



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION SPECIAL MEETING ON
WEDNESDAY, JULY 6, 2022, AT 5:00 PM
AT THE CANYON COMMUNITY CENTER,
126 LION BLVD, SPRINGDALE, UT 84767**

Meeting convened at 05:07 pm.

MEMBERS PRESENT: Chair Ric Rioux, Commissioners Kyla Topham, Tom Kenaston, Pam Inghram, Noel Benson, Pat Campbell, Adam Hyatt, and Susan McPartland from Zion National Park.

ALSO PRESENT: Director of Community Development Thomas Dansie, Principal Planner Niall Connolly, and Town Clerk Darci Carlson recording. See attached sheet for attendees known to have signed into the meeting.

Approval of the Agenda: Motion made by Kyla Topham to approve the agenda. The motion was seconded by Noel Benson.

Vote on motion:

Topham: Aye

Benson: Aye

Rioux: Aye

Kenaston: Aye

Inghram: Aye

The Motion passed unanimously.

General Announcements:

Mr. Dansie reported that the Commission worked very hard on the General Plan update with a recommendation having been forwarded on to the Town Council earlier in the year. The Town Council held a public hearing and reviewed the request but postponed adoption for several months to allow their calendar and agenda to clear. A final public hearing was to be held the following Wednesday to adopt the final version of the General Plan.

A. Discussion / Non-Action Items

1. Update and Discussion on a Proposed Workforce Housing Overlay Zone and Associated Restrictive Covenant Template.

Mr. Dansie reported that the Commission has discussed the concept of a Workforce Housing Overlay Zone in previous meetings. At the last meeting, they reviewed a draft outline of what could be included. The purpose of a Workforce Housing Overlay Zone is to allow slightly higher or greater densities on a property if the property is used to house employees of Springdale businesses or Zion National Park. Unlike the Moderate-Income Housing Development Overlay Zone, there are no income restrictions or rent limitations. The only requirement is that the housing be occupied by individuals working in Springdale. The changes requested by the Commission were summarized in the Staff Report and highlighted in the draft outline.

The Commission also requested a draft Restrictive Covenant template that could be attached to properties associated with the Workforce Housing Overlay Zone. It ensured that the properties were used as workforce housing in perpetuity. The Town Housing Committee has reviewed the use of restrictive covenants from other jurisdictions and prepared the draft template. He asked that the Commission review the Restrictive Covenant

language tonight. It was drafted specifically with the Workforce Housing Zone in mind and could be used in conjunction with workforce housing that is developed through other means. Staff asked for feedback on the changes made to the Workforce Housing Overlay Zone and on the Restrictive Covenants.

Ms. Inghram's impression of the write-up was that the creation of the Overlay Zone allowed the Town Council to potentially select certain properties for workforce housing and disallow it on other properties. Mr. Dansie agreed and stated that the Workforce Housing Overlay Zone, as with any zone change, was a legislative decision that gives the Town Council great discretion on when and where it can be applied. Ms. Inghram asked if in the past that had led to increased risk of litigation. Mr. Dansie explained that zone changes, which an overlay zone was, were well-established tools that were allowed by the State for municipalities to use to regulate land uses. They were, therefore, neither more nor less prone to legal challenges than any other available land use tool.

In response to a question raised, Mr. Dansie explained that as drafted, there would be no incentive for a commercial property owner to request the Overlay Zone. It would most likely be residential property owners who requested it. The maximum density allowed in the zone for multi-family units would be 12 units per acre. Previously, the Commission struggled to determine which zones should be eligible. The draft suggested getting away from looking at which zones were eligible and instead look at the specific site to determine whether it was a good fit. It was clarified that one of the objectives of workforce housing was to provide low-income housing for employees who otherwise could not afford housing in the area.

The following three criteria would need to be met:

- Have active employment in the Town of Springdale or Zion National Park;
- Work at least nine months of the year; and
- Work at least 30 hours per week.

Specific instances were described. They would want to prevent a situation where a tenant retires and no longer qualifies. The desire was to allow them to retire in place. There was discussion regarding a person who retires and perhaps chose to work elsewhere. It was thought that they should be able to remain in their home once they had reached the qualifying percentage. Eight to 10 years was considered an adequate period of time to qualify. It was suggested that specifics be added.

The covenants specify that the minimum lease period should be six months. The desire was to prevent transient use and increase consistency. If an individual was determined to no longer meet the occupancy requirement, there would be a 90-day grace period to relocate. If the 90 days extended beyond the end of the lease period, they would be allowed to continue the lease on a month-to-month basis until the 90 days had expired. If there was a default in rent payments, the eviction would trump that. The 90-day period was intended to serve as a grace period allowing someone to not be evicted immediately just because they lost their job.

