



## NOTICE OF PUBLIC MEETING PLANNING COMMISSION

Planning Commission  
January 25, 2024 @ 5:30 PM

2603 Santa Clara Drive  
Santa Clara, Utah 84765

Phone: (435) 673-6712  
Email: [contact@sccity.org](mailto:contact@sccity.org)

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**Public Notice** is hereby given that the Planning Commission of the City of Santa Clara, Washington County, Utah, will hold a Planning Commission Meeting in the City Council Chambers, 2603 Santa Clara Drive, Santa Clara, Utah, on Thursday, January 25, 2024, commencing at 5:30 PM. The meeting will be broadcasted via YouTube linked on our website at <https://santaclarautah.gov>.

The agenda for the meeting is as follows:

**1. Call to Order**

**2. Opening Ceremony**

- A. Pledge of Allegiance: Mark Weston
- B. Opening Comments (Invocation): Mark Weston

**3. Working Agenda**

- A. Public Hearing
  - 1. None

**4. General Business**

- A. Planning Commission Approval
  - 1. Monument Sign Approval for Country Lane Commons located at the corner of Santa Clara Drive and Country Lane. Rick Schofield, applicant.
  - 2. Preliminary Subdivision Plat Approval for the Arrowhead Crossing Subdivision located at approximately 2276 Arrowhead Trail. Split Rock Construction (Adam Glover, Bart Smith), applicants.

**5. Discussion Items**

- A. None

**6. Approval of Minutes**

- A. Request Approval of Regular Meeting minutes: January 11, 2024

**7. Adjournment**

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City at least 24 hours in advance of the meeting by calling (435) 673-6712.

Posted this 18th day of January 2024.

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Jim McNulty, Planning Manager



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

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Staff Report

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## Monument Sign Approval Summary and Recommendation

**Public Body:** Santa Clara City Planning Commission  
**Meeting Date:** January 25, 2024  
**Current Zone:** Planned Development Commercial, PDC  
**General Plan Designation:** Main Street Commercial  
**Property Location:** Northwest corner of Santa Clara Drive and Country Lane  
**Request:** Approval of Country Lane Commons Monument Sign  
**Applicant Name:** Rick Schofield  
**Staff Planner:** Jim McNulty  
**City Staff Recommendation:** Approve with conditions.  
**Meeting Type:** Public Meeting

### PROJECT DESCRIPTION

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The applicant, ***Rick Schofield, is requesting Monument Sign Approval*** for the Country Lane Commons Project located at the northwest corner of Santa Clara Drive and Country Lane. The Santa Clara City Sign Ordinance, Chapter 17.44, states that monument signs are allowed in the Planned Development Commercial, PDC Zone subject to Planning Commission approval. The proposed monument sign will be shared by the future tenants of the building.

***One (1) monument sign*** is proposed for the site. Chapter 17.44.110 of city code indicates that a monument sign may not exceed 8' feet in height including the sign base. The sign area of a monument sign shall not exceed 7' in vertical height, with the width not exceeding 12'. The square footage of a monument sign may not exceed eight (80) square feet of advertisement area. The applicant has provided calculations which indicate that the proposed monument sign is 7' in height and 9' in width, with an advertisement area of 63 square feet. The advertisement area includes internally illuminated letters. Additionally, the monument sign will utilize materials and colors to match the building (light grey stucco and metal). The proposed monument sign meets the standards as per Chapter 17.44 of city code.

### ISSUES OF CONCERN/PROPOSED MITIGATION

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The proposed monument sign is located along the northwest corner of the site adjacent to Santa Clara Drive and Country Lane (see attached Site Plan). Chapter 17.28.050 of city code requires the following:

**Request:** Country Lane Commons

“In all zones requiring a front yard setback, no obstruction to view in excess of two feet (2) in height shall be placed on any corner within the triangular area formed by the street property line and a line connecting them at points thirty feet (30') from the intersection of the property lines allowing for visibility.”

City staff conducted a site inspection on January 18, 2024, and determined that the proposed monument sign is located outside of the site visibility triangle, therefore, it meets city code.

## **CITY STAFF RECOMMENDATION**

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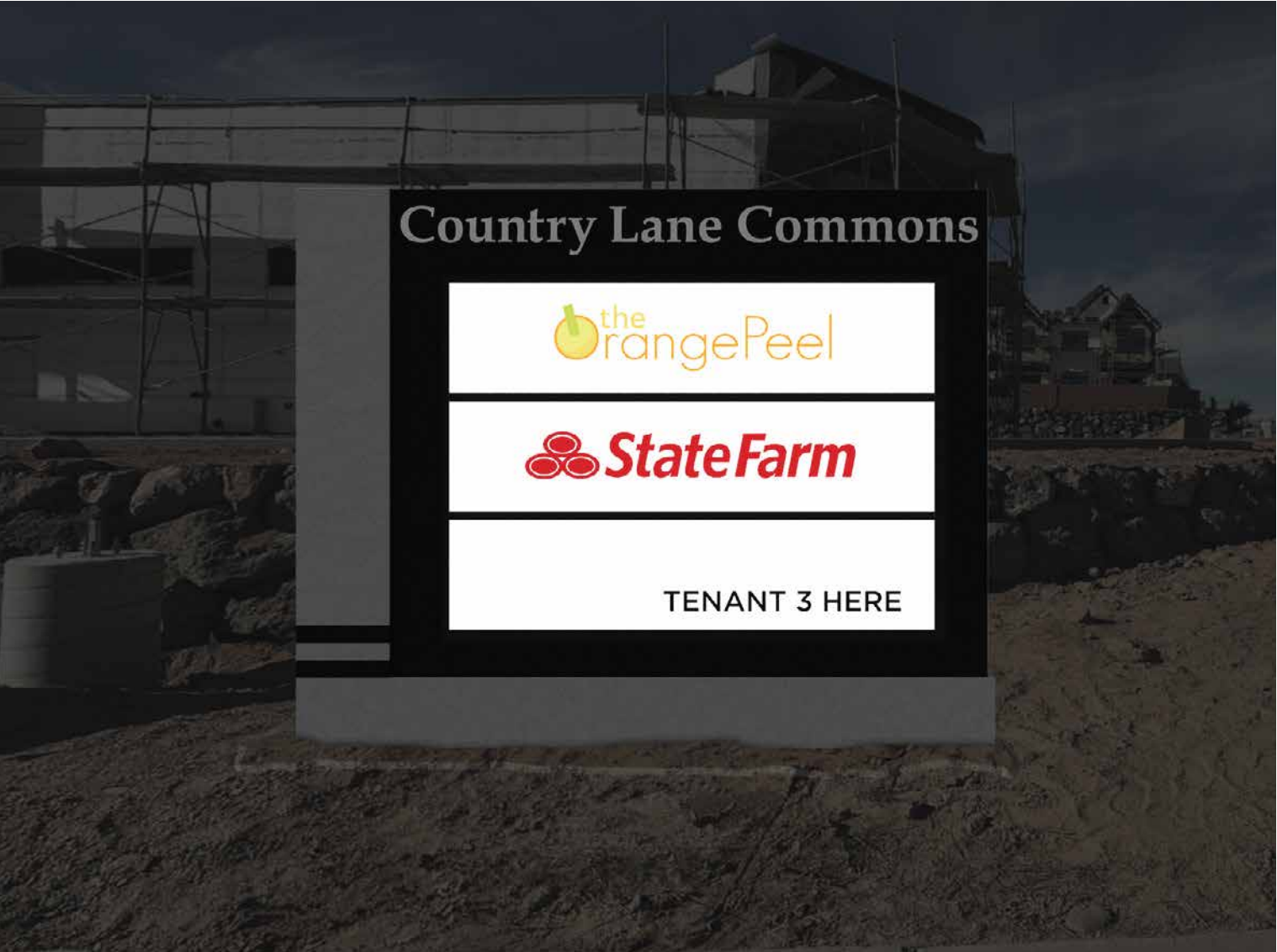
City Staff recommends that the Planning Commission approve the proposed **Monument Sign for the Country Lane Commons Project** located at northwest corner of Santa Clara Drive and Country Lane, subject to the following conditions:

1. That the monument sign be allowed at a height of 7' and a width of 9', with an advertisement area of 63 square feet. That the advertisement area includes internally illuminated letters as per the submitted drawings.
2. That the monument sign utilizes materials and colors to match the building (light grey stucco and metal).
3. That the monument sign be located outside of the visibility triangle as per the site inspection conducted on January 18, 2023.
4. That a building permit be applied for and obtained prior to placement of the monument sign on the site.

