

1. Agenda

Documents:

[060723.PCWM.NEIGHBOR.PDF](#)

2. Packet Materials

Documents:

[ITEM A1-OPEN SPACE PRESERVATION PC REPORT 6-7-23.PDF](#)
[ITEM A2-WATER CONSERVATION PC REPORT 6-7-23.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, JUNE 7, 2023, 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 the stream information below****

Approval of the agenda
General announcements

A. Discussion / Non-Action Items

1. Continued discussion on open space planning strategies
2. Discussion on possible land use regulations and strategies to promote water conservation and more efficient use of water resources

B. Adjourn

***To access the live stream for this public meeting,
please visit or click the link below:**

<https://www.youtube.com/@SpringdaleTownPublicMeetings>

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 parties to receive this notice does not constitute a violation of the Town's noticing requirements or policies.

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: Thomas Dansie, Director of Community Development
Date: June 2, 2023
Re: Continued Discussion Regarding Open Space Preservation Planning

Based on the Commission's discussion in previous work meetings staff has developed the attached draft outline of an Open Space Plan for the Town. The Commission should review this draft outline and provide feedback to staff. Based on the Commission's discussion and direction staff will create a finished version of the Plan for official consideration and recommendation to the Town Council.

TOWN OF SPRINGDALE OPEN SPACE PLAN

Open space plays a critical role in shaping the Town of Springdale's community character. The Town is surrounded by thousands of acres of protected open space in Zion National Park. The Town's setting in Zion Canyon surrounded by open space in the National Park is foundational to its identity. In addition to the protected open space in Zion National Park, open space within the Town boundaries plays a significant role in shaping the Town's character.

Open space within the Town boundaries can come in multiple forms and serve a variety of purposes. Open space in the foothills preserves important views of Zion Canyon and provides habitat for native flora and fauna. Open space along the Virgin River improves river corridor health, provides recreation for residents, and preserves important riparian areas. Open pastures and orchards along SR9 establish a link to the Town's agricultural heritage and promote a rural village feel. Parks and other developed open spaces provide important outdoor recreation opportunities for the community. All of these open space types are important to the Town's character.

In its General Plan, the Town of Springdale has identified the need to preserve additional open spaces within the Town boundaries. These preserved open spaces will complement the protected open space in the Park. Open space in the Town can protect viewsheds, provide connections from the protected open space in the Park to the Virgin River for wildlife, and enhance community character. As directed by the General Plan, the Town will actively seek to preserve open space within the community to achieve these goals.

Open space preservation requires the Town to commit resources to this purpose, particularly financial resources. Due to limitations on resources available, it is not feasible for the Town to protect all the open space that could be important in achieving the Town's open space goals. Therefore, the Town must be strategic in prioritizing which properties to pursue for open space protection. Further, the Town must be creative in the tools used to preserve open space. The purposes of this Plan are:

1. Establish priorities for the type, character, and function of properties the Town will consider for open space protection and acquisition, and
2. Outline strategies and tools the Town will use to protect and acquire open space.

Section 1: Priorities for Open Space Preservation

In deciding which properties to pursue for open space protection the Town of Springdale will use the following selection criteria. These criteria are a guide to help the Town Council evaluate where to expend resources in preserving open space. Of course, availability of land and the willingness of property owners to partner with the Town in protecting open space are other determining factors that must be considered when selecting open space protection candidates. Thus, these criteria are general guidelines for the Town to use in prioritizing properties which must be balanced with other factors such as available Town resources and the willingness of landowners.

Priority areas:

The Town will seek to preserve open space in the following areas, listed in order of decreasing priority:

1. **Hillsides:** Hillside areas above the Town provide important scenic vistas. The General Plan encourages the Town to preserve hillside areas in order to protect important community viewsheds. Hillsides also provide habitat for wildlife and native vegetation. The Town will seek to protect these resources by preserving large (generally at least several acres), contiguous property located above the Valley floor. Hillsides are particularly valuable as open space if they are generally undeveloped and undisturbed, contain steep slopes or ridgelines, have abundant native vegetation, and are part of a larger viewshed linked to views of Zion canyon and the major named sandstone peaks and ridges in Zion National Park.
2. **Riparian areas:** The Town is fortunate to have a relatively healthy river running the length of the community. Riparian areas located along the Virgin River provide habitat for wildlife. Healthy and protected riparian areas are an important part of a healthy and well functioning river channel. The Town will seek to preserve riparian areas near the Virgin River, particularly those that are near an unaltered and undisturbed section of the river, or near a stretch of the river that could be rehabilitated and restored to its natural state.
3. **Pastures, orchards, and other agricultural areas:** An important part of the Town's heritage centers on agriculture. At one point in its history the Town was full of fruit orchards, pastures for grazing cattle, gardens, and other agriculture. Very little of that agricultural heritage remains in the community. In order to preserve the influence of the historic agriculture in the community, and to help preserve the Town's agricultural heritage, the Town should seek to protect orchards, pastures, and other agricultural use areas. According to the General Plan, these areas best contribute to the Town's character when they are located adjacent to and in prominent view of State Route 9.
4. **Other ecologically important areas:** In addition to hillsides and riparian areas mentioned above, the Town has other lands that are an essential part of the ecology of the area. These include wildlife corridors, wildlife habitat (such as critical Desert Tortoise habitat), wetlands associated with springs, and other similar areas. In order to protect the health of the Town's ecology the Town should preserve these sensitive areas.
5. **Park-like areas:** Town parks and other areas that have been developed with landscape improvement and which remain mostly devoid of buildings and structures can provide important spaces for community gathering, recreation, and outdoor activity. These spaces should be protected to provide space for community members to enjoy. This will enhance the quality of life for residents.

