

AN ORDINANCE OF THE CITY COUNCIL OF LAVERKIN, UTAH, AMENDING §§10-6G1-1 ET. SEQ. OF THE LAVERKIN CITY CODE, ALSO KNOWN AS THE RETAIL COMMERCIAL (COMM-R) ZONE.

WHEREAS the City Council of LaVerkin, Utah has previously adopted §§10-6G1-1 et. seq. of the LaVerkin City Code, establishing rules and regulations pertaining to pedestrian-oriented retail commercial activities within the City of LaVerkin; and

WHEREAS, after public notice and public hearing held on February 18, 2026, said City Council deems it necessary and desirable for the preservation and protection of the health, safety and welfare of the residents of the City of LaVerkin City that said rules and regulations be amended,

BE IT HEREBY ORDAINED by the City Council of LaVerkin, Utah that §§10-6G1-1 et. seq of the LaVerkin City Code, be, and is hereby, amended in its entirety to read as follows:

ARTICLE G1. RETAIL COMMERCIAL (COMM-R)

SECTION:

10-6G1-1: Purpose

10-6G1-2: Permitted Uses

10-6G1-3: Prohibited Uses¹ (Rep. by Ord. 2007-26, 10-3-2007)

10-6G1-4: Use Subject To Finding

10-6G1-5: Height Regulations

10-6G1-6: Area, Width, And Yard Requirements

10-6G1-7: Development Standards

10-6G1-8: Easement Required

10-6G1-9: Commercial Design Guidelines

10-6G1-10: Application Requirements

10-6G1-1: PURPOSE:

To provide appropriate areas where pedestrian-oriented retail commercial activities may be established, maintained and protected. (Ord. 2006-03, 1-18-2006)

10-6G1-2: PERMITTED USES:

The following shall be permitted uses:

Accessory buildings: secondary buildings and uses customarily incidental to permitted uses.

Animal services: fish and aquarium retail shops.

Art dealers and galleries, including fine arts, photography, and graphic design.

Automobiles: packaged automobile part stores.

Banks and financial offices, including banks, ATM machines, investment and securities agencies, tax service agencies.

Bicycles, ATVs; includes sales, rental, parts sales and service where repair facilities are inside and are an integral part of the sales structure.

Car wash, including hand and automated car wash and car vacuum facilities.

Clothing; includes retail sales, tailoring and clothing repair, shoes, accessories, screen printing, t-shirt shops, formal wear rental and sales, costume sales and rental.

Communications; includes cable, phone, internet, satellite, and wireless services

Convenience stores; includes gas stations, gas and goodie stores.

Entertainment services, including recording studios/services, instrument sales/rental/repair, talent/art studios, supplies.

Food; includes restaurants, ice cream parlors, cafes, juice bars, internet cafes, coffee shops, fast food, delis, buffets, bakeries, grocery stores, convenience marts, supermarkets, catering, patio and outdoor eateries.

Health and beauty; includes hair or nail salons, wig sales and styling, barbershops, tanning facilities, consultants, fitness facilities, gyms, spas, outpatient weight control and diet services, yoga, cosmetic sales and production, massage.

Home improvements, including retail lighting and service, decorating services, appliance sales, upholstery, carpet and floor treatments, window treatments, wallpaper, paint.

Landscape and gardening: landscape supplies including rock, wall and waterfall materials; patio furniture and supplies.

Medical services, including doctor clinics, hospitals, laboratories, chiropractors, dermatologists, plastic surgery, pharmacy, eye specialists - opticians, ophthalmologists, eye corrections services, dentists, dental specialists and laboratories, audiologists, hearing aid sales, ear specialists and ambulance service. No oxygen storage with any medical service provided.

Museums; includes art, cultural, history, science and musicology displays.

Office supplies: office supplies, office machines, computer, fax or copy service, computer sales/service.

Parking, including areas whether underground, in parking structures or open lots for temporary customer parking. Shall not include parking for storage as a business.

Postal and shipping services.

Professional offices, including engineering, drafting, design, real estate brokers, accounting offices, CPAs, tax agencies, consultants, employment agencies, attorneys, title and mortgage companies, property management, insurance offices, offices incidental to other permitted uses.

Public or quasi-public area, including Municipal buildings and offices, parks, schools, libraries, and fountains.

Recreation facilities, including golf, minigolf, go-carts, bumper cars, laser tag, bowling, recreation/sports center, skating rinks and parks, movie theaters, theaters for stage productions, amusement parks, water parks, swimming pools, billiards, arcade games, tennis, paintball game centers, hiking and biking trails, festivals, no alcohol dance centers for recreation or instruction.

Recreation sales, rental and service: sports gear; camping, fishing and hunting equipment; outfitters; excursions; paintballs; trampolines; packaged sporting goods.

Retail stores and shops: department stores, games and game supplies (except gambling devices), trophies and awards, movie sales and rentals, book sales, video device rental and sales, electronics, party supplies, antiques, coins, hardware, light building supply, florists, jewelry, fabric shops including sewing machine sales and service, stained glass, vacuum dealers, variety stores, gifts, crafts sales and supplies, hobby shops, sunglasses, balloons, novelties and toys, not to include pawnbrokers.

