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**MINUTES OF THE PLANNING COMMISSION SPECIAL MEETING ON TUESDAY, JUNE 2, 2015,
AT THE SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH.
THE MEETING BEGAN AT 5:00 PM.**

MEMBERS PRESENT: Chairman Jack Archer, Randy Taylor, Liz West, Mike Marriott, Joe Pitti, Allan Staker, Jack Burns from Zion National Park
ALSO PRESENT: DCD Tom Dansie, Associate Planner Moumita Kundu and Town Clerk Darci Carlson recording. Please see attached list for citizen signed in.

Approval of Agenda: Motion made by Joe Pitti to approve the agenda; seconded by Liz West.

Taylor: Aye

Archer: Aye

Pitti: Aye

West: Aye

Marriott: Aye

Motion passed unanimously.

Commission discussion and announcements: Mr. Dansie announced sad news that Moumita Kundu was unable to get an extension on her work permit. It will expire at the end of the month. She has been with the Town for five months and has done fantastic work. Mr. Dansie said publicly that he appreciates all she has done for the Town and will miss her. The Commission and attendees gave Ms. Kundu applause.

- On behalf of the Commission, Chairman Archer thanked Ms. Kundu for all her help. Ms. Kundu thanked everyone for their cooperation.

Action Items

Sign Permit: 932 Zion Park Boulevard, Zion Guide Hub – Katharyn Woods: Ms. Kundu said the application was for one building mounted sign for the business and one free-standing sign for the business center.

- The building mounted sign is consistent with Town code and will not be illuminated.
- The business center sign will be added to the existing free-standing sign. The majority of elements are consistent with Town code however the white background and black border do not match the approved color palette. She said the applicant was willing to be flexible and change it.
- The free-standing sign would be constructed of printed vinyl which is not specifically called out in the code. Ms. Kundu mentioned there are, however, existing signs in Town made of this material. The sign will be internally illuminated and located no closer than 3' from the public right-of-way.

Scott Williams was in attendance to answer questions.

Mr. Archer asked if there were other signs in Town that used printed vinyl graphics. Mr. Dansie believed so however the ordinance stated sign material should be wood, metal or stone. Mr. Archer asked if the other signs pre-dated the ordinance. Mr. Dansie did not think so.

- Mr. Taylor said the ordinance was clear on which materials could be used. He did not see how the Commission could approve something different from what the ordinance requires. Mr. Pitti said it was a conflict to have different expectations of one applicant versus another and require this sign material be changed.
- Mr. Archer questioned the illumination. Mr. Williams said they will create a hollow box and illuminate from the inside.

To clarify the code, Mr. Dansie explained illuminated portions of internally illuminated signs can be made of plastic, glass or polymer. Code only allows the logo and copy to be internally illuminated. If a sign is not illuminated it must be made out of wood, metal, or stone.

Mr. Williams confirmed the whole sign is the logo and both sides would be the same. He said the words "information" and "adventure" would be added as hanging elements from the free-standing sign.

Mr. Dansie said a downfall to the code is that it does not define what a logo is which leaves it open to interpretation. For this particular application, there are two issues. One is having the background illuminated, and the other is seeking an exemption from the color palette. If the whole sign is a logo it must meet the color palette. If the whole sign is not a logo, then the background cannot be illuminated. It needs to be one or the other.

- Mr. Marriott said if the whole circle is the logo the applicant can use plastic material, but it has to be compliant with the color palette. If this is not the case then the applicant needs to change the material for the background. Mr. Taylor suggested the easiest way to be compliant would be to meet the color palette. Mr. Williams agreed.

Regarding the added hanging elements, Mr. Dansie said an addition or modification typically is brought back for approval. It can, however, be made a condition in the motion.

Motion made by Liz West to approve the sign permit for Zion Guide Hub at 932 Zion Park Boulevard based on findings that the building mounted and free-standing sign meet required size, height and placement; with conditions: 1) the free-standing sign has the white background and black border revised to meet the approved color palette of the Town; 2) material of non-copy portion of sign will be revised to meet the Town code; 3) the Zion Guide Hub top logo is the design being approved; 4) DCD to review and approve the additional sign components added at a future date; seconded by Mike Marriott.

