

NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL MEETING
Wednesday, September 14, 2022
Time: 5:00 p.m.
AGENDA

Public Notice is hereby given that the Santa Clara City Council will hold a Regular Meeting in the City Council Chambers, located at 2603 Santa Clara Drive, Santa Clara, Utah on Wednesday September 14, 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. Opening Ceremony:

- Pledge of Allegiance: Ben Shakespeare
- Opening Comments: Mary Robinson, Intermountain Faith

3. Conflicts and Disclosures

4. Working Agenda:

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

B. Consent Agenda:

1. Approval of Claims and Minutes

- Aug. 24, 2022 Regular City Council Meeting Minutes
- Sept. 7, 2022 City Council Work Meeting Minutes
- Claims through Sept. 14, 2022

2. Calendar of Events

- Sept. 22-24, 2022 Swiss Days Event
- Sept. 28, 2022 Regular City Council Meeting
- Oct. 5, 2022 Santa Clara City Work Meeting
- Oct. 5-7, 2022 League of Cities & Towns
- Oct. 12, 2022 Santa Clara City Regular Meeting
- Oct. 26, 2022 Santa Clara City Regular Meeting

3. Cancel the Oct. 5, 2022 Work Meeting due to League of Cities & Towns

4. Approval of Ordinance 2022-20, This item was approved on Aug. 10, 2022, but the Ordinance was missed.

C. General Business:

1. Discussion and possible action on a Proclamation to declare the 2022-2023 school year as an Alcohol-Free School Year. Presented by Pamela Holiday, Washington Co. Youth Coalition (WCYC).

2. Discussion and possible action on a proposed Partial Plat Amendment for Somerset Estates Subdivision to combine Lots 2 and 3 into one lot located at 3096 Somerset Lane. Scott & Robyn Parry, applicants. Presented by Jim McNulty, City Planner.
3. Discussion and possible action on a proposed Code Amendment to the Santa Clara City Zoning Ordinance, Section 17.63, R-1-6 Single Family Zone. City of Santa Clara, applicant and approve Ordinance 2022-21. Presented by Jim McNulty, City Planner. (Table)
4. Discussion and possible action on a proposed Code Amendment to the Santa Clara City Zoning Ordinance, Section 17.74, Historic District/Mixed Use Zone, this includes a general clean up and updating of Ordinance. City of Santa Clara, applicant and approve Ordinance 2022-22. Presented by Jim McNulty, City Planner.
5. Discussion and possible action on a proposed Code Amendment to the Santa Clara City Zoning Ordinance, Section 17.76, Historic District/Overlay Zone. This includes general clean up and updating of Ordinance. City of Santa Clara, applicant and approve Ordinance 2022-23. Presented by Jim McNulty, City Planner.
6. Discussion and possible action regarding an Ambulance Lease Agreement between Washington County and Santa Clara/Ivins Fire.
7. CFPP (Carbon Free Power Project) update. Presented by Gary Hall, Power Director.
5. **Reports:**
 - a. Mayor / Council Reports:
6. **Executive Session:**
7. **Adjournment:**

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

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 8th day of September 2022 at Santa Clara City Hall, on the City Hall Notice Board, at the Santa Clara Post Office, on the Utah State Public Notice Website, and on the City Website at <http://www.sccity.org>. The 2022 meeting schedule was also provided to the Spectrum on January 6, 2022.

Chris Shelley – City Recorder

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, AUGUST 24, 2022
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, August 24, 2022 at 6:30 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara, Utah. Notice of the time, place and agenda of the meeting was provided to the Spectrum and to each member of the governing body by emailing a copy of the Notice and Agenda to the Spectrum and also, along with any packet information, to the mayor and each council member, at least two days before the meeting. The meeting will be broadcast via You Tube linked on our website at <https://sccity.org/meetings>.

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

Others Present: Dustin Mouritsen, Public Works Director; Ryan VonCannon, Parks & Trails Deputy Director; Gary Hall, Power Director; Jim McNulty, City Planner; Cody Mitchell, Building Official; Ryan Scholes; Susan Dransfield, Regent DAR;

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 7:55 p.m. He introduced himself and the City Council.
2. **Opening Ceremony:**
 - Pledge of Allegiance: Jarett Waite
 - Opening Comments: Jarett Waite
3. **Conflicts and Disclosures:** None.
4. **Working Agenda:**
 - A. **Public Hearing(s):** None.
 - B. **Consent Agenda:**
 1. **Approval of Claims and Minutes**
 - Aug. 10, 2022 Regular City Council Meeting Minutes
 - Claims through Aug. 24, 2022
 2. **Calendar of Events**
 - Sept. 7, 2022 City Council Work Meeting
 - Sept. 14, 2022 Regular City Council Meeting
 - Sept. 22-24, 2022 Swiss Days

- Sept. 28, 2022 Regular City Council Meeting

Motion to Approve the Consent Agenda as presented.

Motion by Ben Shakespeare, seconded by Leina Mathis.

Voting Aye: Leina Mathis, Jarett Waite, Denny Drake, Christa Hinton and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

C. General Business:

1. Introduction of New Employees.

- Mayor Rosenberg tabled this item until a future meeting.

2. Consider approval of a Proclamation to set the week of September 17 – 23rd as Constitution Week. Presented by Karen Shuman, Daughters of the American Revolution.

- Mayor Rosenberg asked Leina Mathis if she would help with Constitution Day.
- Leina Mathis said she would.
- Mayor Rosenberg said that he would send her the information. It will be a similar program as last year.

Motion to Approve a Proclamation to set the week of September 17 – 23rd as Constitution Week.

Motion by Denny Drake, seconded by Christa Hinton.

Voting Aye: Jarett Waite, Leina Mathis, Ben Shakespeare, Christa Hinton and Denny Drake.

Voting Nay: None.

Motion Carried.

3. Consider approval of Partial Plat Amendment for Lots 1 and 2 of the Santa Clara Heights, Plat A Subdivision. Applicant, Gordon Crofts. Presented by Jim McNulty, City Planner.

- Jim McNulty reported that Gordon Crofts is requesting to amend the Santa Clara Heights, Plat A Subdivision. This includes changes to Lots 1 and 2 of the subdivision plat as per the Staff report. Mr. Crofts owns both properties and is looking to create more usable space behind Lot 2 while cleaning up the Lot 1 property. The Planning Commission held a public meeting on this item on August 11, 2022. He said that Lot 1 is currently 20,037 sq. ft. and will be decreased to 15,480 sq. ft. (0.35 acres). Lot 2 is currently 17,860 sq. ft. and will be increased to 22,521 sq. ft. (0.52 acres). Both lots have existing single-family homes on them. Both amended lots will meet the area, width, and yard regulations as per Section 17.65.050 of city ordinance. The applicant recently purchased the home on Lot 1. Mr. Crofts also owns the home on Lot 2. The proposed partial plat amendment would allow for the home on Lot 2 to have a more usable back yard area. Lot 1 will also have a usable back yard directly behind the existing home. The applicant intends to clean-up the Lot 1 property. He stated that notices were sent to the property owners within the Santa Clara Heights, Plat A Subdivision. No responses have been received by city staff as of the writing of this report. The property has also been posted for a public meeting as per State Code requirements. He said the reviewing

departments as far as building goes, if the applicant proposes to do any additional structures, he would have to submit a Geotech on either one of the lots, would need to show the public utility easements (PUE's) and any public utility easement that's affected by this amendment needs to be relocated. A final mylar with signature blocks is required. He stated that on August 11, 2022, the Planning Commission held a public meeting and forwarded a recommendation of approval to the City Council. Planning Staff recommends that the City Council approve the Partial Plat Amendment for Lots 1 and 2 of the Santa Clara Heights, Plat A Subdivision to the City Council subject to the following conditions:

1. That the applicant be required to comply with the recommendations from all City reviewing departments.
2. That the Owner's Dedication & Acknowledgement be signed prior to final plat recordation.
3. That the applicant be required to record the amended subdivision plat and provide an electronic copy to city staff.

He said that the applicant's representative, Ryan Scholes, was here earlier but he had another appointment at 7:30 so he had to leave. He did attend the Planning Commission meeting.

Motion to Approve a Partial Plat Amendment for Lots 1 and 2 of the Santa Clara Heights, Plat A Subdivision as presented and subject to the conditions presented in the Staff report. Applicant, Gordon Crofts.

Motion by Denny Drake, seconded by Jarett Waite.

Voting Aye: Denny Drake, Jarett Waite, Ben Shakespeare, Christa Hinton and Leina Mathis.

Voting Nay: None.

Motion Carried.

4. Consider approval of Resolution 2022-08R authorizing application to amend the existing BLM right of way in South Hills to facilitate new drainage channel. Presenting by Dustin Mouritsen, Public Works Director.

- Dustin Mouritsen reported that when the Hills Phase 3 was developed the contractor made a mistake and installed a new drainage channel on BLM property in our existing power and water easement. BLM would like us to amend the existing easement adding the drainage channel. We will be responsible for maintenance (which we would have been anyway) but now it will be easier since it will be located inside an easement instead of having to access it from residents' property. This does require a resolution to adopt this amendment of the existing BLM right of way. He showed a map of the easement to the City Council. He stated that there is no cost to add this into that easement.

Motion to Approve Resolution 2022-08R authorizing application to amend the existing BLM right of way in South Hills to facilitate new drainage channel as presented.

Motion by Jarett Waite, seconded by Leina Mathis.

Voting Aye: Leina Mathis, Denny Drake, Christa Hinton, Ben Shakespeare and Jarett Waite.

Voting Nay: None.

Motion Carried.

- Ben Shakespeare said there is no curb and gutter at the top of the circle. Is there a reason for that?
- Dustin Mouritsen said that there is no lot there.
- Mayor Rosenberg said it is left open to provide future access to the BLM.

5. Reports:

A. Mayor / Council Reports

Ben Shakespeare:

- He thanked Dustin Mouritsen and the City Staff for their work.

Leina Mathis:

- She reported on LPC. She was asked to remind the Council about the Utah Mayors' Dinner on Sept. 22.
- Mayor Rosenberg reminded Leina that Sept. 22 is Swiss Days.
- Leina Mathis said there is a survey coming out from LPC which is an outcome survey, and they are going to highlight transportation and water and they want us to submit responses back on it.

Jarett Waite:

- He attended a Mosquito Abatement Meeting. There is an RDA in St. George for the property where the old airport was located, and the Mosquito Abatement District gets tagged on that for taxes and it is for such a small part of that property. He said they are trying to decide if they are going to dispute that.
- He attended the construction meeting for Utopia. Right now, they are getting about 3,000 linear feet done a week. They operate on just one side of the road and then they run it across the street to the houses. They are hoping to get to 10,000 feet a week and are bringing on some contractors to get the production up. They expect to have the Heights done in early December. They are waiting for a UDOT permit to get from Tonaquint to here. That is what is holding them up to get the fiber to our City.
- He got a request from a citizen that on our website that we make it very easy to find public notices. He suggested making that one of the first things you see on our website.
- He told Jim McNulty that he would like to start thinking about a General Plan update and do that in house if we can. We are almost to build-out so there isn't going to be a lot of changes, but it would be nice to get some feedback and make some updates.

Denny Drake:

- Nothing to report.

Christa Hinton:

- Nothing to report.

Mayor Rosenberg:

- He said he has been out of town quite a bit. He missed the MPO meeting.
- He got a report that UAMPS went well. He said he feels better every day about our investment in the carbon-free power project. He feels that will pay big dividends for the

City in the future.

- He thanked Staff and everyone in the Council for what they do.

6. Executive Session: None.

7. Adjournment:

Motion to adjourn by Ben Shakespeare.

Seconded by Christa Hinton with all members present voting aye.

Meeting Adjourned at 8:10 p.m.

Chris Shelley – City Recorder

Date Approved: _____

**City of Santa Clara
Check Register
Checking 1889 - 08/18/2022 to 08/18/2022**

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account
ABRAMS, DESHON JOHNTÉ	69954	80922-bail refun	08/09/2022	08/18/2022	400.00	BAIL REFUND CASE 225200060	102560-000 - BAIL & RESTITUTION
					\$400.00		
BICE, SABRINA	69955	Refund: 1081006	08/18/2022	08/18/2022	67.60	Refund: 1081006 - BICE, SABRINA	531311-000 - ACCOUNTS RECEIV
					\$67.60		
D. BLAKE ELECTRIC INC.	69956	37575	06/14/2022	08/18/2022	2,546.22	Inv37575-Well 7 repairs	515110-276 - SNOW CANYON MAJ
					\$2,546.22		
GRAFF, JUDGE JAKE	69957	80222-J GRAFF	08/02/2022	08/18/2022	100.00	SC CITY JUSTICE COURT SESSION 8/2/22	104120-330 - LEGAL SERVICES
					\$100.00		
JOY MILES	69958	81622-JM	08/16/2022	08/18/2022	79.62	COURT INTERPRETER 8/16/22 MULTIPLE	104120-330 - LEGAL SERVICES
					\$79.62		
SUNRISE ENGINEERING, INC.	69959	127620	08/08/2022	08/18/2022	7,634.00	CULINARY & IRRIGATION MASTER PLAN	515110-320 - ENGINEERING SERV
SUNRISE ENGINEERING, INC.	69959	127649	08/08/2022	08/18/2022	60.00	TRAINING GIS-NEW SC CITY ASSISTANT	104410-360 - TRAINING
SUNRISE ENGINEERING, INC.	69959	127654	08/08/2022	08/18/2022	103.00	Swiss Days vendor map revision	104610-011 - MISCELLANEOUS
SUNRISE ENGINEERING, INC.	69959	127655	08/08/2022	08/18/2022	402.50	RED MOUNTAIN DR CONSTRUCTION PLAN	104240-370 - PROFESSIONAL SE
SUNRISE ENGINEERING, INC.	69959	127675	08/09/2022	08/18/2022	2,870.00	STORM WATER MASTER PLAN UPDATE	545410-320 - ENGINEERING SERV
					\$11,069.50		
					\$11,069.50		
TRAILER SOURCE INC.	69960	250967	08/16/2022	08/18/2022	12,760.00	10K TANDEM AXLE TRAILER	104510-740 - CAPITAL EQUIPMEN
					\$12,760.00		
WASH. COUNTY WATER CONSE	69961	52812	08/01/2022	08/18/2022	4,509.96	INV 52812 - REG.PIPELINE BOND PAYMEN	515110-822 - DEBT PAYMENT TO
WASH. COUNTY WATER CONSE	69961	52817	07/31/2022	08/18/2022	5,774.10	INV 52817 - REGIONAL WATER SURCHARG	513714-000 - REGIONAL WATER S
					\$10,284.06		
					\$10,284.06		
WESTERN UNITED ELECTRIC S	69962	6066471	08/11/2022	08/18/2022	1,860.00	POLE TOP TRANSFORMERS	535310-466 - POWER LINES/POLE
WESTERN UNITED ELECTRIC S	69962	6066673	08/15/2022	08/18/2022	1,460.00	INV6066673-DEADEND CROSSARMS	535310-466 - POWER LINES/POLE
					\$3,320.00		
					\$3,320.00		
					\$40,627.00		

