



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

**MINUTES OF THE SPRINGDALE PLANNING COMMISSION MEETING ON TUESDAY, APRIL 15, 2014 AT 5:30 P.M. AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH. THE WORK MEETING BEGAN AT 5:01 PM.**

**Work Meeting**

**MEMBERS PRESENT:** Chair Joe Pitti, Commissioners Jack Archer, Mike Marriott, Joe Pitti and Randy Taylor  
**ABSENT OR EXCUSED:** NPS Liaison Commissioner Kezia Nielsen and Liz West  
**ALSO PRESENT:** DCD Tom Dansie and Town Clerk Fay Cope, recording. 16 citizens signed in; see attached list:

**Discussion/Information/Non-Action Items**

**Staff review of agenda items:**

**Ordinance Revision - Adding Section 10-22-15 regulating accessory dwelling units:** Mr. Dansie reviewed the process to date: The Commission had been working on this ordinance for many months. Hearings had been held once already. After the Council hearing, the Council had sent the ordinance back to the Commission for additional work. The Commission had discussed the ordinance and made changes in their work meetings. Since the last work meeting, no changes had been made.

**Design/Development Review Driftwood Lodge:** The drawings had been revised so there were only 10 units in each building. Hearing notices mentioned 12 units, but the buildings were too large, so they had scaled back. The staff reports and drawings detailed 10 units per building. A concept plan for the Driftwood had been held a few years ago that consisted of 4 buildings (22 units) and corresponding parking and improvements, but no Design/Development Reviews were done at that time. The density was controlled by the zoning. In the concept approval, the zoning allowed 86 total units. Even with these 20 units, the density allowed for 15 additional units. It was likely a future application would occur. Mr. Marriott thought that application would be for two more buildings.

**Design/Development Review Bit and Spur Restaurant Expansion:** This expansion was mainly a second-story terrace, roofline changes and an expansion of the kitchen. Parking was being reconfigured and lots 3 and 4 were being combined. Those would have to be re-recorded. The second level terrace dining would have a roof but would not be enclosed by walls, so it wasn't counted as square footage. If it were, they would exceed the allowed building size. Mr. Taylor asked about the substantial-sized trees being removed. Mr. Dansie suggested he ask the applicant. The Commission determined they also needed to ask the applicant if the building would meet ADA requirements without handicap access to the upper terrace.

**Conditional Use Permit (CUP) for Cliffrose Lodge Restaurant:** The lobby expansion that had been previously approved would be the location of the restaurant. There were specific and general requirements for a CUP. If the application met the standards, it had to be approved. The original approval included the anticipation of a restaurant and the parking requirements for a restaurant.

**Sign Permit: Zion Canyon Campground and Quality Inn:** The applicant wanted to remove the existing free-standing and building-mounted signs and replace them with new signs. The size of the sign in this application was calculated using only on the polygon surrounding each letter, not including background area. The applicant's interpretation was that the 'face' consisted only of the letters. The Commission should make an interpretation

about what should be included in the polygon. The color of the Q needed to match the color palette. The applicant had been through the color question several times. Mr. Ferber would not be present and he had requested that the Commission table rather than deny if they had questions he needed to answer.

**Sign Permit: Whiptail Grill:** The ordinance had only recently been amended to allow suspended signs. Mr. Dansie said there were yellows in the lizard design that weren't on the palette. All other building mounted signs would have to be removed. Mr. Dansie pointed out the application showed the entire face of the sign was acrylic. Since it would be internally lit, the background of the sign couldn't be acrylic; it must be wood, metal or stone. The applicant was aware of that and making revisions.

Mr. Pitti verified 'the polygon method' was already part of the ordinance. Mr. Dansie said it was, but the interpretation of whether the size was based only on the individual lettering/graphic polygon, or on the entire sign needed to be made.

**Discussion of recently approved development projects under construction:** The Cliffrose Lodge project was complete, as were many of the residential projects. The restaurant at the Desert Pearl was under construction. The seal coat of the bike path was complete.

Adjourned for a short break at 5:26pm.

### **Regular Meeting**

Convened at 5:30PM.

Chair Pitti welcomed the large audience and reviewed the hearing protocol and courtesies.

### **Approval of agenda:**

**Motion by Mike Marriott to approve the agenda with the removal of the April 1 minutes from the consent agenda; seconded by Jack Archer:**

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

### **Commission discussion and announcements:**

The annual Local Officials training was scheduled for April 23 at 9:00 AM at the CCC. It was very important all the Commissioners attend.

