

1. May 5, 2021 - Agenda

Documents:

[050521.PCWM.COURTESY.PDF](#)

2. May 5, 2021 - Packets

Documents:

[ITEM A1 - ADU PC REPORT 5-5-21.PDF](#)

[ITEM A2 - GP PC REPORT 5-5-21.PDF](#)



118 Lion Blvd • PO Box 187 • Springdale, UT 84767 • (435) 772-3434

PLANNING COMMISSION NOTICE AND AGENDA
THE SPRINGDALE PLANNING COMMISSION WILL HOLD A WORK MEETING
ON WEDNESDAY MAY 5, 2021 AT 5:00 PM
AT THE CANYON COMMUNITY CENTER, 126 LION BLVD – SPRINGDALE, UT 84767

The meeting will also be available to the public for live viewing/listening via Zoom.
If you do not have access to the internet, you can join the audio via telephone.

****Please see electronic login information below.**

Attending Clerk: Katy Brown

Approval of the agenda
General announcements

A. Discussion/Information/Non-Action Items

1. Discussion regarding Accessory Dwelling Units and Utah HB82
2. Discussion of General Plan update: Finalize Goals and Objectives, Determine Format, Discussion of Future Land Use Map

B. 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 party to receive this notice does not constitute a violation of the Town's noticing requirements or policies. If you have questions regarding any of the agenda items, or other community development comments, please contact Community Development staff at 435-772-3434 or tdansie@springdale.utah.gov.

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.

****To access the electronic meeting please click the Zoom link below:**

<https://us02web.zoom.us/j/87624832264?pwd=RW50cC94K2lxVmUvWjdOV1ZVUEhldz09>

Meeting ID: 876 2483 2264

Passcode: 888989

One tap mobile

+16699009128,,87624832264#,,,,*888989# US (San Jose)

Dial by your location

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Packet materials for this meeting will be posted on April 30, 2021 and available at: <https://www.springdaletown.com/agendacenter>



Memorandum

To: Planning Commission
From: Thomas Dansie, Director of Community Development
Date: April 30, 2021
Re: Accessory Dwelling Unit Regulations

Executive Summary

The Town has investigated issues associated with Accessory Dwelling Units (ADU's) since 2010. The 2015 General Plan included reference to ADU's in the Valley Residential zone, and in 2018 the Town passed an ordinance allowing ADU's in the VR zone under certain conditions. Last year the Planning Commission discussed a request from the community, supported by a Council Member, to investigate extending the ADU allowance to the FR zone. At that time the Commission decided to wait for the completion of the housing study and the General Plan update prior to acting on this request.

In the recently concluded legislative session the Utah State Legislature passed a law that mandates local governments to allow internal ADU's in all residential areas, with some limited exceptions. This new law also gives local governments more enforcement power over ADU's used as short term rentals, but only if the government has established a detailed permit and licensing process.

The Commission should make revisions to the Town's ADU regulations to come into compliance with the State Law and to take advantage of the enhanced enforcement mechanisms it allows.

Background

ADU's are separate dwelling units contained within or on the same property as a single family dwelling. ADU's have become increasingly popular as a tool to provide more housing options and increase housing attainability. ADU's can be either standalone structures (such as a detached guesthouse) or be part of the main single family dwelling (such as a basement apartment). ADU's contained within a primary single family dwelling are defined as "internal accessory dwelling units (ADU's)".

In 2010 the Town established a housing committee to investigate potential attainable housing strategies. That committee identified ADU's as a potential method to add diversity and affordability to the Town's housing stock. Based on the housing committee's recommendation, the Town included reference to ADU's in the 2015 General Plan.

Although the Town saw the general benefit of ADU's, Commission and Council members also expressed concerns about the potential negative impacts ADU's could have on existing residential neighborhoods. The Town identified increased traffic, parking, and loss of single family neighborhood character among the negative impacts of ADU's. In 2018 the Town passed an ordinance to allow ADU's in the Valley Residential zone, but not the Foothill Residential.

In 2019 the Town reviewed a request from several residents, and backed by a Council Member, to review the ADU regulations with the intent of allowing ADU's in the Foothill Residential zone. At that time the Commission was just beginning the General Plan update, as well as the Housing Study. The Commission decided to wait until both of those processes were completed before considering any potential changes to the ADU regulations.

The Town has now concluded the Housing Study, and is nearly complete with the General Plan update. The housing study identified ADU's as a potential way to increase attainable housing. The public feedback gathered with the General Plan public input was mixed regarding expansion of ADU's, with some community members expressing support and others voicing concerns. The draft language for the General Plan update identifies ADU's as a potential attainable housing strategy.

Impact of HB 82

In the most recent legislative session the State Legislature passed HB 82 which requires local governments to allow internal ADU's in all residential zones, with limited exception. This law goes into effect on October 1, 2021. After that date, regardless of the Town's ordinance, internal ADU's will be allowed in all residential zones (including the Foothill Residential zone).

HB 82 allows the Town to regulate internal ADU's to a limited extent. The Town can:

- Require one additional parking space on the property for an internal ADU (the Town's current ordinance requires two additional parking spaces for ADU's in the VR zone)
- Require properties to be at least 6,000 sf in area in order to have an internal ADU (the Town's current code requires ½ acre for ADU properties in the VR zone).
- Require that the ADU be designed in a manner that does not change the appearance of the building as a single family residence.
- Prohibit ADU's in mobile homes.
- Designate up to 25% of the residentially zoned area of the Town where ADU's are not allowed.
- Create a permitting and licensing procedure for ADU's.
- If the Town has created a permitting and licensing procedure for ADU's, use short term rental websites to verify ADU's are not being used as short term rentals.

To comply with State Law, and to take advantage of the ability to use short term rental websites as an enforcement tool, staff recommends the Commission revise the ADU ordinance.

Questions for the Commission to consider:

- The State Law requires the Town to allow internal ADU's in all zones, but makes no mention of external ADU's (detached guest houses). Should the Town have separate regulations for internal and external ADU's? Or should the regulations be the same for both?

- The State Law allows the town to designate 25% of the residentially zoned area of the Town as ADU prohibited zones. Should the Town take advantage of this provision? If so, which areas should be designated as ADU prohibited zones?

1 **SINGLE-FAMILY HOUSING MODIFICATIONS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Raymond P. Ward**

5 Senate Sponsor: Jacob L. Anderegg

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions related to single-family housing.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ modifies and defines terms applicable to municipal and county land use
- 13 development and management;
- 14 ▶ allows a municipality or county to punish an individual who lists or offers a certain
- 15 licensed or permitted accessory dwelling unit as a short-term rental;
- 16 ▶ allows municipalities and counties to require specified physical changes to certain
- 17 accessory dwelling units;
- 18 ▶ in any single-family residential land use zone:
 - 19 • requires municipalities and counties to classify certain accessory dwelling units
 - 20 as a permitted land use; and
 - 21 • prohibits municipalities and counties from establishing restrictions or
 - 22 requirements for certain accessory dwelling units with limited exceptions;
- 23 ▶ allows a municipality or county to hold a lien against real property containing
- 24 certain accessory dwelling units in certain circumstances;
- 25 ▶ provides for statewide amendments to the International Residential Code related to
- 26 accessory dwelling units;
- 27 ▶ requires the executive director of the Olene Walker Housing Loan Fund to establish
- 28 a two-year pilot program to provide loan guarantees for certain loans related to
- 29 accessory dwelling units;

- 30 ▶ prevents a homeowners association from prohibiting the construction or rental of
- 31 certain accessory dwelling units; and
- 32 ▶ makes technical and conforming changes.

33 Money Appropriated in this Bill:

34 None

35 Other Special Clauses:

36 This bill provides a special effective date.

37 Utah Code Sections Affected:

38 AMENDS:

- 39 **10-8-85.4**, as enacted by Laws of Utah 2017, Chapter 335
- 40 **10-9a-505.5**, as last amended by Laws of Utah 2012, Chapter 172
- 41 **10-9a-511.5**, as enacted by Laws of Utah 2015, Chapter 205
- 42 **15A-3-202**, as last amended by Laws of Utah 2020, Chapter 441
- 43 **15A-3-204**, as last amended by Laws of Utah 2016, Chapter 249
- 44 **15A-3-206**, as last amended by Laws of Utah 2018, Chapter 186
- 45 **17-27a-505.5**, as last amended by Laws of Utah 2015, Chapter 465
- 46 **17-27a-510.5**, as enacted by Laws of Utah 2015, Chapter 205
- 47 **17-50-338**, as enacted by Laws of Utah 2017, Chapter 335
- 48 **35A-8-505**, as last amended by Laws of Utah 2020, Chapter 241
- 49 **57-8a-209**, as last amended by Laws of Utah 2018, Chapter 395
- 50 **57-8a-218**, as last amended by Laws of Utah 2017, Chapter 131

51 ENACTS:

- 52 **10-9a-530**, Utah Code Annotated 1953
- 53 **17-27a-526**, Utah Code Annotated 1953
- 54 **35A-8-504.5**, Utah Code Annotated 1953

56 *Be it enacted by the Legislature of the state of Utah:*

57 Section 1. Section **10-8-85.4** is amended to read:

58 **10-8-85.4. Ordinances regarding short-term rentals -- Prohibition on ordinances**
59 **restricting speech on short-term rental websites.**

60 (1) As used in this section:

61 (a) "Internal accessory dwelling unit" means the same as that term is defined in Section
62 10-9a-511.5.

63 ~~[(a)]~~ (b) "Residential unit" means a residential structure or any portion of a residential
64 structure that is occupied as a residence.

65 ~~[(b)]~~ (c) "Short-term rental" means a residential unit or any portion of a residential unit
66 that the owner of record or the lessee of the residential unit offers for occupancy for fewer than
67 30 consecutive days.

68 ~~[(c)]~~ (d) "Short-term rental website" means a website that:

- 69 (i) allows a person to offer a short-term rental to one or more prospective renters; and
- 70 (ii) facilitates the renting of, and payment for, a short-term rental.

71 (2) Notwithstanding Section 10-9a-501 or Subsection 10-9a-503(1), a legislative body
72 may not:

73 (a) enact or enforce an ordinance that prohibits an individual from listing or offering a
74 short-term rental on a short-term rental website; or

75 (b) use an ordinance that prohibits the act of renting a short-term rental to fine, charge,
76 prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term
77 rental on a short-term rental website.

78 (3) Subsection (2) does not apply to an individual who lists or offers an internal
79 accessory dwelling unit as a short-term rental on a short-term rental website if the municipality
80 records a notice for the internal accessory dwelling unit under Subsection 10-9a-530(6).

81 Section 2. Section 10-9a-505.5 is amended to read:

82 **10-9a-505.5. Limit on single family designation.**

83 (1) As used in this section, "single-family limit" means the number of ~~[unrelated]~~
84 individuals allowed to occupy each residential unit that is recognized by a land use authority in
85 a zone permitting occupancy by a single family.

86 (2) A municipality may not adopt a single-family limit that is less than:

87 (a) three, if the municipality has within its boundary:

88 (i) a state university; or

89 (ii) a private university with a student population of at least 20,000; or

90 (b) four, for each other municipality.

91 Section 3. Section 10-9a-511.5 is amended to read:

92 **10-9a-511.5. Changes to dwellings -- Egress windows.**

93 (1) ~~[For purposes of]~~ As used in this section~~["rental"]~~:

94 (a) "Internal accessory dwelling unit" means an accessory dwelling unit created:

95 (i) within a primary dwelling;

96 (ii) within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the
97 time the internal accessory dwelling unit is created; and

98 (iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.

