

1. Planning Commission Regular Meeting Agenda

Documents:

[091521.PCM.COURTESY.PDF](#)

2. Packet Material

Documents:

[ITEM A1 - HOME OCCUPATION ORDINANCE 9-15-21.PDF](#)

[ITEM A2 - OPEN AIR DISPLAY REVISION 9-15-21.PDF](#)

[ITEM A3 - SR9 DESIGN CORRIDOR ORDINANCE 9-2021.PDF](#)



118 Lion Blvd ◦ PO Box 187 ◦ Springdale, UT 84767 ◦ (435) 772-3434

PLANNING COMMISSION NOTICE AND AGENDA

THE SPRINGDALE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
ON WEDNESDAY, SEPTEMBER 15, 2021 AT 5:00 PM

AT THE CANYON COMMUNITY CENTER, 126 LION BLVD – SPRINGDALE, UT 84767

A live broadcast of this meeting will be available to the public for viewing/listening only.

*Public comments for public hearing items must be made in person or submitted
two days in advance of the meeting.*

****Please see electronic login information below****

Approval of the agenda

General announcements

A. Action Items

1. **Public Hearing – Ordinance Revision:** Changes to section 10-22-9 related to home occupation permits.
2. **Public Hearing – Ordinance Revision:** Changes to section 10-22-13 related to open air displays on commercial properties.
3. **Public Hearing – Ordinance Revision:** Addition of Chapter 10-15G: SR9 Design Corridor, which establishes new design standards for development near SR9.

B. Consent Agenda

1. Approval of Minutes from August 18th, August 25th, and September 1st.

C. Adjourn

This notice is provided as a courtesy to the community and is not the official notice for this meeting/hearing. This notice is not required by town ordinance or policy. Failure of the Town to provide this notice or failure of a property owner, resident, or other interested party to receive this notice does not constitute a violation of the Town's noticing requirements or policies.

****Click the link below to view the live broadcast of this meeting:**

<https://us02web.zoom.us/j/89871903733?pwd=N3JiWEc2ejAwTDB1QmFkKzZ1Tk5lQT09>

Webinar ID: 898 7190 3733
Passcode: 111565

One tap mobile
US: +16699009128,,89871903733#,,,, *111565#

Dial by your location
US: +1 669 900 9128

NOTICE: In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting should contact Town Clerk Darci Carlson at 435.772.3434 at least 48 hours before the meeting.

Packet materials for this meeting will be available at: <https://www.springdaletown.com/agendacenter>



ORDINANCE 2021-____

AN ORDINANCE OF THE SPRINGDALE TOWN COUNCIL REVISING THE TOWN'S REGULATIONS OF HOME OCCUPATIONS IN SECTION 10-22-6 OF THE TOWN CODE

Whereas, the Springdale Town Code allows limited business use of residential property through home occupation permits; and

Whereas, in order to more fully protect the residential character of neighborhoods where home occupations are located the Town Council finds certain revisions to the home occupation standards are necessary; and

Whereas, the necessary procedures required by Town Code and State Law to amend the Land Use Ordinance have been fulfilled;

NOWTHEREFORE be it ORDAINED by the Springdale Town Council that section 10-22-6 Home Occupations of the Springdale Code is amended to read as follows:

10-22-6: HOME OCCUPATIONS:

To assure compliance with provisions of this title and to protect the character of residential neighborhoods in the Town, while allowing limited conduct of business in the residential districts, a home occupation permit shall be obtained as provided in this section before a dwelling ~~or accessory building~~ in a residential zone may be used for business or other similar purposes.

A. Application: An application for a home occupation permit must contain information sufficient to determine compliance with the provisions of this section and shall include:

1. A completed home occupation permit application;
2. ~~Current property ownership information necessary to satisfy notification requirements, including the names and addresses of all owners of property located within 300 feet of the exterior boundaries of the subject property as further defined in section 10-3-1 of this title, and a copy of the County Recorder's map on which property locations are keyed to ownership information;~~
- 2.3: The appropriate filing fee as established by resolution of the Town Council.

B. Procedure: The director of community development may, upon application and properly noticed review, issue a home occupation permit which will state the home occupation permitted, the conditions attached thereto, and any time limitations imposed thereon. The permit may not be issued unless the

director of community development finds that the applicant will meet all of the requirements listed below and that the applicant has agreed in writing to comply with all said requirements.