### **Action Items**

**Public Hearing: Ordinance Revision - Adding Section 10-22-15 regulating accessory dwelling units and revising section 10-3A-5(A) and 10-3A-5(B) establishing conditional use permit standards for accessory dwelling units. An accessory dwelling unit is a portion of a home or detached structure on a single family property that is rented for periods of 90 days or longer.**

Mr. Dansie said this ordinance would allow 90-day minimum rental of guest houses or mother-in-law apartments. The Commission had held one hearing and made a recommendation to the Council, the Council had a hearing after which they sent the ordinance back to the Commission for additional work. Several written comments had been received. (See attachment #1)

### **Public questions:**

- Mary Stults said she hoped the Commission would explain square footage in depth. Mr. Dansie said the 7<sup>th</sup> standard limited the ADU to 1500SF. Currently, an accessory building could be as large as 5000SF. Ms. Stults asked if a person could build a 5000SF accessory building and have a 1500SF ADU as part of it. The Commission realized they had not considered that possibility.
- Lisa Zumpft asked if an existing building larger than 1500 SF would be limited to utilizing only a portion of the building. Yes.
- Joseph Rizzello asked where this ordinance 'came from.' Chairman Pitti replied it was led by the Housing Committee's suggestions for increasing affordable housing options and inventory, but also in response to the realization it was already being done.

- Shaunna Young pointed out it was also in response to the GP strategies to increase affordable housing options and expand the local housing inventory.
- Paul Mailloux asked if this limited, negated or modified open space or landscape requirements. *No.* Mr. Mailloux asked if the Commission had discussed how this would affect water demand or buildout. He thought it would be appropriate for the Town to investigate how water rights would be affected by climate change in the future.
- Jaye Mundy asked if more than one ADU would be allowed in a larger building. *No. Only one ADU was allowed per property.*

**Motion to open the public hearing by Randy Taylor; seconded by Mike Marriott:**

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

- Mike Alltucker thanked the Commission for all their hand work and the energy they put into their thankless jobs. He thought they should get gold stars. That said, he thought this ordinance shouldn't be passed. He thought it wasn't consistent with the General Plan (GP). He thought it would have unintended consequences that would change the character of the town. It would allow de facto subdivisions all over town. It would increase demand on the Town's infrastructure, which didn't anticipate it. It didn't support the GP because it would a) reduce open space; b) promote unmanaged growth; c) have a negative effect on natural features; and d) violate the goal of a minimally developed FR zone. It also didn't support the strong support evidenced in the recent 'future' survey for limiting population growth, reducing housing density, maintaining or upgrading infrastructure, reducing parking congestion or maintaining the small-town atmosphere. There would be increased demands for water, sewer, power, streets, police and fire protection. He hoped they would table this ordinance.
- Shaunna Young didn't agree with Mr. Alltucker at all. She said it was part of the GP; the Town had been focused on affordable housing for several years. She thought the impact this ordinance would have was being blown out of proportion. It wouldn't be done as much as people were thinking it would. The requirement for a conditional use permit and the five-year limit on ADUs in new structures would ensure that. She thought it would have minimal impact on buildout.
- Karla Player didn't agree with Ms. Young. She thought single family units were the basic housing units anticipated in the zoning. She cautioned the Commission against changing the established ordinances without thinking through every single thing. The ordinances were very sound.
- Paul Mailloux appealed to the Commission that a study of water be undertaken soon. There was sound science showing that snow packs in the region 'were not going to be a thing of the future.'
- As the president of the Kinesava HOA, Mr. Mailloux was concerned about how this ordinance would affect that subdivision. He thought it would create a culture change. Renters had a different 'learning curve' than owners and weren't as protective of their neighborhood. He said Kinesava homeowners watched out for each other. It would be harder to do that if there were strangers in houses. Kinesava already had a heavy burden with tourists parking on their narrow fire-lane roads. There was a Special Exception which made the roads in Kinesava fire access roads. Parking on the road was prohibited. Springdale police had as much trouble prosecuting violators as KHOA did.
- Paul Rizzello also thanked the Commission and said he had submitted a written comment as well as his spoken comments. He represented the Board of the Anasazi Plateau, which was opposed to this ordinance. The Town already didn't police or enforce regulations. The Board didn't think the Town was considering impacts on infrastructure. He requested the Town supply information to the public about future infrastructure supply. Anasazi had CCRs prohibiting commercial uses. He requested FR be removed from the ordinance.
- Shaunna Young verified the ordinance wouldn't supersede CCRs. Mr. Rizzello thought it would be unfair for the town to have more lenient rules, putting the HOA in the position of having to defend or enforce the CCRs in court. Mr. Mailloux agreed on behalf of Kinesava.
- Karla Player said it had been 11 years since the Town's last affordable housing needs survey. Redhawk had been built since then. She said there wasn't any data about how much affordable housing was actually required in Springdale.
- Mary Stults thought 1500SF was too big. She asked if unrelated adults would be allowed to live in a structure. If so, she could easily see how there could be at least three cars. It 'could become crazy.'

