



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

**MINUTES OF THE SPRINGDALE PLANNING COMMISSION SPECIAL MEETING ON TUESDAY, MARCH 4, 2014 AT 5:00 P.M. AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH.**

**MEMBERS PRESENT:** Chair Joe Pitti, Commissioners Jack Archer, Randy Taylor and Liz West  
**ABSENT OR EXCUSED:** NPS Liaison Commissioner Kezia Nielsen and Mike Marriott. Toni Benevento resigned prior to this meeting due to change in residency.

**ALSO PRESENT:** DCD Tom Dansie and Town Clerk Fay Cope, recording. Six citizens signed in, see attached list.

**Special Meeting**

**Approval of agenda: Motion to approve the agenda by Jack Archer, seconded by Randy Taylor:**

**Archer: Aye**

**Pitti: Aye**

**Taylor: Aye**

**West: Aye**

**Motion passed unanimously.**

**Commission discussion and announcements:**

- Mr. Pitti asked if the developers making a mess of the road were required to clean it up. Mr. Dansie said the Desert Pearl had been contacted many times and wasn't responding. The Mayor had informed Mr. Dansie he was going to talk to them. If that didn't work, citations would be issued. The Commissioners informed him Cliffrose was also making a road mess, and Mr. Dansie agreed to follow up with them, too.
- Mr. Pitti announced Toni Benevento had resigned and alternate Liz West would be appointed to fill that vacancy at the next council meeting. He thanked Ms. Benevento for her service; she would be missed.

**Action Items**

**Request to place an address monument in the Anasazi Plateau Conservation Easement –**

**Mike Alltucker:** Mr. Alltucker explained he was intending to place the number monument about 16' from the street. That would remove it from the area the UPS truck used as a turn-around. Mr. Taylor said this monument was entirely steel, which was different than the boulders, etc. used as monuments on other lots. Mr. Alltucker said the HOA had approved it; it was layers of metal. Mr. Alltucker explained his driveway was 12' wide, narrower than the 20' allowed today. This sign was inside the 20' 'easement'. Mr. Pitti stated the house number was a government requirement (Fire District) and the commission had already determined there could be an allowable expansion of the road width for that purpose. The Commission asked if the HOA had sign standards. No, but they were adding the issue to their checklist.

**Motion by Joe Pitti to approve placement of an address monument in the Anasazi Plateau Conservation Easement for Mike Alltucker: The Commission finds the monument is located near enough to the roadway to be considered an expansion of the driveway as required by the government, seconded by Jack Archer:**

Archer: Aye

Pitti: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

**Accessory Dwelling Units:** Mr. Dansie explained the Council had heard this and returned it for additional work. He had subsequently made some changes, which were redlined and displayed.

