



118 Lion Blvd PO Box 187 Springdale UT 84767 * 435-772-3434 fax 435-772-3952

**MINUTES OF THE SPRINGDALE PLANNING COMMISSION REGULAR MEETING
ON WEDNESDAY, JANUARY 17, 2018, AT 5:00PM
AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH.**

Meeting convened at 5:00PM

MEMBERS PRESENT: Chair Liz West, Randy Taylor, Allan Staker, Joe Pitti, Mike Marriott, and Cindy Purcell representing Zion National Park

EXCUSED: Jerry Giardina

ALSO PRESENT: DCD Tom Dansie and Town Clerk Darci Carlson recording. Please see attached list for citizens signed in.

Approval of Agenda: Motion made by Liz West to approve the agenda, removing action item A5 Grading Permit on Parcel S-CCWS-2 Luke Wilson, and moving A6 Nomination and recommendation for the 2018 Planning Commission Chair and Vice Chair to number 5; seconded by Allan Staker.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Commission discussion and announcements: Mr. Dansie expressed a sincere thank you to Liz West and Randy Taylor for their years of dedicated service to the Planning Commission. They would be missed.

Action Items

Public Hearing – Ordinance Revision: Addition of standards allowing the long-term rental of accessory dwelling units in the Valley Residential Zone: Mr. Dansie explained the Planning Commission had worked on this ordinance for several years. The current draft included all the Council and community response. The ordinance would allow long-term rental of casitas within a single-family residence if they followed specific requirements. This would not allow short-term or vacation rentals and only applied to properties in the Valley Residential Zone.

Commission questions: None were asked.

Public questions: None were asked.

Motion made by Liz West to open public hearing; seconded by Joe Pitti.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Public comment: No comments were made.

Motion made by Randy Taylor to close public hearing; seconded by Mike Marriott.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Commission deliberation: Mr. Taylor recalled Commissioners had a difference of opinion regarding the five-year waiting period.

- Mr. Pitti said the Commission wanted to hear public comment on the issue, however there did not appear to be concerns coming from the community. He suggested the Planning Commission present the ordinance 'as-is'.
- Ms. West felt ADU's fit with the General Plan and should be allowed immediately.
- Mr. Staker was not in favor of the five-year waiting period, especially if the goal was to provide much needed, affordable housing.

The Commission continued to discuss the five-year waiting period and came to a majority consensus it be removed.

- Mr. Pitti emphasized he was not against ADUs but raised concern the Commission was creating a band-aid and not looking at a long-term plan for affordable housing and how it would impact residential neighborhoods.
- Ms. West said ADUs provided an option and the strict guidelines would help regulate.

Motion made by Liz West that the Planning Commission recommends forwarding to the Town Council an ordinance adding section 10-22-15 and revising related sections to make allowance for long-term rental of accessory dwelling units and to remove from 10-22-15(C)(8) the last sentence that 'No structure or portion of a structure constructed after the effective date of this ordinance may be used as an ADU at any time prior to five years from the date of its construction'; seconded by Mike Marriott.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: No

Marriott: Aye

Motion passed.

Public Hearing – Ordinance Revision: Creation of the Cottage Housing Overlay Zone: Mr. Dansie indicated this housing ordinance would allow cottages clustered together around a common space in the Valley Residential Zone. He provided highlights of the ordinance indicating the maximum footprint was 1,000 square feet with a maximum square footage of 1,500; it allowed up to six units per acre with a maximum of twelve in any development; the lot must be in the Valley Residential Zone and be at least one-acre in size; and, the development must have direct access to SR-9. Based on previous Commission input, a provision was added stipulating cottages could not be rented for less than 90-days.

The Commission received a number of public comment letters (Attachment #1).

Commission questions: None were asked.

Public questions: Jerry Lucky requested clarification of the maximum size allowed for the cottages.

- Mr. Dansie reiterated the information and indicated the intent was to provide a housing option for long-term residents of the community and not nightly rentals.

Mr. Lucky clarified that management of the units would be up to the owner of the property. He also asked about design criteria.

- Mr. Dansie indicated there were minimum architectural standards but no requirement they meet a specific architectural style.

Mr. Lucky asked if two cottages could be combined into one and if there was a parking requirement.

- Mr. Dansie confirmed two cottages could be combined and said the requirement was two parking spaces per cottage.

Motion made by Liz West to open public hearing; seconded by Mike Marriott.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Public comment: Louise Excell said she was in favor of Town efforts to create affordable long-term housing options. It was a topic that was often discussed but failed. She used the Moenave, Rayner/Coleman, and Clark developments as examples. She said allowing two units to combine into one would change the affordability and defeat the concept. Unless the Commission could insure projects were truly affordable, Ms. Excell did not want to give anyone more incentive to build something that wasn't.