- Sherry Teresa thanked the Commission and Mr. Dansie, whom she had spoken with earlier in the day. She was in favor of the ordinance. She had a 725SF guest house she had rented for more than 60 days in the past, because she didn't know it wasn't permitted. She said she knew there were homeowners in Anasazi Plateau who rented their homes for weekends. She said she was embarrassed by the letter sent by the Anasazi Board. It was hypocritical. She had personally written the regulations for the homeowners that protected the Conservation Easement (CE). She said there had been a meeting of the APHOA board that wasn't noticed to the neighbors, and the letter was the result. She didn't think the letter represented the feelings of most of the residents of Anasazi Plateau.
- Mr. Rizzello clarified that APHOA meetings were always open. He wasn't aware there were people renting for weekends and would be pursuing the question. Ms. Teresa again stated the meeting was not advertised to the residents. Mr. Pitti moved the meeting along.

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

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

Mr. Pitti reviewed the 7 written comments received. They were all letters of opposition to the ordinance. See attachment #1.

**Deliberation:**

- Mr. Taylor said the original intent was exactly as Ms. Young explained. It had become a larger issue than expected. Perhaps removing the FR zone would alleviate some neighborhood concerns.
- Mr. Archer said Anasazi and Kinesava had spoken, but Canyon Springs hadn't been heard from. He said the original intent was to make it legal for people to rent units and to provide additional housing options for local workers. He thought this ordinance was one of the better housing strategies they were considering. The fear or expectation that people would build accessory structures in order to have an ADU was creating what he thought was an 'out of proportion' response. Perhaps it would be logical to try this in the VR zone and see if it made sense to expand into the FR zone later. He said it would be helpful to know how many units there were being rented out there. He said the affordable housing market was changing. There were 18 condo units being built downtown. Moenave Subdivision had 36 units, some of them formally affordable. He wasn't certain that 'affordable housing' would ever be really affordable in Springdale, and if done correctly, this ordinance created a realistic alternative.
- Mike Marriott didn't think many people would build units as speculation for an ADU. There was a five-year moratorium, which was not a good return on an investment. He thought the ordinance was worth trying and it could be reversed without great difficulty. He suggested limiting to VR to see how effective it was. He questioned the requirement that a 90-day lease document be 'inspected'. He didn't know if the Town needed to see all the lease details.
- Chair Pitti thanked all the citizens for being present. It always helped to have citizen input. He had never approved of creating laws just to 'make people compliant'. He was also concerned about water. He said the GP didn't specifically list ADUs as a strategy for affordable housing. He thought the town had been actively supportive of different housing inventories. The Town had encouraged businesses to supply housing for their employees. In fact, Stewart Ferber was building employee housing on Zion Shadows. He was hesitant to limit ADUs to VR. 'If it wasn't good enough for one zone, it wasn't good enough for either.' He was also concerned about the likelihood that several people would share the rent of an ADU because he wasn't sure they would otherwise be affordable. He said he agreed with several of the comments made: infrastructure demands, for example. He also thought this could affect open space. He listed several sections of the code and General Plan which he thought this ordinance didn't support, including:
  - 10-9a-1: FR zone is an integral part of the scenic beauty that attracts the tourist base
  - 10-9b-b: intended for open space, low density and low profiles.
  - 10-9a-6-1 Not more than one Single Family Dwelling is allowed per lot.
  - 10-9a-C standards: FR zone has most fragile soils of the town – should be protected.
  - 10-9b-1 VR intent– ag uses and Single Family Dwellings
  - Chapter 2E of GP – sensitive natural areas
  - 3.2.3 FR should remain minimally impacted
- He suggested that since the GP review was coming soon, perhaps it would be better to table this until later. People could have more participating in the decision.

