

1. May 6, 2020 Planning Commission Agenda

Documents:

[050620.PCWM.COURTESY.PDF](#)

2. May 6, 2020 Packet Materials

Documents:

[ITEM A1 - EROSION HAZARD ZONE ORDINANCE.PDF](#)

[ITEM A1 - DRAFT MAPS\\_EROSION HAZARD ZONE ORDINANCE.PDF](#)

[ITEM A2 - GEOLOGIC HAZARDS ORDINANCE.PDF](#)

[ITEM A3 - ADUS IN THE FR ZONE\\_REDACTED.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 6, 2020 AT 5:00 PM**

This Commission meeting will not have an anchor location and will be conducted entirely via electronic means. Commission members will connect remotely. The meeting will be available to the public for live viewing. If you do not have access to the internet, you can join the audio via telephone.

**\*\*Please see electronic login information below.**

**Attending Clerk: Darci Carlson**

**Approval of the agenda**  
**General announcements**

**A. Information/Discussion/Non-Action Items**

1. Review of Erosion Hazard Zone Ordinance revisions
2. Consideration of a Geologic Hazards Ordinance
3. Discussion of allowing Accessory Dwelling Units in the Foothill Residential (FR) Zone
4. General Plan update

**B. Adjourn**

**\*\*To access the electronic meeting please click the Zoom link below:**

<https://us02web.zoom.us/j/83460577008?pwd=bnGvY0lqM3h0ZFFtUDdaQlpwKzA4dz09>

**Meeting ID: 834 6057 7008**

**Password: 298899**

**One tap mobile**

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(Tacoma)**

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**Find your local number:**

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Packet materials for agenda items will be available by May 1, 2020 at: <https://www.springdaletown.com/AgendaCenter/Planning-Commission-7>



**Memorandum**

**To:** Planning Commission  
**From:** Thomas Dansie, Director of Community Development  
**Date:** April 30, 2020  
**Re:** **Erosion Hazard Zone Ordinance**

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The Planning Commission reviewed a proposed Erosion Hazard zone ordinance in the March work meeting. The proposed ordinance would establish strict regulations for new development and land disturbance located near the Virgin River. The purposes of the proposed ordinance are: 1) to protect new development near the river from potential damage or destruct due to erosion, 2) to protect upstream and downstream properties from negative erosion hazard impacts created by new development near the river, and 3) to protect and enhance the natural function and character of the Virgin river.

The Commission expressed support for the concept of an erosion hazard zone, and offered suggestions to clarify the regulations proposed in the ordinance. Staff has revised the proposed ordinance, based on the Commission's suggestions in the last meeting. The revised version of the ordinance is attached, with changes shown in redline. The following is a summary of the changes made since the last meeting:

- Clarification that bioengineering is the preferred method of erosion protection. Structural erosion protection (rip-rap, gabion walls, etc.) are only allowed in the high hazard areas, and then only to after an engineering analysis documents that bioengineering is not feasible.
- Requirement that development within the erosion hazard zone must not create adverse impacts on upstream or downstream properties.
- Additional standards regarding the type of vegetation used as mitigation during land development projects.
- Additional qualifications required for engineers performing the engineer's analysis.
- Other minor wording and language changes.

Staff recommends the Commission review the changes in the proposed ordinance. If the Commission is satisfied with these revisions, staff recommends the Commission schedule the proposed ordinance for public hearing.

**DRAFT 3/12/2020**

**ORDINANCE # \_\_\_\_\_ :**

**EROSION HAZARD ORDINANCE**

**CHAPTER 1 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS**

**1-1: STATUTORY AUTHORIZATION:**

The Legislature of the State of Utah has in Utah Code Annotated section 10-3-701 et seq., delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. A significant portion of flood losses are a result of bank erosion damage. Therefore, the Town Council of Town of Springdale, Utah, does ordain as follows:

**1-2: FINDINGS OF FACT:**

- A. Properties adjacent to the Virgin River within of Town of Springdale are subject to periodic periods of flooding resulting in erosion damage, loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for erosion protection and relief, all of which adversely affect the public health, safety and general welfare.
- B. These erosion hazard areas are created by the cumulative effect of large flood events, the presence of erosive soils in the existing banks, historic disturbance to the natural river process, and changes in vegetation thereby resulting in bank erosion.

**1-3: STATEMENT OF PURPOSE:**

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to bank erosion in specific areas by provisions designed to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly bank erosion protection projects;
- C. Minimize the need for rescue and relief efforts associated with bank erosion and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in erosion hazard zones;

- F. Help maintain a stable tax base by providing for the sound use and development of property within erosion hazard zones in such a manner as to minimize future blight areas; and
- G. Ensure that potential buyers are notified that property is in an erosion hazard zone.

#### **1-4: METHODS OF REDUCING BANK EROSION LOSSES:**

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- A. Establishing erosion hazard zone delineations for floodplain management and land use regulation purposes;
- B. Regulating proposed land disturbance and development within erosion hazard zones to prevent adverse impact on adjacent properties;
- C. Adopting river management policies that support preservation of the natural river systems, promote land uses that are compatible with a natural river system, and limit construction of structural improvements inside the erosion hazard zone, except to protect ~~existing~~ structures needed ~~of for~~ public safety such as bridges and existing buildings, or where the channel threatens to move outside of the established erosion hazard zone;
- D. Requiring a special use permit to regulate all land disturbance and development within the erosion hazard zones.

### **CHAPTER 2 DEFINITIONS**

#### **2-1: DEFINITIONS:**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

**LAND DISTURBANCE:** ~~Any manmade change to improved or unimproved property, including but not limited to,~~ 1: construction of buildings or other structures; 2: construction of erosion protection improvements; 3: construction of new subdivisions, utilities, roadways or bridges; 4: mining or dredging operations; 5: removal of riparian zone native vegetation; and, 6: earthwork such as filling, grading, excavation or contouring land which totals more than 1,000 square feet. 7: any other activity similar to those listed above which has the potential to impact the natural function of the river.

**EROSION HAZARD ZONE (EHZ):** Areas adjacent to a natural alluvial river or stream subject to the risks associated with the natural erosion and sedimentation process of the watershed, either sudden or gradual, by which material from riverbanks may be moved away causing a river channel to move laterally as denoted by detailed engineering analysis.

**HIGH RISK EROSION HAZARD ZONE (HREHZ):** Areas within the designated EHZ where the risks of riverbank erosion are increased, including active floodplains, floodways and areas

where previous land disturbance has impacted the natural river process increasing the risks of riverbank erosion and lateral channel migration damage to improved property or infrastructure.

