

1. Agenda

Documents:

[012126.PCRM.NEIGHBOR.PDF](#)

2. Packet Materials

Documents:

ITEM A1 - ORD 2026-02 AMD CHPT 10-24-7 TOWN CODE BANNER PERMITS BY ADDING ADDTNL PERMIT REQ, GENERAL STDS, AND ALLOWING BANNERS IN THE PU.PDF

ITEM A2 - REQ FOR ENCROACHMENT INTO SIDE SETBACK PURSUANT TO SECTION 10-11B-7 ON PARCEL S-141-G-1-A LOCATED AT 44 HUMMINGBIRD LANE.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, JANUARY 21, 2026, 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.*

**\*\*Please see the stream information below\*\***

**Approval of the agenda**  
**General announcements**  
**Declaration of Conflicts of Interest**

**A. Action Items**

1. **Public Hearing:** Ordinance 2026-02 Amending Chapter 10-24-7 of the Town Code Regarding Banner Permits by Adding Additional Permit Requirements, General Standards, and Allowing Banners in the PU Zone. Staff Contact: Kyndal Sagers
2. Request for Encroachment into Side Setback Pursuant to Section 10-11B-7 on Parcel S-141-G-1-A Located at 44 Hummingbird Lane. Applicant: Ken Tyler. Staff Contact: Thomas Dansie.

**B. Consent Agenda**

1. Approval of Minutes from November 5<sup>th</sup> and 19<sup>th</sup>, and December 3<sup>rd</sup>, 2025.

**C. Adjourn**

**\*To access the live stream for this public meeting,  
please visit or click the link below:**

**<https://www.youtube.com/@SpringdaleTownPublicMeeting>**

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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 parties to receive this notice does not constitute a violation of the Town's noticing requirements or policies.

**NOTICE:** In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting should contact Town Clerk Aren Emerson 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/planning-commission-7>



## **Memorandum**

**To:** Planning Commission  
**From:** Kyndal Sagers, Zoning Administrator  
**Date:** January 15, 2026  
**Re:** Public Hearing: Ordinance 2026-02 Amending Chapter 10-24-7 of the Town Code Regarding Banner Permits

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## **Introduction**

Staff is proposing changes to the Banner Permit standards found in section 10-24-7 of the Town Code. These revisions are intended to enhance clarity, efficiency, safety standards, and expand the range of allowed zones. The Banner permit standards currently allow banners to be placed in the Village Commercial and Central Commercial zones; this proposed revision will also allow banners to be placed in the Public Use zone. This change will allow banners to be placed at the Canyon Community Center, Town Hall, and other properties in the Public Use zone. This will allow for more effective information and identification of community events held on these properties.

Revisions to further enhance clarity on complete application standards include a site plan showing the location of the banner on the property, a letter from the property owner authorizing the banner display, and other clear application standards. Further revisions include the addition of safety standards, such as banners not interfering with free ingress, egress, or openings required for ventilation, and not obstructing the free and clear vision of traffic.

## **Planning Commission Action**

The Planning Commission should review the proposed ordinance revisions. The Commission should make a recommendation to the Town Council on the basis of its deliberations. The Commission may wish to use the following sample language:

*The Planning Commission recommends **approval/denial** of the proposed changes to Chapter 10-24-7 of the Springdale Town Code regarding Banners, as discussed in the Commission's meeting on January 21st, 2026. This motion is based on the following findings:*

*[LIST FINDINGS]*



**ORDINANCE 2026-02**

**REVISIONS TO TITLE 10 CHAPTER 24 OF THE TOWN CODE, BANNERS, ALTERING THE ALLOWED ZONES, APPLICATION PROCESS AND STANDARDS.**

**Whereas,** the Town of Springdale desires to revise the standards and application requirements for Banner Permits to make the application process efficient and clear; and

**Whereas,** the Town of Springdale desires to expand the allowed zones in which a banner can be placed; and

**Whereas,** the necessary processes and public hearings required by State Law and Town Code have been fulfilled;

**Now, Therefore, be it ordained** by the Springdale Town Council that Title 10-24-7 of the Town Code is amended as follows:

Adopted by the Springdale Town Council this 11<sup>th</sup> day of February, 2026.

