



1862-2012

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MINUTES OF THE SPRINGDALE PLANNING COMMISSION MEETING ON TUESDAY, MARCH 18, 2014 AT 5:30 P.M. AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH. THE WORK MEETING BEGAN AT 5:00 PM.

Work Meeting

MEMBERS PRESENT: Chair Joe Pitti, Commissioners Jack Archer, Mike Marriott, Randy Taylor, Liz West and NPS Liaison Commissioner Kezia Nielsen

ALSO PRESENT: DCD Tom Dansie and Town Clerk Fay Cope, recording. 5 citizens signed in, see attached list.

Discussion/Information/Non-Action Items

Staff review of agenda items:

Zone Change: Request to change a 2.20 acre property located at 1776 Zion Park Boulevard from Valley Residential (VR) to Valley Residential – Planned Development (VR-PD): Mr.

Dansie explained that the first two items were related. It would be appropriate to run those hearings concurrently, but separate motions had to be made. Matt Rayner was representing the owner of the property, Venece Clark. This was a PD project – not only did the applicant want more flexibility, the PD zone allowed a density bonus under certain circumstances. As with all zone changes, one of three findings had to apply: 1) The zone change promoted the General Plan and the Zoning Ordinance, 2) it corrected errors, or 3) substantial changes had occurred in the neighborhood. The Commission had discretion and flexibility about establishing conditions on a zone change.

Public Hearing: Preliminary Subdivision Plan: Request for a duplex-style Planned Development subdivision of three duplexes (six dwelling units) on property at 1776 Zion Park Boulevard: Matt Rayner. The zone change had to be approved before this item could be heard. There wasn't as much flexibility here – if it met the standards, it had to be approved.

Public Hearing: Ordinance Revision: Proposal to add section 10-26: Historic Preservation to the Town Code. At this point, the ordinance only established a Commission, not any standards to apply to properties.

Open Air Display Permit: 1001 Zion Park Boulevard – Sol Foods Hardware. Request 150 SF to display items in front of the store. A previous request had been dropped, but it had been for a larger area. The applicant had subsequently addressed the parking questions posed in that meeting.

Trellis Addition: 975 Zion Park Boulevard – Meme's Café. The improvement was less than 1000 SQ, (600 SF) so it technically qualified for administrative review, but it was significantly visible in the downtown, so Mr. Dansie decided to bring it to the Commission.

Discussion items:

Accessory Structure Size Limits: The Commission had requested Mr. Dansie to assemble additional information about existing accessory structures. Mr. Dansie said he had not been able to put that data together for the packet, but had it ready for the meeting.

Discussion of recently approved development projects under construction: Desert Pearl had attempted to clean up the streets.

Annual Training: The Clerk explained the CCC was heavily booked and she had contacted the Springdale Ward to see if the ward house could be utilized again. Mr. Pitti explained he was not

comfortable with having the training at the LDS church. He felt that was a violation of the separation of church and state clause. The Clerk explained the Council had instructed her to contact the church. Other Commissioners didn't express the same discomfort. The Clerk said she wasn't sure about the venue, but she asked the Commissioners to let her know what dates they were not available.

Master streets plan: Mr. Dansie explained the Commission they had been working on a Master Streets plan and had contacted UDOT, who had offered them technical and professional planning assistance. That process had gotten hung up, but now there were property owners wanting to know the designation of their streets. He asked the Commission if they were comfortable with moving forward with street classification without the having the technical background information. Mr. Dansie explained UDOT's assistance process was 'in its infancy'. It could be over a year before they could be here.

Mr. Marriott thought it was reasonable to proceed with identification of the streets with a disclaimer that it could change and the Commission agreed.

Mr. Dansie announced that Stephen Goldsmith, a brilliant planning mind, now a professor at the University of Utah, had committed to bring his advanced classes to Springdale to help with planning studies. Ideas that could be considered: General Plan, housing, visual interpretation of different buildout scenarios. They were planning on using a tool they called 'Visual literacy', which he thought used images and models to make planning points. Those were very effective when explaining planning ideas. The students were coming in August to do scoping and would return in November and December to present findings.

