SPRINGDALE
Utah

118 Lion Blvd PO Box 187 Springdale UT 84767 * 435-772-3434 fax 435-772-3952

*AMENDED **TOWN COUNCIL NOTICE AND AGENDA**

THE SPRINGDALE TOWN COUNCIL WILL HOLD MEETINGS
ON WEDNESDAY, AUGUST 13, 2025,
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH
THE SPECIAL MEETING STARTS AT 4:00 PM. THE REGULAR MEETING STARTS AT 5:00 PM.

A live stream of this meeting will be available to the public on YouTube.
****Please see the YouTube information below.**

RBB

*AMENDMENT MOVED ITEM D1 TO AFTER THE CONSENT AGENDA, BEFORE C. LEGISLATIVE ITEMS.

SPECIAL MEETING
Approval of the Special Meeting agenda

A. Closed Session
1. Strategy Session to Discuss Pending or Reasonably Imminent Litigation

B. Action Required by Closed Session

C. Adjourn

REGULAR MEETING
Pledge of Allegiance
Approval of the Regular Meeting Agenda

A. Announcements/Information/Community Questions/Presentations
1. General Announcements
2. Zion National Park Update – Superintendent Bradybaugh
3. Council Department Reports Questions and Comments
4. Community Questions and Comments

B. Consent Agenda
1. Review of Monthly Purchasing Report
2. Minutes: July 9, 2025

C. Legislative Items
1. **Public Hearing – Ordinance 2025-09:** Modifications to the Accessory Dwelling Unit Regulations. Staff contact: Thomas Dansie.
2. **Public Hearing – Ordinance 2025-11:** Changes to Chapter 10-23 of the Town Code to Remove the Restriction on Parking Spaces Being Located in the Special Flood Hazard Area in Residential Zones and Also to Require Low Impact Design for Parking Spaces Within the Special Flood Hazard Area. Staff Contact: Niall Connolly.
3. **Public Hearing – Ordinance 2025-12:** Changes to Chapter 10-22-3 and 10-22-8 of the Town Code Regarding Farmers' Market and Private Outdoor Event Standards and Application Processes. Staff Contact: Kyndal Sagers.
4. **Public Hearing – Ordinance 2025-13:** Changes to Chapter 10-7A-2 of the Town Code to Correct an Erroneous Reference to Food Truck Standards. Staff Contact: Niall Connolly.
5. **Public Hearing – Ordinance 2025-14:** Changes to Chapter 10-15F-5 of the Town Code to Require Geotechnical Reports to Include an Assessment of Slope Stability in Certain Circumstances. Staff Contact: Niall Connolly.
6. **Ordinance 2025-15:** Changes to Chapter 3-1 of the Town Code, Related to Business License Regulations and Deliveries in the Public Right of Way. Staff Contact: Aren Emerson.

D. Administrative Action Items
1. Discussion and Possible Approval of an Agreement and Contract with the Utah Conservation Corps to Remove Invasive Russian Olive and Tamarisk Trees in the Town of Springdale. Staff contact: Thomas Dansie.
2. Discussion and Possible Approval of a Contract with Summitt Forests Inc to Remove Invasive Russian Olive and Tamarisk Trees from the Virgin River Watershed on Trees Ranch. Staff contact: Thomas Dansie.
3. Discussion and Possible Direction to Town Staff to Begin the Business License Revocation Process for Zion Outfitters Located at 7 Zion Park Boulevard, Springdale, UT, Per Town Code 3-1-12. Staff Contact: Aren Emerson

E. Administrative Non-Action Items
1. General Council Discussion

F. Adjourn

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

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

APPROVED Barbara Bruno DATE 8-13-25

This agenda was posted at the Springdale Town Hall, Springdale Post Office, and the Canyon Community Center at 10:00 am/pm on 08/08/2025 by R. Romero.

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 agenda items will be available on the Town website: http://www.springdaletown.com/AgendaCenter

DRAFT

MINUTES OF THE SPRINGDALE TOWN COUNCIL MEETING
HELD WEDNESDAY, AUGUST 13, 2025,
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH

MEMBERS PRESENT: Mayor Barbara Bruno, Council Members Randy Aton, Jack Burns, Pat Campbell, and Kyla Topham
ALSO PRESENT: Town Attorney Greg Hardman, Town Manager Rick Wixom, Director of Community Development Thomas Dansie, Deputy Clerk Robin Romero, and Town Clerk Aren Emerson, recording.

The Special Meeting convened at 4:00 PM.

Approval of the Special Meeting agenda

Kyla Topham made a motion to approve the Special Meeting Agenda. The motion was seconded by Randy Aton.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

A. Closed Session

Randy Aton made a motion to enter a closed session for a strategy session to discuss pending or reasonably imminent litigation. The motion was seconded by Kyla Topham.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

B. Action Required by Closed Session

Jack Burns made a motion to direct staff to take the action discussed in the closed session. The motion was seconded by Randy Aton.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

C. Adjourn

Kyla Topham made a motion to adjourn the special meeting at 04:37 pm. The motion was seconded by Pat Campbell.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

MEMBERS PRESENT: Mayor Barbara Bruno, Council Members Randy Aton, Jack Burns, Pat Campbell, and Kyla Topham
ALSO PRESENT: Town Manager Rick Wixom, Director of Community Development Thomas Dansie, Deputy Clerk Robin Romero, and Town Clerk Aren Emerson, recording.

The Regular Meeting convened at 5:00 PM.

Mayor Bruno led the Pledge of Allegiance.

Approval of the Regular Meeting Agenda

Pat Campbell moved to amend the Regular Meeting Agenda by relocating Item D3 to follow the Consent Agenda, and to approve the agenda as amended. The motion was seconded by Kyla Topham.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

A. Announcements/Information/Community Questions

1. General announcements

Downtown Plaza Ribbon Cutting: Council Member Topham announced the Downtown Plaza is nearing completion. A ribbon cutting will be held on **Wednesday, August 20, 2025, at 10:00 AM** to officially open the plaza to the community.