\_\_\_\_\_  
Barbara Bruno, Mayor

Attest:

\_\_\_\_\_  
Robin Romero, Town Clerk

**ROLL CALL VOTE**

R. Aton	Yes	No
B. Bruno	Yes	No
J. Burns	Yes	No
P. Campbell	Yes	No
K. Topham	Yes	No

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## 10-24-7: BANNERS:

- A. *Permit required:* A banner is allowed in the VC, CC, and ~~CC~~ PU zones only with a permit as outlined in this section. To apply for a permit under this section, a person must submit a fully completed application on the form provided by the Town, which includes:
1. Site plan showing the location on the property where the banner will be displayed.
  2. Rendering of the banner, drawn to scale and showing the banner dimensions.
  3. Description of the banner materials.
  4. The dates the banner is proposed to be displayed on the property.
  5. A letter from the property owner authorizing the banner to be displayed on the property.
  6. The appropriate application fee, as determined by resolution of the Town Council.
- B. *Permit application review:* The Director of Community Development or designee is authorized to process banner permits. The ~~Director DCD or designee~~ will either approve or reject the banner application based on the regulations provided in subsection C. of this section.
- C. *General standards:* Banners are not subject to the general sign standards in section 10-24-3. Banners are subject to the following general standards:
1. A banner must not be displayed for more than 17 calendar days. Each property or business center shall not display more than four banners per year. No consecutive approval will be granted. There must be a minimum interval of three weeks between the time a banner is removed from a property or business center and the subsequent display of a banner on approvals received by the same property or business center.
  2. A banner may not exceed 20 square feet.
  3. No more than one banner per property or business ~~center or community group~~ may be displayed at any one time.
  4. Banners must be constructed of a strong cloth or vinyl material, with double stitched edges and corners. Grommet locations on each corner must be reinforced to prevent tearing.
  5. A banner must not be placed near the intersection of any streets in a manner that obstructs the free and clear vision of traffic.
  6. No banner shall be placed or maintained so as to interfere with free ingress or egress from any door, window or fire escape.
  7. No banner shall be placed or maintained in any manner which will interfere with any opening required for ventilation.
  8. The Town and its agents and officials are not liable for the negligence or failure of a banner owner, or the person responsible for any damage caused by defective conditions related to a banner within the Town.
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## **Memorandum**

**To:** Planning Commission  
**From:** Thomas Dansie, Director of Community Development  
**Date:** January 16, 2026  
**Re:** Request to Encroach into Setbacks at 44 Humming Bird

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### **Introduction**

Ken Tyler has applied for a grading permit to develop a new access to the parking area at 44 Humming Bird Lane and to reconfigure the parking on the property. A portion of the reconfigured parking area is proposed to encroach into the side setback. Section 10-11B-7(A)(7) allows the parking spaces to encroach into 50% of the side setback with the approval of the Planning Commission. Mr. Tyler is requesting permission for the parking spaces at 44 Humming Bird Lane to encroach five feet into the side setback (50% of the setback).

Grading permits are reviewed by staff (see section 10-15B-11(B) of the Town Code). Staff is reviewing the grading permit application for compliance with applicable grading standards. The Commission does not need to review the grading permit for compliance with grading standards. The only issue the Commission has been requested to review is the encroachment of the parking spaces into the side setback.

Section 10-11B-7(A)(7) of the Code lists criteria the Commission must consider when deciding whether or not to approve an encroachment into a side setback. The criteria are:

1. Such parking will in no way be detrimental to the health, safety or welfare of persons residing or working in the vicinity, nor unreasonably interfere with the enjoyment of property or improvements in the vicinity; and
2. The location of an existing building or existing parking spaces render alternate parking locations impractical and infeasible; or
3. An unusually shaped or sized lot renders alternate parking locations impractical and infeasible.

Based on the construction of the code language with “and” between the first and second criteria and “or” between the second and third, the first of these criteria must be satisfied along with either the second or the third. The applicant has submitted a letter detailing how he believes the proposed encroachment satisfies the first and the third criteria.