## CHAPTER 3 ESTABLISHMENT OF EROSION HAZARD ZONES

### 3-1: ESTABLISHMENT OF EROSION HAZARD ZONES

- A. Erosion Hazard Zones (EHZ) are delineated on the adopted Town of Springdale Erosion Hazard Boundary Maps on file at the Town Office.

### 3-2: LAND DISTURBANCE WITHIN EROSION HAZARD ZONES

- A. All land disturbance proposals located within the EHZ, including proposals located in the HREHZ, require an Erosion Hazard Zone permit. The Planning Commission reviews all Erosion Hazard Zone permits. Applications for permits must include an engineering analysis as described below. The purpose of the permit is to ensure that land development projects are shall be completed in a manner to minimize the risk of flood and erosion damage to adjacent properties and the watercourse.
- B. All land disturbance proposals shall require an engineering analysis of the potential impacts of the proposed work on adjacent properties and the watercourse, summarizing the methodologies used to support the impact analysis, the assumptions and limitations of those methodologies, and the results of the analysis. The engineering analysis must be completed by a professional engineer licensed in the State of Utah with experience in floodplain management, river mechanics, sediment transport, riverine erosion, river restoration, hydraulics, hydrology and geomorphology.
- C. The engineering analysis should consist of the following elements:
1. Regulatory Floodplain/Floodway Impacts. If any changes are proposed to the river channel or floodplain geometry by the proposed land disturbance activities, hydraulic modeling of the pre- and post-project channel and floodplain conditions must be submitted and approved by the Town Floodplain Administrator to document the following:
    - a. Floodplain: Changes in the 100-year water surface elevation must be less than one foot within the property limits and no changes in the 100-year water surface elevation may occur on adjacent properties.
    - b. Floodway: No changes in the regulatory floodway elevation are permitted, either within or adjacent to the proposed project limits.
  2. Stream Stability Impacts. Engineering analyses must be submitted to document all that no adverse impacts ~~occur~~ on adjacent properties due to the proposed land disturbance activities. It is the applicant's responsibility to demonstrate that any such impacts are minimal, justified, and consistent with the goals and objectives of the Virgin River Management Plan, and will not cause adverse or detrimental conditions on adjacent, upstream, or downstream properties. It is recommended that the applicant's engineer meet with the Director of Community Development and the Floodplain Administrator prior beginning any engineering analyses to discuss and review the methodologies to be used.

3. Erosion Protection Improvements. Bioengineering techniques combining natural vegetation and live materials to provide a stable streambank ~~are recommended and as envisioned encouraged~~ by the Virgin River Management Plan (VRMP) ~~are required for all erosion protection improvements, unless an engineering analysis demonstrates such techniques are not feasible.~~ All erosion protection improvements shall be as minimally impactful to the natural function and appearance of the river system and riparian area as possible. Structural erosion protection improvements such as rock riprap, concrete or gabion structures, etc. may only be used to protect existing or planned structures and infrastructure located within the High Risk Erosion Hazard Zone, and only after the Town Engineer has validated an applicant's engineering analysis documenting bioengineering is not a feasible option. If structural erosion protection improvements are proposed, the engineering analysis shall include the design assumptions, plans, specifications and details for construction of the improvements. Structural erosion protection shall be designed to be as minimally visual impactful as possible and to blend as much as possible with the natural character of the river corridor in the nearby area. Where possible and feasible, stone for rip rap and gabion baskets shall resemble stone naturally found in Springdale in appearance.
5. Maintenance: The owner of property where erosion protection improvements are located shall inspect all erosion protection improvements ~~All proposed erosion protection improvements shall be inspected~~ at least annually and immediately after major flooding events to assess damage and determine if repairs are necessary. The Town of Springdale has the right to inspect all erosion protection improvements as often as the Town deems necessary. If the Town's inspection reveals necessary repairs to the erosion protection improvements, the property owner shall make the required repairs as soon as feasibly possible after being noticed in writing by the Town. All proposed erosion protection measures shall require a perpetual private easement to be recorded providing unobstructed access for inspection and maintenance of the erosion protection improvements. The costs to inspect, repair and maintain these improvements shall be the sole responsibility of the applicant or property owner. Required maintenance and repairs shall be completed within a reasonable time at no cost to the Town of Springdale.
4. Vegetation Mitigation. Any proposed disturbance to existing ~~riparian~~ vegetation on the riverbank or within the floodplain must be mitigated by ~~restoring-replacing the disturbed vegetation with~~ native riparian plants in accordance with the approved plant list. The replacement vegetation shall be selected to best enhance the natural function of the river system (e.g. flexible species closest to the river, large woody vegetation further from the river on upper flood terraces). The engineering analysis shall include a section describing the required vegetation mitigation and planting requirements.
5. Statement of Findings. The engineering analysis and findings shall be summarized in an Engineering Report including all assumptions, computations and other documentation supporting the analyses and conclusions. The report shall include the engineer's professional opinion that when the land disturbance activities and mitigation measures, if any, are implemented, the proposed land disturbance will not

adversely affect reaches or properties upstream, downstream, and across the river from the proposed project.

- C. All proposed site grading activities shall comply with the applicable provisions of the building code currently adopted by the Town regarding slope setbacks, grading, drainage and compaction of fills. A Grading Permit may be required for the proposed grading activities.
- D. All land disturbance proposals shall include and comply with the ~~comply with the~~ Federal Clean Water Act and obtain Section (404) permits from the United States Army Corps of Engineers, and Stream Alteration permits from the office of the Utah State Engineer where required prior to beginning any construction activity clearing riparian vegetation.
- E. Applicants and property owners shall hold the Town of Springdale harmless from all claims resulting from erosion or any other flood related damage from land disturbance activities within the Erosion Hazard Zone by executing a “Flood and Erosion Hazard Disclaimer of Liability and Agreement”. New land subdivisions shall include a “Notice of Hazard” on the final plat describing the flooding and erosion hazard risks.
- F. All land disturbance proposals involving new land subdivisions or commercial development shall locate and construct public utilities and facilities such as sewer, gas, electrical and water systems to minimize the risk of flood and erosion damage.
- G. All land disturbance proposals shall comply with the recommendations of the Virgin River Master Management Plan. Copies are available from the Town Planning Department.
- H. All land disturbance proposals within the Special Flood Hazard Area shall require a Floodplain Development Permit approved by the Town Floodplain Administrator.

