



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION REGULAR MEETING
ON WEDNESDAY, JULY 18 2018, AT 5:00PM
AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH.**

Meeting convened at 5:00PM

MEMBERS PRESENT: Chair Joe Pitti, Allan Staker, Suzanne Elger, Jerry Giardina, Mike Marriott, Jack Burns, Ethan Newman, and Cindy Purcell representing Zion National Park

ALSO PRESENT: DCD Tom Dansie, and Town Clerk Darci Carlson recording. Please see attached list for citizens signed in.

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

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Commission discussion and announcements: There was no discussion or announcements.

Action Items

Public Hearing – Conditional Use Permit – Transient Lodging Facility (vacation rental home) at 1597 Zion Park Boulevard in the VC zone - Tori Spainhower: Ms. Spainhower participated electronically via conference call. She apologized for being unable to attend the meeting in person.

Mr. Dansie said this request was for transient lodging on Lot 2 of the Spainhower subdivision. The DDR was approved in 2016. Mr. Dansie reminded the Commission that transient lodging required a Conditional Use Permit in the Village Commercial zone.

Commission questions to staff: Ms. Elger questioned if parking would meet the setback requirement. Mr. Dansie indicated parking had to meet the required thirty-foot (30') setback and this was an item of concern during the DDR. The applicant was going to push parking back but Mr. Dansie recommended this be a condition of approval.

Public questions to staff: No questions were asked.

Commission questions to applicant: Ms. Elger asked how parking would meet the front setback.

- Five parking spaces were on the side of the building and once the landscape was finished, Ms. Spainhower said the setback would be more evident.
- Mr. Dansie suggested the applicant submit a site plan that clearly delineated where the parking spaces were located and confirmed the required setback was met.

Mr. Pitti questioned if the hot tub on the south side of the building was built to code and complied with safety standards. He also wanted staff to reconfirm this setback.

- Mr. Dansie said a hot tub would not typically require Planning Commission review. Per building code, a pool or hot tub must be enclosed by a four foot (4') high non-climbable fence with a locking self-closing gate, or a cover with a specific weight standard and lock.
- Setback measurements would be looked at again.

Mr. Pitti asked if the intention was to rent the building as one unit or two separate units. Mr. Pitti raised concern about the awkwardness of using the multi-use path for access to the second unit.

- Ms. Spainhower indicated the two units could be rented together or individually. She was unsure about the concern regarding access. Guests could walk around the backside of the property but it would be difficult.
- From a zoning standpoint, two units were allowed. If evaluated as a transient lodging facility, the parking standard required the same number of spaces for either one unit or two.

Public questions to applicant: None were asked.

Motion made by Mike Marriott to open public hearing; seconded by Suzanne Elger.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Public comments: None were made.

Motion made by Suzanne Elger to close public hearing; seconded by Mike Marriott:

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Commission deliberation: Mr. Marriott said the project met the general and specific standards. He acknowledged access to the second unit was awkward but there was nothing in code that prohibited.

- Mr. Pitti raised concern about safety if the public path was used for access. A remedy was to install a gate between units.

Mr. Staker asked if the existing fence was an adequate safety barrier for the hot tub.

- Mr. Dansie said the hot tub had a locking cover which satisfied code. Per the request of the building inspector, the applicant must install a safety rail before a certificate of occupancy or business license would be issued.

Motion made by Mike Marriott to recommend approval of the Conditional Use Permit for two transient lodging units at 1597 Zion Park Boulevard in the Village Commercial. Whereas the Commission finds that the Conditional Use Permit is in compliance with the six general standards and three specific standards. With the following conditions: 1) A site plan showing and delineating all the parking spaces be provided; 2) When parking is installed the parking stalls be delineated by a stall delineation product; 3) The safety deck railing be completely installed. And it is the Commission's recommendation that the applicant provide access to the second unit in such a way that guests don't have to go out onto the Town pathway to access that unit; seconded by Suzanne Elger.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Public Hearing: Conditional Use Permit – Transient Lodging Facility (converting two rental apartments to nightly rentals at 1051 Zion Park Boulevard in the VC zone – R2 Group, LLC: Mr.

Dansie said this was a request to convert two existing long-term rental units to short term rentals. The two upstairs units would continue to be used as a long-term rental and gallery with living space.

Commission questions to staff: Mr. Pitti asked if this change of use triggered the need to come into compliance with the noncomplying aspects of property.

