



**MINUTES OF THE SPRINGDALE TOWN COUNCIL  
WEDNESDAY, JUNE 14, 2023  
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH**

The meeting convened at 5:00 pm.

**MEMBERS PRESENT:** Mayor Barbara Bruno, Council members Randy Aton, Lisa Zumpft, Suzanne Elger, and Jack Burns.

**ALSO PRESENT:** Town Manager Rick Wixom, Director of Community Development Tom Dansie, Public Works Superintendent Rob Totten, Parks and Recreation Director Ryan Gubler, Police Chief Garen Brecke, Treasurer Dawn Brecke, and Town Clerk Darci Carlson recording.

Mayor Bruno announced that Town Clerk Darci Carlson was retiring on July 10th. Ms. Carlson was asked to lead the Pledge of Allegiance.

**Approval of the agenda**

**Motion made by Suzanne Elger to approve the Regular Meeting agenda for June 14, 2023.**

**Seconded by Randy Aton.**

**Aton: Aye**

**Zumpft: Aye**

**Bruno: Aye**

**Elger: Aye**

**Burns: Aye**

**The motion passed unanimously.**

**A. Announcements/Information**

**1. General announcements:** Mr. Burns announced that Phase 2 of the Paiute Trail was under construction. As with Phase 1, the trail was currently planned for multi-use, which included bikes. The trail was located on land owned by the Paiute Indian Tribe of Utah but would be managed and maintained by the Town of Springdale via a formal agreement. Mr. Burns acknowledged that the Town had received several comment letters regarding bike use on the Phase 2 portion of the trail. Before a public discussion ensued, Mr. Burns said a meeting was planned with the Paiutes. He encouraged residents to submit their comment letters both for or against bike use on the trail.

Due to a rodent infestation in the cemetery, the lawn and headstones were being affected. Since water drew the animals into the area, Mr. Burns suggested Springdale consider a more water-wise cemetery. He said that the City of Ivins removed their cemetery lawn and created a more drought-tolerant landscape. This idea was in concert with the Planning Commission's work on water conservation. The staff planned to meet with Ivins to learn more.

**2. Zion National Park update: Superintendent Bradybaugh reported:**

- May visitation numbers were not available. April numbers were down 16% compared to last year but were up 18% from April 2019. Visitation continued to trend up. (Note: After the meeting, Superintendent Bradybaugh emailed the visitation numbers for May. See Attachment 1).

- Since flow from the Virgin River was strong, the Narrows and canyons leading into Narrows were closed.
- Due to excessive winter precipitation, a large section of the Kolob Canyons Road was lost. This provided some engineering challenges, but repairs should be complete by late summer.
- On June 15<sup>th</sup>, the Park will hold its first annual Pride Day with several activities. People were encouraged to participate.

Ms. Zumpft asked how things went during Memorial Day, and when the electric buses were expected..

- Despite not having statistics, Superintendent Bradybaugh said visitation was a little lighter this year. More people seemed to be parking in Town and taking the shuttle.
- Delivery of the first five electric buses was delayed but training was anticipated to begin in August with passengers likely in September. The first buses would run in Springdale.

**3. Council department reports questions and comments:** Ms. Zumpft questioned a comment made regarding too many vehicles showing up at a fire or accident.

- Mr. Aton explained that some Washington County residents who expressed objection to a proposed property tax increase for the Hurricane Valley Fire District commented that too many vehicles were responding to relatively minor incidents. Mr. Aton clarified that based on criteria, 911 dispatch dictated which vehicles responded. Now, instead of the property tax increase to fund EMS services, the District was seeking a 1% sales tax increase. This question will be added to the upcoming November ballot, and Mr. Aton encouraged people to vote in favor.

Ms. Elger asked for an update on the upgrades to the sewer treatment plant.

- Mr. Aton deferred to Rob Totten, Public Works Superintendent. Mr. Totten said they were still working on a site plan and building sizing, Construction would likely begin in early spring of next year.

(Note: Prior to the meeting, Mr. Aton shared the May 2023 EMS calls for Rockville, Springdale, and Zion. This information can be viewed in Attachment 2).

**4. Community questions and comments:** Paul Zimmerman, representing the Kinesava Homeowners Association, read a prepared statement to the Council regarding open space preservation and water conservation (Attachment 3). This was a document he had previously presented to Mr. Wixom, Mr. Dansie, and the Planning Commission. He detailed the Association's care of a 5.5-acre pasture which promoted rural and village character, but how concern over an increase in irrigation rates threatened their ability to affordably maintain this piece of property. Mr. Zimmerman expressed that the neighborhood believed the rate increase was unfair, unjust, and inequitable. He asked when and how the Town planned to address these concerns.