- Mr. Taylor thought removing FR would create additional impact on the VR zone. Mr. Pitti agreed.
- Mr. Pitti said there were already affordable units on the approved projects table. He wanted to know how those developments would affect the Town. Mr. Marriott said some of those projects could be ten years out.
- Mr. Marriott said he agreed with Mr. Pitti's thought that 'if it wasn't good enough for one, it wasn't good enough for either.' He wondered if there could be a 'rollout' of the ordinance.
- Mr. Archer still wanted to know how many rentals were already out there. Mr. Dansie explained he really didn't know. The enforcement officer responded to complaints and there hadn't been many.
- Mr. Pitti asked the Commission what they thought about postponing until the GP review. *Too long.*
- Mr. Archer suggested this be part of the upcoming 'public event'. Hopefully a lot of citizens would attend that.
- Mr. Taylor said the Commission hadn't heard from people who were renting. Chair Pitti said they probably wouldn't make themselves known.
- Mr. Marriott asked Mr. Dansie how long it would take to update the GP. He said the last update took three years.
- Mr. Archer repeated his request that it be discussed at the upcoming meeting, as well as cottage neighborhoods. Mr. Pitti suggested Mr. Goldsmith's students could study the issue.
- Mr. Taylor thought tabling it now would essentially kill it. Mr. Marriott thought tabling it for three years wasn't logical. If it could be worked on again after the public meeting, that was different. He thought they should just vote on it tonight and move on.
- Mr. Pitti said if they were going to vote on it, they had to talk about the inclusion of a 1500sf ADU in a larger building and limiting the use to ADU. He didn't see the point of rushing the ordinance. He wasn't sure that building or allowing ADUs would make housing affordable for workers who had to commute now.
- Mr. Pitti repeated his concern about additional density in the FR zone. Mr. Marriott said that was irrelevant because the ordinance already allowed additional structures. Mr. Taylor agreed. Barns, workshops, greenhouses, and guesthouses could all be built under the existing ordinance.

**Motion by Mike Marriott to recommend approval of Ordinance Revision - Adding Section 10-22-15 regulating accessory dwelling units and revising section 10-3A-5(A) and 10-3A-5(B) establishing conditional use permit standards for accessory dwelling units. Motion died for lack of second.**

**Motion by Jack Archer to postpone until after the public gathering in order to get addition information to and from the public; seconded by Joe Pitti:**

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

**Public Hearing: Design / Development Review - Two 12-unit transient lodging buildings at the Driftwood Lodge, 1515 Zion Park Boulevard.**

- Mr. Dansie explained the application was for two 10-unit buildings. The Town had already approved a conceptual plan including these buildings, but there had been no Design/Development Review.
- Peter Stempel represented the Driftwood. He said they had been concerned that four additional buildings would cause a proliferation of buildings, so they were phasing. These buildings would be identical in appearance to earlier approved buildings.
- Randy Taylor asked if the basement would be utilized. Mr. Stempel said it was designed to be storage, not habitation.
- Mr. Archer asked about the 28' height limit. Mr. Michael Porter of Stempelform showed how they met the buildings met the ordinance.
- Mr. Taylor asked if landscaping numbers included the pasture. Mr. Porter said he included it in the open space category, not landscape. They had added landscaping features around the new buildings.
- Mr. Taylor asked if they had future plans to build the 15 additional units still allowed. Mr. Stempel said yes, but it wouldn't be done within the time frame of this Design/Development Review. He used the site plan slide to show three approved development areas. Mr. Pitti reminded Mr. Taylor that future development plans couldn't be part of their deliberations on this application.

**QA by public:**

Jaye Mundy asked why employee housing wasn't part of the presentation.  
Mr. Stempel said employee housing was simply not being considered at this time.

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

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

Breck Dockstader, representing Cliffrose Lodge, said they were in favor of this development.

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

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

Mike Marriott found the application met the requirements of the zone.

Randy Taylor found there were no major impacts as seen from SR-9.

Joe Pitti found the application met maximum building size, the 28' height limit was satisfied, colors and materials met standards and outdoor lighting was compliant.

