



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION WORK MEETING ON
WEDNESDAY, AUGUST 2, 2023, AT 5:00 PM
AT THE CANYON COMMUNITY CENTER,
126 LION BOULEVARD, SPRINGDALE, UT 84767**

The meeting convened at 05:00 p.m.

MEMBERS PRESENT: Chair Kyla Topham, Commissioners Noel Benson, Adam Hyatt, Tom Kenaston, Pat Campbell, Pam Inghram, and Jonathan Shafer from Zion National Park

ALSO PRESENT: Director of Community Development, Tom Dansie; Principal Planner, Niall Connolly; Deputy Town Clerk, Robin Romero recording; and Town Clerk, Aren Emerson. See the attached sheet for attendees.

MEMBERS EXCUSED: Commissioner Terry Kruschke

Approval of the Agenda:

Ms. Inghram made a motion to approve the agenda amending the order of the agenda items. The amended agenda was as follows:

1. **Discussion regarding regulations for Open Air Displays related to outdoor bike displays, as well as additional regulations for e-bike rental businesses.**
2. **Discussion of potential revisions to Chapters 10-11 and 10-25 of the Town Code relating to access standards for commercial properties.**
3. **Discussion of potential revisions to Chapter 10-13F of the Town Code, the Transient Lodging Overlay Zone.**
4. **Discussion of potential revisions to the Town's regulations of Accessory Dwelling Units.**

The motion was seconded by Mr. Benson.

Campbell: Aye

Inghram: Aye

Kenaston: Aye

Benson: Aye

Topham: Aye

The motion passed unanimously.

General Announcements:

Mr. Dansie reminded the Planning Commissioners that an Ethics Pledge Disclosure Form was sent to their inbox from the Town Human Resources Director, Dawn Brecke. It was requested for the form to be returned by Mid-August. He also noted that Public Officials Training was 6 months ago, and this was an excellent opportunity to refresh on the Standards of Ethics, particularly Conflicts of Interest. If there was a Conflict of Interest, it was a requirement to disclose the conflict. The Commissioner may participate in the discussion as they saw fit or recuse themselves.

A. Non-Action Items

1. Discussion regarding regulations for Open Air Displays (related to outdoor bike displays, as well as additional regulations for e-bike rental businesses).

Mr. Damsie stated that this topic was a continuation of the Commission's discussion several months ago regarding Open Air displays and addressing the need to revise the ordinance. The concern was Open Air Displays of bicycles, or any vehicle display placed near a street or right of way, which caused congestion and conflicts with pedestrians and vehicles. It was requested that standards were created to regulate these displays. Commissioner Benson and the Town Bicycle Liaison, Gill Kiefer, worked with e-bike rental companies to refine these proposals.

Mr. Damsie provided background and context for the proposed change to 10-7A-4, Permitted Use Standards. It introduced article G, Rental of Non-motorized Recreational Equipment. The State classified e-bikes as non-motorized recreational equipment, so for that reason, part G used only the word bicycle as a catch-all to comply with the State classification.

Mr. Benson questioned the terminology. He expressed that when he thought of other electric vehicles that are not e-bikes, he wondered if they would fall under the same category. Mr. Damsie clarified that other E vehicles, such as segway scooters, mopeds, one-wheels, etc., did not have a similar carveout in the State statute, so they were treated as Motorized Recreational Equipment.

Mr. Benson visited many of the bike shops around Town. He noticed owners were unable to identify Open Air Display boundaries and made it possible to have bikes outside of the boundaries. He felt it was a good reason to mark Open Air Displays. When the Open Air Displays were close to the street, they promoted a grouping of pedestrians and created congestion and a hazard. Some bike shops instructed customers to walk their bikes to the bike lane, congregate with their group in the bike lane, and then ride their bikes for the very first time. To improve safety, Mr. Benson proposed a 100-foot "training course" area on private property, not a public street, allowing renters to ride bikes for the first time.

Ms. Topham clarified that Mr. Benson was not proposing a continuous 100-feet. She cited Mr. Kruschke's notes (attachment 1) in his absence, asserting it would be better to say continuous and not break up the footage. Mr. Benson agreed that would be ideal but was concerned the language could create challenges for some businesses.

Mr. Campbell and Ms. Inghram inquired as to the enforcement of training requirements, signage for the training path, and location.

Mr. Benson did not have a specific location for the training path, only that it needed to be located on private property.

Mr. Campbell queried the public for comment regarding their experience with provided training and lawsuits from clients renting e-bikes.

- Steve Thomas, owner of e-bikes Zion, stated that in the prior three seasons, they had no significant injuries reported and rarely had comments regarding the lack of rider training. He said all bike shops go through training on every part of the bike, including starting, stopping, braking, etc., regardless of the experience of the rider.
- Tyler Thayne, represented the owner of Greater Zion e-bikes, agreed with Mr. Thomas, adding their use of rider waivers and extensive training on safety and traffic laws. He, too, felt the need for continuous exits from parking areas to lessen the need to stop in the roadway.
- Gill Kiefer, Bicycle Liaison for the Town of Springdale and Zion National Park, noted that the three accidents he encountered occurred inside the park. The primary problem identified was people video recording while riding, which caused approximately one-third of incidents. Mr. Kiefer stated that according to Helen with the Zion Canyon Medical Clinic, the number of people seeking urgent care had

decreased from approximately three accidents daily to one in the past few years. He had informed business owners that only a class I e-bike was allowed in Zion National Park and immediately slowed speeds down. With additional signage placed, they were making progress, but more could be done. He was in favor of the 100-foot training area.