### 3-3: PENALTIES FOR NONCOMPLIANCE:

No land disturbance shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements ~~(including violations of conditions and safeguards established in connection with conditions) shall constitute a Class B misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$XX or imprisoned for not more than 180 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case shall be enforced pursuant to section 1-4 of the Town Code.~~ Nothing herein contained shall prevent the Town of Springdale from taking such other lawful action as is necessary to prevent or remedy any violation.

Tom, I have been very busy this week. This is a quick perusal of the Erosion Hazard Zone ordinance.

I hope my insights are useful to the Planning Committee Best, Kavarra

## Comments on Ordinance Erosion Control

1. Why is this ordinance being constructed only under the category of Flood control? Is there no preservation of the ecology, river riparian area, beautification, or Virgin River designated as a wild river ordinance option?

Placing this ordinance solely in the context of Flood Control is not the main goal of the need to keep the river corridor healthy and puts the river at odds with the people and makes the river a destroyer rather than the center of health and well being for the residents and flora and fauna of the Zion Canyon.

Also if the federal government via the army corps can control the river channel and the state can control width of riparian area high vs low water levels in what context can a local municipality control and protect areas of its town that contribute significantly to the economic health, environmental health and well being of the town via water supply as well as other down river towns' water supplies etc. in short what legal rights do towns have to widen the protected river riparian zone? Why is it only in the context of erosion or flood control? Can the ordinance be written in the context of protection of the river for the town tourist economy, beauty, well being and public health ie water source protection, etc?

**Findings of Fact B** should , “historic disturbance to the natural river process” read Historic “human” disturbance to the natural river process

1-3: STATEMENT OF PURPOSE states only human context and nothing about the Health of the flora and fauna of the riparian zone or the maintaining of a healthy geomorphology of the river channel or flood plain or healthy amount of river bank being available to the river for seasonal changes in water levels.

This section only focuses on human relationship to the river and appears to exclude the ecology of the riparian area. To strengthen the ordinance the health of the river needs to be written into the ordinance otherwise the human view will see the river as a menace and therefore will find a way to do any structural change that support and validate the human use, property and money loss values of the river rather than what the river provides in cleaning water, providing clean air , limiting climate changes providing habitat tourist economy etc. The ordinance as written seems to leave out the initial concern for this ordinance the Virgin River and protecting its riparian area.

## 1-4: METHODS OF REDUCING BANK EROSION LOSSES:

- A. Establishing erosion hazard zone delineations for floodplain management and land use regulation purposes; **these delineations of the floodplain and land use should include**

**historic movement of the geomorphology of the floodplain not just recent outlines as the river moves across an area depending on climate conditions and flow rates over time**

- B. B. Regulating proposed land disturbance and development within erosion hazard zones to prevent adverse impact on adjacent properties; why is this only about adjacent properties what about the adverse effect on bank loss trees and willow and brush loss habitat loss for birds, beavers, fish etc. also it is often opposite properties that are affected as the swing of the river flow is affected by opposing banks often as much or more as to adjacent properties.**

**C, s, or where the channel threatens to move outside of the established erosion hazard zone; again the hazard zone needs to include long term at least to 1900 historical river movement to allow for variable stream flow that in one short instance could go beyond the hazard zone but then not again for 100 years. This type of unique erosion is very common on the Virgin River watershed due to the unique and long term documented precipitation pattern of cloud burst aka as micro burst style of weather events in Utah.**

2-1: DEFINITIONS:

**Land Disturbance** could include with “ removal of riparian zone vegetation;: could add and riparian zone river banks of all composition

**HIGH RISK EROSION HAZARD ZONE (HREHZ):** last line could include in addition to” to improved property or infrastructure.” Again does not include the river, trees habitat so could include Virgin River riparian area and the flora and fauna within it...

### **LAND DISTURBANCE WITHIN EROSION HAZARD ZONES**

B can there be added a “ biological analysis”? Why is it only an engineering analysis again this eliminates the Virgin River riparian area and makes all analysis within the human need structural engineering context rather than the Virgin River need biological context

A general comment of the remainder of the ordinance: Think on this Will adjacent or opposing property owners get together and say well my erosion mitigation will affect your property but we can then mitigate the erosion on both of our properties and well if this affects the property across the river we will talk to them and do it all together so then the engineering analysis says three ensemble mitigations which could include rip rap here and there could possibly be scattered all over the river yet be within the effected adjacent property concern, It could be legal and totally mitigate the erosion but not At all be biologically or preservationally sound for the Virgin River.

Think of the wash adjacent to the school or the LA river? These were totally cemented because this is ultimately one efficient way to cut down on erosion. It might be important to make sure no cementing of the river banks is allowed for any reason.

So somewhere in the ordinance must be a limit that properties cant get together and make a huge erosion control project on the Virgin River in Springdale. We have many wealthy people and investors moving to town who have enormous amounts of money and enjoy “big projects” in their retirement or for investment and perhaps would be excited about mitigating the erosion of their properties with partnerships that could end up with many varied legal and reactionary Virgin River Bank mitigations that result in rip rap etc all over the Virgin River erosion zones. A part of the ordinance needs to address this possibility.

EROSION HAZARD BOUNDARY - VIRGIN RIVER  
 FOR  
 TOWN OF SPRINGDALE  
 SPRINGDALE, UTAH  
 DRAFT 2/24/2020

NOTES  
 1. AERIAL IMAGE (2018 SPRING)

LEGEND

- EFFECTIVE 100 YEAR FLOODPLAIN (2009 WASH CO & RECENT LOWERS) ———
- EFFECTIVE FLOODWAY (2009 WASHINGTON CO. RD) - - - - -
- EROSION HAZARD BOUNDARY MODERATE HAZARD (2019 STUDY) ———
- EROSION HAZARD BOUNDARY HIGH HAZARD (2019 STUDY) ———
- GEOLOGIC UNIT BOUNDARIES (I: HAYDEN 2009) ———
- Qulc
- Qunr





**Memorandum**

**To:** Planning Commission  
**From:** Thomas Dansie, Director of Community Development  
**Date:** May 1, 2020  
**Re:** **May 6, 2020 Planning Commission Meeting**  
**Geologic Hazards Ordinance**

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In the March meeting the Planning Commission reviewed a conditional use permit request on a property at high risk of geologic hazard. The Commission expressed concern that the current ordinance did not contain specific standards for the development of property in geologically hazardous areas. The Commission felt adopting such standards was a priority and directed staff to bring a geologic hazards ordinance to the Commission for review.

