MINUTES OF THE SPRINGDALE PLANNING COMMISSION SPECIAL MEETING ON WEDNESDAY, MAY 7, 2025, AT 5:00 PM AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UT 84767

The meeting convened at 05:00 PM.

MEMBERS PRESENT: Chair Tom Kenaston, Commissioners Terry Kruschke, Paul Zimmerman, Jennifer McCulloch, Rich Swanson, Mellisa LaBorde, and Matt Fink from Zion National Park.
ALSO PRESENT: Principal Planner Niall Connolly, Zoning Administrator Kyndal Sagers, and Deputy Town Clerk Robin Romero, recording. See the attached sheet for attendees.

Approval of the Agenda:

Motion made by Jennifer McCulloch to approve the agenda. The motion was seconded by Rich Swanson.
Kenaston: Aye
Kruschke: Aye
Zimmerman: Aye
Swanson: Aye
McCulloch: Aye
The motion passed unanimously.

General Announcements: There were no general announcements.

Declaration of Conflicts of Interest: There were no declared conflicts of interest.

A. Discussion / Non-Action items

1. Discussion of Potential Revisions to Chapter 10-15F of the Town Code to Require Assessment of Slope Stability Within Geotechnical Reports in Certain Circumstances. Staff Contact: Niall Connolly

Staff Presentation:
Mr. Connolly explained that during prior discussions on the swimming pool setback ordinance, the Planning Commission raised concerns about deep excavation near property lines and the potential for slope instability or collapse that could impact neighboring properties. The Town Engineer reviewed the issue and confirmed that, due to Springdale's unique geological conditions, these concerns were valid and warranted formal consideration.

Based on the engineer's recommendation, Mr. Connolly proposed that a slope stability assessment be required in cases where the horizontal distance from the edge of an excavation to a property line is less than twice the depth of the excavation. For example, a 5-foot-deep excavation located closer than 10 feet of a property line would trigger the requirement.

Mr. Connolly further advised that the slope stability assessment could be incorporated into the geotechnical report, which is already required for new construction projects. In any development where

the excavation exceeded the threshold for concern, the geotechnical report would be required to specifically address slope stability.

Mr. Connolly presented draft ordinance language reflecting this recommendation for the Commission's review and consideration.

Commission Discussion:
Mr. Kenaston inquired whether it would be appropriate to expand the requirement to cover additional sensitive areas, such as slopes exceeding 30%, riverbanks, or dry washes. He noted that the Erosion Hazard Overlay Zone already addressed construction near the river, and most 30% slopes were not intended for development. Additionally, geotechnical reports already account for broader geologic hazards, such as landslides and rockfall. While he was not sure further regulation was necessary, he was open to investigating it.

Mr. Zimmerman raised a concern about the increasing popularity of infinity pools constructed near steep slopes and whether those were adequately addressed.

- Mr. Connolly acknowledged this point and noted that swimming pools may not currently require a geotechnical report, leaving a gap that should be addressed. He suggested adding language to ensure that slope stability concerns were addressed for any excavation, even if a full geotechnical report would not otherwise be required.

Mr. Swanson inquired whether the slope stability assessment would necessitate engineers to provide mitigation recommendations and whether the Town had a mechanism in place to ensure those recommendations were implemented.

- Mr. Connolly replied that stamped geotechnical reports typically contained mitigation measures, but in cases involving significant slope concerns, it might be prudent for staff to consult the Town Engineer. This review could be handled administratively and did not necessarily need to be written into the ordinance.

Mr. Swanson questioned whether the ordinance language was strong enough to prevent construction if slope hazards could not be adequately mitigated.

- Mr. Connolly noted that the draft language assumed mitigation would be possible and did not explicitly address the scenario in which it was not.

Mr. Zimmerman pointed out that the ordinance did not currently require implementation of mitigation measures, only their inclusion in the report. Mr. Kruschke responded that a separate section of the code likely required compliance with the recommendations of the geotechnical report, and that slope stability would be one such element. Ms. McCulloch suggested that the ordinance should explicitly state that mitigation measures must be implemented.

Mr. Connolly and Mr. Kruschke agreed that this was a reasonable addition, and the Commission supported updating the language to include a requirement that necessary mitigation be implemented.

Mr. Kruschke asked whether the Commission wanted staff to investigate further whether separate or additional standards should be developed for steep slopes, cliffs, or mesa edges. The Commission agreed it would be worthwhile to consult the Town Engineer on whether such features warranted independent regulation beyond what was already triggered by proximity to a property line.

Mr. Connolly said staff would follow up and consider protections not only for neighboring properties, but also for the stability and safety of steep slopes, roads, and shared spaces such as subdivision common areas. He noted that excavation near these features, even when visually appropriate, could cause collapse during or after construction if not adequately addressed.

