

NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL MEETING
Wednesday, October 28, 2020
Time: 5:00 p.m.

AGENDA

NOTICE is hereby given that the Santa Clara City Council will hold a Regular Meeting on the 28th Day of October 2020 which meeting will begin at 5:00 PM.

The Meeting will be available to view live stream on the YouTube link: <https://www.youtube.com/channel/UCxLBLm30-XLqM1AEmhpcMA>. Council Chambers will be available to residents, but we will have limited availability and follow Covid-19 guidelines.

1. **Call to Order:**

2. **Opening Ceremony:**

- Pledge of Allegiance: Leina Mathis
- Opening Comments: Leina Mathis

3. **Communications and Appearances:**

4. **Conflicts and Disclosures:**

5. **Working Agenda:**

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

B. Consent Agenda:

1. **Approval of Claims and Minutes**

- Oct. 14, 2020 Regular City Council Meeting Minutes
- Claims through October 28, 2020.

2. **Calendar of Events**

- Nov. 4, 2020 City Council Work Meeting
- Nov. 11, 2020 Veterans Day (Offices Closed)
- Nov. 18, 2020 City Council Special Meeting
- Nov. 25, 2020 Regular City Council Meeting (Cancelled)
- Nov. 26, 2020 Thanksgiving Day
- Nov. 26 & 27, 2020 Offices Closed



C. General Business:

1. Consider approval of a Proclamation setting November as National American Indian Heritage Month. Judy Lehman, American Indian Chair / Presented by Mayor Rosenberg.
2. Consider approval of the Road Dedication Plat for Chapel Street, Clary Lane, Sycamore Drive & Bonelli Trail. Presented by Corey Bundy, Building & Zoning Official.

3. Consider recommendation on proposed revisions to the Santa Clara City Zoning Ordinance, Chapter 17.68 Planned Development and approve Ordinance 2020-10. Presented by Devin Snow, Attorney.
4. Consider Awarding Bid for Canyon View & Little League Parking Improvements Engineering. Presented by Brad Hays, Parks & Trails Director.
5. Consider Awarding Bid for Security Cameras at City Hall to V.L.C.M, not to exceed \$72,500.00. Presented by Brock Jacobsen, City Manager.
6. Consider request to fund the CARES Small Business Grant Program in an amount not to exceed \$200,000.00. Presented by Brock Jacobsen, City Manager.

6. **Reports:**

- a. Mayor / Council Reports

7. **Executive Session**

8. **Adjournment**

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

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

The undersigned, duly appointed City Recorder does hereby certify that the above notice and agenda was posted within the Santa Clara City limits on this 27th day of October 2020 at Santa Clara City Hall, on the City Hall Notice Board, at the Santa Clara Post Office, on the Utah State Public Notice Website, and on the City Website at <http://www.sccity.org>. The 2020 meeting schedule was also provided to the Spectrum on January 1, 2020.

Chris Shelley – City Recorder

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 14, 2020
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, October 14, 2020 at 5:00 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara, Utah. Notice of the time, place and agenda of the meeting was provided to the Spectrum and to each member of the governing body by emailing a copy of the Notice and Agenda to the Spectrum and also, along with any packet information, to the mayor and each council member, at least two days before the meeting. **The Meeting will be available to view live on the YouTube link:** <https://www.youtube.com/channel/UCxLBLm30-XLqM1AEmhpcMA> Council Chambers will be available to residents, but we will have limited availability and follow Covid-19 guidelines.

Present: Mayor Rick Rosenberg
Council Members: Jarett Waite, Ben Shakespeare, Wendell Gubler, Leina Mathis and Denny Drake
City Manager: Brock Jacobsen
City Recorder: Chris Shelley

Others Present: Jack Taylor, Public Works Director; Corey Bundy, Building Official; Brad Hayes, Parks & Trails Director; Randy Hancey, Fire Chief; Matt Ence, City Attorney; Bob Nicholson, City Planner; Kristelle Hill, Staff; Jeff Patten; Kyra Harmon; Sheldon Harmon; Chris Conyus; Lindsey Boyer, Exec. Dir. Dove Center (via Zoom)

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:00 p.m., introduced the Council and welcomed everyone.

2. **Opening Ceremony:**

- Pledge of Allegiance: Ben Shakespeare
- Opening Comments: Ben Shakespeare

3. **Communications and Appearances:** None.

4. **Conflicts and Disclosures:**

- Mayor Rosenberg disclosed that under item C3, concerning the 2nd amendment of the final plat for Ocotillo Springs Phase 3, the firm that he is employed with prepared that final plat.

5. **Working Agenda:**

A. **Public Hearing(s):** None.

B. **Consent Agenda:**

1. Approval of Claims and Minutes:

- Sept. 23, 2020 Regular City Council Meeting Minutes
- Oct. 7, 2020 City Council Work Meeting Minutes
- Claims through Oct. 14, 2020

2. Calendar of Events

- Oct. 28, 2020 Regular City Council Meeting
- Nov. 4, 2020 City Council Work Meeting
- Nov. 11, 2020 Veterans Day (Offices Closed)
- Nov. 18, 2020 City Council Special Meeting

3. Cancel the November 11th, November 25th and December 23rd, 2020 City Council Meetings and set a Special Meeting for November 18, 2020.

Motion to Approve the Consent Agenda.

Motion by Jarett Waite, seconded by Leina Mathis.

Voting Aye: Leina Mathis, Jarett Waite, Denny Drake, Wendell Gubler and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

C. General Business:

1. Consider approval of a Proclamation setting October as Domestic Violence Awareness Month. (Lindsey Boyer, Exec. Dir. Dove Center). Presented by Mayor Rosenberg.

- Lindsey Boyer, Exec. Dir. Dove Center, stated that this proclamation makes public Domestic Violence Awareness month in our area. She said they are grateful to be able to partner with Santa Clara City and the rest of the County to provide awareness and support to survivors of domestic violence this month and throughout the year.

- Mayor Rosenberg read the proclamation: "WHEREAS, it is a basic human right to live a life free from violence and abuse; and WHEREAS, domestic violence is a serious problem that occurs in all cultures and communities and does not discriminate by age, gender, social class, race, ethnicity, religious affiliation or sexual orientation; and WHEREAS, one in three women and one in seven men in Utah will experience intimate partner violence in their lifetime; and that 60-75% of families with intimate partner violence have children who are also impacted by the violence; and WHEREAS, seniors are also victims of domestic and sexual violence and are part of the most under-reported group, and WHEREAS, domestic violence-related homicides account for over 40% of homicides in Utah; and 80 Utah children will witness the murder or attempted murder of their mother every year; and WHEREAS, awareness and intentional collaboration are required to find solutions to abuse and intimate partner violence; and WHEREAS, it is the role of local government to provide for the health, safety, and welfare of its citizens; and NOW THEREFORE I, Rick Rosenberg, Mayor of the City of Santa Clara Utah, in partnership with DOVE Center, do hereby proclaim October as:

DOMESTIC VIOLENCE AWARENESS MONTH in the City of Santa Clara, we urge all residents to use October as Domestic Violence Awareness Month to learn how they can break the silence and end domestic violence in our community. IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of Santa Clara, Utah this 14th day of October 2020.”

Motion to Approve a Proclamation setting October as Domestic Violence Awareness Month.

Motion by Denny Drake, seconded by Wendell Gubler.

Voting Aye: Leina Mathis, Jarett Waite, Denny Drake, Wendell Gubler and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

2. Consider a Project Plan which consists of a site plan and building elevation drawings for a Tagg N Go car wash in a Planned Development Commercial Zone located at approximately 3488 Pioneer Parkway in front of the Harmon's Store. Conner Atkins, RCG LLC applicants. Presented by Bob Nicholson, City Planner.

- Bob Nicholson said that this is a request to approve a project plan for the Tagg N Go car wash, which is in a Planned Development Commercial Zone located on pad/lot 3 in front of the Harmon's store on Pioneer Parkway. The address is 3488 Pioneer Parkway. The property is already zoned PD Commercial and so the project plan consists of the site plan and the building elevations. The Planning Commission held a public hearing on this item last Thursday and they recommend approval. The PD Commercial zone lists auto repair completely enclosed as a conditional use and the car wash is nearly enclosed except for the openings at the entrance and exit so Staff feels that it met the intent of the ordinance. The Planning Commission approved the conditional use permit at their meeting subject to the City Council's approval of the project plan. The site plan proposes 4,961 sq. ft single level flat roofed building, which will run perpendicular to Pioneer Parkway. The building is 22 ft in height and has an exterior of synthetic stucco and stone veneer. The cars would enter the automatic car wash from the south and exit to the north into the large common parking area in front of Harmon's. There are also 14 stations for vacuums and an additional 6 spaces for employees and customers. The site plan shows a 17 ft wide drive through lane, which is partially within the front setback area. The existing 16 ft wide landscape strip at the front of the lot, which is along Pioneer Parkway, will be reduced by 5 ft in a portion of the area to add to the existing 5 ft sidewalk to make a total 10 ft wide sidewalk, which is what the City has requested. That would leave an 11 ft wide strip along the frontage for landscape. The 11 ft wide landscape strip will be augmented with another 11,422 sq. ft of landscaping elsewhere on the site, overall, about 33% of the site is in landscaping according to the site plan legend. Two sidewalk planter boxes are shown on Pioneer Parkway frontage and parking lot lights will be shielded to prevent light pollution. There is a significant amount of trees and shrubs in the islands. The design of this building is brown synthetic stucco and stonework, which will be on various parts of the front. This proposed Tagg N Go would look similar to others they have built in the area. The Planning Commission made three separate motions based on the recommendation from the Deputy City Attorney. The first one was to approve the conditional use subject to the City Council's approval of the project plan. The second motion was approval of a landscape deviation in the front setback to allow for a drive

lane and an 11 ft landscape strip along Pioneer Parkway in order to accommodate a 10 ft sidewalk. The additional 11,422 sq. ft of landscaping outside the front setback area was justification for the landscape deviation noting that approximately 33% of the site is in landscaping. The current PD ordinance gives flexibility. The third motion was they recommended approval of the project plan with a sidewalk on both east and west. The applicant mentioned that they would contact Harmon's to see if they would participate in the sidewalk on the east. With both the sidewalk on the east and the west side the Planning Commission recommended approval of the project plan and the elevation drawings.

- Corey Bundy, Building & Zoning Official, said that the applicant was asked to match similar colors that Harmon's had and they said they would. He stated that the public hearing was noticed, and signs were put out on the site and there was only one resident, Jeremy Call, that spoke at the hearing. He said that Mr. Call's main concern was that he wanted the building up front on Pioneer and he wanted the whole site rotated so that the building would face Pioneer. He came to the Building Department and said he wanted to appeal the conditional use permit but he hasn't submitted an application yet.
- Ben Shakespeare said that the planters in the sidewalk will take up 5 ft of the sidewalk.
- Corey Bundy said they spoke about this at Planning Commission and the applicant was asked to match what was approved for Buck's Ace Hardware and make those planter strips narrower and the applicant agreed.
- Ben Shakespeare asked if there was a reason for putting sidewalks on both sides.
- Mayor Rosenberg said there is no sidewalk on the east side of that driveway. It is all vacant ground. The idea was as that area develops we are going to want to have some pedestrian access without having to go into the heart of the commercial before you go into Harmon's. That came up in TRC meeting.
- Leina Mathis asked if it would make more sense to have it on the east side of the road.
- Mayor Rosenberg said he liked it on the east side. At TRC we gave the applicant the option.
- Leina Mathis said if it is on the east side of this property then all we are getting is to the corner of the intersection and parking lot and then people will have to walk through the parking lot if they are going to Harmon's.
- Mayor Rosenberg said the idea is they get past that driveway so they are not walking up that driveway. They are into the parking lot where they can disperse. We wanted to have some pedestrian access to the parking lot without having to go up the alley.
- Leina Mathis said there are even more people that come from the west side and they walk down Rachel Drive and turn and then there is no sidewalk and they are meandering through that drive in to Harmon's because on the north side there is no sidewalk. This might be something we want to consider for Pad A when it goes in.
- Jarett Waite asked about the elevation change.
- Jack Taylor, Public Works Director, said it would be better if we could get Harmon's to put a sidewalk on the far east side.
- Ben Shakespeare suggested just requiring a sidewalk on the west side between the two parcels.
- Corey Bundy said that on the east side there is quite an elevation. From the east entrance Harmon's only owns that little landscape strip and then it drops off to the next person's property. There is probably 30 ft of elevation change there so a sidewalk on the next property may or may not happen depending on how they develop it.

- Leina Mathis said her fear of having the sidewalk on the west side of the driveway is all the pedestrians would be dumped out right at the corner of where that intersection meets and then they are having to figure out what to do because there is not another sidewalk if they want to walk west there is not another sidewalk on the north end that goes west.
- Jack Taylor said that maybe when the other buildings come in from the west side in we could tell Harmon's that they need to put that sidewalk all the way down along the front of there at least to the center.
- Jarett Waite asked how we would approach Harmon's and ask them to put sidewalks where we would like them, where their plan has already been approved and done.
- Bob Nicholson said the Planning Commission recommended the site plan with the addition of the sidewalk on this property however, it was acceptable to have it on either side as long as it was somewhere along that drive. The applicant said they would contact Harmon's to see about their position and whether they would help financially put the sidewalk in.
- Mayor Rosenberg said that Council could approve the Planning Commission motion and add "with the ability to move it to the other side of the street" and then let them come back knowing that if they can't get Harmon's to participate at least it would go in on that side. We can try and encourage Harmon's to put it in but our best leverage is dealing with these individual pads as they come in for their site plan approval to get the sidewalks where we want.
- Jarett Waite said the Planning Commission did ask if the applicants could shift everything to the north a little bit but the applicant replied back that they wanted more of an exit from the car wash to give people more time to think about which way they were going to go. Is that where it ended?
- Bob Nicholson said yes, they commented that when someone exits the car wash, they need to be fully out of the car wash before they decide and not be sticking partly in that lane.
- Mayor Rosenberg said he likes the orientation.
- Ben Shakespeare said that if the car wash was turned the other way it would create visibility problems for people coming in and out of the main site. He said this is perfect.
- Jarett Waite said he was contacted by one neighbor across the street wondering how this was oriented and how it would work, and he explained to the neighbor that the dryers were located at the opposite end, he was happy about that. The dryers are the loudest part of the building. He said the Council should choose between the two color schemes.
- Ben Shakespeare said he liked them both. He said they proposed the darker sample.
- Mayor Rosenberg asked if Council was favoring the darker stucco and Council stated that they were.

Motion to Approve a Project Plan which consists of a site plan and building elevation drawings for a Tagg N Go car wash in a Planned Development Commercial Zone located at approximately 3488 Pioneer Parkway in front of the Harmon's Store allowing the landscape deviation as recommended by the Planning Commission and also recommending the sidewalk on the east and west sides of the project and with the darker color scheme. Conner Atkins, RCG LLC applicants.

Motion by Jarett Waite, seconded by Leina Mathis.

Voting Aye: Jarett Waite, Leina Mathis, Ben Shakespeare, Wendell Gubler and Denny Drake.

Voting Nay: None.

Motion Carried.

3. Consider 2nd Amendment of Final Plat for Ocotillo Springs Phase 3, located south of North Town Road and east of 400 East Street. Jared Bates, representing. Presented by Bob Nicholson, City Planner.

- Corey Bundy said that this is another amendment to the Ocotillo Plat Phase 3. Council saw one not to long ago where they requested a 5-plex be reduced to a 4-plex. When they laid out the radius for Building 6 they neglected to call a surveyor to lay out the pins and they got off, the 4-plex would not fit so they are requesting an amendment to change that 4-plex to a 3-plex. Everything stays the same, they are just amending that footprint.

Motion to Approve the 2nd Amendment of Final Plat for Ocotillo Springs Phase 3, located south of North Town Road and east of 400 East Street. Jared Bates, representing.

Motion by Denny Drake, seconded by Wendell Gubler.

Voting Aye: Denny Drake, Jarett Waite, Ben Shakespeare, Wendell Gubler and Leina Mathis.

Voting Nay: None.

Motion Carried.

4. Consider a proposed amendment to Title 16, Section 16.24.080 Subdivision Ordinance, to reduce a landscape strip to accommodate a needed turning lane at intersection and approve Ordinance 2020-14. Presented by Bob Nicholson, City Planner.

- Corey Bundy said that the ordinance requires on double fronted lots that a landscape strip be provided with sidewalks and privacy wall a minimum of an average width of 10 ft. A line was added in the ordinance that says, "Where the city determines that a turning lane is needed at an intersection, the City Council may reduce the landscape strip in order to accommodate the turning lane. There shall be a minimum separation of one foot (1') between the sidewalk and privacy wall." This came up on a development. He said that on Rachel Drive and Red Mountain Drive it was proposed to put a collector along there. They are double frontage lots along there that would require a landscape strip on both sides. It is proposed to make it wider for a reduction in the landscape to accommodate a turning lane.

- Mayor Rosenberg said that what this ordinance addresses is wherever we have come to these intersections with major roads usually we'll allow for the ability to put in a left turn lane but sometimes they will want a right deceleration lane. When they do that on that standard street section it would require additional right of way or let that double fronted lot landscaping go away so that there would be the wider pavement section and reduce the landscaping. That is all this is trying to do. It would only be for the length of the turn lane and it would only be if the turn lane is required. We typically won't know that until we get into the traffic impact studies and those types of things. It may be the case where we would go into a subdivision and want to retrofit a turn lane later as a result of increased traffic in that area. The ordinance change would let the City go in and pull out that landscape strip to provide a turn lane in lieu of the landscape strip.

Motion to Approve a proposed amendment to Title 16, Section 16.24.080 Subdivision Ordinance, to reduce a landscape strip to accommodate a needed turning lane at intersection and approve Ordinance 2020-14.

Motion by Leina Mathis, seconded by Jarett Waite.

Voting Aye: Leina Mathis, Denny Drake, Wendell Gubler, Ben Shakespeare and Jarett Waite.

Voting Nay: None.

Motion Carried.

5. Consider Approval of Concessionaire for Gubler Park & Little League. Presented by Brad Hays, Parks & Trails Director.

- Brad Hays said that there were two applicants that applied for the Concessionaire and both were well qualified but after reviewing and meeting with Mr. Patton and the Harmons (Kyra and Sheldon) who run Love Me Foods they have a lot of experience. They have a permanent trailer in Hurricane where they serve food. He has reviewed their menu and he thinks they would be good for the Little League and Gubler concessions. Right now, there are more tournaments scheduled through next June than we had in 2018. They will have a lot of business. They are licensed and they have insurance and our legal team has reviewed the concessions contract. He recommends this Concessionaire.