Property Characteristics:

In addition to considering the location of open space candidate properties, the Town should also evaluate the characteristics of the property itself. Good open space candidates will have the following property characteristics.

1. **Visibility from SR9:** The viewshed from SR9 is critically important to the Town's character. The view from SR9 establishes the overall feel for the Town for both residents and visitors. Open space that is visible from SR9 will have more of an impact on the overall community character and appearance than open space hidden from SR9. Open space candidate properties should therefore be highly visible from SR9.
2. **Size:** Generally, the larger the size of an open space candidate property the better. In all cases the property should be large enough to fill its intended purpose. Hillside properties may need to be five, ten, or more acres in area to have a meaningful impact. On the other hand, orchard properties on SR9 can be much smaller to accomplish their intended purpose.
3. **Connectivity:** Connecting open space properties into a larger open space network multiples their impact. The Town should give priority to open space candidates that are contiguous to other protected open space in order to create an open space network.

Section 2: Open Space Preservation Strategies

The Town should consider the following strategies to protect open space in the community.

Fee Simple Purchase or Donation

The most effective way to protect open space is for the Town or a conservation organization to purchase all or a portion of the property. Property ownership allows the Town to prevent all future development on the property. The Town should seek to acquire fee simple ownership of open space candidate properties whenever possible. Fee simple ownership can be accomplished by purchase of the property, or by voluntary donation of the property to the Town.

Purchase: The Town should investigate methods to acquire funding for fee simple purchase of property. These methods could include:

- Voter approved open space bond.
- General fund revenue.
- Funding assistance from conservation organizations.
- Federal and State funding assistance.
- Fundraising efforts and capital campaigns.

Donation: The Town should make it as easy as possible for property owners to voluntarily donate open space to the Town or a conservation organization or land trust. For example, the Town should offer to cover all legal and real estate costs involved in a donation of property to the Town.

Purchase of Development Rights

Fee simple purchase of property may be cost prohibitive in many situations. The Town may be able to purchase the development rights from a property owner, leaving ownership and other property rights in control of the owner. A purchase of development rights (PDR) program involves the Town purchasing the development potential on a property. The property owner continues to own the property, but forgoes the opportunity to develop it in the future. Once the development potential is purchased by the Town (or other conservation organization) that development potential is permanently removed from the Town. In order to permanently protect the property as open space the Town (or other conservation organization) would need to place a deed restriction on the property to ensure it is not developed in the future. Partnerships with conservation organizations are essential for an effective PDR program. The Town should foster effective relationships with conservation organizations.

Hillside Protection Zone

In order to preserve open space in the foothills, the Town could establish a new Hillside Protection Zone. Properties meeting the location and characteristic criteria for hillsides listed above could be placed in this zone. The zone could have a larger minimum lot area, reduced building size allowances, and other development standards intended to limit the amount of development on the property and achieve the Town's open space goals. The Commission should be aware this strategy will not prevent all development in the hillside areas. It will reduce the amount of development potential in these areas. Also, any lots already existing in this zone that do not meet the new larger lot size requirement would be legal non-conforming lots, meaning they could still be developed even if they are undersized for the new zone.

Elements of the HPZ zone could include:

- Requirement for Planned Development style cluster subdivisions in the HPZ.
- Require larger minimum lot size (lower density) in the HPZ.

