

City of La Verkin

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La Verkin City Council Work Meeting Minutes

Wednesday, November 19, 2025, 5:00 pm.

111 S. Main, La Verkin, Utah

Present: Mayor Kelly Wilson; Council Members: Patricia Wise, Blair Gubler, Micah Gubler, and Darren Prince; Staff: Kyle Gubler, Derek Imlay, Fay Reber, and Nancy Cline, Public; Brad Robbins.

Called to Order –Mayor Wilson called the work meeting to order at 5:00 pm.

1. Discussion regarding zoning for work/live.

Derek was concerned with the number of buildings that are on the flex unit property. He had Scott review our ordinance and interpret it. He asked Scott to review our retail ordinance and apply it to the flex buildings, focusing solely on the permitted building area on the lot, excluding the residential factors. Scott confirmed that our interpretation of the code was accurate. However, to prevent excessive building on parcels in the future, if that's what one of the issues are, we need to address the following criteria. Setbacks, which we can implement deeper site and rear setbacks. Open space requires designated open space, which we have no open space requirements within our existing commercial ordinances. It would be for so much square footage of living space, you have to have so much square footage of open space, which could be parks, planter strips, and parking. It would be separate from parking. Building separation, because the only way we can enforce that right now is the fire separation, which would be 5 feet, even though Blair's buildings are a lot more than that. There are a lot of limitations, which Brad will talk about here in a minute. The number of buildings that can be occupied on a specific minimum lot size and our parking ordinance, which Brad has been talking about in the newer ordinances by implementing some or all these measures, we can avoid the overcrowding buildings. Brad has been employing these methods in the new zoning ordinance we are developing. And we also have him working on a plug on our current commercial zones because the way that it sits right now, anybody can come in as long as they meet the current setbacks and the fire code, they can do as many buildings as they possibly can on any of the parcels of the property that we have within our community. Brad's going to put a temporary fix on that for us now, which we'll take through Planning Commission and City Council. He wanted to do some clarification because of the concerns raised about the Flex buildings. We don't have anything appropriate to minimize what's there. Brad will take some steps coming up that will help us protect the rest of the commercial properties.

Brad explained that in regard to the limitations, no live-work development shall be established on property less than 3 1/2 acres. All work-live development shall be established only within the retail commercial zones, and they have to be within a 2,000-foot radius of SR9 and SR17. Again, Derek's going to show you that. As far as height restrictions, it can't be more than two stories in height. Other requirements are all live-work units shall be under single ownership. No portion of a live-work unit shall be separately leased or sold. You can't have it as a short-term rental or nightly rental. The bottom of the area of the property or of the unit itself has to be set aside exclusively for business and commercial purposes. It has to be a minimum of 700 square feet located on the uppermost floor for the live-work unit and that shall be for residential units or purposes. No live-work unit should be occupied for residential purposes that's the bottom floor of the unit is simultaneously occupied by operating business with a valid business. The portion of the live-work unit used for residential purposes shall be occupied only by a person directly connected to the day-to-day operation of the business such as a manager and employee. In addition to those restrictions, we have the development agreement that is going to be required in order to establish live-work and that's basically going to provide for the establishment of a property owners association that has enforcement authority. It will require that one unit be designated at all times so there is there should be constant on-site manager. The association would be able to fine up to \$100 per day per violation, which is pretty serious for several weeks. If there's a violation, it could come into thousands of dollars. Require all purchasers and tenants of units to acknowledge and agree to the development agreement restrictions as a condition of their occupancy. The last provision would provide for independent enforcement of the development agreement by the city through allowing periodic inspection of units, withholding permits or approvals, issuance of citations, and seeking conjunctive relief, and by revoking certificates of occupancy for continued violations.