In 2015 the Town drafted a geologic hazards ordinance. The ordinance was based on geologic hazards ordinances from other Utah communities, and was vetted with the Utah Geologic Survey and a third-party consulting geologist with expertise in geologic hazards. After reviewing the proposed draft in public hearing, the Commission decided not to proceed with the ordinance at that time.

A copy of the 2015 proposed geologic hazards ordinance is attached. This ordinance would do the following:

- Identify specific areas of Town as high-risk landslide and high-risk rockfall area.
- Require specialized geologic hazards analyses for new development proposed in high-risk areas. The analyses would identify the potential hazards, and propose hazard mitigation specific for the development based on the hazards on the property.
- Require third-party review of the geologic hazard analyses and proposed mitigation.
- Make the property owner / developer responsible for the cost of hazard mitigation.
- Clarify that the cost of hazard mitigation could make development on a piece of property financially unfeasible.

As discussed above, the Commission did not proceed with the ordinance in 2015, based in part on opposition from the community voiced at the public hearing. If the Commission wishes to proceed with a geologic hazards ordinance, staff suggests an initial first step should be outreach to the community to help build understanding of the need for an ordinance.

The Commission should discuss whether or not to proceed with a geologic hazards ordinance and give staff direction accordingly.

**ORDINANCE 20\_\_ - \_\_**

**AN ORDINANCE ADDING CHAPTER 10-15F TO THE TOWN CODE,  
ESTABLISHING STANDARDS FOR DEVELOPMENT IN GEOLOGICALLY  
HAZARDOUS AREAS**

WHEREAS, the Town of Springdale is located in a geologically dynamic setting with actively eroding steep canyon walls, poor and unstable soils, and narrow washes and river channels subject to flood, and

WHEREAS, the dynamic nature of the Town's setting places many properties at elevated risk of hazard from natural geologic process, including but not limited to: landslides rock fall, and floods, and

WHEREAS, the Town desires to limit the extent of these hazards on life and property by adopting regulations for new development in geologic hazards areas, and

WHEREAS, the public hearings required by state and local statute as part of the ordinance amendment process have been held.

THEREFORE, be it ordained by the Springdale Town Council that Chapter 10-15F: Geologic Hazards is added to code and reads as follows:

**10-15F: Geologic Hazards**

**10-15F-1 Findings and Purpose**

The Town of Springdale is located in a dynamic geologic setting. Because the town is located in a steep and narrow river canyon there are a number of active geologic processes that present significant risks to real and personal property, as well as risk of injury and death to residents and visitors. These risks include, but are not limited to, landslide, rockfall, debris flow, flooding, expansive and collapsible soils, and seismic events (earthquake ground shaking, surface rupture, and liquefaction). The purpose of this chapter is to better protect the health, safety, and welfare of town residents and visitors, to limit damage to real and personal property, and to avoid significant additional post-hazard construction and/or future maintenance cost by establishing development standards intended to avoid and/or mitigate the impacts of natural geologic hazards.

**10-15F-2 Applicability**

The standards for mitigating the risk of geologic hazards apply to all areas at high risk of geologic hazard, as defined in this chapter. All new construction and new uses of land in areas at high risk of geologic hazard shall comply with all standards in this chapter. The standards also apply to expansions and reconstruction of existing structures in high risk areas when such expansion increases the gross area of an existing structure by 50% or more, or when such reconstruction affects 50% or more of the gross area of an existing structure.

### 10-15F-3 General Standards

Construction of permanent structures shall not be permitted or performed in areas of high risk of geologic hazard in such a manner as to place real or personal property and/or individuals at unreasonable risk of harm or injury from natural, geologic or topographic hazards such as landslides, rockfalls, debris flows, floods, expansive and collapsible soils, or excessive soil erosion. In addition to compliance with provisions of the international building code governing standards to meet the maximum foreseeable risk of such hazards, persons developing, improving, managing or owning such property shall have the obligation to bear the burden of so developing or improving the property in such a manner that the property and general public are safeguarded from unreasonable risk of harm or injury from such natural hazards.

10-15F-4 Geologic Hazard Reports: Any applicant requesting development approval on a parcel of land within an area of high risk of geologic hazard, or on a parcel of land where there are known or readily apparent geologic hazards, shall submit to the Town a site-specific geologic hazards study.

A. Each geologic hazards report shall be site-specific and shall identify all known or suspected potential geologic hazards, originating on-site or off-site, whether previously identified or previously unrecognized, that may affect the subject property.

B. All geologic hazards reports shall include the original or wet signature and professional seal, both in blue ink, of the qualified professional. Geologic hazards reports co-prepared by professional geologists and engineers must include both professionals' original signature and seal in blue ink.

C. All geologic hazards reports shall include information sufficient to document the presence or absence of geologic hazards on the property, as well as suggested mitigation measures to reduce or eliminate the potential for harm or injury to persons or property caused by such hazards.

Geologic hazard reports shall include the following information:

(1) a 1:24,000-scale geologic map, with references, showing the general surface geology (landslides, alluvial fans, etc), bedrock geology where exposed, bedding attitudes, faults, and other geologic structural features;

(2) a detailed site map of the subject area, at a scale equal to or more detailed than one inch equals 200 feet, showing the locations of subsurface investigations and site-specific geologic mapping performed as part of the geologic investigation, including boundaries and features related to any geologic hazards, topography, and drainage. The site map must show the location and boundaries of the property, geologic hazards, delineation of any recommended setback distances from hazards, and recommended locations for structures. Buildable and non-buildable areas shall be clearly identified;

(3) trench logs, when applicable, prepared in the field and presented in the geologic hazard report at a scale equal to or more detailed than one inch equals five feet;

(4) Boring logs when applicable, prepared with standard geologic nomenclature;

(5) Listing of aerial photographs used and other supporting information, as applicable;

(6) Conclusions, clearly supported by adequate data included in the report, that summarize the characteristics of the geologic hazards, and that address the potential effects of the geologic conditions and geologic hazards on the proposed development and occupants thereof, particularly in terms of risk and potential damage;

(7) Specific recommendations for additional or more detailed studies, as may be required to understand or quantify a geologic hazard;

(8) An evaluation of whether or not mitigation measures are required, including an evaluation of multiple mitigation options;

(9) Specific recommendations for avoidance or mitigation of the effects of the hazards, including design or performance criteria for engineered mitigation measures and all supporting calculations, analyses, modeling or other methods, and assumptions. Final design plans and specifications for engineered mitigation must be signed and stamped by a qualified geotechnical, civil and/or structural engineer, as appropriate;

(10) Data upon which recommendations and conclusions are based, shall be clearly stated in the report; and

(11) A statement shall be provided regarding the suitability of the proposed development from a geologic hazard perspective.

