



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

**MINUTES OF THE SPRINGDALE PLANNING COMMISSION WORK MEETING ON TUESDAY, JUNE 3, 2014 AT 5:01 P.M. AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UT.**

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

**EXCUSED:** Randy Taylor

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

**Approval of Agenda: Motion by Jack Archer to approve the agenda as posted; seconded by Mike Marriott:**

**Archer: Aye**

**Marriott: Aye**

**Pitti: Aye**

**West: Aye**

**Motion passed unanimously.**

**Discussion and Announcements:**

- Mr. Dansie reported on the last night-sky event; it was very successful. Approximately 50 people attended. Alex Chamberlain of Dixie State University taught night photography from basics to professional tips. The next event in the series would be on July 30 when the Dark Rangers from Bryce Canyon made a 'Stellar' presentation and brought their scopes for stargazing, weather permitting.

**Discussion/Information Items**

Chair Pitti said the Commission had spent a great deal of time on all these items. He hoped they could review and decide about progression of these ordinances.

**Accessory Structure Size Limit Ordinance:** Mr. Dansie explained that the Commission had determined the mathematical equation they had been discussing to determine total square footage allowed on a lot would intimidate too many people. Mr. Dansie had created a chart based on the equation, using 5000sf as the minimum baseline, in consideration of smaller lots. He had also created graphic representations of how different-sized lots were affected.

- Mr. Pitti was appreciative of the chart; it was easy to use and would make the development easier for people. Mr. Marriott was dissatisfied with how restrictive the chart was. In too many cases, accessory buildings would be limited to 500 square feet, which was too small. He didn't agree with such drastic restriction. He agreed the present 5000 sf size was too large; he would prefer to go somewhere in the middle.
- Ms. Nielsen thought Mr. Marriot's base assumption was that every main structure would be 5000 sf. That wouldn't be the case – most houses were smaller than that, so accessory buildings could be larger.
- Mr. Archer agreed with Mr. Marriott that their discussions had never contemplated that the accessory buildings would be so restricted.
- The Commission discussed some of the existing properties with accessory structures. Mr. Dansie pointed out the developments with both a large house and at least one large accessory building were

always large parcels. Setbacks would always affect the size of structures, most particularly on small parcels.

- The Commission discussed the maximum square footage allowed in cottage housing developments. They eventually decided not to compare cottage housing to any other kind of development.
- Mr. Marriott suggested limiting accessory buildings to half the square footage of the main house. Mr. Pitti suggested creating that concept as a separate scenario, giving the community and the Council two choices.
- Ms. West said the staff report had directed the Commission to consider the impacts of accessory buildings on small lots; doing so she had read a section that limited construction if it was highly visible from SR-9. She thought visibility from SR-9 wasn't the only visibility issue. Neighbors could be seriously impacted, too.
- Mr. Archer thought there would still need to have a different (sliding) scale for very large lots. He suggested something as simple as allowing some 'room for flexibility' on large lots.

#### **Sign Area Measurement Method:**

- In 2012 the Commission changed the method of determining the area of a sign from the smallest rectangle that could enclose the sign components to the smallest polygon that could enclose all the elements. They hadn't limited the number of 'sides' on a polygon, which allowed signs to become very large when the polygons had essentially wrapped around each component without considering the background. He had created to-scale graphics showing the rectangle method, an 8-sided polygon, and a near-infinite polygon. The differences were noticeable. The Commission had evidence that unlimited polygons made considerably larger signs.
- Mr. Pitti said the Commission had never intended to increase the sign size standard; the intent was to increase creativity.
- Mr. Archer was convinced limiting the number of polygons was necessary to control size.
- Mr. Marriott thought the 2012 revision was very helpful to businesses and sign designers and should be kept as it was. There was far more flexibility in the current ordinance and the only way signs would get bigger (as shown) was if there were only letters on the sign.
- Ms. Nielsen thought adding a logo might not affect the size of the lettering much. She thought the limited polygon was a good compromise.
- Mr. Pitti agreed and suggested they focus on limiting the number of angles. The Commission discussed different options and finally determined they would proceed with an ordinance limiting the polygon to 10 sides. Mr. Dansie said he would make that revision and schedule the ordinance for public hearing.

#### **Solar Energy System Ordinance:**

- Mr. Dansie said he had made some changes to their last draft after reviewing the model ordinance provided by American Solar Transition Initiative (ASTI), an organization the Town had recently joined.
- Mr. Dansie asked the Commission about the provision limiting array size to collect only what was required on the property. The Town Manager had asked for clarification about arrays the Town used to mitigate power demands off-site – would they still be 'ok'? The Commission first discussed eliminating regulation in the public use zone but then determined changing the language from 'only what was required on the property' to 'only what was required by the property owner' would address the general question more appropriately.
- The Clerk asked if they intended to allow more than one pole mounted device per property. Yes.
- Mr. Dansie was instructed to schedule the ordinance for public hearing.

#### **Accessory Dwelling Unit Ordinance:**

- Shaunna Young thought subzones should not be prohibited from having ADUs. There were already units in those zones, being utilized. They should have the same rights as others.
- Mr. Dansie explained, for those who didn't know, that subzones had been created to encompass most of the very small lots in the VR zone – those smaller than the minimum lot size required in the VR zone.
- Ms. West thought the lots were too small for multiple buildings.
- Mr. Archer thought the requirement for two additional parking spaces would make it impossible for most lots anyway.

