

LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, August 13, 2025, 6:00 pm.

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

Present: **Chair** Allen Bice; Commissioners: Matt Juluson, Kyson Spendlove, Sherman Howard, and John Valenti; Staff: Derek Imlay, Fay Reber, and Nancy Cline; Public: Brad Robbins, and Blaire Gardner.

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. Approval of Agenda:

The motion was made by Commissioner Sherman Howard to approve the agenda with the change of taking #1 off, second by Commissioner Kyson Spendlove. Spendlove-yes, Sherman Howard-yes, Juluson-yes, Bice-yes, John Valenti-yes. The motion carried unanimously.

C. Approval of Minutes: July 9, 2025, regular meeting.

The motion was made by Commissioner Matt Juluson to approve July 9, 2025, regular meeting, second by Commissioner John Valenti. Sherman Howard-yes, Bice-yes, Spendlove-yes, Valenti-yes Juluson-yes. The motion carried unanimously.

D. Reports:

Patricia Wise reported that the county approved an Interlocal agreement on corridor for phase one that is in Cottonwood Hollow. They approved the Interlocal agreement for over \$500,000 last week, and we'll have it on our city council agenda for next week.

Derek displayed a map to help explain the settling pond going in around Cottonwood Hollow. The district right now is planning on running a pipe from the reuse plant down 900 north following this path. It will go to the pond, that section of the pipe, and then if you look there are two lines there on main street coming off the 740 out of 500 north. There are two separate lines that are going to be run as part of that first project because right now technically the district's line and our line are separate until they go under SR 9 and then they join, and we share a line. If the district were to run in the wintertime or needed water, then we have no way of shutting this line down and allow the Conservancy District to run water. Right now, there will be a mixture of reuse water and Virgin River water. So that pipe will bring water from the Virgin River to offset the water needs of the reuse. That entailed bringing all of the irrigation out of everybody's backyard into the street and giving everybody a front connection. It shows four phases, but we're hoping that we can use the same contractor that is running the reuse water lines to do these lines at the same time and save money that way. People still have water, but we're going to have it pretty torn up for a while. It's needed where everything's in everyone's backyard the possibility of flooding is huge. Plus, it also makes every connection that we will put in the front yard will have a yoke so that when the state, if they ever finally make us meter it, we're ready to go. This is a \$13 to \$16 million project that the district is funding and we will be paying them with water. The hope is to have cleaner irrigation water and possible run year around.

E. Business:

1. Discussion and possible action to set a public hearing for a live/work zone.

Brad explained he was going to review what they asked him to change and discuss anything else that needed to change. The first one is in section 1. It talks about live/work. The authority has been replaced with the ALUA. There was a question about signage, and it changed that to say that it is allowed on the front of each unit with

name and type of operation. The live/work unit must also be a business owner occupied, or manager/ employee occupied. Section 1.2 was the change of having the ALUA as the authority to approve. The development standards section was that a minimum change to say that a minimum of 50 percent of the entirety of the shop is dedicated to the business and the ground floor needs to be solely dedicated to business use. Section F is referred back to the La Verkin municipal code referring to block walls. the balconies, which is section R. The interior facing walls can be iron but exterior walls need to be solid.

Commissioner Bice pointed out it says anything not listed is prohibited. He wondered about including salons, beauty salons, hair salons, and groomers.

Brad replied that as long as the ALUA looks at every application they can turn down any business that they don't approve of.

Commissioner Bice asked about this ordinance that requires a condominiumization by individual owners so that they can have an HOA. Are we okay with doing that not just this property, but any future properties?

Brad replied that it would be for future sites as well.

Commissioner Spendlove agreed it made sense to require it from here on out. The developers would want it condominiumized to sell easier.

Commissioner Juluson had a question about requirements 10-6g4-A says a unit especially the business portion of the unit shall meet fire, health, and safety requirements as determined by the city. Having residential and commercial in the same building can maybe provide a few challenges. Does this give the city more protection?

Derek explained as the fire code is concerned, when you have commercial to commercial, depending on the occupancy that you give them, like, say, most of Blair's occupancies are given probably a B of B occupancy. So a B to a B may not require fire separation. They might just be regular sheetrock, and there's no fire separation. But when you take a commercial and you combine it with a residential, that's huge, because now the residential is going to automatically require sprinklers. And that's for the residential part. The commercial can still probably get away with the four or some assembly of you know, 5-8 type sheetrock and gypsum board and stuff like that to get that rating. But that's kind of on a base-by-base situation if you go from a B to an A occupancy, would require different codes. The shared walls need to have a fire wall. These kinds of things are reviewed by us and by the fire department. The plans have to be stamped so that they will meet the required code. And then we have a code compliance company that we use to make sure that everything that is shown is compliant with the code. And then we go through it. It is very time intensive. The existing code now just states that anything that's being built has to comply with the latest version of the code.

Commissioner Valenti asked if the city would have any review of the HOA agreement.