Rocks, including rock shops for retail sales and landscaping.

Schools and studios, including dance, music, art, photography, martial arts and charter schools, business and technical schools, schools for any permitted health and beauty services.

Security service: alarms services, locks, locksmiths.

Self-service vending facilities, including vending machines and self-service (unmanned) business structures/facilities, subject to the conditions set forth in chapter 7 of this title.

Special events, including wedding/reception centers, banquet halls, convention centers, resort/meeting centers, concert halls and open air concert venues.

Tourist support, including hotels, motels, inns, lodges, tourist information, curio and souvenir shops, camera and photo shops.

Transportation: taxis, shuttles, bus stops.

Travel agencies. (Ord. 2007-26, 10-3-2007; amd. Ord. 2008-14, 8-6-2008; Ord. 2015-04, 7-1-2015; Ord. 2018-01, 1-3-2018)

10-6G1-3: PROHIBITED USES¹:
(Repealed by Ord. 2007-26, 10-3-2007)

10-6G1-4: USE SUBJECT TO SIMILAR FINDING

The planning commission, based on its own discretion, may find that other proposed uses similar with those listed above are consistent with the intent of this land use classification.

10-6G1-5: HEIGHT REGULATIONS:

A. Except as provided in subsection B below, or as permitted in an approved development agreement under the terms and conditions of Section [10-12-5](#) of this Code, no building shall be erected to a height greater than thirty-five feet (35') as measured from its tallest side or point, except that facades, rooflines and other non-occupied building improvements may be constructed to a maximum height of forty-five feet (45') inclusive of the underlying building structure. However, the City shall not impose or restrict the height of a structure in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the City demonstrates that imposition of the burden on that person, assembly or institution:

1. Is in furtherance of a compelling governmental interest; and
2. Is the least restrictive means of furthering that compelling governmental interest.

B. Except as permitted in an approved development agreement under the terms and conditions of Section [10-12-5](#) of this Code, no hotels, motels, inns, and lodges (sometimes known as tourist transient lodging facilities) shall be erected to a height greater than fifty-five feet (55'), as measured from its tallest side or point, except that facades, rooflines, and other non-occupied building improvements may be constructed to a maximum height of sixty-six feet (66'), inclusive of the underlying building structure. (Ord. 2007-16, 4-4-2007; amd. Ord. 2023-02, 2-1-2023)

10-6G1-6: AREA, WIDTH, AND YARD REQUIREMENTS:

District	Area	Lot Width In Feet	Setback In Feet		
			Front	Side	Rear
Comm-R See Note 3	1/2 acre (21,780 square feet) ²	70	35 for commercial buildings abutting SR-9 and SR-17; 25 when abutting city streets, – 15 feet of which shall be landscaped.	See note 1	See note 1

Notes:

1. Building setbacks adjacent to residentially zoned areas shall be 20 feet. 10 feet of setback area adjacent to residentially zoned property shall be landscaped. Maximum height of structure adjacent to a residential zone shall not exceed 18 feet for the initial 30 past the setback requirement. After a total setback from a property line of 50 feet, any structure can be at the maximum height of the zone.
2. Commercial condominium projects shall meet the 1/2 acre minimum requirement for the project, but buildings may be divided into subunits and platted for individual ownership within the project.(Ord. 2007-16, 4-4-2007; amd. Ord. 2007-24, 8-15-2007)
3. Structures on a lot shall not exceed 50% of the total lot area.

10-6G1-7: DEVELOPMENT STANDARDS:

1. **Block Walls:** As a condition of any use granted under this article, an eight foot (8') masonry or concrete wall shall be required when abutting a residential zone for proper visual and sound screening; provided that where a masonry or concrete wall of at least six feet (6') already exists, no new wall shall be required. (Ord. 2008-07, 5-7-2008)
2. **Vehicular access/parking:** All facilities/uses shall have driveways, points of vehicular ingress and egress and parking. The parking requirement shall be one nine (9) foot by 18 foot parking space for every 200 square feet of commercial floor area. One nine (9) foot by 18 foot parking space required for each 3.5 seats or one parking space for 100 square feet of restaurant floor area (excluding kitchen, storage, etc.), whichever is greater. All drive aisles shall be a minimum of 25 feet in width.
3. **Loading areas:** Loading spaces shall be provided at a ratio of one for every 15,000 square feet of commercial floor area or as determined by the city. Loading space size shall be 10 feet by 20 feet.
4. **Trash enclosures:** Trash dumpster bins located in a decorative enclosure shall be provided for a development. Size and quantity of trash bins shall be determined by the city.
5. **Streets:** All streets in or adjacent to the Comm-R zone shall meet the requirements of the city's construction and development standards including curb, gutter and sidewalk.
6. **Curb, gutter, sidewalk and paving:** All facilities/uses shall have curb, gutter and sidewalk, and shall have asphalt paving from the curb and gutter out to any existing street asphalt subject to city approval.

