

NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL WORK MEETING
Wednesday July 6, 2022
Time: 5:00 p.m.
AGENDA

Public Notice is hereby given that the Santa Clara City Council will hold a Work Meeting in the City Council Chambers, located at 2603 Santa Clara Drive, Santa Clara, Utah on Wednesday July 6, 2022, commencing at 5:00 PM. The meeting will be broadcast via You Tube linked on our website at <https://sccity.org/meetings>.

1. **Call to Order:**

2. **Communication and Appearances:**

3. **Working Agenda:**

A. General Business

1. BMX Update, Brooke Seely
2. Chapter 12.08, Sidewalk Regulations and Chapter 12.20, Park Regulation updates.
3. Chapter 17.74, Historic District/Mixed Use and Chapter 17.76, Historic District Overlay Zone updates to include Heritage Commission
4. R1-6 Zone creation discussion
5. Discussion regarding dedication of water or a fee in lieu of dedication. In response to severe drought conditions.
6. Discussion regarding City rental property located at 2600 Santa Clara Drive Lease.
7. Discussion regarding an Amendment to the Santa Clara City Storm Water Master Plan.

8. **Staff Reports:**

9. **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. Email calendar invitations will be sent out in advance of the meeting. Instructions for each meeting will include the meeting 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. 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 30th day of June 2022 at the Santa Clara City Hall, on the City Hall Notice Board, at the Santa Clara Post Office, on

the Utah State Public Notice Website, and on the City Website at <http://www.sccity.org>. The 2022 meeting schedule was also provided to the Spectrum on January 12, 2022

Chris Shelley – City Recorder

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: July 6, 2022

Agenda Item: 1

Applicant: Brooke Seely

Requested by: Ryan VonCannon

Subject: BMX track

update

Description:

Brooke would like to present to the council an update on the construction/ schedule of the BMX track.

Recommendation: Discussion

Attachments:

Cost: n/a

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

Mayor
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City Manager
Brock Jacobsen



City Council
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Christa Hinton

CITY COUNCIL

Meeting Date: July 6, 2022

Agenda Item: 2

Applicant: Santa Clara City

Requested by: James McNulty

Subject: Chapter 12.08, Sidewalk Regulations, and Chapter 12.20, Park Regulations.

Description:

Recently, this item has been brought to our attention. As a result, city staff would like to discuss updates to these sections of city code.

Recommendation: Discussion

Attachments:

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

CHAPTER 12.08
SIDEWALK REGULATIONS

SECTION:

- 12.08.010: Removal ~~Of~~ Snow
- 12.08.020: Placing Trash ~~Or~~ Other Obstruction ~~In~~ Streets, Gutters, Sidewalks
- 12.08.030: Openings ~~In~~ Street
- 12.08.040: Doors Opening ~~Into~~ Streets
- 12.08.050: Discharge ~~Of~~ Water ~~On~~ Street
- 12.08.060: Crossing ~~At~~ Intersections
- 12.08.070: Business ~~To~~ Keep Sidewalk Clean
- 12.08.080: Placing Goods ~~On~~ Sidewalks ~~For~~ Sale ~~Or~~ Show
- 12.08.090: Placing Goods ~~On~~ Sidewalks ~~For~~ Receipt ~~Or~~ Delivery
- ~~12.08.100: Playing On Sidewalks~~
- 12.08.110: Congregating ~~On~~ Sidewalks

12.08.010: REMOVAL OF SNOW:

A. It is unlawful for the owner, occupant, lessor, or agent of any property, abutting on a paved sidewalk to fail to remove, or have removed from such paved sidewalk, all hail, snow, or sleet thereon within a reasonable time after such snow, hail, or sleet has fallen. ~~In the case of a storm between the hours of five o'clock (5:00) P.M. and six o'clock (6:00) A.M. such sidewalk shall be cleaned before nine o'clock (9:00) A.M. of the same day.~~

B. It is unlawful for any person removing snow ~~from the sidewalk, from the sidewalk~~ to deposit snow, dirt, leaves, or any other material in the gutter ~~so as to~~ clog or prevent the free flow of water therein. (Prior code § 11-361)

12.08.020: PLACING TRASH OR OTHER OBSTRUCTION IN STREETS, GUTTERS, SIDEWALKS:

It is unlawful for any person owning, ~~occupying~~ occupying, or having control of any premises to place, or permit to be placed upon or in the sidewalk, parking area, gutter, or on the half of the street next to such premises:

A. Any broken ware, glass, filth, rubbish, sweepings, refuse matter, ice, snow, water, garbage, ashes, tin cans or other like substances.

B. Any wagons, lumber, wood boxes, fencing, building material, dead trees, tree stumps, merchandise or other thing which shall obstruct such public street, gutter, parking area or sidewalk, or any part thereof, except as expressly authorized by ordinance, without the permission of the city council first had and obtained.

C. Any permanent or temporary structure, mechanism, device, ~~vehicle~~, or other thing of any kind or character except trees planted pursuant to the provisions of applicable ordinance. (Prior code § 11-362)

12.08.030: OPENINGS IN STREET:

A. It is unlawful for the owner or occupant of any building having a cellar which opens upon any street or sidewalk to fail to keep the door or other covering in good repair and safe for the passage of the customary traffic on the street or sidewalk. If the owner or occupant of any such building shall neglect or refuse to repair properly any such door or covering within ~~twenty-four~~twenty-four (24) hours after notice for the superintendent of streets to do so, the superintendent shall forthwith cause such repairs to be made at the expense of the owner or occupant.

B. It is unlawful to construct or maintain ~~core~~real holes or other openings in streets or sidewalks, except with the special permission of the city council, and under the direction and supervision of the superintendent of streets. (Prior code § 11-363)

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12.08.040: DOORS OPENING INTO STREETS:

It is unlawful for any person, firm, or corporation owning or having the control or management of any alley, road, or passageway to construct or hang gates or doors to such alley, road, or passageway so that gates or doors thereto, when open, shall project outwardly more than two feet (2') over or upon the sidewalk or beyond the property line. (Prior code § 11-364)

12.08.050: DISCHARGE OF WATER ON STREET:

It is unlawful for any person owning, occupying, or having control of any premises to fail, refuse or neglect to prevent water from the roof or eaves of any house, building, or other structure, or from any other source under the control of such person to be discharged upon the surface of any sidewalk. (Prior code § 11-365)

12.08.060: CROSSING AT INTERSECTIONS:

It is unlawful for any person to drive or park a self-propelled vehicle or lead, drive, or ride any animal upon any sidewalk except across a sidewalk at established crossings. Except for electric bicycles, scooters, and skateboards. (Prior code § 11-366)

12.08.070: BUSINESS TO KEEP SIDEWALK CLEAN:

It is unlawful for any owners or occupants of any place of business to refuse, neglect or fail to cause the sidewalk abutting thereon to be swept or cleaned as needed each morning before the hour of nine o'clock (9:00) A.M. (Prior code § 11-367)

12.08.080: PLACING GOODS ON SIDEWALKS FOR SALE OR SHOW:

No goods, wares, or merchandise shall be placed, ~~maintained or~~maintained or permitted for sale or show in or on any parking area, street, or sidewalk beyond two feet (2') from the front line of the lot, without first obtaining the written approval of the city council. Such approval shall be granted only when such sale or show shall be a promotional activity not exceeding ~~forty-eight~~forty-eight (48) hours and when participated in by a majority of firms seeking approval in their business areas. The city council's written approval shall specifically provide that no goods, wares, or merchandise shall be placed in such a manner as to leave less than a ~~six feet~~six-foot (6') passageway for pedestrians. (Prior code § 11-368)

12.08.090: PLACING GOODS ON SIDEWALKS FOR RECEIPT OR DELIVERY:

It is unlawful for any person to ~~place, or~~ place or suffer to be placed or kept upon any sidewalk, any goods, ~~wares~~ wares, or merchandise which he or she may be receiving or delivering, without leaving a foot passageway upon such sidewalk. It is unlawful for any person receiving or delivering such goods, ~~wares~~ wares, or merchandise to suffer the same to be or remain on such sidewalk for a longer period than ~~twenty-four~~ twenty-four (24) hours. (Prior code § 11-369)

~~12.08.100: PLAYING ON SIDEWALKS:~~

~~Every person who obstructs the sidewalk or street by playing any game or engaging in any activity which obstructs the free travel thereon is guilty of an infraction. (Prior code § 11-370)~~

12.08.100: CONGREGATING ON SIDEWALKS:

It is ~~unlawful~~ an infraction for any person or persons to congregate about or upon any sidewalks, stairway, doorway, window or in front of any commercial business ~~or office,~~ civic use or dwelling ~~un~~ house, theater, lecture room, church or elsewhere and by so doing to obstruct or interfere with the free passage of persons entering, leaving or occupying such building or premises. (Prior code § 11-371)

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CHAPTER 12.20
PARK REGULATIONS
SECTION:
12.20.010: Generally

12.20.010: GENERALLY:

A. In any park or trail owned or operated by the ~~City~~^{city}, it is unlawful to cut, break, move, ~~take~~^{take}, or otherwise injure, ~~destroy~~^{destroy}, or deface any trees, shrubs, plants, turf, rock or any building, fence, bridge, ~~sign~~^{sign}, or other structure, or foul any spring or stream or leave waste items or rubbish of any kind. No person shall dump any earth, rubbish or other substance or material in or upon any park or trail without written permission of the City.

B. The sale, consumption or possession of intoxicating liquors or beverages and dangerous or narcotic drugs, or gambling of any kind is prohibited in any and all parks, trails and recreation facilities and areas.

C. No person shall make or kindle any open fire except in fireplaces and grills provided for this purpose or in private portable commercially manufactured grills or grills approved safe by the City. Coals and ashes from private grills should be dumped in existing fire pit or taken home. Grills provided for public use shall be on a first come, first served basis.

D. No person shall discharge or set off in parks, trails or recreation facilities or areas, any firecrackers, rockets, or explosives without advance written consent of the City. If allowed in a designated area, fireworks may be discharged July 2nd – July 5th, and July 22nd - July 25th (both until midnight), December 31st/January 1st (until 1:00 AM), and January 31st/February 1st (until 1:00 AM), Chinese New Year's Eve.

E. No person shall, in any park or trail, set a trap or snare, or shoot, injure, annoy, ~~disturb~~^{disturb}, or poison any wild animal or bird, or injure or destroy any nest.

F. It is unlawful for any person to use threatening, abusive, insulting, or indecent language, to commit any obscene or indecent act, to fight or to create a public disturbance or nuisance in any park or trail. Any person who loiters in any park or trail under the influence of alcohol or drugs or who otherwise disturbs the peace of park or trail users by begging, soliciting, making undue noise, or engaging in disruptive activities shall be deemed to create a nuisance.

G. Except for City employees in City-owned vehicles, or others authorized by the City such as City contractors, no person shall ride in or drive any motor vehicle which is self-propelled upon any park land or trail except upon designated roads. It is prohibited for any person to commit any act, by use or operation, of any motor vehicle on any park land or trail, which if committed upon a public highway or street, in the State of Utah, would be prohibited and unlawful. Speed limits within all parks and upon trails shall be fifteen (15) miles per hour unless otherwise posted. No one shall test or repair any vehicle or mechanical device on any park or trail property except for electric bicycles, scooters, and skateboards. There shall be no parking at any time except in areas designated for such purposes. Abandoned vehicles shall be towed at owner's expense.

H. No person shall, without written permission of the City, erect, paint, paste or otherwise affix or distribute any signs, advertisement, or circulars on park or trail

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property. The sale of anything or the solicitation of funds or donation within any park or trail is forbidden, except upon written permission of the City.

