

1. Planning Commission Work Meeting Agenda

Documents:

[050422.PCSM.NEIGHBOR.PDF](#)

2. Packet Material

Documents:

[ITEM A1 - TRANSIENT LODGING INITIAL RECOMMENDATIONS.PDF](#)

[ITEM A2 - NET DEVELOPABLE AREA REVISIONS - GRADUATED SETBACK
LANGUAGE.PDF](#)

[ITEM A3 - WORKFORCE HOUSING ZONE.PDF](#)

3. Public Comment

Documents:

[MJ. WEST - PUBLIC COMMENT.PDF](#)



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

PLANNING COMMISSION NOTICE AND AGENDA
THE SPRINGDALE PLANNING COMMISSION WILL HOLD A WORK MEETING
ON WEDNESDAY, May 4, 2022, AT 5:00 PM
AT THE CANYON COMMUNITY CENTER, 126 LION BLVD – SPRINGDALE, UT 84767
A live broadcast of this meeting will be available to the public for viewing/listening only.

****Please see electronic login information below****

Approval of the agenda
General announcements

A. Discussion / Non-Action Items

1. Review initial recommendations from the Transient Lodging Task Force.
2. **Ordinance Revision:** Graduated Setbacks and Net Developable Acreage.
3. Discussion of workforce housing zone proposal.

B. Adjourn

This notice is provided as a courtesy to the community and is not the official notice for this meeting/hearing. This notice is not required by town ordinance or policy. Failure of the Town to provide this notice or failure of a property owner, resident, or other interested party to receive this notice does not constitute a violation of the Town's noticing requirements or policies.

****To access the electronic webinar please click the Zoom link below:**

<https://us02web.zoom.us/j/89458684061?pwd=M002NUF4ckZnYWVlMjJVMVljaTgxZz09>

Meeting ID: 894 5868 4061

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NOTICE: In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting should contact Town Clerk Darci Carlson at 435.772.3434 at least 48 hours before the meeting.

Packet materials for this meeting will be available at: <https://www.springdaletown.com/agendacenter>



Memorandum

To: Planning Commission
From: Transient Lodging Taskforce
Date: April 30, 2022
Re: Initial Recommendations to the Planning Commission for Revisions to the Town's Land Use Standards for Transient Lodging Facilities

Executive Summary

The Transient Lodging Taskforce is presenting draft recommendations for revisions to the Town's transient lodging land use regulations. To assist the Commission in reviewing these recommendations this memo includes information about the status of transient lodging in Springdale, both historically and at present. The memo provides an overview of the Taskforce's deliberations, and reasons for their recommended revisions to lodging regulations.

Background and History

Lodging for tourists has been a part of the Town's economy and history since the early 1900's. Beginning with the designations of Mukuntuweap National Monument in 1909 and Zion National Park in 1919 the Town's tourism industry, including transient lodging, has been an integral part of the community. Cabins, inns, motor courts, bed and breakfasts, motels, and hotels have all been part of the Town for a century. These lodging developments have helped shape the character of the community.

Transient Lodging is defined as receiving payment in any form of exchange for the use of any dwelling for 30 consecutive days or less. The Town of Springdale currently only allows transient lodging in the Central Commercial and Village Commercial zones. In the Village Commercial zone transient lodging requires a conditional use permit. Until the early 2000's the Town also allowed a specialized type of transient lodging, bed and breakfasts, in the Valley Residential zone. There are currently three bed and breakfasts operating in the Valley Residential zone as non-conforming uses.

The last 15 years have seen a dramatic increase in the amount of transient lodging in the Town. In 2007 there were approximately 600 transient lodging units in Springdale. Today there are over 1,200. The rapid increase in the amount of transient lodging is coincident with an increase in the annual visitation to Zion National Park. In 2007 there were 2.7 million visitors to Zion. Last year there were over 5 million.

In response to the increase in transient lodging the Town adopted strategies in the 2016 (current) version of the General Plan. These strategies emphasized the need for the Town to be thoughtful and careful in the regulation of transient lodging. These General Plan strategies direct the Town to develop regulations that ensure transient lodging establishments contribute to the Town's village character and scale. The General Plan makes reference to "boutique" hotels that contribute to the Town's unique atmosphere and that are consistent with the village scale.

Pursuant to the direction in the General Plan, the Town held a community forum on Transient Lodging in 2018. The Town formed a stakeholder group to discuss the issues associated with transient lodging. Based on the results of the community forum and stakeholder group discussions, the Planning Commission drafted potential revisions to the Town's ordinances regulating transient lodging. After a careful review and analysis of these proposed revisions the Town Council elected not to make changes to the Town's lodging regulations. This action was based in part on the finding that much of the Town's capacity for transient lodging had already been built out and there was not much potential for additional transient lodging.

The Council's finding was also based on an assumption that the type and style of transient lodging the Town had seen historically (mostly hotels and motels) would continue to be the primary type of transient lodging in the future. However, since 2018 there has been an unforeseen shift away from traditional hotels and motels toward short-term rentals (transient lodging that contains a kitchen and other amenities more similar to a residential unit, and which typically do not have an on-site manager). These are often described as short-term rentals and commonly offered through online platforms such as AirBnB. This shift in the type of lodging being developed in the Town presents new challenges and creates different impacts than the traditional hotel/motel type of lodging.

