.66.0120: Purpose

17.66.0230: Permitted Uses

17.66.030: Conditional Uses

17.66.040: Area, Width and Yard Regulations~~General Requirements~~

17.66.050: Height Regulations

17.66.060: Site Design and Building Elevation Review

17.66.0750: Modifying Regulations~~Special Provisions~~

17.66.080: Landscaping Regulations

17.66.0120: PURPOSE:

~~To provide appropriate locations for a broad range of retail, service, and office uses that serve the entire community and surrounding region. The objective of the city of Santa Clara in creating a commercial zone is to provide space within the city where many types of commercial goods and services may be provided. Because of the nature of this commercial zone many of the protective features normally afforded to adjacent properties, particularly residential areas, may not exist. Therefore, The community commercial zones should only be located in~~ is allowed in areas where the relationship of the commercial area to surrounding developments is ~~determined~~judged by the city to be ~~as~~ compatible. Site design requirements are intended to protect adjacent residential zones and promote orderly development. ~~as may be possible to accomplish. Owners of commercial property should develop and maintain their property in a manner which will be as compatible to surrounding uses as possible. (Ord. 2004-03 § 2)~~

17.66.0230: PERMITTED USES:

The following ~~listed~~ uses may be allowed in new or existing structures, which have received site development plan approval by the city; ~~are not intended to be all inclusive, but rather, indicative of uses permitted in this zone:~~

Accessory uses and buildings, customarily incidental and subordinate to an approved permitted use.

~~Amusement enterprises, including miniature golf and coin-operated game machines.~~

Animal hospital for small animals, conducted entirely within an enclosed building.

Antique, import, or souvenir shop.

Assisted Living Facility.

Athletic and sporting goods store, excluding sale or repair of motor vehicles, ~~motor boats~~motorboats, or ~~off-road~~off-road vehicles, or motorized vehicles in general.

Athletic clubs.

Automobile parts sales (new).

Automobile repair, completely enclosed by solid walls including vehicle storage.

Bakery ~~manufacture limited to foods retailed on premises.~~

Bank or financial institution.

Barber or beauty shop.

Bed and breakfast.

Bicycle sales and service.

Bookstore, retail.

Cafe.

Camera store.

Candy store, confectionery.

City facilities, including fire protection, power, police, public works, etc.

~~Child nursery.~~

Clinics, medical or dental.

Clothing and accessory store.

Coffee shop, drive-up.

Convenience ~~store~~markets, including sale of gasoline.

Convention center, meeting facility or similar use.

~~Delicatessen.~~

Department store.

Drugstore.

Electronic equipment sales.

~~Exotic animals. No exotic animals may be kept in the C zone.~~

Florist shop.

Fruit and produce stand.

Furniture sales.

Gift store.

Government buildings or uses, ~~nonindustrial.~~

Grocery store.

Hardware store.

Health food store.

Hobby and craft store.

Home appliance sales, new.

Hospital or public health center.

~~Hotel.~~

Ice cream parlor.

Insurance agency.

Interior decorating and designing business.

Jewelry store sales and service.

Laundry or dry cleaners.

Legal office.

Library.

Locksmith.

Medical or dental office or clinicoffice.

Mobile food vendor.

Mortuary and/or funeral home.

~~Motel.~~

Museum or art gallery.

Music store.

Non-Depository Institution.

~~Nursery school.~~

Office supply, office machines sales.

Optometrist, optician, or ophthalmologist.

Paint or wallpaper store.

~~Pawnshop.~~

Pet and pet supply store.

Pharmacy/drugstore.

~~Physician or surgeon office and clinic.~~

Professional office.

Real estate agency.

~~Reception center.~~

Restaurant, ~~or~~ drive-up.

Restaurant, sit down.

Retail sales and service.

Shoe store and repair.

Soda Shop, drive-up.

~~Theater.~~

Tire sales and service.

Travel agency.

~~Variety store.~~

17.66.030: CONDITIONAL USES:

The following uses are subject to the conditional use approval process outlined in Chapter 17 of city code:

Accessory uses and buildings, customarily incidental and subordinate to an approved conditional use.

Amusement enterprises, including miniature golf, batting cages, go karts, laser tag, bowling, and coin operated game machines, or other related activities.