- Jonathan Zambella, Zion Guru, shared two incidents where people crashed in the park. There were no legal repercussions as those incidents occurred due to rider decision-making errors.

Ms. Topham concurred that the 100-foot training might help in some circumstances. Her concern was the type of physical barriers used. Barrier options were discussed, including a small rope or chain, something that fits in with the Town's village character.

Mr. Shafer from Zion National Park shared that the park's most frequently seen problems with e-bikes, or bikes in general, were conflicts between pedestrians, pets, and bikes. Some of those conflicts were related to riders' inability to control their bicycles and large groups riding abreast of each other, thus delaying shuttles. Shuttle drivers did not pass a biker until they were stopped with one foot on the ground. There were problems with high speeds, unauthorized use of Class II and III (throttle-controlled e-bikes), and failure to yield. Mr. Shafer requested medical response metrics from the park, and so far, in 2023, the park responded to approximately 40 bike-related injuries. Some of those resulted in patient transport.

Ms. Topham reminded the Commission that the focus of the conversation was to address Open Air Displays. While safety was essential and necessary, it needed to be part of a more extensive discussion at another time.

Mr. Dansie shared that safety had been a topic in the past with the Town and Planning Commission. The feedback and legal advice were to be as general as possible and not mandate training requirements or any other operational policies, as more liability would be transferred to the Town. Open Air Display barrier requirements, training course requirements, etc., were legitimate Land Use purposes and subject to regulation.

The Planning Commission's recommendation was to review this item again in an upcoming meeting.

2. Discussion of potential revisions to Chapters 10-11 and 10-25 of the Town Code relating to access standards for commercial properties.

Mr. Connolly discussed potential revisions to Chapters 10-11 and 10-25 of the Town Code related to access standards for commercial properties. The revision made the ordinance more precise and consistent. It was also proposed to remove the ability to create new commercial parcels with flag lot access or access from private lanes or historic accesses.

Ms. Inghram requested that specific language concerning road maintenance agreements be added to Title 10-25-10K because historic access did not explicitly explain road maintenance.

- Mr. Dansie stated that had been addressed, and new historic access was not allowed.

Ms. Topham addressed a comment submitted by Mr. Kruschke, in his absence, regarding 10-11B-3 and cul-de-sacs. He questioned why they were mentioned in Village Commercial but absent from Central Commercial.

- Mr. Connolly was not aware of any specific reason for that omission.

Mr. Benson discussed and provided an example of a Developer Strip and shared his concern that if those strips of land were purchased commercially, it would allow access to residential areas.

The Commission's recommendation was as follows:

- Revise Commercial Uses to deny access through a residentially zoned parcel.
- Add cul-de-sac language to include Central Commercial.

3. Discussion of potential revisions to Chapter 10-13F of the Town Code, the Transient Lodging Overlay Zone.

Mr. Dansie stated that the Town Attorney reviewed the Commission's suggested revisions from the July meeting and provided comments and suggestions for the requested modifications. The red-line draft was sent to the Commission after the packet was sent out on Friday. He recommended that the Commission reference that version in their discussion.

Mr. Benson asked where the density guidelines were located.

- Mr. Dansie said the density was governed by each zone independently. He detailed that since the Transient Lodging Overlay Zone was no longer a permitted use, it was wise to move the density standards to the Transient Lodging Overlay Zone.

Ms. Inghram mentioned that the number of units approved during the application cycle was not included in the new language. She questioned why there was not a cap on total growth over the coming years.

- Mr. Dansie answered that it was left out intentionally because the review process was designed to accommodate the best application, and imposing a cap on the number of units could disqualify a quality application. However, that language could be added if the Commission would like.
- Regarding the cap on growth, there have been many regulations put into place over the past few years that have been more restrictive, such as design standards, setbacks, and the Transient Lodging Overlay Zone as a whole, which had slowed the growth rate. Again, if the Commission felt strongly, it could be added in.

The Planning Commission's request and recommendation was as follows:

- Restaurant requirements and enforcement revisions were to be reviewed, and the revision was to be presented at a later date.
- Hold off on addressing the Transient Lodging Marketplace Concept but keep it on the radar.
- Add language to the standards for the Transient Lodging section requiring any TLO needing private road access to receive approval from the residential owner for potential increased road traffic. A road maintenance agreement must also be recorded.
- Mr. Dansie to verify that language was included requiring TLUs to have the Contracting Officer's Authorization (COA) issued and the restaurant ready to open before accepting reservations.

