

NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL MEETING
Wednesday, October 27, 2021
Time: 5:00 p.m.

AGENDA

NOTICE is hereby given that the Santa Clara City Council will hold a Regular Meeting on the 27th Day of October 2021 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: Wendell Gubler
- Opening Comments: Wendell Gubler

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. 13, 2021 Regular City Council Mtg. Minutes
 - Oct. 13, 2021 Executive Session Minutes
 - Claims through Oct. 27, 2021.
2. **Calendar of Events**
 - Nov. 3, 2021, City Council Work Meeting
 - Nov. 10, 2021 Regular City Council Meeting
 - Nov. 24, 2021 Regular City Council Meeting Canceled
3. Set a Public Hearing for November 10, 2021 at 5:00 pm. to discuss and receive public input regarding a power rate increase.

C. General Business:

1. Lowry Snow and Don Ipson presentation.
2. Consider amending the Final Plat for The Hills at Santa Clara Ph. 2B to adjust the lot line for Lots 210 and 211 located off Colbey Loop near the west end of the city boundary. Presented by Jim McNulty, City Planner.

3. Consider amending the Final Plat for Lots 19 and 21 of the Rhone Subdivision located off Bonelli Trail, and north of the Santa Clara River. Presented by Jim McNulty, City Planner.
4. Consider approving the Preliminary and Final Plats for Heights West Plat A located on Blair Circle near the Harmons Store. Presented by Jim McNulty, City Planner.
5. Consider a proposed code amendment to include Section 17.22, Internal Accessory Dwelling Units (IADUs) to be permitted in residential zones and approve Ordinance 2021-14. Presented by Jim McNulty, City Planner.
6. **Reports:**
 - a. Mayor / Council Reports
7. **Executive Session**
8. **Adjournment**

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

Zoom Meeting Participants: Participants on the Zoom call 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 21st day of October 2021 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 2021 meeting schedule was also provided to the Spectrum on January 1, 2021.

Chris Shelley – City Recorder

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 13, 2021
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, October 13, 2021 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 and Denny Drake
City Manager: Brock Jacobsen
Deputy Recorder: Selena Nez

Others Present: Scott Bannon, Assistant City Manager; Dustin Mouritsen, Public Works Director; Brad Hayes, Parks & Trails Director; Gary Hall, Power Director; Matt Ence, City Attorney; Cody Mitchell, Building Official; Jim McNulty, City Planner; Kristelle Hill, Admin. Assistant; Matthew Fishel; Ethan Fishel; Angela Fishel; Laine Frei; Mike Carr; Brooke Ence; Sarah Sanders; Mark Sanders

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:00 p.m. He welcomed everyone and introduced the City Council. He excused Councilwoman Leina Mathis who is out of town.
2. **Opening Ceremony:**
 - Pledge of Allegiance: Denny Drake
 - Opening Comments: Denny Drake
3. **Communications and Appearances:**
 - A. General Citizen Communications:
 1. Ethan Fishel, Boy Scout, talked about his Eagle Project. He said his project proposal is that he wants to repaint the red curbs in the Santa Clara Heights area between Crestview and Canyon View Drives. He said a lot of the curbs are faded and chipped. He talked about how he was going to do this. He will have the help of his Scout Troop. They will mark the area the paint covers, clean the curb using metal wire brushes to remove the old, faded, and chipped paint and then repaint the curbs. He said what he needs for the project is red paint, wire brushes, safety vests and safety cones and paintbrushes or rollers. He stated that this service project will provide significant benefit to the City of Santa Clara and he is asking for the Council's approval as the beneficiary of this project.

- Mayor Rosenberg asked if he would need any funds to help with this project.
- Ethan Fishel asked if the city could provide the safety vests and safety cones and if the city has any red paint that they have already purchased. He said his troop can get the wire brushes and paintbrushes and rollers.
- Mayor Rosenberg introduced Brad Hays, Parks & Trails Director, and told Ethan that he would be signing off on Ethan's project and told him to talk to him. He also introduced Dustin Mouritsen, Public Works Director, and told Ethan to coordinate with him and Brad. He asked Council if they are okay with this project.
- Council Members were all affirmative.

2. Lainee Frei and Brooke Ence gave a Swiss Days recap. Swiss Days was very successful and there was great attendance. Things went smoothly with the Staff and volunteers. They said there are a few things they want to rework and change for next year. They met with Staff and discussed that.
 - Mayor Rosenberg said he heard nothing but good about Swiss Days.
 - Lainee Frei and Brooke Ence asked for the Council's support on considering moving the hands-on area to a site down by Town Hall verses being up at Heritage Square. There was a lot of frustration on having it there instead of Town Hall. They got a grant this year from "Thrive 125". Councilman Drake did a display celebrating Utah's 125 years of Statehood. There was also a parade entry with covered wagons and horses with flags sponsored by "Thrive 125". The Historical Society celebrated women of Santa Clara and had a display and a video. They said this wouldn't have been successful without the City Staff. They were so helpful and kind.
 - Ben Shakespeare said Swiss Days was a huge success.
 - Jarett Waite said that next year we want to have the same sound set up for both nights of Swiss Days.
 - Brooke Ence & Lainee Frei said that is on the list of changes to make.
 - Jarett Waite said we also need to let vendors know that they need to make sure they have enough food. Some of the vendors ran out on the last day.
 - Brooke Ence & Lainee Frei asked the Council that if they think of anything else that needs to be changed for next year to let them know. They will come back to Council and talk about some changes they want to make.
 - Ben Shakespeare asked if we can have the tank be a part of the parade next year. It would be cool to have some military equipment be a part of it.
 - Brooke Ence & Lainee Frei said they would really love to have a fly-over.
 - Mayor Rosenberg thanked Brooke and Lainee and he said he may get ahold of them concerning another event for some feedback.
 - Brock Jacobsen, City Manager, said that working with Brooke and Lainee has been awesome. They have taken Swiss Days and expounded upon it. He thanked them and their families.

4. Conflicts and Disclosures: None.

5. Working Agenda:

A. Public Hearing(s): None.

B. Consent Agenda:

1. Approval of Claims and Minutes

- Sept. 22, 2021 Regular City Council Meeting Minutes
- Oct. 6, 2021 City Council Work Meeting Minutes
- Claims through Oct. 13, 2021

2. Calendar of Events

- Oct. 27, 2021 Regular City Council Meeting
- Nov. 3, 2021 City Council Work Meeting
- Nov. 10, 2021 Regular City Council Meeting

3. Consider approving a Proclamation setting the month of November as National American Indian Heritage Month.

- Mayor Rosenberg said this proclamation was put together with the National American Indian Heritage Committee and the Daughters of the American Revolution declaring November as National American Indian Heritage Month. (See attached.)

4. Cancel the Nov. 24, 2021 City Council Meeting.

- Mayor Rosenberg said this meeting is being cancelled because it is the day before Thanksgiving.

Motion to Approve the Consent Agenda.

Motion by Jarett Waite, seconded by Ben Shakespeare.

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

Voting Nay: None.

Motion Carried.

C. General Business:

1. Consider approving a Proclamation setting October 2021 as Domestic Violence Awareness Month. Presented by Linsey Boyer, Executive Director, Dove Center.

- Mike Carr, Washington County School District, and the Washington County Coordinated Community Response Team, said he is presenting this proclamation tonight. He 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;”

- Mayor Rosenberg then read the rest of the proclamation:

“And now therefore, I, Rick Rosenberg, Mayor of the City of Santa Clara, Utah, in partnership with the DOVE Center and the Washington County Coordinated Community Response Team, 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 thereof, I have hereunto set my hand and caused to be affixed the Seal of the City of Santa Clara, Utah this 13th day of October, 2021.”

Motion to Approve a Proclamation setting October 2021 as Domestic Violence Awareness Month.

Motion by Wendell Gubler, seconded by Denny Drake.

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

Voting Nay: None.

Motion Carried.

- Mike Carr thanked the Mayor and the Council members for being willing to support this. He said we would like to think there isn't any domestic violence, child abuse or sexual assaults going on in our lovely community, but it is very real. He said that during COVID when we were in lock-down and there was no school it took away the reporting mechanism for kids to report and when school started back in August of 2020 there was a lot of reporting those first few months, so the abuse didn't stop we just didn't have a way for the kids to talk about it. The same holds true for those adult men or women who are being abused. They didn't have an outlet either. He said their goal as the Coordinated Community Response Team is to educate and coordinate the community and make everyone aware that it is still a big issue, and it is not going away. He said the Coordinated Committee has been intact for about 2 ½ years. Usually in October they have a vigil at the park but haven't had it because of COVID but are doing a social media blitz. He asked Council to support this and share it with everyone on their network. He talked about the agencies involved on this committee: The Washington County Attorney's Office, the DOVE Center, all the law enforcement agencies and their advocates and officers, medical examiners and specifically sexual assault nurse examiners, The Children's Justice Center, the Division of Child and Family Services, court representatives, Utah Legal Services, Youth Futures in Circle, Dixie State University Inclusion Center, Title 9, as well as mental health providers, stay safe organizations, Washington County School District and local community members. He said if anyone has the interest to be a part of that team to let Mayor Rosenberg know and he will get ahold of Linsey Boyer. Non-profits are always in need of funding so if anyone has extra cash they want to share that would be great too. He thanked the Council for their time and support.

2. Discussion and consideration to approve the Encroachment and Indemnification Agreement between Santa Clara City and Mark Sanders. Presented by Matt Ence, City

Attorney.

- Matt Ence introduced this item by reminding the Council that this is an item that has been addressed previously. Mr. Sanders had come to Council and made a request to place some improvements across the boundary between his property and City property up on the Heights. There has been some previous discussion of this and discussion of the circumstances involving his neighbors and some encroachment that was going on there. The main reason that this was put back on the agenda tonight was so that Mr. Sanders could come and talk about what he would like to do with the property and to get Council's approval for that if Council is agreeable to it. One of the things we had discussed before is if the Council wants to approve him placing these improvements on the City property one of the conditions of doing that should be for him to sign the same encroachment agreement that we had some of the neighbor's sign. This is a little different than the other circumstances because in the other circumstances the improvements were basically in place before anyone realized that they were encroaching on City property. Here the situation is the encroachment was caught early on, but Mr. Sanders is requesting that he can still go forward with this and put some improvements in place that haven't been done yet.

- Ben Shakespeare asked about Item 2 that it is a revocable license. He asked if this could be changed at a later date, and it is not granting it to be permanent.

- Matt Ence said in legal terms this is referred to as a license, which is permission to use property that can be revoked at any time. He said in the agreement it says there will be some notice given to the property owner if the City decides to revoke this permission. It is only permanent as long as the city wants to keep it in place. He said there has been discussion in the past about selling the City portion to the property owners along this area, but we have discussed that there is a real potential for a can of worms there too. He said we can talk about other options if the Council wants to.

- Denny Drake asked if this is going to be a recorded document in case the property sells so that any new purchaser would be aware of this situation and the ability to revoke it.

- Matt Ence said it would be recorded so it would be on the title to the property, which would show up on the title report that any subsequent owner received.

- Denny Drake said he feels uncomfortable with this becoming a first and that there will be others that follow and using this as a precedent. He said he is not sure he feels comfortable with that.

- Wendell Gubler said he feels the opposite. He said he thinks these situations need to be taken care of individually and he doesn't think there will be that many doing this. In this particular case the home was there and had a prior owner and Mr. Sanders bought the home thinking that the lot was set up the way the prior owner set it up and he made some decisions because of that. He said we need to take these situations individually and there won't be that many of them.

- Mark Sanders said he visited with Council about this for 45 minutes at a previous meeting. He said we clarified in great depth about the fireplace that he put in about 2 months after buying the home. He was upgrading by making a better fence. The layout had already been used for 7 years prior to this. He only found out he was encroaching on City property after he paid a surveyor to come out after Corey Bundy came out to sign off on a fence that he was upgrading. He had already ripped up the previous fence. The property had been used by the previous owner and then he put his first fence in the same

area. He hasn't added anything. He said once he did find out he was encroaching he hasn't put anything in. He wanted to get this cleared up. He just wants to continue using this property. He knows the fear is having water on there so everything he was planning on putting on there won't need to be watered at all. It is all xeriscape with gravel and ground cover and a trampoline that is already installed. He also talked about the wrought iron fence he would like to put in. He said he is not adding a lot of new stuff but simply replacing what he has had for years. He showed pictures to the Council.

- Wendell Gubler said he feels that Council ought to consider this just like we did the previous ones. It falls into the same category even though he is a second buyer. The original owner thought that was the property line just like the other homeowners we granted permission with the indemnification clause. We ought to let that happen.

- Ben Shakespeare said our concern has always been water and then precedence going forward.

- Wendell Gubler said he is not going to put water on it. This all started because the City bought the property on the other side after the lots were built. He said he doesn't understand why the City at that point didn't let the property owners know they were encroaching on City property. That was 10 years ago. The City didn't say anything at that time but now that we have had some issues with water. We shouldn't penalize Mark Sanders because the previous owner sold it to him and moved on. He said he thinks we ought to let him sign the indemnification clause and go ahead and do what he wants to do.