- Jeff Patten said he started a food truck in 2013 and went through a lengthy process. The City Attorney had approved it and the Fire Marshall but the business license department decided that they didn't want to give him a license. That was because they had never approved a food truck before. They have been in operation since 2013. Last year they formed a partnership with the Harmons and Chris Cummins and they did a lot of big events. They have done Nascar events and the Indy 500. This year they have several events scheduled. They are excited for the opportunity to be the concessionaire at the City parks. They serve hand-dipped corn dogs, chicken tenders, fish and chips and they can do anything that might fit for the crowd. They will provide candy, soda and other things for the Little League crowd. They are excited to partner with the City and provide this service. He said they would be willing to put some kind of a sign up. They would work with Brad to make sure the signage is correct. They own two trucks and three trailers. They are mobile but the concession stand is more than adequate for what they would do. They would probably put a couple of fryers in there. It is a great facility for what they do.

- Jarett Waite asked if they had any plans for Spence Gunn Field.

- Jeff Patten said they are going to operate out of that concession. They are not opposed to something else but it has to make sense for them financially. It might make more sense to just have people come down to the concession stand. It would be easier for people to come to them then for them to come to the people.

- Leina Mathis asked if they hired local kids to work for them.

- Jeff Patten said they would be more than willing to have recommendations. They will be looking for some local kids to help them.

- Ben Shakespeare said their menu looks fast. That has been a complaint of Little League in the past, the long lines.

- Jeff Patten said they can put a lot of food out of their trailer in a just a one-day period. They are constantly trying to improve to make their food as fresh and as fast as they can. They don't precook stuff and set it under a heat lamp.

Motion to Approve the Concessionaire for Gubler Park & Little League as has been presented.

Motion by Ben Shakespeare, seconded by Jarett Waite.

Voting Aye: Leina Mathis, Jarett Waite, Denny Drake, Wendell Gubler and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

6. Discuss the potential for a new park on the Church Orchard property on Chapel Street.

- Mayor Rosenberg said he wanted to bring the Council to speed on a discussion at a meeting that was held on site out to the Church orchard on Chapel Street. The City was approached by the Real Estate Division of the Church of Jesus Christ of Latter-day Saints and the Stake of the Church about possibly creating a legacy park on that particular property to where we would work with the Church and possibly donate that property to the City and the City would work with them and probably a foundation or something to create a legacy park on the property where the orchard is to preserve the agricultural heritage in the downtown area and preserve the orchard. PRI is the “for profit” arm of the Church of Jesus Christ of Latter-day Saints. If we don’t move quickly and do something that, it would probably get sold for private development and we would lose the opportunity. He told the Council that their packet has a brief history of the site. It was donated by the Tobler family years ago. He talked about the proposal that was prepared by the Stake. The Stake wants to make sure the City is okay with it and the buy in and we would support it and they would make the request for the donation to PRI and the leadership there. We have done Chapel Street improvements in front of the orchard. It is coming to the point where the property is going to be sold or working this direction. He said he thinks it would be a fantastic addition to the City to be able to bring this into the City’s hands even if it cost the City some money in future street improvements or amenities as part of the park. He sees this as a great opportunity. We will probably need some volunteer help doing maintenance on the orchard and on the garden. He said he thinks the Church would continue to help out with that. He said he supports what the local Stake is trying to do and wanted Council’s input on it.

- Wendell Gubler asked if we would continue to have the same amount of trees or will a lot of the trees be taken out and also the garden area.

- Mayor Rosenberg said we haven’t gotten that deep into the discussion yet. The goal is to create something that can be used as a demonstration, as an educational opportunity for the schools, to show the history of the people that settled here and also the ability to have a nice garden and an orchard. This will have to be decided. He said he thinks we should get a committee made up of representatives from the Stake and the City and some of the Staff and come up with a plan that we can support and come up with a budget that we could support and if we get the donation we would move it forward. He said there have been some like this where they have actually created a non-profit foundation that goes out and does fundraising to help with the facility. We could do some improvements on the site such as parking and some educational kiosks and a pavilion. We would try and get them to donate the property first and then we would take that next step and go into the planning.

- Jarett Waite said if we do get it, he would love to keep the orchard. It would be a wonderful asset for our community. He would love to keep that legacy there.

- Mayor Rosenberg asked if the Council supported this and they all said they did.

- Ben Shakespeare said he doesn’t think it would be hard to raise funds to maintain it.

- Leina Mathis said she read the history and it was really interesting and she thinks it

would be nice to keep the orchard and said that faith was a really big part of who George Tobler was so it would be nice to have a section cornered off for a meditation garden so people can have a quiet place to go that is beautified and green and open.

- Mayor Rosenberg said we can do some recognition of the family such as plaques. There is a lot of potential there. He said with Council's permission he will get back to the Church and let them know the City is behind them. They have asked for a letter of support and if Council is okay he will put together a letter of support. He said he will see what PRI says. He will keep the Council in the loop.

6. Reports:

A. Mayor / Council Reports

Ben Shakespeare:

- He missed the Flood Control Authority meeting.

Leina Mathis:

- She is continuing training with the Planning Commission. They all have binders. Most of them are scheduled for some online training with the League of Cities and Towns. Several of the Commission members have watched the recommended videos on the League website.

Jarett Waite:

- He asked where Staff is at on the new directive from the Governor especially with City Council meetings. How might things change? With all public gatherings everyone is supposed to wear a mask. This is supposed to be for two weeks.

- Brock Jacobsen, City Manager, said there can only be a gathering of 10 people or less. This directive lasts until Oct. 29. There can be 10 people in the other room too. Some of the Staff can go in the Conference Room. That could facilitate people that come in for the meeting. We can do things that way. We still need to encourage people to watch the meeting on Zoom. We all need to wear masks for the next meeting.

- Leina Mathis said theoretically it might just be for the one meeting. The Governor could lift the mandate after the two-week period.

- Matt Ence, City Attorney, said that we might fall under the exception that doesn't restrict us to 10 people because if you look at the State website it says that the gathering limits exclude formal religious services or events with organizational oversight so that would include schools and he thinks that includes organized City meetings as well. As long as people wear masks that doesn't restrict us.

- Jarett Waite said that as long as there is some sort of oversight then there are no limits. He said that Brooke called and asked about the BMX races and they fall under that same category. We just need to make sure people are wearing masks and trying to follow the guidelines. Most of the infections up north are coming from social gatherings of family members and friends. Organized events are causing the spread. It is caused by the casual get-togethers.

- Matt Ence said he thinks the State has done a good thing in shifting to this much simpler guidance. It makes a lot of sense based on what we have learned.

- Mayor Rosenberg said that the Council meetings are going to stay in person and not go

to Zoom except for the public hearings.

- Brock Jacobsen said that we will stay as we are doing right now. We will still have the Zoom option and still have live meetings on YouTube and still function as we are.

- Mayor Rosenberg asked if we will accept during a public hearing audience participation via Zoom.

- Brock Jacobsen said no. We haven't done so far. It would be in person.

- Mayor Rosenberg said the applicants can participate that way because there are only a few applicants. It is problematic doing that for public hearings.

- Brock Jacobsen said that for public hearings we will continue to allow people to come here. If people want to speak on a public hearing they have to be here to do that. The Zoom is still available for applicants. We can use the overflow for people if we need to with masks being mandatory.

- Mayor Rosenberg asked if anything else needs to change at Town Hall.

- Brock Jacobsen said that everything needs to be put off in the banquet room for two weeks unless they are under 10 unless there is oversight. The police has potential for a training there and Corey has training.

- Matt Ence talked about the event-planning template, which is a document that if you are going to have an event a person has to go through and fill out a checklist and keep a record of who attends. We could use this and require it of any event. They would be required to fill it out and file it with the City and keep it on file that way if the Health Department needs to inspect it we have it. As long as there is, that same oversight we don't need to restrict gatherings to 10 or less.

- Brock Jacobsen said he talked to Ditzie today about getting the new application ready so that it can be filled out by anyone who uses Town Hall and they need to comply with all that is in the directive.

- Brad Hays said the City has some events on Halloween. There is the event at Heritage Square and Rocky Mountain School of Baseball on Oct. 30 and 31. He asked, if we have them complete the event template that the Governor has and provide masks and make sure there is social distancing, are we okay to go ahead with those events?

- Matt Ence said that based on what he is seeing and what he has read he thinks we will be fine as long as we comply with those guidelines.

- Denny Drake asked who would police that. He said one of the problems he has with the ball tournaments is not everyone is wearing masks or doing social distancing. Is it the organization that has applied that is responsible for that or is it the City.

- Matt Ence said that if it is a sponsoring organization that is coming and renting City facilities it is their responsibility.

- Denny Drake asked that if they are not doing it and they have committed to do it on the application then what happens.

- Brad Hays said he has gone to tournaments and done walk throughs and talks to the people who are sponsoring it there are violations and he points those out. He said it is really hard to monitor.

- Jarett Waite said the Governor was asked who polices these mandates and there really isn't anything. There isn't enforcement.

- Leina Mathis said that after Oct. 29 if the Governor doesn't renew the mandating part if we are still in the moderate category then it is not a mandatory requirement, it just goes to recommended. It would solve the issue with the ball fields.

- Jarett Waite asked if Council would be open to having Brooke or Mike come to Council

to present what is going on with the BMX track and their successes so far. They have had some pretty spectacular successes so far.

- Mayor Rosenberg said to put it on an agenda. We have a Work Meeting on November 4.
- Brock Jacobsen said they could come to the meeting on the 4th.
- Jarett Waite said he will let Brooke know. He said he has been working with Brock on a business grant from our CARES act funding. He would love for our businesses to have this opportunity with the funds that are available.
- Brock Jacobsen said they have made great progress on this. He said there are some things they need some guidance from Council on. We have grants from \$1,000 to \$5,000. He asked what we are going to set aside for our businesses. He said that funds will be dispersed until funds are exhausted. They will be reviewed based on when they come in. The eligibility requirements are that they have a current business license in Santa Clara as of March 1, 2020 and have 50 full-times equivalents or less, be located in Santa Clara, show that they have a negative impact. He asked if there is a minimum amount we want to have for their impact. He suggested \$5,000 or 15% from March 1 to August 31. Do we want to have a minimum amount? We can also ask if they are open or plan to reopen and the owner needs to be 18 years or older and also their ability to document their loss. They will have to give us a W-9. The template is online so they can drag and drop the documents in. They can submit a profit and loss. He said we currently have 297 active business licenses in Santa Clara.
- Mayor Rosenberg said a lot of businesses can get a business license but not be based here.
- Brock Jacobsen said it has to be operating in Santa Clara or located in Santa Clara.
- Mayor Rosenberg said that needs to be clarified. They need to be based here. There home office, corporate office or the business itself needs to be here. The goal of this is these are our local hometown businesses that we want to offer this to.
- Jarett Waite said he is curious about the dollar amount. St. George City is doing \$25,000.
- Brock Jacobsen said the total amount that we could get is \$714,000. We can use some of these funds for our front line public safety such as for Fire and EMS. He said the wages and benefits for them from April 1 to September 30 is about \$442,000.
- Leina Mathis said we can also include the cost of improvements that had to be put in.
- Brock Jacobsen said there is less than \$100,000 in that. He said we got the first distribution, which was \$238,000, but we haven't gotten a second distribution yet. These are decisions we need to make whether to use the funds for the wages and benefits for Fire and EMS. We can decide the amount we want to take. Do we want to use some of that for small businesses?
- Leina Mathis said that if businesses are really in trouble they probably did the CARES funding loans already.
- Brock Jacobsen said trying to help all the businesses would be less than \$5,000. We would go through our funds really quickly.
- Ben Shakespeare said he hasn't had a single business contact him about these funds.
- Leina Mathis talked about the local hair salons and how they were very impacted and how \$5,000 would help them out significantly.
- Jarett Waite said there will be quite a few businesses that weren't affected that much so they won't be a part of that. He would prefer the number to be a little bit higher than the

\$5,000.

- Ben Shakespeare said that those who qualify for it are going to need it. He doesn't see there being that many. He is not opposed to giving \$10,000 to those who legitimately need it.
- Jarett Waite said the businesses can ask for an amount and it can't be more than what their loss is. Do we have that language that says they can't double dip? He said he thinks it is part of the legislation.
- Brock Jacobsen said we can have that. Our amounts were less. We will put that language in there. He said he and Kristelle have been putting this together. We have a basic application and are trying to make it simple. He said he is waiting to hear back to see what we have to do to get the second amount.
- Leina Mathis said we may not want to put it out there and award funds until we have received the funds or at least know what we will receive and when.
- Jarett Waite said we could at least start the process.
- Ben Shakespeare said we could have language in there that says it is subject to the funds received so they can at least get the applications in to us.
- Denny Drake asked what we are going to do with the City amount. It is considerably higher than what we have already received and if we use it for our Police and EMT we are going to use over \$400,000. If we are going to use it for the City it is gone.
- Mayor Rosenberg asked if the \$400,000 is addition to what we have budgeted.
- Brock Jacobsen said no. It is budgeted in our normal budget. We can use those funds that they are giving to cover some of those costs.
- Mayor Rosenberg asked Chief Hancey percentage-wise how much of their operating expenses are related to COVID.
- Chief Hancey, Fire Chief, said he would have to get the numbers. They have been spending quite a bit on PPE and are getting PPE's from the Emergency Operations Center as it is available. He would have to get numbers concerning the staff and labor.
- Mayor Rosenberg said the \$400,000 has already been budgeted for the normal operations so we would be taking CARES money to pay for normal operations.
- Jarett Waite said he would rather shift it to help some businesses.
- Mayor Rosenberg said he doesn't know if he would feel good taking the entire CARES fund and use it for normal operating expenses.
- Denny Drake said isn't that what we are doing for the businesses. Isn't this reimbursing them for their normal operating expenses?
- Jarett Waite said it is for their losses. It is for the money they should have had but didn't get because of COVID. We haven't really lost anything as a City.
- Leina Mathis talked about adding some verbiage to the application about the amount being limited to their loss.
- Mayor Rosenberg said we can give Staff direction to get this ready and bring it back for approval. He asked Brock if he can get this ready for the next meeting.
- Brock Jacobsen said we could probably put it live and let applications start going but not award any funds until we bring it back and choose a dollar amount that we are going to have and once that is approved we have applications already there ready to go with.
- Ben Shakespeare asked who would actually approve the application.
- Brock Jacobsen said we would create a committee of 3 to 5 people with Staff and maybe someone from Council to look at that. He said he could send emails out to every business we have an email address for.

- Leina Mathis said that we need to make sure whatever financial documents we are asking for to make sure it is the same from applicant to applicant so that nobody ever comes back and says they were discriminated against.

Denny Drake:

- Nothing to report.

Wendell Gubler:

- Nothing to report.

Mayor Rosenberg:

- The Flood Control Authority recommended approval to the Executive Board for the budget for 2021, which had another \$220,000 for Santa Clara in projects as part of next year's budget. The public hearing to approve the budget is the second Tuesday in November.
- He said they have been meeting and discussing the development agreement for Black Desert. That is in development right now. We sent some revisions back to their attorney. He said that will be on an upcoming Council Meeting. He said he heard that their contractor is going to mobilize and start construction on Oct. 24 or 26. We haven't given him any kind of approval and he hasn't submitted any plans for review so they are serious about it but they haven't got their agreements in place yet for us to issue any kind of grading permit. Ivins City's conditional use permit had all of the construction access for the entire project coming through Santa Clara. He said they met with the Mayor and City Manager of Ivins yesterday and expressed concerns and they are going to go back to their Council and see if they can get something changed in their conditional use permit to remove that condition and then work with them to provide construction access off of Snow Canyon Parkway.
- Matt Ence said that we put a line in the development agreement that says that construction in Ivins can't use Santa Clara streets as an access.
- Mayor Rosenberg said they have some work to do so hopefully they will get responses back to us quick and we can get them on an agenda and get them lined up. They have requested irrigation water for March 15. They want to start seeding. There is a lot to do on their end.
- Matt Ence said there are definitely some issues on that and they are going to have to come back for some discussion with Council. One of them is going to be on the Work Meeting agenda, which is the Regal Homes, which is buying a portion of the property, they want to have a gated apartment community with private streets. It's different from anything we have seen in the City before so it is going to have to be something that Council looks at. One issue is that they want an exception to the City's height limitation for their future hotel and we said they are going to have to get us a lot more information and it is going to have to come to the City Council. There are some significant issues that they are going to have to bring to Council for Council to consider. We either address them in the development agreement now or we tell them it is going to have to be left out and when they are ready for their plans for that part of the project they can make their proposals. When the development agreement is signed the only portion of the project they will have the right to build is the golf course, everything else would be subject to future plans being submitted and coming back to Council for approval. It would be nice

to get all those things addressed now but given the short period of time they are looking at they may deal with that later.

- Jack Taylor said we have stated that they can build the golf course but they wouldn't be able to use the golf course until the road was built and the facilities brought up to the golf course maintenance shed.

- Matt Ence said there is language in there that under the development agreement, the golf course is not to operate until those things are completed.

- Leina Mathis asked if there is a revenue agreement in the development agreement where there is some split in revenue between us and Ivins.

- Mayor Rosenberg said the golf course is point of sale so golf course revenues will all go to Ivins. There is a hotel and some commercial and residential on our side that will generate some revenue.

Brock Jacobsen:

- He talked about the encroachment on the City property on the hillside. One resident, Mr. Steed, had a Geotech do some work. He is asking direction of where we go from here and what his options are.

- Mayor Rosenberg said he was forwarded the Geotech report and he went through it and it doesn't address the issues that we asked him to address. It tells what the soil is under the property he wants to buy but it doesn't address the hillside stability or the impact of the landscaped area on the hillside stability adjacent to it, which is what we asked the Geotech to address. All the risk factors are there for instability of the slide but it doesn't address the slide itself. He said that we should respond to him that without addressing the stability of the landslide potential risk or instability of the slope, we can't do anything with it. He said the more he talks with geotechnical people about it the less inclined he is to get rid of any of it and force them to move everything back to their property lines to conform to the 30 ft offset no build zone that is on their final plat and keep this to preserve that slope and prevent any landslide performances.

- Corey Bundy said today he received a letter from one of the parcel owners and they did a similar report but nothing for slope stability.

- Mayor Rosenberg said that with Council's permission he will reach out to Jim Norquist. He was the landslide consultant for us on Truman Drive and find out from him what we should be requiring from them to consider a sale and reply back what they need to do and what they need to show and get a little more specific than just a Geotech.

- Denny Drake said one thing to ask Matt is if we sell that property or if they get that property is there any way of releasing the City from liability. The whole issue is the liability to the City. The best way would be to require them to redo it back to where it was and maintain their property lines.