I. Horses, cattle, livestock, and domestic animals of any kind are prohibited in any park or trail, except a dog or cat on a leash. It is the duty of the person who owns or possesses a dog or cat on any park or trail property to ~~keep the animal under control at all times~~ always keep the animal under control, and to immediately remove and dispose of animal feces or other waste. No animals of any kind are allowed on any fenced sports field except any registered service animal, or as may otherwise be authorized in writing by the ~~City~~ city.

J. Practicing, ~~playing~~ playing, or using parks or trails for golf and archery is prohibited.

K. Upon park or trail property, no person shall carry a knife upon their person having a blade of three inches (3") or longer in length except in conjunction with food preparation at a designated picnic area or pavilion, ~~or have possession of~~, or discharge a BB gun, air rifle, pistol, firearm, bow and arrow, or any other type of dangerous weapon.

L. Permits for playing league or casual athletic games in parks on sports fields or courts may be secured from the ~~City~~ city on a first come, first served basis, provided the same are not otherwise previously scheduled for organized league or tournament play. A valid permit shall be displayed upon request in order to avoid conflicts in the use of facilities. Persons failing to honor a valid permit may be denied future permits to use the facilities.

M. No person or group may utilize any park area, trail, or facility for the purpose of teaching an individual or group any recreational skill for personal profits or financial gain without written permission of the City.

N. No persons are permitted in any park during the hours of darkness, except in those areas designated for extended use activities, or unless written permission is attained from the ~~City~~ city for after dark programs. The City shall reserve the right to lock any gate, chain, or door offering access to any park, facility or building in order to restrict nighttime usage thereof.

O. The City Manager or his or her designee may temporarily close or curtail activities upon any lands or water, or any portions thereof, when it has been deemed to be in the best interest of public safety, conduct, health, or order.

P. No entertainment, demonstration, exhibition, meeting, concert, or tournament, whether public or private, shall be given in any park or on any trail without having obtained the written permission of the City no less than fourteen (14) days prior to usage.

Q. No group of ~~twenty-five~~ twenty-five (25) or more persons shall use a park or trail area without first ~~applying for and obtaining a Special Event Permit~~ written permission from the City. Group usage shall be limited to designated areas. Permission shall be obtained no less than three (3) days prior to usage. No person shall use loudspeakers, amplifiers, or public address systems in park without written permission.

R. Camping or sleeping overnight in City parks or on any trail is prohibited without advance written permission from the ~~City~~ city.

S. No person or persons shall willingly encroach upon lands administered by the City.

T. All of the aforementioned rules requiring written permission contemplate that such permits must be carried and produced upon demand.

U. Any person violating any of these rules and regulations shall be guilty of an infraction. Each violation shall be a separate offense.

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Mayor
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CITY COUNCIL

Meeting Date: July 6, 2022

Agenda Item: 3

Applicant: Santa Clara City

Requested by: James

Subject: McNulty Chapter 17.74, Historic District/Mixed Use Zone, and Chapter 17.76,
Historic District overlay Zone.

Description:

Recently, this item has been brought to our attention. As a result, city staff would like to discuss updates to these sections of city code.

Recommendation: Discussion

Attachments:

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

V. Seeds or nuts still in the hull or shell, such as pistachios, peanuts, and sunflower seeds, are not permitted in any ~~City park~~City Park or trail, except at a designated picnic area or pavilion. Spitting or otherwise disposing of hulls or shells anywhere other than an authorized receptacle for collection shall be considered littering under title 8, chapter 8.12 of this Code, and the additional penalties applicable to that chapter.

~~W. Use of skateboards on park property or trails other than specified skateboard venues and pedestrian walkways is prohibited.~~

X. Effective May 10, 2007, smoking of any kind on park property or trail is prohibited.
(Ord. 2017-08)

CHAPTER 17.74
HISTORIC DISTRICT/MIXED USE ZONE
SECTION:

17.74.010: Purpose

17.74.020: Fees ~~And~~ Permits

17.74.030: Permitted Uses

17.74.035: Conditional Uses

17.74.040: Dimensional Requirements

17.74.050: Modifying Regulations

17.74.060: Supplementary ~~And~~ Qualifying Regulations

17.74.070: Walls, Fences ~~And~~ Hedges

17.74.080: Access ~~And~~ Loading

17.74.090: Parking Areas

17.74.100: Signs

17.74.110: Natural Hazards

17.74.120: Zone Change Procedure

17.74.130: Site Plan Review

17.74.140: Plan Approval

17.74.010: PURPOSE:

The purpose of the Historic District/Mixed Use Zone is:

A. Santa Clara has a strong historical background. There is a special character about the early pioneer homes that were constructed along, and near Santa Clara Drive that the ~~City~~ wants to maintain and preserve. Many of these early pioneer homes are already listed on the State and national list of historic places. The ~~City~~ has previously created a Historic District along Santa Clara Drive. Development that takes place in this zone will be subject to architectural design review standards and careful site plan review by the Heritage Commission, the Planning ~~Commission~~, and the City Council.

B. To encourage the continued use, maintenance and special character of homes and businesses in the Historic District of the City, this chapter contains provisions allowing for the mixed use of land for residential, commercial, and certain types of research and development uses not found elsewhere in the zoning ordinance. The intent of these provisions is to encourage flexibility and creativity in the design and development of comprehensively planned mixed use of property that would not be possible under conventional zoning districts and planned development zones. Some of the specific purposes of this zone are to:

1. Encourage residential uses in conjunction with commercial and other compatible activities in order to create an active street life, enhance the vitality of businesses, reduce vehicular traffic and maintain the special character of the Historic District;

2. Encourage orderly, planned development of ~~mixed-use~~ developments by providing procedures for plan review and approval, and where appropriate, approve higher density residential uses integrated into the overall mixed use development;

3. Assure compatibility of proposed land uses with surrounding historic uses by incorporating higher standards of development than could be accomplished under conventional zoning, and to provide flexibility from standard zoning requirements that may not be applicable in a mixed use area;

4. Strengthen the City's economic base and to provide linkages between employment opportunities and housing;

5. Encourage open space to function for the general benefit of the City;

6. Encourage and provide for nonvehicular circulation linking developed areas, open spaces and public facilities;

7. Promote the reuse of existing historic structures for the purpose of stabilizing and improving property values. Foster civic pride in the beauty, history, and accomplishments of the past. Protect and enhance the City's attractions for tourists and visitors. Strengthen and help diversify the economic ~~well-being~~well-being of the ~~City, and~~City and promote the use of historical-cultural landmarks for education, ~~pleasure~~pleasure, and the welfare of the community. (Ord. 2017-14; Ord. 2004-01 § 2)

17.74.020: FEES AND PERMITS:

The requirements of chapter 17.04 of this title regarding such things as fees, enforcement, permits, violation, and all other similar items, including penalties, shall apply to this chapter. (Ord. 2004-01 § 2)

17.74.030: PERMITTED USES:

Subject to the requirements imposed in this chapter, or as may be recommended by the Heritage Commission and Planning Commission and approved by the City Council, uses within this zone may include:

Commercial businesses as listed in section 17.66.030 of this title, except for the following uses which are not permitted: automobile parts sales; department store; exotic animals; pawn shop; tire sales and service.

Open space and recreation facilities approved by the Planning Commission, upon recommendation from the Heritage Commission.

Single-family residential dwellings.

Two-family dwellings, such as a duplex, twin home, or townhome, but only in the following circumstances:

A. When attached to a commercial building, or part of a commercial, ~~mixed-use~~mixed-use development; or

B. When constructed to the rear of an existing single- family dwelling; or

C. When constructed on a vacant parcel which does not have frontage on Santa Clara Drive.

Other uses determined by the Planning Commission, with input from the Heritage Commission, as being in harmony with the intent and purpose of the zone. (Ord. 2017-14)

17.74.035: CONDITIONAL USES:

Subject to the conditions listed herein:

Childcare nurseries as defined in the Zoning Ordinance.

Office and professional space meeting the requirements of the Commercial Zone and the Zoning Ordinance as may be applicable.

Public and quasi-public buildings and facilities meeting all requirements of the Residential Zone and this chapter.

Research and technology offices as approved by the Planning ~~Commission, and~~ Commission and meeting all requirements of this chapter.

Short term rental properties, which shall be subject to the applicable requirements of this chapter along with the following specific requirements:

A. Each short term residential rental property shall have one parking space for every bedroom with a minimum of two (2) parking spaces.

B. The owner, or the property manager, of a ~~short-term~~ short-term residential property shall obtain a residential business license as required by the City of Santa Clara.

C. All conditional uses shall meet the requirements of the Landscape Ordinance of the City.

D. Short term residential properties shall meet all other standard requirements of the zone.

E. There shall be no violations of laws, ~~ordinances~~ ordinances, or regulations of this Code, with any violation being grounds for termination/revocation of the conditional use permit.

Very "clean" (no emissions) industry development having strong historic residential architectural appearance, with input from the ~~Heritage~~ Historic Commission, and approved by the Planning Commission, and meeting all requirements of this chapter. (Ord. 2017-14: Ord. 2013-16)

17.74.040: DIMENSIONAL REQUIREMENTS:

A. Primary Building Height: Primary building height shall be the average height of adjacent units on the same block unless a greater height is approved by the Planning Commission, upon recommendation from the Heritage Commission, as being necessary for proper compatibility of various elements of the overall development plan, and to ensure that any infill and replacement dwellings are compatible with the dimensions of the adjacent dwellings. Accessory buildings shall not exceed two (2) stories in height, up to ~~twenty-five~~ twenty-five feet (25') in height unless a taller building is approved by the City Council after considering the recommendations from the Heritage Commission and Planning ~~Commission, and~~ Commission and based on the compatibility of the architectural design with the other buildings in the Historic District.

B. Minimum Lot Size: Six thousand (6,000) square feet for a single-family dwelling, and eight thousand (8,000) square feet for a two-family dwelling. For projects without individual lots but rather building pads and common areas, the maximum density shall not exceed eight (8) dwelling units per acre whether single- or two-family units.

C. Front Yard Setbacks: Front yard setbacks shall be twenty feet (20') from the property line unless the dwellings (buildings) on adjacent lots are less than twenty feet (20'), in which case the building may be located at the average of the buildings on each side of the subject parcel. The setback of any building adjacent to the "mercantile" building shall be

determined through discussion with, and approval of, the Planning Commission, but shall not be less than twelve feet (12') from the front property line.

D. Corner Side Yards: Side yards on a corner lot having street frontage on two (2) sides shall be the same as that required for the front yard, or the average of adjacent units or the block, or as may be approved by the Planning Commission.

E. Interior Lot Line Side Yards: Side yards on the interior lot line shall be a minimum of ten feet (10') unless otherwise approved by the Planning Commission. A zero-lot line may be considered by the Planning Commission depending upon the location of buildings on adjacent lots. In the case of a zero-lot line, the opposite side yard shall not be less than twelve feet (12').

F. Rear Yards: Rear yards shall be a minimum of ten feet (10') unless otherwise approved by the Planning Commission.

G. Multiple Building Setbacks ~~On~~on The Same Lot: Setbacks between multiple detached buildings on the same lot shall be a minimum of ten feet (10').

H. Floor Area: In new developments the minimum floor area shall be a minimum of seven hundred (700) square feet living space per unit unless otherwise recommended by the Planning Commission and approved by the City Council, plus required parking and landscaped areas.

I. Minimum Lot Frontage: Seventy feet (70'), unless approved as a flag lot, or as may be otherwise approved by the Planning Commission.

J. Maximum Size ~~Of~~of Accessory Buildings: The maximum ground floor area of any accessory building shall not exceed one thousand (1,000) square feet, unless a larger building is approved by the City Council after considering the recommendations of the Heritage Commission and Planning Commission. (Ord. 2019-01: Ord. 2017-14)

17.74.050: MODIFYING REGULATIONS:

A. It is the intent of the ~~City~~city to encourage creative design. Existing historical dwellings and buildings may be preserved and enhanced with commercial, ~~residential~~residential, or mixed uses.

