

1. Town Council Regular Meeting Agenda

Documents:

[011222TCA.COURTESY.REV.PDF](#)

2. Public Comment

Documents:

[PUBLIC COMMENT-B.ALFORD_REDACTED.PDF](#)

[PUBLIC COMMENT-A. STAKER.PDF](#)

[PUBLIC COMMENT-H. DUNZINGER.PDF](#)

[PUBLIC COMMENT-L. EXCELL_REDACTED.PDF](#)

[PUBLIC COMMENT-K. STAKER.PDF](#)



118 Lion Blvd PO Box 187 Springdale UT 84767 * 435-772-3434 fax 435-772-3952

**** AMENDED TOWN COUNCIL NOTICE AND AGENDA**
THE SPRINGDALE TOWN COUNCIL WILL HOLD A REGULAR MEETING
ON WEDNESDAY, JANUARY 12, 2022
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH
THE MEETING STARTS AT 5:00 PM.

****This Council meeting will not have an anchor location and will be conducted entirely via electronic means. Council members will connect remotely. The meeting will be available for live public viewing/listening.**

Public comment will be taken during Community Questions and Comments, and Public Hearings. If you do not have access to the internet, you can join the audio via telephone.

Please see the updated Zoom login information below.

REGULAR MEETING

Pledge of Allegiance

Approval of the regular meeting agenda

A. Announcements/Information/Community Questions

1. General announcements
2. Zion National Park update – Superintendent Bradybaugh
3. Presentation on Washington County Solid Waste District fee increases – Kevin Kunz, District Manager
4. Council department reports
5. Community questions and comments

B. Consent Agenda

1. 2022 Councilmember Committee Assignments
2. Resolution 2022-01 appointing Suzanne Elger to the Washington County Solid Waste District Board, effective January 1, 2022
3. Resolution 2022-02 appointing Jack Burns to the Mosquito Abatement District Board, effective January 1, 2022
4. Request for blanket approval for up to 12 single event permits in 2022 for the Bit & Spur
5. Approval of a contract with Rosenberg Associates for Engineering Services for the rehabilitation of Black's Canyon Wash
6. Adoption of updates to the Canyon Community Center policies
7. Approval of revisions to the Town of Springdale Personnel Policy relating to holiday leave/accrual
8. Review and approval of monthly invoices
9. Approval of Town Council minutes for December 8, 2021

C. Administrative Action Items

1. Resolution 2022-03 Revision to the Fee Schedule for increases to the Solid Waste District garbage rate

D. Legislative Action Items

1. Consideration of Ordinance 2022-01 – Enacting a temporary land use regulation to prohibit the development of new transient lodging facilities and the conversion of existing structures to transient lodging uses
2. Public Hearing - Conditional Use Permit: Dusty Wright and Chance Wright request conditional use permits for the following transient lodging facilities: a) A three-unit transient lodging facility (one rented unit with three bedrooms) on parcel S-48 (1082 Zion Park Boulevard) in the Village Commercial (VC) zone
3. Public Hearing - Subdivision Plat Amendment: Lyle Young requests an amendment to the Welch Subdivision Plat for the purpose of aligning lot lines with the existing improvements and infrastructure

E. Administrative Non-Action Items

1. General Council discussion

E. 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 another interested party to receive this notice does not constitute a violation of the Town's noticing requirements or policies.

NOTICE: In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting should contact Town Clerk Darci Carlson (435.772.3434) at least 48 hours before the meeting.

Packet materials for agenda items are available on the Town website <http://www.springdaletown.com/AgendaCenter/Town-Council-4>

****Persons interested in accessing the meeting can login using the following updated link:**

<https://us02web.zoom.us/j/82675996872?pwd=cmpxL2tBZnBQZ1lYUzh0RHhEcTY4UT09>

Meeting ID 826 7599 6872

Passcode: 372478

One tap mobile

+12532158782,,82675996872#,,,,*372478# US (Tacoma)

+13462487799,,82675996872#,,,,*372478# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 826 7599 6872

Passcode: 372478



Darci Carlson <dcarlson@springdale.utah.gov>

RE: Comments on Springdale Town Council Public Hearing on Wednesday, Jan 12, 2022

2 messages

Brad Alford [REDACTED]

Sun, Jan 9, 2022 at 5:41 PM

To: tdansie@springdale.utah.gov, dcarlson@springdale.utah.gov

Cc: Charles Alford [REDACTED], D K [REDACTED], Angie Alford [REDACTED]

Tom Danse, and Springdale UT Town Council:

I am once again sending a formal complaint about your additional restrictions to short term housing development in Springdale UT associated with Ordinance 2022-01. My previous one is listed below, which I did not get any response for! Personally, I do not think it is fair for the town council to continue to make changes to the city ordinance and restrictions to make people like me and my family pay for your previous bad decisions. You have allowed many new hotels to fill the city and now you want me to be forced to provide long term housing to keep affordable housing for workers at these hotels. I believe the hotels and those profiting for their hundreds of hotel rooms should provide those – this should not be my problem. It is also not acceptable for you to make changes that will significantly affect the value of my property because your town council has decided to start making restrictions. I also believe that at this point that your restrictions are being done to benefit those already in power and limit competition.