99 (b) "Primary dwelling" means a single-family dwelling that:

100 (i) is detached; and

101 (ii) is occupied as the primary residence of the owner of record.

102 (c) "Rental dwelling" means the same as that term is defined in Section 10-8-85.5.

103 (2) A municipal ordinance adopted under Section 10-1-203.5 may not:

104 (a) require physical changes in a structure with a legal nonconforming rental dwelling
105 use unless the change is for:

106 (i) the reasonable installation of:

107 (A) a smoke detector that is plugged in or battery operated;

108 (B) a ground fault circuit interrupter protected outlet on existing wiring;

109 (C) street addressing;

110 (D) except as provided in Subsection (3), an egress bedroom window if the existing
111 bedroom window is smaller than that required by current State Construction Code;

112 (E) an electrical system or a plumbing system, if the existing system is not functioning
113 or is unsafe as determined by an independent electrical or plumbing professional who is

114 licensed in accordance with Title 58, Occupations and Professions;

115 (F) hand or guard rails; or

116 (G) occupancy separation doors as required by the International Residential Code; or

117 (ii) the abatement of a structure; or

118 (b) be enforced to terminate a legal nonconforming rental dwelling use.

119 (3) (a) A municipality may not require physical changes to install an egress or
120 emergency escape window in an existing bedroom that complied with the State Construction
121 Code in effect at the time the bedroom was finished if:

122 [~~(a)~~] (i) the dwelling is an owner-occupied dwelling or a rental dwelling that is:

123 [~~(i)~~] (A) a detached one-, two-, three-, or four-family dwelling; or

124 [~~(ii)~~] (B) a town home that is not more than three stories above grade with a separate
125 means of egress; and

126 [~~(b)~~] (i) (A) the window in the existing bedroom is smaller than that required by
127 current State Construction Code; and

128 [~~(ii)~~] (B) the change would compromise the structural integrity of the structure or could
129 not be completed in accordance with current State Construction Code, including set-back and
130 window well requirements.

131 (b) Subsection (3)(a) does not apply to an internal accessory dwelling unit.

132 (4) Nothing in this section prohibits a municipality from:

133 (a) regulating the style of window that is required or allowed in a bedroom;

134 (b) requiring that a window in an existing bedroom be fully openable if the openable
135 area is less than required by current State Construction Code; or

136 (c) requiring that an existing window not be reduced in size if the openable area is
137 smaller than required by current State Construction Code.

138 Section 4. Section **10-9a-530** is enacted to read:

139 **10-9a-530. Internal accessory dwelling units.**

140 (1) As used in this section:

141 (a) "Internal accessory dwelling unit" means an accessory dwelling unit created:

- 142 (i) within a primary dwelling;
- 143 (ii) within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the
- 144 time the internal accessory dwelling unit is created; and
- 145 (iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.
- 146 (b) "Primary dwelling" means a single-family dwelling that:
- 147 (i) is detached; and
- 148 (ii) is occupied as the primary residence of the owner of record.
- 149 (2) In any area zoned primarily for residential use:
- 150 (a) the use of an internal accessory dwelling unit is a permitted use; and
- 151 (b) except as provided in Subsections (3) and (4), a municipality may not establish any
- 152 restrictions or requirements for the construction or use of one internal accessory dwelling unit
- 153 within a primary dwelling, including a restriction or requirement governing:
- 154 (i) the size of the internal accessory dwelling unit in relation to the primary dwelling;
- 155 (ii) total lot size; or
- 156 (iii) street frontage.
- 157 (3) An internal accessory dwelling unit shall comply with all applicable building,
- 158 health, and fire codes.
- 159 (4) A municipality may:
- 160 (a) prohibit the installation of a separate utility meter for an internal accessory dwelling
- 161 unit;
- 162 (b) require that an internal accessory dwelling unit be designed in a manner that does
- 163 not change the appearance of the primary dwelling as a single-family dwelling;
- 164 (c) require a primary dwelling:
- 165 (i) to include one additional on-site parking space for an internal accessory dwelling
- 166 unit, regardless of whether the primary dwelling is existing or new construction; and
- 167 (ii) to replace any parking spaces contained within a garage or carport if an internal
- 168 accessory dwelling unit is created within the garage or carport;
- 169 (d) prohibit the creation of an internal accessory dwelling unit within a mobile home as

170 defined in Section 57-16-3;

171 (e) require the owner of a primary dwelling to obtain a permit or license for renting an
172 internal accessory dwelling unit;

173 (f) prohibit the creation of an internal accessory dwelling unit within a zoning district
174 covering an area that is equivalent to:

175 (i) 25% or less of the total area in the municipality that is zoned primarily for
176 residential use; or

177 (ii) 67% or less of the total area in the municipality that is zoned primarily for
178 residential use, if the main campus of a state or private university with a student population of
179 10,000 or more is located within the municipality;

180 (g) prohibit the creation of an internal accessory dwelling unit if the primary dwelling
181 is served by a failing septic tank;

182 (h) prohibit the creation of an internal accessory dwelling unit if the lot containing the
183 primary dwelling is 6,000 square feet or less in size;

184 (i) prohibit the rental or offering the rental of an internal accessory dwelling unit for a
185 period of less than 30 consecutive days;

186 (j) prohibit the rental of an internal accessory dwelling unit if the internal accessory
187 dwelling unit is located in a dwelling that is not occupied as the owner's primary residence;

188 (k) hold a lien against a property that contains an internal accessory dwelling unit in
189 accordance with Subsection (5); and

190 (l) record a notice for an internal accessory dwelling unit in accordance with
191 Subsection (6).

192 (5) (a) In addition to any other legal or equitable remedies available to a municipality, a
193 municipality may hold a lien against a property that contains an internal accessory dwelling
194 unit if:

195 (i) the owner of the property violates any of the provisions of this section or any
196 ordinance adopted under Subsection (4);

197 (ii) the municipality provides a written notice of violation in accordance with

198 Subsection (5)(b);

199 (iii) the municipality holds a hearing and determines that the violation has occurred in
200 accordance with Subsection (5)(d), if the owner files a written objection in accordance with

201 Subsection (5)(b)(iv);

202 (iv) the owner fails to cure the violation within the time period prescribed in the
203 written notice of violation under Subsection (5)(b);

204 (v) the municipality provides a written notice of lien in accordance with Subsection
205 (5)(c); and

206 (vi) the municipality records a copy of the written notice of lien described in
207 Subsection (5)(a)(iv) with the county recorder of the county in which the property is located.

208 (b) The written notice of violation shall:

209 (i) describe the specific violation;

210 (ii) provide the owner of the internal accessory dwelling unit a reasonable opportunity
211 to cure the violation that is:

212 (A) no less than 14 days after the day on which the municipality sends the written
213 notice of violation, if the violation results from the owner renting or offering to rent the internal
214 accessory dwelling unit for a period of less than 30 consecutive days; or

215 (B) no less than 30 days after the day on which the municipality sends the written
216 notice of violation, for any other violation;

217 (iii) state that if the owner of the property fails to cure the violation within the time
218 period described in Subsection (5)(b)(ii), the municipality may hold a lien against the property
219 in an amount of up to \$100 for each day of violation after the day on which the opportunity to
220 cure the violation expires;

221 (iv) notify the owner of the property:

222 (A) that the owner may file a written objection to the violation within 14 days after the
223 day on which the written notice of violation is post-marked or posted on the property; and

224 (B) of the name and address of the municipal office where the owner may file the
225 written objection;

226 (v) be mailed to:
227 (A) the property's owner of record; and
228 (B) any other individual designated to receive notice in the owner's license or permit
229 records; and
230 (vi) be posted on the property.
231 (c) The written notice of lien shall:
232 (i) comply with the requirements of Section [38-12-102](#);
233 (ii) state that the property is subject to a lien;
234 (iii) specify the lien amount, in an amount of up to \$100 for each day of violation after
235 the day on which the opportunity to cure the violation expires;
236 (iv) be mailed to:
237 (A) the property's owner of record; and
238 (B) any other individual designated to receive notice in the owner's license or permit
239 records; and
240 (v) be posted on the property.
241 (d) (i) If an owner of property files a written objection in accordance with Subsection
242 (5)(b)(iv), the municipality shall:
243 (A) hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings
244 Act, to conduct a review and determine whether the specific violation described in the written
245 notice of violation under Subsection (5)(b) has occurred; and
246 (B) notify the owner in writing of the date, time, and location of the hearing described
247 in Subsection (5)(d)(i)(A) no less than 14 days before the day on which the hearing is held.
248 (ii) If an owner of property files a written objection under Subsection (5)(b)(iv), a
249 municipality may not record a lien under this Subsection (5) until the municipality holds a
250 hearing and determines that the specific violation has occurred.
251 (iii) If the municipality determines at the hearing that the specific violation has
252 occurred, the municipality may impose a lien in an amount of up to \$100 for each day of
253 violation after the day on which the opportunity to cure the violation expires, regardless of

254 whether the hearing is held after the day on which the opportunity to cure the violation has
255 expired.

256 (e) If an owner cures a violation within the time period prescribed in the written notice
257 of violation under Subsection (5)(b), the municipality may not hold a lien against the property,
258 or impose any penalty or fee on the owner, in relation to the specific violation described in the
259 written notice of violation under Subsection (5)(b).

260 (6) (a) A municipality that issues, on or after October 1, 2021, a permit or license to an
261 owner of a primary dwelling to rent an internal accessory dwelling unit, or a building permit to
262 an owner of a primary dwelling to create an internal accessory dwelling unit, may record a
263 notice in the office of the recorder of the county in which the primary dwelling is located.

264 (b) The notice described in Subsection (6)(a) shall include:

265 (i) a description of the primary dwelling;

266 (ii) a statement that the primary dwelling contains an internal accessory dwelling unit;

267 and

268 (iii) a statement that the internal accessory dwelling unit may only be used in
269 accordance with the municipality's land use regulations.

270 (c) The municipality shall, upon recording the notice described in Subsection (6)(a),
271 deliver a copy of the notice to the owner of the internal accessory dwelling unit.

272 Section 5. Section **15A-3-202** is amended to read:

273 **15A-3-202. Amendments to Chapters 1 through 5 of IRC.**

274 (1) In IRC, Section R102, a new Section R102.7.2 is added as follows: "R102.7.2

275 Physical change for bedroom window egress. A structure whose egress window in an existing
276 bedroom is smaller than required by this code, and that complied with the construction code in
277 effect at the time that the bedroom was finished, is not required to undergo a physical change to
278 conform to this code if the change would compromise the structural integrity of the structure or
279 could not be completed in accordance with other applicable requirements of this code,
280 including setback and window well requirements."

281 (2) In IRC, Section R108.3, the following sentence is added at the end of the section:

282 "The building official shall not request proprietary information."

283 (3) In IRC, Section 109:

284 (a) A new IRC, Section 109.1.5, is added as follows: "R109.1.5 Weather-resistant
285 exterior wall envelope inspections. An inspection shall be made of the weather-resistant
286 exterior wall envelope as required by Section R703.1 and flashings as required by Section
287 R703.8 to prevent water from entering the weather-resistive barrier."

288 (b) The remaining sections are renumbered as follows: R109.1.6 Other inspections;
289 R109.1.6.1 Fire- and smoke-resistance-rated construction inspection; R109.1.6.2 Reinforced
290 masonry, insulating concrete form (ICF) and conventionally formed concrete wall inspection;
291 and R109.1.7 Final inspection.

292 (4) IRC, Section R114.1, is deleted and replaced with the following: "R114.1 Notice to
293 owner. Upon notice from the building official that work on any building or structure is being
294 prosecuted contrary to the provisions of this code or other pertinent laws or ordinances or in an
295 unsafe and dangerous manner, such work shall be immediately stopped. The stop work order
296 shall be in writing and shall be given to the owner of the property involved, or to the owner's
297 agent or to the person doing the work; and shall state the conditions under which work will be
298 permitted to resume."

