

**SANTA CLARA CITY PLANNING COMMISSION
MEETING MINUTES
2603 Santa Clara Drive
Thursday, February 9, 2023**

Present: Mark Hendrickson, Chair
Logan Blake
James Call
Shelly Harris

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

Excused: Mark Weston
Curtis Whitehead
Ryan Anderson

1. Call to Order.

Chair Mark Hendrickson called the meeting to order at 5:31 p.m.

2. Opening Ceremony.

A. Pledge of Allegiance: James Call.

B. Opening Comments (Invocation): James Call.

3. Communications and Appearances.

There were no communications or appearances.

4. Working Agenda.

A. Public Hearing.

i. None.

5. General Business.

A. Recommendation to City Council.

i. Recommendation to the City Council to Consider Final Plat Approval for Solace Subdivision, Phase 1. Located off North Town Road and Rachel Drive, East of the Bella Sol Subdivision. Dustin Garr, Applicant.

Planning and Economic Development Manager, Jim McNulty, presented the Staff Report and stated

that the project has been underway for about one year. The City was excited to see it moving forward. The Final Plat Phase 1 includes 21 single-family lots consisting of 5.62 acres. It is within the R-1-10/RA Mixed Lot Size Zone, which allows for various lot sizes of 7,000, 8,000, 9,000, and 10,000 square feet. The Final Plat includes lots ranging in size from 7,081 to 13,390 square feet.

The project went through the rezoning process in the fall of 2018 and was reviewed by the Planning Commission and City Council. The Preliminary Subdivision Plat, which included approval of the six phases, included 128 single-family lots. Phase 1 was to be considered tonight. It is directly behind Bella Sol. There has been significant discussion regarding this phase with one of the stipulations being that the buildings are limited to 20 feet in height. Sullivan Homes was the original developer and the property has since been sold to New Wave Construction who is aware of the height restriction and have agreed to it. Mr. McNulty reported that each Subdivision Plat must be reviewed by the Planning Commission and a recommendation forwarded to the City Council for Final Plat approval.

Mr. McNulty discussed the ingress and egress to the subdivision and explained that Affirmation Drive will be a 60-foot collector road that will provide access to other developments to the east. The road will be built along with others to provide access to the development. All improvements to the roads, curb, and gutter will be required to record the plat. All of the new roads will be dedicated to the City as public roads when completed.

The building setbacks are varied based on the sizes of the lots. There is culinary water available. A Will-Serve Letter is needed from the Washington County Water Conservancy District prior to recordation of the Final Plat. Secondary water is required for all outdoor water use. The system was in the process of being installed.

Parcels A and B are being dedicated to the City for water, power, sewer, and storm drain purposes. Jared Bates from Rosenberg Engineering would discuss that further. It was noted that there is an additional public easement between Lots 11 and 12. A Dust Control Plan will also be in place for the construction phase.

All of the reviewing departments including the Building, Parks and Recreation, Police, Fire, Power, and Public Works Departments were in favor of the project and the Final Plat moving forward, subject to the standard requirements. All Utah Code requirements have been met. Staff recommended that the Planning Commission forward a positive recommendation to the City Council for Final Plat Approval for the Solace, Phase 1 Subdivision, subject to the conditions set forth in the Staff Report. Mr. McNulty reported that condition number 7 pertaining to the abandonment of three easements is a City Council issue and will be handled prior to Final Plat approval.

Commissioner Blake asked if the 20-foot height limit is specified in the Codes, Covenants, and Restrictions (“CC&Rs”) or if it was noted on the plat. Mr. McNulty stated that it is in the CC&Rs and the builders are aware of it. A note on the plat can be added as plat note number 9.

Jared Bates, a St. George resident, asked for clarification of the 20-foot height of the buildings and how it is measured. Building Official, Cody Mitchell stated that the safe answer would be to measure from the pad elevation. There was discussion regarding how to measure the height and where to measure it from. Mr. McNulty deferred to Mr. Mitchell. The official rule is to measure from the finished floor to the highest point of the structure. That was determined to be the case and the note would be added to the plat to reflect that decision.