Carwash.

Charter or technical school.

Child daycare or preschool center which meets all state and local regulations.

Church, temples, and other places for religious worship.

Hospital or public health center.

Hotel/Motel.

Indoor gun range, axe throwing facility, or other related activities.

Pawnshop.

Public utility structures, including distribution lines, transformer stations, transmission towers, and other similar uses.

Reception center and/or wedding chapel.

Tattoo establishment.

Theater.

Other uses, not listed as permitted or conditional uses may be determined to be compatible and in harmony with the intent of this zone, may be reviewed by the planning commission and approved by the city council.

~~Other uses as may be determined to be in harmony with the character, intent and purpose of this zone may be approved by the planning commission. (Ord. 2007-01 § 1: Ord. 2004-03 § 2)~~

17.66.040: AREA, WIDTH AND YARD REGULATIONSGENERAL REQUIREMENTS:

- A. Minimum lot area: No minimum.
- B. Minimum zone area: No minimum.
- C. Minimum yard setbacks, unless otherwise approved by the planning commission:
  - 1. Front: ~~Twenty five~~Twenty-five feet (25') (see ~~also~~ subsection C5 of this section).
  - 2. Side facing street: ~~Twenty five~~Twenty-five feet (25') (see ~~also~~ subsection C5 of this section).
  - 3. Interior side: Ten feet (10').
  - 4. Rear: Ten feet (10').

5. The planning commission may reduce the front and side facing street ~~setback~~ setbacks to promote a more walkable, outdoor urban-type environment. The reduced front and/or side facing street setback area may be used for a combination of walkways, landscaping, and outdoor seating, but not parking.

#### 17.66.050: HEIGHT REGULATIONS:

~~-D. Building height: No building or structure shall be erected to a height greater than thirty five feet (35') unless otherwise specifically approved to a greater height by the city council after planning commission review.~~ planning commission.

#### 17.66.060: SITE DESIGN AND BUILDING ELEVATION REVIEW:

~~-All site design and building elevation elements are subject to review and approval by the planning commission. -E. Site plan and building elevations approval:~~

A.—1. An engineered site plan ~~along with building elevations~~ shall be submitted, drawn to scale, and of sufficient size and detail to show building ~~appearance and~~ location, required yard setbacks, ingress and egress drives, pedestrian access, parking areas, landscaped areas, building and parking lot lighting, dumpster enclosure location, and ~~such~~ other improvements as may be required. ~~relating to specific use proposed.~~

B.—2. The site plan shall show utility locations, including water, power, telephone, cable TV, fiber, natural gas, sewer, fire hydrants, street improvements, and such other public improvements as may be required.

C. The building elevations plan shall be submitted, drawn to scale, and of sufficient size and detail to show building appearance. A building materials board and/or large material samples including colors for all sides of a proposed building is required. ~~and describe the exterior building materials and colors, including roof materials and exterior appearance for all sides of a proposed building. Additionally, a project narrative is required.~~

D.—3. The planning commission shall review and approve all plans prior to the issuance of any building permit for site improvement, or construction permit for utility systems and building construction. (Ord. 2020-13 § 1; Ord. 2017-05; Ord. 2004-03 § 2)

#### 17.66.0750: MODIFYING REGULATIONS/SPECIAL PROVISIONS:

A. All materials and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight obscuring fence or wall of not less than six feet (6') in height and no material or merchandise shall be stored to a height of more than the height of the enclosing fence or wall.

B. No trash, rubbish, weeds, or other combustible material shall be allowed to remain on any lot outside of approved containers in any commercial zone. No junk, debris, abandoned or dismantled automobile or automobile parts or similar material shall be stored or allowed to remain on any lot in any commercial zone.

C. All solid waste storage facilities shall be located at the rear of the main building or ~~else~~ behind a sight obscuring fence or wall which will prevent the facility from being seen from a public street.

