

**NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL MEETING
Wednesday, April 12, 2023
Time: 5:30 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 April 12, 2023, commencing at 5:30 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: Saint George Catholic Church, St. George Interfaith Council.

3. General Citizen Public Comment:

4. Conflicts and Disclosures

5. Working Agenda:

A. Public Hearing(s) 5:00 pm.

Consent Agenda

1. Approval of Claims and Minutes:
 - March. 22, 2023 Regular City Council Meeting Minutes
 - Claims through April 12 2023
2. Calendar of Events:
 - April 19, 2023 City Council Work Meeting
 - April 26, 2023 Regular City Council Meeting

B. General Business:

1. Introduction of Santa Clara City Royalty and update. Presented by Monica Bracken.
2. Discussion and action regarding Selection of New Judge.
3. Discussion and action approving a donation to the Cub Scout Pack 407. Presented by Brock Jacobsen, City Manager.
4. Discussion and action to consider rezoning of property at approximately 2276 Arrowhead Trail (parcel SC-6-2-22-4148, SC-9-A-12 and SC-9-A-18 described as 1.48 acres) Split Rock Construction is proposing to Rezone the property from R-1-10 Single-Family Residential Zone, and Planned Development Commercial, PDC Zone to R-1-6 Single-Family Residential Zone. The rezoning is part of the process to allow for a proposed single-family residential subdivision. Presented by Jim McNulty, City Planner.

5. Discussion and action to consider a proposed Rezoning of property at 400 East/Patricia Drive and Pioneer Parkway (Parcels SC-SB-90-A-2 and SC-SB-90-A-4-B described as 18.09 acres). The applicant, Clayton Leavitt is proposing to Rezone the property from R-1-10 Single-Family Residential, PDR Zone to allow for a proposed residential project that would include single-family homes, multi-family townhomes and amenities. Presented by Jim McNulty, City Planner.
6. Discussion and action to consider approval of the Spring Slurry Seal Project to Morgan Pavement for total project price of \$304,407.00. Presented by Dustin Mouritsen, Public Works Director.
7. Discussion and action to consider approval of resolution 2023-08, a resolution requesting the Washington County Commission to Enact a 1% sales tax increase for the funding of EMS services by Santa Clara/Ivins Fire & Rescue. Presented by Brock Jacobsen, City Manager.

6. **Reports:**

- a. Mayor / Council Reports:

7. **Executive Session:**

8. **Adjournment:**

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

Zoom Meeting Participants: Participants on the Zoom call are limited to City Staff, Council Members, and applicants on the agenda. 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 6th day of April 2023 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 3, 2023.

Chris Shelley – City Recorder

**SANTA CLARA CITY COUNCIL WORK MEETING
WEDNESDAY, MARCH 22, 2023
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, March 22, 2023, at 5:00 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara, Utah. Notice of the time, place, and agenda of the meeting was provided to the Spectrum and 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 YouTube linked on our website at <https://sccity.org/meetings>.

Present: Mayor Rick Rosenberg

Council Members: Ben Shakespeare
Christa Hinton
Leina Mathis
Denny Drake
Jarrett Waite

City Manager: Brock Jacobsen

City Recorder: Chris Shelley

Others Present: Matt Ence, City Attorney
Jim McNulty, City Planner
Officer Studley
Dustin Mouritsen, Public Works Director
Ryan VonCannon, Parks, and Trails Director
Cody Mitchell, Building Official
Kate Casselman, Power Department Administrator
Debbie Bannon, City Finance Director

1. Call to Order.

Mayor Rick Rosenberg called the meeting to order at 5:00 p.m. and welcomed those present.

2. Opening Ceremony.

- a. **Pledge of Allegiance:** Jarrett Waite.
- b. **Opening Comments:** Pastor Greg Wright, Westside Baptist Church, St. George Interfaith Council.

3. General Citizen Public Comment.

There were no citizen comments.

4. Conflicts and Disclosures.

Mayor Rosenberg disclosed a conflict of interest with agenda items three and four. He reported that the firm he is employed by has worked on both projects.

5. Working Agenda.

A. Public Hearing – 5:00 p.m.

There was no public hearing.

B. Consent Agenda.

i. Approval of Claims and Minutes.

- March 8, 2023, Regular City Council Meeting Minutes.
- March 15, 2023, City Council Work Meeting.
- Claims through March 22, 2023.

ii. Calendar of Events.

- April 12, 2023, Regular City Council Meeting.
- April 19, 2023, City Council Work Meeting.
- April 26, 2023, Regular City Council Meeting.

Council Member Mathis moved to APPROVE the Consent Agenda as presented. Council Member Hinton seconded the motion. Vote on motion: Council Member Waite-Aye, Council Member Drake-Aye, Council Member Hinton-Aye, Council Member Mathis-Aye, Council Member Shakespeare-Aye. The motion passed unanimously.

C. General Business.

i. Youth City Council Presentation. Presented by Leina Mathis, Council Woman.

Council Member Mathis reported that the Youth City Council (“YCC”) was established this past year. The group is now reaching the end of its first year of service. The YCC has provided service to the City this year at Swiss Days. They also learned about City government from City Manager, Brock Jacobsen, and Public Safety after meeting with Police Chief, Andrew Parker. They visited the Fire Station and got into an ambulance. They attended Elected Officials Day at the State Capitol as well. They met on two occasions with Representative Walter and learned about State

government and legislation. They also toured the City and were great City Ambassadors. Council Member Mathis stated that two YCC Members were unable to be present tonight to be recognized. They are exceptional youth and she has enjoyed working with them.

Council Member Mathis read a statement from Gwen Lamoreaux, which was submitted and made part of the record. Ms. Lamoreaux has enjoyed serving on the Youth City Council, which has allowed her to serve the community in ways she never has before. She learned about the City's history and why Santa Clara is so exceptional. Some of her favorite activities involved helping at Swiss Days and serving donuts and hot chocolate during the Tree Lighting. The experience has given her many opportunities and she was thankful for them.

Will Nadauld was grateful for the experience and was thankful for his fellow Youth City Council Members. He also appreciated Council Member Mathis who made the experience possible and provided a lot of worthwhile experiences. He learned a lot about how government works and how much work is required to keep it running. Many are skeptical of government because they do not understand how it works.

Gabriel Pina commented that when coming into the Youth City Council he was not sure what to expect and was driven by the idea that it would look good on a college resume. He was grateful to have been a part of the YCC and thoroughly enjoyed the opportunities provided through the experience. He connected with people from throughout the City, learned how the City Council operates, and about various City departments. He has been educated in ways that cannot be taught in textbooks. He believed his experience will continue to influence him in the future. He plans to attend law school and what he has learned will benefit him in the future. He thanked Will for encouraging him to become a founding member of the YCC. He also thanked Council Member Mathis for providing such amazing experiences.

Sarah Jane Miller appreciated the experience and learned a great deal. Her most memorable experience was going to the Capitol and helping with Swiss Days. She thanked Council Member Mathis for her efforts.

Certificates were distributed to the YCC Members as a token of the Council's appreciation. Photographs were taken with the City Council.

ii. Power Cost Adjustment ("PCA") Discussion. Presented by City Manager, Brock Jacobsen.

The above matter was tabled to later in the meeting.

Utility Financial Solutions President, Mark Beauchamp addressed the PCA and reported that nationwide natural gas costs have risen and that the War in Ukraine has affected the market price. Historical averages for natural gas prices were \$3 per One Million British Thermal Unit ("MMBtu"). Last year it increased to an average of \$6.28. It has come down to about \$3 again but is projected to rise over the next year to \$3.50. If the projections are true, market prices should begin to subside. Back east there have been 30 to 40 percent rate increases because of the

change in power supply costs. Mr. Beauchamp addressed what would have happened had there been no PCA in place.

Mr. Beauchamp explained that when looking at a PCA, most public power systems are responsible for bringing power supply to a customer. They aggregate the load to the community by trying to get the best possible price for power. What happens in the markets, however, is out of their control. A PCA mechanism is a pass-through so that the utility can remain financially stable. The mechanism they use with a rolling average is put in place to minimize, to the extent possible, the month-to-month changes in the PCA for customers. It substantially reduces the utility's exposure, improves the bond rating, and maintains financial stability. When the study was done in 2021, they looked at the average projected cost, which was 6.8 cents. Over the first few months, it stayed close to the projected level and then began to rise. That was not projected and was one of the reasons for the PCA.

Mr. Beauchamp described the Power Cost Recovery Mechanism and explained that the power supply costs for 2022 were about \$5.5 million. In the base rate, they only projected \$3.6 million in power supply costs. The Power Cost Recovery Mechanism picked up about \$1.6 million which was recovered in revenue. If they had not had that, they would have had to use reserves. The PCA has kept the utility stable.

Council Member Shakespeare clarified that \$346,000 was pulled from reserves. Mr. Beauchamp explained that it will be recovered over the next six months. The six months is a rolling average and will never be exact. They are currently under-recovered by \$346,000. Reference was made to the chart. Mayor Rosenberg stated that the base would have to be increased significantly to make up the difference of \$1.6 million. Mr. Beauchamp stated that in that case, they would have to change the base rate frequently, which requires Council approval. Having a PCA mechanism is automatic and part of the rate and can be recovered. With Council approval, they can increase the base. Increasing the Monthly Facilities Charge from \$20 to \$25 per month would help but not mitigate the difference completely. If the Facilities Charge were increased, the base power cost of 6.56 cents would increase to 6.97 and have an impact but not a significant one.

Possible options were discussed such as imposing a cap on the PCA. Doing so would result in the risk of underfunding the utility. By looking at the restricted cash as of June 30, 2022, there is \$2.5 million in restricted cash that is part of the impact fees that is available. The City also has \$4.4 million that is restricted from bond monies, which is not available. The funds are restricted and must be used for specific capital improvement costs. That leaves the City with unrestricted cash of \$419,000, which is to fund the working capital of the utility. If a cap were imposed, they would not have had the funds available to maintain the cap.

Mr. Beauchamp recognized that it is difficult when the PCA is as high as it is. He commented that the hope was that in the future it will be mitigated to some degree. In the end, the cost has to be recovered. The question was how to fund it. If the PCA had not been in place in 2022, the City would have been in trouble. He explained that once the generators are operational, the City's exposure will be capped, which will help mitigate future impacts.

Power Scheduler, Kate Casselman, described the difference when the generator is running. She reported that there will be days when they will pay \$50 to \$60 more per megawatt to run the generator than to purchase it. The strike price is what it costs to run the generators for one megawatt. Mr. Beauchamp was surprised at how much the strike price varies. Ms. Casselman explained that the strike price is generated off of the market price for gas for the day. Mr. Beauchamp commented that there are times when it is and is not economical to operate the generator. They could, however, hedge the gas, which would stabilize it. Ms. Casselman responded that they are currently looking at hedging fuel through their co-op, Utah Associated Municipal Power Systems (“UAMPS”) for the rest of 2023 and 2024. Mr. Beauchamp explained that that would be the ultimate cap because it is based on fuel costs. Ms. Casselman stated that it would bring the strike down to around \$52.

Council Member Shakespeare asked why UAMPS has not done that in the past and noted that it can be locked in for a term. Ms. Casselman explained that it is because the fuel prices weren’t that high. Because it is now so volatile, they are looking for ways to save. Mr. Jacobsen explained that years ago Jack Taylor suggested that natural gas be purchased through UAMPS. Prior to that, they received a bill from Questar. Because they were purchasing in bulk, they were able to get it at a better price. At the time, however, price was not as much of a factor. Purchasing gas through UAMPS has been challenging in terms of running the generators. Ms. Casselman explained that she must give them 24 to 48 hours notice and let them know that they are running the generators, how many megawatts, and what hours so that they can accommodate other facilities.

With regard to price fluctuations, Ms. Casselman commented that historically when UAMPS was buying, the fuel was getting better rates than if they had hedged. Mr. Beauchamp commented that over the last 10 years, utilities have gotten away from risk management practices related to hedging because markets are so stable. They are now trying to get back into it. He noted that there is a cost associated with hedging. It is similar to an insurance policy and a premium must be paid for stability. Many utilities do not feel it is worth the additional cost.

Council Member Waite commented that they are about two years into the rate study and it was recommended that they redo it after three years. He asked Mr. Beauchamp if it would be beneficial to conduct a rate study now. He noted that St. George City raised its base rate and power rates and did not implement a PCA. He asked if they could limit the exposure of the PCA to residents if they conducted a rate study sooner rather than later. Mr. Beauchamp suggested that they update the financial projection. His concern was the City’s financial stability. The update of the financial projection would not take as much time and would be something that would provide the most benefit. Either this year or next they could do the Cost of Service Study.

Council Member Drake asked at what point the City continuing to use its reserves to pay bills will impact its ability to bond. Mr. Beauchamp shared his experience and stated that rating agencies have different criteria. When there is a PCA, it is typically seen as an advantage to rating agencies. There are also different ways of doing the PCA. Setting it at a six-month rolling is favored over a 12-month rolling. He felt they were doing the right thing and noted that the \$346,000 will be recovered over the next few months. From a stability standpoint, rating

agencies will view it as a positive. What they will view as a negative would be if the City were to impose a cap or mitigate its ability to recover costs in a timely fashion.

Council Member Mathis referenced the PCA Recovery Comparison Charge, which contains losses that exceed \$346,000 per month. Mr. Beauchamp explained that it is a 12-month calculation. If they were to add up the numbers in the far right column over the last 12 months and took the total PCA revenue plus the base revenue and subtracted out the 12 months of purchased power costs they would be under-recovered by \$346,000. City Finance Director, Debbie Bannon, reported that the 12 months referred to by Mr. Beauchamp equals \$346,000.

Council Member Hinton did not fully understand if the PCA will fully recoup the losses from 2020 and 2021. Mr. Beauchamp commented that 2021 was not a major issue and the PCA was implemented in March 2022. They cannot go back more than six months. Doing so would violate their Rate Tier Policy.

Mayor Rosenberg's understanding was that those numbers were not charged under the PCA and were to identify the difference and losses experienced. Mr. Beauchamp explained that in looking over the previous six months, when they initially established the PCA, it was set at 1.8 cents. It was clarified that those funds came out of reserves.

Mayor Rosenberg commented that the only way impact fees could be used would be if it was a loan. Mr. Beauchamp commented on impact fees and stated that monthly they are paying for labor, materials, supplies, and purchasing power and drawing it out of the City's cash account. The \$2 million impact fee reserves are part of the buffer in the City's account. There may be times in any given month when the City's unrestricted cash goes into the negative but is recovered by the end of the month.

Council Member Shakespeare asked when the generators were last run. Ms. Casselman stated that they have not been run and have been being worked on and tested. Mr. Jacobsen explained that when they were purchased and installed, they were run for roughly one month. An analysis was conducted showing that the cost was \$400,000. Since then, there have been consistent problems that staff has been addressing. The new SCADA system is being installed, which has also created problems. Ms. Casselman explained that the emissions testing is complete, and they are now working with SCADA to ensure that everything is running to max capacity.

Council Member Shakespeare was concerned that the City has put a lot of money into generators and cannot run them. Ms. Casselman stated that currently if they were to run the generators, they would pay nearly \$60 a megawatt more than the market. The market at the beginning of the month was around \$99. To run the generators would have been \$58.61 more per megawatt than the market price of \$77. Fuel costs have dropped so the hope was to get the generators online and operational. The timing of when the work on the generators was to be completed was not known. Mr. Jacobsen hoped they would be up and running by summer. Possible options were discussed. Ms. Casselman was currently looking at running the generators consistently and selling what is not used on a power exchange through UAMPS.

Cost issues associated with the generators were discussed. It was noted that the generators provide the ability to make some margin but more importantly, caps the City's exposure to the market. The maximum cost is the fuel cost to run the units. If they are hedging, they have some stability in that. Ms. Casselman offered to research the strike price further and report back. Council Member Shakespeare wanted to confirm that the capital expenditure is included in what must be recouped. Mr. Jacobsen stated that the UAMPS bill shows two different costs. One is operations and maintenance and the other is total project.

Council Member Drake stated that Santa Clara cannot be the only city that is losing money and asked if there are better alternatives to the PCA that other cities are using. Mr. Beauchamp considered the PCA to be the best method. Other utilities are experiencing something similar but their market exposures are different. Different utilities use different strategies to limit their market exposure. Santa Clara attempted to limit its market exposure through the purchase of generators. That limited the City's market exposure to variability in natural gas prices. He thought it was a good idea to purchase the generators because once they are operational, they will limit the City's market exposure as long as the City implements the proper risk management strategy and uses UAMPS to do that.

Council Member Waite expected the City's base hour costs for a future cost of service study to be 9 to 12 cents as a base cost. If residents support eliminating the PCA, rates must be increased by 3 to 6 cents per kilowatt hour. Mr. Beauchamp explained that to eliminate the PCA they would need to build the cash reserves to a level that allows them to buffer changes in power supply costs until they can get approval for a rate change. The City would have to raise the rate to produce the needed cash reserves. That is an option but would still result in the City having exposure that will eventually have to be recovered. The cash reserve simply buffers the variability. A cap would mitigate some exposure going forward but Mr. Beauchamp would want to ensure that there are adequate cash reserves. His biggest concern currently was the cash reserves that are available to the utility.

Council Member Drake suggested that the City's bond counsel review the result of a diminishing reserve. His opinion was that without the PCA they will consist of fluctuating the balance in reserves. He wanted to know definitively if that will impact the City's bond rating. Mayor Rosenberg also suggested that they insist that Wheeler get the generators running and hold them accountable.

Council Member Waite reported that he spoke to Jack Taylor earlier in the day and he recommended they keep the PCA. He was also worried about bond covenants and recommended moving up the Cost of Service Study. He noted that the City has been basing its rates on false information for more than 18 months.

iii. Discussion and Action to Consider a Proposed PDC Zone Amendment and Site Plan Review for a Professional Office Building on Approximately 1.02 Acres for a Proposed Dialysis Care Center. Presented by City Planner, Jim McNulty.

City Planner, Jim McNulty, presented the Staff Report and stated that the applicant is Austin Anderson who was asked to be present around 6:00 p.m. However, due to the previous item having been tabled, Mr. Anderson was not yet present. Mr. Anderson is proposing to develop a Dialysis Care Center on the subject property. The building will be approximately 6,400 square feet in size and allow for 12 patients at a time. Primary access would be gained off of Santa Clara Drive with a second access off of Lava Flow Drive. Mr. Anderson has a second application on the agenda as well for a two-lot commercial subdivision. The proposal for the dialysis center would be located on Lot 1 of the proposed subdivision plat. The applicant would come back at a later date to develop Lot 2 as a mancave project, which has been discussed previously.

The site plan criteria required by the PD Zone were discussed. A total of 26 parking spaces are included, which includes three Americans with Disabilities Act (“ADA”) accessible spaces. There are also two patient loading/unloading spaces in front of the building that were not included in the calculation. The drive aisle is proposed at a compatible size for vehicles to enter and exit the site and make turning movements into the project. The dumpster location was proposed on the side of the building and will be a solid Concrete Masonry Unit (“CMU”) enclosure with metal gates. A five-foot sidewalk was proposed around the front and side of the building with access across the existing driveway that runs parallel to the property to Santa Clara Drive.

A rendering of the property driving east along Santa Clara Drive was displayed. Mr. McNulty reported that the property is located between Lamy’s and the thrift store/auto store use on the vacant parcel that fronts Santa Clara Drive. The proposed building materials were presented with beige stucco with stone accents in a buckskin color. Metal awnings and window treatments were proposed in bronze with cable supports. The building will also have a hammerhead copper stucco accent band, which was proposed by the Architect to help break up the building. A stone veneer parapet wall was proposed with a metal cap to screen any rooftop mechanical equipment. The building height was proposed at approximately 23 feet. It was noted that the zone allows for heights of up to 35 feet.

The Landscape Plan was referenced and prepared by an individual who has done several plans in the City and is very familiar with New City Ordinance 2022-05, Water Efficient Landscaping and Conservation. The proposed plan was determined to meet all ordinance requirements. The outdoor lighting requirements were presented and included a colored rendering of the landscape material, ingress and egress to and from the site, turning movements, parking, and the location of outdoor lighting. It must meet all Code requirements and the light itself cannot exceed 16 feet in height including the pedestal. All lighting must be shielded and directed downward to avoid light spilling onto adjacent properties. The Designer/Architect showed that they meet the Code requirements. Based on the size of the building, the minimum parking requirement is 26 spaces, as proposed.

No project fencing was proposed. Signage issues will be addressed at a future date. With regard to water availability, the applicant will need to obtain a Will-Serve Letter or other verified documentation from the Washington County Water Conservancy District (“WCWCD”) prior to obtaining a Building Permit. A Dust Control Plan will also be required. A Traffic Memo was

prepared by Aaron Baker from Horrocks Engineering. Minimal traffic was anticipated with the expectation being an increase of 20 total vehicle trips during the AM peak hour and 25 vehicle trips during the PM peak hour. The overall effect in the area was anticipated to be negligible.

A public hearing was held with the Planning Commission and notice was sent to all property owners within 300 feet of the subject property. Notice was also posted on the property prior to the public hearing. No responses were received. The use was found to comply with the General Plan, which encourages office use in the area. The State Code requirements were also met in terms of zoning map amendments. On March 9, 2023, the Planning Commission held a public hearing and forwarded a recommendation of approval to the City Council. Staff recommended that the City Council consider approving the proposed PDC zone amendment and site plan for the Dialysis Care Center subject to the conditions set forth in the staff report.

In response to a question raised by Council Member Shakespeare, Mr. McNulty confirmed that both accesses are existing and will be shared. The applicants are working on a Reciprocal Access Agreement to allow Mr. Anderson to keep the northern access drive open for east-west traffic. The same would apply to the access to the east on Lot 1 off of Lava Flow Drive to the proposed mancave project.

Council Member Waite asked about painting the mechanical equipment. Mr. McNulty clarified that on the west elevation, they recommend that the mechanical equipment be painted to match the building. There are 10 feet of separation between the building and the property line so it would be visible along the frontage of Santa Clara Drive without constructing a wing wall. Mr. Anderson agreed to paint the mechanical equipment which could be added as a condition of approval.

Mr. Anderson was present and available to answer questions.

Council Member Waite moved to APPROVE the proposed PDC Zone Amendment and Site Plan as presented for the Professional Office Building, the proposed Dialysis Care Center subject to the following conditions:

1. The applicant shall be required to comply with the recommendations from all City reviewing departments.
2. The applicant shall be required to install site improvements that meet City standards.
3. The project shall be built according to the approved Site Plan. That this includes but is not limited to all items listed in the staff report.
4. The building design and materials shall include a camel/beige color stucco, stone veneer (Mountain Ledge – Yukon) facade, with stone sill and accents (Buckskin), metal awnings, window treatments, and cable supports (Bronze). That a stucco accent band (Hammerhead Cooper) be provided to break up the height of the building. That a parapet wall (stone veneer with metal cap) be **provided and used**

to screen rooftop mechanical equipment if proposed. That the building height be allowed at 23 feet.