- Mr. Pitti stated he didn't support allowing ADUs, especially in the FR zone. The HOAs in the FR zone prohibited rentals anyway. He didn't understand why the Town was proposing this if there was a lot of opposition and limited applicability.
- Mr. Marriott proposed allowing ADUs in all zones except FR. 'Starting small' to see how it worked was reasonable.
- Ms. West said she had read the FR zone was intended to have one single-family dwelling per lot. She asked if VR was the same. Mr. Dansie said 'yes', but the Commission had already discussed the need to make some revisions to that language if this ordinance were adopted.
- Sherry Teresa asked the Commission to read her letter and her attorney's letter. She didn't think the Anasazi Plateau CCRs prohibited rentals. *See att # 1*
- The Commission decided to proceed with the ordinance revised to remove the use in the FR zone. It could also be scheduled for another hearing.

**Cottage Neighborhood Ordinance:**

- Mr. Dansie said the initial public response to cottage neighborhoods was very favorable. The recent public hearings had been less positive, but not completely negative. The ordinance had been revised subsequent to public input.
- Mr. Archer expressed grave concern about the inadequacy of parking. There were not garages. He proposed requiring the parking lots to be away from SR-9 and well-shielded. The developer could pass that cost along. He didn't really believe these developments would be 'affordable' housing.
- Mr. Marriott said paving a road around the property would make it more difficult to meet the landscaping requirements.
- Mr. Pitti suggested allowing more flexibility in design.
- Mary Stults said motels usually had parking in front. She thought property owners might prefer not to have machinery impacting their backyard privacy.
- Mr. Archer understood Ms. Stults' point – the gravel driveway past his house caused noticeable noise.
- Mr. Dansie reviewed some possibilities for addressing parking issues – increased setbacks, prohibiting parking as a visual focus, increasing requirements for vegetative screening, splitting the parking, etc. Mr. Dansie offered to revise the language and schedule the ordinance for another work meeting.
- Mr. Marriott suggested limiting cottage developments to 5 cottages per acre, ten maximum. If they did that, they should require the developer to finish one acre, five houses. Phasing should then be one acre completed as the minimum first phase.

**Discussion of Work Meeting date for July:** Mr. Dansie said he wouldn't be available for the July work meeting. They discussed their work schedule – it was heavy, but manageable. They decided to eliminate the July work meeting.

**Adjourn: Motion by Mike Marriott to adjourn at 6:24 PM; seconded by Jack Archer:**

**Archer: Aye**

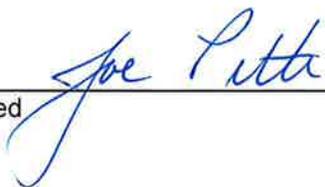
**Marriott: Aye**

**Pitti: Aye**

**West: Aye**

**Motion passed unanimously.**

  
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Town Clerk Fay Cope

Approved   
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Sherry Teresa  
Box 1001 / 2561 Anasazi Way  
Springdale, UT 84767  
Steresa1001@gmail.com

June 3, 2014

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

RE: Planning Commission Meeting 6/2/2014 ADU's rental ordinance

Subject: Bullet Points of Testimony

Members of the Planning Commission:

I am grateful to the Town for proposing this ordinance. I believe that the first three "Whereas" succinctly define the need for this ordinance.

1. Diversify housing options
2. Lack of moderately priced rental housing available
3. Provide rental housing options for Springdale employees on a long-term basis

I would add that there is a need for:

1. Visitors from out of town desiring to stay on a longer-term basis and require more amenities than those found in a hotel room and at a reasonable price for their length of stay.
2. Housing for those building in our community and nearby.

Benefits of ordinance are obvious and in harmony with our general plan. Ordinance is well-crafted and alleviates most concerns such as:

1. length of stay,
2. competition with motels, B&B's and hotels
3. Lot size – requiring over .5 acre
4. 5 yr. moratorium on renting to prevent any speculative building.

As for the opposing opinions from APHOA members, it is important to remember that due to the above restrictions; only 12 of 77 or 18% (max 2 people each would be 24 people) lots would qualify from an acreage standpoint . Currently there are 24 homes built on the Plateau and only one ADU that would qualify under the new ordinance.

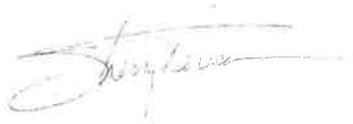
The justification for opposition by AP homeowner's included:

1. Increased traffic (our roads are privately maintained but have public access, tour companies bring tour vehicles up there now which have not been protested),
2. Water ( has not been an issue and within our general plan limits),
3. Sewage treatment (mute as to number of new dwelling units and hotels built in town and general plan), and;
4. Impacts to the AP conservation easement (APHOA board has repeatedly refused requests to provide more stringent protection for the CE).

The opposition up on the Plateau is currently just against me personally. If the HOA has its way, and if the ordinance fails, a consequence would be that a large number of people in Springdale could be denied a place to rent or short-term housing. It's inequitable and unfair. We can't sacrifice the needs of the town and its employees for one individual. I would like to submit for the record a letter from my attorney outlining the current APHOA issue the Plateau and in support of the ordinance.

This ordinance is needed and will provide many positive benefits to our community with virtually no downsides. I urge you to pass this ordinance.

Sincerely,



Sherry Teresa

Attachment: 5/22/2014 Letter from Bingham Snow & Caldwell to Joseph Rizzello.