- Mr. Dansie explained state law differentiated between regulation of use versus regulation of development. This request considered a change of use which required compliance with use standards. Any proposed new development would require compliance with development standards. Therefore, a change of use would not require correction of noncomplying development.

Ms. Elger indicated parking in the front was noncomplying because it did not meet setbacks. She questioned if this should be corrected with the change in use.

- Mr. Dansie said the applicant identified rear parking to support the change of use; this parking was shown to meet required setbacks. The parking in front supported the long-term rental and gallery. Code did not require parking spaces to be specifically assigned to a use.

Mr. Dansie said the property required eleven (11) parking spaces; the six (6) spaces in the rear met the setback requirement but the five (5) in front did not but were considered legally noncompliant.

Public questions to staff: None were asked.

Commission questions to applicant: Shellee Haines, property manager for the property, was in attendance. No questions were asked.

Public questions to applicant: None were asked.

Motion made by Mike Marriott to open public hearing; seconded by Joe Pitti.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Public comments: None were made.

Motion made by Suzanne Elger to close public hearing; seconded by Mike Marriott:

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Commission deliberation: Mr. Pitti expressed concern about the loss of long-term rentals in Town.

Mr. Marriott acknowledged the parking situation was complicated.

- Four (4) parking spaces were required for the two transient lodging units.
- Mr. Giardina felt the commercial use in front was not changing and therefore parking should not change.

Mr. Marriott asked how the landscape requirement applied.

- Mr. Dansie indicated the property did not currently meet the requirement in the Village Commercial zone and was another non-conforming development feature.
- For reference, Mr. Dansie read code section 10-18-4(G)(2) which stated any change in use of existing buildings that required an increase in parking shall require the site to be brought into

landscape conformance. There was also a requirement to screen parking areas. Any area not used for parking, or access to parking, needed to be converted to landscape.

Mr. Marriott felt parking spaces should be specifically delineated.

Motion made by Suzanne Elger to recommend approval of the Conditional Use Permit for a transient lodging facility at 1051 Zion Park Boulevard. This motion is based on the following findings: 1) That the Conditional Use Permit application complies with the six general and three specific standards; 2) The Commission finds that the rear parking needs to meet the setback standards in order to be in compliance with the land use standards based on a new usage of the property; 3) The property also needs to comply with the landscape standards section 10-18-4(G)(2); 4) And need to take out parking stall #7. They will still be in compliance with the number of spaces required; seconded by Mike Marriott.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Public Hearing: Ordinance Revision - Changes to multiple sections of Title 10 of the Town Code to clarify recently adopted ordinance changes based on recommendations from the Town's ordinance codifier: Mr. Dansie said these changes were clarifications for consistency sake only and not new policy.

Commission questions to staff: None were asked.

Public questions to staff: None were asked.

Commission questions to applicant: None were asked.

Public questions to applicant: None were asked.

Motion made by Mike Marriott open public hearing; seconded by Suzanne Elger.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Public comments: There was no public comment.

Motion made by Mike Marriott to close public hearing; seconded by Suzanne Elger:

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Commission deliberation: There was no additional Commission discussion.

Mr. Dansie clarified the temporary storage of vehicles would be located in permitted, licensed, public parking areas.

Motion made by Mike Marriott to recommend the ordinance revision with changes to multiple sections of Title 10 of the Town Code to clarify recently adopted ordinance changes based on recommendations of the Town codifier; seconded by Joe Pitti.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Public Hearing: Ordinance Revisions - Changes to multiple sections of Title 10 of the Town Code pertaining to prohibited land uses: Goal was to clarify which uses were prohibited in Town, strengthen the Town's regulation, and guard against unwanted land uses. Mr. Dansie said the Town Attorney provided some recommendations.

Commission questions for staff: None were asked.

Public questions for staff: None were asked.

Commission questions for applicant: None were asked.

Public questions for applicant: None were asked.

Motion made by Suzanne Elger to open public comment: seconded by Mike Marriott.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Public comments: There was no public comment.

Motion made by Suzanne Elger to close public hearing; seconded by Allan Staker.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Commission deliberation: Mr. Burns recalled discussion about uses with potential benefit for residents and asked about the inclusion of car washes.

- Mr. Dansie agreed and said it should be removed from prohibited uses.
- Ms. Purcell recommended conditions concerning water use and recycling be considered for car washes. The Commission discussed sustainability and use of water in the future.
- If car washes were permitted, Mr. Dansie suggested the Commission research standards for future recommendation.