10-6G1-8: EASEMENT REQUIRED:

All lots shall have easements on side and rear property lines of a minimum of seven and one-half feet (7¹/₂') and on a street side property line of ten feet (10') minimum, to be used for utilities and drainage. (Ord. 2008-07, 5-7-2008)

10-6G1-9: COMMERCIAL DESIGN GUIDELINES:

The foregoing rules and regulations contained in Exhibit A as attached to Ordinance 2024-17 shall be construed and interpreted in such a manner so as to achieve the goals and objectives contained in the Commercial Design Guidelines attached to Ordinance 2024-17 and incorporated into this Article as if fully set forth. Planning Commission review/approval is required to establish any new development on commercially zoned property. (Ord. 2024-17, 10-16-2024)

10-6G1-10: APPLICATION REQUIREMENTS:

Commercial developments in the Comm-R zone shall comply with the following application requirements:

- A. **Precise Plan:** A precise plan application shall be submitted to the city for review and approval. A dimensioned site plan(s) must show the entire development under consideration including building location(s), setbacks, lot coverage, access locations, parking lot design, required parking calculations, perimeter wall(s) locations and design, loading spaces, lighting location and type, preliminary landscape plan trash enclosures design and locations, storage locations (if any), utilities plan (including fire hydrant locations), equipment locations and screening, phasing (if any) and any other pertinent design features or aspect of the development. The site plan shall provide the location of all existing and proposed main buildings and accessory buildings as well as distance and contemplated uses.
- B. **Architectural drawings:** Architectural drawings shall be included as part of the precise plan application. Plans shall consist of building elevation/façade renderings with exterior materials clearly depicted, proposed colors, identification of building massing and design and roof type and color and any other design feature. Material and color palettes shall be included as part of the submission.
- C. **Studies:** The city may require studies to analyze the impact of a project. Studies may consist of traffic, noise, drainage, geotechnical or any other study the city requires in order to properly analyze the impact of the project.
- D. **Landscaping:** A landscape plan shall be reviewed at the time of precise plan approval. All landscaping shall be maintained by means of an automatic sprinkling system. The use of drought tolerant landscaping and sprinkler fixtures shall be incorporated into the landscape plans. Compliance with Washington County Water Conservancy planting materials and guidelines is required.
- E. **Signage:** A comprehensive sign plan shall be submitted and approved by the city at the time of precise plan approval. The comprehensive sign plan shall include and where applicable comply with the following:
1. **Site plan:** Site plans shall include locations, dimensions of the sign area and structure, building materials and colors and sketches and elevations of the signs to scale showing the architectural detail and overall size of the proposed signage.
 2. **Sign structures:** Sign structures shall incorporate the design theme, materials, colors and elements of the center's architecture.
 3. **Building signs:** A ratio of 1.25 square feet of sign area for each linear foot of building or tenant space frontage is required.
 4. **Under canopy:** Under canopy signs are allowed for tenant identification. The maximum size shall be eight square feet and be consistent with the design theme of the center.
 5. **Monument signs:** Monument signs shall be permitted for shopping centers adjacent to a public street and be spaced 300 feet apart. The overall area of a sign shall not exceed forty-eight (48) square feet, and the overall height of the sign shall not exceed six (6) feet. All monument signs shall be placed outside of corner cut-off areas. Monument signs shall match the architecture of the center.

6. Pylon signs: Pylon signs are not permitted.

7. Temporary signs: Temporary signs are permitted but must be approved by the city and be consistent with the design standards of the sign program.

F. Lighting: Lighting, including parking lot lights, security lights and illuminated signs, shall be designed and directed in a manner to prevent glare on adjacent properties and into the sky. In order to more fully implement this requirement, a photometric lighting plan may be required to show that there will be no significant overflow lighting.

BE IT FURTHER ORDAINED that the provisions of this ordinance shall supersede any other provision of the LaVerkin City Code relating to the subject matter contained herein.

BE IT FURTHER ORDAINED that this ordinance shall take effect, after approval and passage, at the earliest date allowed by Utah law after publication and posting.

PASSED AND APPROVED on this 14th day of March, 2026.



City of LaVerkin

Kelly B. Wilson
Kelly B. Wilson, Mayor

Attest:

Nancy Cline
Nancy Cline, City Recorder

The foregoing Ordinance was presented at a regular meeting of the LaVerkin City Council held in the LaVerkin City Council Chambers, located at 111 South Main Street, LaVerkin, Utah, on the 14th day of March, 2026, whereupon a motion to adopt said Ordinance was made by Micah Gubler and seconded by Scot Pectol. A roll call vote was then taken with the following results:

NAME	VOTE
<u>Darren Prince</u>	<u>Yes</u>
<u>Micah Gubler</u>	<u>Yes</u>
<u>Scot Pectol</u>	<u>Yes</u>
<u>Amanda Barr</u>	<u>Yes</u>
<u>John Valenti</u>	<u>Yes</u>

Nancy Cline
Nancy Cline