Noel Benson commented that the Town continued to make development deals without expiration dates. Since there was no indication of when development incentives would be realized, it was unknown if they would be good for the Town 20 or 50 years in the future. He favored establishing expiration dates on all developer incentives.

## **B. Consent Agenda**

The Consent Agenda consisted of the following items:

1. Review and approval of monthly invoices
2. Approval of Town Council minutes for April 27, 2023, and May 10, 2023
3. Annual Fraud Risk Assessment report

**Motion made by Jack Burns to approve the Consent Agenda. Seconded by Suzanne Elger.**

**Aton: Aye**

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

### **C. Oath of Office**

**1. Oath of Office for Aren Emerson, Town Clerk:** Mayor Bruno led the Oath of Office for the newly appointed Town Clerk, Aren Emerson.

Ms. Emerson's appointment will become effective on Tuesday, July 11<sup>th</sup>.

### **D. Legislative Action Items**

**1. Public Hearing – Ordinance 2023-05: Addition of Chapter 10-13G to the Town Code, adopting a workforce housing overlay zone, which would allow increased density (units per acre) for residential developments targeted to employees of local businesses:** Mayor Bruno reviewed the Rules of Order as provided on the back of the agenda.

Based on the General Plan and the Town's prior work on housing, the Planning Commission had identified housing as a top priority. To facilitate this work, a committee consisting of two Council members (Mayor Bruno and Ms. Zumpft), two Planning Commissioners (Mr. Kenaston and Mr. Campbell), and two staff members (Mr. Dansie and Mr. Wixom) was established to research housing strategies. The committee also engaged experts and outside resources. Based on the research, the committee drafted a proposal for a workforce housing overlay zone (WFOZ).

Mr. Dansie outlined the allowances this overlay zone would permit. He also explained how this overlay would differ from the moderate-income housing development overlay zone. The WFOZ was based on an employment-based qualification for the occupants of the housing units. Before this overlay was applied to a particular property, the zone change would need to be approved by the Council in legislative action.

The Planning Commission reviewed the proposal in their April meeting and recommended denial based on findings that potential development would detract from the Town's village character and not be consistent with various objectives in the Land Use and Town Appearance section of the General Plan.

- Along with their recommendation of denial, the Planning Commission identified some technical inconsistencies in the ordinance. The version of the ordinance distributed in the packets contained revisions from the housing committee addressing these inconsistencies.

The Town Attorney also proposed some formatting and grammatical changes that were distributed to the Council late. The Council viewed the changes recommended by the attorney as relatively minor, and they agreed to proceed with the agenda item.

### **Council questions to staff:**

Mr. Aton asked if a larger development would require a commercial bank loan.

- Mr. Wixom said his experience with loans was primarily for a municipality. Regardless of the type of loan, however, the Council should look at the use of a property, not how it was financed.

Ms. Elger asked how it was decided that the ordinance was needed. She questioned if the Town knew the number of housing units and occupancy rates.

- There were approximately 300 total housing units in Springdale. It was unknown how many of those units were owner-occupied, second residences, or rentals. More data would be collected through the Town's City Alliance Project with Utah Tech University.

Ms. Elger asked if it was known how many employees needed housing in Springdale.

- Based on the 2020 Zions Public Finance Housing Study, there were over 1,000 employees who commute to Springdale or Zion National Park daily. It was unknown how many were desirous of living here. Results from the 2022 housing survey could be filtered by employee/non-resident status, which showed a significant number.

Ms. Elger asked how the problem was defined and how many units were needed.

- Mr. Dansie said the problem was identified through the Zions Public Finance Housing Study and through anecdotal information. Demand far exceeded availability and supply. In terms of unit quantity, this was unknown at this point. The intent of the ordinance was to provide a tool that could provide additional housing options.

Ms. Elger asked how many employees the housing committee spoke with.

- Mayor Bruno said they spoke with employers who had knowledge of where their employees lived and where they would like to live. Although they did not formally speak to employees, Mayor Bruno estimated that 10-15% of them wanted to live in Springdale. Based on her personal conversations with employees, she said roughly 25% were desirous of living here.
- Based on his interviews with several employers, Mr. Kenaston said there was a certain percentage of employees that would immediately move to Springdale if there was something viable. Susan McPartland spoke to ZNP employees and indicated some people were interested, but no specific numbers were known.

