



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION REGULAR MEETING ON  
WEDNESDAY JULY 21, 2021 AT 5:00 PM**  
AT THE CANYON COMMUNITY CENTER, 126 LION BLVD, SPRINGDALE, UT 84767.

**Meeting convened at 5:02 pm.**

**MEMBERS PRESENT:** Chair Barbara Bruno, Commissioners Ric Rioux, Jack Burns, Dawn McComb, Kyla Topham, and Noel Benson.

**REMOTE ATTENDANCE:** Tom Kenaston

**EXCUSED:** Susan McPartland from Zion National Park

**ALSO PRESENT:** Director of Community Development Thomas Dansie, Town Clerk Darci Carlson, Deputy Clerk Aren Emerson, and Katy Brown recording. See attached sheet for attendees known to have signed into the electronic meeting.

**Approval of the Agenda:** Motion made by Jack Burns to approve the agenda. Seconded by Dawn McComb.

Rioux: Aye

Bruno: Aye

Burns: Aye

McComb: Aye

Kenaston: Aye

Motion passed unanimously.

**Commission discussion and announcements:** The Town Council held a public hearing on the Commission's recommended changes to the Outdoor Lighting ordinance and would be continuing their deliberation on the ordinance revisions. They would discuss the proposed changes further in their next meeting.

Mr. Dansie also welcomed Noel Benson who would serve as a Commission alternate.

**A. Action Items**

**1. Public Hearing: Changes to Title 10 of the Springdale Town Code as indicated:** a) Revisions to section 10-2-2 adding certain definitions and revising certain definitions associated with transient lodging facilities and transient lodging units, intended to clarify what constitutes a transient lodging unit. b) Revisions to building height and building size standards in the FR and VR zones, contained in sections 10-9A-10 and 10-9B-9. c) Addition of Chapter 10-15G: SR9 Design Corridor. d) Addition of Chapter 10-15H: Residential Height and Size Bonus: Over the past several work meetings the Commission had discussed a proposed ordinance revision which would accomplish the following: 1. SR9 Design Corridor: All new commercial development in this corridor would be required to meet the design standards in the proposed ordinance in addition to the currently existing design standards. The design standards would require Parkitecture design, as well as continuity in architecture on all buildings across a site. 2. The revised ordinance would add a Design / Review Board (DRB) that would function as an informal advisory board without any formal decision making or approval authority. Its purpose would be to help applicants understand the intent of the design standards and to make suggestions to proposed building design to help achieve that intent. 3. As required by recent State law changes, the revision removed single and two-family residential development from building design regulations in the Town Code. 4. The ordinance also proposed a reduction to the building height and building size maximums for single- and two-family development, but added an allowance for building height and building size increases for single- and two-family development if the property owner voluntarily agreed to comply with the Town's building design standards. 6. The ordinance also revised the definitions

associated with "Transient Lodging Unit" to more clearly define what constitutes a transient lodging unit in various types of lodging facilities.

**Commission Questions to Staff:** Mr. Burns asked how the revised definition of Transient Lodging might affect any lodging units currently under construction.

- The ordinance was forward-looking and would only apply to new applications, not previously approved projects.

**Public Questions to Staff:** Ryan Lee asked staff to expand on the revised definition for Transient Lodging to offer clarity.

- The ordinance looked at different types of Transient Lodging facilities and defined what a Transient Lodging Unit meant for each facility type. For example, in a Hostel, each 175 sq ft of shared sleeping space counted as one unit, as well as each separate bedroom. In a hotel, each bedroom unit with a bathroom counted as one unit. In suites which contained multiple bedrooms, each bedroom would count as a separate lodging unit. In a short-term rental, each bedroom in the home or facility would count as a separate unit.

Mary Jane West asked for clarification on the definition of Parkitecture.

- The term referred to the historic National Park architecture from the 1930's and 1940's. Specific characteristics included the use of natural stone, heavy timbers, and gabled roofs. Town policy currently only referenced Parkitecture as a suggestion in the General Plan and listed a few Parkitecture-related design materials in the Town's designs standards.

Joe Pitti asked how the Design Review Board concept came to be.