B. Open spaces and outdoor living areas are encouraged. Lack of such areas may be the basis for denial of a zone change request. Walls and fences between properties are discouraged. Their proposed use may also be a reason for denial of a request. Circulation between developments in the Historic District is encouraged. Visitors to the area should be encouraged to visit, park, walk between developments, and enjoy the time spent in a quiet and relaxing atmosphere. Public access to open space areas will also be considered in approving the Development Plan.

C. Cooperation between property owners on adjacent properties will be strongly encouraged and carefully reviewed in the plan approval process.

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

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

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

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

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

5. Where an unusual health related hardship exists for an extended family member of the principal dwelling unit, the ~~Planning Manager Zoning Administrator~~ may grant a time extension beyond the eight (8) ~~day time~~daytime limit for occupancy of the recreational housing unit. However, any time extension beyond sixty (60) days shall require the approval of the City Council. (Ord. 2015-05: Ord. 2004-01 § 2)

17.74.060: SUPPLEMENTARY AND QUALIFYING REGULATIONS:

The requirements of chapter 17.20, "Supplementary ~~Andand~~ Qualifying Regulations", of this title, regarding such things as lot ownership and standards, utility requirements, dumping or disposal, moving of dwellings, shall apply to the extent applicable to this chapter. (Ord. 2004-01 § 2)

17.74.070: WALLS, FENCES AND HEDGES:

Any wall, fence, or hedge proposed to be located on any parcel of land as a part of this zone shall be specifically approved by the Planning Commission. Walls, fences, and hedges separating adjoining properties, and restricting pedestrian or vehicular circulation are strongly discouraged. All applicable requirements of chapter 17.28, "Walls, Fences ~~Andand~~ Hedges", of this title, shall apply unless modified by the Planning Commission. (Ord. 2004-01 § 2)

17.74.080: ACCESS AND LOADING:

Access to parcels of property shall be reviewed and approved by the Planning Commission. Requirements of chapter 17.36, "Motor Vehicle Access ~~Andand~~ Loading", of this title, shall be used as a guideline but may be modified upon approval of the City engineer and the Planning Commission to fit individual situations as part of the site plan review. Some access drives may be approved as being temporary until such time as additional properties in an area are changed to this zone.

All other requirements of chapter 17.36, "Motor Vehicle Access ~~Andand~~ Loading", of this title, will be reviewed as part of the site plan review and exceptions to the requirements may be made as indicated above to the extent that such exceptions will enhance the overall development of the property and will not compromise the health, safety and welfare of the public in so doing. (Ord. 2004-01 § 2)

17.74.090: PARKING AREAS:

All parking areas shall be approved by the Planning Commission as to number of spaces required and the location of ~~off-street~~off-street parking in relation to the balance of the development. The guideline for parking shall be one (1) space for every two hundred fifty (250) square feet of commercial floor area and two (2) spaces, one (1) of which shall be covered, for each residential dwelling.

A. The Planning Commission may use the additional requirements of chapter 17.32, "Off Street Parking Requirements", of this title, but shall determine the number of spaces required based upon the plan submitted, and the type of use proposed. Shared parking between adjacent parcels is encouraged. Parking should preferably ~~be located in~~be in the side or rear lot areas.

B. All access drives shall be approved as part of the site plan approval. Reduced widths of driveways will be considered on an individual site plan basis.

C. All driveway and parking areas, unless determined to be temporary in nature, shall be surrounded by a concrete curb or other appropriate material approved by the Planning Commission. Surface of parking areas may be as approved by the Planning Commission. (Ord. 2017-14: Ord. 2004-01 § 2)

17.74.100: SIGNS:

The requirements of chapter 17.44, "Signs", of this title, will be followed in allowing signs within the zone, unless otherwise approved by the Planning Commission in harmony with the intent and purpose of this zone. (Ord. 2004-01 § 2)

17.74.110: NATURAL HAZARDS:

The requirements of chapter 17.48, "Construction Subject ~~Toto~~ Natural Hazards", of this title, relative to hazards related to site development, will be reviewed by the Planning Commission as may be applicable to the development plan submitted. (Ord. 2004-01 § 2)

17.74.120: ZONE CHANGE PROCEDURE:

An application to rezone property to the Historic District/Mixed Use Zone shall be made in the same manner as a zone change to any other zone in the City, ~~except that the Heritage Commission shall be the initial review body.~~ An application shall be filled out in the City office requesting the zone change. After paying all fees, and submitting all information required by this chapter, or by other chapters of the zoning ordinance where applicable, the zone change will be processed by the ~~City~~city.

Where zoning requests are tied to a parcel of property upon which is located an existing dwelling unit, all requests shall be considered ~~on the basis of~~based on creatively maintaining, ~~enhancing~~enhancing, and preserving the historical character of the original dwelling as a part of the approved zone change. (Ord. 2017-14)

17.74.130: SITE PLAN REVIEW:

The following elements shall be addressed as a part of the site plan review. Other elements that may be required by the Planning Commission shall also be included. The site plan shall be drawn to a reasonable scale by an engineer, land surveyor, architect, or a landscape architect, or a combination thereof.

A. Existing Conditions:

1. The boundary line of the property including dimensions of property lines. A ~~flash drive and/or electronic copies~~disk shall ~~shall~~ be submitted showing the property survey so that it can be integrated into the City system;
2. The location and names of existing adjacent streets;
3. Topography at two feet (2') intervals unless waived by City staff;
4. The acreage or square footage of the proposed site;
5. The location of all existing structures and the square footage of each;
6. A sketch of the floor plan of all existing buildings including the location of all entrances and exits;
7. The location of any existing parking or paved areas;
8. The location of accessory buildings, sidewalks, large trees, or other site features planned to be retained as part of the new development;
9. New buildings will require a soils (geotechnical) report to be submitted. A soils report is not required for existing buildings;
10. If stormwater runoff is handled on site, a document showing how the drainage will be handled, stamped by an engineer, must be submitted. Credit may be given for ~~on-site~~on-site retention;
11. Any other features required to be identified by the Planning Commission.

B. Proposed Development Requirements: The proposed development shall show and include the following information:

1. Common facilities such as recreation, sitting, walking, or other such uses;
2. Site amenities such as patios, pools, fountains, play areas, etc.;
3. Location of all proposed new buildings including:
 - a. Heights,
 - b. Number of residential dwelling units or commercial units,
 - c. Proposed use of each area,
 - d. Floor plan sketch of proposed residential areas,
 - e. Entrances and exits.
4. Location and type of open space all of which shall show how it is to be developed and used. It may be left as undeveloped property. Plan shall pay special attention to soils conditions and the relationship of development to the toe of the hill if it is adjacent to, or includes any property on, the hillside;
5. Location of driveways and parking areas;
6. The percentage of land to be used for various purposes;
7. A generalized landscape plan of the entire parcel;
8. Utility services. The location of all utility services, including fire hydrants shall be indicated on the development plan or a separate sheet;
9. Lighting proposal for businesses, residential areas, parking, and driveway locations. All parking areas shall be lighted during hours of darkness using light fixtures that control the spread of light upward or outward so that lights will not create a nuisance to other uses;

10. Refuse storage areas;
11. Locations and plans for all proposed signs;
12. Elevation drawings of all proposed buildings;
13. Other items that may be required by the Planning Commission as a part of the site plan review.

C. Architectural Standards: See also "Historic District Design Guidelines".

1. The architectural character of all existing buildings, including accessory buildings shall not be changed until reviewed and approved as a part of the site plan review and approval of the City.

2. The architectural character of new construction on the site shall harmonize with the existing structure unless otherwise approved by the City as a part of the site plan approved by the City.

3. Developers are encouraged to review early pioneer architecture along Santa Clara Drive, and in adjacent cities such as St. George and Washington, in order to develop an architectural character that is compatible with the early pioneer development of the area.

4. No residential dwelling shall have less than seven hundred (700) square feet of main floor living area unless specifically approved by the Planning Commission and City Council as a part of a mixed-use dwelling already existing on the property.

5. The proposed architectural character of all new development and any changes to the existing structures shall be reviewed by the Heritage Commission and Planning Commission. Drawings and elevations are useful in showing how structures are to be designed and constructed.

6. Santa Clara has adopted a "streetscape" plan for the development of Santa Clara Drive right-of-way. For all properties having frontage along this street, the development plan shall include all recommendations of the streetscape plan as it relates to the proposed development. It is important that continuity be created between properties in the Historic District.

D. Impact: The impact on surrounding neighborhood uses shall be considered as a part of the development plan. The developer may submit estimates as to the impact of the project on the following elements, or the Planning Commission may examine these types of issues based upon their knowledge and understanding of the City. Staff opinions may also be considered by the commission.

1. Any significant impact on traffic;
2. The impact on utility systems;
3. Any anticipated noise levels;
4. Stormwater runoff from the property;
5. Visual and aesthetic qualities;
6. Other considerations, such as hours of operation, that may be raised by the Planning Commission ~~during the course of~~during plan review. (Ord. 2017-14: Ord. 2004-01 § 2)

17.74.140: PLAN APPROVAL:

The City Council is empowered, upon recommendation of the Heritage Commission and the Planning Commission, to approve developments if they find them to be capable of

accomplishing the identified purposes of, and in compliance with, the requirements of this zone.

After review of the proposed site ~~plan, and plan and~~ following receipt of any recommendations of the Heritage Commission and the City staff, the Planning Commission may recommend the site plan as submitted, or as may be amended ~~as a result of~~because of site plan review, to the City Council for final review and approval. Following action by the City Council, the applicant may request permits for the development to be issued by the Building Department. Upon City Council approval, the development project shall be diligently pursued to final completion.

On the date the site plan and zoning are approved by the City Council, all conditions and requirements attached to that approval are binding on the property unless an amendment is approved. All subsequent development and use of the property shall be in accordance with the approved plan. If land subdivision was a part of the application, the effect of approval will also result in an approved preliminary plat. The requirements for final subdivision approval and recording shall be met by complying with all requirements of the City subdivision ordinance prior to any development taking place on the property.

The intent of this form of zoning is to provide an alternative procedure for specific development proposals and, as such, it is intended that all property under control of the developer or owner, be zoned ~~so as to~~to allow the complete project to develop and to permit approval of plans using flexible requirements that may be different from all other zones in the City. If development does not move forward in a timely manner, the City staff will report their findings to the Planning Commission in which case the Planning Commission may recommend to the City Council that remedial action be taken which may include the removal of the Historic ~~Districtal~~/Mixed Use Zoning for the property.

The rezoning of property, along with the approval of a ~~site specific~~site-specific development plan for the property so zoned, shall run with the land. Any subsequent owner will be bound by the same plans and requirements as originally ~~approved,~~
~~unless approved unless~~ the specific plans are subsequently amended by the Planning Commission and City Council. (Ord. 2017-14: Ord. 2004-01 § 2)

CHAPTER 17.76
HISTORIC DISTRICT OVERLAY ZONE

SECTION:

17.76.010: Purpose

17.76.020: Definitions

17.76.030: Overlay Zone ~~And~~ Boundaries

17.76.040: Boundaries

17.76.050: Heritage Commission

17.76.060: ~~Heritage~~ Commission Duties

17.76.070: Review ~~And~~ Permit Procedure

17.76.080: Demolition ~~Of~~ Significant Historic Buildings Within ~~The~~ Historic District
Which Are Not Designated Landmark Sites

17.76.090: Administration

17.76.010: PURPOSE:

The city of Santa Clara recognizes the historical heritage of the Santa Clara community as a valued and important asset. (Ord. 97-06 § 18-1)

17.76.020: DEFINITIONS:

The following terms shall have the meanings set out below for the purposes of this chapter:

HERITAGE COMMISSION: The heritage commission of the city of Santa Clara.

CITY COUNCIL: The city council of the city of Santa Clara.