Ms. Elger asked why the ordinance was set at 75% employee housing instead of 100%.

- Affordable housing developers indicated that in order to make a workforce housing development financially feasible, 25% was necessary.

Ms. Elger questioned enforcement and annual audits.

- Rental units were required to submit annual documentation that 75% of the units were occupied by people employed in Springdale. Ownership units were required to be purchased by or sold to someone employed in Springdale.

Ms. Elger asked how someone's housing situation changed if they lost or changed jobs.

- If actively employed in Springdale, one's housing situation would not change. If employment changed to a business outside of Springdale, the person was no longer qualified to live in the unit and had 90 days to leave.

Mr. Burns asked how the committee arrived at the definition of a qualified employee working 1,560 hours.

- This provision was designed to account for the seasonality of work in Town. It equated to nine months of full-time employment.

**Community questions to staff:** If this overlay was adopted, Louise Excell asked if it would begin the process of public hearings where people could come forward with concerns, questions, or comments.

- Mr. Dansie confirmed it would.

Elizabeth Cutler asked where the moderate-income housing development overlay had been used.

- The only time this overlay had been applied was in the Red Hawk neighborhood. It allowed for the development of 24 apartment units and 15 single-family homes. Mr. Dansie explained that since this overlay zone depended on an income qualification requirement, it was not as financially feasible unless state or federal housing funds were available. Given the amount of land in Springdale where a project could be developed, it was unlikely a development would be large enough to compete for those funds.

Brad Luizzi asked how a proposal like this comes before the Planning Commission or Town Council.

- In general, direction came from the General Plan, the Council, or the Commission related to a need. Based on this direction, a proposal was reviewed and analyzed. In the case of this proposal, the General Plan addressed the need to provide local workforce housing or diversification of housing options.

Mark Stevens asked how the question was phrased when asking people if they wanted to live in Springdale. If it did not address market rate, then it did not address the real question.

- The committee worked with a market research consultant to formulate the survey questions. Answers could be filtered in more detail.
- Regarding market rate, Mr. Kenaston said the consultant approximated rents of \$800/month for a studio and \$1500/month for a one-bedroom. At these rates, employers indicated that employees would be interested in living in Springdale.

Gil Kiefer asked what guarantees were written into the proposal that would restrict a builder from reselling the units.

- Based on lessons learned from past experiences, Mr. Dansie answered that restrictions were built into the ordinance. A restrictive covenant and development agreement were also both required, which further memorialized terms.

Ms. Elger asked why the decision was made to have the WFOZ apply to all zones.

- As with the moderate-income housing overlay zone, the WFOZ applied to all zones to preserve maximum flexibility and not foreclose the opportunity for an appropriate project.

**Motion made by Suzanne Elger to go into public hearing for Ordinance 2023-05. Seconded by**

**Randy Aton.**

**Aton: Aye**

**Zumpft: Aye**

**Bruno: Aye**

**Elger: Aye**

**Burns: Aye**

**The motion passed unanimously.**

**Public comment:** Louise Excell has lived in Springdale for many consecutive years. She lamented the loss of dark sky, quality of life, and of community. She read the comment letters and said many also felt the quality of life was gone. What troubled her was that some seemed to think the cause of their unhappiness was the workers. Instead, people should complain to the Town about over development of transient lodging. Ms. Excell stated she would rather have resident workers living next to her than transient lodging. Red Hawk was an example of how to do it correctly; it was attractive and carefully managed. A well-crafted, carefully implemented overlay zone would help developers create something to be proud of. Some places could not accommodate the density. If genuinely affected by the potential use of the overlay, that was the time to come out and express opposition. Not now.

Brad Luizzi said the density ordinances were created to preserve the quality of life. Any proposal to promote, encourage, or increase density was negative. It was not the homeowners' responsibility to bear the brunt because some business owners wanted to import cheap labor. Business owners should have creative ideas or incentives to attract workers. It should not be laid on the residents. Mr. Luizzi said those voting on the proposal were not affected by the proposal. He said it was irresponsible to suggest any increased density when the infrastructure could not handle it.

Stew Ferber had been a Springdale resident for nearly 50 years. He agreed it was a development-by-development case and people should protest when it affected them. He favored giving the overlay a

chance. Sometimes employees had to be lured in with housing. Employers were looking for qualified people to work in Springdale; they were not busing in cheap workers. He suggested people look at themselves and their homes and consider how much greater Springdale was 40 years ago before they moved in.

