



NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, JUNE 24, 2026
TIME: 6:00 PM

Public Notice is hereby given that the Santa Clara City Council will hold a Regular Meeting in the Santa Clara City Council Chambers located at 2603 Santa Clara Drive, Santa Clara Utah on Wednesday, June 24, 2026, commencing at 6:00 PM. The meeting will be broadcasted on our city website at <https://santaclarautah.gov>.

1. Call to Order:

2. Opening Ceremony:

- Pledge of Allegiance: Councilman Pond
- Opening Comments: Shadman Bashir, Islam Faith

3. Conflicts and Disclosures:

4. Working Agenda:

A. Public Hearing(s) 6:00 pm:

1. Public Hearing to receive public comments regarding the Water Rate Increase.
2. Public Hearing to receive public comments regarding amending FY2025-2026 Budget.

B. Consent Agenda:

1. Approval of Minutes and Claims:
 - June 10, 2026, City Council Work and Regular Meeting
 - Claims through June 24, 2026
2. Calendar of Events:
 - July 3, 2026, Independence Day (Offices Closed)
 - July 8, 2026, City Council Work and Regular Meeting
 - July 22, 2026, City Council Work and Regular Meeting
 - July 24, 2026, Pioneer Day (Offices Closed)

C. General Business:

1. Discussion and action to consider approval of the Water Rate Increase and approve Resolution No. 2026-14R. Presented by Casey Stratton, Public Works Director.
2. Discussion and action to consider approval amending FY2025-2026 Budget and approve Ordinance No. 2026-11. Presented by Brock Jacobsen, City Manager.
3. Discussion and action to consider approval of City Code, Title 17 Updates and approve Ordinance No. 2026-12. Presented by Jim McNulty, Planning Director.
4. Discussion and action to consider approval of City Code, Chapter 17.66 Update and approve Ordinance No. 2026-13. Presented by Jim McNulty, Planning Director.

5. Reports:


A. Mayor / Council Reports

6. Closed Meeting Session:

7. Adjournment:

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

The undersigned, duly appointed City Recorder hereby certify that the above notice and agenda was posted within the Santa Clara City limits on this 18th day of June 2026 at the Santa Clara City Hall, on the City Hall Notice Board, at the Santa Clara Post Office, on the Utah State Public Notice Website, and on the City Website at <http://santaclarautah.gov>.



Selena Nez, CMC
City Recorder

**SANTA CLARA CITY COUNCIL WORK MEETING
WEDNESDAY, JUNE 10, 2026
MEETING MINUTES**

THE CITY COUNCIL FOR SANTA CLARA CITY, WASHINGTON, UTAH, met for a Work Meeting on Wednesday, June 10, 2026, at 4:00 p.m. in the Council Chambers located at 2603 Santa Clara Drive, Santa Clara, Utah. The meeting will be broadcasted on our city website at <https://santaclarautah.gov>.

Present: Mayor Jarett Waite
Councilman Mark Hendrickson
Councilman Dave Pond
Councilwoman Christa Hinton
Councilwoman Janene Burton
Councilman Justin Caplin

Staff Present: Brock Jacobsen, City Manager
Selena Nez, City Recorder
Jim McNulty, Planning Director
Cody Mitchell, Building Official
Dan Cazier, Fire Chief
Casey Stratton, Public Works Director
Ryan VonCannon, Parks Director
Lance Haynie, Government Affairs Director
Rich Rogers, Police Captain

1. Call to Order

Mayor Jarett Waite called the Santa Clara City Council Work Meeting to order at 4:01 p.m. Present from the council were Councilman Mark Hendrickson, Councilman David Pond, Councilwoman Christa Hinton, Councilwoman Burton and Councilman Justin Caplin.

2. Working Agenda

A. General Business:

1. Continued discussion regarding Water Rate Increase. Presented by Casey Stratton, Public Works Director.

Public Works Director Casey Stratton returned before the Council to continue the discussion begun at the May 27th work meeting regarding a tiered water rate increase designed to generate additional revenue for infrastructure maintenance and to promote water conservation. Stratton presented updated data on water consumption across the city's six tiers, noting that 45 percent of all billed water usage falls within Tier 1 alone, indicating a meaningful degree of conservation already underway among residents. He also noted a surprising volume of usage flowing through Tier 6, which has no upper boundary.

Stratton presented five rate increase options, each structured so that the first rate increment applies to Tiers 1 and 2, the second to Tiers 3 and 4, and the third to Tiers 5 and 6. The discussion at the previous meeting had centered on an 11/20/40 cent increase, which would generate approximately \$135,000 in additional annual revenue. The Council's earlier target had been approximately \$250,000. A comparative chart showed Santa Clara's rates relative to other Washington County municipalities, with Santa Clara remaining below Washington City and St. George through the first several tiers even at the highest proposed increase.

City Manager Brock Jacobsen raised the question of whether the tier structure itself should be adjusted for uniformity, noting that the current tiers begin at 9,000 gallons, then proceed in 7,000-gallon increments through 30,000 gallons, before a final 6,000-gallon tier. The Water Conservancy

District's newer ordinance caps new builds at 8,000 gallons per month outside summer months, which prompted discussion about whether the city's tiers should be standardized at 8,000 gallons throughout. The Council concluded there was no compelling operational reason to change the current structure.

Discussion then turned to whether the rate increase should be set at a level that would absorb anticipated future pass-through costs from the Washington County Water Conservancy District, which has indicated likely increases in the range of 10 to 15 cents per year indefinitely, so that the Council would not need to revisit rates annually. Jacobsen noted that last year's pass-through was 15 cents, while this year's was 11 cents. A council member pointed out that the revenue figures on the chart represented gross increases and that the portion passed through to the District would reduce the net amount available for local project funding. Stratton acknowledged that in a high regional-purchase year such as 2018, when the city sourced approximately 21 percent of its water regionally, the pass-through cost could significantly reduce the revenue available for capital projects.

Councilman Pond advocated for setting a multi-year rate schedule to provide stability and reduce recurring staff workload. He proposed a 20/30/60 cent increase held in place for two years, followed by a 30/40/70 cent increase for the subsequent two years, with a formal review at the five-year mark. Councilwoman Hinton agreed, noting that funding projects sooner rather than later was economically sound given that some materials had seen 50 percent cost increases since 2023. Stratton expressed enthusiasm for the approach, noting that it would provide sufficient revenue to begin banking funds for water line replacement on a more predictable schedule.

Councilman Caplin expressed a preference for a more modest starting point, suggesting a 15/25/50 cent increase, and indicated he preferred annual reviews rather than a pre-set multi-year schedule. Mayor Waite also favored a more measured approach and indicated comfort with the 15/25/50 level. Caplin and the Mayor noted that with new tax measures on the ballot and general inflationary pressures, gradual increases were preferable to a larger jump.

After extended discussion, a majority of the Council expressed consensus around the 20/30/60 increase for two years followed by 30/40/70 for two years, with the clarification that these are fixed rate levels, not stacked annual additions. Jacobsen confirmed that staff would continue to report the District's annual pass-through each year and would flag any increases above a threshold for Council review. Jacobsen indicated the item would be scheduled for a public hearing at the June 24th meeting.