As mentioned below, my family has played a big part in establishing the National Park and the city of Springdale. We owned a large section of downtown Springdale at one time, and not the part that we have kept is being forced to these limitations. Why would anyone want to own property in Springdale when you guys feel you can change the rules at any time as long as it benefits those in power. If you are going to force me to have long term housing on my property, then the city should provide a monthly payment to me to provide me the difference in income that I am being subjected to by your regulations.

Brad Alford

[REDACTED]

[REDACTED]

From: Brad Alford [REDACTED]**Sent:** Sunday, August 8, 2021 9:07 PM**To:** 'tdansie@springdale.utah.gov' <tdansie@springdale.utah.gov>; 'dcarlson@springdale.utah.gov' <dcarlson@springdale.utah.gov>**Cc:** 'Charles Alford' [REDACTED] 'D K' <[REDACTED]> Angie Alford [REDACTED]**Subject:** Comments on Springdale Town Council Public Hearing on August 11, 2021

August 8, 2021

Springdale UT Town Council:

In regards to the Springdale Town Council meeting to be held on Wednesday, August 11, 2021, I have the following comments:

One issue to be discussed in this meeting is in regards to the change in definition for Transient Lodging Units for short term rentals. The new wording is "Short Term Rental: Every bedroom in the short term rental counts as one transient lodging unit".

My understanding is that this new requirement is being imposed on all new developments. However, we recently learned that some properties are "grandfathered in" and will be exempt from this new restriction. This is despite the fact that some of those properties have no actual new development at the moment.

We purchased the property at [redacted] Zion Park Boulevard several years ago from the estate of my uncle, Rupert Ruesch in order to keep the property in our family. The property is next door to my mother's house, and we planned to build several units so that we could continue to use this for our extended family in the future. With none of us currently living in the area, the best way for us to finance this venture is to rent the units out on a short-term basis when we are not there.

We have talked to builders and Tom Dansie in the past regarding our plans for this property. We have not yet made definitive decisions, so it may not in the end violate the total number of TLUs on the new requirements, but it seems unfair for the city to suddenly make a change that would impose a differing limitation on us. I would think it is appropriate to allow a period of time for those developments that are in process to be grandfathered out of the new rules. I understand the property behind ours (that was previously owned by my family) is considered "grandfathered in", yet there has been no development for longer than I have owned our property.

It is important to note that my property has been in our family since the beginning of Springdale. This piece of land has been in my family for four generations. We feel that in all fairness we should be grandfathered in to the old TLU codes. Furthermore, homes that are existing such as my mother's next door should be "grandfathered in" as a single TLU as well.

Your consideration in this matter is appreciated,

Brad Alford

[redacted]
[redacted]



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Darci Carlson <dcarlson@springdale.utah.gov>

Sun, Jan 9, 2022 at 6:17 PM

To: Brad Alford [redacted]

Cc: Angie Alford [redacted], Charles Alford [redacted], D K [redacted], tdansie@springdale.utah.gov

Hi Brad,

Thank you for taking time to make public comment. Your remarks will be shared with the Town Council for their consideration during the upcoming public hearing.

Best regards,
Darci Carlson
Springdale Town Clerk

[Quoted text hidden]

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DARCI CARLSON, CMC

Jan 10, 2022

TO: Tom Dansie, Rick Wixom, Mayor Bruno, Town Council Members and Planning Commission Members

FROM: Allan Staker

RE: TOWN COUNCIL MEETING Jan 12,2022, Legislative Action Item D1.

[1. Consideration of Ordinance 2022-01 – Enacting a temporary land use regulation to prohibit the development of new transient lodging facilities and the conversion of existing structures to transient lodging uses](#)

I am opposed to both the moratorium and long-term proposal to limit the kinds of development, relating to short term rentals, that can be done on privately owned properties for the following reasons:

1. Limiting development opportunities is a “taking” of property rights. Utah is a property rights state and an owner should have more “rights” than non-owner neighbors to determine what he can do on his property (always within reason.)
2. Limiting short term rentals on properties which are presently zoned for such will greatly diminish the value of those properties.
3. Limiting short term rentals on some properties will, by virtue of the laws of supply and demand, significantly increase the values of those properties already developed and operating as short term rentals. Thus the Town will determine those who are the winners and those who are the losers regarding the potential for income on those properties.
4. The town is already 85% built out and the tenor of the town will not significantly change by the future development of the remaining 15%.
5. The idea of limiting short term rentals may be popular among certain groups of the population, perhaps even large groups, however, public opinion should never supersede the rights of property owners.

