

## LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, March 13, 2024, 6:00 pm.

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

**Present:** Chair Pro Tem Hugh Howard; Commissioners: Matt Juluson, Kyson Spendlove, Richard Howard, and John Valenti; Staff: Derek Imlay, Fay Reber, and Christy Ballard; Public: Patricia Wise.

*Commissioners Sherman Howard and Allen Bice were excused.*

**A. Call to Order:** Chair Pro Tem Hugh Howard called the meeting to order at 6:10 pm.

The invocation and Pledge of Allegiance were given by Richard Howard.

Christy Ballard swore in Richard Howard as a planning commission alternate.

### **B. Approval of Agenda:**

**The motion was made by Commissioner Matt Juluson to approve the agenda, second by Commissioner John Valenti. Valenti-yes, Juluson-yes, Spendlove-yes, Hugh Howard-yes, Richard Howard-yes. The motion carried unanimously.**

**C. Approval of Minutes:** February 28, 2024, regular meeting

**The motion was made by Commissioner Richard Howard to approve the February 28, 2024, regular meeting, second by Commissioner Kyson Spendlove. Juluson-yes, Hugh Howard-yes, Valenti-yes, Spendlove-yes, Richard Howard-yes. The motion carried unanimously.**

### **D. Reports:**

**City Council-**Councilwoman Wise reported on the City Council regular meeting on March 6, 2024.

Commissioner Richard Howard asked when 480 South would officially be closed and if sidewalk access was a probability.

Derek replied that it will be closed by the end of the month. James Marvin is the property owner and investor in the Hot Springs development, so it is a real possibility.

**Director of Operations-**Derek reported that the RV Resort had been issued a business license except for twelve of the sixteen tiny homes, which will be completed soon.

The Holiday Inn and Suites will be completed by the end of May. They will begin another hotel as soon as it is completed on the same property.

The city has received plans for three additional hotels going in on the northwest property at the intersection of 500 North and SR17.

The storage unit facility is starting the development process.

The Ash Creek SSD treatment facility construction has begun.

There have been a lot of issues with the irrigation water, but it will be back in the system by Friday, the 15<sup>th</sup>.

The culinary system is back to normal after the main line break reported in December.

### **E. Business:**

1. Presentation and discussion on an ordinance amending the provisions of Section 10-2-9 of the La Verkin City Code relating to the procedures and standards for approving amendments to the general plan and amendments to the zoning map and text of the zoning ordinance.

Fay explained that after reviewing the city code, he realized there is very little information on amending the general plan and granting a zone change, the two most common areas that people get upset over.

He feels it would be a good idea to put a few decision-making standards into the city's ordinances regarding how we would consider applications for an approved general plan and zone change amendment. Utah courts recognize these standards, and they are part of the Utah Land Use Management Act. If we follow them, we are almost guaranteed that the court will uphold any city decision.

This ordinance requires a developer to provide certain information with the application. It also spells out the factors the city needs to consider when determining how to proceed with an application.

This will help developers and the planning commission/city council know what to expect, which in turn reduces the possibility of appeals.

He asked the Commissioners to review the ordinance and be ready to discuss it at the next meeting, possibly setting a public hearing for the following meeting.

Commissioner Valenti feels these changes will make the process go much smoother.

Commissioner Spendlove agreed and likes the list of specific questions the Commissioners must ask themselves when considering the approval.

Fay mentioned it also shapes the discussion, so there is a record in the minutes of items discussed. Then, whatever decision is made would be reasonably debatable and not arbitrary, capricious, or unlawful.

## 2. Discussion regarding structures within front setbacks.

Derek explained the city was asked to review this issue by a resident who was in the process of building a covered carport that did not meet the current setback requirements.

In his research, he has found that some communities outside of Utah classify front yards as unusable property because they are less safe for children and are pushing to narrow the front setback requirements.

Brad Robbins from Sunrise Engineering is helping the city with planning issues and is researching this topic. He has also asked one of the county planners to help us with this item.

He cannot find any community making this change and wonders if there is a reason for that.

If he were to consider it, the structure could have no sides. It would be a roof only. And not include the temporary aluminum covers.

This item will be on the agenda again when we have more information.

Commissioner Richard Howard asked if it would be enforceable.

Derek answered the building code has its enforcement that this would fall under, but if we do create an ordinance, we would need to include some standards and enforcement for the city.

Property rights are hard to enforce because the court system puts them on the back burner, hoping they will resolve themselves.

## 3. Discussion regarding mixed-use in commercial zones.

## 4. Discussion regarding architectural standards for properties along SR9.

Derek is going to discuss items 3 and 4 together.

Derek briefly went over the information included in the packet. He passed out additional information about downtown architectural standards with language he liked and pictures showing tiny homes and businesses together. There was also information regarding mixed-use with residential and commercial together.

La Verkin has been adamant about keeping commercial properties, which he agrees with, but the current housing situation in Washington County has made it hard for business owners to pay two mortgages or rent. Residential properties don't pay for their infrastructure unless they are high-density.

There will be a work meeting with the city council soon to discuss this issue and architectural standards for property along SR9 and SR17.

The businesses mentioned during his report will greatly impact what we see along State Street.

He reviewed several options for a mixed-use scenario in our commercial zones. He doesn't feel we should allow rental units but business-specific residential abilities. He also feels it would be best for the community to first require commercial use, with residential as an ancillary use.

Commissioner Hugh Howard asked if UDOT still planned to widen SR9.

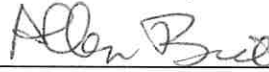
Derek replied that UDOT realized it does not own enough property to widen the street, so it requires larger sidewalks to accommodate both bikes and pedestrians.

He reported on some of the suggestions made in the UDOT/La Verkin City study.

UDOT has determined that with the hot spring development, there is not enough traffic to require a stoplight at 300 South. However, that may change once the property to the north is developed.

**F. Adjourn:**

**The motion was made by Commissioner John Valenti to adjourn, second by Commissioner Kyson Spendlove. Juluson-yes, Hugh Howard-yes, Spendlove-yes, Valenti-yes, Richard Howard-yes. The motion was carried unanimously at 7:03 pm.**



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Planning Commission Chair

27 Mar 24

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Date Approved