2. Continued discussion regarding Deed Restriction and Definitions. Presented by Jim McNulty, Planning Director.

Planning Director Jim McNulty presented updated definitions and a revised deed restriction document for the Council's affordable housing program, following the May 13th discussion with the Council and Sharlene Wilde of Sun Country Home Solutions.

McNulty introduced three new definitions developed in coordination with City Attorney Matt Ence. The definition of "owner occupied" was established as a housing unit in which the owner holds legal or equitable title and occupies the property as a primary residence. "Primary residence" was defined as the location to which an individual intends to return whenever absent, with provisions that absences due to military service, church/missionary service not exceeding three consecutive years, or similar circumstances approved in advance by the city will not terminate primary residence status. An individual returning from a temporary absence must reside at the property for a minimum of six consecutive months before another absence may be approved. "Secondary residence" was defined as a dwelling not used as a primary residence, including vacation homes and short-term rental properties. The Council had no objections to these definitions.

Regarding the deed restriction document itself, McNulty explained that several provisions deemed too heavy-handed were removed following the May 13th discussion. The remaining core restrictions are: the property must serve as the primary residence of an income-qualified owner for ten years from the date of the first sale, with no reset upon subsequent sales within that period; income qualification is to be determined by NeighborWorks Mountain Country and Sun Country Home Solutions prior to title

transfer; and the city may grant short-term exceptions for military deployment, missionary service, or similar situations on a case-by-case basis at the staff level.

Councilman Caplin reiterated his preference for removing the income qualification requirement entirely and limiting the restriction solely to owner-occupied primary residence use. Councilman Pond and others responded that preserving the income qualification component, even in a simplified form, positions the city to maintain local control in anticipation of potential state legislation that may impose more prescriptive affordable housing mandates. McNulty and Jacobsen both emphasized that the goal is to keep enforcement at the local level. Jacobsen noted that NeighborWorks' monitoring cost is approximately \$1,200 per home over the ten-year period and that the organization handles the income verification process, including adjustments for household size, which changes annually.

Councilwoman Hinton asked whether income qualification would be re-verified annually. McNulty clarified that for owner-occupied units, qualification occurs prior to purchase only, unlike rental properties under HUD programs, which require annual re-verification. Hinton also raised the question of prohibiting timeshares or shared ownership arrangements. McNulty indicated that while the city cannot easily prevent families from jointly purchasing a home, the primary residence definition provides a degree of protection by requiring that at least one owner occupy the property as their primary residence.

McNulty noted that the deed restriction document is an administrative form that can be put into use immediately, while the new definitions will require a formal code amendment to be brought back before the Council.

3. Discussion regarding Non-Resident Cemetery Rates. Presented by Ryan VonCannon, Park Director.

Parks Director Ryan VonCannon presented an analysis of the city's cemetery capacity and a proposal to address the depletion of available burial plots. As of the date of the meeting, the cemetery had 202 full plots and 32 half plots remaining. Averaging annual sales from 2020 through 2025, the city has been selling approximately 66.5 plots per year, projecting complete sellout in approximately three and a half years absent any corrective action.

VonCannon reported that despite a significant rate increase for non-residents in March of the prior year approximately \$1,000 per plot a non-resident purchased the maximum allowable six plots within one month of the increase taking effect, suggesting the increase provided no meaningful deterrent. He presented a comparative list of cemetery plot prices in Nevada and California, noting that Santa Clara's non-resident full plot with perpetual care, priced at \$3,000, is below even the least expensive comparable cemetery surveyed, which starts at \$4,200 for the plot alone and does not include perpetual care. VonCannon concluded that some non-residents are actively shopping for the least expensive burial option and that Santa Clara has become a regional bargain.

VonCannon offered two primary recommendations: cease selling plots to non-residents entirely and substantially raise the interment fee for non-residents. He framed the first recommendation around the city's capital facilities impact fee structure, which calculates cemetery space needs solely based on the resident population and provides no funding for non-resident demand. He characterized the continued sale of plots to non-residents as effectively diverting resident-funded space.

Councilwoman Hinton raised the case of residents wishing to have a deceased family member such as a sibling buried alongside them even if that family member did not reside in Santa Clara. VonCannon acknowledged this concern, noting that a resident could purchase a plot for a family member or that the family member's remains would still be accommodated through a higher interment fee. He also noted that any plots already owned by non-residents would be honored.

Councilman Pond inquired about interment fees at other cemeteries. He relayed information from a funeral industry contact indicating that interment in Orem City Cemetery runs between \$1,800 and \$2,800. VonCannon noted that Santa Clara's current non-resident weekday interment fee is only \$100

more than the resident rate, and that doubling it would bring non-resident weekday interment to \$1,500 and weekend to \$2,400.

The Council reached consensus to immediately cease sales of cemetery plots to non-residents and to double the interment fee for non-residents. The Council also agreed to revisit the interment fee in approximately one year to assess whether further increases are warranted. VonCannon indicated he would monitor the situation and return with a follow-up report.

3. Staff Reports

Various department heads provided updates:

Planning Director, Jim McNulty reported:

- Reported that the Planning Commission had a meeting the following evening with two public hearings scheduled for code amendments previously reviewed by the Council
- Reported on a conditional use application from Verizon Wireless for a monopole upgrade at Gubler Park
- Explained the upgrade would improve cellular coverage and integrate with infrastructure at Black Desert and Ivins, reducing or eliminating the need for temporary cell towers during large events such as PGA tournaments
- Reported an upcoming Heritage Commission meeting to review a request for a change of use and rezoning at 2998 Santa Clara Drive for a small art gallery proposing tea, coffee, and refreshments

Building Official, Cody Mitchell reported:

- Reported the Building Department is performing well, with 98 permits issued and 4 currently under review
- Noted a friendly internal goal of reaching 100 permits

Fire Chief, Dan Cazier reported on:

- Reported staff are actively pursuing several grants, including the SAFER grant for additional staffing positions
- Noted the City has budgeted for three new positions and is applying for three additional positions through the grant
- Reported the 2025 community risk assessment has strengthened the grant application
- Reported a second grant application for an audio-visual system at Station 32 in Ivin's valued at approximately \$100,000
- Reported a third grant application for emergency response equipment, including off-road six-by-six vehicles
- Reported meeting with County Commissioners, who provided \$50,000 with a commitment for an additional \$50,000 by year-end
- Reported on a youth academy program involving police and fire departments that served approximately 50 children and reached full capacity. Noted plans to expand the program next year due to high demand
- Commended Officer Pikyavit for responding to a misrouted call, self-dispatching, and arriving within approximately one minute after corrected dispatch despite initial delays

Public Works Director, Casey Stratton reported:

- Reported a gas line bore for the Vera subdivision across Rachel Drive was completed by Whitaker, marking the final utility crossing for the subdivision
- Noted completion of the work would reduce disruptions near the fire station
- Reported that at Black Desert, Silver Reef is completing underground utilities, curbs, and sidewalks

- Reported work is underway to install water and power line crossings through the golf course to connect cul-de-sac utilities, improving overall infrastructure

Parks Director, Ryan VonCannon reported:

- Reported the AFA National fast-pitch softball tournament began and will run through the weekend using six of seven fields
- Noted three burials are scheduled during the same timeframe, requiring staff to manage both events with significant overtime

Government Affairs Director Lance Haynie had nothing to report

- Reported on behalf of the IT Director that staff is completing pre-work for the new fiscal year
- Reported the RAP tax application is now live and functional on the City's website

City Manager Brock Jacobsen reported

- Reported he had nothing additional to add to staff reports at that time but offered to provide updates separately if needed

4. Adjournment

Mayor Waite adjourned the work meeting at 5:32 p.m., noting they would reconvene at 6:00 p.m. for the regular meeting.