Sincerely,
Allan Staker

Sprindale, January 10, 2022

To: Mayor Bruno, Town Council Members, Planning Commission Members, Town Manager Rick Wixom, Director of Community Development Tom Dansie

From: Hans Dunzinger, New Zion Investments, LLC

Re: Town Council Meeting January 12, 2022, Legislative Action Item D1.

I'm opposed to the proposed Moratorium and to the long term proposal to limit the development of nightly rentals on commercial land.

- 1) The town is mostly developed and there is not much open land left. We own one of them, the Hosey's parcel that would be impacted in a very negative way.
- 2) The town has development agreements that would supersede any change and therefor not be affected. If I'm correct the Desert Pearl can build 300 rooms, Ferber Resorts can built 40 rooms, Best Western some more rooms, the Marriot group can develop the parcel north of the Springhill Suites (and I'm aware they have plans for that).
- 3) The economic impact by diminishing the value would be substantial for everyone affected.
- 4) The problem with traffic in town is here to stay regardless. The surrounding towns and the city of SGU continue to grow and will add to the flow of cars heading to ZNP and creating congestion, pollution and noise.

Best regards,

Hans Dunzinger
New Zion Investments, LLC

----- Forwarded message -----

From: Louise Excell [REDACTED]

Date: Mon, Jan 10, 2022, 6:44 PM

Subject: Comments for Public Hearing 01-12-22

To: bbruno@springdale.utah.gov <bbruno@springdale.utah.gov>, Randy Aton

<raton@springdale.utah.gov>, selger@springdale.utah.gov <selger@springdale.utah.gov>, jburns@springdale.utah.gov <jburns@springdale.utah.gov>,

Lisa Zumpft <lzumpft@springdale.utah.gov>, Tom Dansie <tdansie@springdale.utah.gov>

Dear Mayor, Town Council Members, and DCD:

Please accept my comments regarding *Ordinance 2022-01: Temporary Land Use Regulation Prohibiting Development of New Transient Lodging Facilities*, scheduled for public hearing at the January 12, 2022 Town Council meeting.

I applaud the proposal that will allow the Town to step back, take a deep breath, and think once again about the future of the community and the principles and goals articulated in Springdale's newly revised General Plan.

It seems that 180 days—a mere three months—is a wise and reasonable period in which to delay new applications for transient lodging development. This time, if used efficiently and effectively, will accomplish a number of important objectives going forward:

- It will give Mayor and Council opportunity to digest the new General Plan more fully and to thoughtfully imagine the residents' aspirations articulated in the Plan.
- It will allow the town to assemble diverse voices, some not commonly heard in Springdale Town decision-making, such as:
 - the voices of residents who are not currently profiting as business-owners or employees in town, but who live here for the tranquility of the place and deep love of Springdale;
 - the voices of much-needed workers, a number of whom have no affordable place to live in town or nearby, some of whom are homeless, and some of whom travel for hours to and from work;
 - the voices of young families who may have roots in the community and want to be here, but cannot afford housing because it is either non-existent or priced for the wealthy.
 - All of these voices need to be heard, so the proposal to create a taskforce to address concerns is important.
- A 180-day pause will also allow the Town to consult with community planners like Five Counties Association of Governments (FCAOG), legal counsel, both inhouse and at Utah League of Cities and Towns, in order to make the best decisions going forward.

I understand full well, having just celebrated my 75th year as a resident of Springdale, how important our robust business community is. The innkeepers, restaurateurs, retailers, guide services, and all other commercial businesspeople have given us great amenities and services by collecting an array of taxes brought into Town coffers. I recognize that our lovely Canyon Community Center, parks and playgrounds, cemetery, as well as our fine roads and trails are made possible in large part by tax revenues. I am grateful for the business community and respect their rights, balanced against the best interests of all.

All of the people referenced above, whose voices are often drowned out by the clamor of developers and investors, have a stake in Springdale too. My family and friends want a community of residents as well as amenities; we want young families, hospitality workers, senior citizens, school children and people of all means and backgrounds in our community. If Springdale becomes populated predominantly by transient tourists, it will be wealthy, but it will not be a community.