- Ben Shakespeare asked about the trees.

- Mark Sanders said he has two trees that are literally a foot or two in the city area.

- Ben Shakespeare asked per the agreement would Mr. Sanders take those trees out.

- Mark Sanders said if he needs to, he will dig them up and pull them forward a couple of feet.

- Ben Shakespeare said the bigger concern is the water going onto that soil.

- Brock Jacobsen talked about another home in this situation and they were asked to remove their trees and grass off of City property and they did so. He said the concern for future owners, the city is not going in backyards to see what people are doing and that poses a problem.

- Ben Shakespeare said the city is probably going to have to police that with any of the homes along that rim. He said we have had residents remove their irrigated landscape. He feels that the trees need to be moved back over that line to where they should be and that is verbalized in the agreement.

- Mark Sanders said that is fair.

- Matt Ence said for clarification on the record concerning the irrigation what the agreement requires is that the owner not irrigate on the encroachment property. It doesn't require them to move the plants. Mr. Sanders wouldn't have to move the trees if they are established enough that they can survive there. He has the option of switching to xeriscape with no irrigation there, but the agreement says it can't be irrigated beyond the line and if there is any issue created by that encroachment such as a slide or something else there would be some liability there.

- Wendell Gubler said the main reason we are doing this is because we have had slides in the city, and it is really a concern for the city to see homes built that are going to cause problems for the hillside. We do need to try and keep the water off the hillside. It could cause problems not just for Mr. Sanders home but other homes as well.

- Mark Sanders said that is not what he wants either. That area will be 100% xeriscape and no water will touch it.

Motion to Approve the Encroachment and Indemnification Agreement between Santa Clara City and Mark Sanders as long as the property is xeriscape, and no water is used in the encroachment area.

Motion by Wendell Gubler, seconded by Jarett Waite.

- Matt Ence asked for clarification that the motion is to make the signing of the agreement a condition of the approval.

Amended Motion to Approve the Encroachment and Indemnification Agreement between Santa Clara City and Mark Sanders as long as the property is xeriscape, and no water is used in the encroachment area and that the signing of the agreement is a condition of the approval.

Motion by Wendell Gubler, seconded by Jarett Waite.

Voting Aye: Jarett Waite, Ben Shakespeare, and Wendell Gubler.

Voting Nay: Denny Drake.

Motion Carried.

- Mark Sanders asked if he should wait to start anything until he signs the agreement or should he get it done and then sign it.

- Matt Ence said he will have him sign the agreement first and we will make sure it is available for him here at the City Offices and he can come in tomorrow and sign it.

- Mayor Rosenberg said we have a new member of the Staff. He introduced Cody Mitchell. He is the new Building Official for the City.

- Cody Mitchell said he worked for the city in 1998 and is happy to be back. He was a General Contractor. He worked for Ivins City for 20 years. He is still an active contractor.

3. Consider approval of a Preliminary Plat for The Point at Santa Clara on 23.6 acres generally located on the north side of Pioneer Parkway and just west of the Entrada development. Presented by Jim McNulty, City Planner.

- Jim McNulty stated that this is for a preliminary plat approval. This item went to and was heard at the Planning Commission recently on Sept. 7. They have forwarded a positive recommendation to the Council for Council's consideration of approval. He said he has been working with the applicant Clint Tolman/Gold Stream Holdings and Jim Peterson. They brought this plan and we saw that Lot 32 was repeated three different times, so we went through the lot numbers. There are 45 single-family residential lots and then 2 lots, one for townhome independent living. That is to the north with five buildings each of which will be in a three-plex configuration. Then there is the assisted living facility that will have approximately 100 units. We are looking at 150 units with 45 being single-family detached homes. He said he believes that Mr. Tolman and Gold Stream Homes came before the Council 6 months ago to talk about the plan. They talked at that time about the architectural style, the homes, what you would see with the assisted living facility and the different phases of the project. One of the issues that was brought

up during that discussion was doing a traffic impact study. They hired Hales Engineering to do a traffic impact study and their findings are that in 2026 the proposed project including Pioneer Parkway and the intersection with Red Mountain Drive will have acceptable level of service A, which is a pretty good level of service, and the intersection with Red Mountain Drive will operate at a level of service B. Those are pretty high levels of service as far as engineering. He said he was looking at the parking and doing a count of the parking today and it looks to be parked pretty good, referring to the assisted living facility. That was a question that came up previously. He said he counted a total of 85 parking spaces in those parking areas around the assisted living facility. Six of those include accessible spaces (ADA), 63 are uncovered spaces and 22 are covered spaces. The units themselves will have 2-car garages and driveways so there will be plenty of parking there as well. They will be doing public streets with a 50 ft cross-section, which includes the asphalt, curb and gutter, park strips and sidewalks on both sides of the street. That will be very nice for the residents. They will be able to walk our front and go for walks. There is open space on the north end with a trail that connects to the sidewalk system. There are two points of ingress and egress on Pioneer Parkway that are approximately 1,100 ft apart. He said this looks to be a good project and he likes the age in place concept. The Planning Commission made a positive recommendation to the City Council for preliminary plat approval. Staff recommends that the preliminary plat, as presented, be approved by the Council. A final plat will come back to Council. We are working with them on some red lines and slight adjustments, but it looks to be a good project.

- Jarett Waite asked if this would have secondary waterlines in it.
- Jim McNulty said he doesn't believe so.
- Mayor Rosenberg said we don't have secondary service in that part of the city.
- Ben Shakespeare said it is all desert-scape.
- Jim Peterson, Applicant, Gold Stream Holdings, said it will be all desert-scape. He said they are getting a lot of positive feedback about the project. It is an age-in-place concept. People can either purchase a home or live in an independent duplex or an independent apartment and there will also be some assisted living and some memory care.
- Ben Shakespeare said there is a sewer line that comes between 15 and 16 and this was all St. George property and in order to get to St. George sewer it would have had to go down to Lava Flow at a depth of 20+ ft through there and so the owner of the property worked with Jack Taylor and our Staff a couple of years ago and were able to work out the sewer easement. He said he thinks this would be a terrific addition to Santa Clara City and a great location.
- Denny Drake said he agrees. This is a viable project and something that is needed. It supplies a need for our area.
- Mayor Rosenberg asked Dustin if we talked to them about extending the sewer out to Black Desert. With the new Utility Master Plan for Black Desert the idea of bringing a sewer line down parallel to the waterline that is going to Black Desert could alleviate having to upsize some of the sewer line in the wash.
- Dustin Mouritsen, Public Works Director, said he is in the process of redlining the plans right now.
- Mayor Rosenberg said that one of the options for Black Desert was to extend that line to the west so that we can abandon the connection to St. George and connect to Santa Clara's line that is coming down from Black Desert. He asked Jim Peterson if he would

be opposed to having a sewer line parallel that waterline through Lot 43.

- Jim Peterson said he is not opposed to that.

- Mayor Rosenberg said we don't know if it will work for sure going that way but having the option to go that way could save a lot of money and additional sewer crossing across Pioneer Parkway.

- Dustin Mouritsen asked that if we take that sewer line that way do we need to upsize it all the way through the development.

- Mayor Rosenberg said that is what we need to look at. We can look at that as part of the final construction plan approval process.

- Jim Peterson said he doesn't see a problem with it, and they will run it by Rob, the Civil Engineer, but the only thing is depending on the feed we will probably have to upsize it.

- Mayor Rosenberg said it would be a fairly significant cost savings and disturbance savings if we could go that way. We will go through the sizing and coordinate that with their engineer as part of the plan review.

- Ben Shakespeare had a question about how this property would run. Do residents have the option to buy or are these rented? How does this facility work with the single-family and the assisted living? What options do people have living there?

- Jim Peterson said there is multiple different levels. The single-family home lots are like an active adult community. People can purchase the home and it is their home, but they can also partake of the programs that are happening in the main facility including pool, pickle ball courts, golf simulators, arts, and crafts and all those activities. That is the least level of care. The next level is the cottages that are just north of the facility. These are like townhomes. These people have more independence. The residents would not own these. They would lease them. They are part of the senior-living program. They also partake of the whole amenity package. For those who are not quite able to be independent and have their own townhome they can have an independent apartment in the facility. They have their independence and not a high level of care. As they age, they can go to the assisted living wing to receive help with more daily activities. The other wing of the building would be for memory care with full 24-hour care. He said there may be couples where one is in one level of care and the other is in another. There can be mixed levels.

- Brock Jacobsen asked about a trail connection in the west corner of the property. He said he doesn't see it on the map.

- Jim Peterson said it is still a plan to have that connection there.

Motion to Approve a Preliminary Plat for The Point at Santa Clara on 23.6 acres generally located on the north side of Pioneer Parkway and just west of the Entrada development.

Motion by Denny Drake, seconded by Wendell Gubler.

- Ben Shakespeare asked if we need to include in the motion any language on the extension of the sewer.

- Mayor Rosenberg suggested adding "subject to including a sewer extension out of the northwest corner".

Amended Motion to Approve a Preliminary Plat for The Point at Santa Clara on 23.6 acres generally located on the north side of Pioneer Parkway and just west of the Entrada development subject to including a sewer extension out of the northwest corner.

Motion by Denny Drake, seconded by Wendell Gubler.

Voting Aye: Denny Drake, Jarrett Waite, Ben Shakespeare, and Wendell Gubler.

Voting Nay: None.

Motion Carried.

6. Reports:

A. Mayor / Council Reports

Ben Shakespeare:

- The Flood Control Authority had a meeting. It is budget time of year. Things are moving along.

Jarett Waite:

- At League of Cities and Towns there was a presentation on using an RP&P for affordable housing. He wondered if that is something we can pursue maybe out in the South Hills.

- Mayor Rosenberg explained that the RP&P is a recreation for public purposes grant. Mayor Hart of Ivins City has been really pushing the BLM to be able to do that to help take the land cost out of affordable housing. We can check with the BLM office and see if it is a possibility. If so, we can approach that.

- Jarett Waite said he went on a walking tour of the granary district and saw all the cool murals that they painted on the buildings. He said he would love to have a few more murals in Santa Clara. He suggested the underpass on Pioneer Parkway. He would like Council to think about how we might pull that off. There is quite a bit of space there and quite a few patches where we have had to cover graffiti there. He also asked about guidance from the Council on what we should do concerning Utopia and fiber to the homes in Santa Clara. We are kind of at a crossroads. We met with other cities at the League that were ones that are current customers, and they are very pleased with the service and how it is going. He said he met with other cities in Southern Utah about possibly getting together and creating an interlocal agreement to do fiber. We just have to decide what we want to do in Santa Clara. He said he reached out to the finance team for Utopia to see where we are at on what we would have to do for our pledge if we went by ourselves and we would have to use some sales tax revenue as that backing. The payment is about \$400,000 a year. It is a \$6.7 million bond. What they prefer to do is to do half from a city's energy franchise revenues and half from sales tax revenues. We actually technically have enough in our energy franchise sales to cover that payment, but we would be tapping every last dollar in that, so they prefer to use sales tax revenues. He asked Council if they would like to pursue this. He said we are planning on \$1.6 million in sales tax revenues, and this would take \$200,000 of that. We couldn't use it for collateral for another loan. The \$400,000 would equate to about a \$5 million bond. He said the main drawback of doing an interlocal agreement is having to wait and they are expecting costs to go up about 5% in the new year and we are looking at, at least \$200,000 more a year which would be over \$7 million if we wait until next year. He said it could be a little tricky with other cities where they have their own take rates. He said the advantages of going with St. George is it could work out where we just use their bond rating and get a slightly better rate, but we definitely wouldn't get to it until next year

because we are still working on the agreement and it has to go before both Councils and the UIA Board and there is no way to get it done before the end of the year. If we join the interlocal agreement, we are definitely not going to have fiber for a while. We have the option of just doing it ourselves and we would get it first.

- Ben Shakespeare asked where St. George stands on the project.

- Jarett Waite said all the Staffs of the neighboring cities are very in favor of this but it hasn't gone before any of the Councils.

- Mayor Rosenberg said that everyone is pretty excited about it but none of the Councils have put it on an agenda yet and he doesn't know if Utopia has provided them with all the information they have given us. We are a little step ahead of them. If this is something that Council is excited and serious about, we could probably take a step forward. He said he wants to find out a little bit more information about the cost increase at the beginning of next year. What is triggering that and are they saying that just to get us to jump?

- Ben Shakespeare said his concern is that the private sector bringing this this way it might take a little longer. The private sector and other providers are going to get that here at some point.

- Mayor Rosenberg said the private sector has indicated that it is on their to-do list to expand out this way and make a lot of investment, but it is going to take a little while to get there where the Utopia would do it all with one swoop.

- Wendell Gubler said he thinks we ought to move with Utopia and not wait for the private sector. He doesn't think the private sector will keep their promises.