Mr. Zimmerman emphasized that slope stability must be maintained not only during construction, but also long afterward, especially when structures like pools can gradually undermine adjacent slopes, creating serious hazards.

Mr. Kruschke summarized the group's consensus: they were generally satisfied with the current draft language as it related to swimming pools and excavations near property lines, subject to the addition of a requirement that mitigation measures be implemented. They also supported asking staff and the Town Engineer to explore whether additional language was needed to address excavations near steep slopes, cliffs, or mesas.

2. Discussion on Potentially Removing the Restriction on Parking Spaces Being Located in the Special Flood Hazard Area, Also Protecting the River Corridor from the Potential Negative Impacts of Parking Lots. Staff Contact: Niall Connolly

Staff Presentation:
Mr. Connolly explained that the Planning Commission had recently recommended that the Town Council adopt an ordinance revision to remove the prohibition on parking spaces within the Special Flood Hazard Area (SFHA). The Town Council generally supported the principle behind the recommendation, recognizing that it would allow property development to proceed in a more logical sequence, placing lower-risk uses, such as parking, in the more hazard-prone portions of a site.

However, the Council expressed concern that allowing parking in the SFHA could lead to increased development near the Virgin River, particularly in the form of surface parking. They were particularly focused on the potential ecological, visual, and water quality impacts of that development on the river corridor. As a result, the Council requested that the Planning Commission reconsider the issue.

Mr. Connolly suggested that it would be helpful to break the discussion into two distinct parts. The first was the general question of whether parking should be allowed in flood-prone areas. He believed this was relatively uncontroversial and that there was broad agreement in favor of this approach. The second and more substantive issue involved how to best protect the Virgin River corridor, which he believed was the Council's primary concern.

To guide the conversation, Mr. Connolly pointed to the Virgin River Management Plan, which was adopted in 2019. He noted that the plan contains several thoughtful recommendations for preserving and protecting the river corridor and suggested that it could serve as a useful resource in addressing the Town Council's concerns. He provided a few key points from the plan for the Commission to consider and encouraged members to view the document as a foundation for further discussion and potential policy development.

Commission Discussion:
Mr. Zimmerman commented that it seemed the Town Council was primarily concerned about commercial uses near the river, rather than residential parking. Mr. Kruschke agreed, noting that pollutants like oil or debris could be problematic regardless of the parking type. While all stormwater runoff in town eventually reaches the Virgin River, the concern was more acute when parking is located closer to the water's edge.

Commissioners discussed possible ways to mitigate such impacts if parking were to be permitted in the SFHA. They mentioned requiring permeable paving surfaces, raising the parking areas above the base flood elevation, similar to how buildings are regulated, and using filtration or catchment systems to reduce runoff into the river.

Mr. Connolly clarified that the current ordinance prohibits parking within ten feet of the SFHA, without distinguishing between residential and commercial uses. There are no limits in the ordinance on the number of residential parking spaces allowed, and existing stormwater standards primarily address drainage volumes rather than water quality. While large developments are required to submit drainage studies, there is limited regulation in place regarding runoff pollutants or treatment before discharge.

Several Commissioners emphasized the need for a broader, long-term approach. Mr. Kruschke and Mr. Kenaston suggested revisiting the idea of a River Corridor Overlay Zone, as outlined in the Virgin River

Management Plan. Such an overlay could address environmental, visual, and recreational concerns more holistically than the flood hazard ordinance alone.

The Commission discussed potential revisions to the current code that could allow limited residential parking within the SFHA under specific conditions. These conditions might include using permeable surfaces, limiting the number of spaces allowed, prohibiting commercial lots, and requiring any parking area to be above the base flood elevation. The consensus was that such an approach would allow some flexibility for homeowners while preventing inappropriate development near the river, and would provide time to develop a more comprehensive strategy.

Mr. Kenaston suggested the Commissioners walk the river corridor to observe sensitive areas directly and get a better sense of where additional protections might be necessary. Mr. Fink offered to coordinate with experts from Zion National Park, including a physical scientist, wildlife biologist, and vegetation program manager, to provide guidance. The Commission expressed support for this idea and believed that guidance from these experts would be highly beneficial.

Mr. Kruschke suggested that a practical approach would be to first identify which restrictions the Commission believed were appropriate. Staff could then return at a future work meeting with a draft list of those restrictions for further consideration. This would give the Commission time to reflect on the proposed measures and determine whether any additional restrictions were warranted. Once there was agreement, the Commission could move forward with reviewing and finalizing the ordinance language.

3. Discussion of Potential Revisions to Chapter 10-24 Relating to the Town's Regulation of A Frame Signs. Staff Contact: Niall Connolly

Staff Presentation:

Mr. Connolly explained that the general intent of the Town’s signage ordinance is to allow effective business identification and provide opportunities for businesses to express their image and creativity. At the same time, the ordinance seeks to maintain visual harmony, avoid sign clutter, and support the village character emphasized in the General Plan.