EXTERIOR DESIGN PROPOSAL:

A. Any rehabilitation, reconstruction, or edition to the exterior of a significant historic building;

B. Any demolition or relocation of a significant historic building;

C. Any new construction within the historic district except for minor additions to non-historic buildings; or

D. Any sign proposed to be placed or modified within the historic district.

HISTORIC DISTRICT: The lands within the city's historic district overlay zone.

LANDMARK SITE: A building, site, or structure designated as a landmark site by the city council after recommendation by the heritage commission.

MINOR ADDITION: An addition to a non-historic building of six hundred (600) square feet or less.

NON-HISTORIC BUILDING: A building within the historic district that is not a "significant historic building" as defined in this section.

PLANNING COMMISSION: The planning and zoning commission of the city of Santa Clara.

SIGNIFICANT HISTORIC BUILDING: A building, site or structure that is:

A. A designated landmark site;

B. A building within the historic district built as a residence prior to 1935; or

C. Within the historic district determined by the heritage commission to be historically important due to its age or architecture. (Ord. 2009-17 § 1: Ord. 97-06 § 18-6)

17.76.030: OVERLAY ZONE AND BOUNDARIES:

A Santa Clara historic district zone is established which shall be an overlay zone over the existing districts shown on the official Santa Clara City zoning map. In cases of conflict between this chapter and other provisions of this title, this chapter shall apply. (Ord. 97-06 § 18-2)

17.76.040: BOUNDARIES:

The boundaries of the Santa Clara historic district overlay zone are set forth as those areas indicated on the map included as a part of this chapter. (Ord. 97-06 § 18-3)

17.76.050: HERITAGE COMMISSION:

The city of Santa Clara hereby establishes a heritage commission with the following provisions:

A. The heritage commission shall consist of five (5) members appointed by the mayor with the advice and consent of the city council for a five (5) year term, except that in making the initial appointment, the mayor and council shall appoint two (2) members for a term of three (3) years; and three (3) members for a term of five (5) years. Members shall not serve more than two (2) consecutive five (5) year terms. Each member shall have demonstrated interest, ~~competence~~competence, or knowledge in historic preservation.

B. The heritage commission shall meet at least four (4) times each year except that the heritage commission may assemble as required to fulfill the duties of the heritage commission and conduct meetings in accordance with the open public meeting laws of Utah. Upon appointment of the initial heritage commission by mayor and city council, the heritage commission shall meet and elect one of its members as chairperson. The heritage commission shall then provide for the rules and procedures for the holding of regular and special meetings of the heritage commission as deemed advisable and necessary.

C. Vacancies shall be filled for the unexpired term of any member whose term is vacant. Any member may be removed for cause by the appointing authority.

D. The members of the heritage commission shall serve without compensation; however, they shall be entitled to be reimbursed for any actual expenses by them in the performance of their duties. (Ord. 2009-17 § 1: Ord. 2009-13 § 1: Ord. 2000-03 § 1: Ord. 97-06 § 18-4)

17.76.060: HERITAGE COMMISSION DUTIES:

The heritage commission shall have the following duties:

A. Survey And Inventory Community Historic Resources: The heritage commission shall conduct, or cause to be conducted, a survey of the historic, ~~architectural~~architectural, and archaeological resources within the city. The survey shall be compatible with the Utah Inventory of Historic Archaeological Sites. Survey and inventory documents shall be maintained and shall be open to the public. The survey shall be updated every ten (10) years.

B. Review Proposed Nominations ~~To~~ The National Register ~~Of~~ Historic Places: The heritage commission shall review and comment to the state historic preservation officer on all proposed national registry nominations for properties within the city's boundaries. When the heritage commission considers a national register nomination which is normally evaluated by professionals in a specific discipline and that discipline is not represented on the heritage commission, the heritage commission shall seek expertise in that area before commenting on the nomination.

C. Provide Advice ~~And~~ Information: The heritage commission shall: 1) act in an advisory role to other officials and departments of government regarding the identification and protection of local historic and archaeological resources; and 2) work toward the continuing education of citizens regarding historic preservation and community history.

D. Enforcement Of State Historic Preservation Laws: The heritage commission shall support the enforcement of all state laws relating to historic preservation. These ~~include,~~ but include but are not limited to: Utah Code Annotated 17A-3-1301, the historic district antiquities, and Utah Code Annotated 9-8-4-4 regarding the notification of the state historic preservation officer of any known proposed action that will destroy, or affect, a site, building, or object, owned by the state of Utah and included on, or eligible for, the state of national registers.

E. Act As Design Review Committee: Act as the historic district design review committee with respect to new construction (excluding minor additions), exterior design proposals, ~~demolition~~ demolition, or relocation, of a significant historic building, or any construction or modification of a sign within the historic district. (Ord. 2009-17 § 1: Ord. 2000-03 § 1: Ord. 97-06 § 18-5)

17.76.070: REVIEW AND PERMIT PROCEDURE:

A. Upon submission to the planning commission of a sketch plan for development located within the historic district, the planning commission or designee shall inform the developer and/or owner of the heritage commission's required submittals and review procedures. The heritage commission shall review all development proposals submitted to the planning commission within the historic district and report to the planning commission on the proposals.

B. When a request for a building permit is made to the city based upon an exterior design proposal, the heritage commission shall review, at a minimum, the site plan, exterior design of buildings, architectural treatment, landscaping, design of signs and other items related to design objectives, to determine whether proposed construction substantially complies with historic district design standards and make a report to the planning commission prior to the issuance of a building permit.

C. All exterior design proposals shall be subject to planning commission approval after recommendation from the heritage commission. No building permit shall be issued in the historic district without this approval.

D. The heritage commission and city staff shall exercise continuing review of a project as it progresses from conceptual stage through construction and completion to ensure compliance with historic district design standards and planning commission approvals.

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E. After the denial of a permit by the planning commission, an applicant may request an exemption as provided in subsection F of this ~~section, or~~ section or may appeal to the city council for approval. On appeal to the city council, its decision shall be final.

F. A property owner may be exempted from the restrictions imposed by this chapter on significant historic buildings by applying for an exemption. The application shall state the reasons why: 1) the ~~particular building~~ building is no longer suitable for present purposes; and 2) why the applicant cannot earn a reasonable return from use or rental of the building if altered, ~~reconstructed or~~ demolished within the limitations and guidelines adopted under this chapter. Determination of whether a building is appropriate for exclusion from the application of this chapter shall be made by the planning commission upon recommendation by the heritage commission. If an applicant desires to appeal the denial of an exemption or the heritage commission desires to appeal the granting of an exemption, the applicant or heritage commission may request consideration by the city council, and its decision, after a public hearing, shall be final. (Ord. 97-06 § 18-7)

17.76.080: DEMOLITION OF SIGNIFICANT HISTORIC BUILDINGS WITHIN THE HISTORIC DISTRICT WHICH ARE NOT DESIGNATED LANDMARK SITES:

A. When an application is made for a demolition permit affecting a significant historic building which is not a designated landmark site, the planning commission shall:

1. Review the condition of the building to determine the impact of the demolition to the neighborhood and the technical feasibility for preserving the structure;
2. Inform the property owner of economic incentives available to rehabilitate historic resources;
3. Encourage the property owner not to demolish the building until an attempt can be made to locate suitable tenants to make the building economically viable, or find a purchaser who is willing to acquire and rehabilitate the structure;
4. Review proposed new construction within the neighborhood;
5. The application shall also describe the reason for the demolition and any development proposed for the demolition site including renderings of the proposed new construction.

B. Demolition permits for significant historic buildings not designated a landmark site shall not be approved by the planning commission until the commission has had a reasonable time, not to exceed ninety (90) days, to review the proposed new construction, and make recommendations regarding compliance with the historic district design standards. Granting of the permit shall be determined after review of commission recommendations. (Ord. 97-06 § 18-8)

17.76.090: ADMINISTRATION:

A. The planning commission may, upon written recommendation of the heritage commission, recommend to the city council, rules, regulations, and guidelines to implement and administer the purposes and intent of this chapter.

B. Until at least three (3) members of the heritage commission are appointed, the planning commission shall serve as the heritage commission. (Ord. 97-06 § 18-9)

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: July 6, 2022

Agenda Item: 4

Applicant: Santa Clara City

Requested by: James McNulty

Subject: Creation of an R-1-6

Description: Zone

City staff would like to discuss the option of creating an R-1-6 Zone. The zone would allow for single-family homes on 6,000 square foot lots. This would be another option allowing for low to medium density housing in the city. It could be another tool to allow for housing affordability.

Recommendation: Discussion

Attachments:

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

CHAPTER 17.63

R-1-6 SINGLE-FAMILY RESIDENTIAL ZONE

SECTION:

17.63.010: Purpose

17.63.020: Permitted Uses

17.63.030: Conditional Uses

17.63.040: Height Regulations

17.63.050: Area, Width and Yard Regulations

17.63.060: Modifying Regulations

17.64.010: PURPOSE:

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

17.64.020: PERMITTED USES:

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

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

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

Single-family dwellings and manufactured homes as defined herein.

17.64.030: CONDITIONAL USES:

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

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

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

Churches, schools, parks, and open space.

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

Public buildings.

Public utilities and buildings.

Residential Facility for the Elderly.

17.64.040: HEIGHT REGULATIONS:

No building shall be erected to a height greater than thirty-five feet (35'), and no accessory building shall be erected to a height greater than twenty feet (20') without a conditional use permit approved by the land use authority. However, an Accessory Dwelling Unit, ADU may not exceed a height of twenty feet (20').

17.64.050: AREA, WIDTH AND YARD REGULATIONS:

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

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

17.64.060: MODIFYING REGULATIONS:

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

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

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

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

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

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

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

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

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

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

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

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

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

E. The minimum square footage of any main residence shall be one thousand (1,000) square feet of living space on the main floor of a single-story home. For a two-story home there shall be a minimum of seven hundred fifty (750) square feet of living space on the main floor, and a minimum of seven hundred fifty (750) square feet of living space on the second floor. A split-level home shall have a minimum of one thousand (1,000) square feet on the main and upper floor combined, but not including the square footage of the lower level.

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

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: July 6 2022

Agenda Item: 5

Applicant: Santa Clara City

Requested by: Matt Ence

Subject: Dedication of Water or a Fee in Lieu of

Description: Dedication

City staff and legal counsel would like to discuss this item with the City Council. Recently, the city adopted the Water Efficiency & Conservation Standards (Ordinance #2022-05). Now we need to consider next steps as we move forward with future development in the city by protecting our precious water resources.

Recommendation: Discussion

Attachments:

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

**CITY OF SANTA CLARA, UTAH
ORDINANCE NO. 2022-2022-15**

**AN ORDINANCE ENACTING A TEMPORARY LAND USE REGULATION TO
ALLOW FOR THE STUDY OF A PERMANENT ORDINANCE REQUIRING
DEDICATION OF WATER OR A FEE IN LIEU OF DEDICATION, IN RESPONSE TO
SEVERE DROUGHT CONDITIONS IN THE SOUTHERN UTAH AREA**

WHEREAS, Utah in general, and Washington County in particular, is in the midst of an extended period of drought, classified by the U.S. Drought Monitor as “severe” to “extreme” throughout of 2021 and into the current year; and

WHEREAS, Governor Spencer J. Cox, in March 2021, issued an Executive Order declaring a State of Emergency due to drought conditions, recommending, among other things, that water suppliers should encourage efficient landscape watering, cities should consider developing and implementing water restriction plans, and residents should seek to conserve water through various means; and

WHEREAS, the State of Emergency was extended by the Utah Legislature through Joint House Resolution 101; and

WHEREAS, the Governor once again, on April 21, 2022, issued Executive Order 2022-04, declaring a State of Emergency due to continuing drought conditions; and

WHEREAS, as part of its efforts to address the effect of the continuing drought conditions on the City and its residents and businesses, the City recently adopted a water efficient landscape ordinance; and

WHEREAS, the City Council also recognizes the critical need to continue to adopt ordinances which ensure the acquisition and preservation of water resources by the City, to ensure that the City can continue to meet the demands of Santa Clara residents and businesses for culinary and secondary water service, and is concerned that if adoption is delayed the value of such ordinances will be negatively impacted, to the detriment of the public interest in preserving our precious water resources; and

WHEREAS, in accordance with the requirements of Utah Code § 10-9a-504, the City Council desires to adopt a temporary land use regulation under which potential development applications may still be considered until the Planning Commission and City Council can complete the process of considering a permanent ordinance requiring the dedication of water resources or the payment of a fee in lieu of such dedication for each new development project in the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Santa Clara, pursuant to Utah Code § 10-9a-504 as follows:

SECTION 1. Finding of Compelling, Countervailing Public Interest:

The City Council hereby finds that there is a compelling, countervailing public interest in temporarily regulating development applications as set forth in this Ordinance.