Luke Wilson asked if the units were permanent rentals or if each unit could be sold.

- Ms. West said the units must be owner-occupied or rented for no less than 90-days. They could be sold individually.
- To sell the land with the cottage units, Mr. Wilson explained the land would have to be subdivided and each have a unique parcel number.
- Mr. Staker felt the legal definition for these units would be a townhome whereby an owner would only own the ground under the building. The remaining area would be common.

Motion made by Randy Taylor to close public hearing; seconded by Liz West.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Commission deliberation: Mr. Pitti agreed with the public comments. He said the idea was to create housing in Town that would not be rented but purchased as a long-term home. The Commission could not, however, anticipate this would happen. He was not in favor of two units being combined as it defeated the concept of a cottage neighborhood. Mr. Pitti wanted the Town to think about the complexity of the issue should property owners sell the units.

Mr. Taylor commented subdividing into parcels made the idea unstable. Homeowner Associations (HOAs) had a history of not working well.

- Mr. Marriott said HOA's had their challenges, but common area was not a new concept and he supported it. If done well, cottage neighborhoods could be good for Springdale and very 'village-like'. The notion of affordable was relative.

Ms. West felt cottage neighborhoods provided housing options and could work well. The standards would help regulate.

Mr. Pitti favored prohibiting the combining of two units. The idea of duplexes was a different concept.

- Mr. Staker commented putting two units together would provide some architectural diversity.

Ms. West referenced implementation strategies 5.1.1.a, 5.2.3 b and 5.2.5.a from the General Plan as supporting cottage neighborhoods.

Motion made by Mike Marriott to recommend the Town Council approve the ordinance revision: creation of the Cottage Housing Overlay Zone (10-13E) which would allow cottage neighborhoods. With the change to remove 10-13E-11(4) that cottages may not be joined together. Whereas we find that this proposed ordinance furthers Springdale's housing goals for low cost housing in the private market by encouraging modest house sizes; seconded by Liz West.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Public Hearing – Design/Development Review: Employee housing units on property at 180 Zion Park Blvd: Mr. Dansie said this proposal would add a second story addition to the existing building. The addition was less than 1,000 square feet which typically did not require Planning Commission review; however, the addition would impact the look of the building from the street.

The addition would add a second story over the current single-story sections of the building. The intent was to create employee housing units. Mr. Dansie noted the overall height would not change, colors and materials would match existing, and no additional outdoor lighting would be added.

Commission questions: Mr. Taylor asked about the front setback.

- Mr. Dansie said the building was granted a variance in 1997 for a reduced front setback.

Mr. Pitti asked if the applicant was applying for deferred impact fees for the employee housing.

- Mr. Dansie clarified impact fee deferrals applied to culinary water. The existing meter was sufficient to service, but Mr. Dansie indicated this understanding could be clarified when the building permit was issued.

Jack Fotheringham was in attendance to answer questions. He thanked the Commission for their time.

Mr. Pitti asked for clarification on how the units were accessed.

- Mr. Fotheringham said there was a staircase in the back. There were two apartments and the plan added a bedroom to each. He clarified there would be only two units, not three.

Public questions: Louise Excell asked if the 1997 variance allowed for an expansion of a non-conforming use.

- Mr. Dansie said the variance allowed for a reduction in the setback which became the controlling setback for the entire property.

Motion made by Liz West to open public hearing; seconded by Mike Marriott.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Public comment: None was made.

Motion made by Randy Taylor to close public hearing; seconded by Allan Staker.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Commission deliberation: Ms. West said requirements of size, setbacks, height, illumination, colors and materials, and parking requirements were all met. She questioned the natural hazards and expressed concern about the building being located in a geologically hazardous area. She referenced 10-11B-12(A) and asked what mitigating measures could be taken to protect occupants.

- Mr. Dansie said the standard in the ordinance was 'unreasonable risk'.

The Commission discussed what 'unreasonable risk' meant. Mr. Taylor asked if there was any documentation about the ground in this area.

- Mr. Dansie indicated a number of studies had been done on the landslide. UDOT conducted a review of this area and felt confident enough to move ahead with the road project; however, different analysis indicated the land was still moving.

Mr. Taylor noted the Planning Commission went through the process to develop a natural hazard ordinance but it was never finalized. The conclusion was essentially, buyer/owner beware.

Mr. Pitti asked about parking. It was difficult to tell the total number of spaces from the drawings submitted. Mr. Pitti expressed frustration in understanding the whole concept from hand-drawn renderings.