Transient Lodging in Springdale Today

The Town currently has 16 hotels or motels, six Bed and Breakfasts, 19 short-term rental facilities.

Most of the recent growth in transient lodging in Springdale has come through short-term rental type lodging. This type of lodging provides accommodations more similar to a residential condominium than a hotel. Short-term rentals typically have full kitchens, living areas, laundry facilities, and other features of a residence. There is typically no or minimal on-site interaction with support staff of the facility. Check-in and check-out are self-serve. Daily housekeeping is not typically offered. Support services such as a front desk and concierge are not offered. Thus, short-term rentals provide a mostly non-hosted, unsupervised, and "self-serve" lodging experience.

Ten years ago there were less than 10 short-term rental units licensed and operating in Springdale. There are now over 60 such units, with another 31 approved or under construction. This recent rapid increase in short-term rental type housing has created concern among residents and elected officials. These concerns include:

- Conversion of residentially used structures in the commercial zones to transient lodging reduces housing supply (especially moderately priced housing) and leads to housing affordability issues.
- Conversions of non-lodging commercial uses (retail, gallery, restaurant) to transient lodging decreases the diversity of commercial services and amenities offered in the Town, which has impacts on the quality of life for residents and the quality of visitor experience for tourists.
- Changes from non-lodging uses to lodging uses impact the character of the community.
- Increases in property values, reducing affordability for residents and encouraging property owners to sell or convert buildings for transient housing uses.

- Short-term rentals in areas near residential zones create increased potential for noise and other nuisances for neighbors.

In response to the trend of rapid short-term rental development, and in order to thoughtfully address the impacts of this trend, the Town Council adopted a Temporary Land Use Regulation (i.e. moratorium) on new transient lodging development on January 12 of this year. The moratorium will last six months (until July 12) or until the Town adopts updated lodging regulations, whichever comes first. In addition to enacting a moratorium, the Council also appointed a taskforce authorized to analyze the impacts of transient lodging and to recommend changes to the Town's lodging regulations. The Council's intent with these actions is to develop lodging regulations that are consistent with the strategies in the General Plan and that will result in new transient lodging that promotes the Town's village character and scale.

Taskforce Process

The Transient Lodging Taskforce has eight members representing different perspectives and having different connections to lodging. The members of the taskforce are:

- Mayor Barbara Bruno, Town Council
- Lisa Zumpft, Town Council
- Ric Rioux, Planning Commission
- Tom Kenaston, Planning Commission
- Hans Dunzinger, transient lodging facility owner and part-time resident
- Teresa Silcox, resident
- Rick Wixom, Town Manager
- Thomas Dansie, Director of Community Development

Over the past three and a half months the task force has met eight times. In addition to their formal meetings, taskforce members have all spent many hours doing individual research and analysis. The taskforce has reviewed all the research and community input gathered in the Town's 2018 analysis of transient lodging, researched the strategies and experiences of other communities, interviewed elected officials and staff in peer jurisdictions, collected and analyzed feedback from the community, and utilized technical assistance from groups such as the Utah Community Development Office, ULCT, and GNAR Initiative.

The taskforce's initial task was to identify and analyze the impacts of transient lodging. The taskforce then tried to determine which of these impacts were negative and needed to be mitigated, and which were positive and should be leveraged to benefit the community. The taskforce discussed a number of problems the Town is currently facing: traffic and parking congestion, overcrowding at restaurants and other services and amenities, crowding on Zion shuttles and on trails in the Park, litter, and more petty crime.

After analyzing these problems the taskforce determined that there is not a direct correlation between these issues and transient lodging. These problems are associated with the increase in visitation to Zion

National Park and would be present regardless of how much transient lodging is developed in the Town. If they don't stay in lodging in Springdale visitors will stay in Hurricane, St. George, or other locations and drive to Springdale and cause the same set of problems. In fact, visitors who stay in Springdale are less likely to cause impacts on traffic and parking congestion than those who stay elsewhere.

Having determined these problems are not related to transient lodging the taskforce tried to identify issues that are directly linked to transient lodging. The taskforce determined the following issues are caused by transient lodging and should be addressed:

1. Impacts on housing supply and housing affordability.
2. Impacts on community character.
3. Loss of diversity in commercial services and amenities in the Town.
4. Nuisance impacts on surrounding properties, particularly residential properties.
5. Impacts on infrastructure and resources, particularly water.

The taskforce quickly realized that some of these issues are complex and will take prolonged technical analysis to address, particularly impacts on housing affordability and infrastructure/resources. The taskforce does not believe that a well-developed and justifiable solution to these issues can be developed in the timeframe allowed by the moratorium. Further, the taskforce found that the other issues were more immediately pressing and were a higher priority for quick action and resolution. Therefore, the taskforce decided to move forward addressing items 2, 3, and 4 from the list above, while highlighting the need for the Town to quickly address numbers 1 and 5 through additional research after the conclusion of the moratorium.

