

LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, March 12, 2025, 6:00 pm.

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

Present: Chair Allen Bice; Commissioners: Hugh Howard, Kyson Spendlove, Sherman Howard, and John Valenti; Staff: Derek Imlay, Fay Reber, and Nancy Cline; Public: Patricia Wise.

A. Call to Order: Chair Allen Bice called the meeting to order at 6:00 pm.
The invocation and Pledge of Allegiance were given by Derek Imlay.

B. Appointments:
Commissioner Richard Howard was absent and will be sworn in at the next meeting.

C. Approval of Agenda:
The motion was made by Commissioner Kyson Spendlove to approve the agenda, second by Commissioner Hugh Howard. Sherman Howard-yes, Hugh Howard-yes, Spendlove-yes, Valenti-yes, Bice-yes. The motion carried unanimously.

D. Approval of Minutes: February 12, 2025, regular meeting
The motion was made by Commissioner Sherman Howard to approve February 12, 2025, regular meeting, second by Commissioner Hugh Howard. Hugh Howard-yes, Bice-yes, Sherman Howard-yes, Spendlove-yes, Valenti-yes. The motion carried unanimously.

E. Reports:
City Council - Councilwoman Wise reported on the City Council's regular meeting held on March 5, 2025.

Director of Operations Derek reported that the irrigation has been turned on slowly this week. They turned on one section at a time to fix leaks before turning on the next section. It will be turned on full-time on March 14th. Citizens can call the city office even after hours, and an employee is available to assist with emergency water leaks or breaks. He created an outline of the issues the planning commission will discuss over the next six months. Derek asked Fay to speak about Vested Rights with Short-term vacation rentals.

Fay explained that if a home were used for vacation rental purposes and sold to somebody else, the new owner would have a so-called vested right to that use. He responded that it's not exactly a vested use. Vacation rentals are treated as a commercial enterprise, so they must obtain a business license. Anyone who holds a business license is authorized to conduct that business. If a home were sold, the new owner, like any other business owner, would have to obtain a business license to operate. The city granted it, and of course they could continue to use that property as a vacation rental. However, it requires a business license, which the city must review and ensure compliance with all terms and conditions; this process doesn't occur automatically.

Commissioner Bice asked if the city has the authorization not to grant that because it's no longer zoned for it, or is that vested?

Fay replied that if a use has been in existence for a period predating our ordinance and is a valid non-conforming use, then if they came in and applied for a business license, the city would probably be obliged to grant it.

F. Business:

1. Discussion and Direction regarding the Planned Unit Development (PUD) Ordinance.

Derek explained that he had given them two examples of PUDs. One breaks down the individual developments that qualify for the PUD, and the other shows a general outline. He asked if they had things they would like to add or combine in the PUD they would be creating.

Commissioner Bice commented that he liked the simple version of the PUD because the zones, which have not yet been created, govern themselves.

Commissioner Valenti commented that the more extensive PUD included 50% that could be vacation rentals.

Derek replied that he would have to look that up, but that would be for the Topside, not downtown La Verkin. No percentage has been agreed upon yet.

Commissioner Valenti also spoke about the language, stating that the planning commission would recommend approval. He believed it would only be a recommendation.

Derek explained that they are creating this from the beginning. There is a lot of work to be done. We refer to everything that goes through a development agreement as part of the PUD requirement. The development agreement ordinance lists specific sections that are qualified. For example, if it's R-1-14 and they want to reduce the lots to R-1-10, you can enter into a development agreement. There is also a clause at the bottom that states that if the city council finds anything else that may be in the city's best interest, they could qualify. He preferred it to be spelled out. He didn't want the staff to make decisions that might not comply with the ordinance or code. He would rather be more specific about it, so this would be another thing that would be upgraded. He is trying to finalize the significant parts of these ordinances, but they also impact other zones and ordinances.

Commissioner Valenti pointed out that the simplified version didn't include permitted use, but the more extended version spells it out.

Derek explained that they don't allow permitted use. It becomes too messy to allow one person to do something that another person was turned down for. He explained that numerous changes are needed. The fact is that one lays it out much more specifically for each development criteria versus the other, which is vague.