- Mayor Rosenberg said the other question that we need to know is if we want to jump in on our own or wait for Washington City and St. George City and Ivins City.

- Wendell Gubler said he doesn't see a problem with waiting a little while but if it is going to be a long wait then we ought to jump ahead and do it.

- Ben Shakespeare asked that when we go in and update roads are we updating conduit.

- Mayor Rosenberg said that every communication company that wants a conduit is given the opportunity to put one in the JEC trench. Utopia said they would. Any new development will include that and that is going to come into our new standard that any new development we are going to have those conduits in place, so we don't have to tear up the roads. Everybody recognizes that it is coming. It is just a matter of time and the process and who it is, but it is coming, and residents want it so from the city standpoint we are going to do everything we can to facilitate that. The big decision is do we go on our own or do we wait for the sister communities and go together so that is why we need to understand this price increase for the first of the year. The cities as a whole won't be in place before the first of the year but we possibly could be so what is the offset cost.

- Wendell Gubler said we need to send Jarett over and have him talk to the other City Councils to get it done.

- Mayor Rosenberg said he doesn't know why it's not on their Council meetings, but he has a suspicion that it has something to do with the election.

- Ben Shakespeare said it concerned him a little bit when TDS said they wouldn't use it.

- Mayor Rosenberg said at some point in time it will be a business decision.

- Denny Drake asked if a citizen doesn't want to participate in Utopia will they still pay to have that facilitated in the City of Santa Clara.

- Jarett Waite said no. The entire cost of the bond is paid by the ratepayers, the people that actually use the service. The city has to back the bond so if the take rate isn't high enough then we would help make that payment. It is actually made as a loan to UIA so

we would get paid back eventually. There is literally no cost to anyone that chooses to not use the service.

- Denny Drake asked if that is clearly understood so that if we have to do the bonding that the bonding is not going to effectively change what they are spending if a person decides not to be a participant.

- Jarett Waite said we don't actually do the bonding. It is UIA that does the bond, but we back the bond. It would limit our ability to borrow for that amount.

- Ben Shakespeare said we would be on the hook if we didn't get 40% participating.

- Jarett Waite said we would just have to help cover the payment and it would get paid back when subscription rate gets to a good enough point, they would give that money back to us.

- Mayor Rosenberg said the cities we met with at League have done it and they all indicated that they didn't think we would have any trouble getting that take rate and all the residents that have signed up are happy with the service and they are happy with the service, and it has allowed them to market business having that service available and they have met their take rates and they would all do it again.

- Wendell Gubler said he has a son that is on Utopia, and it is a world of difference. The speed is great, and the price is great. He said he thinks we should do it.

- Jarett Waite said we are at a crossroads as well because Utopia just received a request for a bid to run fiber to Santa Clara Elementary and Arrowhead Elementary. He said that the problem with waiting for private is if it is going to work out financially. There are certain areas where it is going to be too expensive to bore in Santa Clara and where they may not run fiber because it is not financially viable. This gets fiber to everyone in the city, and everyone has the same opportunity.

- Ben Shakespeare said he would be super in favor on one condition and that is that we commit as a Council to find sales tax revenue generating businesses in the last little bit of commercial property that we've got.

- Jarett Waite talked about how the fiber will be going all the way to the homes and Utopia has their own modem inside homes so it doesn't matter what wire is inside the homes they are bypassing all of it.

- Ben Shakespeare asked if there were any concerns from Staff or any comments on this.

- Gary Hall, Power Director, said there is no problem as long as they don't bore through power lines or sewer lines.

- Denny Drake asked if the bonding effectively hurts our rating. Do they use that bonding even though it is not us doing that, are guaranteeing it? Does it affect our bond rate?

- Jarett Waite said he doesn't know but he can ask.

- Mayor Rosenberg said from what he is hearing there is a lot of support from Council but we have a lot of questions so maybe over the next two weeks we can knock on a lot of doors of our sister communities and see how fast they are ready to go and let them know that we want to go and are not going to wait forever and there may be a big cost increase coming and try to get some answers on the bond rating and bring it back and see if we can get something put together by the end of the year.

Denny Drake:

- Nothing to report.

Wendell Gubler:

- He has some concerns about water. He said he didn't feel good about Zack Rehnstrom's presentation when he came to Council last month where he said that they were going to mandate this to happen and make sure there is xeriscape on everything and that there are second meters on everything. He doesn't feel good about mandating stuff. It is all controlled. He doesn't want to see the Water Conservancy District controlling the water. We have a pretty good situation in Santa Clara City with our wells and so forth and some of the other cities don't have the same situation, but we do. He would like to leave some of the water decisions up to the people themselves. He talked about his personal usage. People have their own way of doing things with their water. He said he would rather see us slow down growth when we get into situations where there is a shortage of water then to let developers do what they want and build out our city the way they want it and not necessarily how the people want it. He said he doesn't want a mandated situation and he would prefer to let our citizens tell us what they want to have happen and have them help us conserve water. He said he can see in new developments requiring some of this xeriscape, but we still need to have trees and grass and a situation where we can get oxygen to the people through those things. We need to be careful with this situation because sometimes people want to be in control, and it goes to their head, and we need to be careful and run our city the way we want to run our city and not let other people tell us how to run it.

- Mayor Rosenberg said that is good feedback and Wendell is not alone and from what he has heard from other elected officials there is some pushback to everything that is in the mandate that they are coming up with. What they are talking about doing with water conservation right now it only affects new growth and doesn't impact existing residents. They are concerned about the trees. They don't want to lose the trees. They are trying to reduce the consumption of the water and they want to promote the secondary. The frustrating part is we hear a lot of stuff, and we don't see the written form. He said we are pushing them to get a copy of that. Their last indication is that in November Washington County is scheduling a Water Summit where they will roll out the conservation measures but there is a lot of discussions in the Councils about which regulations they are going to do and the same comments that Wendell just made are coming from some of the other Councils as well. We will probably be rolling out some kind of a decision by the end of the year.

- Denny Drake said the 26,000 gallons to 36,000 gallons is one of the issues that came up and there is a lot of people in Southern Utah that stop watering in November and don't start watering until February so are they going to average that. Is it going to be a monthly average?

- Mayor Rosenberg said those are some of the discussions they are going to have. He said what he thinks is going to happen is that ordinance that we think is going to be affecting everybody is going to be different by communities.

- Denny Drake said the Water District has no ability to mandate so it has to come from the communities.

- Mayor Rosenberg said he doesn't see all the Councils in the Water District all coming to an agreement on the same thing. He thinks there is going to be some similarity but there is going to be some difference and it is going to be based on the politics and personality of the community and how well they have done in the past at providing water.

- Wendell Gubler said he would be more comfortable if we had a say on the Board.

- Mayor Rosenberg said it is a five-person Board and there are six cities, but we can push for a place. We are going to see a lot coming down in the next six weeks.

Mayor Rosenberg:

- Leina Mathis and himself have been working with Dixie State University on an alliance application. This is due Friday, and we are going to submit that application. It will bring us some help from the University at very little cost to the City and we can do things like a General Plan update and provide some survey information and we will use the student resources over there as part of that as well as some help with the downtown historic district development and environmental impacts on the Santa Clara River and marketing strategies for commercial and something to build community unity and involvement as well as geologic surveys to help us with our ground water and problems on our hillside and there is a bunch of scientific things that can come from this. He is excited about the opportunity.
- He and Gary Hall met with Lori Mangum at St. George City and talked about some of the terms and modifying the agreement for the 69kv power line, the loop line that goes from the water tank to the Sunbrook area and ties that substation and gives us a dual feed on our power. That could turn into our main feed, but we would still have our dual feed.
- Gary Hall said we will probably split the town in half so if something happened it would only knock out half of the city and then it would be easy to switch and get the rest of the city back on.
- Mayor Rosenberg said we have a meeting next week on the Chapel Street Park.
- Dustin submitted some design study documents for the Western Corridor to the MPO to try and get on that funding list. Staff is doing a lot of things and he appreciates them. They are doing a great job.

7. Executive Session:

- Executive Session to discuss pending or reasonably imminent litigation.

Motion to Enter Executive Session to discuss pending or reasonably imminent litigation.

Motion by Jarett Waite, seconded by Ben Shakespeare.

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

Voting Nay: None.

Motion Carried.

- Entered Executive Session at 6:37 p.m.
- Reconvened at 7:37 p.m.

8. Adjournment:

Motion to adjourn by Denny Drake.

Seconded by Ben Shakespeare with all members present voting aye.

Meeting Adjourned at 7:37 p.m.

Selena Nez – Deputy City Recorder

Date Approved: _____

DRAFT

**City of Santa Clara
Check Register
Checking 1889 - 10/14/2021 to 10/14/2021**

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account
BUSINESS SOLUTIONS GROUP	69405	15743	10/12/2021	10/14/2021	204.00	INV15743 BUSINESS LIC FORMS & ENV	104130-240 - OFFICE SUPPLIES
					\$204.00		
CITY OF ST GEORGE - UTILITIE	69406	100821-SC LINE	10/08/2021	10/14/2021	1,868.49	SNOW CANYON LINE SEP 2021	515110-275 - SNOW CANYON OP
CITY OF ST GEORGE - UTILITIE	69406	100821-WELL 6	10/08/2021	10/14/2021	7,185.79	SNOW CANYON WELL #6 SEP 2021	515110-271 - WELLS UTILITY COS
CITY OF ST GEORGE - UTILITIE	69406	100821-WELL7	10/08/2021	10/14/2021	3,558.44	SNOW CANYON WELL #7 SEP 2021	515110-271 - WELLS UTILITY COS
CITY OF ST GEORGE - UTILITIE	69406	10821-WTR TAN	10/08/2021	10/14/2021	10,854.66	WATER TANK SEP 2021	515110-275 - SNOW CANYON OP
					\$23,467.38		
					\$23,467.38		
CITY OF ST GEORGE-IMPACT	69407	JUL-SEP 2021	10/07/2021	10/14/2021	17,927.00	SEWER IMPACT FEES JUL-SEP 2021	522411-000 - SEWER IMPACT - ST
					\$17,927.00		
COMPUTECH CONSULTING	69408	21111	10/12/2021	10/14/2021	5,125.00	Standard Management Suite Plus Remote up	104130-310 - DATA PROCESSING
COMPUTECH CONSULTING	69408	21164	10/12/2021	10/14/2021	2,673.75	INV21164 NEW BACKUP SERVER, OTHER	104130-310 - DATA PROCESSING
					\$7,798.75		
					\$7,798.75		
DR. ROBERT R. FOSTER, D.O. P.	69409	OCT 2021-MED	10/07/2021	10/14/2021	600.00	MEDICAL SERVICES DIRECTOR-EMS & FIR	104230-370 - PROFESSIONAL SE
DR. ROBERT R. FOSTER, D.O. P.	69409	OCT 2021-MED	10/07/2021	10/14/2021	600.00	MEDICAL SERVICES DIRECTOR-EMS & FIR	104235-370 - PROFESSIONAL SE
					\$1,200.00		
					\$1,200.00		
ERIC GENTRY	69410	SEP 2021	10/07/2021	10/14/2021	1,500.00	PROFESSIONAL SERVICES	104120-330 - LEGAL SERVICES
					\$1,500.00		
EXPRESS LUBE	69411	49176	09/02/2021	10/14/2021	61.64	INV#49176-PARKS CHEV SILV 3500 OIL CH	104510-253 - REPAIRS & MAINTEN
EXPRESS LUBE	69411	49297	09/07/2021	10/14/2021	36.89	INV#49297-POWER F-150 OIL CHANGE	535310-253 - REPAIRS & MAINTEN
EXPRESS LUBE	69411	49368	09/09/2021	10/14/2021	61.64	INV#49368-PARKS GMC 2500 OIL CHG	104510-253 - REPAIRS & MAINTEN
EXPRESS LUBE	69411	49982	09/28/2021	10/14/2021	41.39	INV#49982-POWER F-350 OIL CHG	535310-253 - REPAIRS & MAINTEN
					\$201.56		
					\$201.56		
IPSA	69412	2791	09/28/2021	10/14/2021	500.00	INV#2791 HOTLINE SCHOOL-ERIK C & THO	535310-360 - TRAINING
IPSA	69412	2801	09/28/2021	10/14/2021	33.00	INV#2801 LINEMAN RODEO	535310-360 - TRAINING
					\$533.00		
					\$533.00		
JACKSON PEST CONTROL	69413	7068	09/16/2021	10/14/2021	85.00	INV #7068 PEST CONTROL CITY YARD	104410-260 - BUILDING MAINTEN
					\$85.00		
MARY JO HAFEN	69414	336486	10/01/2021	10/14/2021	75.00	BANQUET ROOM COORDINATOR SEP 202	104510-487 - BANQUET ROOM - T
MARY JO HAFEN	69414	91721-FLOAT E	09/17/2021	10/14/2021	80.79	ROYALTY FLOAT REPAIR EXP	104620-000 - MISS SANTA CLARA
					\$155.79		
					\$155.79		