The taskforce also found that transient lodging can provide benefits to the community, if appropriately designed and implemented. As discussed above, transient lodging can actually help reduce parking and traffic congestion. Visitors staying in Springdale park their vehicles at their lodging and use walking, biking, or the shuttle to get around Town. Transient lodging provides a significant portion of the Town's tax revenue, which is used to fund services that benefit residents and which would not otherwise be available in a community of 600 residents (including dedicated police force with round the clock coverage; park and recreation amenities such as high-quality pickleball and tennis courts, well-maintained town parks, fitness classes, and community interest-based programming at the CCC; public works and streets departments providing high-quality service, such as weekly street and trail sweeping; and high-quality professional and administrative services). Finally, many traditional style transient lodging facilities (e.g. hotels and motels) provide quasi-public services that benefit the community (lobby restrooms, front desk and concierge services that provide community information and visitor education, etc.), as well as accessory commercial services that add flavor to the community (usually restaurants, conference facilities, or gift shops).

Based on these findings the taskforce established the following goals to direct their work:

1. *Promote and preserve a diversity of commercial uses in the commercial zones, given the trend of conversion of existing commercial uses to transient lodging.*

2. *Address impacts created by the conversion of long-term housing units to transient lodging.*

Sub-Goals

1. *Prevent nuisance impacts created by the location of transient lodging units in relation to other uses.*
2. *Address the impact of transient lodging on the Town's village character.*
3. *Revise ordinance language to prevent unintended consequences of the current regulations.*

Taskforce Recommendations

The taskforce researched and considered a multitude of strategies to address the negative impacts of transient lodging and to accomplish the goals listed above. After carefully considering each of these strategies the taskforce has prepared a draft initial recommendation for the Commission to review (see attached draft). This draft is a framework for regulation and is not a finished product. Many of the details in the draft still need to be refined. The taskforce is presenting the ordinance framework for the Commission's review and anticipates feedback to help inform the taskforce's preparation of a finalized and polished document. The taskforce will revise and finalize the draft based on the Commission's recommendations and bring a final draft to the Planning Commission for review on May 18.

The taskforce determined the majority of the negative impacts associated with transient lodging, particularly in the past five years, are due to short-term rental type lodging. Because it can be developed on a much smaller scale and can easily be fit into existing structures, this type of lodging is more likely to displace existing residential uses in the commercial zones than is traditional hotel lodging. This contributes to housing availability and affordability problems. Similarly, this type of lodging can displace existing non-lodging commercial uses, leading to loss of diversity in commercial services available in the Town. Because short-term rental lodging can be developed on smaller lots, it is more likely to be developed on small lots mixed in with or near to existing residential zones and residential uses, thereby increasing the likelihood of nuisance impacts on residents.

Further, short-term rental type lodging is less likely to provide ancillary public benefit to the community than traditional hotel-style lodging. Short-term rental lodging facilities do not have front desk or concierge services that can provide community information, education, and orientation to their guests (as well as members of the public who wander in). Short-term rentals do not provide quasi-public services such as hotel lobby restrooms. Short-term rentals are less likely to include a non-lodging accessory use (such as a restaurant, conference space, or retail) that adds to the diversity of commercial uses and offers an amenity to both residents and visitors.

For all these reasons the taskforce determined traditional hotel-type lodging should be regulated differently than short-term rental type lodging.

The taskforce's recommendation is summarized below:

1. Remove the conditional use permit requirement for transient lodging in the VC zone. The taskforce found the CUP process added confusion to the approval process for transient lodging without providing any additional effective regulation of transient lodging or mitigation of its negative impacts.
2. Adjust definitions for transient lodging to create two types. Type 1 is transient lodging with full-time on-site support staff and which provides quasi-public amenities and benefits to the community. Traditional hotels and motels with front desks usually fall into this category. Type 2 is “self-serve” or limited service transient lodging where there is no or limited interaction between the guest and on-site staff and where there is no ancillary quasi-public benefit associated with lodging. Short-term rentals and similar accommodations fall into this category. Type 1 lodging is housed in a structure that could not easily be used for a non-lodging use. Type 2 lodging is housed in a structure that could be converted to a non-lodging commercial use or long-term residential use with minimal renovation.
3. Clarify the way a transient lodging unit is defined so the unit count in a transient lodging facility is fair and equitable across different styles of lodging and accurately reflects the true impact the lodging has on the community.
4. Create new land use standards for Type 1 transient lodging (hotel-type lodging) that are designed to leverage the benefits of these types of lodging facilities while mitigating their negative impacts. These standards require a full-time front desk service, a mixed use component (such as restaurant, retail, office) to be included in the development, enhanced screening and buffering standards from residential uses, and annual certification that all these standards are being met during the business license renewal process. Type 1 transient lodging will continue to only be allowed in the commercial zones.
5. Create an overlay zone (only eligible to be used in conjunction with the commercial zones) for Type 2 transient lodging (short-term rental lodging). This will allow the Town more control and discretion in where Type 2 lodging is allowed. This can help the Town prevent an over-concentration of Type 2 lodging and preserve more diversity in the Town’s commercial offerings. The ordinance contains standards to determine when the overlay zone could be appropriate on a property, as well as standards that would regulate the use of the lodging on the property if the overlay zone is approved. These standards include: requirement for the property manager to live within a 10 mile radius of the lodging and be able to respond to issues or complaints within a timely manner, requirement for mixed used on the property (i.e. stand-alone short-term rentals are not allowed), limitation on the number of Type 2 facilities that can be developed within a certain distance of each other, requirement for Type 2 facilities to post a Springdale-issued license number on all on-line sites where the facility can be rented, enhanced screening and buffering standards to residential properties, and provide annual certification that all these standards have been met during the business license renewal process.