- Mr. Dansie appreciated the feedback. He said the parking outline showed the existing parking area and not what would be developed.
- Ms. West said the applicant had enough parking spaces.
- Mr. Pitti agreed but reiterated his concern that information presented within application documentation be illustrated correctly.

Mr. Pitti asked for further clarification how the containers would be out of view.

- Mr. Fotheringham indicated the elevation of the building facing Thai Sapa would shield the containers.

Mr. Marriott suggested a condition of approval that construction drawings be reviewed by staff to confirm numbers were as represented and that all zoning standards were met.

- Mr. Dansie said the next step was to have the building inspector and fire marshal conduct a code review. Typically, commercial building plans should be stamped by an architect or engineer, but with small additions, the building inspector could allow a contractor stamp.

Motion made by Mike Marriott to approve the Design/Development Review for employee housing at 180 Zion Park Boulevard. The Commission finds it is in conformance with Chapter 10-11B and Chapter 10-16 and that the building size, setbacks, height, illumination, color and materials, parking and natural hazards are being complied with. With conditions: 1) that the construction drawings be reviewed and checked for conformance to the proposed sizes in the hand drawn drawings; 2) the Town verify the number of parking stalls on the site; seconded by Liz West.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Public Hearing – Design/Development Review: Surface parking lot at the corner of Balanced Rock Road and SR-9: Mr. Dansie said this was the site of the proposed parking structure. The parcel had gone through the Parking Structure Overlay Zone process. Due to setbacks in timelines and scheduling the applicant was not ready to build a parking structure this season but requested construction of a surface parking lot on the parcel.

Although the grading required for a surface parking lot would not be as extensive, Mr. Dansie recommended the same conditions of approval should remain.

Mr. Dansie noted the front and rear setbacks were shown to be 5'. These setbacks were approved during the Parking Structure Overlay Zone process; however, this reduced setback allowance did not apply to the surface parking area. The applicant applied for a setback variance which would be considered by the Administrative Hearing Officer on January 24th.

Ms. West requested fencing be placed around the toe of the landslide during construction.

Public questions: Don Hall asked the number of spaces with and without the variance.

- Mr. Dansie said there were 95 spaces assuming the variance was approved. He was unsure the number if the variance was not approved.

Commission questions: Ms. West asked about the landscape plan.

- Mr. Wilson did not have a plan yet but understood plants would need to be selected from the Town's approved list. He did not anticipate any landscape on the slope.

Mr. Wilson had conducted additional exploratory drilling on the property and found more clay. Because of this, developing a parking structure would take a lot longer. A paved surface lot could be built quickly and serve the Town during the upcoming season. If the variance was not approved, Mr. Wilson said the number of spaces would be reduced significantly. He indicated there would not be access into the parking lot from Balanced Rock Road.

Mr. Pitti asked if there would be a payment booth.

- Mr. Wilson said there would be a payment kiosk near the ADA area.

Ms. West asked about signage.

- Mr. Wilson did not have a signage proposal at this time. Additionally, he would conform to the Town's lighting ordinances should the lot be lit. People would not be allowed to camp there or occupy their vehicle overnight.

Mr. Staker asked if irrigation was intended.

- Mr. Wilson imagined a drip line would provide water for trees and plants. He reiterated no irrigation was planned on the slope.

Ms. West asked about a storm management drainage plan.

- Mr. Wilson said this would be part of the construction plans and they contemplated an underground culvert system.

Ms. Purcell asked about RV or motorcycle parking.

- Mr. Wilson had not considered motorcycle parking. He said RVs required more room and therefore charging appropriately for this additional space was not feasible.

Ms. Purcell asked about the transition from a surface lot to a parking structure.

- Mr. Wilson said everything would be torn out. His group wanted to see the outcome of the Town's paid parking ordinance to understand what was feasible with the parking structure. They still anticipated developing a structure but there were variables that might affect profitability.

Mr. Pitti asked if there was any agreement with the Town the parking structure be completed.

- Mr. Wilson said the grading permit for the parking facility was contingent upon it being built. The surface lot had a similar footprint. No infrastructure or public restroom would be built with the parking lot.

Motion made by Liz West to open public hearing; seconded by Mike Marriott.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye
Motion passed unanimously.

Public comment: None was made.

Motion made by Joe Pitti to close public hearing; seconded by Mike Marriott.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Commission deliberation: Mr. Pitti said the parking lot would provide relief from the parking spaces lost due to SR-9 reconstruction and allow the applicant to test the waters.

Ms. West felt it was a good trial period. If the structure not built, the applicant should be required to add restrooms after a certain time period.

- Mr. Dansie said these amenities were included as part of the Parking Structure Overlay Zone but could not be required as part of the parking lot development.

