



Memorandum

To: Planning Commission
From: Thomas Dansie, Director of Community Development
Date: **March 1, 2019**
Re: **March 6, 2019 Planning Commission Meeting
Event Policy Revisions**

The Planning Commission reviewed potential changes to the temporary use standards in the last two work meetings. In the February work meeting the Commission directed staff to remove all permit requirements for private outdoor parties and events on residential and commercial properties. The Commission also recommended the Town Council revise the noise ordinance to include more specific restrictions and regulations on especially in the evening hours.

The outline below reflects the Commission's requested changes. Staff suggests the Commission review this language and give staff any additional suggested changes. Staff will then schedule the draft language for a public hearing.

Potential new categories of event permits:

- 1- Event Permit: large outdoor commercial or public events on commercial or public property that have the potential to impact surrounding properties or public rights-of-way, e.g.: parades, races, festivals, etc.
- 2- Temporary structures during construction: Temporary living space, office space, and or storage space during residential or commercial construction
- 3- Special Use Permit: Requests for temporary outdoor use that do not fit into any of the categories above. Example: commercial filming.

Standards for Each Class of Permit:

- 1- Class 3 Event Permits:
 - a. The event must last less than four days.
 - b. The location will not create a parking problem in the right-of-way or on adjacent properties. The event planner must ensure there is sufficient parking to accommodate all event guests. Such parking may be on-site, on-street through an on-street event parking permit, or at an approved off-site and off-street parking area with the written permission of the off-street parking area property owner.
 - c. The event will not cause a traffic hazard. If, in the opinion of the Chief of Police, traffic control is necessary for the event, the applicant, at the applicant's expense, shall

provide a traffic control plan. The Chief of Police and Street Department will both review the traffic control plan prior to approval of the Class 3 event permit. The applicant, at the applicant's expense, shall provide all traffic control identified in the traffic control plan.

- d. The applicant shall provide copies of UDOT approval for any event that takes place within or utilizes in any way the SR-9 right-of-way.
 - e. The applicant must provide sufficient on-site sanitary facilities to accommodate the anticipated number of event participants. A plan for the provision of sanitary facilities must be provided with the application.
 - f. The applicant must provide sufficient on-site trash and recycling facilities. The applicant is responsible for ensuring the trash and recycling facilities are emptied on a regular basis to prevent trash and debris from accumulating in the area of the event.
 - g. The applicant must provide copies of health department approval where food items are handled or sold, and in any other situation where health department standards apply.
 - h. The applicant must provide proof of liability insurance in the amount of at least \$1,000,000 listing the Town of Springdale as an additional insured. Greater liability limits may be required based on the nature of the event or the number of participants.
 - i. The applicant must designate an on-site event manager who will be the event day contact for the Town and who will be responsible for ensuring the event complies with all applicable standards and ordinances.
 - j. The application must be submitted a minimum of six weeks prior to the event. The Town assumes no responsibility for investment, advertisement, publicity, registrations accepted, etc. prior to the approval of the event permit. Nor shall such be used as justification for approval of the event permit.
- 2- Temporary structures during construction
- a. Temporary Structures During Residential Construction: A mobile home and/or other temporary structure, designed for use as temporary dwelling space, and portable sanitary facilities or tool storage structures, may be placed upon the rear half of the premises during the actual period of construction of a permanent single- or two-family residential dwelling, provided the following conditions are met:
 - i. A building permit for construction of the permanent residence has been issued prior to location of the mobile home or other temporary structure on the site;
 - ii. That said mobile home remains on the site only until final inspection is granted on the permanent residence, and in no event for a period exceeding two (2) years.
 - b. Temporary Structures During Commercial Construction: One mobile home designed for use as temporary dwelling space for security purposes and/or other temporary structure, designed for use as temporary office space and portable sanitary facilities or tool storage structures, may be placed upon the premises during the actual period of construction of a commercial building, subject to the following limitations:

- i. A mobile home or other temporary structure shall be permitted to remain upon the premises during construction of a commercial building for a period of time not to exceed the time limit for construction under the contract.
- ii. Occupancy of such mobile home, and use of other such temporary structures, shall terminate upon issuance of a temporary certificate of occupancy or certificate of occupancy (if granted outright), of all or part of the structure for which the building permit was issued.