2. Zion National Park update – Superintendent Bradybaugh

Superintendent Jeff Bradybaugh provided updates:

- July visitation was slightly down (approx. 2.6%) compared to last year, though year-to-date visitation is up, with 2.9 million visitors compared to 2.6 million in 2019.
- Staffing has been increased during the busy season.
- Phase II of the shuttle extension project will connect the Grotto to Weeping Rock. Funding has been largely secured, though extending to the Temple of Sinawava remains a goal.

- River flows have been extremely low, though not at record lows.
- The Park is under Stage II fire restrictions. Propane stoves are allowed in developed campgrounds, but open fires are prohibited. Stage III closures were unlikely.
- South Campground reconstruction is projected to reopen in late 2026 or early 2027, with one loop potentially opening sooner.

3. Council department reports questions and comments

Tyler Ames from Hurricane Valley Fire reported on the recent Washington County property tax increase supporting the Hurricane Valley Fire District. He addressed concerns, explaining:

- Property owners saw increases due to both higher tax rates and updated property valuations.
- The District initially anticipated a 54% increase, which was later reduced to a 38% increase.
- If anticipated sales tax revenues are approved in the September legislative special session, the District expects to reduce property tax rates in 2026 back to prior levels.

Ms. Topham asked whether, if the proposed sales tax legislation is approved in the upcoming special session, the recently increased property tax rate would be reduced. Mr. Aton responded that the Fire District's intent would be to reduce the rate back to approximately its prior level (0.00699) once the sales tax revenue becomes available.

4. Community questions and comments

Suzanne Elger asked whether the Town had investigated whether Zion Outfitters evaded local taxes in connection with the recent federal conviction of its owner. Town Manager Wixom responded that no review had been conducted at the town level. She also commented on the wastewater treatment plant project, noting the expenditure of $4.7 million on upgrades that did not resolve compliance issues with total suspended solids, calling it a "travesty" and a misuse of funds.

Nate Wells, representing Zion Canyon Village and Cable Mountain Lodge, spoke regarding Zion Outfitters. He stated that all taxes owed had been paid in full, and emphasized that owner Phillip Heaton is an honest person who made an error but took full accountability. He explained that Mr. Heaton sought to repay the IRS before indictment, hired multiple accountants, and ultimately pled guilty to protect family members and employees from potential prosecution. Mr. Wells urged the Council not to revoke the business license, describing such action as excessive given the circumstances.

B. Consent Agenda

The Consent Agenda consisted of the following items:

1. Review of Monthly Purchasing Report
2. Minutes: July 9, 2025

Jack Burns made a motion to approve the consent agenda. The motion was seconded by Randy Aton.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye

Burns: Aye
The motion passed unanimously.

Moved from item C3 in the approved amended agenda - Discussion and Possible Direction to Town Staff to begin the Business License Revocation Process for Zion Outfitters, located at 7 Zion Park Boulevard, Springdale, UT, Per Town Code 3-1-12. Staff Contact: Aren Emerson.

The next item on the agenda concerns a formal complaint the Town has received regarding the business license for Zion Outfitters, located at 7 Zion Park Boulevard. The complaint references the recent federal conviction of the business owner, Phyllip Hallman Heaton, for tax evasion.

Under Springdale Town Code Section 3-1-12, the Town Council has the authority to revoke an existing business license under certain conditions, including if the licensee has violated state, federal, or local law within the past ten years.

The Council should discuss the issue and review the items listed in Section 3-1-12 to determine if it would like to begin the revocation process. If the Council chooses to move in this direction, staff will begin by issuing a written notice of pending revocation to the licensee, as required by Town Code. The licensee would then have ten business days to request an administrative hearing. If no request is made, the Council could revoke the license without a hearing. If a request is made, the license would remain valid until the hearing is held and a written decision is issued.

Should the Council proceed, staff will work closely with the Town Attorney to ensure the hearing process complies with applicable provisions of Utah State Code.

Mr. Campbell asked what evidence the Town currently had regarding the conviction. Mr. Hardman responded that the original complaint had included a link to the Department of Justice website announcing the case.

Mr. Campbell asked whether that constituted hearsay. Mr. Hardman explained that it would not technically be considered hearsay since it was an official document issued by a government agency. He emphasized, however, that this meeting was not a formal hearing. The purpose of the agenda item was to review the complaint and determine whether the Council wished to pursue the matter further. The Town Code uses the word “may,” making revocation discretionary. Should the Council choose to move forward, the licensee would have full due process rights, including notice, the opportunity to request an administrative hearing, and the ability to contest the evidence.

Ms. Topham asked whether such a hearing would be conducted by an independent Administrative Hearing Officer. Mr. Hardman clarified that the administrative hearing would be presented directly to the Council, which would act as the decision-making body.

Mr. Aton asked about the status of the business license in the meantime. Mr. Hardman explained that under both state and local code, the license would remain active until officially revoked by the Town Council.

Mr. Hardman further advised that the Council had the option to defer action, obtain certified court records, and revisit the complaint at a later date. Mr. Aton expressed interest in reviewing official court documents before deciding whether to proceed. Mr. Campbell agreed.

Mayor Bruno asked Mr. Hardman if he would be able to provide the Council with the official court documents prior to a final decision on this item. Mr. Hardman confirmed that he would obtain and provide those documents.

Pat Campbell made a motion that staff obtain a certified copy of the conviction, sentencing order, and related court documents from the U.S. District Court for the District of Utah in the case of *United States v. Phillip Halman Heaton*, and present them to the Town Council before

reconsidering the complaint presented at the August 13, 2025, Town Council meeting. The motion was seconded by Kyla Topham.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

C. Legislative Items

1. **Public Hearing – Ordinance 2025-09: Modifications to the Accessory Dwelling Unit Regulations. Staff contact: Thomas Dansie.**

Community Development Director Thomas Dansie introduced the item. He reminded the Council that the proposed ordinance, revising standards for Accessory Dwelling Units (ADUs), had been presented at the Council's June regular meeting. The Town has been researching potential revisions to ADU regulations for some time, with the Planning Commission having lengthy discussions on the issue over the past year. Following that process, the Commission forwarded a draft ordinance to the Council for consideration.

