

**SANTA CLARA CITY COUNCIL SPECIAL WORK MEETING
WEDNESDAY, SEPTEMBER 2, 2026
MEETING MINUTES**

THE CITY COUNCIL FOR SANTA CLARA CITY, WASHINGTON, UTAH, met for a Special Work Meeting on Wednesday, September 2, 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
Councilman Justin Caplin

Staff Present: Brock Jacobsen, City Manager
Selena Nez, City Recorder
Matt Ence, City Attorney
Dan Cazier, Fire Chief
Casey Stratton, Public Works Director
Gary Hall, Power Director
Lance Haynie, Government Affairs Director

Planning Commission:
Shelly Harris
Kristen Walton
Logan Blake
Joby Venuti
David Clark
Tyler Gubler

Others Present: Rick Rosenberg
Melodee Finlinson
Mel Taylor

1. Call to Order

Mayor Jarett Waite called the Santa Clara City Council Special Work Meeting to order at 5:00 p.m. Present from the council were Councilman Mark Hendrickson, Councilman David Pond, Councilwoman Christa Hinton, Councilwoman Burton and Justin Caplin. Members of the Planning Commission were also in attendance and welcomed by the Mayor.

2. Working Agenda

A. General Business:

1. Discussion regarding Hillside Ordinance Update. Presented by Jim McNulty, Planning Director.

The primary presenter was Rick Rosenberg, with technical assistance from Lance, standing in for Planning Director Jim McNulty. Rosenberg opened by acknowledging that the drafting committee has been meeting nearly weekly and that the ordinance still requires further refinement, but that a scheduled deadline is expected to be met. The session was organized around two main components: a

review of the new sensitive lands mapping system and a walkthrough of key provisions in the draft ordinance text.

Rosenberg introduced a new interactive GIS-based sensitive lands map, now live on the city's website, that allows any property owner to view their parcel in relation to multiple geologic hazard layers. The map was assembled using data from the Utah Geologic Survey, other consultants, and FEMA, and includes the following layers: flood hazard zones derived from FEMA's National Flood Insurance Program maps, erosion hazard zones based on studies conducted following the 2005 flood, landslide susceptibility areas, liquefaction zones, rock fall hazard areas, expansive soil designations, Wildland Urban Interface (WUI) zones, and Areas of Critical Environmental Concern (ACEC) designated by the Bureau of Land Management.

Rosenberg walked through each layer in turn, noting the historical context behind several of them. The flood hazard layer reflects maps last updated in 2009, with another update currently in process. He noted that Santa Clara's maps are not expected to change significantly in the update, in contrast to St. George, which is facing substantial remapping challenges. He described the erosion hazard zones as reflecting areas where the river has historically traveled and where soil remains highly susceptible to erosion. The landslide layer prominently covers the rim area around the Heights, including the site of the prior active landslide that necessitated the city's acquisition of several homes and vacant lots. Rock fall hazard was noted as an existing concern in certain canyon areas, with plans to extend that layer to additional properties. Expansive soils, primarily blue clay found at depth throughout much of the city, were shown to affect large swaths of both developed and undeveloped land. The WUI layer will be addressed in a separate forthcoming ordinance rather than within the sensitive lands framework. The ACEC areas, which protect endangered plant species on BLM lands, are not anticipated to be released for development.

When all layers were displayed simultaneously, the map illustrated that a significant portion of the city is affected by one or more geologic hazards, underscoring the importance of the ordinance. Rosenberg noted the map is publicly accessible and user-friendly enough for residents to use independently when evaluating their own properties.

Rosenberg then reviewed the key provisions of the draft Sensitive Lands Ordinance, which replaces and substantially updates the prior Hillside Ordinance. The ordinance is triggered when a proposed development meets any one of four conditions: the property falls within the sensitive lands area identified on the city's adopted General Plan map; the project proposes to disturb slopes greater than 15 percent; the property is affected by a potential geologic hazard identified through geologic evaluation; or the project involves a flood plain, riparian area, wetland, or ephemeral wash with a drainage basin exceeding 0.15 square miles. The ordinance applies to new building permits, subdivisions, additions to primary structures, conditional use applications, and preliminary and final plats.

To support review of submitted development plans, the city intends to retain a qualified geotechnical engineer or geologist, either on staff or through an expanded consultant pool. Rosenberg indicated the existing engineering consultant pool is due to be rebid and will be expanded to include geotechnical specialists who are not affiliated with developers, thereby avoiding conflicts of interest. The cost of this independent city review will be borne by the applicant.

The draft ordinance establishes a Sensitive Lands Review Board, the successor to the former Hillside Review Board, comprising five members: three technical experts and two citizen representatives, all appointed by the mayor to five-year terms with a two-consecutive-term limit. Rosenberg noted that the existing Hillside Review Board has had members serving since 2012 when the original ordinance was adopted. The board's role is to serve as a recommending body to the Planning Commission, which retains land use authority for final approval of development plans.

A pre-application process is being developed to allow developers to consult with staff early, understand applicable requirements, and determine project feasibility before committing to the cost of full geologic studies. The ordinance also includes provisions for limits of disturbance, which would be staked and potentially fenced on-site during construction, grading cross-section requirements, mandatory certifications by engineers upon project completion, on-site inspection rights for the city,

and a dispute resolution mechanism allowing for an independent third-party consultant when the applicant's engineer and the city's reviewer disagree.