Mr. Pitti noted animals should be included under circuses.

Mr. Pitti questioned the definition of shopping malls.

- Mr. Dansie recalled the Commission preferred the idea of an open air, courtyard type of mall, but not the interior corridor, strip mall type. Therefore, the words "or complex of buildings" would be removed from the definition.

Under 'Water Parks' the Commission decided to exempt hotel pools from the definition.

Motion made by Joe Pitti to forward a recommendation for an ordinance revision for changes to multiple sections of Title 10 of the Town Code pertaining to prohibited land uses with the intent of revisiting some standards for car washes and the changes made this evening including: removal of car washes, add 'animals' to the definition of circus, remove 'or complex of buildings' from the definition of shopping mall, and clarify that hotel pools are exempt from the definition of water parks, seconded by Suzanne Elger.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Public Hearing: Ordinance Revision – Changes to section 10-24-3 regarding standards for signage in the Agricultural zone: Mr. Dansie said this would allow larger signs for commercial businesses in the Agricultural zone. He indicated the Town attorney provided suggested edits.

Commission questions for staff: None were asked.

Public questions for staff: Leslie Smith, in attendance representing Sanctuary Ranch, asked about the attorney changes.

- Mr. Dansie said changes did not relate to agricultural signage. The edits were language clarifications pertaining to Public Use and Residential zones.

Some Commissioners did not have a chance to review the attorney changes, therefore staff printed copies and allowed time for Commissioners to read through.

The Commission took a brief break. The meeting reconvened at 6:58pm.

Regarding section 10-24-3(B)(4) pertaining to signage for properties in the Public Use zone without frontage on SR-9, Mr. Marriott suggested a text change that would allow a freestanding sign at the closest 'available' intersection with SR-9.

Commission questions to applicant: None were made.

Motion to open public hearing by Mike Marriott; seconded by Jerry Giardina.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Leslie Smith thanked the Commission for considering changes to the Agricultural zone sign code which allowed them to advertise their business.

Motion to close public hearing by Suzanne Elger; seconded by Mike Marriott.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Commission deliberation: Mr. Pitti said felt the suggestions made by the Commission and the attorney were good.

Motion made by Mike Marriott to recommend the Ordinance Revision and changes to section 10-24-3 regarding standards for signage in the Agricultural Zone with all the noted changes made by the attorney and the one change in section four to the closest 'available intersection'; seconded by Jerry Giardina.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Sign Permit: Vacation Rental Home at 1597 Zion Park Boulevard – Tori Spainhower: Mr. Dansie said the intent of this sign was to advertise the vacation rental on the property. The sign would be installed on an eight-foot (8') tall post with a six-foot (6') cedar square and burned-in lettering.

Mr. Dansie reminded the sign needed to be set back at least three-feet (3') from the right of way. The sign would not be lit. In addition, all freestanding signs must be incorporated into a landscaped design or planter.

Mr. Pitti said the staff report was clear, concise.

Motion made by Joe Pitti to approve the sign permit for 1597 Zion Park Boulevard for Tori Spainhower. The Commission finds the sign height, area, and colors are in compliance. With the following conditions: 1) The sign must be located at least three-feet (3') away from the right of way; 2) Future sign lighting must be first reviewed and approved by the Planning Commission prior to being installed; 3) The base of the sign structure must be incorporated into a landscape design or landscape planter; 4) And, that the materials for the sign are as proposed of rough cedar board suspended from a metal post with text burned into the sign; seconded by Mike Marriott.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Consent agenda:

Motion made by Suzanne Elger to approve the consent agenda and minutes from June 20th and July 3rd; seconded by Mike Marriott.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Motion to adjourn at 7:12pm made by Allan Staker; seconded by Mike Marriott.

Staker: Aye

Elger: Aye

Pitti: Aye

Giardina: Aye

Marriott: Aye

Motion passed unanimously.

Darci Carlson

Darci Carlson, Town Clerk

APPROVAL: Joe Pott DATE: 8.15.18

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.



TOWN OF SPRINGDALE

PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD
Please print your name below

Meeting Planning Commission Date 7/18/18

Leslie Smith
Name (please print)

Name (please print)

Justin Clayton
Name (please print)

Name (please print)

Shellee Haines
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