



LA VERKIN CITY PLANNING COMMISSION AGENDA

Regular Meeting

Wednesday, April 8, 2026, 6:00 pm.

Gym, 111 South Main Street

La Verkin, Utah 84745

- A. Call to Order:** Chair Allen Bice
Invocation by Invitation; Pledge of Allegiance
- B. Approval of Agenda:**
- C. Approval of Minutes:** February 25, 2026, work and regular meeting, March 11, 2026, regular meeting.
- D. Reports:**
City Council and Director of Operations will present updates on meetings and activities.
- E. Public Hearing:**
1. MDR-8
 2. HDR-14
 3. R-1-6
- F. Business:**
1. Discussion and possible action to recommend approval for an Ordinance creating a MDR-8, Medium Density Residential Zone.
 2. Discussion and possible action to recommend approval for an Ordinance creating a HDR-14, High Density Residential Zone.
 3. Discussion and possible action to recommend approval for an Ordinance creating a R-1-6, One Family Residential Zone.
 4. Discussion and possible action to set a public hearing for April 22, 2026, for an Ordinance amending the Mixed-Use Zone.
 5. Discussion regarding the current parking ordinance.
 6. Discussion regarding the possible parking lot design standards.
 7. Discussion regarding the current sign ordinance.
- G. Adjourn:**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Nancy Cline, City Recorder, (435) 635-2581, at least 48 hours in advance.

Certificate of Posting

The undersigned City Recorder does hereby certify that the agenda was sent to each member of the governing body, posted on the State website at <http://pnn.utah.gov> posted on the La Verkin City website at www.laverkin.org and at the city office buildings

111 S. Main and 435 N. Main on April 3, 2026

Nancy Cline, City Recorder

LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, February 25, 2026, 6:00 pm.

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

Present: Chair Allen Bice; Commissioners: Kyson Spendlove, Sherman Howard, Christian Harrison, Richard Howard and Christian Harrison; Staff: Derek Imlay, Fay Reber, and Nancy Cline; Public: John Valenti, Brad Robbins, Patty Wise, David Olsen, Curtis Gubler, Casey Stratton.

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 Sherman Howard.

B. Approval of Agenda:

The motion was made by Commissioner Kyson Spendlove to approve the agenda, second by Commissioner Sherman Howard. Sherman Howard-yes, Richard Howard-yes, Spendlove-yes, Harrison-yes, Bice-yes. The motion carried unanimously.

C. Approval of Minutes: February 11, 2026, regular meeting

The motion was made by Commissioner Sherman Howard to approve January 28, 2026, regular meeting, second by Commissioner Christian Harrison. Richard Howard-yes, Bice-yes, Sherman Howard-yes, Spendlove-yes, Harrison-yes. The motion carried unanimously.

E. Reports:

1. John Valenti reported on the city council meeting held on February 18, 2026.

2. Derek Imlay reported the irrigation would be turned back on March 16, 2026. The SITL land had sold on the Top Side. D.R Horton purchased the land with stipulations and a timeline of development requirements. The bank that owns the rest of the land has it up for sale and 20+ investors are interested in it. Brad Robbins would be helping with the PCD. He would also help the planning commission create the zoning and codes for the Top Side land.

F. Public Hearing

1. An ordinance amending the General Commercial Zone.
2. An ordinance amending the Retail Commercial Zone.
3. An ordinance amending the Tourist Commercial Zone.

Commissioner Bice announced they would have all three public hearings at once since they all related to the same changes. He asked for objections and received none.

Public Hearing opened at 6:09

Patty Wise: It looks like the only changes, the amendment to the ordinances is on the setback for height. The eighteen feet from the thirty-foot property line if it's residential, and then after that it can go maximum height. I was just questioning if that is the only change. If there is an example that can be understood by the general public as to what that would actually look like. Would it maybe be like Laquita to the cemetery would be an example, how much distance that is or maybe the fields to the property line. The eighteen foot setback before building a huge, tall commercial building like a hotel? Is that setback to their residential property? Is the building sufficient not to tower down on somebody's property? And that would be, I believe, the same for all of these. As far as I can tell, that was the only amendment.

David Olsen: Back in the seventies, I heard a famous man use this phrase: We have traveled far into the soul-destroying land of socialism. I've pondered that phrase for many years. Freedom, liberty plus responsibility makes up freedom. If we don't want the responsibility of teaching our children, we give that over to the responsibility of the school system. Along with that, we lose a portion of ours and our children's liberty.

If, we don't want to teach our children about God and their relationship to Him, we give over our responsibilities to the churches. The children may conclude that mom and dad don't really know or care. If we are too busy to exercise our own property rights, we turn over responsibility for those rights to cities and counties. They are happy to accept them. And a portion of our liberty goes with it. If we will not take responsibility for our own actions, we find that is what the police are there for, and we may lose all of our liberties. In these examples, parents and homeowners freely gave away their responsibilities and their liberties, and governments happily received them. Both parties are off of their life missions. These are soul destroying to both parties. Parents are charged by God that they are to teach and train up their children. Governments are instituted among men to protect God given rights, including property rights, not to exercise unrighteous dominion. Now I, gentlemen, I was here the last meeting. And I heard the gentleman from the south describe the homeowners in Lubbock as an invasive species. I think a gentleman over here likened us to worms that had gotten out of the can, some of these short-term rental people. They had a hard time putting them back in the can. Another person described the terrible result of short-term rentals. The police had to be called not once, but twice so they'd move their parked car. I am so glad that's all the police have to do is these short-term rental rascals. Maybe we can lay off a couple of deputies and save some money. But look, I am not your enemy. We are all Americans and we love liberty. I just think that it is not requisite that one man should have power over another unwisely and unrighteously. I think if you would allow citizens to use their property wisely, you have police to take care of the really outlandish ones. Why not let the citizens decide what to do? We don't trust them, right?

