

LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, August 27, 2025, 6:00 pm.

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

Present: Commissioners: Matt Juluson, Kyson Spendlove, John Valenti, and Richard Howard; Staff: Derek Imlay, Fay Reber, and Nancy Cline; Public: Debbie Groves, Blair Gardner, and Brad Robbins.

A. Call to Order: Kyson Spendlove called the meeting to order at 6:00 pm.
The invocation and Pledge of Allegiance were given by Matt Juluson.

B. Approval of Agenda:

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

C. Reports:

Patricia Wise reported on the City Council meeting held August 20th.

Derek Imlay had nothing to report.

Public Hearing opened at 6:07

D. Public Hearing:

1. An Ordinance establishing a live/Work Zone as Article 10-6G4-1 et.seq. of La Verkin city municipal code.

Debbie Grove, This ordinance is something that I'm really in favor of. It's something different than living or working or when your business goes in. I'm in favor of a mixture of residential and commercial. The way this is set up is different. I have never seen it in any other communities, much less here. I wish you all the best on it. I appreciate all the work that you have done on it. It's been a long time coming and thank you for all your efforts. Thank you.

Blair Gardner wanted to address and thank you guys for the effort that has been put in. Brad and Derek, establishing the Ordinance has been a long process. You guys are the future of what this looks like to the city. I'm happy to be part of it. I'm excited to be quote-unquote the guinea pig, if you will. I just want to express my gratitude in your efforts in being very open-minded and forward thinking. Thank you

Public Hearing closed at 6:09

E. Business:

1. Discussion and possible action to recommend to City Council and Ordinance establishing a Live/Work Zone as Article 10-6G4-1 et.seq.of the La Verkin City Municipal Code.

Derek explained on the second page of that document; we have a minimum of acreage. This is what we want to do for the live/work zones. They will be established on property less than 3.5. That coincides with the map that they have. Showing you the properties within our commercial districts that would be quality for live/work. Prior to this we kind of go down and start to designate areas that seemed to be unfair. If we went through, took the property size into consideration, you can see it's down to a handful. He believed there's eight or nine parcels and it's kind of mixed within all three of our zoning districts. And so, we thought that it might be a better way to address it.

Commissioner Juluson agreed with the size of acreage required to obtain a live/work zone. Number two of the requirements says no portion of the live/work zone unit may be separately rented out or sold. Does that mean they could rent out the whole entire unit but just can't rent out one level or the bottom level or something like that.

Brad Robbins replied that his intent was to rent out the entire unit. He was concerned that owners would rent out to multiple people. It would be a long-term lease.

Commissioner Juluson clarified that the person long-term leasing the unit would have to have a business license and go through the process of approval.

Fay Reber recommended going back and clarifying it is an owner-occupied business. He was concerned about a third-party renter. They need to be owner occupied.

Commissioner Juluson asked how he would change the language to clarify that. They would still want the businesses there to be occupying it and not subleasing it.

Commissioner Spendlove asked if it would be the owner of the unit? Or would it be solely the business owners who live there. Whoever holds the business license for that unit has access to the other work portion of the unit. They don't have to live there. I don't see an owner living upstairs and someone else's business downstairs.

Derek explained that the owner, manager, or the worker of that business have the right to live there. We didn't want to create rentals. It was to help people with that. We gave him the three criteria. It could be his manager or a few employees as part of his pay to get to live there rent free.

Commissioner Valenti asked whether you have to be an owner and occupy it, or whether you can lease that business out. He would like that language to be cleaned up.

Brad explained that with renting they can't stop long term leasing. That is why he stayed away from short term renting.

Commissioner Richard Howard brought up subletting and trying to sneak in an apartment.

Fay gave the example that he owns a unit and doesn't want to run a business. So he would lease the entire premises to a third party, who then goes and gets the business license and then wants to occupy the residential portion. Is that something we want to allow.

Commissioner Richard Howard thought that was along the same lines as live/work.

Commissioner Juluson added that it's not the owner of the unit. It's the renter. And we have conflicted things saying it's owner-occupied, so they'd have to be on the title to be considered owner.

Blair thought residential live/work means owner occupied. If you're going to go through an ALUA, go through the business license, you are the owner of the property. That's your checks and balances. You have the flex value of a live/work zone that also allows for case in point. Unit 17, we just signed it today because he's commercial only, no residential use whatsoever. Under today's zoning, he bought it as a commercial building to simply lease out long-term. It's an investment property, so he won't fall into any residential use. Now the checks and balances for the HOA in this case. They bought it. They either can operate their own business in there. They can live or work if they choose through the definition that Brad and Fay have established. If he never has the intention to have his residential unit and just wants it as an investment property to lease to another business, that

business has to go through the same HOA rules, and checks and balances. He thought this was a great conversation and they discovered they need to clean up that language, to protect the commercial user that wants to use it as commercial only, a commercial user that wants to rent it out, as well as a residential application. That's what the definition or the idea of the flex.

Commissioner Spendlove felt the purpose of this was to be the business owner, whoever has the true business license, for them to be able to use the residential aspect. He thought it was better to define that it's the business owner and not the owner of the property.

Commissioner Juluson brought up a different scenario. What if you get someone that wants to do live work, they build up a business there, and then they get all their business to where they're too big for it. Then they have to move out to a bigger place. What do they do with that? Are they going to have to sell it, or could they lease it out and have someone do the live/work like they were doing?

Commissioner Richard Howard added what if the business goes out of business, but they are still living there.

Derek explained that the owner of the business could lease out the building.

Commissioner Spendlove added that whoever they lease to, we'll go through that same process of the HOA and ALUA approval.

Blair added that anyone that operates any business there has to go through the approval of the HOA as well as business license.

