

1. Agenda

Documents:

[031523 PCRM NEIGHBOR.PDF](#)

2. Packet Materials

Documents:

[ITEM A1 - SPLIT ZONE PARCEL ORDINANCE.PDF](#)

[ITEM B1 - OPEN SPACE PRESERVATION PC REPORT 3-15-23.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 REGULAR MEETING
ON WEDNESDAY, MARCH 15, 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 electronic login information below****

Approval of the agenda General announcements

A. Action Items

1. **Public Hearing – Ordinance Revision:** Changes to Chapter 10-20 of the Town Code, prohibiting the creation of new split-zoned parcels (properties with more than one zoning designation), and adding standards for new development on existing split-zoned parcels

B. Discussion / Non-Action Items

1. Continued discussion on open space planning strategies

C. Consent Agenda

1. Approval of Minutes from February 1st and 15th

D. Adjourn

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.

To access the electronic webinar, please click the Zoom link below:

<https://us02web.zoom.us/j/84818578281>

Meeting ID: 848 1857 8281

One tap mobile: US: +16694449171,,84818578281#

Dial by your location: US: +1 669 444 9171

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>

ORDINANCE 2023-__

**AN ORDINANCE OF THE SPRINGDALE TOWN COUNCIL PROHIBITING THE CREATION OF NEW
SPLIT ZONED PARCELS AND ESTABLISHING REGULATIONS FOR THE DEVELOPMENT OF
EXISTING SPLIT ZONED PARCELS**

Whereas, the Town Council has adopted land use zones and associated land use regulations related to each zone to guide the orderly development of property in the Town; and

Whereas, land use zone boundaries generally follow lot lines and parcel boundaries such that each parcel of land has only one land use zoning designation; and

Whereas, there are limited instances of properties in the Town which contain more than one land use zoning designation; and

Whereas, the Town Council finds split zoned parcels create unnecessary complexities in land use regulation administration which work counter to the Town's goals of orderly development through land use regulation; and

Whereas, the necessary processes and procedures to amend the land use ordinance have been fulfilled;

Now therefore be it ORDAINED by the Springdale Town Council that Title 10 of the Town Code is amended by adding section 10-20-15 as it reads below:

10-20-15: SPLIT ZONED LOTS AND PARCELS:

Each lot or parcel of land shall contain a maximum of one zone. Lots and parcels containing multiple zoning designations are prohibited.

A. The Town shall not approve any application for subdivision or lot line adjustment which would create a lot or parcel which contains more than one zoning designation.

B. Lots and parcels created prior to April 12, 2023 and which contain more than one zoning designation are subject to the following requirements:

1. Development on the lot or parcel must meet all the standards for the zone where the development is located, independent of the area of the lot or parcel in other zones. No portion of the property in a zone other than the zone where the development is located may be used to meet landscape, setback, parking, or any other requirement of the zone where the development is located.
2. Setback requirements for development on the property will be applied to zone boundaries within the lot or parcel as well as property boundaries.
3. A property owner may voluntarily choose to develop a property with more than one zoning designation pursuant to the standards of the most restrictive zone on the property. In such a case the entire property area is subject to the zoning standards of the most restrictive zone and sub-paragraphs 1 and 2 above are not applicable.



Memorandum

To: Planning Commission
From: Thomas Dansie, Director of Community Development
Date: March 10, 2023
Re: Continued Discussion Regarding Open Space Preservation Planning

The Planning Commission discussed open space preservation strategies in the February work meeting. The Commission discussed different types of open space, what types of open space are most valuable for the Town, and open space preservation strategies. Since that time staff has hosted a series of field trips with the Commission to further explore open space concepts in Springdale.

This report summarizes the Commission's discussion at the last meeting as well as findings from the field trips. It also provides further detail on potential open space strategies.

Staff recommends the Commission do the following at the meeting:

1. Confirm the goals the Town is seeking to achieve with open space preservation. This will help form the basis of an open space vision.
2. Identify in general the types of properties (not necessarily specific properties) the Town should seek to preserve as open space to fulfill the goals identified in step 1.
3. Discuss appropriate tools and strategies to use in preserving the types of properties identified in step 2.

Previous Discussions

In the February meeting the Commission discussed what the need for open space is. What is the Town trying to accomplish with open space preservation? Ideas from Commissioners included preservation of community character, preventing development on properties that would have a significant visual impact on the community, protecting ecologically sensitive areas such as native vegetation and riparian areas, and ensuring wildlife can move through the community.