MOCKUP BY DAY



MOCKUP BY NIGHT



1060 East Tabernacle  
St. George, UT 84770  
435.628.7806  
www.starsignonline.com

CLIENT NAME  
COUNTRY LN  
PROJECT  
16934

PROJECT MANAGER  
CARTER SMITH  
DESIGNER  
TSP

INFO  
108"(w) x 84"(h)

Metal monument sign, single sided with painted letters, lightbox application and polycarb/acrylic face with vinyl splits.



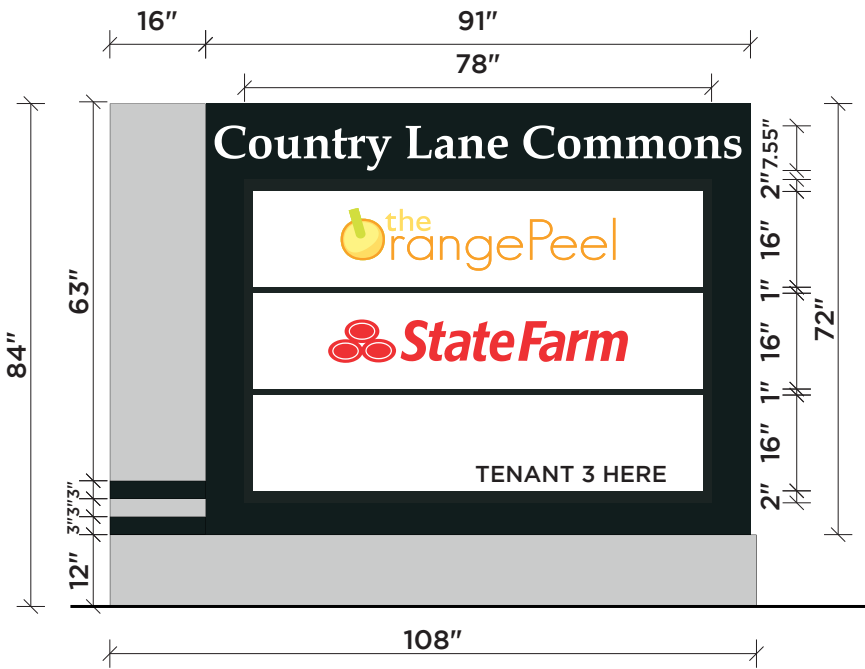
FRONT VIEW BY DAY



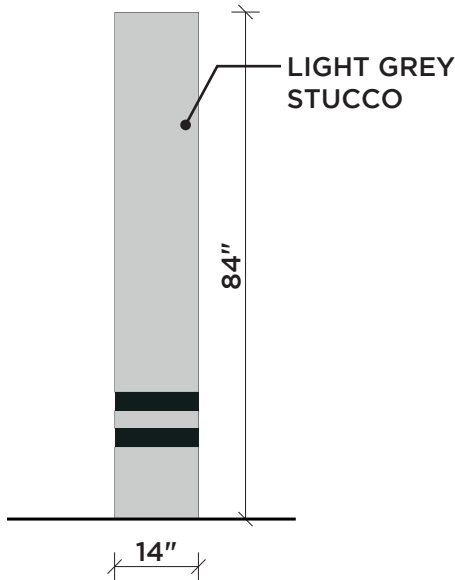
PERSPECTIVE BY NIGHT



MEASUREMENTS  
SCALE 3/8" = 1'



SIDE VIEW



DETAIL BY DAY



FACE COLORS

- WHITE ACRYLIC PANELS AND PAINTED LETTERING
- BLACK ALUMINUM
- LIGHT GREY STUCCO TO MATCH BUILDING



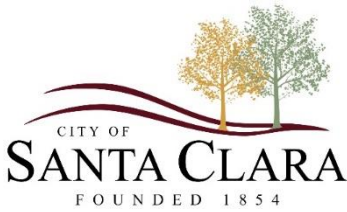
1060 East Tabernacle  
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**SANTA CLARA CITY**  
2603 Santa Clara Dr.  
Santa Clara, UT 84765  
(435) 656-4690 Fax: (435) 879-5298

Permit #: \_\_\_\_\_

Fee: \$126

## **SIGN PERMIT APPLICATION**

Fee: \$2 per sq. ft.

Address of Sign Location: 967 Country Lane Santa Clara, UT 84765  
Name of Business: Country Lane Commons Phone #: (435) 632-9501  
Sign Company: Star Sign Inc Phone #: (435) 628-7806  
Sign Co. Address: 1060 East Tabernacle Street, Saint George State License #: \_\_\_\_\_

Type of Sign:

☒ Monument (low profile) Sign  
☐ Wall Sign  
☐ Free-standing Sign  
☐ Temporary Sign (max. length - 30 days) Display dates: from \_\_\_\_\_ to \_\_\_\_\_

Total Square Footage of Sign: 63 sq/ft Value of Sign: \$14,000

***Two copies of the following are required to process permit application:***

### ALL SIGNS:

1. Accurately dimensioned, scaled drawings showing height, color, square footage, dimensions, sign composition, type of illumination, and how the sign will appear from the street.
2. Details of sign construction
3. Electrical schematics

### MONUMENT & FREE-STANDING SIGNS (in addition to All Signs requirements):

1. Plot plan showing relationship of sign to buildings, property lines, setback from public rights-of-way, intersections, easements and driveways.
2. Number of acres.
3. Length of lineal frontage of property.

### WALL SIGNS (in addition to All Signs requirements):

1. A profile drawing showing how the sign will appear from the street/parking area and on the building. Drawing must show all existing signs on wall faces and proposed sign(s).

### TEMPORARY SIGNS (in addition to All Signs requirements):

1. Plot plan showing relationship of sign(s) to buildings, property lines, setback from public rights-of-way, intersections, easements and driveways.

- ◆ **Sign(s) may NOT be installed until permit is issued**
- ◆ **Incomplete applications will not be accepted**
- ◆ **Planning & Zoning approval may be required before application can be processed.**

Print Applicant Name: Carter Smith

Signature of Applicant: Carter Smith Date: 01/04/2024

Date Approved: \_\_\_\_\_ By: \_\_\_\_\_ Application Fee: \_\_\_\_\_

## **Ordinance - 17.44.050: TYPES OF SIGNS:**

### **Wall Signs:**

Wall signs may be placed upon any side of a building in a commercial zone in the eastern entrance to the city on Santa Clara Drive, east of the city office. Wall signs may be allowed in a planned development commercial zone subject to planning commission approval as part of the planned development zone approval.

1. Wall signs shall be so placed as to utilize existing architectural features of a building without obscuring them. Wall signs shall be oriented toward pedestrians or © on the building it is placed shall be no greater than **ten percent (10%)** of the total square footage of the wall on which it is placed.
2. Signage on a mansard roof will be considered to be a part of a wall sign, and calculated as part of the total square footage allowed.

### **Window Signs:**

1. Merchants may advertise special sales with temporary signs on the inside or outside of the windows provided that they do not cover the complete window in which they are placed.
2. Window signs are not intended to be displayed for long periods of time, but rather for a short sale period not to exceed thirty (30) days in duration.

### **Banners on Private Property:**

Banners shall be permitted on a temporary basis on private property in the commercial and commercial corridor areas subject to the following:

1. No more than one banner per street front may be displayed at any one time on any business property;
2. A permit shall be issued by the city staff for any banner request and no specific banner may be approved for an event such as a business opening for a period longer than thirty (30) days before the opening advertised and for thirty (30) days after. The location of the banner shall be approved by the city staff;
3. No banner may be approved to be placed on any building in excess of the percentage of the building for which wall signs may be approved. **Ten percent (10%)**

### **Temporary Signs:**

Temporary signage has a place in the community for specialized purposes, such as announcing properties for sale or lease, construction activities, temporary sales and campaign signs of a noncommercial nature. Temporary signs are installed on a property but are not a part of the permanent land use on the property and are not intended to be displayed for a long period of time. However, a temporary sign must be well maintained at all times or it may be subject to removal or cited as a violation of this chapter.