Commissioner Blake asked if the entire project meets the percentages for lot sizes shown on the preliminary plat. Mr. Bates' understanding was that project-wide, the percentages have been met.

Commissioner Blake moved that the Planning Commission recommend APPROVAL to the City Council of the Final Plat for the Solace, Phase 1 Subdivision, located off North Town Road and Rachel Drive subject to the following conditions:

- 1. That the applicant be required to comply with the recommendations from all City reviewing departments for each project phase.**
- 2. That the applicant be required to install public street improvements which meet city standards.**
- 3. That the building setbacks for this subdivision meet the requirements of Chapter 17.65, R-1-10/RA Mixed Lot Size Residential Zone.**
- 4. That the building height for all homes in Phase 1 is limited to 20 feet.**
- 5. That the applicant provides a will-serve letter or other verified documentation from the WCWCD prior to final plat recordation of each project phase. That a secondary water system is required for outdoor use.**
- 6. That Parcels A and B be dedicated to the City for water, power, sewer, and storm drainage purposes (Public Utilities).**
- 7. That the City Council approve the abandonment of the three (3) easements associated with the final subdivision plat.**
- 8. That the applicant provide a Dust Control Plan for each project phase (Phases 1 thru 6) prior to final plat recordation.**

Commissioner Harris seconded the motion. Vote on motion: Chair Hendrickson-Aye; Commissioner Blake-Aye; Commissioner Call-Aye; Commissioner Harris-Aye. The motion passed unanimously.

B. Planning Commission Approval.

- i. Approval for Sodamix Building Signs, at 3663 Pioneer Parkway, Suite 4. Jodi Cox with Star Signs, Applicant.**

Mr. McNulty presented the Staff Report and stated that Soda Mix, represented by Jodi Cox, is requesting Awning Signs and other types of signage not otherwise identified in the Code. The property is located at 3663 Pioneer Parkway Suite #4 and was previously occupied by 'Quench-It. Santa Clara City Sign Ordinance, Chapter 17.44, specifies that awning signs and signs not otherwise identified, are allowed in the Planned Development Commercial ("PDC") Zone subject to Planning Commission approval.

The proposed business will be in the commercial building currently occupied by Aloe Urgent Care, and Royal Thai. They are proposing a total of three awning signs, which are allowed. They must, however, not exceed 10% of the total square footage of the front wall of the building. Mr. McNulty presented renderings of the proposed signs. The two awning signs are each five square feet and the Soda Mix blade sign is approximately 43 square feet in size. The total requested square footage of the wall signage would be 53 feet and the Code allows up to 55 square feet.

On the opposite side of the building, they are requesting an awning sign and a blade sign. The signs are slightly larger with the awning sign proposed at 24 square feet and the blade sign at 12 square feet for a total of 36 square feet. The Code allows up to 55 square feet as it is the same size as the opposite side. An existing menu board sign on the building has been scheduled to be removed. Soda Mix will replace it with the menu board sign that has already been approved. The signs requiring Planning Commission Approval include the awning and blade signs on the north and south sides of the building. The signs include internal illumination with white lights. This issue has been addressed in the past and the outcome has been to require that the signs be turned off by the end of business or 10:00 p.m. at the latest to minimize the impact on the surrounding residents. The surrounding businesses have agreed to this requirement.

Staff recommended that the Planning Commission grant approval of the request subject to the conditions set forth in the staff report.

Commissioner Harris moved to APPROVE the proposed Awning Signs and Blade Signs for Soda Mix located at 3663 Pioneer Parkway, Suite #4 subject to the following conditions:

- 1. That the two (2) awning signs on the north side of the building be allowed at 5 square feet each for a total of 10 square feet. That the blade sign on the north side of the building be allowed at 43 square feet in size. That internal illumination with a white light be allowed for each sign.**
- 2. That one (1) awning sign on the south side (front) of the building be allowed at 24 square feet in size. That the blade sign on the south side of the building be allowed at 12 square feet in size. That internal illumination with a white light be allowed for each sign.**
- 3. That the front elevation (south facing) awning sign and blade sign which are internally illuminated be turned off nightly at the close of business or no later than 10:00 PM.**
- 4. That a Building Permit be applied for and obtained prior to signs being placed on the building.**

Commissioner Call seconded the motion. Vote on motion: Chair Hendrickson-Aye; Commissioner Blake-Aye; Commissioner Call-Aye; Commissioner Harris-Aye. The motion passed unanimously.

