

**Rockville Planning Commission
Regular Meeting & Work Meeting
September 8, 2026
6:00 pm**

1. **CALL TO ORDER – ROLL CALL.** Chair Arnold called the Rockville Planning Commission Regular meeting to order at 6:00 pm. Planning Commission members in attendance were Tim Arnold, Linda Brinkley, Jane Brennan, Layney DeLange, Angie Frabasilio and Skyler Davis. Town Clerk Shelley D. Cox was recording the meeting
2. **PLEDGE OF ALLEGIANCE:** Chair Arnold led the audience in the Pledge of Allegiance.
3. **DECLARATION OF CONFLICT OF INTEREST WITH AN AGENDA ITEM.** No conflicts were declared.

PUBLIC COMMENT: No comments were made.

4. **DISCUSSION, REVIEW AND POSSIBLE APPROVAL OF A CONDITIONAL USE PERMIT TRANSFER FOR-225 EAST MAIN-JENNIFER MCKENZIE:** Chair Arnold asked Brooke Wright, the realtor for 225 East Main, to present this request. Brooke Wright was in attendance, and Jennifer McKenzie, buyer, was participating via Zoom. Brooke Wright said Jennifer McKenzie is purchasing the Heller House at 225 East Main. She would like to ensure the permit for a Bed and Breakfast can be transferred. Chair Arnold said he reviewed the permit and didn't see anything wrong with the application, but he asked if anyone Commissioners had questions. Angie Frabasilio asked when the sale would be closing. Brooke Wright said it is under contract and they are planning on October 7th or October 9th. Jane Brennan stated in the past there had been a conflict with the listing of this house as a 5 (five) room rental, indicating five rooms were able to be rented. But since the Town only allows 4 (four) rooms she wanted to clarify that one bedroom was more of a suite. She wanted to make sure Jennifer McKenzie knew only 4 (four) rooms may be advertised and rented. She said there was also a conflict with how it was written in the listing for sale. Brooke Wright said she had been very clear with the marketing, and in talking to people that it is rented (the suite) as one room. But happens to have 2 (two) beds. Jane Brennan said the suite would be perfect for a kid. Both Brooke Wright and Jennifer McKenzie stated they were aware of this issue. Jane Brennan asked who would be living onsite as the Code states either the owner or manager must be onsite when rented. Jennifer McKenzie stated she is aware of that condition and plans on living there herself. Jane Brennan said and to keep the bed and breakfast permit open, it needs to be operated as a bed and breakfast and not a boarding house and not a full house rental. Jennifer McKenzie acknowledged that she was aware of that issue also.

Layney DeLange asked about the lighting as in the past, Heller House has constantly had a lot of outside lights on, and she asked if Jennifer McKenzie had read the Town lighting ordinance. Angie Frabasilio said there is also a time frame the lights may be on. Jane Brennan said she had never received complaints regarding the lighting at that location, and if there were any complaints, they need to come to the Town in order to resolve the problem. Layney DeLange said she had not complained about it but wanted to make sure the new owner was aware of the ordinance and had tried to handle it herself.

Skyler Davis asked if an owner had to live there full-time or just part-time? Jane Brennan said the owner may live there only part time, but there has to be an owner or manager on-site whenever it's rented. It cannot be rented as the entire house. Angie Frabasilio asked about the business license if it is done once the sale is closed or does this approval tonight cover the license also. Brooke Wright said the business license will be the next step. Jennifer McKenzie said she understood the business license cannot be transferred until closing. Jane Brennan said tonight is only regarding the transfer of the conditional use permit and in the past, there had been no problem transferring conditional use permits as it goes with the property. Chair Arnold said he reviewed the Utah State Code and found a conditional use permit does go with the land, not with

the owner. Brooke Wright asked if Jennifer McKenzie would need to redo the fire inspection at the time the business license is requested as it had just been done. Jane Brennans said she felt the fire inspection would still be valid as it is not under the name of the business but the location for it to be legal. Brooke Wright said would check with the Fire Mashall about the fire inspection. Jane Brennan stated the Town does an annual inspection of the bed and breakfasts in town which would be arranged for before the inspection and would not show up unannounced. This just ensures the license is being followed. Chair Arnold asked if there were any other questions. None were asked.