5. The final landscape and irrigation plans shall be required to comply with Ordinance #22-05 (Water Efficient Landscaping and Conservation Standards). The street frontage along Santa Clara Drive shall be landscaped as per City Code requirements. The total landscaped area shall be approved at approximately 30% of the site.
6. Parking lot lighting shall be limited to light standards with a maximum height of 16 feet (includes base of light standard) as per City Code requirements. All lighting shall use indirect, hooded light sources, and be shielded and directed downward to avoid light spill.
7. There shall be 26 parking spaces including three (3) ADA spaces, as well as two (2) patient drop-off spaces near the front of the building be provided.
8. The dumpster enclosure for the site shall be required to comply with City Code.
9. All project signage shall be required to comply with the Sign Code. The wall signs shall come back to Planning Commission for approval (PDC Zone) at a later date prior to Building Permit issuance.
10. The applicant shall be required to obtain a Will-Serve Letter or other verified documentation from the Washington County Water Conservancy District, ("WCWCD") prior to obtaining a Building Permit.
11. The applicant shall submit a Dust Control Plan for the site prior to obtaining a Building Permit.
12. The applicant shall be required to obtain a Building Permit before site construction begins.
13. The utility boxes shall be painted to match the building on the west side.

Council Member Shakespeare seconded the motion. Vote on motion: Council Member Waite-Aye, Council Member Drake-Aye, Council Member Hinton-Aye, Council Member Mathis-Aye, Council Member Shakespeare-Aye. The motion passed unanimously.

iv. Discussion and Action to Consider Approval of a Preliminary and Final Subdivision Plat known as the Lofts Commercial Subdivision. Presented by City Planner, Jim McNulty.

Mr. McNulty presented the Staff Report and stated that the request is for a two-lot commercial subdivision plat application. As a result, the applicant is asking that the preliminary and final approvals be done together. The Dialysis Center will be located on Lot 1 with frontage on Santa

Clara Drive. Lot 2 will include a mancave project. Mr. Anderson will remain the owner of that parcel. Lot 1 is 1.02-acre and Lot 2 is 1.07-acre in size. Ingress and egress are available to the site from both Santa Clara and Lava Flow Drives. Mr. McNulty explained that the reciprocal access will be provided along the northern portion of Lot 1 off of Santa Clara Drive and the eastern portion of Lot 1 off of Lava Flow Drive. In this case, a condition of approval runs with the subdivision plat. The site location was described.

Mr. McNulty reported that public notice is not required for subdivisions, however, the Planning Commission and City Council Agendas were posted as required by State Code. The Building, Parks, Police, Fire, Power, and Public Works Departments reviewed the request and were in favor of it proceeding. A Geotechnical Report will be required for each lot at the time of Building Permit submittal.

On March 9, 2023, the Planning Commission held a public meeting and forwarded a recommendation of approval to the City Council. Staff recommended that the City Council consider approving the Preliminary and Final Plat for the Lofts Commercial Subdivision subject to the conditions set forth in the Staff Report. The applicant has indicated that they are working on an outside agreement to address the access.

Council Member Shakespeare asked if the required retainage will be located further south on the adjoining property or the subject property. The applicant, Austin Anderson, stated that a portion may be on the property but recalled that the property line is in the middle of the slope. He estimated that there are four feet in elevation from the property line to the pad grade. As a result, there could be some retainage on that side. Mr. McNulty clarified that the retainage would be done as part of the site plan approval and addressed as part of the PDC Amendment and Site Plan Review for Lot 2. The applicant is in the process of separating off the property that is for sale and will come back before the Council to address issues with Lot 2.

Council Member Mathis moved to APPROVE the Preliminary and Final Plat for Lofts Commercial Subdivision as presented subject to the following conditions:

- 1. The applicant shall be required to comply with the recommendations from all City reviewing departments.**
- 2. The applicant shall be required to include all Public Utility Easements (“PUE”) on the Final Plat.**
- 3. Reciprocal Access shall be provided (plat note) along the northern portion of Lot 1 off Santa Clara Drive, and along the eastern portion of Lot 1 off Lava Flow Drive.**
- 4. The applicant shall be required to obtain a Will-Serve Letter or other verified documentation from the Washington County Water Conservancy District (“WCWCD”) prior to obtaining a Building Permit.**

5. **The applicant shall be required to record the subdivision plat prior to Building Permit issuance.**
6. **The applicant shall be required to submit a Geotechnical Report for each lot at Building Permit submittal.**

Council Member Hinton seconded the motion. Vote on motion: Council Member Waite-Aye, Council Member Drake-Aye, Council Member Hinton-Aye, Council Member Mathis-Aye, Council Member Shakespeare-Aye. The motion passed unanimously.

6. Reports.

A. Mayor/Council Reports.

Council Member Shakespeare had nothing to report.

Council Member Mathis reported on the following:

- The Heritage Commission meets tomorrow.
- She reported on the Fair and will provide the Council with all of the dates and times they need to be aware of at the first City Council Meeting in April.
- St. George City increased its water rates this last fiscal year for residents from \$3.50 to \$4.00. While there was an increase in revenue, there were several capital expenditures that were added to the facility this last year. The main project was a regenerative filtration system, which reduces the number of times they need to flush the system to twice per year. The cost was estimated at \$250,000 but should help with water savings. Over the next few months, they plan to change the outdoor landscaping from culinary to secondary water, which should also help improve water usage. Santa Clara City's usage for residents has declined every year since 2015. This year, they only made up 5.5% of the overall use of the facility. She noted that the costs vary by usage. They take the overall cost and subtract out the capital improvements. The net amount is a subsidy. The usage percentage is then allocated based on use. The amount the City put in for this fiscal year was \$24,397 for roughly 4,100 uses of the pool.

Council Member Hinton reported on the following:

- Last week there was a meeting with Artist for Dowdle Puzzles. It went well and Mr. Dowdle spoke during the City Council Work Meeting. Mr. Dowdle is excited and has a great celebration planned for Swiss Days. She noted that the Thursday Night Community Dinner will be big. She will be sending Mr. Dowdle photos and will work with the Puzzle Committee on that.
- Council Member Hinton attended the Municipal Elections Presentation by Amelia Gardner and Josh Daniels in Washington City. Council Member Waite was also in attendance. It went well and they provided a lot of great information about the responsibility the City takes on by doing its own elections. For example, the City

would be responsible for all ADA accommodations. They have special paper that they use that is weighed and they can tell when an envelope comes in if it is a genuine ballot.

- Council Member Hinton attended the recent Washington City State of the City the previous day where they announced a huge project that is planned near the airport in the industrial center. They will start with two new buildings that will be 150,000 square feet each. For context, the Washington City Community Center is 110,000 square feet in size. The largest building will be 750,000 square feet.

Council Member Drake had nothing to report.

Council Member Waite reported on the following:

- A Community Education Channel (“CEC”) Meeting was held the previous day. They are back in the black but there is not much extra remaining at the end of the year to put into reserves. There was a lengthy discussion about how to get a reserve if the camera or router go down. The cost for that type of repair could be \$50,000 to \$100,000. Ivins City Mayor, Chris Hart, floated the idea of a small extra assessment to all cities as part of a five-year plan. He proposed \$2,500 additional per year per city. No decisions were made but the matter would be discussed later. They are always looking for content to put on the station and there are a fair number of student films available. The only caveat is that some are considered to be PG-13 or R rated, although not officially rated. Language is often the issue. They are considering showing them late at night. Because it is a cable station, there are no Federal Communications Commission (“FCC”) regulations. He asked if any Council Members had opinions he could take back to the committee.

Council Member Drake suggested there be a warning if such a film is shown. Censorship then becomes an issue that would have to be addressed. Without safeguards in place, he would not support it.

Mayor Rosenberg agreed and stated that it is not an entertainment channel as much as it is a public education channel. He suggested that the content remain education oriented.

Council Member Waite stated that it is a 24-hour station. The discussion was about having a 10:00 p.m. to midnight block to queue up student films. The intent was to provide an alternative form of distribution for the films that are good quality but don’t get shown. Board approval was needed to show the films. Trepidation was expressed by the Council. Council Member Waite stated that the Board would be provided with samples to preview. He offered to report back to the Council.

- Council Member Waite enjoyed the recent election training in Washington City where they made it very clear that hand counting is not accurate. Every time they

have ever done a hand count and a machine count there has been a difference and the hand count has always been wrong.

Mayor Rosenberg reported on the following:

- The Utah Metropolitan Planning Organization (“MPO”) met the previous day, and an update was received on the Utah Department of Transportation (“UDOT”) traffic safety concerns. They asked the Council of Governments (“COG”) to fund a County-wide Traffic Safety Study to identify concerns with state routes throughout the County. The work was funded by a matching federal grant.
- Washington City received additional funding from the Legislature to construct the 3600 South Interchange to the Southern Parkway. They were short of funding. Toquerville also received additional funding to finish the Toquerville Parkway that bypasses downtown.
- The Waterwork Group has not met and took a few weeks off for Spring Break. The Mayor expected them to meet again the following week.
- The City Work Group met the previous day and reviewed some of the information that needs to be taken back to the Water District for the Regional Water Supply Agreement (“RWSA”).
- There has been no river flooding. Public Works Director, Dustin Mouritsen, and his team shot new drone coverage on March 16 when water levels in the river were still fairly high. All of the improvements that have been made since the 2005 flood are working well. There was an indication of some areas where they may want to look at additional vegetation management. The data received will be presented to the Flood Control Authority next week. Overall, the Mayor was very pleased with the work that went into the river and the results of the flow data. The flows are only about half of the 2005 flood. He noted that the 2005 and 2010 floods were significantly larger than the flood from the previous week.
- The Mayor received calls from property owners regarding flooding concerns. He explained that typically when there is a flood, sinkholes can develop behind rock walls that were constructed after 2010. A few trees were also down and will need to be removed. A few sinkholes developed and were repaired by City Staff. Mayor Rosenberg was pleased to report that there was no significant damage in Santa Clara as a result of flooding.

A question was raised regarding the Utah Tech partnership. Mayor Rosenberg explained that they are looking at different vegetation species that they may want to consider that would be easier to maintain going forward. He had not seen any of that information come back. On April 24, the final report will be presented and coupled with a luncheon. The Mayor would provide the City Council Members with a more formal invitation.

The City Council next addressed agenda item number 2 after which they resumed the agenda as printed.

7. **Executive Session.**

There was no Executive Session.

8. **Adjournment.**

Council Member Drake moved to adjourn. Council Member Hinton seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Work Meeting adjourned at 6:38 p.m.

Chris Shelley
City Recorder

Approved: _____

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Check Register
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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
CHILD SUPPORT SERVICES	70313	032223-873789	03/22/2023	03/22/2023	206.77	CASEY-C000873789 PAY PERIOD 03/22/2023	102595-000 - GARNISMENTS PAYABL	
					\$206.77			
COOPER POWER SYSTEMS LLC	70314	948344159	12/13/2022	03/22/2023	1,578.67	REPAIR SERVICE PARTS & LABOR	535310-466 - POWER LINES/POLES/	
					\$1,578.67			
DOWNS, KYLE DAYTON	70315	30823-BAIL REF	03/08/2023	03/22/2023	1,380.00	BAIL REFUND CASE 221200049	102560-000 - BAIL & RESTITUTION	
					\$1,380.00			
EXPRESS LUBE	70316	66937	02/06/2023	03/22/2023	67.04	PW 2015 GMC SIERRA OIL CHANGE	104410-253 - REPAIRS & MAINTENA	
EXPRESS LUBE	70316	67183	02/14/2023	03/22/2023	44.09	PW 2019 FORD F-150 OIL CHANGE	104410-253 - REPAIRS & MAINTENA	
EXPRESS LUBE	70316	67439	02/22/2023	03/22/2023	78.29	PW 2022 GMC SIERRA OIL CHANGE	104410-253 - REPAIRS & MAINTENA	
EXPRESS LUBE	70316	67450	02/22/2023	03/22/2023	78.29	PARKS 2020 GMC SIERRA OIL CHANGE	104510-253 - REPAIRS & MAINTENA	
					\$267.71			
					\$267.71			
HONNEN EQUIPMENT CO.	70317	1445945	01/24/2023	03/22/2023	3,396.55	JOHN DEERE 310SL SERVICE	104510-740 - CAPITAL EQUIPMENT	
					\$3,396.55			
IPSA	70318	3073	03/04/2023	03/22/2023	350.00	THOMAS 3RD YEAR STEP TEST	535310-360 - TRAINING	
					\$350.00			
JOY MILES	70319	03-14-2023-JM	03/14/2023	03/22/2023	79.62	COURT INTERPRETER 03/14/2023	104120-330 - LEGAL SERVICES	
JOY MILES	70319	03-21-2023-JM	03/21/2023	03/22/2023	79.62	COURT INTERPRETER 03/21/2023	104120-330 - LEGAL SERVICES	
					\$159.24			
					\$159.24			
MCNELLIS, LEIGH	70320	Refund: 985604	03/16/2023	03/22/2023	110.37	Refund: 985604 - MCNELLIS, LEIGH	531311-000 - ACCOUNTS RECEIVABL	
					\$110.37			
MOSS, RYAN T	70321	03-22-2023 PARK	03/22/2023	03/22/2023	25.00	PARK DEPOSIT REFUND	103474-000 - B ROCK & CANYONVIE	
					\$25.00			
TAYLOR BUILT HOMES	70322	SAC211213245	03/22/2023	03/22/2023	500.00	BLDG MAIN DEPOSIT REFUND PERMIT 21-245	102570-000 - BLDG SITE MAINTENAN	
TAYLOR BUILT HOMES	70322	SAC211213246	03/22/2023	03/22/2023	500.00	BLDG MAIN DEPOSIT REFUND PERMIT 21-246	102570-000 - BLDG SITE MAINTENAN	
					\$1,000.00			
					\$1,000.00			
WASH. COUNTY WATER CONSER	70323	53038	03/01/2023	03/22/2023	4,509.02	REG.PIPELINE BOND PAYMENT FOR MAR 2023	515110-822 - DEBT PAYMENT TO WA	
WASH. COUNTY WATER CONSER	70323	53043	02/28/2023	03/22/2023	5,947.63	INV 53043 - REGIONAL WATER SURCHARGES	513714-000 - REGIONAL WATER SUR	
					\$10,456.65			
					\$10,456.65			
WASHINGTON COUNTY SOLID WA	70324	139357	02/28/2023	03/22/2023	12,161.80	2850 UNITS-GARBAGE @ 12.83 & 2044 BLUCAN	103445-000 - RECYCLING CHARGE	
WASHINGTON COUNTY SOLID WA	70324	139357	02/28/2023	03/22/2023	36,565.50	2850 UNITS-GARBAGE @ 12.83 & 2044 BLUCAN	104130-311 - SOLID WASTE DISPOS	
					\$48,727.30			
					\$48,727.30			
					\$67,658.26			

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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
AJ CONSTRUCTION	70325	Refund: 2001611	03/23/2023	03/30/2023	1,500.00	Refund: 2001611 - AJ CONSTRUCTION	531311-000 - ACCOUNTS RECEIVABL	
					\$1,500.00			
BLUE STAKES OF UTAH 811	ACH033023	UT202300410	03/30/2023	03/30/2023	148.50	EMAIL NOTIFICATIONS	535310-210 - SUBSCRIPTIONS & ME	
					\$148.50			
BUCKS ACE SANTA CLARA	70326	1975	03/06/2023	03/30/2023	78.30	PARKS-PAINT	104510-253 - REPAIRS & MAINTENA	
BUCKS ACE SANTA CLARA	70326	1982	03/07/2023	03/30/2023	14.22	FOAM FILLER FOR CONCRETE VAULTS	535310-250 - OPERATING SUPPLIES	
BUCKS ACE SANTA CLARA	70326	1998	03/08/2023	03/30/2023	57.83	TOOLS FOR F250	535310-250 - OPERATING SUPPLIES	
BUCKS ACE SANTA CLARA	70326	2024	03/15/2023	03/30/2023	13.51	SCOTT TOILET PAPER	104510-485 - HERITAGE SQUARE O&	
BUCKS ACE SANTA CLARA	70326	2039	03/21/2023	03/30/2023	14.22	SPRAY PAINT & EXPANSION FOAM	535310-250 - OPERATING SUPPLIES	
BUCKS ACE SANTA CLARA	70326	2043	03/21/2023	03/30/2023	38.52	FASTENERS & DRILLBIT TITANIUM	104510-250 - OPERATING SUPPLIES	
					\$216.60			
					\$216.60			
BUSINESS SOLUTIONS GROUP LL	70327	16288	03/22/2023	03/30/2023	225.00	LATE NOTICE POSTCARDS	104130-240 - OFFICE SUPPLIES	
					\$225.00			
COLE WEST DEVELOPMENT	70328	SAC220317046	03/30/2023	03/30/2023	500.00	BLDG MAIN DEP REF PERMIT 22-046	102570-000 - BLDG SITE MAINTENAN	
COLE WEST DEVELOPMENT	70328	SAC220317047	03/30/2023	03/30/2023	500.00	BLDG MAIN DEP REF PERMIT 22-047	102570-000 - BLDG SITE MAINTENAN	
COLE WEST DEVELOPMENT	70328	SAC220317048	03/30/2023	03/30/2023	500.00	BLDG MAIN DEP REF PERMIT 22-048	102570-000 - BLDG SITE MAINTENAN	
COLE WEST DEVELOPMENT	70328	SAC220317049	03/30/2023	03/30/2023	500.00	BLDG MAIN DEP REF PERMIT 22-049	102570-000 - BLDG SITE MAINTENAN	
COLE WEST DEVELOPMENT	70328	SAC220317050	03/30/2023	03/30/2023	500.00	BLDG MAIN DEP REF PERMIT 22-050	102570-000 - BLDG SITE MAINTENAN	
COLE WEST DEVELOPMENT	70328	SAC220317051	03/30/2023	03/30/2023	500.00	BLDG MAIN DEP REF PERMIT 22-051	102570-000 - BLDG SITE MAINTENAN	
COLE WEST DEVELOPMENT	70328	SAC220317052	03/30/2023	03/30/2023	500.00	BLDG MAIN DEP REF PERMIT 22-052	102570-000 - BLDG SITE MAINTENAN	
COLE WEST DEVELOPMENT	70328	SAC220317053	03/30/2023	03/30/2023	500.00	BLDG MAIN DEP REF PERMIT 22-053	102570-000 - BLDG SITE MAINTENAN	
					\$4,000.00			
					\$4,000.00			
FREEDOM MAILING SERVICES, IN	70329	44985	03/28/2023	03/30/2023	2,021.84	BILL PROCESSING	104130-370 - PROFESSIONAL SERVI	
					\$2,021.84			
IPSA	70330	3135	03/25/2023	03/30/2023	172.50	17TH. EDITION APPA SAFETY MANUAL	535310-249 - SAFETY EQUIPMENT	
					\$172.50			
ORIGINAL DIRT COMPANY INC	70331	1122	03/28/2023	03/30/2023	3,600.00	IRON PIPE VALVES RESTRAINT	515110-730 - IMPROVEMENTS	
					\$3,600.00			
SHARP, CAROL DAWN	70332	AMBULANCE RE	03/30/2023	03/30/2023	1,608.21	AMBULANCE REFUND	103426-000 - AMBULANCE SERVICE	
					\$1,608.21			
Specialized Communication Serv, LL	70333	18295	03/25/2023	03/30/2023	2,190.00	BORING UNDERGROUND POWER VINEYARD D	535310-466 - POWER LINES/POLES/	
Specialized Communication Serv, LL	70333	18319	03/30/2023	03/30/2023	50.00	BORING UNDERGROUND POWER VINEYARD D	535310-466 - POWER LINES/POLES/	
					\$2,240.00			
					\$2,240.00			
SULLIVAN HOMES	70334	SAC211116235	03/30/2023	03/30/2023	500.00	BLD MAINT DEP #235	102570-000 - BLDG SITE MAINTENAN	
					\$500.00			
SUNRISE ENGINEERING, INC.	70335	0132479	03/09/2023	03/30/2023	938.40	PARKS IFFP AMENDMENT	104510-320 - ENGINEERING SERVIC	
SUNRISE ENGINEERING, INC.	70335	0132482	03/09/2023	03/30/2023	729.00	MISC ENGINEERING ON CALL	104410-320 - ENGINEERING SERVIC	
SUNRISE ENGINEERING, INC.	70335	0132482	03/09/2023	03/30/2023	1,130.50	MISC ENGINEERING ON CALL	515110-320 - ENGINEERING SERVIC	
SUNRISE ENGINEERING, INC.	70335	0132486	03/09/2023	03/30/2023	120.00	MISC. ENGINEERING POINTE SUB.	104240-320 - ENGINEERING	
SUNRISE ENGINEERING, INC.	70335	0132487	03/09/2023	03/30/2023	360.00	TRC OR COUNCIL GEN ATT	515110-320 - ENGINEERING SERVIC	

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SUNRISE ENGINEERING, INC.	70335	0132488	03/09/2023	03/30/2023	350.00	SOLACE	104240-320 - ENGINEERING	
SUNRISE ENGINEERING, INC.	70335	0132489	03/09/2023	03/30/2023	90.00	LUGANO SUBDIVISION REVIEW	104240-320 - ENGINEERING	
SUNRISE ENGINEERING, INC.	70335	0132490	03/09/2023	03/30/2023	180.00	DESERT EDGE PH 1	104240-320 - ENGINEERING	
SUNRISE ENGINEERING, INC.	70335	0132491	03/09/2023	03/30/2023	420.00	LOFTS COMMERCIAL SUB.	104240-320 - ENGINEERING	
					<u>\$4,317.90</u>			
					\$4,317.90			
UTAH DEPARTMENT OF TRANSP	70336	2354000362	03/23/2023	03/30/2023	7,200.00	STREET LIGHT REPAIRS	104410-263 - STREET LIGHT REPAIR	
					<u>\$7,200.00</u>			
WHITAKER CONSTRUCTION CO.	70337	34313	03/24/2023	03/30/2023	72,025.00	SC WATERLINE REPLACEMENTS	424200-730 - ARPA CAPITAL IMPROV	
WHITAKER CONSTRUCTION CO.	70337	34314	03/24/2023	03/30/2023	16,500.00	VINEYARD DR. RECONSTRUCTION	535310-466 - POWER LINES/POLES/	
WHITAKER CONSTRUCTION CO.	70337	34314	03/24/2023	03/30/2023	20,700.00	VINEYARD DR. RECONSTRUCTION	545410-730 - IMPROVEMENTS	
WHITAKER CONSTRUCTION CO.	70337	34314	03/24/2023	03/30/2023	38,300.00	VINEYARD DR. RECONSTRUCTION	104410-730 - IMPROVEMENTS	
					<u>\$147,525.00</u>			
					\$147,525.00			
WOLSEY, CALVIN MARK	70338	03282023 WOLS	03/29/2023	03/30/2023	160.00	BAIL REFUND CASE # 215200988	102560-000 - BAIL & RESTITUTION	
					<u>\$160.00</u>			
					\$175,435.55			