The meeting adjourned to the regular meeting at 5:32pm.

Regular Meeting **Convened at 5:32.**

MEMBERS PRESENT: Chair Joe Pitti, Commissioners Jack Archer, Mike Marriott, Randy Taylor, Liz West and NPS Liaison Commissioner Kezia Nielsen.

ALSO PRESENT: DCD Tom Dansie and Town Clerk Fay Cope, recording. 12 citizens signed in, see attached list.

Approval of agenda: Mike Marriott moved to approve the agenda as posted; Jack Archer seconded:

Archer: aye

Pitti: aye

Taylor: aye

West: aye

Motion passed unanimously.

Commission discussion and announcements:

- Mr. Dansie announced the Utah Chapter of the American Planning Association was having their spring conference at the CCC in Springdale April 2-4. There was a lot of information geared toward Planning Commissions, so if any of the Commissioners wished to attend, the Town would pay their registration fees.

Action Items

Public Hearing: Zone Change: Request to change a 2.20 acre property located at 1776 Zion Park Boulevard from Valley Residential (VR) to Valley Residential – Planned Development (VR-PD) and Public Hearing: Preliminary Subdivision Plan: Request for a duplex-style Planned Development subdivision of three duplexes (six dwelling units) on property at 1776 Zion Park Boulevard: Matt Rayner for Venece Clark.

- The Commission heard both related items concurrently.
- Mr. Dansie explained the Commission had greater latitude when considering whether zone changes were appropriate. As with all zone changes, one of three findings had to apply: 1) The zone change promoted the General Plan and the Zoning Ordinance, 2) it corrected errors, or 3) substantial changes had occurred in the neighborhood. The applicant had chosen a PD overlay for more than one reason. A density bonus was possible if they met the

standards. Mr. Stempel, who had designed the site, was not at this meeting but was available by telephone.

- Matt Rayner was representing Venece Clark, the owner of the property. He had agreed to assist with the process because he had been through it already. He explained that Mrs. Clark had decided she would prefer a home without stairs, and she had this property she could build on. Having additional units would help her economically. These were priorities they considered in the design: preserving green space, economic needs, and the needs of the neighbors. Louise and David Pettit had allowed them to share their access road, which enabled the buildings to be set back far from SR-9. They had spent a lot of money on engineering; they had already resolved a neighborhood sewer issue.
- Michael Porter, representing Stempel Form, explained they believed the carefully planned and unbroken open spaces were reason to grant the density bonus. There was open space at front and back to protect neighbors and town from the feeling of crowdedness. Vertical massing had been reduced by limiting top stories to 40% of the first story. They had designed the setbacks to encourage re-entrant corners. All garage doors face inward. There was no cul-de-sac. The retention basin on SR-9 had been carefully designed.
- Ms. West asked if the buildings would be linked. Mr. Rayner said there would be three separate buildings. Ms. West asked if, since the back of the houses would be toward SR-9, the rear elevation would be attractive. Yes.
- An HOA would control open space. Garages were required and outside storage was prohibited.
- Mr. Archer asked if the cattle would remain on the agricultural land. Mr. Rayner was not sure. He said there were several possibilities – open pasture, berry farming, intense gardening, fruit trees, etc.
- Phasing: Mr. Rayner said economics would drive how many buildings they could build at once, but he would like to see them done as soon as possible. Units would be approximately 1500-1600 SF. First floors had big footprints because they had to include garage and most of the living space.
- He said he had calculated 2500 SF of each lot would have to be landscaped. (5000 per duplex space) that would be noted on the plat, as would the open space dedication. The units could not be short-term rentals.
- The retention basin was long and shallow with outflow near the driveway, near the existing house.
- Mr. Marriott asked about the notches in the setbacks. Mr. Porter explained that was to encourage re-entrant corners, which would reduce the visual mass.
- Even though the staff report said the limit for housing size was 2500 SF, Mr. Rayner didn't think that would fit on the property.