At a previous meeting, the Council determined that it did not wish to extend the allowance for external ADUs into the Foothill Residential (FR) zone. The Council, therefore, directed the Housing Committee to revise the ordinance further. The revised draft returned in June included several new standards:

- A height limit for external ADUs;
- An increase in the minimum lot size required for external ADUs;
- Clarification that guest houses may be used on a long-term basis by non-paying family members without the need for an ADU permit;
- Clarification of the maximum size allowed for external ADUs; and
- Minimum rental period requirements, along with other consistency updates.

Mr. Dansie noted that at the June meeting, the Council generally expressed support for those changes but asked staff to explore one additional policy issue: whether occupancy of external ADUs should be restricted to members of the local workforce. The ordinance was tabled at that time, and Mr. Aton and Mr. Campbell were directed to work with staff to investigate the concept further.

Mr. Dansie explained that, following those discussions, staff and Council members considered how best to define "workforce occupancy." They agreed to rely on language already in the Town's Workforce Housing Overlay Zone, which defines eligibility as households with at least one member actively employed in Springdale. For this ordinance, the language was slightly expanded to also include employment in Zion National Park.

Therefore, the principal change between the version last reviewed and the ordinance before the Council at this meeting was the addition of a requirement that external ADUs must be occupied by households in which at least one member is actively employed in Springdale or Zion National Park.

Mayor Bruno asked for clarification on whether current ADU permit holders would be required to comply with the new standards if the ordinance were adopted.

Mr. Dansie explained that property owners who have already applied for and received an ADU permit are considered vested under the ordinance in effect at the time of their approval. Those approvals run with

the land, meaning that existing permitted ADUs would continue to be governed by the standards in place when they were permitted, rather than the new requirements.

Mr. Aton asked how many ADUs in Town currently held permits. Mr. Dansie responded that there were seven existing permitted ADUs in Springdale, a mix of both internal and external units. He noted that these were located in the Valley Residential (VR) and Foothill Residential (FR) zones.

Mr. Aton then sought clarification on whether the proposed height restrictions would apply to those existing permitted ADUs. Mr. Dansie confirmed that the height limits in the new ordinance would not retroactively apply; the original ordinance in effect at the time of permit approval would continue to govern those properties.

Mayor Bruno asked staff if they had an estimate of how many existing detached structures, such as casitas or garages, could potentially be converted into ADUs under the new ordinance. Mr. Dansie reported that staff had identified approximately 66 such detached structures in Town. He noted, however, that it was unclear how many of those buildings could be suitable for use as guesthouses.

Mayor Bruno opened the item up for clarifying questions from the audience:

Mr. Gil Kiefer asked whether it would be better to apply for an ADU permit now, under the current standards, or to wait until he was prepared to utilize his property in that way, since he was uncertain how the final regulations might change.

Mr. Dansie responded that he could not provide a recommendation on the timing of an application, as that decision would depend on Mr. Kiefer's property and personal circumstances. He explained that if an applicant obtains an ADU permit under the current ordinance, that approval would vest under the standards in effect at the time of application. However, he also cautioned that if a permit remains unused for more than twelve months, the vested status would lapse and the nonconforming rights would no longer apply.

Randy Aton made a motion to open the public hearing. The motion was seconded by Jack Burns.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

Public Comment:

Cheri Ikerd objected to restricting ADU rentals to workforce tenants, stating it infringed on property rights and should be a recommendation rather than a mandate.

Randy Aton made a motion to close the public hearing. The motion was seconded by Kyla Topham.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

Council Deliberation:

Council Member Aton supported requiring workforce tenancy, citing the General Plan's goal of providing diverse housing for employees and concerns about ADUs being used as second homes. Mr. Aton explained that every city and town had zoning ordinances that affected many, if not all, property owners in that city or town.

Mr. Aton stated that in Springdale, there are currently 83 long-term rentals, 79 owner-occupied dwellings, and 124 second homes. This means that over 32% of potential living spaces in Town are second homes. He noted that on the street where he resides, approximately six out of ten homes are second homes.

Mr. Aton recalled the discussion of the Workforce Housing Overlay zone (WFHOZ) two years ago. He stated that the Council, at the time, saw a need to create housing for some of the workforce in Springdale and Zion National Park. During the public hearings, several comments were made opposing the WFHOZ, and a suggestion was made to use ADUs as workforce housing instead of the proposed ordinance at the time.

Mr. Aton specifically outlined the goals of the housing section in the General Plan, noting the importance of having housing options that support a diverse population, including low-density residential units, higher-density multifamily units in select locations, accessory dwelling units, and others. This will allow the town to maintain housing for a community with families of diverse incomes. It will benefit local businesses by providing a larger labor pool. It will benefit the town by having the people who are working in businesses also be committed and contributing members of the community, by having access to attainable housing. Based on direction from the General Plan, Mr. Aton supported the proposed ordinance.

Mr. Burns stated that he appreciated the public comments received, noting that they provided a valuable perspective on the issue. He expressed that while workforce housing is an important and worthy goal for the Town, he did not support imposing these requirements. Mr. Burns shared that he owns two long-term rental properties in Rockville and, for the past twenty years, has consistently rented them to members of the workforce in Springdale or Zion National Park by choice. He believed that there were others who had a similar preference to rent their units to the workforce as well.

Mayor Bruno explained that when property owners request a rezone to the Workforce Housing Overlay Zone, they are voluntarily accepting the associated requirements and deed restrictions. In contrast, since only one ADU is permitted per property, she stated that she supported providing incentives to encourage rental of ADUs to workforce tenants rather than imposing it as a requirement.

