



Memorandum

To: Town Council
From: Thomas Dansie, Director of Community Development
Date: June 22, 2022
Re: Ordinance Revision: Graduated Setback Standard

Executive Summary

The Planning 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 held a public hearing on this item on June 15. There was no comment received from the community. After deliberating on the proposed ordinance the Commission made a motion to recommend **approval** of the proposed ordinance. The Commission found the proposed ordinance will promote the goals and objectives of the General Plan by preserving views of important natural features. The Commission's motion of approval is reproduced below:

Motion made by Pam Inghram that the Planning Commission recommends approval of the modifications to the setback requirement ordinance 10-9B-7, adopting graduated setback standards based on building height in the Valley Residential S and Village Commercial zones as presented and

discussed in the June 15, 2022, Planning Commission meeting. This motion is based on the following findings: The General Plan contains references to the need to protect natural features and to maintain a village character and village scale. These are General Plan objectives 2.2.1 through 2.2.3. Town surveys have also highlighted the desire of residents to preserve views. The proposed changes to the ordinance are intended to help preserve views of natural features from SR9 by requiring new construction along SR9 in the VC and VR S zones to be more complementary to natural surroundings by restricting building height at the first setback to 18 feet. The proposed change promotes the goals and objectives of the General Plan and is in keeping with the spirit of the land use ordinance. Seconded by Kyla Topham.

Topham: Aye

Benson: Aye

Rioux: Aye

Kenaston: Aye

Inghram: Aye

Motion passed unanimously.

Town Council Action

The Council 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 Council 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 Council should make a motion to recommend or not recommend the proposed ordinance revision.

ORDINANCE 2022-10

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.