Q/A public to developer:

- Mr. Mabbutt asked the applicant to conjecture about what would happen if the Commission didn't approve the zone change. Mr. Rayner said the parcel could be subdivided in other ways: two parcels with single family dwellings with guest houses or duplexes on each; or if the cottage neighborhood ordinance were approved, a cottage neighborhood of 12 units was a possibility.
- Bill Bassett said this development was in front of his house. He asked what the maximum height could be. He also didn't understand the 40% limit on the top story. Mr. Rayner said the height limit in that zone was 26'. The 40% was the size relationship to the first floor. Mr. Bassett asked Mr. Rayner these questions:
- Could the front open space be made deeper? *Not really.*
- Had the irrigation ditch at the back of the property been abandoned? Everyone thought so.
- Could there be some landscape screening? Yes.
- Could the open space on this property and the open field on his property be maintained as agricultural use? He knew there were people who didn't like having farm animals nearby. *Maybe.*

Jack Archer moved to open a public hearing on the zone change and the preliminary plat for the Venece Clark Property at 1776 Zion Park Boulevard, Mike Marriott seconded:

Archer: Aye

Marriott: Aye

Pitti: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

- Louise Excell spoke for herself and her husband. The two-acre pasture under consideration belonged to the Clarks. The Excell-Pettit driveway would be shared with the project. She and her husband owned the property at the rear and one rear-side of the property. Her sister's property was at the front on one side and their family property was on the other side. They supported the project, which allowed Ms. Clark to develop her land in a most beneficial way. She feared if the PD zone wasn't approved, there could be two lots developed with 5000 SF houses. The front pasture would most likely 'go away.' She thought that was a far worse alternative. She thought the half of the property they would be able to preserve was the half that meant most to the community. She thought cows could be allowed on one acre, but they would have to be moved on and off. That was up to prudent owners. She also thought changing to VR-PD allowed the town greater control of the architectural standards and other Design/Development Review issues. She hoped the Commission would work with the Clark family to make this happen.
- Brion Sabbatino said a lot of effort had gone into the plan to make this design as nice as possible. He thought it would be good if Ms. Clark could live on the property if she chose to. He said he knew that when Karen Chamberlain developed the four-plex across the highway from this property, UDOT almost required widening the road. He thought that would be disastrous. He said he foresaw that property taxes would increase. He thought there should be building concepts to consider. He thought the CCRs that protected the open space needed to be in place before the subdivision could be approved. He thought there needed to be more specific protection of the open space.
- Dan Mabbutt asked Mr. Dansie how 'tied in' the developer would be to what was shown at this meeting. He thought the plans they were looking at might not be what really happened. Mr. Dansie explained the Town Council also reviewed and approved the preliminary plat, which guided the rest of the development. The final plat actually allowed the development to proceed, and it had to be in substantial conformance to the pre-plat. The Commission could make recommendations to the Council; the Council could make different choices when they made an approval. Mr. Mabbutt said he had come to the meeting prepared to oppose the development, but Louise Excell's testimony had changed his mind. He urged the Commission to take great care in preserving the agrarian properties.
- Bill Weyher said he lived down the street and had substantial open space on his land. He said the Watchman Subdivision near him had created open space and then stopped watering it, so everything died. He thought platted open space was a reasonable way to preserve some open space, but then the open space needed to be cared for. He thought that needed to be in writing.
- Mr. Rayner said the HOA would have to set aside funds for maintaining the landscaping. It was in everyone's best interest to maintain it – it was everyone's back yard. It could be a showpiece. The pasture wouldn't be lost. That was the whole point of the design. He said he had a personal interest in this – it was his design idea.
- Mr. Weyher said the Town had to have a way to ensure the property was maintained, since the Town didn't enforce CCRs and wasn't able to keep them from being changed in the future. Mr. Sabbatino said that could be done with deed restrictions.
- Bill Bassett said he understood the property had other development options. He really wanted the town to ensure the open space would always be there. He was also concerned about the outdoor lighting, and the building size (5000SF was bigger than anything around) and height. He hoped the developer would plant trees right away.
- Randall Clark said his mother, Venece, really needed this to happen. He was worried about her livelihood. He knew that open space was important and they offered a good development plan. He urged the Commission to approve it.