(12) When a submitted report does not contain adequate data to support its findings, additional or more detailed studies shall be required to explain or quantify a particular geologic hazard or to describe how mitigation measures recommended in the report are appropriate and adequate

#### 10-15F-4 Minimum Qualifications of Professionals Preparing Geologic Hazard Reports

Professionals preparing the geologic hazard reports shall have sufficient education, training, and experience in geologic hazards to document the existence of hazards and suggest mitigation measures to reduce the risk of harm or injury from such hazards. Professionals shall, at a minimum, be registered Professional Geologists or Professional Engineers with specific experience in identifying and mitigating geologic hazards.

#### 10-15F-5 Landslide Hazard Standards

Appendix A presents 2011 Geologic Hazards Study Area maps reflecting geological concerns pertaining to development within Springdale. The maps incorporate data obtained from previous geologic hazard studies. Development in areas at high risk of landslide is specifically declared to pose a significant and unreasonable risk of harm or injury to individuals and property. Any person proposing development on property identified as high risk for landslide hazard bears the responsibility, including all financial responsibility, of pre-stabilizing the high risk landslide area prior to any type of development approval being granted by the Town.

A. High risk landslide areas are those identified as “Very High” or “High” risk landslide areas in the 2011 Utah Geologic Survey publication, “Geologic-Hazard Investigation State Route 9 Corridor, La Verkin City to Town of Springdale, Washington County, Utah,” as well as any landslide area identified in the geotechnical report for the project.

B. The cost of pre-stabilization may preclude development on a historical landslide until such time as the real estate market justifies the expense of the pre-stabilization.

C. Pre-stabilization measures must improve the stability of the landslide by a minimum of 40%, as measured by factor of safety, and must be supported by complete and detailed site investigation and characterization, testing, and design analyses. Developers are advised to have pre-investigation/stabilization scoping meeting between the Town Engineer/Building Official and the consultant performing the investigation to discuss any building code and/or ordinance requirements that apply to the project. These meetings can reduce the uncertainty regarding applicable requirements and speed the project/permit approval process.

D. Pre-Stabilization Plan review:

Plans for pre-stabilization will be peer reviewed by a third party consultant hired by the Town. The person proposing the development will pay the consultant review fee. At the time a development application is filed the applicant shall deposit with the Town a minimum sum of \$5,000, to be placed in a trust account and used for the sole purpose of funding the expenses associated with the peer review, including but not limited to consultant fees, travel and lodging fees, transcription fees, etc. Any portion of the deposit not used shall be refunded to the applicant. If said fees and expenses exceed \$5,000, the increased expense shall be billed to the applicant. If the peer reviewer finds deficiencies in the submitted proposed pre-stabilization measures, additional site investigation and/or design may be required and an additional review fee will be required.

E. The Town is under no obligation to accept ownership of or maintenance responsibility for any infrastructure installed in a high risk landslide area.

F. Pre-stabilization measures may require special inspections as deemed necessary by the Building Official or Town Engineer to determine that the work is being performed in conformance with design specifications. The Building Official or Town Engineer may require inspections and reports by an approved Utah licensed Professional Engineer and/or Professional Geologist. Inspection reports shall be provided when requested in writing by the Building Official or Town Engineer. The Building Official or Town Engineer may require full-time inspection during critical aspects of the work. Payment for all inspections will be provided by the applicant and may require a surety bond.

G. If the proposed pre-stabilization measures fail to meet the requirements determined by the peer reviewer without resolution in a timely manner, the applicant may appeal that decision according to the procedures described in Utah Code Section 10-9a-703. The decision of the appeal authority however does not preclude the requirement for pre-stabilization of the historical landslide.

Development in areas subject to rockfall is specifically declared to pose a significant and unreasonable risk of harm or injury to individuals and property. Any person proposing development in a high risk area for rockfall hazard bears the responsibility, including all financial responsibility, of mitigating the rockfall hazard prior to any type of development approval being granted by the Town.

- A. Rockfall Hazard areas are those identified as “High” risk rockfall areas on the 2011 Utah Geologic Survey publication, “Geologic-Hazard Investigation State Route 9 Corridor, La Verkin City to Town of Springdale, Washington County, Utah.”, as well as any rockfall hazard identified in the geotechnical report for the project.
- B. Developers are advised to have pre-investigation/rockfall mitigation scoping meeting between the Town Engineer/Building Official and the consultant performing the investigation to discuss any building code and/or ordinance requirements that apply to the project. These meetings can reduce the uncertainty regarding applicable requirements and speed the project/permit approval process.
- C. Rockfall mitigation Plan review:  
Plans for mitigation of rockfall hazards will be peer reviewed by a third party consultant hired by the Town. The person proposing the development will pay the consultant review fee. At the time a development application is filed the applicant shall deposit with the Town a minimum sum of \$5,000, to be placed in a trust account and used for the sole purpose of funding the expenses associated with the peer review, including but not limited to consultant fees, travel and lodging fees, transcription fees, etc. Any portion of the deposit not used shall be refunded to the applicant. If said fees and expenses exceed \$5,000, the increased expense shall be billed to the applicant. If the peer reviewer finds deficiencies in the submitted proposed mitigation measures, additional site investigation and/or design may be required and an additional review fee will be required.

#### 10-15F-7 Flood Hazards

Flood hazards exist in Springdale along the Virgin River, major tributary washes to the river, and minor drainages and washes. Chapter 10-13C of this title deals specifically with flood hazard ordinances. New development in the town must comply with the regulations in that chapter. The regulations and standards in that chapter deal mostly with development situated along the Virgin River and its main tributary washes. However, flood hazards may also exist in the minor drainages and washes located throughout the town. Owners of property bear the responsibility of developing the property in such a way as to protect persons, buildings, and property from flood hazard, regardless of whether or not the property is in a mapped flood hazard area.

