



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION WORK MEETING
ON TUESDAY FEBRUARY 6, 2019 AT 5:00PM
AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH.**

Meeting convened at 5:01PM

MEMBERS PRESENT: Chair Joe Pitti, Allan Staker, Mike Marriott, Jack Burns, Suzanne Elger, Tyler Young and Cindy Purcell from Zion National Park.

ALSO PRESENT: Director of Community Development Tom Dansie, Associate Planner Sophie Frankenburg, and Deputy Clerk Katy Brown recording. Please see attached list for citizens signed in.

Approval of Agenda: Motion made by Mike Marriott to approve the agenda; seconded by Joe Pitti.

Staker: Aye

Elger: Aye

Marriott: Aye

Burns: Aye

Pitti: Aye

Motion passed unanimously.

Commission discussion and announcements: None were made.

Non-Action Items

1) Discussion of Cottage Housing Development (CHD) Overlay Zone revisions: Mr. Dansie reviewed the draft revisions made to the CHD ordinance since the Commission's last work meeting. Notable among the revisions the Commission had requested was the Net Developable Acreage standard which exempted hazard areas from the total developable square footage of the lot. The Town Attorney had also provided recommendations for the Planning Commission to consider: 1) Adding a standard that required an applicant for the CHD Zone to enter into a Development Agreement with the Town which would memorialize any specific characteristics unique to the proposed project that the Commission would want the development to adhere to. 2) Adding a requirement that any subsequent design application for a new subdivision plat would need to substantially conform to the conceptual plans submitted at the time of the zone change request. Although this was implicit in the drafted CHD ordinance, it wasn't stated directly. This additional requirement would prevent the applicant from obtaining zone change approval with a specific design, yet develop an entirely different project than what was presented in the original proposal. 3) Clarifying language in 10-13F-13(B) which spoke to having sufficient developable acreage to accommodate all requirements without "impacting" steep slopes, flood hazard areas, or otherwise sensitive land. The Commission should consider adding further definitions for what was meant by "impact" to remove ambiguity. 4) Clarifying language in 10-13F-12(A) regarding preserving as much open space "as possible." The Commission should consider developing a measurable standard and removing ambiguity in this section as well.

Mr. Pitti asked what the current provisions for open space were.

- Mr. Dansie responded that currently there was a provision to provide 40% of open space or natural landscape.

- Mr. Pitti asked if the Commission could clarify the standard by simply increasing the amount of required landscape.
- Mr. Dansie affirmed that approach but suggested that any changes made should undergo some analysis and/or modeling to strengthen their decision.

Mr. Staker asked if undevelopable acreage, or hazard areas, counted toward the open space requirement under the current ordinance.

- Mr. Dansie replied that under the current ordinance, hazard areas could count towards the 40% open space/natural landscape provision. However, with the addition of the Net Developable Acreage standard, those hazard areas would not be used to calculate the total number of cottages allowed in the development but they would still count toward open space and landscape requirements.

Mr. Burns asked why setbacks had not been included in Net Developable Acreage standards.

- Mr. Dansie said the Commission could include setbacks as they saw fit in the ordinance. If setbacks were included it would reduce the overall density. If the Commission's intent was to reduce density in Cottage Housing Developments then they could do so more directly by reducing the number of units/acre.

Mr. Staker noted that the objective of the CHD was to offer lower cost housing via a higher density development and felt the Commission was moving backwards on progress if they wanted to consider reducing density.

After reading the meeting minutes since the inception of the Cottage Housing Development idea, Mr. Pitti felt that the concept had morphed from a solution that encouraged more affordable housing in the market to an opportunity for developers to build investment properties for employee housing or rentals. He felt the current draft ordinance was not accomplishing the intent of the original CHD concept.

Mr. Marriott said that the Commission had not yet seen a CHD developed and felt it was not productive to get to hung up on whether the housing would be for sale or for rent.

- Mr. Pitti raised the concern of what would happen to an employee's living situation if their employment ended and they happened to live in a CHD that was built specifically employee housing.

In regard to the Net Developable Acreage standard, Mr. Marriott asked why the Commission should implement it for the CHD zone and not consider it for any other zone. He felt if there was an inherent risk in developing flood zones, it should apply to every development, not just applications for the CHD.

Ms. Elger thought the Commission had ceased discussing the CHD until the current application had a chance to be built.

- Mr. Dansie said the CHD didn't actually meet the conditions for the Commission to call a moratorium on CHD Zone applications. Therefore, the Commission had discussed in a past meeting that although they would still accept applications for the CHD, they stated to the Council that they would not recommend favorably any CHD applications before they had a chance to see one built.

Mr. Burns liked the concept but still felt the density at 6 units/acre was too high. He suggested 4 units/acre would be more appropriate.

Mr. Dansie conceded that the Commission had a difficult task before them. On one hand they could promote more affordable and diverse housing via increasing density while potentially impacting the village scale atmosphere suggested by the General Plan. On the other hand, they could look at decreasing density to preserve residential neighborhoods but risk the potential for making the units less affordable.

Mr. Burns asked if some modeling could be done with a maximum density of 4 units/acre.

Mr. Staker was still interested in seeing a real-life application of the Cottage Housing concept.

- Mr. Dansie suggested that the development referred to as “Sol Town” would be the closest real-life example of a high density/lower cost neighborhood.

Mr. Young asked if it would be a possibility for the Town to acquire property for public use and develop a CHD there. He wondered if there were any federal grants that could help with developing an affordable housing.