**City of Santa Clara
Check Register
Checking 1889 - 08/23/2022 to 08/23/2022**

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account
CHILD SUPPORT SERVICES	69963	82422-C000873	08/23/2022	08/23/2022	206.77	CASEY-C000873789 PAY PERIOD END 8/24/	102595-000 - GARNISMENTS PAY
					\$206.77		
CITY OF ST. GEORGE - MISC	69964	10276	08/19/2022	08/23/2022	3,087.07	Inv. #10276 - FY23 QTR 1 POLICE DISPATCH	104230-985 - COUNTY DISPATCH
CITY OF ST. GEORGE - MISC	69964	10281	08/19/2022	08/23/2022	8,345.75	Inv 10281- QTR 1 FY23 SCHOOL RESOURC	104220-980 - SRO - ST. GEORGE
					\$11,432.82		
					\$11,432.82		
COMPUTECH CONSULTING	69965	22648	06/27/2022	08/23/2022	1,151.28	ADOBE ACROBAT FOR TEAMS LICENSING	104130-310 - IT SERVICES
COMPUTECH CONSULTING	69965	22703	07/13/2022	08/23/2022	5,582.50	Standard Management Suite Plus Remote up	104130-310 - IT SERVICES
COMPUTECH CONSULTING	69965	22767	07/13/2022	08/23/2022	735.00	JUNE 2022 IT SUPPORT SERVICES	104130-310 - IT SERVICES
COMPUTECH CONSULTING	69965	22898	08/11/2022	08/23/2022	5,671.50	Standard Management Suite Plus Remote up	104130-310 - IT SERVICES
COMPUTECH CONSULTING	69965	22957	08/11/2022	08/23/2022	2,555.00	JULY 2022 IT SUPPORT	104130-310 - IT SERVICES
					\$15,695.28		
					\$15,695.28		
UTAH RETIREMENT SYSTEMS	69966	468-072722	07/27/2022	08/23/2022	1.94	K Call	104510-132 - RETIREMENT
UTAH RETIREMENT SYSTEMS	69966	468-072722	07/27/2022	08/23/2022	3.43	K Casselman	535310-132 - RETIREMENT
UTAH RETIREMENT SYSTEMS	69966	468-072722	07/27/2022	08/23/2022	3.49	J Mills	515110-132 - RETIREMENT
UTAH RETIREMENT SYSTEMS	69966	468-072722	07/27/2022	08/23/2022	8.71	D Benoit	104230-132 - RETIREMENT
					\$17.57		
					\$17.57		
WILKINSON SUPPLY	69967	395373	08/17/2022	08/23/2022	5,266.65	Inv#395373 Areator System Parks Dept	104510-740 - CAPITAL EQUIPMEN
					\$5,266.65		
					\$32,619.09		

**City of Santa Clara
Check Register
Checking 1889 - 09/07/2022 to 09/07/2022**

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account
AJ CONSTRUCTION	69969	SAC211011209	08/12/2022	09/07/2022	500.00	BLDG MAIN DEP REF PERMIT 21-209	102570-000 - BLDG SITE MAINTEN
AJ CONSTRUCTION	69969	SAC211011210	08/12/2022	09/07/2022	500.00	BLDG MAIN DEP REF PERMIT 21-210	102570-000 - BLDG SITE MAINTEN
AJ CONSTRUCTION	69969	SAC220107006	08/31/2022	09/07/2022	500.00	BLDG MAIN DEP REF PERMIT 22-006	102570-000 - BLDG SITE MAINTEN
ALLIANCE FIRE & SAFETY INC.	69970	64472	08/24/2022	09/07/2022	1,268.83	Gubler Park parts & suppression system labor	104510-260 - BUILDING MAINTEN
BROTHERS KEEPER CONSTRU	69971	Refund: 2001763	08/24/2022	09/07/2022	86.25	Refund: 2001763 - BROTHERS KEEPER CO	531311-000 - ACCOUNTS RECEIV
BUCKS ACE SANTA CLARA	69972	1091	07/26/2022	09/07/2022	17.78	INV 1091 WASTEBASKET	535310-240 - OFFICE SUPPLIES
BUCKS ACE SANTA CLARA	69972	1137	08/08/2022	09/07/2022	57.64	INV 1137 WORK GLOVES	535310-249 - SAFETY EQUIPMEN
BUCKS ACE SANTA CLARA	69972	1138	08/08/2022	09/07/2022	34.07	INV 1138 DOOR KNOB FOR SHOP	535310-260 - BUILDING MAINTEN
BUCKS ACE SANTA CLARA	69972	1141	08/09/2022	09/07/2022	28.45	INV 1141 WALL PATCHING SUPPLIES	535310-250 - OPERATING SUPPLI
BUCKS ACE SANTA CLARA	69972	1164	08/15/2022	09/07/2022	7.52	INV 1164 FASTENERS	535310-250 - OPERATING SUPPLI
BUCKS ACE SANTA CLARA	69972	1173	08/17/2022	09/07/2022	122.02	INV 1173 BROOM AND HOSE	104510-260 - BUILDING MAINTEN
BUCKS ACE SANTA CLARA	69972	1185	08/22/2022	09/07/2022	48.56	INV 1185 MISC SHOP TOOLS	535310-250 - OPERATING SUPPLI
BUCKS ACE SANTA CLARA	69972	1193	08/23/2022	09/07/2022	49.21	INV 1193 SPARE KEYS, SUPPLIES GENERA	535310-260 - BUILDING MAINTEN
BUCKS ACE SANTA CLARA	69972	INV 1115	08/02/2022	09/07/2022	17.52	INV 1115 FASTENERS	535310-250 - OPERATING SUPPLI
BUCKS ACE SANTA CLARA	69972	SAC1092	07/26/2022	09/07/2022	1.58	INV 1092 WALL PLATE, RECEP PLT	535310-240 - OFFICE SUPPLIES
CAMPBELL, KRISTEN	69973	90622-K CAMPB	09/06/2022	09/07/2022	97.89	ROYALTY CASUAL DRESS AND SHIRT-NAT	104610-023 - MISS SANTA CLARA
CHILD SUPPORT SERVICES	69974	90722-873789	09/07/2022	09/07/2022	206.77	CASEY-C000873789 PAY PERIOD END 9/7/2	102595-000 - GARNISMENTS PAY
CHRISTOPHER, DYLAN AND AS	69975	SAC210406061	08/09/2022	09/07/2022	500.00	BLDG MAIN DEP REFUND PERMIT21-061	102570-000 - BLDG SITE MAINTEN
CITY OF ST GEORGE - S	69976	AUG 22-SEWER	09/06/2022	09/07/2022	36,697.65	2901 SEWER CONNECTIONS @12.65 AUG	525210-945 - SEWER TREATMENT
COLE WEST DEVELOPMENT	69977	SAC210617129	08/19/2022	09/07/2022	500.00	BLDG MAIN DEP REF PERMIT 21-129	102570-000 - BLDG SITE MAINTEN
COLE WEST DEVELOPMENT	69977	SAC210617130	08/19/2022	09/07/2022	500.00	BLDG MAIN DEP REF PERMIT 21-130	102570-000 - BLDG SITE MAINTEN
COLE WEST DEVELOPMENT	69977	SAC210617131	08/19/2022	09/07/2022	500.00	BLDG MAIN DEP REF PERMIT 21-131	102570-000 - BLDG SITE MAINTEN
COLE WEST DEVELOPMENT	69977	SAC210617132	08/19/2022	09/07/2022	500.00	BLDG MAIN DEP REF PERMIT 21-132	102570-000 - BLDG SITE MAINTEN
COLE WEST DEVELOPMENT	69977	SAC210617133	08/19/2022	09/07/2022	500.00	BLDG MAIN DEP REF PERMIT 21-133	102570-000 - BLDG SITE MAINTEN
COLE WEST DEVELOPMENT	69977	SAC210617134	08/23/2022	09/07/2022	500.00	BLDG MAIN DEP REF PERMIT 21-134	102570-000 - BLDG SITE MAINTEN
COLE WEST DEVELOPMENT	69977	SAC210617135	08/19/2022	09/07/2022	500.00	BLDG MAIN DEP REF PERMIT 21-135	102570-000 - BLDG SITE MAINTEN
CONSTRUCTION BY CODE	69978	SAC220311036	08/23/2022	09/07/2022	500.00	BLDG MAIN DEP REFUND PERMIT 22-036	102570-000 - BLDG SITE MAINTEN
DR. ROBERT R. FOSTER, D.O. P.	69979	SEP 22-MED SE	09/06/2022	09/07/2022	1,200.00	MEDICAL SERVICES DIRECTOR-EMS & FIR	104230-370 - PROFESSIONAL SE
ERIC GENTRY	69980	AUG 2022-CITY	09/06/2022	09/07/2022	1,500.00	PROFESSIONAL SERVICES	104120-330 - LEGAL SERVICES
FREEDOM MAILING SERVICES, I	69981	43558	08/29/2022	09/07/2022	1,943.11	BILL PROCESSING & SWISS DAYS INSERT	104130-370 - PROFESSIONAL SE
JOY MILES	69982	82322-JM	08/23/2022	09/07/2022	79.62	COURT INTERPRETER 8-23-22	104120-330 - LEGAL SERVICES
JOY MILES	69982	83022-JM	08/30/2022	09/07/2022	79.62	COURT INTERPRETER 08/30/2022	104120-330 - LEGAL SERVICES
LAURA SQUIRES	69983	85-AUG 22 CC	09/06/2022	09/07/2022	500.00	Inv#85 CC MINUTES AUG 2022	104130-370 - PROFESSIONAL SE
PROTECT YOUTH SPORTS	69984	989555	08/31/2022	09/07/2022	65.85	BACKGROUND CHECKS-POWER DEPT	535310-370 - PROFESSIONAL SE
ROLLING ROCK CONCRETE	69985	17340	03/03/2022	09/07/2022	190.00	FIRE STATION CONCRETE WORK	104230-730 - IMPROVEMENTS
SNOW CANYON LITTLE LEAGUE	69986	090222-SCLL	09/02/2022	09/07/2022	1,000.00	SC LL DONATION-TRAVEL LL WORLD SERI	104652-417 - DONATIONS
STEAMROLLER COPIES INC	69987	1-224652	08/29/2022	09/07/2022	42.00	SWISS DAYS PARKING & SHUTTLE SIGNS	104610-006 - TRANSPORTATION
TAYLOR BUILT HOMES	69988	SAC210827190	08/05/2022	09/07/2022	500.00	BLDG MAIN DEP REF PERMIT 21-190	102570-000 - BLDG SITE MAINTEN
TECHNOLOGY NET COMPANY, L	69989	4463	09/01/2022	09/07/2022	150.00	COMPENSATION SURVEY ANNUAL RENEW	104130-210 - SUBSCRIPTIONS &
THE COLLINS FLAG GROUP, INC	69990	101304067	08/18/2022	09/07/2022	84.03	FLAGS FOR PARKS	104510-240 - OFFICE SUPPLIES
THE STEEL YARD, INC.	69991	M60099	08/30/2022	09/07/2022	11.22	ROUND BAR	535310-250 - OPERATING SUPPLI
TRAVIS BROWN	69992	294	09/07/2022	09/07/2022	700.00	Entertainment 2022 SD Community Dinner	104610-013 - ENTERTAINMENT
UPPER CASE PRINTING INK.	69993	18639	08/24/2022	09/07/2022	105.02	BACK OF BILL PRINTING	104130-370 - PROFESSIONAL SE
UTAH RETIREMENT SYSTEMS	69994	PR072722-444	08/11/2022	09/07/2022	-112.50	401-K	102230-000 - RETIREMENT PAYAB
UTAH RETIREMENT SYSTEMS	69994	PR072722-444	08/11/2022	09/07/2022	-91.65	Post Retired	102230-000 - RETIREMENT PAYAB
UTAH RETIREMENT SYSTEMS	69994	PR081022-444	08/15/2022	09/07/2022	250.00	Roth IRA	102230-000 - RETIREMENT PAYAB
UTAH RETIREMENT SYSTEMS	69994	PR081022-444	08/15/2022	09/07/2022	403.15	State Retirement	102230-000 - RETIREMENT PAYAB
UTAH STATE TREASURER / FINE	69995	AUG 2022-COU	09/06/2022	09/07/2022	11,552.58	COURT SURCHARGES	104120-905 - STATE FINE COLLEC

City of Santa Clara
Check Register
Checking 1889 - 09/07/2022 to 09/07/2022

<u>Payee Name</u>	<u>Reference Number</u>	<u>Invoice Number</u>	<u>Invoice Ledger Date</u>	<u>Payment Date</u>	<u>Amount</u>	<u>Description</u>	<u>Ledger Account</u>
WASH. CO. FLOOD CONTROL DI	69996	AUG 2022-FLO	09/06/2022	09/07/2022	4,623.00	FLOOD CONTROL DISTRICT 53-330100000	545410-770 - FLOOD CONTROL DI
WASHINGTON COUNTY SOLID	69997	1871311	08/17/2022	09/07/2022	150.70	COM CLEAN DIRT	104410-414 - ROAD MATERIAL & S
WASHINGTON COUNTY SOLID	69997	1872518	08/22/2022	09/07/2022	5.00	SAFETY VEST	104510-246 - UNIFORMS
WESTERN UNITED ELECTRIC S	69998	6068171	08/31/2022	09/07/2022	391.39	INV6068171-2" RISER PIPE POWER DEPT	535310-466 - POWER LINES/POLE
					<u>\$70,063.88</u>		
					<u><u>\$70,063.88</u></u>		

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



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

CITY COUNCIL

Meeting Date: Sept. 14, 2022

Agenda Item: Consent Agenda 4

Applicant: Randy Frei

Requested by: James McNulty

Subject: Lot Line

Adjustment

Description:

Randy Frei is requesting to combine two (2) parcels of property into one (1) large parcel. Parcel SC-198-A-1 is 0.91 acres in size, and Parcel SC-177-B is 0.23 acres in size. Combining the two parcels into one parcel will create a parcel that's 1.14 acres in size. The properties are zone R-1-10 single-family residential. The applicant intends to live in the existing home on the property and build a large barn on the property for personal family use. This was approved on August 10, 2022 but the Ordinance was left out. This was approved on Aug. 10th 2022 but the Ordinance was not included.