Mr. Burns added that removing the owner-occupancy requirement would allow a property to contain two rental units, thereby creating additional opportunities for members of the workforce to live in Springdale. He recalled the previous conversation the Council had regarding renters and owners and did not believe more oversight was needed for one or the other.

Mr. Aton expressed concern about turning ADUs into second homes by removing that requirement.

Mayor Bruno noted that there could be challenges in finding a member of the workforce to rent an ADU to. While this was unlikely to be a widespread issue, she acknowledged it could occur.

Mr. Campbell explained that, as a committee member, he agreed to include the workforce housing requirement in the proposed ordinance solely to bring the matter before the Council for discussion. He clarified that he did not personally support the requirement, as it could function similarly to rent control by obligating homeowners to rent their ADUs for less than market value.

Ms. Topham also opposed the workforce housing restriction. She expressed support for the WFHOZ, emphasizing that applicants request that zone voluntarily. She did not see how the proposed ADU workforce requirement was similar to the WFHOZ or why it should be treated similarly.

Ms. Topham referenced Housing Subgoal B of the General Plan, which encourages the expanded use of ADUs in Springdale while ensuring such development does not detract from the character of existing neighborhoods. She argued that restricting ADUs to the workforce did not align with the housing goal. She noted that residents were already making efforts to rent to the workforce and that contributing to the town was not limited to workforce tenants.

She further observed inconsistencies in ADU regulations, including that ADUs are permitted in the FR zone but not to their full potential, and that while the height limit in the VR zone is 21 feet, the maximum height for an ADU is 17 feet. While she understood the Planning Commission's intent to protect the viewshed, she suggested clarifying the language to remove ambiguity.

Mr. Dansie explained that the Planning Commission intended ADUs to remain accessory to the main structure, which informed the height restriction.

He suggested that if the Council was comfortable with the other proposed changes, they could adopt the ordinance while removing the workforce requirement and the building height restriction.

Ultimately, the Council decided not to require owner occupancy and discussed removing both the workforce restriction and the building height limitation from the proposed ordinance.

Kyla Topham made a motion to approve ordinance 2025-09: modifications to the accessory dwelling unit regulations as discussed in the August 13, 2025, Town Council meeting.
The approval is with the following changes:

- **Remove the workforce housing requirement in section 10-22-9(E)(2)(F).**
- **Remove the building height restriction in section 10-22-9(E)(2)(C).**
- **Remove requirement of owner occupancy in section 10-22-9(D)(2)**
- **Renumber the ordinance after making those changes.**

This motion is based on the following finding:

1. **General Plan Housing Subgoal 2A: "Make allowances for expanded use of accessory dwelling units while ensuring these uses do not detract from the character of existing neighborhoods."**

The motion was seconded by Jack Burns.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: No
Burns: Aye
The motion passed 4:1.

2. **Public Hearing – Ordinance 2025-11: Changes to Chapter 10-23 of the Town Code to Remove the Restriction on Parking Spaces Being Located in the Special Flood Hazard Area in Residential Zones and Also to Require Low Impact Design for Parking Spaces Within the Special Flood Hazard Area. Staff Contact: Niall Connolly.**

Principal Planner Niall Connolly explained the proposed revisions. At the April Town Council meeting, the Council reviewed the Planning Commission's original proposal to remove the code restriction that prohibited parking spaces within the special flood hazard area (SFHA). The rationale was that the code already permitted houses and other structures in the SFHA, so requiring stricter protection for parking spaces than for buildings was inconsistent. While the Council generally agreed with this reasoning, members expressed concern about the possibility of large parking lots being developed near the river and the potential impacts on the riparian corridor. The Council directed the Commission to study those issues further.

In response, the Planning Commission submitted revised language. The revisions would allow parking within the SFHA only on residentially zoned parcels and would limit the total number of parking spaces permitted. In addition, all new parking spaces would be required to use low-impact development (LID) design standards, such as permeable surfaces or geogrid materials, to reduce environmental impacts.

Ms. Topham asked whether the ordinance would also apply to garages. Mr. Connolly confirmed that it would. Mr. Dansie further clarified that alternative design strategies outside the SFHA could be used for garage construction, or the Council could choose to exempt garages from these standards.

Mayor Bruno opened the item for public questions. None were asked.

Jack Burns made a motion to open the public hearing. The motion was seconded by Kyla Topham.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

Public Comment:

None were made.

Kyla Topham made a motion to close the public hearing. The motion was seconded by Randy Aton.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

Council Deliberation:

Ms. Topham appreciated the Planning Commission's work and flexibility in offering multiple compliance options.

Mayor Bruno commended the Planning Commission for addressing prior Council concerns and ensuring consistency with environmental goals.

Kyla Topham made a motion to approve ordinance 2025-11: Changes to chapter 10-23 of the Town Code to remove the restriction on parking spaces being located in the special flood hazard area in residential zones and also to require low-impact design for parking spaces within the special flood hazard area. This motion is based on the following findings:

1. **General Plan – Natural and Cultural Resources Subgoal A: "Ensure the Virgin River retains its natural character, flow, and quality to ensure wildlife health and to maintain good water quality."**

The motion was seconded by Pat Campbell.

Vote on the motion:

Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

3. **Public Hearing – Ordinance 2025-12: Changes to Chapter 10-22-3 and 10-22-8 of the Town Code Regarding Farmers' Market and Private Outdoor Event Standards and Application Processes. Staff Contact: Kyndal Sagers.**

Mr. Dansie reviewed the proposed revisions. Under the current code, farmers' market permits authorize the temporary sale of produce and farm products in open space and are required only once per farmers' market season. A private outdoor event is defined as an event not open to the public. The town requires permits for such events when they are held on commercial or public property and are expected to draw more than 100 attendees.

