

1. June 17, 2020 Planning Commission Agenda

Documents:

[061720.PCM.COURTESY.PDF](#)

2. June 17, 2020 Packet Materials

Documents:

[ITEM A1 - BYLAWS AND RULES OF PROCEDURE AMENDMENTS.PDF](#)
[ITEM B1 - GEOLOGIC HAZARDS ORDINANCE.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, JUNE 17, 2020 AT 5:00 PM

This Commission meeting will not have an anchor location and will be conducted entirely via electronic means. Commission members will connect remotely. The meeting will be available to the public for live viewing. If you do not have access to the internet, you can join the audio via telephone.

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

Attending Clerk: Darci Carlson

Approval of the agenda

General discussion and announcements

A. Action Items

1. Review and possible approval of amendments to the Planning Commission Bylaws and Rules of Procedures

B. Discussion/Non-Action Items

1. Discussion of the Geologic Hazards Ordinance
2. General Plan Update: Public Involvement Strategies

C. Consent Agenda

1. Minutes from May 19th and June 3rd

D. Adjourn

****Persons Interested in accessing the meeting can login using the following Zoom link:**

<https://us02web.zoom.us/j/88666142092?pwd=NUVCbW5SM1RyUGFIQzZiTTVnUDVidz09>

Meeting ID: 886 6614 2092

Password: 495292

One tap mobile

+16699009128,,88666142092#,,1#,495292# US (San Jose)

+12532158782,,88666142092#,,1#,495292# US (Tacoma)

Dial by your location

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Meeting ID: 886 6614 2092

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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 party to receive this notice does not constitute a violation of the Town's noticing requirements or policies. If you have questions regarding any of the agenda items, or other community development comments, please contact Community Development staff at 435-772-3434 or tdansie@springdaletown.com.

The Town of Springdale complies with the Americans with Disabilities Act by providing accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for Town sponsored public meetings, services, programs, or events should call Springdale Town Clerk Darci Carlson (435.772.3434) at least 24 hours before the meeting.

Packet materials for agenda items will be available by June 12, 2020 at: <https://www.springdaletown.com/AgendaCenter/Planning-Commission-7>

Springdale Planning Commission

Bylaws and Rules of Procedures

A. Organization

1. Appointment of Chair and Vice Chair: With the advice and consent of the Mayor and Town Council, the commission, at its first regular meeting in January of each year, shall select a Chair and Vice Chair.
2. The Chair to Preside at Commission Meetings: The Chair shall preside at all meetings of the Commission and shall provide general direction for the meetings.
3. Duties of the Vice Chair: The Vice Chair, during the absence of the Chair, shall have and perform all of the duties and functions of the Chair.
4. Temporary Chair: In the event of the absence of both the Chair and Vice Chair, the Chair or the Vice Chair shall appoint another Planning Commission member to serve as the Temporary Chair. In such event, the Temporary Chair shall have all the powers and perform the functions and duties assigned to the Chair of the Commission.
5. Duties of the Chair or Vice Chair:
 - a. To call the Commission to order on the day and the hour scheduled, 'call the roll' by announcement and proceed with the order of business.
 - b. To announce the business before the Commission in the order in which it is to be acted upon.
 - c. To receive and submit in the proper manner all motions presented by the Commissioners and ensure for the recording the names of the maker and seconder of motions as well as a vocal roll call vote.
 - d. To authenticate by signature all of the acts, findings and proceedings of the Commission by signing the approved minutes
 - e. To maintain order at the meetings of the Commission.
 - f. To move the agenda along, hold down redundancy by limiting the time allowed for comment if necessary, set guidelines for public input, and reference handouts and procedures during the meetings.
 - g. Recognize speakers and Commissioners prior to receiving comments and presentations.
 - h. Serve as a meeting facilitator and not a meeting dominator.
 - i. Schedule work sessions, training sessions, or research topics as needed or based on input from members of the Commission.
 - j. Review meeting agenda and material with the Director of Community Development (DCD) before it is distributed to the Commission.