Recommendation: Approval

Attachments:

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A



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

Staff Report

Lot Line Adjustment Summary and Recommendation

Public Body: Santa Clara City Council

Meeting Date: August 10, 2022

Current Zone: R-1-10

Property Location: 1485 Vernons Street

Parcel Number/Acreage: SC-198-A-1, 0.91 Acres, and SC-177-B, 0.23 Acres

Request: Lot line Adjustment

Applicant Name: Randy Frei

Staff Planner: Jim McNulty

Planning Staff Recommendation: Approve with conditions

Meeting Type: Public Meeting

PROJECT DESCRIPTION

The applicant, Randy Frei, is requesting to combine two (2) parcels of property into one (1) large parcel. Parcel SC-198-A-1 is 0.91 acres in size, and Parcel SC-177-B is 0.23 acres in size. Combining the two parcels into one parcel will create a parcel that is 1.14 acres in size. Mr. Frei has been working with city staff to allow for a large barn on the property. Currently, the smaller parcel has a single-family home located on it, with an existing older accessory structure located on the larger parcel. The subject properties are located within the R-1-10 single-family zone. Chapter 17.20.150 of city code does not allow for accessory buildings to be constructed upon a lot until a building permit has been issued for the principal building.

The applicant intends to live in the existing home and build a large barn for his personal family use. Mr. Frei will be required to record the new survey and boundary description for the property prior to receiving a building permit. This will allow for both structures (home and barn) to be located on the same property in compliance with the R-1-10 single-family zone.

CITY CODE REQUIREMENTS

The Petitioner has addressed the following requirements:

1. There are no existing utilities located in the easement proposed to be vacated;
2. All adjoining property owners, by their execution of this Petition, consent to this petition;

Request: Lot Line Adjustment

3. The lot line abandonment and vacating of the easement and creation of a new lot line and associated easement does not result in remnant land that did not already exist;
4. No violation of applicable zoning requirements would result from this petition;
5. Neither the public nor any person will be materially injured by this petition and there is good cause for the request.

PLANNING STAFF RECOMMENDATION

Planning Staff recommends that the City Council approve the Lot Line Adjustment for Parcel SC-198-A-1, 0.91 acres, and Parcel SC-177-B, 0.23 acres allowing for a combined parcel of 1.14 acres subject to the following conditions:

1. That the applicant proceeds with recordation of the survey and boundary description as presented to the City Council.
2. That a copy of the recorded document be provided to City staff prior to issuance of a building permit.
3. That the applicant continues working with city staff to clean up the property.

And with the following Finding:

1. That the Petitioner has addressed all items as required by city code.

Santa Clara City
2603 Santa Clara Dr.
Santa Clara, UT 84738
(435) 656-4690



Permit Fee: \$200 plus Mailing Cost

PETITION TO ABANDON A LOT LINE AND VACATE ASSOCIATED EASEMENT AND CREATE A NEW LOT LINE AND ASSOCIATED EASEMENT

Randy A. Frei and Karen Frei (hereinafter "Petitioners"), hereby petition the Santa Clara City Council for approval of abandoning the lot line and vacating the associated easement between two existing lots, and creating a new lot line and associated easement between the same two lots as herein described.

1. Petitioner(s) are the owner(s) of Lots _____ and _____, of _____ subdivision. Parcel Id SC-198-A-1 _____ and SC-177-B _____
2. Exhibit "A" attached hereto and incorporated herein depicts the lot line to be abandoned and associated easement to be vacated and the new lot line and associated easement created (Attach Legal Description and Drawing completed by an engineer)

Petitioners hereby represent the following facts:

- A. There are no existing utilities located in the easement proposed to be vacated;
- B. All adjoining property owners, by their execution of this Petition, consent to this petition;
- C. The lot line abandonment and vacating of the easement and creation of a new lot line and associated easement does not result in remnant land that did not already exist;
- D. No violation of applicable zoning requirements would result from this petition;
- E. Neither the public nor any person will be materially injured by this petition and there is good cause for the request.

CONSENTS OF ADJOINING PROPERTY OWNERS:

The undersigned, being all of the owners of lots or property adjoining the lots described in Exhibit "A", hereby consent to the lot line abandonment and vacation of associated easement and the creation of a new lot line and associated easement.

<u>Lot #</u>	<u>Subdivision</u>	<u>Owner Name & Address</u>	<u>Signature</u>	<u>Date</u>
<u>See Attached</u>				

RESPECTFULLY SUBMITTED,

Randy A. Frei
Property Owner/Petitioner Name (Print)
[Signature]
Signature

Karen Frei
Property Owner/Petitioner Name (Print)
[Signature]
(Must be Notarized)
Signature (Must be Notarized)

NOTARIZATION OF PROPERTY OWNER/PETITIONER'S SIGNATURES:

State of Utah)

SS

County of Washington)

On the 7 day of July, 2022 personally appeared before me Randy A. Frei,
the signer of the above document, who duly acknowledged to me that he/she executed the same.



Marie Whitehead
Notary Public

May 26 2024
My Commission expires

State of Utah)

SS

County of Washington)

On the 7 day of July, 2022 personally appeared before me Karen Frei,
the signer of the above document, who duly acknowledged to me that he/she executed the same.



Marie Whitehead
Notary Public

May 26 2024
My Commission expires

On the 7 day of July, 2022 the Santa Clara City Council approved the above Petition to Abandon
a Lot Line and Vacate Associated Easement and to Create a New Lot Line and Associated Easement.

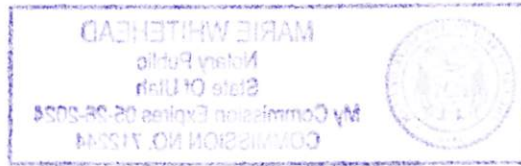
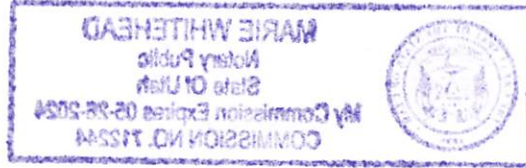
Dated this 7th day of July, 2022

ATTEST:

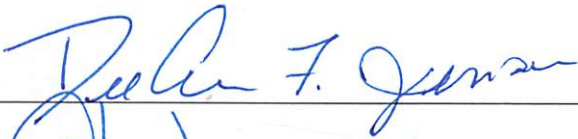
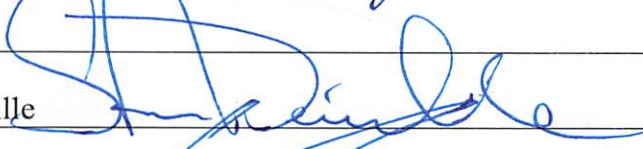


Chris Shulley
City Recorder

My Commission expires

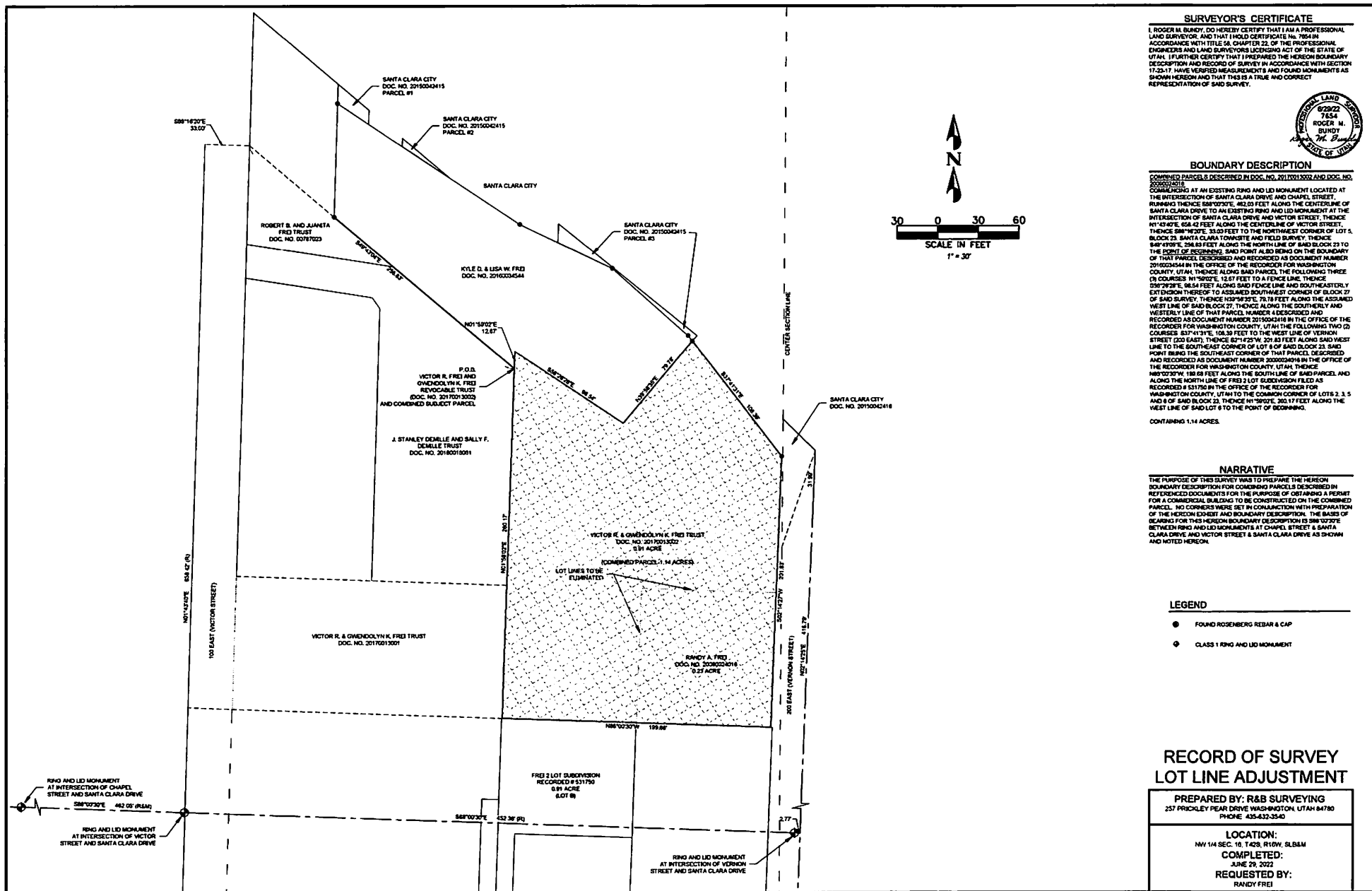


CONSENT OF ADJOINING PROPERTY OWNERS:

<u>Parcel</u>	<u>Owner Name & Address</u>	<u>Signature</u>	<u>Date</u>
SC-172	Ralph and Pearl Hafen		
SC-173 and SC-FREI-B	DeeAnn F. Jensen Trust		
SC-178-A	J. Stanley and Sally F. DeMille		
SC-183-A	Kyle D. Frei & Lisa W. Frei		
SC-177-A and others	Victory R. Frei and Gwendolyn K. Frei		

COMBINED PARCELS DESCRIBED IN DOC. NO. 20170013002 AND DOC. NO. 20090024016:
COMMENCING AT AN EXISTING RING AND LID MONUMENT LOCATED AT THE INTERSECTION OF SANTA CLARA DRIVE AND CHAPEL STREET, RUNNING THENCE S88°00'30"E, 462.03 FEET ALONG THE CENTERLINE OF SANTA CLARA DRIVE TO AN EXISTING RING AND LID MONUMENT AT THE INTERSECTION OF SANTA CLARA DRIVE AND VICTOR STREET; THENCE N1°43'40"E, 658.42 FEET ALONG THE CENTERLINE OF VICTOR STREET; THENCE S88°16'20"E, 33.00 FEET TO THE NORTHWEST CORNER OF LOT 5, BLOCK 23, SANTA CLARA TOWNSITE AND FIELD SURVEY; THENCE S49°43'05"E, 256.83 FEET ALONG THE NORTH LINE OF SAID BLOCK 23 TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE BOUNDARY OF THAT PARCEL DESCRIBED AND RECORDED AS DOCUMENT NUMBER 20160034544 IN THE OFFICE OF THE RECORDER FOR WASHINGTON COUNTY, UTAH; THENCE ALONG SAID PARCEL THE FOLLOWING THREE (3) COURSES: N1°59'02"E, 12.67 FEET TO A FENCE LINE; THENCE S56°28'28"E, 96.54 FEET ALONG SAID FENCE LINE AND SOUTHEASTERLY EXTENSION THEREOF TO ASSUMED SOUTHWEST CORNER OF BLOCK 27 OF SAID SURVEY; THENCE N39°58'35"E, 79.78 FEET ALONG THE ASSUMED WEST LINE OF SAID BLOCK 27; THENCE ALONG THE SOUTHERLY AND WESTERLY LINE OF THAT PARCEL NUMBER 4 DESCRIBED AND RECORDED AS DOCUMENT NUMBER 20150042416 IN THE OFFICE OF THE RECORDER FOR WASHINGTON COUNTY, UTAH THE FOLLOWING TWO (2) COURSES: S37°41'31"E, 108.39 FEET TO THE WEST LINE OF VERNON STREET (200 EAST); THENCE S2°14'25"W, 201.83 FEET ALONG SAID WEST LINE TO THE SOUTHEAST CORNER OF LOT 6 OF SAID BLOCK 23, SAID POINT BEING THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED AND RECORDED AS DOCUMENT NUMBER 20090024016 IN THE OFFICE OF THE RECORDER FOR WASHINGTON COUNTY, UTAH; THENCE N88°00'30"W, 199.68 FEET ALONG THE SOUTH LINE OF SAID PARCEL AND ALONG THE NORTH LINE OF FREI 2 LOT SUBDIVISION FILED AS RECORDED # 531750 IN THE OFFICE OF THE RECORDER FOR WASHINGTON COUNTY, UTAH TO THE COMMON CORNER OF LOTS 2, 3, 5 AND 6 OF SAID BLOCK 23; THENCE N1°59'02"E, 260.17 FEET ALONG THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING.