An inconsistency under "Use Limitations" was referenced. Transient lodging was not allowed, and units must be occupied by the same household for periods of 90 consecutive days or more. If a six-month lease was required, there was a question as to why the unit needed to be occupied by the same household based on the allowance for Accessory Dwelling Units ("ADU"). Mr. Dansie described the difference between Internal and External Accessory Dwelling Units. For Internal Accessory Dwelling Units ("IADU"), the minimum rental period was 30 days with 90 days for External Accessory Dwelling Units ("EADU"). Staff was looking for feedback from the Commission on the substantive policy direction of the ordinance. It was noted that additional detail could be added.

A question was raised regarding where to locate multi-family housing. It was noted that part of the legislative action was to ensure that the location was appropriate for housing. A comment was made that Springdale residents would not be resistant to having employee housing nearby as long as there was proper management and screening. Concern was expressed that if there was minimal or no impact to the neighbors it may not be workable for developers and still meet the integrity of residential neighborhoods. The Commissioners considered potential impacts on residential neighborhoods and potential ways to mitigate negative impacts. It was noted that the proposed ordinance would allow the density necessary for an economically viable development.

A question was raised as to whether the Housing Committee discussed a maximum number of units and acreage. The thought was that it would depend on the parcel and location and was why legislative decision-making would be important. Currently, there were no rentals in town. A question was raised as to the appropriate amount of workforce housing. Based on the numbers reported, there were more workers coming into Springdale than there were homes for them. Challenges were identified as the number of units that can be provided as well as how they are priced. Many were purchasing second homes in Springdale. The problem was finding ways to house people who serve the community. It was acknowledged that not everyone who works in town wants to live here. Residents subscribe to a lifestyle that not everyone wants or appreciates. When people do appreciate it, work here, and want to live in town, they were unable to because non-local workers were buying up properties as second homes. It was suggested that the criteria include that the occupant work in Springdale. If builders were given density with no requirements, the end result would be condominiums.

The comment was made that if people work here, the community would benefit because they will be more engaged and committed to the area. Currently, there are a lot of retirees and renters. The Workforce Housing Zone would be a tool. The economics of such a project could work with the densities proposed. A question was raised regarding what the affordable rate workforce housing will accomplish. The comment was made that workforce housing will reduce rents because units may house multiple people who can share costs. Additional density benefits developers. Road maintenance issues would also need to be addressed prior to development. The issue of maintenance of private roads was of concern. It was also noted that if specifics were not spelled out, the impact on the community will be much greater and the end result may not be as desirable. It was thought that the concerns raised could be addressed through conditions.

There was discussion of restrictions such as any rental revenue received being forfeited for renting units that were in violation. A comment was made about how business owners run their businesses. They do not employ people 40 hours per week because they have to provide insurance at that point. There are also often seasonal workers in the park. No one would qualify for the Workforce Housing Overlay Zone because a worker was defined as someone who doesn't really exist. Many people work multiple jobs while others choose not to work in the off-season. Support was expressed for reducing the restrictions. It was also understood that the problem was one that all of the communities in the area are facing. This was a regional issue. If there was a way to make the Workforce Housing Overlay Zone work, it was important to look into that, because of the housing crisis. People were being pushed out of the region and not just out of Springdale.

There had been a lot of press about the Park Service no longer providing employee housing. It was noted that that seemed to be the case with Zion National Park as well. The Commission wondered if effort was being made within the Park Service to take care of their own employees. For instance, remodeling the housing that was falling apart. Ms. McPartland explained that housing was an issue across many park units and was something that the Regional Director continued to examine. Zion National Park recently added more mobile home units and was looking into all opportunities available. She noted that it was a complicated issue as it relates to land mass and deferred maintenance. Much of the current funding was used to address deferred maintenance needs. Adding new infrastructure was difficult when the current infrastructure needs are not being met through funding. This was not an issue the Federal Government would be able to solve quickly but was something that Zion National Park was looking into. It was not possible for the town or the park to entirely solve the issue. It was a regional concern that would take time to address.