**City of Santa Clara
Check Register
Checking 1889 - 10/14/2021 to 10/14/2021**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Invoice Number</u>	<u>Invoice Ledger Date</u>	<u>Payment Date</u>	<u>Amount</u>	<u>Description</u>	<u>Ledger Account</u>
MOUNTAIN LOAN CENTERS, IN	69415	100621	10/07/2021	10/14/2021	563.97	C STRATTON CASE # 139404996	102595-000 - GARNISMENTS PAY
					\$563.97		
ROBERT R. NICHOLSON	69416	OCT 2021	10/07/2021	10/14/2021	1,250.00	CITY PLANNER MONTHLY SERVICES	104240-370 - PROFESSIONAL SE
					\$1,250.00		
SHERRY LAIDLAW	69417	100621-SL	10/06/2021	10/14/2021	86.40	Reimburse Swiss Days Hands-on expense	104610-012 - HANDS ON
					\$86.40		
STATE OF UTAH / BLDG	69418	JUL-SEP 21	10/07/2021	10/14/2021	537.82	BUILDING SURCHARGE JUL-SEP 21	104240-940 - INTERGOVT CHARG
					\$537.82		
SWASEY, KIRSTEN LYNN	69419	101221-BAIL RE	10/12/2021	10/14/2021	200.00	BAIL REFUND CASE 211200075	102560-000 - BAIL & RESTITUTION
					\$200.00		
UPPER CASE PRINTING INK.	69420	17587	10/04/2021	10/14/2021	173.70	INV#17587-BACK OF BILL PRINTING	104130-370 - PROFESSIONAL SE
					\$173.70		
UTILITY FINANCIAL SOLUTIONS,	69421	23965UFS	10/04/2021	10/14/2021	5,310.00	INV23965UFS COS FP & RATE DESIGN	535310-320 - ENGINEERING SERV
UTILITY FINANCIAL SOLUTIONS,	69421	31271UFS	10/04/2021	10/14/2021	480.00	INV31271UFS MEETINGS NEW GENERATO	535310-320 - ENGINEERING SERV
					\$5,790.00		
					\$5,790.00		
WASHINGTON COUNTY- HCP	69422	JUL-SEP 2021	10/07/2021	10/14/2021	11,941.50	HCP IMPACT FEES JUL-SEP 21	102260-000 - HCP IMPACT FEES -
					\$11,941.50		
					\$73,615.87		

**City of Santa Clara
Check Register
Checking 1889 - 10/20/2021 to 10/20/2021**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Invoice Number</u>	<u>Invoice Ledger Date</u>	<u>Payment Date</u>	<u>Amount</u>	<u>Description</u>	<u>Ledger Account</u>
BLACKBOARD INC.	69423	1371318	09/10/2021	10/20/2021	3,150.00	INV 1371318 CONNECT GOV CARE ANNUA	104130-370 - PROFESSIONAL SE
					\$3,150.00		
CHILD SUPPORT SERVICES	69424	102021-873789	10/19/2021	10/20/2021	206.77	CASEY-C000873789 PAY PERIOD 10/20/202	102595-000 - GARNISMENTS PAY
					\$206.77		
CITY OF ST. GEORGE - MISC	69425	08308	10/05/2021	10/20/2021	176,353.45	Inv08308-SC WATER COMPACT FY21 FINAL	515110-275 - SNOW CANYON OP
CITY OF ST. GEORGE - MISC	69425	08404	09/30/2021	10/20/2021	9,331.50	Inv 08404-1st QTR FY22 SCHOOL RESOUR	104220-980 - SRO - ST. GEORGE
CITY OF ST. GEORGE - MISC	69425	08411	09/30/2021	10/20/2021	1,925.99	Inv 08411 - 1st QTR FY22 QTR POLICE DISP	104230-985 - COUNTY DISPATCH
					\$187,610.94		
					\$187,610.94		
HINTON BURDICK CPAs & ADVIS	69426	252400	09/30/2021	10/20/2021	2,900.00	INV 252400 FY 2021 AUDIT PROGRESS BIL	525210-340 - ACCOUNTING & AUD
HINTON BURDICK CPAs & ADVIS	69426	252400	09/30/2021	10/20/2021	2,900.00	INV 252400 FY 2021 AUDIT PROGRESS BIL	545410-340 - ACCOUNTING & AUD
					\$5,800.00		
					\$5,800.00		
HURST SALES CORPORATION	69427	SAC201228226	10/12/2021	10/20/2021	500.00	BLDG MAIN DEP REFUND PERMIT 20-226	102570-000 - BLDG SITE MAINTEN
					\$500.00		
LILLYWHITE STONE, INC	69428	863454	10/11/2021	10/20/2021	2,156.00	INV86354-REPAIR PLANTER & LIGHT POLE	104510-260 - BUILDING MAINTEN
LILLYWHITE STONE, INC	69428	863455	10/11/2021	10/20/2021	4,885.00	INV863455-REPAIR PLANTER BOX	104510-260 - BUILDING MAINTEN
					\$7,041.00		
					\$7,041.00		
NORTHWEST PIPE COMPANY	69429	SG392140	10/07/2021	10/20/2021	1,801.25	INV SG392140 CATCH BASIN ARROWHEAD	104410-730 - IMPROVEMENTS
					\$1,801.25		
OPTICARE OF UTAH	69430	000160381-OCT	10/04/2021	10/20/2021	350.05	VISION INSURANCE	102254-000 - OPTICARE VISION P
					\$350.05		
WESTERN UNITED ELECTRIC S	69431	6045304	10/12/2021	10/20/2021	71.58	INV 6045304 HY-CRIMPS	535310-466 - POWER LINES/POLE
WESTERN UNITED ELECTRIC S	69431	6045329	10/13/2021	10/20/2021	7,888.00	INV 6045329 TRANSFORMER AT QUENCH I	535310-254 - NEW SUBDIVISION E
					\$7,959.58		
					\$7,959.58		
					\$214,419.59		

Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Denny Drake

Wendell Gubler

Leina Mathis

Ben Shakespeare

Jarett Waite

CITY COUNCIL

Meeting Date: October 27, 2021

Agenda Item: 2

Applicant: Scott and Holly

Requested by: Scott and Holly Warren

Subject: Warren Amended

Description: Final Plat

Consider a proposed amended final plat for Lots 210 and 211 of the Hills at Santa Clara Subdivision, Phase 2B. Located off Colbey Loop near the west end of the city boundary. On Thursday, October 14, 2021, the Planning Commission heard this item and forwarded a positive recommendation for approval to the City Council.

Recommendation: Approval

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

Attachments:

https://sccity.org/wp-content/uploads/formidable/41/Warren-Plat-Amd_CC_Oct_27_2021.docx, <https://sccity.org/wp-content/uploads/formidable/41/CIS533-Holly-Warren-1483-Colbey-Loop-9-30-21-24X36-CIS-Finalized-1.pdf>, <https://sccity.org/wp-content/uploads/formidable/41/Hills-at-SC-amended-final-plat-application.pdf>



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

Staff Report

Subdivision Plat Amendment Summary and Recommendation

Public Body: Santa Clara City Council

Meeting Date: October 27, 2021

Current Zone: Mixed Lot Size

Property Address: 1471 Colbey Loop (Lot 210), and 1483 Colbey Loop (Lot 211)

Request: Amended Final Plat for Lots 210 and 211 of the Hills at Santa Clara Subdivision, Phase 2B

Applicant Name: Scott and Holly Warren

Staff Planner: Jim McNulty

Planning Staff Recommendation: Approval with conditions

Meeting Type: Public Meeting

PROJECT DESCRIPTION

The applicant's, Scott and Holly Warren, are requesting to amend the Hills at Santa Clara Subdivision, Phase 2B. This subdivision plat includes a total of 21-lots. The Warren's are proposing to amend lots 210 and 211. Lot 210 is currently 13,186 sq. ft. and will be reduced to 10,893 sq. ft. (0.25 acres). Lot 211 is currently 16,027 sq. ft. and will be increased to 18,321 sq. ft. (0.42 acres). The proposed plat amendment would allow for the applicants to place their home on lot 211.

Both amended lots will meet the area, width, and yard regulations as per Section 17.65.050 of ordinance. The applicants currently own both lots; however, lot 210 will be sold after final amended plat recordation. Lot 210 will allow for another future home in the neighborhood.

SITE & VICINITY DESCRIPTION

The subject properties are located near the west end of the city boundary at 1471 Colbey Loop, and 1483 Colbey Loop respectively. Major cross streets in the vicinity include Boomer's Loop and Clary Hills Drive.

ISSUES OF CONCERN/PROPOSED MITIGATION

No issues of concern have been identified for this application.

NEIGHBORHOOD RESPONSE

Notices were sent to the property owners within the Hills at Santa Clara Subdivision, Phase 2B. No responses have been received by city staff as of the writing of this report.

REVIEWING DEPARTMENTS

DEPARTMENT: *Building*

Recommendations: A geotechnical report will be required for both lots at the time of building permit submittal.

Required Revisions: None at this time.

DEPARTMENT: *Parks & Trails*

Recommendations: N/A

Required Revisions: N/A

DEPARTMENT: *Police & Fire*

Recommendations: N/A

Required Revisions: N/A

DEPARTMENT: *Power*

Recommendations: Public Utility Easements (PUE's) are required.

Required Revisions: None at this time.

DEPARTMENT: *Public Works*

Recommendations: Any public utility easement that's affected by this amendment needs to be relocated. A final mylar with signature blocks is required.

Required Revisions: To be determined.

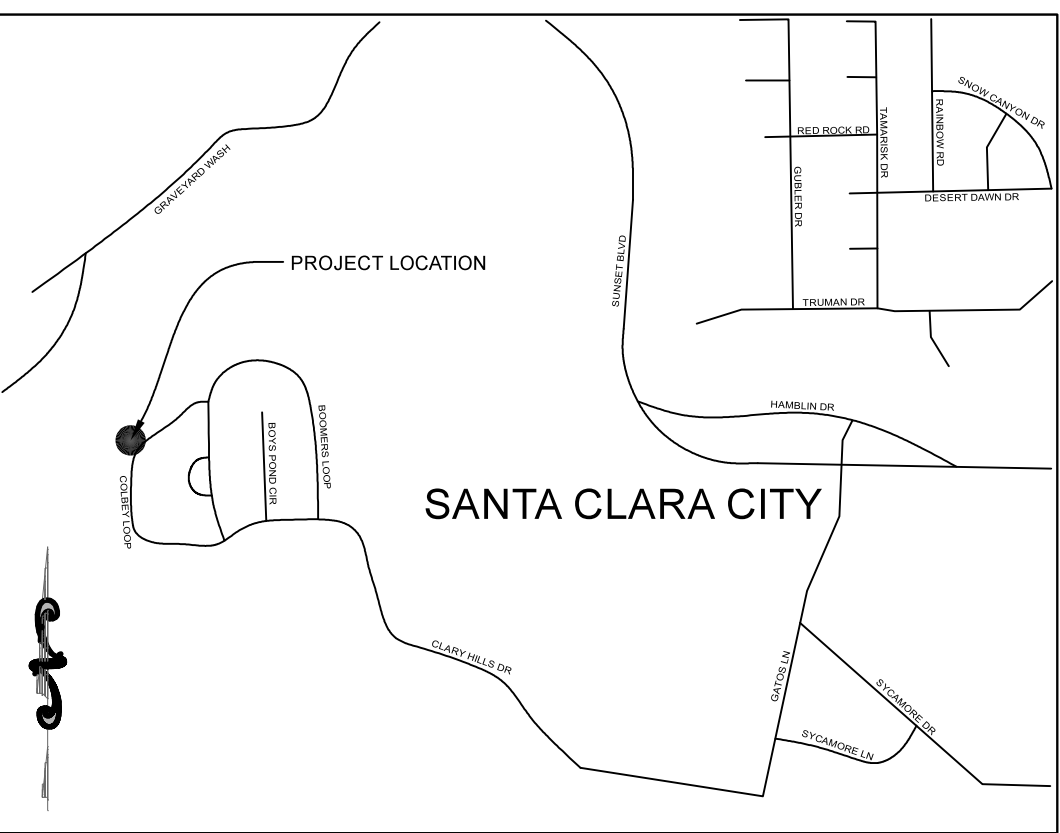
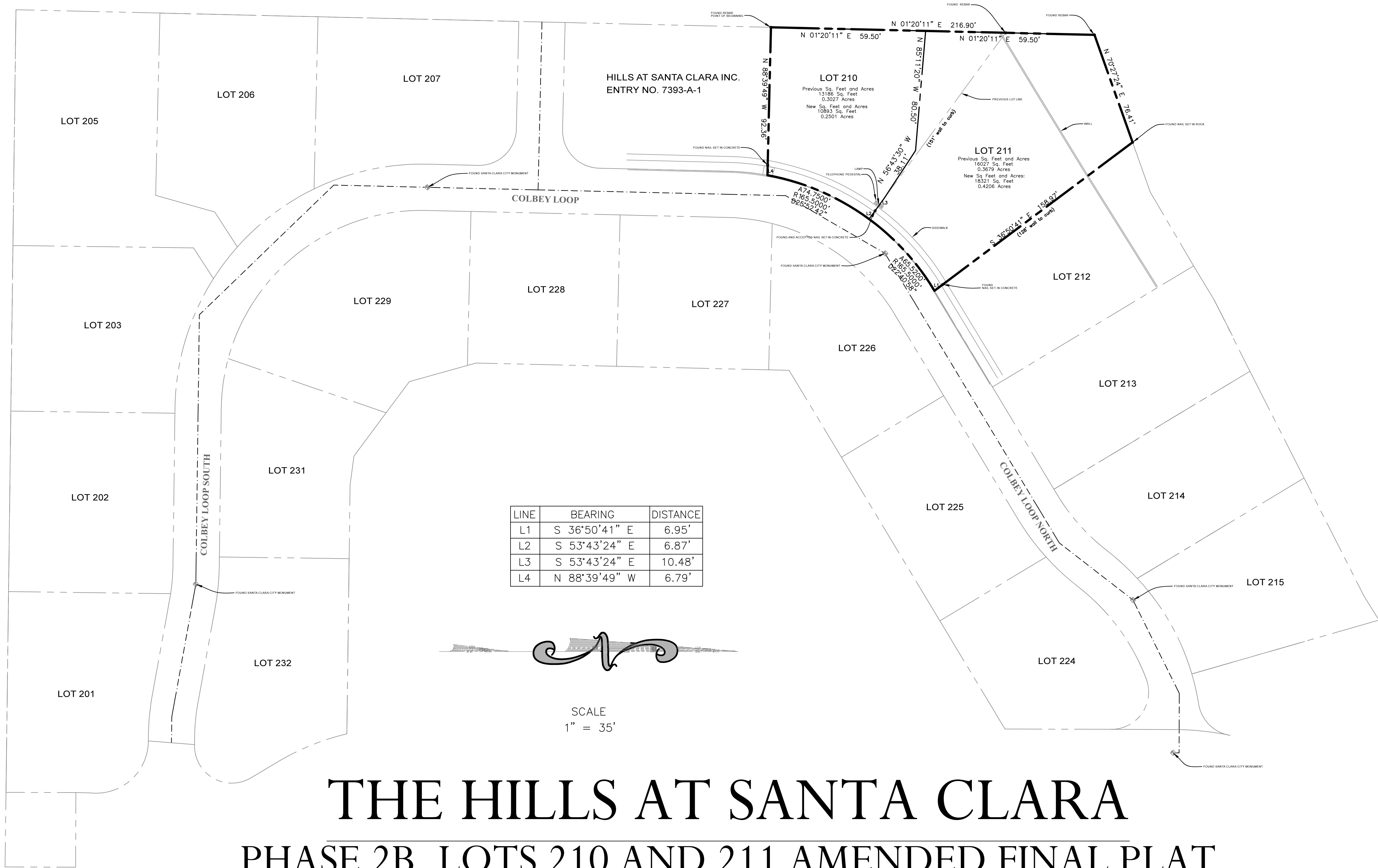
STATE CODE CONSIDERATIONS