C. Notice Of Review: The town will mail or deliver notice to the owners of properties within 300 feet of a proposed home occupation, as listed on ~~the records of the Washington County Recorder's office an application for home occupation permit~~. The notice will state the nature and location of the proposed home occupation and advise of the opportunity for review of the home occupation ~~within the timeframe for review as herein established~~. ~~The notice shall state the public may provide comments to the Town regarding whether or not the proposed home occupation will meet the standards in this section. The public shall have ten days from the date of the notice to provide comments to the Town. Comments from the public shall be advisory and not regulatory.~~

D. Investigation And Report: Upon receipt and acceptance of a completed application for a home occupation permit, the director of community development will review the application and supporting materials and investigate the proposed use. Applications will be reviewed under the requirements in this section.

E. Requirements: A home occupation, where permitted by the provisions of this title, must comply with the following requirements:

1. The home occupation shall be conducted wholly within the ~~primary dwelling or an accessory building~~ on the premises, shall be clearly incidental to the use of the structure as a residence, and shall not exceed 25 percent of the total floor area of said structures.
2. The home occupation shall in no way alter the residential character of the structure or premises or unreasonably disturb the peace and quiet, including radio and television reception, of the neighborhood by reason of color, design, materials, construction, lighting, signs, sounds, noises or vibrations.
3. Inventory and supplies for the home occupation shall not occupy more than 50 percent of the permitted area. ~~No outdoor storage of inventory or supplies associated with the home occupation is allowed.~~
4. A home occupation shall not employ help other than the members of the resident family and one assisting nonfamilial employee.
5. No motorized, mechanical or electrical equipment, apparatus or tools shall be permitted except those items which are commonly associated with a residential use or as are customary to home crafts. This provision is not intended to preclude the use of personal computers, copy machines, or similar equipment.
- ~~6. The use shall not materially increase the pedestrian or vehicular traffic over the traffic that is generally expected from residential use.~~
- ~~6.7.~~ No sign or advertising shall be displayed on the premises except as may be expressly permitted by this title.
- ~~7.8.~~ The home occupation shall not cause a demand for Town or utility services in excess of those usual and customary to the use of the property for residential purposes.

~~8.9.~~ No smoke, odor, liquid or solid waste may be emitted which is not usual and customary to the use of the property for residential purposes.

~~9.10.~~ There shall be no display of goods or merchandise on the home occupation property.

~~10.11.~~ The home occupation may not solicit or accept visits to the home from ~~or provide services to~~ members of the general public, ~~except . However, customers of the home occupation may visit the home occupation property to receive goods or services, but only~~ by specific prior appointment.

11. No more than five customer visits per day are allowed at any home occupation property. A customer visit is defined as a single individual visiting the home a single time. If a group of two or more people visit the property to receive goods or services, each member of the group counts as a customer visit. For example, if a group of three people visit the home, then the home has received three customer visits. If a single individual visits the home multiple times in one day each visit counts as a customer visit.

12. The home occupation shall not rent, loan, or lease any goods, equipment, material, or any other similar items.

F. Noncompliance: Any home occupation permit shall be revoked by the director of community development upon violation of any requirements of this section, or upon failure to comply with any of the conditions or limitations of the permit, unless such violation is corrected within three days of receipt of written notice thereof. A permit may be revoked for two or more repeated violations of the requirements of this section, notwithstanding compliance to the violation notice.

G. Business License Required: A home occupation permit is not a business license, and the granting of a home occupation permit does not relieve the permittee of any other license requirement of the Town or of any other public agency.

PASSED AND ADOPTED by the Springdale Town Council the ___th day of _____, 2021. This ordinance shall be effective upon passage and posting.