299 (5) In IRC, Section R202, the following definition is added: "ACCESSORY
300 DWELLING UNIT: A habitable living unit created within the existing footprint of a primary
301 owner-occupied single-family dwelling."

302 [~~5~~] (6) In IRC, Section R202, the following definition is added: "CERTIFIED
303 BACKFLOW PREVENTER ASSEMBLY TESTER: A person who has shown competence to
304 test Backflow prevention assemblies to the satisfaction of the authority having jurisdiction
305 under Utah Code, Subsection 19-4-104(4)."

306 [~~6~~] (7) In IRC, Section R202, the definition of "Cross Connection" is deleted and
307 replaced with the following: "CROSS CONNECTION. Any physical connection or potential
308 connection or arrangement between two otherwise separate piping systems, one of which
309 contains potable water and the other either water of unknown or questionable safety or steam,

310 gas, or chemical, whereby there exists the possibility for flow from one system to the other,
 311 with the direction of flow depending on the pressure differential between the two systems (see
 312 "Backflow, Water Distribution")."

313 [~~(7)~~] (8) In IRC, Section 202, in the definition for gray water a comma is inserted after
 314 the word "washers"; the word "and" is deleted; and the following is added to the end: "and
 315 clear water wastes which have a pH of 6.0 to 9.0; are non-flammable; non-combustible;
 316 without objectionable odors; non-highly pigmented; and will not interfere with the operation of
 317 the sewer treatment facility."

318 [~~(8)~~] (9) In IRC, Section R202, the definition of "Potable Water" is deleted and
 319 replaced with the following: "POTABLE WATER. Water free from impurities present in
 320 amounts sufficient to cause disease or harmful physiological effects and conforming to the
 321 Utah Code, Title 19, Chapter 4, Safe Drinking Water Act, and Title 19, Chapter 5, Water
 322 Quality Act, and the regulations of the public health authority having jurisdiction."

323 [~~(9)~~] (10) IRC, Figure R301.2(5), is deleted and replaced with R301.2(5) as follows:

"TABLE R301.2(5)			
GROUND SNOW LOADS FOR SELECTED LOCATIONS IN UTAH			
City/Town	County	Ground Snow Load (lb/ft ²)	Elevation (ft)
Beaver	Beaver	35	5886
Brigham City	Box Elder	42	4423
Castle Dale	Emery	32	5669
Coalville	Summit	57	5581
Duchesne	Duchesne	39	5508
Farmington	Davis	35	4318
Fillmore	Millard	30	5138
Heber City	Wasatch	60	5604
Junction	Piute	27	6030
Kanab	Kane	25	4964

337	Loa	Wayne	37	7060
338	Logan	Cache	43	4531
339	Manila	Daggett	26	6368
340	Manti	Sanpete	37	5620
341	Moab	Grand	21	4029
342	Monticello	San Juan	67	7064
343	Morgan	Morgan	52	5062
344	Nephi	Juab	39	5131
345	Ogden	Weber	37	4334
346	Panguitch	Garfield	41	6630
347	Parowan	Iron	32	6007
348	Price	Carbon	31	5558
349	Provo	Utah	31	4541
350	Randolph	Rich	50	6286
351	Richfield	Sevier	27	5338
352	St. George	Washington	21	2585
353	Salt Lake City	Salt Lake	28	4239
354	Tooele	Tooele	35	5029
355	Vernal	Uintah	39	5384

Note: To convert lb/ft² to kN/m², multiply by 0.0479. To convert feet to meters, multiply by 0.3048.

1. Statutory requirements of the Authority Having Jurisdiction are not included in this state ground snow load table.

356 2. For locations where there is substantial change in altitude over the city/town, the load applies at and below the cited elevation, with a tolerance of 100 ft (30 m).

3. For other locations in Utah, see Bean, B., Maguire, M., Sun, Y. (2018), "The Utah Snow Load Study," Utah State University Civil and Environmental Engineering Faculty Publications, Paper 3589, <http://utahsnowload.usu.edu/>, for ground snow load values.

357 ~~[(10)]~~ (11) IRC, Section R301.6, is deleted and replaced with the following: "R301.6
358 Utah Snow Loads. The snow loads specified in Table R301.2(5b) shall be used for the
359 jurisdictions identified in that table. Otherwise, for other locations in Utah, see Bean, B.,
360 Maguire, M., Sun, Y. (2018), "The Utah Snow Load Study," Utah State University Civil and
361 Environmental Engineering Faculty Publications, Paper 3589, <http://utahsnowload.usu.edu/>, for
362 ground snow load values."

363 ~~[(11)]~~ (12) In IRC, Section R302.2, the following sentence is added after the second
364 sentence: "When an access/maintenance agreement or easement is in place, plumbing,
365 mechanical ducting, schedule 40 steel gas pipe, and electric service conductors including
366 feeders, are permitted to penetrate the common wall at grade, above grade, or below grade."

367 (13) In IRC, Section R302.3, a new exception 3 is added as follows: "3. Accessory
368 dwelling units separated by walls or floor assemblies protected by not less than 1/2-inch (12.7
369 mm) gypsum board or equivalent on each side of the wall or bottom of the floor assembly are
370 exempt from the requirements of this section."

371 ~~[(12)]~~ (14) In IRC, Section R302.5.1, the words "self-closing device" are deleted and
372 replaced with "self-latching hardware."

373 ~~[(13)]~~ (15) IRC, Section R302.13, is deleted.

374 ~~[(14)]~~ (16) In IRC, Section R303.4, the number "5" is changed to "3" in the first
375 sentence.

376 (17) In IRC, Section R310.6, in the exception, the words "or accessory dwelling units"
377 are added after the words "sleeping rooms".

378 ~~[(15)]~~ (18) IRC, Sections R311.7.4 through R311.7.5.3, are deleted and replaced with
379 the following: "R311.7.4 Stair treads and risers. R311.7.5.1 Riser height. The maximum riser
380 height shall be 8 inches (203 mm). The riser shall be measured vertically between leading
381 edges of the adjacent treads. The greatest riser height within any flight of stairs shall not
382 exceed the smallest by more than 3/8 inch (9.5 mm).

383 R311.7.5.2 Tread depth. The minimum tread depth shall be 9 inches (228 mm). The tread
384 depth shall be measured horizontally between the vertical planes of the foremost projection of
385 adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within
386 any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Winder
387 treads shall have a minimum tread depth of 10 inches (254 mm) measured as above at a point
388 12 inches (305 mm) from the side where the treads are narrower. Winder treads shall have a
389 minimum tread depth of 6 inches (152 mm) at any point. Within any flight of stairs, the
390 greatest winder tread depth at the 12-inch (305 mm) walk line shall not exceed the smallest by
391 more than 3/8 inch (9.5 mm).

392 R311.7.5.3 Profile. The radius of curvature at the leading edge of the tread shall be no greater
393 than 9/16 inch (14.3 mm). A nosing not less than 3/4 inch (19 mm) but not more than 1 1/4
394 inches (32 mm) shall be provided on stairways with solid risers. The greatest nosing projection
395 shall not exceed the smallest nosing projection by more than 3/8 inch (9.5 mm) between two
396 stories, including the nosing at the level of floors and landings. Beveling of nosing shall not
397 exceed 1/2 inch (12.7 mm). Risers shall be vertical or sloped from the underside of the leading
398 edge of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open
399 risers are permitted, provided that the opening between treads does not permit the passage of a
400 4-inch diameter (102 mm) sphere.

401 Exceptions.

- 402 1. A nosing is not required where the tread depth is a minimum of 10 inches (254 mm).
- 403 2. The opening between adjacent treads is not limited on stairs with a total rise of 30 inches

404 (762 mm) or less."

405 [~~(16)~~] (19) IRC, Section R312.2, is deleted.

406 [~~(17)~~] (20) IRC, Sections R313.1 through R313.2.1, are deleted and replaced with the
407 following: "R313.1 Design and installation. When installed, automatic residential fire
408 sprinkler systems for townhouses or one- and two-family dwellings shall be designed and
409 installed in accordance with Section P2904 or NFPA 13D."

410 (21) In IRC, Section R314.2.2, the words "or accessory dwelling units" are added after
411 the words "sleeping rooms".

412 (22) In IRC, Section R315.2.2, the words "or accessory dwelling units" are added after
413 the words "sleeping rooms".

414 [~~(18)~~] (23) In IRC, Section 315.3, the following words are added to the first sentence
415 after the word "installed": "on each level of the dwelling unit and."

416 [~~(19)~~] (24) In IRC, Section R315.5, a new exception, 3, is added as follows:

417 "3. Hard wiring of carbon monoxide alarms in existing areas shall not be required where the
418 alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing
419 the structure, unless there is an attic, crawl space or basement available which could provide
420 access for hard wiring, without the removal of interior finishes."

421 [~~(20)~~] (25) A new IRC, Section R315.7, is added as follows: " R315.7 Interconnection.
422 Where more than one carbon monoxide alarm is required to be installed within an individual
423 dwelling unit in accordance with Section R315.1, the alarm devices shall be interconnected in
424 such a manner that the actuation of one alarm will activate all of the alarms in the individual
425 unit. Physical interconnection of smoke alarms shall not be required where listed wireless
426 alarms are installed and all alarms sound upon activation of one alarm.

427 Exception: Interconnection of carbon monoxide alarms in existing areas shall not be required
428 where alterations or repairs do not result in removal of interior wall or ceiling finishes exposing
429 the structure, unless there is an attic, crawl space or basement available which could provide
430 access for interconnection without the removal of interior finishes."

431 [~~(21)~~] (26) In IRC, Section R317.1.5, the period is deleted and the following language

432 is added to the end of the paragraph: "or treated with a moisture resistant coating."

433 ~~[(22)]~~ (27) In IRC, Section 326.1, the words "residential provisions of the" are added
434 after the words "pools and spas shall comply with".

435 ~~[(23)]~~ (28) In IRC, Section R403.1.6, a new Exception 3 is added as follows: "3.
436 When anchor bolt spacing does not exceed 32 inches (813 mm) apart, anchor bolts may be
437 placed with a minimum of two bolts per plate section located not less than 4 inches (102 mm)
438 from each end of each plate section at interior bearing walls, interior braced wall lines, and at
439 all exterior walls."

440 ~~[(24)]~~ (29) In IRC, Section R403.1.6.1, a new exception is added at the end of Item 2
441 and Item 3 as follows: "Exception: When anchor bolt spacing does not exceed 32 inches (816
442 mm) apart, anchor bolts may be placed with a minimum of two bolts per plate section located
443 not less than 4 inches (102 mm) from each end of each plate section at interior bearing walls,
444 interior braced wall lines, and at all exterior walls."

445 ~~[(25)]~~ (30) In IRC, Section R404.1, a new exception is added as follows: "Exception:
446 As an alternative to complying with Sections R404.1 through R404.1.5.3, concrete and
447 masonry foundation walls may be designed in accordance with IBC Sections 1807.1.5 and
448 1807.1.6 as amended in Section 1807.1.6.4 and Table 1807.1.6.4 under these rules."

449 ~~[(26)]~~ (31) In IRC, Section R405.1, a new exception is added as follows: "Exception:
450 When a geotechnical report has been provided for the property, a drainage system is not
451 required unless the drainage system is required as a condition of the geotechnical report. The
452 geological report shall make a recommendation regarding a drainage system."