- Matt Ence said we could require as a condition of a sale that they provide an indemnification. He said the indemnifications aren't perfect and if someone doesn't have that capacity or refuses to or whatever we are in a loss too. He asked Mayor that if he talks to the Geotech and he suggests what they need to show and if they are able to show that with their own engineer is the Mayor suggesting that the City is ready to go ahead and sell it. He said we need to be careful not to lead them down the path and then tell them no.

- Leina Mathis asked how many letters we sent. There were other parcels that had encroachment issues too.

- Corey Bundy said we sent a letter to every parcel that was adjacent to the City property.
- Brock Jacobsen said there are possibly four properties that are encroaching. There are some that are pretty significant. There are cases where the improvements are installed and some where they are wanting to install and interest in obtaining property.
- Matt Ence said that based on our experience with the other landslide one of the major issues is water. He asked if this is a situation where we could potentially sell it to them with a deed restriction that says they can improve it but they can't irrigate it.
- Mayor Rosenberg said we could but the enforcement would be the issue. He said the more we talk about it the more he thinks we should just say no and have the property owners move their stuff back. He talked to the residents about the stability of their property and the amount of landscaping they have on their property.
- Denny Drake talked about going to the risk manager of the League of Cities and Towns and talk about what has happened and ask what they are going to cover the City for. He doesn't think there is any way of comfortably doing this.
- Mayor Rosenberg asked if this needs to be on an agenda for a motion decision to not sell. Can we agree tonight to not sell and let them know or do we need to bring it back to a meeting?
- Matt Ence said we don't really have a sale in front of us to say one way or the other but in terms of discussing a policy we are okay.
- Mayor Rosenberg asked if he can poll the Council and see if everyone is okay with this. He asked if Council is okay with taking the hard line and agreeing that we won't sell that.
- Wendell Gubler asked about residents that did their improvements years ago. Is there any limit in time?
- Denny Drake said a person can't encroach on a public entity. It doesn't give them any legal rights.
- Matt Ence said the concern is the slope stability. If someone has some flat work out there on City property or something that is not being actively watered does it create a risk of instability or maybe we don't know that but instead of taking the harsh line of them removing all their improvements, we instead say that we won't require them to remove the improvements as long that they agree that we can have some kind of a recorded notice on their property that says this is an encroachment on City property and it will not be irrigated or something like that.
- Denny Drake said the stability of the slope is not just determined by water but also by weight.
- Matt Ence said it would have to be conditioned on having an engineer's report.
- Mayor Rosenberg talked about the cost of a report that really addresses the landslide stability. It would cost at least \$90,000. It takes boring on the top and the slope and all the other stuff that comes into it. Nobody is going to do it. Water from other properties could impact this also.
- Denny Drake said a lot of property owners knowingly encroached and how do we allow that.
- Ben Shakespeare said we agree we are not going to sell and we need visit further about it.
- Mayor Rosenberg said we need to meet with the encroachers individually. Maybe we need to educate them.
- Leina Mathis asked if there had been any response to the letters.
- Corey Bundy said just one from the one that wanted to continue their wall and the

people that live in New York. We probably need to put something in the budget to get our land surveyed and put City property markers wherever we have City property so that people know they are not encroaching on City property. If it is our property we need those signs that say it is City property.

- Jack Taylor said they should get their own survey and know where their property is.

- Denny Drake said he agrees that every single lot needs to have a survey before they build.

- Ben Shakespeare said the simple solution is just to state that we are not going to sell the property that the City has made the decision that the property will not be sold and that is going to force the individual owners to come and ask the City what they should do. We need to figure out what that is.

- Denny Drake said to send out a letter that states the City is not going to sell and any damage incurred because of the encroachment will be liable to that owner.

- Mayor Rosenberg said that everybody agrees the City will not sell. He said we will get a letter put together and send it out and schedule a meeting with each property owner to talk about options from here going forward.

- Matt Ence said he wanted to let the Council know that we made the settlement offer to IWORQ that the City Council authorized to be made and they were given 14 days, which is what is required under the rules, and they didn't respond so we are moving on to discovery and moving forward with litigation. The advantage that that offer will give us is if we are ultimately successful in the case and they recover less than the amount we offered them then we get the benefit in terms of attorney fees and stuff. We will carry on.

7. **Executive Session:** None.

8. **Adjournment:**

Motion to adjourn by Denny Drake.

Seconded by Wendell Gubler with all members present voting aye.

Meeting Adjourned at 7:19 p.m.

Chris Shelley – City Recorder

Date Approved: _____

City of Santa Clara
Check Register
Checking 1889 - 10/21/2020 to 10/21/2020

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account
BOSCHETTO, PATRICIA	68589	SAC200302029	10/19/2020	10/21/2020	500.00	BLDG MAIN DEPOSIT REFUND PERMIT 20-	102570-000 - BLDG SITE
C BLAKE HOMES	68590	SAC200414052	10/13/2020	10/21/2020	500.00	BLDG MAIN DEP REFUND PERMIT 20-052	102570-000 - BLDG SITE
CANON FINANCIAL SERVICES,	68591	22029787	10/13/2020	10/21/2020	163.88	Contract chgs OCT 2020/Canon copier	104130-310 - DATA PROCESSING
CITY OF ST GEORGE -	68592	100820-SC LINE	10/08/2020	10/21/2020	207.21	SNOW CANYON LINE SEP 2020	515110-275 - SNOW CANYON OP
CITY OF ST GEORGE -	68592	100820-WELL 6	10/08/2020	10/21/2020	6,746.12	SNOW CANYON WELL #6 SEP 2020	515110-271 - WELLS UTILITY
CITY OF ST GEORGE -	68592	100820-WELL 7	10/08/2020	10/21/2020	5,087.32	SNOW CANYON WELL #7 SEP 2020	515110-271 - WELLS UTILITY
CITY OF ST GEORGE -	68592	100820-WTR	10/08/2020	10/21/2020	11,914.69	WATER TANK SEP 2020	515110-275 - SNOW CANYON OP
CODALE ELECTRIC SUPPLY INC	68593	S7208504.001	10/07/2020	10/21/2020	58.99	INV#S7208504.001-HARD HAT	535310-249 - SAFETY
DIVERSIFIED INSPECTIONS/ITL,	68594	IND128355	09/28/2020	10/21/2020	2,060.40	INV#IND128355-ANNUAL AERIAL LIFT	535310-253 - REPAIRS &
GARRETT & COMPANY, INC.	68595	1520	08/26/2020	10/21/2020	27,330.00	Inv#1520-Swiss Mem Park Picnic Tables-Site	484200-730 - IMPROV OTHER
HALL, DINA	68596	101320-dh	10/13/2020	10/21/2020	90.00	COURT INTERPRETER CASE 201200142,	104120-330 - LEGAL SERVICES
HINTON BURDICK CPAs &	68597	232157	09/30/2020	10/21/2020	5,200.00	AUDIT PROGRESS BILLING FY 2020	515110-340 - ACCOUNTING &
JOY MILES	68598	101320-JM	10/13/2020	10/21/2020	79.62	COURT INTERPRETER CASE 205200044 10	104120-330 - LEGAL SERVICES
JOY MILES	68598	102020-JM	10/20/2020	10/21/2020	79.62	COURT INTERPRETER 10/20/2020	104120-330 - LEGAL SERVICES
OPTICARE OF UTAH	68599	000147126	10/14/2020	10/21/2020	39.13	VISION INSURANCE	102254-000 - OPTICARE VISION
PCF, INC.	68600	99763	10/19/2020	10/21/2020	45.23	FIRE DEPT OKIDATA/MB760 INV 99763	104230-240 - OFFICE SUPPLIES
ROBERT R. NICHOLSON	68601	OCT 2020	10/19/2020	10/21/2020	1,250.00	CITY PLANNER MONTHLY SERVICES	104240-370 - PROFESSIONAL
ROBERT SMITH	68602	101020-BOND	10/10/2020	10/21/2020	59,112.52	IMPROVEMENT BOND RELEASE BELLA	102585-000 - SUBDIVISION
TP COMMUNICATIONS INC.	68603	300211-1020	10/16/2020	10/21/2020	326.93	ANSWERING SERVICE	104130-280 - TELEPHONE
UTAH LOCAL GOVERNMENTS	68604	1586442	10/15/2020	10/21/2020	1,327.07	ADD AND LIFE INS PREMIUMS	102235-000 - DISABILITY PAYABLE
UTAH LOCAL GOVERNMENTS	68604	1586444	10/15/2020	10/21/2020	3,674.98	WORKERS COMP MONTHLY FEE	102225-000 - WORKERS'
XEROX FINANCIAL SERVICES	68605	2303912	10/08/2020	10/21/2020	226.21	Inv#2221427 -Xerox Lease Payment 9/28/20-	104230-250 - OPERATING
					\$126,019.92		
					\$126,019.92		



**NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION
AMERICAN INDIANS COMMITTEE**

Proclamation

National American Indian Heritage Month

WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today, and

WHEREAS, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November, as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned;

NOW THEREFORE, I Rick Rosenberg, by virtue of the authority vested in me
as Mayor of The City of Santa Clara
do hereby proclaim November as the National American Indian Heritage Month, in
Santa Clara City, UT, and urge all our citizens to observe this month
with appropriate programs, ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Santa Clara City to be
affixed this 28th day of October, the year of our Lord two thousand and Twenty.

REQUEST FOR COUNCIL ACTION AGENDA ITEM 2

October 28, 2020



APPLICANT: Sycamore Development Kyle Hafen

SUBJECT:

Request Chapel Street Road Dedication Plat approval

BACKGROUND DESCRIPTION:

Request to Dedicate Chapel street plat from Summerwood Circle to Clary Lane including portions of Sycamore Dr. & Bonelli Trail.

Proposed Recommendation

Approval

Cost

Survey cost/Engineering Fees for review

Approved by Legal Department

Yes

Approved in Budget

Yes

Approved by City Finance Department

Yes

Amount

\$350.00

Requested By

Corey L Bundy/Bob Nicholson

File Upload Attachments

<https://sccity.org/wp-content/uploads/formidable/41/8670-14-113-Chapel-Street-Road-Dedication-Plat-DRAFT-012120.pdf>

City Council Agenda Report for 10/28/20: Consider approval of a Road Dedication Plat for portions of Chapel Street, Clary Lane, Sycamore Drive, and Bonelli Trail

Property owners, including development corporations, along the above named four public streets have agreed to dedicate the necessary road right of way to get these road sections dedicated as public streets. When approved by the City Council and properly signed by all parties, the plat will be recorded in the County Recorder's Office.

This road dedication will accommodate the linking of Chapel Street to Bonelli Drive and Sycamore Drive and then to Clary Lane which connects to Gates Lane and Santa Clara Drive. This will be a great addition to circulation patterns on the south side of Santa Clara Drive and along the Santa Clara River.

Staff recommends approval of the road dedication plat.

OWNER'S DEDICATION:_____

KNOW ALL MEN BY THESE PRESENTS that the undersigned owners of the above described tract of land having caused the same to be subdivided into public roads, and public easements to be hereafter known as:

CHAPEL STREET, CLARY LANE & BONELLI TRAIL

for good and valuable consideration received, does hereby dedicate and convey to the City of Santa Clara for perpetual use of the public all parcels of land shown on this plat as public roads and easements. All roads and easements are noted or shown. The owners do hereby warrant to the City of Santa Clara and it's successors and assigns, title to all property dedicated and conveyed to public use herein against the claims of all persons. The undersigned owners do hereby convey and warrant their lots to be adjusted as shown.

In witness whereof we have hereunto set our hands this ____ day of _____, 20__.

City of Santa Clara, a Utah municipal corporation

MAYOR

CORPORATE ACKNOWLEDGMENT:_____

State of _____)
County of _____) ss

On the ____ day of _____, 20__, personally appeared before me _____, who being by me duly sworn, says that he/she is the _____ of _____, the corporation that executed the above and foregoing instrument and that said instrument was signed in behalf of said corporation by authority of its by-laws (or by authority of a resolution of its board of directors) and he/she acknowledged to me that said corporation executed the same.

FULL NAME SIGNATURE: _____
FULL NAME PRINT: _____
COMMISSION NO.: _____
EXPIRATION DATE: _____
A NOTARY COMMISSIONED
IN THE STATE OF: _____

Washington County Council of Governments, a Utah body politic

ACKNOWLEDGMENT:_____

State of _____)
County of _____) ss

On the ____ day of _____, 20__, personally appeared before me _____, who duly acknowledged to me that they executed the same.

FULL NAME SIGNATURE: _____
FULL NAME PRINT: _____
COMMISSION NO.: _____
EXPIRATION DATE: _____
A NOTARY COMMISSIONED
IN THE STATE OF: _____

Santa Clara Property Holdings, LLC, a Utah limited liability company

MANAGER

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT: _____

State of _____)
County of _____) ss

On the ____ day of _____, 20__, personally appeared before me _____, who being by me duly sworn, says that he/she is the Manager of _____, the Limited Liability Company that executed the herein instrument and acknowledged the instrument to be the free and voluntary act and deed of the Limited Liability Company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and on oath stated that they are authorized to execute this instrument on behalf of the Limited Liability Company.

FULL NAME SIGNATURE: _____
FULL NAME PRINT: _____
COMMISSION NO.: _____
EXPIRATION DATE: _____
A NOTARY COMMISSIONED
IN THE STATE OF: _____

Clara Land LLC, a Utah limited liability company

Manager

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT: _____

State of _____)
County of _____) ss

On the ____ day of _____, 20__, personally appeared before me _____, who being by me duly sworn, says that he/she is the Manager of _____, the Limited Liability Company that executed the herein instrument and acknowledged the instrument to be the free and voluntary act and deed of the Limited Liability Company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and on oath stated that they are authorized to execute this instrument on behalf of the Limited Liability Company.

FULL NAME SIGNATURE: _____
FULL NAME PRINT: _____
COMMISSION NO.: _____
EXPIRATION DATE: _____
A NOTARY COMMISSIONED
IN THE STATE OF: _____

Sycamore Development, Inc., a Utah corporation

Manager

CORPORATE ACKNOWLEDGMENT: _____

State of _____)
County of _____) ss

On the ____ day of _____, 20__, personally appeared before me _____, who being by me duly sworn, says that he/she is the _____ of _____, the corporation that executed the above and foregoing instrument and that said instrument was signed in behalf of said corporation by authority of its by-laws (or by authority of a resolution of its board of directors) and he/she acknowledged to me that said corporation executed the same.

FULL NAME SIGNATURE: _____
FULL NAME PRINT: _____
COMMISSION NO.: _____
EXPIRATION DATE: _____
A NOTARY COMMISSIONED
IN THE STATE OF: _____

Jeffrey Lynn Webb and Suzanne H. Webb, Husband and Wife as joint tenants

JEFFREY LYNN WEBB

SUZANNE H. WEBB

INDIVIDUAL ACKNOWLEDGMENT: _____

State of _____)
County of _____) ss

On the ____ day of _____, 20__, personally appeared before me _____, and the signers of the within instrument, who duly acknowledged to me that they executed the same.

FULL NAME SIGNATURE: _____
FULL NAME PRINT: _____
COMMISSION NO.: _____
EXPIRATION DATE: _____
A NOTARY COMMISSIONED
IN THE STATE OF: _____

INDIVIDUAL ACKNOWLEDGMENT: _____

State of _____)
County of _____) ss

On the ____ day of _____, 20__, personally appeared before me _____, and the signers of the within instrument, who duly acknowledged to me that they executed the same.

FULL NAME SIGNATURE: _____
FULL NAME PRINT: _____
COMMISSION NO.: _____
EXPIRATION DATE: _____
A NOTARY COMMISSIONED
IN THE STATE OF: _____

ROAD DEDICATION PLAT
CHAPEL STREET, CLARY LANE
SYCAMORE DRIVE & BONELLI TRAIL

PUBLIC ROADWAYS
LOCATED IN THE CITY OF SANTA CLARA, UTAH



352 East Riverside Drive, Suite A-2, St. George, Utah 84790
Ph: (435) 673-8586 Fx: (435) 673-8397 - www.RACIVIL.COM

8670-14-113 DED PLAT FILE NUMBER:	01/21/2020 DATE:	M.R.D. DRAWN:
8670-14-113 JOB NUMBER:	N/A SCALE:	M.R.D. CHECKED:

REQUEST FOR COUNCIL ACTION AGENDA ITEM3

October 28, 2020



APPLICANT: Corey Bundy

SUBJECT:

Consider recommendation on proposed revisions to the Santa Clara City Zoning ordinance, Chapter 17.68 Planned Development Districts

BACKGROUND DESCRIPTION:

City staff including the city attorney and deputy city attorney are recommending various changes to Chapter 17.68 Planned Development Districts to streamline the chapter and clarify the requirements for PD zone districts.

Proposed Recommendation

STaff and PC recommend approval with amendments presented in accached report.

Cost

STaff and PC recommend approval with amendments presented in accached report.

Approved by Legal Department

Yes

Approved in Budget

N/A

Approved by City Finance Department

Yes

Amount

N/A

Requested By

Corey Bundy/Bob Nicholson

File Upload Attachments

<https://sccity.org/wp-content/uploads/formidable/41/CC-agenda-report-for-8-26-20-proposed-amendments-to-Zoning-ord-Chapter-17.68-PD-zone22249.pdf>

CC agenda report for 10/28/20; Consider recommendation on proposed revisions to the Santa Clara City Zoning ordinance, Chapter 17.68 Planned Development Districts

Title 17 Zoning Ordinance

17.68 Planned Development Districts -- various changes throughout the chapter. (see attached draft amendments)

Background: City staff including the city attorney and deputy city attorney are recommending various changes to Chapter 17.68 Planned Development Districts to streamline the chapter and clarify the requirements for PD zone districts. At present there are some ambiguities in the chapter that tend to allow for various interpretations of the standards and requirements for different types of development (ie, residential or commercial). Also staff is suggesting some changes to the list of Permitted and Conditional uses in the PD-Residential District, and the PD-Commercial District. Other various changes are proposed to provide clarification to the various requirements.

On May 14th the PC held a public hearing to hear comments from interested members of the community. After some discussion the public hearing was closed and the item was tabled for further work and was brought back to the PC on June 11, 2020 for further consideration and action. At that time the PC recommended approval of the revised chapter 17.68 along with two proposed additions which were explained by attorney Devin Snow. The revised chapter was considered by the City Council in a work meeting on July 1, 2020 and they suggested a few minor revisions, and also asked that the revised chapter be considered again by the PC with the suggested modifications by the City Council.