- 10-22-15-b: ADUs were a conditional use; ADUs were not allowed in VR-A and VR-B. This still allowed ADUs in FR zone, but that was up for discussion.
- 10-22-15-c-7: for discussion purposes: imposed a five- year limit after construction before ADUs could be rented
- 10-22-15 D permit process and revocation process was removed because of the imposition of the CUP process.
- 10-3A-5(A) Standards, on page 3: Standards for conditional use permits for ADUs: A (1) in FR and B (1) in VR. If ADUs were not desired in FR, A (1) could be removed.
- Mr. Dansie displayed a survey of conditions prepared in 2007.
- Mr. Taylor said a garage in the FR zone had been illegally turned into an apartment. A small building now had two dwelling units in it. He thought the ordinance should apply to the FR zone just so there was a record of things like that happening.
- Mr. Pitti said one of the glaring issues was size of accessory buildings, particularly in the FR zone. The FR zone was particularly visually sensitive. He suggested limiting the total size of living space on a lot to 5000 SF. If a livable ADU was intended, the house size and ADU size must combine to 5000SF. Mr. Dansie cautioned: if they couldn't justify there was a visual difference between an accessory building that included an ADU and one that wasn't rented, they needed to limit all structures that had a visual impact. The Commission needed to evaluate all impacts of ADUs and find ways to mitigate those impacts. Mr. Dansie said the 5000 SF house size was tried and true; it had existed for many years. Moving toward changing that number was a bigger issue than accessory structure size.
- Mr. Archer asked if there was information available about how many ADUs existed in all the zones. No.
- Liz West thought the ADUs were needed to fill a rental niche that existed in the canyon. She asked about the process for a CUP. She had been approached by a potential renter. They had never contemplated long-term rentals. Would that need an additional CUP? Yes. Mr. Dansie explained hearings were required before the Commission and the Council. Ms. West how long that would take. 3-4 months. Ms. West how that could possibly work if someone needed a 90-day rental. Mr. Dansie said the Commission could consider designing a new CUP process specifically for ADUs. The Commission discussed that possibility, but dismissed it as another layer of administration that wasn't necessarily beneficial. They also discussed the merits of requiring a landlord to take the proper steps before they opened their doors to tenants.
- Shaunna Young thought it was a good idea to have a three month process. 'Being a landlord is a responsibility that needs proper thought and preparation.' The Commission was inclined to agree.
- They discussed re-instating a size limit. None of the existing ADUs, regardless of size, would be 'grandfathered' because none of them were legally non-conforming uses. The keyword was 'legally.' None were legal uses now.
- Dan Mabbutt said he had been at both hearings of this ordinance. It was his interpretation of the meetings that the council was 'hot' on bringing people into compliance, not necessarily structuring an ordinance that changed their legal status to compliance.
- Mr. Taylor asked about writing in language that allowed existing casitas to be used now. Mr. Dansie said they could, but several years down the road, there wouldn't be as much importance about construction dates and it would be difficult to administer. Mr. Taylor suggested revising the language in 10-22-15-7: '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' to allow existing ADUs to be used now but prevent new. Anyone with a guesthouse or casita or apartment built before the adoption of the ordinance could become an ADU.

- Ms. West asked if the reason the Commission was limiting allowing new ADUs because they foresaw problems with the uses. Mr. Pitti said any time an ordinance was changed there were unseen (or foreseen) possibilities that could affect neighborhoods.
- Ms. Cope asked about the council's suggestion that ADUs had to be on a public street. Mr. Dansie said there was already a general standard requiring any use that generated 10 vehicular trips per day to be located on a public street. That could eliminate some properties, unless they could prove they didn't generate that many trips.
- The Commission discussed prohibiting ADUs in the subzones and requiring ½ acre. The VR-subzones would be mostly eliminated, but some lots were at least ½ acre. Ms. Young assured them that quite a few ADUs already existed in Subzone A. Eliminating them would make this revision futile. If they could meet the standards of a CUP, why eliminate them? The ½ acre standard would have to be eliminated. When asked if he could provide the Commission with details about existing rentals on lots in town, Mr. Dansie said he often didn't know about rental units. They were usually done without building permits. The Commission asked Mr. Dansie to put together an 'educated guess' about existing circumstances before a hearing.

**Cottage Housing Ordinance:**

- 10-13-e-10: Four new standards to consider when granting a zone change to keep project in keeping with Springdale.
- 1013e-11(c) limited to six cottages per acre
- 1013e-11(k) storage. If included in the common building, that building's size could be increased by 50 sf per cottage.
- 10-13e-12-A increase distance between cottage neighborhoods to 1000 sf. Property line to property line.
- Mr. Pitti suggested eliminating the first line in Standard A. He asked about tough sheds. Not allowed. Jack Archer liked the parking in the common building idea.
- They discussed parking: projects could have parking pods.

Mr. Dansie said the Commission had already held the required hearing for this revision. They could have another hearing, but it was not required. It could go to the Council when the Commission was comfortable with it.

Was anyone still thinking of this as affordable housing? No. Mr. Dansie explained that 'affordable housing' was a term that was often misused and misunderstood. 'Affordable' was variable, but essentially meant 'affordable to the person who lives there.' Affordability was determined by an income-appropriate demographic. Something might not be affordable to low-wage earners, but perhaps it would be to moderate-wage earners.

Liz West asked about 10-13E-6 – could a project be built in stages? Mr. Dansie explained the cottage neighborhood chapter didn't address phases. Lots could be conveyed individually and built individually, but must be built to design standards. The Commission discussed whether that was appropriate or even what they intended. They discussed and took public input on developer costs and financing difficulties, time limits on completion, bonding for completion, requiring completion of the common areas and buildings, etc.