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Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account	Activity Code
ALPHA ENGINEERING	70339	36396	03/23/2023	04/05/2023	223.50	SANTA CLARA CITY LOFT COMMERCIAL PLAT	104240-320 - ENGINEERING	
					\$223.50			
BLOMQUIST HALE CONSULTING	ACH	APR24213	04/05/2023	04/05/2023	285.00	EMPLOYEE ASSISTANCE COVERAGE	104130-133 - INSURANCE	
					\$285.00			
CHILD SUPPORT SERVICES	70340	040423-873789	04/04/2023	04/05/2023	206.77	CASEY-C000873789 PAY PERIOD END 04/05/202	102595-000 - GARNISMENTS PAYABL	
					\$206.77			
CITY OF ST GEORGE - S	70341	MAR2023-SEWE	04/04/2023	04/05/2023	37,254.25	2945 SEWER CONNECTIONS @12.65 MAR 2023	525210-945 - SEWER TREATMENT -	
					\$37,254.25			
CITY OF ST GEORGE - UTILITIES	70342	03312023 SNW C	03/31/2023	04/05/2023	1.71	SNOW CANYON LINE MAR 23	515110-275 - SNOW CANYON OP CO	
CITY OF ST GEORGE - UTILITIES	70342	03312023 WELL	03/31/2023	04/05/2023	5,127.29	SNOW CANYON WELL #7 MAR 23	515110-271 - WELLS UTILITY COSTS	
CITY OF ST GEORGE - UTILITIES	70342	03312023 WELL6	03/31/2023	04/05/2023	7,482.24	SNOW CANYON WELL #6 MAR 23	515110-271 - WELLS UTILITY COSTS	
CITY OF ST GEORGE - UTILITIES	70342	03312023 WTR T	03/31/2023	04/05/2023	13,092.46	WATER TANK MAR 23	515110-275 - SNOW CANYON OP CO	
					\$25,703.70			
					\$25,703.70			
CITY OF ST GEORGE-IMPACT	70343	JAN-MAR 2023	04/05/2023	04/05/2023	12,411.00	SEWER IMPACT FEES JAN-MAR 2023	522411-000 - SEWER IMPACT - ST G	
					\$12,411.00			
COMPUTECH CONSULTING	70344	24148	03/21/2023	04/05/2023	2,982.27	DELL WARRANTY RENEWAL FOR POWER EDGE	104130-310 - IT SERVICES	
COMPUTECH CONSULTING	70344	24153	03/22/2023	04/05/2023	4,407.66	ARUBA INSTA ON 1960 24G 20P CLASS4	104130-310 - IT SERVICES	
COMPUTECH CONSULTING	70344	24154	03/22/2023	04/05/2023	2,300.00	3 YR OPTION SOPHOS CENTRAL PHISH THREA	104130-310 - IT SERVICES	
COMPUTECH CONSULTING	70344	24172	03/22/2023	04/05/2023	1,094.79	INNOVATIVE WINSTON WORKSTATION SIT-STAN	535310-310 - IT SERVICES	
COMPUTECH CONSULTING	70344	24183	03/22/2023	04/05/2023	1,133.34	MERAKI MR36 AP BUNDLE 3 YR	104130-310 - IT SERVICES	
COMPUTECH CONSULTING	70344	24207	04/05/2023	04/05/2023	25,648.95	SOPHOS EARLY RENEWAL 60 MONTH 6/16/24 -	104130-310 - IT SERVICES	
					\$37,567.01			
					\$37,567.01			
DR. ROBERT R. FOSTER, D.O. P.C.	70345	APRIL 2023 - ME	04/04/2023	04/05/2023	1,200.00	MEDICAL SERVICES DIRECTOR	104230-370 - PROFESSIONAL SERVI	
					\$1,200.00			
ERIC GENTRY	70346	MARCH2023- CI	04/04/2023	04/05/2023	1,500.00	PROFESSIONAL SERVICES	104120-330 - LEGAL SERVICES	
					\$1,500.00			
JOY MILES	70347	04-04-2023 JM	04/04/2023	04/05/2023	79.62	COURT INTERPRETER 04/04/2023	104120-330 - LEGAL SERVICES	
					\$79.62			
MOUNT OLYMPUS WATERS (1385	70348	10221385 032723	03/27/2023	04/05/2023	47.97	COOLER RENT & 5 GAL WATERS - MAR 2023	104130-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	70348	10221385 032723	03/27/2023	04/05/2023	59.46	COOLER RENT & 5 GAL WATERS - MAR 2023	104410-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	70348	10221385 032723	03/27/2023	04/05/2023	102.09	COOLER RENT & 5 GAL WATERS - MAR 2023	104240-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	70348	10221385 032723	03/27/2023	04/05/2023	152.39	COOLER RENT & 5 GAL WATERS - MAR 2023	104510-260 - BUILDING MAINTENAN	
MOUNT OLYMPUS WATERS (1385	70348	10221385 032723	03/27/2023	04/05/2023	268.97	COOLER RENT & 5 GAL WATERS - MAR 2023	104230-260 - BUILDING MAINTENAN	
					\$630.88			
					\$630.88			
SENERGY PETROLEUM, LLC	EFT	SEN-498031	04/05/2023	04/05/2023	4.77	FUEL	525210-251 - FUEL	
SENERGY PETROLEUM, LLC	EFT	SEN-498031	04/05/2023	04/05/2023	152.26	FUEL	104240-251 - FUEL	
SENERGY PETROLEUM, LLC	EFT	SEN-498031	04/05/2023	04/05/2023	214.41	FUEL	545410-251 - FUEL	
SENERGY PETROLEUM, LLC	EFT	SEN-498031	04/05/2023	04/05/2023	411.86	FUEL	535310-251 - FUEL	
SENERGY PETROLEUM, LLC	EFT	SEN-498031	04/05/2023	04/05/2023	496.67	FUEL	515110-251 - FUEL	
SENERGY PETROLEUM, LLC	EFT	SEN-498031	04/05/2023	04/05/2023	496.68	FUEL	104410-251 - FUEL	

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SENERGY PETROLEUM, LLC	EFT	SEN-498031	04/05/2023	04/05/2023	518.16	FUEL	104220-251 - FUEL	
SENERGY PETROLEUM, LLC	EFT	SEN-498031	04/05/2023	04/05/2023	742.59	FUEL	104510-251 - FUEL	
SENERGY PETROLEUM, LLC	EFT	SEN-498031	04/05/2023	04/05/2023	1,149.86	FUEL	104230-251 - FUEL	
					<u>\$4,187.26</u>			
					\$4,187.26			
STATE OF UTAH / BLDG	70349	JAN-MAR 2023 B	04/05/2023	04/05/2023	439.87	BUILDING SURCHARGE JAN-MAR 2023	104240-940 - INTERGOVT CHARGES	
					<u>\$439.87</u>			
SUNRISE ENGINEERING, INC.	70350	0132468	04/04/2023	04/05/2023	2,238.50	SANTA CLARA CULINARY & IRRIGATION MASTE	515110-320 - ENGINEERING SERVIC	
SUNRISE ENGINEERING, INC.	70350	132382	03/27/2023	04/05/2023	1,249.50	GIS SERVICES	525210-320 - ENGINEERING SERVIC	
					<u>\$3,488.00</u>			
					\$3,488.00			
UTAH STATE TREASURER / FINES	70351	MAR 2023 - COU	04/04/2023	04/05/2023	10,139.76	COURT SURCHARGES	104120-905 - STATE FINE COLLECTI	
					<u>\$10,139.76</u>			
WASH. CO. FLOOD CONTROL DIS	70352	MARCH 2023-FL	04/04/2023	04/05/2023	4,774.50	FLOOD CONTROL DISTRICT 53-3301000004-MA	545410-770 - FLOOD CONTROL DIST.	
					<u>\$4,774.50</u>			
WASHINGTON COUNTY	70353	201941	03/31/2023	04/05/2023	898.50	SPILLMAN YEARLY MAINT FEE JAN-DEC 2023	104230-210 - SUBSCRIPTIONS & ME	
					<u>\$898.50</u>			
WASHINGTON COUNTY- HCP	70354	JAN-MAR 2023-H	04/05/2023	04/05/2023	9,773.32	HCP IMPACT FEES JAN-MAR 2023	102260-000 - HCP IMPACT FEES - CO	
					<u>\$9,773.32</u>			
					\$150,762.94			

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



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

CITY COUNCIL

Meeting Date:

Agenda Item: 2

Applicant: Santa Clara City

Requested by: Brock Jacobsen

Subject: Appointment of new Justice Court judge

Description:

The Utah Administrative Office of the Courts conducted a search for a new justice court judge. The process began roughly 10 months ago. We had 12 applicants which was narrowed down to 5 to submit to the mayor. The Mayor made a decision and an offer was extended to Jake Graff. Jake has accepted the offer to become the new judge of the Santa Clara Justice Court. The next step in the process is for the council to approve the appointment of Jake Graff. Following the approval of the council, he will need to take the oath of office.

Recommendation: Approval

Attachments:

Cost: N/A

Legal Approval: Yes

Finance Approval: N/A

Budget Approval: N/A

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



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

CITY COUNCIL

Meeting Date:

Agenda Item: 3

Applicant: Cub Scout Pack 407

Requested by:
Brock Jacobsen

Subject: Request from Cub Scout Pack 407 for \$500 donation

Description:

The request from Pack 407 for a donation of \$500. The city donated \$500 to the pack last year. The city has budgeted funds for donations. See the attached request.

Recommendation: Approval

Attachments:

Cost: 500.00

Legal Approval: N/A

Finance Approval: Yes

Budget Approval: Yes

2603 Santa Clara Drive, Santa Clara, Utah 84765
Phone (435) 673-6712 Fax (435) 628-7338

March 7, 2023

Mayor Rick Rosenberg
Santa Clara City Council
2603 Santa Clara Drive
Santa Clara, Utah 84765

Dear Mayor and Council,

Approximately 25 young men from Ivins and Santa Clara are currently registered and participating in Cub Scout Pack 407's program and weekly activities. The Pack is a feeder unit for Boy Scout Troop 407 based in Ivins. Strong leadership forged through a lifetime of devoted service to the Scouting Organization still exists today in our community. Cub Scout Pack 407 functions under the direction of dedicated volunteer scouters including Santa Clara residents Terri Rosenberg and Kathy Ence. The City has been very supportive of our Pack in the past and we appreciate the City hosting our monthly Pack Meetings at Town Hall and the financial contributions we have received from the City.

The Cub Scout Pack would not be able to function without the assistance of community donors and volunteers like you. We have limited and modest funds available for activities and providing materials to. Please help us invest in the youth of tomorrow to "Be Prepared" to face the future with bright and cheerful faces. We are again requesting a \$500 donation from the City to continue this program, but any donation to Pack 407 would be greatly appreciated.

Sincerely,

Lesley Muir
Cub Committee Chair of Pack 407

cc Brock Jacobson, City Manager

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



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

CITY COUNCIL

Meeting Date: April 12, 2023

Agenda Item: 4

Applicant: Santa Clara
City

Requested by: Jim McNulty

Subject: Property Rezoning (Split Rock Construction)

Description:

Split Rock Construction is requesting a Rezoning for property located at 2276 Arrowhead Trail (Parcels #SC-6-2-22-4148, #SC-9-A-12, and #SC-9-A-18, described as 1.48 acres). The applicant is proposing a Rezoning from R-1-10 Single-family Residential, and Planned Development Commercial, PDC to the R-1-6 Single-Family Zone for the subject property. A staff report and Concept Plan have been attached.

Recommendation:
Approval

Attachments: Yes

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

Property Rezoning Summary and Recommendation

Public Body: Santa Clara City Council

Meeting Date: April 12, 2023

Current Zone: R-1-10 and PDC

Proposed Zone: R-1-6

General Plan Designation: Medium Density Residential, MDR

Property Location: Approximately 2276 Arrowhead Trail (Parcels #SC-6-2-22-4148, #SC-9-A-12, and #SC-9-A-18)

Property Size: 1.48 Acres

Request: Property Rezoning

Applicant Name: Split Rock Construction (*Adam Glover, Bart Smith*)

Staff Planner: Jim McNulty

Meeting Type: Public Meeting

PROJECT DESCRIPTION

The applicant, Split Rock Construction, is requesting to **Rezone** the property at approximately 2276 Arrowhead Trail (Parcels #SC-6-2-22-4148, #SC-9-A-12, and #SC-9-A-18). The subject property is 1.48 acres in size. The applicant is proposing a rezoning from the R-1-10 Single-Family Zone, and Planned Development Commercial, PDC Zone to the R-1-6 Single-Family Zone for the subject property.

The applicant has submitted a Concept Plan (attached) that includes a 7-lot single-family subdivision design with lots ranging from approximately 6,000 square feet to 12,000 square feet in size. The Concept Plan has been provided to give the City council an idea of what's intended to be developed on the property.

The proposed Rezoning to the R-1-6 Single-Family Zone would allow for homes on lots of 6,000 square feet and larger. The applicant intends to develop a single-family subdivision with 7-lots on 1.48 acres which equates to a density of 4.76 units/acre. Recently, the applicant applied for a General Plan Amendment for the subject property. This application was reviewed by the Planning Commission on February 23, 2023. The item was then approved by the City Council on March 8, 2023. This placed a Medium Density Residential, MDR land use designation on the property in support of the proposed R-1-6 Single-Family Residential Zone.

NEIGHBORHOOD RESPONSE

Notices were sent to the property owners within 300' of the subject property. The subject property was also posted as per State Code. No responses have been received by city staff.

GENERAL PLAN CONSIDERATION

The Santa Clara City General Plan Map was recently updated to include a Medium Density Residential, MDR land use designation for the subject property. The description for MDR (**Section 3.4, Land Uses**) states the following:

“Single-family structures, and townhomes on small lots with a density range of 3 – 12 dwelling units per acre”.

The proposed Rezoning application would allow for single-family homes on lots of 6,000 square feet or greater. This proposed use of property is encouraged by the General Plan.

REZONING CONSIDERATION

Chapter 17.18.090 of city code provides standards of review for the city. In consideration of any zoning map amendment (rezoning), the land use authority shall consider the following matters and the city council shall give reasonable consideration to the following:

- a. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property.
Yes.
- b. Will the proposed use adversely affect the existing use or suitability of adjacent or nearby property.
No.
- c. Are there substantial reasons why the property cannot or should not be used as currently zoned.
Yes.
- d. Will the proposed use cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection.
No.
- e. Is the proposed use compatible with the purpose and intent of the General Plan.
Yes.
- f. Will the use be consistent with the purpose and intent of the proposed zoning district.
Yes.
- g. Is the proposed use supported by new or changing conditions not anticipated by the General Plan.
No.
- h. Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.
Yes.

NEW REZONING APPLICATION

City staff and legal counsel have discussed the proposed Rezoning application. We believe that the proposed rezoning is in harmony with the existing single-family neighborhood. Previously, we recommended that the applicant consider developing the site as a small lot single-family subdivision per the recently adopted R-1-6 Zone.

STATE CODE CONSIDERATIONS

Utah Code, Section 10-9a-205 includes requirements for a Rezoning of property (zoning map amendment). To consider a rezoning, a city must hold at least one public hearing. Additionally, a public hearing to consider the item requires 10 days' notice rather than 24 hours' notice. A notice must also be sent to all property owners within 300' of the subject property, with a notice in a visible location, with a sign of sufficient size and durability. The city is also required to post on the State Public Notice website. Planning Staff has determined that all State Code requirements have been met with this application.

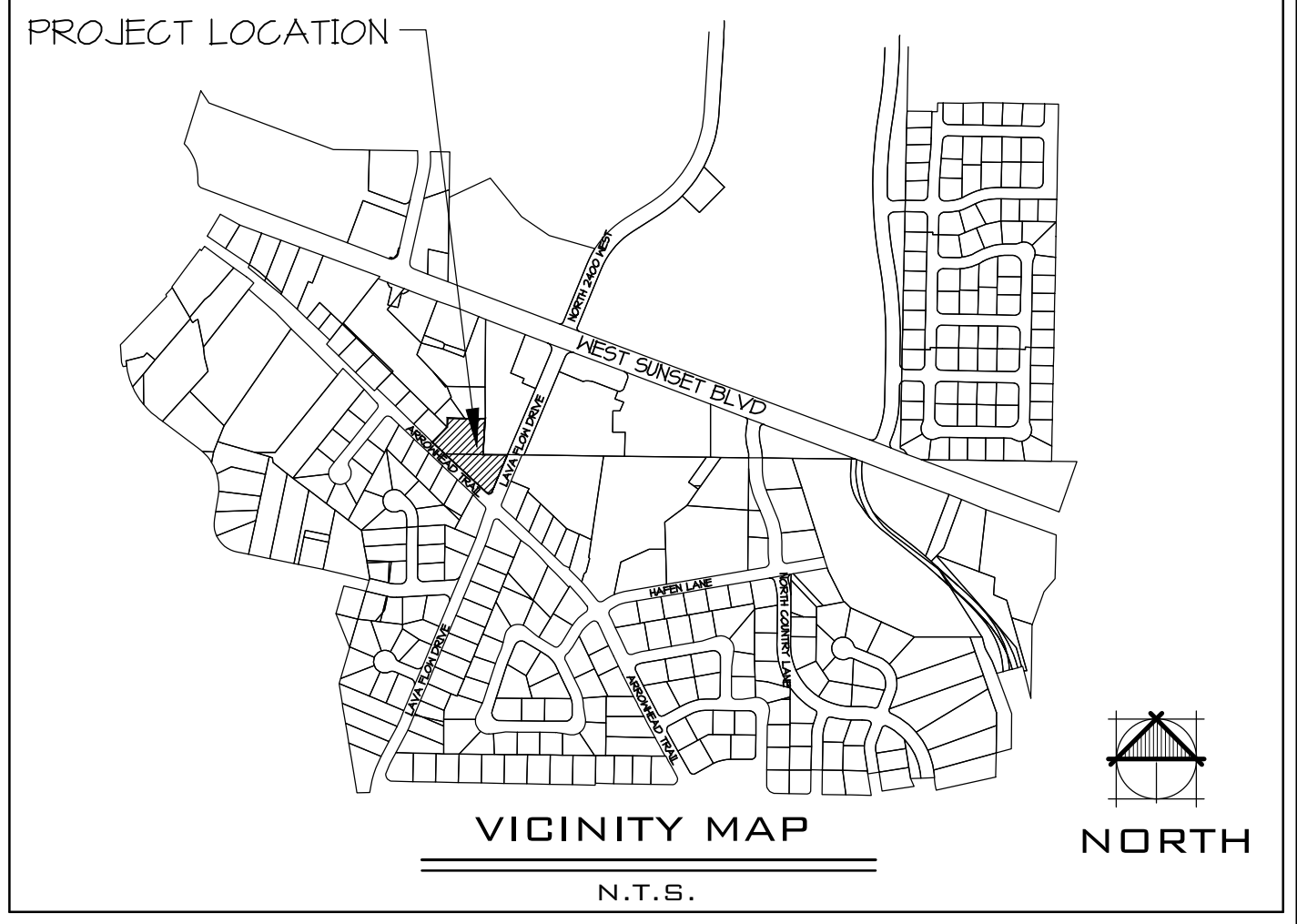
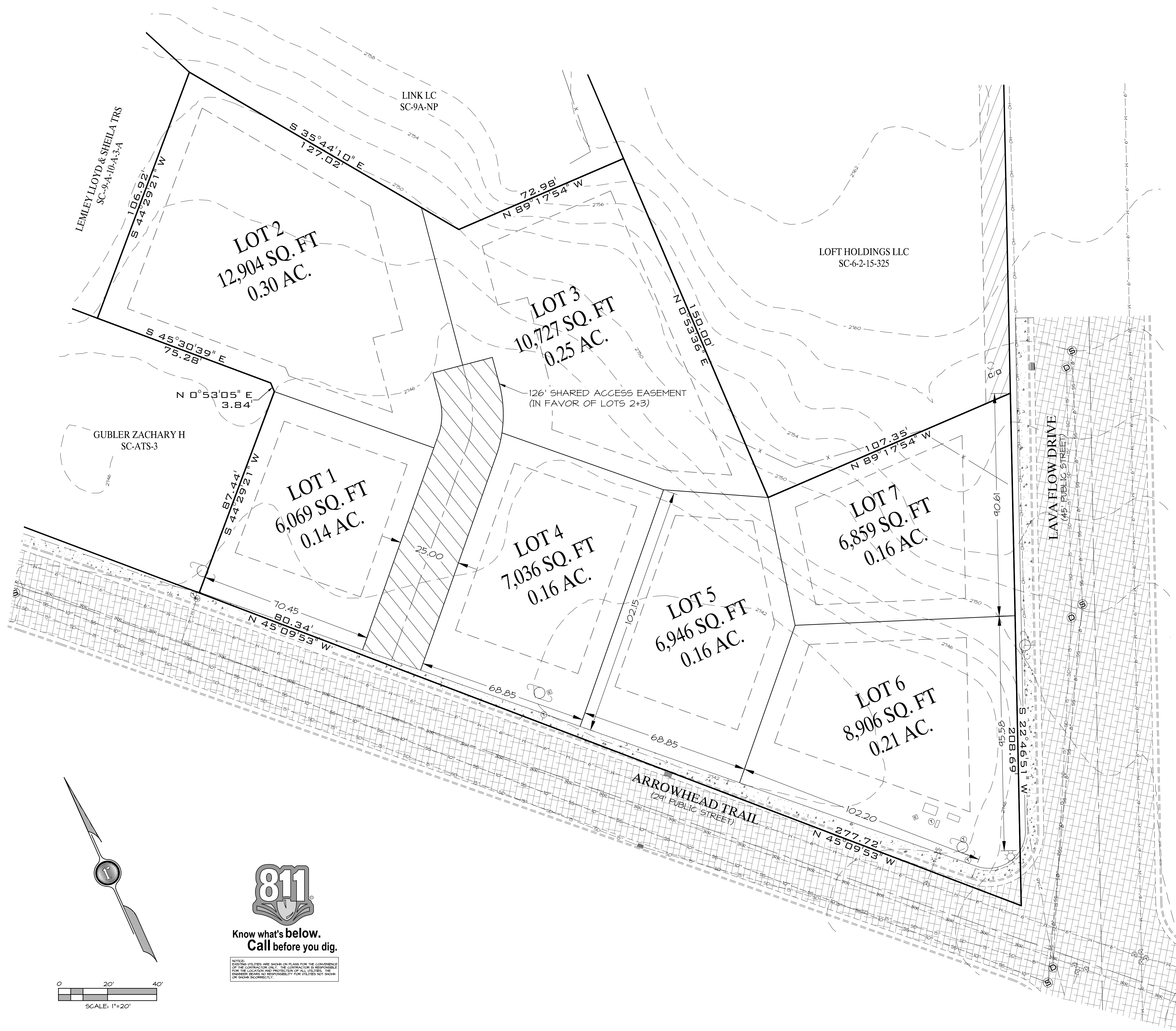
CITY STAFF RECOMMENDATION

The Planning Commission held a public hearing on March 23, 2023, and forwarded a recommendation of **APPROVAL** to the City Council. City staff recommends that the City Council review the submitted Rezoning Application to determine if the application is complete. **If the application is determined to be complete, City staff would recommend that the City Council consider the application subject to the following conditions:**

1. That the proposed property Rezoning complies with Chapter 17.18.090 items below:
 - a. The proposed use is suitable in view of the zoning and development of adjacent and nearby property;
 - b. The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;
 - c. There are substantial reasons why the property cannot or should not be used as currently zoned;
 - d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;
 - e. The proposed use is compatible with the purpose and intent of the General Plan;
 - f. The proposed use is consistent with the purpose and intent of the proposed zoning district.
 - g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;
 - h. The proposed use does reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.
2. That the applicant be required to go through the Subdivision Review process (preliminary & final plat).