The Commission should review the attached draft ordinance framework for details on the taskforce’s recommendation. Remember that this is a draft framework and not a finished recommendation. Many of the details of the ordinance still need to be refined.

The following summary briefly outlines some of the other strategies the taskforce considered, and indicates why the taskforce decided not to recommend that strategy.

Prohibit all future transient lodging.

The taskforce considered a “just say no” policy regarding future transient lodging. This would prohibit any new lodging, and would make all existing lodging in the Town a non-conforming use. The taskforce decided against this policy because 1) there are approximately 280 unbuilt transient lodging units that are guaranteed through settlement agreements or other mechanisms that could be built regardless of an outright ban, 2) it is not a sound planning policy to make the majority of commercial uses in the community become non-conforming uses, and 3) a complete ban is an extreme measure that fails to recognize the negative impacts of transient lodging are dependent on the type of lodging, and not necessarily inherent to all transient lodging.

Place a cap on the number of transient lodging units that can be developed.

A total cap on transient lodging units, or an annual cap, could be established to limit the number of transient lodging units in the community. The taskforce decided against this strategy because 1) there are already approximately 280 transient lodging units that could be built because of settlement agreements regardless of the cap, 2) determining how to administer the cap with the already approved 280 units still outstanding could be administratively complex and result in fairness issues, and 3) a cap limits the number, not the quality, of lodging. The taskforce decided to choose a strategy that highlighted what the Town wants to see in transient lodging rather than a policy that focuses solely on numbers.

Require all new transient lodging to go through the overlay zone process.

This strategy would give the Town the most discretion and control in regulating new transient lodging. Because approving an overlay zone is a legislative decision, the Town retains broad authority when and where to grant a transient lodging overlay zone request. The taskforce decided against this policy because 1) it would fundamentally alter the way the community perceives (and the Town uses) its legislative zoning authority¹, 2) it would lead to perceived issues of fairness and unequal treatment, 3) because it is a public process, and because zone changes are inherently contentious, it could lead to more contention and disunity in the community because every new lodging facility would need to go through the complex zone change process.

Allow transient lodging as a permitted use, but subject to enhanced standards.

This strategy would resolve the issues associated with the overlay zone approach by making all new transient lodging a permitted use with standards subject to an administrative review process (meaning that applications meeting the standards must be approved). The taskforce decided against this strategy because feedback from the community survey overwhelmingly encouraged the Town to be careful and

¹ The Town has a longstanding policy that instructs the Town not to make zone changes, except in rare circumstances and only when thoroughly justified, and only when one of the three criteria in section 10-3-2(A) of the Town Code has been met. If all new lodging needs to go through that process either all or most lodging will be denied (in which case the Town has adopted a de facto prohibition on new lodging), or some requests will be granted and the Town’s policy of being very conservative in zone changes will be called into question.

thoughtful about approving new transient lodging. Moving to an administrative process, albeit with enhanced standards, is counter to the will of the community as expressed in the community survey.

Transient Lodging Regulation

Draft Taskforce Language

PART ONE: DEFINITIONS

1.1 Existing Definitions: The definitions below are contained in the current version of the Town Code and are part of the current regulations for transient lodging. They are provided here for reference and to help illustrate the changes in the proposed revisions contained in the next section. To reiterate, these are not newly proposed definitions. This is language in the current Town Code.

Bed and breakfast: A transient lodging facility in a residential style structure located in a commercial zone (or in a residential zone as a nonconforming use) where a host, either the owner or a full-time manager, lives on-site and acts as the primary service provider for the facility. A bed and breakfast does not qualify as a "home occupation".

Hostel: A type of transient lodging facility that offers basic accommodations typified by dormitory style sleeping quarters and shared bathroom and living areas.

Hotel/motel: A transient lodging facility usually containing ten or more guestrooms and having a lobby with a front desk. Hotels/Motels have non-resident on-site support staff present for all or the majority of the day and typically offer guests support services such as front desks and housekeeping.

Motel: A transient lodging facility usually containing one or more buildings. Guestrooms usually have outside entrances.

Short-term rental: A transient lodging facility where guests have limited or no interaction with on-site staff. Short-term rentals typically do not have front desks or full-time on-site staff. A short-term rental can be the rental of an entire structure, or rental of a completely self-contained dwelling unit in a larger structure. Each short-term rental facility includes a private entrance, sleeping, bathing, and basic cooking facilities. Commonly referred to as a vacation rental.

Transient lodging facility: Any establishment that receives payment in any form of exchange or trade for the use of any dwelling for 30 consecutive days or less, including any hotel, motel, bed and breakfast, short-term rental, hostel, or the like.

Transient lodging unit: An individual space for overnight accommodations in a transient lodging facility. Transient lodging units in different types of transient lodging facilities are specifically defined below:

Bed and breakfast: Every bedroom that is offered for transient lodging rental in the bed and breakfast facility is counted as a transient lodging unit.

Hostel: Each 175 square feet of shared sleeping space in the hostel counts as one transient lodging unit. Each private bedroom in the hostel counts as one transient lodging unit.

Hotel/motel: Each bedroom with a bathroom in a hotel/motel counts as one transient lodging unit. Suite units in a hotel/motel with multiple bedrooms are counted as multiple transient lodging units, based on the number of bedrooms in the suite unit.

Short-term rental: Every bedroom in the short-term rental counts as one transient lodging unit.