Mary Stolz appreciated the comments made by Ms. Excell and Mr. Ferber. She said a village atmosphere was a community where people lived and worked together. Give ideas a chance. She did not understand why having a little more density was a problem. She appreciated her renters and felt it would be wonderful to have more of a real community.

Ashland Kirkpatrick was a lead park ranger in ZNP; she was also a substitute librarian. Ms. Kirkpatrick said she had the privilege of living in an apartment in Moenave. She loved being able to live on the doorstep of the park she protected and appreciated being able to engage with people in the community. Unfortunately, many of her co-workers commuted from Washington City and St. George because they do not have the opportunity to live in Springdale. She encouraged everyone to think not only about their own interests but those of the local workforce.

Suzette Benson said none of the letters she read were against the workers. It was the ordinance that people objected to. There were a lot of other options that were suggested. No one was against workers not having a home.

Mark Stevens purchased his property based on certain zoning rules, but these rules have been under attack by numerous overlay zone proposals. He said the report prepared for this ordinance did not identify the failings of the cottage housing overlay. Both the Land Use and Appearance chapter and the Housing chapter of the General Plan quoted the need to protect the character of existing residential neighborhoods and supported denial of the proposal. Mr. Stevens said this proposal would materially impact the quality of life. Most comment letters also supported denial. In order to strengthen solid relationships among community members, as the General Plan stated, the Town should live up to the zoning commitments at the time people purchased their properties.

Noel Benson clarified Mr. Aton's question about bank loans and said any property with five or more units would be considered commercial; four or fewer units would be considered income-producing residential. Lenders would lend accordingly.

Robert Carlton objected to the proposed ordinance, which was another attempt to increase density in zones other than commercial. Springdale had many unique ecologic and cultural characteristics. The Town should look for ways to incentivize employers to develop employee housing. Mr. Carlton recommended expanding the use of ADUs to maximize the community's residential footprint. Given the cost of land and construction, he questioned how new housing units could be developed for rental or sale at market rates. This ordinance would not solve the housing shortage, and he suggested the Town develop the recently gifted commercially-zoned parcel. Mr. Carlton did not feel this proposal had safeguards to protect village character and open space.

Gil Kiefer said there were a number of differing opinions and asked if it was possible to put this out for a vote among Springdale residents.

Teresa Silcox said she would love to see an influx of younger, more active residents. Since many people would be affected, she suggested the committee consider scaling back the density and setback. If employees want to live in Springdale, they will find a way. There was a lot of understandable angst among the residents that could be solved if the density was softened.

Elizabeth Cutler resented the implication that people did not want more young families in the community. Businesses needed to provide housing or make employment desirable and lucrative enough that employees were willing to commute or live in the community. If the goal was to have an age and financially-diverse population, then the Town needed to make affordable housing the focus. She said there was something morally wrong in changing density after people purchased their property. Ms. Cutler was opposed to no income restrictions, which would open development up to exploitation. Given the history of the Town, there were examples of how citizens were betrayed in the interest of developers and wealthy business owners. She asked that the overlay not be passed.

Jim Cutler purchased a home in a residential zone and was concerned this overlay could be applied to a parcel nearby, which seemed unreasonable. What was established as a residential area should remain so for the sake of those who had purchased.

**Motion made by Jack Burns to close public hearing. Seconded by Suzanne Elger.**

**Aton: Aye**

**Zumpft: Aye**

**Bruno: Aye**

**Elger: Aye**

**Burns: Aye**

**The motion passed unanimously.**

**Council deliberation:**

During the time he has lived here, Mr. Aton said the Town changed significantly. The lack of private land caused market prices to go up, which changed the diversity to a monoculture. As written, the overlay had the potential to open opportunities for those who worked here to live here. It was a legislative tool that the Council could use carefully and appropriately. The Council would also look at other tools, such as ADUs. Mr. Aton noted several public comments expressing that the issue was not a resident problem but a business problem. He said both were vitally important to the health of the Town. He acknowledged that the cottage housing overlay did not work, but that much was learned from it. This ordinance specified that a restrictive covenant be recorded with the deed, keeping the property as workforce housing in perpetuity. Mr. Aton addressed comments made by community members. Since the Council would have discretion when reviewing applications, they could adjust density as appropriate. He said this ordinance supported the General Plan and was in favor of it.

Ms. Elger asked what this overlay zone achieved that the cottage housing overlay zone did not. Nothing in this ordinance changed the economic dynamic. There was no rent control.

