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MINUTES OF THE SPRINGDALE PLANNING COMMISSION WORK MEETING ON TUESDAY, APRIL 1, 2014 AT 5:06 P.M. AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH.

MEMBERS PRESENT: Chairman 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. 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

Marriott: Aye

Taylor: Aye

Pitti: Aye

West: Aye

Motion passed unanimously.

Commission discussion and announcements:

- Officials training was tentatively scheduled for April 23
- On the upcoming Friday, there was training particularly pertinent to commissioners at the Utah Chapter of APA conference. Ms. West and Mr. Taylor were signed up and Mr. Dansie urged the other commissioners to attend.

Discussion/Information Items

Definition of Aircraft: Mr. Dansie explained the Town had taken a very strong prohibitive stance about aircraft. They couldn't control overflights, though they had been working in conjunction with the NPS requesting the FAA to strengthen restrictions over the Park. The Town could control landing, so it did. Recently the Travel Bureau had requested permission to operate a drone in Springdale to film an advertisement for the Ironman race They had been refused but the Mayor had recognized the need to clarify what should be considered 'aircraft'. Should it include drones? Hobby/toy remote control planes?

- Ms. Nielson said the NPS considered drones 'aircraft'; they had been regulated by the FAA until just a few weeks ago when the FAA lost a lawsuit over their right to regulate drones. She hoped the town would recognize the airspace between Springdale and the Park was 'seamless' and continue to protect it.
- Joe Pitti thought the definition should include all motorized devices that flew in the air. He thought using drones for filming was unnecessary. There were other ways to film and there was stock film available.
- Ms. West read definitions of drones from an online source. They were quite technical and Mr. Taylor thought they might apply to military drones.
- The Commission discussed hot air balloons. They were not allowed to land in the park or in Springdale. A recent balloonist had discovered that canyon air currents were very treacherous.

- They discussed toy remote control planes and helicopters. They didn't think it was the intent of the ordinance to forbid them, but they recognized they were noisy and intrusive. They determined they should not be allowed to trespass over another person's property and they asked Mr. Dansie to research and include their remote limitations (height and distance) in order to ensure no commercial drones could use the hobby loophole.
- They asked Mr. Dansie to draft language they could consider in their next work meeting.

Accessory Structure Size

The new Accessory Dwelling Unit ordinance had brought the question of the size of accessory buildings back on the 'burner'. Since the last work meeting, Mr. Dansie had drafted and proposed language that required accessory buildings to be placed behind and 'clearly subordinate' to the main building. He also suggested the Commission determine a maximum square footage of structures they thought appropriate for each zone. He had proposed 7,000 SF.

- Accessory structure size had been the focus of conversation several years ago and Matt Rayner, a Commissioner at the time, had devised an equation that worked with properties of all sizes. Mr. Dansie thought it might be 'intimidating to mathophobics' and suggested the Commission use it to determine a chart based on minimum lot size in different zones. The Commission thought that was an excellent idea and asked Mr. Dansie to prepare one for consideration.
- The Commission discussed how landscaping requirements and distance between buildings also factored into building size.
- They did not believe it was the intention of the residential zones to have accessory structures be as large or larger than the principal building, or for there to be multiple large accessory structures on a lot.

Accessory Dwelling Units

Long-term stays were not permitted in accessory buildings under the current zoning. In order to qualify as an ADU, the unit had to have cooking facilities, a bathroom, a separate entrance, two additional parking spaces, meet the fire and building codes, maintain the single-family character of the neighborhood and be no larger than 1500 SF. A new standard was a limitation on new construction – nothing constructed after the date of the ordinance could be used as an ADU until 5 years after its construction. Only one ADU was permitted on a property. Minimum size of the property was ½ acre. Transient lodging was not permitted.