During the field trip sessions Commissioners followed up on this discussion by looking at specific types of properties that could accomplish these goals. Commissioners generally felt that preserving undeveloped property in the foothills as well as pastures and orchards in the valley floor could help the Town accomplish its open space goals.

The Commission also began initial discussion of open space preservation strategies. Some of the tools discussed as options included: transfer of development rights (TDR), purchase of development rights (PDR), and land acquisition.

Additional Detail

The following information provides additional detail on the Commission's previous discussions in the February meeting and field trip meetings. The Commission should use this information to further the discussion.

Goals for Open Space Preservation

The Commission has had initial discussion regarding what the Town's goals for open space preservation should be. The following references from the General Plan can help further inform this discussion.

Land Use and Town Appearance Sub-Goal A4

*The **SR9 corridor** is critically important and should retain a mix of commercial and residential uses, **along with open space** and agricultural uses. The Town Council and Planning Commission will place high priority on ensuring a mix of land uses and **preservation of open space on SR9** when making land use decisions.*

Land Use and Town Appearance Sub-Goal E

***Acquire open space in strategic locations (both in the foothills and the valley floor)** to preserve the Town's small community feel.*

Land Use and Town Appearance Sub-Goal E1

*The Town Council and Planning Commission will develop a plan to identify parcels of property that are important to preserve. These properties could be **visually significant parcels, large pastures or fields that reflect the Town's agricultural heritage, important wildlife corridors and other habitat spaces, or any other properties that will enhance the small-town feel.***

Natural and Cultural Resources Sub-Goal G

*Protect and preserve undeveloped open space throughout the community to **protect wildlife habitat and wildlife corridors, preserve native vegetation, and protect important community viewscapes.***

Types of Properties for Open Space Preservation

As noted above, the Commission generally identified undeveloped property in the foothills and pastures on SR9 as the priorities for open space preservation. In the last meeting the Commission reviewed a map showing the development status of property in the Town. Undeveloped or underdeveloped properties in the foothills and in pasture areas near SR9 are identified on this map. Note that this map does not necessarily indicate these parcels specifically should be candidates for open space preservation. Rather, this merely shows the location of the types of properties the Commission has discussed as being important to consider for open space. The updated map is attached to this report.

Strategies to Preserve Open Space

The Commission has discussed several strategies to preserve open space. Additional detail on these strategies is provided below.

Transfer of Development Rights (TDR)

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 restriction is then placed on the property in the sending area to ensure the property is not developed in the future. A TDR program allows the Town to facilitate the preservation of important property, and also necessitates that some properties in the Town are developed at a more dense and intense scale than currently allowed under the existing zone.

Pros: does not require any funding from the Town

Cons: requires the cooperation of property owners in both sending and receiving areas, administratively complex, may be difficult to identify appropriate “receiving” areas

Purchase of Development Rights (PDR)

A 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. Unlike a TDR program, once the development potential is purchased by the Town (or other conservation organization) that development potential is permanently removed from the Town. The Town (or other conservation organization) places a deed restriction on the property to ensure it is not developed in the future. Depending on the nature of the property and other considerations, the property owner may be eligible for a tax credit.

Pros: protects the property in open space and also reduces the total development potential in the Town

Cons: requires a funding source to purchase the development rights, requires ongoing effort to enforce and maintain the conservation requirements associated with the deed restriction on the property

Fee Simple Purchase

The most effective way to preserve property as open space is to purchase title to the land. This ensures the property will remain undeveloped, and removes all the administrative complexity of deed restrictions associated with both TDR and PDR programs.

Pros: most effective way to preserve open space

Cons: most expensive way to preserve open space

General Plan Guidance of Open Space Preservation Tools

In addition to the direction on an open space vision discussed above, the General Plan provides the following guidance on preservation strategies:

Land Use and Town Appearance Sub-Goal E2

*The Town Council will develop strategies to acquire the properties identified in the plan described above. These strategies could be **obtaining funding to purchase the properties**, working with conservation groups to **acquire conservation easements**, or land use tools such as a **Transferable Development Rights (TDR) program**.*

Housing Sub-Goal B2ii

*Create a **Transferable Development Right (TDR)** program that will allow increased density in targeted areas while preserving open space in sensitive foothill locations.*

Parks, Recreation, and the Arts Sub-Goal A5

*The Town Council will continuously seek opportunities to **purchase and preserve undeveloped open space for the use and benefit of the community**. The Town will identify funding sources to make this happen.*