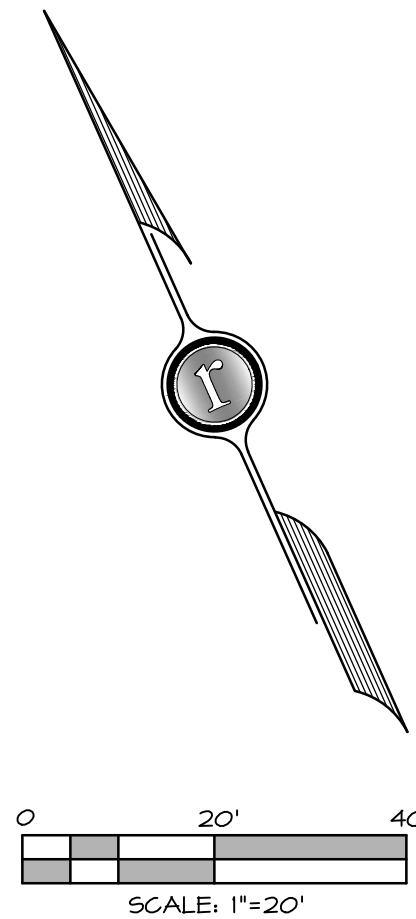
With the following findings:

1. That the Rezoning is complaint with the Santa Clara City General Plan, Section 3.4.1, Residential Land Uses (Medium Density Residential, MDR).
2. That the R-1-6 Single-Family Zone allows for homes on lots of 6,000 square feet or larger.
3. That properties to the north are zoned PDC, properties to the south and west are zoned R-1-10, with the R-1-6 Zone being an appropriate transition in between these land uses.



SITE DEVELOPMENT DATA

PARCEL NUMBER: SC-6-2-22-4140
ACRES: 1.47
NUMBER OF LOTS: 7
DENSITY: 4.16 UNITS PER ACRE
ZONING: PDC
PROPOSED ZONING: R-1-6
GENERAL PLAN: MSC/LDR
SETBACKS: 20' FRONT
6' - 8' SIDES
10' REAR



Know what's below.
Call before you dig.

NOTICE: 811 LOCATES UTILITIES AND SHOWS PLANS FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE CONTRACTOR IS RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL UTILITIES. THE PROVIDER BEARS NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR SHOWN INCORRECTLY.

DATE: 2/15/23
JOB NO.: 13185-22
DESIGNED BY: DMH
CHECKED BY: JMB
DWG: CONCEPT 2/2/23

REVISIONS

DATE

ROSENBERG
ASSOCIATES
CIVIL ENGINEERS • LAND SURVEYORS

352 East Riverside Drive, Suite A-2
St. George, Utah 84790
Ph (435) 673-8386; Fx (435) 673-8397
www.rscivil.com

CONCEPT PLAN
FOR
ARROWHEAD TRAIL PARCEL
SANTA CLARA
UTAH

SHEET
1
1 OF 1 SHEETS

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



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

CITY COUNCIL

Meeting Date: April 12, 2023 **Agenda Item:** 5

Applicant: Santa Clara
City

Requested by: Jim McNulty

Subject: Property Rezoning & Project Plan

Description:

Clayton Leavitt (Oak Creek) is requesting to Rezone the property at 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2, and #SC-SB-90-A-4-B, described as 18.09 acres). The property is currently zoned R-1-10 Single-Family Residential, and the applicant proposes to Rezone it to the Planned Development Residential, PDR Zone to allow for a proposed residential project that would include single-family homes, multi-family townhomes, open space, and amenities. A staff report and a good number of attachments have been included.

Recommendation:

Attachments: Yes

Cost: N/A

Legal Approval:

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

Property Rezoning & Project Plan Summary and Recommendation

Public Body: Santa Clara City Council

Meeting Date: April 12, 2023

Current Zone: R-1-10 Single-Family Residential

Proposed Zone: Planned Development Residential, PDR

General Plan Designation: Medium Density Residential, MDR

Property Address: 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2, and #SC-SB-90-A-4-B)

Property Size: 18.06 Acres

Request: Property Rezoning & Project Plan

Applicant Name: Clayton Leavitt (Oak Creek)

Staff Planner: Jim McNulty

Meeting Type: Public Meeting

PROJECT DESCRIPTION

The applicant, Clayton Leavitt (Oak Creek), is requesting to **Rezone** the property at 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2, and #SC-SB-90-A-4-B). The subject property is 18.09 acres in size. The property is currently zoned R-1-10 Single-Family Residential, and the applicant proposes to rezone it to the Planned Development Residential, PDR Zone to allow for a proposed residential project that would include single-family homes, multi-family townhomes, open space, and amenities.

The applicant has been working with city staff on the project design for several months. This item has been to several weekly TRC meetings and was discussed on May 4, 2022, and June 1, 2022, during City Council work meetings. Additionally, a good number of city residents attended both Council work meetings.

The **Project Plan/Rezone Application** includes 144-units on 18.09 acres of property. This equates to a density of 7.96 units/acre. A total of 69 single-family lots/pad lots are proposed along with 75 multi-family townhome units. A required 45' public road is proposed for the interior of the project which complies with City Construction Design Standards. This road cross-section includes 30' of asphalt, 2.5' of curb and gutter on either side, with a 5' sidewalk on each side of the road. This will allow for residents to access a public sidewalk from all units.

PROJECT PLAN REVIEW ITEMS

City staff has been working with the applicant on several items associated with the Project Plan. The following includes information on each item as required by Chapter 17.68, Planned Development Zone:

1. **Residential Unit Count:** The Project Plan includes a total of one hundred forty-four (144) units on 18.09 acres of property. This equates to a density of 7.96 units/acre. A total of 69 single-family lots/pad lots are proposed along with 75 multi-family townhomes units. The PDR Zone allows for a base density of 8 units/acre. The applicant is not requesting a density bonus for the project.
2. **Project Phasing Plan:** A Phasing Plan has been included for the overall project. A total of 8 phases have been proposed including, Phases 1A, 1B, 2, 3, 4, 5, 6, and 7. The Phasing Plan will be required as part of the Planned Development, PD Subdivision review process.
3. **Building Design/Materials/Height/Setbacks:** Chapter 17.68 requires the review of building design, building materials, building height, and building setbacks. The Project Plan includes both single-family homes and multi-family townhomes as follows:
 - **Single-Family Home Lots/Pad Lots.** Both one-story and two-story traditional home designs are proposed for these single-family lots. Home sizes will range from 1,500 to 3000 sq. ft. Four to five different models with varying elevations and materials including multiple brick and stone options along with stucco, and tile roof options. Rambler homes will be approximately 20' in height, with two-story homes being 27' in height. Lots 1 – 14 (traditional lots) will have a 20' front yard setback, with 8' side yards, and a rear yard of 10'. Lots (pad lots) 31 - 44 and 46 – 69 will have a front yard setback of 15' to living space, with 20' to the garage. The side yard setback will be 16' between each building, with a rear setback of 10'.
 - **Single-Family Pad Lot/Narrow Homes.** The smaller/narrow pad lot single-family homes will include a two-story design. Homes sizes will range from 1700 to 1850 sq. ft. Four different models with varying elevations and materials including multiple brick and stone options along with hardiboard, stucco, and tile roof options. The two-story homes will be approximately 25' to 27' in height. Lots 15 – 30, and 45) will have a front yard setback of 15' to living space, with 20' to the garage. The side yard setback will be 16' between each building, with a rear setback of 10'.
 - **One-Story Townhomes.** These units include two-bedrooms and two bathrooms homes with a one-car garage and two-car driveway. The proposed units would be approximately 985 to 1100 sq. ft. in size. A two-car driveway will be included in front of each unit. Two different color palettes with a variety of building materials including brick and stone, hardiboard, stucco, and tile roof options are proposed. The one-story townhomes will be approximately 22' in height. Units 70, 74, 75, 79, and 80 – 94 will have a front yard setback of 15' to living space, with 20' to the garage. The side yard setback between buildings will be 12' with a rear setback of 10'.
 - **Two-Story Townhomes.** These units include 3 and 4 bedrooms, 2.5 baths with a two-car garage and two-car driveway. The proposed units will be 1400 to 1600 sq. ft. in size. Two different color palettes with a variety of building materials including brick and stone, hardiboard, stucco, and tile roof options are proposed. The two-story townhomes will be approximately 27' in height. Units 95 – 126 will have a rear/front yard driveway depth of 20', with a side yard setback of 15' between buildings. The front yard will include a courtyard patio that fronts onto a green court area. Units 127 – 144 will have a rear yard/front yard driveway depth of 20' along Tuscany Drive, with a side yard setback of 15' between buildings. The front yard for these units is approximately 20' to face of

Request: Property Rezoning & Project Plan

building; however, an 8' courtyard patio will be allowed in the setback area allowing for 12' from back of sidewalk to courtyard.

4. **Open Space:** Chapter 17.68 requires at least 30% of a project area to be in common open space. The Project Plan includes approximately 33.83% (6.12 acres) of open space being proposed for the overall project. The applicant will be required to work with city staff during PD Subdivision review for each project phase to verify these calculations.
5. **Project Amenities:** Chapter 17.68 requires project amenities including recreational facilities such as tennis courts, playground equipment, swimming pool, clubhouse, and other common amenities such as outdoor cooking/eating areas, gazebo, or gardens. The Project Plan, Phase 1B includes restrooms, a pool, hot tub, and an outdoor seating (covered and uncovered) area for the community. Additional open space areas with gazebos and BBQs have been shown in Phases 4, 6, and 7. Phase 2 includes three (3) pickleball courts. A series of walking paths providing a connection for residents to these amenity areas has also been included in multiple project phases. The applicant will be required to work with city staff during the PD Subdivision review for each project phase to verify the project amenities as per the Phasing Plan.
6. **Public Trail Access:** An 8' asphalt public trail along 400 East has been shown on the Project Plan. This trail is required as per the 2018 Trails Master Plan. This required trail will tie in with the existing section of trail along the 400 East frontage of the Tuscan project, which provides a connection to other trails in the area. This will be reviewed during the PD Subdivision review process.
7. **Landscaping & Water Efficiency:** Chapter 17.68 requires project landscaping and puts standards in place for the PD Zone. Section 17.68.050 discusses landscape design and water conservation principles. The final landscape and irrigation plans will be required to comply with **City Ordinance #2022-05** (Water Efficient Landscaping & Conservation Standards). A secondary water connection will be required for outdoor water use. The applicant has provided a preliminary landscape plan; however, a more thorough review with additional details (landscaping & irrigation) will be required during the PD Subdivision review process.
8. **Public Road Cross-Section:** The Project Plan includes a required 45' public road cross-section within the interior of the project. This includes 30' of asphalt, 2.5' of curb and gutter on either side, with a 5' sidewalk on each side of the road allowing for good pedestrian access and movement. Additionally, improvements such as but not limited to curb & gutter, park strip, sidewalk, and trails will be required along Patricia Drive (50' public street), Pioneer Parkway (70' public street), and 400 East (66' public street). The applicant will be required to work with city staff and comply with all department recommendations during the PD Subdivision review process.
9. **Private Driveway Cross-Sections:** The Project plan includes two (2) private driveways at 26'. Each private driveway would provide access to two (2) single-family pad lots (Units 38-39, and 59-60). The applicant will be required to work with city staff and comply with all department recommendations during PD Subdivision review process.
10. **Parking:** The Project Plan includes a total 281 parking spaces for the 75 multi-family townhome units. This equates to 3.75 parking spaces per unit. An additional 20 parking spaces have been provided adjacent to the project amenities in the center of the property. Chapter 17.32 requires two (2) parking spaces per unit, one covered and one uncovered. Each of the single-family lots/pad lots have been designed to include a two-car garage with a two-car driveway. It appears that sufficient parking has

Request: Property Rezoning & Project Plan

been provided for the project. The project parking will be reviewed during the PD Subdivision review process.

11. **Project Utilities:** Utilities (e.g., water, sewer, power, gas, etc.) are required for the project. A secondary water connection will be required for outdoor water use. The applicant will be required to work with city staff and comply with all department recommendations during Preliminary Subdivision Plat and Final Subdivision Plat review for each project phase.
12. **Soils Report:** A Geotech Report (Subsurface Investigation) done by Applied Geo-Tech was submitted for the property. It appears that expansive clay was encountered in multiple site locations (north & south); however, the site is suitable to support residential slab on grade construction provided that the report recommendations are implemented during construction. The applicant will be required to work with city staff during the PD Subdivision review for each project phase to determine compliance.
13. **Traffic Study:** A Traffic Impact Study, TIS done by Hales Engineering was submitted for the property. Two project accesses were assumed, which resulted in an acceptable LOS at intersections; however, a third access was also considered on Patricia Drive. The third access would improve the internal circulation of the project. Since the report was submitted, the project has been redesigned to include a row of single-family lots along Patricia Drive without an access to the interior of the site. This was done to tie in with the existing single-family neighborhood in the immediate vicinity. Access would be gained off Pioneer Parkway and 400 East.
14. **Project Narrative:** The applicant has submitted a project narrative for your review and consideration (**copy attached**). City staff asked the applicant to update this item to match the Project Plan. It's likely that Planning Commission members will have questions for the applicant during the meeting.
15. **Block Privacy Wall:** A 6' solid block privacy wall will be required along Pioneer Parkway and 400 East. This item will be further reviewed during the PD Subdivision review process.

NEIGHBORHOOD RESPONSE

Notices were sent to the property owners within 300' of the subject property. The subject property was also posted as per State Code. ***City staff received some phone calls and emails that were forwarded to the Planning Commission prior to the public hearing. The public hearing was well attended. A copy of the Draft Planning Commission minutes has been attached.***

GENERAL PLAN CONSIDERATION

The Santa Clara City General Plan indicates a Medium Density Residential, MDR Land Use Designation for the subject property. The proposed Planned Development Residential, PDR Zone complies with the intent of the General Plan. The description and character objectives for MDR states the following:

"Townhomes, multi-unit buildings, and small lot single family structures on small lots. Accessory dwelling units, ADUs are encouraged. MDR neighborhoods have a tree-lined local street grid and interconnected pedestrian circulation systems, with density ranges from 3 to 12 dwelling units per acre".

The proposed Project Plan/Rezone application includes small lot single-family homes, townhomes, and amenities for residents. This proposed use of property is encouraged by the General Plan.

REZONING CONSIDERATION

Chapter 17.18.090 of city code provides standards of review for the city. In consideration of any zoning map amendment (rezoning), the land use authority shall consider the following matters and the city council shall give reasonable consideration to the following:

- a. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property.
Yes.
- b. Will the proposed use adversely affect the existing use or suitability of adjacent or nearby property.
No.
- c. Are there substantial reasons why the property cannot or should not be used as currently zoned.
No.
- d. Will the proposed use cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection.
No.
- e. Is the proposed use compatible with the purpose and intent of the General Plan.
Yes.
- f. Will the use be consistent with the purpose and intent of the proposed zoning district.
Yes.
- g. Is the proposed use supported by new or changing conditions not anticipated by the General Plan.
No.
- h. Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.
Yes.

STATE CODE CONSIDERATIONS

Utah Code, Section 10-9a-205 includes requirements for a Rezoning of property (zoning map amendment). To rezone a property, a city must hold at least one public hearing. Additionally, a public hearing to consider a rezoning of property requires 10 days' notice rather than 24 hours' notice. A notice must also be sent to all property owners within 300' of the subject property, with a notice in a visible location, with a sign of sufficient size and durability. The city is also required to post on the State Public Notice website. Planning Staff has determined that all State Code requirements have been met with this application.

CITY STAFF RECOMMENDATION

The Planning Commission held a public hearing on March 23, 2023. A motion was made to recommend approval to the City Council; however, the vote on the motion ended up in a 3 to 3 tie. No other substitute motion was made or voted on. Therefore, no recommendation was provided by the Planning Commission on the item. City staff recommends that the City Council review the submitted Rezoning Application and Project Plan to determine if the application is complete. **If the application is determined to be complete, City staff would recommend that the City Council consider the application subject to the following conditions:**

- 1. That the applicant be required to go through the PD Subdivision Review process for each project phase (overall preliminary & final plats).
- 2. That a total of one hundred forty-four (144) units on 18.09 acres be allowed as per the Project Plan. This equates to a density of 7.96 units/acre.
- 3. That a Project Phasing Plan be required for the overall project. That this plan be reviewed for compliance with each project phase.

Request: Property Rezoning & Project Plan

4. That the building design/materials/height/setbacks comply with the Project Plan as presented by the applicant. That substantial changes to these items require an amendment to the Project Plan.
5. That at least 30% of the project area be in common open space. The Project Plan includes approximately 33.83% (6.12 acres) of open space.
6. That the project amenities be provided and put in place as per the Project Plan and Phasing Plan.
7. That the public trail be put in place as per the Project Plan.
8. That the applicant be required to comply with City Ordinance #2022-05, Water Efficient Landscaping & Conservation Standards. Also, that secondary water connections be required for outdoor water use.
9. That a 45' public road cross-section as per the Project Plan be required for the interior of the project. That a 26' private driveway be allowed to access Units 38 – 39, and 59 – 60 only. That future improvements to Patricia Drive, Pioneer Parkway, and 400 East be determined during the PD Subdivision review process.
10. That 281 parking spaces for the 75 multi-family units be provided along with 20 parking spaces adjacent to the amenity areas as per the Project Plan.
11. That the Geotech Report for the project be implemented during construction.
12. That the Traffic Impact Study, TIS for the project be implemented with the exception of a third access to Patricia Drive.
13. That a 6' solid block privacy wall be required along Pioneer Parkway and 400 East.
14. That the proposed property **Rezoning** complies with Chapter 17.18.090 items, **(except item c below)**:
 - a. The proposed use is suitable in view of the zoning and development of adjacent and nearby property;
 - b. The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;
 - c. **There are not substantial reasons why the property cannot or should not be used as currently zoned;**
 - i. **The applicant intends to do a PD Subdivision with both single-family and multi-family townhomes as per the MDR land use designation of the General Plan.**
 - d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;
 - e. The proposed use is compatible with the purpose and intent of the General Plan;
 - f. The proposed use is consistent with the purpose and intent of the proposed zoning district.
 - g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;
 - h. The proposed use does reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property.

With the following findings:

1. That the Rezoning is complaint with the Santa Clara City General Plan, Section 3.4.1, Residential Land Uses (Medium Density Residential, MDR).
2. That the MDR Land Use Designation allows for townhomes, multi-unit buildings, and small single-family structures on small lots.
3. That other properties in the immediate vicinity (north and south) of the site are zoned Planned Development Residential, PDR.

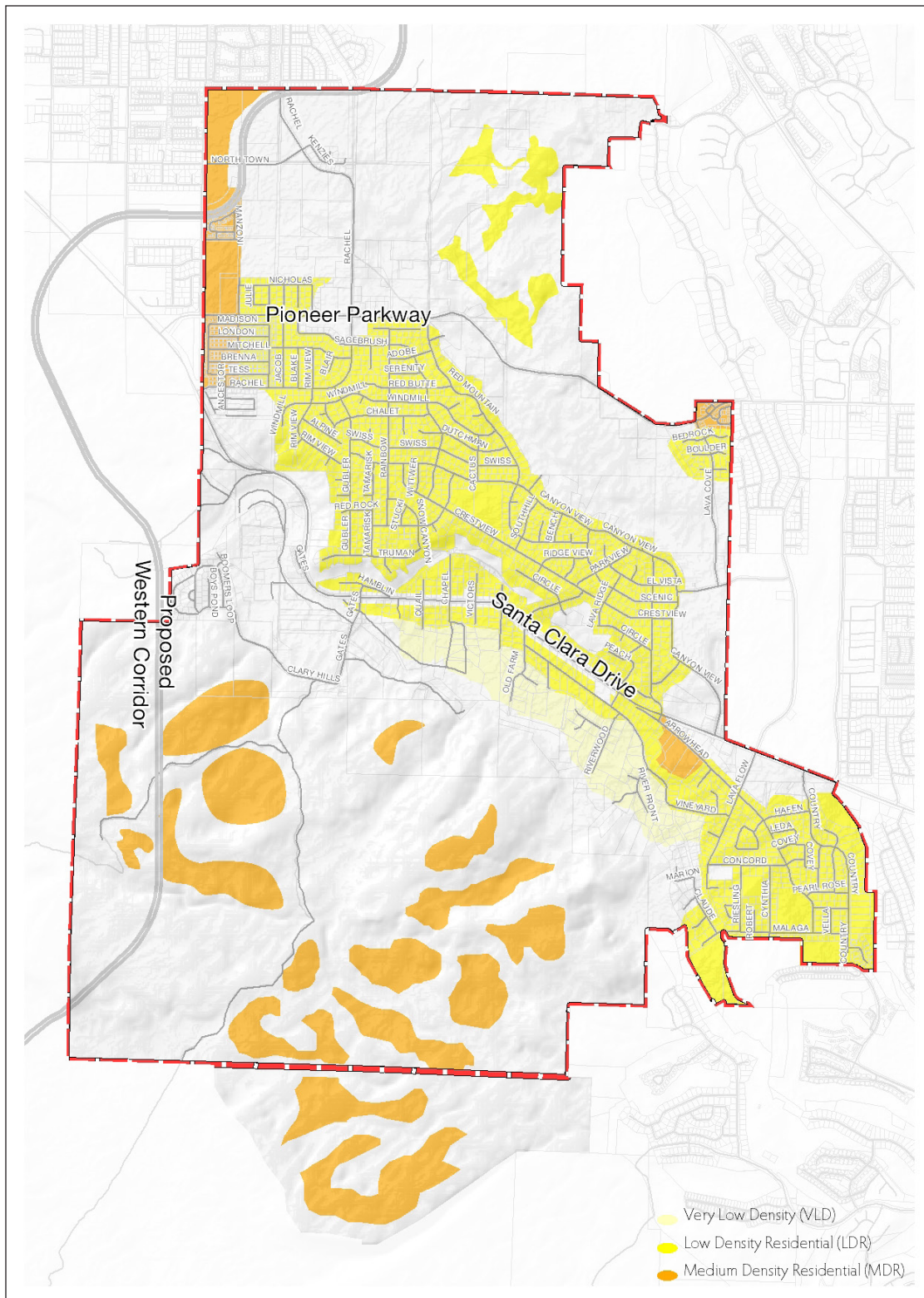


Figure 3-4: Locations of residential land uses.