Curtis Gubler: I don't know what we're talking about, but I mean I came up here with the ADUs. Derek explained this is not a public hearing on ADU. Nothing to do with that. It's three, general commercial. Curis Gubler explained last time I came up here I said my name was Curtis Gubler and I am for it, and I didn't say anything about my reasoning behind anything. I own a fourplex up the street here. And right now, it has more drug use going on than ever. And they're long term. And then we were hearing you say, well, they're all druggies. They're not all druggies these short termers. But that's my opinion.

Public Hearing closed at 6:16

Brad explained that there's actually four different aspects to these three zones that are being changed. They changed some of the development standards. They are changing the setback requirements. And the way those are being changed is to try to provide more residential area and commercial development. Eighteen feet is actually the height that can only build between the property line and fifty feet in, and then it can go to the height of the zone. So that is being changed. They had some debate on that because we wanted to make sure there was enough buffer. To allow a person to develop the property and also provide some buffer for the residential. They are changing the application requirements too. Anybody who develops in a commercial zone will have to come in and go through a process of planning commission and the city council. They also added a similar use finding. Meaning that there's permitted uses in the zone. If somebody comes in and there's a use that's similar to that, the planning commission can say yes, that has some type of use in that zone. So, it's not totally comprehensive but it just kind of fine-tuned.

4. An Ordinance amending the Mixed-Use Zone.

Public Hearing opened at 6:19

Commissioner Bice announced they would delay a decision on the Mixed-Use zone. They needed to work on it more.

Patricia Wise:

Thanked all of them for all of their comments. And I really appreciate Derek and Brad bringing up the downtown development. I think that's so crucial. The mixed use, unfortunately, the grant did not come about. But I think with Brad's twenty years of experience and all of your work that we can come up with really good downtown development. To me, it seems like that needs to be decided before the details and what's next passed through the city council, at least an idea of what a downtown could look like and what we want it to be. And the

only other thing I would encourage is that, and I can get this information to Derek to pass out or to you, Allen, is the company that the city was contemplating going with for the downtown development. He has so much online information it's a the gold mine, and I'd be more than happy to pass that along.

Public Hearing closed at 6:20

G. Business:

1. Discussion and possible action to recommend approval of an ordinance amending the La Verkin city code for allowance of short-term rental in detached accessory dwelling units (DADUs) for lots/parcel that are 10,000 sq. ft. or larger in residential zones within the community; and providing an effective date.

Commissioner Richard Howard explained they had a work meeting right before this meeting. What they've come up with is something that to him would be agreeable if it passes. It quantifies and identifies a little bit more about the things that the city could have a concern about. They talked about zoning because of the impact that we have on each other here in the city. It still boils down to what the city is going to look like and how much we're able to handle in this city with this many more ADUs than we already have. And so that's where the discussion went, but at least the work on it is really good.

Commissioner Harrison commented that he agreed with Richard, in the state that it's in, he didn't know that there's much more we can do with it. Whether or not they individually think it's a good idea, we've done what we can to it to get it to the city council to let them make their decision.

Commissioner Sherman Howard commented that all our discussion that we've had has brought up points on both sides. There's always going to be pros and cons of everything that there is. He liked the benefit that this might give the citizens of La Verkin. The choice to manage how they think they could do it and still be considerate of their neighbors.

Commissioner Spendlove commented that he hoped those that are here or those that will be reading this do understand the amount of time and effort we've put into this topic. Not just this time, but we've talked about this a lot. David mentioned letting the citizens make choices and he believed that's why they are here. None of us chose to be in this position. This was something asked of us as citizens. It's never something he wanted to have to make decisions that may affect people, but we do have to make some decisions tonight. They did have a very good discussion. He thought with what's written it does give city council some direction on how we feel about the topic, and what we feel are crucial items to have in an ordinance to be able to make it something that could work if so chosen by city council.

The motion was made by Commissioner Sherman Howard to recommend approval of an ordinance amending the La Verkin city code for allowance of short-term rental in detached accessory dwelling units (DADUs) for lots/parcel that are 10,000 sq. ft. or larger in residential zones within the community; and providing an effective date, seconded by Commissioner Christian Harrison. Sherman Howard-yes, Kyson Spendlove-yes, Bice-no, Richard Howard-no, Christian Harrison-no. The motion did not pass. 3-2 vote against.

2. Discussion and possible action to recommend approval of proposed changes in the General Commercial Zones.

The motion was made by Commissioner Richard Howard to recommend approval of proposed changes in the General Commercial Zones, seconded by Commissioner Sherman Howard. The motion carried unanimously.

3. Discussion and possible action to recommend approval of proposed changes in Retail

Commercial Zone.

The motion was made by Commissioner Kyson Spendlove to recommend approval of proposed changes in the Retail Commercial Zone, seconded by Commissioner Sherman Howard. The motion carried unanimously.

4. Discussion and possible action to recommend approval of proposed changes in the Tourist Commercial Zone.

The motion was made by Commissioner Christian Harrison to recommend approval of proposed changes in the Tourist Commercial Zone, seconded by Commissioner Richard Howard. The motion carried unanimously.

5. Discussion and possible action to recommend approval of proposed changes in the Mixed-Use Zone. The commission delayed the public hearing for this item. They wanted more consideration before they set a public hearing.

6. Discussion regarding the Topside (East bench) and the development agreement. Derek explained he wanted them to read the development agreement and come back with changes or suggestions. They need to get busy creating the Topside since it is up for sale.

Commissioner Spendlove asked about the development agreement, everything that was brought to us does not include the SITLA property. However, that property would have to go through the same process, bring stuff before us. This is preparing us for what's coming in that regard.

7. Discussion regarding a conceptual plan.

Derek explained that Casey Stratton was there to get their thoughts on a conceptual plan.

Casey Stratton explained that he is a small builder but wanted to see if his plan would be accepted by La Verkin to build commercial and residential. These are the two parcels that are currently for sale there off of three hundred south, north of the hot springs, and so there is a commercial piece there and a residential piece. He came up with a concept plan, of what would be a good use of that property. Starting with SR 9, with some commercial pads. Leading into some transient lodging. Then transitioning from there into some multifamily and then back to single family. It would be a natural progression as they get to the major arteries through town. His plan was to go from commercial closest back to residential the further away. He was asking for feedback for his plan. He felt like it was a doable plan. The current zone is R-1-14 so there would need to be some zoning changes.