Thank you for the opportunity to comment.

Sincerely
Louise Excell

[REDACTED]

Jan 10, 2022

TO: Tom Dansie, Rick Wixom, Mayor Bruno, Town Council Members and Planning Commission Members

RE: TOWN COUNCIL MEETING Jan 12,2022, Legislative Action Item D1.

[1. Consideration of Ordinance 2022-01 – Enacting a temporary land use regulation to prohibit the development of new transient lodging facilities and the conversion of existing structures to transient lodging uses](#)

The inclusion of this item on the agenda causes me much concern for the following reasons:

1. The timing and Optics of this are poor.
2. This has the potential of greatly reducing property values for some, at the same time increasing the property values of others *IN THE SAME ZONE*.
3. This is another item in a string of items of late that attempts to take away personal property rights.
4. Is this the best way to solve the problems cited in the Dansie Memorandum with regard to the increase in transient lodging facilities?

TIMING and OPTICS of this action:

This seems to be somewhat of a New Year's Surprise! During the recent campaign, there was much discussion about concerns facing the town of Springdale; from Climate Change to night skies, to parking, to improved medical facilities, but putting a moratorium on commercial lodging development was not never stated by any of the candidates. In fact, one of the candidates specifically stated that he was in favor of "property rights." (BTW- That Council member changed a residential home on Zion Blvd into a nightly rental.) Now, less than two weeks into the New Year, the very first Legislative Item of the first TC meeting is to vote for a 180-day moratorium on all new transient lodging developments, citing the General Plan, which was just updated by two of the new voting members on the Town Council ho were on the last PC. Has this been in the plan all along? If so, it seems disingenuous for it to be sprung on the public at the end of the day of Friday, with only the weekend to formulate any discussion or thoughts to present in opposition to the proposal. This proposal has huge ramifications for those in town with commercial property.

PROPERTY VALUE: REDUCTION FOR SOME, INCREASE FOR OTHERS

In any action there are consequences. I urge the Council to consider the consequences to the property owners of taking this action. If this action, or any form of it, is made permanent, it will significantly reduce the value of all properties affected by the action. By putting a moratorium on transient lodging development, and studying ways to control development permanently, the town is picking winners and losers. The winners are those who have already converted their properties to transient lodging, maximizing their return and at the same time significantly increasing their property values. Conversely, the property owners who have *not* converted their properties to maximum income potential, are not only losing that opportunity

with this action, but because of it, their property values are greatly reduced because the development potential of their property is now limited. Without allowing further transient lodging development or greatly scaled back development, those who have transient lodging now, will see an even greater increase in property values, because the town is reducing further development possibilities, hence reducing competition. The winners, win even more. These actions can be considered a “taking” under the law, and will create legal problems to the town in the future.

“TAKING” of PERSONAL PROPERTY RIGHTS

Utah is a Property Rights state and property owners have the right to use their property as they wish under the local ordinances. The town of Springdale is 85% built out. By enacting an ordinance such as limiting transient lodging, when the majority of the town is built out, penalizes only a few of the property owners. Is it fair and just for one property owner to have transient lodging on one side of the street, yet his neighbor across the street is not permitted the same use in the same zone? Is it right for a town to penalize a few and by doing so, rewarding the rest whose property values will only increase because of the newly imposed limits and restrictions on others?

This action is just the latest in a string of efforts by the town to limit and reduce transient lodging, which is another way to limit what a person can do with their property. The last two efforts were to redefine a “unit” of transient lodging to one bedroom, and to stringently dictate the architecture and materials that can be used along SR-9 in the name of Parkitecture. All three of these actions would have the same effect; reduction of commercial property value because of increased limitations.

IS THIS THE BEST SOLUTION TO THE PROBLEMS?

By limiting transient lodging, we are not going to reduce the numbers of visitors to the town or the congestion or traffic. No matter how hard we try, we aren’t going to be able to stop the visitors from coming. Rather than penalizing a portion of the property owners, and limiting their ability to maximize the value of their property, why not incentivize new diverse businesses? Why not encourage and promote new diverse businesses? Why not form a team to promote other diverse businesses in town and actively seek those businesses? Why not make exceptions to the land use code to allow other types of businesses? There is enough business for all businesses to thrive in a town of our size with the numbers of visitors we have. Can’t we find a win-win solution instead of targeting one segment to limit or shut down?

ONE FINAL COMMENT

I think that it’s too bad that the very people who are driving this will be the ones on the committee that is formed to study it. Why not invite some of the many commercial property owners whom this will effect negatively to be part of the study, rather that just those who are all for it.

Respectfully,
Kristi Staker