Taylor: Aye

Archer: Aye

Pitti: Aye

West: Aye

Marriott: Aye

Motion passed unanimously.

Residential Design/Development Review: Anasazi Plateau Lot 38 – Eric and Sally Ryberg (tabled from May meeting): Mr. Archer said this DDR was tabled from the last Planning Commission meeting. Mr. Dansie indicated the applicant addressed concerns in a revised submittal. He listed the concerns as being: building height has been lowered and is in compliance; exterior materials and details regarding exterior lighting have been provided; disturbance of the conservation area from driveway and wall have been reduced; drainage is being directed to the south and not posing a nuisance to the adjacent property.

Because conservation easement boundaries are more restrictive, Mr. Taylor wanted to be sure orange fencing was used to delineate where work can be done.

Rob McQuay was in attendance to answer questions and represent the property owner. He said he understands the boundary restrictions and can comply.

Mr. Archer asked about the daylight bubblers. Mr. McQuay said these take accelerated water from the roof and decks into pipes where the water can run on the surface and take advantage of natural grade. He has used this system before with other developments.

Mr. Archer said the issues discussed previously have been addressed and the driveway has moved off the conservation easement as much as possible.

Motion made by Randy Taylor to approve the residential DDR for Anasazi Plateau Lot 38 based on the following findings: 1) building height is in compliance at 20' limit, 2) lighting fixtures have been shown and meet ordinance; 3) color of stucco and rock work are compliant; 4) driveway has been reconfigured to minimize encroachment in the conservation easement; 5) drainage plans show they will be directed away from adjacent properties to eliminate any nuisance flooding; and

with the condition the conservation easement boundary be delineated with orange fencing to indicate limits of construction; seconded by Joe Pitti.

Marriott: Aye

West: Aye

Pitti: Aye

Archer: Aye

Taylor: Aye

Motion passed unanimously.

Sign Permit: 145 Zion Park Boulevard, Zion Canyon Village – Nate Wells (tabled from May meeting): Mr. Archer said this permit request was tabled from the previous meeting. Mr. Dansie said the main question was why Zion Canyon Village had two free-standing signs. The Commission requested documentation on the original approval of the second 40' sign. Mr. Dansie conducted extensive research and could not locate direct approvals on the second free-standing sign. There were a number of references to it however. Beginning in 2005 the Town has given subsequent approvals on additions or amendments to this second sign. Although not able to locate the original approval for the second sign, there is indirect evidence approval exists.

Nate Wells was in attendance to answer questions. He thanked Mr. Dansie for doing the research. He too went back but was unable to locate any additional findings. He was unsure when this originally came up but there have been subsequent approvals.

Mr. Taylor said the ordinance allows an increase in sign size if there are more than three businesses in a business center. The previous discussion focused on whether there were two business centers or one at this location. To him it appeared the second sign should be limited to 40 square feet. This was also supported by the research Mr. Dansie conducted.

- Ms. West asked if the center should qualify for the 25% bonus due to the two entrances.
- Mr. Wells said there are seven businesses in the center. There is one sign for each business along the highway.
- Mr. Wells asked the Commission their reasons for the sign not being eligible for the 25% bonus. Mr. Taylor said each business center needs to have more than three businesses.

Mr. Marriott said the crux of the issue is whether or not the property is approved as a standalone center or not. The provision for the second sign came after the fact. He said it is reasonable they were originally perceived as two separate centers.

If the Commission is bound by the ordinance, then the size needs to be 40 square feet.

Motion made by Mike Marriott to approve the sign permit for Zion Canyon Village at 145 Zion Park Boulevard with the conditions the second monument sign is limited to 40 square feet of signage and all signs meet the color palette; seconded by Randy Taylor.

Marriott: Aye

West: Aye

Pitti: Aye

Archer: Aye

Taylor: Aye

Motion passed unanimously.

Discussion/Information/Non-Action Items

Ordinance Revision: Geologic Hazards Ordinance: Mr. Dansie said work on the Geologic Hazards Ordinance began some time ago. A fairly complete draft had been done but other issues prevented it from moving forward. The Town Council has directed the ordinance be brought back to the forefront and asked the Planning Commission to work toward making a recommendation.