PC Action:

The PC was asked to review the revised chapter, particularly the changes suggested since their recommendation of approval was made on June 11th. The changes are mostly procedural in nature and the basic PD zone requirements remain the same as proposed and approved in the June 11th version of Chapter 17.68.

The PC recommends approval of the proposed revisions to Chapter 17.68: PD Districts. Thanks to attorneys Devin Snow and Matt Ence for their excellent work on this major overhaul of this important chapter.

Note: This redline version shows changes that have been made to this ordinance since the city council reviewed it in September.

**CITY OF SANTA CLARA, UTAH
ORDINANCE NO. 2020-10**

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF SANTA CLARA UTAH BY AMENDING TITLE 17, SECTION 17.68; “PLANNED DEVELOPMENT ~~ZONES~~DISTRICTS” AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is important to update the City’s code from time to time to remain relevant and reflective of the ever-changing operating environment of the City, and

WHEREAS, it is proposed to amend Title 17, Section 17.68; to simplify and streamline the Chapter to make it more understandable, and

WHEREAS, the present draft reduces the current ~~25-page chapter to approximately 11~~
pagespage count and clarifies the PD Zone standards, and

WHEREAS, this version simplifies the landscaping and open space requirements, specifies the density limitation in the table, and clarifies how golf course land can be used to satisfy the open space requirement, and

WHEREAS, the Planning Commission during their regular meeting held on June 11, 2020, motioned to recommend approval to the City Council the proposed Code Amendment to Title 17; Section 17.68 “Planned Development Zones, and

WHEREAS, in accordance with the requirements of the UCA 10-9a-302, the planning Commission of Santa Clara City forwarded its recommendation to the City Council as of June 24, 2020 regarding proposed changes to Title 17, Section 17.68 “Planned Development Zones”, and

WHEREAS, the legislative body of the City of Santa Clara reviewed the recommendation of the Planning Commission and acted on the proposed Ordinance Amendment on ~~June 24~~October 28, 2020, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Santa Clara, Utah, that Title 17, Chapter 17.68, “Planned Development ~~Zones~~Districts”, ~~be added to the Zoning Chapter of the Santa Clara Municipal Code are is~~ amended to read as follows:

SECTION 1. Amendment:

CHAPTER 17.68
PLANNED DEVELOPMENT ZONES

SECTION:

17.68.010: General Purpose and Description

17.68.020: Allowed Uses in the Planned Development Zones

17.68.030: Planned Development Process

17.68.040: Planned Development Standards and Requirements

17.68.050: PDR Zone Density Bonus Criteria and Limitations

17.68.060: ~~Additional Use~~Short-Term Rental Restrictions and Requirements

17.68.070: Project Plan Amendments

17.68.080: Planned Developments Approved Prior to the Adoption of this Section

17.68.090: Density, Setbacks, and Other Requirements

17.68.010: GENERAL PURPOSE AND DESCRIPTION:

The purpose of the planned development (PD) zones is to encourage flexibility and creativity in comprehensively planned projects. The following zones are authorized under this chapter:

- A. Planned Development Residential Zone (PDR);
- B. Planned Commercial Development Zone (PDC);
- C. Planned Office and Institutional Development Zone (PDO); and
- D. Planned Industrial Development Zone (PDI). (Ord. 2004-36)

17.68.020: ALLOWED USES IN THE PLANNED DEVELOPMENT ZONES:

A use that is indicated with a “P” in the table below is permitted in the applicable zone if approved as part of a zone change. A use that is indicated with a “C” in the table below is allowed in the applicable zone only with a conditional use permit and if approved as part of a zone change. Any use that is indicated as “N” in the table below is prohibited in the applicable zone unless it is specifically approved by the city council as a mixed use. Any use that is not permitted or conditionally permitted under this section is prohibited.

Use	Zone			
	PDR	PDC	PDO	PDI
Accessory Structure	N	C	N	N
Ambulance Service	N	C	C	N
Apartments	P	C	N	N
Assisted living or independent living care	P	C	N	N
Auto repair, completely enclosed by solid wall including storage	N	C	N	C

Bank or other similar financial institution	N	P	N	N
Churches, fraternal organizations, or social organizations	P	N	C	N
City facilities, including fire protection facilities, public works facilities, etc.	P	P	P	P
Clubs, including, but not limited to, golf and country clubs	C	N	N	N
Condominiums	P	C	N	N
Convention center, meeting facility or other similar use	N	P	N	N
Daycare Facility	C	P	P	N
Detached units, including standard large lot single-family detached residences, zero lot line residences and cluster housing	P	N	N	N
Funeral home or crematorium	N	N	C	N
Hotel, motel, or bed and breakfast	N	P	N	N
Home occupations as defined herein and approved by the planning commission	C	N	N	N
Hospital or public health center	N	N	P	N
Manufacturing, processing, assembly, packaging, repair or servicing of any commodity or product; provided that all such uses are conducted entirely within closed buildings or are at least one hundred feet (100') from any property line.	N	N	N	P
Medical or dental office or clinic	N	P	P	N
Mixed uses (i.e., commercial, office or residential) within the same building or on the same site	N	C	N	N
Museum or art gallery	N	P	P	N
Office, not including a wholesale outlet or storage of commodities	N	P	P	P
Parking lot or garage as a principal use	N	C	N	N
Public libraries	C	N	P	N
Public utility structures, including distribution lines, transformer stations, transmission towers, telephone exchanges and other similar uses and structures; excluding warehouses, repair storage, vehicle maintenance, truck or road equipment storage, radio and television studios and cell towers	C	P	N	P
Recreational Building or land, including theaters	N	P	N	N
Restaurant, including a dining club or other eating or drinking establishment	N	P	P	N
Retail sales and the servicing or repair of items sold at retail, not including servicing or repair of automobiles	N	P	N	N
Retail uses that are accessory to the principal use	N	P	C	P
Self-service laundry, laundry or dry cleaning processing facility	N	P	N	N
Schools ~~(private or public)~~ or studios	C	~~N~~ C	C	N
Short-term residential property, subject to Section 17.68.060	C	C	N	N

Timeshares/fractional interests	C	N	N	N
Townhouses	P	N	N	N
Trade shop or service business such as shoe repair; dry cleaning or laundering counter service; pressing, altering, or tailoring of wearing apparel; radio, TV or appliance repair; watch or jewelry repair; barber or beauty shop	N	P	N	N
Veterinary clinic or hospital (small animals only and completely enclosed building)	N	P	P	N
Warehousing, wholesaling, or storage of any product; provided that all such uses are conducted entirely within closed buildings or are at least one hundred feet (100') from any property line	N	N	N	P
Other use proposed by the applicant that is similar to the allowable uses within the zone if determined by the planning commission-city council to be in harmony with the intent and purpose of the zone and if approved as part of the project plan	C	C	C	C

17.68.30: PLANNED DEVELOPMENT PROCESS:

A. A request for a PDR, PDC, PDO, or PDI zoning designation must include the following:

1. All submittals required under Chapter 17.18 for a zoning amendment;
2. A project plan that meets the requirements of Subpart C below; and
3. A detailed landscape plan that shows landscaped areas, any areas to be preserved in their natural state, and any common open space areas.

B. The planning commission and city council will consider any request for a PDR, PDC, PDO, or PDI zoning designation in accordance with Chapter 17.18 and this Chapter.

C. Project Plan. A project plan is a professionally designed schematic plan showing the layout of the development and associated text. The applicant shall submit the project plan in digital format and submit 12 hardcopies of the plan, 10 of which must be 11" X 17", and 2 copies must be 24" x 36". The plan must include the following elements:

1. The boundary of the project property;
2. Phase boundaries (if applicable) and acreage associated with each phase;
3. Total project site area and area by type of land use;
4. Proposed land uses including square footage or acreage and percentage of each component;
5. The number of residential units and/or square footage of floor area of nonresidential uses by type;
6. Density of uses within each land use component or phase using units per acre for residential uses and floor area ratio (FAR) for nonresidential components;

7. Proposed vehicular and pedestrian circulation plan including entrances and exits and connections to vehicular and pedestrian facilities external to the project property. The project should have primarily public roadways but private roadways may be approved by the city council in limited circumstances;
8. Existing natural features of the site including rivers, lakes, ponds, streams, wetlands, steep slopes, mature trees and tree stands, topography at contour intervals of two feet (2'), and other natural features;
9. Square footage or acreage and percentage of open space as a part of the total project;
10. Show where common open space will be provided and limits on accessibility;
11. Typical elevations; and
12. If only one phase of the project is proposed, a preliminary plat that conforms to Chapter 16.16.

D. Preliminary Plats: For any planned development that will be subdivided, the applicant may submit a preliminary plat at the same time as the zone-change application for the planned development. To be considered for concurrent review, the application must include all preliminary plat requirements set forth in Chapter 16.16. A preliminary or final plat may not be approved in any planned development zone unless the plat is consistent with the approved project plan. The city council may allow exceptions to city standards and subdivision requirements relating to roadway design standards and layout, but only if the exceptions are supported by adequate studies and approved with the project plan. If any part of this Chapter conflicts with any part of the subdivision ordinance, this Chapter controls.

E. Detailed Site Plan: The applicant shall submit a detailed site plan for any individual lot other than single-family lots. The planning commission considers any request for site plan review of a lot in any planned development. The planning commission may not approve a site plan unless it is consistent with the approved project plan. A request for site plan review must include a digital copy and ten (10) site development plans, of which one set must be in color. A site plan submittal shall include, in addition to the requirements for all other site plans, the following items:

1. A plan showing how the lot relates to the plat including previously developed sites in the project, the location, required open space, ingress and egress to the lot from the rest of the phase and other adjacent land;
2. Location of building(s); and
3. Typical elevations.

F. Other Data or Information. An applicant who has requested a PDR, PDC, PDO, or PDI zoning designation shall provide any additional information, detail, or analysis requested by the planning commission or city council at any point in the zone change process. The city council may deny a request for a PDR, PDC, PDO, or PDI zoning designation if the city

council determines, in its sole discretion, that it does not have adequate information, detail, or analysis to approve a zone change request.

G. Subsequent Land Use Approvals. The city shall not approve any land use entitlement or permit for property within an approved project plan area unless the entitlement or permit is consistent with the approved project plan and any conditions to the city council's approval of the project plan. Property in an approved project plan area shall not be used in any manner that is inconsistent with the approved project plan.

H. General Plan. An applicant that has a master plan for development is encouraged to seek a general plan amendment to incorporate the applicant's master plan into the general plan.

17.68.40: PLANNED DEVELOPMENT STANDARDS AND REQUIREMENTS:

A. The following landscaping requirements apply in the PDR zone:

1. Entry points to the development shall be landscaped ~~in an attractive manner~~ using plant specimens used throughout the development.
2. Landscaping shall be provided adjacent to all buildings and structures including solid waste receptacles.
3. Landscaping shall be provided in all front setback areas along streets, whether the streets are public or private.

B. Common Open Space Standards and Requirements for Residential Development: This Section 17.68.40(B) applies only in a PDR zone and in any residential component in any other planned development. This subsection B does not apply to nonresidential development, lots, or buildings.

1. Definitions. "Common open space" under this Chapter is defined as a portion of a project or development that is accessible by all residents in the development and provides scenic, recreational, resting or similar purposes. Common open space may include gathering places, recreation areas, natural areas, and other similar areas. Common open space should, in general, be available for entry and use by the residents of the development with which it is associated. Common open space does not include any parking area, any area where a charge is made for use (except for a 50% common open space credit as provided in subsection B.2 below), or any area to which access is limited due to runoff, such as retention basins or areas with steep slopes or similarly difficult terrain if determined by the city council to be similarly restrictive.

2. Common Open Space Requirement: At least 30% of a project area must be common open space. The following natural areas do not count toward the fulfillment of the common open space requirement: An area with a slope of 30% or more, any area within a federally designated floodway, and any wetland area. Up to fifty percent (50%) of the land in a public golf course within a development may be credited toward the minimum common open space required in this subsection.

C. Nonresidential Standards And Requirements. The following requirements apply to nonresidential components of any PD zone:

1. Location: Location of commercial phases or service uses shall be concentrated for maximum pedestrian convenience and located for easy accessibility by any residents of the zone, workers within the zone, and visitors.

2. Common Walls: Common walls between residential and nonresidential uses should be constructed to minimize noise transmission.

3. Nuisances: No commercial use may expose residential uses to offensive odors, dust, electrical interface, and/or vibration.

4. Outdoor Lighting: All outdoor lighting shall not adversely impact surrounding residential uses. Lighting shall not be directed toward residential units and shall not include lighting that blinks, flashes, oscillates, or is of unusual brightness or intensity. Outdoor lighting shall be directed downward unless otherwise approved.

5. ~~Finishing Materials~~Building Design: The city requires buildings that have architectural interest and strong curb appeal. The following design guidelines in this section are imposed to achieve this objective: The front andAll sides of a commercial building that are visible from any public street or adjacent residential zone shall have masonry, decorative wood, stone, stucco, or other exterior finishing that is approved as part of the project plan. The rear and sides of a building shall be finished similarly to the front of the building. Unfinished concrete, cinder block, metal panels, plywood, Masonite, and vinyl siding are prohibited finishes for commercial buildings. Where feasible, building setbacks should be varied. In addition, each commercial building must include the following:~~If a rear building faces a public street or residential zone, the rear side of a building shall be finished similarly to the front of the building. Acceptable masonry finishing materials include brick, stucco, natural or cultured stone, decorative concrete, or terrazzo tile. Unfinished concrete, cinder block, metal panels, plywood, Masonite, and vinyl siding are not acceptable finishes.~~

b. Features such as trellises or awnings to provide shadows at ground level, and where possible, varied setbacks from property lines;

c. Variations in rooflines, belt courses, and trim colors;

d. Recessed windows and doors; and

e. Exterior landscaping along storefront areas.

6. Density and Minimum Square Feet: The maximum density for any residential component within a PDC zone is twelve (12) dwelling units per acre for horizontal mixed-use projects. For projects with vertical mixed-use (i.e., residential and commercial combined in the same building), the density shall be as approved by the Planning Commission and City Council as part of the project plan review and approval, and subject to the development standards in this Chapter. Each dwelling unit within a vertical mixed-use building must have at least 450 square feet of living area on its main floor.

7. Landscaping:

a. The entire area along the public street frontage between the street curb and setback line shall be landscaped. This landscape area may include a sidewalk and a driveway crossing the landscape strip when part of the site plan approved by the city. On a corner lot, both street frontages shall be landscaped. ~~Where other landscaping is provided outside the front setback area or street-side setback area, t~~

b. Notwithstanding the requirement stated in subsection "a" above, the city council may approve a reduced landscape strip of no less than ten feet in width, provided that the city council determines that the additional landscaping elsewhere on the site (including any landscaping that is provided in fulfillment of subsection "c" below) compensates for reduced landscaping within the front setback area.

~~b.c.~~ If a ~~site 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 ~~in addition to the front setback area required in subsection "a" above. This requirement applies without regard to the location of lot lines so that when a parking lot with 30 or more off-street parking spaces is fully constructed, including one that allows for shared parking, the total parking lot area will have at least the 5% landscaping required by this section.~~ Shade trees shall be planted in parking areas to reduce the "heat island" effect and provide aesthetic beauty to the site. Interior parking lot landscape requirements may be met using terminal islands, divider medians, or landscaping on the perimeter of the parking lot.

8. Parking:

a. Conflict Between Provisions: If there is a conflict between the provisions of Chapter 17.32 and this section, the more restrictive provision shall govern.

b. Shared Parking: A shared parking plan may be submitted that indicates a shared parking formula and supporting information. Up to thirty percent (30%) of total combined required parking may be waived with an approved shared parking plan.

c. Location of Parking: Parking should be located to the rear, a mixture of side and rear, or underground.

d. Illumination of Parking: All parking areas shall be illuminated with light that is focused down and light fixtures that will not create a nuisance to other uses within the PD development or to uses near the PD development.

D. Ownership and Management Standards and Requirements:

1. Ownership and Management Control:

a. Initial Ownership: If the property located in a planned development will be owned individually or jointly, where the property is not intended to be resold in separate parcels, the property shall be made subject to permanent covenants, conditions and restrictions requiring that the property be built and operated consistent with the approved planned development zone.

b. Subdivided Properties: Properties in a planned development zone that are intended to be subdivided and sold in separate ownership shall be made subject to covenants, conditions and restrictions which shall require that the property be built and maintained consistent with the requirements of the planned development zone for the property. If the property will have commonly owned properties, they shall be owned by an appropriate owners' association that shall be responsible for the ownership and maintenance of the project, consistent with the requirements of the zone. In this event, the owners' association shall be separately incorporated as a Utah nonprofit corporation with appropriate articles of incorporation and bylaws, and a declaration of covenants, conditions and restrictions that are subject to the approval of the city attorney of the city of Santa Clara as being legally sufficient. If the property will be a condominium project, the property shall be made subject to a declaration of condominium and other documentation prepared pursuant to the requirements of the Utah Condominium Act and shall include a provision that the owners' association thereof shall manage the property consistent with the requirements of the planned development zone.

c. Owner/Developer Responsibilities: Initial owners/developers of PD projects are responsible for the following elements of the project:

(1) Development And Maintenance: Development and maintenance of general common areas (this may be accomplished through the establishment of an owners' association which the developer shall agree to subsidize until 75 percent of the lots or units are sold). In the case of condominiumization or subdivision of the property, the developer shall deed the common areas to the owners' association, free and clear of all money liens or encumbrances, or in the case of a blanket lien, the lender shall subordinate its security interest in the project to the planned unit development or condominium plan. This shall be accomplished by covenant in the declaration of covenants, conditions and restrictions (or

declaration of condominium, as the case may be) that shall require this to be accomplished upon completion of construction of the project, provided that if at least forty percent (40%) of the units in the project have been sold, the developer shall also be required to make this conveyance. The city of Santa Clara shall not be responsible to the unit or lot owners for this, but the documentation shall provide for this as a matter of requirement in the documentation, which shall confer upon any purchasing unit owners the right to enforce the deeding of the common areas as required just above.

(2) Arterials, Roadways, Related Infrastructures: Development of arterial and other major roadways and related infrastructures serving the development including the extension of utilities to serve the development.

(3) Development Of Management Plan: Development of the management plan including management association setup, and related responsibilities to assure that ownership and management standards are met in full.

(4) Approvals And Conditions: All approvals and conditions therefrom received related to the PD and its elements.

(5) Landscaping And Open Space: All overall requirements such as landscaping and open space meet PD requirements.

(6) Change Of Ownership: Any conditions attached to an approved PD plan or subdivision plat shall not lapse or be waived as a result of any subsequent change in tenancy or ownership of said land.