A motion to close the public hearing was made by Mike Marriott and seconded by Liz

West:

Archer: Aye

Marriott: Aye

Pitti: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Deliberation:

- Mr. Taylor was also concerned about the maintenance of the open space. He had personal knowledge of the expense and time related to keeping open space maintained. He thought only six owners would have a hard time - his subdivision had 28 owners and it was difficult. He didn't have any solution, unless they gave it to the town and let them maintain it as an agricultural amenity. He was afraid they would 'let it go.'
- Ms. Nielsen asked if that was germane to allowing a zone change. Mr. Taylor thought it was, since preservation of the agricultural space was so important to everyone. He thought a single owner would have great interest in keeping the land. Mr. Pitti said there should be a way to write the subdivision plats and related documents so there was protection of the open space. Mr. Taylor asked if the water shares would stay with the land. Mr. Dansie said they hadn't had 'the water discussions' yet. Ms. West asked if they could protect the livestock use. Mr. Dansie said the homeowners would have the right to use the land for livestock or intense berry farming, whichever they preferred.
- Mr. Marriott said the key question was the density bonus. Was the third building justified by the design? He thought some of the developer's arguments had merit but some didn't. He reviewed his reasoning: Inward facing garages, no. However, the contiguous large open space was positive, as was the upstairs 40% size limit. For those two reasons, he thought the bonus was justified. Mr. Archer agreed with Mr. Marriott and added another reason: the size of the homes would make them more affordable, meeting the General Plan objective to diversify the housing market.
- The Commission discussed the waiver of curb and gutters. Mr. Marriott thought those improvements might be desirable in the future. Mr. Dansie explained UDOT's statement that curbs and gutters weren't appropriate on that property's frontage: The purpose of curb and gutter was to manage run-off. Since there was nowhere to dispose of run-off, it was pointless to collect it. Also, the road pavement didn't go all the way to that property line, so there would still be a dirt strip between road edge and the gutter, again making it pointless. Mr. Pitti suggested if a waiver were permitted, any money contributed in-lieu should be used for curb and gutter elsewhere in town, rather than trails. Mr. Dansie said the Commission could suggest other locations for the use of curb and gutter in-lieu money. Mr. Pitti listed three places where curb, gutter and sidewalks were needed: Winderland, Downtown and near Shaunna Young's rock shop. Mr. Marriott said sidewalks were the other part of the question. That could be done without curb and gutter. The Commission discussed the complete lack of sidewalks on that side of the street, which made it pointless to require it 'here and now' at this property.

Findings:

- Mr. Pitti pointed out that Title 10, Chapter 9, Article B, which was the Valley Residential code listed the main object of the zone to be the harmonious integration of agricultural and residential uses. He found this proposal was a good melding of that goal. When a developer presented a design that maintained a large pasture, he thought that met the integration objective and maintained the historical agricultural feel of the area.
- He quoted from 10-13c-1: *The planned development (PD) overlay zone is established to encourage creative and efficient utilization of land by providing greater flexibility in the location of buildings on the land, the consolidation and preservation of open spaces and the clustering of dwelling units.* He found this project met that object in a way he thought created a visual open space impact that was important to the community.
- Mr. Pitti listed as findings ways in which the project met the objectives of the General Plan:
 - 5.2.5 Encouraged modest house sizes and lots to reduce the cost of housing.

- Chapter 2, Town appearance: The project as designed preserved large amounts of open space and pasture land.
- In Chapter 13, the description of 'Agricultural Residential' land use read: "...areas of historic and continuing agricultural use, with integrated residential uses..." Mr. Pitti found this residential/agricultural subdivision met this standard, since approximately 50% of the project would be maintained as agricultural open space.
- Mr. Pitti thought it was important to specify no structures could be built in the open space to maintain its open space quality. Mr. Marriott thought it reasonable to allow a maintenance shed. Ms. West also suggested allowing a protective shelter for animals. They determined buildings should not be allowed in the front parcel.