D. Where a commercial development adjoins any lot or parcel of ground in any residential zone, ~~or there shall be provided~~ along the adjoining property line, a decorative sight obscuring fence, or a ten foot (10') wide planting strip or any combination of fencing or landscaping, which, in the opinion of the planning commission, adequately protects the adjoining residential property is required. (Ord. 2004-03 § 2)

#### 17.66.080: LANDSCAPING REGULATIONS

A. A minimum of ten percent (10%) of the lot area shall be improved and maintained with landscaping. At least half of the landscaped area shall be in the form of live trees, shrubs or ground cover. A ten foot (10') wide landscape strip within the private area of the lot shall be installed and maintained along all street frontages, except for pedestrian and vehicular access to a site. Landscaping shall be installed and maintained along all building walls that face street frontages and parking lots.

B. If a parking lot includes thirty (30) or more off-street parking spaces, at least five percent (5%) of the parking lot area shall contain interior parking lot landscaping.

C. Landscaping must comply with Chapter 17.92, Water Efficient Landscaping and Conservation Standards of city code.

**SANTA CLARA CITY PLANNING COMMISSION  
MEETING MINUTES  
2603 Santa Clara Drive  
Thursday, April 23, 2026**

**Present:** Shelly Harris  
Joby Venuti  
Tyler Gubler  
David Clark

**Absent:** Logan Blake  
Kristen Walton  
Josh Westbrook

**Staff:** Jim McNulty, Planning and Economic Development Director  
Cody Mitchell, Building Official  
Debbie Andrews, Administrative Assistant

**1. Call to Order**

Vice Chair Shelly Harris called the Santa Clara City Planning Commission meeting to order on April 23, 2026, at 5:30 PM.

**2. Opening Ceremony**

**A. Pledge of Allegiance: Commissioner Venuti**

**3. Conflicts and Disclosures**

No conflicts or disclosures were reported by any Commissioners.

**4. Working Agenda**

**A. Public Hearing**

**1. None.**

**B. Public Meeting**

**1. See General Business Items.**

**5. General Business**

**A. Planning Commission Approval**

**1. Project Plan Amendment for the Desert Village Community located at 2540 Lava Lane. Dan Mickelson, Six Star Management LLC, applicant.**

Planning Director, Jim McNulty, presented a Project Plan Amendment request from [REDACTED], for the Desert Village community. The proposal includes construction of a 1,200 square foot sales and leasing office building with covered front and rear awnings featuring stone pillars, columns, and a trellis system. The building will use materials including stucco, stone veneer, natural wood for pillars and trellis, and slate roofing.

The presentation highlighted that a sidewalk will be installed to provide resident access to the outdoor sitting, barbecue, and pool areas without requiring passage through the leasing building. This modification was suggested by City staff to prevent conflicts and improve circulation flow.

According to City Code section 17.68.070, the Planning Commission may approve project plan amendments if they do not alter approved Site Plans, site development regulations, or materially alter traffic circulation, mixture of use types, or general physical layout. Dan Mickelson attended a Technical Review Committee TRC meeting approximately one month prior and staff determined the application was complete for Planning Commission consideration.

Commissioner Clark inquired about potential parking conflicts between the sales office and existing tenant parking. [REDACTED], representing the owners, explained that the current leasing office operates from one of the townhomes, with visitors currently parking on the street. The proposed location already has approximately 30 parking spaces plus ADA parking. Each townhome unit includes a two-car garage and driveway, so no parking conflicts were anticipated.

Mr. McNulty confirmed that the project exceeds minimum parking requirements with ample available spaces. A building of this size would require a maximum of four parking spaces at full capacity, while over 30 spaces are available in the immediate area. City staff viewed this as an improvement over the current arrangement of using a residential unit for leasing purposes.

Commissioner Harris asked about the sales versus leasing focus of the operation. Jared Haines confirmed that the project would remain rental-focused, as the townhome units are designed for leasing rather than ownership.

Staff recommended approval subject to seven conditions outlined in the staff report, with the finding that the amendment does not alter other aspects of the plan including traffic circulation, mixture of use types, or general physical layout.

*Motion: Commissioner Venuti moved to approve the project plan amendment subject to the seven conditions recommended by staff and the finding noted by staff. Commissioner Clark seconded the motion. The motion passed unanimously.*

## 6. Discussion Items

### A. City Code Title 17 Updates.

Mr. McNulty presented proposed updates to Title 17 of the City's Land Development Code. He noted that while he hoped for more Commissioners present, they could begin the discussion, though it would likely need to be revisited when more members were available.