It was noted that one area in town is zoned Agricultural. Mr. Dansie clarified that there are several properties under the same ownership that are zoned that way. Other properties that appeared to be agricultural were typically zoned Valley Residential, which was .75-acre. The end of the Executive Summary stated that additional direction was needed from the Council. Mr. Dansie clarified that this was a typo and should read: "Staff anticipates receiving direction from the Commission on revisions to these documents." It was important that the Commission discuss the information presented. A question was posed to determine whether the Commission was in favor of the Workforce Housing Overlay Zone. The Commission was generally supportive of the concept, but some Commissioners wanted to see more details. Mr. Benson struggled to support density increases that will impact current residents. It was important to iron out more of the details because he did not see that type of density being appropriate in town. Many residents purchased homes because they are surrounded by residential properties. Suddenly allowing a 12-unit apartment next door would be unfair.

Mr. Rioux noted that there had been recent discussions about General Plan updates. Part of the feedback from the public was to maintain open space and views. Low-density was preferred, so this type of overlay would be in complete opposition to what was desired by residents. He was unsure that the economic numbers would pan out. It was suggested that the percentage be lowered. For instance, shifting to 50% rather than 75% to make the numbers work better. This would allow the setbacks to be increased and there could be 10 units instead of 12. Mr. Kenaston did not want to force development into existing neighborhoods where that was not supported. Mr. Campbell had spoken to some developers about this proposal, and they were not interested in the zone because the paperwork would be cumbersome, and monitoring the properties would be difficult. Many of the Commissioners liked the concept but struggled with whether it would solve the existing issues.

Mr. Campbell asked about the Annexation Plan that the town had implemented and referenced 2,500 acres of property. Mr. Dansie reported that the town passed an Annexation Plan, which stated that if the property owner wanted to petition the town to annex, certain standards needed to be met. Springdale cannot initiate an annexation procedure. It was completely dependent on the property owner. The State requires the town to have an Annexation Policy in place so that requests for annexation can be evaluated. A request for annexation cannot be acted upon unless there was an Annexation Plan in place. Mr. Campbell wondered what would happen if those 2,500 acres of property were annexed. Mr. Dansie did not believe the property owner had any intention of making those 2,500 acres part of Springdale.

It was determined that additional information was needed before the Commission would feel comfortable moving forward with a Workforce Housing Overlay Zone. Density was an important factor to consider. The Commission suggested that a developer be consulted to determine which minimums made the most sense. It was also suggested that non-profit organizations be identified and consulted as well. There was a nationwide housing crisis, so some non-profit organizations may be interested in participating in some manner. If someone wanted to develop employee housing, some sort of incentives could be offered within a Workforce Housing Overlay Zone. For instance, density could be offered to allow more housing to be built. There were many possibilities.

There was discussion regarding whether more philanthropic monies would be donated if the housing was limited to park employees. The National Park Conservation Association, National Park Foundation, Zion National Park Forever Project, and other organizations may be more likely to contribute if it was park-specific. Ms. McPartland understood that but felt this needed to be community-based rather than only park based. This was an issue across the region and not only within the park area. It was noted that philanthropic monies may be more difficult to obtain for the community than they would be for park employees. Ms. McPartland believed that those types of organizations would likely be interested but would be more attracted to park resources and stewardship. She was hesitant to limit this only to the park because there were a lot more in the community who would benefit from the zone. It was noted that a lot of people were interested in supporting the parks. There may be land adjacent to the park or land in the park that could address this desire for employee housing.

Other communities were trying to solve the same workforce housing shortage issue. It was important to determine whether the Springdale Planning Commission was in support of a Workforce Housing Overlay Zone. If a majority does not support the concept of the zone, it did not make sense to continue discussing the item in the future. With the right adjustments, the majority of the Commissioners felt they could support a Workforce Housing Overlay Zone. They believed it was important to try and make that type of zone work. Mr. Hyatt stressed the importance of workforce diversity. Mr. Rioux believed there was a solid level of support to continue the discussions. However, a lot of modifications would need to be made. Additionally, there would need to be more information shared. Further ideas could be presented at a future Planning Commission Meeting.

2. Proposed Revisions to Requirements for the Distance Between Buildings and Development on Ridgelines in the CC and VC Zones.

Mr. Dansie reported that the above item pertains to adjustments to the Development Standards in commercial zones. The Commission spent a lot of time recently discussing potential changes to the Development Standards in either the commercial zones or SR9 Corridor with the intention of protecting the village scale and atmosphere. There was also a desire to protect important community viewsheds. Some changes had been adopted, some were rejected, but two ideas that needed to be reassessed were as follows:

- Additional restrictions or regulations for development on hillsides, ridgelines, and the edges of the mesa in the commercial zones; and
- The required separation distance between buildings in the commercial zones.

