



Memorandum

To: Planning Commission
From: Thomas Dansie, Director of Community Development
Date: January 27, 2023
Re: Open Space Preservation Planning

The Planning Commission identified open space preservation planning as the top priority for the Commission's 2023 work meetings. This report introduces the topic of open space preservation planning. The Commission should discuss the information in the report and give staff direction on how to proceed at the meeting.

Background

By its most general definition, open space is land where there are no buildings (or a minimal amount of building compared to open land), and which will remain free of buildings for some long period of time. Open space is different from undeveloped property. Undeveloped property may be free of buildings, but could be developed at any time. Open space typically has some mechanism to prevent future development of buildings.

While this is a broad definition there are a variety of subtypes of open space, each with a specific function and character. Thus, the term "open space" can mean different things to different people. Before the Commission can effectively plan for open space preservation, the Commission must first identify what type or types of open space the Town should prioritize for preservation. This will allow the Commissioners to share a common vision for what "open space preservation" means.

Once the Commission has a common understanding of what type or types of open spaces should be preserved the Commission can begin discussing open space preservation strategies. Knowing what strategies are available and feasible to preserve open space will help guide the Commission's discussion on creating an open space preservation plan.

Types of Open Space

Open space can be categorized by a number of different attributes. The following attributes are some ways to categorize open space. The Commission can consider these different attributes of open space to help develop a vision for which type or types of open space should be preserved.

Open Space Categorized by Ownership

- Private: open space that is owned by a private owner and where future building and development is restricted. Examples include private orchards, ranchland, or undeveloped property regulated by a conservation easement; conservation area owned by a private conservation group (such as the Nature Conservancy); and platted open space in a subdivision. Again, it is important to distinguish between privately owned land which is currently

undeveloped and true “open space.” Open space must have some kind of development restriction associated with the property. Privately owned undeveloped property is not open space.

- Owned by public entity: open space that is owned by a government or other public entity. Examples include: city parks, land owned by universities or other educational institutions for research and teaching purposes, open land used for government purposes. It should be noted that public ownership does not always equate to public access. A public entity uses open space for governmental purposes, not all of which allow public access.
- Public land: open space owned by a Federal or State land management agency and which is open to public use. Examples include: Bureau of Land Management land, Forest Service land, State Parks, and National Parks.

Open Space Categorized by Function

- Conservation: open space intended to help conserve a natural resource, such as wildlife habitat. Examples include nature preserves, wildlife sanctuaries, wilderness areas, etc.
- Recreation: open space intended for recreational use. Examples include parks, trails, campgrounds, recreation areas, etc.
- Community Character: areas kept open to preserve the look and feel of a community, often times preempting development which would otherwise negatively impact the character of the community.
- Food production: orchards, pastures for grazing livestock, vineyards, etc.

Open Space Categorized by Character

- Natural: the open space is in its natural state, or very near its original natural state.
- Agricultural: the land has been altered from its natural state to allow food production.
- Semi-developed: There are some developed improvements to the land such as trails and other low impact development, but most of the land is in its natural state.
- Developed: The area has been heavily developed, but is still free of buildings. Examples include open plazas, playgrounds, municipal parks, and campgrounds.

Open Space Categorized by Access

- No access: the open space does not allow any access in order to more fully promote the open space goals. Examples include some types of conservation areas, habitat preservation areas, sensitive archaeological areas, etc.
- Private access, no public access: The open space is open only to restricted access. For example, the property owner and invited guests can access the open space, but not the general public.
- Public access: The general public can access the open space.

Other Ways to Categorize Open Space

- Size: Open space can be as small as a pocket park in the middle of a city measuring less than an acre. It can be as large as thousands of acres or more.

- Connectivity to other open space: Open space can be an isolated property, or it can be part of a larger open space network. Connected open space can provide important wildlife access or linear recreational access.

The Commission should discuss which type or types of open space the Town should strive to preserve, or which attributes of open space are most important. This will help the Commission have a common vision for open space and will assist in selecting the most appropriate preservation strategies.

Preservation Strategies

As mentioned earlier in this report, a defining characteristic of open space is that the property has some kind of restriction on future development. Currently undeveloped properties are not open space, and should not be considered as part of an open space plan unless there is some mechanism to ensure they remain open. Thus, in order to preserve open space the Town must adopt strategies to place development restrictions on the properties proposed to be preserved. Some of these strategies are discussed below.

- Property acquisition. The most straightforward and effective way to preserve open space is to purchase the property. If the property is purchased the Town can ensure it remains open space in perpetuity. Given the cost of property in Springdale it is unlikely the Town will be able to acquire a significant amount of land for open space due to funding limitations. There are a number of organizations whose mission is to help preserve open space (the Nature Conservancy, the Trust for Public Lands, etc.) that could possibly partner with the Town in acquiring open space. Additionally, the Town could bond for open space acquisition. This would give the Town a significant amount of immediate capital to purchase property with the requirement to pay it back over a long period of time.
- Conservation Easements. If the Town is unable to acquire ownership of a property, a less expensive option is to purchase a conservation easement. Conservation easements allow the property to remain in private ownership. However future development is restricted by the terms of the easement in order to preserve open space.
- Regulation. The Town can promote open space preservation through land use regulation. The Town already has several land use regulations intended to preserve open space: landscape requirements, restrictions on development on steep slopes, etc. While these restrictions ensure some portions of private properties remain undeveloped, they do not promote a broader open space plan. There are other types of land use regulation that could preserve more open space, such as a Transfer of Development Rights program. Regulation can help preserve limited amounts of open space on private property when it is developed. However, it will be difficult to preserve a significant quantity of open space in accordance with a open space plan through land use regulation.

The Jordan River Commission in northern Utah has produced a [document outlining additional preservation strategies](#) the Commission may wish to consider.

Commission Action

The Planning Commission should discuss the following:

1. What categories of open space should the Town prioritize preserving?
2. What strategies should the Town investigate to preserve open space?