1. **Temporary signs shall not exceed six (6) square feet in area or four (4) feet in height.**
2. Temporary signs are permitted in any zone, provided that they are located a minimum of two feet (2') behind the property line. Only one temporary sign is permitted on any one parcel of property, except that for sixty (60) days proceeding a general, local government or special election, up to three (3) temporary signs may be placed on any one parcel of property, all of which must comply with the size, color, and placement standards of this title.
3. **A temporary sign advertising a subdivision or housing project may be used for a period of time not to exceed one year, unless extended by city staff.**
  - a. The temporary sign shall not exceed four feet by eight feet (4' x 8') in size, or a total of thirty two (32) square feet.
  - b. Such signs must be removed when the project is sold out or completed.
  - c. Only one temporary advertising sign may be erected per development project unless there are several access roads serving the project, in which case the planning commission may determine the total number of signs to be allowed.
4. **Real estate property for sale or lease signs shall be no more than four feet by eight feet (4' x 8') in size and shall not exceed thirty two (32) square feet in area.**
  - a. The top of the sign or supporting members shall not exceed eight feet (8') in height above the ground level.
  - b. All such signs shall be a minimum of two feet (2') inside the property line.
  - c. A sign permit for this type of sign shall not be required. Such signs shall be removed within thirty (30) days of sale or lease taking place.

TO VIEW FULL ORDINANCE GO TO [www.sccity.org](http://www.sccity.org) - MUNICIPAL CODES AND ORDINANCE TITLE 17:44 SIGNS





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

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Staff Report

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## Preliminary Subdivision Plat Summary and Recommendation

**Public Body:** Santa Clara Planning Commission

**Meeting Date:** January 25, 2024

**Current Zone:** R-1-6, Single-Family Zone

**General Plan Designation:** Medium Density, MDR

**Property Address:** Approximately 2276 Arrowhead Trail

**Request:** Preliminary Plat Approval

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

**Staff Planner:** Jim McNulty

**City Staff Recommendation:** Approval with conditions

**Meeting Type:** Public Meeting

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### PROJECT DESCRIPTION

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The applicant, ***Split Rock Construction***, is requesting ***Preliminary Plat Approval*** for the Arrowhead Crossing Subdivision. This subdivision plat includes a total of seven (7) single-family lots. The subject property is 1.48 acres in size. The R-1-6 Zone requires a minimum lot size of 6,000 square feet (approx. 0.14 acres). The proposed lots range in size from 6,000 sq. ft. (0.14 acres) to 23,796 sq. ft. (0.55 acres). The project density equates to 4.73 dwelling units/acre.

**All lots** within the proposed subdivision will be required to meet the area, width, and yard regulations as per Section 17.63.050 of city ordinance. The property owner intends to build single-family homes on the subject property. The Planning Commission will recall that this **property was rezoned** by the City Council on April 12, 2023.

**Access** to the site will be provided via Arrowhead Trail and Lava Flow Drive. Both streets are improved; however, the applicant will be required to put in utility and sidewalk improvements (see Page #2).

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### SITE & VICINITY DESCRIPTION

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The subject property is located at approximately 2276 Arrowhead Trail. Major cross streets in the vicinity include Lava Flow Drive, and Santa Clara Drive.

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## ITEMS TO ADDRESS WITH PRELIMINARY PLAT

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City staff has identified the following preliminary review items that need to be addressed at this time:

1. **Public Streets & Dedication:** All required public street improvements must meet city standards. A full asphalt width removal will be required for utility connections on Arrowhead Trail. Additionally, a 6' sidewalk is required on Lava Flow Drive, with a 5' sidewalk being required on Arrowhead Trail (a transition to 5' will occur at the radius).
2. **Retaining Walls:** The subject property includes changes in grade across the site. As a result, several retaining walls are proposed for the project. City staff is recommending that the final construction drawings include full details for all proposed retaining walls.
3. **Building Setbacks/Height:** The building setbacks are required to meet the requirements of Chapter 17.63.050, R-1-6, Single-Family Zone. The building height for all homes in the subdivision is limited to 30'.
4. **Flag Lot:** Lot 1 is a flag lot on the Preliminary Subdivision Plat. A flag lot requires approval by the Planning Commission. The staff portion of the lot must front on a public street and be a minimum of 25' wide, with a maximum length of 200'. If the Planning Commission determines that this is an efficient use of land, the applicant will be required to comply with city code requirements for a flag lot. Additionally, **a building envelope for a single-family home** has been shown on the preliminary plat.
5. **Culinary Water Availability:** The applicant is required to obtain a will-serve letter or other verified documentation from the Washington County Water Conservancy District, WCWCD prior to final plat recordation.
6. **Secondary Water Availability:** The applicant is required to connect/install secondary water for outdoor water use.
7. **Dust Control:** The applicant will be required to submit a dust control plan prior to final plat recordation. Precautionary measures are needed to protect the general health, safety, and welfare of residents living in the vicinity.

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## NEIGHBORHOOD RESPONSE

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Public notices are not required for a subdivision. The Planning Commission agenda has been posted in multiple locations as per State code. No comments have been received by city staff as of the writing of this report.

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## REVIEWING DEPARTMENTS

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**DEPARTMENT:** *Building*

Recommendations: A geotechnical report will be required for each residential building prior to building permit issuance.

Required Revisions: None at this time.

**DEPARTMENT:** *Parks & Trails*

Recommendations: N/A

**Request:** Arrowhead Crossing Subdivision

**DEPARTMENT:** *Police & Fire*

Recommendations: N/A

**DEPARTMENT:** *Power*

Recommendations: Public Utility Easements (PUE's) are required.

Required Revisions: None at this time.

**DEPARTMENT:** *Public Works*

Recommendations: Public Utility Easements (PUE's) are required to be shown on the final plat. All public streets must be included on the final plat. A mylar with signature blocks is required for the final plat.

Required Revisions: None at this time.

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## STATE CODE CONSIDERATIONS

Utah Code, Section 52-4-202 includes requirements for subdivisions. A city must hold a public meeting to consider a subdivision plat. The meeting agenda, date, time, and place of the meeting must be placed on the city website and in public locations (e.g., City Hall and Post Office) at least 24 hours before the meeting. The city is also required to post on the State Public Notice Website. City Staff has determined that all State Code requirements have been met with this application.

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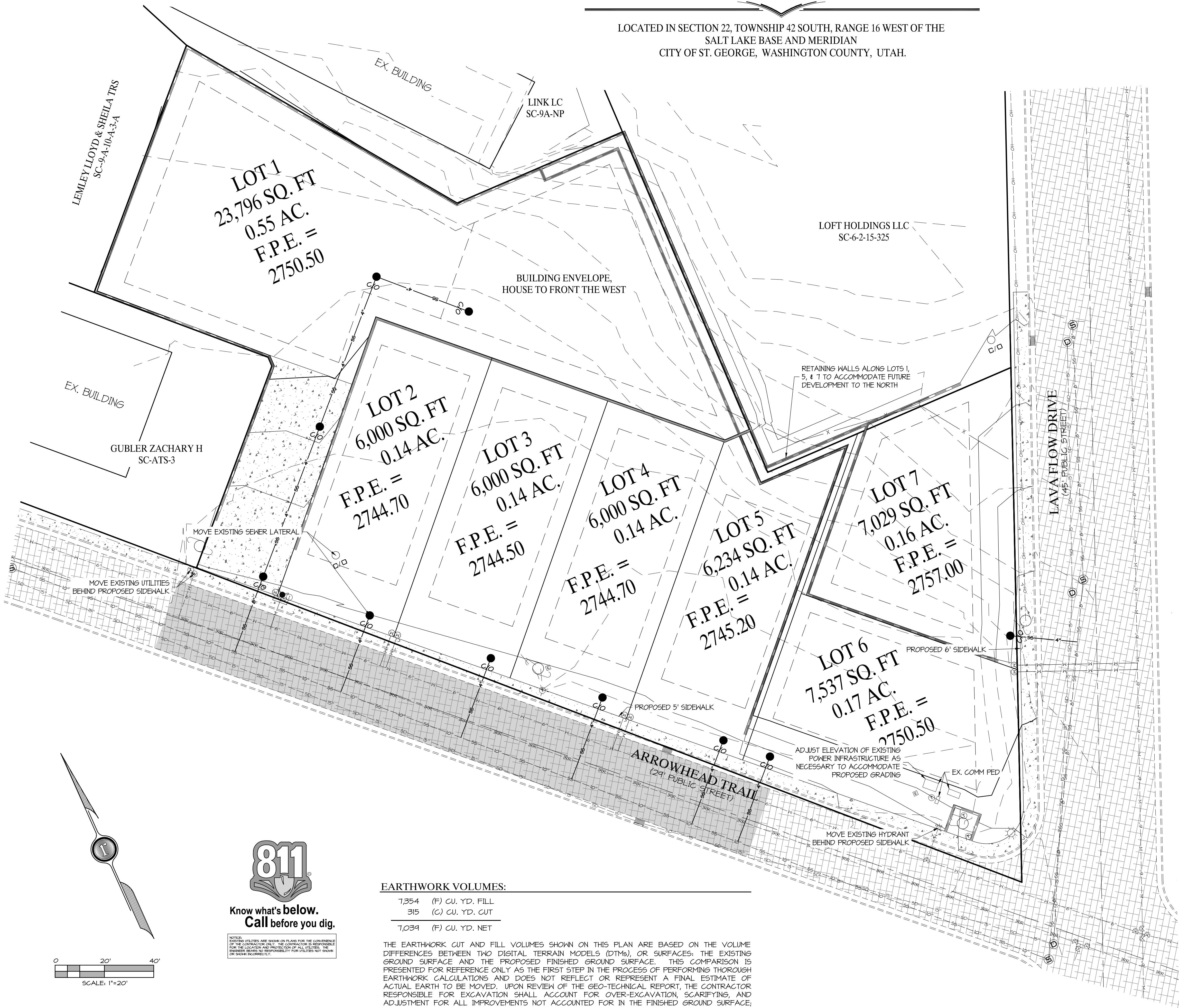
## CITY STAFF RECOMMENDATION