The City Council's findings include the following:

- a. The City of Santa Clara has a compelling interest in regulating the land uses within the City's municipal boundaries, and in providing clean, safe, and adequate culinary and secondary water services in order to protect and promote the health, safety and welfare of the citizens and residents of the City.
- b. The drought conditions present in the City, county, and state threaten the health, safety and welfare of the City's citizens in that the City's precious water resources are at risk.
- c. Adopting a temporary ordinance will:
 - a. Ensure that developments for which applications are submitted prior to a permanent ordinance being put into place shall be subject to water resource dedication requirements, or fees in lieu of such dedication, which will help to conserve and grow the City's water resources until a permanent ordinance can be adopted;
 - b. Protect and enhance the community's environmental, economic, recreational, and aesthetic resources by helping to ensure that new development projects are required to dedicate sufficient culinary water or replacement secondary water to the City to allow the City to service such new projects with culinary water;
 - c. Incentivize the preservation and conservation of water resources already existing in the City by providing a mechanism for such water resources to be transferred to the City and protected in the City's water bank; and
 - d. Establish standards to determine the amount of water resources that may be required to be dedicated to the City for any particular project, and, potentially, a fee in lieu of such dedication in certain circumstances, to be used for acquisition and preservation of City water resources.
- d. The City's current ordinances do not adequately address the drought conditions currently facing the City. The need for the City Council to establish temporary standards is therefore time-sensitive.

SECTION 2. Temporary Land Use Regulation Requiring Water-efficient Landscaping in All New Development.

A. Each applicant for a development approval during the period in which this Ordinance is in effect, shall be subject to the requirement to comply with any permanent ordinance addressing

the matter described herein which is adopted before the expiration of this temporary regulation (a “Permanent Ordinance”).

B. Any applicant for a development approval who files an application subject to paragraph A. shall have the right to either:

(1) have its application reviewed, and denied or approved, in the ordinary course of the City’s review process, but to have such application conditioned on successfully negotiating with the City a dedication of water rights or local water company shares equivalent to the water required to service the applicant’s project, or a fee in lieu of such dedication, on a case-by-case basis for each application; or

(2) to have its application reviewed but a final decision on such application postponed until a Permanent Ordinance is adopted and to comply with such Permanent Ordinance as a condition of approval of the application, or until this temporary regulation expires without adoption of a Permanent Ordinance, whichever occurs first.

D. No development application of any kind filed with the City during the period in which this Ordinance is in effect shall be considered fully vested unless complying with the foregoing paragraphs.

SECTION 3. Effective Date and Duration:

This Ordinance shall become effective immediately upon adoption, recording and posting in the manner prescribed by law, and shall expire on a date which is (a) six (6) months from the date of adoption of this Ordinance, or (b) the date on which a Permanent Ordinance adopted by the City Council becomes effective, whichever is earlier, at which time the regulations set forth herein shall automatically expire by operation of law.

ADOPTED and approved by a duly constituted quorum of the City Council of the City of Santa Clara, Utah, this day of July, 2022.

IN WITNESS THERETO:

RICK ROSENBERG, Mayor

ATTEST:

CHRIS SHELLEY, City Recorder

(d) Septic tanks/drain field systems.

- F. Administration. The policies and procedures or administration of any source protection zone established under this ordinance, including without limitation those applicable to nonconforming uses, exception, enforcement and penalties, shall be the same as provided in the existing zoning ordinance Chapter 26 for Cedar City, Utah, as the same is presently enacted or may from time to time be amended.

(Adopted 4/98)

SECTION 37-32. Water Acquisition.

Section 37-32-1. Findings.

- A. Cedar City has limited water rights. Cedar City provides culinary and irrigation water for residential, commercial, and industrial uses consistent with City ordinance. There are limited water rights in the Cedar City area and these resources are used by Cedar City, Enoch City, the Central Iron County Water Conservancy District, agriculture, private owners, and private water corporations.
- B. Cedar City is experiencing sustained residential, commercial, and industrial growth, and growth necessitates acquisition of additional water rights.
- C. The City Engineer has conducted an analysis of the City's reasonable water needs. That analysis is incorporated herein and forms the basis for this ordinance. Cedar City contracts for the appraisal of water rights, future appraisals shall be used to determine the amount of special assessment to be charged as an alternative to dedicating water rights.
- D. The State of Utah water engineer has determined that the water rights in the Cedar Valley Aquifer have been fully appropriated and has closed the basin to future appropriation of water rights.
- E. The State Engineer has studied the aquifer and determined the estimated safe yield for the groundwater basin is 21,000 acre-feet per year. The State Engineer has also determined the estimated current average depletion from the groundwater basin is 28,000 acre-feet per year. The average actual depletion must be reduced by 7,000 acre-feet per year in order to balance recharge and depletion amounts in this groundwater basin. To accomplish this goal the State Engineer has instituted a groundwater management plan.

Section 37-32-2. Purpose and policy.

- A. Cedar City's primary purpose for establishing this ordinance is to acquire the water rights necessary to serve its expanding population. Therefore, nobody will be allowed to pay the special assessment established herein if the property on which they are filing a land use application has been the place of use for water in the previous three years. This three-year timeframe is known as the "look back period".
- B. In order to carry out the policy stated above, it is hereby ordained that all land within Cedar City, or petitioning for annexation into Cedar City, is wet land if: the property has been the place of use for water within the look back period described in Section 37-32-2(A); or the land was wet at the time of annexation and deferred conveyance of water rights in accordance with City ordinance at the time of annexation. All wet land must deed water rights that have a priority date prior to July 25, 1934, used on the land up to the amount sufficient to satisfy the provisions of this ordinance and may not pay the special assessment for the deeded water rights. If the proponent does not own the water rights that have been used on the land, or if there are not sufficient water rights used on the land with a priority date prior to July 25, 1934, then the proponent can pay the special assessment in lieu of providing water rights for the portion that is lacking. Cedar City's special assessment shall consist of appraised value plus a 15% surcharge to cover future closing costs, title insurance, price fluctuations from time of receiving the special assessment to time of purchase, staff's time involved in subsequent water rights purchases, and to reduce the risk on the taxpayer of having to cover additional costs.
- C. All land that has not been the place of use for water within the look back period described in section 37-32-2(A) prior to filing of a land use application and did not defer water conveyance at the time of annexation as outlined in 37-32-2(B), is ordained to be dry land. If the party submitting a land use application owns water rights with a priority date prior to July 25, 1934, they will be required to deed these water rights to Cedar City. If the party submitting the land use application does not own water rights with a priority date prior to July 25, 1934, they may pay the special assessment contained in this ordinance and not be required to deed water rights to the City.
- D. All land use applications filed with Cedar City must be accompanied by sufficient documentation from the State Engineers' office to show if the subject property was or was not the place of use for any water rights within the look back period described in section 37-32-2(A).

Section 37-32-3. Time to acquire water rights or pay special assessment.

- A. All property that has not previously dedicated water rights or paid the applicable special assessment shall be required to either dedicate water rights or pay the special assessment either at the time the property subdivides or when the property applies for a building permit. For property where the intended use is residential, water rights shall be dedicated at the time

of subdivision. If residential property has previously been subdivided and no water rights have been provided or no fee has been paid then water rights shall be dedicated or the fee paid upon the application for a building permit. For property where the intended use is commercial or industrial water rights shall be deeded or the fee paid upon the application for a building permit.

- B. Nothing in this ordinance shall require deeding of water rights or payment of the special assessment when a building permit is pulled for repair, remodel, or expansion of a building that has been granted a building permit prior to, or after, the effective date of this ordinance.
- C. This ordinance is intended to acquire water rights one time only. Nothing herein shall be construed to require a property that has previously complied with this ordinance to dedicate water rights or pay the fee.

Section 37-32-4. Acquisition of water reserve.

- A. Since 2006, Cedar City has required, by Ordinance, new residential development within the City to participate financially in the acquisition of water rights needed by the City. In providing for culinary, commercial, and industrial uses, the City has been able to determine an appropriate reserve necessary to keep ahead of reasonably foreseeable growth in order to serve the health, safety, and welfare of the Cedar City citizens. This reserve would be water rights that are not being constantly used but would be available for service if necessary. These water rights would be administered pursuant to state law in order to avoid any partial or complete forfeiture. The City has determined the reserve amount necessary to keep ahead of reasonably foreseeable growth to be twenty percent (20%) of the total water rights owned by the City.
- B. The City Engineer will regularly conduct and update the City's analysis of its reasonable present and future water needs. Furthermore, the City Engineer shall at least annually provide information at a City Council meeting relating to the status of the City's reserve amount. In calculating adherence to this policy, valid water rights which will eventually expire under the State Engineer's groundwater management plan may be counted towards compliance so long as they remain valid for at least ten (10) more years. With the annual Water Report, the City Engineer shall report if the City Complies with the reserve requirement under 37-32-4(A).
- C. If at any time the reserve amount of water rights is reached, the City Council may impose a moratorium on the approval of all annexations, residential platted subdivisions, and building permits not in a residential platted subdivision until the developer or owner is able to provide, or the City is able to acquire, sufficient water to meet the needs as established by this ordinance.

Section 37-32-5. Acquisition of excess water rights.

- A. If at any time an owner is required to deed water rights to the City, and if that owner owns more water rights which have been used on the property relating to the land use application than the owner is required to deed to the City, then the City shall request that the owner either sell the excess rights to the City or enter into an agreement with the City giving the City the first right of refusal should the owner decide to sell said water rights in the future.

Section 37-32-6. Agricultural uses to continue and accounting for water rights.

- A. To the maximum extent legally allowable, the City shall honor agreements entered pursuant to the terms of this section as it existed prior to being repealed.

Section 37-32-7. Amount and type of water required – Exception.

- A. Amount of water required.