Selena Nez
City Recorder

Approved: _____

SANTA CLARA CITY COUNCIL
WEDNESDAY, JUNE 10, 2026
MEETING MINUTES

THE CITY COUNCIL FOR SANTA CLARA CITY, WASHINGTON, UTAH, met for a Regular Meeting on Wednesday, June 10, 2026, at 6:00 p.m. in the Council Chambers located at 2603 Santa Clara Drive, Santa Clara, Utah. The meeting will be broadcasted on our city website at <https://santaclarautah.gov>.

Present: Mayor Jarett Waite
Councilman Justin Caplin
Councilwoman Janene Burton
Councilwoman Christa Hinton
Councilwoman Dave Pond
Councilman Mark Hendrickson

Staff Present: Brock Jacobsen, City Manager
Selena Nez, City Recorder
Jim McNulty, Planning Director
Cody Mitchell, Building Official
Dan Cazier, Fire Chief
Casey Stratton, Public Works Director
Ryan VonCannon, Parks Director
Lance Haynie, Government Affairs Director

Other Present: Wendell Gubler

1. Call to Order

Mayor Jarett Waite called the regular scheduled meeting to order at 6:01 p.m. The mayor welcomed everyone and noted that a full council was present: Councilman Justin Caplin, Councilwoman Janene Burton, Councilwoman Christa Hinton, Councilman Dave Pond, and Councilman Mark Hendrickson.

2. Opening Ceremony

Pledge of Allegiance: Councilwoman Hinton

Opening Comments: Jim Ence, The Church of Jesus Christ of Latter-day Saints

3. Conflicts and Disclosures

No other conflicts were disclosed by council members.

4. Working Agenda

A. Public Hearing(s) 6:00 pm

1. Public Hearing to receive public comments regarding the FY2026-2027 Final Budget.

City Manager Brock Jacobsen presented the FY2026-2027 Final Budget, noting that it was identical to the tentative budget approved two weeks prior, with no changes having been made.

The General Fund budget totals \$12,034,290, representing a notable increase over the prior year's budget of approximately \$4.7 million. City Manager Jacobsen walked through the major revenue drivers, including modest increases in sales tax and property tax, the newly passed 0.33% EMS tax, increased business license fees and building permits, and higher ambulance charges and wildland crew revenues. Intergovernmental revenue also increased slightly, largely due to fire budget growth reimbursed by Ivins City under the public safety agreement.

On the expenditure side, City Manager Jacobsen reviewed each department. The City Council budget remains relatively flat, with the majority of costs related to memberships and conference travel, including accommodations for Councilwoman Hinton's travel as president of the Utah League of Cities. The City

Manager's budget saw a slight decrease due to the reallocation of IT services into a newly created IT department, which carries a budget of \$549,000. The Justice Court budget increased slightly, driven by a higher caseload which, under state statute, determines the judge compensation range. The Administration budget declined primarily due to the absence of an election this year and the IT services reorganization.

The Fire Department budget reflects the largest single increase in the General Fund, rising from approximately \$3.3 million to \$4.3 million. The primary factors are the budgeting of three new firefighters, with the expectation of pursuing a SAFER grant that could yield six firefighters at a lower net cost, and the expansion of wildland fire crews from one to two. City Manager Jacobsen noted that wildland costs are fully offset by corresponding revenue. Police services through Ivin's City are budgeted at just over \$1,750,000, including the School Resource Officer at Snow Canyon High School through St. George City. The Building Department is budgeted at \$473,000. Streets came in at just over \$1,000,000, with no capital equipment, though annual crack and slurry seal maintenance continues. Parks and Trails includes \$42,000 toward the Sandhill Aquatic Center cost-sharing arrangement with St. George. The Swiss Days budget remains largely flat. Planning and Economic Development covers Director McNulty's department, the RAP tax distributions including Shakespeare in the Park and the Historical Society, and America 250 expenses, which are being offset by donations and grants.

City Manager Jacobsen then presented the impact fee budgets for Streets, Parks, and Public Safety, totaling \$1,440,000. Parks impact fees include \$200,000 for cemetery columbariums, \$250,000 toward initial work at Tobler Park, \$500,000 for a potential splash pad, and \$100,000 for batting cages at Gubler Park. Public Safety impact fees include \$60,000 for an updated Capital Facilities and Impact Fee Plan study, now in its sixth year, and \$50,000 toward the bond payment on the City Hall building.

Capital projects total \$397,500, focused on parks improvements including fence replacement and increased fence height at Spencer Gunn Ball Field, pickleball court resurfacing at Gubler Park, backstop improvements, netting, and \$150,000 to upgrade lighting at Spencer Gunn Ball Field to LED Musco lights.

Enterprise fund highlights included the Water Fund at \$2,871,000, with major expenditures including \$200,000 in well utility costs, \$400,000 for the Snow Canyon Compact, \$350,000 for pipe improvements in the Solace subdivision, and \$324,000 in bond principal payments. The Sewer Fund is budgeted at \$1,112,000, with \$550,000 in payments to St. George for treatment services. The Electric Fund, the city's largest enterprise fund, is budgeted at \$7,750,000 and includes \$2,500,000 in power purchases through UAMPS, \$1,750,000 in ownership costs for UAMPS power plants, \$435,000 in franchise fees, and a major capital item of \$3,400,000 for a new 69 kVA transmission line in the South Hills area, funded through electric impact fees. The Storm Water Fund is budgeted at \$624,000, including \$207,000 in drainage improvements and a \$111,000 bond payment.

The public hearing was opened at 6:32 PM. Wendell Gubler, a resident of Santa Clara, addressed the Council with questions regarding the city's orchard property, known as Tobler Park. He expressed concern that the land had gone unattended since the removal of the trees prior to his return from a mission and asked whether funds had been set aside and when work would begin. City Manager Jacobsen clarified that the \$250,000 budgeted under parks impact fees was directed toward that property. Mayor Waite added that a committee with two Council members had been established to oversee planning, and that design work was expected to occur in the coming year, with physical improvements to follow. Mr. Gubler also inquired about a planned reservoir above the city yard. Mayor Waite confirmed that the project, led by St. George Water and the Washington County Water Conservancy District, was near going out to bid.

No further public comment was received, and the public hearing was closed.

2. Public Hearing to receive public comments regarding Compensation Increase for Executive Officers for FY2026-2027.

City Manager Jacobsen explained that this public hearing fulfills a relatively recent state legislative requirement for municipalities to publicly disclose proposed compensation adjustments for executive municipal officers, defined under Utah Code as the City Manager, directors, and deputy directors. The budget provides for a compensation adjustment of up to 5% for all such positions, consistent with the adjustment applied across the broader organization. No public comments were received, and the hearing was closed.