Brad replied to the staff would be part of the HOA agreement

Derek added HOA is the first part of the agreement.

Blaine added they can't sell until there is an approved business license from the city.

Derek added that the city doesn't enforce any HOA. He thought it would be a good idea for the planning commission to read over the HOA and CCNR's before they go and record the development agreement. They will have a copy of the applications for the ALUA to refer to when approving for business use.

Commissioner Spendlove asked if that was part of the development agreement process.

Fay replied that it's not necessarily the development agreement process but the overall approval process. They would want to go over the HOA and CCNR's to make sure they have included everything they discussed with the developer. The city doesn't enforce the HOA rules, but they would want in the development agreement some language that give the city protection from the owners not following the rules of the HOA.

Derek pointed out that on 10-6G-10-4 it states they submit to the HOA written approval that will be given to the ALUA for them to do the final approval of the business.

Commissioner Spendlove looked at exterior property lines, it would include the roadway. He felt like his purpose of trying to have more views on exterior property lines was for neighboring properties. Do we need to put some language in there so that if people want to have the open rail balcony against the roadway, it's a possibility or is that something we won't allow.

Brad explained if the owner's piled things on their balconies, it would be visible from the roadway, and they don't want to see that.

Blaine explained there are some units that have the railing on the roadway units, but he is having it taken down and a wall put up.

Commissioner Spendlove original intention was to protect the neighboring properties from seeing stuff pile up on the balconies, but he can see the benefit of also not have anyone see that from the roadway also.

Fay explained that if they look at 1064-8. We wanted to make sure these units would not be occupied solely for residential purposes. They always had to be associated with an operational business. Paragraph 8 was added, to say no live/work unit shall be occupied solely for residential purposes. The next page paragraph 9 talks about the development agreement. The development agreement shall contain a clause that specifically states that live/work is to provide residential and business agreements that meet the code and any unit in live/work zone shall be occupied in conjunction with a business and not solely residential. It will be in the code and the development agreement to protect the city from these being residential units.

The motion was made by Commissioner Kyson Spendlove to set a public hearing for Wednesday, August 27, 2025, to establish a Live/Work Zone as Article 10-6G4-1 et.seq; of La Verkin city municipal code, seconded by Commissioner Sherman Howard. Valenti-yes, Spendlove-yes, Bice-yes, Juluson-yes, Sherman Howard-yes. The motion carried unanimously.

2. Discussion regarding creating a mixed/use zone.

Brad explained there was some confusion with the document. He changed the wording from live/work to mixed-use.

Derek explained live/work requires them to work there in order to live there. Mixed-use does not. It would have business on the main floor then rentable units on the upper floors.

Commissioner Juluson asked if it would allow for commercial or office spaces on the upper floors. And if they did, would there be a lobby area.

Derek explained that St. George does have mixed-use building that have a percentage, if you're talking about 100% on the bottom, like 50-50 on the second, and then a small percentage on the third story. The hotel that is

coming in across from Farmers grocery store, the retail and especially residential part, would help them recoup the money from the hotel a lot faster.

Commissioner Valenti was concerned about the properties on SR9 becoming too dense. They have some pretty big parcels and 15 units per acre might be too dense.

Derek replied they could amend it to five acres and under have that density and the bigger parcels have less, so they are not clustering buildings. He made several suggestions of percentages of land being used.

Brad added it is set up of a maximum of 14 units per acre. We can reduce that area. It was also for four stories. It will depend on the size of the units also.

Commissioner Sherman Howard agreed that limiting units per acre size sounds like a better measurement.

Commissioner Spendlove added they need to remember that every unit has at least 200 square feet of open space required plus parking. The density is going to be hard to get because you have parking requirements that are still there and your open space requirements. And 250 feet of storage

Commissioner Bice asked if this is an approved use we ought to include salons, beauty salons, nail salons, and barbershops.

Brad replied it has to be approved by the ALUA. If there is a type of business, they don't like for commercial use then they should put that into the code.

Commissioner Bice asked about section 1.3, development requirements and standards. F, block wall requires a six-foot decorative block wall. He thought if it is between commercial and residential, it's supposed to be eight foot in our code. He wanted to know if the wall had to be block or could it be rock.

Brad explained that the block wall is in the code, but they had adopted the Commercial Design Guidelines and that does allow more flexibility such as rock walls.

Commissioner Sherman Howard commented that with his building experience he thought this had covered his questions and concerns. He approved of the way the zone was put together.,

Commissioner Bice asked for the next planning commission meeting if they have the clean copy they could set it for a public hearing.

F. Adjourn:

The motion was made by Commissioner Sherman Howard to adjourn, seconded by Commissioner Kyson Spendlove. Bice-yes, Juluson-yes, Sherman Howard-yes, Spendlove-yes, Valenti-yes. The motion was carried unanimously at 6:45 p.m.

24 Sep 25

Date Approved



Planning Commission Chair