Utah Code, Section 10-9a-207 includes requirements for subdivision amendments. To amend a subdivision, a city must hold at least one public meeting (not public hearing). Additionally, a public meeting to consider an amendment to a subdivision requires 10 days' notice rather than 24 hours' notice. A notice must also be sent to all property owners in the subdivision, with a notice in a visible location, with a sign of sufficient size and durability. Planning Staff has determined that all State Code requirements have been met with this application.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Santa Clara City Council approve the Amended Final Plat for Lots 210 and 211 of the Hills at Santa Clara Subdivision, Phase 2B subject to the following conditions:

1. That the applicants be required to comply with the recommendations from all city reviewing departments.
2. That the applicants be required to record the amended subdivision plat prior to building permit issuance.
3. That the applicants be required to submit a geotechnical report.



VICINITY MAP

SURVEYOR'S CERTIFICATION

I, CORY I. SQUIRE, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, CERTIFICATE NO. 5561206. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW. HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, AND EASEMENTS, HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

SEE SURVEYOR SIGNATURE AND SEAL BELOW
CORY I. SQUIRE

BOUNDARY DESCRIPTION

LOTS 210 AND 211 BOUNDARY DESCRIPTION AMENDED
BEGINNING AT THE SOUTHWEST CORNER OF LOT 210 OF THE HILLS AT SANTA CLARA SUBDIVISION, WASHINGTON COUNTY, UTAH, AND RUNNING THENCE NORTH 01°20'11" EAST 216.90 FEET ALONG SAID SUBDIVISION, THENCE NORTH 70°27'24" EAST 78.41 FEET ALONG SAID SUBDIVISION, THENCE SOUTH 38°50'41" EAST 188.87 FEET ALONG THE NORTHEAST LOT LINE OF LOT 211 OF SAID SUBDIVISION TO A FOUND NAIL, THENCE CONTINUING SOUTH 38°50'41" EAST 6.96 FEET TO THE CORNER OF SAID LOT 211, THENCE 65.50 FEET SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 165.50 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 47°37'11" WEST 88.08 FEET TO THE SOUTHEAST CORNER OF SAID LOT 211, THENCE 74.75 FEET SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 165.50 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 23°29'15" WEST 74.12 FEET TO THE SOUTHEAST CORNER OF SAID LOT 210, THENCE NORTH 88°39'49" WEST 6.79 FEET ALONG THE SOUTH LINE OF SAID LOT 210 TO A FOUND NAIL SET IN CONCRETE, THENCE CONTINUING NORTH 88°39'49" WEST 92.38 FEET ALONG THE LOT LINE TO THE POINT OF BEGINNING.

PARCEL NUMBER(S): SC-HSA-2B-210, SC-HSA-2B-211

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYORS CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATE, GRANT AND CONVEY TO SANTA CLARA CITY, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO DEDICATE TO SANTA CLARA CITY THOSE CERTAIN STRIPS AS EASEMENTS FOR PUBLIC UTILITY PURPOSES AS SHOWN HEREON, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, AS MAY BE AUTHORIZED BY SANTA CLARA CITY, IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS ____ DAY OF _____, A.D. 20__.

BY: EDWIN SCOTT WARREN BY: HOLLY WARREN

ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF WASHINGTON) ss
ON THE ____ OF _____, 20__ BEFORE ME, A NOTARY PUBLIC IN AND FOR THE SAID STATE, APPEARED EDWIN SCOTT WARREN & HOLLY WARREN, PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY AND THAT BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

NOTARY PUBLIC MY COMMISSION EXPIRES _____

THE HILLS AT SANTA CLARA
PHASE 2B, LOTS 210 AND 211 AMENDED FINAL PLAT

SECTION 17, TOWNSHIP 42 SOUTH, RANGE 16 WEST, S.L.B. & M.
SANTA CLARA CITY, WASHINGTON COUNTY, STATE OF UTAH



PROFESSIONAL LAND SURVEYING
295 N 200 E MONA UTAH 84645
(435)660-0816 CORY@CISPLS.COM

ENGINEERS APPROVAL:

THE HEREON SUBDIVISION HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.
THIS ____ DAY OF _____, A.D. 20__.

ENGINEER
SANTA CLARA CITY, UTAH

APPROVAL OF THE PLANNING COMMISSION:

ON THIS THE ____ DAY OF _____, A.D. 20__, THE PLANNING COMMISSION OF SANTA CLARA CITY, HAVING REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF SANTA CLARA CITY'S PLANNING ORDINANCES, AND BY AUTHORIZATION OF SAID COMMISSION, HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY SANTA CLARA CITY, UTAH.

CHAIRMAN OF THE PLANNING COMMISSION
SANTA CLARA CITY, UTAH

CITY SURVEYOR'S CERTIFICATE:

I, THE SANTA CLARA CITY SURVEYOR, DO HEREBY VERIFY THAT THIS OFFICE HAS EXAMINED THIS SUBDIVISION PLAT AND HAVE DETERMINED THAT IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

CITY SURVEYOR
SANTA CLARA CITY, UTAH

APPROVAL AND ACCEPTANCE BY THE CITY OF SANTA CLARA, UTAH:

WE, THE MAYOR AND CITY COUNCIL OF SANTA CLARA CITY, UTAH, HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORDED IN THE MINUTES OF ITS MEETING OF THE ____ DAY OF _____, A.D. 20__, HEREBY ACCEPT THE SAID SUBDIVISION WITH ALL COMMITMENTS AND ALL OBLIGATIONS PERTAINING THERETO.

CITY RECORDER
SANTA CLARA CITY, UTAH
MAYOR
SANTA CLARA CITY, UTAH

APPROVAL AS TO FORM:

APPROVED AS TO FORM, THIS ____ DAY OF _____, A.D. 20__.

CITY ATTORNEY
SANTA CLARA CITY, UTAH

TREASURER APPROVAL:

I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS ____ DAY OF _____, A.D. 20__, THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.

WASHINGTON COUNTY TREASURER

SURVEYOR



CLERK-RECORDER

RECORDED NO:

FEE
COUNTY RECORDER
WASHINGTON COUNTY, UTAH



Residential Subdivision Final Plat Application Amended

Santa Clara City
2603 Santa Clara Dr
Santa Clara, UT 84765
(435) 656-4690 FAX: (435) 879-5298

Subdivision Name: The Hills at Santa Clara, Phase 2B

Applicant(s)/Property Owner(s) Information

(Edwin)
Name: Scott and Holly Warren
Address: 140 N. Tuacahn Drive Unit 6
City: Wins State: UT Zip: 84738
Phone Number: 435-772-6546

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone Number: _____

(If additional property owners please add addendum)

Property Description

Section(s): 17 Township(s): 42 South Range: 116 West
Current Zoning Designation: Mixed Lot Size
Parcel Size (acres): .25 (Lot 210), .42 (Lot 211)
Number of Lots: Two total, Lot 210 and Lot 211
Major Cross Street(s): Boomers Loop, Clary Hills

Approvals Required By:

- ☐ Technical Review Committee (Staff) - meets every Thursday at 8:30 a.m.
- ☐ Planning Commission - meets every second Thursday of each month at 5:30 p.m.
- ☐ City Council - meets the second and fourth Wednesdays of each month at 5:00 p.m.

Attached checklists serve as a guide for adhering to Santa Clara City's subdivision process/requirements. City Staff will use the checklists for completeness reviews and insuring code compliance for subdivisions. For comprehensive information on the subdivision requirements/process, refer to appropriate City Codes and Statutes.

Office Use Only:

Date plan submitted: _____

Date plan accepted: _____

Subdivision/Development Approval Checklist

FINAL PLAT CHECKLIST

			I. Final Plat Requirements
Y	N	N/A	A. TRC with developer
Y	N	N/A	A. Submittal of: 1) Engineering Drawings (3 copies); 2) Final Plat (8 11"x17" & 1 8.5"x11"); 3) One (1) Mylar; and 4) Engineer Cost Estimates
Y	N	N/A	B. Completeness Review (Chapter 16.24)
			1. Description and delineation (16.24.20)
Y	N	N/A	a. Name of subdivision approved by the Planning Commission
Y	N	N/A	b. Identification system for all lots: name of streets, easements, and lot sizes
Y	N	N/A	c. Traverse of the perimeter of the subdivision
Y	N	N/A	d. Monumentation and survey control 1. Official Monuments 2. Street Monuments 3. Street centerline data and street widths... 4. Property Corners set prior to recording of final plat.
Y	N	N/A	e. Dedication to the public of all streets, easements, etc.
Y	N	N/A	f. North arrow, scale, point of beginning, legal description and basis of bearing.
Y	N	N/A	g. Subdivision boundary closures shall be .01 or less on exterior boundaries and .02 on interior lots
			2. Standard Forms (16.24.030)
Y	N	N/A	a. Surveyor's "Certificate of Survey"
Y	N	N/A	b. Owner's "Certificate of Dedication"- signed by all owners
Y	N	N/A	c. Notary Public's Acknowledgement of all signatures
Y	N	N/A	d. Notarized Consent of all Leinholders
Y	N	N/A	e. Planning Commission's "Certificate of Approval"
Y	N	N/A	f. City Engineer's "Certificate of Approval"
Y	N	N/A	g. City Surveyor's "Certificate of Approval"
Y	N	N/A	h. City Attorney's "Certificate of Approval"
Y	N	N/A	i. City Council's "Certificate of Approval"
Y	N	N/A	j. A one-and-one half by five-inch space in the lower right-hand corner of the plat for the county recorder.
Y	N	N/A	k. Quit Claim Deed from Irrigation Company – Heights Only
Y	N	N/A	l. General Notes – The following general notes must appear on the plat: 1. Notes Pertaining to the Issuance of building permit until all utilities are installed 2. Notes Pertaining to Unstable Soil Conditions 3. Basis of Bearings for Plat 4. Property is Subject to Findings, Summary and Conclusions of a Geotechnical Report 5. R-of-W Landscaping Requirements & Subsequent Maintenance Requirements

