

**SANTA CLARA CITY COUNCIL
SPECIAL MEETING
MONDAY, APRIL 27, 2026
MEETING MINUTES**

THE CITY COUNCIL FOR SANTA CLARA CITY, WASHINGTON, UTAH, met for a Special Meeting on Monday, April 27, 2026, at 5:00 p.m. in the Council Chambers located at 2603 Santa Clara Drive, Santa Clara, Utah. The meeting will be broadcasted on our city website at <https://santaclarautah.gov>.

Present: Mayor Jarett Waite
Councilman Mark Hendrickson
Councilman Dave Pond
Councilwoman Christa Hinton
Councilwoman Janene Burton arrived at 5:09 pm
Councilman Justin Caplin

Staff Present: Brock Jacobsen, City Manager
Selena Nez, City Recorder
Matt Ence, City Attorney
Jim McNulty, Planning Director

Others Present: Rick Rosenberg

1. Call to Order

Mayor Waite called the special meeting to order at 5:02 p.m. The mayor welcomed everyone and noted that a full council was present: Councilman Justin Caplin, Councilwoman Christa Hinton, Councilman Dave Pond, and Councilman Mark Hendrickson

2. Working Agenda

1. Discussion and action to consider approval of Ordinance 2026-07, an Ordinance enacting a temporary land use regulation to allow for a study and potential adoption for new or revised Hillside Protection Overlay Zone. Presented by Matt Ence, City Attorney.

City Attorney Matt Ence provided a brief summary of the ordinance's background and purpose, noting that it followed the council's prior discussion with consultant Rick Rosenberg regarding potential updates to city ordinances addressing sensitive lands issues, including the Hillside Protection Overlay Zone, commonly referred to as the HP zone. The ordinance, Ence explained, was technically a "temporary land use regulation" that would remain in effect for up to 180 days. Its practical effect would be to place a freeze on applications involving properties within the city's designated sensitive lands areas. The purpose of this freeze was to allow the City Council, the Planning Commission, and city staff sufficient time to work on meaningful updates to the city's ordinances, as had been discussed the prior week.

Ence then shifted to what he described as the most important part of the ordinance, the City Council's formal findings. He explained that as the legislative body enacting this regulation, the council was required to enter findings that support the action. He noted that the six findings had been proposed by consultant Rick Rosenberg and were incorporated into the ordinance nearly word for word, with only minor, non-substantive changes. Mayor Waite indicated his approval, and Ence proceeded to read the findings into the record.

The first finding stated that the existing city code relevant to the HP zone dates from 2008 and requires revision to reflect recent changes in applicable building codes and construction design standards, new construction methods, and current technology. The second finding noted that the existing code's requirements related to allowable land disturbance are vague and subject to interpretation by members of the Hillside Review Board during project review. The third finding observed that the existing code does not adequately address the administration of the Hillside Review Board, including member makeup, maximum terms of service, and chairman and vice chairman job descriptions and election requirements. The fourth finding stated that the existing code and its associated exhibits do not adequately address all known geologic hazard risks identified by the Utah Geologic Survey that impact properties within the city. The fifth finding noted that

there are large tracts of undeveloped land within the city impacted by steep slopes, large drainage basins and floodplains, expansive soils, shallow bedrock, and other risks to future development. The sixth and final finding stated that the existing city code does not adequately incorporate or address the policies of the city with respect to the preservation and protection of sensitive lands, as reflected in the city's general plan document recently adopted by the City Council to guide future land use decisions.

Following the reading of the findings, Mayor Waite opened the floor to council questions or comments. A council member indicated that they had read the ordinance in full and found no substantive reason to change anything, noting only that a spelling error had been identified and brought to the attorney's attention before they had a chance to respond personally. Ence confirmed that the spelling error had since been corrected.

At that point, former Mayor Rick Rosenberg approached the microphone and was recognized by Mayor Waite. Rosenberg raised a minor but notable concern: one of the "whereas" clauses in the ordinance referenced "Rosenberg Associates," and he clarified that his work on this matter had been performed in his capacity as a consultant, not as Rosenberg Associates. He requested that the reference be removed. Ence acknowledged the point and confirmed he would make that correction. A council member remarked lightheartedly that they were simply used to seeing Rosenberg in that particular role.

Mayor Waite then offered a broader observation, suggesting that an additional finding might acknowledge that there is very little easily developable land remaining in Santa Clara that the city is, as he put it, "running out of the easy land basically to develop." He framed this as food for thought and one reason the council should examine these issues closely. However, City Attorney Ence and a council member cautioned against adding such a finding, noting that it would open the city up to definitional debates around what constitutes "usable" land. Mayor Waite acknowledged the concern and agreed that the finding should not be added, reiterating that he had raised it purely as context for why the review is important.

Motion: Councilman Pond moved to APPROVE Ordinance 2026-07, an Ordinance enacting a temporary land use regulation to allow for a study and potential adoption for new or revised Hillside Protection Overlay Zone. Councilwoman Hinton seconded the motion. Roll call vote: Hendrickson - Aye, Pond - Aye, Hinton - Aye, Burton - Aye, Caplin - Aye. Motion passed unanimously.

Mayor Waite confirmed a closed meeting session.

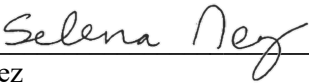
Motion: Councilwoman Hinton moved to go into Closed Meeting Session to Discuss Imminent Litigation. Councilman Caplin seconded the motion. Roll call vote: Hendrickson - Aye, Pond - Aye, Hinton - Aye, Burton - Aye and Caplin - Aye. Motion passed unanimously.

The City Council was in Closed Session from 5:09 p.m. to 6:17 p.m.

3. Adjournment

Motion: Councilman Caplin moved to adjourn. Councilman Pond seconded the motion. All in favor. Motion passed unanimously.

The City Council special meeting was adjourned at 6:18 p.m.



Selena Nez
City Recorder

Approved: _____ May 27, 2026