



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, MAY 21, 2025, 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 the stream information below****

Approval of the agenda
General announcements
Declaration of Conflicts of Interest

A. Action Items

1. **Public Hearing:** Ordinance Revision: Changes to the Town's Regulations Related to Accessory Buildings and Structures, and Addition of a Limit on the Total Amount of Development (in Square Feet) Allowed on Residential Properties. Staff Contact: Thomas Dansie.
2. **Public Hearing:** Ordinance Revision: Modifications to the Accessory Dwelling Unit Regulations. Staff Contact: Thomas Dansie.

B. Consent Agenda

1. Approval of Minutes from April 2, 2025, and April 16, 2025.

C. Adjourn

***To access the live stream for this public meeting,
please visit or click the link below:**

<https://www.youtube.com/@SpringdaleTownPublicMeetings>

APPROVED

DATE

5/21/25

This agenda was posted at the Springdale Canyon Community Center and Town Hall at

9:00

am/pm

by

on

05/16/2025

NOTICE: In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting should contact Town Clerk Aren Emerson (435.772.3434) at least 48 hours before the meeting.

Packet materials for this meeting will be available at: <https://www.springdaletown.com/agendacenter/planning-commission-7>



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION REGULAR MEETING ON
WEDNESDAY, MAY 21, 2025, AT 5:00 PM
AT THE CANYON COMMUNITY CENTER,
126 LION BOULEVARD, SPRINGDALE, UT 84767**

The meeting convened at 05:00 PM.

MEMBERS PRESENT: Chair Tom Kenaston, Commissioners Terry Kruschke, Paul Zimmerman, Jennifer McCulloch, Rich Swanson, Mellisa LaBorde, and Matt Fink from Zion National Park.

ALSO PRESENT: Director of Community Development Tom Dansie, Principal Planner Niall Connolly, Zoning Administrator Kyndal Sagers, Town Clerk Aren Emerson, and Deputy Town Clerk Robin Romero, recording. See the attached sheet for attendees.

Approval of the Agenda:

Motion made by Jennifer McCulloch to approve the agenda. The motion was seconded by Rich Swanson.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

General Announcements:

Mr. Dansie announced that in the last Town Council meeting, the Council appointed a new alternate member of the Commission. Kash Bhatti cannot be here tonight, but will join in future meetings.

Declaration of Conflicts of Interest:

Mr. Kenaston disclosed that he serves on the Housing Committee and participated in the suggested modifications for the ADUs.

A. Action Items

1. **Public Hearing:** Ordinance Revision: Changes to the Town's Regulations Related to Accessory Buildings and Structures, and Addition of a Limit on the Total Amount of Development (in Square Feet) Allowed on Residential Properties. Staff Contact: Thomas Dansie.

Staff Presentation:

Mr. Dansie explained that the proposed ordinance would amend the Town's regulations for accessory structures on residential properties. As previously discussed by the Commission, the intent of these revisions was to ensure that future accessory structure development aligns with the Town's residential village scale and does not unduly impact views from adjoining properties.

The ordinance was divided into two sections to allow for separate consideration and recommendation by the Commission. Commissioners could recommend approval of both sections, recommend only one, or decline to recommend either.

The first section proposed new development standards for accessory structures. The intent was to reduce visual impacts on neighboring properties by implementing the following:

- Increased setbacks for accessory structures over 12 feet in height;
- Requirements for placement of structures to preserve views from adjacent properties;
- Height limits for accessory structures on high visual impact lots and view obstruction parcels;
- A mechanism for the Planning Commission to grant exceptions to these standards when such exceptions would reduce the visual impact on neighboring properties.

The second section introduced a cap on the total allowable development on residential properties. This included:

- A maximum square footage limit for all development on a lot, based on the property's zone and size;
- A limit on the total number of structures permitted on a property, including the primary residence and all accessory structures.