**Motion by Randy Taylor to approve the Design/Development Review for the Driftwood Lodge expansion based on the chairman's findings; seconded by Jack Archer:**

**Public Hearing: Design / Development Review - Restaurant expansion at the Bit and Spur Restaurant, 1212 Zion Park Boulevard.**

- Mr. Dansie explained there would be a second-story dining area, the parking was reconfigured, and lots 2 and 3 were being combined.
- Peter Stempel represented the applicant. He offered apologies from Trish Jennings, who had to leave because the first hearing was very long. Mr. Stempel said they were going to try to protect the trees, but they would replace any they had to remove at 2:1. He said they could probably tweak the parking plan to save trees. He said this revision was driven by a major roof leak; replacing the roof had led to the dining terrace. The function of the kitchen would be improved significantly.
- Mr. Archer asked if lots 2 and 3 had been combined yet. Mr. Stempel said not yet, but it would be done before a Certificate of Occupancy (CO) was issued.
- Mr. Marriott asked about their lighting plans. They were on the up-side of SR-9, so lights at the terrace would be far above people and the light source would be visible. Mr. Stempel said the lights would have to be suspended with inset lights.
- Mr. Stempel addressed the ADA question: not every area in the building had to be accessible as long as it was possible to have the same experience elsewhere in the building; existing buildings had different requirements than newly built structures. Because it was a small building, it was exempt from some requirements. If there were large functions at the Bit, they were usually in a tent on the green. The upstairs patio probably wouldn't be large enough for most special functions.
- Mr. Taylor asked about the large pine tree which was shown as being removed. He thought it was an ancient Ponderosa. Mr. Stempel thought it might be possible to keep that tree, but construction might disturb its roots.

QA/public: none

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

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

Dan Mabbutt urged the applicant to do everything possible to save the trees.

**Motion to close the public hearing by Mike Marriott; seconded by Randy Taylor:**

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

**Deliberation:**

Mr. Marriott said the application appeared to meet the standards.

Mr. Archer mentioned the conditions: recordation of lot combination, terrace had to remain unenclosed.

Mr. Pitti found the application met the standards of the code as well as the architectural standards. The pendant lighting fixtures should be adequate. Adequate parking was provided.

**Motion by Joe Pitti to approve the Design / Development Review for the Restaurant expansion at the Bit and Spur Restaurant, 1212 Zion Park Boulevard based on following findings: it meets the building height, size, setbacks, illumination and parking standards of the Village Commercial zone as well as the colors and materials Architectural Standards and design guidelines of Chapter 10. Approval is conditioned on the following: 1) the outdoor dining terrace must remain open in perpetuity and not become enclosed in the future; 2) Lots 3 and 4 of the Bit and Spur subdivision must be officially combined with Washington County Recorder's office.**

**Seconded by Jack Archer:**

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

**Public Hearing: Conditional Use Permit - Request to operate a restaurant at the Cliffrose Lodge, 281 Zion Park Boulevard.**

- Mr. Dansie explained that Cliffrose recently completed their lobby expansion. The approval of that expansion anticipated the restaurant.
- Mr. Breck Dockstader said the principal intent of the restaurant was to serve their hotel guests. It would be a light café area.
- Mr. Taylor asked if they intended to enclose the area. Mr. Dockstader said no, because it would violate the building size.

**Motion to open the public hearing by Jack Archer; seconded by Randy Taylor:**

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

No comments.

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

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

**Deliberation:**

Mike Marriott: It met the general and specific standards of a restaurant CUP

Randy Taylor: It was considered and approved as part of the original building approval – a parking review was included in that approval.

Joe Pitti reviewed the general and specific standards listed in the staff report. The application met all the standards.

**Motion by Jack Archer to recommend approval of the CUP for a restaurant at Cliffrose Lodge, 281 Zion Park Boulevard, as it complies with 6 general standards and four specific standards. Approval is conditioned on the applicant providing documentation of health department approval of the restaurant before a license will be issued; should the restaurant adopt a formula type menu or atmosphere, the conditional use would be suspended. Seconded by Mike Marriott.**

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

**Sign Permit: Zion Canyon Campground and Quality Inn, 479 Zion Park Blvd.**

- Mr. Dansie stated that Mr. Ferber was unable to attend. He had left word with Mr. Dansie that if the sign could be approved without him answering questions, fine. If not, he would come to a future meeting.
- Mr. Taylor questioned the applicant's interpretation of the sign size. Counting only the lettering could create very big signs. He had calculated the total area of the sign on the application was over 81 SF, not including the space between panels. Mr. Marriott agreed with the concern. He explained he had recently gone through this process and he had included the background in the calculation.
- Mr. Dansie said the ordinance defined 'sign face'. Mr. Ferber had calculated size based on polygons wrapping around each individual letter, making his own interpretation of the sign face. The Commission said that was not the intent.
- Joe Pitti suggested they needed to add clarification language in the near future.
- Randy Taylor thought it was clear that components had to include the background
- Mr. Pitti thought the space between different panels hadn't been included in the past.
- Jack Archer suggested the application should be tabled.
- Joe Pitti thought if they did that, they should give the applicant direction to revise the sign.