CONTAINING 1.14 ACRES.



SURVEYOR'S CERTIFICATE
I, ROGER M. BUNDY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 7654 IN ACCORDANCE WITH TITLE 6A, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT I PREPARED THE HEREON BOUNDARY DESCRIPTION AND RECORD OF SURVEY IN ACCORDANCE WITH SECTION 17-22-17 HAVE VERIFIED MEASUREMENTS AND FOUND MONUMENTS AS SHOWN HEREON AND THAT THIS IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.



BOUNDARY DESCRIPTION
COMBINED PARCELS DESCRIBED IN DOC. NO. 20170013002 AND DOC. NO. 20160024018
COMMENCING AT AN EXISTING RING AND LID MONUMENT LOCATED AT THE INTERSECTION OF SANTA CLARA DRIVE AND CHAPEL STREET, RUNNING THENCE S88°02'30"E, 462.00 FEET ALONG THE CENTERLINE OF SANTA CLARA DRIVE TO AN EXISTING RING AND LID MONUMENT AT THE INTERSECTION OF SANTA CLARA DRIVE AND VICTOR STREET, THENCE N1°45'00"E, 654.43 FEET ALONG THE CENTERLINE OF VICTOR STREET, THENCE S88°16'30"E, 33.00 FEET TO THE NORTHWEST CORNER OF LOT 5, BLOCK 23, SANTA CLARA TOWNSITE AND FIELD SURVEY, THENCE S48°41'00"E, 254.85 FEET ALONG THE NORTH LINE OF SAID BLOCK 23 TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE BOUNDARY OF THAT PARCEL DESCRIBED AND RECORDED AS DOCUMENT NUMBER 20160024018 IN THE OFFICE OF THE RECORDER FOR WASHINGTON COUNTY, UTAH, THENCE ALONG SAID PARCEL, THE FOLLOWING THREE (3) COURSES: N1°16'00"E, 15.81 FEET TO A FENCE LINE, THENCE S29°27'30"E, 95.54 FEET ALONG SAID FENCE LINE AND SOUTHEASTERLY EXTENSION THEREOF TO CORNER SOUTHWEST CORNER OF BLOCK 27 OF SAID SURVEY, THENCE N33°58'30"E, 79.78 FEET ALONG THE ASSUMED WEST LINE OF SAID BLOCK 27, THENCE ALONG THE SOUTHERLY AND WESTERLY LINE OF THAT PARCEL, NUMBER 4 DESCRIBED AND RECORDED AS DOCUMENT NUMBER 20160024018 IN THE OFFICE OF THE RECORDER FOR WASHINGTON COUNTY, UTAH, THE FOLLOWING TWO (2) COURSES: S37°41'30"E, 104.30 FEET TO THE WEST LINE OF VERNON STREET (220 EAST), THENCE S27°14'25"W, 201.83 FEET ALONG SAID WEST LINE TO THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 23, SAID POINT BEING THE SOUTHEAST CORNER OF THAT PARCEL, DESCRIBED AND RECORDED AS DOCUMENT NUMBER 20000004918 IN THE OFFICE OF THE RECORDER FOR WASHINGTON COUNTY, UTAH, THENCE N89°02'30"W, 188.68 FEET ALONG THE SOUTH LINE OF SAID PARCEL, AND ALONG THE NORTH LINE OF FREI 3 LOT SUBDIVISION FILED AS RECORDED # 531750 IN THE OFFICE OF THE RECORDER FOR WASHINGTON COUNTY, UTAH TO THE CORNER CORNER OF LOTS 2, 3, 5 AND 6 OF SAID BLOCK 23, THENCE N1°58'02"E, 263.17 FEET ALONG THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING.
CONTAINING 1.14 ACRES.

NARRATIVE
THE PURPOSE OF THIS SURVEY WAS TO PREPARE THE HEREON BOUNDARY DESCRIPTION FOR COMBINED PARCELS DESCRIBED IN REFERENCED DOCUMENTS FOR THE PURPOSE OF OBTAINING A PERMIT FOR A COMMERCIAL BUILDING TO BE CONSTRUCTED ON THE COMBINED PARCEL. NO CORNERS WERE SET IN CONJUNCTION WITH PREPARATION OF THE HEREON EXHIBIT AND BOUNDARY DESCRIPTION. THE BASIS OF BEARING FOR THIS HEREON BOUNDARY DESCRIPTION IS S88°02'30"E BETWEEN RING AND LID MONUMENTS AT CHAPEL STREET & SANTA CLARA DRIVE AND VICTOR STREET & SANTA CLARA DRIVE AS SHOWN AND NOTED HEREON.

LEGEND
● FOUND ROSENBERG REBAR & CAP
◆ CLASS 1 RING AND LID MONUMENT

RECORD OF SURVEY LOT LINE ADJUSTMENT

PREPARED BY: R&B SURVEYING
257 FRICKLEY PEAR DRIVE WASHINGTON, UTAH 84780
PHONE: 435-432-3540
LOCATION:
NW 1/4 SEC. 10, T.42S, R.10W, S.8&N
COMPLETED:
JUNE 29, 2022
REQUESTED BY:
RANDY FREI

ORDINANCE NO. 2022-20

AN ORDINANCE FOR CREATING A LOT LINE ADJUSTEMENT

WHEREAS, the property is located at 1485 Vernon Street, Santa Clara Utah 84765, and

WHEREAS, the lot line adjustment request is being made by the petitioner, Randy Frei. The properties are zoned R-1-10 single family residential, and

WHEREAS, the purpose for the request is to combine two parcels into one large parcel. Parcel SC-198-A-1 is 0.91 acres in size and Parcel SC-177-B is 0.23 acres in size. Combining the two parcels creates one large parcel that is 1.14 acres in size. The applicant intends to live in the existing home on the property and build a large barn on the property for personal family use, and

WHEREAS, State law (UCA 10-9a-608 (2) allows Planning Commission to approve such request at a public meeting (without a public hearing) where the applicant owns both lots and seeks to join the two contiguous lots into one, and

WHEREAS, the Planning Commission recommended approval to the Santa Clara City Council at their meeting on November 12, 2020, and

WHEREAS, the Santa Clara City Council has determined there is good cause for approval of the lot line adjustment, and

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

Section 1. Clarification:

This is a non-code Ordinance.

Section 2. General Provisions:

A lot line adjustment and is described as follows:

See Exhibit A

Section 3. Effective Date:

The effective date of this Ordinance shall become effective immediately upon adoption and posting in the manner required by law.

ADOPTED and Order posted by a duly constituted quorum of the City Council of the City of Santa Clara, Utah, this 14 day of September 2022.

IN WITNESS THERETO:

CITY OF SANTA CLARA

Rick Rosenberg, Mayor

ATTEST:

Chris Shelley, City Recorder

“EXHIBIT A”

**CITY OF SANTA CLARA,
UTAH PROCLAMATION**

**A PROCLAMATION DECLARING 2022-2023 SCHOOL YEAR AS
AN ALCOHOL-FREE SCHOOL YEAR**

Whereas, the Washington County Prevention Coalition and the Washington County Youth Coalition have designated the upcoming school year as an Alcohol-Free Year for Youth sponsored by REACH4HOPE and Southwest Prevention, a school year to set clear rules and expectations about NO underage drinking; and

Whereas, alcohol used by those under the age of 21 negatively affects their health and safety, and thus the safety and well-being of all those living and working in the Communities of Washington County; and

Whereas, teens who use alcohol often progress to addictive behavior later in life, are at a much higher risk for developing mental illnesses as adults; and

Whereas, addictive behaviors and mental illnesses also greatly increase the risk of suicide; and

Whereas, underage drinking is a major public health problem that negatively impacts the brain development of our young people, causing a higher probability of early alcohol addiction, alcohol-related traffic accidents, and brain impairment; and

Whereas, under the Law, it is illegal for a minor to purchase, possess, or consume any alcoholic beverage, and it is illegal and punishable for anyone to sell, offer to sell, or furnish alcohol to a minor; and

Whereas, the Mayors of St. George City, Washington City, Hurricane City, Hildale City, Ivins City and Santa Clara City, in addition to the Commissioners of Washington County and the State of Utah are committed to the development of a major statewide public information campaign with the overall objectives of changing social norms regarding depression, suicide ideation, underage drinking, and risky behaviors; and

Whereas, we commend the overwhelming majority of our young people who are drug and alcohol-free, and we desire all of our youth to be drug and alcohol-free so as to develop in a healthy society; and

Now therefore, We, as Mayors and Commissioners hereby proclaim our support and offer an invitation to the entire community to help encourage family bonding and reduce underage drinking in order to improve the health and safety of all youth and adults in Washington County. We invite all members of our community, including individuals, families, governments, schools, religious and civic organizations, to participate in and

sponsor activities that will heighten awareness regarding the dangers of underage drinking to young people's health and safety, and will strengthen their ability and desire to refuse to drink alcohol; and

Whereas, we declare the 2022-2023 school year as an Alcohol-Free School Year for Youth to bring awareness to risky behaviors and underage drinking and promote the bringing of families together.

Proclaimed this 1st Day of September 2022

Michele Randall – St. George City Mayor

Kress Staheli – Washington City Mayor

Rick Rosenberg – Santa Clara City Mayor

Chris Hart – Ivins City Mayor

Nanette Billings – Hurricane City Mayor

Donia Jessop – Hildale City Mayor

Victor Iverson – County Commissioner

Gil Almquist – County Commissioner

Adam Snow – County Commissioner

Nicolle Felshaw – County Administrator

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



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

CITY COUNCIL

Meeting Date: September 14, 2022 **Agenda Item:** 2

Applicant: Scott & Robyn Parry

Requested by: James McNulty

Subject: Partial Plat Amendment for Somerset Estates Subdivision, Lots 2 and 3

Description:

Scott & Robyn Parry, are requesting to amend the Somerset Estates Subdivision. The applicants are proposing to amend Lots 2 and 3 of this subdivision. Lot 2 is 23,053 sq. ft. (0.53 acres), with Lot 3 being 23,973 sq. ft. (0.55 acres). The amended Lot 2 (combined lot) would be 47,028 sq. ft. (1.08 acres). The property owners intend to build a detached garage and pool on the property. The subject properties are in the RA single-family zone. Chapter 17.20.150 of city code does not allow for accessory buildings to be constructed upon a lot until a building permit has been issued for the principal building.

Recommendation: Approval

Attachments:

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A

GENERAL NOTES:

1. A 7.50 FOOT PUBLIC UTILITY EASEMENT EXISTS ALONG ALL REAR AND SIDE LOT LINES, AND A 10.00 FOOT PUBLIC UTILITY EASEMENT EXISTS ON ALL FRONT LOT LINES, UNLESS OTHERWISE NOTED.
2. ALL PROPERTY CORNERS MARKED WITH A 5/8" REBAR AND CAP MARKED LS 187849, UNLESS OTHERWISE NOTED.
3. UNSTABLE SOIL CONDITIONS MIGHT EXIST ON LOTS IN THIS SUBDIVISION. PURCHASERS OF LOTS HEREIN HAVE THE SOLE RESPONSIBILITY FOR OBTAINING APPROPRIATE ENGINEERING SERVICES AND ADVICE RELATIVE TO USABILITY OF THE LOTS, THE CITY OF SANTA CLARA DISCLAIMS ANY AND ALL RESPONSIBILITY FOR SUCH SOIL CONDITIONS, WATER CONTROL (SURFACE AND SUBSURFACE), AND DRAINAGE CONTROL.
4. LOTS 3 AND 4 SHALL HAVE A CITY APPROVED WALL ON THE REAR LOT LINE ABUTTING THE PROPOSED STREET.
5. EXISTING ST. GEORGE IRRIGATION DITCH TO REMAIN UNDISTURBED.

$$\begin{aligned}\Delta &= 78^{\circ}47'16'' \\ R &= 200.00' \\ T &= 164.25' \\ L &= 275.02'\end{aligned}$$

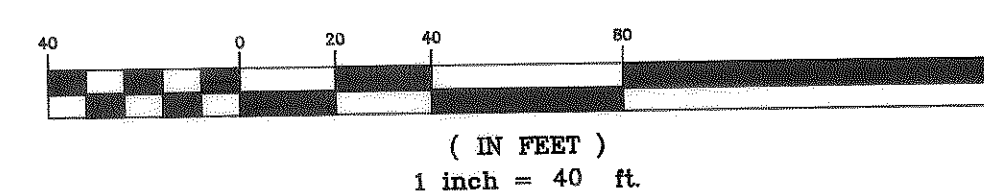
$$\begin{aligned}\Delta &= 59^{\circ}59'53'' \\ R &= 150.00' \\ T &= 86.60' \\ L &= 157.07'\end{aligned}$$

$$\begin{aligned}\Delta &= 46^{\circ}49'43'' \\ R &= 100.00' \\ T &= 43.30' \\ L &= 81.73'\end{aligned}$$

CURVE DATA TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	150.00'	157.07'	86.60'	150.00'	S 35°49'57" W	59°59'53"
C2	200.00'	12.87'	6.44'	12.87'	S 63°59'15" W	03°41'16"
C3	20.00'	28.45'	17.23'	26.11'	N 77°06'31" W	81°29'44"
C4	225.00'	60.40'	30.38'	60.22'	S 44°03'05" E	15°22'53"
C5	225.00'	42.71'	21.42'	42.65'	N 57°10'50" W	10°52'38"
C6	20.00'	17.45'	9.33'	16.90'	S 37°37'18" E	49°59'41"
C7	50.00'	74.84'	46.43'	68.05'	S 55°30'14" E	85°45'33"
C8	50.00'	68.68'	41.00'	63.41'	N 42°15'52" E	78°42'15"
C9	50.00'	58.13'	32.85'	54.91'	N 30°23'39" W	66°36'47"
C10	50.00'	42.68'	22.74'	41.40'	S 88°09'26" E	48°54'48"
C11	20.00'	17.45'	9.33'	16.90'	S 87°37'00" E	49°59'41"
C12	175.00'	86.12'	43.95'	85.26'	S 48°31'15" E	28°11'48"
C13	20.00'	25.45'	14.77'	23.76'	N 02°01'32" E	72°53'46"
C14	200.00'	41.94'	21.05'	41.87'	S 56°08'09" W	12°00'56"
C15	200.00'	40.68'	20.41'	40.61'	N 44°18'03" E	11°39'15"
C16	200.00'	179.53'	96.32'	173.56'	N 12°45'31" E	51°25'49"
C17	200.00'	13.01'	6.51'	13.00'	N 14°48'24" W	03°43'33"
C18	200.00'	209.43'	115.47'	199.99'	N 35°49'57" E	59°59'53"
C19	150.00'	216.02'	131.58'	197.83'	N 24°34'24" E	82°30'49"
C20	100.00'	81.73'	43.30'	79.48'	S 23°52'52" E	46°49'43"