Commissioner Bice asked Fay if the city has a zone allowing Vacation Rentals.

Casey explained it would be a vacation rental zone with individual units but one business owning them.

Derek explained the front piece is general commercial. then the back piece is R-1-14. So basically with the exception of the general commercial property that's listed, which would be allowed depending on the business, the rest of it would be zoning that they would have to rezone or reallocate for. They have had several conversations on this. They did the SR 9 corridor study that talked about coming from the back of the businesses off of SR9 to go into more high densities and then open it up more, due to the fact that high density has the ability to pay for the infrastructure in front of it, whereas single family, especially the R-1-8 or R-1-14, have no possibility. This idea incorporated a lot of the things that the SR9 corridor study brought to us. They have concerns with smaller building lots and duplexes, triplexes. This would be a conversation going forward. He wanted to get this to them and have them think about it so they could discuss it at the next meeting. Conceptually he thought it fits the SR 9 corridor study that we participated in to a T. He thought the duplex triplex are needed. They discussed doing that somewhere in the interstate rocks property coming off of Silver Acres and integrating it down as it goes down to 740 north. He liked the fact that this opens back up from that to

the R-1-8. He had talked to several council members that own property right around there. They were willing to potentially look at R-1-6 properties with small properties. This could help with citizens being able to get their first home. They brought up affordable housing for first time homeowners in the work meeting. This type of housing is something they need, and they need to have a plan in place.

Commissioner Spendlove replied that looking at the zone, it's paralleling the highway. He thought they needed to consider adjusting the zoning to straighten it out. It doesn't make sense to put a road sideways through that property. He agreed it was a good layout. He thought it made more sense with the actual zoning map that they changed it to this. He thought it made a lot more sense in this area than maybe in others with the hot springs being located there. He agreed with the plan and rezoning it.

Commissioner Harrison added he liked that it packs in some density but gradually moved towards the residential side. It's not packing townhomes all the way back into what's currently single-family home residential. It does that for a little bit, then transitions to R-1-18. He wanted to see amenities for the people in those townhomes. They don't have a yard. The vacation rentals have amenities. He thought the townhomes should have those amenities.

Commissioner Bice commented he would like more time to consider this.

Casey replied that it is very preliminary. This is just due diligence. He thought it was a smart use of that property, given its location, its proximity to the hot springs. With commercial and some transient lodging to capitalize on and the tourist resort feel. It's already built in with the Hot Springs there. Then they also provide some more affordable options in townhomes which they have very little of in La Verkin. They work well as a transition between commercial and residential. There will be a buffer from a residential backyard to the commercial property. The commercial zone allows a hotel right there. This is basically a decentralized hotel, but it still has the main office and amenities. It's just individual units, which is a higher demand for people traveling now. They like to have their own spot, and so they can have a kitchen, they can have a washer and dryer, you know place to park right in front of their unit. So, it's just catering to the higher demand we see in more individual lodging you can put a whatever two hundred room hotel right there if it's in the zoning. So, this is just a little bit different approach to a similar means, but it's decentralized instead of all together. His intention is to have a main office with someone there like you would at a hotel. And then in the very front he planned on some pickleball courts and made them kind of quasi - public because they are in the front. He didn't know if that necessarily addressed the open space we're talking about for the townhomes. He was concerned about affordability. And we're giving a little bit more space for parking and stuff there than is required. I am in favor of open space at this point because it's so open

They will discuss this again in the next meeting.

H. Adjourn:

Commissioner Allen Bice adjourned the meeting at 6:45 p.m.

Planning Commission Chair

Date Approved

LA VERKIN CITY PLANNING COMMISSION

Work Meeting

Wednesday, February 25, 2026, 5:00 pm.

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

Present: Chair Allen Bice; Commissioners: Matt Juluson, Richard Howard, Christian Harrison, Kyson Spendlove, Sherman Howard; Staff: Fay Reber, Derek Imlay, and Nancy Cline.

A. Call to Order: Kyson Spendlove called the meeting to order at 5:00 pm.

1. DADU

Derek explained they limited the land size that allows DADU to 10,000 sq ft or more. The city does not license whole house vacation rentals anymore, but this gives the opportunity to DADU to be licensed as a vacation rental with limitations. The ADAU has to have a business license and with that application for new or renewal they have to provide proof that this is their primary address and that they live in the house. They can only rent out the DADU not the house. They must live in the house. If they are renting long term, they can live in the DADU and rent out the whole house but that is only for long term rentals.

Kyson Spendlove thought the concerns they had were being addressed. A big one was that they could only rent out the DADU and not the house.

Sherman Howard agreed that is what he was concerned about.

Richard Howard was concerned that they had tried to slow it down and now they are opening it back up. He was concerned there wasn't a limit on how many licenses would be handed out, about the citizens that would build a new DADU and how they would recoup that investment if the market got saturated, and they would have too many of them.

Allen Bice entered the meeting at 5:06.

Fay asked Derek if citizens are allowed now to build a new DADU.

Derek replied yes on lots bigger than 10,000 sq ft. They can rent it long term, but not short-term rent.

Fay explained that the city doesn't allow new short-term rentals, but this would make it possible to get a license for a DADU whether it's already built or any new builds also. He didn't know how many properties in town are bigger than 10,000 sq ft but that was the concern Richard had about too many being allowed.

Derek explained that if they look at the zoning map, and they can't really use the zoning map, because there is a lot of larger lots within any particular zone. R-1-8 may have a larger lot, but if you look at the R-1-8 lots, they take up about half the town. And then it's a combination of R-1-10 and R-1-14, probably pretty well mixed in between. He thought it would be a lower percentage than what they had previously done, because that was per zone. He thought they had eight or nine zones that they were allowed to have 7.5% allowances within those zones. He had it at 8,000 sq ft lots but no one seemed to be in favor of that, and he changed it to 10,000. 8,000 sq ft DADUs are allowed now for long term rentals and family members to stay in. They also can only have 8% of the lot dedicated to secondary buildings.