Mayor Stanley J. Smith _____

Attest:

Darci Carlson, Town Clerk



ORDINANCE 2021-_____

AN ORDINANCE OF THE SPRINGDALE TOWN COUNCIL REVISING THE STANDARDS FOR OPEN AIR DISPLAY PERMITS

Whereas, the Town Council finds that the display of merchandise outside a commercial business (“open air displays”) can promote a pedestrian oriented town, add interest to the Town’s streetscape, and help promote village atmosphere, and

Whereas, the Town Council also finds that open air displays can create unintended negative impacts (visual clutter, traffic and pedestrian congestion, etc.) if not appropriately regulated, and

Whereas, the Town Council desires to make adjustments to the Town’s regulation of open air displays in the Town Code, and

Whereas, the necessary processes and public hearings required to amend the Town Code have been completed,

Now Therefore be it **ORDAINED** by the Springdale Town Council that section 10-22-7: Open Air Display is amended to read as follows:

10-22-7: OPEN AIR DISPLAY:

An "open air display" is defined as the display of retail merchandise outside of a permanent business structure. An open air display is distinct from and not subject to the provisions governing temporary uses in that the duration is of a more permanent nature. Open air displays must be accessory to the retail display inside a permanent building, ~~and as such must be clearly incidental and secondary to the retail use inside the permanent building.~~ The following standards and requirements shall apply to any open air display:

- A. Permit Required: Prior to the establishment of an open air display, a permit shall be secured for such use. A single open air display permit shall identify all open air display areas on the property. The permit may include multiple display areas for one or more businesses. After initial approval, the permit may be amended to include additional open air display area upon the request of the property owner or tenant. Applications for an open air display permit must include:
1. A site plan Plans identifying showing the entire property outdoor business area and, all areas proposed to be used for outdoor display, and all existing and proposed structures on the property same parcel or lot;
 2. A brief description of the items to be displayed outdoors, with enough detail to demonstrate compliance with the intent and purpose of chapter 16, “Architectural Standards and Design Guidelines” of this title; and

- ~~3. Details on the vehicular and pedestrian circulation into and out of the property to demonstrate that the proposed outdoor display will not cause a traffic hazard or obstruct the free flow of pedestrians on the property or adjacent sidewalks.~~
- ~~3. A drawing showing the separate display locations to be used, location and dimensions of items to be displayed, and any furniture, or other devices used in the outdoor display area;~~
- ~~4. Details on the height, scale, proportion, style, colors and materials of the merchandise in the open air display sufficient to demonstrate compliance with the intent and purpose of chapter 16, "Architectural Standards And Design Guidelines", of this title; and~~
- ~~5. Hours of operation.~~

B. General Requirements: The following requirements apply to a person's use of an open air display:

1. The open air display will be conducted wholly on the same lot or parcel as the primary building with which such activities are associated.
2. The merchandise displayed shall be an extension of and of the same type and nature as either the merchandise of: a) the principal use or b) an **approved** accessory use ~~as allowed in this title.~~
3. Prior to the establishment of an outdoor display area, all existing uses on said lot are in compliance with the provisions of this title.
4. No display will be located in the public right-of-way, obstruct any exit or entrance, or impede the free flow of pedestrian or vehicular traffic.
5. The open air display must be set back at least four feet from any public sidewalk or ten feet from the edge of pavement of any street where there is no public sidewalk. ~~one-half of the required setback distance from any lot line.~~
6. All open air displays shall adhere to the intent and spirit and fulfill the purpose of chapter 16, "Architectural Standards And Design Guidelines", of this title.
7. No sales may take place at the open air display. All sales must be conducted inside a building.
8. Open air displays must be unstaffed. Employees may assist customers at the outdoor display at the customer's request and for a short period of time, but employees may not be permanently stationed at the open air display.
9. Open air displays are limited to 1,000 square feet in area ~~an area equal to or less than one-half of the retail area in the permanent building associated with the business applying for the open air display permit may be used for the open air display.~~
10. Open air displays must meet a standard of aesthetics that clearly distinguish them from signage. For example, if a business sells artwork, actual examples of artwork for sale may be considered for open air display. However, displays that artistically or symbolically represent the goods or services offered for sale in a business will not be allowed (for example, a toothbrush in front of a dentist office).
11. Open air displays must display merchandise associated with and be operated by the business occupying the interior space on the property. An open air display may not be operated as a standalone business separate from the business operating from within the buildings on the property. A property owner or business operator may not sublease open air display space on a property for a separate business to use.