GRAPHIC SCALE



SURVEYOR'S CERTIFICATE

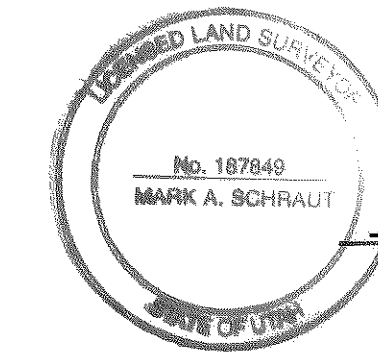
I, MARK A. SCHRAUT, ST. GEORGE, UTAH, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE OF REGISTRATION (LICENSE) NUMBER 187849, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNER'S I HAVE SUPERVISED A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW TO BE HEREAFTER KNOWN AS:

SOMERSET ESTATES

AND THAT SAID TRACT OF LAND HAS BEEN SUBDIVIDED INTO LOTS AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH LIES N 89°30'50" E 225.77 FEET ALONG THE SECTION LINE AND NORTH 1590.33 FEET FROM THE SOUTH 1/4 CORNER OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY LINE OF 300 EAST STREET (OLD FARM ROAD) AND RUNNING THENCE N 5°50'00" E 65.58 FEET ALONG SAID RIGHT OF WAY TO THE POINT OF A 150.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 59°59'53", A DISTANCE OF 157.07 FEET TO THE POINT OF A REVERSE CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS N 24°10'07" W, 200.00 FEET DISTANT; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 78°47'16", A DISTANCE OF 275.02 FEET; THENCE S 54°16'00" E 447.18 FEET; THENCE S 0°28'00" E 149.65 FEET TO THE POINT OF A 100.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 46°49'43", A DISTANCE OF 81.73 FEET; THENCE S 18°58'08" W 18.71 FEET; THENCE S 87°00'00" W 287.88 FEET; THENCE S 5°15'00" W 6.42 FEET; THENCE N 70°42'00" W 328.18 FEET TO THE POINT OF BEGINNING. CONTAINS 4.257 ACRES.



DATE: 12/22/94
BUSH AND GUDGELL, INC.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE-DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND PUBLIC STREETS TO BE HEREAFTER KNOWN AS:

SOMERSET ESTATES

FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, DO HEREBY DEDICATE AND CONVEY TO THE CITY OF SANTA CLARA FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS PUBLIC STREETS AND EASEMENTS. ALL LOTS, STREETS AND EASEMENTS ARE AS NOTED OR SHOWN. THE OWNERS DO HEREBY WARRANT TO THE CITY OF SANTA CLARA AND ITS SUCCESSORS AND ASSIGNS, TITLE TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREIN AGAINST THE CLAIMS OF ALL PERSONS, LOTS SHOWN ON THIS PLAT ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, OF THE SOMERSET ESTATES RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER ON THIS 26 DAY OF May, 1995, AT BOOK 910, PAGE 520-524, SAID DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS IS HEREBY INCORPORATED AND MADE A PART OF THIS PLAT

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS 10th DAY OF January, 1995

GUBLER FAMILY TRUST

Dale Gubler T.R.
DALE GUBLER (TRUSTEE)

Sherree M. Gubler TR
SHEREE M. GUBLER (TRUSTEE)

TRUST ACKNOWLEDGEMENT

STATE OF Utah } s.s.
COUNTY OF Washington

ON THE 10th DAY OF January, 1995, PERSONALLY APPEARED BEFORE ME Dale Gubler T.R. + Sherree M. Gubler T.R. WHO BEING BY ME DULY SWORN DID SAY THAT HE/SHE IS THE TRUSTEE OF Dale Gubler Family Trust AND THAT they EXECUTED THE FOREGOING OWNER'S DEDICATION IN BEHALF OF SAID TRUST BEING DULY AUTHORIZED AND EMPOWERED TO DO SO BY THE TRUST AGREEMENT OF Dale Gubler Family Trust AND they DID DULY ACKNOWLEDGE TO ME THAT SUCH TRUST EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

January 28, 1997
MY COMMISSION EXPIRES:



Barbara Salmon
NOTARY PUBLIC
RESIDING IN:

SOMERSET ESTATES

A RESIDENTIAL SUBDIVISION LOCATED IN
SECTION 16, TOWNSHIP 42 SOUTH, RANGE 16 WEST
SALT LAKE BASE AND MERIDIAN

LEGEND

- SET 5/8" REBAR AND CAP STAMPED LS 187849 UNLESS OTHERWISE SPECIFIED ON THE PLAT
- ⊕ SECTIONAL MONUMENTATION (TYPE LOCATION ETC. AS SHOWN ON THE PLAT)
- ⊕ SPECIFIES SURVEY CONTROL MONUMENT TO BE SET (RING AND LID)

SOUTH 1/4 CORNER SECTION 16
TOWNSHIP 42 SOUTH, RANGE 16 WEST
SALT LAKE BASE AND MERIDIAN
(1968 B.L.M. BRASS CAP)

225.77' N 89°30'50"E (BASIS OF BEARINGS) (2647.21 CORNER TO CORNER)

SOUTHEAST CORNER SECTION 16
TOWNSHIP 42 SOUTH, RANGE 16 WEST
SALT LAKE BASE AND MERIDIAN
(1968 B.L.M. BRASS CAP)

APPROVAL OF PLANNING COMMISSION

ON THIS 16th DAY OF November, A.D. 1994, THE PLANNING COMMISSION CHAIRMAN OF SANTA CLARA CITY, REVIEWED THE ABOVE SUBDIVISION AND RECOMMENDED SAME FOR ACCEPTANCE BY THE CITY.

Ronald C. Whitman
SANTA CLARA CITY PLANNING COMMISSION CHAIRMAN

SURVEYOR'S APPROVAL

THE ABOVE SUBDIVISION HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE THIS 15th DAY OF January, A.D. 1995.

TERRY W. GUBLER
SANTA CLARA CITY SURVEYOR

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 16th DAY OF May, A.D. 1995.

Mark A. Schraut
SANTA CLARA CITY ATTORNEY

APPROVAL AND ACCEPTANCE BY SANTA CLARA CITY

WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF SANTA CLARA, UTAH, HAVE REVIEWED THE ABOVE SUBDIVISION AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECORDERD IN THE MINUTES OF ITS MEETING OF THE 22nd DAY OF November, A.D. 1994, HEREBY ACCEPT IT WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.

Barbara Salmon
SANTA CLARA CITY MAYOR

RECORDED #801103

STATE OF UTAH, COUNTY OF WASHINGTON, RECORDED AND FILED AT THE

REQUEST OF: DALE GUBLER

5-26-95 15:56 910 579

DATE: TIME: BOOK: PAGE:

WASHINGTON COUNTY RECORDER

FEES \$55.00

SHEET

1

SHEETS

1

FILE: 5615F

SOMERSET ESTATES
LOCATED IN:
SECTION 16, TOWNSHIP 42 SOUTH, RANGE 16 WEST
SALT LAKE BASE AND MERIDIAN

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
208 EAST TABERNACLE STREET
SANTA CLARA, UTAH 84501
ST. PHONE (801) 775-2337

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



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

CITY COUNCIL

Meeting Date: September 14, 2022

Agenda Item: 4

Applicant: City of Santa Clara

Requested by: James McNulty

Subject: Chapter 17.74, Historic District/Mixed

Description: Use Zone

City staff has been working on needed revisions to Chapter 17.74. This includes an update of the chapter allowing for language that's clear and concise. Staff had an opportunity to discuss with the City Council on July 6, 2022, during a Council work meeting. This item was also discussed with the Planning Commission on August 11, 2022 (discussion item), and August 25, 2022 (public hearing). As a result, the Planning Commission forwarded a recommendation of approval to the City Council.

Recommendation: Approval

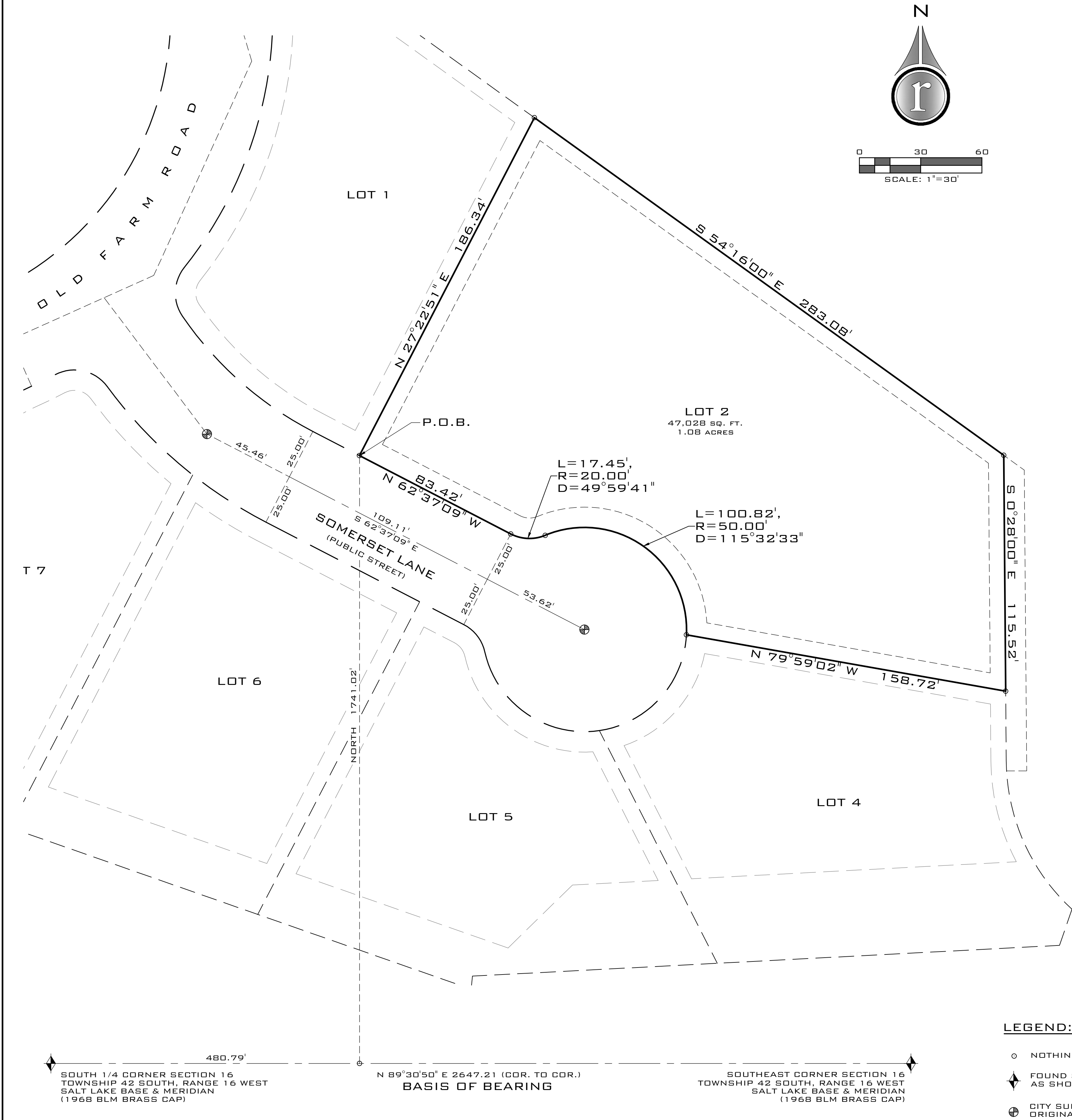
Attachments:

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A



OWNER'S DEDICATION:
KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF ALL THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO A LOT AND EASEMENTS TO BE HEREINAFTER KNOWN AS:
SOMERSET ESTATES - PARTIAL AMENDMENT "A"
FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, THE UNDERSIGNED OWNER(S) DO(ES) HEREBY DEDICATE AND CONVEY TO SANTA CLARA CITY FOR PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN ON THIS PLAT AS PUBLIC UTILITY EASEMENTS. ALL PUBLIC UTILITY EASEMENTS ARE AS NOTED OR SHOWN. THE OWNER(S) DO(ES) HEREBY WARRANT TO SANTA CLARA CITY, ITS SUCCESSORS AND ASSIGNS, TITLE TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREIN AGAINST THE CLAIMS OF ALL PERSONS.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS ____ DAY OF ____, 2022.

ROBYN R. PARRY AS TRUSTEE OF THE ROBYN R. PARRY REVOCABLE TRUST AGREEMENT DATED THE 12TH DAY OF APRIL, 2010
SCOTT A. PARRY AND ROBYN R. PARRY AS TRUSTEES OF THE SCOTT AND ROBYN PARRY REVOCABLE TRUST AGREEMENT DATED THE 10TH DAY OF APRIL, 1997

BY: ROBYN R. PARRY, TRUSTEE
BY: ROBYN R. PARRY, TRUSTEE
BY: SCOTT A. PARRY, TRUSTEE

ACKNOWLEDGMENT:
STATE OF _____ } S.S.
COUNTY OF _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF A.D. 20__ BY ROBYN R. PARRY AS TRUSTEE OF THE ROBYN R. PARRY REVOCABLE TRUST AGREEMENT DATED THE 12TH DAY OF APRIL, 2010.

FULL NAME SIGNATURE: _____
FULL NAME PRINT: _____ (STAMP NOT REQUIRED PER UTAH CODE 46-1-16 (6) IF ABOVE INFORMATION IS FILLED IN)
COMMISSION NO.: _____
EXPIRATION DATE: _____
A NOTARY COMMISSIONED IN THE STATE OF _____
(STAMP NOT REQUIRED PER UTAH CODE 46-1-16 (6) IF ABOVE INFORMATION IS FILLED IN)

ACKNOWLEDGMENT:
STATE OF _____ } S.S.
COUNTY OF _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF A.D. 20__ BY SCOTT A. PARRY AS TRUSTEE OF THE SCOTT AND ROBYN PARRY REVOCABLE TRUST AGREEMENT DATED THE 10TH DAY OF APRIL, 1997.