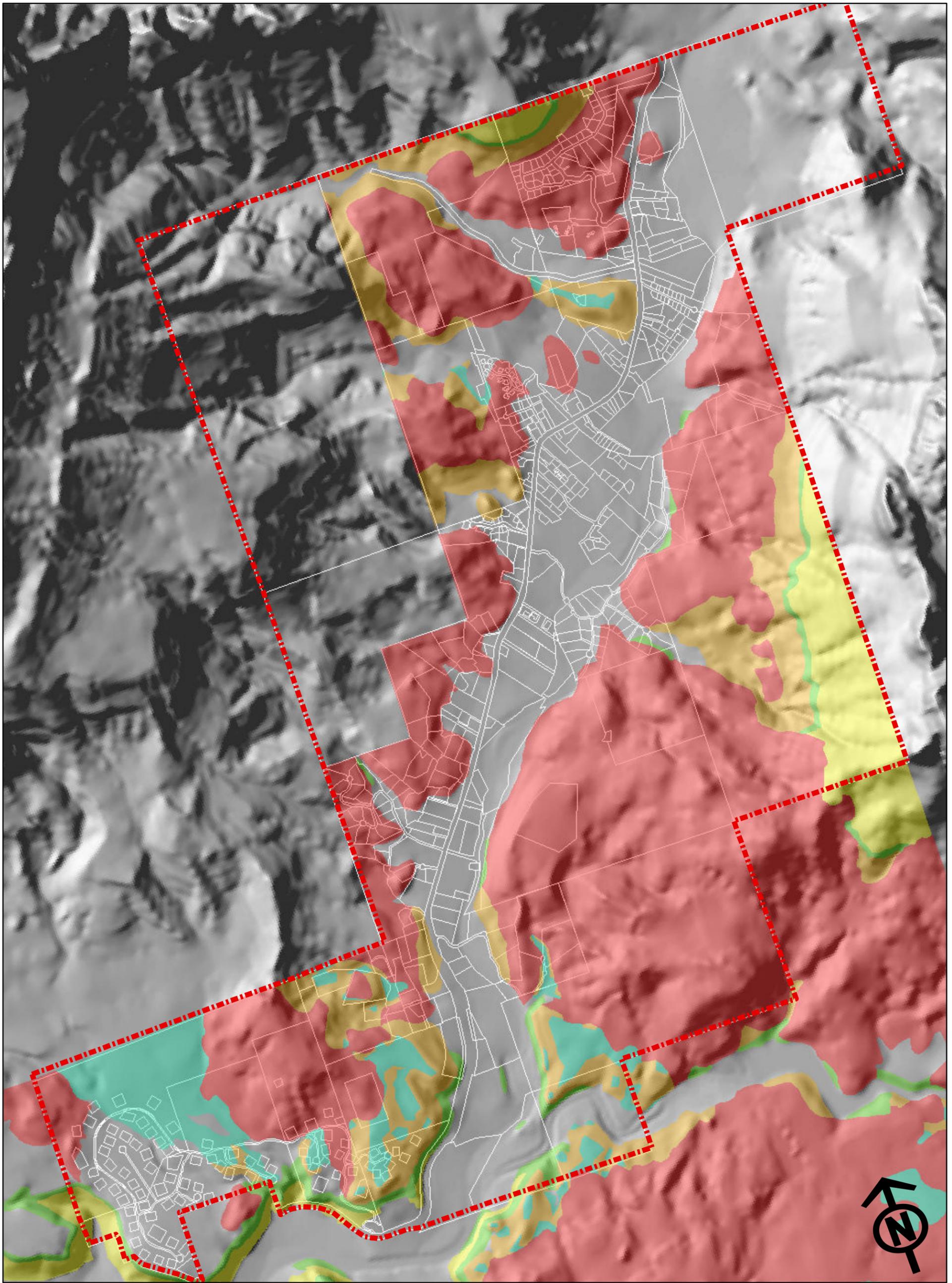
PASSED AND ADOPTED by the Springdale Town Council the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. This ordinance shall be effective upon passage and posting.

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Mayor Stan Smith

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Attest: Town Clerk Darci Carlson