**Motion by Jack Archer to table until the applicant can be informed that the size calculation has to include the entire sign area and the Q has to be on the color palette; seconded by Mike Marriott:**

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

**Sign Permit: Whiptail Grill, 445 Zion Park Blvd.**

Travis Barney was present. He said the brown background would be metal. The white lettering would be lit, but not the background. He said the yellow in the lizard would be changed to meet the palette. He would remove the present 'Gourmet grill' and the 'restaurant' signs. Mr. Pitti said he should also look at the colors of the mural to ensure they were on the palette. The location of the sign needed to be determined. It couldn't exceed 15' in height but it had to be high enough for pedestrian safety.

**Motion by Joe Pitti to approve the Sign Permit for Whiptail Grill at 445 Zion Park Blvd. based on these findings: It meets all the standards of the code, except for the yellow color, which had to be changed. Background had to be metal, wood or stone. Seconded by Mike Marriott:**

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

**Consent Agenda - Minutes: March 18**

**Motion by Mike Marriott to approve the consent agenda, seconded by Randy Taylor:**

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

Chair Pitti asked the Commission if they should put the determination of sign size on the agenda for a future meeting. Yes. Mr. Pitti also thought they needed to consider light output from backlit signs, since more businesses were using them all the time and they did have an impact.

**Adjourn: Motion to adjourn by Jack Archer at 7:50 PM; seconded by Randy Taylor:**

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Taylor: Aye**

**Motion passed unanimously.**

  
\_\_\_\_\_  
Town Clerk Fay Cope

APPROVAL:   
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Date: April 15, 2014

To: Town of Springdale  
Cc: Mayor Smith  
Tom Dansie  
Rick Wixom  
Planning and Zoning  
Town Council  
Town Staff

Re: Ordinance Revision: Adding Section 10-22-15

Prior to any further discussion regarding the need for affordable housing by allowing the building of accessory dwelling units for this purpose, the town needs to conduct a formal survey and cost analysis to show the need for an ordinance change.

We respectfully request that a survey be done to show the need that will justify increasing the density and changing this ordinance.

Thank you.

Kind regards,

Karla Player



Kathy Schultz



245 Valley View Drive  
Springdale, UT 84767

Michael Alltucker  
PO Box 415  
Springdale, UT 84767  
[malltucker@infowest.com](mailto:malltucker@infowest.com)

**VIA email**

April 14, 2014

Thomas Dansie, AICP  
Director of Community Development  
[dcd@infowest.com](mailto:dcd@infowest.com)

Re: Planning Commission meeting of April 15, 2014 concerning a revision of the ordinance to make allowance for the long term rental of accessory dwelling units.

Members of the Planning Commission:

Exploring affordable housing options for Springdale is a noble goal. However, these proposed amendments will forever change the livability and character of our Town and will result in many unintended adverse consequences.

This measure will result in a de facto subdivision of existing properties and will lead to increased building speculation, increased building densities, increased population and increased demands on Springdale's already stressed infrastructure. Our Town has no plan in place to accommodate this increased demand for these services. Emergency, Police and Fire services will also be stressed with no corresponding plan to fund this addition load.

Increasing residential density in this manner is not consistent with the General Plan. It will reduce open space, does not manage growth, will change the small town character and will negatively affect our natural features. It will accelerate the Town's need for upgraded infrastructure needs and will provide no support for these increased service demands. This densification will impact our Town's unique character and violates the goal of a minimally developed foothill residential zone.

Increased traffic and noise from these units will only exacerbate the Town's traffic and parking problems and most certainly will negatively impact

the Town's village atmosphere. The recent Growth and Development Survey yielded strong results concerning limiting population growth, reducing the density of housing, increasing open space, maintaining and upgrading the Town's infrastructure, reducing parking congestion and maintaining the small town atmosphere. None of these goals will be enhanced with the passage of this ordinance.

I would ask the Commission to step back from adopting this ordinance at this time.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michael Alltucker".

Michael Alltucker

April 12, 2014

Springdale Planning Commission:

I am writing to you to express my opposition to the proposed revision to code 10-22-15 that would permit Accessory Dwelling rental Units on residential properties in Springdale.

I feel very strongly that this ordinance revision would have a very detrimental effect on the Anasazi plateau where I am a resident.