Chair Arnold **MOVED** Whereas the application for a conditional use permit transfer located at 225 East Main Street, Rockville, Utah, submitted by Jennifer McKenzie is complete and whereas the following has been addressed and accepted by the Planning Commissioners, number one, the new owners is aware of current bed and breakfast rules, including on-site owner/manager required and a limit of 4 rooms may be advertised and rented. Whereas this conditional use permit complies with the Land Use Code, specifically Chapter 4 (four) and Chapter 11, and does not conflict with the Rockville General Plan and does not conflict with the nature of the community, we approve this application. Angie Fabrasilio **SECONDED** the motion.

VOTE on Motion:

Tim Arnold – Aye
Angie Frabasilio-Aye
Layne DeLange-Aye
Angie Fabrasilio-Aye
Jane Brennan- Aye

Motion Passes

5. DISCUSSION AND POSSIBLE APPROVAL OF A SIGN PERMIT AT 800 EAST MAIN FOR Z-ARTS:

Chair Arnold asked Vicki Bell to present this application. Vicki Bell said the request is for an event sign for ZArts for Thanksgiving Weekend for the Holiday Craft Fair. Chair Arnold said he reviewed the application for this temporary sign. He questioned when the sign would be put up and when it would be taken down. He said this was done previous years. Layney DeLange said this sign had been placed on Canyon Paws Property. Chair Arnold asked if the sign would have lights on it. Vicki Bell said there will not be lights on the sign. She said the Holiday Craft Fair is being held on the 27th and the 28th. She said she thought the sign would be installed around the 23rd and come down on the 30th and would be there about a week. Chair Arnold asked if anyone had any questions. Angie Frabasilio questioned the sign size. She said she thought that the sign limit was 16 square feet or is that only for a permanent sign. Jane Brennan qualified that is for a permanent sign. There were no other questions.

Chair Arnold **MOVED** Whereas the application for a temporary event sign permit for a sign located at 800 East Main Street, Rockville, Utah, and submitted by Vicki Bell, representing ZArts is complete, and whereas the following has been addressed and accepted by the Planning Commissioners, lighting complies with Chapter 11, of no lighting. No easements have been violated and the dates of display are from November 23rd through November 30th, 2026. Whereas this temporary event sign complies with the Land Use Code, specifically Chapter 9.2, and does not conflict with the Rockville General Plan and does not conflict with the nature of the community, I move we approve this application. Linda Brinkley **SECONDED** the motion.

VOTE on Motion:

Tim Arnold – Aye
Angie Frabasilio-Aye
Layne DeLange-Aye
Angie Fabrasilio-Aye
Jane Brennan- Aye

Motion Passes

6. **APPROVAL OF THE MINUTES FOR AUGUST 11, 2026, REGULAR MEETING & WORK MEETING:** Chair Arnold asked if there were any additions or corrections for the minutes for the August 11, 2026, Regular Meeting and Work Meeting. None were made.

Jane Brennan **MOVED** to approve the minutes for the August 11th Regular Meeting and Work Meeting. Chair Arnold **SECONDED** the motion.

VOTE on Motion:

Tim Arnold – Aye
Angie Frabasilio-Aye
Layne DeLange-Aye
Angie Fabrasilio-Aye
Jane Brennan- Aye

Motion Passes

Information/Discussion/Non-Action Items.

1. **PLANNING COMMISSION REPORT-** Chair Arnold reminded the Planning Commission meeting will be on October 13, 2026. The Commissioners stated they all should be in attendance.

Layne DeLange said she had a concern regarding a tubing company that was starting in Springdale but exiting the river in Rockville. She asked if this would require a business license in Rockville and that those tubing were exiting the river on both the Canyon Paws property and BLM property while tubing on private property. Layne DeLange said in reviewing this should the tubers exiting out at Canyon Paws would violate the Conditional Use Permit given to Canyon Paws as it is single use permit. She said considering that they would be doing business in both Springdale, where they begin tubing and Rockville where they're exiting. She said she was curious about how this would be addressed. She asked what the rules are for this type of issue and if there were parameters or are they allowed to pull out of the river wherever they want to. Clerk Cox stated Mayor Leach has spoken with the Town of Springdale regarding the business license that had been issued for this business. It appears the property owner where the tubing company begins has pulled the lease for the building where they were going to operate. Clerk Cox indicated Mayor Leach thought that this would require a business license from Rockville but since they no longer have a place to operate in Springdale it may solve the issue. Should the company continue, a permit from BLM would also be needed to exit the river onto BLM property. Jane Brennan agreed this company should also be required to have a Rockville business license as they would be operating in the Town of Rockville. Layne DeLange said she the company has a van which picks up tubers and had not seen them picking up anyone lately.