B. Rights and Duties of Members

1. Meeting Attendance: Every member of the Commission shall attend the sessions of the Commission unless duly excused or unless unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the Town Clerk or DCD. The Town Clerk shall inform the Chair of the excused absences. If a Planning Commissioner fails to attend three ~~consecutive regular~~ meetings during a six-month period,

- whether excused or not, the Chair shall recommend to the Mayor that the Town Council hold a public hearing to consider removing the Commissioner from office, in accordance with section 10-5-3 of the Town Code.
2. Not to Vote Unless Present: No member of the Commission shall be permitted to vote on any question unless the member shall be present when the vote is taken and when the result is announced. No member shall give his/her proxy to any other person.
 3. Additional Duties: Commissioners shall perform work between meetings as needed, e.g., review prepared materials prior to meetings, participate in site visits, and contribute in preparing other work materials (e.g., proposed ordinance revisions).
 4. Objective Review of Applications: Every member of the Commission shall review all agenda items in an objective, fair, and consistent manner. The members of the Commission shall use the goals and objectives of the General Plan and the requirements of the zoning and subdivision ordinance to guide their decisions on all applications. The members of the Commission shall refrain from expressing personal opinions regarding any application under their review. If a member has a conflict of interest, it should be declared before discussion of the item begins. If the Commissioner chooses to recuse himself or herself, stepping off the dais to join the audience or leave the room is appropriate.

C. Meetings

1. Special Meetings: Special meetings may be called:
 - a. By action of the Commission at a regular meeting; or
 - b. By order of the Chair, or in his/her absence, by the Vice Chair; or
 - c. By written request of three or more members of the Commission.
2. The Town Clerk shall provide written notice (email is sufficient) for special meetings to members of the Commission. In the event of an emergency, a telephoned notice shall suffice. A majority of the entire Commission must approve and a quorum must be present at an emergency meeting. Action on matters at special and emergency meetings shall be limited to subjects announced in the call and notice for the meeting.
3. Agenda Deadline: Requests for Planning Commission consideration must be properly presented (i.e., submission of completed application and associated materials, fees paid) to the Director of Community Development (DCD) according to the timelines listed below. The DCD will review the request within five (5) business days and notify the applicant of missing material. This does not guarantee all requests will be scheduled with the Planning Commission at the next regular meeting.
 - a. Applications for Design/ Development Review: Three (3) weeks prior to the regular meeting in which the applicant wishes to be heard.
 - b. Applications for Subdivisions (Preliminary and Final Plats): Seven (7) weeks prior to the regular meeting in which the applicant wishes to be heard.
 - c. Applications for Zone Changes, Ordinance Amendments, and Conditional Use Permits: Four (4) weeks prior to the regular meeting in which the applicant wishes to be heard.
 - d. Any item deemed incomplete five (5) days prior to the meeting for which it is scheduled may be removed from the agenda if the DCD and Chair so choose.

D. Agenda for Regular Meetings

1. Public Hearings: Public Hearings on the agenda shall be limited to three (3), unless given prior approval by the Chair, or in his/her absence, by the Vice Chair.
2. Action Items: Action items on the agenda shall be limited to ten (10), unless given prior approval by the Chair, or in his/her absence, by the Vice Chair.
3. Agenda: No subject matter shall be placed on the agenda for any regular meeting, nor shall the Commission consider at any meeting, matters that were not formally filed with the DCD in the manner provided by law.
4. Agenda and Staff Report for Meetings: The DCD, with the assistance of the Chair, shall prepare a written agenda and staff report to include a detailed overview, background, analysis, and findings of fact for each meeting as far in advance as possible and shall ensure such agenda and meeting packet material is provided to each member of the Commission prior to the commencement of the meeting. Email notice and digital packets will be used unless a Commissioner makes special arrangements with the staff. Such agenda and meeting packet should be delivered to the members of the Commission at least seven (7) days prior to the meeting. If the staff delivers the packet less than 7 days prior to the meeting, the Commission may still act on the items.
5. No Incomplete Items on Agenda: In the event that an item is incomplete, the Chair or DCD shall remove the item from the agenda and it shall not be considered at that meeting.

E. Parliamentary Procedure

1. The Commission shall adhere to the procedures listed in the Springdale Town Officials Handbook, which are roughly based on *Robert's Rules of Order* for parliamentary procedures.
2. A. In acting upon applications for non-hearing action items, the Commission shall follow this general procedure:
 1. DCD review of the application.
 2. Applicant presentation
 3. Commission discussion regarding the merits of the application.
 4. Formulation of motion to include Commission findings, second to motion.
 5. Commission discussion regarding the motion.
 6. Commission vote on the motion.B. In acting upon public hearing action items, the Commission shall follow the 'Planning Commission Hearing [Protocol Guidelines](#)' as approved by the Town Council and printed on the 'flip side' of the agenda. See [Exhibit 1](#).
3. A quorum of the Planning Commission is three voting members present. The Planning Commission shall not pass any motion with less than three concurring votes. In the event only three voting members of the Commission are present, the Commission shall continue any action item or application that does not receive a unanimous vote (either for approval or denial).