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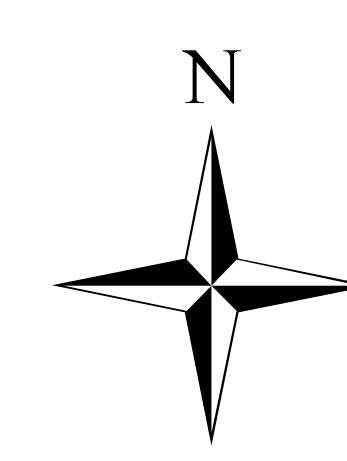
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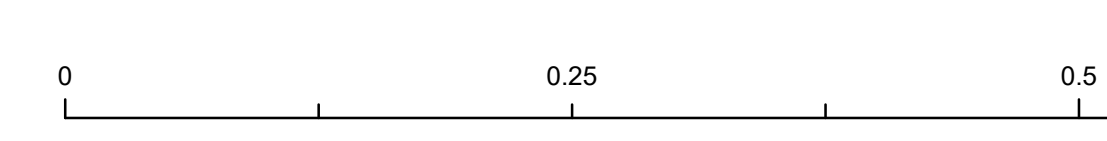
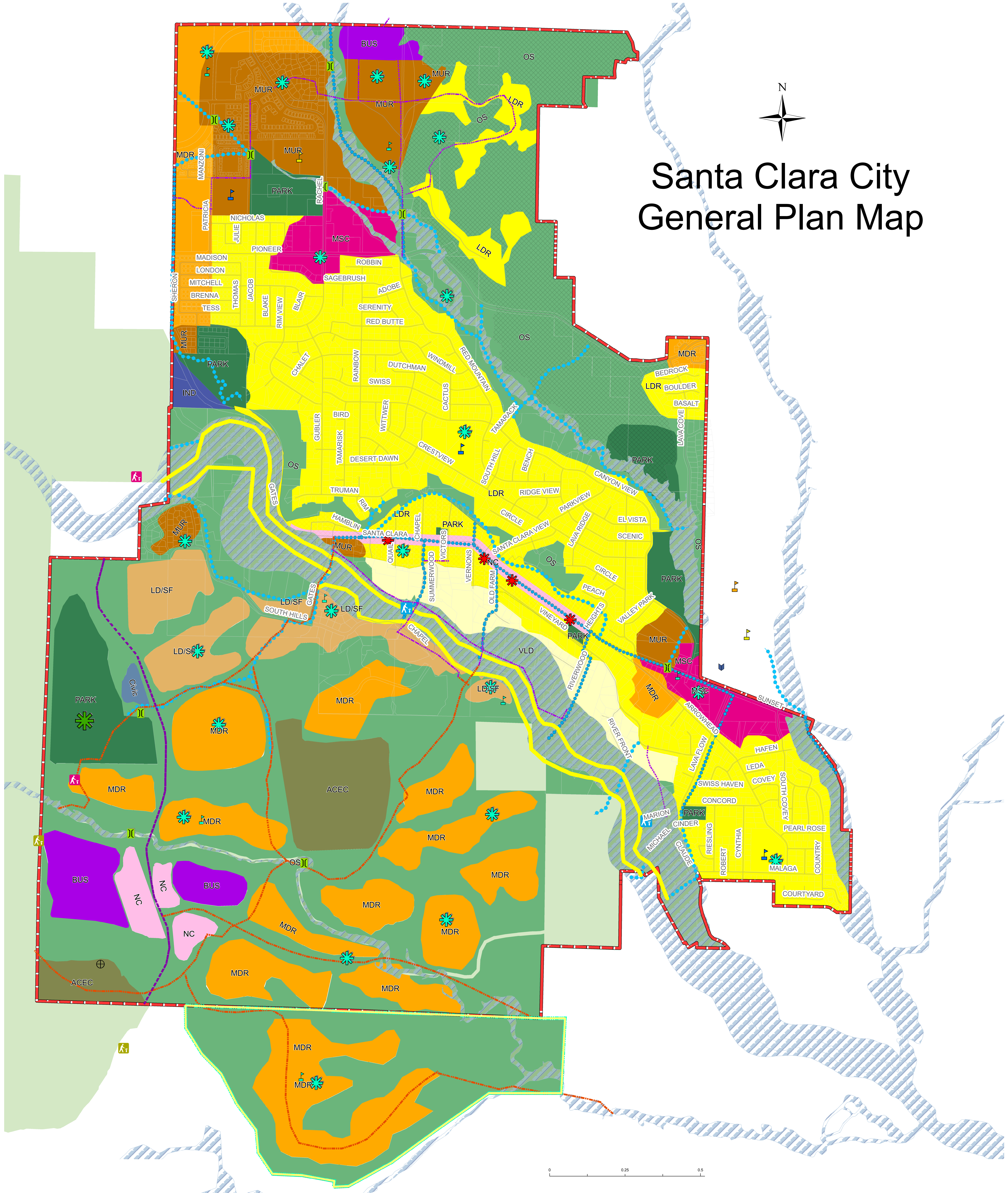
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IMPLEMENTATION & ACTIONS

25



Santa Clara City General Plan Map



Legend	
	Potential Annexation
	Downstream Commercial Nodes
	Future Public Works Facility
	Existing Public Works Facility
	Library
	Existing Elementary School
	Existing Middle School
	Existing High School
	Future Trail Head (BLM)
	Future Elementary School
	Future Community Park
	Future Neighborhood Park
	Future Shooting Range
	Future Pedestrian Underpass
	Future Trail Head
	Potential Transportation
	Proposed Western Corridor
	Proposed Road Network
	Emergency River Access
	Future On-Street Trail
	Future Off-Street Trail
	Santa Clara Boundary
	Anticipated 100 Year Flood
	Historic District
	Lava Fields
	Floodplain
	Santa Clara River Reserve (SCRR)
	Civic
	ACEC
	Low Density Single Family
	Open Space (OS)

	Park
	Very Low Density (VLD) (2 Dues/Acre)
	Low Density Residential (LDR) (3-5 Dues/Acre)
	Medium Density Residential (MDR) (5-8 Dues/Acre)
	Mixed Use Residential (MUR) (8-12 Dues/Acre)
	Main Street Commercial (MSC) (7 Dues/Acre)
	Neighborhood Commercial (NC) (5 Dues/Acre)
	Business (BUS)
	Industrial (IND)

2014
AMENDED 2017 (SO. HILLS AREA)

Disclaimer: The General Plan Map is for long-range planning purposes only. Trail and road alignments as well as parks, underpasses and school locations do not convey ownership or legal access rights.

**SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, March 23, 2023**

Present: **Mark Hendrickson, Chair**
 Ryan Anderson
 Logan Blake
 James Call
 Shelly Harris
 Curtis Whitehead (via Zoom)

Staff: Jim McNulty, Planning and Economic Development Manager
 Cody Mitchell, Building Official
 Selena Nez, Deputy City Recorder
 Matt Ence, City Attorney

Excused: Mark Weston

1. Call to Order.

Chair Mark Hendrickson called the meeting to order at 5:30 p.m.

2. Opening Ceremony.

A. Pledge of Allegiance: Ryan Anderson.

B. Opening Comments (Invocation): Mark Hendrickson.

3. Communications and Appearances.

There were no communications or appearances.

4. Working Agenda.

A. Public Hearings.

- ii. Consider a Proposed Rezoning of Property at 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2, and #SC-SB-90-A-4-B, Described as 18.09 acres). The Applicant, Clayton Leavitt, is Proposing to Rezone the Property from the R-1-10 Single-Family Residential Zone to the Planned Development Residential, PDR Zone to Allow for a Proposed Residential Project that would Include Single-Family Homes, Multi-Family Townhomes, and Amenities.**

Mr. McNulty presented the Staff Report and identified the applicant as Clayton Leavitt. He noted that a number of residents were present to hear more about the item. The applicant was requesting a rezone for the 18.09-acre property located at 400 East/Patricia Drive and Pioneer Parkway. The property is currently zoned R-1-10 Single-Family Residential, and the applicant was proposing to rezone it to the Planned Development Residential (“PDR”) Zone, to allow for a proposed residential project that would include single-family homes, multi-family townhomes, and amenities.

The applicant has been working with City Staff on the project design for several months. Mr. McNulty reported that the item was discussed several times during weekly Technical Review Committee Meetings and on May 4 and June 1, 2022, during City Council Work Meetings. He noted that several residents attended those Work Meetings. Mr. McNulty shared renderings and reviewed the Project Plan Review Items with the Commission:

1. Residential Unit Count: The Project Plan includes a total of one hundred forty-four (144) units on 18.09 acres of property. This equates to a density of 7.96 units/acre. A total of 69 single-family lots/pad lots are proposed along with 75 multi-family townhomes units. The PDR Zone allows for a base density of 8 units/acre. The applicant is not requesting a density bonus for the project. The PDR Zone allows for a potential density bonus that reaches up to 12 units per acre, but the Project Plan proposes 7.96 units per acre.
2. Project Phasing Plan: A Phasing Plan has been included for the overall project. A total of 8 phases have been proposed including, Phases 1A, 1B, 2, 3, 4, 5, 6, and 7. The Phasing Plan will be required as part of the Planned Development, PD Subdivision review process.

Phase 1A proposed single-family lots that would front Patricia Drive. Lots 1 through 7 were approximately 8,000 square feet in size with Lots 8 through 14 being 6,000 square foot lots. Phase 1B was on the interior and included smaller pad lots with single-family detached housing. The pool and restroom facilities would also be included in that phase. Phase 2 would include single-family homes and pickleball courts. Phase 3 would include more of the single-family pad lot homes as well as Phase 4 to the south. Phase 5 would transition to the north and include multi-family townhomes. Phase 6 included multi-family townhomes as did Phase 7 of the proposed project. Some of the townhomes for Phase 7 were proposed to back onto 400 East.

1. Building Design/Materials/Height/Setbacks: Chapter 17.68 requires the review of building design, building materials, building height, and building setbacks. The Project Plan includes both single-family homes and multi-family townhomes as follows:
 - Single-Family Home Lots/Pad Lots. Both one-story and two-story traditional home designs were proposed for the single-family lots. Home sizes will range from 1,500 to 3,000 square feet. Four to five different models with varying elevations and materials, including multiple brick and stone options, along with stucco, and tile roof options. Rambler homes will be approximately 20 feet in height, with two-story homes being 27 feet in height. Lots 1 – 14 (traditional lots) will have a 20-

foot front yard setback, with 8-foot side yards, and a rear yard of 10 feet. Lots (pad lots) 31 - 44 and 46 - 69 will have a front yard setback of 15 feet to living space, with 20 feet to the garage. The side yard setback will be 16 feet between each building, with a rear setback of 10 feet.

- **Single-Family Pad Lot/Narrow Homes.** The smaller/narrow pad lot single-family homes will include a two-story design. Homes sizes will range from 1,700 to 1,850 square feet. Four different models with varying elevations and materials, including multiple brick and stone options along with Hardie Board, stucco, and tile roof options. The two-story homes will be approximately 25 to 27 feet in height. Lots 15 - 30, and 45, will have a front yard setback of 15 feet to living space, with 20 feet to the garage. The side yard setback will be 16 feet between each building, with a rear setback of 10 feet.
- **One-Story Townhomes.** These units include two bedrooms and two bathrooms homes with a one-car garage and two-car driveway. The proposed units would be approximately 985 to 1,100 square feet in size. A two-car driveway will be included in front of each unit. Two different color palettes with a variety of building materials including brick and stone, Hardie Board, stucco, and tile roof options are proposed. The one-story townhomes will be approximately 22 feet in height. Units 70, 74, 75, 79, and 80 - 94 will have a front yard setback of 15 feet to living space, with 20 feet to the garage. The side yard setback between buildings will be 12 feet with a rear setback of 10 feet.
- **Two-Story Townhomes.** These units include 3 and 4 bedrooms, and 2.5 baths with a two-car garage and two-car driveway. The proposed units will be 1,400 to 1,600 square feet in size. Two different color palettes with a variety of building materials including brick and stone, Hardie Board, stucco, and tile roof options are proposed. The two-story townhomes will be approximately 27 feet in height. Units 95 - 126 will have a rear/front yard driveway depth of 20 feet, with a side yard setback of 15 feet between buildings. The front yard will include a courtyard patio that fronts a green court area. Units 127 - 144 will have a rear yard/front yard driveway depth of 20 feet along Tuscan Drive, with a side yard setback of 15 feet between buildings. The front yard for these units is approximately 20 feet to the face of the building; however, an 8-foot courtyard patio will be allowed in the setback area allowing for 12 feet from the back of the sidewalk to the courtyard.

In the Project Plan, the one-story townhomes were the three buildings that backed onto 400 East. Some of the buildings incorporated two-story walk-ups with rambler units on the ends. The townhomes that fronted onto Tuscan Drive were two-story walk-up townhomes. The ramblers or two-story homes could be on any of the 14 lots shown, as well as the larger pad lots. The narrow pad lots would have the Single-Family Pad Lot/Narrow Homes design. The setbacks would have a front yard of 20 feet and side yards of eight feet, with a rear yard setback of 10 feet.

With the pad-style lots, similar to the area across the street and the south, the request was for 16 feet of separation between buildings. Mr. McNulty explained that this would make the development feel less compact and allow for a driveway and potentially some parking. As a result of that request, those units were shown to be 16 feet apart. In terms of the front setback to the living space, the request was for 15 feet to the living space but 20 feet to the garage with a depth

of 20 feet for the driveway. There would be 16 feet between buildings and a 10-foot rear yard. Mr. McNulty clarified that this would apply to the detached product. As for the multi-family product, the one-story townhomes could also have 15 feet of living space but 20 feet to the garage. There would be 12 feet of separation between the buildings, which was slightly greater than the Building Code required, as the Building Code required 10 feet of separation. The two-story townhomes could also have setback variations. A request was made that there be a rear-load garage facing Tuscany Drive because there were parking issues in the area.

3. **Open Space:** Chapter 17.68 requires at least 30% of a project area to be in common open space. The Project Plan includes approximately 33.83% (6.12 acres) of open space being proposed for the overall project. The applicant will be required to work with City Staff during the PD Subdivision review for each project phase to verify these calculations.
4. **Project Amenities:** Chapter 17.68 requires project amenities including recreational facilities such as tennis courts, playground equipment, swimming pool, clubhouse, and other common amenities such as outdoor cooking/eating areas, gazebo, or gardens. The Project Plan, Phase 1B includes restrooms, a pool, a hot tub, and an outdoor seating (covered and uncovered) area for the community. Additional open space areas with gazebos and barbecues have been shown in Phase 4, Phase 6, and Phase 7. Phase 2 includes three (3) pickleball courts. A series of walking paths providing a connection for residents to these amenity areas has also been included in multiple project phases. The applicant will be required to work with City Staff during the PD Subdivision review for each project phase to verify the project amenities as per the Phasing Plan.
5. **Public Trail Access:** An eight-foot asphalt public trail along 400 East has been shown on the Project Plan. This trail is required as per the 2018 Trails Master Plan. This required trail will tie in with the existing section of trail along the 400 East frontage of the Tuscany project, which provides a connection to other trails in the area. This will be reviewed during the PD Subdivision review process.
6. **Landscaping and Water Efficiency:** Chapter 17.68 requires project landscaping and puts standards in place for the PD Zone. Section 17.68.050 discusses landscape design and water conservation principles. The final landscape and irrigation plans will be required to comply with City Ordinance #2022-05 (Water Efficient Landscaping and Conservation Standards). A secondary water connection will be required for outdoor water use. The applicant has provided a preliminary landscape plan; however, a more thorough review with additional details (landscaping and irrigation) will be required during the PD Subdivision review process.
7. **Public Road Cross-Section:** The Project Plan includes a required 45-foot public road cross-section within the interior of the project. This includes 30 feet of asphalt, 2.5 feet of curb, and gutter on either side, with a five-foot sidewalk on each side of the road allowing for good pedestrian access and movement. Additionally, improvements such as but not limited to curb and gutter, park strip, sidewalk, and

trails will be required along Patricia Drive (50-foot public street), Pioneer Parkway (70-foot public street), and 400 East (66-foot public street). The applicant will be required to work with city staff and comply with all department recommendations during the PD Subdivision review process.

8. Private Driveway Cross-Sections: The Project plan includes two (2) private driveways at 26 feet. Each private driveway would provide access to two (2) single-family pad lots (Units 38-39, and 59-60). The applicant will be required to work with City Staff and comply with all department recommendations during the PD Subdivision review process.
9. Parking: The Project Plan includes a total of 281 parking spaces for the 75 multi-family townhome units. This equates to 3.75 parking spaces per unit. An additional 20 parking spaces have been provided adjacent to the project amenities in the center of the property. Chapter 17.32 requires two (2) parking spaces per unit, one covered and one uncovered. Each of the single-family lots/pad lots have been designed to include a two-car garage with a two-car driveway. It appears that sufficient parking has been provided for the project. The project parking will be reviewed during the PD Subdivision review process.
10. Project Utilities: Utilities (e.g., water, sewer, power, gas, etc.) are required for the project. A secondary water connection will be required for outdoor water use. The applicant will be required to work with city staff and comply with all department recommendations during Preliminary Subdivision Plat and Final Subdivision Plat review for each phase.
11. Soils Report: A Geotech Report (Subsurface Investigation) was done by Applied Geo-Tech and was submitted for the property. It appears that expansive clay was encountered in multiple site locations (north and south); however, the site is suitable to support residential slab-on-grade construction provided that the report recommendations are implemented during construction. The applicant will be required to work with city staff during the PD Subdivision review for each project phase to determine compliance.
12. Traffic Study: A Traffic Impact Study ("TIS") was done by Hales Engineering and submitted for the property. Two project accesses were assumed, which resulted in an acceptable level of service ("LOS") at intersections; however, a third access was also considered on Patricia Drive. The third access would improve the internal circulation of the project. Since the report was submitted, the project has been redesigned to include a row of single-family lots along Patricia Drive without access to the interior of the site. This was done to tie in with the existing single-family neighborhood in the immediate vicinity. Access will be gained off Pioneer Parkway and 400 East.
13. Project Narrative: The applicant has submitted a project narrative for your review and consideration. City Staff asked the applicant to update this item to match the

Project Plan. It's likely that Commission will have questions for the applicant during the meeting.

14. Block Privacy Wall: A six-foot solid block privacy wall will be required along Pioneer Parkway and 400 East. This item will be further reviewed during the PD Subdivision process.

Mr. McNulty reported that notices were sent to all property owners within 300 feet. Additionally, the property was posted with signs. Since then, several phone calls and emails had been received from members of the public. Those comments were shared with the Planning Commission. As for the General Plan, the designation for the property was MDR. He shared a map from the General Plan and pointed out the subject property, which had an MDR Land Use Designation. The proposed Project Plan/Rezone application included small lot single-family homes, townhomes, open space and amenities for residents. The proposed uses were encouraged by the General Plan.

The rezoning consideration, as per Chapter 17.18.090, had several items for consideration, which were listed as A through H. Mr. McNulty reviewed the following items on the list:

- A. Is the proposed use suitable in view of the zoning and development of adjacent and nearby property? (Yes.)
- B. Will the proposed use adversely affect the existing use or suitability of adjacent or nearby property? (No.)
- C. Are there substantial reasons why the property cannot or should not be used as currently zoned? (No.)
- D. Will the proposed use cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection? (No.)
- E. Is the proposed use compatible with the purpose and intent of the General Plan? (Yes.)
- F. Will the use be consistent with the purpose and intent of the proposed zoning district? (Yes.)
- G. Is the proposed use supported by new or changing conditions not anticipated by the General Plan? (No.)
- H. Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of property? (Yes.)

Mr. McNulty referenced Utah Code Section 10-9a-205. All of the requirements as far as noticing had been met. The applicant worked with City Staff to provide a Project Plan design that included

both single-family homes and multi-family homes. That work had been taking place for several months. 52% of the proposed units were multi-family townhomes with 48% being single-family lots or pad lots. The density being requested was 7.96 units per acre and the base density in the PD Zone allowed for 8 units per acre, with provisions for a density bonus. That density bonus could be pursued for a total of 12 units per acre. The applicant had worked with City Staff and wanted to comply with the base ordinance rather than ask for additional density.

City Staff recommended that the Planning Commission review the submitted Rezoning Application and Project Plan to determine whether the application was complete. If the application was determined to be complete, City Staff recommended that the Planning Commission forward a recommendation to the City Council for their review and consideration of the application, subject to the Conditions of Approval and Findings of Fact outlined in the Staff Report.

Chair Hendrickson opened the public hearing.

Chase Jensen gave his address as 3920 London Lane. He expressed his support for the Project Plan and appreciated that the developer was willing to create buffers between the existing neighborhoods. He also thought the design was well thought out. Mr. Jensen noted that it is difficult for a lot of people to purchase homes. This type of development would be ideal for families that are starting out. Many people want to live in Santa Clara and this development would make it possible for people of different ages to live in the city. His one concern had to do with the traffic on Pioneer Parkway. Currently, there is no middle turn lane. That was something that should be considered as the process continues to move forward.

Doyle Bond gave his address as 2255 Jacob Drive. He had a petition signed by approximately 80 residents. That petition was presented to the Commission. The request was that the zoning not be changed. Some of the signatures were from Santa Clara residents and some were from Ivins. Mr. Bond explained that previously, Mr. Leavitt stated that he had spoken to some people in Ivins. Based on the people he had spoken to in Ivins, there was no support for a zone change. Mr. Bond pointed out that Tuscany Drive was already full of vehicles from the existing residences. He expressed concerns about parking and the storage of equipment and other types of vehicles.

Ann Pritt gave her address as 3918 Madison Avenue. She liked a lot about the plan that had been presented but was concerned about traffic and the road out to Pioneer Parkway. There are already challenges with Patricia Drive and Pioneer Parkway. With 144 units planned for the development, that equates to approximately 288 more vehicles. There is already a lot of traffic in the area, and she was worried about adding more. A traffic light would likely need to be installed between Patricia Drive and Pioneer Parkway as well as between Pioneer Parkway and the old highway. Ms. Pritt explained that she bought her home on Madison Avenue approximately five years ago. Over the last few years, sirens were audible more often. That meant there were a lot more issues in the area than before. With all of the additional vehicles, there was a higher likelihood that there would be traffic-related accidents. Proper planning was needed.

Ann Evans gave her address as 3772 Nicholas Drive and distributed a handout to the Commission. She noted that the city was looking at one plot of land but there are already 11 developments in that area. The handout she distributed listed the names of the different developments. There are

a lot of units nearby already and the addition of another 144 would increase that further. The only development that is single-family homes is Bella Sol. She stressed the importance of looking at the development in a broader context. Ms. Evans also expressed concern about the water and utilities in the area. She asked that the Commission consider all of the implications.

Patricia Bauman gave her address as 2340 Patricia Drive. She appreciated all the work that had been done on the Project Plan since the initial presentation that was made to the City Council. Ideally, she wanted to see the subject property be zoned R-1-6 and for the townhomes to be removed. That was more in line with what was nearby and would create more of a buffer. That being said if the development was approved as presented, she hoped there would be some assurance that once the zone was changed, the smaller lots would not become townhome lots.

Doug Carroll reported that he lives in Village on the Heights. He found the current process to be unnecessary. The applicant can develop single-family homes. Mr. Carroll believed that the proposed development would diminish the quality of life in Santa Clara. As for water, Ivins is already looking at water and there seemed to be a shortage. He asked the Planning Commission to examine the proposed development and determine whether it adds to the community.

David Pond gave his address as 2322 Joshua Circle. He echoed some of the comments previously expressed but had concerns about affordability. Mr. Pond was also concerned about parking in the area and that there will be a bottleneck with two primary access points. In addition, if the zoning is allowed to change, he wondered what would prevent Mr. Leavitt from changing the density from what was presented to the Commission. He was not opposed to development but wanted to see the area remain in the R-1-10 Zone. There needed to be some consistency with single-family homes in the neighborhood.

Mr. McNulty clarified some of the comments shared. He noted that there had been comments about preventing single-family lots from becoming multi-family. There will be a public hearing at the Planning Commission level and then the application will move forward to the City Council for a public meeting. The City Council is the legislative body that will grant approval or denial of the rezone. A Project Plan is required for a PDR Zone. This particular Project Plan was part of an entitlement. If the property is rezoned, the Project Plan will run with it, if approved, and then an ordinance will be adopted by the City. It will state that the development will not exceed 144 units consisting of 69 single-family, 75 townhomes, and a maximum density of 7.96 units per acre. All of that will run with the entitlement and any ordinance adoption.

Adam Ellis gave his address as 2288 Julie Drive. He read a letter from someone who was unable to attend tonight's meeting in person. The letter was from Michael Cain, who resides at 2286 Joshua Circle. He noted that Joshua Circle is the only existing neighborhood in Santa Clara north of Pioneer Parkway that is zoned R-1-10. Mr. Cain shared information about his background and explained that the majority of residents living in the higher-density Blackhawk are typically in transition with plans to reside somewhere else in a few months or years. On the other hand, those in single-family homes normally intend to stay for many years. Those residing in single-family neighborhoods consider it to be their home and want to invest in and contribute to the community. Mr. Cain felt that communities like Santa Clara need to have higher-density and lower-cost housing available, but the issue was when the proportion of higher-density housing is out of

balance with single-family residences. The zoning map lacked balance in the placement of higher density. He believed that rezoning this particular property will create an even greater imbalance in that part of the City. Mr. Ellis, speaking for himself, noted that if the area off of Patricia and Tuscany Drives becomes a school at some point, the traffic will become worse.