~~C. Exceptions To Area Limitations: Businesses that traditionally rely on outside display or storage of merchandise as an integral component of their business (e.g., rock shops, plant nurseries, bike shops) shall be subject to all of the general requirements in subsection B of this section, except the limitation on open air display area in subsection B9 of this section. Instead, open air displays at these businesses are limited to the greater of 1,000 square feet or one-half of the retail area in the permanent building associated with the business.~~

~~D.C.~~ Review Process: Except as provided in Subsection ~~ED~~, staff will review any application for an open air display permit. Staff shall grant the permit if staff determines that the application is complete and that the open air display will conform to the general requirements above.

~~ED.~~ Planning Commission Review: Staff may refer any open air permit application to the Planning Commission for its sole review and approval of the permit. In that event, the planning commission shall grant the permit if it determines that the application is complete and that the open air display will conform to the general requirements above.

~~FE.~~ Permit Revocation: The town may revoke, modify, or reconsider an open air display permit, after [providing notice to the property owner](#) notice and a [holding a public hearing at the Planning Commission \(if requested by the property owner after receiving notice\)](#), for any of the following reasons:

1. Failure to comply with the requirements of this code,
2. Failure to renew or maintain a current business license,
3. Failure to comply with the conditions of the permit, ~~and/or~~
4. [The operation of the open air display causes traffic or pedestrian congestion on a public right-of-way, or](#)
4. The permit was obtained by misrepresentation or fraud.

Passed and approved by the Springdale Town Council on _____, 2021.

Stanley J. Smith, Mayor

Attest:

Darci Carlson, Town Clerk



ORDINANCE 2021- ____

AN ORDINANCE OF THE SPRINGDALE TOWN COUNCIL ESTABLISHING THE SR9 DESIGN CORRIDOR, ADOPTING DESIGN STANDARDS FOR NEW DEVELOPMENT IN THE SR9 DESIGN CORRIDOR, AND ESTABLISHING A DESIGN REVIEW COMMITTEE

WHEREAS, the Town of Springdale's General Plan stresses the importance of the Town's appearance and encourages new development to complement the Town's architectural heritage and to be compatible with the visual character of the Town's natural surroundings; and

WHEREAS, State Route 9 (SR9) is the main transportation route in the Town and carries the majority of the Town's vehicular and non-vehicular transportation, and most of the Town's businesses are located on or near SR9; and

WHEREAS, visitors to the Town spend most of their time in Town within 1,000 feet of SR9; and

WHEREAS, because it is the busiest and most prominent part of the Town, the appearance of the SR9 corridor has the greatest impact on the overall character of the Town's visual appearance; and

WHEREAS, the Town Council desires to establish design standards that will help promote a town appearance along SR9 consistent with the goals and objectives contained in the General Plan;

NOWHEREFORE be it ORDAINED by the Springdale Town Council that chapter 10-15-G: SR9 Design Corridor is added to the Town Code and reads as follows:

Chapter 10-15G: SR9 Design Corridor

- A. Purpose: The standards in this chapter are intended to:
 - 1. Promote the Town's unique visual appearance and village character by requiring building designs and appearances that are consistent with the Town's architectural character and history, and complementary to the Parkitecture of Zion National Park.
 - 2. Preserve views of important natural features and vistas.
 - 3. Enhance the aesthetic qualities of the Town's built environment.

- B. Applicability: The standards in this chapter apply to all applications for Design / Development Review for new development in the SR9 Design Corridor. The SR9 Design Corridor contains all new development described below:
 - 1. Any new building within 1,000 feet of SR9 that will have at least 33% of its mass visible from any point in the SR9 right-of-way. In determining whether or not 33% of a building

is visible from the SR9 right-of-way, non-building structures (walls, fences, etc.) and landscape (trees, shrubs, etc.) placed between the building and SR9 shall be disregarded and shall not reduce the calculated amount of the building determined to be visible from the SR9 right-of-way.