To begin with, we simply do not have the infrastructure to support additional residents on the Anasazi Plateau. Our sewer and water systems are sized for 77 dwellings and no more. Our roads, which were built in many instances to sub-standard conditions, are deteriorating at a rate that forces the association to spend the bulk of our annual HOA dues on road repairs. Currently there are approximately twenty of the eventual 77 residences that will eventually be built in our community. The ADU code revision would result in a substantial increase in the number of vehicles using the roads on the Anasazi Plateau and the resulting deterioration of these roads would place a crushing burden on our finances. In such a circumstance it is unlikely that we would be able to maintain our systems of roads.

Then there is the matter of evacuating the Anasazi Plateau in the event of an emergency. Given the long established tradition of service personnel in the Springdale area to have multiple people sharing one residence, we can expect that ADUs on the Anasazi Plateau to have more than a single occupant. This means that even if only 50% of the 77 homes that will eventually be built on the Anasazi Plateau have rented ADUs, our population would be effectively doubled. Evacuating 300+ people and their vehicles from the Anasazi Plateau in such a circumstance would be more than just a little problematic and would most likely result in a tragedy.

Finally, permitting rental ADUs would forever change the planned development character of the Anasazi Plateau. It amounts to a De Facto subdivision of our properties and a dramatic increase in the population. This population densification would have a seriously detrimental effect on the Conservation Easement that the Town of Springdale has agreed to protect. It would also forever change the character of life on the Anasazi Plateau.

I urge the Planning Commission to reject the proposed amendment that would permit rental ADUs. I feel that it is misguided, short-sighted, the wrong path for Springdale and would have a permanent and negative impact on the quality of life, the Conservation Easement, and the safety of those who live on the Anasazi Plateau.

If the Planning Commission insists on passing this ordinance revision I ask that the Foot Hill residential areas of Springdale be exempted from this ordinance revision. Such an exemption would allow ADUs in the town of Springdale, but their prohibition in Foothill Residential areas would maintain the character, the Conservation Easement, the infrastructure, and safety of the residents on the Anasazi Plateau.

Most sincerely yours,

Jerry Healey

Joseph S. Rizzello  
PO Box 361  
Springdale, Utah 84767  
[j.rizzello@verizon.net](mailto:j.rizzello@verizon.net)

April 13, 2014

Thomas Dansie, AICP  
Director of Community Development  
[dcd@infowest.com](mailto:dcd@infowest.com)

Members of the Planning Commission:

I am writing to you on behalf of the Anasazi Plateau Home Owners Association (APHOA). The purpose of this correspondence is to address the issue of Accessory Dwelling and its proposed revision at a meeting scheduled on Tuesday, April 15, 2014.

The APHOA Board appreciates the opportunity to present testimony to the Commission. In that regard, the Board does not support this revision, in fact we oppose it outright. We understand the purpose of considering this measure, as well as the consideration to address the issue of "Affordable Housing" in the town of Springdale.

Furthermore, we also understand that there are currently some residents of the community that are not in compliance with the ordinance as it exists today.

Allow me to address the second point first. The Board believes that the lack of full compliance is not a sound reason to revise the ordinance, nor is it good policy. In fact, one can effectively argue that those that are in violation of this rule should be brought into compliance immediately. Consider for a moment if the Town of Springdale is not effectively enforcing a current rule or regulation, there are those that can make a case that they may choose not to obey other rules that the

town needs to enforce. It is important to point out that the Town of Springdale not only opens itself up to criticism for the appearance of being arbitrary with regard to the enforcement of its rules, in our view, it also opens itself up for potential legal action.

On the issue of "Affordable Housing," we understand and can appreciate the need, however, we believe that it is critically important for the Town of Springdale to carefully examine and address the impact on the current infrastructure, particular in the area of water, sewage treatment, traffic, noise, parking, fire services, and public safety.

The town has experienced significant growth over the last ten to fifteen years. We believe that this issue, and others that are similar, present an opportunity to commission a study that addresses the matter of important infrastructure upgrades. We further recommend that the findings of that study be presented to the residents of the community. Once there is a better understanding of those needs, we can all then embrace, and properly address, the issue of growth in a responsible manner.

I will close by saying that APHOA CCR's prohibits any individual homeowner to use Accessory Dwelling units for a commercial purpose. As stated earlier, we oppose this measure absent further investigation of the town's current infrastructure. Given our own (APHOA) significant challenges as it pertains to our roads, increased traffic, fire service, water, public safety, and how this will impact the conservation easement, we strongly recommend that you leave foothill residential out of this current consideration or other subsequent discussions with regard to the issue of Accessory Dwellings for commercial use.