E. Mixed Uses. The minimum and maximum component of each use and type of mixed use within a development shall be as recommended by the planning commission and approved by the city council.

F. A proposed accessory retail use in a PDO zone must be clearly subordinate to the principal use.

G. Gated Communities: No gated communities are permitted in any planned development zone. (Ord. 2004-36)

17.68.50: PDR ZONE DENSITY BONUS CRITERIA AND LIMITATIONS:

A. The base maximum density for the PDR zone is eight du/acre.

B. The city council, after receiving a recommendation from the planning commission, may approve a density bonus of up to 4 du/acre, for a total of up to 12 du/acre, based on the following criteria:

1. Exceptional Building Design and Materials: The building elevations shall show ~~excellent design quality through~~ variation in roof height, variation in the building footprint, and building features ~~which that~~ improve visual interest by the use of ~~varied earth tone colors and textures,~~ balconies, patios, ~~and~~ roof overhang, and use of varied colors and textures. Exterior building materials ~~are of a high quality with building exteriors~~ consisting

primarily of brick, stone, or stucco. On the front elevation and also street side elevation for corner lots, stucco may not exceed 50% of the wall area, not including windows. Wood, metal, or hardy board may be used for accents. Roofing materials shall be durable such as tile, slate or similar material (not asphalt shingles).

2. Site Design: Site design shall provide for compatibility with any adjacent residential areas. Site design shall emphasize overall project aesthetics, with scattered parking areas rather than large asphalt areas, masonry walls on the perimeter where walls are required, and blending building heights to adjacent residential buildings.

3. Landscaping: Landscape design shall incorporate water conservation principles while providing suitable trees, shrubs, and ground covers throughout the project. The landscape plan shall describe both the type of plant materials used and the initial plant container size. Trees shall be planted throughout the project site at approximately one tree per five hundred (500) square feet of landscaped area.

4. Project Amenities: Project amenities include recreational facilities such as tennis courts, playground equipment, swimming pool, clubhouse, and other common amenities such as outdoor cooking/eating areas, gazebo, or gardens. Based on the project size, a development should have one or more significant project amenities. Each unit should have some form of private outdoor space in the form of balconies or patios.

C. An apartment project is limited to thirty (30) dwelling units per project, unless the proposed project is a senior housing project with a half or more of the units designed for single occupancy. (Ord. 2015-17)

17.68.060: ~~ADDITIONAL USES~~SHORT-TERM RENTAL RESTRICTIONS AND REQUIREMENTS:

A. Short-Term Residential. "Short-Term Residential" has the meaning provided under Section 17.20.260. Any short-term residential use must comply with the following:

1. The entire project shall be designated for short-term residential unless otherwise approved by the city council, in which case the city council may designate a maximum number of units that may be used for short-term residential.
2. All approved short-term residential rental units within a project must be managed by one or more licensed property managers, or by a property management company.
3. The owner of any short-term residential unit shall maintain a Utah sales tax license and shall collect the required transient room tax for all short-term residential rental units.
4. The manager (company) shall be located in Washington County and shall be available at all times upon the request of the city.
5. Off-street parking shall be available for RV/boat parking. On-street parking of such vehicles is not allowed, except for temporary loading and unloading not to exceed forty-eight (48) hours.
6. The city may require one or more garbage collection bins to be located on site in addition to garbage cans for individual units.

7. The recorded plat, CC&Rs, and all sales literature shall clearly state that the project, or any approved part thereof, is approved for short-term rental purposes.
8. The PDR zone map will designate where short-term residential property has been approved.
9. No short-term rental use may be approved in an existing development without the consent of all other owners of record within the development.
10. The property shall have two (2) parking spaces for each dwelling unit plus one additional space for every two (2) guest bedrooms. (A "guest bedroom" means any bedroom in the dwelling other than the first bedroom.)
11. On-street parking may be used to meet the parking requirement for a "self-contained" project as may be recommended by the planning commission and approved by the city council. "Self-contained" means that all units in the project are designated for short-term rental.
12. Tandem parking in driveways may be used to meet the parking requirement for a "self-contained" project as may be recommended by the planning commission and approved by the city council.
13. The owner or the property manager shall maintain a residential rental business license as required by the City of Santa Clara.
14. The project shall contain recreation facilities consistent with the size of the project or as may be recommended by the planning commission.
15. Short term rental of residential properties must meet all other requirements of the PDR zone.
16. Any other requirement recommended by the planning commission and adopted by the city council to promote compatibility between short-term rental properties and permanent residents.

~~B. Neighborhood Commercial Use. Any neighborhood commercial use within a PDR zone must meet the following requirements:~~

- ~~— 1. Where mixed uses (i.e., commercial, office, or residential) are within the same building or on the same site, the minimum and maximum component of each use and types of uses within the development are as recommended by the planning commission and approved by city council.~~
- ~~— 2. The use must incorporate the storefront commercial development configuration; and~~
- ~~— 3. The use must include sidewalks, at such widths as may be approved by the planning commission, that will connect the pedestrian system within the project to sidewalks in existing development areas outside the project area.~~

17.68.070 PROJECT PLAN AMENDMENTS

A. The planning commission may approve an amendment to a previously approved project plan if:

- a. The applicant submits a revised set of plans detailing the proposed change;
- b. The proposed amendment:
 - (1) Increases residential density by no more than a five percent (5%);
 - (2) Increases nonresidential floor area by no more than a five percent (5%);
 - (3) Decreases allocated parking by no more than a ten percent (10%);
 - (4) Modifies a dimension by no more than a five percent (5%), including but not limited to setbacks, height, or lot width;
 - (5) Modifies any other measurable criteria by no more than a five percent (5%);
 - (6) Involves no more than five percent (5%) change in landscape requirements;
- c. The proposed amendment meets all of the requirements and provisions of this chapter; and;
- d. The proposed amendment does not alter any approved site development regulations of the plan and does not materially alter other aspects of the plan, including traffic circulation, mixture of use types, or general physical layout.

B. To request any project plan amendment that cannot be approved by the planning commission above, an applicant must comply with the zone change procedures required under Chapter 17.18 and Section 17.68.30 above to request an amendment to the project plan.

17.68.080: PLANNED DEVELOPMENTS APPROVED PRIOR TO ADOPTION OF THIS SECTION:

If any property has been zoned as planned development without an approved project plan, the property owner must apply for a complete zone amendment under this Chapter and Chapter 17.18 and obtain approval of the zone-change application before any land use entitlements may be granted for development on the property. If a property has been zoned as planned development with an approved project plan under an earlier version of this Chapter, the project plan is still valid.

17.68.090 DENSITY, SETBACKS, AND OTHER REQUIREMENTS

- A. The requirements provided in the table below apply to the PDR, PDC, PDO, and PDI zones as specified below:

Project Dimensions	PDR	PDC	PDO	PDI
Minimum Zone Size	0	0	0	0
Base Maximum Density	8 dwelling units per acre	12 du/acre horizontal	n/a	n/a

Minimum <u>Common</u> Open Space	30%	n/a	n/a	n/a
~~Minimum Landscaped Area North of the Santa Clara River~~	~~25%~~	~~25%~~	~~25%~~	~~25%~~
~~Maximum Landscaped Area South of the Santa Clara River~~	~~25%~~	~~25%~~	~~25%~~	~~25%~~
Building Setbacks for Detached Residences				
Front	20 feet	20 feet	~~-n/a~~	~~-n/a~~
Side	10 feet	10 feet	~~-n/a~~	~~-n/a~~
Street side setback	20 feet	20 feet	~~-n/a~~	~~-n/a~~
Rear	10 feet	10 feet	~~-n/a~~	~~-n/a~~
Building Setbacks for Attached Residences				
Front	20 feet	Per approved plan	~~-n/a~~	~~-n/a~~
Side	10 feet	Per approved plan	~~-n/a~~	~~-n/a~~
Street side setback	20 feet	Per approved plan	~~-n/a~~	~~-n/a~~
Rear	20 feet	Per approved plan	~~-n/a~~	~~-n/a~~
Building Setbacks for Other Uses				
Front	20 feet	20 feet	20 feet	40 feet
Side	10 feet	10 feet	10 feet	15 feet
Street side setback	20 feet	20 feet	20 feet	40 feet
Rear	10 feet	10 feet	10 feet	15 feet
Minimum Lot Depth	100 feet	100 feet	100 feet	125 feet
Principal Building Height	35 feet	35 feet	35 feet	35 feet
Accessory Building Height	~~NAn/a~~	20 feet	~~NAn/a~~	~~NAn/a~~
Minimum Distance Between Buildings	10 feet	10 feet	10 feet	5 feet
Storefront Development Option				
Front	None	None	None	n/a
Side	None except 10 feet next to residential uses	None except 10 feet next to residential uses	None except 10 feet next to residential uses	n/a
Street side setback	None	None	~~-n/a~~	~~-n/a~~
Rear	None	None	~~-n/a~~	~~-n/a~~
Minimum Lot Depth	100 feet	100 feet	~~-n/a~~	~~-n/a~~
Principal Building Height	35 feet	35 feet	~~-n/a~~	~~-n/a~~
Accessory Building Height	20 feet	20 feet	~~-n/a~~	~~-n/a~~

Minimum Distance Between Buildings	10 feet	10 feet	-n/a	-n/a
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- B. Density: Land used for common open space, interior streets, drives, sidewalks, and other circulation ways may be included as part of the land area used for determining the number of dwelling units allowed, or the amount of required land. Land characterized by floodway, steep slopes, wetlands, or other unbuildable or sensitive lands may not be included as part of the land area for density calculations, except that a twenty five percent (25%) density provision may be applied to the buildable portion of the development. Therefore, twenty five percent (25%) of the land area of the unbuildable area may be added to the buildable portion of the property to increase net density. Density is calculated for the project and for individual phases. Within phases, density for a specific phase may exceed that permitted provided that the overall density for the project meets the required maximum density. The phase with the highest density may not be the first phase developed.
- C. 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.
- D. The setback and height minimums and maximums listed in this Section are intended to guide the planning commission, the city council, and the project developer in reviewing the standard requirements for development throughout the city. The city council, after receiving a recommendation from the planning commission, may adopt modifications to the above specifications to provide harmony within a PD zone and as may be requested by the developer. Items of a life/safety nature (i.e., building separation as per fire code, and building code requirements) may not be modified. However, other elements of the plan may be approved according to the specific development plan, map, and text being considered as a part of the PD zone change approval. (Ord. 2017-07: Ord. 2016-10: Ord. 2006-02: Ord. 2004-36)

17.52.040: ESTABLISHMENT OF ZONING DISTRICTS:

OS Open space zone.

RA Residential agriculture zone.

R-1-10 Single-family residential zone.

R-1-10/RA Mixed lot size residential zone.

Commercial zone.

Planned development residential zone.
Planned commercial development zone.
Planned office and institutional development zone.
Planned industrial development zone.
Historic district/mixed use zone.
HD Historic overlay zone.
HP Hillside protection overlay zone.

17.52.035 SUPPLEMENTARY REGULATIONS TO ALL ZONES

Recreational Housing Units. "Recreational housing unit" means a portable or mobile recreational unit such as a camper, travel trailer, fifth wheel trailer, tent trailer, tent, or any other similar housing unit. A recreational housing unit shall not be used for residential purposes in any residential neighborhood, 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 under 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) daytime limit for occupancy of the recreational housing unit. However, any time extension beyond sixty (60) days shall require the approval of the city council. (Ord. 2015-17: Ord. 2015-05: Ord. 2015-03: Ord. 2013-16: Ord. 2007-01 § 1: Ord. 2004-36)

SECTION 2. Effective Date:

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

ADOPTED and approved by a duly constituted quorum of the City Council of the City of Santa Clara, Utah this 28th day of October 2020.

IN WITNESS, THERETO:

RICK ROSENBERG, Mayor

ATTEST:

CHRIS SHELLEY, City Recorder

**CITY OF SANTA CLARA, UTAH
ORDINANCE NO. 2020-10**

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF SANTA CLARA UTAH BY AMENDING TITLE 17, SECTION 17.68; “PLANNED DEVELOPMENT DISTRICTS” AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is important to update the City’s code from time to time to remain relevant and reflective of the ever-changing operating environment of the City, and

WHEREAS, it is proposed to amend Title 17, Section 17.68; to simplify and streamline the Chapter to make it more understandable, and

WHEREAS, the present draft reduces the current page count and clarifies the PD Zone standards, and

WHEREAS, this version simplifies the landscaping and open space requirements, specifies the density limitation in the table, and clarifies how golf course land can be used to satisfy the open space requirement, and

WHEREAS, the Planning Commission during their regular meeting held on June 11, 2020, motioned to recommend approval to the City Council the proposed Code Amendment to Title 17; Section 17.68 “Planned Development Zones, and

WHEREAS, in accordance with the requirements of the UCA 10-9a-302, the planning Commission of Santa Clara City forwarded its recommendation to the City Council as of June 24, 2020 regarding proposed changes to Title 17, Section 17.68 “Planned Development Zones”, and

WHEREAS, the legislative body of the City of Santa Clara reviewed the recommendation of the Planning Commission and acted on the proposed Ordinance Amendment on October 28, 2020, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Santa Clara, Utah, that Title 17, Chapter 17.68, “Planned Development Districts”, is amended to read as follows:

SECTION 1. Amendment:

CHAPTER 17.68
PLANNED DEVELOPMENT ZONES

SECTION:

17.68.010: General Purpose and Description

17.68.020: Allowed Uses in the Planned Development Zones

17.68.030: Planned Development Process

17.68.040: Planned Development Standards and Requirements

17.68.050: PDR Zone Density Bonus Criteria and Limitations

17.68.060: Short-Term Rental Restrictions and Requirements

17.68.070: Project Plan Amendments

17.68.080: Planned Developments Approved Prior to the Adoption of this Section

17.68.090: Density, Setbacks, and Other Requirements

17.68.010: GENERAL PURPOSE AND DESCRIPTION:

The purpose of the planned development (PD) zones is to encourage flexibility and creativity in comprehensively planned projects. The following zones are authorized under this chapter:

- A. Planned Development Residential Zone (PDR);
- B. Planned Commercial Development Zone (PDC);
- C. Planned Office and Institutional Development Zone (PDO); and
- D. Planned Industrial Development Zone (PDI). (Ord. 2004-36)

17.68.020: ALLOWED USES IN THE PLANNED DEVELOPMENT ZONES:

A use that is indicated with a “P” in the table below is permitted in the applicable zone if approved as part of a zone change. A use that is indicated with a “C” in the table below is allowed in the applicable zone only with a conditional use permit and if approved as part of a zone change. Any use that is indicated as “N” in the table below is prohibited in the applicable zone unless it is specifically approved by the city council as a mixed use. Any use that is not permitted or conditionally permitted under this section is prohibited.

Use	Zone			
	PDR	PDC	PDO	PDI
Accessory Structure	N	C	N	N
Ambulance Service	N	C	C	N
Apartments	P	C	N	N
Assisted living or independent living care	P	C	N	N
Auto repair, completely enclosed by solid wall including storage	N	C	N	C

Bank or other similar financial institution	N	P	N	N
Churches, fraternal organizations, or social organizations	P	N	C	N
City facilities, including fire protection facilities, public works facilities, etc.	P	P	P	P
Clubs, including, but not limited to, golf and country clubs	C	N	N	N
Condominiums	P	C	N	N
Convention center, meeting facility or other similar use	N	P	N	N
Daycare Facility	C	P	P	N
Detached units, including standard large lot single-family detached residences, zero lot line residences and cluster housing	P	N	N	N
Funeral home or crematorium	N	N	C	N
Hotel, motel, or bed and breakfast	N	P	N	N
Home occupations as defined herein and approved by the planning commission	C	N	N	N
Hospital or public health center	N	N	P	N
Manufacturing, processing, assembly, packaging, repair or servicing of any commodity or product; provided that all such uses are conducted entirely within closed buildings or are at least one hundred feet (100') from any property line.	N	N	N	P
Medical or dental office or clinic	N	P	P	N
Mixed uses (i.e., commercial, office or residential) within the same building or on the same site	N	C	N	N
Museum or art gallery	N	P	P	N
Office, not including a wholesale outlet or storage of commodities	N	P	P	P
Parking lot or garage as a principal use	N	C	N	N
Public libraries	C	N	P	N
Public utility structures, including distribution lines, transformer stations, transmission towers, telephone exchanges and other similar uses and structures; excluding warehouses, repair storage, vehicle maintenance, truck or road equipment storage, radio and television studios and cell towers	C	P	N	P
Recreational Building or land, including theaters	N	P	N	N
Restaurant, including a dining club or other eating or drinking establishment	N	P	P	N
Retail sales and the servicing or repair of items sold at retail, not including servicing or repair of automobiles	N	P	N	N
Retail uses that are accessory to the principal use	N	P	C	P
Self-service laundry, laundry or dry cleaning processing facility	N	P	N	N
Schools or studios	C	C	C	N
Short-term residential property, subject to Section 17.68.060	C	C	N	N

Timeshares/fractional interests	C	N	N	N
Townhouses	P	N	N	N
Trade shop or service business such as shoe repair; dry cleaning or laundering counter service; pressing, altering, or tailoring of wearing apparel; radio, TV or appliance repair; watch or jewelry repair; barber or beauty shop	N	P	N	N
Veterinary clinic or hospital (small animals only and completely enclosed building)	N	P	P	N
Warehousing, wholesaling, or storage of any product; provided that all such uses are conducted entirely within closed buildings or are at least one hundred feet (100') from any property line	N	N	N	P
Other use proposed by the applicant that is similar to the allowable uses within the zone if determined by the city council to be in harmony with the intent and purpose of the zone and if approved as part of the project plan	C	C	C	C

17.68.30: PLANNED DEVELOPMENT PROCESS:

A. A request for a PDR, PDC, PDO, or PDI zoning designation must include the following:

1. All submittals required under Chapter 17.18 for a zoning amendment;
2. A project plan that meets the requirements of Subpart C below; and
3. A detailed landscape plan that shows landscaped areas, any areas to be preserved in their natural state, and any common open space areas.

B. The planning commission and city council will consider any request for a PDR, PDC, PDO, or PDI zoning designation in accordance with Chapter 17.18 and this Chapter.

