



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

PLANNING COMMISSION NOTICE AND AGENDA
THE SPRINGDALE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
ON WEDNESDAY, MARCH 15, 2023, AT 5:00 PM
AT THE CANYON COMMUNITY CENTER, 126 LION BLVD – SPRINGDALE, UT 84767
A live broadcast of this meeting will be available to the public for viewing/listening only.

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

Approval of the agenda
General announcements

A. Action Items

1. **Public Hearing – Ordinance Revision:** Changes to Chapter 10-20 of the Town Code, prohibiting the creation of new split-zoned parcels (properties with more than one zoning designation), and adding standards for new development on existing split-zoned parcels

B. Discussion / Non-Action Items

1. Continued discussion on open space planning strategies

C. Consent Agenda

1. Approval of Minutes from February 1st and 15th

D. Adjourn

APPROVED Kate Topham

DATE 03/15/2023

The foregoing agenda was posted at the Springdale Town Hall at approximately 10:40 am on 03/10/2023 by M. Emerzo.

To access the electronic webinar, please click the Zoom link below:

<https://us02web.zoom.us/j/84818578281>

Meeting ID: 848 1857 8281

One tap mobile: US: +16694449171,,84818578281#

Dial by your location: US: +1 669 444 9171

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.

Packet materials for this meeting will be available at: <https://www.springdaletown.com/agendacenter>



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION REGULAR MEETING ON
WEDNESDAY, MARCH 15, 2023, AT 5:00 PM
AT THE CANYON COMMUNITY CENTER,
126 LION BOULEVARD, SPRINGDALE, UT 84767**

The meeting convened at 05:04 pm.

MEMBERS PRESENT: Chair Kyla Topham, Commissioners Tom Kenaston, Noel Benson, Pam Inghram, Pat Campbell, Adam Hyatt, and Terry Kruschke.

ALSO PRESENT: Director of Community Development Tom Dansie, Principal Planner Niall Connolly, Zoning Administrator Shelly Heaton, Town Clerk Darci Carlson, and Deputy Clerk Aren Emerson recording. See attached sheet for attendees.

EXCUSED: Commissioner Susan McPartland

Approval of the Agenda:

Motion made by Pam Inghram to approve the agenda. Seconded by Noel Benson.

Campbell: Aye

Inghram: Aye

Kenaston: Aye

Benson: Aye

Topham: Aye

The motion passed unanimously.

General Announcements: Mr. Dansie acknowledged the successful Town birthday celebration on March 11th. He thanked the members of the Planning Commission who participated and Shelly Heaton for her efforts in planning the event.

Ms. Topham outlined the format of the recently adopted public hearing process and stated that it could be found on the back of the printed agenda.

A. Action Items

- 1. Public Hearing - Ordinance Revision:** Changes to Chapter 10-20 of the Town Code, prohibiting the creation of new split-zoned parcels (properties with more than one zoning designation), and adding standards for new development on existing split-zoned parcels

Staff Presentation:

The Commission previously reviewed the revisions in their last work meeting. The modifications outlined in the staff report accomplished the following:

1. Prohibit the creation of new split-zoned parcels.
2. Require new development on existing split-zoned parcels to be regulated by the area of each zone rather than the total lot area.
3. Allowed a property owner to develop the lot based on the entire lot size if they elect to develop it pursuant to the zoning standards of the most restrictive zoning designation on the property.

Questions from the Commission: None were asked.

Questions from the Public: None were asked.

Motion made by Tom Kenaston to open the Public Hearing. Seconded by Pat Campbell.

Campbell: Aye

Inghram: Aye

Kenaston: Aye

Benson: Aye

Topham: Aye

The motion passed unanimously.

Public Comment:

Maria Chamberlain and Bert Chamberlain objected to the proposed revisions and expressed concern about the unintended consequences this could have. Ms. Chamberlain read a letter (attachment #1) outlining their concerns.

Motion to close the Public Hearing made by Noel Benson. Seconded by Tom Kenaston.

Campbell: Aye

Inghram: Aye

Kenaston: Aye

Benson: Aye

Topham: Aye

The motion passed unanimously.

Commission Deliberation:

Mr. Benson expressed concern about the potential unintended consequences of passing the proposed revisions. He asked if there were any the Town could foresee.

- Mr. Dansie thought it was wise to attempt to look ahead to potential consequences. However, he could not foresee any at the time.

Ms. Topham could see both sides in that although this would restrict development, there was a need for Commercial buildings in the Town.

The Commission discussed that the proposed ordinance revisions promoted the goals in the General Plan and were in keeping with the village scale of the Town. In addition, the changes would bring development on split-zoned parcels into alignment with singularly-zoned parcels.

Motion made by Pam Inghram that the Planning Commission recommends approval of the proposed ordinance revision for chapter 10-20 of the Town code regarding split zones as presented in the March 15, 2023. Planning Commission meeting. Seconded by Pat Campbell.

Discussion of the motion:

Ms. Topham suggested amending the motion to state that the General Plan supported the proposed ordinance and was in keeping with the village scale.

Ms. Topham proposed another amendment to state that the proposed ordinance revisions provided clarity and consistency between similarly zoned properties throughout the Town.

Ms. Inghram accepted both amendments.