3- Special Event Permit

- a. The event must last less than four days, and must be the shortest possible duration necessary based on the type of event.
- b. The event will not cause an unreasonable impact on traffic, access to properties, parking, or other transportation systems.
- c. The event will not cause an unreasonable impact on surrounding properties in loud or unusual noises, odors, vibrations, or other similar annoyances.
- d. The applicant must provide sufficient on-site sanitary facilities to accommodate the anticipated number of event participants. A plan for the provision of sanitary facilities must be provided with the application.
- e. The applicant must provide sufficient on-site trash and recycling facilities. The applicant is responsible for ensuring the trash and recycling facilities are emptied on a regular basis to prevent trash and debris from accumulating in the area of the event.
- f. If taking place in the UDOT right-of-way, approval from UDOT is required.
- g. Written authorization from owners of property where the event will be located is required.
- h. The applicant must provide proof of liability insurance in the amount of at least \$1,000,000 listing the Town of Springdale as an additional insured. Greater liability limits may be required based on the nature of the use.
- i. The Planning Commission may impose following additional conditions to mitigate the anticipated detrimental impacts of the use related to:
 - i. Traffic. A traffic control plan may be required if, in the opinion of the Chief of Police, the event will have a significant impact on the efficiency or safety of traffic circulation in the Town.
 - ii. Parking. Supplemental parking may be required, depending on the nature of the use. The applicant is responsible to securing authorization for the requisite number of parking spaces for the use.
 - iii. Noise and other nuisances. The Commission may impose reasonable time limits, noise limits, and other similar limits designed to mitigate the noise impact of the proposed use on adjacent properties.

4- Free Speech Event

- a. The event must take place on public property in a place customarily associated with public assembly and gatherings. These locations include: Town parks, the grounds around Town Hall and the Canyon Community Center, and dedicated public streets and

sidewalks. Free speech events are not allowed at property directly associated with the operation of utilities, public works, or emergency operations. Free speech events are not allowed inside the Town Hall. Free speech events may be allowed inside the Canyon Community Center, but only after going through the rental and reservation process for the Canyon Community Center.

- b. Free speech events may not take place at times that will intentionally disturb the peace and quiet enjoyed on surrounding properties, in general between 10:00 pm and 7:00 am.
- c. Free speech events may not obstruct the free flow of traffic on streets, unless the appropriate permits from both UDOT and the Town of Springdale to impact the public right of way have first been obtained.
- d. Free speech events may not obstruct the sidewalk to the extent that pedestrians are unable to safely navigate the sidewalk around the event.
- e. Free speech events may not block or impede access to any business, residence, or government facility.

Permitting Process:

1- Event Permits

- a. Permits approved by Planning Commission
- b. Application requirements
 - i. Official application
 - ii. Cover letter and narrative describing the event
 - iii. Written letter of authorization from the owner of the property where the event will take place
 - iv. Site plan, to scale, showing the property and location of event facilities and any temporary structures
 - v. Name and cell phone number of on-site event manager who will be responsible for ensuring the event complies with all applicable standards and ordinances
 - vi. UDOT Approval, if utilizing the SR-9 right-of-way
 - vii. Sanitary facilities plan
 - viii. Trash and recycling plan
 - ix. Health department approval, if food items are sold or handled or in other situations that require health department approval
 - x. Insurance certificate listing the Town of Springdale as an additional insured.

2- Temporary structures during construction permits

- a. Permits approved by DCD or designee
- b. Application requirements
 - i. Official application

- ii. Written letter of authorization from the owner of the property where the temporary structure will be placed
- iii. Site plan, to scale, showing the property and location of temporary structures
- iv. Notarized statement from the property owner acknowledging the temporary structures will be removed from the property prior to the issuance of a certificate of occupancy for the main structure on the property
- v. Application fee

3- Special use Permits

- a. Permits approved by the Planning Commission
- b. Application Requirements
 - i. Official application
 - ii. Cover letter and narrative describing the event
 - iii. Written letter of authorization from the owner of the property where the event will take place
 - iv. Site plan, to scale, showing the property and location of event facilities and any temporary structures
 - v. Name and cell phone number of on-site event manager who will be responsible for ensuring the event complies with all applicable standards and ordinances
 - vi. UDOT Approval, if utilizing the SR-9 right-of-way
 - vii. Sanitary facilities plan
 - viii. Trash and recycling plan
 - ix. Insurance certificate listing the Town of Springdale as an additional insured.

4- Free Speech Event Permits

- a. Permits approved by DCD or designee
- b. Application Requirements
 - i. Official application
 - ii. Cover letter and narrative describing the event
 - iii. Name and cell phone number of on-site event manager who will be responsible for ensuring the event complies with all applicable standards and ordinances
 - iv. UDOT Approval, if utilizing the SR-9 right-of-way
 - v. Approved Event Permit, if the event includes a parade or march that will obstruct the free flow of traffic on any dedicated right-of-way