B. Consent Agenda

1. Approval of Minutes and Claims:
 - May 27, 2026, City Council Work and Regular Meeting
 - Claims through June 10, 2026
2. Calendar of Events:
 - June 15, 2026, Juneteenth National Freedom Day (Offices Closed)
 - June 24, 2026, City Council Work and Regular Meeting
 - July 3, 2026, Independence Day (Offices Closed)
 - July 8, 2026, City Council Work and Regular Meeting

Motion: Councilwoman Hinton moved to APPROVE the consent agenda as presented. Councilman Hendrickson seconded the motion. Roll call vote: Hendrickson - Aye, Pond - Aye, Hinton - Aye, Burton - Aye and Caplin - Aye. Motion passed unanimously.

C. General Business

1. Discussion and action to consider adoption of the FY2026-2027 Final Budget and approve Ordinance No. 2026-09. Presented by Brock Jacobsen, City Manager

Following the budget presentation given during the public hearing, the Council took up formal action on the budget. Councilman Caplin thanked City Manager Jacobsen and the finance team for the clarity of the presentations throughout the budget process. He sought confirmation regarding the fire budget increase, specifically regarding the cost-sharing split with Ivins City. City Manager Jacobsen confirmed the approximate split of 43% to Santa Clara and 57% to Ivins and explained that the percentages had been slightly adjusted from those discussed at the time the public safety agreement was approved two months prior. The change was prompted by updated population estimates from the Kem C. Gardner Policy Institute at the University of Utah, which the state tax commission now uses for sales tax distribution. Ivins City's estimated population dropped by over 1,000, which shifted a small portion of the proportional cost to Santa Clara. Councilman Pond noted that the Kem C. Gardner methodology had actually been in the original agreement before being removed and was now effectively restored. City Manager Jacobsen acknowledged the end result was consistent with the prior agreement's percentages.

City Manager Jacobsen closed by thanking the Council and staff for their engagement throughout the budget process, noting that the fund balance draw had been reduced from approximately \$250,000 in the current fiscal year to approximately \$50,000 in the proposed budget, reflecting the organization's ongoing commitment to fiscal responsibility.

Motion: Councilman Hendrickson moved to APPROVE the adoption of the FY2026-2027 Final Budget and approve Ordinance No. 2026-09. Councilman Pond seconded the motion. Roll call vote: Hendrickson - Aye, Pond - Aye, Hinton - Aye, Burton - Aye and Caplin - Aye. Motion passed unanimously.

2. Discussion and action to consider approving Compensation Increase for Executive Officers for FY2026-2027 and approve Ordinance No. 2026-10. Presented by Brock Jacobsen, City Manager.

No additional discussion was held beyond what was presented in the public hearing. The Council proceeded directly to action.

Motion: Councilman Pond moved to APPROVE the Compensation Increase of Executive Officers for FY2026-2027 and approve Ordinance No. 2026-10. Councilwoman Burton seconded the motion. Roll call vote: Hendrickson - Aye, Pond - Aye, Hinton - Aye, Burton - Aye and Caplin - Aye. Motion passed unanimously.

3. Discussion and action to appoint an alternate representative to the Washington County Flood Control Authority and approve Resolutions No. 2026-13R. Presented by Brock Jacobsen, City Manager.

Mayor Waite explained that this item corrected an oversight from the Council's earlier assignment process. While Councilman Pond had been informally designated as the alternate representative to the Washington County Flood Control Authority, that appointment had not been formalized by resolution as required by the Authority. The resolution before the Council rectifies that.

Motion: Councilwoman Hinton moved to APPROVE an alternate representative to the Washington County Flood Control Authority and approve Resolution No. 2026-013R. Councilman Hendrickson seconded the motion. Roll call vote: Hendrickson - Aye, Pond - Aye, Hinton - Aye, Burton - Aye and Caplin - Aye. Motion passed unanimously.

5. Reports

A. Mayor / Council Reports

Councilman Justin Caplin had nothing to reported.

Councilwoman Janene Burton reported that she attended the Johnny Tremain movie in the park, describing the event as having turned out very well and commending staff for the effort put into the large screen setup. She noted the event was part of the city's America 250 celebration.

Councilwoman Christa Hinton reported on several items. She attended the Santa Clara 250 Committee meeting on June 1st and reminded the Council and public of the upcoming patriotic concert on July 12th at 7:00 PM at the Santa Clara Stake Center, following which ice cream would be served. She also attended a Santa Clara 250 lecture on June 3rd featuring Dennis Leavitt speaking on Liberty Village and noted an upcoming lecture on July 1st at 7:00 PM at Santa Clara Town Hall with Lyman Hafen as the speaker. Councilwoman Hinton also attended the Chamber Public Policy luncheon at the hospital, where presentations from economic development officials in St. George, Washington City, and Washington County covered regional growth. A notable figure discussed was the 5,300 short-term rental entitlements approved in Hurricane. The new surf park was also discussed, with the clarification that it would use brackish water rather than culinary water. Finally, Councilwoman Hinton reported on the June 1st League of Cities Policy Committee meeting, where two topics were raised for city feedback: the use of Kem C. Gardner population estimates and whether the League should spend political capital on that issue, and a proposed constitutional amendment to allow cities to sell their water shares. She indicated she responded affirmatively to both on behalf of the city.

Councilman Dave Pond reported on the Solid Waste Board meeting, at which the annual audit was completed with no findings. He noted that fuel surcharges under the district's agreement with Republic Services had resulted in approximately \$75,000 in excess costs over recent months due to rising fuel prices, though the district's contingency fund was sufficient to absorb the variance with no impact on member cities.

Councilman Mark Hendrickson reported that there was no Flood Control Authority meeting in June, with the next one scheduled for July. He attended a presentation by the Utah Urban Land Institute on community development, which featured an interactive digital simulation allowing participants to model development scenarios and observe their fiscal and community impacts. He noted that working alongside representatives from Washington City, including their administrator Eldon Gibb, a Santa Clara resident, made the experience particularly engaging. Councilman Hendrickson volunteered to serve as a regional representative for the Urban Land Institute in Southern Utah and indicated a similar event would be hosted for the City of Hurricane in the near future. He also thanked the city's firefighters for their support of St. George during a structure fire that destroyed approximately 20 residential units.

Mayor Waite reported on several items. He attended the mosquito abatement district meeting and advised residents experiencing ankle biting to contact the district, which is actively surveying Santa Clara for Aedes aegypti mosquitoes. He also attended the DTEK meeting, where funding reallocations related to Hamblin

Parkway were discussed. He announced the appointment of Melody Finlinson to the Hillside Protection Overlay Zone Committee, which is chaired by Rick Rosenberg and is working toward adoption of a new ordinance.

Mayor Waite gave an extended report on meetings with the Washington County Commission regarding fire and EMS services on the west side of the county. Rather than a single group meeting, the city met individually with each commissioner to avoid open meeting law issues and also met with County Administrator Nicholle Felshaw. Mayor Waite noted that the county is distributing TRT-based EMS funding, currently sending \$600,000 annually to the Hurricane Valley Fire Special Service District and \$100,000 to Santa Clara, with an additional \$800,000–\$900,000 in unallocated funds. The city's primary message to the commissioners was that lengthy responses to remote county areas such as Highway 91, Motoqua and Apex Road frequently require the full on-shift crew of five, leaving the city without fire or EMS coverage during those calls. The city argued this warrants more sustained county funding to enable additional staffing so that a transport ambulance could remain in the city during county responses. Mayor Waite reported that the commissioners were receptive but indicated the current \$100,000 was a one-time gesture rather than an ongoing commitment. Commissioner Adam Snow expressed interest in a formula-based approach tied to call volume that could be applied equitably across municipalities. The city also raised the possibility of a formal interlocal agreement under new TRT legislation authorizing counties to contract with municipalities for EMS services. The commissioners were invited on a ride-along to better appreciate the terrain and distances involved. County Administrator Felshaw characterized the meetings as the most productive interaction to date between Santa Clara and the county commission. Follow-up meetings were expected after the June 23rd primary election, pending any changes in commission membership.