1.2 Proposed Definitions: The following are proposed revisions to the current definitions. These proposed revisions are based on the Taskforce's discussions. These definitions support the changes proposed in later sections. Please review these changes carefully, and in conjunction with the standards proposed in later sections.

1.2.a: Definitions to be revised: The following are existing definitions in the Town Code that are proposed to be revised:

Bed and breakfast: ~~A transient lodging facility in a~~ A residential style structure used as a transient lodging facility and located in a commercial zone (or in a residential zone as a nonconforming use), where a ~~The~~ host, either the owner or a full-time manager, typically lives on-site and acts as the primary service provider for the facility. Bed and breakfasts offer guests private bedrooms and shared living, dining, and recreational areas in a residential style structure. A bed and breakfast does not qualify as a "home occupation".

Short-term rental: A transient lodging facility where guests have limited or no interaction with on-site staff. Short-term rentals typically do not have front desks or full-time on-site staff. A short-term rental can be the rental of an entire structure, or rental of a completely self-contained dwelling unit or multiple units in a larger structure (the larger structure may have a non-transient lodging use in addition to the short term rental unit(s)). Each short-term rental facility unit includes a private entrance, sleeping, bathing, and basic cooking facilities. Commonly referred to as a vacation rental. Short-term rentals are distinct from residential hosting in that there is limited interaction with the host and a physical separation between the rented unit and the host's living space.

Transient lodging unit: An individual space for overnight accommodations in a transient lodging facility. Except for hostels, the number of transient lodging units in a transient lodging facility is the greater of: ~~Transient lodging units in different types of transient lodging facilities are specifically defined below:~~

Bed and breakfast: Every bedroom that is offered for transient lodging rental in the bed and breakfast facility is counted as a transient lodging unit.

Hostel: Each 175 square feet of shared sleeping space in the hostel counts as one transient lodging unit. Each private bedroom in the hostel counts as one transient lodging unit.

Hotel/motel: Each bedroom with a bathroom in a hotel/motel counts as one transient lodging unit. Suite units in a hotel/motel with multiple bedrooms are counted as multiple transient lodging units, based on the number of bedrooms in the suite unit.

Short term rental: Every bedroom in the short term rental counts as one transient lodging unit.

- 1) The total number of rooms or spaces that could accommodate sleeping overnight, or
- 2) The total number of bathrooms in privately rented spaces. For the purposes of this definition a bathroom is a space with a lavatory and either a toilet or bathing facility. Spaces with multiple toilets or bathing facilities will be counted as multiple bathrooms depending on how many toilets or bathing facilities they contain.

For Hostels every 175 square feet of shared sleeping space counts as one transient lodging unit, and every private rented bedroom counts as one transient lodging unit.

1.2.b: New Definitions to be added to the Code: The following are additional definitions proposed to be added to the Code.

Residential Hosting: A type of transient lodging facility where a portion of a structure with a primary long-term residential use is rented on a nightly basis. Unlike a bed and breakfast, residential hosting is clearly secondary to the use of the property as a long-term residential dwelling. Unlike a short-term rental unit, residential hosting is not a self-contained unit with private entrance, sleeping, and cooking facilities. Residential hosting is only allowed in the VC and CC zones.

Type 1 Transient Lodging: A transient lodging facility that has full-time on-site front desk or concierge staff dedicated to assisting customers. These types of facilities offer guests routine support services such as housekeeping and front desk services. Type 1 transient lodging is contained in a structure that is purpose-built for lodging and cannot be easily converted to a non-lodging use. Type 1 transient lodging includes hotels and motels.

Type 2 Transient Lodging: These are lodging establishments where there is no full-time on-site staff dedicated to providing services to guests. The establishment typically does not offer routine support services such as housekeeping or front desk services. Type 2 transient lodging is contained in a structure that can be converted to a non-lodging use (either another commercial use or a long-term residential use) with minimal renovation. Type 2 transient lodging includes: short-term rentals, residential hosting, bed and breakfasts, and hostels.

1.2.c: Existing definitions to be removed from the Code: The following definitions are proposed to be removed from the code:

~~Motel: A transient lodging facility usually containing one or more buildings. Guestrooms usually have outside entrances.~~

PART TWO: REGULATIONS

2.1 Remove Conditional Use Permit Requirement and standards from VC. The language below is existing code in the Conditional Use Permit section of the Town Code. This language is proposed to be removed from the Code. The purpose of removing the language is to remove the Conditional Use Permit requirement for Transient Lodging in the VC zone.

~~E. Standards for conditional uses in the Village Commercial Zone:~~

- ~~1. Transient lodging: Transient lodging facilities, hotels, motels, hostels and bed and breakfasts:
 - ~~a. Access and entrances to guestrooms (including rear patios and balconies) must be placed and oriented to have as minimal an impact on surrounding properties as possible.~~
 - ~~b. Outdoor gathering areas (pools, patios, courtyards, etc.) must be located such that they will not cause unreasonable increases in noise, lighting or other impacts on surrounding residentially zoned property.~~
 - ~~c. Outdoor lighting must be designed such that the bulbs or lenses of light sources are not visible beyond the property boundaries. All exterior lights must use full cutoff fixtures.~~~~

2.2 Land Use Regulation Recommendations. In lieu of a conditional use permit process the taskforce recommends creating enhanced standards for Type 1 transient lodging in the VC and CC zones, and requiring Type 2 transient lodging to be approved through an overlay zone process. This overlay is only applicable on property already in the VC or CC zone. Ordinance language framework for these changes is presented below. This is framework language and not finished policy.