The proposed revisions address the permit application process, reflecting staff's recent experience reviewing and approving these requests. The changes are administrative in nature and do not significantly alter existing policy.

Mr. Campbell asked whether the language regarding the removal of off-site banners should be made more specific. Mr. Dansie noted that clarification could be added.

Mr. Burns suggested clarifying that applicants are not required to provide drawings "to scale" prepared by architects.

Mayor Bruno opened the item for public questions. None were asked.

Kyla Topham made a motion to open the public hearing. The motion was seconded by Randy Aton.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

Public Comment:

There were no comments.

Randy Aton made a motion to close the public hearing. The motion was seconded by Kyla Topham.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

Council Deliberation:

The Council agreed that event-related banners should be removed promptly following the conclusion of the event.

Jack Burns made a motion to approve ordinance 2025-12: Changes to chapter 10-22-3 and 10-22-8 of the Town Code regarding farmers' market and private outdoor event standards and application processes. This approval is with the following change to the ordinance:

1. **Add a requirement to section 10-22-8(D)(6) for banners to be removed after the event.**

The motion was seconded by Kyla Topham.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

4. **Public Hearing – Ordinance 2025-13: Changes to Chapter 10-7A-2 of the Town Code to Correct an Erroneous Reference to Food Truck Standards. Staff Contact: Niall Connolly.**

Mr. Connolly explained that the amendment was intended to correct an erroneous reference in Section 10-7A-2 of the Town Code, which currently cites a section that does not exist. In addition, the permitted/conditional use table incorrectly refers to “Food Trucks.” The proposed ordinance would revise this language to “Mobile Business,” a term that more accurately encompasses food trucks as well as other types of mobile enterprises.

Mayor Bruno opened the item for public questions. None were asked.

Randy Aton made a motion to open the public hearing. The motion was seconded by Pat Campbell.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

Public Comment:

There were no comments.

Kyla Topham made a motion to close the public hearing. The motion was seconded by Pat Campbell.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

Council Deliberation:

The Council did not have further deliberation.

Pat Campbell made a motion that the Town Council reviewed and approves ordinance 2025-13, an ordinance revising the town's land use regulations as discussed in the Town Council meeting on August 13, 2025 in order to correct an error in the permitted accessory and conditional use table in section 107A-2 by deleting the term food truck from the table and replacing it with the term mobile business which encompasses food trucks as well as other mobile businesses, so it would have a broader application and authorizes the mayor sign. The motion was seconded by Kyla Topham.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

5. **Public Hearing – Ordinance 2025-14: Changes to Chapter 10-15F-5 of the Town Code to Require Geotechnical Reports to Include an Assessment of Slope Stability in Certain Circumstances. Staff Contact: Niall Connolly.**

Mr. Connolly introduced the item, explaining that the Planning Commission recommended revisions to the grading ordinance intended to give the Town better oversight of slope stability issues that may arise during construction. While geotechnical reports are required for most developments, they typically do not include an assessment of slope stability. Problems can occur when construction involves deep excavation near sensitive features such as steep slopes or natural washes, where weather conditions can significantly impact stability.

The proposed ordinance would add a requirement that when deep excavation occurs near sensitive features, the geotechnical report must include a slope stability assessment. Such assessments could also recommend mitigation strategies to help prevent slope failure.

Mr. Burns asked whether excavations requiring compaction should also be subject to slope stability assessments. Mr. Dansie responded that the amendment was narrowly focused on slope failures rather than general excavation concerns.

Ms. Topham inquired why the requirement excluded projects within the Special Flood Hazard Area. Mr. Dansie explained that broader, separate standards already apply in those areas.

Mayor Bruno opened the item for public questions. None were asked.

Jack Burns made a motion to open the public hearing. The motion was seconded by Randy Aton.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

Public Comment:

No comments were made.

Randy Aton made a motion to close the public hearing. The motion was seconded by Kyla Topham.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

Council Deliberation:

The Council agreed that slope failures represent a priority safety issue warranting additional review.

Jack Burns made a motion to approve ordinance 2025-14: Changes to chapter 10-15F-5 of the Town Code to require geotechnical reports to include an assessment of slope stability in certain circumstances and direct the Mayor to sign.
The motion was seconded by Kyla Topham.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

6. **Ordinance 2025-15: Changes to Chapter 3-1 of the Town Code, Related to Business License Regulations and Deliveries in the Public Right of Way. Staff Contact: Aren Emerson.**

Ms. Emerson introduced the item, explaining that the Town had received multiple complaints regarding an e-bike delivery business operating within the public right-of-way. This business conducts deliveries on Lion Boulevard and instructs customers to leave the e-bikes there for later pickup. Under the current code, the operation qualifies as a delivery service, which exempts it from the Town's business licensing requirements. Because it also does not meet the definition of an enclosed mobile business, it is not subject to the Town's mobile business standards. As a result, the existing regulations permit these activities to occur in the public right-of-way without restriction.

Ms. Emerson noted that the issue came to the staff's attention through code enforcement after the complaints were received. The proposed ordinance revision would provide a clearer definition of what constitutes a delivery service, establish parameters for when and how pickups may occur, eliminate ambiguity regarding deliveries in the public right-of-way, and address related public safety concerns.

Following the discussion, the Council agreed that the revision was necessary to close a regulatory gap.

Pat Campbell made a motion to approve ordinance 2025-15 changes to chapter 3-1 of the town code related to deliveries in the public right of way, as discussed in the Town Council meeting on August 13, 2025. The motion is based on the following findings:

1. **The ordinance closes a gap in the town's regulatory framework and ensures that delivery services operate in a manner that is consistent with the town's goals of safety, accessibility, and orderly use of public space.**

The Council authorizes the Mayor to sign.