Mayor Waite also briefly reported on the Utah Infrastructure Agency meeting, noting that Utopia Fiber continues to perform well with strong subscriber growth.

He concluded by informing the Council of the National League of Cities Summit in Nashville in November, inviting any interested members to discuss attendance with him or City Manager Jacobsen.

6. Closed Meeting Session

Mayor Waite confirmed no closed meeting session.

7. Adjournment

Motion: Councilwoman Hinton moved to adjourn. Councilman Hendrickson seconded the motion. All in favor. Motion passed unanimously.

The City Council meeting was adjourned at 7:04 p.m.

Selena Nez
City Recorder

Approved: _____

**City of Santa Clara
Check Register
All Bank Accounts - 06/17/2026 to 06/17/2026**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Invoice Number</u>	<u>Invoice Ledger Date</u>	<u>Payment Date</u>	<u>Amount</u>	<u>Description</u>	<u>Ledger Account</u>	<u>Activity Code</u>
AMERICAN LEGAL PUBLISHING C	72844	51355	05/31/2026	06/17/2026	866.87	2026 S-24 SUPPLEMENT PAGES	104130-210 - SUBSCRIPTIONS & M	
					\$866.87			
AVANI, LLC	72845	296	06/16/2026	06/17/2026	300.00	RENTAL FOR SOLAR TRAILER LIGTH LOAD 1	515110-276 - O & M - WELLS 6 & 7	
					\$300.00			
BIRD, DARIN & LOLA	72858	AMERICA 250 -	05/31/2026	06/17/2026	594.75	ORNAMENTS - AMERICA 250 REIMBURSEMEN	104652-603 - AMERICA250	
					\$594.75			
CITY OF ST. GEORGE - MISC	72859	19174	05/29/2026	06/17/2026	4,625.73	4TH QTR POLICE DISPATCH FEES FY26	104230-985 - COUNTY DISPATCH	
CITY OF ST. GEORGE - MISC	72859	19181	05/29/2026	06/17/2026	13,894.58	4TH QTR SCHOOL RESOURCE OFFICERS FY2	104220-980 - SRO - ST. GEORGE	
					\$18,520.31			
					\$18,520.31			
EATON CORPORATION / CANNON	72848	957778462	06/13/2026	06/17/2026	1,863.68	CL20 4S METERS FOR STOCK	535310-252 - METERS	
					\$1,863.68			
FREI CONSTRUCTION, LLC	72849	PERMIT #24-032	06/09/2026	06/17/2026	500.00	MAINTENANCE DEPOSIT REFUND	102570-000 - BLDG SITE MAINTEN	
					\$500.00			
GCS BILLINGS	72850	4860	05/31/2026	06/17/2026	2,701.98	MAY 2026 BILLING SERVICES	104230-370 - PROFESSIONAL SER	
					\$2,701.98			
ICPE, INC.	72851	SAN063-035-052	06/04/2026	06/17/2026	1,930.00	DESIGNER LEVEL III - ENGINEERING ELECTRI	535310-975 - ELECTRIC IMPACT FE	107
ICPE, INC.	72851	SAN063-036-052	06/04/2026	06/17/2026	3,100.00	CAPITAL FACILITY PLAN UPDATE	535310-975 - ELECTRIC IMPACT FE	
					\$5,030.00			
					\$5,030.00			
INTERMOUNTAIN WORKMED	72852	600032731	05/12/2026	06/17/2026	9,380.30	ANNUAL MEDICAL SCREENING\	104230-350 - MEDICAL & DRUG TE	
					\$9,380.30			
LABOR COMMISSION	72853	26E00000000751	05/29/2026	06/17/2026	102.00	ELEVATOR CERTIFICATE OF INSPECTION & PE	104240-260 - BUILDING MAINTENA	
					\$102.00			
MEGAPRO	72854	100784	06/12/2026	06/17/2026	193.00	DAVE POND - SHIRTS	104110-240 - OFFICE SUPPLIES	
					\$193.00			
MOURITSEN, DUSTIN	72855	JUNE 2026	06/11/2026	06/17/2026	500.00	CONSULTING AGREEMENT JUNE 2026	515110-360 - TRAINING	
					\$500.00			
UTOPIA FIBER	72856	CIV202605-0001	05/01/2026	06/17/2026	266.00	MONTHLY RECURRING CHARGES - DATAIP TR	104230-370 - PROFESSIONAL SER	
					\$266.00			
WASHINGTON COUNTY SOLID WA	72857	206741	05/31/2026	06/17/2026	15,531.43	MAY 2026 GARBAGE & RECYCLE	104430-312 - RECYCLING CHARGE	
WASHINGTON COUNTY SOLID WA	72857	206741	05/31/2026	06/17/2026	43,311.88	MAY 2026 GARBAGE & RECYCLE	104430-311 - SOLID WASTE DISPO	
					\$58,843.31			
					\$58,843.31			
					\$99,662.20			

Mayor

Jarett Waite

City Manager

Brock Jacobsen



City Council

Christa Hinton
Dave Pond
Janene Burton
Mark Hendrickson
Justin Caplin

CITY COUNCIL

Meeting Date: June 24, 2026

Agenda Item: 1

Applicant: Casey Stratton

Requested by: N/A

Subject: Water rate increase

Description:

Request for approval of water rate increase

Recommendation: Approval

Attachments: N/A

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

5 year water rate increase proposal

Current rate

Tier1	Tier2	Tier3	Tier4	Tier5	Tier6
\$1.20	\$1.73	\$1.98	\$2.73	\$3.38	\$4.68

First 2 Year rate increase .20, .30, .60 (26-27, 27-28)

2026-27 rate

Tier1	Tier2	Tier3	Tier4	Tier5	Tier6
\$1.40	\$1.93	\$2.28	\$3.03	\$3.98	\$5.28

2027-28 rate

Tier1	Tier2	Tier3	Tier4	Tier5	Tier6
\$1.40	\$1.93	\$2.28	\$3.03	\$3.98	\$5.28

Next 3 Year increase of .10/Tier to .30, .40, .70 (28-29, 29-30, 30-31)

