



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION WORK MEETING ON
WEDNESDAY, MAY 3, 2023, AT 5:00 PM
AT THE CANYON COMMUNITY CENTER,
126 LION BOULEVARD, SPRINGDALE, UT 84767**

The meeting convened at 05:00 pm.

MEMBERS PRESENT: Vice Chair Tom Kenaston, Commissioners Noel Benson, Pam Inghram, Adam Hyatt, Terry Kruschke, and Susan McPartland from Zion National Park

ALSO PRESENT: Director of Community Development Tom Dansie, Principal Planner Niall Connolly, and Deputy Clerk Aren Emerson recording. See attached sheet for attendees.

EXCUSED: Chair Kyla Topham, and Commissioner Pat Campbell

Approval of the Agenda:

Motion made by Pam Inghram to approve the agenda. The motion was seconded by Noel Benson.

Kruschke: Aye

Inghram: Aye

Kenaston: Aye

Hyatt: Aye

Benson: Aye

The motion passed unanimously.

General Announcements: In Ms. Topham's absence, Mr. Kenaston would act as the chair for the meeting. He announced that Mr. Kruschke and Mr. Hyatt would be voting members for the meeting.

Mr. Dansie announced that Zoning Administrator Shelly Heaton resigned, and her last day would be Friday. He wished her the best of luck in her future endeavors.

Ms. Inghram raised her concern about receiving public comment and pertinent meeting information on the day of a meeting. She wondered if staff would outline all the relevant info that the Commission may have missed in their presentation of the item and print off that information, as well as any public comment letters received late for the Commission to review prior to the meeting.

- Mr. Dansie thought that was a great suggestion and stated that staff could accommodate to ensure the Commission was well informed.

A. Non-Action Items

1. Review of proposed clarifications to the development standards in the Agricultural zone

This was a continued discussion from the work meeting in March. The Town Council instructed staff to draft some potential revisions to sections of the Town code related to the Agricultural (AG) zone. Springdale had only one AG-zoned parcel (S-132-D) located at Trees Ranch. The parcel measured approximately 19.4 acres. Section 10-10 of the Town code outlined the purpose and objectives of the AG zone. The revisions intended to clarify certain sections of the code to achieve the purpose and objectives of the zone more fully. The Commission should review the amended draft of the ordinances and determine if the revisions achieved the stated purpose and objectives of the AG zone.

Ms. Inghram voiced her apprehension regarding the draft, noting that it seemed explicitly designed to suit the existing AG-zoned parcel. She emphasized that parcels could be annexed and a zone change could be pursued if necessary. Furthermore, she proposed that the requirement for frontage on a dedicated street should only apply if

a restaurant were being proposed. She expressed concern that the setback requirements seemed tailored exclusively to the current AG-zoned property situated on SR-9, and she believed it was crucial to differentiate between properties along SR-9 and those that were not. She emphasized the need for greater consistency in addressing potential view obstructions within the AG zone.

Mr. Kruschke asked if private roads still had frontage requirements.

- That was correct.

Mr. Benson asked if private lanes and private streets were required to provide public access.

- Only dedicated streets were required to provide public access. Private streets and lanes may but were not required.

Mr. Benson stated that if the parcel had commercial-like activity, it should be on a dedicated street and provide public access.

Mr. Dansie clarified that a dedicated street was owned and maintained by the Town or another public entity. A private street would have its own right of way, not owned by a public entity. A private lane was also owned by a private entity, but there was no specific property that was associated with that lane.

Mr. Dansie suggested separating the access issues from the revisions to the AG zone to discuss those issues more in-depth at a later date.

Mr. Hyatt asked how many non-commercially zoned parcels in Springdale were larger than 10 acres.

- Roughly a handful of parcels.

Ms. Inghram wondered if there was a way to allow a restaurant on the AG-zoned parcel in Springdale without allowing restaurants in future AG-zoned parcels.

- Section 10-10-2 of the code stated that no more than one restaurant would be permitted on AG-zoned parcels. Restaurants were also not permitted on parcels smaller than ten acres. The Commission could increase the minimum lot size to limit the number of restaurants allowed.
- Mr. Benson added that it was also a Legislative decision and the Town could require access.

Ms. McPartland suggested a minimum acreage limit of 15 acres to allow a restaurant.

The Commission discussed requiring a dedicated street for a restaurant in the AG zone. They also directed staff to craft ordinance language to mitigate any view obstructions.

Mr. Dansie highlighted the difference between high-visual impact lots and view-obstructing lots. He noted that high visual impact lot standards were more applicable to the AG zone.

The Commission asked staff to create standards in the AG zone, like the high visual impact lot standards in the Valley Residential (VR) zone.

2. Discussion of potential land use regulations intended to preserve natural washes

This discussion stemmed from the Commission's previous open space preservation discussion. In that discussion, natural washes were one identified area to preserve. Several dry washes ran from the foothills to the Virgin River. Many dry washes ran through private properties since the bulk of the Town's development was located at the base of the foothills or on the valley floor. In the past, some property owners altered the character of these washes as they crossed onto their properties. Washes function best in their natural state, and altering the natural character can impact both upstream and downstream properties. The General Plan emphasized the need to protect the Town's natural resources, including dry washes in their natural state. The Commission expressed interest in exploring land use regulations that would promote the goals of the General Plan by preserving dry washes.