			3. Additional Information Submitted with Final Plat (16.24.040)
Y	N	N/A	a. Deed restrictions in final form signed by all owners of any interest: if applicable
Y	N	N/A	b. Engineer's itemized estimate of the cost of all required improvements to be developed in the subdivision and a separate cost estimate for any upsizing of piping
Y	N	N/A	c. Current title report
Y	N	N/A	d. Final utility plans: Water, sewer, power and natural gas
Y	N	N/A	e. Final drainage plans
			1. Complete drainage system for entire subdivision
			2. Comprehensive of drainage system to include area of subdivision but surrounding areas.
			3. Final Plans and profiles for all streets to be constructed: reviewed and approved by engineer
			4. Erosion control plan where applicable
Y	N	N/A	f. Soils report covering each lot in the subdivision as per geotechnical requirements prepared by a soil testing laboratory acceptable to the City
Y	N	N/A	g. Irrigation Company: existing ditch/easement issues on property
Y	N	N/A	D. Conformance to Applicable Rules and Regulations
			1. Subdivision plan complies with all applicable laws, plans, and regulations:
Y	N	N/A	a. Zoning Ordinance
Y	N	N/A	b. General Plan
Y	N	N/A	c. UDOT; Health Department, etc.
Y	N	N/A	d. Standards adopted by the City including all boards, commissions, etc.
Y	N	N/A	E. Self-imposed Restrictions Incorporated – Restrictions:
Y	N	N/A	F. Special Conditions Incorporated (ex. Historical district) – E.G.:
Y	N	N/A	G. Planning Commission Review and Recommendation- Date(s) of review: Date of Recommendation
Y	N	N/A	H. Inclusion of Planning Commission Changes
Y	N	N/A	I. Final Plat and Engineer drawings are to comply with all sections of the City's Design Standards found in Chapter 16.28 (Red lines comply)
Y	N	N/A	J. Engineering Plans Approved by City Engineer and City Staff
			Public Services Date signed: _____
			Public Safety Date signed: _____
			City Engineer Date signed: _____
Y	N	N/A	K. City Council Review and Adoption of Final Plat-Date of Review(s):
			Date of Adoption: _____
Y	N	N/A	L. Inclusion of City Council Changes

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Denny Drake
Wendell Gubler
Leina Mathis
Ben Shakespeare
Jarett Waite

CITY COUNCIL

Meeting Date: October 27, 2021

Agenda Item: 3

Applicant: Joshua Hurst

Requested by: Shakespeare Development Group

Subject: Amended Final

Description: Plat

Consider a proposed amended final plat for Lots 19 and 21 of the Rhone Subdivision. Located off Bonneli Trail, and north of the Santa Clara River. On Thursday, October 14, 2021, the Planning Commission heard this item and forwarded a recommendation of approval to the City Council.

Recommendation: Approval

Cost: N/A

Legal Approval: Yes

Finance Approval: Yes

Budget Approval: Yes

Attachments:

https://sccity.org/wp-content/uploads/formidable/41/Rhone-Amd-Plat_CC_Oct_27_2021.docx, <https://sccity.org/wp-content/uploads/formidable/41/Amended-Plat-Application-9-14-2021.pdf>, <https://sccity.org/wp-content/uploads/formidable/41/Amended-Final-Plat-Sketch-9-14-2021.pdf>



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

Staff Report

Subdivision Plat Amendment Summary and Recommendation

Public Body: Santa Clara City Council

Meeting Date: October 27, 2021

Current Zone: R-1-10

Property Address: 3162 Bonneli Trail and 1177 Old Farm Road

Request: Amended Final Plat for Lots 19 and 21 of the Rhone Subdivision

Applicant Name: Shakespeare Development Group

Staff Planner: Jim McNulty

Planning Staff Recommendation: Approval with conditions

Meeting Type: Public Meeting

PROJECT DESCRIPTION

Shakespeare Development Group representing Joshua Hurst, is requesting to amend the Rhone Subdivision. This subdivision plat includes a total of 24-lots. The applicant is proposing to amend lots 19 and 21. Lot 19 is currently 39,598 sq. ft. and will be increased to 61,374 sq. ft. (1.40 acres). Lot 21 is currently 40,557 sq. ft. and will be reduced to 18,781 sq. ft. (0.43 acres). The proposed plat amendment would allow for the owner, Joshua Hurst, to build his proposed home on lot 19.

Both amended lots will meet the area, width, and yard regulations as per Section 17.64.050 of ordinance. Mr. Hurst currently owns both lots. Lot 21 will be sold after the amended final plat is recorded. Lot 21 will allow for another future home in the neighborhood.

SITE & VICINITY DESCRIPTION

The subject properties are located off Bonneli Trail, and north of the Santa Clara River at 3162 Bonneli Trail, and 1177 Old Farm Road respectively. Major cross streets in the vicinity include these two streets, as well as Vernon's Street.

ISSUES OF CONCERN/PROPOSED MITIGATION

No issues of concern have been identified for this application.

NEIGHBORHOOD RESPONSE

Notices were sent to the property owners within the Rhone Subdivision. No responses have been received by city staff as of the writing of this report.

REVIEWING DEPARTMENTS

DEPARTMENT: *Building*

Recommendations: A geotechnical report will be required for both lots at the time of building permit submittal.

Required Revisions: None at this time.

DEPARTMENT: *Parks & Trails*

Recommendations: N/A

Required Revisions: N/A

DEPARTMENT: *Police & Fire*

Recommendations: N/A

Required Revisions: N/A

DEPARTMENT: *Power*

Recommendations: Public Utility Easements (PUE's) are required.

Required Revisions: None at this time.

DEPARTMENT: *Public Works*

Recommendations: Utilities will have to be abandoned and relocated. Any public utility easement will need to remain as is. A final mylar with signature blocks is required.

Required Revisions: To be determined.

STATE CODE CONSIDERATIONS

Utah Code, Section 10-9a-207 includes requirements for subdivision amendments. To amend a subdivision, a city must hold at least one public meeting (not public hearing). Additionally, a public meeting to consider an amendment to a subdivision requires 10 days' notice rather than 24 hours' notice. A notice must also be sent to all property owners in the subdivision, with a notice in a visible location, with a sign of sufficient size and durability. Planning Staff has determined that all State Code requirements have been met with this application.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Santa Clara City Council approve the Amended Final Plat for Lots 19 and 21 of the Rhone Subdivision subject to the following conditions:

1. That the applicant be required to comply with the recommendations from all city reviewing departments.
2. That the applicant be required to record the amended subdivision plat prior to building permit issuance.
3. That the applicant be required to submit a geotechnical report.



Residential Subdivision Final Plat Application Amended

Santa Clara City
2603 Santa Clara Dr
Santa Clara, UT 84765
(435) 656-4690 FAX: (435) 879-5298

Subdivision Name: Rhone Subdivision - Amended Plat

Applicant(s)/Property Owner(s) Information

Name: <u>Shakespeare Development</u>	Name: _____
Address: <u>37 West 1070 South, Suite 102</u>	Address: _____
City: <u>St. George</u> State: <u>UT</u> Zip: <u>84770</u>	City: _____ State: _____ Zip: _____
Phone Number: <u>435-703-4164</u>	Phone Number: _____

(If additional property owners please add addendum)

Property Description

Section(s): 16 Township(s): 42 S Range: 16 W
Current Zoning Designation: R-1-10
Parcel Size (acres): 13.14
Number of Lots: 24 (2 lots affected by amendment)
Major Cross Street(s): Bonelli Trail + Old Farm Rd.

Approvals Required By:

- ☐ Technical Review Committee (Staff) - meets every Thursday at 8:00 a.m.
- ☐ Planning Commission - meets every second Thursday of each month at 5:30 p.m.
- ☐ City Council - meets the second and fourth Wednesdays of each month at 5:00 p.m.

Attached checklists serve as a guide for adhering to Santa Clara City's subdivision process/requirements. City Staff will use the checklists for completeness reviews and insuring code compliance for subdivisions. For comprehensive information on the subdivision requirements/process, refer to appropriate City Codes and Statutes.

Office Use Only:

Date plan submitted: _____ Date plan accepted: _____

Subdivision/Development Approval Checklist

FINAL PLAT CHECKLIST

			I. Final Plat Requirements
Y	N	N/A	A. TRC with developer
Y	N	N/A	A. Submittal of: 1) Engineering Drawings (3 copies); 2) Final Plat (8 11"x17" & 1 8.5"x11"); 3) One (1) Mylar; and 4) Engineer Cost Estimates
Y	N	N/A	B. Completeness Review (Chapter 16.24)
			1. Description and delineation (16.24.20)
Y	N	N/A	a. Name of subdivision approved by the Planning Commission
Y	N	N/A	b. Identification system for all lots: name of streets, easements, and lot sizes
Y	N	N/A	c. Traverse of the perimeter of the subdivision
Y	N	N/A	d. Monumentation and survey control
			1. Official Monuments
			2. Street Monuments
			3. Street centerline data and street widths...
			4. Property Corners set prior to recording of final plat.
Y	N	N/A	e. Dedication to the public of all streets, easements, etc.
Y	N	N/A	f. North arrow, scale, point of beginning, legal description and basis of bearing.
Y	N	N/A	g. Subdivision boundary closures shall be .01 or less on exterior boundaries and .02 on interior lots
			2. Standard Forms (16.24.030)
Y	N	N/A	a. Surveyor's "Certificate of Survey"
Y	N	N/A	b. Owner's "Certificate of Dedication"- signed by all owners
Y	N	N/A	c. Notary Public's Acknowledgement of all signatures
Y	N	N/A	d. Notarized Consent of all Leinholders
Y	N	N/A	e. Planning Commission's "Certificate of Approval"
Y	N	N/A	f. City Engineer's "Certificate of Approval"
Y	N	N/A	g. City Surveyor's "Certificate of Approval"
Y	N	N/A	h. City Attorney's "Certificate of Approval"
Y	N	N/A	i. City Council's "Certificate of Approval"
Y	N	N/A	j. A one-and-one half by five-inch space in the lower right-hand corner of the plat for the county recorder.
Y	N	N/A	k. Quit Claim Deed from Irrigation Company – Heights Only
Y	N	N/A	l. General Notes – The following general notes must appear on the plat:
			1. Notes Pertaining to the Issuance of building permit until all utilities are installed
			2. Notes Pertaining to Unstable Soil Conditions
			3. Basis of Bearings for Plat
			4. Property is Subject to Findings, Summary and Conclusions of a Geotechnical Report
			5. R-of-W Landscaping Requirements & Subsequent Maintenance Requirements

			3. Additional Information Submitted with Final Plat (16.24.040)
Y	N	N/A	a. Deed restrictions in final form signed by all owners of any interest: if applicable
Y	N	N/A	b. Engineer's itemized estimate of the cost of all required improvements to be developed in the subdivision and a separate cost estimate for any upsizing of piping
Y	N	N/A	c. Current title report
Y	N	N/A	d. Final utility plans: Water, sewer, power and natural gas
Y	N	N/A	e. Final drainage plans
			1. Complete drainage system for entire subdivision
			2. Comprehensive of drainage system to include area of subdivision but surrounding areas.
			3. Final Plans and profiles for all streets to be constructed: reviewed and approved by engineer
			4. Erosion control plan where applicable
Y	N	N/A	f. Soils report covering each lot in the subdivision as per geotechnical requirements prepared by a soil testing laboratory acceptable to the City
Y	N	N/A	g. Irrigation Company: existing ditch/easement issues on property
Y	N	N/A	D. Conformance to Applicable Rules and Regulations
			1. Subdivision plan complies with all applicable laws, plans, and regulations:
Y	N	N/A	a. Zoning Ordinance
Y	N	N/A	b. General Plan
Y	N	N/A	c. UDOT; Health Department, etc.
Y	N	N/A	d. Standards adopted by the City including all boards, commissions, etc.
Y	N	N/A	E. Self-imposed Restrictions Incorporated – Restrictions:
Y	N	N/A	F. Special Conditions Incorporated (ex. Historical district) – E.G.:
Y	N	N/A	G. Planning Commission Review and Recommendation- Date(s) of review: Date of Recommendation
Y	N	N/A	H. Inclusion of Planning Commission Changes
Y	N	N/A	I. Final Plat and Engineer drawings are to comply with all sections of the City's Design Standards found in Chapter 16.28 (Red lines comply)
Y	N	N/A	J. Engineering Plans Approved by City Engineer and City Staff
			Public Services Date signed: _____
			Public Safety Date signed: _____
			City Engineer Date signed: _____
Y	N	N/A	K. City Council Review and Adoption of Final Plat-Date of Review(s):
			Date of Adoption: _____
Y	N	N/A	L. Inclusion of City Council Changes