Commissioner Harris asked if it would be prudent to add blade signs to the sign ordinance.

Mr. McNulty stated that he has added different types of signs to the ordinance as they have come up and he felt it would be wise to include them in the ordinance to avoid requiring the Planning Commission to approve them individually.

6. Discussion Items.

A. Subdivision Ordinance Updates (Title 16 and Chapter 17.04).

Mr. McNulty reported that the City has been working on an update to the Design Construction Standards for about eight months. Commissioner Blake, who is a Licensed Engineer by profession, was part of the committee that included other engineers, geotechnical engineers, and City Staff. The standards were adopted by Resolution on February 8, 2023. Mr. McNulty thanked Mr. Blake for his help on the project.

In addition to updating the City Design Standards, Title 16 – Subdivisions and Chapter 17.04 will also need to be updated. Mr. McNulty explained the requirements and stated that most of the information will involve cleaning up wording and updating information. He reviewed the main items beginning with the approval of subdivision plats. It is now called a Concept Plan rather than a Sketch Plan. He reviewed the steps in the subdivision plan process and the required verbiage. Changes have been made to Preliminary Plats and approvals. He reviewed the changes made including additional requirements that were added specifically pertaining to water requirements. He reviewed the approval procedure and the updates and changes made to the process.

New language was added regarding extensions. The City must be compliant with the Water Conservancy District regulations. There are situations where a preliminary plat may constitute a large number of homes, so it can be broken down into phases for development. Final Plat provisions primarily deal with cleaning up the wording without a lot of specific changes. It was noted that copies of the CC&Rs will need to be submitted to the City for review and reference.

Commissioner Blake asked if the term “City Engineer” should be changed to “City Representative”. Mr. McNulty made a note of it and stated that it will be changed.

Mr. McNulty reviewed the Design Standards and identified the additions and changes that were made. Performance guarantees were changed in the standards as well. Commissioner Blake asked about Letters of Credit. It was determined that Letters of Credit should remain an option for obtaining a Performance Guarantee. The guarantee amount was changed to comply with State Code at 100% of the amount rather than 125%.

Section 16.32.060 was discussed regarding building on an unsubdivided parcel. The concern was that developers will often bond and record the plat without the improvements, which can ultimately cause issues when construction begins. The wording in the Revised Code will mitigate these issues.

Mr. McNulty reviewed Chapter 17 and discussed the additions and revisions to the standards. A section was added regarding the water acknowledgment and requirements and another pertaining to vesting and expiration. Commissioner Hendrickson asked about vesting and the expiration of it and discussed a current situation that is occurring in the City. Mr. McNulty stated that he would cover the vesting section.

After reading through the new Vesting and Expiration Section, there was further discussion regarding specific projects this section would apply to and how it will ultimately help with ongoing issues in the City. When developers are actively communicating with the City, there are generally fewer problems and the City is willing to work with them to ensure success.

Mr. McNulty stated that he would be discussing the final changes with City Attorney, Matt Ence before the matter comes back to the Planning Commission.

7. **Approval of Minutes.**

A. **Request Approval of the Regular Meeting Minutes – January 12, 2023.**

Commissioner Harris asked about the wording in the minutes on page 2, the second paragraph states, “The IADU must be owner-occupied to be rented.” She found the wording to be confusing as written. Mr. McNulty stated that the home must be owner-occupied. He offered to modify the wording.

Commissioner Harris moved to APPROVE the minutes of the January 12, 2023, Planning Commission Meeting with the proposed change. Commissioner Call seconded the motion. The motion passed with the unanimous consent of the Commission.

8. **Adjournment.**

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

Jim McNulty

Jim McNulty
Planning Manager

Approved: February 23, 2023