- The Commission had reviewed a few applications in the past which technically met the design standards but contained a design that wasn't entirely congruent with the vision set by the General Plan. They had expressed a desire for a pre-review process which would engage design professionals and architects who could screen applications and make professional recommendations before the Commission reviewed for Land Use compliance. As a point of clarification, the DRB would only review applications for development in the SR-9 corridor.

Mary Jane West asked how many residential properties could be impacted by the SR9 design corridor revisions and if those property owners had been contacted.

- The Town had identified all affected property owners and informed them of the proposed revisions via a Notice of Public Hearing which was mailed, posted in three conspicuous places in Town, and posted to the Town website.

**Motion made by Ric Rioux to open the Public Hearing: Seconded by Dawn McComb.**

**Rioux: Aye**

**Bruno: Aye**

**Burns: Aye**

**McComb: Aye**

**Kenaston: Aye**

**Motion passed unanimously.**

**Public Comment:** Joe Pitti urged the Commission to consider potential negative residential impacts that could come from an ordinance that was so broad, specifically in regard to the definition of a Transient Lodging Unit. He felt the Commission's process and proposed revisions had been confusing to the public. He understood that the development incentive portion of the proposed ordinance was in response to the State restrictions on design regulation, but felt it could be marketed in a way that was easier to understand for new applicants. He also understood the intent of the DRB, but preferred a more streamlined process which didn't include an additional step for the applicant.

Stewart Ferber understood the approach to designating separate lodging rooms in the same building as separate lodging units, but felt it could be limiting in terms of density. He suggested instead taking a look at lodging units in terms of landscaping percentages and parking requirements. He felt that an excess of vehicles and not enough parking was the real negative impact in cases where lodging facilities with multiple rooms only counted as one unit, thereby requiring only a few parking spaces.

Mr. Burns suggested removing the word "historic" directly before the word "Parkitecture," as he felt that the term was potentially hard to understand and made the applicant feel that their options were limited in terms of materials. He felt there was a lot of architectural latitude in the ordinance and applicants should not feel unnecessarily constrained by an architectural requirement.

Ms. Carlson read a comment submitted by Tom Warriner shortly before the meeting. (Attachment #1)

**Motion to close the Public Hearing made by Dawn McComb, seconded by Ric Rioux.**

**Rioux: Aye**

**Bruno: Aye**

**Burns: Aye**

**McComb: Aye**

**Kenaston: Aye**

**Motion passed unanimously.**

**Commission Deliberation:** Ms. Bruno acknowledged the hang-up on the term 'Parkitecture.' She felt the Commission was basically trying to get applicants to include elements consistent with historic architecture to blend well with the established village environment. She reiterated that the current state laws were making it difficult for the Town to continue to ensure quality and congruence with building design.

Ms. Topham asked if it was possible to require some Parkitecture elements but not all.

- Mr. Dansie said the ordinance allowed the applicant to choose from a list of Parkitecture-themed materials but did not require the use of all of them. Gabled roofs and stone columns were currently required of all development, but the Commission could loosen the requirement to allow the developer to choose which of those design characteristics to include rather than making them required.

Ms. Topham was opposed to the 3,000 sq. ft. building minimum in light of covered porches and patios being included in that total cap.

- Ms. Bruno didn't feel that the reduction was too onerous, considering the applicant had a chance to fully comply with design standards in order to gain an increase in square footage up to 5,000 sq. ft.
- Mr. Burns wondered if a 5,000 square foot home was really compatible with small town character.

Mr. Benson felt that the Parkitecture design requirement could benefit from more detail from the perspective of someone looking to build a home in Springdale. It would be helpful to have more specifics on what materials were considered to be Parkitecture-friendly.

The Commission agreed to revisit the issue of square footage and further clarify which portions of the residence would be included in the total maximum allowed.