Fay pointed out if you drive around town now, look at 10,000 sq ft lots and see a DADU they could get a license, and also those lots who don't have a DADU could construct one six months from now and then come in and get a license for the short-term rental.

Richard Howard explained his point was that the ADU concept in the first place was for housing shortages. It wasn't necessarily extra income for families, he didn't understand why they would want it and need it. He didn't know if it was policeable to make sure the owner lives in the main house? And they go on vacation like a snowbird or something for three months. Is there somebody managing it while they are gone?

Derek agreed they can't police things 100%. When they created this, it actually was for income for those that have a fixed income that could bring in additional money. Plus, they now see a lot of family members moving back. Financially it was probably at least half of the reason that we started doing this. We never really thought about the short-term part of it. The provisions that are in it are mandatory business licensing. They now have software to help police it. If we have people that are illegally trying to rent out, we could go through the process of sending a letter and shutting them down or making them come in and qualify. They implemented the business license and proof of ownership. They have to live in the main house to mitigate or help to mitigate any problems.

Sherman Howard commented they are regulating all of the options or freedoms that landowners have to choose to do with their land and it still helps the business owners out. Plus, that helps the city out because of the extra fees. He hated to regulate too much, he would rather self-govern what they want to do with their property. He has a short-term rental so this will add competition for him. He thought citizens have the right to do what they want on their property. If they flood the market, then maybe some would turn into long term rentals. But at least they have the option to choose.

Allen Bice was at the public hearing when they allowed them before they put a limitation on it. The nice subdivision by confluence park spoke out at that public hearing that there were five on their street and they'd lost their neighborhood. He didn't foresee the possibility of that happening. We came off the five-year list to get an elementary school, because the vacation rentals took enough housing away from La Verkin. The houses that young families would live in were the kind that were just right for vacation rentals. This seems like something much more drastic. There's potential for this to be ubiquitous, citywide. He was concerned that we're going to do another thing to cost the neighborhood feel. He had stayed in vacation rentals and loved it but they were respectful and didn't have the police called on them. He thinks it will be difficult to police them and people will break the rules. The libertarian part of me says let them do what they want with their property. Thomas Jefferson said you should have the ability to do what you want with your property, as long as it doesn't bloody my nose or empty my wallet. He wasn't sure that this wouldn't increase property values. It won't be good for our housing crisis. Rational people will rent it out as vacation rental if they can, just because it's much more lucrative. It's going to make our housing worse. And I'm not sure where the line between property rights and us overregulating. There were people at the public hearing who are friends of his, and it feels like this is going to do them some serious harm because they've been illegally doing what they're now trying to make legal. He was torn. He was up at four o'clock in the morning, then the next morning he couldn't go back to sleep worrying about doing them harm. But we have to do what we feel is best for the whole city. And in fifteen years, he would hate them to be like Carmel by the Sea where there are a few residents who don't know each other because they're surrounded by vacation rentals. Moab, where there are people living in tents outside city limits because they can't afford anything. He was concerned about uncorking a genie we can't get back in the bottle.

Kyson Spendlove asked how many bed and breakfasts we have licensed in town.

Nancy Cline responded between 30-40.

Kyson Spendlove had the same concerns, especially when it comes to when we talk nightly rentals, we're talking the full home being used as a nightly rental. Last week he drove around looking for bed and breakfast that he could see. He found a couple. Typically, there are more cars. There is usually a sign for guest parking that kind of points it out. He still had concerns with how it'll affect the residential neighborhood feel, but at the same time, he realized that they allow for the bed and breakfasts that are attached. It's going to be a very similar feel it's just going to be a separate building on that property. He wanted to make sure it clearly stated that there was only one unit that could be used for a nightly rental, which is in the ordinance. He was concerned about the requirements for parking. Would the building need to match the aesthetics of the existing home, he didn't see that clearly stated

anywhere in here. It states some of the provisions like that you need to have sleeping, cooking, sanitation, all that stuff. But it doesn't clearly state that it needs to match.

Derek replied they have to be up to code. The new and existing ones will have to have all the qualifications that the code requires.

Kyson Spendlove added that if they were to come in and they had an existing building that didn't match their home, they would have to bring it up to code and match the existing exterior finishes, including parking and everything else because the concern is street parking.

Fay added that the last sentence of this bottom one here says all licensees shall comply with such terms and conditions stated in section three eleven twelve. That's just section that lists all the requirements for all the transient lodging facilities throughout the city. It requires parking, it requires inspections, all those things. It makes this subject to all of those requirements.

Allen Bice asked if the license would be a bed and breakfast.

Derek replied no because bed and breakfast have to be attached to the house.

Christian Harrison expressed his concern that if the DADU's are allowed to be short term rentals, which is financially better than long term, where would young families get their start. When he was first married, they lived in someone's basement before buying a house. Where would young families go if they wanted to live in La Verkin? Your only option is full home ownership, or maybe a long-term full house rental. Which are more expensive than the mother-in-law suits or an apartment attached above a garage. He worried about losing those starting places for people in our city that they can't come here till later in life and be able to buy a home or rent a full house.

Richard Howard would like citizens to have the freedom to do with their property what they want but they have seen La Verkin get more condensed and prices have skyrocketed in the last eight years. He has several kids that can't afford to live here. He was also concerned with parking and regulations that would be required. He would like to see more control because it's getting too condensed in town. The original use for DADU was to offer long term housing. If every lot big enough could have a short-term rental, then everyone would choose to pay off their property faster. But will it dilute that? He doesn't want to deny our citizens financial help, but do we just let everyone have one and how does it affect the neighbors.

Allen Bice pointed out that at League of Cities and Towns not last year, but the year before, they said, more than fifty percent of the vacation rentals in the state of Utah were owned by a corporation. He worried about corporations owning them. This ordinance says it has to be owner occupied. What happens when a corporation buys it? The corporation then becomes the owner. Can they put staff there and have it been owner-occupied? Does this exclude a corporation from buying a house in La Verkin with the DADU?