FULL NAME SIGNATURE: _____
FULL NAME PRINT: _____ (STAMP NOT REQUIRED PER UTAH CODE 46-1-16 (6) IF ABOVE INFORMATION IS FILLED IN)
COMMISSION NO.: _____
EXPIRATION DATE: _____
A NOTARY COMMISSIONED IN THE STATE OF _____
(STAMP NOT REQUIRED PER UTAH CODE 46-1-16 (6) IF ABOVE INFORMATION IS FILLED IN)

ACKNOWLEDGMENT:
STATE OF _____ } S.S.
COUNTY OF _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF A.D. 20__ BY SCOTT A. PARRY AS TRUSTEE OF THE SCOTT AND ROBYN PARRY REVOCABLE TRUST AGREEMENT DATED THE 10TH DAY OF APRIL, 1997.

FULL NAME SIGNATURE: _____
FULL NAME PRINT: _____ (STAMP NOT REQUIRED PER UTAH CODE 46-1-16 (6) IF ABOVE INFORMATION IS FILLED IN)
COMMISSION NO.: _____
EXPIRATION DATE: _____
A NOTARY COMMISSIONED IN THE STATE OF _____
(STAMP NOT REQUIRED PER UTAH CODE 46-1-16 (6) IF ABOVE INFORMATION IS FILLED IN)

LEGEND:

- NOTHING SET OR FOUND
- ◆ FOUND SECTION MONUMENTATION AS SHOWN AND DESCRIBED
- ⊙ CITY SURVEY MONUMENT AS PER ORIGINAL PLAT

SURVEYOR'S CERTIFICATE:
I, BRANDON E. ANDERSON, PROFESSIONAL LAND SURVEYOR NUMBER 4938716, HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT AND HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED HEREON IN ACCORDANCE WITH SECTION 17-23-17 AND HEREBY CERTIFY ALL MEASUREMENTS AND DESCRIPTIONS ARE CORRECT. MONUMENTS WILL BE SET AS REPRESENTED ON THIS PLAT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE HEREDON OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND HAVE SUBDIVIDED THE SAME TRACT INTO A LOT, AND EASEMENTS TO BE HEREINAFTER KNOWN AS:
SOMERSET ESTATES - PARTIAL AMENDMENT "A"
THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND POINTS ESTABLISHED ON THE GROUND IN ACCORDANCE WITH THE HEREDON LEGAL DESCRIPTION.

DATE: _____

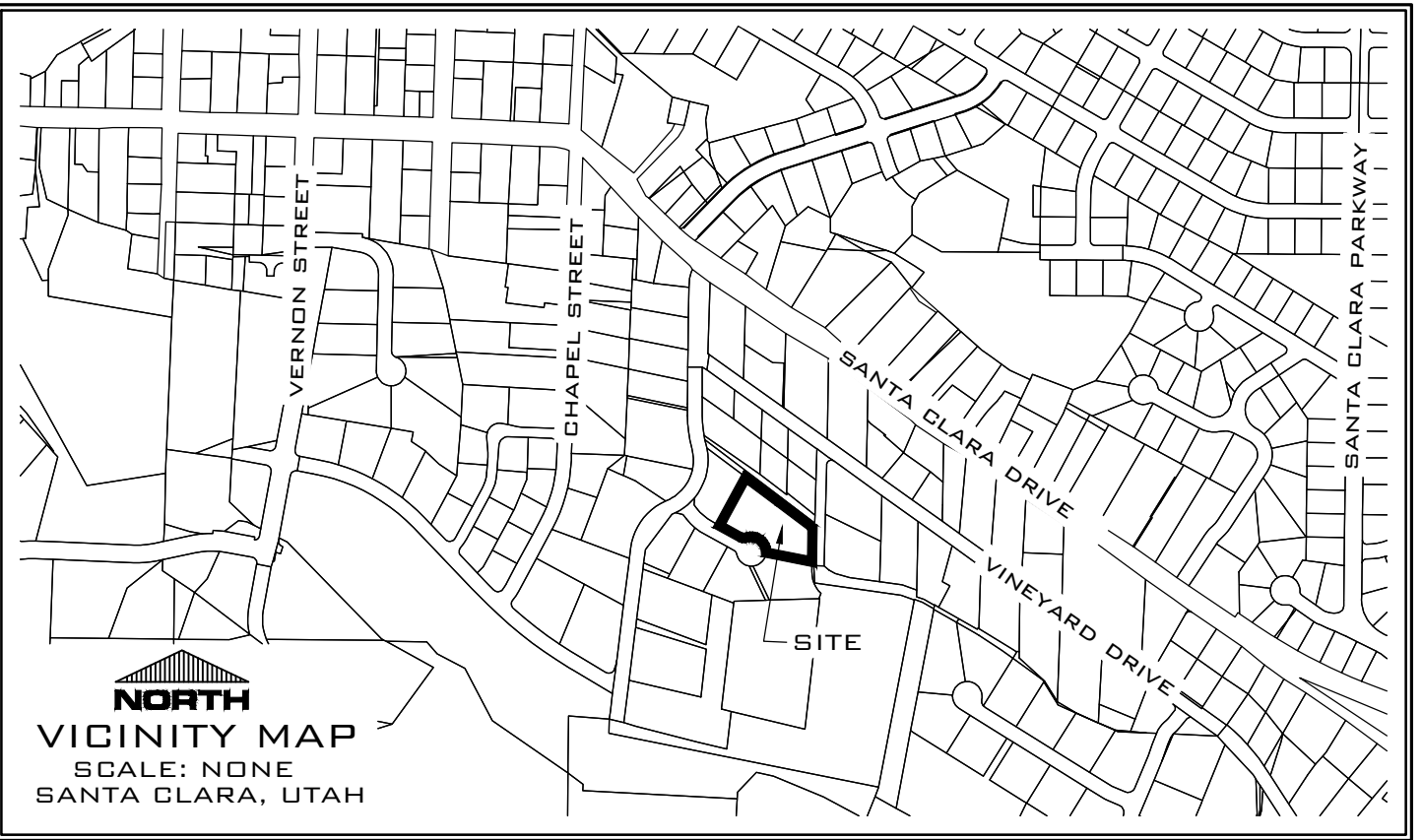
BRANDON E. ANDERSON
CERTIFICATE NO. 4938716

LEGAL DESCRIPTION:
BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, SOMERSET ESTATES, AS FOUND ON FILE AS ENTRY NO. 501103 IN THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT BEING NORTH 89°30'50" EAST 480.79 FEET ALONG THE SECTION LINE AND NORTH 1,741.02 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING;
THENCE NORTH 27°22'51" EAST 186.34 FEET ALONG THE EASTERLY LINE TO THE NORTH EAST CORNER OF SAID LOT 1;
THENCE SOUTH 54°16'00" EAST 115.52 FEET TO THE NORTHEAST CORNER OF LOT 4, SAID SOMERSET ESTATES;
THENCE NORTH 79°59'02" WEST 158.72 FEET ALONG THE NORTHERLY LINE TO THE NORTHWEST CORNER OF SAID LOT 4;
THENCE NORTHWESTERLY THE FOLLOWING (3) COURSES ALONG THE NORTHERLY LINE OF SOMERSET LANE
THENCE NORTHWEST 100.82 FEET ALONG AN ARC OF A 50.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 87°04'45" WEST, LONG CHORD BEARS NORTH 54°51'01" WEST 84.59 FEET WITH A CENTRAL ANGLE OF 115°32'33");
THENCE WEST 17.45 FEET ALONG AN ARC OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 22°36'50" WEST, LONG CHORD BEARS NORTH 87°37'00" WEST 16.90 FEET WITH A CENTRAL ANGLE OF 49°59'41");
THENCE NORTH 62°37'09" WEST 83.42 FEET TO THE POINT OF BEGINNING.
CONTAINING 47,029 SQUARE FEET OR 1.08 ACRES.

NOTES:

- A 7.50 FOOT PUBLIC UTILITY EASEMENT EXISTS ALONG ALL REAR AND SIDE LOT LINES, AND A 10.00 FOOT PUBLIC UTILITY EASEMENT EXISTS ON ALL FRONT LOT LINES, UNLESS OTHERWISE NOTED.
- UNSTABLE SOIL CONDITIONS MIGHT EXIST ON LOTS IN THIS SUBDIVISION. PURCHASERS OF LOTS HEREIN HAVE THE SOLE RESPONSIBILITY FOR OBTAINING APPROPRIATE ENGINEERING SERVICES AND ADVICE RELATIVE TO THE USABILITY OF THE LOTS. THE CITY OF SANTA CLARA DISCLAIMS ALL RESPONSIBILITY FOR SUCH SOIL CONDITIONS, WATER CONTROL (SURFACE AND/OR SUBSURFACE), AND DRAINAGE CONTROL.
- LOT 2 SHALL HAVE A CITY APPROVED WALL ON THE REAR LOT LINE ABUTTING THE PROPOSED STREET.

AMENDMENT NOTE:
THE PURPOSE OF THIS AMENDMENT IS TO COMBINE LOTS 2 & 3 OF SOMERSET ESTATES AND VACATE THE PUBLIC UTILITY EASEMENT BETWEEN THE TWO LOTS.



THE FINAL PLAT FOR
SOMERSET ESTATES
PARTIAL AMENDMENT "A"
LOCATED IN THE S.E. 1/4 OF SECTION 16,
TOWNSHIP 42 SOUTH, RANGE 16 WEST,
SALT LAKE BASE AND MERIDIAN,
SANTA CLARA CITY | WASHINGTON COUNTY | UTAH.

 ROSENBERG ASSOCIATES CIVIL ENGINEERS • LAND SURVEYORS 352 EAST RIVERSIDE DRIVE, SUITE A-2, ST. GEORGE, UTAH 84790 PH (435) 673-8586 • WWW.RACIVIL.COM			ENGINEER'S APPROVAL: _____ THE HEREDON SUBDIVISION HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE, THIS _____ DAY OF _____, 20____.		APPROVAL OF THE PLANNING COMMISSION: _____ ON THIS THE _____ DAY OF _____, A.D. 20____, THE PLANNING COMMISSION OF SANTA CLARA CITY, HAVING REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF SANTA CLARA CITY'S PLANNING ORDINANCES, AND BY AUTHORIZATION OF SAID COMMISSION HEREBY APPROVE SAID SUBDIVISION FOR ACCEPTANCE BY SANTA CLARA CITY, UTAH.		CITY SURVEYOR'S CERTIFICATE: _____ I, THE SANTA CLARA CITY SURVEYOR, DO HEREBY VERIFY THAT THIS OFFICE HAS EXAMINED THIS SUBDIVISION PLAT AND HAVE DETERMINED THAT IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.		APPROVAL AND ACCEPTANCE BY THE CITY OF SANTA CLARA, UTAH: _____ WE THE MAYOR AND CITY COUNCIL OF SANTA CLARA CITY, UTAH HAVE REVIEWED THE ABOVE SUBDIVISION FINAL PLAT AND BY AUTHORIZATION OF SAID CITY COUNCIL RECORDED IN THE MINUTES OF ITS MEETING OF THE _____ DAY OF _____, A.D. 20____, HEREBY ACCEPT THE SAID SUBDIVISION WITH ALL COMMITMENTS AND ALL OBLIGATIONS PERTAINING THERETO.		APPROVAL AS TO FORM: _____ APPROVED AS TO FORM, THIS _____ DAY OF _____, A.D. 20____.		TREASURER APPROVAL _____ I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS _____ DAY OF A.D. 20____ THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL.		RECORDED NO. _____											
<table><tr><td>SURVEY-FPLAT FILE NUMBER:</td><td>07/14/2022 DATE:</td><td>B.E.A. DRAWN:</td></tr><tr><td>10588-18 JOB NUMBER:</td><td>1" = 30' SCALE:</td><td>B.E.A. CHECKED:</td></tr></table>			SURVEY-FPLAT FILE NUMBER:	07/14/2022 DATE:	B.E.A. DRAWN:	10588-18 JOB NUMBER:	1" = 30' SCALE:	B.E.A. CHECKED:	ENGINEER SANTA CLARA CITY, UTAH		CHAIRMAN OF THE PLANNING COMMISSION SANTA CLARA CITY, UTAH		CITY SURVEYOR SANTA CLARA CITY, UTAH		CITY RECORDER SANTA CLARA CITY, UTAH		MAYOR SANTA CLARA CITY, UTAH		CITY ATTORNEY SANTA CLARA CITY, UTAH		WASHINGTON COUNTY TREASURER		FEE: _____		COUNTY RECORDER WASHINGTON COUNTY, UTAH	
SURVEY-FPLAT FILE NUMBER:	07/14/2022 DATE:	B.E.A. DRAWN:																								
10588-18 JOB NUMBER:	1" = 30' SCALE:	B.E.A. CHECKED:																								



Residential Subdivision Final Plat Application Amended

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

Subdivision Name: Somerset Estates Partial Amendment

Applicant(s)/Property Owner(s) Information

Name: SCOTT & ROBYN PARRY
Address: 3096 Somerset Ln.
City: Santa Clara State: UT Zip: 84765
Phone Number: 435 632 6701

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

(If additional property owners please add addendum)

Property Description

Section(s): 16 Township(s): 42 Range: 16
Current Zoning Designation: Residential - Ag
Parcel Size (acres): 1.08
Number of Lots: 1
Major Cross Street(s): Somerset Lane

Approvals Required By:

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

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

Office Use Only:

Date plan submitted: _____

Date plan accepted: _____

Subdivision/Development Approval Checklist

FINAL PLAT CHECKLIST

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

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



TO: Santa Clara City Council
FROM: Jim McNulty, Planning Manager
DATE: September 14, 2022
RE: Chapter 17.74, Historic District/Mixed Use Zone

City staff has been working on needed revisions to Chapter 17.74, Historic District/Mixed Use Zone. This includes an update of the chapter allowing for language that's clear and concise. A draft copy is attached for your review and consideration.

City staff had an opportunity to discuss this with the City Council on July 6, 2022, during a Council work meeting. This item was discussed with the Planning Commission on August 11, 2022. On August 25, 2022, the Planning Commission held a public hearing prior to making a recommendation on this item.