**Motion made by Barbara Bruno that the Planning Commission recommends approval of the proposed ordinance revisions to various sections of Title 10, removing single and two-family residential development from the building design regulations in the Town Code, specifically 10-9a-13, 15F, 16, 17, and 18, reducing the building height and maximum size for single- and two-family development, allowing a building height and building size increase for single- and two-family development which is voluntarily subjected to the Town's building design standards, and revising the definitions associated with "transient lodging unit" to more clearly define what constitutes a transient lodging unit in various types of lodging facilities. The Commission directs staff to include Bed & Breakfast facilities in the Residential Hosting Facility language. This recommendation is based on the fact that these revisions promote the goals and objectives of the General Plan by ensuring that buildings in Springdale reflect the village atmosphere, compliment the natural surroundings, and are compatible with the heritage of Springdale. Seconded by Dawn McComb.**  
**Rioux: Aye**  
**Bruno: Aye**  
**Burns: Aye**  
**McComb Aye**  
**Kenaston: Aye**  
**Motion passed unanimously.**

Staff clarified with the Commission that the SR9 Design Corridor language was not included in the motion to give the Commission another chance to discuss in a future meeting. The Commission felt they could massage the ordinance further based on the feedback received from the public regarding unintended impacts to residences.

**2. Erosion Hazard Grading Permit – 46 Hummingbird Lane, Breck Dockstader:** The Commission had previously reviewed the application in their June meeting and ultimately tabled the application in order to seek more information on the following: 1. Additional information regarding access to the adjacent properties (particularly S-141-G-1-A), including easements and the intent of those easements. 2. The status of a lawsuit that may or may not have been filed. 3. Previous fill placed on the property. 4. Damage to Big Springs Road associated with previous fill plans for repair of that damage. 5. The Town Engineer's review of the application. The applicant provided a letter from his legal representation which addressed the Commission's concerns, the full text of which can be found included in the packet material on the Town website.

Ms. Bruno asked if grading on the project could begin right away or would it have to wait until after the DDR approval.

- The grading could happen prior to DDR approval, but the Flood Plain Development Permit was required prior to any grading.

Ms. Topham asked if any of the grading and excavation was allowed to take place on the actual easement and asked for clarification on the driveway relocation that was proposed.

- The removal of the fill material was largely toward the river bank. The grading plan did show a relocation of the driveway and would be reviewed at the time of DDR submission. The Commission was free to discuss if driveway relocation needed to be approved prior to the DDR process.

Mr. Rioux asked if there would be any fines assessed because of the previous unpermitted grading.

- No citations had been issued, but the Commission could make a recommendation to the Town's Code Enforcement Officer to investigate. The US Army Corps of Engineers had issued fines relating to the unpermitted grading work along the river corridor.

Mr. Burns read a portion of a public comment letter received from an adjacent property owner. (Attachment #2). He asked if there was anything in code that would allow the Commission to require that the applicant coordinate development with the adjacent property owner.

- Any development that may affect the adjacent property would absolutely need to happen with the permission of the private property owner. Language could be added to the motion to strengthen the Commission's stance on development coordination with surrounding property owners.

**Motion made by Jack Burns that the Commission approves the erosion hazard development permit and grading permit for 46 Hummingbird Lane, as presented in the application. This motion is based on the following findings: 1) The erosion hazard analysis report was prepared by a qualified engineer per (10-13E-7(C)) and reviewed by the Town Engineer. 2) Section 2.3 of the report contains a table indicating the 100-year water surface elevation of the regulatory floodplain on the subject property and adjacent properties will not increase with the proposed erosion protection improvements. 3) The proposed improvements meet the goals and objectives of the Virgin River Management Plan. Statement of Findings (10-13E-7(C)(7)): The report includes the engineer's opinion that the proposed erosion protection improvements will not impact adjacent properties. 4) As required, the applicant has applied for and received a stream alteration permit from the State Division of Water Rights which will satisfy the U.S. Army Corps of Engineers permit requirement. The permit has been submitted to the Town. 5) The applicant is required to coordinate with affected property owners and allow for Town review of all improvements to ensure compliance with Town Code. This motion of approval also includes the following conditions: 1) All construction associated with the project must comply with the conditions of the stream alteration permit issued by the Utah Division of Water Rights (permit 21-81-03SA). 2) A Floodplain Development Permit issued by the Town of Springdale is required prior to any construction of erosion protection improvements. 3) All cottonwood trees on the river bank must be preserved during erosion protection improvement installation. 4) Excavated material may not be disposed of on any property in the Town of Springdale without the appropriate grading permit being issued for the disposal site property. Seconded by Barbara Bruno.**