- Mayor Bruno said properties approved for the workforce housing overlay would be required to record a deed restriction that ran with the land. This was not done for the cottage housing overlay. The hope was that cottage would be sold at affordable prices.
- Ms. Zumpft said language in this ordinance proposal gave the Town more control.

Ms. Elger struggled to understand how this ordinance would get the Town affordable, attainable housing. She asked who the groups were that would develop housing of this nature.

- Mr. Dansie said they spoke with Sharlene Wilde from the Southern Utah Land Trust, NeighborWorks, Chris Zarek with Cowboy Partners, and Shirlayne Quayle former Housing Director for St. George City.

Mr. Burns said housing had always been an issue. He recalled a story where Springdale and Rockville residents helped in a time of need. It was humbling to have a community that was supportive. Healthy communities included the silent minority, which was often the workforce who struggled to find housing and pay for it. Mr. Burns felt it was important to help them move through their lives. This ordinance was a tool that allowed the Council to act on an opportunity if one presented itself. He understood people's

concerns, but there was the flexibility to reduce density depending on location. Mr. Burns suggested people do due diligence in vetting the Council candidates to be sure they represented your interests. It was the Council's responsibility to represent the residents, businesses, and the workforce.

Ms. Elger asked how the ordinance, as written, met any of that. She did not think the Town had established the need for housing. The information collected was anecdotal. Additionally, Ms. Elger was unsure why it was the Town's responsibility to provide housing. This proposal was not a tool but a concession to zoning ordinances.

Ms. Zumpft recognized that housing had been a challenge for many years. She said the General Plan update was a process that happened every five years, and the public was encouraged to give input. Once approved, it was the Council's responsibility to use the General Plan to guide ordinances. Ms. Zumpft felt this ordinance supported the General Plan. She agreed that ADUs should be considered again. No one knew what the future would bring, and the Council was elected to do the best job it could. Several General Plan goals and subgoals and Town Code section 10-3-2A supported this ordinance. She appreciated the community's comments and participation.

Mayor Bruno challenged assertions that the ordinance had been rushed through, saying it had been worked on for 1-1/2 years. A community survey elicited a record number of responses that showed people supported attractive, higher-density housing in appropriate areas. Mayor Bruno noted that Springdale had been losing full-time residents for years, and many homes were now used by part-timers or transient lodging. If the trend continued, we will not have a community. Employees who work here were stakeholders, and Mayor Bruno welcomed them. This ordinance supported the General Plan, and she was in favor of it.

Ms. Elger wanted to discuss the Planning Commission's recommendation to deny the ordinance. She asked her colleagues if they listened to the Commission.

- Council members indicated they had considered the Commission's recommendation. Mayor Bruno disagreed with it, stating it was the right thing to do. She called for the motion.

**Motion made by Lisa Zumpft to approve the proposed Workforce Housing Overlay Zone as redlined by the Town attorney for Chapter 10-13G to the Town Code. This motion is based on the following findings:**

**1. This ordinance supports 10-3-2A by directly promoting the objectives and purposes of the General Plan; and accommodates substantial changes in conditions that are not contemplated in the General Plan including the loss of housing to nightly rentals, the cost of housing due to low-density and loss of workers who would like to live in town to be a part of the community.**

**2. General Plan sections that support adding this Overlay Zone include:**

**a. Land Use and Town Appearance Sub-Goal C 2 – zone changes that will be carefully reviewed and considered to benefit residents and workers.**

**b. Housing General Goal – housing options that support a diverse population, including low density residential units, higher density multi-family units in select locations, accessory dwelling units, and others.**

**c. Housing Sub-Goal B, B1, B2c, B3b, B3c, B3e – these encourage key contributors to the community (first responders, teachers, business owners/managers, etc.) to live full-time in the community; develop policies and strategies to provide more diversity in housing options; consider creating a residential multi-family zone in selected density changes in appropriate areas; allow exploration of a creative variety of scalable**



employee housing solutions; and allow deed restrictions on the property to ensure enforceability of affordable housing in the project.

**3. Additionally, the following General Plan sections support housing improvements: Land Use and Town Appearance:**

**a. Sub-Goal A - Maintain Springdale's identity as a unique Village;**

**b. Sub-Goal C - Use zoning and land use regulation strategically to ensure new development does not detract from the Town's small-town character and**

**c. Sub-Goal F - Protect residential neighborhoods from the impacts of commercial development and**

**4. Housing Sub-Goal A - Maintain Springdale's character as a rural residential community.**

**And direct the Mayor to sign.**

**Seconded by Randy Aton.**

**Aton: Aye**

**Zumpft: Aye**

**Bruno: Aye**

**Elger: No** Ms. Elger expressed she was disappointed in the deliberation. Council members stated their opinions.

**Burns: Aye**

**The motion passed 4:1.**

The Council took a brief break. The meeting resumed at 7:32 PM.