Commissioner Valenti inquired about them passing these codes and ordinances now, but then the developer preferred alternative approaches. It will affect what they are doing now.

Derek replied that they wanted to create ordinances that would be used on the Top Side. That way, they can complete a significant amount of the work before development begins. Knowing that many of them would need to be adjusted, we wouldn't have to go back to square one and create more hard work for the staff. We're just trying to get ahead of the curve.

Commissioner Bice asked if the permitted uses are in the zone, will they also need to be included in the ordinance?

Derek replied that they would still create an ordinance.

Commissioner Bice clarified that they need to create the zone because it doesn't currently exist, and why wouldn't that be where the permitted uses are specified?

Derek explained that the one that is written spells out MDR-8 and MDR-14. It doesn't specify the permitted uses for zones, but the criteria may vary depending on the project size, including additional landscape requirements and more open areas. They will be slightly different than the other one, but overall, the layout will be the same.

Commissioner Spendlove asked why another section on permitted uses was needed, given that permitted uses are already defined in the zone.

Commissioner Bice explained that he understood it would involve a zone for short-term rentals, and they would apply to the city council to decide how large the zone or zones would be. It wouldn't be with the PUD but when they seek the zones.

Derek added that they should remember it will all come before the planning commission. He wanted to get the bigger planning out of the way, so they are not overrun with it all at once. He suggested that he could take the longer PUD and shorten it.

Commissioner Bice added that anything included in the zone should be deferred to the zone and not repeated in the PUD. If the zone is done correctly, there shouldn't be any areas that the PUD would let us down on that are not zoned.

Derek clarified that they want to go with the more generalized PUD and let the zoning address the remaining details.

Commissioner Spendlove thought it made more sense to do it that way, referencing the zoning, and then ensure they have all the zones established in the way they feel would be best. Then, this would be treated more like an overlay.

2. Discussion regarding amending La Verkn City Sign Ordinance.

Commissioner Bice explained that this change would transition to a permit system. Anyone wanting a new sign would have to apply for a permit. It states that the planning commission would have to approve all of them.

Derek explained that this was the city's current ordinance. He thought it was unclear and that many of the requirements were unnecessary. The city has allowed illegal A-framed and banner signs for businesses. He believed that smaller businesses needed more affordable advertising methods, but they still required some limitations. He didn't like creating two different sign ordinances, two different parts of an ordinance. He advised that there should only be one, and they could enforce it. He added that there might be an occasion where a specific sign makes more sense, and they could probably qualify that as something different to get it approved. They have had business owners ask about increasing the height allowance. 25 feet from ground level to the top of the sign is as tall as they can get here in La Verkin. He felt the ordinance needed to be updated to allow certain types of signs that aren't hazardous to traffic or citizens.

Commissioner Bice advised that they be specific about what is allowed for signage. That way, the planning commission would not need to approve every sign. He pointed out that the definition of a flag was not the same as the flag ordinance.

3. Discussion regarding amending La Verkin City Parking Ordinance.

Derek explained the existing ordinance and handed out an example of a parking lot. The parking requirement now is a nine-by-eight parking stall. Cars and trucks, especially, have become larger, so the need for larger parking stalls has increased.

Commissioner Spendlove was interested in making the stalls a little bit bigger. Hotels used to have two parking spaces for every unit, and we took it down to 1.1. The number of spots needed, and their size must be updated. He added that, as part of his career, one of the things he has to deal with frequently is designing parking lots for developers who want to build new developments. One of the areas that has consistently been a struggle in southern Utah is the lack of clear parking standards. There is always a question about how many stalls you need

per square foot for commercial or residential use. However, there are several areas where you can find ample parking. Most codes or standards specify that you need a 9-foot-wide by 18-foot-long stall. However, it is rare to see drawings or standards that determine when a longer stall is required. Because we've all parked a bigger vehicle, and you can't fit. Either you don't have enough space to swing that vehicle into the stall, or you can't walk on the sidewalk once you're parked and get out. Over the last couple of years, he has done research with municipalities. The printout that was distributed is for Tooele City; that's one he found to be very well thought out. They have a curb, gutter, and sidewalk, so your stalls can be a minimum of 18 feet long, as long as you have a 6-foot sidewalk. That leaves you about 2 feet, but you can still get around the requirement. The minimum is 24 feet on the drive aisle. If you have touching stalls, the vehicles will be positioned right up against each other, front to front, and then there will be a minimum of 20 feet. It's 18 feet, you're going to be in the drive aisle, and it starts to narrow things down. There's even a section where if you're up against a wall with a parking lot, it must also be 20 feet because you don't have overhanging. We're showing it even if it's not specified in this document. He thought it needs to be referenced, and we need to update our city design standards to include details like this so that we don't have parking problems in the future.