Derek explained the map he passed out. The dark blue, which is the general commercial, and then the hatched areas that we have are the retail commercial which Blair's property is part of. They went in and identified the property sizes which one has to be at least 3.5 acres to be able to really start going down this road. All the properties basically within in the retail commercial would meet requirement. Then we put the live-work would have to be in the retail commercial zone which you're highlighting at the hash mark. Like the RV resort where we wanted it to be specific to one location when it's in La Verkin. They went from the center street of SR9 and SR17 and drew a circle out. It landed at 200 north which was a good ending point. That's 2,000 square feet so anybody within that circle in a retail commercial that has 3.5 acres wouldn't be allowed to have this allowance which basically would minimize or only allow it strictly as the ordinance proposed ordinance currently states within one property we have plans on doing some other allocations within the mixed-use that would potentially address live-work so that we're not getting rid of it all. This particular piece of property sits that would be the only parcel that would qualify under these three rights. On the next map he didn't put the retail commercial. There is the tourist commercial and general commercial. They were concerned that certain vacant areas have this ability. We're working on a hotel right now on one parcel that went to the north of Farmers. They have a good idea of what's available and the acreage involved. There are five parcels of property that are designated as retail commercial. They decided it might be the best approach to try to make something work in that location. We want to make that more of a kind of a walkable property by taking a couple of parts of the existing sidewalk and maybe swooping them in. To make some connection points. They have been trying to figure out how to make this connected to the buildings that are there. It's a little bit more inviting to potential businesses. They did restrict what was allowed in the retail commercial. Blair is trying to be specific in a specific type of business. As we're going through, we're trying to really implement and bring La Verkin into more of a walkable community regardless of what all is allowed or not allowed. They need to start formatting the whole downtown as walkable. At some point that's going to be bringing buildings closer to SR9. Some buildings are already sitting back we need to work with that to get this extension of the sidewalk to swoop in and come back out making sidewalk. Blair has sidewalks on his property in front of all of the businesses. If we end up getting that grant, we need to start being proactive and have them in place already.

Kyle asked Darren and Patty about the grant they were applying for to plan downtown and asked if they should put development on a moratorium for six months to get organized.

Councilwoman Wise agreed. They suggested the moratorium to make sure that we're investing in all this effort on a downtown development

Derek suggested they need to get on with the work-live zone and if they didn't want to do it then they would just stop working on the idea.

Councilman Prince asked about other opportunities in that mixed-use zone that could allow some work-live. There's the work-live would go really well on some streets like Stowls Trailer Court for example. He thought if there were businesses on both sides and then work-live between that would be a really good place.

Derek explained that front side of Stowls right now is dedicated general commercial. But they can continue to do what they're doing. They wanted to make that part of our commercial area. What we're trying to focus on is reworking our definition of work-live after this component and making that potentially a component of maybe the mixed-use. Where you can have a certain component of work-live within it. What's the difference between a live-work and a mixed-use. If you've got the bottom floor as commercial, retail-commercial, and commercial then everything above is residential. There's a lot more availability to basically rent with no provisions against who can live there. What our code allowed there building-wise and potentially work beneficially for both parties. But because there's been so much concern over the concept, then we wouldn't have the concept go down that road anymore beyond this property. If it was approved, we would find a different method of implementing it into something like into mixed use. But as it sits now, this would be the only property that would have the capability of allocation towards it.

Councilwoman Wise had some concerns about the language. We'll probably use this language in other ordinances. On the height regulations, it says no greater than two stories or erected to a height greater than 35 feet. Does that mean that they could potentially have three stories? So not the flex space that we're talking about of layers, but another, are we going to, if we use the same language elsewhere, does that allow for three stories? Because 35 feet, you could get three stories that'd be 10 feet per floor. So that could be commercial. So do we want to keep it like that, or does it need to be changed.

Derek replied that it says no building or structure would be greater than two stories. So, it's already limited to two stories. They're allowed 55 with the facade, or with the non-occupied area.

Councilwoman Wise continued to read under requirements on page 4, no portion of a work-lived unit shall be separately leased or sold. So, we're just being very specific about a portion of it, not the whole unit. Because certainly the whole unit could be sold.

Brad explained that the concern there was that somebody could lease out one floor for six months, not the whole unit.

Blair Gardner added that his building is max height is within 32 at the top of the wall.

Derek explained he has a mezzanine that gives the feeling of a second story because you're going up a set of stairs to get to the upper part. That mezzanine is more of a storage area. They didn't really think of it as a floor.