Mr. Dansie: Design/Development Review required a project to begin in a year. Once a BP was issued, that imposed more time limits. Subdivision approval: no limit. The Commission considered requiring the common building and common areas be considered and developed as 'infrastructure'. Bonding would be required. 50% of project should be completed in first phase.

Mr. Dansie suggested language that only allowed phasing if an acceptable plan were approved. Details could be worked out for individual projects. The Commission agreed that was a sensible course. Mr. Dansie would bring a new version back for Commission discussion.

**Planned Development Overlay zone revisions:** Mr. Dansie said the big issue was 'Should Conditional Use Permits (CUP) be required or not?' CUPs had to be applied for. If standards

were met, the use ran in perpetuity. The Commission would have to determine standards. Another issue was how to determine appropriate commercial areas vs. residential areas.

Considerable discussion of the pros and cons of CUPs took place, including a discussion about restaurants vs. bakery/deli. If they look like a restaurant, they are. Discussion about why one type of use was permitted when a similar one wasn't resulted in Mr. Dansie explaining the permitted use chapter included language that allowed for an interpretation to be made in the case of similarity.

The Commission decided to take CUPs off the table. The permitted uses list would include language that allowed for an interpretation request.

The Commission discussed separation of living and working spaces. Liz West thought it was imperative to require the living space to be separated visually if not physically. The owner couldn't live in the business; couldn't have dishes or laundry in the commercial space. The other Commissioners agreed.

Signage: Current ordinance allowed a 20 SF wall-mounted sign plus 40 sf free-standing sign out front. Mr. Dansie hadn't prepared any alternative language yet, awaiting guidance.

Mr. Pitti asked about business center signage and whether that was really appropriate for a complex like this. The Clerk suggested a centrally located directional sign might be appropriate. Mr. Pitti accepted other ideas: One big sign, divvied up however the owners desired. Or: One small sign per business plus one sign outside the complex. Matt Rayner pointed out there was a difference in effect if there was SR-9 frontage.

Home occupation signage: 4 SF. Mr. Pitti asked for 4 SF ideas. Mr. Tayler suggested 10SF. Mr. Dansie suggested he do some modeling.

#### **Accessory Structure Size Limits:**

Mr. Dansie explained the town had looked at this issue in 2007 and decided not to make additional limits. Mr. Dansie showed the slides from that time, which included a variable equation designed by Mr. Rayner, who sat on the Commission at the time. Mr. Rayner reviewed how the equation worked and how it 'leveled off' when lots increased in size.

- Mr. Dansie asked for direction.
- The Commission asked for more information about the 'normal' size of garages and barns.
- They realized the use of structure was not 'set in stone'; owners could and would change uses with or without permission.
- Should visual impact be part of the consideration? Yes.
- Should they consider using the equation about building size related to property size? Perhaps.
- Should landscape requirements be considered? Yes.
- Space between buildings and setbacks could also set limits.
- Should topography, flood plain or other physical limits be considered? Yes.
- The Commission asked Mr. Dansie to update actual information shown on the 2007 chart.
- They also asked for equation examples.

**Consent Agenda:** Minutes of Regular meeting February 18: **Motion by Randy Taylor to approve the consent agenda, seconded by Jack Archer:**

**Archer: Aye**

**Pitti: Aye**

**Taylor: Aye**

**West: Aye**

**Motion passed unanimously.**

**Adjourn: Motion to adjourn by Jack Archer at 8:10 pm, seconded by Liz West:**

**Archer: Aye**

**Pitti: Aye**

**Taylor: Aye**

**West: Aye**

**Motion passed unanimously.**

  
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Fay Cope, Town Clerk

APPROVAL:  \_\_\_\_\_

February, 25, 2014

An open letter to:  
Springdale Town Council  
Springdale Planning Commission  
Director of Community Development

RE: Planning and Zoning Meeting Jan 21, 2014

Dear Members,

At the last Planning and Zoning Commission meeting there was much discussion regarding:

- 1) Cottage Housing Ordinance
- 2) Long term rental of Guest Houses or Casitas

We came away very confused. We don't understand the point of discussing increasing the density on 1 acre residential lots to allow for 6 "cottages," then to focus next on how to limit the size of an accessory dwelling unit on a lot so that we can preserve a residential feel in our residential zones.