C. Project Plan. A project plan is a professionally designed schematic plan showing the layout of the development and associated text. The applicant shall submit the project plan in digital format and submit 12 hardcopies of the plan, 10 of which must be 11" X 17", and 2 copies must be 24" x 36". The plan must include the following elements:

1. The boundary of the project property;
2. Phase boundaries (if applicable) and acreage associated with each phase;
3. Total project site area and area by type of land use;
4. Proposed land uses including square footage or acreage and percentage of each component;
5. The number of residential units and/or square footage of floor area of nonresidential uses by type;
6. Density of uses within each land use component or phase using units per acre for residential uses and floor area ratio (FAR) for nonresidential components;

7. Proposed vehicular and pedestrian circulation plan including entrances and exits and connections to vehicular and pedestrian facilities external to the project property. The project should have primarily public roadways but private roadways may be approved by the city council in limited circumstances;
8. Existing natural features of the site including rivers, lakes, ponds, streams, wetlands, steep slopes, mature trees and tree stands, topography at contour intervals of two feet (2'), and other natural features;
9. Square footage or acreage and percentage of open space as a part of the total project;
10. Show where common open space will be provided and limits on accessibility;
11. Typical elevations; and
12. If only one phase of the project is proposed, a preliminary plat that conforms to Chapter 16.16.

D. Preliminary Plats: For any planned development that will be subdivided, the applicant may submit a preliminary plat at the same time as the zone-change application for the planned development. To be considered for concurrent review, the application must include all preliminary plat requirements set forth in Chapter 16.16. A preliminary or final plat may not be approved in any planned development zone unless the plat is consistent with the approved project plan. The city council may allow exceptions to city standards and subdivision requirements relating to roadway design standards and layout, but only if the exceptions are supported by adequate studies and approved with the project plan. If any part of this Chapter conflicts with any part of the subdivision ordinance, this Chapter controls.

E. Detailed Site Plan: The applicant shall submit a detailed site plan for any individual lot other than single-family lots. The planning commission considers any request for site plan review of a lot in any planned development. The planning commission may not approve a site plan unless it is consistent with the approved project plan. A request for site plan review must include a digital copy and ten (10) site development plans, of which one set must be in color. A site plan submittal shall include, in addition to the requirements for all other site plans, the following items:

1. A plan showing how the lot relates to the plat including previously developed sites in the project, the location, required open space, ingress and egress to the lot from the rest of the phase and other adjacent land;
2. Location of building(s); and
3. Typical elevations.

F. Other Data or Information. An applicant who has requested a PDR, PDC, PDO, or PDI zoning designation shall provide any additional information, detail, or analysis requested by the planning commission or city council at any point in the zone change process. The city council may deny a request for a PDR, PDC, PDO, or PDI zoning designation if the city

council determines, in its sole discretion, that it does not have adequate information, detail, or analysis to approve a zone change request.

G. Subsequent Land Use Approvals. The city shall not approve any land use entitlement or permit for property within an approved project plan area unless the entitlement or permit is consistent with the approved project plan and any conditions to the city council's approval of the project plan. Property in an approved project plan area shall not be used in any manner that is inconsistent with the approved project plan.

H. General Plan. An applicant that has a master plan for development is encouraged to seek a general plan amendment to incorporate the applicant's master plan into the general plan.

17.68.40: PLANNED DEVELOPMENT STANDARDS AND REQUIREMENTS:

A. The following landscaping requirements apply in the PDR zone:

1. Entry points to the development shall be landscaped using plant specimens used throughout the development.
2. Landscaping shall be provided adjacent to all buildings and structures including solid waste receptacles.
3. Landscaping shall be provided in all front setback areas along streets, whether the streets are public or private.

B. Common Open Space Standards and Requirements for Residential Development: This Section 17.68.40(B) applies only in a PDR zone and in any residential component in any other planned development. This subsection B does not apply to nonresidential development, lots, or buildings.

1. Definitions. "Common open space" under this Chapter is defined as a portion of a project or development that is accessible by all residents in the development and provides scenic, recreational, resting or similar purposes. Common open space may include gathering places, recreation areas, natural areas, and other similar areas. Common open space should, in general, be available for entry and use by the residents of the development with which it is associated. Common open space does not include any parking area, any area where a charge is made for use (except for a 50% common open space credit as provided in subsection B.2 below), or any area to which access is limited due to runoff, such as retention basins or areas with steep slopes or similarly difficult terrain if determined by the city council to be similarly restrictive.

2. Common Open Space Requirement: At least 30% of a project area must be common open space. The following natural areas do not count toward the fulfillment of the common open space requirement: An area with a slope of 30% or more, any area within a federally designated floodway, and any wetland area. Up to fifty percent (50%) of the land in a public golf course within a development may be credited toward the minimum common open space required in this subsection.

C. Nonresidential Standards And Requirements. The following requirements apply to nonresidential components of any PD zone:

1. Location: Location of commercial phases or service uses shall be concentrated for maximum pedestrian convenience and located for easy accessibility by any residents of the zone, workers within the zone, and visitors.

2. Common Walls: Common walls between residential and nonresidential uses should be constructed to minimize noise transmission.

3. Nuisances: No commercial use may expose residential uses to offensive odors, dust, electrical interface, and/or vibration.

4. Outdoor Lighting: All outdoor lighting shall not adversely impact surrounding residential uses. Lighting shall not be directed toward residential units and shall not include lighting that blinks, flashes, oscillates, or is of unusual brightness or intensity. Outdoor lighting shall be directed downward unless otherwise approved.

5. Building Design: The city requires buildings that have architectural interest and strong curb appeal. The following design guidelines in this section are imposed to achieve this objective: All sides of a commercial building that are visible from any public street or adjacent residential zone shall have masonry, decorative wood, stone, stucco, or other exterior finishing that is approved as part of the project plan. The rear and sides of a building shall be finished similarly to the front of the building. Unfinished concrete, cinder block, metal panels, plywood, Masonite, and vinyl siding are prohibited finishes for commercial buildings. Where feasible, building setbacks should be varied. In addition, each commercial building must include the following:

b. Features such as trellises or awnings to provide shadows at ground level, and where possible, varied setbacks from property lines;

c. Variations in rooflines, belt courses, and trim colors;

d. Recessed windows and doors; and

e. Exterior landscaping along storefront areas.

6. Density and Minimum Square Feet: The maximum density for any residential component within a PDC zone is twelve (12) dwelling units per acre for horizontal mixed-

use projects. For projects with vertical mixed-use (i.e., residential and commercial combined in the same building), the density shall be as approved by the Planning Commission and City Council as part of the project plan review and approval, and subject to the development standards in this Chapter. Each dwelling unit within a vertical mixed-use building must have at least 450 square feet of living area on its main floor.

7. Landscaping:

a. The entire area along the public street frontage between the street curb and setback line shall be landscaped. This landscape area may include a sidewalk and a driveway crossing the landscape strip when part of the site plan approved by the city. On a corner lot, both street frontages shall be landscaped.

b. Notwithstanding the requirement stated in subsection “a” above, the city council may approve a reduced landscape strip of no less than ten feet in width, provided that the city council determines that the additional landscaping elsewhere on the site (including any landscaping that is provided in fulfillment of subsection “c” below) compensates for reduced landscaping within the front setback area.

c. 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. This requirement applies without regard to the location of lot lines so that when a parking lot with 30 or more off-street parking spaces is fully constructed, including one that allows for shared parking, the total parking lot area will have at least the 5% landscaping required by this section. Shade trees shall be planted in parking areas to reduce the “heat island” effect and provide aesthetic beauty to the site. Interior parking lot landscape requirements may be met using terminal islands, divider medians, or landscaping on the perimeter of the parking lot.

8. Parking:

a. Conflict Between Provisions: If there is a conflict between the provisions of Chapter 17.32 and this section, the more restrictive provision shall govern.

b. Shared Parking: A shared parking plan may be submitted that indicates a shared parking formula and supporting information. Up to thirty percent (30%) of total combined required parking may be waived with an approved shared parking plan.

c. Location of Parking: Parking should be located to the rear, a mixture of side and rear, or underground.

d. Illumination of Parking: All parking areas shall be illuminated with light that is focused down and light fixtures that will not create a nuisance to other uses within the PD development or to uses near the PD development.

D. Ownership and Management Standards and Requirements:

1. Ownership and Management Control:

a. Initial Ownership: If the property located in a planned development will be owned individually or jointly, where the property is not intended to be resold in separate parcels, the property shall be made subject to permanent covenants, conditions and restrictions requiring that the property be built and operated consistent with the approved planned development zone.

b. Subdivided Properties: Properties in a planned development zone that are intended to be subdivided and sold in separate ownership shall be made subject to covenants, conditions and restrictions which shall require that the property be built and maintained consistent with the requirements of the planned development zone for the property. If the property will have commonly owned properties, they shall be owned by an appropriate owners' association that shall be responsible for the ownership and maintenance of the project, consistent with the requirements of the zone. In this event, the owners' association shall be separately incorporated as a Utah nonprofit corporation with appropriate articles of incorporation and bylaws, and a declaration of covenants, conditions and restrictions that are subject to the approval of the city attorney of the city of Santa Clara as being legally sufficient. If the property will be a condominium project, the property shall be made subject to a declaration of condominium and other documentation prepared pursuant to the requirements of the Utah Condominium Act and shall include a provision that the owners' association thereof shall manage the property consistent with the requirements of the planned development zone.

c. Owner/Developer Responsibilities: Initial owners/developers of PD projects are responsible for the following elements of the project:

(1) Development And Maintenance: Development and maintenance of general common areas (this may be accomplished through the establishment of an owners' association which the developer shall agree to subsidize until 75 percent of the lots or units are sold). In the case of condominiumization or subdivision of the property, the developer shall deed the common areas to the owners' association, free and clear of all money liens or encumbrances, or in the case of a blanket lien, the lender shall subordinate its security interest in the project to the planned unit development or condominium plan. This shall be accomplished by covenant in the declaration of covenants, conditions and restrictions (or declaration of condominium, as the case may be) that shall require this to be accomplished upon completion of construction of the project, provided that if at least forty percent (40%) of the units in the project have been sold, the developer shall also be required to make this conveyance. The city of Santa Clara shall not be responsible to the unit or lot owners for this, but the documentation shall provide for this as a matter of requirement in the

documentation, which shall confer upon any purchasing unit owners the right to enforce the deeding of the common areas as required just above.

(2) Arterials, Roadways, Related Infrastructures: Development of arterial and other major roadways and related infrastructures serving the development including the extension of utilities to serve the development.

(3) Development Of Management Plan: Development of the management plan including management association setup, and related responsibilities to assure that ownership and management standards are met in full.

(4) Approvals And Conditions: All approvals and conditions therefrom received related to the PD and its elements.

(5) Landscaping And Open Space: All overall requirements such as landscaping and open space meet PD requirements.

(6) Change Of Ownership: Any conditions attached to an approved PD plan or subdivision plat shall not lapse or be waived as a result of any subsequent change in tenancy or ownership of said land.

E. Mixed Uses. The minimum and maximum component of each use and type of mixed use within a development shall be as recommended by the planning commission and approved by the city council.

F. A proposed accessory retail use in a PDO zone must be clearly subordinate to the principal use.

G. Gated Communities: No gated communities are permitted in any planned development zone. (Ord. 2004-36)

17.68.50: PDR ZONE DENSITY BONUS CRITERIA AND LIMITATIONS:

A. The base maximum density for the PDR zone is eight du/acre.

B. The city council, after receiving a recommendation from the planning commission, may approve a density bonus of up to 4 du/acre, for a total of up to 12 du/acre, based on the following criteria:

1. Exceptional Building Design and Materials: The building elevations shall show variation in roof height, variation in the building footprint, and building features that improve visual interest by the use of balconies, patios, roof overhang, and use of varied colors and textures. Exterior building materials consisting primarily of brick, stone, or stucco. On the front elevation and also street side elevation for corner lots, stucco may not exceed 50% of the wall area, not including windows. Wood, metal, or hardy board may be used for accents. Roofing materials shall be durable such as tile, slate or similar material (not asphalt shingles).

2. Site Design: Site design shall provide for compatibility with any adjacent residential areas. Site design shall emphasize overall project aesthetics, with scattered parking areas

rather than large asphalt areas, masonry walls on the perimeter where walls are required, and blending building heights to adjacent residential buildings.

3. Landscaping: Landscape design shall incorporate water conservation principles while providing suitable trees, shrubs, and ground covers throughout the project. The landscape plan shall describe both the type of plant materials used and the initial plant container size. Trees shall be planted throughout the project site at approximately one tree per five hundred (500) square feet of landscaped area.

4. Project Amenities: Project amenities include recreational facilities such as tennis courts, playground equipment, swimming pool, clubhouse, and other common amenities such as outdoor cooking/eating areas, gazebo, or gardens. Based on the project size, a development should have one or more significant project amenities. Each unit should have some form of private outdoor space in the form of balconies or patios.

C. An apartment project is limited to thirty (30) dwelling units per project, unless the proposed project is a senior housing project with a half or more of the units designed for single occupancy. (Ord. 2015-17)

17.68.060: SHORT-TERM RENTAL RESTRICTIONS AND REQUIREMENTS:

Short-Term Residential. "Short-Term Residential" has the meaning provided under Section 17.20.260. Any short-term residential use must comply with the following:

1. The entire project shall be designated for short-term residential unless otherwise approved by the city council, in which case the city council may designate a maximum number of units that may be used for short-term residential.
2. All approved short-term residential rental units within a project must be managed by one or more licensed property managers, or by a property management company.
3. The owner of any short-term residential unit shall maintain a Utah sales tax license and shall collect the required transient room tax for all short-term residential rental units.
4. The manager (company) shall be located in Washington County and shall be available at all times upon the request of the city.
5. Off-street parking shall be available for RV/boat parking. On-street parking of such vehicles is not allowed, except for temporary loading and unloading not to exceed forty-eight (48) hours.
6. The city may require one or more garbage collection bins to be located on site in addition to garbage cans for individual units.
7. The recorded plat, CC&Rs, and all sales literature shall clearly state that the project, or any approved part thereof, is approved for short-term rental purposes.
8. The PDR zone map will designate where short-term residential property has been approved.
9. No short-term rental use may be approved in an existing development without the consent of all other owners of record within the development.

10. The property shall have two (2) parking spaces for each dwelling unit plus one additional space for every two (2) guest bedrooms. (A "guest bedroom" means any bedroom in the dwelling other than the first bedroom.)
11. On-street parking may be used to meet the parking requirement for a "self-contained" project as may be recommended by the planning commission and approved by the city council. "Self-contained" means that all units in the project are designated for short-term rental.
12. Tandem parking in driveways may be used to meet the parking requirement for a "self-contained" project as may be recommended by the planning commission and approved by the city council.
13. The owner or the property manager shall maintain a residential rental business license as required by the City of Santa Clara.
14. The project shall contain recreation facilities consistent with the size of the project or as may be recommended by the planning commission.
15. Short term rental of residential properties must meet all other requirements of the PDR zone.
16. Any other requirement recommended by the planning commission and adopted by the city council to promote compatibility between short-term rental properties and permanent residents.

17.68.070 PROJECT PLAN AMENDMENTS

A. The planning commission may approve an amendment to a previously approved project plan if:

- a. The applicant submits a revised set of plans detailing the proposed change;
- b. The proposed amendment:
 - (1) Increases residential density by no more than a five percent (5%);
 - (2) Increases nonresidential floor area by no more than a five percent (5%);
 - (3) Decreases allocated parking by no more than a ten percent (10%);
 - (4) Modifies a dimension by no more than a five percent (5%), including but not limited to setbacks, height, or lot width;
 - (5) Modifies any other measurable criteria by no more than a five percent (5%);
 - (6) Involves no more than five percent (5%) change in landscape requirements;
- c. The proposed amendment meets all of the requirements and provisions of this chapter; and;
- d. The proposed amendment does not alter any approved site development regulations of the plan and does not materially alter other aspects of the plan, including traffic circulation, mixture of use types, or general physical layout.

B. To request any project plan amendment that cannot be approved by the planning commission above, an applicant must comply with the zone change procedures required under Chapter 17.18 and Section 17.68.30 above to request an amendment to the project plan.

17.68.080: PLANNED DEVELOPMENTS APPROVED PRIOR TO ADOPTION OF THIS SECTION:

If any property has been zoned as planned development without an approved project plan, the property owner must apply for a complete zone amendment under this Chapter and Chapter 17.18 and obtain approval of the zone-change application before any land use entitlements may be granted for development on the property. If a property has been zoned as planned development with an approved project plan under an earlier version of this Chapter, the project plan is still valid.

17.68.090 DENSITY, SETBACKS, AND OTHER REQUIREMENTS

- A. The requirements provided in the table below apply to the PDR, PDC, PDO, and PDI zones as specified below:

Project Dimensions	PDR	PDC	PDO	PDI
Minimum Zone Size	0	0	0	0
Base Maximum Density	8 dwelling units per acre	12 du/acre horizontal	n/a	n/a
Minimum Common Open Space	30%	n/a	n/a	n/a
Building Setbacks for Detached Residences				
Front	20 feet	20 feet	n/a	n/a
Side	10 feet	10 feet	n/a	n/a
Street side setback	20 feet	20 feet	n/a	n/a
Rear	10 feet	10 feet	n/a	n/a
Building Setbacks for Attached Residences				
Front	20 feet	Per approved plan	n/a	n/a
Side	10 feet	Per approved plan	n/a	n/a
Street side setback	20 feet	Per approved plan	n/a	n/a
Rear	20 feet	Per approved plan	n/a	n/a
Building Setbacks for Other Uses				
Front	20 feet	20 feet	20 feet	40 feet

Side	10 feet	10 feet	10 feet	15 feet
Street side setback	20 feet	20 feet	20 feet	40 feet
Rear	10 feet	10 feet	10 feet	15 feet
Minimum Lot Depth	100 feet	100 feet	100 feet	125 feet
Principal Building Height	35 feet	35 feet	35 feet	35 feet
Accessory Building Height	n/a	20 feet	n/a	n/a
Minimum Distance Between Buildings	10 feet	10 feet	10 feet	5 feet
Storefront Development Option				
Front	None	None	None	n/a
Side	None except 10 feet next to residential uses	None except 10 feet next to residential uses	None except 10 feet next to residential uses	n/a
Street side setback	None	None	n/a	n/a
Rear	None	None	n/a	n/a
Minimum Lot Depth	100 feet	100 feet	n/a	n/a
Principal Building Height	35 feet	35 feet	n/a	n/a
Accessory Building Height	20 feet	20 feet	n/a	n/a
Minimum Distance Between Buildings	10 feet	10 feet	n/a	n/a

- B. Density: Land used for common open space, interior streets, drives, sidewalks, and other circulation ways may be included as part of the land area used for determining the number of dwelling units allowed, or the amount of required land. Land characterized by floodway, steep slopes, wetlands, or other unbuildable or sensitive lands may not be included as part of the land area for density calculations, except that a twenty five percent (25%) density provision may be applied to the buildable portion of the development. Therefore, twenty five percent (25%) of the land area of the unbuildable area may be added to the buildable portion of the property to increase net density. Density is calculated for the project and for individual phases. Within phases, density for a specific phase may exceed that permitted provided that the overall density for the project meets the required maximum density. The phase with the highest density may not be the first phase developed.
- C. 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.

