



LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, September 24, 2014 6:00pm

City Council Chambers, 111 South Main Street

LaVerkin, Utah 84745

Present: Chair Anna Andregg; Commissioners: Hugh Howard, Kelly Wilson, Allen Bice, and Karl Benson; Staff: Derek Imlay, Kevin Bennett, Kyle Gubler, and Christy Ballard; Public: Richard Hirschi and John & Rose Valenti.

I. Call to Order: Chair Anna Andregg called the meeting to order at 6:00pm. The Invocation and Pledge of Allegiance was given by Hugh Howard.

II. Approval of Minutes:

Commission may approve the minutes of the August 13, 2014 regular meeting.

Motion was made by Commissioner Kelly Wilson to approve the August 13, 2014 regular meeting minutes as written, second by Commissioner Hugh Howard. Motion carried unanimously.

III. Approval of Agenda

Motion was made by Commissioner Karl Benson to approve the agenda as written, second by Commissioner Allen Bice. Motion carried unanimously.

IV. Reports:

1. Beautification/Trails Committee-The State Street Clean Up will be in October and the dumpsters will be by the Park for that weekend.
There will be a Christmas tree lighting ceremony.
2. Economic Development Committee-There is not an Economic Development Committee. Kyle reported the hotel is moving forward. The houses have been removed and landscape is going in. There is not an opening date yet.
The property north of the Post Office has been purchased by a gentleman who will be putting in a restaurant and is hoping to be open by the end of October.
3. Director of Operations- Derek reported Interstate Rock has withdrawn their zone change request.

V. Business:

1. Discussion on vacation rentals.

Commissioner Andregg commented discussion on this item was started a while back and asked if anyone had anything they would like to say in regard to it.

Kevin said it was started in February and, according to the minutes it was decided vacation rentals should be allowed anywhere and be handled by business license. He does have some questions before he puts an ordinance together. It will require a zoning ordinance because it is currently not allowed.

The way he is reading the previous minutes is that it was decided to allow vacation rentals in both commercial and residential zones with tighter regulations for the residential zone.

Kevin recommends modifying Ordinances 2013-09 and 2014-03 to fit the regulations that would apply to vacation homes in any part of the City.

He went over different cities examples that were included in the packet.

Kevin asked if the Commissioners would like him to include Bed and Breakfasts in the ordinance.

Commissioner Andregg would like them included in the ordinance.

Kevin asked the Commissioners if they were still okay with vacation homes in residential zones and if so what are the specific issues they would like him to address.

Commissioner Wilson feels that the number of cars allowed and the amount of people allowed at one time should be regulated and should be based on the size of the home and how many on street parking spots available.

Kyle suggested addressing those types of issues through the business license because it would be on an individual basis. In examples he looked at, the Fire District determined the occupancy of the home.

Kevin said it would require an inspection by someone whether building inspector or fire marshal. There is also an example in the packet of communities who held the home owner and/or manager accountable as well as the tenants, through the business license, for any issues such as noise or number of cars.

Kyle explained his family has stayed in vacation homes and they have had to sign an agreement that listed the amount of parking allowed, the number of people able to stay, when the garbage needed to go out, the pool hours, etc.

There are at least a couple vacation homes in La Verkin.

Kevin feels that is another reason to be discussing it, that way the City can monitor vacation rentals and make sure they are up to code and also for transient taxes. It can help promote the area as well. Another benefit is that vacation homes typically have more money invested in the appearance than the average rental.

Commissioner Benson pointed out several items that need to be changed in the ordinances to fit better with residential homes; Item E under Plumbing-not separate facilities for male and female, ADA regulations, bunk bed requirements, and item J-each guest room having a lavatory.

Kevin replied he will look into State Code requirements on vacation homes and bed & breakfasts before he writes the ordinance.

He also mentioned a Conservation Code that deals with historic structures allowing them to reduce the amount of outlay and makes them available for conservation grants. That may be helpful in getting bed & breakfasts or vacation homes in buildings that already exist.

Passing something like this may be part of the process.

Commissioner Andregg has access to ADA personnel, she will check with them on the requirements.

Kevin explained the existing ordinance was written for new construction, not existing homes. Some of the items are non-negotiable, he will check with the State Code before he drafts the ordinance. He included this in the packet so the Commissioners could see a lot of the issues previously discussed as concerns have already been addressed.

If the Commissioners would read through the ordinance and then email or deliver a list of concerns he can research them and find out if they are non-negotiable or if they can be modified for our needs.

Commissioner Bice feels this is doing what they intended it to do. He questioned if changing the use of the home to a business changes the requirements such as setbacks and garbage etc and if changing the use will require the home come up to the current code requirements.

Kevin stated it would be similar to home based businesses so he didn't think it would change if it was in a residential zone. Brian Head states a vacation home cannot be a business space for seminars or demonstrations etc. Those types of things need to be done in a Commercial Zone and he agrees with that.

Derek replied yes the home would need to meet the current code. Anytime you are bringing the public into a building it needs to meet current code standards.

Commissioner Bice is in favor of vacation rentals.

Kevin brought up the fact that property owners will need commercial insurance for their vacation rental and that may need to be part of the licensing process. Once a person pays you for something done in your home, they are no longer considered guests but patrons of your business.

Commissioner Andregg said the majority is in favor of vacation rentals.

2. Brief overview of Land Use classes attended at the Utah League of Cities and Towns.

Commissioner Andregg was able to attend. One of the classes she attended was the Subdivision Development. It dealt more with the insurance/bond requirement but one interesting point was the things not covered by the insurance of the infrastructure. Pools, gateway landscaping, and golf courses are not covered.

Subdivisions need to be recorded before the infrastructure is accepted.

She attended a meeting on leadership where they recommended taking into consideration personality traits. The Land Conservation Subdivision class suggested making room in the subdivision utility box for future electronics.

She also learned there are some permitted uses that can bypass the planning commission and by following ordinances it is possible to bypass city council. Those items were not listed during the class.

There was a class that talked about community trail systems and the different things to consider, creating public awareness, and also the benefits of trail systems.

There was a 211 workshop. This is the number a person can call to find information on housing, utilities, health, etc. The United Way is in charge of this number.

The Five County Association of Governments will be conducting a survey. They will be making a presentation to the Planning Commission in January. They want to get a projection of what the City will need in the next 5-10 years as far as affordable housing.

Kevin included his notes from the ULCT. He invited the Commissioners to look at the OPMA and GRAMA section. This may help answer questions from citizens. Also look at the Subdivision Improvement Issues as this will impact the planning commission by way of started but not completed developments on the east side of La Verkin.

Kevin went over some of the issues La Verkin was left with when the developments could not be finished and the City had not required a bond, such as lien and erosion issues.

The presenter felt making it harder for developments and not having bonds was the way to go.

Kevin will look into this issue, as of right now he does not agree with it.

The City needs to decide if they are going to require developers spend money first or go back to requiring bonds. Read over the notes and decide which way they feel La Verkin should move forward.

The other item to look at is temporary uses of property, or Pop-Up/Tactical urbanism. This is when a vacant property is temporarily used as "people places". There were some interesting ideas presented in the class.

If anyone has any questions about his notes feel free to contact Kevin.

Commissioner Andregg felt like there weren't many classes for planning and zoning but she was glad for the opportunity to go.

VI. Adjourn:

Motion was made by Commissioner Kelly Wilson to adjourn, second by Commissioner Hugh Howard. Motion carried unanimously at 7:04pm.

Minutes taken on behalf of the City Recorder by Christy Ballard.


Quinn Andregg
Planning Commission Chair

10-22-14
Date Approved