1. For property located in the R-1, R-2-1, R-3-1, RA, RE, AT, or RNZ zones (single family housing zone designations) each unit shall be assessed 0.91 acre feet of water per lot not to exceed 4.00 acre feet per acre of development excluding common areas and public right of ways. This shall be the requirement when the total square footage of turf/grass/sod or similar product (“turf”) proposed in the landscaping plan is 3,000 square feet or greater, or no landscaping plan has been submitted. If the landscaping plan for the subdivision or lot includes less than 3,000 square feet of turf per lot the requirement shall be 0.60 acre feet of water per lot. In order to qualify for the reduced acre foot calculation, the developer of the property must show:
 - a) a detailed set of landscape plans for each lot in the area impacted by the land use application (subdivision or building permit). If this is done in conjunction with a recorded subdivision the developer must show on a separate sheet a detailed landscaping plan;
 - b) landscaping plans shall show the dimensions of all lots, a proposed dimension for the single-family home and any planned out buildings;
 - c) a proposed plan showing the locations of turf, trees, bushes, and other proposed landscape;
 - d) a proposed irrigation system plan; and
 - e) if the proposed subdivision is going to restrict turf to less than 3,000 square feet, then there must be a note on the final subdivision plat and in addition the developer must provide a copy of a disclosure statement that will be required to be presented to and signed by any parties purchasing property in the subdivision.
2. For property located in the R-2-2, R-3-M, MU, SHD, or commercial zones where the intended use is residential (multifamily zones) each unit shall be assessed as follows:
Property developed in a multifamily residential zone shall be assessed the water

acquisition fee based on the number of residential units, and the amount of open space included in the submission. If the amount of open space includes 1,250 square feet of turf or more per unit then the acquisition fee will be 0.55 acre-feet of water per unit but not to exceed 4.00 acre feet per acre of development inclusive of common areas but excluding public right of ways. If the submission includes less than 1,250 square feet of turf per unit then the water acquisition fee will be 0.32 acre-feet of water per unit. In order to qualify for the reduced acre-foot calculation, subdivisions or applications for building permits will be required to submit a landscaping plan with the following information:

- a) a detailed set of landscape plans for the entire complex showing the landscape in front of each unit, in common areas, or in open space areas;
 - b) show each unit on the landscaping plan;
 - c) show proposed locations for turf, and dimensions of the proposed area for turf. This includes open space, common space, and area around each unit; and
 - d) show the proposed irrigation system.
3. For commercial and industrial property, the water acquisition fee will be calculated based on the size of water meter used to serve the proposed use on the property. If the water meter size is augmented solely for fire suppression purposes, then the water acquisition fee will be calculated based on the size of the water meter that would be required for the proposed use on the property other than fire suppression requirements.

B. Type of water required.

1. As used in this section the following terms shall have the following meaning:
 - a) “sub-surface water rights” shall mean all rights to underground water within aquifers that can physically and legally supply water to Cedar City;
 - b) “class 1 surface rights” shall mean all surface water rights to Coal Creek water adjudicated up to 1870;
 - c) “class 2 surface rights” shall mean all surface water rights to Coal Creek water on which claims were filed from 1870 through 1880;
 - d) “class 3 surface rights” shall mean all surface water rights to Coal Creek water on which claims were made from 1880 through 1890;
 - e) “class 4A surface rights” shall mean all surface water rights to Coal Creek water on which claims were made from 1890 through 1898; and
 - f) “class 4B surface rights” shall mean all surface water rights to Coal Creek water on which claims were made post 1898.

2. The following classifications of water rights shall be deeded to Cedar City in compliance with this ordinance:
 - a) two-thirds of the required water rights shall be sub-surface water rights that have a priority date prior to July 25, 1934, and be available for use in water right area 73;
 - b) one third of the required water rights shall be class 1, 2, or 3, surface rights; or additional sub-surface water rights that have a priority date prior to July 25, 1934, and be available for use in water right area 73; and
 - c) if a secondary or supplemental sub-surface water right can be transferred to and used by the City with a primary surface water right then the proportion of sole supply sub-surface water right established in the determination required by section 37-32-7(B)(3)(f) shall determine the proportion credited as a sub-surface water right or as a surface water right.
3. The following process shall be followed to transfer water rights:
 - a) The developer shall submit a title report showing the type of water right, ownership of the right, and any liens or encumbrances. The developer shall also provide a title insurance policy in such a sum that is adequate to cover the appraised value of the water rights the policy is covering.
 - b) A change application with the State of Utah shall be completed at the expense of the party developing the land. Information to be included in the change application will be provided by Cedar City, including the points of diversion. The change application must be approved by the State Engineer prior to transferring water rights to the City on the books of the State of Utah Division of Water Rights. This transfer may also be conditioned on approval of the land use application pending before the City that caused the developer to transfer the water rights.
 - c) A deed transferring the water rights to Cedar City shall be completed and held prior to the land use application approval. The deed transferring ownership may be held either by the City or in an escrow account paid for by the developer. Once the land use application and change application receive approval, the deed will be recorded.
 - d) If the Division of Water Rights has not made a final decision on the change application prior to the land use approval, then the developer shall post a cash bond with the City in the amount of the water acquisition fee.
 - e) If at any point in this process, the change application is denied by the Division of Water Rights then the developer can pay the water acquisition fee in lieu of

providing water rights. However, if a denial is based on the developer's negligence in providing information or payments to the Division of Water Rights during the change application process, then the developer cannot pay the water acquisition fee in lieu of providing water rights.

- f) If the water rights proposed to be transferred are supplemental or secondary, or otherwise something other than a primary underground source, then prior to filing the change application and completing the land use application the proponent shall complete a determination through the State of Utah Division of Water Rights so that the nature and extent of the water right is known prior to land use approval.

C. Exceptions.

1. Open space exception. If at the time of final plat approval, or pulling of a building permit, land is deeded to Cedar City for undeveloped open space, parks and recreation, or placed in a conservation easement that complies with the provisions of Title 57, Chapter 18, Sections 1 through 7, Utah Code Annotated, 1953 as amended, then that acreage is not subject to the requirements of this ordinance that mandate the deeding of water rights or payment of fees. This provision does not apply to annexation as the amount of water required for annexation was adjusted to account for such lands.
2. Public lands exception. If at the time of annexation, the annexed property is owned by the Bureau of Land Management or the U.S. Forest Service then that acreage is not subject to the requirements of this ordinance that mandate the deeding of water rights. This exception only applies to annexation and not when the property is platted as a residential subdivision or receives a building permit.
3. Nothing in this ordinance shall require the City to deed water or pay a fee if the City develops land. Furthermore, nothing in this ordinance shall require any person that purchases land from the City, and within the look back period of the purchase develops the land, to deed water to the City. A purchaser of property from the City will have to pay the assessment to the City consistent with this ordinance.
4. A narrow exception is hereby created to allow for the annexation of property with existing water users that are more than 300 feet from existing City water infrastructure. City staff shall be allowed to permit an exception of up to 0.45 acre feet for a domestic unit, 4 acre feet per acre of irrigated crop land, or 0.028 acre feet per animal unit of stock watering. Staff shall be permitted to rely on information from the State of Utah Water Engineer in determining animal units, irrigated crop land, and domestic units. Any party that annexes into the City, deeds water to the City and qualifies for this exception shall be able to lease the determined amount of water for domestic use, crop irrigation, and/or stock watering at a nominal fee until such time as they subdivide or receive a building permit.

37-32-7 Last amended by Cedar City Ordinance No. 0225-09

Section 37-32-8. Establishment of special assessment.

- A. There is established a special assessment that owners may pay instead of deeding water rights to the City as required by this ordinance. The special assessment shall be established by the Cedar City Council and adopted in the form of written Resolution duly authorized and approve by said Council. This special assessment may be amended from time to time also by a resolution of the Cedar City Council. Prior to amending the special assessment, the City shall have the surface water rights and sub-surface water rights in the Cedar City area appraised and/or use the best available market information. The council may also, by resolution, add costs for reasonable administrative overhead to this special assessment.

Section 37-32-9. Effective date.

- A. This ordinance shall become effective January 15, 2022, upon passage by the Cedar City Council and being signed by the Mayor.

Section 32 adopted 3/06

Section 32 amended by ordinance number 0227-08-01, Dated February 27, 2008

Section 32 amended by ordinance number 1203-08, Dated December 15, 2008

Section 32 amended by ordinance number 0514-14-1, Dated May 16, 2014

Section 32 amended by ordinance number 0512-21, Dated May 12, 2021

Ordinance number 0512-21 repealed by Ordinance number 0623-21-8.

Ordinance amended by ordinance number 1208-21-10, Dated December 8, 2021

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: July 6, 2022

Agenda Item: 6

Applicant: Yvonne Barkley

Requested by: Scott Bannon, Assistant City Manager

Subject: Consider changing the rental lease
Agreement from 1 year contract to a 3
year contract.

Description:

Yvonne Barkley would like to change their Rental lease agreement from a one year contract to a three year contract for cost savings. The rental property is located at 2600 Santa Clara Drive and is under contract through Jensen Property Management, that would remain the same. It is staff's recommendation to approve the 3 year Rental lease agreement.

Recommendation: Approval

Attachments:

Cost: 0

Legal Approval: Yes

Finance Approval: Yes

Budget Approval: Yes

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: July 6, 2022

Agenda Item: 7

Applicant: Dustin Mouritsen

Requested by: Dustin Mouritsen

Subject: Third Amendment to the April 2015 update to the Storm Water Master Plan

Description:

Discussion pertaining to the Update of the 2015 Storm Water Master Plan. With the future developments near Pioneer Parkway and Red Mountain Drive the existing culvert crossing under Pioneer Parkway in the Tuacahn Wash are only sized for a 100 year flood. When flooding occurs the culvert's reach capacity and flood waters over top Pioneer Parkway causing the road to be closed. With the future expansion of Pioneer Parkway now would be a good time to look at replacing the culvert's with the capacity to hold up to a 1,000 year flood event. With an amendment to the current Storm Water Master Plan the project would be 50% impact fee eligible. Current Residential Impact Fee= \$558.90 Proposed Amended Residential Impact Fee= \$846.53 Current Commercial Impact Fee= \$933.36 Proposed Amended Commercial Impact Fee= \$1,413.70 Increase in Impact fees of \$287.63 per residential ERU and \$480.34 per commercial ERU.

Recommendation: Approval

Cost: 0

Legal Approval: Yes

Finance Approval: Yes

Budget Approval: Yes

Attachments:

<https://sccity.org/wp-content/uploads/formidable/41/Pioneer-Parkway-culvert-replacement.pdf>, <https://sccity.org/wp-content/uploads/formidable/41/Engineers-Estimate-Pioneer-Parkway-Culvert-Replacement-5-27-2022.pdf>, <https://sccity.org/wp-content/uploads/formidable/41/Storm-Water-Master-Plan-Amendment.docx>



1. AVERAGE ROCK SIZE, D50: 30"-30", USE ANGULAR-SHAPED ROCK FREE FROM CRACKS, OVERBURDEN, SHALE; WITH A MINIMUM STRENGTH OF 150,000 LBS PER SQ. FT. (SPECIFIC GRAVITY = 2.50); WITH THE BREADTH OR THICKNESS OF A SINGLE ROCK LESS THAN 12" OR LESS THAN 1/3 LENGTH, FURNISH ROCK GRADED AS INDICATED IN THE TABLE. ALL ROCK RIP-RAP SHALL BE INSPECTED BY THE ENGINEER PRIOR TO INSTALLATION AND PLACING COVER MATERIAL.
2. FILTER FABRIC SHALL BE MIRFIL 180 N Ø 20, NON NOVEN GEO-TEXTILE OR APPROVED EQUAL. FABRIC SHALL BE PLACED AND SHOWN TO THE ENGINEER AND INSTALLED ACCORDING TO MANUFACTURE'S INSTRUCTIONS. CARE SHALL BE TAKEN TO PREVENT FABRIC FROM TENSILING DURING ROCK PLACEMENT.
3. CONTRACTOR SHALL FILL VOIDS IN RIP-RAP EROSION PROTECTION WITH SEDIMENT UP TO 3FT ABOVE THE LOW FLOOD RIVER WATER LEVEL. USING WATER SETTLING TO OTOMATELY REMOVE ALL ROCK RIP-RAP SHALL BE INSPECTED BY THE ENGINEER PRIOR TO SEDIMENT PLACEMENT.
4. ALL UNSUITABLE VEGETATION AND NON-ROCK MATERIAL SHALL BE REMOVED FROM THE WORK AREA AND DISPOSED OF PROPERLY OFFSITE.
5. RIP-RAP EROSION PROTECTION REPAIR TERMINATION LOCATIONS TO BE DETERMINED BY ENGINEER BASED ON FIELD CONDITIONS.