- The difficulty for property acquisition in Springdale was obviously the high market rate, but Mr. Dansie referenced the Red Hawk Apartments as a great example of grant funding for housing developments. Unfortunately, grant funding was extremely competitive and came with stipulations that yielded a very stringent maximum income cap. The Red Hawk project succeeded in serving a population under a certain income cap, but the middle-income population was still under-served.

Staff was directed to provide the Commission with further information regarding different density modeling on applicable CHD-eligible lots in town as well as some real-life examples of high density/low cost developments for the Commission to visit for evaluation if desired.

2. Discussion of Event Permit revisions: The Commission had reviewed the event permit revisions in their last meeting as a replacement to the Temporary Use Permit process. Mr. Dansie had made some changes to the proposed policy for the Commission to review. Of note was the addition of the standards for political protests and free speech events, along with relaxing the permit process for small residential parties.

Mr. Pitti asked how frequently the police were contacted for noise disturbances from private parties.

- Mr. Dansie stated it was a rather frequent occurrence.

Mr. Pitti asked if the current noise standards were sufficient in preventing or mitigating noise violations.

- Mr. Dansie explained that any noise which disturbed the peace at any time of day was prohibited. Additionally, there were strict quiet hours beginning at 11:00 pm weekdays/12:00 am weekends. The current noise ordinance was somewhat subjective and generally resulted in the Police having to arbitrate between someone’s right to have a perceptibly noisy party and other residents’ right to have peace and quiet.

Ms. Purcell asked under which conditions the Town would deny a permit.

- Mr. Dansie said the intent was not necessarily approving or denying, but rather as a tool to capture the information needed if there was an issue with the event.
- Ms. Purcell said if the permit requirement for private residential parties was to assist any enforcement issues that may arise, that matter should be left up to enforcement only.
- Ms. Frankenburg added that the current Temporary Use permit process did not currently take into account the size or impact of an event and therefore required certain documentation that may not be applicable for a small residential party. The proposed permit process revisions would exempt smaller parties from having to provide extraneous documentation like insurance information, site plans, etc.

Mr. Burns had inferred from the conversation that there were lot of parties happening in town and expressed that he was ready for a good party.

Mr. Pitti thought the rest of the policy was sufficient but still had concerns about the overall message of requiring permits for private parties on private property. It felt too heavy-handed.

- Mr. Burns agreed and said it felt like an overreach of the Town. He felt that enforcement issues should be left to the police department.

Mr. Staker had an issue with the set numbers of people allowed on residential properties. He noted that a party with 50 people on small lot/small house would be more of a perceived impact than 50 people in a house on a 4-acre parcel of land. It didn’t make sense to set arbitrary numbers.

Mr. Young felt the public assembly free speech portion of the proposed policy was well put together.

Mr. Pitti suggested that the Commission recommend to the Town Council to develop decibel standards for the noise ordinance.

Mr. Burns asked how the policy would affect the agricultural zone.

- Mr. Dansie said was no currently no policy relating to events in the agricultural zone. He indicated the Commission could undertake developing a policy which included the Agricultural zone.

The Commission agreed that unless there was evidence that private party noise and traffic impacts were a significant issue, then the permit requirement for private residential parties should be removed. Staff would refine further and either strike Class 1 altogether or develop an alternative to present to the Commission.

3. Review of incentive and development agreement procedures: The Commission had expressed a desire to review the incentives in the current ordinance. Below is the Commission's summary discussion and recommendations:

10-1-13 - No changes were made and the Commission agreed to retain.

10-6A-3(A) - Ms. Elger was disappointed with the past attempts at development agreements which promised affordable housing.

10-6A-5 - Mr. Staker felt that affordable housing was an unobtainable goal in Springdale. He felt the definition of "affordable" was different in Springdale than anywhere else.

Mr. Pitti thought the language was too vague and suggested the Commission revisit.

10-11A-5(A) - Mr. Burns felt that the tone of offering incentives was counter to preserving the character of the community suggested by the General Plan. Incentives essentially allowed for larger impacts and the concept seemed discordant with the General Plan.

- Ms. Elger agreed and didn't like the idea of incentives at all.
- Mr. Young pointed out portions of the General Plan which actually emphasized incentives for public good.

Staff was directed to provide a list of past incentives so the Commission could evaluate if the agreed upon terms had come to fruition as expected.

10-11A-6(A)(3)(c) – The Commission would revisit in a subsequent meeting.

10-11B-5(A) - Staff was again directed to provide more details on past incentives.

10-11B-6(E) – The Commission would revisit in a subsequent meeting.

10-11B-8(D) and (E) – The Commission agreed to strike this incentive.

10-12-13 - Mr. Burns was hesitant to approve something that gave Town management full carte blanche to develop public facilities as they saw fit.

- Mr. Dansie informed the Commission that there were 7 qualitative criteria that would need to be met before the council would grant this incentive. It would not be approved without sufficient analysis.

10-13C-8(C) – The Commission was not in favor of this incentive.

10-13D-4 – No changes were made and the Commission agreed to retain.

10-13E-3(C) and (D) - The Commission agreed to strike this incentive.

Motion to adjourn at 7:10 pm made by Allan Staker; seconded by Mike Marriott.

Staker: Aye
Elger: Aye
Marriott: Aye
Burns: Aye
Pitti: Aye
Motion passed unanimously.

Katy Brown, Deputy Clerk

APPROVAL: _____ DATE: _____

A recording of the public meeting is available by contacting the Town Clerk's Office. Please call 435-772-3434 or via email at springdale@infowest.com for more information.

PENDING APPROVAL