Christian Harrison added how do we police what it means to occupy the house? Do we have to set a certain number of days in the year to count as occupying it. How granular do we have to get with that?

Derek replied they have to prove it's their primary residence. You can do that by going on the county records and seeing how it's recorded because they'll say whether it's primary house. If that's not your primary house, you don't qualify. There is a number of forms or angles that they can bring in to provide that. He didn't think a corporation could ever fulfill that primary residential qualification.

Kyson added that the house would have to be in the employee's name to prove primary residence.

Derek added that they didn't specify what the proof had to be.

Christian Harrison asked who would that burden be on? The city staff or the residents?

Derek replied they require things now to get a business license. That when they apply the owner will have to bring in proof every year that they live at that address.

Richard Howard asked what this meeting was supposed to achieve? To make a decision for or against or to create more regulations.

Allen Bice replied in the planning commission meeting that night it is on the agenda to take action on a decision. This is just a discussion.

Richard Howard replied he liked the way the ordinance is written. He wondered if any more needed to be added.

Fay explained that the first decision they have to make when they go into their meeting is whether or not they like the concept and want to vote in favor of it. That's the first hurdle, and then secondly, is the language of the ordinance sufficient to do what we want it to do. If they conclude in the first instance that no, they didn't want to do this, then they never reach the second point. But if you conclude this is a good idea and they should proceed, then if the language is not sufficient, they would postpone it for another couple of weeks until they can get the language correct. Which is sort of what we did last time. The biggest question is, do they want to do this? Do they want to go down this road? That's the bigger question.

Derek commented they needed to make a decision one way or the other. They have a lot of things coming up they need to work on, and this has been on the agenda for several months. He assumed this would be an 0-5 vote going to the city council. The public hearing may have changed one or two votes.

Kyson Spendlove added whether we recommend it as a yes or a no and express our thoughts, we do have two city council members that have interest in this idea. He suggested he didn't matter if they agree with it, but how can they ensure that they're protecting the residents and the city, the best they can, with what's been written. He thought they should make a decision in the next meeting. City council is going to do with it what they want. He felt it's up to them to try and protect us the best that we can with wording.

Richard Howard commented that if the planning commission voted against it and the city council voted for it, he likes the provisions they have added to try and protect the community.

Fay reminded them that the council of course can do what they want with whatever they recommend. Whatever language they recommend, the council can always override that, put in their own language, do whatever they want to do. For the planning commission, you're sending a message to the city council. If nobody likes it and we vote 0-5 against it, that's a pretty strong message to the council: we don't think it's a good idea. If it passes 3-2 or 4-1, then that message is it's okay council here it is. You do what you want to do.

Sherman Howard added that if the council worked on it, they would have their suggestions of provisions and maybe would add their own ideas.

Kyson Spendlove commented he rarely sees a city council meeting where they take planning commission's recommendations and erase a lot or add a lot. It's usually they take that and they make one or two minor adjustments. So, what we're doing is very important.

Fay replied that the planning commission will put more effort into this than the city council will.

John Valenti commented that he looks at this as getting the best of their advice. As an individual citizen that they are, he wants to hear how they feel about this coming about. He has been on planning commission and as a city councilman wants their best advice. Certainly, they do have the right to accept it or not. But they are looking for their best advice.

Allen Bice advised them to move to the next item.

2. Mixed-Use

Derek explained that they agreed last time with the substance of the code, but they didn't decide if it should be a zone or an overlay. And if we are looking at tourist commercial or retail commercial? Should it be property size limited? Should it have the provisions like in the tourist commercial where here we require minimum two acres. We don't allow too much development to go on hillsides. And we make the second part, which would be the commercial and the residential aspect, behind the main commercial business. So that we're not focusing on lining the whole street up with one level of commercial, and then everything else is all residential. These are questions that he thought they needed to answer. He displayed a map of commercial properties. They are more developed than undeveloped. Should the tourist commercial or retail commercial be property size limited? Tourist commercials require a minimum of two acres. The map is from the north, clear down to the south end developments. This gives them a fairly good idea of what areas would qualify. This is where they get into property sizes and they could make a decision off of these properties.

Allen Bice commented it never occurred to him that they were talking about creating its own zone, even though that's what it says. He was concerned they would have a dozen tiny little zone areas, zoned mixed - use in the general commercial. He thought an overlay made more sense.

Kyson agreed.

Brad commented there's pros and cons to both. If they did an overlay to a zone, it would actually be expanding more of the type of use that would be allowed in the mixed use into this overlay. If you go with just a single zone, it's not something they even have to put on a zoning map at this time. It would be in the ordinance. A developer would have to come in and say, "I want to develop this property," for example, and then they would change the zone for the mixed use for that single property, instead of having it be able to be placed over everything that you have. So, it really kind of comes down to what you want to see, how do you want the town to look.

Kyson asked if they would still need approval to do an overlay zone.

Brad replied that it would be overlay over all the commercial zones now. That would be a permitted use now.

Kyson thought it would be a good idea if it was only allowed in certain zones not all commercial zones. But not to have it currently overlaid so that they can restrict it to not take over any general commercial.

Christian asked if they created as a new zone and someone in a commercial zone wanted to switch their zoning, they could just come and apply for that change, which accomplishes kind of what they are looking for, right?

Kyson responded that they have general commercial zones that can come in and request it and we have to make that decision.

Allen Bice added he envisioned, maybe a building an acre of that four- acre piece of property, and the rest being another kind of commercial. But if it has to be its own zone, they're either going to have to make a tiny little zone

or make a whole big piece of property mixed use. They can't have a mixed-use building in a shopping mall, for example.

Brad replied he wouldn't envision somebody with a small piece of property wanting to do it because you're really talking about apartments or townhomes or condos, and then the commercial too. So, half acre would not work.

Kyson asked if they could restrict an actual zone to acreage? Can we say this zone is acceptable to apply for a zone change if you have at least two acres of property? That might be a way to restrict it, to only be for larger properties, because there are a lot of smaller parcels, that he felt didn't make any sense, but people could still try to apply if they don't restrict it.