Mr. Dansie suggested that the Commission consider what constituted a dry wash and if there were any instances where it may be permissible to alter a natural dry wash. They should determine what regulations, if any, should be added to the code to regulate development near dry washes.

Mr. Kenaston recommended giving the Town the ability to protect the existing infrastructure. He cautioned being too restrictive that the Town could not preserve the washes, similar to what happened to the wash behind the Town hall due to the flood. He suggested preventing development on top of dry washes.

Ms. McPartland agreed and thought it could be educational for developers and property owners.

Mr. Kruschke asked if there was an inventory of the washes located in Springdale.

- No, there was not. Defining and identifying washes would need to be analyzed if the Commission decided to create a plan to preserve them.

The Commission suggested engaging with an expert to conduct the analysis and help answer some of their technical questions.

- Ms. McPartland suggested engaging with the Park Geologist to see if there were standards used when the Park conducted the comprehensive river management plan.

Mr. Dansie clarified that FEMA mapped areas for flood hazards. Currently, there were three washes in Springdale mapped for flood hazard areas. FEMA was in the process of finalizing an update to that study, where they identified several additional washes throughout the community. Property owners were still able to go through FEMA's process to request approval for the alteration of a natural channel. Another thing to consider was that previously, the Town adopted the erosion hazard standards for the main Virgin River.

Staff would bring initial language based on the feedback from the Commission and engage an expert to assist with the technical details and what the engineering analysis would consist of.

3. Continued discussion on open space planning strategies

The Commission had discussed an open space plan in the last several meetings. In the previous meeting, the Commission outlined priority goals, areas, and characteristics for open space preservation and the types of properties the Town should prioritize for preservation. Based on that discussion, staff developed a draft outline of an open space plan for the Town. The Commission needed to review the draft outline and provide feedback to staff on whether the draft captured and outlined the priority goals and characteristics identified in a previous meeting by the Commission. Previously, the Commission requested more information about a legislative transfer of development rights (TDR) program. The staff report outlined the research staff had conducted. The conclusion was that it was able to be done but not recommended.

Ms. Inghram wondered why the direct purchase or donation of land was not included as a strategy.

- In the plan, there was a section about purchasing development rights (PDR). In that section, there was an acknowledgment of fee simple acquisition or donation were also options. That language could be developed more fully if the Commission wanted.

Mr. Kruschke agreed that creating two sections separating property ownership from development right for purchase would provide clarification. He suggested that the PDR section mention a potential partnership with other conservation organizations.

Mr. Kenaston stated that he recently attended a board meeting of the Virgin River Land Preservation Association. They purchased development rights for properties in Washington County. They were interested in preserving historical, cultural, and natural land in the County, but the issue was funding. He was sure they would be interested in properties in Springdale.

Mr. Benson stated that if there was an appetite to consider a transfer of development rights, the Town should first identify specific parcels for receiving zones. He was not against allowing it in all zones as long as setbacks were in place and negative impacts on residents were mitigated. Aside from that, he agreed with the avenues suggested.

Mr. Kruschke suggested creating a maximum increase of density requirement since each application would not be legislative. He wondered about deed restricting open space as part of the Hillside Protection zone.

- Mr. Dansie outlined that new development in the Hillside Protection zone would be subject to the standards of that zone, but existing developed lots would be non-conforming.

Mr. Benson asked what issue the conservation of the building pads would be solving. He suggested raising the required landscape on a property to protect the open space.

- Mr. Kruschke stated that creating a building pad would outline where the development could occur. This would allow more contiguous open space.
- Mr. Dansie stated that the development style was mirrored in several subdivisions in Town and would be a requirement in the Hillside Protection zone.

Most of the Commission suggested not exploring a transfer of development rights program as it may not be realistic in the Town. Changes would be made to separate the purchase of development rights section to clarify fee-simple ownership, either through purchase or voluntary donation. Staff would also emphasize partnerships with conservation organizations in the PDR and fee-simple acquisition sections. The Hillside Protection zone section would be developed to require properties in that zone to go through the planned development style subdivision process if they were re-subdivided. Changes would also be made to identify where the Hillside Protection zone would be located, as well as an adjustment to the lot size.

B. Adjourn

Motion made by Adam Hyatt to Adjourn at 06:55 p.m. The motion was seconded by Terry Kruschke.

Kruschke: Aye

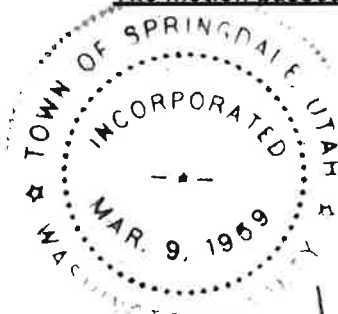
Inghram: Aye

Kenaston: Aye

Hyatt: Aye

Benson: Aye

The motion passed unanimously.



Aren Emerson

Aren Emerson, Deputy Clerk

APPROVAL: _____

John Topham

DATE: _____

06/21/23

A recording of the public meeting is available by clicking the link or visiting: <https://www.youtube.com/@SpringdaleTownPublicMeetings>
Please call 435-772-3434 or via email at springdale@springdale.utah.gov for more information.



PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD

Please print your name below

Meeting PLANNING COMMISSION WORK MEETING Date 05/03/23

IN-PERSON ATTENDEES:

GIL KIEFER
Name (please print)

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REMOTE ATTENDEES:

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