Mayor Wilson asked if everyone liked the way it was written and could it go for a vote in city council.

Derek explained the planning commission voted 5-0 in favor of it. They didn't want it brought back to them. City council could beef it up more if they wanted.

Councilman Prince added he liked it. He wondered if they could modify it in the future for other businesses.

Blair Gardner asked if they had any questions for him.

Councilwoman Wise asked if he agreed with everything like the on-site manager.

Blair replied that if they own a building, they're the president of the association. Does that qualify them as an on-site manager.

Councilwoman Wise explained the code states require one unit be designated as an on-site manager's unit at all times.

Blair wanted to clarify they didn't expect a nonowner and him to designate a unit for that manager. It could be an owner that is the onsite manager. He explained he owns one and can do that or if they identify the board for the HOA, then whoever is the president at the time can be the designated manager, and they're the ones who get the call.

Brad clarified the intent was never to have a separate onsite manager.

Blair agreed to that. He said the buyers aren't interested if they can't live there.

Councilwoman Wise reminded him when he started, he stated it would be successful even if it wasn't zoned work/live.

Blair agreed he said that but now the market has changed.

Councilwoman Wise explained that we're basically creating a zone for him, for his project. She has high expectations that he will continue to be an asset to the community. That it's always beautifully kept, above par, because they really are creating something for his project that nobody else will get. She commented that they're eliminating competition. They are handing quite a nice package to him. In return, he could be a big asset to the community by being involved, keeping the property up, making sure that on-site manager, whoever you designate as an on-site manager, really tends to business of keeping the property good, no complaints from the neighboring residential areas, all of that.

Blair agreed and said he would commit to that. He appreciates all the work that has gone into it.

Brad explained what mixed-use entails. Mixed-use is not a new concept. Most towns and cities do have some sort of mixed-use. And it's just basically a mixture of residential in some sort and commercial. And what we do is put together

the mixed-use zone here with that concept in mind. The permitted uses that are displayed here are right out of your commercial. The only thing that's different here is that you have the residential component and that is basically condominium departments and then he added that they must be associated with a bottom floor commercial component subject to the PUD process. There was discussion about possibly putting live-work in here. He thought that's something that we can do but it has to be a component of residential use, not just live-work. Otherwise, someone could take that zone and try to just do live-work instead. They could have a mixture of like apartments, condos, if they want, and then some type of component of live/work.

Kyle suggested the bottom floor needs to be higher than ten feet. That would give you the impression that it's some sort of a business. Height, and then whatever went above standard, you'd be able to somehow put in some height businesses under it. Most hotels at the gateway are like that, the buildings are taller on the bottom. The Gateway Mall is a two-level residential commercial two floors commercial before you get to upper level. He suggested they ought to state it's taller on the bottom for the commercial.

Brad agrees and will research that and add that in.

Councilwoman Wise added that the downtown grant they applied for would probably have good ideas for this also. That might be something that will help in the future.

Brad continued to say going through what's in this ordinance, we put in the fact that you've got to go through a precise plan, which would allow the Planning Commission to look at the site plan, the architecture, the landscaping, and make sure it meets the architecture requirements we put together a year or so ago. What type of studies would be required.

Councilwoman Wise asked about number three under application requirements, the precise plan and architectural drawing are required. The architectural drawing could be their architectural drawing, it doesn't specifically state La Verkin. Could we just add La Verkin's architectural drawing schedule plan and give it a title under application requirements and then the top of the next page item number three.

Brad agreed to add that. He put together a comprehensive signage program because when you have a mixture of commercial and residential, it needs to be something different and not just your normal signage. Derek had talked about, when he talked to Scott, different types of ways to kind of make the site look better. We've already done that with setbacks. There's got to be a minimum 15-foot landscape setback for a front property, between buildings and courtyards. The side yard would be 10 feet unless it's adjacent to residential, it would be 60. The rear would be 10 feet unless it's adjacent to residential, it would be 60. And that's to provide that buffer. Lot coverage requirement is at 75%, you cannot exceed 75% of that lot coverage of structures. There are parking requirements, it would be both residential parking and then also commercial parking, including restaurant parking. And then an open space requirement of 200 square feet per unit, which is standard, and part of that would be common, which would mean it would be play areas for kids, picnic tables, and pools. 100 of that would have to be dedicated to each unit for their own purposes, such as a balcony.