2028-29 rate

Tier1	Tier2	Tier3	Tier4	Tier5	Tier6
\$1.50	\$2.03	\$2.38	\$3.13	\$4.08	\$5.38

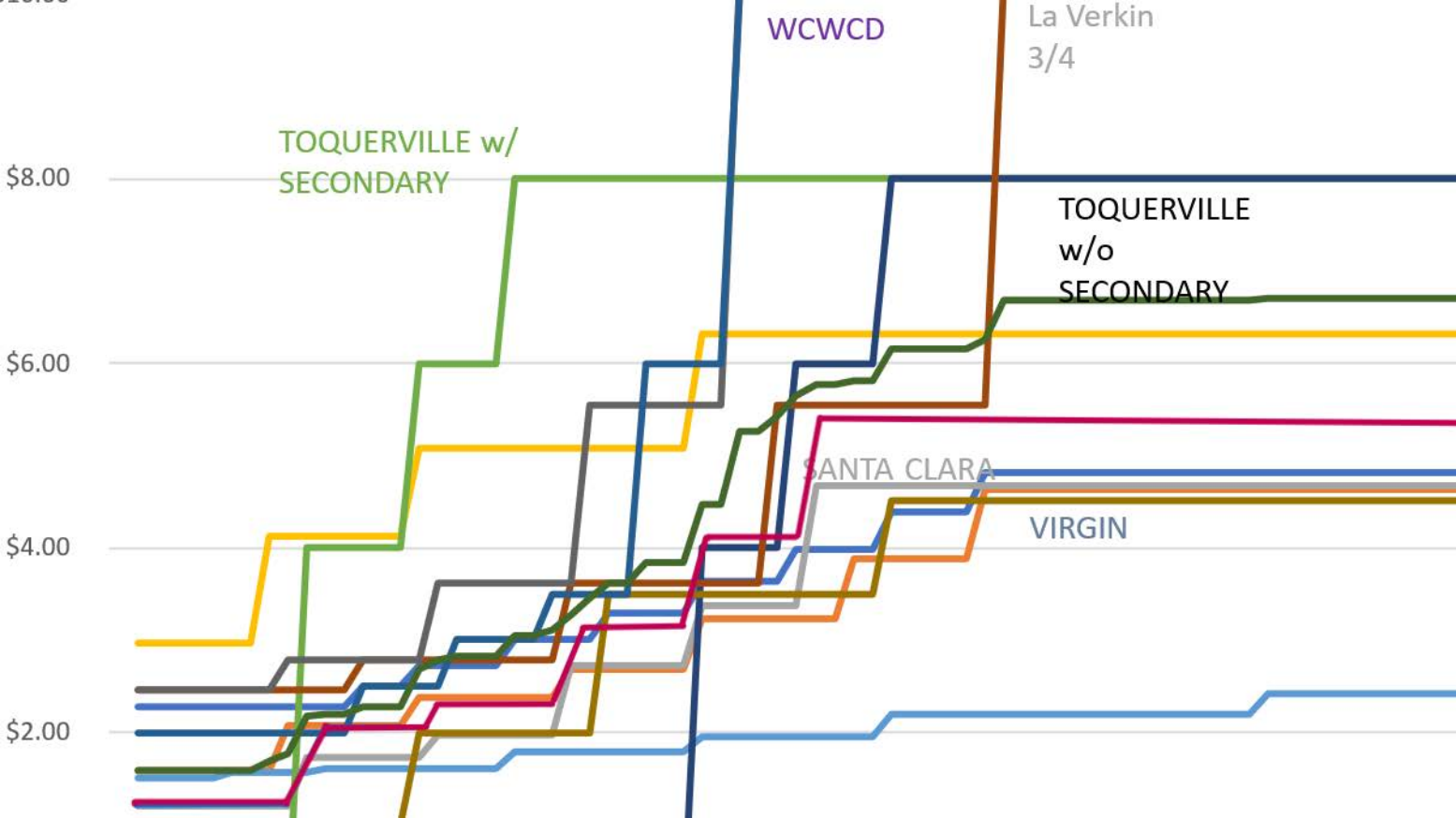
2029-30 rate

Tier1	Tier2	Tier3	Tier4	Tier5	Tier6
\$1.50	\$2.03	\$2.38	\$3.13	\$4.08	\$5.38

2030-31 rate

Tier1	Tier2	Tier3	Tier4	Tier5	Tier6
\$1.50	\$2.03	\$2.38	\$3.13	\$4.08	\$5.38

Present to council the WCWCD rate increase yearly and reevaluate approved increase if above \$.15/1000 gallons



REGIONAL WATER USE 5 YEAR AVERAGE

YEAR	PERCENT	M/GALLONS
2021	19%	821,650
2022	11.80%	805,622
2023	11%	691,851
2024	15.30%	710,511
2025	13.60%	758,119

Mayor

Jarett Waite

City Manager

Brock Jacobsen



City Council

Christa Hinton
Dave Pond
Janene Burton
Mark Hendrickson
Justin Caplin

CITY COUNCIL

Meeting Date: June 24, 2026

Agenda Item: 2

Applicant: N/A

Requested by: Brock Jacobsen

Subject: FY 2025-2026 Budget Amendment

Description:

The proposed FY2026 budget amendment adjusts the City's budget to reflect updated revenue collections and expenditure needs through year-end. The General Fund amendment increases both revenues and expenditures by \$835,000, bringing the final General Fund budget to \$11,263,915.

The amendment also updates the enterprise funds to match anticipated revenues and expenditures, including increases of \$675,000 in Water, \$200,000 in Sewer, \$1,000,000 in Electric, and \$250,000 in Storm Water.

Overall, the amendment maintains a balanced budget while aligning appropriations with actual activity and operational needs for FY2026.

Recommendation: Approval

Attachments: N/A

Cost: N/A

Legal Approval: N/A

Finance Approval: Yes

Budget Approval: N/A

Exhibit "A" - Ordinance 2026-11
General Fund
Fiscal Year 2025-2026 Budget Amendment
June 24, 2026

	Budget 6/30/26	Amendment 6/30/26	Final Budget
Revenues			
Taxes	4,772,060	-	4,772,060
Licenses & Permits	275,750	300,000	575,750
Intergovernmental Revenue	2,368,891	-	2,368,891
Charges for Services	852,713	310,000	1,162,713
Waste Collection	713,556	-	713,556
Fines & Forfeitures	375,000	100,000	475,000
Interest Revenue	350,000	-	350,000
Miscellaneous Revenue	70,450	100,000	170,450
Swiss Days & Pageant	47,600	25,000	72,600
Other Revenue	602,895	-	602,895
Total Revenues	10,428,915	835,000	11,263,915
Expenditures			
City Council	125,686	-	125,686
City Manager	297,823	-	297,823
Justice Court	418,208	125,000	543,208
Administrative	952,473	120,000	1,072,473
Police	1,757,571	-	1,757,571
Fire	3,193,976	300,000	3,493,976
Building	430,955	-	430,955
Public Works	1,063,853	75,000	1,138,853
Waste	661,448	75,000	736,448
Parks	1,061,229	125,000	1,186,229
Swiss Days	99,794	15,000	114,794
Planning & Economic Development	365,899	-	365,899
Transfers to Capital Projects	-	-	-
Fund Balance (+/-)	-	-	-
Total Expenditures	10,428,915	835,000	11,263,915

**Water Fund
Fiscal Year 2025-2026 Budget Amendment**

Revenues	Budget	Amended	Final Budget
Water Revenue	3,319,948	675,000	3,994,948
Expenditures			
Water Expenditures	3,319,948	675,000	3,994,948

**Sewer Fund
Fiscal Year 2025-2026 Budget Amendment**

Revenues	Budget	Amended	Final Budget
Sewer Revenue	1,376,304	200,000	1,576,304
Expenditures			
Sewer Expenditures	1,376,304	200,000	1,576,304

**Electric Fund
Fiscal Year 2025-2026 Budget Amendment**

Revenues	Budget	Amended	Final Budget
Electric Revenue	10,681,943	1,000,000	11,681,943
Expenditures			
Electric Expenditures	10,681,943	1,000,000	11,681,943