Slope disturbance limitations under the draft ordinance would prohibit any disturbance on slopes of 40 percent or greater, allow up to 10 percent disturbance on slopes between 30 and 40 percent, up to 50 percent on slopes between 25 and 30 percent, and allow full disturbance on slopes below 25 percent. Rosenberg noted that certain anomalies such as a small isolated rock outcrop may qualify for exemption from the 40 percent rule. A blanket exemption is also included for public infrastructure, including roadways, utility corridors, and trails.

Rosenberg explained that the ordinance will cross-reference several existing city codes, including the flood plain ordinance under Chapter 15.36 and a forthcoming geologic hazard ordinance (Chapter 15.34) being developed from a model ordinance provided by the Utah Geologic Survey. The committee is also working concurrently on revisions to the city's design and construction standards to align with the new ordinance requirements.

Councilwoman Hinton raised a concern about the makeup of the Sensitive Lands Review Board, specifically that the ordinance as drafted does not explicitly require alternate citizen members to be Santa Clara residents. Rosenberg acknowledged this was likely an oversight and agreed to raise it with the committee. Councilwoman Hinton also flagged an apparent inconsistency in a grading section that referenced both a 12-foot maximum cut height and a 10-foot exception threshold, and Rosenberg confirmed the section is still being finalized.

A substantive discussion arose around the maximum allowable retaining wall height in sensitive lands areas. Under the current city ordinance, the maximum wall height is 6 feet. The committee has been considering increasing that to a two-tiered system allowing a maximum of 16 feet total in sensitive lands areas, in recognition of the difficulty of building on steep terrain within the 6-foot constraint. Planning Commissioner Logan Blake explained that the rationale for the increase is that taller engineered walls may actually result in less overall site disturbance than the alternative of grading large open slopes. He noted that St. George recently increased its residential wall height allowance to 20 feet. Councilman Hendrickson expressed a strong preference for keeping the limit at 16 feet on aesthetic grounds, observing that taller cuts tend to produce visually prominent and unattractive results. The discussion remained unresolved as to whether an exception process should exist for commercial development or unusual terrain, with Rosenberg agreeing to bring that question back to the committee.

Councilwoman Hinton asked about the FEMA flood map modernization effort and whether changes would automatically reflect on the city's website. Rosenberg confirmed that the GIS layers are linked directly to FEMA's data and would update automatically, and that Santa Clara's maps are not expected to change materially. He contrasted Santa Clara's situation favorably with St. George, where significant development has occurred in areas that are now being mapped as 100-year flood plain, creating potential insurance and mortgage complications for existing homeowners. Rosenberg noted that the Washington County Flood Control Authority is making funds available for letter of map revisions and that he intends to pursue some of those funds to clean up longstanding mapping issues along the Santa Clara River.

Councilman Caplin asked whether the sensitive lands GIS map, when all layers are displayed, effectively covers the entire city. Rosenberg clarified that the first trigger for ordinance applicability is specifically the sensitive lands map from the adopted General Plan, not the full overlay of all geologic hazard layers, and that the existing process for requiring geotechnical reports in expansive soil areas is not changing under the new ordinance.

A member of the public Mel Taylor raised concerns about accountability when development is permitted in accordance with city ordinance but flooding or structural failure still occurs, citing a recent example from Hurricane City involving Gills Wash. Rosenberg responded that the ordinance is specifically designed to address this gap by requiring independent third-party technical review of development plans, not merely relying on the applicant's engineer. He emphasized that the city's consultant pool must include professionals with genuine expertise in the relevant hazards.

Planning Commission Chair Logan Blake reinforced that the current wall height ordinance makes hillside development practically very difficult and that the proposed increase, tied to the more rigorous sensitive lands review process, is intended to enable better-engineered and less disruptive development.

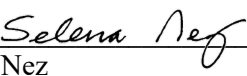
City Attorney Matt Ence added important context on the question of municipal liability, noting that responsibility in cases where development fails despite ordinance compliance is highly fact-specific and not uniform. He acknowledged the city has encountered situations ranging from cases involving sovereign immunity to situations that led to negotiated settlements. He affirmed that the process being developed represents a significant improvement in standards and that even well-designed regulatory frameworks cannot plan for every extreme event, noting that design standards are typically calibrated to the 100-year storm rather than the 1,000-year event.

Mayor Waite acknowledged that the ordinance would add cost and time to some development applications but expressed the view that requiring engineering evaluation before building in areas of known geologic risk is a reasonable and necessary cost of responsible development. Rosenberg agreed, stating that if a developer cannot afford to conduct the study to demonstrate a site is safe, the site probably should not be built on.

Mayor Waite thanked the committee, city staff, and all participants for their extensive work on the ordinance, noting the breadth of expertise involved, including geotechnical engineers, the planning director, civil engineers, and citizen representatives.

3. Adjournment

Mayor Waite adjourned the work meeting at 6:24 p.m.



Selena Nez
City Recorder

Approved: September 9, 2026