



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION REGULAR MEETING  
ON WEDNESDAY OCTOBER 16, 2019 AT 5:00PM  
AT THE CANYON COMMUNITY CENTER, 126 LION BLVD., SPRINGDALE, UTAH.**

**Meeting convened at 5:00PM**

**MEMBERS PRESENT:** Chair Mike Marriott, Commissioners Alan Staker, Suzanne Elger, Joe Pitti, Jack Burns, Barbara Bruno and Zion National Park representative Treacy Stone

**ABSENT:** Tyler Young

**ALSO PRESENT:** Director of Community Development Tom Dansie, Associate Planner Sophie Frankenburg, and Town Clerk Darci Carlson recording. Please see attached list for attendees signed in.

Mr. Marriott led the Pledge of Allegiance.

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

**Staker: Aye**

**Elger: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Burns: Aye**

**Motion passed unanimously.**

**Commission discussion and announcements:** The Virgin River Management Plan technical consultants would present their findings tomorrow night at the Canyon Community Center at 5:00pm. This effort was intended to inform future ordinance revisions designed to protect and preserve the Virgin River.

Mr. Pitti asked about the orange cones in front of Canyon Offerings. He said this area appeared neglected.

- Mr. Dansie agreed this was a problematic area. The Streets Department would initiate a road improvement project on Winderland Lane to repair the drainage issue. In turn, this would correct the situation in front of Canyon Offerings.

Ms. Bruno asked about the meeting scheduled for tomorrow night concerning The Mesa and Dixie State University (DSU).

- Mr. Pitti indicated it was a session to dispel rumors and disseminate correct information pertaining to a proposed land swap between The Mesa and DSU. The transfer would facilitate the development of a hotel and restaurant in conjunction with a DSU hospitality program.

Mr. Marriott asked the zoning for each of the parcels being considered in the swap.

- Mr. Dansie said proposal was conceptual in nature, however, all land on top of the mesa was zoned Public Use.

**Action Items**

**1. Special Event Permit – Fiat Chrysler Automobiles requests a special event permit to host a private event at the ball field near Town Hall:**

Ms. Frankenburg provided a brief summary of the proposal. The event would take place November 3<sup>rd</sup> through 6<sup>th</sup> and was not open to the public. Media guests would be shuttled to the ballfield and therefore not impact parking or traffic. All temporary structures would remain overnight however security would be provided. The Parks and Recreation

Department was working with the applicant to obtain payment and proper permitting for use of the ballfield.

The applicant Marissa Schwimmer participated via teleconference.

Mr. Pitti asked why this item was coming to the Commission.

- The temporary use ordinance was recently revised; however, special event permits would continue to be reviewed by the Planning Commission.

Ms. Elger asked how Springdale was selected for this event.

- Ms. Schwimmer indicated Zion was the perfect background. Additionally, this location was close to Sand Hollow State Park where guests of the event could do some off-roading.

In his capacity as Chief of Commercial Services and Partnerships for Zion National Park, Mr. Burns believed he signed a permit for this event, allowing them to drive to the east entrance and back.

Mr. Pitti asked the level of media coverage and if there would be any drone footage.

- Ms. Schwimmer said many journalists were from automotive magazines and may have drones, hand-held cameras, and mobile devices. She indicated most drones would likely be used at Sand Hollow.
- Mr. Pitti noted there were restrictions regarding use of drones. The Town had an ordinance which prohibited aircraft from taking off or landing in Springdale.
- Ms. Schwimmer understood and did not feel this restriction would be a problem.

**Motion made Joe Pitti to approve the special event permit for Fiat Chrysler Automobiles. The Commission finds the applicant will meet the event and temporary use conditions related to Chapter 10-22-4 as it relates to duration, traffic impact, on-site sanitary facilities, on-site trash and recycling, UDOT approval, property authorization and liability insurance. With the conditions: 1) The applicant must obtain permits and make payments for a reservation on the ballfield with the Parks and Recreation Department; 2) The applicant will comply with the zoning standards as they relate to drones. Seconded by Suzanne Elger.**

**Staker: Aye**

**Elger: Aye**

**Marriott: Aye**

**Pitti: Aye**

**Burns: Aye**

**Motion passed unanimously.**

Mr. Marriott expressed it was unnecessary to have such a lengthy application process for an event with forty people.