- The purpose of the ordinance is to clarify the Town standards for development in areas of high susceptibility to geologic hazards, specifically landslide or rock fall areas. People who develop in these areas bear the burden to demonstrate risks have been mitigated as much as possible. They will need to conduct a study, review it, and pre-stabilize the area. This ordinance will develop a clear process and standards to mitigate risks.

- The staff report contained the previous ordinance draft plus advice from the Utah Geologic Survey and the City of Draper. Draper's geologic hazard ordinance is "well-tested" and is used as a model throughout the state.

Ms. Kundu has been doing work on the ordinance and provided suggested changes that primarily focused on different phrasing. She recommended the ordinance include: minimal qualifications for the development plan; guidance of how submittals should be prepared; a pre-application meeting be required with staff and engineers; and qualifications of the geologic engineer that will advise on the plan.

Mr. Pitti asked who was used in the past to conduct geological surveys. Mr. Dansie said there are three main companies in Southern Utah who provide geotechnical reports. These studies have mainly focused on soils and foundations. They do not focus on geologic hazards. This would be a new requirement.

Mr. Dansie provided the Commission a 2011 geologic survey map for landslides (attachment #1). If in a high or very high area for landslides, these properties would be subject to this ordinance. It also would affect expansive areas in the foothills. The ordinance would require developments hire a geologist or geologic engineer with proper qualifications to analyze the risks and ways to mitigate. The report would then be reviewed by a third party expert. The developer would need to take steps necessary to mitigate hazards.

Mr. Dansie acknowledged it could be quite costly.

- Mr. Dansie said the Town should recognize the liability issues associated with potential regulatory "takings" of property. If the ordinance completely prohibited development and all economic viability of a property, there may be a regulatory takings and the Town would need to compensate the property owner. Draper was careful not to do this. The ordinance would spell out what needs to be done to develop in a high hazard area. Then the property owner can make the decision on whether to build or not.
- Mr. Pitti asked if a property owner could show evidence that they can build on one lot and not affect others in the area. Mr. Dansie said the owner would have to take measures to stabilize the entire mass.

Mr. Pitti asked who was monitoring the landslide area. Mr. Dansie answered the Town engineer and Mark Schraut. Data is forwarded to the state geologic office.

Mr. Archer asked if 30% slopes would become an issue. Mr. Dansie said the applicant would need to file a variance for relief. He said the ordinance will likely discourage people from developing in high hazard areas. The geologic hazard study itself and hiring a professional will be significant expense. Recommendations coming out of the report could also be a significant expense.

Ms. West asked if the geologic report would have to be disclosed. Mr. Dansie answered it goes into the state archive and becomes public record.

Mr. Staker said you can't mitigate slide hill or the Rockville cliffs. There are some minor things you can do, but there is still expense.

Mr. Archer said the Town has seen builders look for loopholes and if this ordinance allows them to circumvent the 30% slope issue they likely will.

- Mr. Taylor commented if the report identifies the minimum required this usually is the maximum most will do. The ordinance needs to be stringent enough to get what is needed.
- Mr. Staker said despite the danger, people still decide to live in hazardous areas.

Mr. Dansie said this is a philosophical discussion regarding the Town's responsibility to protect development against natural hazards. He said one approach is to notify of potential geologic risks then beyond that, it is buyer beware. The disadvantage is that property owner 'A' is alerted to the risks, but subsequent owners may not have the same knowledge and look to blame.

The other approach is the geologic hazards ordinance which clarifies what the hazards are and, based on the report, identifies what is needed to mitigate. However, there will always be some element of risk. The Commission needs to decide if we are a community that helps make people aware and allows them to make their own decisions. Or, a community that forces people to protect themselves against hazards

Mr. Pitti said it is not simple. The Town needs to be more proactive in letting people know. He felt the information on the 2011 geologic survey maps would be important to include in the General Plan. There should be different standards for high risk areas. Simply, there are areas that should not be built on based on the hazards.

Ms. West said it was a fine line between safety and liability. She asked if this was a question for the Town attorney. What is the Town's liability compared to a builder? Mr. Dansie said that regardless of any attorney opinion, property owners are likely to still point fingers. The ordinance provides insulation from liability for the Town. It will show that we did our part to point out risks and communicate them.

Mr. Pitti asked if the Town has taken land identified as unstable and if there was a fund for that. Mr. Dansie said the Town has acquired properties through tax sale however they are not proactively looking.