- D. The setback and height minimums and maximums listed in this Section are intended to guide the planning commission, the city council, and the project developer in reviewing the standard requirements for development throughout the city. The city council, after receiving a recommendation from the planning commission, may adopt modifications to the above specifications to provide harmony within a PD zone and as may be requested by the developer. Items of a life/safety nature (i.e., building separation as per fire code, and building code requirements) may not be modified. However, other elements of the plan may be approved according to the specific development plan, map, and text being considered as a part of the PD zone change approval. (Ord. 2017-07: Ord. 2016-10: Ord. 2006-02: Ord. 2004-36)

17.52.040: ESTABLISHMENT OF ZONING DISTRICTS:

OS Open space zone.

RA Residential agriculture zone.

R-1-10 Single-family residential zone.

R-1-10/RA Mixed lot size residential zone.

Commercial zone.

Planned development residential zone.

Planned commercial development zone.

Planned office and institutional development zone.

Planned industrial development zone.

Historic district/mixed use zone.

HD Historic overlay zone.

HP Hillside protection overlay zone.

17.52.035 SUPPLEMENTARY REGULATIONS TO ALL ZONES

Recreational Housing Units. "Recreational housing unit" means a portable or mobile recreational unit such as a camper, travel trailer, fifth wheel trailer, tent trailer, tent, or any other similar housing unit. A recreational housing unit shall not be used for residential purposes in any residential neighborhood, 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 under 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) daytime limit for occupancy of the recreational housing unit. However, any time extension beyond sixty (60) days shall require the approval of the city council. (Ord. 2015-17: Ord. 2015-05: Ord. 2015-03: Ord. 2013-16: Ord. 2007-01 § 1: Ord. 2004-36)

SECTION 2. Effective Date:

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

ADOPTED and approved by a duly constituted quorum of the City Council of the City of Santa Clara, Utah this 28th day of October 2020.

IN WITNESS, THERETO:

RICK ROSENBERG, Mayor

ATTEST:

CHRIS SHELLEY, City Recorder

REQUEST FOR COUNCIL ACTION

AGENDA ITEM 4

October 28, 2020



APPLICANT: Parks Department

SUBJECT:

Award BMX / Canyon view Park Parking Lot Project Engineering Proposal

BACKGROUND DESCRIPTION:

Santa Clara Parks placed a 'Request For Proposals' to engineer the 3 BMX / Canyon view Park parking lot areas and hillside retention. The City received one bid from the City's engineer pool from Rosenberg and Associations for the amount of \$31,160 which is below our cost estimate of \$35,000.

Proposed Recommendation

Approval

Cost

31,160

Approved by Legal Department

Yes

Approved in Budget

Yes

Approved by City Finance Department

Yes

Amount

0

Requested By

Parks and Recreation Staff

File Upload Attachments

https://sccity.org/wp-content/uploads/formidable/41/BMX_Canyon-View-Park-Parking-Lot-Project-RFP-09-24-20.pdf,
<https://sccity.org/wp-content/uploads/formidable/41/BMX-Canyon-View-Park-Parking-Lot-Projects-Rosenberg-Associates.pdf>

SANTA CLARA CITY REQUEST FOR PROPOSAL FOR THE BMX/CANYON VIEW PARK PARKING LOT PROJECT

SEPTEMBER 2020

SANTA CLARA CITY PUBLIC WORKS



Electronic (PDF format) proposals may be emailed to Brad Hays, Parks Department Director at bhays@sccity.org, until 2:00 pm on Tuesday October 20, 2020.

SANTA CLARA CITY REQUEST FOR PROPOSAL FOR THE BMX/CANYON VIEW PARK PARKING LOT PROJECT

SUMMARY

Santa Clara City is seeking a qualified engineering firm to provide services necessary to design three new parking lots and a concrete block retaining wall and backstops near Canyon View Drive and Little League Drive in Santa Clara City. The firm selected will be responsible for completing the project through the design and bid period phases.

BACKGROUND

Santa Clara City is applying for Washington County Tourism funding to pave three parking lots near Canyon View Drive, design a retaining wall around the Little League baseball fields, and provide backstops on the two fields as shown in Figure 1, attached to this Request for Proposal (RFP). These new parking lots will vary in sizes from approximately 0.78 acres to over 1.7 acres as shown on Figures 2 to 4. The location of the block retaining wall and backstops is shown on Figure 5.

SCOPE OF WORK

The general scope of services for the BMX/Canyon View Park Parking Lot Project includes providing expert design services for the grading, drainage, geotechnical, and survey associated with the parking lot and retaining wall/backstop designs. The Engineer's scope of work shall include the following items at a minimum:

1. Project Kick-off and Coordination Meetings
 - a. Assume a kick-off meeting, 60-percent review, 90-percent review, and two separate coordination meetings.
2. Initial Data Gathering
 - a. Review right-of-way boundaries and property descriptions.
 - b. Survey and provide topography for existing parking lots for design.
 - c. Coordinate with utility companies to obtain existing utility locations and develop utility mapping for the project vicinity.
3. Geotechnical and Geological Investigation
 - a. Conduct a geotechnical evaluation for the project which includes at least one geotechnical test hole at each site.
 - b. Provide a Geotechnical Design Report per Santa Clara City Standards.
4. Prepare Design Drawings
 - a. Provide 60- and 90-percent complete design drawing sets for review by the City.

- b. Provide general notes, a site grading and drainage plan, site and striping plan, and applicable standard details not covered by Santa Clara City Standards for Construction.
 - c. Address drainage and Utah State Municipal Separate Storm Sewer Systems (MS4) requirements for each site.
 - d. Provide a Drainage Design Report per Santa Clara City Standards.
5. Technical Specifications
 - a. Provide front end legal and bidding documents and technical specifications for review by the City at the 90-percent complete stage of the project.
 - b. Provide additional technical specifications for items not covered by Santa Clara City Standards for Construction.
6. Prepare Engineer's Opinion of Probable Construction Costs (OPCC) for each of the project sites.
 - a. Engineer's OPCC shall be provided at the 60- and 90-percent design stages for City review and budgeting.
7. Bid Period Services
 - a. Prepare for and attend a prebid conference with the potential bidders, City, and others as needed.
 - b. Receive and respond to questions from bidders and issue addenda if necessary.
 - c. Attend the bid opening, summarize general contractor's bids, and provide a letter of recommendation for award to the project.
8. Construction Period Services
 - a. To be negotiated with the selected firm at a later time.

SCHEDULE

The City would like to have this project designed and ready for bid within four months of the Engineer receiving Notice to Proceed.

PROPOSAL FORMAT

This proposal shall be in a letter format on company letterhead and shall consist of no more than **four (4) pages** and shall include the following information:

- Statement of commitment to the time frame of this project.
- Project team.
- Three related projects with client contact information.
- Work Plan, as needed, including additional scope of work items that may not have been addressed above.
- Breakdown on total estimated fees for each major task and subtask in table format.

Detailed qualifications and experience are not necessary in the proposal as this RFP is only being submitted to the firms on the City engineering services pool.

SELECTION PROCESS

Selection of an engineering firm for these design services will be on the basis of engineering fee, design team, and firm that best meets the needs of the City. It is not guaranteed that the engineering firm with the lowest fee will be selected.

SUBMITTAL REQUIREMENTS

Proposals are due on Tuesday, October 20, 2020 by 2:00 p.m. The proposal shall be submitted electronically in a PDF format to Brad Hays – Parks Department Director at bhays@sccity.org. Large files may be transmitted by including a link to an FTP site on the email. Hard copies will not be accepted.

INQUIRIES

All inquiries relating to the proposal procedure should be submitted in writing via email to Brad Hays – Parks Department Director at bhays@sccity.org. Answers will be distributed in an addendum if necessary.

ANTI-COLLUSION

The submission of a proposal constitutes agreement that the Engineer has not divulged its proposal to, or colluded with, any other Engineer or party to a proposal whatsoever.

RIGHT TO REJECT

The City reserves the right to reject any or all proposals and to waive any informality or technicality in any proposal in the interest of the City.

PUBLIC DOMAIN

Engineers are advised that Utah law provides that, upon full execution of a contract subsequent to an RFP, the contents of the awarded proposal accepted by the City shall be subject to public disclosure and may become public records subject to examination by any interested parties in accordance to the Government Records Access Management Act (GRAMA), UTAH CODE ANN. § 63G-2-101 to 901(2009), et seq. In rare instances, trade secrets and proprietary information, recognized by the City as such, may be protected from public disclosure if the Engineer submits a document with their proposal which clearly identifies a part of their proposals that they claim to be proprietary information, trade secrets, individual or non-individual financial information that may be protected under GRAMA. The document must contain a justification for the claim. Proposals in total will not be considered proprietary. All materials submitted by Engineers in response to the City RFP will become the property of the City upon delivery and will be managed in accordance with GRAMA.

SUBMITTAL COSTS

All costs associated with the preparation of the proposal, as well as any other related materials and delivery will be borne by the Engineer. The City will not be responsible for said costs in any event, including but not limited to, termination of the project in whole or in part, or rejection of a proposal.

The City may terminate this procurement procedure at any time and for any reason, and the City shall have no liability or responsibility to the responding party for any costs or expenses incurred in connection with this RFP, or such party's response.

AMENDMENT(S) TO RFP

No oral modifications or amendments to this RFP shall be effective. If it becomes necessary to revise any part of this RFP, a written addendum will be provided.

FIGURES

BMX/CANYONVIEW PARK PROPOSED PARKING LOTS



FIGURE 1 - OVERALL
SITE MAP

CANYON VIEW SKATE PARK & PICKLEBALL PARKING LOT



FIGURE 2 - PARKING
LOT #1 SITE MAP

CANYON VIEW PLAYGROUND PARKING LOT



FIGURE 3 - PARKING
LOT #2 SITE MAP

CANYON VIEW LITTLE LEAGUE PARKING LOT



FIGURE 4 - PARKING
LOT #3 SITE MAP

LITTLE LEAGUE RETENTION & BACKSTOP

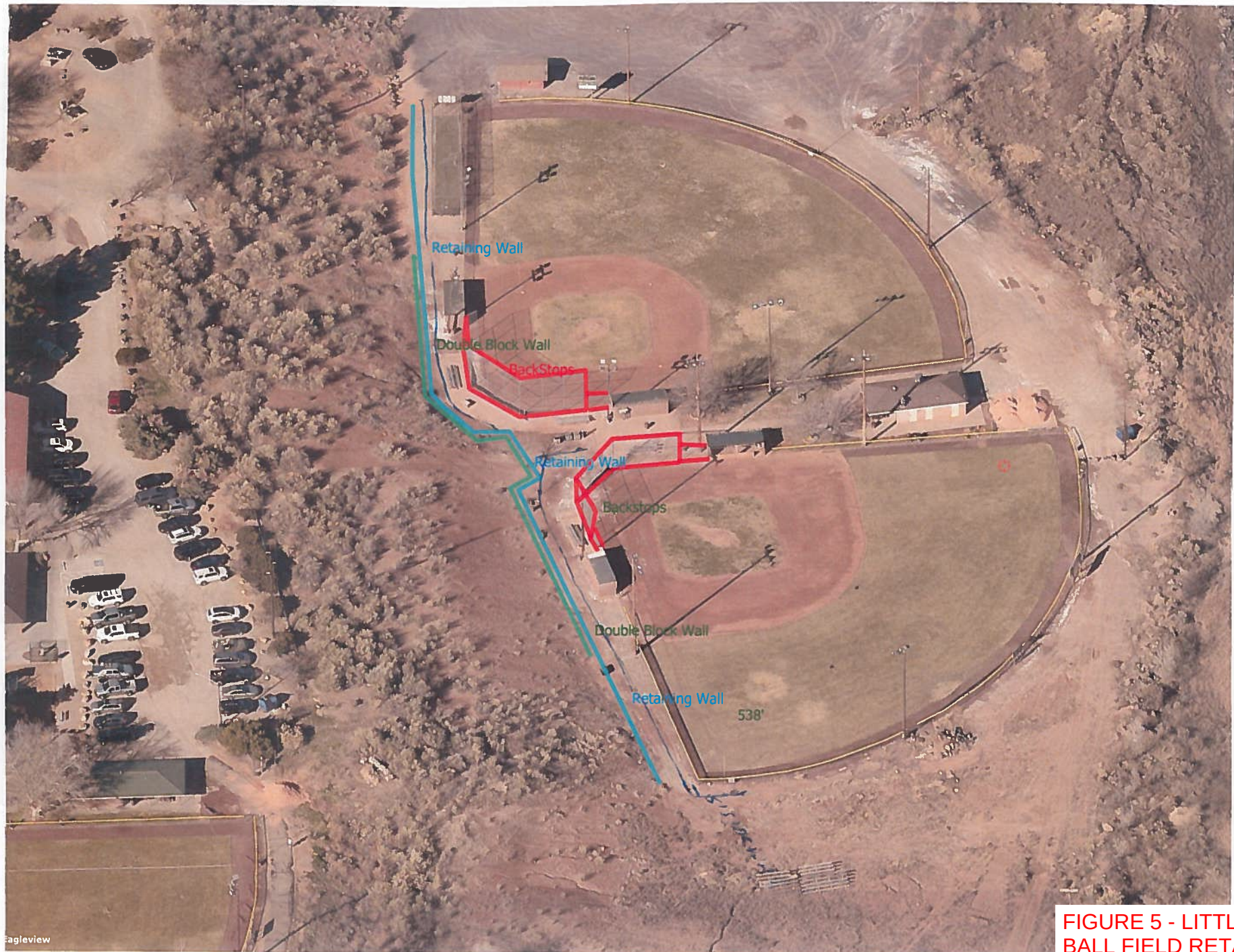


FIGURE 5 - LITTLE LEAGUE
BALL FIELD RETAINING
WALL SITE MAP

October 20, 2020

Brad Hays

Parks Department Director
City of Santa Clara
2603 Santa Clara Drive
Santa Clara, Utah 84765-5463

**Subject: Statement of Qualifications for Engineering Services
BMX/Canyon View Park Parking Lot Project**

Dear Brad:

Rosenberg Associates – in partnership with Applied Geotechnical (AGEC) – is pleased to present this proposal to provide civil engineering, geotechnical engineering, and land surveying for the design of three new parking lots and block retaining wall and backstops near Canyon View Drive and Little League Drive. Rosenberg Associates has appreciated the opportunity to provide a variety of engineering and land surveying services to Santa Clara as part of the City's engineering pool including the recently completed BMX Track, the Lava Flow Trail, the Chapel Street Bridge and Clary Hills Drive Extension. AGEC has provided geotechnical work for the BMX Track, Lower Tuachan Wash Detention Basin Reconstruction (following flood and failure), the Truman Drive Landslide Mitigation Project, the Canyon View Drive Slope Evaluation (adjacent power substation), and the Gunn Field Communication Towers located near the proposed parking lot improvements. The team values the opportunity to use experience on these related projects to provide services to the City of Santa Clara for the three parking lot sites.

The Rosenberg-AGEC team has the current manpower and availability to provide the proposed design services to meet the city's desired four-month timeframe from awarding the contract to have the project ready for bid. The project manager and individual authorized to negotiate contracts and answer any questions concerning this Statement of Qualifications is Jared Bates, PE, who has worked with the City Staff on several recent projects.

Wayne Rogers will lead the AGEC team. The team has extensive experience with this site and anticipate the upper area of the project (parking lots 1 and 2) will consist of silty gravel overlying mudstone (blue clay). We also anticipate groundwater perched over the mudstone. The lower area, parking lot 3 is anticipated to be silty sand or clay overlying mudstone (blue clay). Portions of the lower area will also have shallow groundwater. The slope between parking lots 2 and 3 where the proposed retaining wall is planned should be evaluated for slope stability. Over the years the slope has experienced seepage and east of the substation experienced lateral movement requiring construction of a cutoff drain. There are existing manholes with a drain or utility line along the slope.

We look forward to working with the City of Santa Clara on this exciting project. If you have any questions or require any additional information, please contact us.

PROJECT TEAM

Rosenberg Associates will utilize the following team for the proposed project:

Name	Role	Description
Jared Bates, PE	Project Manager	Project engineering design, team coordination and administration (up to 50% time commitment)
Tyler Hughes	Project Designer	Project engineering design and CAD design (up to 75% time commitment)
Wayne Rogers (AGEC)	Geotechnical Support	Project geotechnical design for parking lots and retaining walls (up to 25% time commitment)
Brandon Anderson, PLS	Survey Support	Field survey, base mapping, right-of-way support (if needed) (up to 25% time commitment)
Rick Rosenberg, PE	QA/QC	Project oversight and general support (up to 10% time commitment)

Anticipated time commitments are listed in the table. Other company staff is also available for support, as needed.

RELATED PROJECTS

Lava Flow Wash Trail – Santa Clara, Utah, 2019-2020. Rosenberg Associates has provided design and construction management for the Lava Flow Trail Project located in Santa Clara, Utah. The project includes construction of 2,553 lineal feet of asphalt trail and 515 lineal of sidewalk along Rachel Drive. The project required design and construction of the trail between the existing wash and hillside, within a narrow portion of City-owned property. The sidewalk was designed and built along an existing roadway and required resolving multiple drainage and utility conflicts. *Contact Brad Hays, Parks Manager, City of Santa Clara, (435) 673-6712, bhays@sccity.org.*

Gubler Park West Parking Lot Improvements – Santa Clara, Utah, 2017-2018. Rosenberg Associates provided design and oversight for the Gubler Park West Parking Lot Improvements located in Santa Clara, Utah. The project provided additional parking for the existing park facilities, utilizing existing public right of way and City owned property. The project includes installation of curb and gutter, drainage infrastructure, and parking improvements. A total of 192 parking stalls were installed to provide access to the pickle ball courts, baseball fields, bike trail, and other amenities. A sidewalk was also designed and built along the west side of the parking lot to provide pedestrian access. *Contact Brad Hays, Parks Manager, City of Santa Clara, (435) 673-6712, bhays@sccity.org.*

Atkinville Wash Park – St. George, Utah, 2019-2020. Rosenberg Associates has provided design and construction management for the Atkinville Wash Park located in St. George, Utah. The project includes design and construction of a concrete parking lot and games hub area, restroom building, steel trellis structures, and concrete and asphalt paved trails. The project is located along a City owned parcel between existing residential development and an active wash; adjacent to a large utility corridor. *Contact Millie Cockerill, Parks Project Manager, City of St. George, (435) 627-4530, mcockerill@sqcity.org.*

PROPOSED WORK PLAN

Rosenberg Associates and AGECE will provide expert design services for the grading, drainage, geotechnical, and survey associated with the parking lot and retaining wall/backstop designs. The Engineer's scope of work shall include the following:

TASK 1 Project Kick-off and Coordination Meetings. Prepare for and participate in a kick-off meeting, 60-percent review meeting, 90-percent review meeting, and two additional separate coordination meetings.