1/4 CORNER SECTIONS 16-17
T.42S, R.16W, S.L.B.&M.
FOUND REBAR 0.9' S. & 0.9' E. OF
CALCULATED HISTORICAL POSITION
RESET WITH 3" POST AND BRASS CAP

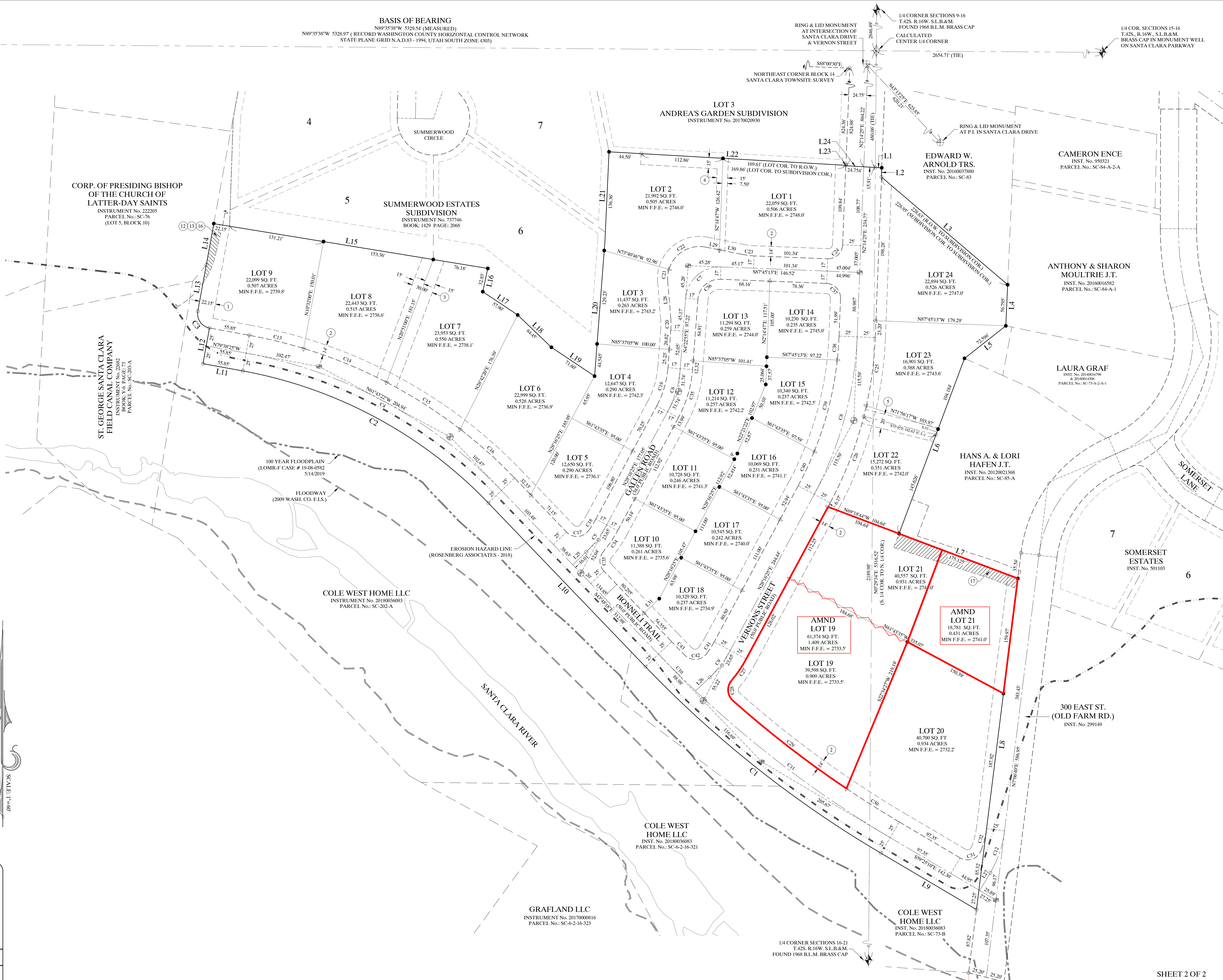
BASIS OF BEARING

N89°35'38"W 5328.97' (RECORD WASHINGTON COUNTY HORIZONTAL CONTROL NETWORK
STATE PLANE GRID N.A.D.83 - 1994, UTAH SOUTH ZONE 4305)

1/4 COR. SECTIONS 15-16
T.42S, R.16W, S.L.B.&M.
BRASS CAP IN MONUMENT WELL
ON SANTA CLARA PARKWAY

Curve Table			
Curve #	Length	Radius	Delta
C1	415.60'	1525.00'	15°36'52"
C2	390.90'	625.00'	35°50'07"
C3	31.42'	20.00'	90°00'00"
C4	406.54'	650.00'	35°50'07"
C5	46.92'	150.00'	17°55'17"
C6	62.55'	150.00'	23°53'30"
C7	72.08'	47.00'	87°51'52"
C8	227.18'	500.00'	26°02'00"
C9	46.92'	150.00'	17°55'17"
C10	72.01'	1500.00'	2°45'02"
C11	336.77'	1500.00'	12°51'49"
C12	61.44'	150.00'	23°28'10"
C13	77.20'	675.00'	6°33'10"
C14	123.59'	675.00'	10°29'25"
C15	120.67'	675.00'	10°14'35"
C16	100.72'	675.00'	8°32'57"
C17	34.82'	20.00'	99°44'58"
C18	18.97'	133.00'	8°10'18"
C19	55.46'	133.00'	23°53'30"
C20	15.83'	100.00'	9°04'04"
C21	16.13'	44.00'	21°00'23"
C22	65.27'	44.00'	84°59'37"
C23	15.83'	100.00'	9°04'04"
C24	31.42'	20.00'	90°00'22"
C25	95.04'	525.00'	10°22'20"
C26	143.50'	525.00'	15°39'40"
C27	36.10'	175.00'	11°49'07"
C28	30.88'	20.00'	88°27'55"
C29	198.07'	1475.00'	7°41'38"
C30	86.31'	1475.00'	3°21'09"
C31	34.58'	20.00'	99°03'15"
C32	31.45'	125.00'	14°24'55"
C33	29.37'	20.00'	84°07'36"
C34	35.12'	167.00'	12°02'33"
C35	69.64'	167.00'	23°53'30"
C36	46.01'	30.00'	87°51'52"
C37	31.41'	20.00'	89°59'38"
C38	33.04'	475.00'	3°59'06"
C39	130.63'	475.00'	15°45'24"
C40	52.16'	475.00'	6°17'31"
C41	19.57'	125.00'	8°58'15"
C42	34.19'	20.00'	97°56'17"
C43	26.06'	1475.00'	1°00'44"

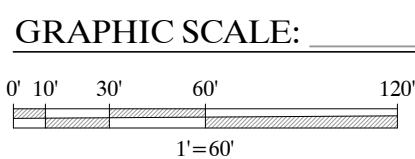
Line Table		
Line #	Length	Direction
L1	8.84'	S86°44'05"E
L2	12.65'	N2°14'25"E
L3	228.95'	N49°31'24"W
L4	56.80'	N2°32'00"E
L5	72.60'	N51°47'36"E
L6	258.12'	N20°28'19"E
L7	175.13'	N69°18'44"W
L8	460.46'	N7°06'40"E
L9	153.15'	S59°25'10"E
L10	312.98'	N43°48'18"W
L11	55.85'	N79°38'25"W
L12	50.00'	N10°21'35"E
L13	64.92'	N10°21'35"E
L14	57.79'	N10°21'35"E
L15	382.90'	S80°43'05"E
L16	32.83'	S12°11'55"W
L17	57.90'	S56°17'05"E
L18	64.45'	S46°11'05"E
L19	71.60'	S56°17'05"E
L20	187.34'	N4°22'55"E
L21	122.80'	N2°37'55"E
L22	327.22'	S86°44'05"E
L23	0.62'	S2°14'25"W
L24	40.67'	S86°44'05"E
L25	25.86'	S46°11'42"W
L26	27.16'	S46°11'42"W
L27	28.48'	S30°34'50"W
L28	52.03'	N4°41'09"W
L29	19.12'	N78°41'09"W
L30	32.91'	N78°41'09"W
L31	28.84'	S46°11'42"W



LEGEND:

- SET CORNER - 5/8" X 20" REBAR & PLASTIC CAP - ROSENBERG ASSOCIATES
- NOTHING SET OR FOUND
- ✦ FOUND SECTION MONUMENTATION AS SHOWN AND DESCRIBED
- ⊕ TO BE SET STANDARD SANTA CLARA CITY SURVEY MONUMENT - CLASS 1
- ⊕ TO BE SET STANDARD SANTA CLARA CITY SURVEY MONUMENT - CLASS 2
- ⊕ ALL MONUMENTS ARE SET ON TANGENT LINES UNLESS OTHERWISE NOTED
- ⊕ EXISTING STANDARD SANTA CLARA CITY SURVEY MONUMENT - CLASS 1
- ⚠ SET P.K. NAIL IN TOP OF CURB AT APPROXIMATE 0.25' OFFSET TO FRONT PROPERTY CORNER. POSITION IS SET AT AN EXTENSION OF THE LOT LINE UNLESS OTHERWISE NOTED

EXISTING EASEMENTS
(REFERENCE EASEMENT SCHEDULE
ON SHEET 1 OF 2)



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

5189-18-005 SURVEY FPLAT FILE NUMBER:	08/07/2019 DATE:	M.R.D. DRAWN:
5189-18-005 JOB NUMBER:	1" = 60' SCALE:	M.R.D. CHECKED:

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Denny Drake
Wendell Gubler
Leina Mathis
Ben Shakespeare
Jarett Waite

CITY COUNCIL

Meeting Date: October 27, 2021

Agenda Item: 4

Applicant: Trevor Carlson

Requested by: Trevor Carlson

Subject: Preliminary/Final Plat

Description: Approval

Consider preliminary/final plat approval for the Heights West, Plat A (Lots 6 and 7) Subdivision. The subject properties are located on Blair Circle near the new Harmon's and other shopping opportunities. The Planning Commission heard this item on Thursday, October 14, 2021, and forwarded a positive recommendation for approval to the City Council.

Recommendation: Approval

Cost: N/A

Legal Approval: Yes

Finance Approval: Yes

Budget Approval: Yes

Attachments:

https://sccity.org/wp-content/uploads/formidable/41/Heights-West_Plat-A_Subdivision-Review_CC_Oct_27_2021.docx,
<https://sccity.org/wp-content/uploads/formidable/41/Heights-West-A-Lots-6-7-002.pdf>, <https://sccity.org/wp-content/uploads/formidable/41/Heights-West-Plat-A-Final-Plat-Application.pdf>



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

Staff Report

Preliminary/Final Subdivision Plat Summary and Recommendation

Public Body: Santa Clara City Council

Meeting Date: October 27, 2021

Current Zone: R-1-10

Property Address: 2108 and 2112 Blair Circle

Request: Preliminary/Final Subdivision Plat Review (Heights West, Plat A)

Applicant Name: Trevor Carlson

Staff Planner: Jim McNulty

Planning Staff Recommendation: Approval with conditions

Meeting Type: Public Meeting

PROJECT DESCRIPTION

The applicant, Trevor Carlson, is requesting to subdivide an existing lot in the Heights West, Plat A Subdivision. On November 12, 2020, the previous owner came to the Planning Commission to request a plat amendment allowing for one large lot to be created from two existing lots (Lots 6 and 7). The Planning Commission recommended approval of the plat amendment to the City Council. As a result, the amendment was approved and later recorded for one lot at approximately 24,000 sq. ft. in size. However, the previous owner has sold the property to Mr. Carlson who would like to re-subdivide the lots allowing for two lots as originally platted.

Lot 6 would be 12,485 sq. ft. (0.29 acres) in size, and Lot 7 would be 11,478 sq. ft. (0.26 acres) in size. The proposed lots would be platted as originally approved. Both lots meet the area, width, and yard regulations as per Section 17.64.050 of ordinance. The subdivision of property would allow for two future homes in the neighborhood.

SITE & VICINITY DESCRIPTION

The subject properties are located on Blair Circle near the new Harmon's and other shopping opportunities. Major cross streets in the vicinity include Mitchell Drive and Rachel Drive.

ISSUES OF CONCERN/PROPOSED MITIGATION

No issues of concern have been identified for this application.

NEIGHBORHOOD RESPONSE

Public notices are not required for a subdivision. The City Council agenda has been posted in multiple locations as per State Code.

REVIEWING DEPARTMENTS

DEPARTMENT: *Building*

Recommendations: A geotechnical report will be required for both lots at the time of building permit submittal.
Required Revisions: None at this time.

DEPARTMENT: *Parks & Trails*

Recommendations: N/A
Required Revisions: N/A

DEPARTMENT: *Police & Fire*

Recommendations: N/A
Required Revisions: N/A

DEPARTMENT: *Power*

Recommendations: Public Utility Easements (PUE's) are required and located on original property lines.
Required Revisions: None at this time.

