



Memorandum

To: Planning Commission
From: Thomas Dansie, Director of Community Development
Date: June 10, 2022
Re: Ordinance Revision: Graduated Setback Standard

Executive Summary

The Commission has researched and prepared an ordinance that will alter the setback standards in the VR-S and VC zones for properties adjacent to SR-9. The revised standard will base the required front setback on building height.

Background

Views of the cliffs of Zion Canyon are one of the Town's defining features. The Commission has determined it is important to preserve these views as new development occurs along SR9. One strategy to preserve these views is to require taller buildings to be placed further away from SR-9.

Currently a 26 foot tall building can be placed at the minimum 30 foot front setback in VR-S and VC. The proposed ordinance revision will require buildings greater than 18 feet in height to be placed 50 feet back from SR-9. This will help preserve views of Zion Canyon.

General Plan Direction

The General Plan contains references about the need to protect natural features and to maintain village character and village scale. These include:

- Objective 2.2.1
- Objective 2.2.3

Because the proposed ordinance is intended to preserve views of natural features from SR-9 and help buildings be more complementary to the natural surroundings it will promote these objectives.

Planning Commission Action

The Commission should determine whether or not the proposed ordinance revision will promote the goals and objectives of the General Plan and is in keeping with the spirit of the land use ordinance. The Commission should make findings regarding:

- Will altering the setback standards based on building height help preserve views of the cliffs and features of Zion Canyon, and thereby promote the Town's village character?
- Will the proposed ordinance promote development that is consistent with the vision of the General Plan?

Based on these findings the Commission should make a motion to recommend or not recommend the proposed ordinance revision. The Commission may wish to use the following sample motion language:

*The Commission recommends **approval/denial** of the proposed ordinance adopting a graduated setback standard based on building height in the VR-S and VC zones, as presented and discussed in the June 15, 2022 meeting.*

ORDINANCE 2022-___

AN ORDINANCE OF THE SPRINGDALE TOWN COUNCIL ADOPTING A STEPPED HEIGHT REQUIREMENT BASED ON FRONT SETBACK IN THE VR-S AND VC ZONES.

Whereas, the Springdale Town Council finds the viewshed from SR9 looking to the canyon walls of Zion Canyon is critically important in establishing the Town's unique character and setting, and this viewshed should be preserved; and

Whereas, the Council further finds that development placed at the minimum setback with the maximum height allowed in the VR-S and VC zones has a significant potential to impact and interrupt these views; and

Whereas, the Council desires to amend the height and setback standards in the VR-S and VC zones to help new development preserve as much of the Zion Canyon viewshed as possible; and

Whereas, the necessary public hearings and public processes requires to amend the Town's Land Use Ordinance have been fulfilled;

Now therefore be it ordained by the Springdale Town Council that Title 10 of the Springdale Town Code is amended as follows:

Section 1. The setback standard in the VR-S zone found in section 10-9B-7 is amended as follows:

10-9B-7: SETBACK REQUIREMENTS:

Each lot or parcel in the VR zone must have at least the following minimum setbacks:

A. *Front setback:*

1. *VR-S and VR-A subzones:* 30 feet, except for lots three-quarters of an acre and larger with frontage on SR9. On those lots the front setback is 30 feet for all buildings and structures 18 feet and less in height, and 50 feet for all buildings and structures greater than 18 feet and less than 26 feet in height.

2. VR-A subzone: 30 feet.

~~3.~~ *VR-B subzone:* 15 feet.

B. *Side setback:*

1. *VR-S and VR-A subzones:* Ten feet.

2. *VR-B zone:* Ten feet on one side of the lot and five feet on the opposite side of the lot, except that all development on the lot must be at least ten feet away from existing development on all adjacent lots.

C. *Side setback; corner lots:*

1. *VR-S and VR-A subzones:* 30 feet.

2. *VR-B zone:* 15 feet.

D. *Rear setback:*

1. *VR-S subzone:* 20 feet.

2. *VR-A subzone and VR-B subzone:* Ten feet.

Section 2. The setback standard in the VC zone found in section 10-11B-6 is amended as follows:

10-11B-6: SETBACK REQUIREMENTS:

The following minimum setback requirements apply to each lot or parcel of land within the VC zone:

- A. *Front setback:* Each lot or parcel of land must have a front setback of not less than 30 feet, except for lots one-half acre and larger with frontage on SR9. On those lots the front setback is 30 feet for all buildings and structures 18 feet and less in height, and 50 feet for all buildings and structures greater than 18 feet and less than 26 feet in height.
- B. *Side setback:* Each lot or parcel of land shall have a side setback of not less than ten feet, except where the side of the lot abuts a lot or parcel in an FR or VR Zone. In such cases, the required setback of the abutting side must be at least 20 feet.
- C. *Side setback, corner lots:* The side setback contiguous to any street shall be the same as required front setback.
- D. *Rear setback:* Each lot or parcel of land shall have a rear setback of not less than 20 feet.
- E. *Exemption:* In instances where the adjacent property is commercially zoned and where a building or structure on such adjacent property is already in existence closer than the required side and rear setback, the Planning Commission may allow a side or rear setback less than that stated above if it finds that the reduction would not be detrimental to the health, welfare, or safety of persons residing or working in the vicinity.