Motion by Mike Marriott: The Planning Commission recommended approval of a zone change on the 2.2 parcel located at 1776 Zion Park Boulevard from VR to VR-PD; the Commission finds that the zone change supported Title 10 of the Town Code as well the General Plan as enumerated by Chairman Pitti before the motion. The Commission granted the 2.3% density bonus based on the findings that the orientation of the lots on the parcel as well as the limitation of the size of the upper story to 40% of the lower story met the standard for the design bonus. Approval was based on the following conditions: 1) Each duplex structure in the project was limited to 5,000 square feet in total building size; 2) agricultural uses were allowed in the common open space, but no structures of any kind could be developed in the front area; 3) the upper level of each unit was limited to 40% of the building unit footprint. Seconded by Jack Archer:

Archer: Aye

Marriott: Aye

Pitti: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Motion by Joe Pitti to recommend approval of the preliminary plat based on the following findings: A) Unit counts and lot standards met the zone standards; B) the project met the VR zone requirement that 75% of the lots be landscaped; C) approximately 50% of the site will be dedicated as open space; D) the proposed development will be accessed by enlarging a currently-existing private driveway. Approval is based on the following conditions: 1) Prior to final plat approval, the applicant must demonstrate how the project would be developed in compliance with the landscape requirements of the VR zone; 2) the applicant must coordinate access off of SR-9 into the subdivision with the Utah Department of Transportation; 3) the applicant must subordinate utility service (culinary water, irrigation water, and sewer) into the subdivision with the Town Public Works department; 4) in lieu of installing curb, gutter, and sidewalk along SR-9, the applicant must make a contribution to the Town for the installation of trails and sidewalks elsewhere in the Town. The amount of the contribution shall be equal to a certified engineer's estimate of probable costs for the installation of curb, gutter, and sidewalk along the portion of the property fronting SR-9. 5) The construction plans for the subdivision shall contain all the revisions required by the Town Engineer. Motion by seconded by Mike Marriott:

Marriott:

Archer: Aye

Marriott: Aye

Pitti: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Public Hearing: Ordinance Revision: Proposal to add section 10-26: Historic Preservation to the Town Code. Mr. Dansie explained this created an Historic Preservation Committee, but not any regulatory standards. No changes had been made to the ordinance since the previously reviewed version.

There were no questions from Commission.

Dan Mabbutt said he understood this required a non-resident to be on the Commission. Mr. Dansie said there were two positions that had to be experts from a list of professional fields as defined in the code. If those professionals could be found locally, they could serve. If not, there was no residency requirement, so they might come from elsewhere. Mr. Pitti pointed out there were neighboring towns with similar codes; Springdale could work with them.

Motion to open the public hearing by Jack Archer, seconded by Mike Marriott:

Archer: Aye

Marriott: Aye

Pitti: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

There were no comments:

Motion to close the public hearing by Mike Marriott, seconded by Jack Archer:

Archer: Aye

Marriott: Aye

Pitti: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Deliberation:

Mr. Marriott said this was a good first step. He supported it. Mr. Pitti agreed. He added this would provide a way to identify important historic buildings and other markers valued by the community. It would also open up opportunities to apply for grants and obtain outside services that would help with those processes. Liz West agreed.

Motion by Randy Taylor to recommend approval of an ordinance establishing an Historic Preservation Commission; seconded by Mike Marriott:

Archer: Aye

Marriott: Aye

Pitti: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Open Air Display Permit: 1001 Zion Park Boulevard – Sol Foods Hardware. Max Gregoric was present. Mr. Taylor asked for a clarification about the size. The staff had contradictory information. Mr. Gregoric said 150 SF was the correct number. Mr. Pitti asked Mr. Gregoric if there were any special issues related to the display area – noise, smells, etc. *No.* Mr. Gregoric said he anticipated there could be yard décor, planters, spring plants, lawn chairs, etc. He didn't like sale signs, so permanent signs wouldn't be part of the display. No employees would be selling things out front. There were 4 extra spaces in the grocery parking, so the agreement was working well. At least ¼ of the hardware customers used the grocery parking. He had built 4 over-size parking spaces, too. They weren't part of the shared parking agreement. He had the nine spaces required. Mr. Taylor said he thought the display should be limited to the un-landscaped area as shown on the application. Mr. Dansie said the open air display could be within ½ of the setback. Mr. Pitti said the nine standards in 10-22-13b were clearly met. He couldn't think of any nuisance conditions. The only condition would be that the display didn't obstruct pedestrian or vehicular traffic.