Standards for Type 1 Transient Lodging

10-XX-1: Purpose: The purpose of this section is to establish standards for Type 1 transient lodging that will protect and promote the Town's village character and will enhance the quality of a visitor's visit to the Zion region

10-XX-2: Applicability: The standards in this chapter apply to all new Type 1 transient lodging developments in the Town.

10-XX-3: Standards for Type 1 Lodging (Hotels/motels and bed and breakfasts):

1. Mixed Use Requirement: No property may be developed with an exclusive use of Type 1 transient lodging. Properties used for Type 1 lodging must also include at least one of the following non-lodging uses on the property. With the exception of long-term residential housing, these uses must be open to the general public. At least 800 square feet of building floor area must be dedicated to each non-lodging use on the property. The total amount of building floor area dedicated to non-lodging uses must be the greater of 800 square feet or the amount required in subsection 2 below.

a. Long term residential housing (occupied by the same household for periods of 90 consecutive days or more).

b. Administrative, medical, or professional offices.

c. Art galleries or artist studios.

d. Bakeries, retail.

e. Barber and beauty shops.

f. Clubs, lounges, and bars.

g. Convenience stores.

h. Delicatessens.

i. Drugstores and pharmacies.

k. Florist shops.

l. Food markets and grocery stores.

m. General retail stores.

n. Liquor stores.

o. Microbreweries.

p. Restaurants.

q. Spas.

r. Public restrooms (must include both men's and women's restrooms, be signed and advertised as public restrooms, and be available for use by the general public). The property owner is responsible for all maintenance and operational costs.

2. Minimum mixed use requirement: A minimum percentage of the total floor area of the developed building space on a property used for Type 1 transient lodging must be dedicated to mixed use as stipulated below. Uses not specifically identified in the list in section 1 above are not included in meeting the minimum percentage of floor area required to be mixed use.

- a. Transient lodging facility with between 1 and 5 transient lodging units: minimum [30] percent.
- b. Transient lodging facility with between 6 and 10 lodging units: minimum [20] percent.
- c. transient lodging facility with more than 10 lodging units: minimum [10] percent.

[Please note these percentages are straw numbers only and will need to be refined.]

3. On-site staff requirement: All Type 1 transient lodging facilities shall have front desks or concierge desks that are staffed by on-site personnel. The front desk / concierge desk must be open and staffed by on-site personnel to be able to respond to inquiries and requests from guests of the facility for at least 12 hours each day.

4. Type 1 transient lodging shall comply with all of the following standards:

- a. The transient lodging facility shall not receive initial approval for DDR or business license if, at the time of application, the facility is projected to create a need for essential municipal services (including water and other utility service) that the Town cannot reasonably meet and the applicant is unwilling or unable to pay the costs to upgrade the service to meet demand caused by the new development. The applicant shall not be required to pay costs to upgrade services to meet unmet demand in the community in general.
- b. The transient lodging facility must be screened from all adjacent residential property by both screening fencing or walls and vegetation sufficient to provide a visual screen and buffer of the lodging facility from adjacent residential property.
- c. Type 1 Transient lodging facilities must be located on a dedicated public road.
- d. All entrances and access to the transient lodging facility and individual guestrooms must be oriented away from adjacent residential properties.
- e. Outdoor gathering areas (patios, courtyards, etc.) must be located such that they will not create noise or lighting nuisances on adjacent residential property.

5. All type 1 transient lodging shall provide documentation of compliance with all the standards in this chapter during the annual renewal of the business license.

Type 2 Transient Lodging Overlay Zone

10-XX-1: Purpose: The Transient lodging overlay zone is established to allow for targeted expansion of Type 2 transient lodging in the Town. The overlay zone is intended to allow Type 2 transient lodging in a manner that will protect and promote the Town's village character and will enhance the quality of a visitor's visit to the Zion region.

10-XX-2: Applicability: The transient lodging overlay zone may only be applied on properties already in the Central Commercial or Village Commercial zones. A person may not make an

application for a zone change to the transient lodging overlay zone concurrently with an application for a zone change to the VC or CC zone.

10-XX-3: Transient Lodging Overlay Zone required for Type 2 transient lodging. No person shall establish a new type 2 transient lodging facility on a property in the Town of Springdale without first obtaining approval of the Transient Lodging Overlay zone on that property from the Town Council. The Planning Commission will not accept applications for Design / Development Review for Type 2 transient lodging facilities unless the property where the proposed Type 2 transient lodging facility is located unless the property is in the Transient Lodging Overlay zone. The Town will not accept applications for business license for Type 2 transient lodging unless the property is in the Transient Lodging Overlay zone.

10-XX-4: Location standards for transient lodging overlay zone: No more than three properties in a 500 foot radius may be designated as transient lodging overlay zone and/or be used as Type 2 transient lodging.

10-XX-5: Type 2 Transient Lodging Standards:

1. Mixed Use Requirement: No property may be developed with an exclusive use of Type 2 transient lodging. Properties used for type 2 lodging must also include at least one of the following non-lodging uses on the property. With the exception of long-term residential housing, these uses must be open to the general public. At least 800 square feet of building floor area must be dedicated to each non-lodging use on the property. The total amount of building floor area dedicated to non-lodging uses must be the greater of 800 square feet or the amount required in subsection 2 below.

