

July 5, 2026

Springdale Planning Commission

Town of Springdale

118 Lion Boulevard

Springdale, Utah 84767

Re: 50 Zion Park Boulevard Design Development Review

Members of the Planning Commission:

I am writing to express concern regarding the Commission's July 1, 2026, decision to require a geotechnical and geologic hazard report for the parking lot expansion at 50 Zion Park Boulevard.

Based on the public record and on the applicant's own account, Mr. Wilson made substantial efforts to respond to the specific concerns raised earlier in the process, including parking layout, landscaping, restroom screening, trash and recycling receptacles, mobile business space allocation, vertical landscaping, drainage, and other related site design issues.

As I understand the sequence of events, the Commission tabled the application on June 3, 2026, and identified a finite list of follow-up items for the applicant to address before returning for further review. When the matter returned on July 1, however, the scope of the request appears to have expanded to include a new requirement for a full geotechnical and hazard-focused analysis after the applicant had already attempted to satisfy the previously identified conditions. From the outside, that sequence reasonably appears to shift the target after the applicant responded to the issues originally raised.

The Town's grading permit process already evaluated the site and authorized the grading work at 50 Zion Park Boulevard without requiring a geotechnical report. That process is expressly designed to review grading and site conditions, and in this case Town staff directed Mr. Wilson to stop work, he complied, retained a qualified engineer with experience in Springdale, submitted the required information, and obtained a grading permit from the Development and Community Development Department before completing the work. The permit was issued without a geotechnical report because no building or occupancy structure was proposed. Imposing a geotechnical requirement now, after the permit has been issued and the grading has been completed within the approved limits, effectively changes the conditions mid-stream, which is procedurally unfair to the applicant and inconsistent with how the grading standards were applied to this project.

Section 10-15F-5 of the Springdale Municipal Code requires geotechnical reports for subdivisions, for design/development review of new buildings over 500 square feet, for building additions where the

combined area exceeds 1,000 square feet, and for any structure intended for human occupancy. None of those categories describe this application, which concerns site improvements to a long-standing parking lot rather than new occupancy structures. The same section includes a catch-all provision allowing a geotechnical report in any other instance where the Development and Community Development Department determines the site or soil conditions warrant one. In Mr. Wilson's case, that discretionary authority was already exercised during the grading permit review, and the Development and Community Development Department determined that a geotechnical report was not required for this non-occupancy parking-lot grading. The Commission's later addition of a geotechnical condition after the grading permit was issued and the work completed effectively overrides that prior determination without a clear basis in the text of Section 10-15F-5.

The July 1 discussion also acknowledged that the property lies within a mapped landslide and rockfall hazard area and that those mapped conditions predate Mr. Wilson's ownership of the property. It also recognized that there is no express prohibition on parking lots in such zones and that other parking areas in town, including Town-controlled parking near SR-9, operate in similar mapped hazard areas. By the Commission's own discussion, the principal hazard is regional and pre-existing, affecting adjacent parking areas and State Route 9 as well as this parcel. In that setting, a reasonable distinction should be drawn between project-specific mitigation, meaning correction of any conditions uniquely created by the recent parking-lot improvements, and area-wide mitigation that stabilizes the broader slope or reduces risk to Town facilities, neighboring private parking, and the state highway. The applicant can fairly be held responsible for the former, but it is not equitable to assign him sole responsibility for funding and commissioning studies or mitigation aimed at a regional hazard that predates his ownership and affects multiple public and private stakeholders.

The record further indicates that multiple public and private parking areas in similar mapped hazard zones have not been required to obtain geotechnical reports solely to continue parking operations. Town-controlled parking near SR-9, for example, appears in the same hazard mapping and benefits from similar non-occupancy use without this level of scrutiny. Applying a heightened geotechnical requirement only to this applicant, after he has complied with the Town's grading permit process and accepted the site-design and improvement obligations imposed by the Commission, raises legitimate concerns about consistency and even-handed treatment of similarly situated properties. If broader hazard mitigation is deemed necessary, the more equitable course would be to pursue it through a separate town-wide process and to share costs among all stakeholders who benefit, rather than singling out one parking-lot improvement for area-wide responsibility.

For these reasons, the requirement for a full geologic hazard study appears excessive as applied here, particularly where the applicant had already returned in response to the Commission's original June 3

directives and where comparable parking areas in the same hazard setting have not been subjected to the same requirement. The more equitable course would be for the Commission to recognize that parking is already the most suitable non-occupancy use of this parcel under the known conditions, approve the current plan subject to the design and operational items originally identified for follow-up, and address any broader area-wide hazard mitigation through a separate process that includes all affected stakeholders.

Accordingly, I respectfully ask the Commission to:

- Rescind its July 1 request that the Director of Community Development require a geotechnical and geologic hazard report for this application.
- Approve the current plan, conditioned on the applicant's compliance with the specific items originally identified by the Commission on June 3, including drainage, landscaping, parking configuration, screening, and related operational details.
- If any future mitigation is deemed necessary beyond project-specific measures, require that the cost be shared equitably among all stakeholders who benefit, including the Town, the State of Utah with respect to SR-9, and other nearby property owners whose parking areas are within the same hazard setting.

Thank you for your consideration.

Respectfully,



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