**D. Administrative Action Items**

**1. Public Budget Hearing - Resolution 2023-05: Adoption of the final budget for FY 23/24:** Mr.

Wixom said the Council started working on the new fiscal year budget in April, giving tentative approval in their May meeting. The Council was required to hold a public hearing prior to final adoption.

Mr. Wixom outlined budget changes as noted in the staff report, which included: an increase of \$1,700 in property tax, the purchase of lot 8 and future sale of lots 7 and 8 in Red Hawk, RAP Tax approvals, the addition of part-time salaries in the Parks Department, changes in the Water and Irrigation Funds for remote disconnects and a VFD controller, and money for the maintenance of wastewater solar arrays in the Sewer Fund.

**Council questions to staff:** Ms. Elger asked about wastewater treatment funding and if impacts were part of this budget.

- Funding had been authorized through CIB, but the Town had not yet closed on the bond. Mr. Wixom said closing would happen after the project was designed and bid; then, the Council would consider a budget amendment. The Council already approved the purchase of the headworks screen and the sand filtration components.
- CIB loan payments would begin in the next budget year.

Ms. Elger asked where the Red Hawk lots sale numbers came from.

- Lot 7 was purchased and would be sold for \$315,000. This amount was based on the equity share agreement and promissory note with the current owner. Lot 8 would be purchased and sold for approximately \$400,000.

**Community questions to staff:** None were asked.

**Motion made by Suzanne Elger to go into public hearing for Resolution 2023-05 Adoption of the final budget for fiscal year 23/24. Seconded by Randy Aton.**

**Aton: Aye**  
**Zumpft: Aye**  
**Bruno: Aye**  
**Elger: Aye**  
**Burns: Aye**

**The motion passed unanimously.**

**Public comment:** No comments were made.

**Motion made by Randy Aton to close public hearing. Seconded by Suzanne Elger.**

**Aton: Aye**  
**Zumpft: Aye**  
**Bruno: Aye**  
**Elger: Aye**  
**Burns: Aye**

**The motion passed unanimously.**

**Council deliberation:** The Council had no additional discussion

**Motion made by Lisa Zumpft to adopt Resolution 2023-05 the final budget for fiscal year 23/24 and authorize the Mayor to sign. Seconded by Jack Burns**

**Aton: Aye**  
**Zumpft: Aye**  
**Bruno: Aye**  
**Elger: No**  
**Burns: Aye**

**The motion passed 4:1.**

**2. Approval of the final development agreement between Stew Ferber and the Town of Springdale as conceptually approved by the Council on March 8, 2023:** In their March meeting, the Council held a public hearing, deliberated on the policy decision, and approved a conceptual development agreement with Stew Ferber. The impact of this agreement would modify development parameters on the La Quinta property and the Zion Canyon Campground property. In return, Mr. Ferber would donate six properties to the Town. Tonight, the Council would review the legal document that would ratify the agreement.

Mr. Burns asked for clarification regarding the building height measurement for the buildings in the flood hazard area of the campground property.

- Mr. Dansie explained that building height would be measured from an elevation one-foot above base-flood-elevation rather than natural grade for the lowest building. This was an incentive Mr. Ferber requested in order to maintain building uniformity in design and appearance. It had the potential to increase the building's height by two-feet.

Ms. Elger asked how ownership changes impacted the agreement.

- Land use entitlements run with the land, not the owner. Even if ownership changes, the terms of the agreement remain with the property.

Mr. Ferber explained that he no longer owned the La Quinta but wanted the new owners to have better success with the restaurant by including a patio cover in the agreement.

Ms. Elger noted that Mr. Ferber was listed as the managing partner for all the properties affected by the agreement.

- Mr. Dansie said this was likely a drafting error and that the Town attorney would be consulted and make corrections as needed.

Ms. Elger asked if the required development of employee housing on West Temple had been fulfilled.

- The original agreement allowed Mr. Ferber to develop ten (10) employee housing units on the West Temple property. Of the ten (10), he was required to develop four (4). He was not required to develop more but could develop an additional six (6) units.