Mr. Dansie clarified that, as this was a Planning Commission initiative, the Commission would make a recommendation to the Town Council if they wished to move the ordinance forward. If, after discussion and the public hearing, the Commission chose not to proceed, no motion to deny was required; they could simply decide not to advance the proposal. Alternatively, the Commission could vote to recommend adoption or table the item for further discussion.

Questions from the Commission: There were no questions from the Commission.

Questions from the Public: There were no questions from the public.

Motion made by Jennifer McCulloch to open the Public Hearing. Seconded by Paul Zimmerman.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

Public Comment: There were no public comments.

Motion made by Paul Zimmerman to close the Public Hearing. Seconded by Rich Swanson.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

Commission Deliberation:

Mr. Kruschke stated that the proposal generally aligned with the Commission's prior discussions and that he did not identify any elements of concern.

Mr. Kenaston noted that the ordinance would, in effect, limit certain development rights for residents. However, he expressed minimal concern, citing the Commission's thorough analysis of the likely impact. He believed the ordinance would not impose an undue burden on any individual property owner, though he acknowledged this as his only potential reservation.

Mr. Kruschke added that earlier analysis suggested very few existing properties would be out of compliance under the proposed standards. He felt the Commission had developed an ordinance that reflected the community's values and noted the absence of public comment as further reassurance.

Motion made by Terry Kruschke that the Planning Commission recommends approval of the revisions to accessory structure regulations in Sections 10-20-8 and 10-20-17 of the Town Code as discussed in the Planning Commission meeting on May 21st, 2025. This motion is based on the following findings:

1. The revisions to the Springdale Town Ordinances support Sub-Goal A3 of the Land Use and Town Appearance section of the Springdale General Plan. to adopt regulations that encourage development that is light on the land and emphasize the natural environment over the built environment.
2. The revisions support Sub-Goal B2 of the Land Use and Town Appearance section of the Springdale General Plan to minimize the visual impacts of new development on views of Zion Canyon, ridgelines, hillsides, and natural views in the Town.
3. The revisions support Sub-Goal B1 of the Land Use and Town Appearance section of the Springdale General Plan to update the Town's architectural and design guidelines to promote the Town's village character.

Second by Paul Zimmerman.

Discussion of the motion: There was no additional discussion.

Vote on Motion:

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

- 2. Public Hearing:** Ordinance Revision: Modifications to the Accessory Dwelling Unit Regulations.
Staff Contact: Thomas Dansie.

Staff Presentation:

Mr. Dansie explained that the proposed ordinance would revise the Town's Accessory Dwelling Unit (ADU) standards. The Housing Committee prepared the draft and recommended it to the Planning Commission for consideration.

He noted that the Planning Commission had previously spent significant time, approximately one year, developing proposed changes to ADU regulations. That work culminated in an ordinance recommendation to the Town Council. However, the Council did not adopt the ordinance, primarily due to concerns regarding external ADUs in the Foothill Residential Zone. Despite that, the Council expressed support for much of the clarifying language in the Commission's draft and directed the Housing Committee to retain those clarifications while removing the more contentious provisions related to external ADUs in the Foothill Residential Zone.

The Housing Committee revised the ordinance accordingly and presented it to the Planning Commission. The Commission previously reviewed the revised draft during a work meeting and expressed general support, offering a few suggestions for further clarification. These included changes to the minimum lease period for external ADUs and the maximum height limit for such units.

Mr. Dansie noted that while incorporating these changes, he identified a drafting error in Section 10-29-E(2)(c). The intended language was to clarify that if another section of the ordinance imposed a lower maximum building height for an ADU, that lower standard would take precedence. He stated that the current language, "building height less than 17 feet if required by other sections of this title," did not accurately reflect this intent and should be replaced with: "a lower building height if required by other sections of this title."

Summary of Proposed Changes

- Establishes a height limit for external ADUs;
- Increases the minimum lot size required for external ADUs;

- Allows family members and non-paying guests to occupy guest houses without an ADU permit;
- Revises the maximum allowable size for external ADUs to 50% of the main building's floor area, up to a maximum of 1,500 square feet;
- Clarifies minimum rental periods for both internal and external ADUs;
- Adds a requirement that all ADU-related parking be accommodated onsite;
- Includes general edits for clarity and consistency with the proposed new standards.