Derek added that the new proposed hotel is the hotel up front and then put the mixed use in the back, which is preferable. Tucking it into the back still provides some commercial along with the hotel.

Allen asked if he would need two zones? Mixed-Use and Tourist Commercial.

Brad responded that Mixed-use allows for commercial and for the residential.

Kyson added so they would rezone the whole parcel Mixed-Use.

Brad added that the way he developed the mixed-use zone, is that the permitted uses in the commercial are part of that zone plus the residential portion

Allen asked if they had a property zone and they opted not to make it mixed-use, it could just go regular commercial.

Brad replied yes. The way it is written they would have to have commercial. A developer cannot come in and only put up apartments.

Derek added the ground floor must be commercial.

Christian asked if the residential is optional then someone could come in and only do commercial with no residential in a mixed-use zone. Or will they require a minimal amount of residential to go with it.

Brad replied that the way it's written is that the residential is permitted use in that zone. But the bottom floor, as Derek was saying, must be commercial. There could be some residential buildings behind them because some of them are different like that. Some of them have commercial in front, and some residential ones behind. So, there's some flexibility to it, but they can't just have residential.

Kyson added he has done a plan development overlay, and he had to request and meet the requirements for that overlay in order to receive it, and it had additional density bonuses and things that they could get. To get approval they had to go before planning commission and then city council, for the approval to get that overlay. He sees the benefit of an overlay because it can be more restrictive if it's an approval process. If not, he thought it would make more sense as a zone.

Allen added that Hurricane is an approved-use city and we are a permitted-use city.

Derek added that that particular allowance could have to go through the planning commission and council because there are certain provisions in the other zones that require to come get it even though they have a whole section

of permitted. But if you want this other part of it, you have to go through planning commission and city council. He commented they need to think about this before approving any of it.

Brad gave an example if there was a subway or train station in this area. They could do an overlay over this. So, they could allow some residential as part of that and have that synergy. So, they're really kind of more targeted on certain things that they are asking as opposed to, you know, just open it up to.

Derek encouraged them to look through the paperwork and come up with any concerns or additions. The guy wanted it before he started the hotel, but we're not going to have anybody push us into deciding what to do. He encouraged them to take time and do their due diligence

Kyson commented on St. George downtown area. They have some of their newer buildings that do have residential on third and fourth floors, commercials the first two. And so, it's just another thing to think about. But if that future that potential is there, he would hate to restrict the zone. The focus is the commercial. But if there's going to be additional floors is that something they restrict now and have them come in and request it? And then we have to go back through this process or do we plan that in?

Richard commented he has been against this planning in the past, but the city has boomed and he wished they could have planned this out before the Fields development happened.

Brad suggested the city really needs a downtown plan and once they place the zone in that plan they could have an overlay.

Kyson asked when they would see a downtown plan.

Derek responded that they didn't get the grant to help plan downtown. However, the city council and planning commission do see the need to get the plan together because growth is happening fast.

Christian asked if vacation rentals are allowed in the mixed-use zone.

Kyson responded it would make more sense there and not in a residential.

Allen agreed.

Christian commented Hurricane has vacation rental zones.

Derek added that they planned on that on the Top side. Where the vacation rentals would be all together and not in residential zones.

Christian was concerned about having vacation rentals and long-term housing all together in a commercial zone.

The meeting was adjourned at 5:55 pm

Planning Commission Chair

Date Approved

LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, March 11, 2026, 6:00 pm.

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

Present: Chair Allen Bice; Commissioners: Kyson Spendlove, Sherman Howard Staff: Derek Imlay, Fay Reber, and Nancy Cline; Public: John Valenti, Brad Robbins, Patty Wise, Kevin Smedley.

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 Kyson Spendlove.

B. Approval of Agenda:

The motion was made by Commissioner Sherman Howard to approve the agenda, second by Commissioner Kyson Spendlove. Sherman Howard-yes, Spendlove-yes, Bice-yes. The motion carried unanimously.

C. Reports:

1. John Valenti reported on the city council meeting held on March 4, 2026.
2. Derek Imlay requested to cancel the March 25th meeting. They will have three new zones on the agenda in April. Irrigation will be back on Monday so they can fix the brakes and then it will be on for the city March 16, 2026.

D. Public Hearing

1. An ordinance amending title 10 Chapter 6B removing Two-Family Dwelling from the list of permitted uses in the R-1-10.

Public Hearing opened at 6:06

Commissioner Bice explained that the way that ordinance is currently written allows pieces of property with sixteen thousand square feet in an R one ten zone to put a duplex there. This would remove that that permission

Russel Smith commented they didn't know what the ordinance was for and was here to see what the outcome was of the discussion they had behind closed doors.

Commissioner Bice invited him to speak if he wanted.

Commissioner Spendlove said he would like to hear what Russel had to say because they haven't discussed this yet and wanted his opinion. He thought Patty Wise had something to say.

Patty Wise: I apologize if I missed this in previous planning commission meetings. I was a little surprised about the discussion on it. A sixteen thousand square foot property, allowing two units, makes the home more affordable, potentially more affordable. We just passed detached ADUs, which of course are smaller than the primary size. So, it doesn't seem like this is necessary. I think having a duplex, there are so many really nice ones out there. Kirk has some beautiful, just small individual properties that look great. So I see it as more an affordability thing, and it would still keep the spaciousness in the neighborhood. I don't think having two families on sixty thousand square feet would impact traffic, not any more than a detached ADU would. So I would be in favor of keeping it. And hopefully I read through the ordinance correctly.

Commissioner Sherman Howard commented he didn't remember discussing this in previous meetings. He asked what the reasoning was behind removing the duplexes.

Commissioner Bice said they would discuss it after the public hearing.

Lori Smith commented that she had the same question, kind of what brought this to the agenda? How did it come in? Or changed, what is it currently? What's in question really? Obviously, there's some kind of an issue. Or why would you want to change from what it currently is. Is that something that the public will hear, or we just get to kind of come and express our thoughts? So if we're just here to come and express our views on it, what is the ordinance currently and what are the proposed changes? Just removing these houses?