Natural and Cultural Resources Sub-Goals G1 and G2

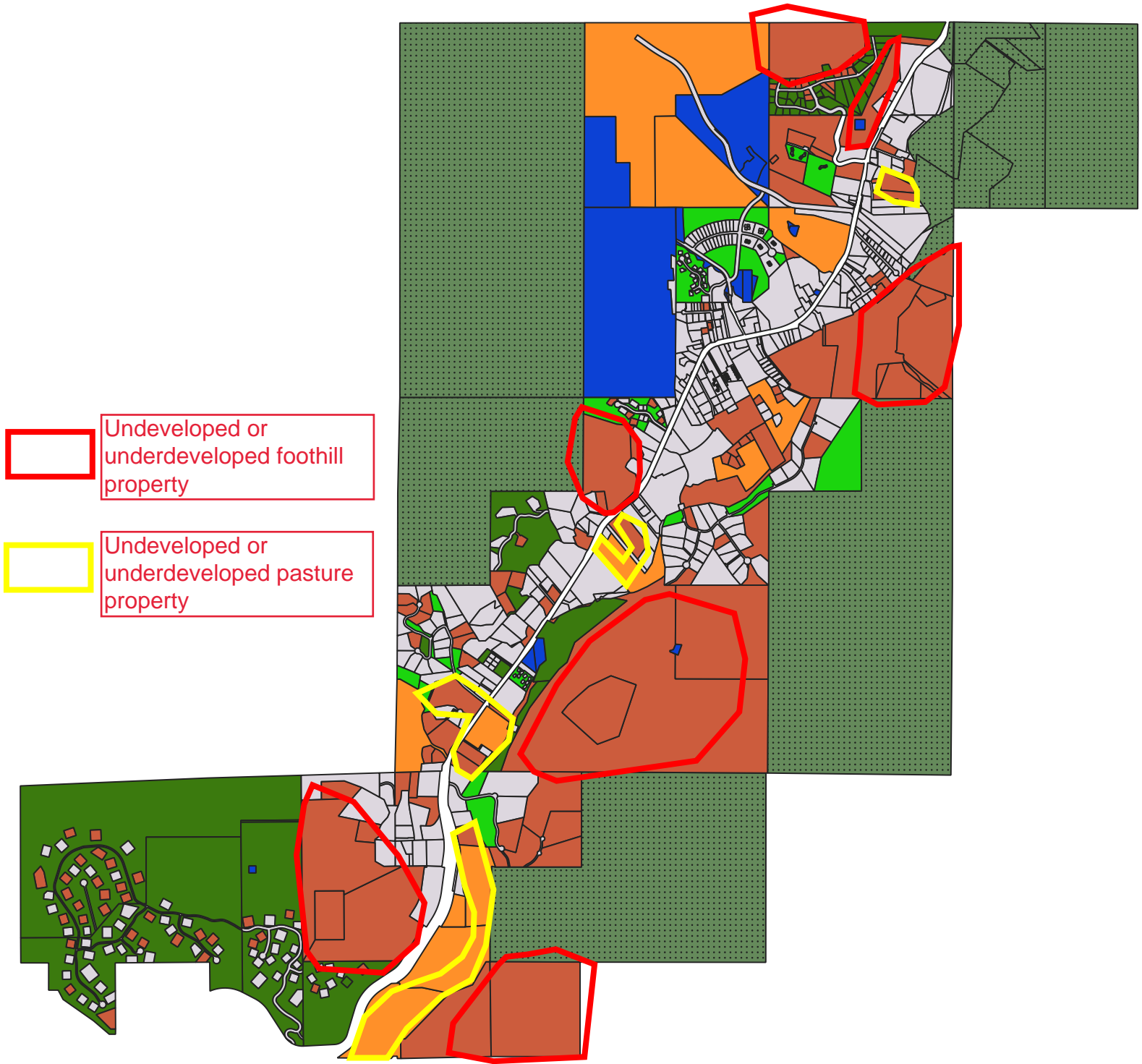
*The Planning Commission will investigate **land use regulations** that will help preserve more undeveloped open space, such as a **Transferable Development Rights program**.*

*The Town Council will actively look for opportunities to **purchase undeveloped open space**.*

Commission Action

The Planning Commission should discuss the following:



1. Confirm the goals the Town is seeking to achieve with open space preservation. This will help form the basis of an open space vision.
2. Identify in general the types of properties (not necessarily specific properties) the Town should seek to preserve as open space to fulfill the goals identified in step 1.
3. Discuss appropriate tools and strategies to use in preserving the types of properties identified in step 2.



 Undeveloped or underdeveloped foothill property

 Undeveloped or underdeveloped pasture property

Parcels_Washington

-  NPS
-  OS-P
-  OS-S
-  TOWN
-  VACANT
-  UNDER
- 