**Storm Water Fund
Fiscal Year 2025-2026 Budget Amendment**

Revenues	Budget	Amended	Final Budget
Storm Water Revenue	675,956	250,000	925,956
Expenditures			
Storm Water Expenditures	675,956	250,000	925,956

**SANTA CLARA CITY
ORDINANCE NO. 2026-11**

AN ORDINANCE AMENDING THE CITY OF SANTA CLARA OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2025-2026 AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Utah Uniform Fiscal Procedures Act provides for the governing body an opportunity, at any time during the budget period, to review the individual budgets of the funds, for the purpose of determining if the total of any of them shall be increased (UCA 10-6-127); and

WHEREAS, the City Manager, submitted to the City Council, during a regular meeting held on June 24, 2026, the Fiscal Year 2025-2026 Budget amendment; and

WHEREAS, the City properly advertised, as prescribed by state law (UCA 10-6-113), and held a Public Hearing on Wednesday, June 24, 2026, to receive input from the general public on the FY 2025-2026 Operating and Capital Budget amendment; and

WHEREAS, the City Council of the City of Santa Clara adopted the proposed amendment to the budget for Fiscal Year 2025-2026 on June 24, 2026, during a regular meeting of the City Council; and

WHEREAS, the General Fund amendment increases both revenues and expenditures by \$835,000, bringing the final General Fund budget to \$11,263,915; and

WHEREAS, the amendment updates the enterprise funds to match anticipated revenues and expenditures, including increases of \$675,000 in Water, \$200,000 in Sewer, \$1,000,000 in Electric, and \$250,000 in Storm Water; and

WHEREAS, the amendment maintains a balanced budget while aligning appropriations with actual activity and operational needs for Fiscal Year 2025-2026.

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

SECTION 1. Classification:

This is a non-code ordinance.

SECTION 2. General Provisions:

The City of Santa Clara Operating and Capital Budgets for Fiscal Year 2025-2026 are hereby amended as set forth in the attached "Exhibit A," which is hereby incorporated into and made a part of this ordinance by reference.

SECTION 3. Effective Date:

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

ADOPTED AND APPROVED by a duly constituted quorum of the Santa Clara City Council on this 24th day of June, 2026.

IN WITNESS THERETO:

Jarett Waite, Mayor

ATTEST:

Selena Nez, City Recorder

EXHIBIT "A"

**Exhibit "A" - Ordinance 2026-11
General Fund
Fiscal Year 2025-2026 Budget Amendment June
24, 2026**

	Budget 6/30/26	Amendment 6/30/26	Final Budget
Revenues Taxes			
	4,772,060	-	4,772,060
Licenses & Permits	275,750	300,000	575,750
Intergovernmental Revenue	2,368,891	-	2,368,891
Charges for Services	852,713	310,000	1,162,713
Waste Collection	713,556	-	713,556
Fines & Forfeitures	375,000	100,000	475,000
Interest Revenue	350,000	-	350,000
Miscellaneous Revenue	70,450	100,000	170,450
Swiss Days & Pageant	47,600	25,000	72,600
Other Revenue	602,895	-	602,895
Total Revenues	10,428,915	835,000	11,263,915
Expenditures City			
Council	125,686	-	125,686
City Manager	297,823	-	297,823
Justice Court	418,208	125,000	543,208
Administrative	952,473	120,000	1,072,473
Police	1,757,571	-	1,757,571
Fire	3,193,976	300,000	3,493,976
Building	430,955	-	430,955
Public Works	1,063,853	75,000	1,138,853
Waste	661,448	75,000	736,448
Parks	1,061,229	125,000	1,186,229
Swiss Days	99,794	15,000	114,794
Planning & Economic Development	365,899	-	365,899
Transfers to Capital Projects	-	-	-
Fund Balance (+/-)	-	-	-
Total Expenditures	10,428,915	835,000	11,263,915

Water Fund
Fiscal Year 2025-2026 Budget Amendment

Revenues	Budget	Amended	Final Budget
Water Revenue	3,319,948	675,000	3,994,948
Expenditures			
Water Expenditures	3,319,948	675,000	3,994,948

Sewer Fund
Fiscal Year 2025-2026 Budget Amendment

Revenues	Budget	Amended	Final Budget
Sewer Revenue	1,376,304	200,000	1,576,304
Expenditures			
Sewer Expenditures	1,376,304	200,000	1,576,304

Electric Fund
Fiscal Year 2025-2026 Budget Amendment

Revenues	Budget	Amended	Final Budget
Electric Revenue	10,681,943	1,000,000	11,681,943
Expenditures			
Electric Expenditures	10,681,943	1,000,000	11,681,943

Storm Water Fund
Fiscal Year 2025-2026 Budget Amendment

Revenues	Budget	Amended	Final Budget
Storm Water Revenue	675,956	250,000	925,956
Expenditures			
Storm Water Expenditures	675,956	250,000	925,956

Mayor

Jarett Waite

City Manager

Brock Jacobsen



City Council

Christa Hinton
Dave Pond
Janene Burton
Mark Hendrickson
Justin Caplin

CITY COUNCIL

Meeting Date: June 24, 2026

Agenda Item: 3

Applicant: Santa Clara City

Requested by: Jim McNulty

Subject: City Code, Title 17 Updates

Description:

City staff are proposing updates to City Code, Title 17. 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.

Recommendation: Approval

Attachments: N/A

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A



TO: Santa Clara City Council
FROM: Jim McNulty, Planning Director
DATE: June 25, 2026
RE: City Code, Title 17 Updates (**Public Meeting**)

City staff are proposing updates to City Code, Title 17. 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. The proposed city code revisions include general clean-up and updates intended to comply with recent changes to the Land Use, Development, and Management Act LUDMA as per State Code. A copy of each draft document has been included for review.

This item was previously discussed with the Planning Commission on April 23, 2026, and May 28, 2026. Additionally, this item was discussed with the City Council on May 13, 2026. The City Council and Planning Commission were both in favor of moving forward with the proposed updates.

State Code Requirements:

Utah State Code, Section 10-20-502, includes requirements for land use ordinance amendments. To amend an ordinance, a City Planning Commission must hold at least one public hearing. Additionally, a public hearing to consider an ordinance amendment requires a 10-day notice which requires the date, time, and place of the public hearing. City staff have determined that all State Code requirements have been met with this application.

Recommendation:

On June 11, 2026, the Planning Commission held a public hearing on this item and forwarded a positive recommendation to the City Council. City staff recommend that the City Council hold a public meeting and consider granting approval for these code amendments (Chapters 17.12, Planning Commission, 17.20, Supplementary and Qualifying Regulations, 17.22, Accessory Dwelling units, 17.63, R-1-6 Zone, 17.64, R-1-10 Zone, 17.65 R-1-10/Mixed Lot Size Zone, and 17.60, Residential Agriculture Zone).

CHAPTER 17.12
PLANNING COMMISSION ⁴

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.~~ 2. Subdivision reviews for new subdivisions, phases of subdivisions, and amendments to existing subdivisions.
- ~~3.~~ 3. Site Plan reviews for non-residential projects.
- ~~4.~~ 4. Sign reviews as per Chapter 17.44 of city code.
- ~~5.~~ 5. Variances of any kind, except those specifically delegated to planning staff approval.
- ~~6.~~ 6. 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.~~ 7. 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.~~ 8. 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).