**Motion made by Lisa Zumpft to approve the final development agreement between Stew Ferber and the Town of Springdale as conceptually approved by the Council on March 8, 2023 with corrections regarding the managing member designation and direct the Mayor to sign. Seconded by Suzanne Elger.**

**Aton: Aye**

**Zumpft: Aye**

**Bruno: Aye**

**Elger: Aye**

**Burns: Aye**

**The motion passed unanimously.**

#### **E. Administrative Non-Action Items**

**1. General Council discussion:** Ms. Zumpft wanted the Council to reconsider ADUs for long-term rentals in the Foothill Residential zone.

- Mr. Aton suggested this be looked at as a legislative decision since some properties were more appropriate than others.
- Mayor Bruno added that Utah Tech would conduct a housing study in conjunction with the City Alliance, which will provide better information regarding the Town's housing stock.
- Mr. Burns said the Council should also consider the number of units per property; and discuss how the parcels acquired from Mr. Ferber could become part of the housing solution.

Given a public comment made during the workforce housing overlay agenda item, Mr. Wixom wanted to dispel any concern that the sewer lagoons were overflowing into the Virgin River. This was inaccurate. The Town discharged into the Virgin River according to what its permit allowed, and only after UV treatment and disinfection.

#### **Adjourn**

**Motion to adjourn at 7:56 pm made by Lisa Zumpft. Seconded by Randy Aton.**

**Aton: Aye**

**Zumpft: Aye**

**Bruno: Aye**

**Elger: Aye**

**Burns: Aye**

**The motion passed unanimously.**

---

Darci Carlson, Town Clerk

**DRAFT**

APPROVAL: \_\_\_\_\_ DATE: \_\_\_\_\_

A recording of the public meeting is available by accessing the Town’s YouTube channel at <https://www.youtube.com/@SpringdaleTownPublicMeetings>

Pending Approval



PO Box 187 118 Lion Blvd Springdale UT 84767

### ATTENDANCE RECORD Please print your name below

Meeting TOWN COUNCIL REGULAR MEETING Date 04/14/2023

**IN PERSON ATTENDEES:**

ROBER REESE  
Name (please print)

Elizabeth Cutler  
Name (please print)

SIM CUTLER  
Name (please print)

Noel Benson  
Name (please print)

Garet Pasuk  
Name (please print)

KRISTEN BENSON  
Name (please print)

Lillie Baiardi  
Name (please print)

Carol Thayer  
Name (please print)

Jeff Carlson  
Name (please print)

Pat Campbell  
Name (please print)

PAUL ZIMMERMAN  
Name (please print)

Tom Kenaston  
Name (please print)

Louise Excell

**REMOTE ATTENDEES:  
(Clerk will complete)**

Marie McNeal  
Name (please print)

Teresa Silcox  
Name (please print)

Mary Stults  
Name (please print)

Aswyn Kirkpatrick  
Name (please print)

Stu & Sydi Parker  
Name (please print)

Mark Starn  
Name (please print)

Tonya Heyder  
Name (please print)

Julian Comer  
Name (please print)

Laura Datz  
Name (please print)

Robert Carlton  
Name (please print)

Fam Taylor  
Name (please print)

Beth Lindsey  
Name (please print)

Helen McMahon  
Brad Luizzi



PO Box 187 118 Lion Blvd Springdale UT 84767

### ATTENDANCE RECORD

Please print your name below

Meeting Town Council Reg Mtg Date 6-14-2023

**IN PERSON ATTENDEES:**

**REMOTE ATTENDEES:**  
(Clerk will complete)

Suzette Benson

Name (please print)

<sup>0005</sup>  
[Signature]

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

**ZION Visitation Numbers for May**

2 messages

**Jeff Bradybaugh** <Jeff\_Bradybaugh@nps.gov>

Fri, Jun 16, 2023 at 10:21 AM

To: Barbara Bruno <bbruno@springdale.utah.gov>, Randy Aton <raton@springdale.utah.gov>, Lisa Zumpft <lzumpft@springdale.utah.gov>, Suzanne Elger <selger@springdale.utah.gov>, Jack Burns <jburns@springdale.utah.gov>, Rick Wixom <rwixom@springdale.utah.gov>, Tom Dansie <tdansie@springdale.utah.gov>, Darci Carlson <dcarlson@springdale.utah.gov>

Howdy! Finally able to get the May 2023 visitation numbers out of the system... see below:

	May 2023	May 2022	Percent Change (2023 vs 2022)	May 2019	Percent Change 2019 vs 2023
Total Monthly Visits	516,143	541,032	- 4.60%	531,413	-2.87%
Total Visits Year to date	1,554,983	1,794,491		1,408,375	+10.40%

**Jeff Bradybaugh** (he/him)

Superintendent

Zion National Park

State Highway Route 9

Springdale, UT 84767

phone: 435-772-0140

e-mail: [jeff\\_bradybaugh@nps.gov](mailto:jeff_bradybaugh@nps.gov)*"Optimism is true moral courage"*

Sir Ernest Shackleton, 1874-1922

shipwrecked Antarctic Explorer



Please consider the environment before printing this e-mail.