2. Any exterior remodeling, exterior additions, or exterior modifications other than routine building maintenance (roof material replacement, repainting, etc.) on existing development that impacts more than 50% of the area of the existing building, or adds more than 25% of additional area to the building
- C. Design Elements Required: All new development in the SR9 Design Corridor shall be consistent with the Town's architectural character and complementary to the Parkitecture of Zion National Park. Structures with contemporary interpretations of Springdale's architectural character and Zion National Park Parkitecture are allowed, if they meet all the requirements of this chapter. The following design elements are required for all new development in the SR9 Design Corridor..
1. Materials: All new development shall use the following materials as primary building materials. Materials not listed below may be used as secondary accent materials or as a means to break up the mass of the materials below, as long as they are consistent with the standards in Chapter 10-16.
 - a. Wood siding (composite materials resembling wood such as cementitious siding are allowed, but not vinyl, aluminum, or plastic siding).
 - b. Rusted metal siding used to reflect or mimic wood siding.
 - c. Dressed ashlar sandstone (cultured sandstone may be used, but it must closely resemble sandstone naturally occurring in the Springdale area). All stone must extend to the ground and there can be no gaps between the bottom of the stone and the ground.
 - d. Heavy timbers used as posts or other similar support structures.
 - e. The following materials are allowed as roof materials:
 - i. Shake shingles that have been treated with fire retardant.
 - ii. Tile or asphalt shingles that mimic the look of shake shingles.
 - iii. Rusted metal, and other metal with a non-reflective surface.
 2. Design Elements: All new development shall include the following design elements:
 - a. Roofs shall be primarily gable roofs with roof pitch between 3:12 and 6:12. Flat roofs should be avoided, except when specifically approved by the Planning Commission as a means to allow the pitched gable portions of the roof to be reduced in scale. In general, simple rooflines are preferred over complex rooflines. Long roof planes over 40 feet in length shall be broken with dormers or other features to break the mass of the roof.
 - b. New buildings shall include covered front entryways. The covered entry shall be pedestrian scale.
 - c. Buildings shall have a horizontal, rather than vertical, emphasis.

- D. Continuity of Design Required: Multiple buildings on the same property or development site in the SR9 Design Corridor shall be linked together visually and architecturally. Buildings shall appear as part of an overall planned design for the site, and not as unique individually designed buildings. Buildings on the same property or development site shall adhere to the following standards:
1. Rooflines: Consistent rooflines are required on buildings on the same property or development site, as detailed below:
 - a. Roof pitch and orientation shall be complementary between buildings.
 - b. While buildings on the same property may have different building heights, roof height shall be used to help link the buildings together visually.
 - c. Buildings on the same property shall have consistent roof style (e.g. consistent depth of eave overhang, etc.)
 - d. Buildings on the same property shall use the same roofing material, unless the Planning Commission finds that different roof materials on different buildings help promote a consistent design theme for the entire property.
 2. Architectural design and material palette: Buildings on the same property shall be linked together by a consistent architectural theme and exterior materials and colors. This does not mean each building must be a replica of the next. Variation on architecture is allowed, especially to accentuate the differences in uses between different buildings (for example, to differentiate between a restaurant and a retail space).
- E. Visual Impact Standards: For any new development in the SR9 Design Corridor not located in the FR zone, no structure may be placed on a ridgeline, hilltop, or edge of a mesa as defined in Section 10-9A-10.
- F. Design Review Committee: The Design Review Committee shall review all new development in the SR9 Design Corridor, prior to the application for the new development being reviewed by the Planning Commission or DCD, as applicable. The Design Review Committee shall operate as detailed below:
1. The Design Review Committee is an advisory committee that makes general recommendations and suggestions to an applicant as part of the application process. The Design Review Committee is not classified as a public body under Utah law.
 2. The Design Review Committee shall be composed of five representatives:
 - a. Two individuals with special expertise in design architecture, planning, and design. These individuals must have professional and educational experience as an architect, landscape architect, land use planner, or urban designer. These individuals do not need to reside in the Town, but they should have understanding of the Town's General Plan and design goals.
 - b. Two residents of the Town.
 - c. One Planning Commissioner.

3. The Design Review Committee shall make recommendations as necessary to the applicant to bring the proposed development into compliance with the standards in this section, and to help the project achieve the purposes of this chapter.
4. The Design Review Committee shall report its recommendations on projects to the Planning Commission to aid in the Commission's review of the project.

PASSED AND ADOPTED by the Springdale Town Council the ___th day of _____, 2021. This ordinance shall be effective upon passage and posting.

Mayor Stanley J. Smith _____

Attest:

Darci Carlson, Town Clerk _____