City Staff recommends that the Planning Commission consider granting **Preliminary Subdivision Plat Approval** for the Arrowhead Place Subdivision, subject to the following conditions:

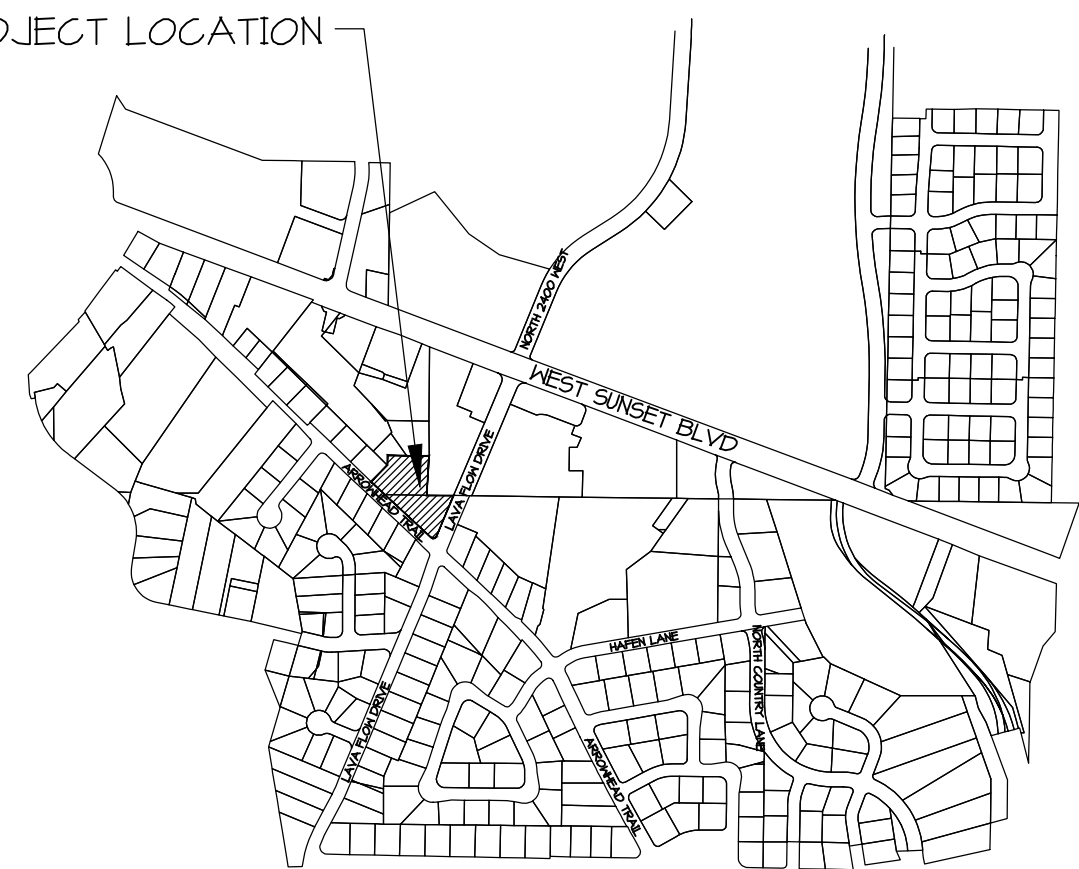
1. That the applicant be required to comply with the recommendations from all city reviewing departments. That the final construction drawings include full details for all proposed retaining walls.
2. That the applicant be required to install public street improvements. A full asphalt width removal will be required for utility connections on Arrowhead Trail. Additionally, a 6' sidewalk is required on Lava Flow Drive, with a 5' sidewalk being required on Arrowhead Trail (transition to 5' will occur at the radius).
3. That the building setbacks for this subdivision meet the requirements of Chapter 17.63.050, R-1-6, Single-Family Zone.
4. That the building height for all homes in this subdivision is limited to 30'.
5. That Lot 1 be approved as a flag lot and meet city code requirements. Also, that the building envelope for Lot 1 be included on the recorded plat.
6. That the applicant provides a will-serve letter or other verified documentation from the WCWCD prior to final plat recordation.
7. That a secondary water system is required for outdoor water use.
8. That the applicant provides a dust control plan prior to final plat recordation.

# ARROWHEAD CROSSING

LOCATED IN SECTION 22, TOWNSHIP 42 SOUTH, RANGE 16 WEST OF THE  
SALT LAKE BASE AND MERIDIAN  
CITY OF ST. GEORGE, WASHINGTON COUNTY, UTAH.



PROJECT LOCATION



VICINITY MAP

N.T.S.



\*DETENTION/RETENTION TO BE  
PROVIDED ON INDIVIDUAL LOTS

## SITE DEVELOPMENT DATA

PARCEL NUMBER: SC-6-2-22-4140,  
SC-4-A-12, SC-4-A-18  
SITE ADDRESS: 2216 ARROWHEAD TRAIL  
ACRES: 1.48  
NUMBER OF LOTS: 7  
DENSITY: 4.13 UNITS PER ACRE  
ZONING: R-1-6  
GENERAL PLAN: MSC/LDR  
SETBACKS: 20' FRONT  
6' - 8' SIDES  
10' REAR

## PROJECT OWNER/DEVELOPER

4B PARTNERS LLC CONTACT: ADAM GLOVER  
1444 N 1400 W #15 (435) 688-1222  
ST. GEORGE, UT 84710

## PROJECT ENGINEER

ROSENBERG ASSOCIATES CONTACT: JARED BATES, PE  
352 EAST RIVERSIDE DRIVE, SUITE A2 (435) 613-8586  
ST. GEORGE, UT 84710

## GEOTECHNICAL ENGINEER

APPLIED GEOTECHNICAL ASPEC CONTACT: WAYNE ROGERS, PE  
1420 SOUTH 210 EAST (435) 613-6850  
ST. GEORGE, UT 84710

## LEGEND

	EXISTING ASPHALT
	PROPOSED ASPHALT
	EXISTING CONCRETE
	PROPOSED CONCRETE
	EXISTING CONT-MJR
	EXISTING CONT-MNR
	PROPOSED CONT-MJR
	PROPOSED CONT-MNR
	PROPOSED CONCRETE RETAINING WALL

## UTILITY LEGEND

	EXISTING WATER LINE		EXISTING WATER METER
	PROPOSED WATER LINE		EXISTING FIRE HYDRANT
	EXISTING SEWER LINE		EXISTING WATER VALVE
	PROPOSED SEWER LINE		PROPOSED WATER METER
	EXISTING STORM DRAIN LINE		PROPOSED IRRIGATION METER
	EXISTING IRRIGATION LINE		EXISTING SEWER MANHOLE
			PROPOSED SEWER LATERAL
			EXISTING CURB INLET
			EXISTING POWER POLE
			EXISTING ELECTRICAL BOX
			EXISTING PHONE PEDESTAL

