

**CITY OF SANTA CLARA, UTAH
ORDINANCE NO. 2017-14**

AN ORDINANCE AMENDING CHAPTER 17.74 OF THE MUNICIPAL CODE OF THE CITY OF SANTA CLARA, UTAH, “HISTORIC DISTRICT/MIXED USE ZONE,” AS RECOMMENDED BY THE HERITAGE COMMISSION AND CITY STAFF.

WHEREAS, the Heritage Commission of the City of Santa Clara and City staff have reviewed the Historic District/Mixed Use Zone ordinance, and have recommended certain amendments to update the same; and

WHEREAS, the amendments recommended include changing the term “multi-family dwellings” to “two-family dwellings” to limit the type of dwelling permitted in the zone, reducing the minimum single-family lot size in the zone from 10,000 square feet to 6,000 square feet, establishing the minimum lot width as 70 feet, and other changes; and

WHEREAS, the City Council has considered the proposed amendments, and determined that the same are in the best interest of the health, safety and welfare of the City and its citizens, and that the same can be incorporated into Chapter 17.74 of the City Code, as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Santa Clara, Utah, that Chapter 17.74 “Historic District/Mixed Use Zone” be amended in the Santa Clara Municipal Code as stated below:

SECTION 1. Amendment:

The following sections shall be amended as set forth below. Additions are indicated by underlining, while deletions are indicated with strikethrough. Ellipses indicate the location of current portions of the respective sections which are not intended to be modified by this ordinance.

17.74.010: PURPOSE:

The purpose of the historic district/mixed use zone is:

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

B. ...

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

17.74.030: PERMITTED USES:

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

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

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

Single-family residential dwellings:

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

- A. When attached to a commercial building, or part of a commercial, mixed use development; or
- B. When constructed to the rear of an existing single-family dwelling; or
- C. When constructed on a vacant parcel which does not have frontage on Santa Clara Drive.

Other uses determined by the Planning Commission, with input from the Heritage Commission, as being in harmony with the intent and purpose of the zone.

17.74.035: CONDITIONAL USES:

Subject to the conditions listed herein:

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

- A. Each short term residential rental property shall have one parking space for every bedroom with a minimum of two (2) parking spaces.
- B. The owner, or the property manager, of a short term residential rental property shall obtain a residential business license as required by the city of Santa Clara.
- C. All conditional uses shall meet the requirements of the landscape ordinance of the city.
- D. Short term residential properties shall meet all other standard requirements of the zone.
- E. There shall be no violations of laws, ordinances or regulations of this code, with any violation being grounds for termination/revocation of the conditional use permit.

17.74.040: DIMENSIONAL REQUIREMENTS:

A. Primary Building Height: Primary building height shall be the average height of adjacent units on the same block unless a greater height is approved by the planning commission, upon recommendation from the Heritage Commission, as being necessary for proper compatibility of various elements of the overall development plan, and to ensure that any infill and replacement dwellings are compatible with the dimensions of the adjacent dwellings. Accessory buildings shall not exceed twenty feet (20') in height.

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

C. Front Yard Setbacks: Front yard setbacks shall be twenty feet (20') from the property line unless the dwellings (buildings) on adjacent lots are less than twenty feet (20'), in which case the building may be located at the average of the buildings on each side of the subject parcel. The setback of any building adjacent to the "mercantile" building shall be determined through discussion with, and approval of, the planning commission, but shall not be less than twelve feet (12') from the front property line.

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

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

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

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

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

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

17.74.090: PARKING AREAS:

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C. All driveway and parking areas, unless determined to be temporary in nature, shall be surrounded by a concrete curb or other appropriate material approved by the planning commission. Surface of parking areas may be as approved by the planning commission.

17.74.110: ZONE CHANGE PROCEDURE:

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

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

17.74.130: SITE PLAN REVIEW:

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

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

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

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

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17.74.140: PLAN APPROVAL:

The City Council is empowered, upon recommendation of the Heritage Commission and the Planning Commission, to approve developments if they find them to be capable of accomplishing the identified purposes of, and in compliance with, the requirements of this zone.

After review of the proposed site plan, and following receipt of any recommendations of the Heritage Commission and the city staff, the Planning Commission may recommend the site plan as submitted, or as may be amended as a result of site plan review, to the City Council for final review and approval. Following action by the city council, the applicant may request permits for

the development to be issued by the building department. Upon city council approval, the development project shall be diligently pursued to final completion.

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SECTION 2. Effective date:

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

ADOPTED and approved by a duly constituted quorum of the City Council of the City of Santa Clara, Utah, this 28th day of June, 2017.

IN WITNESS, THERETO:

RICK ROSENBERG, Mayor

ATTEST:

CHRIS SHELLEY, City Recorder