

Chapter 17.74

HISTORIC DISTRICT/MIXED USE ZONE

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 historical 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 historic committee, the planning commission and the city council.
- B. To encourage the continued use, maintenance and special character of homes and businesses in the historic district of the city, this chapter contains provisions allowing for the mixed use of land for residential, commercial, and certain types of research and development uses not found elsewhere in the zoning ordinance. The intent of these provisions is to encourage flexibility and creativity in the design and development of comprehensively planned mixed use of property that would not be possible under conventional zoning districts and planned development zones. Some of the specific purposes of this zone are to:
 1. Encourage residential uses in conjunction with commercial and other compatible activities in order to create an active street life, enhance the vitality of businesses, reduce vehicular traffic and maintain the special character of the historic district;
 2. Encourage orderly, planned development of mixed use developments by providing procedures for plan review and approval, and where appropriate, approve higher density residential uses integrated into the overall mixed use development;
 3. Assure compatibility of proposed land uses with surrounding historic uses by incorporating higher standards of development than could be accomplished under conventional zoning, and to provide flexibility from standard zoning requirements that may not be applicable in a mixed use area;
 4. Strengthen the city's economic base and to provide linkages between employment opportunities and housing;
 5. Encourage and provide for open space for use as setbacks around structures so as to function for the general benefit of the city and public at large as places for relaxation, recreation and social activity;
 6. Encourage and provide for nonvehicular circulation linking developed areas, open spaces and public facilities;

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

17.74.020: FEES AND PERMITS:

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

17.74.030: PERMITTED USES:

Subject to the requirements imposed in this chapter, or as may be approved by the planning commission and city council. Uses within this zone may include:

Childcare nurseries as defined by this title.

Commercial businesses approved by the planning commission.

Exotic animals. No exotic animals may be kept in the historic district/mixed use zone.

Mixed uses within the same building or on the same site. The minimum and maximum component of each use within the development must be approved by the planning commission.

Off street parking facilities.

Office and professional space.

Open space and recreation facilities.

Public and quasi-public buildings and facilities.

Research and technology offices as approved by the planning commission.

Residential dwellings, excluding multi-family.

Very "clean" (no emissions) industry development having strong historic or residential architectural appearance, and as may be approved by the planning commission.

Other uses determined by the planning commission, with input from the historical committee, as being in harmony with the intent and purpose of the zone. (Ord. 2007-01 § 1: Ord. 2004-01 § 2)

17.74.040: DIMENSIONAL REQUIREMENTS:

- A. **Primary Building Height:** Primary building height shall be the average height of adjacent units on the same block. Otherwise, no accessory building shall be erected to a height greater than twenty five feet (25') unless approved by the planning commission as being necessary for proper compatibility of various elements of the overall development plan, and to ensure that existing infill and replacement dwellings are compatible with the dimensions of the adjacent dwellings.
- B. **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.
- C. **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.
- D. **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').
- E. **Rear Yards:** Rear yards shall be a minimum of ten feet (10') unless otherwise approved by the planning commission.
- F. **Multiple Building Setbacks On The Same Lot:** Setbacks between multiple detached buildings on the same lot shall be as approved by the planning commission and in compliance with the fire code identified below.
- G. **Minimum Lot District Size:** Existing lots may be developed at their existing size. Newly created lots shall be a minimum of ten thousand (10,000) square feet or the average of platted lots existing on the block, or as otherwise recommended by the planning commission and approved by the city council. All new buildings shall be located completely on the lot for which the zone change is being requested. All requests for reduced yards shall meet the requirements of the international fire code, as currently adopted, or amended from time to time by the city council.

- H. Density: In existing buildings, the density of residential units will be as recommended by the planning commission and approved by the city council. In new developments the density shall be a minimum of one thousand (1,000) square feet of main floor living space per unit unless otherwise recommended by the planning commission and approved by the city council, plus required parking and landscaped areas. For multiple units on the same lot, a common water meter may be approved, however, each unit shall have a separate electric meter.
- I. Minimum Lot Frontage: The average of adjacent units on the block unless it is approved as a flag lot, or as may be otherwise approved by the planning commission. (Ord. 2007-10 § 3: Ord. 2004-01 § 2)

17.74.050: MODIFYING REGULATIONS:

- A. It is the intent of the city to encourage creative design. Existing historical dwellings and buildings may be preserved and enhanced with commercial, residential or mixed uses.
- B. Open spaces and outdoor living areas are encouraged. Lack of such areas may be the basis for denial of a zone change request. Walls and fences between properties are discouraged. Their proposed use may also be a reason for denial of a request. Circulation between developments in the historic district is encouraged. Visitors to the area should be encouraged to visit, park, walk between developments, and enjoy the time spent in a quiet and relaxing atmosphere. Public access to open space areas will also be considered in approving the development plan.
- C. Cooperation between property owners on adjacent properties will be strongly encouraged and carefully reviewed in the plan approval process. (Ord. 2004-01 § 2)

17.74.060: SUPPLEMENTARY AND QUALIFYING REGULATIONS:

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

17.74.070: WALLS, FENCES AND HEDGES:

Any wall, fence, or hedge proposed to be located on any parcel of land as a part of this zone shall be specifically approved by the planning commission. Walls, fences, and hedges separating adjoining properties, and restricting pedestrian or vehicular circulation are strongly discouraged.