4. Discussion of potential revisions to the Town's regulations of Accessory Dwelling Units.

Ms. Topham disclosed that she had an ADU in her house. It was internal and occupied by a family member Ms. Topham was caring for.

Ms. Inghram disclosed that she had an internal ADU. At this time, it was vacant. She had another space in her home that could be classified as an ADU. It was in the basement and consisted of a bedroom, bathroom, and kitchen.

Mr. Benson disclosed that he had an external ADU and a finished basement with a kitchen.

Mr. Dansie outlined two items to discuss and their associated question.

1. External ADUs were only allowed in the Valley Residential Zone.
 - a. Should that extend to include the Foothill Residential Zone?
2. Only one accessory dwelling unit was allowed per property.
 - a. Should that be modified to allow multiple ADUs per property?

The Commission was in favor of opening ADUs to all residential zones.

The Commission was not in favor of increasing the number of ADUs per property.

Mr. Benson expressed having a difficult time with this subject without tying it into different things. One was open space and the increase of lot size requirement for high visibility properties, specifically on hillsides. He supported that and thought it was a good idea. However, if the Town was serious about creating more housing, it might consider lowering the minimum lot size in lieu of apartment buildings, as an example. He noted it could be a way to increase density very slightly for everyone as opposed to dramatically for just a few people.

Ms. Inghram was not sure if the Commission was aware that for residential houses in any residential zone, the homeowner was allowed to rent bedrooms out, and it would not be considered an ADU. She believed the State had specific requirements such as off-street parking, utilities, etc., which to some degree, controlled how many people could live in one structure. She mentioned that the City of Hurricane allowed two ADUs if the property met specific stipulations. She suggested adopting a similar application process. Ms. Inghram cited a nationwide housing problem, and promoting the use of ADUs would help resolve some of those issues.

Ms. Inghram used her property as an example and noted that because of her lot size, no one from the road could tell she had an ADU. She did not see how that would have a negative impact, and she wanted to be able to use her property to provide housing as she saw fit.

Mr. Kenaston agreed that in specific situations, this may not impact neighbors.

Mr. Campbell felt it was important to honor the single-family resident concept. He had many concerns, including traffic impact on the roads, lights, noise, etc. He questioned what would prevent a commercial developer from building subdivisions with casitas, attached apartments, etc.

It was suggested that specific limitations could be implemented e.g., renting to Park Rangers, Caregivers, etc. Requiring the property to be a primary residence with an on-site owner would be fewer problems for neighbors.

Ms. Topham suggested there was additional conversation needed and wanted the Town Staff to work on revisions.

B. Adjourn

Motion made by Mr. Benson to Adjourn at 07:36p.m. The motion was seconded by Ms. Inghram.

Campbell: Aye

Inghram: Aye

Kenaston: Aye

Benson: Aye

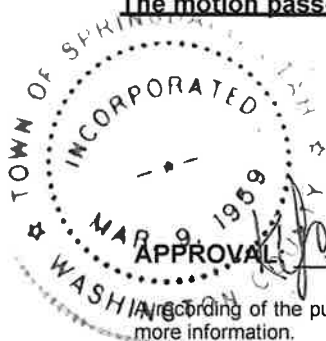
Topham: Aye

The motion passed unanimously.



Robin Romero, Deputy Town Clerk

DATE: _____



Recording of the public meeting is available by contacting the Town Clerk's Office. Please call 435-772-3434 or via email at or more information.



PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD
Please print your name below

Meeting PLANNING COMMISSION WORK MEETING Date 08/02/23

ATTENDEES:

Tyler Thayne / Greater Zion E-Bikes
Name (please print)

Name (please print)

Jonathan Z / Ben Guve
Name (please print)

Name (please print)

STEVE THOMAS
Name (please print)

Name (please print)

GIL KIEFER
Name (please print)

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Zion Guru

1:17 PM
(10
minutes
ago)

to me, Kody

We were invited to the meeting tonight for the item #4 discussion. I will be attending but wanted to get a few line items in via writing so that we don't lose track of them in conversation:

1. Will these changes affect all CURRENT Open Air Display holders, not just ebike establishments? EG Rock Shops, regular bike rentals, retailers, ice cream stores, etc?
2. I don't think you can have a physical barrier or delineation required for OAD holders that makes it easier to enforce unless the town provides the demarcations and installs them.
3. The 100' training route is reasonable.
4. Why not have these amendments apply to all bike rentals, not just ebikers???
5. How many EBIKE accidents or injury incidents have been reported to the dept of public safety, state of Utah, and town of springdale along the SR 9 corridor annually?
6. The town has taken little to no action to work with UDOT to improve road signage and safety features in the town for bikers besides the token bike lane. What can townspeople and businesses expect from the town in the near future to help improve bike flow in and through springdale?
7. The town allows hazards to be placed in the bike lane all the time, without proper detour allotments for bike riders. EG garbage cans, traffic cones, construction notice signs, should be forbidden from the bike lane at all times. These hazards force bikers suddenly into the traffic lanes without proper warning.

I look forward to addressing these questions this evenin!

Thank you,

Jonathan