To address the distance between buildings, the Staff Report outlined possible alternatives:

- Currently, the distance between buildings in the Central Commercial Zone was 10 feet. The distance between buildings in the Village Commercial Zone was either 10 feet or 20 feet, depending on the height of the buildings. One option would be to require the separation distance between buildings to be equivalent to the tallest building being compared. For example, the required distance between an 18-foot-tall building and a 26-foot-tall building would be 26 feet;
- Another option would be to base the required separation distance on the height and size of the accessory structure, or the smaller structure being compared. That was what was currently done in the residential zones, with the minimum distance being 10 feet for small and short buildings and the maximum distance being 30 feet for tall and large buildings; and
- The final option, which had been suggested by Mr. Campbell, was to average the heights of the two buildings being compared and use that number as the separation distance. For example, if there was a 26-foot building and a 10-foot-tall building, the average would be 18 feet.

The Commission discussed the suggested options for separation distance. It was noted that the Central Commercial Zone was the downtown area, and it made sense for it to be denser. However, the Village Commercial Zone was more of a transition zone and should be less dense. A question was raised about the Town Council's decision to remove the Central Commercial Zone from some recently passed language. Mr. Dansie clarified that the Council felt the Central Commercial Zone was intended to be denser and more intensely developed. As a result, the reduced density associated with the Net Developable Acreage should not apply to the Central Commercial Zone but should apply to the Village Commercial Zone.

Ms. Inghram believed that only the distance between buildings in the Village Commercial Zone needed to be altered. There seemed to be some level of agreement that the distances there should be greater than they were currently. It was suggested that the tallest building height be the distance between. There was discussion about whether there were areas where buildings were too close together in the commercial zones. Ms. Inghram noted that the Commission should not consider what had already been built. It made more sense to think about what could be built in the future. It was noted that if there are multiple uses on the property that are not related to lodging, there may not be a need to push the buildings further apart. However, in the past, there had been a push to have as much density as possible in the Village Commercial Zone. The Commission wanted to adjust that and ensure that there was more open space there. The Village Commercial Zone was supposed to be the transition between commercial and residential. Space between buildings could help alleviate the dense look.

In the Village Commercial Zone, if a building was 18 feet or less, the buildings could be 10 feet apart. Alternatively, in Central Commercial, the building could be 26 feet and still be 10 feet apart. There was an eight-foot lower roofline in the Village Commercial but there was currently the same theoretical density of 10 feet. Support was shown for the first option presented by Mr. Dansie. It would allow the greater height to be the distance between buildings. Several Commissioners felt that would create a less dense appearance. Example images were shared with the Commission to better visualize what the alternatives would look like. Mr. Rioux noted that there seemed to be a general consensus that the greatest building height should be used to determine the distance.

Mr. Dansie shared information about development on ridgelines. In the SR9 Design Corridor Ordinance that the Commission prepared, there was language that addressed prohibiting development in the SR9 Corridor, which would be on hilltops, ridgelines, or the edges of the mesa. There was already similar language in the Foothill Residential Zone. If that type of development takes place on an existing lot, there were additional Design Standards that needed to be followed. New lots could not be created where the development would be on a hilltop, ridgeline, or edge of a mesa. Mr. Dansie wondered if the Commission felt there should be similar requirements within the Village Commercial Zone. If there was interest, similar language from the Foothill Residential Zone could be adopted or new language could be created to limit, regulate, or prohibit development

in those areas. The intention was to preserve important community viewsheds. Some of the definitions from the Foothill Residential Zone Ordinance (10-9A-15) were shared with the Commission:

- The edge of a mesa means the grade break between horizontal or nearly horizontal terrain and a vertical or near-vertical cliff face (at least 30 feet in height) at the upper terminus of the cliff;
- Hilltop means a well-defined natural topographic feature that slopes at least 30 vertical feet downward within 100 horizontal feet on all sides; and
- Ridgeline means a long and narrow natural topographic feature that slopes downward at least 30 vertical feet within 100 horizontal feet on two opposing sides.

Currently, that language was only included in the Foothill Residential Zone and not the Village Commercial Zone or Central Commercial Zone. Ms. Inghram wondered if that language should be used across all zones. Mr. Dansie explained that similar language could be considered in all zones if desired by the Commission. The Commission was in support of the same language being used for all zones as it related to hillsides, ridgelines, and mesas. This would ensure that the language was uniform and consistent.

Mr. Dansie explained that if the language is consistent across all zones, it means that development could still take place on a ridgeline, hilltop, or edge of a mesa if there was already an existing parcel. There would be an impact on building heights and there were additional Design Standards. New parcels could not be created on a ridgeline, hilltop, or edge of a mesa. The Commission understood and was in support of the uniform language.

