



Memorandum

To: The Planning Commission
From: Niall Connolly, Director of Community Development
Date: April 10, 2026
Re: Renovation of Noncomplying Buildings in the Commercial Zones

Introduction

The Planning Commission has discussed the potential benefits of introducing ordinance language which would allow the renovation or reconstruction of noncomplying buildings in the commercial zones. The majority of buildings in Springdale's downtown do not comply with current ordinances. However, many of these buildings have been recognised as contributing to the unique character of Springdale. Redeveloping or upgrading these properties can be challenging, because in most cases, coming into compliance with today's Code would greatly reduce their existing floor area and commercial utility. This carries with it a risk of decline in the central core of the Town.

The Commission has sought to find a way to enable the downtown to retain its vitality and special character, while not discarding the development standards which have been carefully crafted over the last several years.

Draft ordinance language is now presented to the Planning Commission for a recommendation to the Town Council. This language lists the conditions under which noncomplying buildings in the commercial zones may be reconstructed. These conditions require redeveloped properties to come closer to compliance, but would allow some noncomplying features to be rebuilt.

Some changes to the language have been made, based on Commission feedback at the last meeting. These changes are:

- Clarifying that compliant additions would be allowed.
- To qualify for the additional 2 ft in height, justification must be provided.
- Clarifying the conditions for retaining nonconforming uses.

General Plan

The Commission may wish to consider the following sections of the General Plan in their deliberations:

Chapter 1: Land use and Town Appearance

GENERAL GOAL: The Town will manage the type, size, scale, intensity (e.g., density), and appearance of new growth and development to enhance the unique character of Springdale's built environment, preserve views of the natural landscape, reduce impacts on existing residents and businesses, and protect natural and cultural resources.

Sub-goal A:

Maintain Springdale's identity as a unique village within a spectacular scenic setting and preserve the Town's distinctive small community feel and atmosphere.

Sub-goal B:

Ensure new development is compatible with the Town's setting at the entrance of Zion National Park, consistent with the Town's architectural heritage, and complements the existing development in the area.

Planning Commission Action

The Commission may use the following sample language:

The Planning Commission recommends approval/ denial of the proposed changes to Chapter 10-21, by the insertion of a new paragraph 10-21-10 into the Town Code, as discussed at the Commission meeting on April 15, 2026. This motion is based on the following findings:

(LIST FINDINGS)

10-21-10 RENOVATION OF NONCOMPLYING BUILDINGS IN THE COMMERCIAL ZONES

A building in the Central Commercial zone or Village Commercial zone that does not comply with the minimum required setbacks, or exceeds the maximum building size, or both, may be completely reconstructed (including removal and replacement of the foundation), provided that all of the following conditions are met:

- A. The reconstructed building must be located entirely within the footprint of the existing noncompliant building. Extensions outside of the existing footprint may be permitted, so long as such an extension would be compliant with all relevant code requirements.
- B. All other aspects of development on the property must be compliant with current land use standards, or be brought into compliance coincident with the reconstruction of the noncomplying building. If compliance with any other land use regulation makes it impossible to reconstruct the building within its original footprint, the noncomplying building must be altered (in a way that does not increase the noncompliant setback or size) to allow compliance with all other applicable land use regulations.
- C. The height of the reconstructed building must not exceed the height of the existing building. An additional two feet in height may be approved if evidence is provided that shows the additional height would be necessary to comply with Building Code requirements. In all cases, building height must comply with the current maximum building height allowed in that zone.
- D. All other aspects of the reconstructed building must comply with current land use regulations.
- E. All noncompliant aspects of a property in the Central Commercial or Village Commercial zones, other than building size and setback, must be brought into compliance when a property is redeveloped.
- F. A noncompliant building reconstructed pursuant to the standards above retains its noncomplying building status and will continue to be regulated as a noncompliant building.
- G. After May 13, 2026, a noncompliant building may only be reconstructed once pursuant to the standards above. After one reconstruction of a noncompliant building, all future reconstruction or redevelopment must conform with all applicable land use standards.
- H. A noncompliant building reconstructed pursuant to the standards above that also houses a nonconforming use retains the nonconforming use status. The use shall not be found to be abandoned if the reconstruction takes longer than one year. However, to retain the nonconforming use status, the use must be reestablished within 90 days of issue of the certificate of final inspection. In addition, it will continue to be regulated as a nonconforming use.
- I. If a building in the Central Commercial or Village Commercial zones that does not comply with the minimum required setbacks and/ or exceeds the maximum building size is proposed to be reconstructed in a manner which does not follow the standards listed above, it must be constructed to meet all current land use regulations.

10-21-119: ZONE CHANGES:

If the Town changes the zoning on a parcel, this chapter will apply to any nonconforming uses created by the zone change.

10-21-120: NONCOMPLYING SIGNS:

Any sign or sign structure that was legal when created, but because of subsequent changes in the regulations, no longer conforms with the regulatory ordinances of the Town, is considered noncomplying.