She asked how this would be handled should it resume. Chair Arnold said it would be reported to the Planning Commission. The Chair would send out a letter stating the facts and requirements. He said he may need to review the rules addressing this to ensure they are being followed.

Layne DeLange asked if the property owners that have a produce stand are required to get a business license. Jane Brennan said they would not need a permit if the produce being sold is actually grown on their own property. Skyler Davis said at his home there is a produce stand across the street and he expressed concern on the safety for people parking in front of his house exiting their cars to cross the road, as it is such a bend in the road and sight distance is a problem. He said it really is a safety issue. Chair Arnold thanked the Commissioner for bringing up their concerns.

2. TOWN OFFICE REPORT Clerk Cox reported the Bed and Breakfasts in Town along with the Short term rentals have all been properly licensed for the year. The Fire District had implemented some changes for commercial businesses. It requires that when a smoke detector is activated each and all smoke alarms in the entire building will go off. The Fire District has completed the annual inspections for the businesses.

Clerk Cox reported that a home for sale on the East end of Rockville has inquired about selling home made goods on a small stand in front of their property and renting parking on the property for those accessing Zion Park. She asked if this stand would be allowed. Jane Brennan said the ordinance only allows produce.

3. MOTION TO ADJOURN TO WORK MEETING: There was no further discussion.

Linda Brinkley MOVED to adjourn to the work meeting. Angie Frabasilio SECONDED the motion.

VOTE on Motion:

Tim Arnold – Aye
Angie Frabasilio-Aye
Layne DeLange-Aye
Angie Fabrasilio-Aye
Jane Brennan- Aye

Motion Passes

Regular meeting adjourned at 6:25 pm.

ROCKVILLE PLANNING COMMISSION WORK MEETING:

CALL TO ORDER – ROLL CALL. Chair Arnold called the Rockville Planning Commission Work meeting to order at 6:25 pm. Planning Commission members in attendance were

Chair Arnold, Linda Brinkley, Jane Brennan, Layney DeLange, Angie Frabasilio and Skyler Davis. Town Clerk Shelley D. Cox was recording the meeting

1. DISCUSSION AND REVIEW OF LAND USE CODE FOR UPDATES AND

CLARIFICATIONS. Chair Arnold said he had printed out the proposed Land Use Code changes discussed at last month's meeting. He provided copies for the Commissioners to review. Any proposed changes were highlighted in blue. Chair Arnold said he would like to propose that when the Town Code shows a Utah State Code number to reference, he would like it referred to as a reference number. This reference number would remain the same, but the Utah State Code number used in that reference could then just be changed and the main Town Code would not need to change. This would allow the reference number to remain the same in the Town Code but the section of the Utah State Code referred to would be shown. The State seems to amend the Code numbers often. This may allow the Town to simply change the code associated with the reference number rather than amend the entire Code book. Jane Brennan questioned if that would be allowed since it would still be contained in the Code book. Chair Arnold said he will present this question to legal counsel for review. Jane Brennan suggested asking the League of Cities and Towns for the review as they would be cheaper. Chair Arnold indicated he would follow up with this.

Chair Arnold said he did include the wording: any application submitted to the Town for consideration would be reviewed within five business days of receipt to determine if the application is complete. The applicant would then be notified of any missing required items listed on the checklist. The applicant would then only have 5 (five) business days to provide the additional information. He said he also included: if this new information is not provided within that time frame the Town may: A: pause the screening period until the applicant provides the missing information or B: the application is rejected as an incomplete application and would not be considered formally until that information is received and reviewed. He said he included both options for the Town to legally address the missing or incomplete application. He said once an application is deemed complete, or if the Town fails to meet this five-day screening deadline, the Town shall complete the full technical plan review within 14 business days. Jane Brennan asked if this needed to be stated clearer. She questioned the Utah State Code when referred to is worded very unclear on issues and sounds more legal than a normal person could understand. The Commission agreed this was an issue but since it is Utah Code they could not change it.