Questions from the Commission: There were no questions from the Commission.

Questions from the Public: There were no questions from the public.

Motion made by Paul Zimmerman to open the Public Hearing. Seconded by Terry Kruschke.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

Public Comment: There were no public comments.

Motion made by Terry Kruschke to close the Public Hearing. Seconded by Rich Swanson.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

Commission Deliberation:

The Commissioners clarified that the sentence following "a lower building height if required by other sections of this title," specifically, "The residential height bonus allowed by Chapter 10-15H does not apply to structures containing an external ADU", would remain in the ordinance.

Mr. Kruschke noted one correction in Section 10-22-9(E)(2)(a)(1), which referenced Section 10-20-9(E)(2)(a)(2). He believed it should reference Section 10-22-9(E)(2)(a)(2) instead. Mr. Dansie confirmed that 10-22 was the correct code citation.

Mr. Kenaston commented that the Housing Committee had preserved and advanced important elements from the original Planning Commission draft, resulting in a strong set of proposed changes. He supported the revisions and noted that although pending state legislation might require allowing external ADUs in all residential zones in the future, these changes were timely and sensible now.

Mr. Kruschke agreed, stating that since it is uncertain when the state might act, it made sense to implement these changes in the meantime.

Ms. McCulloch proposed an addition to Section E (Specific Standards) under Internal ADUs. The current language states, "*The owner of an internal ADU may not enter into a new lease or rental agreement for the ADU until at least 30 days have passed since the beginning date of the previous lease or rental agreement.*" She noted there was similar language for external ADUs. She suggested adding an occupancy component to address situations where a lease is signed but the tenant never moves in. Her proposal was to allow the owner to enter into a new lease if the previous lease had been broken prior to any occupancy, such as by including language like, "*the owner may not enter into a new lease agreement after the property has been occupied for at least one night.*" She explained that if a tenant never moved in, the owner should not be penalized by having to wait the full 30 days before entering a new agreement.

Mr. Kruschke clarified that this would apply only if the unit was never occupied. He found the suggestion reasonable, and Mr. Kenaston agreed. Mr. Swanson acknowledged the logic but expressed concern about enforceability, suggesting that owners could falsely claim the unit was never occupied.

Mr. Zimmerman proposed that any such claim would need to be demonstrable to the satisfaction of the Director of Community Development. Mr. Swanson questioned how someone would do that and requested input from the staff on whether that would become more difficult to enforce. Mr. Dansie responded that enforcement would be difficult since the Town does not monitor nightly occupancy. However, if somebody said they had a renter for two nights and they just left, they were essentially turning themselves in for short-term rentals.

Mr. Kruschke proposed a possible compromise: allowing one exemption if a tenant backed out before occupying the unit, but requiring the 30-day wait period if it occurred more than once.

Mr. Zimmerman pointed out that lease agreements are often voided without being reported, and the Town does not currently require a copy of the lease. He believed Ms. McCulloch's proposal could help address a loophole without overburdening property owners who experience legitimate cancellations.

Ms. McCulloch suggested that online rental platforms might leave a digital trail of lease activity, even if cancellations occur, which could aid enforcement. Mr. Zimmerman agreed but noted that this depends on the method of booking and may not apply universally. He supported the proposal for improving transparency and fairness, even if perfect enforcement is not feasible.

Mr. Kruschke noted that the issue of short-term rentals already exists with or without the proposed ordinance and that enforcement often only occurs after a complaint.

Ms. McCulloch added that her proposal struck a balance by protecting the General Plan while preserving property owners' rights. Mr. Kenaston commented that financial factors like forfeiting a deposit also influence landlord-tenant behavior.

Mr. Zimmerman emphasized that the core issue is not the number of lease agreements, but whether the property is being used for short-term stays. He felt Ms. McCulloch's proposal clarified this distinction, which would help code enforcement officers focus on actual violations.