F. Ex Parte Contacts

Planning Commission members shall reveal any pre-hearing or *ex parte* contacts with regard to any matter at the commencement of the public meeting on the matter. An *ex parte* contact is any communication with a party or person, whether in person, by mail, email, social network, telephone or other form of communication regarding an application the Planning Commission is or will be considering. A short summary of the nature and content of all *ex parte* communication should be made part of the public record.

Prearranged private meetings, whether in person, by mail, email, social network, telephone or other form of communication, between a Planning Commissioner and applicants, their agents, or other interested parties to discuss items or issues the Planning Commission is or will be considering are prohibited. If such contacts have impaired the member's impartiality or ability to vote on the matter, the member shall so state and shall abstain.

G. Amendment of Bylaws and Rules of Procedure

1. These bylaws and rules of procedure may be amended at any meeting of the Commission held after the proposal to amend the rules is noticed according to the Town's legal noticing requirements. A majority vote of the members of the Planning Commission is required for passage.
2. The public shall have the opportunity to review and respond to amendments to the bylaws and rules of procedure prior to adoption by the Planning Commission though a public hearing is not required.

H. Recording of Bylaws and Rules of Procedure

1. The Town Clerk shall record these rules and all subsequent amendments and copies shall be furnished to each member of the Commission.

Exhibit 1

Town of Springdale Public Hearing Guidelines – Planning Commission

A public hearing is a special type of public meeting. A public hearing provides an opportunity for the Planning Commission to accept public comment and testimony on proposed land use issues or legislation. With formal rules of procedure, a public hearing will result in respectful speakers, and a respected process.

When a public hearing agenda item is announced, the Chair will call attention to the hearing format listed below. It is the responsibility of the Chair to maintain control of the public hearing and establish rules which may include reasonable limits on speaking time and speaker conduct. A speaker decides the relevance of their comments regarding the public hearing topic; the Commission listens.

The Chair will lead the public hearing sequentially through the following format steps:

1. A summary explanation and presentation of the hearing item by Town staff
2. Question and answer period of staff by the Planning Commission
3. Question and answer period of staff by the public
4. A summary explanation and presentation of the hearing item by the applicant
5. Question and answer period of the applicant by the Planning Commission
6. Question and answer period of the applicant by the public
7. Motion by the Planning Commission to open public hearing
8. Public comment period
9. Motion by the Planning Commission to close public hearing. No further public comment is taken after the hearing is closed.
10. Planning Commission deliberation
11. Planning Commission action

Per Springdale's Conduct Policy for Elected and Appointed Officials, public officials shall:

- Make the public feel welcome;
- Be impartial, respectful and without prejudice toward the public, and refrain from directing or criticizing the public;
- Listen courteously and attentively to public comment;
- Not argue back and forth or debate with members of the public;
- Treat all members of the public equitably and fairly in terms of time allotted to speak.

The public is asked to:

- State your name for the record when at the microphone. Be brief and speak your points succinctly;
- Do not repeat what has already been said. It is better to simply agree with previous speakers or comments.
- When the public hearing is closed, no further comment, questions, or suggestions will be taken. It is the Council's time to deliberate.

Thank you for participating in the public process.



Memorandum

To: Planning Commission
From: Thomas Dansie, Director of Community Development
Date: June 12, 2020
Re: June 17, 2020 Planning Commission Meeting
Geologic Hazard Ordinance Options

In the last meeting the Commission requested staff begin drafting an outline of a geologic hazards ordinance. The Commission requested staff insert language into the geotechnical report requirements that will require a geologic hazards assessment as part of the geotechnical investigation. If the geologic hazards investigation reveals significant risk from geologic hazard those risks could be mitigated through several different regulatory options.

The Commission should review the proposed ordinance regarding the revised geotechnical report requirements with respect to geologic hazards.

The Commission should also discuss the regulatory options for property in areas with significant geologic risk, as identified in the geologic hazards investigation.

Geologic hazards ordinance

Option: Modify geotechnical investigation requirements to require an analysis of geologic hazards on the site.

CURRENT ORDINANCE

Geotechnical Report: A geotechnical report describing the stability and suitability of said lot or parcel for development must be submitted and approval given prior to the issuance of any permit, pursuant to section 10-1-8 of this title.

OPTION FOR ORDINANCE REVISION

A. Geotechnical Report Required: A geotechnical report is required as a part the review process for any new building over 1,000 square feet in area, or any addition to an existing building when the combined area of the existing building and new addition exceed 1,000 square feet in area, or in any other instance where the DCD determines the site or soil conditions warrant a geotechnical report.