Public Hearing closed at 6:09

E. Business:

1. Discussion and possible action to recommend approval of an ordinance amending title 10 Chapter 6B removing Two-Family Dwelling from the list of permitted uses in the R-1-10.

Commissioner Bice commented that he would recommend that we request a continuation of that. Patty was right. This hasn't been discussed. It came to us at the request of city council, and we haven't had a chance to discuss it. It didn't come from the public, but it did come as a request from the city council. The options on item number one would be to, discuss and recommend, or the other option would be to move for continuance. To give us a chance to discuss before we recommend.

Commissioner Spendlove read through the ordinance and thought this fits a lot better in with our discussion for the downtown area. And what we're trying to do with the city itself. For like a long-term plan. He asked if they have to put an actual date on the continuation. Or can we table this discussion until we've had a work meeting with city council?

Fay recommended tabling it until the April 8, 2026, meeting. If they need a work meeting or any meetings with the city council, they can do that. Then on April eighth, they can come back to this body. They can have a more detailed discussion by that time. We'll have our other two members here. They can have that detailed discussion about why this may or may not be a good thing for the city or what options we have. Then at that point have a recommendation for the city council.

Derek agreed it would be a good idea to have a joint work meeting with city council.

Commissioner Bice suggested a quick half hour meeting before city council meeting.

Derek added that it would need to be longer than that. They need to discuss the mixed-use zone. How are we going to apply it? Where do we want to apply it? Would they like to go down the rest of State Street? This is vital to figure out and get an understanding of why the need to have a remove duplexes. He suggested not having a regular meeting, just a joint work meeting with Brad to take us through the process. He recommended having this discussion at the same time as that, because we really can't move forward with a lot of this until we understand what our vision is.

Councilman John Valenti commented that like everybody else here, he was surprised there was no discussion to his knowledge at the city council's level on how the city council recommended this. He was unaware of it just as everybody else was before this meeting.

Commissioner Bice suggested it wasn't the whole city council.

Patty Wise commented that this is something that I was very careful of when I was on the city council. And I think it speaks to transparency is that when recommendations are made to the planning commission to review something, to be told that the city council sent it forward. That John's correct. That's not accurate. The city council would have to discuss it in a meeting, make a public decision with a vote. The planning commission, if it's at the city council, if it's a couple of members of the city council who maybe speak with staff or speak with the mayor, or if it's just the mayor, I think that is transparency that should be told here in this meeting. Not only for the planning commission but for the public. To say the city council, that's six members with legislative, control over this. And it just doesn't matter what the issue is. I think that's something important. Just like John has started to do and I would try to do when the planning commission passed something or try to say what the vote was so that city council knows that it was a split vote or a full vote. I think going in both directions. So that's just a personal comment. Thank you.

Fay agreed it was a good idea for us to get together with the city council in a work meeting setting, go over the ordinance, discuss the reasons for it. At that point, a majority of the council may say, no, we don't want this and then we don't move forward with it. At least the planning commission would have some indication which way it would go. He thought it's important that they get together, have that larger discussion, get all those issues out on the table, and then we can decide which way to go from there.

Derek commented he would get some dates together to meet. But we want to have that meeting prior to any discussion continuing here. Even if we put that off for multiple meetings.

Commissioner Spendlove added that we could recommend it being pushed to the April eighth meeting, and then if we still haven't made a decision or had the correct discussion, we could recommend it for an extension.

The motion was made by Commissioner Kyson Spendlove to recommend tableting this discussion for April 8, 2026, meeting when more of the planning commission would be present, seconded by Commissioner Sherman Howard. Sherman Howard-yes, Kyson Spendlove-yes, Bice-yes. The motion carried unanimously

2. Discussion and possible action to set a public hearing for April 8, 2026, to establish a new MDR-8 zone.

Brad explained that this would be three new zones. The first one is the R-1-8. This will be a brand-new zone for the city. It's not going to go on any property in the city at this time. It's just a code that could be used by a developer at some point in the future. It would allow for detached single family residences, twin homes, triplexes and fourplex units, and clustered courtyard housing. Now with the new subdivision map ordinance that was passed by the legislature a couple years ago, there are some restrictions. For example, if it's a single-family home development or a two-family home development, they won't be able to get precise plan of architectural drawings, those types of things, unless there are other land use approvals proposed. The ordinance talks about setbacks for the front set to twenty-five feet, five for the sides, rear is ten, corner lot is fifteen. Then it gets into some development standards requiring common recreation area development agreement depending upon if it's triplex or fourplex fencing requirement, two car garage, and homeowners' association. Lot coverage requirement would be seventy five percent. Meaning they could not cover a lot more than seventy-five percent. And then an active open space requirement.

Commissioner Bice commented that it works out to 5,445 square feet per building for residents. Some of those will be duplexes and maybe two stories. But that's not dramatically smaller than the R-1-6 that we've talked about creating.

Brad commented they would discuss this more when they discussed the Top Side.

3. Discussion and possible action to set a public hearing for April 8, 2026, to establish a new HDR-14 zone.

Brad explained high density residential, which is HDR-14. That will allow for up to four stories in height and up to fourteen dwelling units per acre. Again, apartments, condos, anything but a town home you could go through the application departments that would allow you to do precise architectural drawings on this. Unless, of course, there is some other approval that's required. The height regulation couldn't exceed more than forty feet. Setbacks are essentially the same: front would be twenty-five, side would be twenty, rear twenty and corner lot twenty-five. He added that there'd be a graduated setback if it's adjacent to existing single family residential. That way they wouldn't have this high building coming up right next to the home. The actual height would be set back fifty feet. Meaning that the forty feet height would not be able to be achieved until fifty feet setback. There are also modifying regulations: a bike rack will be required, common bike area development group will be required, and lot coverage would not exceed seventy. Fencing requirements of block all around the property. Two car garages, the homeowner's association also in this. Also, a loading area, which he thought is important for apartment complexes. That would require one loading area per fifteen dwelling units for people that are moving in and out. And then open space requirement of two hundred square feet per dwelling unit, one hundred of that would have to be private open space. Storage areas are to be required. Again, parking. When we went through the little work with the balconies, he also added that back into this code. That requires the balconies to be closed with a solid block wall if they're facing exterior property lines. Then any type of outdoor storage would be permitted.