Mr. Archer questioned why the ordinance was tabled. Mr. Dansie said the Planning Commission wanted the ordinance to be more comprehensive and include seismic hazards and debris flows. This large scope of work bogged down the process and other priorities came to the forefront. Now we have pared down the ordinance and it focuses on the primary risks of landslides, rock falls and flooding. The building code regulates and addresses seismic concerns but nothing can prevent a fault from moving.

- Mr. Taylor also mentioned ground liquefaction susceptibility. Mr. Dansie said one of the Geologic Survey maps illustrated these areas.
- Mr. Dansie said the Utah Geologic Survey has nine maps related to Springdale hazards. Once overlaid, there are virtually no lots unaffected by some geologic hazard.

The Commissioners agreed it was an important ordinance to get in place.

Mr. Pitti said it was important for the Commission to consider the work that has already been done and improve or add to it. He agreed with Ms. West and wanted the Town attorney to review and provide direction.

The Commissioners asked if the ordinance was brought back for a purpose. Mr. Dansie said the Town Council was concerned with geologic hazards all around Town including Balanced Rock.

Mr. Marriott cautioned against creating an ordinance that prevents development entirely. He recommended they address specific characteristics in a variety of lots rather than blanket all. Mr. Archer agreed and said we don't want to do the opposite of our intention, but we also don't want to create loopholes either.

- Mr. Staker said we need to be careful because studies will add thousands of dollars to development costs. The Geologic Hazards maps produced by the Utah Geologic Survey, which serve as the basis for identifying hazard areas to which the ordinance applies, are conservative and cautious in nature.

Mr. Taylor asked what would be the trigger to require a study. Mr. Dansie answered if a property is in a hazard area the developer would need to go through the process, but Mr. Marriott raises a good point. If the Town scales back the areas that require a report there needs to be good justification and documentation as to why. Otherwise this may open the Town up to issues. We would need to provide good, solid reasoning.

Mr. Staker asked where the areas of high geologic danger are. If we move away from the definitive map we must use something that is not subjective. Mr. Dansie agreed and said if we don't use these maps we need to do our own analysis and define the reasoning. The maps are currently on the Town's website for the Commissioners to view. The ordinance would apply to platted or non-subdivided property. The impact of the ordinance could have significant financial implications for property owners.

Mr. Dansie said he would take the feedback, clean-up the draft and send to the Town attorney for review. During the next meeting the Commissioners can investigate other concepts and consider different ways to look at hazards and which lots are applicable.

Mr. Pitti said there is some responsibility that falls on the municipality to protect citizens. Conversely, we don't want people to feel infringed upon either.

Mr. Archer wanted to look at the Geologic Survey maps and determine what they considered high risk.

Mr. Dansie said there are a number of areas around Town showing movement. The only actively surveyed area is Balanced Rock which is reviewed every six months. The ordinance would not require constant monitoring of Town areas.

Motion made by Jack Archer for the Planning Commission to look into the geologic hazards ordinance and after lengthy discussion made recommendations to staff to investigate; seconded by Joe Pitti.

Taylor: Aye

Archer: Aye

Pitti: Aye

West: Aye

Marriott: Aye

Motion passed unanimously.

Discussion of revisions to General Plan Chapter 3 Land Use and Zoning – Based on previous discussion, Mr. Dansie drafted language for hotels and parking. He suggested the Commission take a new tact as it relates to General Plan language. Rather than modifying existing, he thought it better to create new language. He felt this would provide a more comprehensive vision of what the Commission is trying to accomplish.

- For hotel development, the Commission expressed design should fit into the character of the Town and be more modest in size and style. Mr. Dansie drafted a vision statement, objectives and policies to help achieve this goal.

Mr. Taylor liked what was written but felt there should be a statement regarding the number of rooms preapproved due to the settlement agreement. They had no control over this.

- Ms. West thought the draft reflects feedback received from the community.
- Mr. Pitti also felt the draft captured previous discussions well. He suggested the settlement agreement data be reflected in the charts showing existing, prior approved and future development.

Mr. Marriott said it captured what 20% of the community thinks but not 100%. He said the surveys have replication of comments. They provide some indication but Mr. Marriott was not convinced everyone in Town thought hotels were a bad thing. He also felt language was contradictory. We are not encouraging hotel rooms if we are capping them. To him, none of the great lodges of national parks would fit the criteria.