The geotechnical report must contain the following information:

1. Boundary lines and dimensions of the subject property.
2. Existing site conditions: general topography, drainage, vegetation, and other surface conditions.
3. Location, size, and type of any existing structures, previous surface disturbance or grading, or other improvements.
4. Location, size, and type of all proposed development.
5. Subsurface exploration and conditions: description of subsurface exploration methods, results of exploration, and general subsurface conditions.
6. Laboratory analysis of subsurface exploration and soil sampling.

7. Geotechnical recommendations for proposed development: site grading and subgrade preparation, foundation and slab design, seismicity and liquefaction, drainage control, and other associated recommendations.
 8. If the proposed development is located in an area identified as a high or moderate hazard area for rockfall or landslide on the Utah Geologic Survey Hazard Maps, an analysis of the geologic hazards associated with development of the site.
- B. Geologic Hazards Report Required: If a geotechnical report required under paragraph A identifies significant site-specific risk of geologic hazard on a property, then a geologic hazards report is required prior to the issuance of any building or use permit on the property.
- C. Geologic Hazard Report Standards: Each geologic hazards report shall be site-specific and shall identify all known or suspected potential geologic hazards, originating on-site or off-site, whether previously identified or previously unrecognized, that may affect the subject property.
1. All geologic hazards reports shall include the original or wet signature and professional seal, both in blue ink, of the qualified professional. Geologic hazards reports co-prepared by professional geologists and engineers must include both professionals' original signature and seal in blue ink.
 2. All geologic hazards reports shall include information sufficient to document the presence or absence of geologic hazards on the property, as well as suggested mitigation measures to reduce or eliminate the potential for harm or injury to persons or property caused by such hazards. Geologic hazard reports shall include the following information:
 - a. a 1:24,000-scale geologic map, with references, showing the general surface geology (landslides, alluvial fans, etc), bedrock geology where exposed, bedding attitudes, faults, and other geologic structural features;
 - b. a detailed site map of the subject area, at a scale equal to or more detailed than one inch equals 200 feet, showing the locations of subsurface investigations and site-specific geologic mapping performed as part of the geologic investigation, including boundaries and features related to any geologic hazards, topography, and drainage. The site map must show the location and boundaries of the property, geologic hazards, delineation of any recommended setback distances from hazards, and recommended locations for structures. Buildable and non-buildable areas shall be clearly identified;
 - c. trench logs, when applicable, prepared in the field and presented in the geologic hazard report at a scale equal to or more detailed than one inch equals five feet;
 - d. Boring logs when applicable, prepared with standard geologic nomenclature;
 - e. Listing of aerial photographs used and other supporting information, as applicable;
 - f. Conclusions, clearly supported by adequate data included in the report, that summarize the characteristics of the geologic hazards, and that address the potential effects of the geologic conditions and geologic hazards on the proposed development and occupants thereof, particularly in terms of risk and potential damage;
 - g. Specific recommendations for additional or more detailed studies, as may be required to understand or quantify a geologic hazard;
 - h. An evaluation of whether or not mitigation measures are required, including an evaluation of multiple mitigation options;

- i. Specific recommendations for avoidance or mitigation of the effects of the hazards, including design or performance criteria for engineered mitigation measures and all supporting calculations, analyses, modeling or other methods, and assumptions. Final design plans and specifications for engineered mitigation must be signed and stamped by a qualified geotechnical, civil and/or structural engineer, as appropriate;
 - j. Data upon which recommendations and conclusions are based, shall be clearly stated in the report; and
 - k. A statement shall be provided regarding the suitability of the proposed development from a geologic hazard perspective.
 - l. When a submitted report does not contain adequate data to support its findings, additional or more detailed studies shall be required to explain or quantify a particular geologic hazard or to describe how mitigation measures recommended in the report are appropriate and adequate
3. Minimum Qualifications of Professionals Preparing Geologic Hazard Reports: Professionals preparing the geologic hazard reports shall have sufficient education, training, and experience in geologic hazards to document the existence of hazards and suggest mitigation measures to reduce the risk of harm or injury from such hazards. Professionals shall, at a minimum, be registered Professional Geologists or Professional Engineers with specific experience in identifying and mitigating geologic hazards.

OPTIONS FOR REGULATION ON PROPERTY WITH DOCUMENTED GEOLOGIC HAZARDS

- 1) Require property owner to record notice of the geologic hazards against the property.
- 2) Limit the uses allowed on the property (e.g. no transient lodging, no multi-family development, etc.)
- 3) Require the mitigation recommended in the report as a condition of permit approval.