## EARTHWORK VOLUMES:

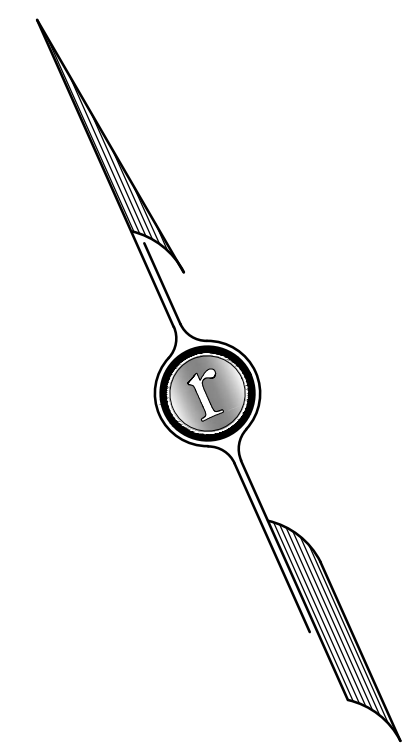
7,354	(F) CU. YD. FILL
315	(C) CU. YD. CUT
7,039	(F) CU. YD. NET

THE EARTHWORK CUT AND FILL VOLUMES SHOWN ON THIS PLAN ARE BASED ON THE VOLUME DIFFERENCES BETWEEN TWO DIGITAL TERRAIN MODELS (DTMs), OR SURFACES; THE EXISTING GROUND SURFACE AND THE PROPOSED FINISHED GROUND SURFACE. THIS COMPARISON IS PRESENTED FOR REFERENCE ONLY AS THE FIRST STEP IN THE PROCESS OF PERFORMING THOROUGH EARTHWORK CALCULATIONS AND DOES NOT REFLECT OR REPRESENT A FINAL ESTIMATE OF ACTUAL EARTH TO BE MOVED. UPON REVIEW OF THE GEO-TECHNICAL REPORT, THE CONTRACTOR RESPONSIBLE FOR EXCAVATION SHALL ACCOUNT FOR OVER-EXCAVATION, SCARIFYING, AND ADJUSTMENT FOR ALL IMPROVEMENTS NOT ACCOUNTED FOR IN THE FINISHED GROUND SURFACE; INCLUDING LANDSCAPING, BULKING AND/OR SHRINKAGE OF MATERIAL, IMPORT OF BEDDING MATERIAL AND OTHER MATERIALS, EXCAVATION AND COMPACTION OF UTILITY TRENCHES, AND OTHER FACTORS TO MAKE A FINAL DETERMINATION OF THE TOTAL EARTHWORK REQUIRED FOR THE PROJECT. IN SOME CASES, ADDITIONAL CONSULTATIONS WITH THE GEO-TECHNICAL ENGINEER AND CIVIL ENGINEER MAY BE REQUIRED.



Know what's below.  
Call before you dig.

NOTES:  
EXISTING UTILITIES AND SHOWN ON PLANS FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE CONTRACTOR IS RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR UTILITIES NOT SHOWN OR SHOWN INCORRECTLY.



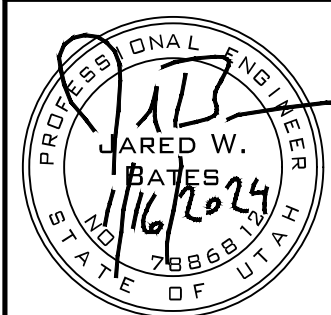
SCALE: 1"=20'

DATE:	1/16/24
JOB NO.:	13185-22
DESIGNED BY:	DMH
CHECKED BY:	JMB
DWG.:	PRE PLAT
DATE:	
REVISIONS:	

**ROSENBERG**  
ASSOCIATES  
CIVIL ENGINEERS • LAND SURVEYORS

352 East Riverside Drive, Suite A-2  
St. George, Utah 84710  
Ph (435) 673-8586; Fx (435) 673-8397  
www.rscivil.com

PRELIMINARY PLAT  
FOR  
ARROWHEAD CROSSING  
SANTA CLARA  
UTAH



SHEET

1

1 OF 1 SHEETS





## Residential Subdivision Preliminary Plat Application

FEES	Major Subdivision: \$650 or Minor Subdivision: \$550 <u>7</u> # of lots x \$35 per lot			
WATER MODELING	Lots: 1-9	\$300	200-349	\$1,175
	10-19	\$400	350-499	\$1,650
	20-49	\$475	500-499	\$2,100
	50-99	\$625	700-999	\$2,650
	100-199	\$825	1000+	\$2,650
Filing Fee: \$ <u>650</u>				
Lot Fee: \$ <u>245</u>				
Water Modeling Fee: \$ <u>300</u>				
Total Fees: \$ <u>1,195</u>				

**Proposed Subdivision Name:** Arrowhead Crossing

### Applicant(s) / Property Owner(s) Information

LEGAL OWNER(S) OF SUBJECT PROPERTY: 4B Partners LLC

MAILING ADDRESS: 1149 N 1400 W #15 CITY: St. George STATE: UT ZIP: 84770

EMAIL: adam@splitrockbuild.com PHONE: (435) 688-7222 FAX: \_\_\_\_\_

APPLICANT: \_\_\_\_\_  
(If different than owner)

MAILING ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

EMAIL: \_\_\_\_\_ PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

CONTACT PERSON/REPRESENTATIVE: Jared Bates  
(If different than owner)

MAILING ADDRESS: 352 E Riverside Drive, Suite A2 CITY: St. George STATE: UT ZIP: 84790

EMAIL: Jaredb@racivil.com PHONE: (435) 673-8586 FAX: \_\_\_\_\_

### Property Description

STREET ADDRESS OF PROPERTY: 2276 Arrowhead Trail

Section(s): 22 Township(s): 42 Range: 16

ASSESSOR'S PARCEL NUMBER(S): SC-6-2-22-4148, SC-9-A-12, SC-9-A-18

Current Zoning Designation: R-1-6

Parcel Size (acres): 1.48 Number of Lots: 7 Number of Phases: 1

Major Cross Street(s): Arrowhead Trail, Lava Flow Drive

Legal Description: \_\_\_\_\_  
(Attach separate sheet if necessary)



**Exhibit "A"**

Beginning at a point on the 1/16<sup>th</sup> line, said point being South 89°17'54" East 1,341.84 feet along the section line and North 00°53'05" East 119.07 feet from the Southwest Corner of Section 15, Township 42 South, Range 16 West, Salt Lake Base & Meridian, and running;

thence North 00°53'05" East 3.84 feet along said 1/16<sup>th</sup> line;  
thence North 45°30'39" West 75.28 feet;  
thence North 44°29'21" East 106.92 feet;  
thence South 35°44'10" East 127.02 feet;  
thence South 89°17'54" East 72.98 feet to the 1/1024<sup>th</sup> line;  
thence South 00°53'36" West 150.00 feet along said 1024<sup>th</sup> line to the section line;  
thence South 89°17'54" East 107.35 feet along said section line to the westerly line of Lava Flow Drive;  
thence South 22°46'51" West 208.69 feet along said westerly line of Lava Flow Drive to the northeasterly line of Arrowhead Trail;  
thence North 45°09'53" West 358.06 feet along said northeasterly line of Arrowhead Trail;  
thence North 44°29'21" East 87.44 feet to the Point of Beginning.

Containing 64,330 square feet or 1.48 acres



December 20, 2022

## Approvals Required By:

- Technical Review Committee (staff) – meets every Thursday at 8:30am.
- Planning Commission - meets every second Thursday of each month at 5:30 pm.
- City Council – meets the second and fourth Wednesdays of each month at 5:00pm.

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

### Office Use Only:

Date Plan Submitted: \_\_\_\_\_

Date Plan Accepted: \_\_\_\_\_

Received by: \_\_\_\_\_

Receipt number: \_\_\_\_\_

Amt Due: \_\_\_\_\_

Amt Paid: \_\_\_\_\_

### Property Owner's Authorization

The undersigned below, or as attached, is the owner(s) of the property which is the subject of this application. The undersigned does duly authorize the applicant, named within this application, to act as applicant in the pursuit of a subdividing the property.