ROCK GRADATION	
D100	48°
D75	36°
D50	30°
D25	18°
MIN	6°

1. AVERAGE ROCK SIZE, D50-24" FREE FROM ANGULAR-SHAPED ROCK FREE FROM CRACKS OR FRACTIONS OF SHALES WITH A MINIMUM DENSITY OF 136 LB. PER CUBIC FT. (SPECIFIC GRAVITY = 2.50), WITH THE BREADTH OR THICKNESS OF A SINGLE LAYER OF ROCKS LESS THAN 1/2" AND ITS LENGTH, FINISH ROCK, GRADED AS INDICATED IN THE TABLE. ALL ROCKS IN RIP-RAP SHALL BE INSPECTED BY THE ENGINEER PRIOR TO INSTALLATION AND PLACING COVER MATERIAL.
2. FILTER FABRIC SHALL BE MIRIFIL 100 N & OZ. NON JOVEN GEO-TEXTILE OR APPROVED EQUAL. FABRIC SHALL BE PLACED ON SLOPE OF EROSION AND BE INSTALLED ACCORDING TO MANUFACTURE'S INSTRUCTIONS. CARE SHALL BE TAKEN TO PREVENT FABRIC FROM TEARING DURING ROCK PLACEMENT.
3. CONTRACTOR SHALL FILL VOIDS IN RIP-RAP EROSION PROTECTION WITH SEDIMENT UP TO 3FT ABOVE THE LOW LOW WATER MARK WITH APPROVED WATER JETTING OR OTHER APPROVED METHODS ALL ROCK RIP-RAP SHALL BE INSPECTED BY THE ENGINEER PRIOR TO SEDIMENT PLACEMENT.
4. ALL UNSUITABLE VEGETATION AND MOODY DEBRIS MATERIAL SHALL BE REMOVED FROM THE WORK AREA AND DISPOSED OF PROPERLY OFFSITE.
5. RIP-RAP EROSION PROTECTION REPAIR SHALL BE VERIFIED BY ENGINEER BASED ON FIELD CONDITIONS.

ROCK GRADATION	
D100	48"
D75	30"
D50	24"
D25	12"
MIN	6"



Rosenberg Associates

352 East Riverside Drive, Suite A-2
St. George, Utah 84790

PROJECT 12454-22-005

PREPARED Jared Bates

DATE May 27, 2022

Estimate of Probable Cost

**Pioneer Parkway Culvert Replacement - Tuacahn Wash
Santa Clara, Utah**

Item	Description	Unit	Estimated Quantity	Unit Price	Total Price
1	Mobilization	Lump	1	\$113,000.00	\$113,000.00
2	SWPPP, Traffic Control & Site Access	Lump	1	\$10,000.00	\$10,000.00
3	Clear and Grub	Acre	0.40	\$5,000.00	\$2,000.00
4	Sawcut Existing Asphalt	Lf	60	\$35.00	\$2,100.00
5	Remove and Dispose Existing Asphalt Roadway	Sq Ft	2,300	\$3.00	\$6,900.00
6	Remove and Dispose Existing Asphalt Trail	Sq Ft	1,400	\$3.00	\$4,200.00
7	Remove and Dispose Existing CMP Pipe	Lf	180	\$35.00	\$6,300.00
8	Remove and Dispose Existing Grouted Rip Rap	Cu Yd	250	\$20.00	\$5,000.00
9	Remove and Dispose Existing Jersey Barrier	Lf	50	\$20.00	\$1,000.00
10	Earthwork	Cu Yd	1,394	\$15.00	\$20,910.00
11	10' W x 8' H Concrete Box Culverts	Lf	428	\$3,000.00	\$1,284,000.00
12	Concrete Wingwalls	Lump	1	\$30,000.00	\$30,000.00
13	Concrete Headwalls	Lump	1	\$50,000.00	\$50,000.00
14	Rock Rip-Rap (d50 = 24")	Cu Yd	2,695	\$45.00	\$121,275.00
15	Rock Rip-Rap (d50 = 30")	Cu Yd	460	\$45.00	\$20,700.00
16	Asphalt 4" Depth	Sq Ft	2,300	\$3.00	\$6,900.00
17	Type II Roadbase (12" Thickness)	Sq Ft	6,000	\$1.75	\$10,500.00
18	Asphalt Trail 2.5" Depth	Sq Ft	1,400	\$3.00	\$4,200.00
19	Rock Mulch	Sq Ft	3,600	\$5.00	\$18,000.00
20	Striping	Lf	350	\$2.00	\$700.00
				<i>Construction Costs</i>	<i>\$1,717,685.00</i>
				<i>Engineering - Design</i>	<i>\$171,768.50</i>
				<i>Construction Engineering & Staking</i>	<i>\$171,768.50</i>
				Total Project Cost	\$2,061,222.00

The user of this opinion of cost understands that **Rosenberg Associates** has no control over the cost or availability of labor, equipment or materials, or over market conditions or the Contractor's method of pricing; and the opinions of probable construction costs are made on the basis of professional judgment and experience. **Rosenberg Associates** makes no warranty, express or implied, that the bids or the negotiated cost of the work will not vary from the above.

THIRD AMENDMENT TO THE APRIL 2015 UPDATE OF THE SANTA CLARA CITY STORM WATER MASTER PLAN JUNE 2022

A. INTRODUCTION

Santa Clara City has contracted with Sunrise Engineering to prepare an amendment to the already adopted Santa Clara City Storm Water Master Plan (the Adopted Plan), which included an Impact Fee Facilities Plan and Impact Fee Analysis. This amendment shall be considered part of the Adopted Plan once the amendment is adopted by the City Council.

The purpose of this amendment is to incorporate an additional box culvert project along the Tuachan Wash crossing Pioneer Parkway. This new crossing will minimize the water flow across the top of Pioneer Parkway projected in the 100-year flood demands by diverting it the four 10' X 8' concrete box culverts under Pioneer Parkway. The city felt it necessary to complete an amendment to the latest update of the Adopted Plan to address this addition.

B. USER ANALYSIS

The population and build-out projections used for this amendment will be the same as those used in the Adopted Plan as shown below. The source of this information is the 2015 Santa Clara City Wastewater System Impact Fee Facilities Plan & Impact fee Analysis. For a detailed description of the assumptions and methods used to determine these projections, refer to Section II of that report.

2015 Population: 6,825
Build-Out Population: 18,240

2015 ERUs: 2,047
Buildout ERUs: 5,472

C. IMPACT FEE FACILITIES PLAN

The project is expected to consist of concrete box culverts, earthwork, rip rap, grading control structures, wing walls, and roadway replacement. Figure IV.C.2 has been amended to include this project and is attached at the end of this amendment.

The Adopted Plan includes a list of recommended projects and improvements with a total cost of \$4,652,814.00. In the First Amendment to the April 2015 Update of the Santa Clara City Storm Water Master Plan (the First Amendment) done in March of 2017, this list was updated to

include an additional storm water project along Tuscany Drive. This project increased the cost of improvements by \$33,563 for a new total of \$4,686,377.

In the Second Amendment to the April 2015 Update of the Santa Clara City Storm Water Master Plan (the Second Amendment) done in May 2021, the list was updated to include a storm drain along Arrowhead Drive in addition to the already proposed curb and gutter. This project revision increased the cost of improvements by \$216,497 for a new total of \$4,902,874.

The estimated price of the proposed project crossing Pioneer Parkway was provided by the City along with a concept plan for the project. The total project cost estimate was determined to be \$2,061,222 from the provided estimate. The Engineer's Estimate of Probable Cost provided by the City for this project has been included in this amendment as well as an updated Table V.A.1 which gives an overall project summary.

D. IMPACT FEE ANALYSIS

For the Adopted Plan, the total impact fee eligible costs were calculated by multiplying the "percent of project cost determined to be due to new growth" (52.7%) by the "total estimated project cost" (\$4,652,814) and subtracting the "previously collected impact fees" (\$1,855,371.64). The resulting impact fee eligible cost was calculated as \$1,855,371.64.

The First Amendment improvements along Tuscany Dr. (upsizing and extending the storm water line) were determined to be necessitated due to new growth and were therefore 100% impact fee eligible. Adding the \$33,563.37 of impact fee eligible projects presented in the First Amendment to the impact fee eligible costs shown in the Adopted Plan resulted in the total impact fee eligible cost of \$1,888,935.64.

The Second Amendment improvements along Arrowhead Drive used the same percentage as the originally proposed Arrowhead Curb and Gutter improvements of 52.5% because it was assumed the drain affected the same amount of undeveloped area. Adding the impact fee eligible costs to those shown in the First Amendment resulted in a total impact fee eligible cost of \$2,002,596.64.

Using the same method as the adopted plan to calculate total impact fee eligible costs, the Pioneer Parkway Culvert Replacement was determined to be 50% impact fee eligible. Adding the impact fee eligible costs to those shown in the Second Amendment results in a total impact fee eligible cost of \$3,627,964.

The impact fee analysis in the Adopted Plan was completed based on dividing the total impact fee eligible improvements by the number of additional ERUs anticipated to buildout, but also adjusting the maximum impact fee amount because of the presence of both residential and commercial impact fees. The Adopted Plan set a separate residential impact fee and commercial impact fee based on the assumption that "runoff generated by commercial properties is 1.67 times higher than runoff generated by residential properties." The commercial impact fee per

ERU was therefore set higher than the residential impact fee per ERU by a factor of 1.67. The impact fee amounts are set so that total anticipated impact fee revenue equals the total impact fee eligible costs.

Based on the new impact fee eligible cost and leaving the number of residential and commercial ERUs the same as in the Adopted Plan, the new maximum impact fee eligible amounts are as follows:

- Current Maximum Residential Impact Fee = \$558.90
- Amended Maximum Residential Impact Fee = \$846.53
- Current Maximum Commercial Impact Fee = \$933.36
- Amended Maximum Commercial Impact Fee = \$1,413.70

This represents a potential increase in impact fee amounts of \$287.63 per residential ERU and \$480.34 per commercial ERU as compared to the Second Amendment. The impact fee calculations are shown in the amended Table V.C.1 below.

Though these values suggest increasing prices for new residents and commercial users, it is recommended to postpone any modifications to the impact fee amounts until the completion of the Santa Clara City Storm Water Master Plan 2021 update.

Amended Table V.C.1. Impact Fee Analysis

TABLE V.C.1			
CITY OF SANTA CLARA			
IMPACT FEE ANALYSIS			
STORM WATER SYSTEM FACILITY PLAN			
			Jun-22
IMPACT FEE CALCULATIONS			
Total Estimated Project Cost		\$	6,964,096
% of New Project Cost Due to New Growth	52.1%	\$	3,627,964.00
Previously Collected Impact Fees		\$	594,756.36
Impact Fee Eligible Cost		\$	3,033,207.64
No. of ERUs (2015)			2,047
Buildout ERU's			5,472
No. of New ERU's Due to Growth			3,425
Future ERUs			Percent of Runoff
Residential ERUs	3,189		89.0%
Commercial or Other ERUs	236		11.0%
Residential			
Maximum Residential Impact Fee = Total Eligible Cost / New ERU's		\$	846.53 /ERU
Proposed Residential Impact Fee for Santa Clara City (FY2015) =		\$	846 /ERU
Commercial			
Maximum Commercial Impact Fee = Total Eligible Cost / New ERU's		\$	1,413.70 /ERU
Proposed Commercial Impact Fee for Santa Clara City (FY2015) =		\$	1,413 /ERU
P:\Santa Clara City\SW\amendment\[Santa Clara SWMP 2015 - 3rd.xlsx]LF:			