All applicable requirements of [chapter 17.28](#), "Walls, Fences And Hedges", of this title, shall apply unless modified by the planning commission. (Ord. 2004-01 § 2)

17.74.080: ACCESS AND LOADING:

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

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

17.74.090: PARKING AREAS:

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

- A. The planning commission may use the additional requirements of [chapter 17.32](#), "Off Street Parking Requirements", of this title, but shall determine the number of spaces required based upon the plan submitted, and the type of use proposed. Shared parking between adjacent parcels is encouraged. Parking should preferably be located in the side or rear lot areas.
- B. All access drives shall be approved as part of the site plan approval. Reduced widths of driveways will be considered on an individual site plan basis.
- C. All driveway and parking areas, unless determined to be temporary in nature, shall be surrounded by a concrete curb approved by the planning commission. Surface of parking areas may be as approved by the planning commission. (Ord. 2004-01 § 2)

17.74.100: SIGNS:

The requirements of [chapter 17.44](#), "Signs", of this title, will be followed in allowing signs within

the zone, unless otherwise approved by the planning commission in harmony with the intent and purpose of this zone. (Ord. 2004-01 § 2)

17.74.110: NATURAL HAZARDS:

The requirements of [chapter 17.48](#), "Construction Subject To Natural Hazards", of this title, relative to hazards related to site development, will be reviewed by the planning commission as may be applicable to the development plan submitted. (Ord. 2004-01 § 2)

17.74.120: ZONE CHANGE PROCEDURE:

An application to the historic district/mixed use zone shall be made in the same manner as a zone change to any other zone in the city. An application shall be filled out in the city office requesting the zone change. After paying all fees, and submitting all information required by this chapter, or by other chapters of the zoning ordinance where applicable, the zone change will be processed by the city.

Where zoning requests are tied to a parcel of property upon which is located an existing dwelling unit, all requests shall be considered on the basis of creatively maintaining, enhancing and preserving the historical character of the original dwelling as a part of the approved zone change. (Ord. 2004-01 § 2)

17.74.130: SITE PLAN REVIEW:

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

A. Existing Conditions:

1. The boundary line of the property including dimensions of property lines. A disk shall be submitted showing the property survey so that it can be integrated into the city system;
2. The location and names of existing adjacent streets;
3. Topography at two feet (2') intervals unless waived by city staff;
4. The acreage or square footage of the proposed site;
5. The location of all existing structures and the square footage of each;
6. A sketch of the floor plan of all existing buildings including the location of all entrances and

exits;

7. The location of any existing parking or paved areas;
8. The location of accessory buildings, sidewalks, large trees, or other site features planned to be retained as part of the new development;
9. New buildings will require a soils (geotechnical) report to be submitted. A soils report is not required for existing buildings;
10. If storm water runoff is handled on site, a document showing how the drainage will be handled, stamped by an engineer, must be submitted. Credit may be given for on site retention;
11. Any other features required to be identified by the planning commission.

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

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

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

C. Architectural Standards:

1. The architectural character of all existing buildings, including accessory buildings shall not be changed until reviewed and approved as a part of the site plan review and approval of the city.
2. The architectural character of new construction on the site shall harmonize with the existing structure unless otherwise approved by the city as a part of the site plan approved by the city.
3. Developers are encouraged to review early pioneer architecture along Santa Clara Drive, and in adjacent cities such as St. George and Washington, in order to develop an architectural character that is compatible with the early pioneer development of the area.
4. No residential dwelling shall have less than one thousand (1,000) 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 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. For all properties having frontage along this street, the development plan shall include all recommendations of the streetscape plan as it relates to the proposed development. It is important that continuity be created between properties in the historic district.

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

1. Any significant impact on traffic;
2. The impact on utility systems;
3. Any anticipated noise levels;
4. Storm water runoff from the property;

5. Visual and aesthetic qualities;
6. Other considerations, such as hours of operation, that may be raised by the planning commission during the course of plan review. (Ord. 2004-01 § 2)

17.74.140: PLAN APPROVAL:

The city council is empowered, upon recommendation of the historic committee, 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 historical committee 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.

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

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

The rezoning of property, along with the approval of a site specific development plan for the property so zoned, shall run with the land. Any subsequent owner will be bound by the same plans and requirements as originally approved, unless the specific plans are subsequently amended by the planning commission and city council. (Ord. 2004-01 § 2)