Commissioner Sherman Howard inquired whether the stalls were still 9 feet in height. He felt like that was still a tight fit with a full-size truck.

Commissioner Spendlove replied that the minimum is nine feet, but that's the standard across the state. However, that doesn't mean we can't require some larger stalls for oversized vehicles.

Commissioner Bice added that the driveway behind the parking stalls needs to be large enough to accommodate pulling out of the parking lot. If it isn't wide enough, you can't back out without hitting the car behind you.

Commissioner Spendlove advised that 24 feet is not enough. A 26-foot stall provides a little extra space in the front and back for whoever is parking in a 20-foot stall, ensuring you don't crowd the drive aisle. This makes it much easier to drive and pull in, especially when there are two vehicles next to you. It'd be nice to have something like this that a designer can reference as they lay it out, and all of our code can refer to these drawings, so we don't have to try to spell out our parking requirements with words.

Derek added that this usually leads to a big argument with the developer because the more parking we require, whether due to the length or width, the less property they have to develop and make money. They believe it's a waste of money to provide parking for customers to access their businesses, and we receive numerous kickbacks from them.

Commissioner Bice asked about the parking for the Fields development. It didn't look like there were enough parking spaces.

Derek explained that there would be two parking stalls per unit. They are trying to negotiate more parking stalls with the owner. If he disagrees, he will limit who can rent out those spaces. Businesses that require only a few parking stalls. He's going to try to cram as many buildings as possible, providing two parking spaces for each one. Alternatively, you can park two cars inside the garage and use the roll-up door or the designated parking area. It will be challenging to provide shared parking because you don't want to encroach on other businesses' parking spaces. Shared parking only works when businesses have set hours. At this point, we can't stop him. He can build those buildings and do whatever they can in the general commercial. It'll be limited.

Commissioner Spendlove commented that there is a problem with employee parking and off-street parking. Some have excess parking, but in our city, we don't seem to have enough for our businesses.

Derek gave the example of Choco Ridge. They're going to build houses up there, and we've informed them that they cannot park on the road because it has a smaller road dimension. We're also not allowing them to park anywhere on 100 East. That leaves them down the road. The parking congestion in the neighborhoods could cause problems. With schools' drop-off and pick-up and the added issue of employee parking, it could become too congested.

Commissioner Bice gave the example of parking in South Carolina five blocks from the restaurant. But it's an old city. We could plan this out right. Developers can present a case to seek an exemption or consider it as part of a trade-off with the city, but let's not lower our standards.

Commissioner Spendlove added that in one of his projects, they collected data on how often the stalls are used and how many people are in them, like a parking count. They wanted to expand and add another building to the existing parking lot, which was approximately three times the current size required for the use. Now, that use may increase over time, but it was three times larger than needed, so a lot of extra land did not need to be used for parking. It would be beneficial if we included in our standard code provisions that allow for proof and some waivers. That helps to limit, or at least cut down closer to that standard, kind of normalcy for that development if they can prove it,

Derek was concerned that if they had a specific commercial use that required a small amount of parking and then wanted to change the use of their building, which would necessitate more parking spaces, how would they resolve this issue? We need to find the correct equation to keep enough parking.

Commissioner Spendlove commented that if they wanted to change the use, they would need to come before the commission and have a plan for providing additional parking; otherwise, it wouldn't be approved.

G. Adjourn:

The motion was made by Commissioner Allen Bice to adjourn, second by Commissioner Hugh Howard. Hugh Howard-yes, Bice-yes, Spendlove-yes, Juluson-yes, Sherman Howard-yes. The motion was carried unanimously at 7:15 pm.

9 Apr 25

Date Approved



Planning Commission Chair