### **Property and Project Background**

The subject property is developed with a single family residence. The property is in the Village Commercial zone and is approved for use as a nightly rental. The property does not have direct access to Humming Bird Lane. It gains access to Humming Bird Lane via a driveway which traverses an adjacent vacant property: 54 Humming Bird Lane.

The adjacent property at 54 Humming Bird Lane will soon be developed. The proposed development on 54 Humming Bird Lane will alter access into the subject property, 44 Humming Bird Lane. The new driveway access will connect the subject property to Humming Bird Lane via an access easement across the property to the north, 50 Humming Bird lane. The applicant is proposing the new driveway and reconfigured parking in anticipation of the imminent development of 54 Humming Bird Lane.

Because the original development plan for the property relied on access from the driveway on the adjacent property, the parking was placed in an unusual location. The current parking is located on the property line between 44 and 54 Humming Bird, which is not in compliance with the Code required setback. With the proposed reconfiguration the parking location will be brought into compliance. However, given the existing development on the property (house and swimming pool) the area available for parking is limited. The applicant is requesting the encroachment of parking into the setback to allow a more feasible and workable parking layout than would result if the setback encroachment were not allowed.



***Commission Action***

The Commission should determine whether or not the proposed encroachment into the side setback satisfies the criteria of section 10-11B-7(A)(7). If so, the Commission should approve the request.





Thomas Dansie <tdansie@springdale.utah.gov>

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## Parking Reduction Code Reference

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Ken Tyler <ken@rightchoicemortgage.org>

Wed, Jan 14, 2026 at 11:50 AM

To: Thomas Dansie <tdansie@springdale.utah.gov>

Cc: Kyndal Sagers <ksagers@springdale.utah.gov>, Niall Connolly <nconnolly@springdale.utah.gov>

Good Morning Tom and Springdale Planning Commission,

My wife and I hoping you will approve our request to reduce the setback to Lot 50 (the Kisner property) to the North of us from 10 feet to 5 feet, to help facilitate a new parking location for ourselves and our guests.

As many of you are aware we purchased a property at 44 hummingbird lane with what we thought had a parking lot. Since that was not the case, we are moving the parking into our backyard.

Tom was nice enough to send us the criteria, which I believe we meet.

To approve any such encroachment, the Planning Commission must find:

- A. Such parking will in no way be detrimental to the health, safety or welfare of persons residing or working in the vicinity, nor unreasonably interfere with the enjoyment of property or improvements in the vicinity; and

**This adjustment does not interfere with the health, safety, or welfare of our neighbor Al Kisner. Which we have already discussed with him previously and is amicable to the adjustment.**

- B. The location of an existing building or existing parking spaces render alternate parking locations impractical and infeasible; or
- C. An unusually shaped or sized lot renders alternate parking locations impractical and infeasible.

**Due to the new location of our parking lot being moved into our backyard it is not feasible to put the parking anywhere else, widening the spaces will be a huge help for with entering and exiting of the property for ourselves and our guests.**

Thanks in advance for your consideration.

Ken and Erin Tyler

44 Hummingbird Lane

[Quoted text hidden]