Commissioner Spendlove asked that they clean up the language to make it clear that it's the business owner, manager, not the owners of the unit. Then the owner of the unit is trying to live there while someone else is running a business. It defeats the purpose of the Live/Work zone.

Derek pointed out in Articles 1 and 7, 10-6G4-9 under Department 7, probably need clarification.

Brad read number two that said business owners, not the owner of the property, can live there.

Commissioner Juluson agreed it says business owner which would tie back to the business license.

Commissioner Richard Howard asked if there was any language to stop people from living there when they are no longer in business. So they don't turn into residential housing.

Fay replied in paragraph eight in section nine. They have to have a operating business license in order to live there.

Commissioner Richard Howard asked then the city would send notice they are in violation.

Fay replied yes, they would get a notice that says they need to occupy a business.

The motion was made by Commissioner John Valenti to recommend to city council an ordinance establishing the live/Work Zone as Article 10-6G-4-1 et.seq. with minimum 3.5 acres and language to be changed as discussed, second by Commissioner Richard Howard. Spendlove-yes, Richard Howard-yes, Juluson-yes, John Valenti-yes. The motion carried unanimously.

2. Discussion regarding a mixed/use zone.

Brad explained that the first page of this is the mix-use of work and rentals. The intent is to provide for a mix of commercial on the lower-floor generally and publicly-used multi use. There is also a process as planned unit development. The thing about planned unit development and state code is he couldn't find definition for it. His concern is how they have handled subdivision in the past. He didn't think it hurts to put a little bit more protection. Basically, the P&D is going to get the exact same thing. But with what happened with the subdivision ordinance with the state he didn't trust they wouldn't put more restrictions on this type of zone. When it comes to permitted uses, the permitted uses that you see here are the permitted uses in your zone, except for residential. We have a condominium as an apartment, and they must be associated with a bottom floor. That's on page 2. Page 3 also included the similar use finding, which allows a plan to be approved by the planning commission. If there's somebody who uses are similar to a permitted use, and if the ALUA agrees. Now, when it comes to application requirements, this is basically the same thing that you would get out of a PUD. You have a precise plan, architectural drawings, studies, and landscaping. The thing that's a little bit different from this one is signage. That is somewhat new, and he defined signage. Sign structure shall incorporate the design theme. A ratio of 1.25 square feet sign area for each center front or space frontage is required. That's an enterprise sign. There are a lot of other canopy sign examples. Monument signs are six-foot, eight-foot signs on a street. We have a prohibited pylon sign. And these are the ones you generally see along the freeway. There is a lighting requirement. And when it comes down to the development standards, the maximum density would be 14 residential units per acre. Height would be forty-five feet. We talked before about a minimum dwelling square footage, 700 feet. Block walls are required around the perimeter of the property. This is something you might want to refer back to code. You can kind of look at all the different parking requirements that are included, both commercial parking requirements, residential parking requirements, and restaurant parking requirements. Open space for any type of residential unit would be a minimum of 200 square feet. 100 would be in the common area, and 100 in the private area. Again, we get back to storage areas. If there isn't any interior storage area provided, there needs to be two hundred square feet enclosed per unit. They could not use their parking areas as storage. And then loading areas, a ratio of 1 per every fifty thousand square feet of commercial floor area, which is fairly common. On the last page are bicycle racks. He included that in the e-ring bicycle rack. It's kind of interesting He has been doing work in Zion National Park. That's all he sees. Nobody rides a bike anymore they are all electric. Then the balconies would be solid material, as prescribed by the International Building Code facing the exterior property lines, the interior property lines where that would be iron.

Commissioner Spendlove asked about the live/work zone referenced to people come to the ALUA. And this one is going to Planning Commission, the way it sits right now, correct?

Brad responded that it is correct. The live/work zones are about uses. This would be about approving an entire development.

Commissioner Spendlove had concerns about the block wall, but they agreed to fix it. Brad mentioned on the storage area; it says 250 cubic feet. Is that typical? He has not seen a lot of them, a lot of code that calls out the storage areas. Do they typically do it with cubic feet instead, just more volume of storage?

Brad replied that the organizations he has worked with this is standard size, it's a little bigger than a closet.

Commissioner Richard Howard thanked Brad for his work on these zones. The planning commission does not have experience with them, and he saved them a lot of work.

Commissioner Spendlove sees the benefit of these zones for the downtown but also for the Topside when that gets developed.

Brad agreed and commented they take the best of what you have in your code, you put it up there, and then you develop whatever is unique up there. You'll have ordinances that are not exactly what you need.

3. Discussion and possible action to set a public hearing for September 10, 2025, for an Ordinance establishing a Mixed/Use Zone as article 10-6G5 et. Seq. of La Verkin city Municipal code.

Derek explained he will not be here September 10, 2025. There is also a precision plan to prepare. He suggested moving it to September 24th. We want to take that precision plan and map, just a little bit better than we did with the first time we went through it. We didn't quite know how to handle it.

The motion was made by Commissioner Matt Juluson to set a public hearing for September 24, 2025, for an Ordinance establishing a Mixed/Use Zone as article 10-6G5 et. Seq. of La Verkin city Municipal code, second by Commissioner John Valenti. Spendlove-yes, Richard Howard-yes, Juluson-yes, John Valenti-yes. The motion carried unanimously.

4. Discussion regarding the possible locations for live/work zones.

Derek explained that now that we kind of decided to go a different direction with it they won't be discussing locations but rather the size of lot needed to get to that zone.

F. Adjourn:

The meeting was adjourned at 6:38 p.m.

24 Sep 25

Date Approved

Allen B. B. B.

Planning Commission Chair