453 Section 6. Section **15A-3-204** is amended to read:

454 **15A-3-204. Amendments to Chapters 16 through 25 of IRC.**

455 (1) In IRC, Section M1602.2, a new exception is added at the end of Item 6 as follows:
456 "Exception: The discharge of return air from an accessory dwelling unit into another dwelling
457 unit, or into an accessory dwelling unit from another dwelling unit, is not prohibited."

458 (2) A new IRC, Section G2401.2, is added as follows: "G2401.2 Meter Protection.
459 Fuel gas services shall be in an approved location and/or provided with structures designed to

460 protect the fuel gas meter and surrounding piping from physical damage, including falling,
461 moving, or migrating ice and snow. If an added structure is used, it must provide access for
462 service and comply with the IBC or the IRC."

463 Section 7. Section 15A-3-206 is amended to read:

464 **15A-3-206. Amendments to Chapters 36 through 44 and Appendix F of IRC.**

465 (1) In IRC, Section E3601.6.2, a new exception is added as follows: "Exception: An
466 occupant of an accessory dwelling unit is not required to have access to the disconnect serving
467 the dwelling unit in which they reside."

468 [~~(1)~~] (2) In IRC, Section E3705.4.5, the following words are added after the word
469 "assemblies": "with ungrounded conductors 10 AWG and smaller".

470 [~~(2)~~] (3) In IRC, Section E3901.9, the following exception is added:
471 "Exception: Receptacles or other outlets adjacent to the exterior walls of the garage, outlets
472 adjacent to an exterior wall of the garage, or outlets in a storage room with entry from the
473 garage may be connected to the garage branch circuit."

474 [~~(3)~~] (4) IRC, Section E3902.16 is deleted.

475 [~~(4)~~] (5) In Section E3902.17:

476 (a) following the word "Exception" the number "1." is added; and

477 (b) at the end of the section, the following sentences are added:

478 "2. This section does not apply for a simple move or an extension of a branch circuit or an
479 outlet which does not significantly increase the existing electrical load. This exception does
480 not include changes involving remodeling or additions to a residence."

481 [~~(5)~~] (6) IRC, Chapter 44, is amended by adding the following reference standard:

"Standard reference number	Title	Referenced in code section number
USC-FCCCHR 10th Edition Manual of Cross Connection Control	Foundation for Cross-Connection Control and Hydraulic Research University of Southern California Kaprielian Hall 300 Los Angeles CA 90089-2531	Table P2902.3"

484 [~~(6)~~] (7) (a) When passive radon controls or portions thereof are voluntarily installed,
485 the voluntary installation shall comply with Appendix F of the IRC.

486 (b) An additional inspection of a voluntary installation described in Subsection [~~(6)~~]
487 (7)(a) is not required.

488 Section 8. Section 17-27a-505.5 is amended to read:

489 **17-27a-505.5. Limit on single family designation.**

490 (1) As used in this section, "single-family limit" means the number of [~~unrelated~~]
491 individuals allowed to occupy each residential unit that is recognized by a land use authority in
492 a zone permitting occupancy by a single family.

493 (2) A county may not adopt a single-family limit that is less than:

494 (a) three, if the county has within its unincorporated area:

495 (i) a state university;

496 (ii) a private university with a student population of at least 20,000; or

497 (iii) a mountainous planning district; or

498 (b) four, for each other county.

499 Section 9. Section **17-27a-510.5** is amended to read:

500 **17-27a-510.5. Changes to dwellings -- Egress windows.**

501 (1) [~~For purposes of~~] As used in this section[~~,"rental"~~]:

502 (a) "Internal accessory dwelling unit" means an accessory dwelling unit created:

503 (i) within a primary dwelling;

504 (ii) within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the
505 time the internal accessory dwelling unit is created; and

506 (iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.

507 (b) "Primary dwelling" means a single-family dwelling that:

508 (i) is detached; and

509 (ii) is occupied as the primary residence of the owner of record.

510 (c) "Rental dwelling" means the same as that term is defined in Section 10-8-85.5.

511 (2) A county ordinance adopted under Section **10-1-203.5** may not:

512 (a) require physical changes in a structure with a legal nonconforming rental dwelling
513 use unless the change is for:

514 (i) the reasonable installation of:

515 (A) a smoke detector that is plugged in or battery operated;

516 (B) a ground fault circuit interrupter protected outlet on existing wiring;

517 (C) street addressing;

518 (D) except as provided in Subsection (3), an egress bedroom window if the existing
519 bedroom window is smaller than that required by current State Construction Code;

520 (E) an electrical system or a plumbing system, if the existing system is not functioning
521 or is unsafe as determined by an independent electrical or plumbing professional who is
522 licensed in accordance with Title 58, Occupations and Professions;

523 (F) hand or guard rails; or

524 (G) occupancy separation doors as required by the International Residential Code; or

525 (ii) the abatement of a structure; or

526 (b) be enforced to terminate a legal nonconforming rental dwelling use.

527 (3) (a) A county may not require physical changes to install an egress or emergency
528 escape window in an existing bedroom that complied with the State Construction Code in
529 effect at the time the bedroom was finished if:

530 [~~(a)~~] (i) the dwelling is an owner-occupied dwelling or a rental dwelling that is:

531 [~~(i)~~] (A) a detached one-, two-, three-, or four-family dwelling; or

532 [~~(ii)~~] (B) a town home that is not more than three stories above grade with a separate
533 means of egress; and

534 [~~(b)~~]~~(i)~~ (ii) (A) the window in the existing bedroom is smaller than that required by
535 current State Construction Code; and

536 [~~(ii)~~] (B) the change would compromise the structural integrity of the structure or could
537 not be completed in accordance with current State Construction Code, including set-back and
538 window well requirements.

539 (b) Subsection (3)(a) does not apply to an internal accessory dwelling unit.

- 540 (4) Nothing in this section prohibits a county from:
- 541 (a) regulating the style of window that is required or allowed in a bedroom;
- 542 (b) requiring that a window in an existing bedroom be fully openable if the openable
- 543 area is less than required by current State Construction Code; or
- 544 (c) requiring that an existing window not be reduced in size if the openable area is
- 545 smaller than required by current State Construction Code.

546 Section 10. Section **17-27a-526** is enacted to read:

547 **17-27a-526. Internal accessory dwelling units.**

548 (1) As used in this section:

549 (a) "Internal accessory dwelling unit" means an accessory dwelling unit created:

550 (i) within a primary dwelling;

551 (ii) within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the

552 time the internal accessory dwelling unit is created; and

553 (iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.

554 (b) "Primary dwelling" means a single-family dwelling that:

555 (i) is detached; and

556 (ii) is occupied as the primary residence of the owner of record.

557 (2) In any area zoned primarily for residential use:

558 (a) the use of an internal accessory dwelling unit is a permitted use; and

559 (b) except as provided in Subsections (3) and (4), a county may not establish any

560 restrictions or requirements for the construction or use of one internal accessory dwelling unit

561 within a primary dwelling, including a restriction or requirement governing:

562 (i) the size of the internal accessory dwelling unit in relation to the primary dwelling;

563 (ii) total lot size; or

564 (iii) street frontage.

565 (3) An internal accessory dwelling unit shall comply with all applicable building,

566 health, and fire codes.

567 (4) A county may:

- 568 (a) prohibit the installation of a separate utility meter for an internal accessory dwelling
569 unit;
- 570 (b) require that an internal accessory dwelling unit be designed in a manner that does
571 not change the appearance of the primary dwelling as a single-family dwelling;
- 572 (c) require a primary dwelling:
 - 573 (i) to include one additional on-site parking space for an internal accessory dwelling
574 unit, regardless of whether the primary dwelling is existing or new construction; and
 - 575 (ii) to replace any parking spaces contained within a garage or carport if an internal
576 accessory dwelling unit is created within the garage or carport;
- 577 (d) prohibit the creation of an internal accessory dwelling unit within a mobile home as
578 defined in Section 57-16-3;
- 579 (e) require the owner of a primary dwelling to obtain a permit or license for renting an
580 internal accessory dwelling unit;
- 581 (f) prohibit the creation of an internal accessory dwelling unit within a zoning district
582 covering an area that is equivalent to 25% or less of the total unincorporated area in the county
583 that is zoned primarily for residential use;
- 584 (g) prohibit the creation of an internal accessory dwelling unit if the primary dwelling
585 is served by a failing septic tank;
- 586 (h) prohibit the creation of an internal accessory dwelling unit if the lot containing the
587 primary dwelling is 6,000 square feet or less in size;
- 588 (i) prohibit the rental or offering the rental of an internal accessory dwelling unit for a
589 period of less than 30 consecutive days;
- 590 (j) prohibit the rental of an internal accessory dwelling unit if the internal accessory
591 dwelling unit is located in a dwelling that is not occupied as the owner's primary residence;
- 592 (k) hold a lien against a property that contains an internal accessory dwelling unit in
593 accordance with Subsection (5); and
- 594 (l) record a notice for an internal accessory dwelling unit in accordance with
595 Subsection (6).

596 (5) (a) In addition to any other legal or equitable remedies available to a county, a
597 county may hold a lien against a property that contains an internal accessory dwelling unit if:

598 (i) the owner of the property violates any of the provisions of this section or any
599 ordinance adopted under Subsection (4);

600 (ii) the county provides a written notice of violation in accordance with Subsection
601 (5)(b);

602 (iii) the county holds a hearing and determines that the violation has occurred in
603 accordance with Subsection (5)(d), if the owner files a written objection in accordance with
604 Subsection (5)(b)(iv);

605 (iv) the owner fails to cure the violation within the time period prescribed in the
606 written notice of violation under Subsection (5)(b);

607 (v) the county provides a written notice of lien in accordance with Subsection (5)(c);
608 and

609 (vi) the county records a copy of the written notice of lien described in Subsection
610 (5)(a)(iv) with the county recorder of the county in which the property is located.

611 (b) The written notice of violation shall:

612 (i) describe the specific violation;

613 (ii) provide the owner of the internal accessory dwelling unit a reasonable opportunity
614 to cure the violation that is:

615 (A) no less than 14 days after the day on which the county sends the written notice of
616 violation, if the violation results from the owner renting or offering to rent the internal
617 accessory dwelling unit for a period of less than 30 consecutive days; or

618 (B) no less than 30 days after the day on which the county sends the written notice of
619 violation, for any other violation; and

620 (iii) state that if the owner of the property fails to cure the violation within the time
621 period described in Subsection (5)(b)(ii), the county may hold a lien against the property in an
622 amount of up to \$100 for each day of violation after the day on which the opportunity to cure
623 the violation expires;

624 (iv) notify the owner of the property:
625 (A) that the owner may file a written objection to the violation within 14 days after the
626 day on which the written notice of violation is post-marked or posted on the property; and
627 (B) of the name and address of the county office where the owner may file the written
628 objection;
629 (v) be mailed to:
630 (A) the property's owner of record; and
631 (B) any other individual designated to receive notice in the owner's license or permit
632 records; and
633 (vi) be posted on the property.
634 (c) The written notice of lien shall:
635 (i) comply with the requirements of Section [38-12-102](#);
636 (ii) describe the specific violation;
637 (iii) specify the lien amount, in an amount of up to \$100 for each day of violation after
638 the day on which the opportunity to cure the violation expires;
639 (iv) be mailed to:
640 (A) the property's owner of record; and
641 (B) any other individual designated to receive notice in the owner's license or permit
642 records; and
643 (v) be posted on the property.
644 (d) (i) If an owner of property files a written objection in accordance with Subsection
645 (5)(b)(iv), the county shall:
646 (A) hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings
647 Act, to conduct a review and determine whether the specific violation described in the written
648 notice of violation under Subsection (5)(b) has occurred; and
649 (B) notify the owner in writing of the date, time, and location of the hearing described
650 in Subsection (5)(d)(i)(A) no less than 14 days before the day on which the hearing is held.
651 (ii) If an owner of property files a written objection under Subsection (5)(b)(iv), a

652 county may not record a lien under this Subsection (5) until the county holds a hearing and
653 determines that the specific violation has occurred.