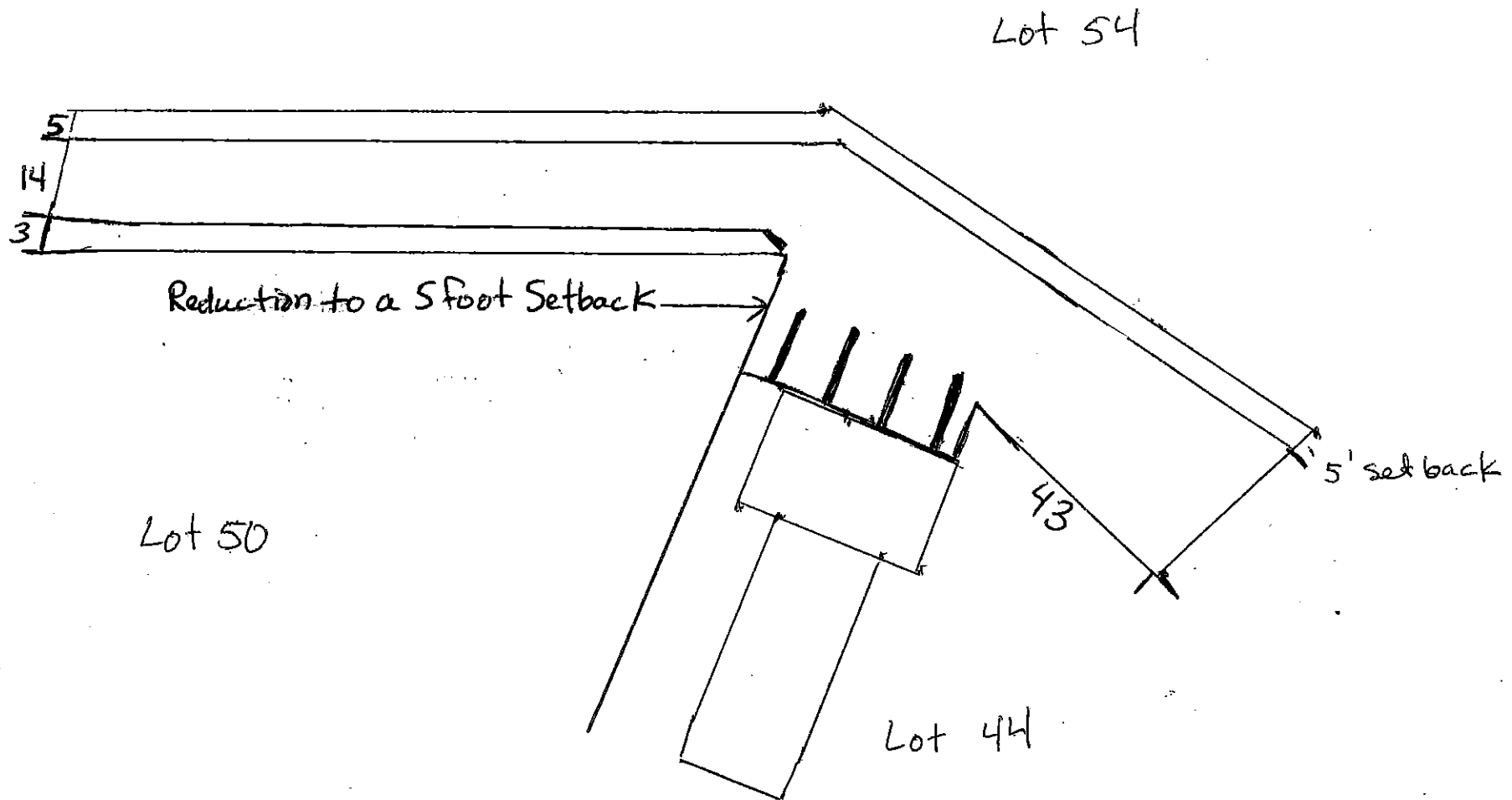


Request for Reduction of Set Back to 5 Foot on 44 Hummingbird Lane.pdf

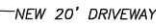
10K

# 44 Hummingbird Driveway & Parking Plan

3 Parking spots with 5 foot setback to Lot 50



LOCATED IN SECTION 28, T41S, R10W, S1.B.&M.  
WASHINGTON COUNTY, UTAH



N 63°12'06" W  
181.16'

EXCAVATION WILL BE 100 CUBIC YARDS



LOCATED IN SECTION 28, T41S, R10W, S.L.B.&M.  
SPRINGDALE, WASHINGTON COUNTY, UTAH

DATE	12-18-2024
SCALE	1"=20'
JOB NO.	786-001
SHEET NO:	
<b>C1</b>	

Know what's below.  
Call 811 before you dig.

**811**

CALL BEFORE YOU DIG  
800/4 A-DIGIT

**NOTICE!**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, SHOWN OR NOT SHOWN ON THE PLANS.