- During the temporary use ordinance revision process, uses were split into categories. Mr. Dansie explained this particular event did not fit well into those established categories; therefore, the only way to permit was via the special event category. He agreed this event was low impact however it included commercial filming, commercial photography, and media.

## **B. Discussion/Information/Non-Action Items**

**1. Commission Training – Creating findings and motions for Commission actions:** Mr. Dansie indicated some Commissioners had requested guidance on how to craft a motion. Training on this subject would be beneficial to longer-term and newer members.

Ms. Bruno asked if, as an alternate, she was allowed to make a motion.

- Mr. Dansie said an alternate participates in the decision-making process only when filling the role of an absent permanent member.

As a point of information, if a member makes a motion, or seconds a motion, they were not obligated to vote in favor of the motion. A motion only put an idea out for consideration.

Mr. Dansie explained there were two types of actions: administrative and legislative. Motions and findings would vary based on whether the public body was acting in an administrative or legislative capacity.

For an administrative action, if an application met the standards in the ordinance, there was an obligation to grant approval. If standards were not met, then the application should be denied. There was very little discretion.

- With administrative actions, the Planning Commission was generally the final deciding authority. Examples of administrative actions whereby the Commission was not a deciding body, but a recommending body, were subdivision plats (either preliminary, final, or amended) and conditional use permits.
- The motion and findings for an administrative action were straightforward - the application either met the land use standard requirements or it did not.

Mr. Dansie provided some basic motion language for administrative actions. Typically, staff reports contained the analysis and information necessary for the Commission to craft a motion with findings.

Legislative actions were more complex and discretion-based, but could not be arbitrary or capricious. Legislative actions included zone changes, ordinance revisions/amendments, and adopting the General Plan. Because the Town Council was the legislative body, they were always the final deciding authority.

- Citations from the General Plan, one's own perspective/observations/research/experience, public comment, and technical reports could all be used as a basis for findings in legislative actions. Findings must be fact-based and not conjecture or hypothetical.

Mr. Dansie provided some basic motion language for legislative actions.

- Occasionally motions contained conditions. Conditions should be clear, unambiguous and state who was doing what, when, and the consequences for noncompliance. Conditions must be connected to an ordinance related to the application.

The Commission practiced making motions.

Mr. Burns asked about neighbor notification.

- Sometimes notifications were a requirement of the ordinance in which case the Town sent them out. There were very few instances where it was the applicant's responsibility to notify neighbors.
- Mr. Dansie explained homeowners' associations (HOAs) were set up by private covenants, conditions and restrictions (CCRs) and administered civilly. The Town had no authority, or ability, to administer these private deed restrictions.

The Planning Commission discussed reasons to table an application. If the applicant did not provide enough information, the Commission could postpone the decision until more detail was received.

If, due to one's relationship to a project, a Commissioner could not act impartially, then it was good practice to recuse from the discussion and vote.

- The Commission discussed the importance of perception and publicly declaring any possible biases.

Traditionally the Commission deliberated before making a motion, however deliberation could take place after a motion was made and seconded.

A motion that has been seconded must be put up for a vote and passed with either an approval, denial or table.

**Consent Agenda:**

**Motion made by Suzanne Elger to approve the consent agenda which are the meeting minutes from September 18<sup>th</sup> and October 1<sup>st</sup>. Seconded by Joe Pitti.**

**Staker: Aye**

**Elger: Aye**

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

Motion to adjourn at 6:43pm made by Alan Staker. Seconded by Suzanne Elger.

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

*Darci Carlson*  
Darci Carlson, Town Clerk

APPROVAL: *[Signature]* DATE: 11-20-19

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](mailto:springdale@infowest.com) for more information.





118 Lion Blvd PO Box 187 Springdale, UT 84767 435-772-3434

### ATTENDANCE RECORD

Please print your name below.

Meeting Planning Commission Date 10/16/19

*[Signature]*  
Name (please print)

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Name (please print)