3. Potential Revisions to the Standards and Permitted Uses in the Agricultural Zone.

Mr. Dansie reported that at the last Work Meeting, there was a brief discussion about the Agricultural Zone and the fact that restaurants were currently a permitted use. At that time, the Commissioners wondered whether that was appropriate. Ms. Inghram had done research regarding what the zone could become. The Staff Report outlined three different options for the Agricultural Zone:

- If the Commission felt the Agricultural Zone was appropriate with the exception of restaurant uses, the zone could remain as it was, but restaurant uses could be removed;
- The Commission could revise the Agricultural Zone language to help accomplish some of the objectives in the General Plan. The revisions could encourage, promote, or allow some type of commercial development that promoted the agricultural heritage of the town. For instance, there could be uses that allowed visitors to appreciate the agricultural heritage of the town. If this was desired by the Commission, it would require some fairly extensive changes to the Agricultural Zone; and
- If the Commission felt that the Agricultural Zone was appropriate, it could remain as it was.

Mr. Dansie explained that there is only one area in town where the Agricultural Zone exists. Those properties are owned by a single owner. As a result, there was only one property owner who would be impacted by any potential changes. That property owner submitted a letter to the Commission, which indicated that he was in support of whatever the Commission wanted to do. He wanted to contribute to the town in some way and had a desire to promote the agricultural heritage and village character of the town. Mr. Dansie noted that the more restrictions that were placed on the Agricultural Zone, the less incentivized the property owner would be to do something with the property. However, it was up to the Commission.

There were issues in the Agricultural Zone that needed to be addressed. Mr. Dansie reported that there was no maximum building size in the zone currently. There was also an allowance for a 35-foot-tall accessory structure. Some technical and clarifying adjustments needed to be made to the Agricultural Zone regardless of the Commission's decision about restaurant uses. Ms. Inghram explained that even though there was only one property owner in the Agricultural Zone currently, that could be subdivided into three parcels in the future. If restaurants and retail uses were allowed in this area, failure to limit the height and

size of the building could create problems. She asked that the Commission consider increasing the minimum lot size because she felt that five acres for the Agricultural Zone seemed small.

Mr. Dansie noted that there were two parcels currently in the Agricultural Zone and each could be subdivided into three parcels. As the Code was currently written, the parcels could be subdivided, and a restaurant or food truck could be within the zone. Ms. Ingraham stated that the allowances within the Agricultural Zone were not typical in other communities. Mr. Hyatt wanted to see more restaurants in the town. There were not enough currently but he liked the agricultural feel of the apple orchards and the green fields. He wanted more restaurants and retail but wanted to make sure the village character remained, and the area does not become a shopping center. Mr. Hyatt preferred the second option presented.

Mr. Kenaston believed the property owner wanted to keep things as they were currently but was open to allowing a restaurant on the property. He wanted to make sure the property owner was supportive of whatever the Commission was considering. Mr. Dansie was not aware of any current landowners who were interested in changing the zoning of their property to Agricultural. The Commission wondered what could be developed within the Agricultural Zone. Mr. Dansie reported that the Agricultural Zone currently allowed agricultural processing facilities, a retail market specializing in produce and products that were grown on-site, warehouse facilities, the keeping of animals, and restaurants. It was noted that a farm-to-table concept was something that would make sense in the area. Several Commissioners were in support of that type of use. The second option was appropriate so revisions to the Agricultural Zone language could be made.

Ms. Inghram reiterated that the minimum acreage should be changed. She wanted to see it changed to 20 acres. In that instance, two of the parcels would conform and one would be non-conforming. This would prevent other Valley Residential Zones from trying to convert to the Agricultural Zone. It may also be possible to restrict the type of restaurant that could be allowed in the zone. The Commission was in favor of another restaurant opening and did not want to dictate what type of restaurant that would be. Additionally, the Commission wanted the property owner to provide further input. Ms. Inghram noted that the property owner would be out of town for approximately four weeks. It was suggested that the Commission wait until he returned so there could be further communication. Mr. Dansie believed there was a desire from the property owner to collaborate with the town on the different options.

B. Adjourn

Motion to adjourn at 07:00 p.m. made by Noel Benson. The motion was seconded by Tom Kenaston.

Vote on motion:

Topham: Aye

Benson: Aye

Rioux: Aye

Kenaston: Aye

Inghram: Aye

The motion passed unanimously.

Darci Carlson, Town Clerk

APPROVAL: _____ **DATE:** _____

A recording of the public meeting is available by contacting the Town Clerk's Office. Please call 435-772-3434 or via email at springdale@springdale.utah.gov for more information.