654 (iii) If the county determines at the hearing that the specific violation has occurred, the
655 county may impose a lien in an amount of up to \$100 for each day of violation after the day on
656 which the opportunity to cure the violation expires, regardless of whether the hearing is held
657 after the day on which the opportunity to cure the violation has expired.

658 (e) If an owner cures a violation within the time period prescribed in the written notice
659 of violation under Subsection (5)(b), the county may not hold a lien against the property, or
660 impose any penalty or fee on the owner, in relation to the specific violation described in the
661 written notice of violation under Subsection (5)(b).

662 (6) (a) A county that issues, on or after October 1, 2021, a permit or license to an
663 owner of a primary dwelling to rent an internal accessory dwelling unit, or a building permit to
664 an owner of a primary dwelling to create an internal accessory dwelling unit, may record a
665 notice in the office of the recorder of the county in which the primary dwelling is located.

666 (b) The notice described in Subsection (6)(a) shall include:

667 (i) a description of the primary dwelling;

668 (ii) a statement that the primary dwelling contains an internal accessory dwelling unit;

669 and

670 (iii) a statement that the internal accessory dwelling unit may only be used in
671 accordance with the county's land use regulations.

672 (c) The county shall, upon recording the notice described in Subsection (6)(a), deliver a
673 copy of the notice to the owner of the internal accessory dwelling unit.

674 Section 11. Section **17-50-338** is amended to read:

675 **17-50-338. Ordinances regarding short-term rentals -- Prohibition on ordinances**
676 **restricting speech on short-term rental websites.**

677 (1) As used in this section:

678 (a) "Internal accessory dwelling unit" means the same as that term is defined in Section
679 [10-9a-511.5](#).

680 [~~(a)~~] (b) "Residential unit" means a residential structure or any portion of a residential
681 structure that is occupied as a residence.

682 [~~(b)~~] (c) "Short-term rental" means a residential unit or any portion of a residential unit
683 that the owner of record or the lessee of the residential unit offers for occupancy for fewer than
684 30 consecutive days.

685 [~~(c)~~] (d) "Short-term rental website" means a website that:

686 (i) allows a person to offer a short-term rental to one or more prospective renters; and

687 (ii) facilitates the renting of, and payment for, a short-term rental.

688 (2) Notwithstanding Section [17-27a-501](#) or Subsection [17-27a-503\(1\)](#), a legislative
689 body may not:

690 (a) enact or enforce an ordinance that prohibits an individual from listing or offering a
691 short-term rental on a short-term rental website; or

692 (b) use an ordinance that prohibits the act of renting a short-term rental to fine, charge,
693 prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term
694 rental on a short-term rental website.

695 (3) Subsection (2) does not apply to an individual who lists or offers an internal
696 accessory dwelling unit as a short-term rental on a short-term rental website if the county
697 records a notice for the internal accessory dwelling unit under Subsection [17-27a-526\(6\)](#).

698 Section 12. Section **35A-8-504.5** is enacted to read:

699 **35A-8-504.5. Low-income ADU loan guarantee pilot program.**

700 (1) As used in this section:

701 (a) "Accessory dwelling unit" means the same as that term is defined in Section
702 [10-9a-103](#).

703 (b) "Borrower" means a residential property owner who receives a low-income ADU
704 loan from a lender.

705 (c) "Lender" means a trust company, savings bank, savings and loan association, bank,
706 credit union, or any other entity that provides low-income ADU loans directly to borrowers.

707 (d) "Low-income ADU loan" means a loan made by a lender to a borrower for the

708 purpose of financing the construction of an accessory dwelling unit that is:

709 (i) located on the borrower's residential property; and

710 (ii) rented to a low-income individual.

711 (e) "Low-income individual" means an individual whose household income is less than

712 80% of the area median income.

713 (f) "Pilot program" means the two-year pilot program created in this section.

714 (2) The executive director shall establish a two-year pilot program to provide loan

715 guarantees on behalf of borrowers for the purpose of insuring the repayment of low-income

716 ADU loans.

717 (3) The executive director may not provide a loan guarantee for a low-income ADU

718 loan under the pilot program unless:

719 (a) the lender:

720 (i) agrees in writing to participate in the pilot program;

721 (ii) makes available to prospective borrowers the option of receiving a low-income

722 ADU loan that:

723 (A) has a term of 15 years; and

724 (B) charges interest at a fixed rate;

725 (iii) monitors the activities of the borrower on a yearly basis during the term of the loan

726 to ensure the borrower's compliance with:

727 (A) Subsection (3)(c); and

728 (B) any other term or condition of the loan; and

729 (iv) promptly notifies the executive director in writing if the borrower fails to comply

730 with:

731 (A) Subsection (3)(c); or

732 (B) any other term or condition of the loan;

733 (b) the loan terms of the low-income ADU loan:

734 (i) are consistent with the loan terms described in Subsection (3)(a)(ii); or

735 (ii) if different from the loan terms described in Subsection (3)(a)(ii), are mutually

736 agreed upon by the lender and the borrower; and

737 (c) the borrower:

738 (i) agrees in writing to participate in the pilot program;

739 (ii) constructs an accessory dwelling unit on the borrower's residential property within

740 one year after the day on which the borrower receives the loan;

741 (iii) occupies the primary residence to which the accessory dwelling unit is associated:

742 (A) after the accessory dwelling unit is completed; and

743 (B) for the remainder of the term of the loan; and

744 (iv) rents the accessory dwelling unit to a low-income individual:

745 (A) after the accessory dwelling unit is completed; and

746 (B) for the remainder of the term of the loan.

747 (4) At the direction of the board, the executive director shall make rules in accordance

748 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish:

749 (a) the minimum criteria for lenders and borrowers to participate in the pilot program;

750 (b) the terms and conditions for loan guarantees provided under the pilot program,

751 consistent with Subsection (3); and

752 (c) procedures for the pilot program's loan guarantee process.

753 (5) The executive director shall submit a report on the pilot program to the Business

754 and Labor Interim Committee on or before November 30, 2023.

755 Section 13. Section **35A-8-505** is amended to read:

756 **35A-8-505. Activities authorized to receive fund money -- Powers of the executive**
757 **director.**

758 At the direction of the board, the executive director may:

759 (1) provide fund money to any of the following activities:

760 (a) the acquisition, rehabilitation, or new construction of low-income housing units;

761 (b) matching funds for social services projects directly related to providing housing for
762 special-need renters in assisted projects;

763 (c) the development and construction of accessible housing designed for low-income

764 persons;

765 (d) the construction or improvement of a shelter or transitional housing facility that
766 provides services intended to prevent or minimize homelessness among members of a specific
767 homeless subpopulation;

768 (e) the purchase of an existing facility to provide temporary or transitional housing for
769 the homeless in an area that does not require rezoning before providing such temporary or
770 transitional housing;

771 (f) the purchase of land that will be used as the site of low-income housing units;

772 (g) the preservation of existing affordable housing units for low-income persons; [~~and~~]

773 (h) providing loan guarantees under the two-year pilot program established in Section
774 35A-8-504.5; and

775 [~~(h)~~] (i) other activities that will assist in minimizing homelessness or improving the
776 availability or quality of housing in the state for low-income persons; and

777 (2) do any act necessary or convenient to the exercise of the powers granted by this part
778 or reasonably implied from those granted powers, including:

779 (a) making or executing contracts and other instruments necessary or convenient for
780 the performance of the executive director and board's duties and the exercise of the executive
781 director and board's powers and functions under this part, including contracts or agreements for
782 the servicing and originating of mortgage loans;

783 (b) procuring insurance against a loss in connection with property or other assets held
784 by the fund, including mortgage loans, in amounts and from insurers it considers desirable;

785 (c) entering into agreements with a department, agency, or instrumentality of the
786 United States or this state and with mortgagors and mortgage lenders for the purpose of
787 planning and regulating and providing for the financing and refinancing, purchase,
788 construction, reconstruction, rehabilitation, leasing, management, maintenance, operation, sale,
789 or other disposition of residential housing undertaken with the assistance of the department
790 under this part;

791 (d) proceeding with a foreclosure action, to own, lease, clear, reconstruct, rehabilitate,

792 repair, maintain, manage, operate, assign, encumber, sell, or otherwise dispose of real or
793 personal property obtained by the fund due to the default on a mortgage loan held by the fund
794 in preparation for disposition of the property, taking assignments of leases and rentals,
795 proceeding with foreclosure actions, and taking other actions necessary or incidental to the
796 performance of its duties; and

797 (e) selling, at a public or private sale, with public bidding, a mortgage or other
798 obligation held by the fund.

799 Section 14. Section **57-8a-209** is amended to read:

800 **57-8a-209. Rental restrictions.**

801 (1) (a) Subject to Subsections (1)(b), (5), [~~and~~] (6), and (10), an association may:

802 (i) create restrictions on the number and term of rentals in an association; or

803 (ii) prohibit rentals in the association.

804 (b) An association that creates a rental restriction or prohibition in accordance with
805 Subsection (1)(a) shall create the rental restriction or prohibition in a recorded declaration of
806 covenants, conditions, and restrictions, or by amending the recorded declaration of covenants,
807 conditions, and restrictions.

808 (2) If an association prohibits or imposes restrictions on the number and term of
809 rentals, the restrictions shall include:

810 (a) a provision that requires the association to exempt from the rental restrictions the
811 following lot owner and the lot owner's lot:

812 (i) a lot owner in the military for the period of the lot owner's deployment;

813 (ii) a lot occupied by a lot owner's parent, child, or sibling;

814 (iii) a lot owner whose employer has relocated the lot owner for two years or less;

815 (iv) a lot owned by an entity that is occupied by an individual who:

816 (A) has voting rights under the entity's organizing documents; and

817 (B) has a 25% or greater share of ownership, control, and right to profits and losses of
818 the entity; or

819 (v) a lot owned by a trust or other entity created for estate planning purposes if the trust

820 or other estate planning entity was created for:

821 (A) the estate of a current resident of the lot; or

822 (B) the parent, child, or sibling of the current resident of the lot;

823 (b) a provision that allows a lot owner who has a rental in the association before the

824 time the rental restriction described in Subsection (1)(a) is recorded with the county recorder of

825 the county in which the association is located to continue renting until:

826 (i) the lot owner occupies the lot;

827 (ii) an officer, owner, member, trustee, beneficiary, director, or person holding a

828 similar position of ownership or control of an entity or trust that holds an ownership interest in

829 the lot, occupies the lot; or

830 (iii) the lot is transferred; and

831 (c) a requirement that the association create, by rule or resolution, procedures to:

832 (i) determine and track the number of rentals and lots in the association subject to the

833 provisions described in Subsections (2)(a) and (b); and

834 (ii) ensure consistent administration and enforcement of the rental restrictions.

835 (3) For purposes of Subsection (2)(b)(iii), a transfer occurs when one or more of the

836 following occur:

837 (a) the conveyance, sale, or other transfer of a lot by deed;

838 (b) the granting of a life estate in the lot; or

839 (c) if the lot is owned by a limited liability company, corporation, partnership, or other

840 business entity, the sale or transfer of more than 75% of the business entity's share, stock,

841 membership interests, or partnership interests in a 12-month period.

842 (4) This section does not limit or affect residency age requirements for an association

843 that complies with the requirements of the Housing for Older Persons Act, 42 U.S.C. Sec.