- a. Long term residential housing (occupied by the same household for periods of 90 consecutive days or more).
- b. Administrative, medical, or professional offices.
- c. Art galleries or artist studios.
- d. Bakeries, retail.
- e. Barber and beauty shops.
- f. Clubs, lounges, and bars.
- g. Convenience stores.
- h. Delicatessens.
- i. Drugstores and pharmacies.
- k. Florist shops.
- l. Food markets and grocery stores.
- m. General retail stores.
- n. Liquor stores.
- o. Microbreweries.
- p. Restaurants.
- q. Spas.

r. Public restrooms (must include both men's and women's restrooms, be signed and advertised as public restrooms, and be available for use by the general public). The property owner is responsible for all maintenance and operational costs.

2. Minimum mixed use requirement: A minimum percentage of the total floor area of the developed building space on a property used for Type 2 transient lodging must be dedicated to mixed use as stipulated below. Uses not specifically identified in the list in section 1 above are not included in meeting the minimum percentage of floor area required to be mixed use.

a. Transient lodging facility with between 1 and 5 transient lodging units: minimum [30] percent.

b. Transient lodging facility with between 6 and 10 lodging units: minimum [30] percent.

c. Transient lodging facility with more than 10 lodging units: minimum [30] percent.

[Please note these percentages are straw numbers only and will need to be refined.]

3. Property manager requirement: All type 2 transient lodging shall be managed by a property manager who lives within 10 miles of the lodging facility and who is on-call 24 hours per day. The property manager must be able to respond to complaints of nuisance or non-compliance with the standards in this chapter within 30 minutes of being notified.

4. Type 2 transient lodging shall comply with all of the following standards:

a. The transient lodging facility shall not receive initial approval for DDR or business license if, at the time of application, the facility is projected to create a need for essential municipal services (including water and other utility service) that the Town cannot reasonably meet and the applicant is unwilling or unable to pay the costs to upgrade the service to meet demand caused by the new development. The applicant shall not be required to pay costs to upgrade services to meet unmet demand in the community in general.

b. The transient lodging facility must be screened from all adjacent residential property by both screening fencing or walls and vegetation sufficient to provide a visual screen and buffer of the lodging facility from adjacent residential property.

c. Type 2 Transient lodging facilities must be located on a dedicated public road.

d. All entrances and access to the transient lodging facility and individual guestrooms must be oriented away from adjacent residential properties.

e. Outdoor gathering areas (patios, courtyards, etc.) must be located such that they will not create noise or lighting nuisances on adjacent residential property.

5. All type 2 transient lodging shall adhere to the standards below and shall provide documentation of compliance with these standards at the annual renewal of the business license.

a. Transient lodging facilities shall list the Springdale Business license and a photograph of the actual license on all online sites where the lodging is able to be reserved or rented.

b. Transient lodging facilities shall adopt good neighbor policies and shall provide a nuisance reporting mechanism to allow neighbors to report complaints. [The details on this strategy have not yet been fully developed by the taskforce. The taskforce will have a more detailed strategy ready for the May 18 meeting.]

10-2-2: DEFINITIONS:

Net Developable Land Area: The total amount of area contained within a lot or parcel of land minus all areas within the parcel that contain 30% slopes or FEMA designated floodways.

10-11A-7: DENSITY STANDARD:

No lot or parcel of land within the CC zone may be developed to have more than one apartment, condominium, transient lodging unit, or other similar unit per 2,500 square feet of net developable land area.

10-11B-5: AREA REQUIREMENTS:

- A. *Building size:* The gross area of each individual building or structure on a lot or parcel within the VC zone shall not exceed 5,000 square feet. Gross area shall include all attached structures and exclude basements. Buildings or structures not exceeding 8,000 square feet may be allowed if said structure is located a minimum of 100 linear feet from SR-9 (Zion Park Boulevard) and/or a residential zone (VR or FR zone). The linear distance requirements may contain other buildings or structures and should not be substituted for the unobstructed setback requirements of section 10-11B-6 of this article.
- B. *Units per lot:* No lot or parcel of land within the VC zone may be developed to have more than one apartment or transient lodging unit per 4,000 square feet of net developable land area.

10-9B-7: SETBACK REQUIREMENTS:

Each lot or parcel in the VR zone must have at least the following minimum setbacks:

A. *Front setback:*

1. *VR-S and VR-A subzones:* 30 feet, except for lots three-quarters of an acre and larger with frontage on SR9. On those lots the front setback is 30 feet for all buildings and structures 18 feet and less in height, and 50 feet for all buildings and structures greater than 18 feet and less than 26 feet in height.
2. *VR-A subzone:* 30 feet.
23. *VR-B subzone:* 15 feet.

B. *Side setback:*

1. *VR-S and VR-A subzones:* Ten feet.
2. *VR-B zone:* Ten feet on one side of the lot and five feet on the opposite side of the lot, except that all development on the lot must be at least ten feet away from existing development on all adjacent lots.

C. *Side setback; corner lots:*

1. *VR-S and VR-A subzones:* 30 feet.
2. *VR-B zone:* 15 feet.