**I swear that I am (the) (a) owner(s) of the property which is the subject matter of the application, as it is shown in the records of Washington County, Utah.**

DATE: \_\_\_\_\_

\_\_\_\_\_  
PROPERTY OWNER

\_\_\_\_\_  
PROPERTY OWNER

STATE OF UTAH                    )  
  :SS  
COUNTY OF WASHINGTON)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ personally appeared before me  
\_\_\_\_\_ and \_\_\_\_\_, the signer's of the above instrument,  
who duly acknowledged to me that he/she/they executed the same.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Commission Expires



## Subdivision/Development Approval Checklist Santa Clara City

### PRELIMINARY PLAT CHECKLIST

**Project Name:** Arrowhead Crossing

Yes	No	N/A	<b>I. SKETCH PLAN/CONCEPT PLAN REQUIREMENTS (16.12.030)</b>
Y	N	N/A	Sketch/Concept Plan review by staff and/or by Planning Commission although not required is highly encouraged.
<b>II. STATE WATER QUALITY REQUIREMENTS – (Resolution 2015-12R)</b>			
Y	N	N/A	1. Waterline and hydrant locations in electronic format.
Y	N	N/A	2. Applicable elevation data at valve clusters and hydrants.
Y	N	N/A	3. Coordinate system used and in draining. The water model is set up in Utah State planes, NAD83 datum, South Zone, US Foot (UT83-ASF).
Y	N	N/A	4. Submit Project Notification Form (PNF) with application. Available at: <a href="http://www.sccity.org/media/uploads/2015/08/19/files/PNF-WaterQuality.pdf">http://www.sccity.org/media/uploads/2015/08/19/files/PNF-WaterQuality.pdf</a>
<b>III. PRELIMINARY PLAT REQUIREMENTS (16.12.040)</b>			
<b>A. Submittal of:</b>			
Y	N	N/A	1) Preliminary Plat Copies (eleven (11) 11" x 17" and four "Plat Size" (24" x 36") Copies). Must be a clear and legible graphic representation of the subdivision, existing conditions, and proposed improvements as outlined in the completeness review below
<b>B. Preliminary Plat Requirements (Chapter 16.16)</b>			
<b>1. Title Block (16.16.020)</b>			
Y	N	N/A	a. Proposed name of subdivision
Y	N	N/A	b. Location of subdivision, including the address, section, township, and range
Y	N	N/A	c. Owner's name and address
<b>2. General Requirements (16.16.030)</b>			
Y	N	N/A	a. North Arrow and Scale (1"= 100' is preferred; 1"= 200' for large subdivisions)
Y	N	N/A	b. Boundary and phasing plan of the subdivision
Y	N	N/A	c. All property under control of the owner showing part(s) being developed and overall street system (Note: The street system shall conform to the existing street master plan)
Y	N	N/A	d. Existing and proposed contour lines at vertical intervals of not greater than two feet unless approved at a greater interval by the Planning Commission.
<b>3. Existing Conditions (16.16.040)</b>			
Y	N	N/A	a. Location, width of all streets and homes within two hundred (200) feet of the subdivision.
Y	N	N/A	b. Boundaries of adjacent tracts of subdivided and un-subdivided land, showing ownership.
Y	N	N/A	c. Identification of the zone or zones in which the property is located.
Y	N	N/A	d. All public streets, utility rights-of-way, easements, parks, and other public open spaces within or adjacent to the proposed subdivision. All section and boundary lines within and adjacent to the proposed subdivision.
Y	N	N/A	e. Sewer mains, sewer manholes, water mains, secondary water system, fire hydrants, power lines, power poles, culverts, or other facilities within one hundred (100) feet of the proposed subdivision.
Y	N	N/A	f. Ditches, drainage channels, water ways and major washes.
Y	N	N/A	g. Location of the flood plain, floodways, and elevations designed by F.E.M.A. No subdivision in the city shall be allowed in a flood plain.
Y	N	N/A	h. Exceptional topography-submit necessary map, visuals, etc. that would best reveal the exceptional topography.
Y	N	N/A	i. Information required for the historic preservation ordinance if the proposed subdivision is within the historic preservation overlay zone.
Y	N	N/A	j. Vicinity map.
Y	N	N/A	k. A soils report unless waived by the City Engineer via written & signed correspondence.
Y	N	N/A	l. Inclusion of paragraph pertaining to Geotechnical Report Conclusions.

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**4. Proposed Plan (16.16.050)**

Y	N	N/A	a. Streets and Utility Easements: the layout of streets and utility easements showing identification and dimensions.
Y	N	N/A	b. Lots: layout, number, and typical dimensions of lots.
Y	N	N/A	c. Setback Lines: building setback lines in any questionable lot area.
Y	N	N/A	d. Parcels Set Aside: Parcels of land intended to be dedicated for public use or set aside for the use of property owners in the subdivision as common or limited areas.
Y	N	N/A	e. Stormwater Drainage: A proposed plan to dispose of stormwater drainage for the subdivision.
Y	N	N/A	f. Wastewater Collection: Determine how the proposed subdivision can be served by the existing wastewater collection system without the extension of any trunk or outfall line.
Y	N	N/A	g. Wastewater Treatment: Determine how wastewater estimated to be generated by the proposed subdivision can be accommodated and treated without any treatment plan expansion.
Y	N	N/A	h. Water Supply, Secondary water and Storage: Determine how the water needs of the subdivision can be accommodated.
Y	N	N/A	i. Fire Flow: show how the proposed development will be served by a central water system with appropriately located fire hydrants and adequate flows to meet insurance requirements.
Y	N	N/A	j. Fire Response Time: Is the proposed subdivision within two (2) miles of a five (5) minute response time of a fire station?
Y	N	N/A	k. Solid Waste: Determine that the proposed subdivision be served by the existing system.
Y	N	N/A	l. Electrical Supply: Determine whether or not the electrical needs to the subdivision can be accommodated, and under what conditions.
Y	N	N/A	m. Parks: Determine that the proposed development is within one mile of a city park or recreation facility, and within one-half (1/2) mile of a neighborhood park, and can accommodate the projected population of the subdivision.
Y	N	N/A	n. Phasing Plan: a phasing plan for the subdivision if phases are proposed.
Y	N	N/A	o. Arrangements with Outside Agencies: where public services are proposed by agencies outside those operated by the city, the owner shall provide agreements with those agencies approving proposed plans.
Y	N	N/A	p. Other items that may be requested by the TRC, Planning Commission, or City Council.

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**5. Conformance with City Standards**

Y	N	N/A	a. Historic Preservation Ordinance Requirements (Chapter 17.76)
Y	N	N/A	b. Building Codes
Y	N	N/A	c. Zoning Ordinance (Title 17)
Y	N	N/A	d. City Standards
Y	N	N/A	e. Hillside Development Permit as found in Chapter 17.80 of the City's Zoning Ordinance
Y	N	N/A	f. Flood Damage Prevention Permit as found in Chapter 15.36 of the City's Municipal Code
Y	N	N/A	g. Storm Water Management/BMP Facilities Maintenance Agreement

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**C. Review for Adequate Public Facilities (16.12.040 (H)):**

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NOTE: The City Council and/or staff may require the applicant to submit such additional information, data, studies, plans, analyses, or maps as may be necessary to make a factual determinations set forth herein. If so required, the applicant shall bear the full cost of meeting this requirement (16.12.040 (H)). Note: Required signatures below will be garnered by Zoning Administrator.

› **Review for Adequate Public Facilities Part 1 of 4:**

Floodplain or Hillsides: Proposed development is not located within a floodplain or hillside.

Owners of the development have submitted adequate documentation demonstrating that the development complies with the requirements of Public Facilities Part 1.

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_  
City Engineer

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› **Review for Adequate Public Facilities Part 2 of 4:**

Roads: Be served by streets within one mile of the proposed development without causing a reduction in the level of service below "C" during peak hour.

Wastewater Collection: Can be served by the existing wastewater collection system, without the off-site extension of any trunk or outfall lines.

Wastewater Treatment: The wastewater estimated to be generated by the proposed development can be accommodated and treated in accordance with city standards without any treatment plant extension.

Water Supply and Storage: The water needs of the proposed development can be accommodated in accordance with legally authorized and physically available water rights and the capacity, storage, design, of construction requirements of the Utah Health Department without additional supply or storage requirements.

Solid Waste: The proposed development can be served by the existing collection and disposal capacity expenditures or improvements.