Mr. Swanson reiterated concerns that proving whether a unit was never occupied would remain difficult. Mr. Zimmerman responded that problematic patterns could still be identified through enforcement.

Mr. Dansie informed the Commission that the state legislature recently improved enforcement mechanisms. As of May 7, 2025, the Town can now use short-term rental listings as part of the evidence in enforcement cases, though not as sole proof. If an advertisement is paired with documentation of occupancy, it could be sufficient to establish a violation.

Mr. Kruschke suggested using the word "executed" in regard to a lease. Mr. Zimmerman clarified that "executed" is a legal term indicating that a lease has been signed, not necessarily occupied.

Ms. McCulloch supported the concept, but noted that the wording still needed refinement. Mr. Dansie offered to work with legal counsel to finalize appropriate language, as long as the Commission agreed on the policy direction: namely, to allow a new lease if the previous lease was never occupied.

The Commission expressed support for that direction. Mr. Kenaston asked whether the Commission could approve the ordinance with that condition. Mr. Dansie confirmed they could, and staff would ensure the final language met legal and policy goals.

Mr. Kenaston asked about penalties for short-term rental violations. Mr. Dansie responded that the fine is \$1,000 per day, the maximum allowed by state law, designed to deter violations from becoming a cost of doing business.

Mr. Swanson asked whether Mr. Dansie had concerns with the proposed changes. Mr. Dansie said the changes might make enforcement more complex but clarified the ordinance's intent, helping to focus enforcement efforts on real violations.

Mr. Swanson concluded that while the revisions opened potential loopholes, the Town had mechanisms to manage abuse, especially now that listing advertisements could be used in evidence.

Mr. Kenaston remarked that the economics of short-term rentals already incentivize some property owners to take risks, but he hoped the significant penalties and increased enforcement tools would discourage abuse.

The Commission indicated consensus and comfort in proceeding to a formal motion.

Motion made by Jennifer McCulloch that the Planning Commission recommends the changes to the Accessory Dwelling Unit regulations as proposed by the Housing Committee as discussed in the Planning Commission meeting on May 21st, 2025. This motion is based on the following findings:

- 1. The proposed changes comply with the goals and objectives of the General Plan in regard to the housing general goal of retaining rural character, protecting neighborhoods from the impacts of commercialization.**
- 2. Housing Sub-Goal 2A to make allowances for expanded use of Accessory Dwelling Units, while ensuring these uses do not detract from the character of existing neighborhoods.**

The motion includes the following conditions:

- 1. Section E Specific Standards 2(a)(1): change the referenced section number to section 10-22-9(E)(2)(a)(2).**
- 2. Section E-2(c): modify the language to reflect the intended purpose to read "3) a lower building height if required by other sections of this title" by removing the first two sentences of item 3, with the last sentence remaining.**

Second by Terry Kruschke.

Discussion of the motion:

Mr. Kruschke proposed a condition that staff work with the Town Attorney to change the wording so that the 30-day requirement includes at least one night of occupation by the tenant as well as the lease.

Ms. McCulloch accepted the additional condition to the motion.

Vote on Motion:

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

B. Consent Agenda

1. Approval of Minutes from April 2, 2025, and April 16, 2025.

Motion made by Paul Zimmerman to approve the Consent Agenda for the Minutes from April 2, 2025, and April 16, 2025. The motion was seconded by Rich Swanson.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

C. Adjourn

Motion made by Jennifer McCulloch to Adjourn at 05:40 p.m. The motion was seconded by Paul Zimmerman.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.



Robin Romero, Deputy Town Clerk

APPROVAL: _____



DATE: 6/18/25

A recording of the public meeting is available on the Town's YouTube Channel at [youtube.com/@SpringdaleTownPublicMeetings](https://www.youtube.com/@SpringdaleTownPublicMeetings). For more information, please call 435-772-3434 or email springdale@springdale.utah.gov.





PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD

Please print your name below

Meeting PLANNING COMMISSION REGULAR Date 05/21/2025

ATTENDEES:

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