The motion was seconded by Kyla Topham.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

C. Administrative Action Items

1. **Discussion and Possible Approval of an Agreement and Contract with the Utah Conservation Corps to Remove Invasive Russian Olive and Tamarisk Trees in the Town of Springdale. Staff contact: Thomas Dansie.**

Mr. Dansie introduced the proposed agreement with the Utah Conservation Corps (UCC), explaining that the project focuses on the removal of invasive Russian olive and tamarisk trees along the north fork of the Virgin River within the Town of Springdale, on the side washes, and in a limited area of the Trees Ranch property. He added that the next agenda item involves a separate agreement with a professional conservation group experienced in invasive species removal. This group will handle the majority of work on the Trees Ranch property, but will not conduct any work within Springdale itself.

Mr. Burns asked whether this project had been presented to the Town Council prior to the July meeting.

Mr. Dansie responded that it had been addressed during the capital priority and budget sessions, included in Community Development staff reports, and discussed at two public events with the community.

Kyla Topham made a motion to approve the agreement with the Utah Conservation Corps for the removal of invasive Russian olive and tamarisk trees in the Town of Springdale and to authorize the Mayor to sign the agreement.
The motion was seconded by Randy Aton.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

2. **Discussion and Possible Approval of a Contract with Summitt Forests Inc to Remove Invasive Russian Olive and Tamarisk Trees from the Virgin River Watershed on Trees Ranch. Staff contact: Thomas Dansie.**

Kyla Topham made a motion to approve the contract with Summitt Forests, Inc. for the removal of invasive Russian olive and tamarisk trees from the Virgin River watershed on Trees Ranch and to authorize the Mayor to sign the contract. The motion was seconded by Pat Campbell.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye

Burns: Aye
The motion passed unanimously.

D. Administrative Non-Action Items

1. General Council Discussion

Mr. Campbell presented Attachment #1 to the Council and noted that a resident had approached him regarding the use of rain barrels for collecting and storing water. He asked the Council whether there was interest in having him research the topic further and potentially write a newsletter article on it.

Mayor Bruno discussed state requirements related to rain barrels, including measures to mitigate mosquitoes, and confirmed that rain barrels are permitted in the Town. She also questioned whether Springdale receives enough rainfall to make a meaningful contribution to water conservation.

Mr. Dansie added that the permitting process for rain barrels in the State of Utah is fairly straightforward.

Mr. Aton shared his personal experience, noting that he uses a rain barrel and waters his plants when there is a substantial rainstorm.

The Council agreed that Mr. Campbell should investigate the topic further and consider including a call for public interest in a future newsletter.

Separately, Mr. Wixom noted that in 2021, the Town Clerk at the time had recommended to the Council not to renew a business license due to land use violations. He clarified that this was related to a question asked earlier during the discussion regarding Zion Outfitters.

F. Adjourn

Randy Aton made a motion to adjourn at 07:15 p.m. The motion was seconded by Pat Campbell.

Vote on the motion:
Topham: Aye
Campbell: Aye
Bruno: Aye
Aton: Aye
Burns: Aye
The motion passed unanimously.

_____
Aren Emerson, Town Clerk

APPROVAL: _____ DATE: _____

A recording of the public meeting is available by accessing the Town's YouTube channel at https://www.youtube.com/@SpringdaleTownPublicMeetings.

SPRINGDALE
Utah

PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD
Please print your name below

Meeting: TOWN COUNCIL SPECIAL MEETING **Date:** 08/13/25

ATTENDEES:

Tyler Ames
Name (please print)

Suzanne Elger
Name (please print)

Tom KENASTOW
Name (please print)

GIL KIEFER
Name (please print)

Cheri Ward
Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

ATTENDEES:

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)

Name (please print)

To the members of Springdale Town Council:

It's funny how the state of Utah gets frustrated with federal government overreach, then sometimes imposes things on Utah cities and towns which those towns and cities consider overreach, then those cities and towns do the same thing to their citizens. One such situation is occurring now in Springdale. I am concerned about you trying to tell the citizens of Springdale to whom they can rent ADU's on their own property.

It is also weird to me that you keep playing with the heights of buildings. Either a height is appropriate to preserve the views or it's not. Buildings should be limited to that height whether or not we jump through your color palette hoops, or rent to those to whom you think we should rent, etc. If 25' (or whatever) is ok for a building of a color you choose, or rented to a person you choose, it's ok for a building. Period. If it's not, then it's not. Period. Obviously the height of the land on which the building sits and other factors concerning view sheds could/should come into play but your opinion of what goes on inside that building should not.

I watched a Planning Commission, now over 2 years ago, where a Commission member did not feel it appropriate to kind of go into someone's home to tell them what kinds of lighting they could have. Although the point wasn't what kind of lighting they could have in their own home; it was what kind of lighting they could NOT have shining on someone else's property. That is actually the kind of thing for which Commission and Council should offer protection. It would be confusing to me, and illogical in the extreme, if that concern for overreach does not extend to your consideration of the potential ADU changes.

There is nothing wrong with renting to people who work here. That's great. But there is something very wrong about you forcing us to do so on our own property. If appropriate density, view sheds, etc. are maintained when renting to Springdale's workforce, then it's appropriate to rent.

I also think if you allowed them to be rented then you wouldn't have to make an exception to allow family members to live there. They could just rent to them for $1 a year or whatever. Again, if the neighbors are protected because of appropriate density, view sheds, etc., when it's the homeowners relatives, then it should be ok to rent longterm to anyone. It really feels like you're twisting logic and people's rights to get a result you think is more important. I am simply expressing my strong conviction, born out by much legislation, including the constitution, that your desire for workforce housing does not trump homeowners' rights.

Thank you for your time and consideration

Regards,
Carol Thayer, a concerned Springdale citizen of many years.