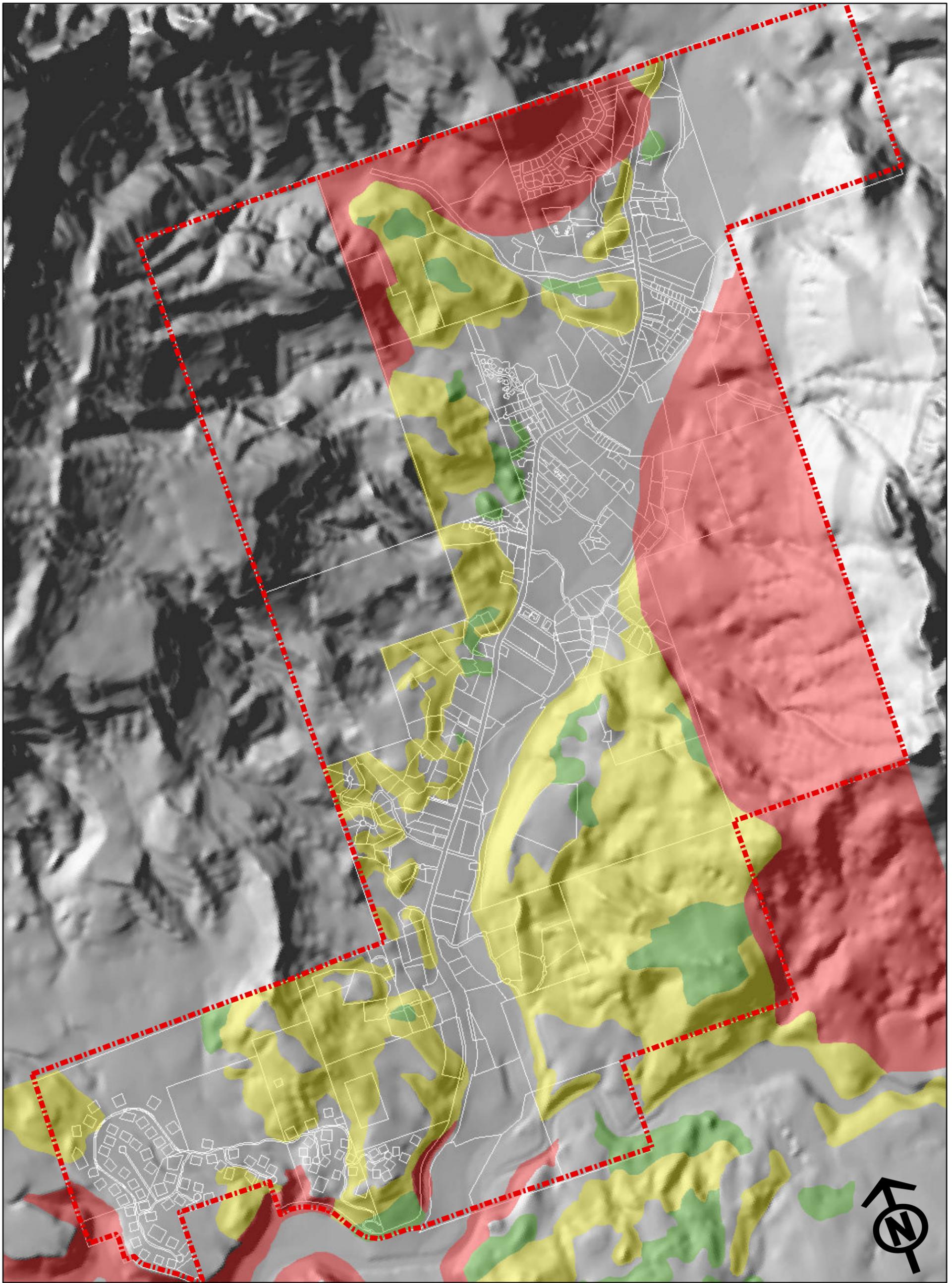


**TOWN OF SPRINGDALE HAZARD MAP**  
**LANDSLIDE HAZARD**

Hazard data provided by the Utah Geologic Survey.

**Landslide\_Hazards**

- Hazard**
-  Very High
  -  High
  -  MC
  -  MB
  -  Low



**TOWN OF SPRINGDALE HAZARD MAP**  
**ROCK FALL HAZARD**

Hazard data provided by the Utah Geologic Survey.

**Rock\_Fall\_Hazrd\_Final**  
**Hazard**

- High
- Moderate
- Low



**Memorandum**

**To:** Planning Commission  
**From:** Thomas Dansie, Director of Community Development  
**Date:** May 1, 2020  
**Re:** **May 6, 2020 Planning Commission Meeting**  
**Accessory Dwelling Units (ADU's) in the FR Zone**

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The Town Code currently allows Accessory Dwelling Units (ADU's) in the Valley residential zone. ADU's are guesthouses or mother-in-law apartments rented on a long-term basis. See section 10-22-15 for detailed information on the Town's current ADU ordinance. ADU's are intended to provide more diverse housing options in the community.

When the Town adopted the ADU ordinance in 2018 there was extensive discussion regarding whether or not ADU's should be allowed in the FR zone. At that time the Planning Commission and Town Council decided to only allow ADU's in the VR zone. The decision was based on concerns about the impacts on infrastructure in the FR zone, as well as concerns about the introduction of increased housing density in a low-density zone.

Staff has received recent inquiries and requests from residents and a council member about the possibility of now extending ADU allowance to the FR zone.

The Commission should have an initial discussion on this topic at the meeting. Staff does not anticipate a decision from the Commission at the meeting, just an initial discussion. Staff notes the Town is in the middle of two planning projects (housing plan with an independent consultant, general plan update). The conclusions and recommendations of these plans could be very helpful as the Commission analyzes whether or not to allow ADU's in the FR zone.

Based on the Commission's initial discussion staff will follow up with more detail and analysis of the issue.

TO: Tom Dansie & Planning Commission  
FROM: Eileen Crookes  
SUBJECT: ADUs

I am writing in support of a zoning change to allow for the long term rental of ADUs in the FR zone. I have been a supporter of innovative solutions to the affordable housing crisis in Springdale for several decades -having been heavily involved in instituting Red Hawk Apartments. Unfortunately the Town has yet to solve the housing situation. My biggest fear has always been that we become a Town of very expensive part-time homes with little affordability for people that actually work and meaningfully participate in our community. It is time to utilize every possible resource to improve the affordable housing in the community. Allowing long term rentals of ADUs in the FR zone is a logical step in that process.

**From:** [REDACTED]  
**Sent:** Monday, March 16, 2020 10:57 AM  
**To:** tdansie@springdaletown.com  
**Subject:** Auxiliary Dwelling Unit Rental

Tom Dansie and Members of the Planning Commission:

I would like to give my input on the upcoming discussion of allowing Auxiliary Dwelling Unit rental. We live at 34 Valley View Drive which has a long history of being a rental both before and after our purchase of the property. It consists of a main home and a casita, both of which were rented before our purchase, (apparently in violation) and which we have rented the main house for a number of years to Park Service employees. We are nearing completion on a remodel of the casita which would make an excellent rental unit providing several benefits. Like many communities, we constantly hear about the lack of affordable housing and rentals, so it seems at odds to limit viable housing options.

Benefits would be:

To the renter:

1. Less travel time to and from work
2. Savings on gas and vehicle maintenance
3. Reduction of carbon footprint

To the employer/ town:

1. Happier more stable workers
2. Higher quality work force
3. Better city reputation for being worker friendly

To the owner:

1. Return on investment
2. Security in owner absence

In conclusion, I am hopeful the city will move forward in providing an opportunity for more low cost housing.

Thank you for your consideration,

Eric & Diane Johnson

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Teach InfoWest Spam Trap if this mail is spam:

[Spam](#)

[Not spam](#)

[Forget previous vote](#)

**From:** Karla Player [REDACTED]  
**Sent:** Monday, March 16, 2020 5:39 PM  
**To:** Thomas Dansie  
**Cc:** Kathy Schultz  
**Subject:** Accessory Dwelling Unit (ADU)

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Tom, would you please forward this to Planning and Zoning and the Town Council.

We would like to encourage Planning and Zoning to seriously consider changes to the current ordinance to allow long term rental of accessory dwellings in all zones including foothill residential. As stated in section 5.2.5.C of the general plan, one implementation strategy to help with the housing shortage is to allow long term rental of ADU's in foothill residential. No problems or issues have arisen in the last several years since ADU's have been allowed in valley residential; therefore, it can be presumed that this would also be the case in foothill residential. Housing shortage is a major problem in Springdale and this is one solution that can help alleviate the problem.

Thank you,

Karla Player  
Kathy Schultz

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BEGIN-ANTISPAM-VOTING-LINKS

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NOTE: This message was trained as non-spam. If this is wrong, please correct the training as soon as possible.