Electrical Supply: The electrical needs of the development can be accommodated by the city power department.

Storm Drainage: The proposed development can be served by the existing storm drainage system without the off-site extension of an interceptor or major collection lines.

**Comments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Date:** \_\_\_\_\_ **Signature:** \_\_\_\_\_  
**Public Services Director**

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› **Review for Adequate Public Facilities Part 3 of 4:**

Fire Flow: The proposed development shall be served by a central water system with appropriately located fire hydrants and adequate flows to meet insurance services office fire system grading standards (minimum of twelve-hundred and fifty (1,250) gallons per minute for a period of two hours) without additional capital improvements.

Fire Response Time: The proposed development is within two miles or a five minute response time of an existing fire station.

Owners of the development have submitted adequate documentation demonstrating that the development complies with the requirements of Public Facilities Part 3.

**Comments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Date:** \_\_\_\_\_ **Signature:** \_\_\_\_\_  
**Fire Chief**



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› **Review for Adequate Public Facilities Part 4 of 4:**

Parks: The proposed development is within one mile of a city park or recreation facility, and within one-half mile of a community or neighborhood park, all of which meet city acreage and facility standards and can accommodate the population projected to be generated by the proposed development. The Owners of the development have submitted landscape plans that meet the Landscape Ordinance and City's Landscape Specifications for any property that will maintained by the City of Santa Clara.

**Comments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Date:** \_\_\_\_\_ **Signature:** \_\_\_\_\_  
**Parks Director**

**Miscellaneous Notes:**



# SANTA CLARA CITY SUBMITTAL DEADLINES

## Development Submittal Deadlines

REZONINGS	
Classification	Submittal Deadline Requirements for Planning Commission
Open Space Zone (OS)	Application submittal deadline is four (4) weeks prior to the intended Planning Commission Meeting. *Staff acceptance date is three (3) weeks prior to the intended Planning Commission Meeting.
Residential Agriculture Zone (RA)	Application submittal deadline is four (4) weeks prior to the intended Planning Commission Meeting. *Staff acceptance date is three (3) weeks prior to the intended Planning Commission Meeting.
Single-Family Residential Zone (R-1)	Application submittal deadline is four (4) weeks prior to the intended Planning Commission Meeting. *Staff acceptance date is three (3) weeks prior to the intended Planning Commission Meeting.
Commercial Zone	<u>Without site plan approval</u> , application submittal deadline is four (4) weeks prior to the intended Planning Commission Meeting. <u>With site plan approval</u> , application submittal deadline is seven (7) weeks prior to the intended Planning Commission Meeting. *Staff acceptance date is three (3) weeks prior to the intended Planning Commission Meeting.
Planned Development Districts (PD)	Application submittal deadline is eight (8) weeks prior to the intended Planning Commission Meeting. *Staff acceptance date is three (3) weeks prior to the intended Planning Commission Meeting.
Historic District/Mixed Use Zone	Application submittal deadline is six (6) weeks prior to the intended Planning Commission Meeting. *Staff acceptance date is three (3) weeks prior to the intended Planning Commission Meeting.
Historic District Overlay Zone	Application submittal deadline is four (4) weeks prior to the intended Planning Commission Meeting. *Staff acceptance date is three (3) weeks prior to the intended Planning Commission Meeting.
Classification	Submittal Deadline Requirements for City Council
All	Copies of application (11 copies of application with any recommended changes encouraged by the Planning Commission) must be received two (2) weeks prior to intended City Council meeting. *Staff acceptance date is one (1) week prior to the intended City Council Meeting.

***Before receiving any petition, all fees must be paid along with the submittal of a complete application.***

\*Staff acceptance date refers to the day staff formally accepts the application as complete, all required staff reviews are complete, and final changes made to the application materials are complete.

\*\*Conceptual reviews, prior to the submittal deadline, by staff and the Planning Commission are **strongly encouraged** but not required; additionally, applicants/property owners are **strongly encouraged to submit their applications in advance of the established submittal deadline requirements to avoid missing a staff acceptance deadline due to unforeseen issue(s).**

SUBDIVISIONS	
TRC & Planning Commission Reviews	
Preliminary Subdivision	Preliminary Plat submittal deadline is eight (8) weeks prior to the intended Planning Commission Meeting. *Staff acceptance date is three (3) weeks prior to the intended Planning Commission Meeting.
Final Subdivision	Final Plat submittal deadline is three (3) weeks prior to the intended Planning Commission Meeting. Staff acceptance date is one (1) week prior to the intended Planning Commission Meeting.
City Council Reviews	
Preliminary Subdivision	Preliminary Plat submittal deadline is one (1) week prior to the intended City Council Meeting—submittal must include 11 copies of application materials, revised if necessary to consider recommendations of Planning Commission. Staff acceptance date is one (1) week prior to the intended City Council Meeting.
Final Subdivision	Final Plat submittal deadline is one (1) week prior to the intended City Council Meeting—submittal must include 11 copies of application materials, revised if necessary to consider recommendations of Planning Commission. Staff acceptance date is one (1) week prior to the intended City Council Meeting.

Misc. Planning & Zoning Approvals	
PD Master Plan Amendment	Same as Planned Development approval
Site Plan Reviews	Three (3) weeks prior to intended Planning Commission Meeting and two (2) weeks prior to intended City Council Meeting.
Conditional Use Permits and Home Occupations	Week & a half (1 1/2) weeks prior to the Technical Review Committee Meeting

### **Typical Meeting Schedules:**

**Note: Please refer to the submittal deadline requirements that must be met in order to have a formal Planning & Zoning application placed on the agenda and considered for approval. Agendas for these meetings are posted prior to the meeting date and can be found on the City's web site: [www.santaclaracityutah.com](http://www.santaclaracityutah.com)**

Technical Review Committee (TRC) Meetings – Generally every Thursday at 8:30 a.m.

Planning & Zoning Meetings – 2<sup>nd</sup> Thursday of each month at 5:30 p.m.

City Council Meetings—2<sup>nd</sup> & 4<sup>th</sup> Wednesday of each month at 5:00 p.m.

**Final Note: Due to the time it takes to conduct reviews by staff, incorporate changes by the engineers, and meet state and local advertising deadlines, the submittal deadline requirements are firm.**

**SANTA CLARA CITY PLANNING COMMISSION  
MEETING MINUTES  
2603 Santa Clara Drive  
Thursday, January 11, 2024**

**Present:** Logan Blake, Chair  
Shelly Harris  
Koni Hunt  
Kayde Roberts  
Kristen Walton  
Curtis Whitehead

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

**Absent:** Mark Weston

**1. Call to Order.**

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

**2. Opening Ceremony.**

**A. Pledge of Allegiance: Curtis Whitehead.**

**B. Opening Comments (Invocation): Curtis Whitehead.**

**3. Working Agenda.**

**A. Public Hearing.**

**i. None.**

**4. General Business.**

**A. Planning Commission Training.**

Chair Blake welcomed new Commission Member, Kayde Roberts who was appointed by the City Council on December 13, 2023.

Commission Member Roberts introduced himself and stated he grew up in Ivins and is a current resident of Santa Clara. He and his wife have four children.

Planning and Economic Development Manager, Jim McNulty led the Planning Commission training. He stated the Utah Land Use Institute Planning Commission training will take place on March 22, 2024. Registration and payment for attending Commission Members will be completed by City staff. This will be an all-day event and provide the additional three hours of required training, as per the State Code. Meals will be provided at the event.

Mr. McNulty stated the Planning Commission is created and controlled by Ordinance (City Code Chapter 17.12). Powers and Duties are defined in City Code and Utah Code (Section 10-9a-302). The Commission is tasked with applying the Development Code and law and recommending policy decisions.

As per State Code Senate Bill 174 (Subdivision requirements), City staff reported Chapter 17.12 will require additional amendments. This is now a two-step subdivision review being mandated throughout the State. The Preliminary Subdivision Plat will come before the Planning Commission for review and approval. The Final Plat will be submitted to City Staff at an administrative level and reviewed by the Technical Review Committee ("TRC"). Details for Chapter 17.12 are available for review online.

Chair Blake stated the entire section of the Code details the process and defines the Land Use and Development Act. Reviewing and understanding this part of the Code was encouraged.