Thank you, Tom, for being careful and thoughtful about this new ordinance. I 100% agree with you. Let's stop with the restrictions!!!! Property rights are being diminished each time a restriction is passed and as a result, personal property values are going down. This is another attempt to strip property owners of value in an effort to solve the problem. I've witnessed too much of this with the restrictions on both residential and commercial properties. Owners of commercial property especially, have seen their property values severely slashed in the past few years and the practice goes against the long held Real Estate expectation of "the longer you hold, the more valuable the property becomes." In Springdale, the owners who have held onto their property have lost hundreds of thousands and in some cases millions of dollars in value.

Thank you!

Kristi

To the Town Council and Residents of Springdale:

I am writing to share my concerns about the proposed changes to Accessory Dwelling Units (ADUs) in our town, particularly the work requirement and height limit.

Upon reviewing the summary, two thoughts immediately came to mind: **Why are these changes being proposed at all?** and **How will they impact our housing supply?**

The rationale behind this is unclear. While the Town chose not to adopt the proposal to permit external ADUs in the FR zone, it appears we are instead aiming to further restrict them in the VR zone. Why? Is there a currently a problem? I understand there has been discussion about restricting guesthouses and other accessory structures, which was deemed a separate and complex issue. However, it seems we have gotten off track, as these changes appear focused on further regulating ADUs specifically and will ultimately discourage long-term rentals in our community.

Is the primary goal to increase access to long-term housing for all residents? The staff summary references the general plan's goal of "expanded use of ADUs" with and for "a diverse population."

Are we focusing on workforce housing in a way that limits access for non-workforce? So, someone who is retired on a fixed income is not welcome to rent my ADU? Can the Town even do that? Seems like shaky ground legally and feels exclusionary.

Either way, I fear these proposals may hinder our overall housing supply rather than enhance it.

As a current ADU owner—one of only seven in Springdale (I think)—I can share my experience. My current tenants are local workers who should fit any workforce requirements you might impose. They have been wonderful tenants, and I am willing to navigate bureaucratic obstacles to keep them. However, should they move out, when they move out, I may reconsider renting altogether if new regulations mandate a work requirement for my ADU license renewal. For the income generated, it's already a lot to paint, clean, etc., every time someone leaves. Tenant turn-over is very common here and will continue to be in this environment. A work requirement can only lead to higher vacancy rates with more bureaucracy, ultimately reducing the motivation to have long-term rentals in Springdale. Furthermore, my ADU far exceeds the proposed height restriction, which complicates compliance if the license were to expire.

Another example is of a family member who owns a home with a two-car attached garage, meeting parking requirements, and hopes to convert a detached garage into an ADU or guesthouse in the future. However, this proposal would render that detached structure ineligible as an ADU because of height. And unfortunately, current guidelines say it is too close to the attached garage anyway. This shows that fewer restrictions, not more, are needed to convert existing structures and guesthouses into long-term rentals.

In my opinion, Springdale's rental rates are not the primary issue for workforce housing; rather, it is the limited supply. Increasing the availability of rentals often leads to lower rates. Many individual landlords are inclined to offer very competitive rates, unlike larger institutions. And ADUs represent a valuable

opportunity to enhance our rental supply but are at risk of becoming over-regulated.

Before deciding, please take a moment to ask yourself and colleagues a few questions:

An ADU is basically a rentable guesthouse on a property where the owner lives. Is the Town really going to tell homeowners who they can and cannot rent to on their own property?

If a height limit is appropriate for a home or guesthouse or garage or bathhouse or whatever else is allowed, then why not an ADU?

Are these proposals likely to improve access to workforce housing, or will they just hinder all long-term housing efforts?

Thank you for reading,

-Noel Benson

Town Council,

As you may know, I have been a proponent of various methods in which to achieve additional workforce housing in Town. At the present time, we are working on the development of owner-occupied single-family workforce housing in Redhawk. This project will add 5 new units to the subdivision; where I live. Once these 5 units are completed and occupied our Redhawk subdivision will contain a mix of about 50% market rate and 50% affordable homes. Also, nearby, we have plans to build up to 10 affordable apartments at Trapper Circle (near Moenave). These units will be designed to blend into the nearby community.

Both of these projects will provide much needed housing for families working in Town. Both of these projects have the support and backing of nearby residents.

On the Town Council agenda (8/13/25) is a Public Hearing to modify the regulations for Accessory Dwelling Units (ADU). While I agree with most of the contemplated changes, I'm concerned with the draft language (10-22-9 E-2-F) to require workforce occupancy within these external ADUs. A change to **require** workforce occupancy in these units will result in yet another restriction on property rights. In my opinion, a land use restriction like this should not be implemented without further input: (Housing Committee, Planning Commission, property owners, etc) and more serious discussion. The Town should rely on established processes to vet any change as drastic as what can only be considered a 'taking' by Springdale property owners.

As a Town, we should carefully evaluate the pros and cons of land use restrictions before bringing a change such as this to Public Hearing. Let's not implement another restriction on property rights without first following standard processes. We need to evaluate this change carefully before we are left dealing with what could end up causing serious long-term unintended consequences.

Thank You,

Tom Kenaston

MURRAY
CITY WATER

2024 RainHarvest Program

We are excited to announce that Murray is partnering with @utahriverscouncil for the 2024 RainHarvest program! Murray residents can now purchase an American made, 100% recycled, rain barrel made by @rainwatersolutions for the heavily discounted price of $55. There is a limited number of these subsidized barrels so place your order today!

Rain barrels can also be purchased for the price of $83 if you are not a Murray resident or after the subsidized barrels run out.

Rain barrels are an easy way to affordably conserve water and improve water quality.

To purchase a rain barrel, visit the link http://www.rainbarrelprogram.org/urc



12 Municipalities Offering 1753 Discounted Rain Barrels to Utahns to Save Water

Municipalities Offering $55 Rain Barrels to Local Residents to Reduce Water Demand Across Four Great Salt Lake Counties in 2023

The Utah Rivers Council and 12 municipal partners are proud to announce the highly anticipated return of our popular RainHarvest rain barrel program. As the Great Salt Lake has shrunk to its lowest water level on record, growing numbers of Utahns are working to conserve water. Today, a dozen municipalities are stepping up to meet the demand by incentivizing residents to purchase discounted rain barrels and collect rainwater at their homes.

