



**MINUTES OF THE SPRINGDALE TOWN COUNCIL SPECIAL MEETING ON
TUESDAY, AUGUST 6, 2019
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH**

Special meeting convened at 2:02pm

MEMBERS PRESENT: Mayor Pro Tem Mike Alltucker, Council members Randy Aton, Lisa Zumpft, and Adrian Player. Mayor Stanley J. Smith arrived later.

ALSO PRESENT: Town Manager Rick Wixom, Director of Community Development, and Town Clerk Darci Carlson recording. See attached sheet for attendees signed into the meeting.

Motion made by Lisa Zumpft; seconded by Adrian Player.

Aton: Aye

Zumpft: Aye

Alltucker: Aye

Player: Aye

Motion passed unanimously.

A. Discussion and Information

1. General discussion and announcements: Mr. Dansie indicated the Town had seen an increase in illegally operated short-term rentals as reported by staff and the community. As a result, investigation and enforcement efforts had been amplified. The Code Enforcement Officer was monitoring these properties and documented incidents of violation allowing the Town to proceed with criminal citations.

Mr. Aton asked if neighbor complaints initiated code enforcement action.

- Mr. Dansie said this was a primary way. The Town had to document use of a property as a short-term lodging facility and not rely solely on an internet listing.
- The Council agreed weekly status updates of illegal short-term rental activity would be helpful.

Ms. Zumpft recommended additional information be pushed out to the community to help educate them.

Mr. Pitti indicted AirBnB collected taxes from properties who rented through the site so this could be a resource of addresses for the Town to pursue.

- Ms. Carlson indicated the state tax report listed AirBnB as one-line item without specific property detail. Town staff would consult other municipalities for suggestions on ways they approached this issue.

Mark Chambers requested Council members talk directly with county commissioners and state legislators and ask they give municipalities the method and local authority to enforce our laws. He emphasized this issue was affecting businesses and neighborhoods.

- Mr. Alltucker said this issue also reduced the long-term rental stock in Town.

B. Action Items – Administrative

1. Appointment of counting judges for the August 13, 2019 Primary Municipal Election: The state required the Town to appoint three judges to conduct the ballot counting. Ms. Carlson asked the Council to approve the appointments of Mayor Pam Leach from Rockville, Town Clerk Vicki Bell from Rockville, and Lela Wixom from La Verkin.

Motion made by Lisa Zumpft to approve Pam Leach, Vicki Bell and Lela Wixom as counting judges for the August 13, 2019 Primary Municipal Election; seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Alltucker: Aye

Player: Aye

Motion passed unanimously.

C. Administrative Non-Action Items

1. Discussion of changes to multiple sections of Title 10 of the Springdale Town Code pertaining to development incentives: Mr. Alltucker said the Council discussed this issue in their meeting last month and determined it needed a more thorough vetting.

Although effort was made to get more public comment, Ms. Carlson indicated nothing additional had been received.

The Council systematically discussed each section.

10-6A-3A Required Affordable Housing-

If a development was a certain size, this section required inclusion of affordable housing. In addition to the required affordable housing, if a developer wanted more, the Council could grant the addition of a market rate unit for each affordable unit. Currently no developers had taken advantage of this incentive.

The Town intended to conduct a housing study this fiscal year, likely beginning in fall. The study would provide empirical data to help back up strategies or modify them as needed.

The provisions of this incentive encouraged density therefor the Council agreed to delete the portion recommended by the Planning Commission.

Mayor Smith joined the meeting at 2:33pm.

10-6A-5 Optional Incentives -

Incentives in this section were discretionary but must be done concurrently with the Moderate-Income Housing Overlay Zone. Mayor Smith said this section contained statements indicating affordable housing was important to the Town.

- Mr. Aton concurred. This was another tool to encourage and accomplish the affordable housing goal.

The Council agreed to leave this section in the ordinance.

10-11A-5 Building Size -

This section was specific to the Central Commercial Zone and allowed an increase in building size if the development included public restrooms, employee or affordable housing, or used stone on the exterior. Building size could also be increased if buildings were located three-hundred feet (300') away from SR9 and one-hundred feet (100') away from a residential zone. Much of the recent development downtown had taken advantage of this incentive.

- Rather than give something up in order to get what the Town wanted, the Planning Commission's goal was to just require it. Additionally, the Commission felt smaller buildings were more emblematic of village character and scale.

The Council considered properties in Town that could be affected by this incentive.

- Mayor Smith did not want existing businesses who had not built-out their property to be penalized.

- Ms. Zumpft said it was not a penalty but a way to avoid getting something the Town did not want.
- Mr. Dansie added that most older buildings in Town were already larger than 12,500 square feet in size.

If the Town wanted to encourage something then Mayor Smith emphasized incentives should be left in the ordinance. He said they worked. Village scale had not been lost on the limited properties left in the Central Commercial Zone.

- Mr. Dansie commented height, setback and design had greater impact on village scale than building size.

A development agreement could also be utilized to negotiate a building size increase. Unlike incentives spelled out in code, a development agreement was discretionary.

The Council agreed to keep the existing language in this section and not delete per the recommendations of the Planning Commission.

10-11A-6(A)(3)(c) – the Council agreed language related to a zero setback could be deleted.

10-11A-8(D) – the Council agreed to delete this section because they did not want buildings taller than twenty-six feet (26').

10-11A-11 Parking– The Council believed the parking problem had been addressed for the time being and incentives were not needed. This section could be deleted.

10-11B-5 Village Commercial - This section of code was the only way to increase building size in the Village Commercial Zone. The Council agreed to leave the language in, but changed the word 'may' to 'shall'.

10-11B-6(E) – This allowed a non-conforming setback on a property if the neighbor had a non-conforming setback. The Council determined this would not affect anyone's development capability; therefore, language could be removed.

10-11B-8 Building Height – This allowed an increase in height in the Village Commercial Zone if set below SR-9. The Council agreed twenty-six feet (26') was tall enough and therefore incentive language could be deleted.

10-13C-8 Density and Landscaping – This applied to the Planned Development Overlay Zone and allowed a building density bonus in exchange for an open space amenity. The Planning Commission determined this was injurious to the Town's village scale. The Council agreed with the Commission's recommendation for this section.

Article E Parking Structure Overlay Zone – The Council agreed to remove this section in its entirety.

Like the Town Council, Mr. Dansie acknowledged the Planning Commission struggled with what contributed to village scale. He said they intended to go back through the ordinances intent on guiding development to be more in line with village character and scale. Staff would make the updates as discussed in today's meeting and provide a revised draft with the packet materials for the August regular meeting.

The Deputy Assistant Secretary of the National Park Service met with Congressman Chris Stewart, members of the National Park, representatives from Washington, Kane, Iron and Garfield County and the State of Utah to discuss the Visitor Use Management Plan. Many different views were discussed as a way to deal with the visitation issue. The East Zion project plan was presented to the National Park Service. Mayor Smith said it shouldn't be looked at as competition but as an added feature and contact station for the public.

Adjourn

Motion to adjourn at 4:08pm made by Lisa Zumpft; seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Alltucker: Aye

Player: Aye

Smith: Aye

Motion passed unanimously.

Darci Carlson

Darci Carlson, Town Clerk

APPROVAL: _____

[Signature]

DATE: _____

9-4-19

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





PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD

Please print your name below

Meeting Town Council Date 8/6/19

Mark Chambers
Name (please print)

Name (please print)

Joe Pitti
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