**Rioux: Aye**

**Bruno: Aye**

**Burns: Aye**

**McComb: Aye**

**Kenaston: Aye**

**Motion passed unanimously.**

**3. Design / Development Review - 479 Zion Park Blvd, Stewart Ferber:** The proposal was to replace a flood damaged building previously used as the main lobby/check-in area. Development on the property was governed by the Village Commercial Zone regulations, as well as a Development Agreement between Mr. Ferber and the Town, entered into in 2015. Of note, that Agreement stated that future development on the property was governed by the building height, size, setback, and parking ordinances existing in 2015, and not by subsequent ordinance revisions.

Mr. Ferber said they would be using natural stone and concrete siding, and there would be a heavy emphasis on ensuring a solid foundation that would meet all geotechnical recommendations.

The Commission felt that the application was complete and all questions had been answered.

**The Commission approves the proposed new commercial building at 479 Zion Park Blvd, as presented in the application. This motion is based on the following findings: The property experienced significant flood damage in the June 29, 2021 flood event. Several buildings on the property were severely damaged. The campground / hotel check-in building and the two buildings**

housing hotel rooms have all been red-flagged by the Town's Building Inspector. They are damaged to the extent that the property owner has decided to remove them and rebuild. During this process the hotel will be removed from the property. The entire property will be used as a campground with no hotel use. The new building proposed in this Design/Development Review application will serve as the campground check-in, lobby, market, and eatery. It will replace the current campground/hotel check-in building. Development on the property is governed by the Village Commercial Zone regulations, as well as a Development Agreement between Mr. Ferber and the Town, entered into in 2015. Of note, that Agreement states that future development on the property is governed by the building height, size, setback, and parking ordinances that existed in 2015, and not by subsequent ordinance revisions. The Commission includes the following conditions of approval: 1. The applicant must submit additional detail on the landscape plan, specifically the types of vegetation and quantities proposed, prior to the building permit being issued for the project. 2. The applicant must submit a geotechnical engineer's recommendation regarding foundation design, specifically addressing the liquefaction hazard, prior to a building permit being issued. Seconded by Ric Rioux.

Rioux: Aye  
Bruno: Aye  
Burns: Aye  
McComb: Aye  
Kenaston: Aye  
Motion passed unanimously.

**B. Consent Agenda**

Motion to approve the meetings minutes June 16<sup>th</sup> and July 7<sup>th</sup> made by Jack Burns. Seconded by Ric Rioux.

Rioux: Aye  
Bruno: Aye  
Burns: Aye  
McComb: Aye  
Kenaston: Aye  
Motion passed unanimously.

**C. Adjourn**

Motion to adjourn at 6:48 pm made by Dawn McComb Seconded by Jack Burns.

Ric Rioux.  
Rioux: Aye  
Bruno: Aye  
Burns: Aye  
McComb: Aye  
Kenaston: Aye  
Motion passed unanimously.



Katy Brown, Attending Clerk

APPROVAL: Barbara Bruno DATE: 8-18-21

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@springdale.utah.gov](mailto:springdale@springdale.utah.gov) for more information





PO Box 187 118 Lion Blvd Springdale UT 84767

### ATTENDANCE RECORD

Please print your name below

Meeting Planning Commission Date 7/21/21

**IN PERSON ATTENDEES:**

**REMOTE ATTENDEES:**  
(Clerk will complete)

Joe Pitt  
Name (please print)

CLAUDIA (S IPHONE)  
Name (please print)

NAWOL NEITHERCUT  
Name (please print)

DIAN SCARDILLI  
Name (please print)

STEWART FERBER  
Name (please print)

DUDAL  
Name (please print)

Sydni Ferber  
Name (please print)

NESBIT G.  
Name (please print)

RYAN LEE  
Name (please print)

MARIE  
Name (please print)

MJ West  
Name (please print)

ERIN TYLER  
Name (please print)

David Grow  
Name (please print)

J.C.  
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