- Mr. Archer said the statement focused on small, village scale and addressed our unique atmosphere.
- Mr. Pitti said we aren't a Park we are a Town. As a Commission we have to go on the feedback received and not discredit it. Larger scale lodges are incongruent with how people feel lodging should be in our community. Hotels can incorporate architectural elements to get a lodge feel.
- Mr. Taylor said those that care enough, answer the surveys.
- Mr. Pitti added the University of Utah students were impressed by the amount of responses received. We have a higher percentage of people that do participate. We can't ignore the message we hear.

Moving on to parking, Mr. Dansie said this may be a bigger issue as highlighted by recent parking issues in Town. Visitors are going to park in Springdale and we want the customer base. There is an obvious need for public parking, but too much will detract from the qualities of Springdale. He asked the Commission to consider how we provide enough parking yet retain aesthetics. He admitted this was hard to do and we would not be able to provide all the parking that was needed. There are trade-offs and the Commission would need to set priorities. Some topics are controversial. For example should the Town organize and charge for parking? Should visitors park remotely and be shuttled in? The status quo is not sustainable.

Mr. Staker said UDOT planned to tear up SR-9 in 2016. It was a good time to conduct a traffic or parking study and get experts to provide recommendations. Numbering parking spaces would allow Town to charge for parking in the future. He agreed we need to organize now.

- Mr. Dansie confirmed UDOT is doing a study to address these issues. Dealing with parking and how spaces are striped and organized is high on the Town's radar. Discussions are underway. UDOT is looking at the entire corridor from La Verkin to Springdale. The Town is also starting a transportation master plan in August which will address these issues and be complete by December.
- Mr. Archer wanted the Commission to review these studies and use them to come up with objectives for the General Plan. He said everyone is frustrated with traffic.
- On a short term basis, Mr. Pitti suggested the Town clearly identify where people can park. Otherwise if people don't know they will have a tendency to invent space.
- Ms. West said it is an ongoing problem with oversized vehicles, people making illegal U-turns and pedestrians walking between cars.

Mr. Burns said visitors are confused when they come to Springdale. They are frustrated and it is unclear where to park. The Park is working on a sign project that will include a number of parking signs to identify where people can park in Town. They would likely be installed next year.

- Mr. Archer asked about a third lane going into the park that would allow people with passes to enter quickly. Mr. Burns said Park law enforcement officials tend to be traffic control on busy weekends. The Park has had discussions about redesigning the South entrance to add more entrance station, lanes and accommodations for pre-paid passes. This was likely five years away however. The Park is looking at the overall visitor capacity too.
- Mr. Marriott said there were clear problems with clear solutions so why the five year delay. Mr. Burns said it was fund dependent and the money had to be approved.

Mr. Marriott asked about the concept of angled parking. He noted the ordinance currently prohibits but they might identify where it can work.

- Mr. Taylor cautioned angled parking is more dangerous as people back into moving lanes.

Mr. Archer said the hotel language is good. The parking language can be added now and refined as information from the parking studies is received.

Mr. Marriott asked Mr. Burns about the mood of the Park regarding the in-Town shuttle. What if the Park didn't provide?

- Mr. Burns said they often have to explain to Washington folks how they expend Park dollars outside the boundary. They have to revisit the history of the shuttle and the special authority that was given to spend these funds. The Park probably won't expand the service however the contract is good for the next four years and will be revisited then. It is a ten year contract. There is not discussion about discontinuing.
- Mr. Pitti said it could be a good enterprise, even for the Town itself. Mr. Burns said ridership numbers hover around a half million people a year. He thought there was a business opportunity.

Mr. Marriott asked how we reduce parking demand. Mr. Dansie said by encouraging people to get places without a car. They can bike or walk.

Mr. Archer said this was a great start.

Adjourn

Motion to adjourn at 7:20pm made by Liz West; seconded by Mike Marriott.

Taylor: Aye

Archer: Aye

Pitti: Aye

West: Aye

Marriott: Aye

Motion passed unanimously.

Darci Carlson

Darci Carlson, Town Clerk

APPROVAL:

J. A. P. C.

DATE:

6-16-15