State Code Requirements:

Utah State Code, Section 10-9a-205 includes requirements for land use ordinance amendments. To amend an ordinance, a city Planning Commission must hold at least one public hearing. Additionally, a public hearing to consider an ordinance amendment requires a 10-day notice which requires the date, time, and place of the public hearing. Planning staff has determined that all State Code requirements have been met with this application.

Recommendation:

The Planning Commission held a public hearing on August 25, 2022, and forwarded a recommendation of approval to the City Council. City staff recommends that the Council approve this code amendment to Chapter 17.74, Historic District/Mixed Use Zone.

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~~~~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~~ 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~~ 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 ~~And~~and 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 ~~And~~ 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 ~~And~~ 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 ~~And~~ 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~~ 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~~ 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 and~~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. ~~An electronic copy 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:

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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~~ 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 17.74
HISTORIC DISTRICT/MIXED USE ZONE
SECTION:

- 17.74.010: Purpose
- 17.74.020: Fees and Permits
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- 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 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 of the City and promote the use of historical-cultural landmarks for education, 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 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 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 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, 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 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 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 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 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 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 to encourage creative design. Existing historical dwellings and buildings may be preserved and enhanced with commercial, 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 (48) hours.

2. A recreational housing unit may 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 may grant a time extension beyond the eight (8) daytime limit for occupancy of the recreational housing unit. However, any time extension beyond sixty (60) days shall require the approval of the City Council. (Ord. 2015-05: Ord. 2004-01 § 2)

17.74.060: SUPPLEMENTARY AND QUALIFYING REGULATIONS:

The requirements of chapter 17.20, "Supplementary and 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 and 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 and 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 and 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 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 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 to 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. 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.

Where zoning requests are tied to a parcel of property upon which is located an existing dwelling unit, all requests shall be considered based on creatively maintaining, 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. An electronic copy 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 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, 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 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 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 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 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 District/Mixed Use Zoning for the property.

The rezoning of property, along with the approval of a 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 the specific plans are subsequently amended by the Planning Commission and City Council. (Ord. 2017-14: Ord. 2004-01 § 2)

**CITY OF SANTA CLARA
ORDINANCE NO. 2022-22**

AN ORDINANCE OF THE CITY OF SANTA CLARA, UTAH, UPDATING SANTA CLARA CITY CODE CHAPTER 17.74, “HISTORIC DISTRICT/MIXED USE ZONE”

WHEREAS, City staff has been working on needed revisions to Chapter 17.74, Historic District/Mixed Use Zone to allow for language that is clear and concise; and

WHEREAS, staff has discussed with City Council during a work meeting and discussed and held a Public Hearing on August 25, 2022 with Planning Commission prior to making a recommendation on this item.

WHEREAS, Utah State Code, Section 10-9a-205 includes requirements for Land Use Ordinance amendments. Planning Commission has determined that all State Code requirements have been met with this application, and

WHEREAS, Planning Commission forwarded a recommendation of approval to the City Council. City staff recommends that the Council approve this code amendment to Chapter 17.74, Historic District/Mixed Use Zone, and

BE IT HEREBY ORDAINED by the City Council of Santa Clara, Utah, that Santa Clara City Code Title 17, Chapter 17.74, Historic District/Mixed Use Zone, is hereby amended in its entirety and codified as set forth in Exhibit “A,” which is attached and incorporated herein with this reference.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately following publication and posting as required by law and shall supersede any other ordinance or provision in conflict with the terms hereof.

ADOPTED AND APPROVED on this 14th day of September, 2022.

CITY OF SANTA CLARA

Rick Rosenberg, Mayor

Attest:

Chris Shelley, Recorder

EXHIBIT “A”

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 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 of the City and promote the use of historical- cultural landmarks for education, 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 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 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 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, 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 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 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 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 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 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 to encourage creative design. Existing historical dwellings and buildings may be preserved and enhanced with commercial, 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 (48) hours.
 - 2. A recreational housing unit may 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 may grant a time extension beyond the eight (8) daytime limit for occupancy of the recreational housing unit. However, any time extension beyond sixty (60) days shall require the approval of the City Council. (Ord. 2015-05: Ord. 2004-01 § 2)

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All parking areas shall be approved by the Planning Commission as to number of spaces required and the location of 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 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)

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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.

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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;

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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,
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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, to develop an architectural character that is compatible with the early pioneer development of the area.
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 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.
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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 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 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 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 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 District/Mixed Use Zoning for the property.

The rezoning of property, along with the approval of a 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 the specific plans are subsequently amended by the Planning Commission and City Council. (Ord. 2017-14: Ord. 2004-01 § 2)

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



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

CITY COUNCIL

Meeting Date: September 14, 2022 **Agenda Item:** 5

Applicant: City of Santa Clara

Requested by: James McNulty

Subject: Chapter 17.76, Historic District

Description: Overlay Zone

City staff has been working on needed revisions to Chapter 17.76. This includes an update of the chapter allowing for language that's clear and concise. Staff had an opportunity to discuss with the City Council on July 6, 2022, during a Council work meeting. This item was discussed with the Planning Commission on August 11, 2022 (discussion item), and August 25, 2022 (public hearing). As a result, the Planning Commission forwarded a recommendation of approval to the Council.

Recommendation: Approval

Attachments:

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A



TO: Santa Clara City Council
FROM: Jim McNulty, Planning Manager
DATE: September 14, 2022
RE: Chapter 17.76, Historic District/Overlay Zone

City staff has been working on needed revisions to Chapter 17.76, Historic District/Overlay Zone. This includes an update of the chapter allowing for language that's clear and concise. A draft copy is attached for your review.

City staff had an opportunity to discuss this with the City Council on July 6, 2022, during a Council work meeting. Additionally, this item was discussed with the Planning Commission on August 11, 2022. On August 25, 2022, the Planning Commission held a public hearing prior to making a recommendation on this item.

State Code Requirements:

Utah State Code, Section 10-9a-205 includes requirements for land use ordinance amendments. To amend an ordinance, a city Planning Commission must hold at least one public hearing. Additionally, a public hearing to consider an ordinance amendment requires a 10-day notice which requires the date, time, and place of the public hearing. Planning staff has determined that all State Code requirements have been met with this application.

Recommendation:

The Planning Commission held a public hearing on August 25, 2022, and forwarded a recommendation of approval to the City Council. City staff recommends that Council approve this code amendment to Chapter, 17.76, Historic District/Overlay Zone.

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:

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

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

~~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-~~h~~ 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-~~h~~ historic building of six hundred (600) square feet or less.

NON-~~H~~ 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. The heritage commission shall elect a chair and vice-chair from among its members yearly. The election of the chair and vice-chair will occur during the first regularly scheduled heritage commission meeting each year.

~~C~~D. 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~~E. 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~~to The National Register ~~Of~~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~~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.

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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.

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~~ 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)

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:

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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.

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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:

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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.

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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.

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 may appeal to the city council for approval. On appeal to the city council, its decision shall be final.

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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)

**CITY OF SANTA CLARA
ORDINANCE NO. 2022-23**

AN ORDINANCE OF THE CITY OF SANTA CLARA, UTAH, UPDATING SANTA CLARA CITY CODE CHAPTER 17.76, “HISTORIC DISTRICT/OVERLAY ZONE”

WHEREAS, City staff has been working on needed revisions to Chapter 17.76, Historic District/Overlay Zone to allow for language that is clear and concise; and

WHEREAS, staff has discussed with City Council during a work meeting and discussed and held a Public Hearing on August 25, 2022 with Planning Commission prior to making a recommendation on this item.

WHEREAS, Utah State Code, Section 10-9a-205 includes requirements for Land Use Ordinance amendments. Planning Commission has determined that all State Code requirements have been met with this application, and

WHEREAS, Planning Commission forwarded a recommendation of approval to the City Council. City staff recommends that the Council approve this code amendment to Chapter 17.76, Historic District/Overlay Zone, and

BE IT HEREBY ORDAINED by the City Council of Santa Clara, Utah, that Santa Clara City Code Title 17, Chapter 17.76, Historic District/Overlay Zone, is hereby amended in its entirety and codified as set forth in Exhibit “A,” which is attached and incorporated herein with this reference.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately following publication and posting as required by law and shall supersede any other ordinance or provision in conflict with the terms hereof.

ADOPTED AND APPROVED on this 14th day of September, 2022.

CITY OF SANTA CLARA

Rick Rosenberg, Mayor

Attest:

Chris Shelley, Recorder

EXHIBIT “A”

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:

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- 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, 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 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.
- 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 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 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: September 14, 2022 **Agenda Item:** 6

Applicant: Santa Clara City

Requested by: Washington County

Subject: Approval of an ambulance lease agreement with Washington
County

Description:

Washington County used a portion of their CARES Act funds to purchase ambulances to lease to each transporting agency in Washington County. The county is leasing the ambulance to Santa Clara for \$1.00 annually for 5 years. The city is responsible for all maintenance and upkeep of the vehicle.

Recommendation: Approval

Attachments:

Cost: 1.00

Legal Approval: Yes

Finance Approval: Yes

Budget Approval: Yes

AMBULANCE LEASE

This Lease Agreement (the “Lease”) dated as of July 1, 2022 is entered into by and between Washington County, a political subdivision of the State of Utah (the “County”), as lessor hereunder, and the City of Santa Clara, a Utah municipal corporation (the “Agency”), as lessee hereunder.

Recitals

- A. The County has an obligation under state law to ensure that a minimum level of 911 ambulance service is provided within its boundaries;
- B. The Agency holds an exclusive license from the Utah Bureau of Emergency Medical Services to deliver 911 transport services within its territory;
- C. Using federal CARES Act funding, the County purchased a 2022 ambulance with a vehicle identification number of 1FDUF4HT2NEC28481 (hereafter the “Ambulance”);
- D. The County would like to lease the Ambulance to the Agency for its use in delivering 911 ambulance service in the County, subject to the terms and conditions of this Lease; and
- E. The Agency would like to lease the Ambulance from the County to deliver 911 ambulance service in its exclusive territory and as called upon in other areas of the County as called upon by dispatch and in the discretion of the Agency.

NOW THEREFORE, for in and in consideration of the mutual promises and covenants herein contained, the parties hereto agree as follows:

Lease Provisions

- 1. **Lease.** The County hereby leases the Ambulance to the Agency, and the Agency leases the Ambulance from the County, to have and to hold under this Lease unless sooner terminated as expressly provided herein.
- 2. **Term.** The Lease term shall commence as of the date of delivery of the Ambulance and shall terminate at midnight on June 30, 2027 (hereafter the “Lease Term”). Unless either party delivers a written notice of non-renewal at least 30 days before the end of the initial Lease Term, the Lease Term will automatically be renewed, for successive one-year terms (each a “Renewal Term”) for so long as neither party delivers a written notice of non-renewal to the other party at least 30 days before the termination of the then-current term.
- 3. **Use.** During the Lease Term, the Ambulance will at all times be used only to provide 911 ambulance service in the Agency’s territory or in other areas as called upon to do so by dispatch.
- 4. **Compliance with Laws.** The Agency shall comply with all applicable laws, rules, regulations, orders, directions and requirements of all governmental departments, bodies, bureaus, agencies, and officers, including without limitation, BEMS regulations applicable to the use of the Ambulance. The Agency acknowledges that the Ambulance was purchased with federal funding and that the federal government may have other legal requirements governing the use of the Ambulance, and the Agency agrees to comply with such legal requirements.

5. **Termination of Lease Term.** The Lease Term shall terminate upon the first to occur of the following events:

- a. The conclusion of the Lease Term and any valid Renewal Term;
- b. Immediately upon the Agency's return of the Ambulance to the County with the Agency's written Notice of Termination based on the Agency's statement that it no longer has a need for the Ambulance; or
- c. 120 days from the date the County issues a written Notice of Termination to the Agency based on the County's need to use the Ambulance in another area of the County.

6. **Enjoyment of Equipment.** The County hereby covenants to provide to the Agency during the Lease Term with the exclusive use of the Ambulance, and the Agency shall during the Lease Term have the exclusive use of the Ambulance, without suit, trouble, or hindrance from the County, except as expressly set forth herein. The County shall have the right at all reasonable times during business hours (and in emergencies at all times) to inspect the Ambulance.

7. **Lease Payments.** The Agency shall pay to the County, as Base Rent, \$1.00 per year during the initial Lease Term and during any Renewal Term. In addition to Base Rent, the Agency shall pay, as Additional Rent, for all of the following:

- a. All costs necessary to operate the Ambulance;
- b. All costs necessary to keep the Ambulance equipped with necessary supplies;
- c. The costs of maintenance and repair as required under this Lease; and
- d. The costs of insurance on the Ambulance.

8. **No Setoff.** Notwithstanding any dispute between the County and the Agency, the Agency shall pay all payments of Base Rentals and Additional Rent when due, and shall not withhold any Base Rent or Additional Rent pending final resolution of such dispute. The obligation of the Agency to pay Base Rentals and Additional Rentals during the initial Lease Term and any Renewal Term shall be absolute and unconditional in all events, and payment of the Base Rent and Additional Rent shall not be abated through accident or unforeseen circumstances.

9. **Title.** Title to the Ambulance shall remain in the County. The Agency shall not have any right, title or interest in the Ambulance or any additions, repairs, replacements, modifications or fixtures thereto.

10. **Maintenance.** The Agency shall, at its own expense, and as if the Agency were the absolute owner of the Ambulance, operate, manage, keep and maintain the Ambulance in good working order, condition, and repair, including major repairs or replacements of a capital nature when necessary, including periodic painting as reasonably determined by the County, and in accordance with all operating and maintenance manuals and all applicable laws, rules, ordinances, orders, and regulations as shall be in effect from time to time of (1) any federal, state, county, municipal, or other governmental or quasi-governmental agencies and bodies having or claiming jurisdiction thereof and all their respective departments, bureaus, and officials; (2) the insurance underwriting board or insurance inspection bureau having or claiming jurisdiction thereof; and (3) all insurance companies insuring all or any part of the Ambulance. The Agency shall provide maintenance records at least annually or, upon the County's request, more frequently.

11. **Modifications.** The Agency shall have the privilege of making substitutions, additions, modifications, or improvements at its own cost and expense, and the same shall be subject to this Lease;

provided, however, that such substitution, addition, modification, or improvement shall not in any way damage the Ambulance or cause it to be used for any purpose other than those authorized under this Lease. The Agency shall not allow any mechanic's or other lien to be established or remain against the Ambulance for labor or materials furnished in connection with any substitution, addition, modification, repairs, or improvement.