Administrative versus legislative decisions were next reviewed. Mr. McNulty reported an administrative decision application seeks to develop under existing regulations. This would include a subdivision application of .25-acre lots of 10,000 square feet and meets current regulations. With Senate Bill 174 taking place, these types of applications would be for Planning Commission review only. He stated a legislative decision is an application that seeks to change existing regulations. Previously received applications were discussed. He explained legislative decisions are forwarded with a recommendation to the elected officials (City Council) who then make the final decision.

Staff stated the applicant is entitled to approval if the following requirements are met:

1. They have submitted a completed application.
2. The application conforms to the City's requirements and Codes (and State Law); and
3. They have paid all required fees.

Mr. McNulty stated these items are dealt with at a City staff level. If an application is incomplete, the applicant will be required to look at changes to the proposed plan. The applicant would return to the TRC where a determination would be made whether or not the plan is ready to move forward to the Planning Commission.

Commissioner Walton questioned the ability to attend a TRC Meeting. Mr. McNulty stated the TRC meets every Thursday at 8:30 a.m. and occasionally has residents in attendance. He would inquire with City officials regarding who would be allowed to attend. Exceptions to the application included the following:



1. There is compelling, countervailing public interest (public health, safety, and welfare issues) that requires denial; or
2. The City has initiated proceedings to amend its ordinances that would prohibit approval of the application as submitted.

Mr. McNulty stated a moratorium is currently in place for the Historic District. The Planning Commission is represented by Historic District Committee Member, Shelly Harris. Staff is moving through the process while reviewing design guidelines and have yet to determine whether they will be called Historic District Guidelines or Standards. The City will continue to review this process until the expiration of the moratorium on May 6, 2024. He confirmed applications identified through the moratorium will not be processed until after its expiration.

When a vote is taken and the decision is “NO” based on one of the exceptions, the Planning Commission must do the following:

1. Make Findings of Fact & Conclusions of Law on the Record (City staff & Legal Counsel).
2. Provide substantial evidence in the record to support the decision.

Staff reviewed two applications where the Planning Commission made a recommendation for denial. The reports were reviewed by City legal counsel with Findings of Fact and Conclusions of Law. Mr. McNulty anticipated a few denials each year. Because resources are shrinking, proposed projects may be more dense than what residents or elected officials feel comfortable with. He stated with the upcoming legislative session, bills are being passed out with many involving land use changes.

Commissioner Roberts wondered how the City documents public interest. Mr. McNulty explained decisions are not based on public clamor and must be determined if the application meets the Code and requirements. Recommendations may be approval or denial and then forwarded to the City Council who make the ultimate legislative decision. He stated with 8,500 Santa Clara residents, there are generally 50 to 60 residents in attendance to express opposition. The public hearing allows citizens three minutes to voice their concerns but it is ultimately up to the Planning Commission to make a decision based on City Code and Ordinance.

Commissioner Whitehead understood public hearings often take place at the Planning Commission level. He stated decisions have previously been based on public clamor when they must make those determinations based on whether the application is complete, legal, contains substantial evidence, and meets conditions. He emphasized it is not in the Commission's purview to decide. Mr. McNulty explained that City staff has prepared a participation guide to provide clarification between a public hearing and a public meeting. The City Council holds a monthly Work Meeting where residents may attend and share items of concern. Public hearings are also held twice per month (if needed) during Planning Commission meetings.

Mr. McNulty next reported the Annexation Policy Plan was opened at the previous meeting. State Code now requires two public hearings as it involves an Annexation Plan with an expansion area

map. After the first public hearing, the item must be re-noticed for an additional public hearing with the City Council.

Commissioner Harris stated there have been experiences where the Planning Commission has made a recommendation to the City Council of denial and the Council has in turn approved the item. Mr. McNulty clarified that it is the legislative authority of the City Council as elected officials to make these decisions.

Commissioner Whitehead questioned the meaning of substantial evidence, especially when dealing with public clamor. He read from a book that indicates substantial evidence is beyond scintilla and what a reasonable mind would accept as adequate to support a conclusion. He clarified by stating public clamor is not substantial evidence and a decision cannot be based primarily on citizen comments.

Commissioner Harris asked for clarification regarding a legislative zone change. Mr. McNulty stated the Planning Commission is the reviewing body and is tasked with forwarding a recommendation.

Staff detailed the following Administrative Review process:

1. A city is bound by the terms and standards of its adopted Development Code and shall comply with mandatory provisions of that Code.
2. A city may not require an applicant that is not expressed in State law, City Code, or adopted infrastructure regulations.
3. Each city shall process and render a decision on each land use application with reasonable diligence.

Mr. McNulty stated the City is bound by the Development Code requirements. Should it be the developer's prerogative to go above and beyond the requirements, the City may only require what is stated in the Code. He noted that with regard to legislative decisions, the Planning Commission is a recommending body. The top three policy questions were as follows:

1. Should the General Plan change?
2. Should the Zoning change?
3. Should the Development Code be amended?

Mr. McNulty reported the City processes 10 to 12 Code Amendments per year. State requirements are continuously being refined as items are brought to their attention or items are discovered that may not meet State Code. He noted Development Code amendments are often more abundant during the spring and summer months due to State Legislative changes. Due process includes the following:

Applicant's Rights:

1. To be notified of a pending action.
2. To be heard prior to the decision.

#### Public's Rights:

1. Administrative Decisions: None
2. Legislative Decisions: Public Hearings

Staff reported all discussions & decisions on pending applications must take place in an open and public meeting. Mr. McNulty explained many times citizen comments claim they are representing a neighborhood and therefore, request more time. Additional time is not typically allowed, as often there are five or six citizens who are self-appointed neighborhood spokespersons. He reviewed the following four due process pitfalls and emphasized the importance of educating residents in the public hearing process.

1. Personal Investigations
2. Ex-parte Communications
3. Conflicts of Interest
4. Discussing items not on the Planning Commission Agenda.

Mr. McNulty explained that ex-parte communications are only allowed by an elected official. Planning Commissioners are not permitted to engage in ex-parte communications. Any Planning Commissioner working in their professional capacity that may conflict with an agenda item must make it known prior to the meeting. Participation would be determined by the City Attorney and City staff before the agenda item was presented. He stated because the City Attorney, Matt Ence, is not present at all meetings, any conflicts of interest must be disclosed prior to the start of the meeting.

Commissioner Harris raised a question with regard to taking part in discussions with citizens. Mr. McNulty emphasized the need to proceed with caution, limit dialogue, and clarify that all decisions are made as a Planning Commission. A Council Member may inform the residents they are not to engage in discussion and direct all citizen comments to Mr. Ence.

Commissioner Whitehead read from Chapter 18, page 234 (ULUI Ground Rules Book) which stated *“One common problem with a right to confront the evidence arises when individual members of a land use authority, such as a Planning Commission or City Council, have conversations with an individual involved in an administrative application outside of the public meetings and outside the presence of other individuals with a stake in the outcome. When a subdivision is proposed, a chat between the subdivider and Commissioner outside the meeting would be ex-parte. It would also be an ex-parte communication for that Planning Commission*

*member to chat with members of the public, a member of the City Council, or others regarding a pending administrative application.”*

Mr. McNulty recommended that Planning Commissioners should understand the Development Code and General Plan, and Municipal Land Use Act, and as a City representative, they must give due process in all things. Findings and conditions are always favorable. Staff confirmed a typical Planning Commission Meeting may run between 90 and 120 minutes.

Chair Blake noted all past conference trainings have been made available on the Utah Land Use website.

**B. Election of Planning Commission Chair and Vice-Chair for 2024.**

Commissioner Harris nominated Logan Blake as Planning Commission Chair and Curtis Whitehead as Vice-Chair.

**Commissioner Walton moved to appoint Logan Blake as Planning Commission Chair and Curtis Whitehead as Vice-Chair for 2024. Commissioner Harris seconded the motion. The motion passed with the unanimous consent of the Commission.**

**5. Discussion Items.**

**A. None.**

**6. Approval of Minutes.**

**A. Request Approval of the Regular Meeting Minutes – December 14, 2023.**

**Commissioner Harris moved to approve the minutes of the December 14, 2023, Santa Clara Planning Commission Regular Meeting with changes. Commissioner Whitehead seconded the motion. The motion passed with the unanimous consent of the Commission.**

**7. Adjournment**

The Planning Commission Meeting adjourned at 6:45 p.m.

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Jim McNulty  
Planning Manager

Approved: \_\_\_\_\_