Currently, the ordinance prohibits A-frame signs. However, this provision has caused some confusion, as it is unclear whether other types of small, portable signs are also prohibited. This ambiguity has led to enforcement challenges. Mr. Connolly noted that A-frames are generally restricted due to concerns about sign clutter, visual obstructions, and potential trip hazards.

He added that while the Police Department occasionally uses A-frame signs to direct overflow parking during busy weekends, the Town is exempt from the signage ordinance. This has raised concerns about fairness among business owners, some of whom have questioned why the Town is permitted to use these signs when private businesses are not.

From a code enforcement perspective, Mr. Connolly said it would be helpful to clarify precisely what is prohibited. He suggested that the Planning Commission may want to consider the issue more broadly, whether such signs should be prohibited entirely, or if they could be permitted under specific conditions, such as limits on quantity, placement, color, and materials. He provided draft ordinance language for the Commission’s review and consideration.

Commission Discussion:

The Commissioners expressed a range of views. Mr. Kenaston stated that he had observed many A-frame signs throughout town, including near crosswalks, and raised concerns about visual clutter and safety. He expressed concern that allowing additional signs could increase distractions for drivers and diminish the overall visual quality of the community. He questioned whether more signage was necessary, given that businesses were already permitted to have permanent signs.

Mr. Kruschke suggested that allowing one portable sign per property could be reasonable if subject to limitations. He acknowledged that excess signage was a concern but noted that small, portable signs could assist businesses, particularly those advertising specials or daily offerings. He pointed out that outdoor tables and chairs were already allowed in front of businesses and questioned whether prohibiting a small sign in the same space was consistent. He supported allowing portable signs under clearly defined conditions.

Mr. Swanson stated that he had mixed views on the issue. He recognized the potential usefulness of signs for restaurants but expressed concern about pedestrian and e-bike traffic. He supported considering a setback requirement and limiting the number of signs.

Mr. Zimmerman and Mr. Kruschke raised concerns about the practicality of the proposed 10-foot setback from the public right-of-way. Mr. Connolly confirmed that the right-of-way for SR-9 generally extended to the back of the sidewalk, and that many commercial buildings, particularly older non-conforming ones, were located less than 10 feet from the front property line. As a result, the setback could make portable signs unfeasible in much of the commercial core.

The Commission discussed acceptable materials for portable signs. Some members, including Ms. McCulloch and Mr. Swanson, preferred limiting signs to wood or metal to avoid lower-quality plastic options. Others, including Mr. Zimmerman and Mr. Kruschke, felt plastic could be acceptable if the sign was wind-stable and conformed to a controlled color palette. Mr. Connolly noted that permanent signs were already regulated by material and color and suggested similar requirements could be extended to portable signs. The Commission discussed requiring signs to be weighted or otherwise stabilized to withstand wind and to prevent safety hazards.

The Commission also considered how to treat portable signs on multi-tenant properties. Mr. Connolly clarified that the current code allowed each property one main sign (up to 40 square feet) and each licensed business on that property one individual sign (up to 20 square feet). He added that signs not visible from off the property were not regulated under the ordinance.

The Commission discussed the need for fairness and consistency in applying signage rules. They also noted that businesses lacking visibility from the main road might benefit from additional signage, but any changes would need to balance that benefit with the town's aesthetic and safety goals. Some members expressed concern about the complexity of enforcement and the potential for a gradual erosion of the setback requirement if exceptions were made.

Mr. Zimmerman suggested the possibility of a trial period to test portable signage under a defined set of rules. Mr. Connolly responded that he was unaware of an existing mechanism in the ordinance to implement a temporary rule and that any change would require a formal amendment and repeal.

The Commission ultimately agreed that the ordinance should be updated to refer more broadly to "portable signs" rather than just "A-frame signs," in order to clarify the scope of the restriction. They agreed that portable signs should remain prohibited and that enforcement should continue under the clarified language. The Commission acknowledged that the issue could be revisited in the future if a broader need or concern emerged.

B. Adjourn

Motion made by Jennifer McCulloch to Adjourn at 06:58 p.m. The motion was seconded by Rich Swanson.
Kenaston: Aye
Kruschke: Aye
Zimmerman: Aye
Swanson: Aye
McCulloch: Aye
The motion passed unanimously.

Robin Romero, Deputy Town Clerk

APPROVAL: _____ DATE: _____

A recording of the public meeting is available on the Town's YouTube Channel at youtube.com/@SpringdaleTownPublicMeetings. For more information, please call 435-772-3434 or email springdale@springdale.utah.gov.

DRAFT