D. *Rear setback:*

1. *VR-S subzone:* 20 feet.
2. *VR-A subzone and VR-B subzone:* Ten feet.

10-11B-6: SETBACK REQUIREMENTS:

The following minimum setback requirements apply to each lot or parcel of land within the VC zone:

- A. *Front setback:* Each lot or parcel of land must have a front setback of not less than 30 feet, except for lots one-half acre and larger with frontage on SR9. On those lots the front setback is 30 feet for all buildings and structures 18 feet and less in height, and 50 feet for all buildings and structures greater than 18 feet and less than 26 feet in height.
- B. *Side setback:* Each lot or parcel of land shall have a side setback of not less than ten feet, except where the side of the lot abuts a lot or parcel in an FR or VR Zone. In such cases, the required setback of the abutting side must be at least 20 feet.
- C. *Side setback, corner lots:* The side setback contiguous to any street shall be the same as required front setback.
- D. *Rear setback:* Each lot or parcel of land shall have a rear setback of not less than 20 feet.
- E. *Exemption:* In instances where the adjacent property is commercially zoned and where a building or structure on such adjacent property is already in existence closer than the required side and rear setback, the Planning Commission may allow a side or rear setback less than that stated above if it finds that the reduction would not be detrimental to the health, welfare, or safety of persons residing or working in the vicinity.



Memorandum

To: Planning Commission
From: Thomas Dansie, Director of Community Development
Date: April 30, 2022
Re: Consideration of a Workforce Housing Zone

Executive Summary

The Commission has identified the need to address workforce housing as a priority work issue (both during the Commission's priority setting meeting in January and in informal discussions in recent meetings). Commissioner Kenaston, in conjunction with the Town's housing work group, has conducted extensive research into options to address housing. The Commission has discussed several of these options in the past (deed restricted housing, TDR programs, etc.). Commissioner Kenaston has identified a new tool the Commission may wish to discuss as a housing option: a workforce housing zone.

Workforce Housing Zone

The Town completed a housing study in 2020. That study suggested a number of strategies to help address workforce housing. One of the recommended strategies is a multi-family housing zone. The idea behind such a strategy is that increasing housing supply will help reduce demand. However, as has been recently demonstrated with other housing strategies the Town has implemented, increasing housing supply does not necessarily result in more housing affordability. Without guarantees of affordable sales prices and resultant affordable rental rates it is impossible to ensure housing will be attainable for Springdale workers.

The Town Code already has a Moderate Income Housing Development Overlay zone. This zone allows higher housing density, and also requires the resultant housing to remain affordable through development agreement and deed restriction mechanisms. The Red Hawk subdivision is a successful example of how this tool can be used. However, because it requires considerable bureaucracy and administrative overhead the MIHD is a difficult and complex strategy to use.

A workforce housing zone could be a good compromise solution between the unregulated higher density of a multi-family zone and the bureaucratic burden of the MIHD.

The City of Moab recently adopted a workforce housing zone that could serve as a good model for Springdale. The Moab ordinance requires at least 42.5% of the units in high density residential zones to be occupied by residents who are actively employed in the community. There is no income verification or limitation on sales prices or rental rates. The only requirement is for the occupants of the housing to be employed in the community.

Details regarding the Moab ordinance can be found [here](#).

Commissioner Kenaston and staff propose the Commission investigate revisions to the Moderate Income Housing Development Overlay zone that would allow for the kind of workforce housing development the Moab ordinance allows. The Commission should discuss this proposal and give Commissioner Kenaston and staff direction on how to proceed.

To the Planning Commission:

I am unable to attend the Planning Commission meeting tonight. I just wanted to voice my opinion about the graduated setback along SR9 increasing from 30 feet to 50 feet if the structure is over 18 feet and if the lot is over 3/4 acre in the VR zone. I am against this ordinance revision.

1. 50 feet seems excessive if we are trying to maintain a village atmosphere according to the general plan of Springdale. Part of a village atmosphere is having a mix of commercial and residential properties. You would essentially hide any new residential homes along SR9 giving tourists a wonderful view of open spaces but causing the residents who live there to be squished to the back of their lots not being able to have a private back yard, instead a public front yard. Is this ordinance for the tourists or for the residents? I think 30 feet for VR is more than enough space to distance from SR9 even if it is over the 18 foot height.

2. 18 feet height. I have looked at SO MANY house plans for 1 story homes. Most of the homes with a 9-10 foot ceiling (which is pretty average for new houses) have over 20-24 feet building height with pitched roofs. I am not a building expert, but I think this ordinance would influence me and a lot of new house builds to have a flat roof which would allow me to space my home so I can have a private backyard from the busy SR9.

*** I would like you to try and go to any house plan site, I went to architecturaldesigns.com and entered into a search for 3 bedroom house that was under 2000 sq feet one story. I only clicked on the first 10. Every single one was well over the 18 foot height restriction.

3. I would like to emphasize who is benefitting from this ordinance? The tourist driving by or the resident living here is Springdale? If I want to have a pitched roof home (which is part of the "parkitecture" look valued by Springdale Town) I will have to now have a 50 foot public front yard and an extremely small private backyard... that is no longer private because now my new home would be encroaching on the privacy of my back neighbors. In my opinion residents lose on this new ordinance and the people driving by my property for 2 seconds win.

Thank you for considering my opinion.

Kindest,

MJ West