Derek thought that would give us the protection that they we're trying to keep. That's what we need to plug in our existing code now sooner rather than later. For example, the open space parking because the open space is different than the parking, so the parking lots are going to have a huge amount of open space, technically, no building but the component of open space itself isn't met.

Brad added its active recreation open space it's not just parking open space or curbs and gutters and those types of things. It's actually something people could play in and enjoy themselves.

Mayor Wilson asked about shared parking.

Brad replied that there have to be required parking for each unit, probably two stalls. One covered and one uncovered, normally four apartments and then separately you'd have your commercial.

Derek added that the commercial would have the ability to have some shared parking, depending on the operation time.

But not residential. There is separation between commercial and residential. Commercial, if it's 18 feet or shorter, could actually be right up on the property line. So, there would be no buffer between commercial and residential properties. This would take that out and add a bit bigger buffer which now minimizes property usage.

Councilwoman Wise commented that they want La Verkin to be more walkable but on the sidewalks on state street could have six foot wide instead of four feet.

Derek replied they are changing that to six feet.

Councilman Prince thought Scott suggested a ten-foot sidewalk.

Derek replied that Hurricane is 6-8 foot.

Councilwoman Wise added that having a sidewalk right next to SR9 is not very safe and suggested moving the sidewalk in with a buffer between.

Derek replied he didn't want to do a planter box or anything that would require maintenance. Extending from the back of the curb 8 to 10 feet and make that more walkable. He put it down for 8 but we can change it to 10 under the construction standards. Those will be coming to you guys for adoption anyway because we made all residential. He suggested if they did ten feet they could take some of the setback space away, so they aren't requiring too much land.

Councilwoman Wise suggested with this being mixed-use there could be small restaurants, cafes, they're going to want to have outdoor seating, potentially.

Derek wanted to make sure they were working in the right direction for what the city council would like to see before presenting it to the planning commission.

Councilman Micah Gubler wanted to know what zones this would be included in.

Brad replied they could do an overlay or establish a zone for it.

Councilwoman Wise suggested it would be more successful if it was condensed to an area. The interest is going to be the work-live and so do we want to take up all of our SR9 property and all the different commercial zones with people living above or do we want to reserve some of that for larger commercial.

Derek replied they could do it as a component that the planning commission can look at and then city council could always add to it. Designate some areas so that you know where it's going to go precisely.

Kyle asked who looks at the mixed-use and approves it.

Councilman Micah Gubler responded that is what Brad was saying that they would make it a zone and then come in and request a zone change for mixed-use. Or we designate the properties.

Councilwoman Wise was concerned about a certain property on State Street that wanted to do a work-live zone, and it was a large piece of property across the street of River Rock.

Derek replied he is general commercial and that wouldn't fit into the work-live. We can have planning commission to work on it.

Councilman Prince inquired about the hotel going in across from Davis market.

Derek explained that plans have been submitted. They are reviewing for code compliance. They want to have a mixed-use component to it, but we can't approve that because we don't have that zone yet.

Councilman Prince asked if they got a mixed-use zone would they be limited to two stories.

Derek explained they would be under the old zoning. It would allow for four stories. It would be across from Davis, and the back North part of the lot would be a restaurant. It would face SR17. It would have multiple buildings. He offered to send a rendering for the hotel.

Mayor Wilson agreed to send this to the planning commission. And thanked Brad for his work on this.

Mayor Wilson ended the meeting and asked everyone to go to the council chamber to start the meeting.

B. Adjourn:

The meeting adjourned at 5:48 p.m.

01-07-2020
Date Approved

ATTEST:

Nancy Cline
Nancy Cline
City Recorder

Kelly B. Wilson
Mayor Kelly B. Wilson