Reduce ! Re-Use ! Recycle !

**CONFIDENTIALITY NOTICE:** This message (including any attachments) is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message.

**Darci Carlson** <dcarlson@springdale.utah.gov>

Fri, Jun 16, 2023 at 10:35 AM

To: "Bradybaugh, Jeffrey S" &lt;Jeff\_Bradybaugh@nps.gov&gt;

Cc: Barbara Bruno <bbruno@springdale.utah.gov>, Randy Aton <raton@springdale.utah.gov>, Lisa Zumpft <lzumpft@springdale.utah.gov>, Suzanne Elger <selger@springdale.utah.gov>, Jack Burns <jburns@springdale.utah.gov>, Rick Wixom <rwixom@springdale.utah.gov>, Tom Dansie <tdansie@springdale.utah.gov>

Thank you, Superintendent Bradybaugh. We appreciate the information. I will include these numbers with the June 14th Council meeting minutes.

Enjoy the weekend,

Darci

--

**DARCI CARLSON, CMC**

Springdale Town Clerk

435.772.3434 x305

[dcarlson@springdale.utah.gov](mailto:dcarlson@springdale.utah.gov)

## MAY 2023 TOTALS

## ROCKVILLE

<b>Total Calls</b>	<b>11</b>
Medical Transports	5
Medical Refusals	2
Cancelled Prior to Arrival	0
Fire Calls	4

## MAY 2023 TOTALS

## SPRINGDALE

<b>Total Calls</b>	<b>35</b>
Medical Transports	10
Medical Refusals	17
Cancelled Prior to Arrival	4
Fire Calls	4



# MAY 2023 TOTALS

## ZION

<b>Total Calls</b>	<b>3</b>
Medical Transports	1
Medical Refusals	0
Cancelled Prior to Arrival	1
Fire Calls	1

Hi, I'm Paul Zimmerman, I represent 54 property owners in Springdale comprising the Kinesava Homeowners Association (KHAI).

I would like to take a few minutes of your time to discuss Open Space Preservation and Water. I recently provided Mr. Wixom and Mr. Dansie copies of a document I prepared for and provided to the Planning Commission members in advance of last week's Planning Commission Work Meeting.

That meeting was for the sole purpose of addressing Open Space Planning and Water Conservation and yet the information I provided was neither addressed nor acknowledged at the Planning Commission Mtg; nor had I received any response from the Town in response to my submission prior to forwarding each of you a copy Monday.

The info I provided detailed

- 1) That KHAI purchased and has been maintaining a 5 ½ acre parcel of land on SR-9 in the center of town as a pasture with a small number of grazing cattle for more than 36 years with the sole intention to:

- *Promote rural village feel*
- *Protect and Enhance community character*
- *Protect wildlife habitat*
- *Provide a link to Town's agricultural heritage*
- *Preserve community viewshed*

*All objectives consistent with the stated goals of the Open Space Preservation Strategy*

- 2) Commendably the Town has announced they are interested in the same goals KHAI adopted many years ago of protecting and preserving Open Spaces for these same reasons. And,
- 3) that there is a glaring discrepancy between the Town's stated goals of Open Space Preservation and the recent changes to the Town's Irrigation water rates. Rate changes that assessed all Town Irrigation Water users with a modest 50% increase in their rates.
  - Except for a single user, KHAI, which was unduly and inequitably penalized with an unaffordable 225% increase to its historical water rates.

KHAI is now faced with the uncomfortable possibility of no longer being able to affordably continue to maintain the Open Space Pasture.

Our 54-member community strongly believes this to be unfair and unjust treatment. Particularly as KHAI has been spear-heading Open Space protection for decades.

My presentation, which I also provided to each of you, detailed the inequities levied against KHAI, so I won't bore you with the details here. But it also offered a variety of solutions to alleviate the problem consistent with the Town's stated goal of open space protection and equitable treatment of all of the Town's water users.

**At this point, my association would like to know if and more importantly when the Town plans to address these concerns in a meaningful way.**