844 3607.

845 (5) A declaration of covenants, conditions, and restrictions or amendments to the

846 declaration of covenants, conditions, and restrictions recorded before the transfer of the first lot

847 from the initial declarant may prohibit or restrict rentals without providing for the exceptions,

848 provisions, and procedures required under Subsection (2).

849 (6) (a) Subsections (1) through (5) do not apply to:

850 (i) an association that contains a time period unit as defined in Section 57-8-3;

851 (ii) any other form of timeshare interest as defined in Section 57-19-2; or

852 (iii) subject to Subsection (6)(b), an association that is formed before May 12, 2009,
853 unless, on or after May 12, 2015, the association:

854 (A) adopts a rental restriction or prohibition; or

855 (B) amends an existing rental restriction or prohibition.

856 (b) An association that adopts a rental restriction or amends an existing rental
857 restriction or prohibition before May 9, 2017, is not required to include the exemption
858 described in Subsection (2)(a)(iv).

859 (7) Notwithstanding this section, an association may restrict or prohibit rentals without
860 an exception described in Subsection (2) if:

861 (a) the restriction or prohibition receives unanimous approval by all lot owners; and

862 (b) when the restriction or prohibition requires an amendment to the association's
863 recorded declaration of covenants, conditions, and restrictions, the association fulfills all other
864 requirements for amending the recorded declaration of covenants, conditions, and restrictions
865 described in the association's governing documents.

866 (8) Except as provided in Subsection (9), an association may not require a lot owner
867 who owns a rental lot to:

868 (a) obtain the association's approval of a prospective renter;

869 (b) give the association:

870 (i) a copy of a rental application;

871 (ii) a copy of a renter's or prospective renter's credit information or credit report;

872 (iii) a copy of a renter's or prospective renter's background check; or

873 (iv) documentation to verify the renter's age; or

874 (c) pay an additional assessment, fine, or fee because the lot is a rental lot.

875 (9) (a) A lot owner who owns a rental lot shall give an association the documents

876 described in Subsection (8)(b) if the lot owner is required to provide the documents by court
 877 order or as part of discovery under the Utah Rules of Civil Procedure.

878 (b) If an association's declaration of covenants, conditions, and restrictions lawfully
 879 prohibits or restricts occupancy of the lots by a certain class of individuals, the association may
 880 require a lot owner who owns a rental lot to give the association the information described in
 881 Subsection (8)(b), if:

882 (i) the information helps the association determine whether the renter's occupancy of
 883 the lot complies with the association's declaration of covenants, conditions, and restrictions;
 884 and

885 (ii) the association uses the information to determine whether the renter's occupancy of
 886 the lot complies with the association's declaration of covenants, conditions, and restrictions.

887 (10) Notwithstanding Subsection (1)(a), an association may not restrict or prohibit the
 888 rental of an internal accessory dwelling unit, as defined in Section 10-9a-530, constructed
 889 within a lot owner's residential lot, if the internal accessory dwelling unit complies with all
 890 applicable:

891 (a) land use ordinances;

892 (b) building codes;

893 (c) health codes; and

894 (d) fire codes.

895 [~~(10)~~] (11) The provisions of Subsections (8) [~~and (9)~~] through (10) apply to an
 896 association regardless of when the association is created.

897 Section 15. Section **57-8a-218** is amended to read:

898 **57-8a-218. Equal treatment by rules required -- Limits on association rules and**
 899 **design criteria.**

900 (1) (a) Except as provided in Subsection (1)(b), a rule shall treat similarly situated lot
 901 owners similarly.

902 (b) Notwithstanding Subsection (1)(a), a rule may:

903 (i) vary according to the level and type of service that the association provides to lot

904 owners;

905 (ii) differ between residential and nonresidential uses; and

906 (iii) for a lot that an owner leases for a term of less than 30 days, impose a reasonable
907 limit on the number of individuals who may use the common areas and facilities as guests of
908 the lot tenant or lot owner.

909 (2) (a) If a lot owner owns a rental lot and is in compliance with the association's
910 governing documents and any rule that the association adopts under Subsection (4), a rule may
911 not treat the lot owner differently because the lot owner owns a rental lot.

912 (b) Notwithstanding Subsection (2)(a), a rule may:

913 (i) limit or prohibit a rental lot owner from using the common areas for purposes other
914 than attending an association meeting or managing the rental lot;

915 (ii) if the rental lot owner retains the right to use the association's common areas, even
916 occasionally:

917 (A) charge a rental lot owner a fee to use the common areas; or

918 (B) for a lot that an owner leases for a term of less than 30 days, impose a reasonable
919 limit on the number of individuals who may use the common areas and facilities as guests of
920 the lot tenant or lot owner; or

921 (iii) include a provision in the association's governing documents that:

922 (A) requires each tenant of a rental lot to abide by the terms of the governing
923 documents; and

924 (B) holds the tenant and the rental lot owner jointly and severally liable for a violation
925 of a provision of the governing documents.

926 (3) (a) A rule criterion may not abridge the rights of a lot owner to display religious
927 and holiday signs, symbols, and decorations inside a dwelling on a lot.

928 (b) Notwithstanding Subsection (3)(a), the association may adopt time, place, and
929 manner restrictions with respect to displays visible from outside the dwelling or lot.

930 (4) (a) A rule may not regulate the content of political signs.

931 (b) Notwithstanding Subsection (4)(a):

- 932 (i) a rule may regulate the time, place, and manner of posting a political sign; and
933 (ii) an association design provision may establish design criteria for political signs.
934 (5) (a) A rule may not interfere with the freedom of a lot owner to determine the
935 composition of the lot owner's household.
936 (b) Notwithstanding Subsection (5)(a), an association may:
937 (i) require that all occupants of a dwelling be members of a single housekeeping unit;
938 or
939 (ii) limit the total number of occupants permitted in each residential dwelling on the
940 basis of the residential dwelling's:
941 (A) size and facilities; and
942 (B) fair use of the common areas.
943 (6) (a) A rule may not interfere with an activity of a lot owner within the confines of a
944 dwelling or lot, to the extent that the activity is in compliance with local laws and ordinances.
945 (b) Notwithstanding Subsection (6)(a), a rule may prohibit an activity within a dwelling
946 on an owner's lot if the activity:
947 (i) is not normally associated with a project restricted to residential use; or
948 (ii) (A) creates monetary costs for the association or other lot owners;
949 (B) creates a danger to the health or safety of occupants of other lots;
950 (C) generates excessive noise or traffic;
951 (D) creates unsightly conditions visible from outside the dwelling;
952 (E) creates an unreasonable source of annoyance to persons outside the lot; or
953 (F) if there are attached dwellings, creates the potential for smoke to enter another lot
954 owner's dwelling, the common areas, or limited common areas.
955 (c) If permitted by law, an association may adopt rules described in Subsection (6)(b)
956 that affect the use of or behavior inside the dwelling.
957 (7) (a) A rule may not, to the detriment of a lot owner and over the lot owner's written
958 objection to the board, alter the allocation of financial burdens among the various lots.
959 (b) Notwithstanding Subsection (7)(a), an association may:

- 960 (i) change the common areas available to a lot owner;
- 961 (ii) adopt generally applicable rules for the use of common areas; or
- 962 (iii) deny use privileges to a lot owner who:
 - 963 (A) is delinquent in paying assessments;
 - 964 (B) abuses the common areas; or
 - 965 (C) violates the governing documents.
- 966 (c) This Subsection (7) does not permit a rule that:
 - 967 (i) alters the method of levying assessments; or
 - 968 (ii) increases the amount of assessments as provided in the declaration.
- 969 (8) (a) Subject to Subsection (8)(b), a rule may not:
 - 970 (i) prohibit the transfer of a lot; or
 - 971 (ii) require the consent of the association or board to transfer a lot.
- 972 (b) Unless contrary to a declaration, a rule may require a minimum lease term.
- 973 (9) (a) A rule may not require a lot owner to dispose of personal property that was in or
- 974 on a lot before the adoption of the rule or design criteria if the personal property was in
- 975 compliance with all rules and other governing documents previously in force.
 - 976 (b) The exemption in Subsection (9)(a):
 - 977 (i) applies during the period of the lot owner's ownership of the lot; and
 - 978 (ii) does not apply to a subsequent lot owner who takes title to the lot after adoption of
 - 979 the rule described in Subsection (9)(a).
- 980 (10) A rule or action by the association or action by the board may not unreasonably
- 981 impede a declarant's ability to satisfy existing development financing for community
- 982 improvements and right to develop:
 - 983 (a) the project; or
 - 984 (b) other properties in the vicinity of the project.
- 985 (11) A rule or association or board action may not interfere with:
 - 986 (a) the use or operation of an amenity that the association does not own or control; or
 - 987 (b) the exercise of a right associated with an easement.

988 (12) A rule may not divest a lot owner of the right to proceed in accordance with a
989 completed application for design review, or to proceed in accordance with another approval
990 process, under the terms of the governing documents in existence at the time the completed
991 application was submitted by the owner for review.

992 (13) Unless otherwise provided in the declaration, an association may by rule:

993 (a) regulate the use, maintenance, repair, replacement, and modification of common
994 areas;

995 (b) impose and receive any payment, fee, or charge for:

996 (i) the use, rental, or operation of the common areas, except limited common areas; and

997 (ii) a service provided to a lot owner;

998 (c) impose a charge for a late payment of an assessment; or

999 (d) provide for the indemnification of the association's officers and board consistent
1000 with Title 16, Chapter 6a, Utah Revised Nonprofit Corporation Act.

1001 (14) (a) Except as provided in Subsection (14)(b), a rule may not prohibit the owner of
1002 a residential lot from constructing an internal accessory dwelling unit, as defined in Section
1003 10-9a-530, within the owner's residential lot.

1004 (b) Subsection (14)(a) does not apply if the construction would violate:

1005 (i) a local land use ordinance;

1006 (ii) a building code;

1007 (iii) a health code; or

1008 (iv) a fire code.

1009 [~~14~~] (15) A rule shall be reasonable.

1010 [~~15~~] (16) A declaration, or an amendment to a declaration, may vary any of the
1011 requirements of Subsections (1) through (13), except Subsection (1)(b)(ii).

1012 [~~16~~] (17) A rule may not be inconsistent with a provision of the association's
1013 declaration, bylaws, or articles of incorporation.

1014 [~~17~~] (18) This section applies to an association regardless of when the association is
1015 created.

1016 Section 16. **Effective date.**

1017 (1) Except as provided in Subsection (2), this bill takes effect on May 5, 2021.

1018 (2) The actions affecting the following sections take effect on October 1, 2021:

1019 (a) Section [10-8-85.4](#);

1020 (b) Section [10-9a-530](#);

1021 (c) Section [17-27a-526](#);

1022 (d) Section [17-50-338](#);

1023 (e) Section [57-8a-209](#); and

1024 (f) Section [57-8a-218](#).



Memorandum

To: Planning Commission
From: Thomas Dansie, Town Planner
Date: April 30, 2021
Re: General Plan Update

The Commission has crafted outlines for goals, objectives, and strategies for each of the eight General Plan elements. Commissioner Bruno has formatted and edited these outlines. The Commission should review these final drafts to make sure they accurately reflect the Commission's vision for the General Plan. The final drafts are attached to this report.

The Commission has not yet discussed the Future Land Use Map during the General Plan revision process. The Commission has been mainly focused on the General Plan vision and policies that will help achieve that vision. The Commission should now have a discussion regarding the current [Future Land Use Map](#) and whether or not changes are necessary to the map to ensure it supports the General Plan vision.