12. **Ambulance Insurance.** The Agency agrees to insure or cause to be insured the Ambulance against loss or damage of the kinds usually insured against by public bodies similarly situated, including, without limitation, policies of casualty and property damage insurance, by means of policies issued by reputable insurance companies duly qualified to do such business in the State with a uniform standard coverage endorsement limited only as may be provided in the standard form of extended coverage endorsement at that time in use in Utah, in amounts that are not less than the full insurable value of the Ambulance. The term "full insurable value" as used herein shall mean the actual replacement value. Alternatively, subject to approval of the County Attorney, the Agency may provide proof of coverage through the Utah Local Governments Trust or Utah Risk Management Agency, provided such coverage is adequate in the opinion of the County. Evidence of such insurance shall be provided to the County upon request.

13. **Liability Insurance.** The Agency agrees that it will, during the Lease Term or any Renewal Term, participate as a member of the Utah Local Governments Trust or the Utah Risk Management Agency, or in the alternative, provide such general liability insurance that provides coverage at limits that are acceptable in the opinion of the County Attorney.

14. **Advances.** If the Agency fails to maintain the insurance required under this Lease or to maintain and keep the Ambulance in good repair and operating condition, the County may (but shall be under no obligation to do so) obtain the required insurance and pay the premium on the same or make such repairs or replacements as are necessary and provide payment thereof. Amounts paid by the County under this Section shall be reimbursed by the Agency to the County upon request.

15. **Damage.** If the Ambulance is damaged at any time during the Lease Period, the Agency shall repair the damage at its sole cost. If the Agency fails to do so, the County may cause the Ambulance to be repaired and send the invoice for such repair to the Agency, which shall pay the invoice amount to the County. If the Ambulance is damaged to a degree that it is considered a total loss, the Agency shall pay the County the actual replacement value of the Ambulance.

16. **Disclaimer of Warranties.** The County makes no warranty or representation, either express or implied, as to the value, design, condition, merchantability or fitness for a particular purpose or fitness for use of the Ambulance or any of the equipment or fixtures therein or any other representation or warranty. In no event will the County be liable for any incidental, indirect, special, or consequential damage in connection with or arising out of this Lease or the existence, furnishing, functioning, or the use by the Agency of any item, product, or service provided for herein.

17. **Assignment and Subleasing.** This Lease may not be assigned by the Agency for any reason. Any attempted assignment is void. The Agency shall not sublease the Ambulance for any reason.

18. **Events of Default.** Any one of the following shall be an "Event of Default" under this Lease:

a. Failure of the Agency to pay any Base Rent or Additional Rental within 15 days of the date it is due;

b. Failure of the Agency to observe and perform any covenant, condition, or agreement on its part to be observed or performed (other than as referred to in (a) above) for a period of 30 days after written notice, specifying such failure and requesting that it be remedied, given to the Agency by the County, unless the County shall agree in writing to the extension of such time prior to its expiration; provided, however, that if the failure stated in the notice cannot be corrected within the applicable period, the County shall not unreasonably withhold its consent to an extension of such time if corrective action shall be instituted by the Agency within the applicable period and diligently pursued until the default is corrected;

c. The Agency abandons the Ambulance or discontinues its use; or

d. The Agency is no longer legally authorized to provide ambulance transport service.

19. **Remedies on Default.** Whenever an Event of Default has happened, the County shall have the right, at its option, without further demand or notice, to take one or any combination of the following remedial steps:

a. Immediately take possession of the Ambulance, including all associated equipment and supplies;

b. File an action to enforce any payment or other obligation under this Lease;

c. Terminate the lease; and

d. Take whatever action at law or in equity may appear necessary or desirable to enforce the County's rights in the Ambulance.

20. **No Remedy Exclusive.** No remedy herein conferred upon or reserved to the County is intended to be exclusive, and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon an Event of Default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient.

21. **Indemnification.** The Agency shall indemnify, defend (which is defined to mean the reimbursement of costs and attorney's fees incurred by legal counsel of the County's choosing), and hold harmless the County from any claim or litigation arising from or related to the Agency's use of the Ambulance.

22. **Attorney's Fees and Costs.** In the event that either Party files an action on this Lease, the prevailing party shall be entitled to an award of costs and attorney's fees from the nonprevailing party.

23. **No Additional Waiver.** In the event that any agreement contained herein should be breached by either party and thereafter waived by the other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach hereunder.

24. **Severability.** In the event any provision of this Lease shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

25. **Ambulance at End of Lease Term.** At the end of the Lease Term or any applicable Renewal Period, or upon any earlier termination, the Agency shall return the Ambulance to the County in the same condition in which it was delivered to the Agency by the County, reasonable wear and tear excepted.

26. **Modification.** This Lease may not be amended, changed, modified, or altered except by a signed writing of the parties.

27. **Execution in Counterparts.** This Lease may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

28. **Applicable Law.** This Lease shall be governed by and construed in accordance with the laws of the State of Utah.

29. **Captions.** The captions or headings of this Lease are for convenience only and in no way define, limit, or describe the scope or intent of any provision or Sections of this Lease.

IN WITNESS WHEREOF, the County and the Agency have executed this Lease as of the day and year specified above.

WASHINGTON COUNTY

CITY OF SANTA CLARA

Victor Iverson, Chair
Date:

By:
Its:
Date:

Attest:

Attest:

Susan Lewis, Clerk-Auditor

Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Denny Drake

Leina Mathis

Ben Shakespeare

Jarett Waite

Christa Hinton

CITY COUNCIL

Meeting Date: September 14, 2022 **Agenda Item:** 7

Applicant: Gary Hall

Requested by: GARY HALL

Subject: CFPP Update

Description:

CFPP update

Recommendation: Discussion

Cost: NA

Legal Approval: N/A **Finance**

Approval: N/A **Budget Approval:**

N/A

Attachments:

https://sccity.org/wp-content/uploads/formidable/41/CFPP_PMC-

[External_August2022_Update.pptx](#), https://sccity.org/wp-content/uploads/formidable/41/Talking-Points-Grant-PUD_X-energy-08-23-22.pdf

Talking Points Regarding Grant County PUD and X-energy

Grant County PUD has informed UAMPS staff that it will be pursuing the development of X-Energy technology within Grant County. With this decision, Grant will not participate in the UAMPS Carbon Free Power Project. While disappointing, UAMPS does not believe this decision, by Grant, will negatively impact the development of CFPP.

We are pleased to see other utilities pursue other advanced nuclear energy technologies as a dispatchable resource to integrate wind, sun and hydro into an affordable, reliable, carbon-free system.

UAMPS is confident in the NuScale Power design choice as being the right one for UAMPS member utilities and their customers. The CFPP is much further along in the plant development process than other advanced nuclear technologies as NuScale Power has received its Design Certification approval by the U.S. Nuclear Regulatory Commission and the CFPP's completion of site characterization work for the CFPP at the Idaho National Laboratory site.

While securing additional subscription in the CFPP continues to be challenging, UAMPS continues to work with other interested utilities and believes the project's development work, as well as the enactment of the Inflation Reduction Act, has created a very strong foundation for a successful project.



CARBON FREE POWER PROJECT UPDATE AUGUST 2022

Nuscale Design Certification

- NRC recently announced it will issue the final rule that provides a Design Certification for NuScale's technology (for the 50 MWe, 12-pack design)
- This is a key milestone for NuScale and further formalizes the NRC's endorsement of the technology
- Note that the CFPP design is a different configuration than the Design Certification (50 vs. 77 MWe, 12 vs. 6-pack)
- CFPP is building upon the work that was the basis of the 50 MWe Design Certification, but we still have significant licensing effort to go (SDA, COLA)



NuScale SPD and SDA Update

- Standard Plant Design (SPD) is on track for completion in Q4 2022
- Standard Design Application (SDA) submittal to the NRC is on schedule for a December 2022 submittal
- Licensing Topical Reports (LTR) are being reviewed by the NRC and are on track
 - Emergency Planning Zone LTR planned to receive Advisory Committee on Reactor Safeguards (ACRS) review by end of 2022

Class 3 Estimate Update

- Class 3 Estimate (-20% / +30%) review and refinement continues
- EPC (Fluor)
 - CFPP visited Fluor Houston office on July 25-27 to kick-off face-to-face, deep-dive review meetings on EPC content
 - CFPP follow-up meetings with Fluor this week on August 16-17 in Houston
 - Focus areas included home office costs, indirect costs, productivities, basis of contingency
 - Conceptual design and budgetary bid processes were methodical and robust
 - Estimate is clearly reflective of Class 3 pedigree

Class 3 Estimate Update

- OEM (NuScale)
 - Deep dive reviews occurred at NuScale offices August 1-4. Second set of face-to-face reviews likely to occur in late September.
 - Key take-away: ~90% of equipment estimates are supported by vendor estimates
 - Supply chain being refined – will likely include both domestic and international suppliers
 - Key areas of interest:
 - fabrication plan for large vessels
 - large reactor crane
 - FOAK components
 - NPM assembly details
 - vendor oversight approach
 - clarifying responsibilities after NPMs arrive on site

Class 3 Estimate Update

- Owner's Cost
 - Collective CFPP effort
 - Conceptual designs & estimates complete
 - Gathering commercial estimates
 - Insurance, taxes, bonds/LOC, water acquisition, etc.
 - Captures interfaces between OEM, EPC & M&O
 - Refining home office staffing
 - Planning internal estimate review
- CFPP planning for PMC discussion in Sep-Oct

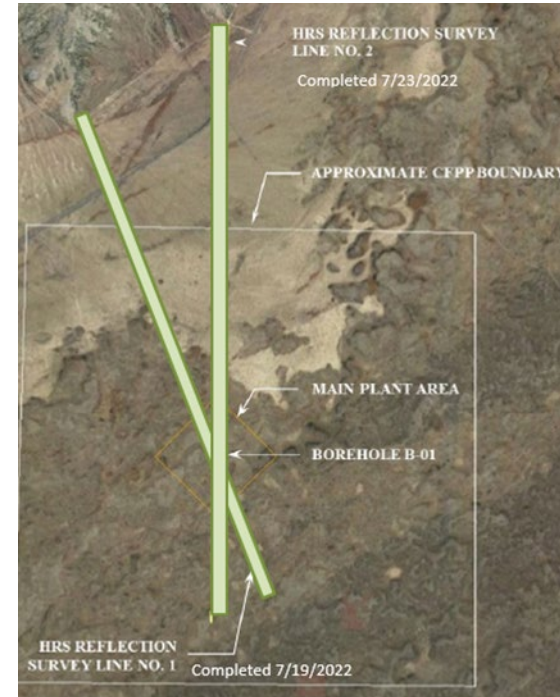
Combined License Application (COLA) Update

- The COLA Project remains on schedule and slightly under budget
 - Cumulative progress at the end of July is 32.8% and aligns with the Re-baseline Plan.
 - Overall project Schedule Performance Index (SPI) is 1.01, and Cost Performance Index (CPI) is 1.05
- The COLA Review Process started in late July
 - The Certrec process for COLA Section/Chapters/Parts review in progress
 - CFPP and Xcel is reviewing the COLA in parallel with the Fluor Team

CFPP Field Activities

July – Early August Field Activities:

- Team completed Seismic Reflection Surveys - 7/23/2022
- Performed monitoring well sampling on all 10 wells
- **All geological field investigations completed**
 - Environmental monitoring continues
 - Met Tower and Ground Water



Seismic Reflection Survey Lines Completed



Seismic Reflection Hammer Rig Activity



Well Sampling Activities

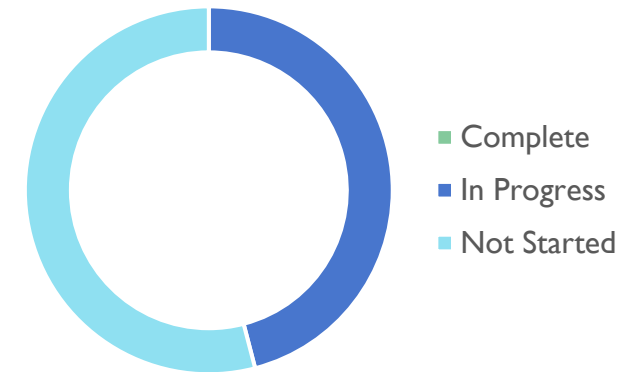
XNES Operations Update

- Xcel Nuclear Energy Services (XNES) is continuing to add subject matter experts as required in the areas of operations, training, security, outage planning and emergency planning
- XNES is continuing to develop Operating Costs for the Class 3 Estimate
- Ready to Operate Plan (RTOP) – In XENS internal reviews – expect to issue this month
- Training Program Pathway (INPO or NRC)
 - Continuing XENS internal reviews
 - Will align with CFPP prior to any outside engagement

Contracts Update

- OEM Contract – Progressing well through virtual meetings, with face-to-face meeting in Portland last week of August
- EPC Contract – Structured similarly to OEM Contract, so OEM negotiations support EPC Contract as well; will be finalized after OEM Contract
- M&O Contract – Progressing with regular ongoing engagement
- Integration Agreement – CFPP prepared draft under review by NuScale and Fluor
- Contract Exhibits and Attachments – Nearly 50% of contract exhibits are in draft development and review.

All Exhibits



International Visits

- Japan Bank for International Cooperation Visit - Aug 4
 - Visited CFPP Site – Observed Bore Holes & Overall Site
 - JBIC is a NuScale Investor
 - 7 JBIC representatives, plus other advisors
- ČEZ Group Visit to UAMPS/CFPP in SLC – Aug 18
 - 10 Representatives Planned
 - Czech Republic Utility Conglomerate – MOU with NuScale
 - Conglomerate of 96 companies, 72 of them in the Czech Republic
 - Core business: Generation, Distribution, Trade In, and Sales of Electricity and Heat
 - Currently operates the Dukovny and Temelin nuclear sites in the Czech Republic
 - Interested in building SMR on the Temelin site and then subsequently duplicate that deployment at 2-3 coal sites
- SNN - Romanian Visit to UAMPS/CFPP in SLC - Aug 31
 - Societatea Nationala Nuclearelectrica SA (SNN) – State owned Romanian nuclear energy company
 - Teaming Agreement with NuScale to Evaluate and Deploy SMR
 - Currently operate 2 nuclear plants at Cernavodă



Discussion of CFPP Site Characterization with JBIC