TASK 2 Initial Data Gathering. Review right-of-way boundaries and property descriptions. Survey and provide topography for existing parking lots for design. Coordinate with utility companies to obtain existing utility locations and develop utility mapping for the project vicinity.

TASK 3 Geotechnical and Geological Investigation. Conduct a geotechnical evaluation for the project. Recommended work to include utilizing previous subsurface information from the referenced studies for Parking Lot 1; drilling two borings (approximately 25 feet) at the base of the proposed retaining wall location, and two borings (approximately 40 feet) at the crest of the slope above Parking Lot 2; and drilling four borings (approximately 15 feet) in Parking Lot 3. Conduct laboratory testing on samples obtained during the field study. AGECE will work closely with Rosenberg Associates to provide retaining wall alternatives, slope stability, and grading recommendations along with pavement sections for the parking lots. Provide a geotechnical design report per Santa Clara City Standards.

TASK 4 Project Construction Plans. Provide 60- and 90-percent complete design drawing sets for review by the City. Provide general notes, a site grading and drainage plan, site and striping plan, and applicable standard details not covered by Santa Clara City Standards for construction. Address drainage and Utah State Municipal Separate Storm Sewer Systems (MS4) requirements for each site. Provide a Drainage Design Report per Santa Clara City Standards.

TASK 5 Technical Specifications. Provide front end legal and bidding documents and technical specifications for review by the City at the 90-percent complete stage of the project. Provide additional technical specifications for items not covered by Santa Clara City Standards for Construction.

TASK 6 Engineer's Opinion of Probable Construction Costs (OPCC). Provide the OPCC at the 60- and 90-percent design stages for City review and budgeting. Provide a separate OPCC for each of the project sites.

TASK 7 Bid Period Services. Prepare for and attend a pre-bid conference with the potential bidders, City, and others as needed. Receive and respond to questions from bidders and issue addenda if necessary. Attend the bid opening, summarize general contractor's bids, and provide a letter of recommendation for award to the project.

TASK 8 Construction Period Services. To be negotiated at a later time.

COST PROPOSAL

Rosenberg Associates will perform the work as outlined in the Proposed Work Plan for the following estimated fee, to be administered on an hourly, not-to-exceed basis:

TASK 1 PROJECT KICK-OFF AND COORDINATION MEETINGS				\$1,300
Principal Engineer 1	5 hours	\$160 =	\$800	
Staff Engineer 3	5 hours	\$100 =	\$500	
TASK 2 INITIAL DATA GATHERING				\$4,800
Principal Engineer 1	2 hours	\$160 =	\$320	
Project Engineer 1	4 hours	\$130 =	\$520	
Land Surveyor 2	4 hours	\$130 =	\$520	
Drafter 3	28 hours	\$80 =	\$2,240	
Survey Crew - 1 Man	12 hours	\$100 =	\$1,200	
TASK 3 GEOTECHNICAL AND GEOLOGICAL INVESTIGATION				\$11,220
Principal Engineer 1	2 hours	\$160 =	\$320	
Outside Services (AGEC)	1 each	\$10,900 =	\$10,900	
TASK 4 PROJECT CONSTRUCTION PLANS				\$9,760
Principal Engineer 1	4 hours	\$160 =	\$640	
Project Engineer 1	24 hours	\$130 =	\$3,120	
Staff Engineer 3	24 hours	\$100 =	\$2,400	
Designer 1	40 hours	\$90 =	\$3,600	
TASK 5 TECHNICAL SPECIFICATIONS				\$1,200
Principal Engineer 1	2 hours	\$160 =	\$320	
Project Engineer 1	4 hours	\$130 =	\$520	
Technician 3	4 hours	\$90 =	\$360	
TASK 6 ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS (OPCC)				\$1,200
Principal Engineer 1	2 hours	\$160 =	\$320	
Project Engineer 1	4 hours	\$130 =	\$520	
Designer 1	4 hours	\$90 =	\$360	
TASK 7 BID PERIOD SERVICES				\$1,680
Principal Engineer 1	4 hours	\$160 =	\$640	
Project Engineer 1	8 hours	\$130 =	\$1,040	
TASK 8 CONSTRUCTION PERIOD SERVICES				TBD
PROJECT TOTAL				\$31,160

REQUEST FOR COUNCIL ACTION

AGENDA ITEM 5

October 28, 2020



APPLICANT: VLCM

SUBJECT:

Security Cameras at Town Hall

BACKGROUND DESCRIPTION:

In January of 2020 we received bids for security cameras at Town Hall. In March, COVID-19 hit and we put awarding the bid on hold. We now would like to award the bid. The two bids we focused on were from Stream Technologies and VLCM. Stream Technologies (\$ 40,383.00) offers a traditional NVR security camera system, while VLCM (\$ 68,518.89) offers a cloud based security camera system. After consultation with our IT department and also considering the warranty length, ease of installation, and on going maintenance, we have selected VLCM. We are requesting to award the bid to VLCM. We would like to increase the amount to allow for upgrades to camera models or locations if needed. We would like the amount awarded to not exceed \$ 72,500.00. The funding for the camera system will be paid for out of CARES funds.

Proposed Recommendation

Approval

Cost

\$ 72,500.00

Approved by Legal Department

N/A

Approved in Budget

No

Approved by City Finance Department

Yes

Amount

\$ 72,500.00

Requested By

Brock Jacobsen

File Upload Attachments

<https://sccity.org/wp-content/uploads/formidable/41/Santa-Clara-Verkada-30-day-10-yr-w-Promo10.19.20.pdf>

**VLCM**

852 E. Arrowhead Lane
Salt Lake City, UT 84107
United States
www.vlcmtech.com

Quote:

Date: October 19, 2020
Sales Rep: Dick Morgan
Sales Engineer: Paul James
Customer: City of Santa Clara
Address:
City - State - Zip:
Contact Name:
Contact - Phone / Email:
Quote Expiration: October 30, 2020
Valid for 30 Days

Quote

Description: Verkada Camera System (30 day storage)- Promo Through 10.30.20

Item Description	Qty	Customer Cost
CAT6 Plenum Rated Cable	5	\$2,000.00
Misc Parts (boxes, ties, velcro, hooks, etc)	1	\$270.00
HPE Aruba 2540 48G PoE+ 4SFP+ Switch - managed - 48 x 10/100/1000 (PoE+) + 4 x 10 Gigabit Ethernet / 1 Gigabit Ethernet SFP+ - desktop, rack-mountable, wall-mountable - PoE+ (370 W)	1	\$2,302.04
Verkada CD41 Indoor, 5MP, Fixed Lens, 30 days of storage	12	\$6,855.42
Verkada CD41 Outdoor, 5MP, Fixed Lens, 30 days of storage	5	\$3,571.43
Verkada Indoor/Outdoor Fisheye Camera, 12MP, Fixed Lens, 30 days of storage	8	\$10,862.28
Verkada 10 Year License (available in 1, 3, 5 & 10 year terms)	25	\$28,582.13
Verkada L-Bracket Mount Kit	5	\$503.10
Misc Systems (patch cables, mounting hardware, etc)	1	\$210.00
Shipping (estimate)	1	\$112.50

Price includes VLCM pulling, terminating, testing and labeling CAT6 cable for 25 cameras. Price includes VLCM providing and installing the cameras listed in the quote above. and PoE switch (48 port) and assumes there is room in an existing rack for Patch Panel, PoE switch and Server. Price assumes ceiling access is available at all locations where cable will be run. Price assumes there is clean pathway for cable between floors. All Verkada cameras to have 30 days of on-camera storage, unlimited cloud storage and includes a 10-year license per camera. All Verkada cameras come with a 10 year warranty and all service and support provided by Verkada is included in the 3 year license.

Subtotal Materials	\$55,268.89
Subtotal Labor	\$13,250.00
Subtotal	\$68,518.89
Sales Tax	Not Included
Total	\$68,518.89

REQUEST FOR COUNCIL ACTION

AGENDA ITEM 6

October 28, 2020



APPLICANT: Santa Clara City

SUBJECT:

Santa Clara City CARES Small Business Grant Program

BACKGROUND DESCRIPTION:

The Santa Clara CARES Small Business Grant Program is offered pursuant to funding received by Santa Clara through the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act). Funding will be made available to a limited number of businesses, with 50 employees/FTEs or less that meet specific requirements set by Santa Clara. The Santa Clara CARES Small Business Grant Program will provide grants up to \$10,000. Applications will open on October 19, 2020 and close on November 9, 2020 at 5:00 pm. Funds will be disbursed until the funds are exhausted. Due to the anticipated number of submissions and limited funding, applications will be reviewed based on submission date. We are requesting to fund the CARES Small Business Grant Program in an amount not to exceed \$ 200,000.00.

Proposed Recommendation

Approval

Cost

\$ 200,000.00

Approved by Legal Department

N/A

Approved in Budget

No

Approved by City Finance Department

Yes

Amount

\$ 200,000.00

Requested By

Brock Jacobsen

File Upload Attachments

<https://sccity.org/wp-content/uploads/formidable/41/FAQ-Santa-Clara-Utah-Small-Business-Grant.pdf>,
<https://sccity.org/wp-content/uploads/formidable/41/Guidelines-Santa-Clara-Utah-Small-Business-Grant.pdf>



Santa Clara City
CARES Small Business Grant Program
Guidelines

The Santa Clara CARES Small Business Grant Program is offered pursuant to funding received by Santa Clara through the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act). Funding will be made available to a limited number of businesses, with 50 employees/FTEs or less that meet specific requirements set by Santa Clara.

The Santa Clara CARES Small Business Grant Program will provide grants up to \$10,000. Applications will open on October 19, 2020 and close on November 9, 2020 at 5:00 pm. Funds will be disbursed until the funds are exhausted. Due to the anticipated number of submissions and limited funding, applications will be reviewed based on submission date.

Eligibility Requirements

1. Business is based in Santa Clara and has a current Santa Clara City Business License as of March 1, 2020.
2. Business had 50 full-time equivalent employees or less on March 1, 2020.
3. Business can provide documentation showing a financial loss of at least \$500 for the grant period March 1, 2020 – August 31, 2020.
4. Business must be open, or plan to reopen, as of the date of application submission.
5. Owner must be 18 years or older and have a valid EIN or Social Security Number if a Sole Proprietor.
6. Business owners are willing to submit documentation for audit purposes in the future.
7. Business has not already received CARES Act funding for the same uses and time period from any federal, state or local source for COVID-19 financial aid.

Terms

Funds are provided as a grant. Repayment is only required if the program's guidelines are violated. Applications will be processed as they are received and awarded to businesses for eligible reimbursable expenses up to \$10,000.

Award Amounts

Up to \$10,000

Program Service Area

Businesses must be in Santa Clara (or based in Santa Clara, if online) to be eligible for funding.

Eligible Use of Funds

Grant money may be used to pay for operating expenses related to COVID-19:

- Payroll expenses
- Rent, Mortgage or Lease obligations
- Utilities
- Unemployment Insurance
- Expenses related to business premises modifications to promote social distancing.
- Expenses related to continuing business operations from home or online.
- Expenses related to business premises modifications to protect employees or customers, such as barriers, distancing signs, hand sanitization centers, etc.
- Expenses related to protective gear and sanitization such as masks, hand sanitizer, and disinfectant, including increased costs for utilizing these items.
- Other expenses that are business-related and would not have been necessary if not for the COVID-19 pandemic.

Required Documentation

The following documents are required for each application:

- Completed W-9 (businesses that are awarded funds, but did not provide W-9 may be delayed in receiving awards by up to 4 weeks)
- Tax Returns
 - 2019 Business Federal Tax Returns or for self-employed/sole proprietor 2019 1040 with Schedule C
 - If unavailable, bank statements that demonstrate a loss due to COVID-19
- Copy of Government Issued Photo Identification for EACH owner
- Proof of Financial Loss since March 1, 2020:
 - 2019/2020 Comparative Profit and Loss Statements
 - Outstanding Bills/Debts
 - Receipts
 - Payrolls
 - Any other documents that can prove loss
- Proof of business being in operation in Santa Clara before March 1, 2020. This may include any of the following:
 - Santa Clara Issued Business License
 - Dated Articles of Incorporation
 - Proof of Registration of Entity
 - Proof of EIN
 - Invoices dated on or before March 1, 2020
 - Professional License (for 1099 Contractors)

Prioritization

It is anticipated that there will be more funding requests than money available for the Santa Clara CARES Small Business Grant Program. Funds will be disbursed until the funds are exhausted. Due to the anticipated number of submissions and limited funding, applications will be reviewed based on submission date.

Technical Assistance

Businesses needing technical assistance with the Santa Clara CARES Small Business Grant Program can call (435) 673-6712 or email contact@sccity.org. Due to staff's limited hours in the office, email is the quickest way to receive a response.



Santa Clara City
CARES Small Business Grant Program
Frequently Asked Questions

What is the Santa Clara CARES Small Business Grant Program?

The Santa Clara CARES Small Business Grant Program is offered pursuant to funding received by Santa Clara through the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act). Funding will be made available to a limited number of businesses, with 50 full-time employees/FTEs or less. The program serves small businesses that have been significantly impacted by COVID-19.

Grant Amounts

Up to \$10,000

What are the eligibility requirements of the Program?

1. Business is based in Santa Clara and has a current Santa Clara City Business License as of March 1, 2020.
2. Business had 50 full-time equivalent employees or less on March 1, 2020.
3. Business can provide documentation showing a financial loss of at least \$500 for the grant period March 1, 2020 – August 31, 2020.
4. Business must be open, or plan to reopen, as of the date of application submission.
5. Owner must be 18 years or older and have a valid EIN or Social Security Number if a Sole Proprietor.
6. Business owners are willing to submit documentation for audit purposes in the future.
7. Business has not already received CARES Act funding for the same uses and time period from any federal, state or local source for COVID-19 financial aid.

Where do I apply?

Apply online through the Santa Clara City website: <https://sccity.org/small-business-grant/>.

What is the timeline to apply?

Applications will open on October 19, 2020 and close on November 9, 2020 at 5:00 pm.

What documents are required for applicants?

The following documents are required for each application:

- Completed W-9 (businesses that are awarded funds, but did not provide W-9 may be delayed in receiving awards by up to 4 weeks)
- Tax Returns
 - 2019 Business Federal Tax Returns or for self-employed/sole proprietor 2019 1040 with Schedule C
 - If unavailable, Bank Statements
- Copy of Government Issued Photo Identification for EACH owner
- Proof of Financial Loss since March 16th this may include:
 - 2019/2020 Comparative Profit and Loss Statements
 - Outstanding Bills/Debts
 - Receipts
 - Payrolls
 - Any other documents that can prove loss
- Proof of business being established and operating in Santa Clara before March 1, 2020 this may include any of the following:
 - Municipal/County Issued Business License
 - Dated Articles of Incorporation
 - Proof of Registration of Entity
 - Proof of EIN
 - Invoices dated on or before March 1, 2020
 - Professional License (for 1099 Contractors)

Is there a telephone number to call for assistance or an email address?

After reviewing the Guidelines and FAQs, businesses still needing technical assistance with the Santa Clara CARES Small Business Grant Program can call (435) 673-6712 or email contact@sccity.org. Due to staff's limited hours in the office, email is the quickest way to receive a response.

How soon will I receive the Santa Clara CARES Program Grant award?

From the date of submission, it takes about 30 days to receive the grant award. Missing or insufficient documentation or incomplete answers to application questions may disqualify applications and will certainly delay disbursement. A complete and thorough application with all required documents is the best way to ensure a timely turnaround.

I have also applied for and received other CARES funding (PPP, EIDL, and other Federal and State stimulus programs). Am I still eligible for this grant?

Yes!!!! Your business is eligible to apply.

Do I need to pay the money back?

No. This is a grant program, not a loan, and the funds do not need to be paid back. However, businesses may not receive federally-subsidized disaster assistance that duplicates any part of their disaster loss covered by insurance or another source, such as the Small Business Administration (SBA) or the Federal Emergency Management Agency (FEMA). Applicants for the Santa Clara CARES Grant must disclose any funds applied for or received from these sources or

other federal and state assistance programs. It is the City's sole discretion to determine if funds received from any of these sources constitutes a duplication of benefits. If a duplication of benefits determination is made after the Santa Clara funds have been disbursed, the amount of funds that were determined to be duplicative must be repaid to Santa Clara.

Is there a list of what expenses are allowed under the business grant funds?

Grant money may be used to pay for operating expenses related to COVID-19:

- Payroll expenses
- Rent, Mortgage or Lease obligations
- Utilities
- Unemployment Insurance
- Expenses related to business premises modifications to promote social distancing.
- Expenses related to continuing business operations from home or online.
- Expenses related to business premises modifications to protect employees or customers, such as barriers, distancing signs, hand sanitization centers, etc.
- Expenses related to protective gear and sanitization such as masks, hand sanitizer, and disinfectant, including increased costs for utilizing these items.
- Other expenses that are business-related and would not have been necessary if not for the COVID-19 pandemic.

I am a sole proprietor business and the only person working in my business. Do I qualify for this grant?

Yes. Sole proprietor businesses with a valid social security number that meets the eligibility requirements may apply for up to a \$10,000 grant.

I am a 1099 Contractor. Do I qualify for this grant?

Yes. 1099 Contractors with a valid social security number that meets the eligibility requirements may apply for up to a \$10,000 grant.

My small business operates a franchise. Do I qualify for the grant program?

A small business operating as a franchise qualifies as long as all other criteria are met.

I own several small businesses. Are all my businesses eligible for the grant program?

Yes, you may apply for a grant for more than one business.

How do I indicate that my business was negatively impacted by the COVID-19 emergency?

You are required to provide a brief narrative of the adverse economic impact of COVID-19 on the operations of your business. Additionally, the application requires financial documents that demonstrate a loss of at least \$500.

I'm a foreign national owner of a business in Santa Clara. Am I eligible?

Yes, as long as the business is located in Santa Clara, Utah and the other eligibility criteria are met.

Will I be taxed on the grant?

State and local grants may be taxable. Approved grant applicants who are individual/sole proprietors, LLCs, and partnerships will be issued a 1099 form. It is recommended to review with your tax consultant.