Characteristics of properties in the HPZ could include:

- Located in the FR zone.
- Contains steep hillsides.
- Visible from the valley floor. r HPZ:

Future Idea

Transfer of Development Rights

A TDR program preserves open space by allowing the development potential of that property to be transferred to another property in the Town. A TDR program would require the Town to identify areas that should be targeted for preservation. These are termed "sending" areas. The Town would also need to identify areas where additional development (over what the current base zoning allows) could be accommodated. These are termed "receiving" areas. The development potential of properties in sending areas can be transferred to receiving areas. Once the ordinance establishing the sending and receiving areas is established, the actual transfer of the development rights from a property in the sending area to a property in the receiving area is a voluntary transaction between the owners of both properties. A deed



Memorandum

To: Planning Commission
From: Thomas Dansie, Director of Community Development
Date: June 2, 2023
Re: Water Conservation Strategies

In the April work meeting the Commission held an initial discussion regarding water conservation. The Commission discussed the Town’s water system, water rights, and general ideas to promote water conservation. At that meeting the Commission decided to discuss pursue action on the following three issues:

1. Revisions to the Town’s water rights dedication ordinance ([section 10-1-8](#) of the Town Code).
2. Revisions to the landscape requirements for new development to encourage more water conserving landscape.
3. Adoption of requirements or incentives for water conserving strategies in new development (e.g. water conserving fixtures, etc.).

The Commision should hold a more detailed discussion on these three topics in the work meeting.

Revisions to the Water Dedication Requirement

As discussed in the April work meeting, in order for the Town to meet its long-term water planning goals, some of the water currently being used to irrigate large agricultural fields must be converted to culinary water use. This will involve acquiring more shares in the Springdale Consolidated Irrigation Company. To accomplish this goal current Town Code requires a developer to dedicate one-quarter acre-foot of water right for each new equivalent residential unit (ERU) being developed (typically in the form of shares in the SCIC). If a developer is unable to access water rights the developer may pay an in-lieu fee instead of dedicating the water right. The Town will then use the in-lieu fee to purchase water rights.

This policy has been successful in generating a healthy fund for the Town to acquire water rights. It has been less successful in actually acquiring more water rights (shares in the SCIC) for the Town. This is due to several reasons:

1. Many developers do not have shares in the SCIC to dedicate.
2. There is not an easy or convenient conversion between shares in the SCIC and one-quarter acre of water (the baseline unit of water required for dedication by the ordinance). To solve this problem the ordinance allows a “water banking” option. However, that option is complex and has never been used.

For these reasons developers have always paid the in-lieu fee rather than dedicate water rights to the Town.

The Commission should investigate ways to make the water dedication requirements simpler and easier to administer. The Commission could also revise the ordinance to restrict the in-lieu payment option to prompt more dedication of water rights.

Staff recommends the Commission review the existing ordinance and be prepared to discuss potential revisions at the meeting.

Landscape Ordinance Revisions

As discussed in the April work meeting, the majority of water used in the Town is used in outside irrigation. Much of this is used to irrigate large pastures. The water dedication ordinance discussed in the previous section is intended to ensure this water is converted to culinary use at the time pastures are developed into a non-agricultural use. A smaller amount of water is used to irrigate landscape on developed properties. The Commission could adopt policies to reduce the amount of water used in irrigation on landscaped properties.

The Washington County Water Conservation District has developed a model landscape ordinance that emphasizes water-wise landscape. The Commission reviewed this model ordinance in the April work meeting. The Town's current landscape ordinance already incorporates many of the provisions of the WCWCD model ordinance.

The WCWCD model ordinance includes a total limit on the amount of turf grass that can be planted on a property. The Town's ordinance does not include such a provision. The Commission could include a total cap on the amount of turf allowed on a property. Including this provision would qualify property owners in the Town for a cash incentive to remove turf grass and replace it with water-wise landscape.

Although not part of WCWCD's model ordinance, other communities in the region have put a cap on swimming pools and outdoor water features in addition to turf areas. The Commission could consider a combined limit on swimming pools/water features and turf areas.

Water Conserving Building Requirements

The WCWCD recommends communities adopt ordinances that require low flow water fixtures in all new development. The Commission could adopt a new regulation requiring low flow toilets, sink faucets, shower heads, etc. in all new development. Additionally, the WCWCD suggests recirculating hot water pumps can save significant amounts of water. The Commission could adopt an ordinance requiring recirculating hot water pumps in all new construction.

The Commission should be aware that requirements for low flow fixtures and recirculating water pumps will increase the cost of construction for new development. The Commission may wish to balance the benefit of water savings with the costs associated with these potential requirements.

Additional Strategies for Consideration

In addition to the strategies discussed above, the WCWCD recommends a number of voluntary programs the Town could promote to help encourage water conservation. These include:

- A program at restaurants where customers are provided water on request, and not automatically. The WCWCD estimates this policy could save between one and three gallons of water per customer.
- A program at hotels where towels and bed linens are changed out after each guest stay, and not each day. (Staff understands most lodging establishments in Town already have adopted this practice.)
- “Slow the Flow” promotional materials from the State distributed to residents and businesses. This will continually reinforce the conservation message and remind residents, business owners, and visitors of the need to be careful in water use.

Summary

The Commission should discuss the strategies outlined in this report and give staff direction on which strategies to more fully develop.