The Commission questioned that the language in the Town Code when referring to townhomes and the definition of a townhome and asked if that word was listed in the definitions page.

The Commission discussed the issue of an Administrative boundary line adjustment and as stated it shall be reviewed in accordance with the regulations set forth in the Code. This is referring to when a property owner splits their property into 2 (two) parcels. It also refers to the appeal process and that all burden of proof for the appeal is on the applicant, not the Town, as addressed in the State Code. The Town Council shall determine the correctness of the interpretation based on its plain meaning of the Code. If a land use regulation is ambiguous or does not plainly restrict the land use application the Town Council shall interpret and apply

the regulation to favor the land use application. The decision of the Town Council acting as the appeal authority is a quasi-judicial act. The Council shall determine the validity of a decision by the Planning Commission based on the record of the proceedings and the plain language of the Town Code. The Council has to put in the wording of quasi-judicial as then they are the appeal authority, and it may proceed go to court. The scope of the appeal may only be the decisions in which the Planning Commission has applied a Land Use Ordinance. Chair Arnold said the Planning Commission can only make decisions based on the Land Use Code which must be adhered to. He said the appellant has the burden of proving that the Planning Commission's decision is illegal or is not supported by substantial evidence in the record or that the factual findings are clearly erroneous. Chair Arnold said this means specifically is if an applicant decides to appeal the decision the Town may only address one issue and may not go on another separate point altogether, which is something applicants try to get many issues addressed at once, but must stick to the point. He said the adversely affected party is required to present to the Town Council every theory of relief that the party shall raise in district court. Chair Arnold said the wording is addressed with an international court in mind.

Chair Arnold reminded the Commission this printed document he provided tonight is for review only and is not final approval. He presented his redraft of the flowchart. He asked if the Commission wanted to include a flowchart in the Code as currently done. The Commission agreed a flow chart should be included. However the Commission made a few recommendations for changes to the flow chart to make it more understandable. Chair Arnold said he had to check all the rules and input them into the flowchart with the steps involved and the process required. Jane Brennan said there are certain things that don't require a permit. Chair Arnold said there are things being applied for that could be addressed in the office when an applicant comes in and applies for a building project. He suggested a list of things that may not need a permit, which could be in the Office for review. Clerk Cox said the Office had a call last week from a company replacing refrigeration and heating units asking who asked if the Town requires a permit as some other entities do. Jane Brennan said anything electrical needs at least a simple permit as it would need an inspection and may not be addressed in the Town Code but may be addressed in the international building code. Layney DeLange asked if this would be addressed if someone is putting in a whole new system as that takes new electricity but not replacing an existing unit. Jane Brennan said replacing a unit would not require a permit. She said her mother was required to get a permit to change her garbage disposal. Skyler Davis said he would like to see a list of things that do not require a permit. Jane Brennan said there are many things that do not require a permit.

Chair Arnold said he would make the revisions discussed and have them for the Commission to review at next months meeting.

He asked the Commission to carefully review the Code regarding zone changes as there is an application on next month's regular agenda for a requested zone change. He said at next month's work meeting the Commission will review Chapter 3.

Chair Arnold **MOVED** to adjourn the work meeting of September 8, 2026, at 6:55 pm.
Layne DeLange **SECONDED** the motion.

VOTE on Motion:

Tim Arnold – Aye
Angie Frabasilio-Aye
Layne DeLange-Aye
Angie Frabasilio-Aye
Jane Brennan- Aye

Motion Passes

Minutes prepared by
Shelley D. Cox
Town Clerk

APPROVED



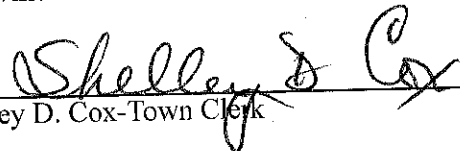
Chair/Vice Chair Rockville Planning Commission

Attest:



Shelley D. Cox-Rockville Town Clerk

The foregoing notice was posted in the cabinet of the Rockville Town Office by
Shelley D Cox at approximately 12:15 AM(PM) on 10-15-26 on the
Rockville website and the Utah Public Notice website. Emailed to The Spectrum 10-15-26



Shelley D. Cox-Town Clerk