Residents of Millcreek, Salt Lake County, Cottonwood Heights, Murray, Sandy, Herriman, Lehi, Orem, Park City, North Ogden, Summit County and customers of Mountain Regional Water can purchase rain barrels for a greatly subsidized price of just $55, while supplies last. Residents can order discounted rain barrels at www.rainbarrelprogram.org/urc.

To purchase discounted rain barrels, residents must go through a verification process to ensure they reside within a participating municipality. Rain barrels are available to all Utahns for just $83 outside of these municipal boundaries. Both prices are a big discount from the American-made rain barrel's $139.99 retail price. Purchased rain barrels will be distributed to residents at four locations after the sale closes in late-April.

"Even with the winter we've all just endured, water conservation is still of utmost importance to Murray City Water," said Aron Frisk, the Water Superintendent for the Murray City Water Department. **"It's my belief that programs, like the RainHarvest program that promotes outdoor water conservation, should be practiced and promoted. That is why we are here."**



Rain barrels are one of many tools Utahns can use to reduce water use. Almost 8,000 barrels have been purchased through the Utah Rivers Council's RainHarvest program over the last eight years. This means every time it rains enough to fill a 50-gallon barrel, 400,000 gallons of water can be saved from municipal water supplies.

"Water conservation is a high priority for Herriman City, and we are excited to continue to join our residents in participating in the RainHarvest program once again," said Justun Edwards, the Director of Public Works for Herriman City.

Left: The Ivy Rain Barrel is American-made and available for $55 to residents of 12 municipalities after verification, while supplies last.

“Rain barrels have been popular with Millcreek residents since we began pioneering the discount program with Utah Rivers Council. They are a great way to save culinary water from being used to irrigate yards and gardens and they help us control storm water as well,” said Mayor Jeff Silvestrini of Millcreek. **“I am proud that Millcreek residents have been so water-wise for years. Although we have had a good snow season this year, we still live in the second driest state and face the continuing impacts of a multi-year drought. I encourage even more Millcreekers to join the rain barrel club and get your rain barrel this spring!”**

Capturing rainwater also improves water quality by preventing urban runoff from flowing over streets and gutters, washing pollutants into streams, and eventually into the Great Salt Lake. The environmentally friendly program uses the Ivy Rain barrel, made in the U.S. of 100% recycled plastic.

Rain barrels give residents the opportunity to become stewards of water conservation through a hands-on experience that past participants have said completely changed their perspective on water.

“According to the US EPA, 30% of daily water is used outdoors. In the Snyderville Basin, that number is closer to 55%,” said Andy Garland, the General Manager of Mountain Regional Water. **“Mountain Regional Water is pleased to continue our partnership with the Utah Rivers Council to offer residents the opportunity to affordably conserve water through rainwater collection by purchasing a heavily discounted rain collection barrel.”**

After the sale ends in late April, residents who purchased rain barrels can pick them up at a designated date and location where volunteers will be on site to teach participants about the importance of rainwater harvesting and other water conservation strategies.

"In addition to saving water for our depleted lakes and rivers, this program is an exceptional tool for participants in diversifying their water saving strategies at their home,” said Matt Taylor, the Senior Planner for the City of Orem.

“As a community that strongly supports sustainability, Cottonwood Heights is very excited to continue our participation in this program,” said Ian Harris, the Associate Planner for the City of Cottonwood Heights. **“As smart water usage and water conservation become increasingly vital, we are encouraged by the high demand we have seen for this program from our residents in the past, and we look forward to watching it grow even further this year and beyond.”**

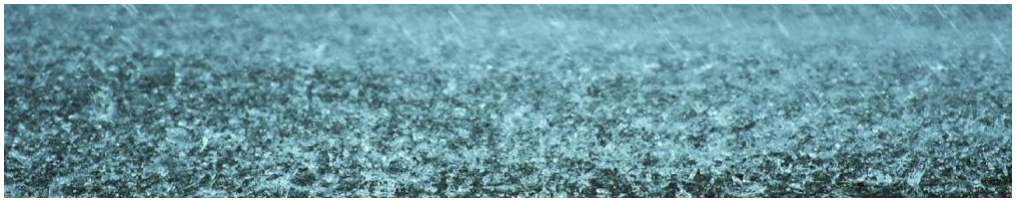
“**Summit County serves as the headwaters for some of Northern Utah's most crucial watersheds**," Summit County Sustainability Analyst Zack Darby said. "**We are excited to be part of this year’s rain barrel program because our county-wide sustainability goals go hand in hand with encouraging residents to be stewards of the important water resources around us."**

"North Ogden City is pleased to partner with the Utah Rivers Council on the rain barrel initiative,” said North Ogden Council Member Jay Dalpias. **“This is an exciting way to help our residents save precious water resources!"**

“Installing rain barrels on downspouts that drain to driveways, alleys, and other areas that flow into storm drains, will help reduce the amount of runoff entering local streams,” said Bob Thompson, Salt Lake County Watershed Section Manager. **“This protects water quality since storm drains flow directly into our streams and rivers! Less runoff also protects streams from the excessive erosion caused by ‘flashy’ high flows during storms.”**

“Even in a huge water year, we’re very conscious of the ongoing drought in Utah. This water barrel program is one simple conservation step residents can take to harvest rainwater at their homes,” said Sandy Mayor Monica Zoltanski. **“Every drop counts when it comes to preserving this precious resource in the Great Salt Lake watershed.”**

“**We’ve saved millions of gallons of water through this program over the last eight years,”** said Zach Frankel, Executive Director of the Utah Rivers Council. **“These twelve municipalities are leading us on a path through this megadrought that all Utahns need to follow. We are grateful to them for their leadership,**” said Frankel.



For more information call 801-822-7990

###