Mr. McNulty explained that the updates stem from new state legislation requiring annual code modifications, with some items requiring adoption by July 1st and others having later deadlines. He emphasized the City's proactive approach to staying compliant with state code rather than falling behind.

The primary driver for the updates was House Bill 284 regarding LUDMA (Land Use Development and Management Act) requirements. Key changes include:

Accessory Dwelling Units (ADUs): State code now prohibits treating detached ADUs as conditional uses - they must be permitted uses. Internal ADUs (IADUs) remain permitted in all R-1 Single Family Zones. The minimum lot size requirement for IADUs was reduced from 6,000 to 4,000 square feet, with provisions for Planned Development Residential Zones with smaller lots if parking requirements are met.

State Code References: Updated references from former 10-9A to new 10-21 state code sections for all land use matters.

Affidavit Requirements: The City provides its own affidavit of understanding for ADUs and IADUs since Washington County declined to create a standardized template.

Commissioner Clark sought clarification on the difference between lot size requirements for IADUs (4,000 square feet) versus detached ADUs (6,000 square feet). Mr. McNulty explained that detached units require larger lots due to space needs, while internal units can work on smaller lots. He noted that some Planned Development Residential PDR pad lots are as small as 2,500-3,000 square feet.

Commissioner Gubler asked about additions to existing homes for ADU purposes. Mr. McNulty confirmed that additions with interior connections would qualify as IADUs, while detached structures would be ADUs.

Zone-Specific Updates: Mr. McNulty detailed proposed changes to various residential zones:

- R-1-6 Zone: Adding ADUs as permitted use, clarifying single family detached dwelling requirements, and adding language requiring accessory structures to use finished materials that blend with primary dwellings.
- R-1-10 Zone: Similar updates with removal of domestic animals/fowl references, directing users to supplementary regulations.

- R-1-10 Mixed Lot Size Zone: Adding child nursery and home occupation provisions to match R-1-10 zone standards.

Commissioner Clark questioned who determines whether colors "blend" with primary structures. Building Official, Cody Mitchell, explained that City staff makes these determinations, emphasizing the goal of preventing obviously mismatched colors while not requiring identical materials.

Commissioner Harris caught several typographical errors in the proposed text, including "inter nation" instead of "international" and questioned the placement of domestic animal provisions in various zones.

Residential Agriculture (RA) Zone: Updates include adding required language about accessory buildings only where main dwellings exist, incorporating ADU and IADU provisions, and adding child nursery Conditional Use provisions.

Supplementary Regulations: Moving portable/mobile recreational unit regulations from individual zones to centralized supplementary regulations for consistency. These regulations address temporary occupancy during construction or family emergencies, with time limits and City Council oversight for extensions beyond 60 days.

Cody Mitchell noted increased usage during COVID and ongoing enforcement needs for long-term RV occupancy situations.

Planning Commission Powers: Updates to reflect changes in subdivision review processes where Planning Commission now has final approval authority rather than making recommendations to City Council. Site Plan reviews for non-residential projects also remain with Planning Commission, except for PDC zones requiring Council approval due to zoning amendments.

Mr. McNulty indicated he would clean up the draft based on feedback and bring it back for further review before scheduling a public hearing, likely in June. He emphasized the need for all Commissioners to review the changes, given the attendance at this meeting.

## **7. Approval of Minutes**

### **A. Request for Approval of Meeting Minutes: March 26, 2026**

The Planning Commission reviewed the minutes from March 26, 2026. No corrections were noted.

*Motion: Commissioner Clark moved to approve the minutes of March 26, 2026.  
Commissioner Venuti seconded the motion. The motion passed unanimously.*

Mr. McNulty announced that the next Planning Commission meetings would be May 14th and 28th, noting the skip due to the meeting schedule and Memorial Day falling on May 25th. He reported a busy Technical Review Committee TRC meeting earlier in the day with six

items, indicating several projects are in development review that may come before the Planning Commission in the near future.

**8. Adjournment**

*Motion: Commissioner David Clark moved to adjourn the meeting.*

Commissioner Harris adjourned the meeting at 6:25 PM.

\_\_\_\_\_  
**Jim McNulty**  
**Planning Director**

Approved: \_\_\_\_\_

DRAFT