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.22" + Indent at: 0.47"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.22" + Indent at: 0.47"

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)

Formatted: Indent: Left: 0.22"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.22" + Indent at: 0.47"

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
- 17.20.080: Sale ~~Of~~ Lots Below Minimum Space Requirements
- 17.20.090: Yards ~~To~~ ~~Be~~ Unobstructed; Exceptions
- 17.20.100: Planned Developments
- 17.20.110: Double Frontage Lots
- 17.20.120: Area ~~Of~~ Accessory Buildings
- 17.20.130: Exceptions ~~To~~ Height Limitations
- 17.20.140: Minimum Height ~~Of~~ Main Dwelling
- 17.20.150: Accessory Buildings, Construction ~~And~~ Maximum Height
- 17.20.160: Utility Requirements
- 17.20.170: Streets, Curbs, Gutters, Sidewalks ~~And~~ Storm Drainage
- 17.20.180: Dumping ~~Or~~ Disposal
- 17.20.190: Moving ~~Of~~ Dwellings
- 17.20.200: Public Right ~~Of~~ Way
- 17.20.210: Timesharing (Rep. by Ord. 2004-39 § 1)
- 17.20.220: Exception ~~To~~ Lot Standards
- 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. The Portable or Mobile Recreation Unit must meet Health and Safety requirements in city code.

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

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- 21-3039a-530 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- 21-3039a-530 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.~~

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)

DRAFT

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~~thirty-five feet (35'), and no ~~accessory building~~ Accessory Dwelling unit 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 "child nursery", as defined herein. The dwelling shall be the permanent residence of the operator. The number of children shall not exceed the number five (5) allowed by the home occupation ordinance contained in this code. All other requirements of the home occupation ordinance (chapter 17.38 of this title) 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~~ Accessory Dwelling Unit 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.

H. Maximum Height: twenty feet (20') for structures with flat roofs and twenty-five feet (25') for structures with pitched roofs.

I. 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.

J. 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.

K. 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).

~~N. 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~~ 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~~ 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.~~ Accessory Dwelling Unit ADU shall be erected to a height greater than twenty feet (20'). ~~without a conditional use permit approved by the planning commission. (Ord. 2009-01 § 1) Maximum height for an accessory building is twenty feet (20') for structures with flat roofs and twenty-five feet (25') for structures with pitched roofs.~~

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.

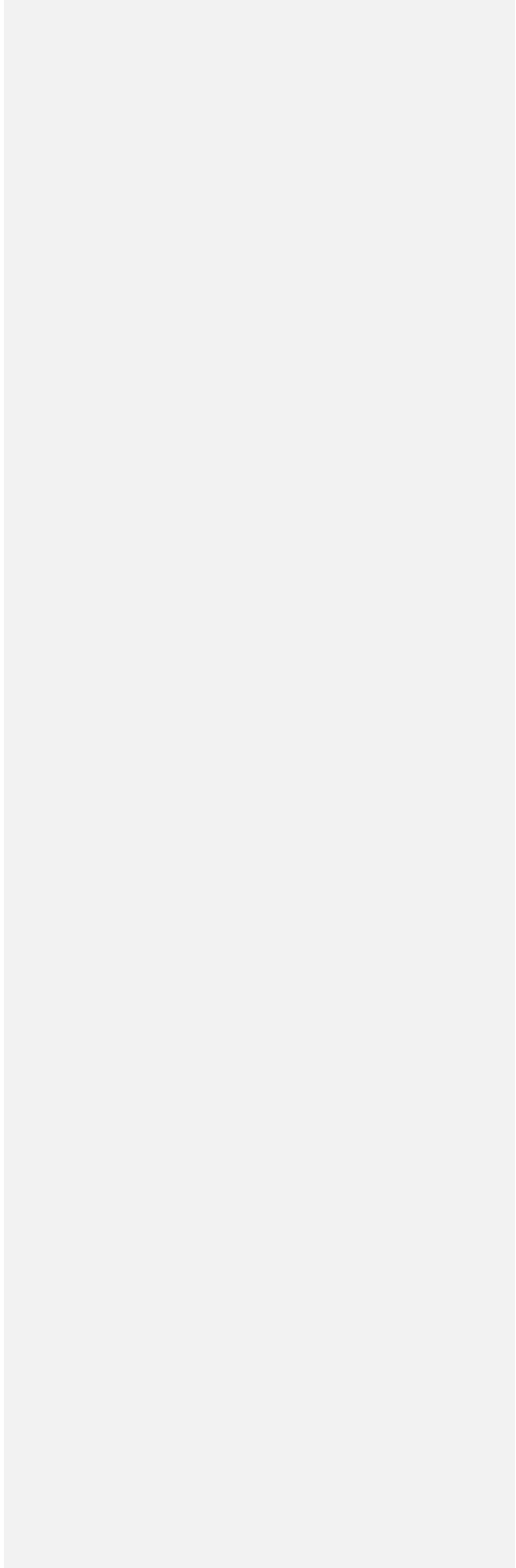
~~D.~~ c. Other conditions that may be required by the land use authority to protect the intent and purpose of the zone.

~~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.

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

|
|
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 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)

DRAFT



Mayor

Jarett Waite

City Manager

Brock Jacobsen



City Council

Christa Hinton
Dave Pond
Janene Burton
Mark Hendrickson
Justin Caplin

CITY COUNCIL

Meeting Date: June 24, 2026

Agenda Item: 4

Applicant: Santa Clara City

Requested by: Jim McNulty

Subject: City Code, Chapter 17.66 Update

Description:

City staff are proposing updates 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.

Recommendation: Approval

Attachments: N/A

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A



TO: Santa Clara City Council
FROM: Jim McNulty, Planning Director
DATE: June 25, 2026
RE: City Code, Chapter 17.66 Update (**Public Meeting**)

City staff are proposing updates 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

This item was discussed with the Planning Commission on May 28, 2026. Additionally, this item was discussed with the City Council on May 27, 2026. The City Council and Planning Commission were both in favor of moving forward with the proposed updates.

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

State Code Requirements:

Utah State Code, Section 10-20-502, includes requirements for land use ordinance amendments. To amend an ordinance, a City Planning Commission must hold at least one public hearing. Additionally, a public hearing to consider an ordinance amendment requires a 10-day notice which requires the date, time, and place of the public hearing. City staff have determined that all State Code requirements have been met with this application.

Recommendation:

On June 11, 2026, the Planning Commission held a public hearing on this item and forwarded a positive recommendation to the City Council. City staff recommend that the City Council hold a public meeting and consider granting approval for this code amendment (Chapter 17.66, Community Commercial Zone).

CHAPTER 17.66
COMMUNITY COMMERCIAL ZONE

Formatted: French (France)

SECTION:SECTION :

Formatted: French (France)

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.

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.

~~Delicatessen.~~

Department store.

Drugstore.

Electronic equipment sales.

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

Florist shop.

Formatted: English (United States)

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.~~

~~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.~~

~~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:

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

Bed and breakfast.

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.

Convention center, meeting facility or similar use.

Hospital or trauma center.

Hotel/Motel.

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

Mortuary and/or funeral home.

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 REGULATIONS~~GENERAL 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 improvements 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 minimum six-foot (6) wide landscape strip with an overall average of ten feet (10') wide, is required for landscape strips within the private area of the lot and 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.

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.