Motion by Mike Marriott to approve the open air display permit at 1001 Zion Park Boulevard for Sol Foods Hardware as it complies with the requirements for an open air display; approval is conditioned on 1) the items in the display do not obstruct pedestrian or vehicular traffic or entrances or exits to the building; 2) it must not interfere with existing landscaping. Seconded by Randy Taylor:

Archer: Aye

Marriott: Aye

Pitti: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Trellis Addition: 975 Zion Park Boulevard – Meme’s Café. Matt Rayner said the restaurant had a liquor license now so they had to enclose/fence the outdoor seating area. They wanted to put up an awning feature. It was far enough from the building it was a separate structure. It was 600sf total. The trellis was 10ft tall. It wouldn’t obscure any signage. **Motion by Jack Archer to approve the trellis design as it met all the setbacks and design standards of the CC zone; seconded by Mike Marriott:**

Archer: Aye

Marriott: Aye

Pitti: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Discussion Items:

Accessory Structure Size Limits:

- Mr. Dansie had assembled some visual aids regarding existing accessory buildings. He showed aerial views of many accessory buildings throughout town. Mr. Dansie reviewed the number of accessory buildings built in the last 7 years, since this issue was last discussed. There were about ten, ranging from 400 SF to 1600 SF.
- He asked the Commission their real impact concerns: *Size. Design. Use.*
- Peter Stempel said he supported limiting the size of accessory buildings to prevent people from having 2 residences. He said the grading penalty affected building size. Houses could be bigger than needed, and an accessory building might also be big.
- Brion Sabbatino said the lot size and the topography of the lots would make every situation different. He thought it would be difficult to write an ordinance. He said he planned on building a garage in the future.
- Mr. Pitti said uses were important in the decision and they should study the typical uses.
- Mr. Taylor said he was struck by the examples Mr. Dansie had shown where accessory buildings had been limited to less than 1500 sf because of the space between buildings. That standard had been effective in those cases.
- The Commission talked at length about accessory uses, relative sizes, micro- topography, massing and other issues.
- Ms. Nielsen asked if the size could be different for specific uses. Mr. Dansie said use wasn’t standard over time, so it wasn’t usually a good standard.
- Mr. Dansie displayed a chart that showed the effect of the ‘Rayner Ratio Equation’ and the Commission discussed its use and alternatives extensively. Mr. Rayner was present to explain how it worked and different ways it could be applied. They asked Mr. Dansie to email it so they could ‘play with it’

Consent Agenda - Minutes: March 4, 2014: Motion to approve to consent agenda by Randy Taylor, seconded by Jack Archer:

Archer: Aye

Marriott: Aye

Pitti: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Adjourn: Motion to adjourn by Mike Marriott, seconded by Jack Archer:

Archer: Aye

Marriott: Aye

Pitti: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.



Fay Cope, Town Clerk

APPROVAL: _____



Fay Cope

From: Thomas Dansie <dcd@infowest.com>
Sent: Tuesday, March 18, 2014 12:55 PM
To: lwest@springdaletown.com; knielsen@springdaletown.com;
jarcher@springdaletown.com; mmarriott@springdaletown.com; rgt402b@infowest.com;
jpitti@springdaletown.com
Cc: rwixom@infowest.com; springdale@infowest.com
Subject: FW: Comments on Agenda item

Commissioners-

Please see the comments below regarding the proposed duplex subdivision on tonight's agenda.

Tom

-----Original Message-----

From: PM Design of Southern Utah [<mailto:pmdesign@infowest.com>]
Sent: Tuesday, March 18, 2014 11:49 AM
To: Tom Dansie
Subject: Comments on Agenda item

Hey Tom:

Pursuant to our conversation about the proposed duplex project by Mat Rayner I have the following comments to make. Although I am president of KHAI, I only make these comments on behalf of myself and Neal Milch, owner of lot 4, Kinesava Ranch PUD.