The two discussions are opposed in use, density and feel. We don't understand the reasoning behind the proposed ordinance changes or exactly who they would benefit.

## **COTTAGE HOUSING ORDINANCE**

Although we agree that it would be nice to have varied housing choices available for people who want to live in town, we don't see that building smaller "Cottages" would create anything that will serve our local residents. The smaller housing options we have in town right now are Stone Mountain Condos, Zion Shadows, Sol Town, and the new Rayner Condos. Those current prices are listed below:

A 1,100 sq-ft Stone Mtn Condo is currently for listed \$330K.

A 1,061 sq-ft manufactured home in Zion Shadows just sold for \$256K.

The last sale in Sol Town was a 500 sq-ft dwelling for \$125K.

The Rayner Condos are selling for \$232,500.

If the new 1,000 sq-ft Rayner Condos are selling for \$232,500 and there are 18-1,000 sq-ft units on an acre, we believe that the Cottages (6-1,000 sq-ft units/acre) will have to sell for well over \$300K. Neither the local renters or commuting employees can afford that.

One reason given for the proposed change was so that we would encourage young families to move into town if we provide them with lower cost housing options. Working in the real estate business, we very rarely see buyers in this demographic. It's not because they wouldn't want to live here, but rather because there are very few jobs available which would support a young and growing family.

The people who need housing are the transient workers in the hospitality industry. Those people can't afford to purchase at the prices we have now. The majority of them will not be long term residents who would be buyers. The best solution for those people, if that's who we are truly trying to provide for, would be more and better rental housing options and apartments. We receive inquiries constantly from people who are looking to rent something while they work here and there are never enough units to meet the demand.

So, if we are looking at the Cottage Housing Ordinance as a way to provide for those already here, it fails. If we are looking at it as a way to crowd more homes onto a property, by increasing the density in certain residential areas throughout town then it succeeds. Furthermore, there will have to be some kind of HOA to care for the common grounds, which will add an additional expense. With no garages for storage, we will end up with either an unsightly development or an enclave for part-time residents and a big windfall for the developer.

## **LONG TERM RENTAL OF GUEST HOUSES OR CASITAS**

Allowing the long term rental of guest houses or casitas in town is one way to provide housing for the same people in the previous discussion. It makes sense to be able to use our resources in that way. This was one of the only arguments that made any sense. *However*, it doesn't make sense to arbitrarily try to limit the size of these units with little thought of the effect on our town than to just "throw out random numbers" as we witnessed in the meeting in January.

If we are concerned about "maintaining the residential feeling" of the residential zones by limiting the size of the Accessory Dwelling Unit (ADU) when the lot size already determines the size of those dwellings, why are we drafting another ordinance that would allow six 1,000 sq-ft Cottages on one residential acre? Why not allow six ADU's per acre?

We're not sure what the purpose of these ordinances is. Is it simply to build in more regulations and restrictions? Are these changes going to bring about the result we want for our town?

## **SUMMARY**

With the new 18 unit Raynor Condos and the soon-to-be-built 55 unit development going in next to the Cemetery on Paradise Rd., we will be increasing our town population by over 25%. Why would the town want to pass a new ordinance targeting essentially the same demographic and allowing for still more high density developments before they have a chance to absorb the growth already in the planning stages? Has there been an adequate study or consideration made for the increased demand on our infrastructure and increased traffic this will bring to our town?

We suggest that you look carefully at WHAT you are doing and WHY you are doing it and most importantly, if the plan will bring about the RESULT you want for our town. We believe there will be a lot of unintended consequences to these ordinance changes as they are currently proposed.

Respectfully,

Allan and Kristi Staker  
435-772-3563



TOWN OF SPRINGDALE

PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD
Please sign

Meeting of Planning Comm on 3/4/14

If you'd like to be included on our great e-notice list, please give us your email address. That's the only reason you need to provide that information. Your address will never be sold, though we may have to provide it as public information. If you have provided the information before, you don't need to add it again.

Registration form with columns for name and email. Includes handwritten entries: Dan Marzotto, Mike Alltucker, Doreen Young, Matt Rayner, Toni Benevento, Michael Geoffrey Branch.