Amended Table V.A.1. Project Summary

Project	Total Cost	% Eligible	Eligible Cost
Santa Clara Drive Drainage Improvements (Actual Costs)	\$ 2,462,825	47.0%	\$ 1,157,528
Canyon View Dr. & Scenic Dr. Storm Drain System (Actual Costs)	\$ 132,064	47.0%	\$ 62,070
Replace Existing Concrete Irrigation Ditch (Between Santa Clara View Dr & Heights Dr)	\$ 285,711	7.22%	\$ 20,615
30-Inch Highway Crossings	\$ 186,347	47.0%	\$ 87,583
Vineyard Curb & Gutter and Drainage Improvements	\$ 310,472	34.8%	\$ 108,044
Arrowhead Curb & Gutter and Drainage Improvements	\$ 161,522	52.5%	\$ 84,799
Storm Water Facilities at City Hall (Actual Costs)	\$ 270,799	62.6%	\$ 169,520
North Town Regional Storm Drain	\$ 108,024	100.0%	\$ 108,024
400 East & North Town Intersection	\$ 44,903	62.6%	\$ 28,109
Lava Flow Wash Flood Channel	\$ 180,767	100.0%	\$ 180,767
South Hills Flood Channel & Detention Basin	\$ 222,077	100.0%	\$ 222,077
BMP Water Quality Improvements	\$ 177,303	62.6%	\$ 110,992
Engineering Studies and Flood Mapping	\$ 110,000	100.0%	\$ 110,000
Tuscany Drive Storm Drain (Amendment 1)	\$ 33,563	100.0%	\$ 33,563
Arrowhead Pipeline Improvements (Amendment 2)	\$ 216,497	52.5%	\$ 113,660.93
Tuachan Wash Crossing Pioneer Parkway	\$ 2,061,222	50.0%	\$ 1,030,611.00
Project	\$ 6,964,096	52.1%	\$ 3,627,964



Rosenberg Associates
352 East Riverside Drive, Suite A-2
St. George, Utah 84790

PROJECT 12454-22-005

PREPARED Jared Bates

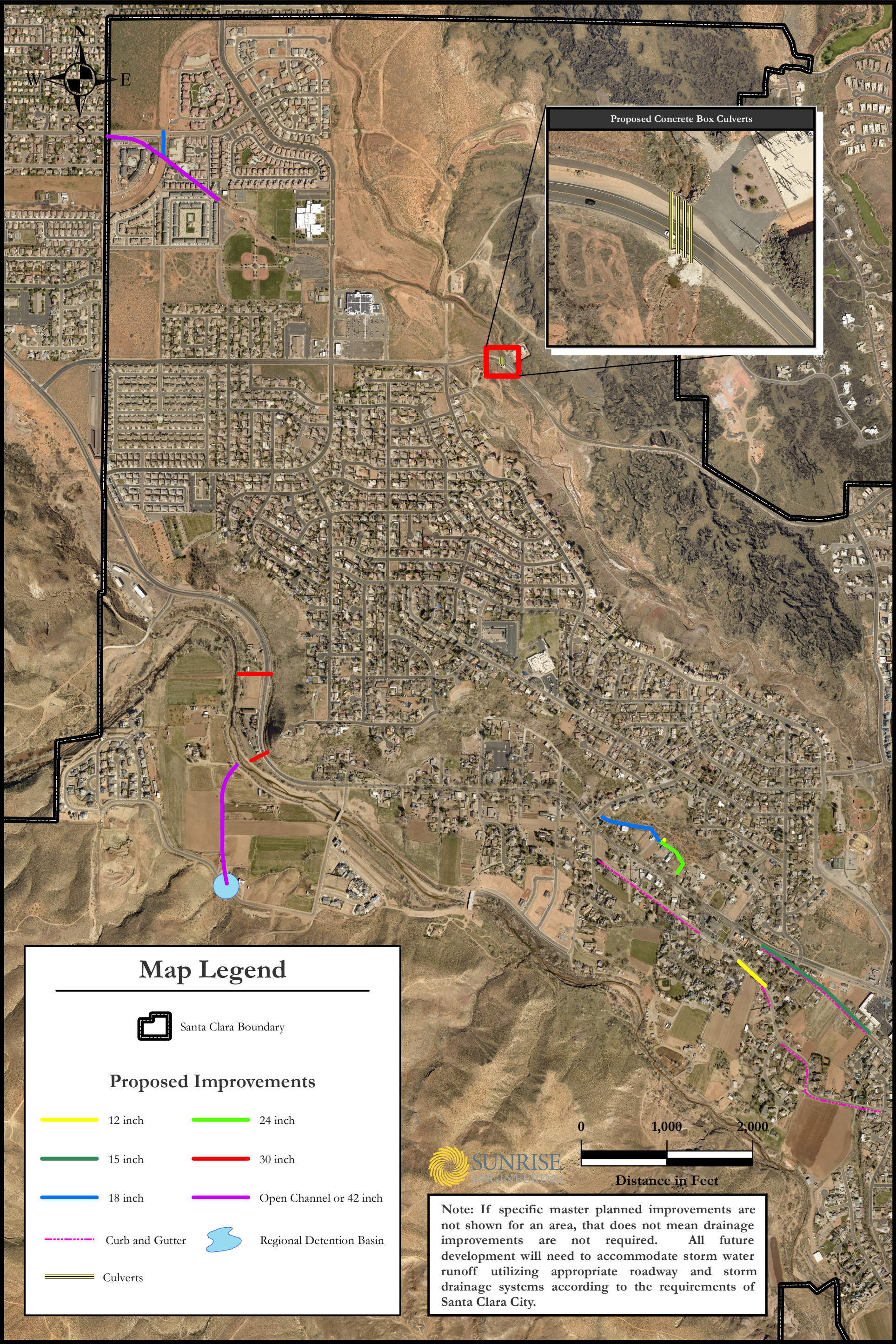
DATE May 27, 2022

Estimate of Probable Cost
Pioneer Parkway Culvert Replacement - Tuacahn Wash
Santa Clara, Utah

Item	Description	Unit	Estimated Quantity	Unit Price	Total Price
1	Mobilization	Lump	1	\$113,000.00	\$113,000.00
2	SWPPP, Traffic Control & Site Access	Lump	1	\$10,000.00	\$10,000.00
3	Clear and Grub	Acre	0.40	\$5,000.00	\$2,000.00
4	Sawcut Existing Asphalt	Lf	60	\$35.00	\$2,100.00
5	Remove and Dispose Existing Asphalt Roadway	Sq Ft	2,300	\$3.00	\$6,900.00
6	Remove and Dispose Existing Asphalt Trail	Sq Ft	1,400	\$3.00	\$4,200.00
7	Remove and Dispose Existing CMP Pipe	Lf	180	\$35.00	\$6,300.00
8	Remove and Dispose Existing Grouted Rip Rap	Cu Yd	250	\$20.00	\$5,000.00
9	Remove and Dispose Existing Jersey Barrier	Lf	50	\$20.00	\$1,000.00
10	Earthwork	Cu Yd	1,394	\$15.00	\$20,910.00
11	10' W x 8' H Concrete Box Culverts	Lf	428	\$3,000.00	\$1,284,000.00
12	Concrete Wingwalls	Lump	1	\$30,000.00	\$30,000.00
13	Concrete Headwalls	Lump	1	\$50,000.00	\$50,000.00
14	Rock Rip-Rap (d50 = 24")	Cu Yd	2,695	\$45.00	\$121,275.00
15	Rock Rip-Rap (d50 = 30")	Cu Yd	460	\$45.00	\$20,700.00
16	Asphalt 4" Depth	Sq Ft	2,300	\$3.00	\$6,900.00
17	Type II Roadbase (12" Thickness)	Sq Ft	6,000	\$1.75	\$10,500.00
18	Asphalt Trail 2.5" Depth	Sq Ft	1,400	\$3.00	\$4,200.00
19	Rock Mulch	Sq Ft	3,600	\$5.00	\$18,000.00
20	Striping	Lf	350	\$2.00	\$700.00
<i>Construction Costs</i>					\$1,717,685.00
<i>Engineering - Design</i>					\$171,768.50
<i>Construction Engineering & Staking</i>					\$171,768.50
Total Project Cost					\$2,061,222.00

The user of this opinion of cost understands that **Rosenberg Associates** has no control over the cost or availability of labor, equipment or materials, or over market conditions or the Contractor's method of pricing; and the opinions of probable construction costs are made on the basis of professional judgment and experience. **Rosenberg Associates** makes no warranty, express or implied, that the bids or the negotiated cost of the work will not vary from the above.

Figure IV.C.2 - Proposed Storm Water Improvements



Third Amendment to the April 2015 Update of the Santa Clara City Storm Water Master Plan
June 2022

Current Maximum Residential Impact Fee = \$558.90

Proposed Amended Maximum Residential Impact Fee = \$846.53

Current Maximum Commercial Impact Fee = \$933.36

Proposed Amended Maximum Commercial Impact Fee = \$1,413.70



Santa Clara-Ivins Fire & Rescue

Administration - 90 W. Center
Ivins, Utah 84738
(435) 429-6934



FIRE DEPARTMENT UPDATE

June 2022

Administration/Executive Leadership

- Executive Leadership – Incident Leadership Software
- Policy Development
- There is a meeting planned in the first half of July with Washington County to discuss additional funding.

Risk Reduction

- There were several annual business inspections completed and two new ones added in the city of Ivins.
- There were a few requests for vegetation inspections in the Kayenta Community. Homeowners were able to follow the guidelines and were successful in retaining their insurance coverage.
- Hydrant testing in Kayenta will start soon.
- For the month of June and July Tuacahn has commercial fireworks permit for their regular show. In addition, an extra fireworks permit was granted for the 4th of July celebrations. The show will be on the 2nd of July. Additional precautions have been taken by the operator.

Personnel development

- Probationary firefighters began employment. They will be required to complete a work task book and several fire & EMS exams during their 12-month probationary period.
- All the “Red Card” holders received their state certifications for the year.
- New staff members are undergoing orientation training and recertification.
- New staff received their badges at a city council meeting in Santa Clara and were sworn in.
- SCIFR is looking at sending a staff member to paramedic school and EMT Basic school.
- We are expanding our volunteer opportunities. SCIFR will be starting a Fire Explorer program in the fall for youth 16-21. They will work in conjunction with our adult volunteer staff.
- We added one additional adult volunteer.
- SCIFR received a visit from our medical director who provide our department with advanced medical training.

Community Affairs

- SCIFR partook in a CERT meeting in Ivins City. We are working with CERT staff to offer visitors a hands-on experience with SCIFR during our upcoming Pioneer Days Celebration.
- All fire works information is available on our website @ <https://sccity.org/public-safety/sci-fire/fireworks/>



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Emergency Operations

- Medic 31 responded periodically in St. George to assist Gold Cross with medical calls.
- The burn season was closed by the county and all burns are prohibited. Some agricultural burns are allowed by permit only.
- SCIFR will be staffing an Engine with 4 personnel in Ivins July 4th & July 24th

Special Operations

- A meeting with Washington County Sheriff's Search & Rescue was held at the Center Street Station to coordinate rescues in Snow Canyon and Santa Clara South Hills.

Organizational Support

- Planning for major repairs on our apparatuses are ongoing and repairs will start at the beginning of the new fiscal year.
- We were very fortunate to receive a new ambulance from the county. It was delivered in mid-June and will be operational in July.
- The Center Street station is receiving cleaning and repairs in anticipation of future staffing.
- The landscape project was fully completed at Rachel station by the removal of all the excess dirt. The new landscape represents a more water friendly landscape.
- Station alerting was installed at Rachel Station and measurements were taken at the Ivins station in preparation for install. MOPA LLC. is providing the installation and equipment. Please reach out to owner Michael Bain at (801) 542-0504 for individual questions. The estimate for the Ivins Station equipment is \$48,670.97. There is a meeting on July 6th with county fire chiefs to discuss dispatch programming.

Management Analysis

- We will be developing and managing a new department website that will host our training platform, reporting links, calendars and providing information to the public.
- Financial planning continues with more granular expense discussions. We are looking at the potential for liquidating resources due to costs for ongoing repair and maintenance.
- Grant Management: We were unsuccessful in obtaining our wildland fuels mitigation grant but will be working with Santa Clara and Ivins City Yards to provide chipping of homeowner clipping waste.
- We continue to update our response technology platforms within our apparatus (i.e., tablets, apps, etc.).