Finally, the Commission should also have a discussion about the format of the General Plan. This will help in finishing production of the final document. Questions for the Commission to consider:

- 1- Should this be primarily a digital document? Or a traditional print document?
- 2- What should the role of graphics and images be?
- 3- What style should the document take?
 - Formal style (portrait orientation pages, formal fonts, text heavy, etc. - similar to town code style)?
 - Informational, informal style (landscape orientation, emphasis on graphics, summary text with bullet points)?
 - Something in between?
4. Is there a preferred theme for page templates?
 - Colors, graphics, images.

Staff will have examples of different formats available to display at the meeting to aid in this discussion.

General Plan

Element and Goal Outline

1. Land Use and Town Appearance

General Goal: *The Town will manage the type, size, scale, intensity (e.g., density), and appearance of new growth and development to enhance the unique character of Springdale’s built environment, preserve views of the natural landscape, reduce impacts on existing residents and businesses, and protect natural and cultural resources.*

Sub-Goals:

A. Maintain Springdale's identity as a unique Village within a spectacular scenic setting and preserve the Town’s distinctive small community feel and atmosphere.

1. The Town will continue efforts to reduce light pollution to protect the dark night sky.
2. Discourage consumptive tourism; encourage commercial development that meets the needs of residents and visitors.
3. Development should be “light on the land” with emphasis on natural environment over built environment.
4. SR9 corridor is critically important and should retain a mix of commercial and residential uses, along with open space and agricultural uses.
5. Development along SR9 should be regulated by enhanced architectural control.

B. Ensure new development is compatible with the Town’s setting at the entrance to Zion National Park, consistent with the Town’s architectural heritage, and complements the existing development in the area.

1. Update the Town’s architectural standards and design guidelines to require that the appearance and design of all new development promotes the Town’s village character.
2. Update policies, regulations, and ordinances concerning the design and appearance of new development with more effective and precise language to ensure such policies achieve their desired intent.
3. Update and enforce land use regulations to minimize the visual impacts of new development on views of Zion Canyon, ridgelines, hillsides, and natural viewscapes in the Town.
4. Carefully monitor new development during construction to ensure it complies with all regulations and standards to reduce negative impacts on existing residents.

C. Use zoning and land use regulation strategically to ensure the style, pace, and intensity of new development does not detract from the Town’s small-town character.

1. Town will not change residential or agricultural zones to commercial zones, except in very rare and exceptional cases when such a change is clearly in the best interest of the community, will help promote the Town's village atmosphere, and will not create an unwanted or unwarranted increase in the amount of commercial development in the Town.
2. Update the land use ordinance to make sure it stays true to the intention of promoting mixed use along Zion Park Boulevard while allowing development that meets community needs and desires.
3. Develop policies to address the pace of new development, particularly commercial development, to ensure the Town maintains a balance between residential development and commercial development.

D. Promote the Town's unique character and enhance the aesthetics of the community by improving the look and appearance of the public street right-of-way and other public properties.

1. Prepare a streetscape study and plan that creates a consistent theme, look, and feel for the Town's streetscape and suggests strategies for implementation.
2. Revise ordinances to require streetscape improvements for new development on SR-9, Lion, Winderland, Paradise, and Juniper.

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

1. 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.
2. 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.

General Plan

Element and Goal Outline

2. Transportation

General Goal: *It will be convenient, safe, and enjoyable to get from place to place in Springdale through a variety of different transportation modes (including walking, biking, transit, and private automobile). Traffic and parking congestion from vehicles of all types will be minimized and managed. The Town will plan for and accommodate emerging transportation technology such as electric vehicles, autonomous vehicles, charging infrastructure, and plan for future transportation innovations. The Town will participate in regional transit planning efforts.*

Sub-Goals:

A. Develop the infrastructure, policies, and culture to support active transportation (walking, bicycling) as the primary mode of in-town travel.

1. Develop additional walking and hiking paths to create connectivity with key locations in the Town and Zion National Park.
2. Establish more bike stations / bike corridors to make it easy to move about Town and into the Park via bicycle.
3. Consider making Springdale a mountain biking destination by developing more recreational mountain biking trails.
4. Prepare an active transportation plan for the Town. The intent should be to provide direction, goals and objectives as well as identify specific projects and policies to make active transportation safer, more convenient, and more enjoyable.
5. Work toward a “car free” Springdale. Provide parking outside of town (Hurricane or Laverkin) with transit into town, leaving the Town with open green space.
6. Provide transit service to area recreation destinations.
7. Connect the Town’s active transportation network of walking and bicycling infrastructure to active transportation infrastructure in the region (Washington County, the Park, and Kane County).

B. Continue to partner with Zion National Park and the State Office of Tourism in support and promotion of the in-town Zion shuttle system.

1. Work with Zion National Park to ensure the in-town shuttle schedule is effective and efficient (e.g., computerized schedules displaying seat availability.).
2. Partner with Zion National Park to seek funding opportunities to ensure the continued financial viability of the in-town Park shuttle.
3. Encourage Zion National Park to procure and utilize alternative energy vehicles that are both fuel efficient and quiet, minimize noise and air pollution, and promote Springdale as a ‘green’ community.

C. Work to promote different types of regional public transportation systems to facilitate more transportation options between Springdale and the greater Zion area.

1. Work with Zion Regional Collaborative and other regional partners to coordinate the operation of public transit systems in Washington County, Kane County, and Zion National Park.
2. Encourage local businesses to have employees use public transit for their daily commutes. Encourage business owners to coordinate employee shift times with transit schedules.
3. Work with the Zion Canyon Visitors Bureau to encourage “car free” vacations to the greater Zion area using public transit.
4. Ask local businesses to encourage their guests to use the town shuttle to reduce traffic and parking congestion - both in the Town and Park.
5. Encourage employers to provide employee shuttles for their employees.

D. Anticipate and prepare for Emerging and Future Transportation Innovations

1. Support electric vehicle charging to link to the broader network of electrified corridors.
2. Study issues surrounding autonomous vehicles and prepare for the impacts they could have on the Town’s transportation system.

E. Use Town parking strategically to encourage more use of alternative forms of travel within Springdale, and discourage using private vehicles as the main mode of transportation.

1. Encourage developers of parking lots to minimize visibility from SR-9 by placing them out of public view, or through landscaping, buildings, etc.
2. Consider a requirement that parking lots have shade covers.
3. Limit the amount of parking provided by the Town and consider price increases when demand rises.
4. Evaluate the Town’s requirements for off-street parking required for businesses to make sure they promote the Town’s land use and transportation goals.

General Plan

HOUSING GOALS OUTLINE

3. General Housing Goal:

Springdale will retain its rural residential character by protecting existing residential neighborhoods and protecting these areas from the impacts of increased commercialization. The Town will have 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. This will allow the Town to maintain a community with families of diverse income. It will benefit local businesses by providing a larger labor pool. It will benefit the Town by having the people who are working in businesses also be committed and contributing members of the community.

Sub-Goals:

A. Maintain Springdale's character as a rural residential community.

1. Protect the character of existing residential neighborhoods from the impacts of commercial development and Zion National Park visitation.
2. Consider the full spectrum of impacts of commercial development as it relates to the need for additional housing.
3. Retain existing residential zoning as indicated in the land use element.

B. Promote community character by providing opportunities for more key contributors to the community (first responders, teachers, business owners/managers, etc.) to live full-time in the community.

1. Provide more diversity in housing options available on the market, seeking to increase housing in all categories of housing.
 - i. Encourage the development of homes of modest size and amenities in the 'for sale' market to allow town staff and Zion National Park employees to become homeowners in our community. These homes should be within a price point that will allow achievable homeownership for this segment of our employee community.
 - ii. Take steps to obtain lots and develop homes, per the original design plan, along Redhawk Drive that are tailored to meet the home ownership needs of Springdale and Zion National Park staff.
 - iii. Research other available parcels of land within town that may be developed to meet the homeownership needs of key town and Zion National Park staff.

2. Use housing tools identified in Housing Study

- i. Make allowances for expanded use of Accessory Dwelling Units (ADU's), while ensuring these uses do not detract from the character of existing neighborhoods.
- ii. Create a Transferable Development Right (TDR) program that will allow increased density in targeted areas while preserving open space in sensitive foothill locations.
- iii. Consider creating a residential multi-family zone that will allow targeted and selected density changes in appropriate areas.

3. Partner with affordable housing providers to develop income-qualified, deed-restricted regulated affordable housing.

- i. Encourage the development of Regulated Affordable Housing units to help address the lack of supply in the 'for rent' market.
- ii. Explore and evaluate a creative variety of scalable employee housing solutions. These accommodations can range from hostel style, dormitory style and studio apartments. This variety of solutions would help address a wide range of housing for various length employment; short term, seasonal and also provide other longer term and more amenity rich 'for rent' options.

General Plan

Element and Goal Outline

4. Economic Development

General Goal: *Small, independent, local businesses will continue to serve residential needs and power the Town's tourism-based economy. The Town will diversify economic drivers by encouraging businesses that serve resident needs, promoting remote working opportunities (e.g. "tele-work" and remote commerce), and supporting businesses that are not dependent on the tourism industry (such as agriculture). The Town will partner with other regional entities to disperse any adverse impacts of tourism through efforts such as Greater Zion.*

Sub-Goals:

A. Promote and encourage small, independent businesses that are unique to Springdale and help promote small-town village character.

1. The Town Council will review and update incentives and outreach to attract and maintain independent businesses.
2. The Planning Commission will pass a Design Standards Ordinance limiting the physical appearance of properties on and adjacent to SR 9, thereby limiting larger box stores and "chains" in the central commercial zone.
3. Consider asking shops and restaurants to stay open longer in the evening; people are looking for things to do and times / places to spend their money.
4. Encourage outdoor dining and, where appropriate, live music.

B. Develop new amenities for residents and tourists that enhance the visitor experience as well as the quality of life for residents.

1. Because 99 percent of Springdale tourism is driven by Zion National Park, consider developing amenities to benefit Park visitors. Examples would be public restrooms, parking for larger buses, smaller buses to take people from larger buses into the canyon, and eateries that cater to busloads.
2. When developing amenities for tourists, consider the origination of the visitors. More Asian visitors participate in package tours, but Europeans tend to want to find their own amenities in Town.
3. Encourage the development of more restaurants, and more diverse style and price-point of restaurants, to benefit both residents and tourists.
4. Expand publicly available wireless internet to benefit both residents and tourists.
5. Consider partnering with the Visitors Bureau, Greater Zion, and other tourism entities to operate a visitor center (potentially in the visitor center) that offers concierge services such as reservations for restaurants and experiences.
6. Encourage commercial businesses that promote experiences and not just goods (help tourists become contributors, and not consumers).

7. Develop a public space in the Downtown area that serves as a central gathering space for residents and tourists. Encourage people to spend more time in the downtown area and have more meaningful experiences in the area.
8. Explore opportunities for evening outdoor events such as music/poetry in the park, art fairs, guest speakers. Some of these could include food courts.

C. Develop communication infrastructure to support private, public, and business needs.

1. "Messaging" should include information on how to take care of the historic and cultural resources of the area and the Park. Campaigns about "leaving no waste" would be a good idea.
2. "Marketing" should emphasize quality vs. quantity. We don't need to increase visitation, but we need to provide a quality visitor experience. Crowds, lines, human waste, and lack of restrooms provide a less-than-ideal experience for tourists.
3. Continue to work with the Park to let visitors know what to expect. Press releases prior to busy weekends can help set expectations.
4. Communication, marketing, and advertising should include information about events occurring in Springdale (concerts, festivals, etc.).