Conditional Use Permits would be required. The CUP standard: *Accessory Dwelling Units:*

- a. The accessory dwelling unit must not significantly detract from the single family nature and character of the neighborhood.*
- b. The property must have sufficient and proper access such that the additional traffic generated by the ADU will not have a detrimental impact on the surrounding properties.*
- c. The owner of the property must maintain valid lease agreement for periods not less than 90 days that is available for inspection upon request from the DCD anytime the structure is being used as an ADU.*

- The Commission discussed 'grandfathering.' Mr. Dansie explained the real terminology was 'legal non-conforming use'. Since nothing being rented now was legal, none qualified.
- Mr. Pitti thought it was inappropriate to change the ordinance to legalize the use. Mr. Dansie pointed out the housing committee had intended this housing strategy to utilize existing accessory structures as housing. It wasn't contemplated as a development strategy.
- Mr. Taylor asked if an addition to a home could be used as an ADU. Mr. Dansie said a portion of a home could be used as an ADU under this ordinance. That was now prohibited in all zones. An ADU had to meet the seven ADU standards plus the conditional use permit standard.
- Mr. Taylor said if an existing guesthouse was larger than 1500 SF, it couldn't be a legal ADU. That seemed unfair. Mr. Dansie said they were establishing criteria for what they wanted

ADU's to meet. If the Commission wished to write in standards for existing ADUs, they could. Mr. Taylor suggested linking the 1500 SF size to structures built after passage of the ordinance. Mr. Dansie said that would be supportable if the Commission made a finding about why they were doing it.

- Stephen Roth didn't think a 1500 SF building could be considered a 'casita.' 1500 was a home. He didn't agree with the size.
- Mr. Marriott thought the market would drive the size. A huge casita wouldn't be affordable to rent.
- Mr. Pitti suggested putting the ordinance to public hearing and find out what the public supported.
- Mr. Taylor thought the public had been clear that 1000 sf was too small.
- Dan Mabbutt asked how they would notify the public they want feedback about the ordinance. Mr. Pitti said all the usual legal posted ways. Mr. Mabbutt asked if he thought it would be appropriate for people to use a forum to communicate before the meeting. Mr. Pitti said not at this time.
- Lisa Zumpft asked why the town wasn't enforcing ordinances that we have in place right now. Mr. Pitti responded there was now a public enforcement officer, but the system still relied on citizens filing complaints. Ms. Zumpft said people didn't understand that process, so it wasn't working well.
- The Commission determined the ordinance was ready for hearing.

Cottage Neighborhoods: Mr. Dansie said he had prepared language about phasing. If a phasing plan wasn't presented and approved at the initial proposal, it couldn't happen later. Mr. Taylor was surprised a common building was not required. Mr. Pitti asked if the Commission thought a percentage of development should be required as the first phase. Mr. Marriott suggested half, and the Commission agreed. If a two acre-development, 6 would be required. The Commission asked Mr. Dansie to add that requirement. This was also ready for hearing.

Planned Development Overlay Zone / Mixed-Use Developments: Mr. Dansie explained there were changes regarding how the residential component interacted with the commercial components. They had to be clearly separated. He had also added language that added flexibility to the allowed uses. Regarding signage for mixed-use developments in the PD zone, each development got one 40 SF freestanding sign and each commercial unit was allowed a building-mounted sign. He had not put a number in that slot. He showed the Commission 20 SF, 10 SF and 4 SF alternatives. Ms. West thanked Mr. Dansie for the visual aids. She thought the 10 SF sign appeared more balanced in scale. Mr. Taylor asked if hanging signs were allowed. Yes. Mr. Marriott agreed that the 10 SF sign 'scaled the best' against the architectural style Mr. Dansie used, but might not appear the same on other styles. Most of the Commissioners thought a 10SF sign was too big for a hanging sign. Mr. Pitti thought a sign only needed to identify the business, not announce it from afar. He thought the number of signs in a mixed-used development could be overwhelming if they were all 10SF. He suggested four. The other Commissioners agreed, except Mr. Marriott, who counter-suggested 8 SF.

Mr. Taylor asked about the language requiring visual separation. After a short discussion, they agreed that 'a clear distinction' was better verbiage. With that revision, they thought the ordinance was ready for hearing.

Adjourn: Motion to adjourn by Mike Marriott at 7:16pm; seconded by Jack Archer:

Archer: Aye

Marriott: Aye

Taylor: Aye

Pitti: Aye

West: Aye

Motion passed unanimously.


Fay Cope, Town Clerk

Approved: 