Vote on the motion:

Campbell: Aye

Inghram: Aye

Kenaston: Aye

Benson: Aye

Topham: Aye

The motion passed unanimously

B. Discussion / Non-Action Items

1. Continued discussion on open space planning strategies

The Planning Commission discussed open space preservation strategies in the February work meeting. The Commission discussed different types of open space, what types were most valuable for the Town, and open space preservation strategies. Since that meeting, staff hosted a series of field trips with the Commission to explore open space concepts in Springdale further. The Commission should discuss their goals for open space preservation strategies, the types of open space or properties the Town should seek to protect, and what mechanisms could be implemented to preserve open space. During the field trip, foothills, scenic vistas, wildlife habitats, and pastures along SR-9 were identified as open spaces by the Commission. The staff report outlined different tools to consider, such as transfers of development rights (TDR), purchase of development rights (PDR), and acquisition of property. Mr. Dansie read a public comment letter not included in the staff report (attachment #2).

Ms. Topham asked why conservation easements were not suggested as tools.

- A conservation easement was inherent to both a PDR and TDR.

Ms. Inghram asked which entity would receive the development rights if a property owner created a conservation trust.

- A transfer of development rights meant a property owner was entitled to an amount of development but wanted to preserve the open space value on their property. They would enter a market transaction with another property owner and sell the development rights to them to allow increased development on their property. The purchase of development rights meant that the Town or some other entity would purchase those development rights with no intent to use them ever to protect the open space on that property.
- If a property owner were interested in a tax incentive, they would need to follow the standards set out by the IRS.

Mr. Campbell asked if development rights could be transferred to a property outside of Springdale within Washington County.

- If the Town entered into an agreement with Washington County, it would be possible to transfer development rights outside the Town.

To encourage property owners to participate, the Commission wanted to incorporate language explicitly outlining the available options and providing incentives. Among the tools they considered exploring were the purchase of development rights and the transfer of development rights. However, Mr. Campbell expressed concern about the possibility of increased density on the receiving parcels. To address this issue, the Town would have the opportunity to identify the sending and receiving zones and consider density when designating those zones. Mr. Kenaston identified several washes in Town and suggested clarifying ordinance language to require them to remain in their natural state as a tool for preserving them.

The Commission aimed to establish clear standards for each identified type of open space or maintain them in their current state, given the existence of various open spaces. Furthermore, they deliberated on including the Virgin River riparian and vegetation areas that could be maintained in the Town as open spaces to conserve in addition to those discovered during the field trip. They expressed the need to identify ecologically sensitive areas along the river and preserve smaller spaces in commercial areas alongside more extensive tracts of land. Additionally, Mr. Kenaston recommended incorporating the Town parks as open spaces to protect. The Commission assigned a higher priority to larger properties located at higher elevations and the land owned by the Paiute Tribe, compared to other properties in the Town.

The Commission identified the goals of preserving open space as protecting the viewsheds and wildlife corridors and promoting the Town's village character and the goals of the General Plan. They also wanted to ensure diversity in the types of open space preserved throughout the Town.

Mr. Kruschke suggested implementing a maximum acceptance per parcel or application to avoid high density when setting up the ordinance. He also recommended that the Commission consider allowing property owners to donate a portion of their parcel.

Mr. Benson indicated that property owners currently had the right to request a development agreement to transfer development incentives. However, if an ordinance were to be created, it would transform a legislative decision into an administrative one which concerned him.

C. **Consent Agenda**

Motion made by Pam Inghram to approve the consent agenda. Seconded by Tom Kenaston.

Campbell: Aye

Inghram: Aye

Kenaston: Aye

Benson: Aye

Topham: Aye

The motion passed unanimously.

D. **Adjourn**

Motion made by Pat Campbell to Adjourn at 07:01 p.m. Seconded by Pam Inghram.

Campbell: Aye


Inghram: Aye

Kenaston: Aye

Benson: Aye

Topham: Aye

The motion passed unanimously.



Aren Emerson, Deputy Clerk



APPROVAL: _____

DATE: _____

4/19/23

A recording of the public meeting is available by contacting the Town Clerk's Office. Please call 435-772-3434 or via email at springdale@springdale.utah.gov for more information.





PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD

Please print your name below

Meeting PLANNING COMMISSION REGULAR Date 03/15/2023
MEETING

IN-PERSON ATTENDEES:

Lloyd Chamberlain
Name (please print)

Maria Chamberlain
Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

REMOTE ATTENDEES:

LAURA DOTY
Name (please print)

ANGEL LANDING
Name (please print)

RILEY
Name (please print)

KYLA'S MOM
Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

LLOYD BERTRAM CHAMBERLAIN
MARIA CHAMBERLAIN



15 of March 2023

SPRINGDALE PLANNING COMMISSION

Dear Sirs:

Regarding the proposed ordinance of adding standards for new development on existing split-zoned parcels, we do object to such addition of standards.

We do not desire our properties to have additional objections to pass ordinances than the ones existing because any addition of standards will further complicate an already cumbersome process. Also, it causes concern that an addition of standards will negatively impact the value of our split-zoned parcels. Furthermore, we cannot see what the benefit for the town would be if such ordinance is passed but we clearly see the properties being directly affected by it.

Because of this, we do object to the adding of standards for new development on existing split-zoned parcels.

Sincerely,

Lloyd B. Chamberlain

LLOYD BERTRAM CHAMBERLAIN

Maria Chamberlain

MARIA CHAMBERLAIN

Leo Gallia & Susan Rovira

[REDACTED]
[REDACTED]
[REDACTED]

February 13, 2023

Springdale Town Planning Commission

re: Open Space Preservation Planning

Dear Commissioners,

The 5 1/2 acre land between Serendity Ln and Wanda Ln along SR-9 is owned by our Kinesava Homeowners Association. It has been maintained as a pasture in the tradition of small town agricultural use. Many members of our homeowners' community would like to preserve it as open space, if we can afford to do so.

We encourage the Town to consider this pasture as a priority for preservation in it's planning process.

Thanks,
Susan Rovira & Leo Gallia