Teach InfoWest Spam Trap if this mail (ID 082fbEiQv) is spam:  
Spam: <https://spamtrap.infowest.com/canit/b.php?c=s&i=082fbEiQv&m=5c1ccd451f5e&t=20200316>  
Not spam: <https://spamtrap.infowest.com/canit/b.php?c=n&i=082fbEiQv&m=5c1ccd451f5e&t=20200316>  
Forget vote: <https://spamtrap.infowest.com/canit/b.php?c=f&i=082fbEiQv&m=5c1ccd451f5e&t=20200316>

REMEMBER: Never give out your account information, password, or other personal information over e-mail.  
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END-ANTISPAM-VOTING-LINKS

May 4, 2020

Jack Burns, Planning Commission

Jack:

I have recently learned of the **Accessory Dwelling Unit** proposal that is coming before The Planning Commission and am writing to urge you to vote **NO** on this threat to village character. In my view its proposed changes for the Foothill Residential area are thoroughly inconsistent with the maintenance of our long-term population-density consensus as well as established precedents. Authorizing the proposal's radically shortened rental terms and conditions would not be in the long term interest of this community.

Sincerely,



Steven Parker

[REDACTED]  
Springdale

Steven Parker, Ph.D.  
*Associate Professor Emeritus*

UNLV

DEPARTMENT OF POLITICAL SCIENCE  
[REDACTED]

May 4, 2020

Mike Marriott, Planning Commission

Mike:

I have recently learned of the **Accessory Dwelling Unit proposal** that is coming before The Planning Commission and am writing to **urge you to vote NO** on this threat to village character. In my view its proposed changes for the Foothill Residential area are thoroughly inconsistent with the maintenance of our long-term population-density consensus as well as established precedents. Authorizing the proposal's radically shortened rental terms and conditions would not be in the long term interest of this community.

Sincerely,



Steven Parker

Springdale

**Steven Parker, Ph.D.**  
*Associate Professor Emeritus*

**UNLV**

DEPARTMENT OF POLITICAL SCIENCE

May 4, 2020

Joe Pitti,  
Springdale Planning Commission

Joe:

I have recently learned of the **Accessory Dwelling Unit** proposal that is coming before The Planning Commission and am writing to **urge you to vote NO on this** threat to village character. In my view its proposed changes for the Foothill Residential area are thoroughly inconsistent with the maintenance of our long-term population-density consensus as well as established precedents. Authorizing the proposal's radically shortened rental terms and conditions would not be in the long term interest of this community.

Sincerely,



Steven Parker

Springdale

**Steven Parker, Ph.D.**  
*Associate Professor Emeritus*

**UNLV**

DEPARTMENT OF POLITICAL SCIENCE

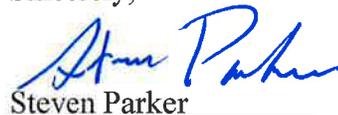
May 4, 2020

Barbara Bruno  
Springdale Planning Commission

Barbara:

I have recently learned of the **Accessory Dwelling Unit** proposal that is coming before The Planning Commission and am writing to **urge you to vote NO** on this threat to village character. In my view its proposed changes for the Foothill Residential area are thoroughly inconsistent with the maintenance of our long-term population-density consensus as well as established precedents. Authorizing the proposal's radically shortened rental terms and conditions would not be in the long term interest of this community.

Sincerely,



Steven Parker

[REDACTED]  
Springdale

**Steven Parker, Ph.D.**  
*Associate Professor Emeritus*

**UNLV**

DEPARTMENT OF POLITICAL SCIENCE



May 4, 2020

Tyler Young  
Springdale Planning Commission

Tyler:

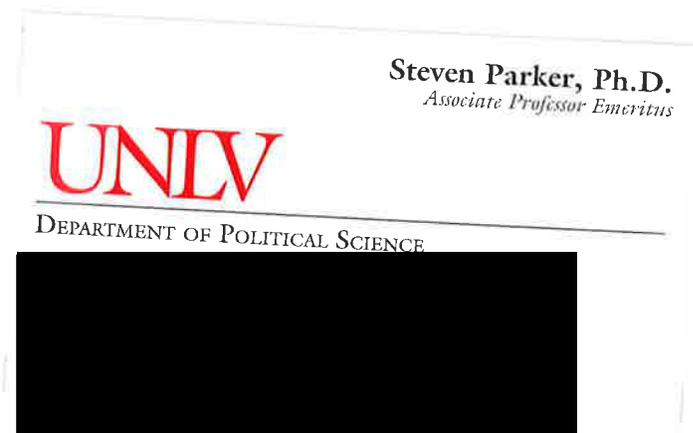
I have recently learned of the **Accessory Dwelling Unit** proposal that is coming before The Planning Commission and am writing to **urge you to vote NO** on this threat to village character. In my view its proposed changes for the Foothill Residential area are thoroughly inconsistent with the maintenance of our long-term population-density consensus as well as established precedents. Authorizing the proposal's radically shortened rental terms and conditions would not be in the long term interest of this community.

Sincerely,



Steven Parker

[REDACTED]  
Springdale



May 4, 2020

Dawn Macomb  
Springdale Planning Commission

Dawn:

I have recently learned of the **Accessory Dwelling Unit** proposal that is coming before The Planning Commission and am writing to **urge you to vote NO** on this threat to village character. In my view its proposed changes for the Foothill Residential area are thoroughly inconsistent with the maintenance of our long-term population-density consensus as well as established precedents. Authorizing the proposal's radically shortened rental terms and conditions would not be in the long term interest of this community.

Sincerely,



Steven Parker

[REDACTED]  
Springdale

Steven Parker, Ph.D.  
*Associate Professor Emeritus*

UNLV

DEPARTMENT OF POLITICAL SCIENCE  
[REDACTED]

# Planning Commission

## Regular Meetings

- Third Wednesday of every month
- Meeting convenes at 5:00 PM
- Planning Commission meets at the Canyon Community Center 126 Lion Boulevard

## Agendas & Minutes

Agendas are available prior to the meetings. Minutes are available following approval.  
[View Most Recent Agendas and Minutes](#)

## Members serve 3-year terms

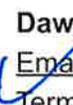
 **Jack Burns, Chair**  
[Email Jack Burns](#)  
 Term Expires: May 2021

 **Barbara Bruno, Vice Chair**  
[Email Barbara Bruno](#)  
 Term Expires August 2022

 **Mike Marriott**  
[Email Mike Marriott](#)  
 Term Expires January 2021

 **Ric Rioux**  
[Email Ric Rioux](#)  
 Term Expires: January 2023

 **Joe Pitti**  
[Email Joe Pitti](#)  
 Term Expires June 2020

 **Dawn McComb**  
[Email Dawn McComb](#)  
 Term Expires: February 2023

 **Tyler Young**  
[Email Tyler Young](#)  
 Term Expires: January 2022

**J. Treacy Stone, Zion National Park**  
 Representative