D. Participate in regional planning efforts to disperse tourism impacts outside of Springdale.

1. Continue to support regional efforts to bring tourists into Springdale by public transit.
2. Consider co-sponsoring large bus parking areas outside of the east and west sides of the Park, with smaller vehicles bringing people into the Canyon. This will also alleviate some pressure on the tunnel.
3. The Town will partner with regional entities such as the Zion Regional Collaborative and the Greater Zion tourism office to promote tourist amenities and attractions outside of Springdale.
4. Consider encouraging businesses to stay open year round and later into the evening. Visitors need somewhere to spend their money outside of hotels and restaurants.

E. Maximize visitor revenue to create infrastructure that would benefit residents. Examples might be a bakery, town square, sidewalks throughout the town, shade structures and picnic tables at key locations, and a more-robust medical facility.

1. Use RAP tax to fund streetscape and recreational amenities such as shade structures, picnic tables, and other amenities in the right-of-way.
2. Consider a small business incubator program using tourist generated tax revenue to help businesses that will have a benefit to residents get started (such as a bakery, drug store, etc.)

General Plan

Element and Goal Outline

5. Municipal and Public Services

General Goal: *The Town will provide excellent culinary water, irrigation water, and wastewater treatment services to the community. Either directly or through partnerships, the Town will ensure excellence in other utility services such as power, trash, recycling, and telecommunication. The Town will ensure excellence in general government services such as fiscal management and budgeting, town administration, clerk services, development services, and general customer service. Public safety officers and emergency responders will continue to serve the community with dedication, and will have the full support and backing of the Town.*

Sub-goals:

- A. Ensure that consistent, effective, and affordable water is available to all residents and businesses.
 - 1. Continue to provide culinary water of excellent quality and reliability to all residents and businesses.
 - 2. Manage secondary water usage via meters throughout the Town.
 - 3. Promote water conservation for primary and secondary water uses to ensure that diversion amounts are not exceeded, even in time of drought.
 - 4. Consider water filtration to eliminate medications that end up in the wastewater system.

- B. Actively seek opportunities to make new utility technologies and services (i.e. fiber optics) available to all residents and businesses.
 - 1. Support the installation of infrastructure so that all residents may use reliable internet and communication services.
 - 2. Adopt sustainable practices, such as the collection of green waste, in the development and availability of Town utilities and infrastructure.
 - 3. Consider installing free electric car charging stations.

- C. Ensure that important infrastructure and essential utility facilities are maintained and protected.
 - 1. Diversify utility power sources to ensure continuity of services.
 - 2. Enter into private / public partnerships to ensure efficiency and excellence in utility service.

- D. Encourage the implementation of renewable energy, conservation and use reduction, and the practice of sustainability in power utilities.
 - 1. Promote the use and development of renewable and sustainable alternative resources such as solar, wind, and geothermal.

E. Provide efficient, responsive, friendly, and helpful service to the community in general administrative government functions such as utility billing, town clerk services, public engagement, land use planning and development services.

1. Add user-friendly links in the Town website to find needed forms and contact information.
2. Pursue opportunities to effectively communicate with residents and visitors about current conditions, local opportunities, and help resources.
3. Provide educational outreach to residents to encourage water and energy conservation.

F. Keep the community safe and protected with public safety and emergency response services that have the capability and capacity to serve the Town's unique needs as both a small residential village and a popular tourist destination.

1. Enter into partnerships with service providers and the National Park Service to ensure emergency response providers (fire, EMS, etc.) have the capability and capacity to respond to emergencies of all types with excellent service and short response times.
2. Offer volunteer search and rescue courses and certifications.
3. Continue to provide superior police service to the community.
4. Support community emergency response training.

General Plan

Element and Goal Outline

6. Parks, Recreation, and the Arts

General Goal: Residents and visitors will have access to a wide diversity of recreational, social, and cultural activities that are compatible with the Town's unique natural setting, and promote community diversity and cohesiveness.

Sub Goals:

A. Develop park and recreation facilities that effectively serve the needs of residents and visitors.

1. Continue to make facilities safe, functional and accessible to both residents and town visitors.
2. Consider requiring that new commercial development provide public restrooms.
3. Provide more trash / recycle cans throughout the Town, and develop a strategy to ensure they are regularly emptied and maintained.
4. Ensure line-item support (financial and staffing) in the Town budget necessary for park maintenance and operation of existing facilities and expansion of future amenities. Consider development of a community aquatic and recreation center.
5. Continuously seek out opportunities to purchase and preserve open space for the use of the community.
6. Consider the addition of trails, dog parks, playgrounds, picnic areas, a basketball court, a skateboard park, and other "niche" amenities.

B. Promote public art and performing art throughout the community to enhance the quality of life, promote the reputation of Springdale as an arts community, and add interest to the Town's visual appearance.

1. Support organizations such as Z-Arts, the Historic Preservation Society, and The Mesa Project with direct assistance, in-kind assistance, or advocacy and partnership, as appropriate.
2. Work with Zion National Park to provide and promote ongoing art classes in common areas that are highly visible to the public and led by local artists as social gatherings.
3. Build a Center for Visual and Performing Arts that includes museum exhibit space, classrooms, storage and an auditorium for lectures.
4. Support frequent small events such as music, poetry readings, lectures, group discussions, and other intellectual recreation events at the Canyon Community Center, history center, and the new Center for Visual and Performing Arts.
5. Establish a line item budget for the elevation of art in our community, specifically the commissioning of large public art pieces in our town common areas and along walkways.

6. Support the promotion of small, temporary, art and music displays in green areas of the town.

C. Support, encourage, and sponsor community events and festivals throughout the year.

1. Provide information, outreach, and education to inform visitors of various recreation and other activities occurring in the Town.
2. Support large events such as the Music Festival, Earth Day, etc.
3. Support local and visiting artists with “art days” where artists go to the elementary school and share a program, provide a community lecture, and are provided the opportunity to display their art as “a showing” in any and all green space.
4. Provide housing for a resident artist.
5. Engage and support local galleries to host frequent art walks throughout the year.

General Plan

Element and Goal Outline

7. Public Health

General Goal: Springdale will promote community health and the wellness of its residents by facilitating first-class medical facilities and providers, promoting a healthy and clean environment, and encouraging healthy lifestyles.

Sub Goals:

A. Encourage and support the development of enhanced medical services in Springdale.

1. Support private and public medical providers and services in the Town to enhance and expand the types and availability of medical care in the Town.

- a. Assist the Zion Canyon Medical Clinic in researching and applying for federal grants through the Department of Health and Human Services and other potential grant sources. These grants may be available based upon the average age of the population of Springdale. The Town Council will consider supporting the clinic with an annual stipend; the amount requested by the Clinic is \$5,000.
- b. Consider providing housing for healthcare professionals who are willing to live in Springdale and staff the Clinic. The goal would be to have a physician on call or on duty at all times.
- c. Consider incentives or funding to bring a pharmacy into Springdale, preferably with 24-hour access to critical supplies.

B. Promote and educate our community on wellness issues and offer classes.

1. Promote healthy lifestyles through programs and policies to enhance community health.
2. Classes will be offered, both in-person and virtually, to encourage residents to stay active and healthy.
3. Information will be distributed via the Town mail and e-mail system, notifying residents of "healthcare" events, i.e., flu shot clinics and blood drives

C. Promote wellness by continuing to develop and offer indoor and outdoor recreational and fitness facilities, equipment and infrastructure.

1. Construct an indoor recreation center that includes fitness equipment and offers space for wellness classes and activities.
2. Continue to develop trails, parks, and other outdoor recreational amenities to encourage outdoor activity and healthy lifestyles.

D. Support/encourage community gardens, agricultural pursuits, and farmers markets.

1. The Town will make community garden space available at no cost to residents.
2. The Town will support agricultural pursuits and prohibit properties from being re-zoned from agricultural to other zoning.
3. Farmers Markets will be sponsored and supported in order to make fresh, locally produced food available to the community.

E. The Town will prepare an Emergency Response Plan to address unforeseen events (pandemics, natural disasters).

1. The Town Staff will be trained and ready to respond to unforeseen events.
2. The Town will work with state and federal officials to prepare for emergencies and obtain assistance quickly when warranted.

General Plan

Element and Goal Outline

8. Natural and Cultural Resources

General Goal: The natural resources in and around Springdale (dark night skies, clean air and water, verdant and vibrant Virgin River riparian corridor, healthy wildlife populations, native vegetation, dramatic scenic vistas, peace and quiet, etc.) will be protected and conserved, will be healthy, and will enhance the quality of life for residents and visitors.

Sub Goals:

A. Ensure the Virgin River retains its natural character, flow, and quality to ensure wildlife health and to maintain good water quality.

1. Protect and enable access to the Virgin River riparian zone. This access should be managed pursuant to the strategies in the Virgin River Management Plan to protect the health of riparian areas while still allowing recreational access.
2. Require water conservation measures for new and existing development.
3. Continue to implement strategies from the comprehensive Virgin River Management Plan, such as developing a river bank restoration project in the River Park.
4. Take a proactive approach to minimize any impact from development and monitor point source pollutants along the Virgin River corridor.
5. Partner with Zion National Park and the State of Utah Department of Forestry, Fire, and State Lands in the removal of non-native species such as Tamarisk and Russian Olive. Consider best removal strategies (chipping/burning vs cut/leave in place).
6. Protect aquatic habitat and macro invertebrates as food sources for fish species.
7. Protect native vegetation within the river corridor.
8. Apply through FEMA for funding for riverbank protection projects.

B. Preserve the Dark Sky as a defining characteristic of the Town.

1. Continue to enforce and enhance outdoor lighting regulations on all development (new and existing).
2. Obtain designation as an IDA Dark Sky community.
3. Coordinate and implement educational and star party type events in tandem with the National Park Service.
4. Develop community outreach and education programs to promote the importance and value of protecting night sky values.

C. Preserve the natural quiet in the Town.

1. Mitigate unavoidable sources of noise by use of physical buffers such as fences, vegetation, etc.

2. Enforce existing noise ordinance regulations.
3. Develop community outreach and education programs on the importance and value of natural quiet.
4. Create, where feasible, natural quiet areas (e.g. nature trails) for the mental and spiritual wellness of residents and visitors and health of wildlife populations.

D. Preserve and promote community appreciation for the Town's heritage and cultural history.

1. Continue to identify, preserve, and recognize the sites, buildings, features, and vegetation that symbolize tradition and history or that have cultural significance to the community.
2. Complete the renovation of the History/Visitor Center and offer programs around the Town's unique cultural history.
3. Develop educational and social events that celebrate the diversity of culture that makes up the community of Springdale - past and present.
4. Participate in Utah History Day by scheduling activities and events - including keynote speakers - to highlight Utah and Springdale's prehistoric and historic past.
5. Partner with the Paiute Indian Tribe to develop awareness, education, and appreciation of the history of indigenous people who lived in the area for hundreds of years prior to European settlement of Springdale.

E. Preserve and protect air quality in the Town.

1. Work with the Park, using the monitoring station near the helipads, to monitor particulates, etc.
2. Continue to promote "no idling," either through education (signage, etc.) or adoption of an ordinance.
3. Continue to work toward minimizing the number of private vehicles in Town through mass transit, electric shuttles, safe sidewalks, and bike lanes.

F. Protect healthy wildlife populations.

1. Educate visitors on proper etiquette around wildlife and discourage feeding any animals in the Town or the Park.
2. Educate residents about the importance of bees in the ecosystem and encourage them to have beehives.
3. Consider adding bat houses throughout the area.
4. Educate visitors and residents about coexistence with animals that have inhabited the area for hundreds of years.
5. Encourage new development to be wildlife friendly by providing wildlife access through the property, using appropriate outdoor lighting, and using appropriate landscape.