Mr. Staker felt the project was good-to-go with submission of a drainage plan and approval of the setback variance.

Motion made by Joe Pitti to approve the Design/Development Review for a public parking area on parcel S-102-B-4-A for Luke Wilson. It conforms to the applicable code section Chapter 10-11B the Village Commercial Zone; and it meets the setbacks, landscape, grading, access. The Commission finds it will help relieve some of the parking congestion throughout Town and take up some of the space of parking that has been deleted from the parking plan. With the following conditions: 1) that the Town engineer must review and approve the plans for storm water management prior to the permit being issued for the parking area; 2) the parking area does not meet the required 30' front and side setbacks. Approval for the parking area is conditional upon receiving approval of a variance to reduce the front setback; 3) the applicant must submit a more detailed landscape plan for the property including a plan to insure the required landscape around the parking area is irrigated until it becomes established; 4) the applicant must obtain approval from UDOT for access from the parking area onto SR-9; 5) the applicant will explore the possibility of a guard rail or some kind of protection on Balanced Rock Road to insure that motorists have safe passage; 6) and keep in mind the possibility of further infrastructure including restroom facilities if this plan stays in place for future use; 7) and construction fencing at the toe; seconded by Mike Marriott.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Nomination and recommendation for the 2018 Planning Commission Chair and Vice Chair: Mr. Marriott nominated Mr. Staker as Chair. Both Mr. Marriott and Mr. Pitti already had the opportunity to serve. Mr. Staker indicated he could be persuaded.

- Mr. Pitti noted that Mr. Staker was in litigation with the Town and it therefore seemed touchy at this point.
- Mr. Staker did not feel that situation had any bearing on the Commission position.

Ms. West asked if it was a conflict of interest.

- Mr. Dansie indicated it was not a conflict of interest as defined by the state.

- Mr. Pitti did not feel it was an ethical thing to do until the issue was settled. He was not comfortable having a Chair in litigation with the Town over issues decided upon by the Planning Commission.
- Mr. Staker replied the Chair had one vote, just as other Commissioners had one vote. He did not feel it was an issue.

Mr. Dansie indicated two new Planning Commissioners, Julie McKown and Suzanne Elger, were coming on board.

- Ms. West asked about Jerry Giardina. Ms. Carlson mentioned Mr. Giardina had previously expressed he did not want to be Chair at this point.

Mr. Marriott preferred not being Chair now as he had a few projects coming before the Commission. Timing might be better down the road. Mr. Marriott nominated Joe Pitti as Vice Chair.

Motion made by Mike Marriott that Allan Staker be nominated as Chairman of the Planning Commission and Joe Pitti as Vice Chair for the coming year; seconded by Allan Staker.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: No

Marriott: Aye

Motion passed unanimously.

Consent agenda:

Motion made by Liz West to approve the consent agenda and minutes from December 6th and January 3rd; seconded by Randy Taylor.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Ms. West thanked the Town and staff for allowing her to serve. She said she made mistakes but it was always her goal to protect the charm, character and integrity of Springdale. Decisions were made to help maintain a balance between the business owners, residents and being a gateway town to a National Park. As the Town continued to grow it was important to protect and preserve open space. Ms. West referenced General Plan implementation strategy 2.1.4.a which referred to the Center of Green Infrastructure Design, and said there was a lot of information that could be referenced and applied. Ms. West hoped future Planning Commissions could keep that in mind as development in Town continued.

Adjourn:

Motion to adjourn at 6:00pm made by Randy Taylor; seconded by Liz West.

Staker: Aye

Taylor: Aye

West: Aye

Pitti: Aye

Marriott: Aye

Motion passed unanimously.

Mr. Marriott thanked Ms. West and said she had done an awesome job running the meeting. Mr. Taylor was also appreciated for all his effort. Both were acknowledged for all they had done for the Town and the Commission.

Darci Carlson

Darci Carlson, Town Clerk

APPROVAL: _____

A handwritten signature in black ink, appearing to be 'Darc' followed by a flourish.

DATE: 02/21/2018

A recording of the public meeting is available by contacting the Town Clerk's Office. Please call 435-772-3434 or via email at springdale@infowest.com for more information.



TOWN OF SPRINGDALE

PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD
Please print your name below

Meeting Planning Commission Date 1/17/18

Ris Boyd
Name (please print)

Name (please print)

Jerry B. LUCKY
Name (please print)

Name (please print)

JACK FORTERINGTON
Name (please print)

Name (please print)

Suzanne Eley
Name (please print)

Name (please print)

TYLER TORHAM
Name (please print)

Name (please print)

Todd Gifford
Name (please print)

Name (please print)

Luke Wilson
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Looney Excell
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Nate News
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