On behalf of the Board of Trustees, we thank you for this opportunity to comment.

Joseph S. Rizzello  
President APHOA

**Fay Cope**

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**From:** Thomas Dansie <dcd@infowest.com>  
**Sent:** Monday, April 14, 2014 10:51 AM  
**To:** jpitti@springdaletown.com; lwest@springdaletown.com; knielsen@springdaletown.com; rgt402b@infowest.com; mmarriott@springdaletown.com; jarcher@springdaletown.com  
**Cc:** springdale@infowest.com; rwixom@infowest.com  
**Subject:** FW: Accessory dwelling units

Commissioners-

Here is another public comment letter on the accessory dwelling unit ordinance.

Thanks.

Tom

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

**From:** Kelly McKean [<mailto:kelly.mckean@comcast.net>]  
**Sent:** Saturday, April 12, 2014 8:51 AM  
**To:** Tom Dansie  
**Subject:** Accessory dwelling units

Hi Tom,  
Thanks again for taking time to help me and Barbara yesterday.

On behalf of the Anasazi Plateau Architectural Committee, I'd like to express our concerns over the proposed ordinance changes regarding accessory dwelling units. While we understand the need to address affordable housing in Springdale, we strongly discourage the "blanket" approach of approving these units for both VR and FR zones.

Our primary concern is the impact that more density in housing would have on an already-strained infrastructure. Water and sewer are the two we're most concerned about. Our other concern with regard to the FR zones is access; as you know, most FR subdivisions have a single point of ingress and egress.

With increased density, our conservation easements are likely to suffer from increased foot and automobile traffic and noise. We on the Anasazi Plateau have worked hard to keep the environment clean and natural, which we believe is compatible with the mission of Springdale.

Finally, it appears the proposal is a bandaid that is meant to accommodate existing violators of the current code rather than enforce violations to keep the character and livability of Springdale intact.

Sent from my iPad

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Dear Planning Commission Members,

As full time residents of the Town of Springdale, my husband and I would like to voice our opposition to the proposed revisions to Springdale code 10-22-15 with regards to the Accessory Dwelling Unit (ADU) ordinance. While we strongly support the concepts of diversity in housing and the town's economic prosperity, we feel adopting the proposed revisions \*at this time\* would have a deleterious effect without the proper infrastructure. Our concerns are related to the following:

- Insufficient water, sewage, power infrastructure to maintain our current and future needs, much less any added population
- Inadequate roads and parking for increased traffic
- Increased strain on fire/police/emergency departments
- Additional costs (aka taxes or assessments) to permanent residents for road, fire, and/or emergency services

In addition, we also have some specific concerns as it applies to our neighborhood, the Anasazi Plateau subdivision:

- Lack of adequate ingress/egress for more than the already planned level of development
- Considerable 'wear and tear' on the conservation easement
- Insufficient parking and road space for additional residents
- Changing the single family nature and character of the neighborhood

For all of the reasons above, we implore the council to take the time to address these concerns \*prior\* to adopting the proposed revisions. As a secondary request, we would ask that the foothill residential area be excluded from the proposal, as many HOA's are independently responsible for both the monetary and enforcement aspects of our own infrastructure.

Thank you for taking these matters into consideration.

Elizabeth Snyder and William Gullledge, Jr



PO Box 187 118 Lion Blvd Springdale UT 84767

### ATTENDANCE RECORD Please sign

Meeting of PL on 4/15/14

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.

name	<u>DAN MUMFORD</u>	email (not required)
name	<u>[Signature]</u>	email (not required)
name	<u>[Signature]</u>	email (not required)
name	<u>Peter Stuply</u>	email (not required)
name	<u>[Signature]</u>	email (not required)
name	<u>Mary Stults</u>	email (not required)
name	<u>Sherry Teresa</u>	email (not required)
name	<u>MICHAEL POZZI</u>	email (not required)
name	<u>Tash Jennings</u>	email (not required)
name	<u>BRECK DOCKSTADER</u>	email (not required)
name	<u>MIKE ALTUCKER</u>	email (not required)
name	<u>JOSEPH Rizzello</u>	email (not required)
name	<u>Travis Barney</u>	email (not required)
name	<u>Kelly McKean</u>	email (not required)
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