David Healey was present to represent his father who owns a home in the community. Some of his main concerns had already been mentioned relating to traffic and infrastructure. He wondered if there was a plan in the future to have traffic lights installed or if the roads will be widened. He also inquired about the price point of the homes.

Mr. McNulty clarified some questions regarding Pioneer Parkway. It is an arterial roadway and includes an 80-foot cross-section. There is currently one lane of travel in each direction but at some point, there could be two travel lanes in each direction with a center turn lane, which does not exist currently. An arterial roadway is designed to handle 10,000 to 20,000 vehicle trips per day if not more. Presently, there were just over 10,000 average daily trips based on studies that had been completed and submitted to the city. There is a lot of room for growth still. Commissioner Blake reported that Pioneer Parkway was not striped for as many lanes as it can accommodate. There is also another five-lane arterial road being planned by the MPO that could be built in the near future. He noted that there are lights planned there as well.

Art Pansine gave his address as 3866 Nicholas Drive. He moved to Santa Clara last summer but had been concerned about density in the neighborhood. As a result, he checked the zoning in the area before purchasing his home. If the proposed development is approved, the neighborhood would change dramatically. It will add to parking problems, traffic problems, and crime. The area would never again be described as serene and home values will decrease. Mr. Pansine wanted to know what the purpose of the General Plan is and if it could change so dramatically in such a short period of time. He pointed out that the area is already densely populated and wondered why that particular portion of the city had the most density.

Brenda Vincent gave her address as 3580 Windmill Drive. She wondered if the City would stipulate that the owner of the property with an Internal Accessory Dwelling Unit ("IADU") would be required to use it as their primary residence. That way, there would not be a renter renting out the IADU. She wanted to see long-term investment in the community. City Staff explained that a primary unit needs to be owner-occupied but that is not necessarily relevant to this project. Ms. Vincent pointed out that some of the units will have an IADU, so she felt that her comment was relevant. It was clarified that whether there is an IADU would be up to a future owner and not something that was specifically proposed by the applicant. Mr. McNulty explained that the narrative stated that there would be an option for IADUs as mandated by the State.

Ms. Vincent asked about the secondary source for irrigation. It was clarified that the city has a secondary water system. One of the requirements, if the project was approved, was that improvements would need to be put in to allow for secondary water or irrigation water. Ms. Vincent thought the development was strong overall but still had some concerns.

Joshua Jackson gave his address as 3892 Nicholas Drive. He understood that in these types of situations, the zoning says one thing and the residents said another, but the Commission needs to

follow the zone. In this instance, the zoning is on the side of the residents. Mr. Jackson was grateful for the work done by City Staff and the developer on the project. However, the additional units would add to the issues that already exist in the area. The Planning Commission had the opportunity to support the existing zone and listen to the concerns of the residents.

Meredith Pond gave her address as 2322 Joshua Circle. Her concern had to do with the daily lives of the residents. The neighborhood is being turned into an island surrounded by denser housing. This is not good for property values or long-time residents. All of the density makes it less desirable to live in Santa Clara. The overwhelming majority of people at the Planning Commission Meeting were asking for the existing zoning to remain.

Russell Goode gave his address as 3988 Madison Avenue. He expressed concerns about the proposed multi-family homes and asked the Commission to consider the residents.

Alison Snyder gave her address as 2326 Jacob Drive. Her concerns aligned with many of the others in the community. She felt that the proposed development will diminish the quality of life for existing Santa Clara residents. One of her main concerns pertained to the lack of parking in the development. There was nothing in the plan related to overflow parking or parking for trailers, boats, or RVs. The subdivisions, Tuscany, and Blackhawk, were forced to park along Tuscany Drive as it is not possible to park a full truck in the driveway at Blackhawk without overlapping onto the sidewalk. This was due to the density. The proposal was almost double the number of units in Blackhawk. She felt that the number of units needs to be reduced and did not believe high-density should be concentrated in only one portion of the city. It should be spread out. Ms. Snyder also pointed out that high density does not necessarily equal affordability as rents were high.

Shannon Smith gave her address as 3842 Tuscany Drive Unit #9. Her plan was to remain in Santa Clara and raise her family in the community. She had not heard any comments related to children. Ms. Smith is a teacher and advocate for children. After living on Jacob Drive and then in Blackhawk, she was concerned about safety. There were trucks, SUVs, boats, and trailers that drive on Tuscany Drive or come in for the baseball tournaments. It was important to think about how the community should be and how to make the area safer for all. If there is a school built in the area in the future, there will be a lot of dangerous conditions based on the current layout.

Doug Wells gave his address as 3842 Nicholas Drive. He loves Santa Clara and stated that it is a desirable place to live in. It becomes less desirable the more high-density that is built. There was not much available in a single-family format at the current time. Mr. Wells asked that the Planning Commission deny the rezone and provide opportunities for families to live in single-family homes.

Mr. McNulty referenced Bella Sol, which had already been mentioned, but noted that Solace will have 128 single-family lots, 21 of which were currently under construction with improvements. There will be 128 new single-family homes in the area adjacent to Bella Sol. He asked residents to consider that when discussing the number of single-family homes in the community.

Paul Boyer gave his address as 2294 Julie Drive. His home was purchased in 2002 and he thought it would be his last home. That being said, he was now considering leaving Santa Clara. It seemed

that the intention was to have more density and he was not certain that the comments from residents will change the decision of the Planning Commission. He was not supportive of the application.

Harold Welling gave his address as 1836 Red Mountain Drive. He stated that each project that comes in seems to build off the last one. For instance, zoning changes were permitted because zoning changes had been permitted for previous projects. He did not want to see that pattern continue in the future.

Mr. Goode shared additional comments with those present. He encouraged the residents in the audience that live in the Village on the Heights to speak out as well.

Caron Jenson gave her address as 3823 Madison Avenue. She moved to Santa Clara in 2010 and loved living in the city. She did not object to single-family housing but felt that the high-density housing was ruining the landscape. There were not the same kind of views as before. Ms. Jenson also noted that residents have been asked to watch how much water they used but despite this, more and more development was occurring. Those residences would utilize water.

Ms. Snyder shared an additional comment. She noted that Blackhawk, according to someone who lives there, is supposed to be 50% owner-occupied, but it is not. There are approximately 10 units out of 88 that are owner-occupied and everything else was rented. Ms. Snyder explained that there was little enforcement to ensure that the promises made were actually followed. It was noted that it was the responsibility of the Homeowners Association ("HOA") to enforce the Covenants, Conditions, and Restrictions ("CC&Rs") in that particular development.

Christine Jackson gave her address as 3892 Nicholas Drive. With Blackhawk, she had seen that the people living there move in and out all the time. As a result, not a lot was provided to the community because there was a lack of consistency. When there is a single-family home neighborhood, there was a greater feeling of community, which is important for the City. Her other concern had to do with the area behind Nicholas Drive. Everything there is either vacation homes or high-density housing. She noted that with more people there is more crime. In addition, she was concerned about the water and electricity available to the community.

Ann Hughes gave her address as 2223 Sheron Drive. All her friends and neighbors were opposed to the rezone. Everyone she knew liked the way it was currently zoned.

The applicant, Mr. Leavitt, stated that he is a resident of Santa Clara and has been for more than 25 years. He is invested in the community and cares about what is developed. When the property was purchased, the General Plan was looked at very closely. It is an area that the city designated in 2014 for MDR. Mr. Leavitt noted that he has nephews and nieces who want to live in Santa Clara, but it is not possible for them to find a place to live. The proposed development could address a need that currently existed within the community.

A lot of time had been spent reviewing various plans and speaking with City Staff and residents. Though a lot of the comments during the public hearing requested that there be single-family homes, over one-third of the project has expansive clays. There needs to be some creativity to

address that so the PDR requirements were examined and there would be some open common areas. He noted that the General Plan encouraged building on smaller lots if there were soil issues. Mr. Leavitt discussed the developments that were around the site. There was planned development to the south and the north. A number of residents to the east also shared comments. He wanted to take all of the comments into account and stressed the importance of transitions in density. There is high density to the north of the property, so the intention was to be compatible with what already exists. One of the reasons there are smaller single-family pad lots proposed was because that particular area was next to the attached townhomes. That would create a transition. Mr. Leavitt believed that the plan presented was excellent as it considered the surrounding areas.

The intention was to follow the General Plan, which Mr. Leavitt believed the proposal did. He informed residents that the project would be high quality. The plans showed that everything was above and beyond in terms of the level of detail on the townhomes. There were balconies, front yard courtyards, and a focus on water conservation. The water fees increased on January 1, 2023, and he did not want to burden the residents with those additional expenses. As a result, a water-focused plan had been presented. There needed to be a water-efficient product.

Mr. Leavitt believed that the product would increase values in the surrounding areas. It would be a high-quality development. He noted that there had been comments related to IADUs. They were encouraged in the General Plan, and it was important for people to have the opportunity to rent a portion of their home or take care of an older family member. As for the price point, he was not certain that those could be shared at the current time because the market continues to change. He felt confident that the design and the detail would be superior to a lot of what existed currently.

Mr. Leavitt pointed out that there had been comments about a sense of community. The intention was to build homes for families. It would be a beautiful community for all who live there. He reported that the CC&Rs will control the on-street parking. Typically, on-street parking would be permitted for 48 hours in the neighborhood. There is a lot of parking available, and the lots were widened so it was possible to place an extra driveway on the single-family lots.

Commissioner Anderson wanted to know what the HOA dues would be. Mr. Leavitt reported that it was too early to state for certain but there was a desire for them to be under \$100. Commissioner Anderson asked how the owner-occupied ratio would be enforced. Mr. Leavitt was not certain. It was noted that the city does not currently have any ordinances that require units to be owner-occupied. As a result, it is not possible to impose that. State Law allowed CC&Rs to restrict units to a certain percentage of owner-occupied, but that was done through the HOA. City Attorney, Matt Ence, reported that the HOA or property owner have the right to enforce CC&Rs in their own subdivision. It was not something that the city is able to enforce.

Commissioner Blake understood that Mr. Leavitt spoke to residents previously. He wondered if that was the main reason there was no access to Patricia Drive. This was confirmed. Commissioner Blake noted that the circulation would be better if there was access there. He wanted to know if there were plans for pedestrian access. Mr. Leavitt reported that off Tuscany, there are a few areas where it was possible to enter and exit the project. There had been a lot of discussions with residents and those residents made it clear that access off Patricia Drive was not

supported. He pointed out that the townhomes along Tuscany Drive are now reversed and had the driveways there. That meant it was not possible for people to park on the street.

Commissioner Blake referenced a comment during the public hearing related to safety for children. He noted that the internal streets are fairly standard. Those streets also provide places for children without having to walk down a much larger street like Pioneer Parkway. If there ever was a school built to the east, it would be good to have a way for children to stay interior without needing to leave the development. In the previous plan, there were a few access points coming off of Patricia Drive. That could be done next to Lot 14. Mr. McNulty pointed out the pedestrian access next to 127, between 132, 133, 138, and 139. It would be possible to add another pedestrian access point somewhere on the site off of Patricia Drive if that was desired.

Renderings and elevations were shared with the Planning Commission for additional reference. Mr. McNulty reported that the zone allowed for heights that were up to 35 feet for two-story homes. The elevations presented ranged from 19.9 feet to approximately 28 feet. Even the narrower homes included in the Project Plan were proposed to be 28 feet.

Commissioner Call noted that after the Planning Commission made a recommendation, the application would move forward to the City Council for approval. It was the City Council that would make the legislative decision. Mr. Ence explained that the Planning Commission is a recommending body that is utilized by the city to receive feedback. The recording and meeting minutes would be available to the City Council. The City Council, as the elected legislative body of the city, by law has a significant amount of deference to make a decision on the matter.

Mr. Ence referenced comments made about the zoning versus the General Plan. He clarified that the application was to change the zone but underlying the zoning, there is the General Plan that was adopted by the city. When the General Plan was adopted, there was an extensive process where feedback was received from residents. Multiple meetings were held as well as surveys and discussions. Ultimately, the General Plan was adopted, which included the map that had been shown. He reported that the area in question had been designated MDR. The current R-1-10 Zone complied with MDR, but the proposed zone amendment would also comply with the General Plan.

There were no further comments. Chair Hendrickson closed the public hearing.

- ii. **Recommendation to the City Council to Consider a Proposed Rezoning of Property at 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2, and #SC-SB-90-A-4-B, Described as 18.09 acres). The Applicant, Clayton Leavitt, is Proposing to Rezone the Property from the R-1-10 Single-Family Residential Zone to the Planned Development Residential, PDR Zone to Allow for a Proposed Residential Project that Would Include Single-Family Homes, Multi-Family Townhomes, and Amenities.**

Chair Hendrickson asked that the Commission discuss the application. Commissioner Call liked the project and the plan presented. It was important to have these types of projects and transition areas. There was some discussion about affordability during the public hearing. He acknowledged that there seemed to be a struggle between density and affordability. Commissioner Call had some concerns about water and the impact of the additional residences. At the current time, he was not prepared to support the rezone, because he felt that when a piece of property was purchased, it was purchased knowing what the existing zone was.

Commissioner Blake believed that a lot of issues had been mitigated. For instance, transitioning into single-family homes and to the townhomes to the north. He shared information about the General Plan. Something that was beneficial about more density in the area was that it supported the commercial offerings. Commissioner Blake thought the plan was well thought out but wished there was more circulation. He understood why there was no access on Patricia Drive as it seemed to be an attempt to meet halfway with the neighbors. This was a good project, and it was something that was needed in Santa Clara. He supported the rezone.

Commissioner Harris appreciated all of the comments shared by residents and the applicant. She agreed with Commissioner Blake and felt that the project demonstrated transition. Commissioner Harris noted that the application was complete and had all of the necessary studies.

Chair Hendrickson had a similar opinion to Commissioner Blake. It was a difficult decision to make, and he appreciated all of the comments shared by residents. He spent a lot of time walking around the area and understood the parking issues that existed. Certain concessions had been made in the Project Plan to accommodate the residents, so he was in favor of the application.

Commissioner Whitehead noted that a lot of time had gone into the presentation, and he appreciated the hard work. Mr. Leavitt had also taken into account the feelings of those in surrounding areas. Affordable housing was something that was needed in Utah and in Santa Clara and the development could possibly be an answer to that need. However, he struggled to know that there was so much opposition from the neighbors. It was difficult to support the rezone for that reason, even though he liked the idea of the plan and what it would bring to the community.

Commissioner Anderson agreed with many of the comments shared by his fellow Commissioners. He personally liked the project and what it had become after feedback was considered. That being said, it was important for him to factor in the comments from the public. He noted that the project might be something that residents would like in the future, but change is often difficult.

Commissioner Blake moved to recommend that the City Council APPROVE the proposed rezoning of property at approximately 400 East/Patricia Drive and Pioneer Parkway (Parcels #SC-SB-90-A-2 and #SC-SB-90-A-4-B, described as 18.09 acres), subject to the following:

Conditions:

- 1. That the applicant shall be required to go through the PD Subdivision Review process for each project phase (overall Preliminary and Final Plats).**
- 2. That a total of one hundred forty-four (144) units on 18.09 acres be allowed as per the Project Plan. This equates to a density of 7.96 units/acre.**
- 3. That a Project Phasing Plan be required for the overall project. That this plan be reviewed for compliance with each project phase.**
- 4. That the building design/materials/height/setbacks comply with the Project Plan as presented by the applicant. That substantial changes to these items require an amendment to the Project Plan.**
- 5. That at least 30% of the project area be in common open space. The Project Plan includes approximately 33.83% (6.12 acres) of open space.**
- 6. That the project amenities be provided and put in place as per the Project Plan and Phasing Plan.**
- 7. That the public trail be put in place as per the Project Plan.**
- 8. That the applicant be required to comply with City Ordinance #2022-05, Water Efficient Landscaping and Conservation Standards. Also, secondary water connections shall be required for outdoor water use.**
- 9. That a 45-foot public road cross-section as per the Project Plan be required for the interior of the project. That a 26-foot private driveway be allowed to access Units 38 – 39, and 59 – 60 only. That future improvements to Patricia Drive, Pioneer Parkway, and 400 East be determined during the PD Subdivision review process.**
- 10. That 281 parking spaces for the 75 multi-family units be provided along with 20 parking spaces adjacent to the amenity areas as per the Project Plan.**
- 11. That the Geotech Report for the project be implemented during construction.**
- 12. That the Traffic Impact Study (“TIS”) for the project be implemented with the exception of a third access to Patricia Drive.**
- 13. That a six-foot solid block privacy wall be required along Pioneer Parkway and 400 East.**
- 14. That the proposed property Rezoning complies with Chapter 17.18.090 items, (except item c below):**

- a. The proposed use is suitable in view of the zoning and development of adjacent and nearby property;
- b. The proposed use will not adversely affect the existing use or suitability of adjacent or nearby property;
- c. There are no substantial reasons why the property cannot or should not be used as currently zoned;
 - i. The applicant intends to do a PD Subdivision with both single-family and multi-family townhomes as per the MDR land use designation of the General Plan.
- d. The proposed use will not cause an excessive or burdensome use of public facilities or services, including, but not limited to streets, schools, water or sewer utilities, and police or fire protection;
- e. The proposed use is compatible with the purpose and intent of the General Plan;
- f. The proposed use is consistent with the purpose and intent of the proposed zoning district.
- g. The proposed use is not supported by new or changing conditions anticipated by the General Plan;
- h. The proposed use does reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to the unrestricted use of the property.

Findings:

1. That the Rezoning is compliant with the Santa Clara City General Plan, Section 3.4.1, Residential Land Uses (Medium Density Residential, MDR).
2. That the MDR Land Use Designation allows for townhomes, multi-unit buildings, and small single-family structures on small lots.
3. Other properties in the immediate vicinity (north and south) of the site are zoned Planned Development Residential, PDR.

Commissioner Harris seconded the motion. Vote on motion: Commissioner Anderson-Nay; Commissioner Call-Nay; Commissioner Whitehead-Nay; Commissioner Harris-Aye; Commissioner Blake-Aye; Chair Hendrickson-Aye. The motion failed 3-to-3.

Mr. Ence reported that since the motion failed, the Planning Commission could continue the discussion and revote. There was discussion regarding what would happen next. For instance, whether the item would move forward to the City Council despite the Planning Commission vote. Mr. Ence confirmed this. If the vote remained, it would move forward to the City Council with no recommendation. The Council would likely prefer to have a recommendation, but if it was not possible to make a recommendation one way or the other, the City Council would consider that.

Commissioner Whitehead wondered what would happen if the item was tabled. He wanted to know if that would impact the result of the vote. It was noted that if the item was tabled, there would need to be a list of specific items to address. For instance, additional information needed to be considered. Mr. Ence explained that if a motion was made to table the application and the reasons were well articulated, that was appropriate. That being said, he did not recommend tabling the item simply because the Commission was not able to reach a decision for approval or denial. For the betterment of the applicant, it would be best to move the item forward.

Commissioner Call noted that Commissioner Weston was not present at the meeting. That vote could break the tie. Mr. Ence did not feel that was an appropriate reason to delay the revote on the item. He suggested moving the item forward as there was currently a quorum of the Planning Commission. The quorum was capable of making a decision. If the Planning Commission did not make another motion, the current motion would move forward. It was determined that a revote would not take place and the item would not be tabled.

• BELLA SOL • Rachel Drive	80 + HOMES (still building)
• SOLACE • Rachel Drive	184 units, mixed development, clearing land
• DESERT VILLAGE • Rachel Drive	200+units (townhomes) still building
• TUSCANY • 400 E & Tuscany Drive	76 units (townhomes)
• BLACK HAWK • Tuscany Drive	80 units (townhomes)
• QUAIL CROSSING + • COYOTE LANDING • 400 E. & North Town Rd.	240 units mixed development, clearing land
• <u>Vacation Rentals</u>	
• PARADISE VILLAGE 1 • Rachel Drive & North Town Rd	98 units mixed development
• PARADISE VILLAGE 2 • North Town Rd	23 units mixed development
• ARCADIA • North Town Road	78 units (townhomes)
• OCTOILLO SPRINGS • 400 E. & North Town Rd.	70 units (townhomes)

Coyote Crossing
Quail Creek

HAMBLIN PKWY

ARCADIA

Bella Sol

NORTH TOWN ROAD

Ocotilla Springs

Church

Paradise II

Paradise I

Tuscany Townhomes

Black Hawk

Lova Ridge School

TUSCANY DR

Gubler Park

400 E

Proposed
Pioneer Pointe



PATRICIA DR.

NICHOLAS

JACOB DR.

FIRE
STATION

M.A.
CREDIT
UNION

RACHEL DRIVE

Solace

Desert Village

HARMON'S
CORNER

PIONEER PARKWAY

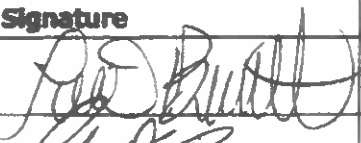
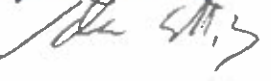
Petition to REQUEST THAT ZONING NOT BE CHANGED FOR THE PARKWOOD DEVELOPMENT OFF OF PIONEER PARKWAY BETWEEN PATRICIA AND IVINS

Petition summary and background	Developer is proposing that the zoning be changed to allow for more units than the current zoning which allows only 8 per acre, which we want it to stay as is and be single family homes
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act in our behalf and say NO to changes.