DEPARTMENT: *Public Works*

Recommendations: No utilities were abandoned, so no relocation is required. The original PUE's are in place. A final mylar with signature blocks is required.
Required Revisions: To be determined.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the Santa Clara City Council approve the Preliminary/Final Plat for the Heights West, Plat A (Lots 6 and 7) Subdivision subject to the following conditions:

Request: Preliminary/Final Plat

1. That the applicant be required to comply with the recommendations from all city reviewing departments.
2. That the applicant be required to record the subdivision plat prior to building permit issuance.
3. That the applicant be required to submit a geotechnical report.

FILE: 211342ROS



Residential Subdivision Final Plat Application

Santa Clara City
2603 Santa Clara Dr
Santa Clara, UT 84765
(435) 656-4690 FAX: (435) 879-5298

Subdivision Name: Heights West Plat A

Applicant(s)/Property Owner(s) Information

Name: Trevor Carlson
Address: 2896E Carmine Dr
City: St. George State: UT Zip: 84790
Phone Number: 435-559-3010

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone Number: _____

(If additional property owners please add addendum)

Property Description

Section(s): 8 Township(s): 42 Range: 16W
Current Zoning Designation: Residential
Parcel Size (acres): 1/2 acre
Number of Lots: 2 lots
Major Cross Street(s): Blair Circle

Approvals Required By:

- ☐ Technical Review Committee (Staff) - meets every Thursday at 8:00 a.m.
- ☐ Planning Commission - meets every second Thursday of each month at 5:30 p.m.
- ☐ City Council - meets the second and fourth Wednesdays of each month at 5:00 p.m.

Attached checklists serve as a guide for adhering to Santa Clara City's subdivision process/requirements. City Staff will use the checklists for completeness reviews and insuring code compliance for subdivisions. For comprehensive information on the subdivision requirements/process, refer to appropriate City Codes and Statutes.

Office Use Only:

Date plan submitted: _____

Date plan accepted: _____

Subdivision/Development Approval Checklist

FINAL PLAT CHECKLIST

			I. Final Plat Requirements
Y	N	N/A	A. TRC with developer
Y	N	N/A	A. Submittal of: 1) Engineering Drawings (3 copies); 2) Final Plat (8 11"x17" & 1 8.5"x11"); 3) One (1) Mylar; and 4) Engineer Cost Estimates
Y	N	N/A	B. Completeness Review (Chapter 16.24)
Y	N	N/A	1. Description and delineation (16.20.020)
Y	N	N/A	a. Name of subdivision approved by the Planning Commission
Y	N	N/A	b. Identification system for all lots: name of streets, easements, and lot sizes
Y	N	N/A	c. Traverse of the perimeter of the subdivision
Y	N	N/A	d. Monumentation and survey control
			1. Official Monuments
			2. Street Monuments
Y	N	N/A	e. Dedication to the public of all streets, easements, etc.
Y	N	N/A	f. North arrow, scale, point of beginning, legal description and basis of bearing.
Y	N	N/A	g. Subdivision boundary closures shall be .01 or less on exterior boundaries and .02 on interior lots
Y	N	N/A	2. Standard Forms (16.20.030)
Y	N	N/A	a. Surveyor's "Certificate of Survey"
Y	N	N/A	b. All centerline data and street widths shown
Y	N	N/A	c. Notary Public's Acknowledgement of all signatures
Y	N	N/A	d. Notarized Consent of all lienholders
Y	N	N/A	e. Planning Commission's "Certificate of Approval"
Y	N	N/A	f. City Engineer's "Certificate of Approval"
Y	N	N/A	g. City Attorney's "Certificate of Approval"
Y	N	N/A	h. City Council's "Certificate of Approval"
Y	N	N/A	i. A one-and-one half by five-inch space in the lower right-hand corner of the plat for the county recorder.
Y	N	N/A	j. County Treasurer's "Certificate of Approval"
Y	N	N/A	k. General Notes – The following general notes must appear on the plat:
			1. Notes pertaining to the issuance of building permit until all utilities are installed
			2. Notes pertaining to unstable soil conditions
			3. Basis of bearings for plat
			4. Property is subject to findings, summary and conclusions of a geotechnical report
			5. R-of-W landscaping requirements & subsequent maintenance requirements

			3. Additional Information Submitted with Final Plat (16.20.040)
Y	N	N/A	a. Engineer's itemized estimate of the cost of all required improvements to be developed in the subdivision and a separate cost estimate for any upsizing of piping
Y	N	N/A	b. Final utility plans: Water, sewer, power and natural gas
Y	N	N/A	c. Final drainage plans
			1. Complete drainage system for entire subdivision
			2. Comprehensive of drainage system to include area of subdivision but surrounding areas.
			3. Final Plans and profiles for all streets to be constructed: reviewed and approved by engineer
Y	N	N/A	4. Erosion control plan where applicable
Y	N	N/A	D. Conformance to Applicable Rules and Regulations
			1. Subdivision plan complies with all applicable laws, plans, and regulations:
Y	N	N/A	a. Zoning Ordinance
Y	N	N/A	b. General Plan
Y	N	N/A	c. UDOT; Health Department, etc.
Y	N	N/A	d. Standards adopted by the City including all boards, commissions, etc.
Y	N	N/A	E. Self-imposed Restrictions Incorporated – Restrictions:
Y	N	N/A	F. Special Conditions Incorporated (ex. Historical district) – E.G.:
Y	N	N/A	G. Planning Commission Review and Recommendation- Date(s) of review: Date of Recommendation
Y	N	N/A	H. Inclusion of Planning Commission Changes
Y	N	N/A	I. Final Plat and Engineer drawings are to comply with all sections of the City's Design Standards found in Chapter 16.24 (Red lines comply)
Y	N	N/A	J. Engineering Plans Approved by City Engineer and City Staff
			Public Services Date signed: _____
			Public Safety Date signed: _____
			City Engineer Date signed: _____
Y	N	N/A	K. City Council Review and Adoption of Final Plat-Date of Review(s):
			Date of Adoption: _____
Y	N	N/A	L. Inclusion of City Council Changes

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Denny Drake
Wendell Gubler
Leina Mathis
Ben Shakespeare
Jarett Waite

CITY COUNCIL

Meeting Date: October 27, 2021 Agenda Item: 5

Applicant: City of Santa Clara

Requested by: City of Santa Clara

Subject:
Internal Accessory Dwelling Unit

Description:(IADU) Ordinance

Consider a proposed Code Amendment to include Section 17.22, Internal Accessory Dwelling Units (IADUs) to be permitted in residential zones. The City Council met with City staff on October 6, 2021, in a work meeting to discuss the proposed ordinance. The Planning Commission held a public hearing on October 14, 2021, and forwarded a positive recommendation for approval of the proposed ordinance to the Council.

Recommendation: Approval

Cost: N/A

Legal Approval: Yes

Finance Approval: Yes

Budget Approval: Yes

Attachments:

https://sccity.org/wp-content/uploads/formidable/41/IADU-CC-Memo_October_27_2021.docx, https://sccity.org/wp-content/uploads/formidable/41/17.20.280-Internal-Accessory-Dwelling-Units_Working-Draft_CC_Oct_27_2021.pdf



TO: Santa Clara City Council

FROM: Jim McNulty, Planning Manager

DATE: October 27, 2021

RE: Internal Accessory Dwelling Unit (IADU) Ordinance

Planning staff and legal counsel have prepared a proposed Internal Accessory Dwelling Unit (IADU) ordinance for your review and consideration. This Memo outlines the mandatory substantive requirements to comply with state law.

The proposed IADU ordinance satisfies the minimum requirements while allowing Santa Clara City to retain as much regulatory authority as permitted under new state law. Any ordinance that conflicts with state law would be deemed invalid. Taking no action could result in property owners having more freedom with respect to IADUs than Santa Clara City may desire.

2021 Mandatory Requirements – Allowing certain ADUs and Prohibiting certain Municipal Regulation

2021 House Bill 82 (the “Bill”) was passed by the legislature and signed by the Governor in 2021. The effective date is May 5, 2021, and the deadline for establishing conforming ordinances under UCA 10-9a-530 is October 1, 2021. City staff is in process with the proposed ordinance which will allow for adoption soon.

The Bill requires “Internal” ADUs (“IADUs”) to be permitted in any residential zone. An internal ADU is defined as an accessory dwelling unit created (i) within a primary dwelling, (ii) within the footprint of the primary dwelling at the time the internal accessory dwelling unit is created, and (iii) for the purpose of offering a long-term rental of 30 consecutive days or longer in UCA Section 10-9a-530(1)(a).

The Bill allows Santa Clara City to regulate all IADUs to the extent that:

- Santa Clara may prohibit the installation of a separate utility meter.
- Santa Clara may require IADUs be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling.
- Santa Clara may require one additional on-site parking space for an IADU – regardless of whether the primary dwelling is existing or newly-constructed.
- Santa Clara may require a separate address marking for emergency services and mailing.
- Santa Clara may require an annual business license for an IADU.

- Santa Clara may prohibit creation of IADUs if:
 - The property is served by a failing septic tank; and/or
 - The lot is less than 6,000 square feet in size.
- Santa Clara may prohibit the rental of an IADU:
 - For a period of less than 30 consecutive days; and/or
 - If the primary dwelling is not occupied as the owner's primary residence.

Recommendation:

Planning Staff recommends that the Santa Clara City Council approve the proposed IADU Ordinance.

New Chapter 17.22, Internal Accessory Dwelling Units

17.22: INTERNAL ACCESSORY DWELLING UNITS

A. Definitions. As used in this section:

INTERNAL ACCESSORY DWELLING UNIT (IADU): A separate dwelling unit located entirely within the footprint of an owner-occupied single-family detached dwelling on a residentially zoned property, that is clearly incidental and accessory to the primary dwelling on the property. In addition to the standards described in this Section, IADUs must meet the standards described in section 10-9a-530 of the Utah Code.

PRIMARY DWELLING: A single-family detached dwelling that is occupied as the primary residence of the owner of record.

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

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

1. The IADU must contain complete cooking and bathroom facilities that are separate from the facilities located in the primary dwelling.
 - a. The cooking facility in the IADU must contain:
 - (1) A sink and water faucet,
 - (2) Capacity for food refrigeration, and
 - (3) A permanent, built-in stove top, range, or other similar device for cooking food.
 - b. The bathroom facility in the IADU must contain:
 - (1) A sink and water faucet,
 - (2) A toilet, and
 - (3) A shower or bathtub.
2. The owner of the property must occupy the primary dwelling on the property.
3. One off-street parking space must be provided for the IADU, in addition to parking required for the primary dwelling on the property.
4. IADUs must meet all applicable Health, Fire and Building Codes.
5. The lot where the IADU is located must maintain the single-family appearance and character of the neighborhood. IADUs should be compatible in design and appearance with the primary dwelling on the property and shall not be located in detached structures connected by a breezeway.

6. Only one IADU per property is permitted.

7. The lot where the IADU is located must be at least 6,000 square feet in size. However, one IADU will be permitted in a single-family detached dwelling in a Planned Residential (PDR) Zone with a lot size of less than 6,000 square feet, provided all other requirements of this section are met.

8. IADUs shall not be used for transient lodging.

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

10. If a garage or carport is converted to an IADU, the property owner must replace any parking spaces contained in the garage or carport which are required by code with an equal number of off-street parking spaces elsewhere on the property in a manner that complies with all land use standards.

11. An IADU shall not be permitted within a mobile home.

12. A property owner may not install power or culinary water utility meters that serve only the IADU. The IADU must be served by the same power and culinary water utility meters as the primary dwelling on the property.

13. No IADU may be located in a primary dwelling served by a failing septic tank.

14. The owner shall provide a separate address marking for emergency services and mailing services.

D. Rental Period: The IADU must be rented for periods of 30 consecutive days or more.

E. Permit Required: Prior to renting or offering to rent an IADU, a property owner must obtain an Internal Accessory Dwelling Unit Permit from the city.

1. The IADU permit application is reviewed by city staff.
2. The IADU must be inspected by the city prior to issuance of any permit and may be inspected by the city up to one time per calendar year. In the event that the IADU requires improvements be made in order to meet required standards, the property owner shall be required to obtain a building permit.
3. City staff shall issue the IADU permit, only after finding all of the standards in this section and all other applicable land use standards have been met and may revoke the IADU permit if an inspection finds that the IADU no longer meets applicable standards, after ninety (90) days written notice to the property owner and an opportunity to cure any deficiencies.

4. The city shall record a notice of the permit with the Washington County Recorder, as detailed in Utah Code Section 10-9a-530(6).

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

G. In addition to other remedies available to the city, the city may hold a lien against a property that contains an internal IADU if the property owner violates any standards for operation of an internal IADU. The amount, notice, and procedure for the lien shall be in accordance with state law.