- 1.) The relative size of the three parcels to the maximum building sizes allowed in the zone leads me to believe that the architectural design of the buildings most likely will feature second stories. This will increase the visual impacts of the structures from lots within Kinesava Ranch. Those impacts could be buffered by planting conifers in the N.W. open space.
- 2.) The orientation of the structures toward the common street and each other results in the "rear" elevation of each unit to be facing adjacent properties. Historically, this rear elevation receives less architectural attention than does the front elevation. I would suggest that attention be made to making these elevations more architecturally attractive or that these elevations be appropriately screened.
- 3.) In Kinesava Ranch we have discovered that the use of unshielded fluorescent lighting results in an obtrusive broadcast of light across property lines. These interior light fixtures should be subject to being fully shrouded (at least) when placed in room with windows facing adjacent properties. Fluorescent light travels forever.....
- 4.) The two proposed open spaces should remain in perpetuity and not be subject to a plat map revision. One suggestion is that specific language be installed on the recorded plat that requires purchase agreements of each occupied unit to include specific language. The language should bind each buyer, successors and assigns to the preservation of each open space as a vegetated natural or agricultural area devoid of structures, paving or other features not consistent with natural with agricultural uses.

Thanks for your offer to present this to the members of the Planning Commission.

Welcome to Springdale Town Hall

Public Meetings and Public Hearings

In Utah a law called the Utah Open and Public Meetings Act (OPMA) ensures that public officials make all their decisions under the public eye. OPMA specifies that every meeting of a quorum of a public body must be a public meeting, with the exception of social meetings and discussions of sensitive issues. It requires that the public be noticed of public meetings in a timely manner so they can attend them. OPMA ensures that the public can *witness* the workings of their public officials, but it doesn't guarantee the public the right to *participate* in the proceedings *unless the meeting is a public hearing*.

Even though the public is not guaranteed the right to speak at a public meeting, the Mayor or Chair of a meeting may invite citizens to speak, and citizens should wait to be recognized and invited to speak before doing so. In Springdale, the Mayor and Chair are often lenient and welcome comments informally.

Public hearings are the public's legal opportunity to *say something* in a public meeting. Public Hearings require some formality. Because they are the public's ensured opportunity to speak, it's important that anyone who wishes to speak should be allowed to. If one person is allowed to dominate the meeting, for example, other people may not get a chance to speak. If one issue is repeated again and again, other issues may not be expressed. Also, Public Hearings should not deteriorate into debate. The public should speak and the public body should listen. The Mayor or Chairman needs to keep order, keep the meeting moving, and protect the rights of all to speak. Some consistent rules really help him or her. Springdale Planning Commission has established clear guidelines and a format for public hearings to ensure that the public is a) completely informed about the issue being heard; and b) that all public comments are received equally and entirely.

Please be courteous and respectful to the Commission and other citizens.

Springdale Planning Commission Public Hearing Format

1. Summary explanation of hearing item by town staff.
2. Applicant presentation.
3. Question and answer period of applicant by the Planning Commission.
4. Question and answer period of applicant by the public. (Q/A)
5. Motion to open public hearing
6. Public comment period.
7. Motion to close public hearing.
 - a. *No further public comment will be taken after public hearing is closed.*
8. Planning Commission Deliberation
9. Planning Commission Action

The Town Staff or the Chair will try to ensure that the public is always aware of where they are in the process.

The Commission requests your cooperation with these Hearing Guidelines:

- Wait to be recognized before speaking, and speak only at the microphone. State your name each time you speak.
- You shouldn't expect more than one turn at the microphone during Q/A, so collect your thoughts. The same rule applies during the public hearing.
- Be brief. You should be able to get your point or question across in two minutes, and in Q/A, the response should take about the same length of time.
- If someone has made a point already, please don't repeat it.
- If you arrived late, you should not expect us to be discourteous to others by lengthening the meeting answering questions that have already been asked and answered.
- The comment period is over when the hearing closes. Please honor that. When the hearing closes, the time has come for us to deliberate on what we've heard and we will not accept further comments, questions, or suggestions.

Thank you for your cooperation and your participation.