[illegible]

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Printed Name	Signature	Address	Comment	Date
Tori Bunnell		2273 Jacob Dr	Please listen to the people that voted you in office	7/19/22 ✓
Robert Bunnell		2273 JACOB DR	" " " "	7/14/22 ✓
Kesley H Benson	Kesley H Benson	1866 Red Mountain Dr		9-27-22 ✓
Wyle Bond	Wyle Bond	2255 Jacob Dr		3-20-23 ✓
Margaret Bond	Margaret Bond	2255 Jacob Dr		3-20-23 ✓
Doug Wells		3842 Madison Dr.	RETAIN SINGLE FAMILIES	3-20-23 ✓
ART PANSINE		3866 NICHOLAS DR	NO ZONING CHANGE	3/23/23 ✓
Gary Sorenson		2290 Julie Dr	NO change!	3-23-23 ✓
Paul Boyer	Paul Boyer	2294 Julie Dr	Single Family	3-23-23 ✓
Lynnda Boyer	Lynnda Boyer	2294 Julie Dr	Single family only	3/23-23 ✓
EVA PERLA	Eatula	11655 375 Edwin	Single fam only	3-23-23 ✓
Ann Evans	Ann Evans	3772 Nicholas	Single Family only	3-23-23 ✓
DEBBIE Good		3988 Madison Ave	Single Family Only	3-23-23 ✓
Adam Ellis		2288 Julie Dr	Single Family Please	3/23/23 ✓

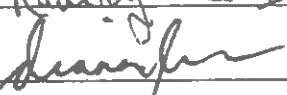
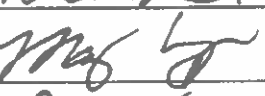
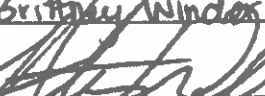
Petition to REQUEST THAT ZONING NOT BE CHANGED FOR THE PARKWOOD DEVELOPMENT OFF OF PIONEER PARKWAY BETWEEN PATRICIA AND IVINS

Petition summary and background	Developer is proposing that the zoning be changed to allow for more units than the current zoning which allows only 8 per acre, which we want it to stay as is and be single family homes
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Printed Name	Signature	Address	Comment	Date
Wayne Klineburg	Wayne Klineburg	2132 ~~W 15th St~~ ^{Rim View}		6-28-22 ✓
Wardon Klineburg	Wardon Klineburg	2132 Rim View		6-28-22 ✓
Wallace D. Evans	Wallace D Evans	2105 Rim View		6-28-22 ✓
Jeanette Evans	Jeanette Evans	2105 Rim View		6-28-22 ✓
Dee Perfection	Dee Perfection	2102 Rim View Dr.		6/28/22 ✓
Claudia Muller	Claudia Muller	2100N Rim View Dr		6/28/22 ✓
BRYAN JACOBS	Bryan Jacobs	2129 RIMVIEW DR		6.28.2022 ✓
Lynn Parker	Lynn Parker	3702 Mitchell Dr.		6.28.2022 ✓
TOM PACE	Tom Pace	3702 MITCHELL DR		6.28.2022 ✓
ALLAN LEE	Allan Lee	3718 MITCHELL DR		6/28/22 ✓
Cynthia Lee	Cynthia Lee	3718 Mitchell Dr.		6/28/22 ✓
FRED J. FAGERSON	Fred J. Fagerston	2324 BRYSON CIR		6/28/22 ✓
Donna Fagerston	Donna Fagerston	2324 Bryson Circle		6/28/22 ✓

Petition to REQUEST THAT ZONING NOT BE CHANGED FOR THE PARKWOOD DEVELOPMENT OFF OF PIONEER PARKWAY BETWEEN PATRICIA AND IVINS

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Printed Name	Signature	Address	Comment	Date
Denise Wilde		2284 Jacob Dr.	- Too much high density housing already	6/25/22 ✓
Michael Wilde		2284 Jacob Dr. Santa Clara		6/25/22 ✓
Genevieve Green		2266 Jacob Dr. San Jose		6-25-22 ✓
Randy Green		2266 Jacob Dr. Santa Clara		6-25-22 ✓
Dianne Bacigalupi		3747 Nicholas Dr. Santa Clara	how are they going to supply water to high density	6/27/22 ✓
Ed Bacigalupi		3747 Nicholas Dr. Santa Clara	whiling when they can't even keep the grass in the park?	6/27/22 ✓
Reed Nicholls		2319 Bryson circle		6/27/22 ✓
Megan Young		3300 Nicholas Dr. Santa Clara		6/27/22 ✓
Scott Bundy		7728 Nicholas Dr. Santa Clara		6-27-22 ✓
Laska Kelsey		3728 Nicholas Dr. Santa Clara		6-27-22 ✓
B. Winder		2322 Julie Dr. Santa Clara		6/27/22 ✓
Austin Winder		2322 Julie Dr. Santa Clara		6/27/22 ✓
John Teller		3136 Nicholas Dr. Santa Clara		6/27/22 ✓

Printed Name	Signature	Address	Comment	Date
David Fella	David Fella	3736 Nicholas Dr So		6/28/22 ✓
Victor Phillips	✓	3758 Nicholas Dr		6-27-22 ✓
Savannah Phillips	Savannah Phillips	3758 Nicholas Dr		6-27-22 ✓
Diane Bennett	Diane Bennett	2305 Jacob Dr.		6-30-22 ✓
Allison Snyder	Allison Snyder	2226 Jacob Dr.		6/30/22 ✓
Ethyn Snyder	Ethyn Snyder	2226 Jacob Dr.		6/30/22 ✓
Brian Reeves	B R	2216 Jacob Dr.		7/1/22 ✓
Ilean Reeves	Ilean M. Reeves	2216 Jacob Dr		7/1/22 ✓
Lane Reeves	Lane Reeves	2216 Jacob Dr		7/1/22 ✓
KAREN BARKER	Karen Barker	2227 JACOB DR.		7/2/22 ✓
JESSICA BARKER	Jessica Barker	2227 JACOB DR.		7/2/22 ✓
Gwen Smith	Gwen Smith	3767 Mitchell Dr		7/2/22 ✓
Michael D Smith	Michael D Smith	3767 Mitchell Dr		7/2/22 ✓
Brittini Hawkins	Brittini Hawkins	2211 Jacob Dr.		8/4/22 ✓
Dan B Wood	Dan B Wood	3550 Robbin Ct		7/4/22 ✓
Julie C. Wood	Julie C. Wood	3550 Robbin Ct		7/4/22 ✓

Printed Name	Signature	Address	Comment	Date
Amy Mair	Amy B Mair	2273 Julie dr. ^{Santa Clara}	We don't want to be boxed in and completely surrounded by transit housing	6/28/2022 ✓
Michael Cain	Michael W Cain	2286 Joshua Circle	We need the current zoning	4/29/2022 ✓
DAVID POND	[Signature]	2322 Joshua Cir.	Keep Current zoning. No more High Density	6/30/2022 ✓
Meredith Pond	Meredith Pond	2322 Joshua Cir	Keep zoning as-is! STOP high density!	6/30/2022 ✓
ern addiego	[Signature]	2273 Joshua Cir		6/30/2022 ✓
Jan Cain	Jan M. Cain	2286 Joshua Cir.	Keep current zoning R-1	6/30/22 ✓
Mark Reese	[Signature]	2287 Joshua Cir	~~3~~	6/30/22 ✓
Theresa Fife	Theresa K. Fife	2267 Bryson Circle	too much demand on parks, water, roads	6/30/22 ✓
Joseph Fife	Joseph Fife	2267 Bryson Circle	Too much demand. Prefer current zoning	6/30/22 ✓
Stephanie Hall	Stephanie Hall	2253 Bryson Circle	Keep current zoning	6/30/22 ✓
KEVIN J. BAXTER	[Signature]	2288 Bryson Circle	KEEP current zoning	6/30/22 ✓
Amanda Baxter	[Signature]	2288 Bryson Cir	Keep single family	4/30/22 ✓
Heidi Lee	[Signature]	2312 Jacobs Drive	Plenty of high density in surrounding areas - keep current zoning	7/1/22 ✓
Michael LEE	[Signature]	2312 JACOBS DRIVE	" " " "	7/1/22 ✓

Petition to REQUEST THAT ZONING NOT BE CHANGED FOR THE PARKWOOD DEVELOPMENT OFF OF PIONEER PARKWAY BETWEEN PATRICIA AND IVINS

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Printed Name	Signature	Address	Comment	Date
~~Joseph Robinson~~	~~[Signature]~~	~~3834 Brenna Dr.~~		~~6/21/22~~ ✓
~~LR~~ Lori L Rogers	~~[Signature]~~	~~3819 Mitchell Drive~~		~~6-27-22~~ ✓
Ben Smith	[Signature]	3848 Mitchell Dr		6-30-22 ✓
Charlyn Smith	[Signature]	3848 Mitchell Dr		6-30-22 ✓
Christy Miller	[Signature]	4490 Sagebrush		6/30/22 ✓
Nicole Payne	[Signature]	3880 Mitchell Dr.		6-30-22 ✓
TRAVIS MARS	[Signature]	3804 Mitchell Dr.		6-30-22 ✓
Nick & Alvina Hardy	[Signature]	3912 Mitchell Dr		6/30/22 ✓
Steve & Chelsea Todd	[Signature]	3930 Mitchell Dr		6-30-22 ✓
Mike + Vicki Hill	[Signature]	3899 Brenna Dr.		6-30-22 ✗
Karl & Sharon	[Signature]	2046 Thornton Tr.		6-30-22 ✓
Vern & Linda Hermanson	[Signature]	3905 Mitchell Drive		7/13/22 ✓

Petition to REQUEST THAT ZONING NOT BE CHANGED FOR THE PARKWOOD DEVELOPMENT OFF OF PIONEER PARKWAY BETWEEN PATRICIA AND IVINS

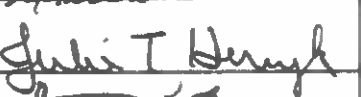
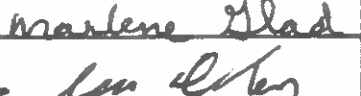
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Printed Name	Signature	Address	Comment	Date
Marlene Robinson	Marlene Robinson	3824 Brenna Dr Santa Clara	we do not want zoning changed. Please keep as is single family homes	6-27-22 ✓
Roy Warren	Roy Warren	3828 Brenna Dr. Santa Clara	Need to keep single family homes	6-27-22 ✓
Christine Warren	Christine Warren	3828 Brenna Dr. Santa Clara		6-27-22 ✓
Emily Ivie	Emily Ivie	3843 Brenna Dr. Santa Clara		6-27-22 ✓
Abraham Ivie	Abraham Ivie	3843 Brenna Dr. Santa Clara		6-27-22 ✓
Connie Moser	Connie Moser	3819 Brenna Dr	want just homes too many cars	6-27-22 ✓
Reed Moser	Reed Moser	3819 Brenna Dr.		6/29/22 ✓
Clarett Glenn	Clarett Glenn	3931 Brenna Dr		6-27-22 ✓
Valeria Glenn	Valeria Glenn	3921 Brenna Dr.		6/27/22 ✓
WERAUD Tower	WERAUD Tower	3934 Brenna Dr		6/27/22 ✓
Gretchen Tower	Gretchen C. Tower	3934 Brenna Dr.	Don't change current zoning	6/27/2022 ✓
MARCIA Moss	MARCIA Moss	3943 BRENNALDE		6/27/2022 ✓
Daryl Moss	Daryl Moss	3943 Brenna Dr		6/27/2022 ✓

Printed Name	Signature	Address	Comment	Date
Tamara Jensen	Tamara Jensen	3020 Lord's Ln		6-28-22 ✓
Cortin Nuy	Cortin Nuy	3926 London Ln		6/28-22 ✓
Darrian VanValken	Darrian VanValken	~~3870~~ London IN		✓
Naomi Kauhane	Naomi Kauhane	3879 London Ln		6/28/22 ?
Kim Carty	Kim Carty	3838 London Ln		6/28/22 ✓
William DYE	William Dye	3821 London Ln		6-28-22 ?
Mollie Dye	Mollie Dye	3821 London Ln		6-28-22 ?
Margaret S. Morris	Margaret S. Morris	3815 London		6-28-22 ✓
DONALD K. MORRIS	Donald K. Morris	3815 LONDON		6/28/2022 ✓
Pamela Walker	Pamela K. Walker	3826 London Lane		6.28.22 ✓
Andrea Miller	Andrea Miller	3833 London Lane		6-28-22 ✓
Bruce Miller	Bruce Miller	3833 London Lane		6-28-22 ✓
MICHAEL D. SMITH COL USMC (Ret)	Michael D. Smith	3810 Rachel Dr		6-30-22 ✓
Carol Smith	Carol Smith	3810 Rachel Dr.		6-30-22 ✓
Nathan Coplin	Nate Coplin	2110 Thomas Trail	Consider the property rights and values of ordinary citizens, Not just certain ones.	6-30-2022 ✓

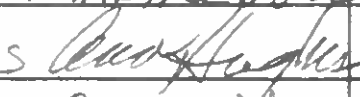
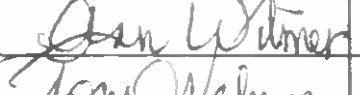
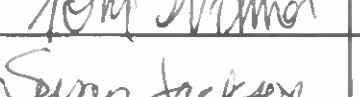
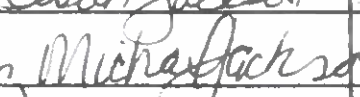
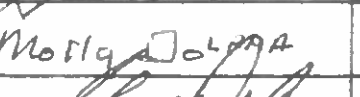
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Printed Name	Signature	Address	Comment	Date
Marilyn Roberts		3975 Brenna Dr.		6/27/22 ✓
Diane Chevier		3972 Brenna Dr.		6/27/22 ✓
Julie Hercyk		3818 Brenna Dr		6/28/22 ✓
Wanda Nix		3874 Mitchell		6-28-22 ✓
Tiffany Fairbairn		3969 Mitchell Dr.		6-29-22 ✓
Phil Fairbairn		3969 Mitchell Dr		6-29-22 ✓
Jane Love		3955 Mitchell Dr.		6-29-22 ✓
Richard Love		3955 Mitchell Dr		6-29-22 ✓
Marlene Glad		3923 Mitchell Dr.		6-29-22 ✓
William Glad		3923 Mitchell Dr		6-29-22 ✓
Erica Muno		3865 Mitchell Dr.		6-29-22 ✓
Nate Muno		3865 Mitchell Dr.		6-29-22 ✓
Davis Rogers		3817 Mitchell Dr		6-29-22 ✓

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Printed Name	Signature	Address	Comment	Date
DEBBIE BOOD		3988 Madison Ave		6-28 ✓
CLARENCE BOOD	CLARENCE BOOD	3988 Madison Ave		6-28 ✓
Ann Hughes		2223 Sheron Dr.	Only single Family Homes	6-28 ✓
Ann Wilmer		3962 Madison		6-28 ✓
Tom Wilmer		3962 Madison Ave		6-28 ✓
Susan Jackson		3901 Madison Ave		6-28 ✓
Michael Jackson		3901 Madison Ave		6/28 ✓
Bevera Smart		3421 London Ln		6/28 ✓
MICHAEL WALTER		3903 LONDON LN		6/28 ✓
Chris Christensen		3902 London Ln		6/28 ✓
RICHARD OLSEN		3910 London Ln		6-28 ✓
Moeley Dolara	Molly Dolara	3951 London Ln		6/28 ✓
GARY DOLARA		3951 London Ln		6/28 ✓

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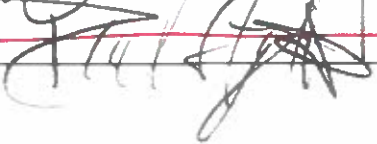
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Printed Name	Signature	Address	Comment	Date
Rachel Sucha	Rachel Sucha	3437 Robbins Ct		6/27/22 ✓
Carol Tatum	Carol Tatum	2228 Thomas Trl		6/27/22 ✓
CARON Jenson	Caron Jenson	3823 Madison Ave		6-27-22 ✓
Bill Meehan	Bill Meehan	3817 Madison Ave		6-27-22 ✓
Josh Green	Josh Green	3877 Madison Ave		6/27/22 ✓
Jack Gunn	Jack Gunn	3868 Madison Ave		6-27-22 ✓
Polly Bringham	Polly Bringham	3856 Madison Ave		6/27/22 ✓
Nadine Benefield	N. Benefield	3873 Madison Ave		6/27/22 ✓
Avery Broadbent	Avery Broadbent	3900 Madison Avenue		6/27/22 ✓
Ethan Broadbent	Ethan Broadbent	3900 Madison Ave		6/27/22 ✓
Drake Broadbent	Drake Broadbent	3900 Madison Ave		6/27/22 ✓
Debra Bauer	Debra Bauer	3908 Madison Ave		6/27/22 ✓
KNUTTER MORRIS	KNUTTER MORRIS	3974 MADISON		6/26/22 ✓

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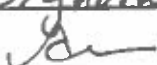
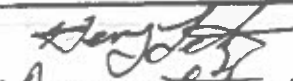
Printed Name	Signature	Address	Comment	Date
Vicki L. Phelps	Vicki L. Phelps	2157 Thomas Trail	Single family homes are best for this area	6-30-22 ✓
Steve D. Phelps	Steve D. Phelps	2157 Thomas Trail		6-30-22 ✓
Lucille Hunt	Lucille Hunt	3847 Mitchell Dr.		6/30/22 ✓
Calvin Hunt	Calvin Hunt	3847 Mitchell Drive		6/30/22 ✓
Cheryl Fowers	Cheryl Fowers	2214 Thomas Trail		6/30/22 ✓
ER. LINJNER	[Signature]	2184 THOMAS TRAIL		6/30/22 ✓
S. FIEDLER	S. Fiedler	2481 Thomas Trail		6/30/22 ✓
JANET HARPER	Janet Harper	2166 THOMAS TRAIL		6/30/22 ✓
Beverly Harper	Beverly Harper	2166 Thomas Trail		6-30-22 ✓
Christina Capin	Christina Capin	2110 Thomas Trail		6-30-22 ✓

Printed Name	Signature	Address	Comment	Date
Sonny Saipale		2123 Sheron Drive		7-7-22 ✓
Wendy Saipale		2123 Sheron Drive		7-7-22 ✓
MICHAEL D SMITH	Michael D Smith	3810 Rachel Dr		~~8 AUG 2022~~ JULY 8 ✓
Lois Kay Hoxsie	Lois K. Hoxsie	3865 Tess Lane		7/9/2022 ✓
George G. Hoxie	George G. Hoxie	" "		7/9/2022 ✓
Bonnie Miles	Bonnie Miles	3957 Tess Lane	Totally oppose this!	7/11/22 ✓
Steve Miller		3820 Tess LN		7/12/22 ✓
Judy Miller	Judy Miller	3820 Tess Lane		7/12/22 ✓
Judy Williams	Judy Williams	3838 Tess Ln		7/12/22 ✓
~~Ros Weaver~~	~~Ros Weaver~~	3924 Harmony Way		7/19/22 ✓
Sandra S. Weaver	Sandra S. Weaver	3924 Harmony Way	Opposed -! Water!	7/19/22 ✓
Charles Sylvester		3933 Sweetwater Drive		7/19/22 ✓
Mary Sylvester	Mary Sylvester	3933 Sweetwater Dr.	Opposed -! Water	7-19-22 ✓
Karen Cole	Karen Cole	3900 Tess LN	Totally Opposed	9-19-22 ✓
Paul Styka		3895 Sweetwater Dr		7-20-22 ✓

Printed Name	Signature	Address	Comment	Date
NORAL JOHNSTON	N I Johnston	3973 TESS LN. SANTA CLARA, UT	OPPOSITION TO ZONING REG	7/22/22 ✓
Joan Johnston	Joan P Johnston	3973 TESS Lane Santa Clara, Ut. #	Opposition to Zoning Reg	7/22/22 ✓
Marilyn Hansen	Marilyn Hansen	8837 TESS Lane Santa Clara, Utah	Oppose changing Zoning Regulation	8/6/22 ✓
PETER M. HANSEN	P M. Hansen	3837 TESS LANE SANTA CLARA, UTAH	Opposition to ZONING REG.	8/6/22 ✓
L4 Ann Smith	L Ann Smith	3833 TESS Lane Santa Clara, Utah	Oppose zoning change of regulation	8/6/22 ✓
Michelle Lee	M Lee	2064 Rachel Drive Santa Clara, Utah 84765	Oppose to zoning Reg.	8/8/22 ✓
HOLLY GOUGH	Holly B Gough	2217 Sheron Dr Santa Clara UT 84765	opposed to Changing Zoning Reg	10/3/22 ✓
STEVE GOUGH	Steve Gough	2217 SHERON DR. SANTA CLARA UT 84765	OPPOSED TO CHANGING ZONING REGULATION	10-3-22 ✓
JEAN VAN GRINSVELD	Jean Van Grinsveld	2091 Sheron Dr. Santa Clara 84765	oppose to changing	10-5-22 ✓
Margaret Peterson	Margaret Peterson	2005 Red Creek Rd Santa Clara 84765	opposed to changing	10-17-22 ✓
Ken Peterson	Ken Peterson	2005 Red Creek Rd Santa Clara, UT	Opposed	10-17-22 ✓
Jayne Fitzgerald	Jayne Fitzgerald	3834 Rachel Dr. Santa Clara, UT	Opposed to change	10/17/2022 ✓

Crista

Printed Name	Signature	Address	Comment	Date
Claudia R. Johnson	Claudia R. Johnson	1979 Red Creek Rd.		10/17/22 ✓
~~Lowell Johnson~~	Lowell Johnson	1979 Red Creek Rd.		10/17/22 ✓
Debbie Call	Debra C Call	1971 Red Creek Dr.		10/17/22 ✓
Alan B Call	Alan B. Call	1971 Red Creek Dr.		10/17/22 ✓
Darel E. Nakai	[Signature]	1995 Red Creek Dr.		10/17/22 ✓
Kyle Fisher	[Signature]	1982 RED CREEK DR.		10/17/22 ✓
Liz Fisher	[Signature]	1982 Red Creek Dr.		10/17/22 ✓
Jill Larkin	Jill Larkin	3661 Harmony Way		10/17/22 ✓
Richard Kirkham	Richard J. Kirkham	3893 Sweet Water		10-17/22 ✓
Paul Styke	[Signature]	3895 Sweetwater dr		10-17-22 ✓
Karen J. Styke	Karen J. Styke	3895 Sweetwater dr		10-17-22 ✓
Linda Kirkham	Linda Kirkham	3893 Sweetwater Dr.		10-17-22 ✓
Mike Paull	M. Paull	3886 SWEETWATER dr.		10-17-22 ✓
Jeffrey FELTWELL	Jeffrey Felthwell	3877 SWEETWATER DR		10/17/22 ✓
Kris FELTWELL	Kris Felthwell	3877 SWEETWATER DR		10/17/22 ✓

Print name	Signature	address	Comments	Date
Scott Lee Diane Lee	 Diane Lee	3861 Sweetwater Dr " " "		10/17/2022 ✓
Joan Flandeo		3740 Windmill Dr Santa Clara, UT		10/17/2022 ✓
Mariann Madrigal	Mariann e Madrigal	3840 Sweetwater Dr.		10/17/2022 ✓
Henry Lotzgerich Norma Lotzgerich	 	3858 Sweetwater Drive " "		10/17-22 10/17/22 ✓
Lee Ann Schoonover	 Schoonover	3844 Harmony Dr Santa Clara, UT 84705		10-17-22 ✓
Paul Schoonover	Paul Schoonover	3844 Harmony Way Santa Clara, UT 84705		10-17-2022 ✓

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Linda G. Parker	Linda G. Parker	3944 Rachel Dr. Santa Clara UT		6-30-22 ✓
Garold E. Parker	Garold E. Parker	3944 Rachel Dr Santa Clara UT		6-30-22 ✓
Christa Barker	Christa Barker	3941 Tess Ln Santa Clara, UT	Against this project	6-30-22 ✓
William L. Barker	William L. Barker	3941 TESS LN Santa Clara, UT	11	6-30-22 ✓
Bob GORGETT	Bob GORGETT	4137 Sheron Santa Clara	FUGM	6-30-22 ✓
Judith Gain	Judith Gain	Santa Clara, UT 2129 Sheron Dr.		6-30-22 ✓
John Gain	John Gain	2129 Sheron Dr Santa Clara, UT		6/30/22 ✓
Lucretia E. Brown	Lucretia E. Brown	3895 Tess Lane Santa Clara, UT		7/2/22 ✓
Chesley G. Brown	Chesley G. Brown	3895 Tess Lane Santa Clara, UT		7/2/22 ✓
Sherry Jones	Sherry Jones	Santa Clara UT 3940 Rachel Dr		7-5-22 ✓
Harley Osterma	Harley Osterma	3881 TESS LANE SANTA CLARA UT		7-6-22 ✓
Russell Good	Russell Good	3988 MADISON		7-7-22 ✓
DEBBIE GOOD	Debra Good	3988 Madison Ave		7-7-22 ✓

Printed Name	Signature	Address	Comment	Date
KAREN STYKA	Karen Styka	3895 Sweetwater Dr		7-20-22 ✓
MIKE PAULL	M. Paull	3886 Sweetwater Dr.		7-20-22 ✓
Patricia Hughes-Paull	PJP	3886 Sweetwater Dr		7-20-22 ✓
JAMES PERRERA	James Perrera	3878 Rachel Dr		7-20-22 ✓
DIANNA PERRERA	Dianna Perrera	3878 Rachel Dr.		7-20-22 ✓
Kimberley Dawson	Kimberley Dawson	3950 London Ln		7-22-22 ✓
Peter Dawson	Peter Dawson	3950 London Lane		7/22/22 ✓
Jill Larkin	Jill Larkin	3881 Harmony Way Santa Clara		7.22.22 ✓
Chase Larkin	Chase Larkin	3881 Harmony Way		7/22/22 ✓
Deborah Zandary	Deborah Zandary	3922 Harmony Way		7/22/22 ✓
Dennis ZASADY	Dennis Zandary	3922 Harmony Way		7/22/22 ✓
CHERYL A. MILLER	Cheryl Miller	3951 Rachel Drive		7/27/22 ✓
Heidra Crisp	Heidra Crisp	3860 Sweetwater Dr		7/29/22 ✓
Willie Jorgensen	Willie Jorgensen	3919 Harmony Way		7/30/22 ✓
RICK JORGENSEN	Rick Jorgensen	3919 Harmony way		7/30/22 ✓

Jim McNulty

From: Jim McNulty
Sent: Thursday, March 23, 2023 8:11 PM
To: Selena Nez
Subject: FW: Zone Change on Pioneer and Patrica Dr Clayton Leavitt

Email from resident sent to PC members.

Jim McNulty

Planning & Economic Development Manager
Santa Clara City
(435) 656-4690, Ext. 225
jmcnulty@sccity.org

From: Cherise Spencer <cherisespencer@gmail.com>
Sent: Thursday, March 23, 2023 1:11 PM
To: Matt Ence <mence@snowjensen.com>
Cc: Jim McNulty <jmcnulty@sccity.org>
Subject: Re: Zone Change on Pioneer and Patrica Dr Clayton Leavitt

Matt I want to thank you for taking the time to reply to my email and Jim thank you for forwarding my email onto other people. I listen to most council and commission meetings and I appreciate all of your efforts and hardwork you do for the City of Santa Clara. You both make it a great place to live next to and I too want my kids and grandkids to literally stay here not just in washington county but in Santa clara / Ivins.

Thanks again,

Cherise Spencer

On Wed, Mar 22, 2023 at 5:35 PM Matt Ence <mence@snowjensen.com> wrote:

Ms. Spencer,

I hope you are doing well today. My law firm serves as the city attorney for Santa Clara City. Jim McNulty forwarded your email to the members of the planning commission so they can consider your comments in conjunction with the upcoming public hearing. Jim also shared your email with me given your question about the pending legislation which may affect the city's plat approval process.

It's my understanding that the legislation you've referenced has not yet been signed into law. With that as context, the short answer to your question is that if the law does go into effect, then the City will have to consider how best to comply with the law.

The long answer: Given that there are dozens of bills debated in the legislature every year that could affect the city, it's difficult to consider them all before they are adopted. We are aware of this particular law but have not yet fully considered how it will affect the city's procedures or how the city's ordinances and policies would need to be amended in order to carry out the intent of the law. I can say that my initial impression is that it will probably have little practical effect on what plats are approved or not approved by the city. This is because the plat approval process is already much more administrative in nature than zone changes or general plan changes, which are purely legislative decisions in which the city council has significant power, as the elected legislative body of the city, to determine future land uses throughout the city. Plats are always considered in the context of earlier legislative land use decisions, and typically just carry out (or "administer") the land use policies already put in place with those earlier decisions.

You also asked a question about the effect of the general plan, which I will try to answer. The city will generally approve zoning applications that are compatible with the general plan. However, the general plan is, by definition, "general" in nature and cannot anticipate every eventuality or potential application. There are also many factors that the planning commission and city council may consider when any land application comes before them, some of which are listed here: <https://codelibrary.amlegal.com/codes/santaclaraut/latest/santaclaraut/0-0-0-6177>

These factors often have to be balanced, and some of them may be in direct opposition to one another. For example, the city council is always concerned with the impact of an application on the health, safety, and welfare of the city generally, but is also always concerned about not unnecessarily limiting the property rights of the applicant. Ultimately, as mentioned above when the city council makes a final land use decision the law gives the council significant deference, as long as the decision is not arbitrary, capricious, or illegal.

Your email contains many other questions about the application itself, most of which would be best answered by the applicant himself, Mr. Leavitt. I'd encourage you to reach out to him. Also all public meetings are recorded and available on the City's YouTube channel, along with the official minutes which become available later once approved. Hope this all helps.

Matthew J. Ence | Attorney - Shareholder

SNOW JENSEN & REECE

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(435) 628-3688 | Fax (435) 628-3275 | mence@snowjensen.com | www.snowjensen.com

[Click here to send me files.](#)

From: Cherise Spencer <cherisespencer@gmail.com>

Sent: Wednesday, March 22, 2023 11:52 AM

To: Jim McNulty <jmcnulty@sccity.org>

Subject: Zone Change on Pioneer and Patrica Dr Clayton Leavitt

Hi Jim

I am not exactly sure if I am supposed to email you for public comment on the zone change for this parcel or if I am supposed to email the commissioners, but I was unable to find their emails on the city website so if you could forward this along that would be greatly appreciated.

I live in Heritage Estates in Ivins which is west of this parcel. I know I am not a Santa Clara resident, but I grew up in Santa Clara and when I bought a home I tried to live as close as possible to the town I love. With that being said I am reaching out because of the rezoning proposal made by Clayton Leavitt from R-1-10 single family residential to planned development residential PDR Zone. I am unable to attend this public hearing which is why I am sending you an email instead of addressing you in person.

I went back and listened to the work meeting that was held last May about this parcel. As you may remember the council made it sound like they were more open for a project that was closer to a R-1-6 then what he was originally suggesting. I appreciate that it looks like he is trying to compromise with more single family homes, but those lots still look a lot smaller than R-1-6 or even R-1-5, but maybe I am wrong about that. Can you tell me what size lots those are along 400 East? I worry about the zone changing to PDR zone instead of something like a R-1-6 zone, that would still give Mr. Leavitt more density. Clearly it is a concern when you purchase property and see a zone of R-1-10 on a parcel and now the developer wants to more than double the units. I understand that the general plan shows a possibility of medium density, but is it required that the city change the zone for the developers if it's in the general plan? I have a concern with how many units have already been approved up on the heights in Santa Clara which I am sure you are aware of is a total of 2,633 units (I listed them below just for reference). I think Santa Clara is trying to do their part to offer different types of housing for different income levels and I completely agree, but to echo Council member Jeron Waite "it's important for the neighbors to look across the street and still feel like they are in Santa Clara". I also can't help but wonder does it really help medium income to lower income by forcing them to pay a HOA fee instead of being able to purchase a lot and build a home and possibly being able to do sweat equity to help with costs? Do we know if Mr. Leavitt will be charging a HOA fee and what that might be? Will the subdivision really help to keep his kids and grandkids in the area like he states or does it help the developer more by building more units? I truly hope that my children and grandchildren will be able to stay in the area like I was able to, but I can't help but wonder if these PDR developments are the way to go. When was the last time a parcel on the heights was just zoned a residential zone with building lots like you are doing South of the Santa Clara River?

Developments up on the Santa Clara Heights North of Pioneer parkway

Black Desert - 1900 units

Solace - 128 single family

56 townhomes

Desert Village - 185 townhomes

Coyote Landing - 120 townhomes

Quail Crossing - 120 apartments

Silverado - 96 apartments

28 man cave / studio apartments

One last question that I have is that the Utah Legislature has passed a bill that is sitting in the governor's office waiting to be signed, SB0174 Local Land Use and Development Revisions. I am not really well versed in legislation, but one section states under **10-9a-604.1. Process for subdivision review and approval.**

(7) With respect to a preliminary application to subdivide land, an administrative land

411 use authority may:

412 (a) receive public comment; and

413 (b) hold no more than one public hearing.

414 (8) If a preliminary subdivision application complies with the applicable municipal

415 ordinances and the requirements of this section, the administrative land use authority shall

416 approve the preliminary subdivision application.

Does this mean if the zone gets changed from R-1-10 to the PDR he is asking for and then sells the property the city is required to approve the preliminary subdivision application as long as the subdivision adheres to all the city ordinances? Does this section change anything going forward for the city? I just want to make sure that the law is understood before a zone is changed and then the city is required to approve a subdivision that it didn't actually intend to have.

I know this is a long email and I appreciate you taking the time and I hope to hear back from you about this possible new state law.

Thank you

Cherise Spencer

Heritage Estates in Ivins

Jim McNulty

From: Jim McNulty
Sent: Wednesday, March 22, 2023 4:35 PM
To: Mark Hendrickson; blokesmail; mark; Shelly Harris; CURTIS WHITEHEAD; ryananderson73@gmail.com; james@realtycandy.com
Cc: mence@snowjensen.com
Subject: FW: Devin Ferguson Letter

Importance: High

All:

Please see the attached letter regarding the Pioneer Pointe Application. Matt Ence and I discussed this afternoon, and I will forward any emails I receive between now and tomorrow to PC members for your review. Any emails received by city staff will be added to the recorded with the PC Minutes once approved. I will be sending you one (1) additional email received this afternoon. We'll see if more come in tomorrow. Thx!

Jim McNulty
Planning & Economic Development Manager Santa Clara City
(435) 656-4690, Ext. 225
jmcnulty@sccity.org

-----Original Message-----

From: Mark Hendrickson <markh@hbworkplaces.com>
Sent: Wednesday, March 22, 2023 10:36 AM
To: Selena Nez <snez@sccity.org>; Jim McNulty <jmcnulty@sccity.org>; CURTIS WHITEHEAD <curtiswhitehead@yahoo.com>
Subject: Devin Ferguson Letter

Curtis received this from a neighbor to the project. Please include this in our Public Comments please.

Hi Curtis,

Below is my message that hope to be shared at the meeting tomorrow night.

Unfortunately I won't be able to be at the meeting Thursday. This has me extremely concerned because they need to see the BIG picture of how it affects our neighborhood and those nearby to this development.

Leavitt KNEW what he was up against when he bought the property and with the changes he pushing hard for his dreams to pay off BUT it will come at our expense!

The Planning Commission and City Council/Mayor with exception of one, don't live in this area and won't see, feel or hear the results of this kind of development going in around us.

They have to understand that it negatively affect us:

FINANCIALLY through lower property values and sellability down the road.

TRAFFIC from high density projects on Rachel that are still now fully occupied, Leavitts current project West of Arcadia, the newly approved Horizontal Hotel in Ivins a 1/4 mile North of Lava Ridge AND all of the traffic from the Black Desert Project will dump commuters onto Pioneer at Ted Mountain Drive as well as daily trips to the retail stores in the area.

ENOUGH IS ENOUGH!!!!!!

If Leavitt will leave the density as it is currently AND have feel like a connected extension of the neighborhood where Nicholas Drive would be the blending factor, THEN I would be happy 😊.

I moved here to this neighborhood in 2010 because it felt like home and a peaceful place to live forever, but what a difference this City Government has done to us. The peace and quiet is gone and the stars at night are fading away into the Light Polution.

Next we'll see Crime go up which always comes with lower property values and temporary resident living.

Someone please include my comments in your presentation to the Planning Commission.

Thank You,
Devin Ferguson

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Jim McNulty

From: Chris Shelley
Sent: Monday, April 3, 2023 8:28 AM
To: Jim McNulty
Subject: FW: Santa Clara property off of 400 E.

FYI, Maybe put with the petition.

-----Original Message-----

From: Aubrey Forest <aubence@yahoo.com>
Sent: Sunday, April 2, 2023 9:45 PM
To: Chris Shelley <cshelley@sccity.org>
Subject: Santa Clara property off of 400 E.

Hi... this is Aubrey Forest. My address is 1115 S 375 E, Ivins UT 84738. My back yard faces the property on 400 E In Santa Clara that they are trying to re-zone.

I'm writing to you because we don't want to let them re-zone this property. We already have too many people traveling on 400 E. that causes a lot of congestion. We would like to still see this zoned as single-family residence.

Thank you

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Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



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

CITY COUNCIL

Meeting Date: 4-12-23

Agenda Item: 6

Applicant: Dustin
Mouritsen

Requested by: Dustin Mouritsen

Subject: Consider approval of the Spring Slurry Seal project to the low bidder Morgan Pavement @0.179 cents per sq. ft. for 1,700,600 sq. ft. of slurry seal for the total project price of \$304,407.00.

Recommendation:
Approval

Attachments:
Yes

Cost: \$ 3 0 4 , 4 0 7 . 0 0

Legal Approval: Yes

Finance Approval: Yes

Budget Approval: Yes

Bid Tabulation - 3/28/2023
Ivins City
Project - 2023 Spring Pavement Maintenance Contract

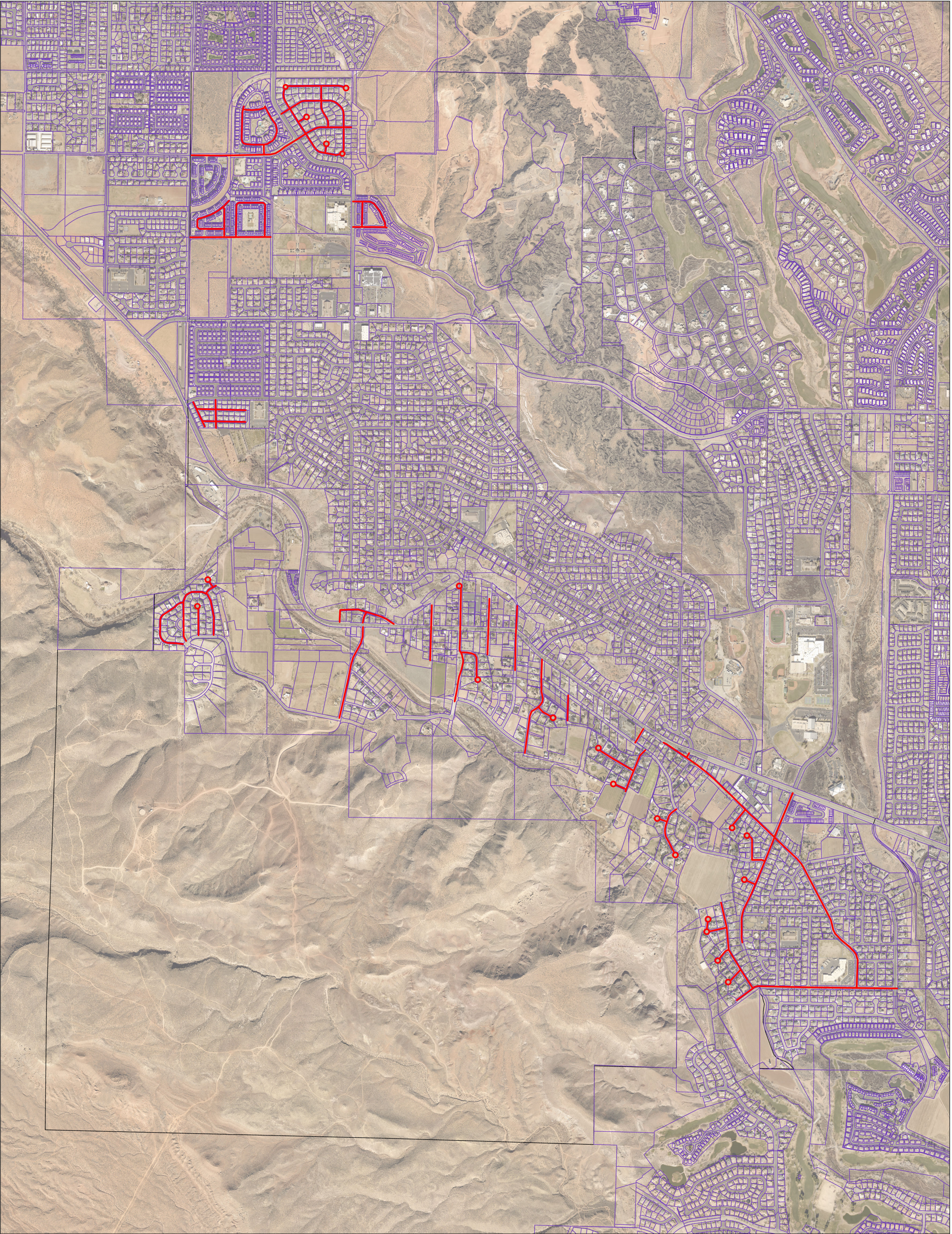
SLURRY SEAL - IVINS CITY

Morgan Pavement						Asphalt Preservation		M&M	
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Slurry Seal Type II with 3% latex, apply at 15 to 18 lbs per sy	731,651	SF	\$ 0.178	\$ 130,233.88	\$ 0.1830	\$ 133,892.13	\$ 0.210	\$ 153,646.71
TOTAL				\$	130,233.88	\$	133,892.13	\$	153,646.71

SLURRY SEAL - SANTA CLARA

Morgan Pavement						Asphalt Preservation		M&M	
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Slurry Seal Type II with 3% latex, apply at 15 to 18 lbs per sy	2,064,965	SF	\$ 0.179	\$ 369,215.74		\$ -	\$ 0.210	\$ 433,642.65
TOTAL				\$	369,215.74	\$	-	\$	433,642.65

SANTA CLARA SLURRY SEAL PROJECT 2023



Santa Clara Slurry Project

- Slurry
- ▭ Parcels
- ▭ Municipalities



SANTA CLARA SLURRY SEAL PROJECT 2023

<u>STREET ADDRESS</u>	<u>SQUARE FOOTAGE</u>	<u>STREET ADDRESS</u>	<u>SQUARE FOOTAGE</u>
Malaga	210,735	Boomer's Loop	552
Claude	25,515	Squaw Bush	225
Legrande	10,800	Boy's Pond	6,361
Michael	11,196	Colby Loop	28,425
Marion	19,908	Red Creek	12,500
Arrowhead	202,230	Ancestor Way	35,455
Lava Flow	89,775	Sweet Water	20,800
Meadowview Cir	9,000	Harmony Way	19,734
Black Rock	16,730	North Town-Rachel	26,216
Vineyard Black Rock-Lava Flow	4,896	Kenzie's Way	70,122
Arrowhead Cir	13,720	Bella Sol	50,286
River Front	22,295	Monte Vista	17,777
River Cir	6,580	Colina Way	5,541
Riverwood Ln	22,645	Coopere's Cir	5,541
Cottonwood Ln	20,590	Heritage Point	784
New cul-de-sac	6,082	Tuscany	45,570
Caymus Ln	10,800	Bella Vista	30,160
Heights Dr Vineyard	7,685	Manzoni	11,375
Sommerset Cir	11,830	Blackhawk	37,500
Old Farm	48,440	Lava Ln	18,000
Summerwood Cir	23,835	School Way	10,000
Chapel	56,300	Settler's Way	32,500
Vernon 1310-Santa Clara Dr	33,690	Park St	28,750
Victor's	26,730	Trail St	3,750
Quail	28,875	Resort Dr	5,092
Hamblin	23,525	Vacation Way	2,300
Gates -Santa Clara Dr	5,125	Arcadia Dr	<u>69,000</u>
		Total Sq Ft	1,700,600



Mayor

Rick Rosenberg

City Manager

Brock Jacobsen



City Council

Denny Drake

Leina Mathis

Ben Shakespeare

Jarett Waite

Christa Hinton

CITY COUNCIL

Meeting Date:

Agenda Item: 7

Applicant: Santa Clara City

Requested by: Brock Jacobsen

Subject: Request to have Washington County Commission put 1 % Sales Tax for EMS on Ballot

Description:

During the 2023 legislative session a bill was passed amending previous legislation. The amendment, HB 392, allowed for a second class county which has one national park and at least two state parks to fund EMS through the enactment of up to a 1 % sales tax on eligible items. Utah Code 59-12-8 Funding for Health Care requires the approval of the majority of the county's legislative body. Following the approval of the county commission to enact the 1 % sales tax, it will then need approval of the registered voters residing in Santa Clara. The city is asking the county commission to put the 1 % sales tax for EMS on the first available Election date.

Recommendation: Approval

Attachments:

Cost: N/A

Legal Approval: N/A

Finance Approval: Yes

Budget Approval: N/A

2603 Santa Clara Drive, Santa Clara, Utah 84765

Phone (435) 673-6712 Fax (435) 628-7338

**CITY OF SANTA CLARA
RESOLUTION NO. 2023-08R**

**A RESOLUTION REQUESTING THE WASHINGTON COUNTY COMMISSION
ENACT A 1% SALES TAX TO FUND THE PROVISION OF EMERGENCY MEDICAL
SERVICES BY SANTA CLARA/IVINS FIRE & RESCUE**

WHEREAS, the Santa Clara City currently operates, with funding from Santa Clara City and Ivins City, the Santa Clara/Ivins Fire & Rescue Department (“SCI Fire”), which provides fire, emergency medical services (“EMS”), and rescue services within a service area covering both cities and a portion of unincorporated Washington County; and

WHEREAS, the citizens residing in Santa Clara City and Ivins City have a disparate funding impact due in part to the disproportionate number of visitors or tourists requiring services from SCI Fire, and the fact that the SCI Fire service area includes a portion of unincorporated Washington County, whose residents do not participate in funding of SCI Fire; and

WHEREAS, imposing a sales tax will help to mitigate the need for other new funding sources for SCI Fire, including but not limited to an increase in property taxes, ensuring that a larger portion of the costs of SCI Fire services is funded by sales taxes within the SCI Fire service area, which are paid by residents of the cities, residents of the unincorporated county which is part of the SCI Fire service area, and visitors to the SCI Fire service area; and

WHEREAS, the Utah State Legislature has authorized a County of the Second Class which has a National Park and at least two Utah State Parks to fund EMS through the enactment of up to a 1% a sale tax on eligible items to fund EMS operations; and

WHEREAS, Utah Code § 59-12-802 requires approval to impose the tax from a majority of the members of the county's legislative body, and from a majority of the members of the legislative body of each municipality located within the affected area; and

WHEREAS, in addition to the approval of the county and municipal legislative bodies, the registered voters residing within the affected area must vote on the imposition of the tax; and

WHEREAS, August 15, 2023, is the first available date to present the sales tax proposition to the registered voters residing in the SCI Fire service area; and

WHEREAS, the County may present a ballot proposition before the voters that may read,

Shall Washington County adopt a sales tax of up to 1% on eligible sales within the boundaries of the Santa Clara/Ivins Fire & Rescue service area and use the money collected from the tax to fund emergency medical services (“EMS”) provided within said service area?

and

WHEREAS, presenting the ballot proposition to the voters satisfies the requirements established by Code; and

WHEREAS, the enactment of a sales tax will help meet SCI Fire's 2024 funding requirements, and mitigate the need to establish other sources of revenue from residents of the SCI Fire service area, including but not limited to a potential increase in property taxes.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF SANTA CLARA CITY requests that the Washington County Commission approve the imposition of up to 1% sales tax on eligible purchases within the boundaries of the SCI Fire service area, and place the proposition before the voters on the August 15, 2023 ballot.

This resolution shall be effective on the date it is adopted.

RESOLVED by a duly constituted quorum of the Santa Clara City Council this 12th day of April, 2023.

SANTA CLARA CITY

Rick Rosenberg, Mayor

ATTEST:

Chris Shelley, City Recorder