Commissioner Bice commented this requires one hundred square feet shall be a private patio. Will that be the case if they're on the fourth floor of a four story, and how? What would that look like? Like a tennis court area that belongs to them.

Brad explained that it would be a patio that's a ten-by-ten area where they can sit. And then another hundred feet would be in a congregated area.

Commissioner Bice clarified that they would be attached to their fourth floor balcony.

Brad replied yes it would be their private patio.

4. Discussion and possible action to set a public hearing for April 8, 2026, to establish a new R-1-6 zone.

Brad explained that the R-1-6 allows one family homes on six thousand square foot lots. They could not have a building any higher than thirty-five feet, and accessory building could not be more than twenty feet in height. Front, side, and back would be twenty-five, the side would be eight feet, the rear would be ten. Of course, a two-car garage would be required. The lot coverage should not exceed 70%. A developer that does these needs to actually install the front yard prior to certificate of occupancy, which he thought was good for family homes.

Derek added that there is another option to consider for the setbacks. Making the garage still maintain the twenty-five foot setback but letting the porch maybe move to a twenty. Minimizing the front yard, enlarging the backyard, and making the side setbacks five, rear ten, on the other one five, because then they are hitting fire code at the five-foot setback, just because the lot sizes are small.

Commissioner Bice asked with their permission they would consider items 2,3, and 4 together when setting a public hearing.

The motion was made by Commissioner Kyson Spendlove to recommend set a public hearing for April 8, 2026, for the MDR-8 zone, the HDR-14 and the R-1-6 zone, seconded by Commissioner Sherman Howard. The motion carried unanimously.

5. Discussion regarding preliminary concept design.

Derek explained that Casey Stratton came before them a few weeks ago. Derek talked to the landowners around the property, and they were not opposed to the plan. This is what the corridor study that we participated in with UDOT actually talked about having the commercial, the higher density, and then opening up to larger lots as you move out. Whereas the high density would basically pay for the roadway infrastructure and everything. His request is for an R-3-6. The layout doesn't work for the R-3-6. They could take it into consideration and discuss it more later because we want to make sure, we get this right. And this may be part of the discussion for the work meeting that we have. Then we can get a better understanding from both planning commission and city council, if this would be something they would want to entertain doing. The city paid a lot of money with the state to provide that corridor study. This is what they recommended. The study proves that if we want to get that walkable downtown this is how we need to start doing it, and whether it's applicable in that area or somewhere else in town. The city needs to try and find ways of getting other multifamily dwellings, so that there can be at least some chance of affordability or attainability

6. Discussion and presentation regarding the Top Side property.

Brad explained this is a heads up as to what's going to be coming their way from our creative industry. These two developments that they are going to talk about are probably the two largest single developments in the history of the market, and so they're going to be very important, and very impactful. He thought they needed to stay in touch with and get their hands on as soon as possible. He would talk about zoning a little bit: the SITLA property, the other property called the Bank property. What the development process is going to look like, what studies are probably going to be necessary, what a potential financial strategy. The SITLA property is 330 acres and has a buyer as you may be aware. The bank-owned property is approximately 566 acres for a total of 900 acres. It's a big development. It's a big development California standard, any state you go to, this is going to be a large, big development. It's going to really impact the town in what could be a positive way. There was an existing development on here before, it was called Mosaic. That was in 2005, but it's essentially dumped at this point. And that just consisted of the bank-owned property, 566 acres. The zoning out there right now is PCD (planned community development) that allows for mixed-use, large-scale development, and it fits well for this piece of property. He didn't think this type of zoning had ever been used in the city before. This will be something new to be looked at. The SITLA property is a negotiation with developers at this present time. It's my understanding this is a big-name developer. In his experience, you're better off having a developer that's got a few dollars that can actually do some stuff as opposed to one struggling to get by. When this happens, the development will be entered into with a development agreement with the city, and the property will be developed in a PCD zone. The bank property that's approximately 566 acres. There was a development agreement already approved between the bank and the city. The new name of this property is going to be La Verkin Mesa. The chosen developer will be entitled to 1600 dwelling units, which are equivalent dwelling units, and that's going to consist of residential, commercial, short-term rental units, parks, open spaces, probably a school site. There'll probably be some governmental facilities up there, such as police, fire, church sites, trails and then infrastructure facilities. The commercial is going to consist of a minimum of fifteen percent of the total project acreage that will eliminate some of the residential units. That'll be figured out as time goes on how much actual commercial is going to be. It could at least be a minimum of fifty percent. Developments can be phased, and these planning areas can be sold off to other developers. This is normal in this type of process. Developers do not do all development of the acreage. Developers, which just may be in this case, sell off to commercial developers that actually develop the property. These transfers will be allowed between different planning areas. There is nothing abnormal about that that's part of the normal planning process. The developer will be required to design, install, and construct all project improvements. That is absolutely normal; cities don't do that type of stuff anymore. They have no ability to do that after all this. The developer will have had a vested

right in order to develop the property as per the approved plan. Again, that's normal in a development phase as we talked about. Because there is some development restrictions placed as a result of this development agreement, the planning commission will not have total discretion as to how this thing is going to develop. However, they do have the ability to influence how it's going to develop and what's going to go on and how it's going to look. The development process will follow requirements dictated in the PCD zone, and it will also follow general plan goals and objectives. There is going to be a document that is developed through this that outlines zoning, development requirements, development standards, circulation, major design concepts, municipal services, phasing administration, grading, defining hillside, and open space, which will be quite a bit of that up there. In essence, they're going to have a specific plan and development for both of these properties. They'll probably be two separate ones, but having said that, these have to be integrated together. They don't want two different developments that don't talk to each other or don't integrate with each other. He thought the developers would also want to do a master conveyance map. That is, essentially, that each planned area as defined will be its own separate lot. There'll be infrastructure; it'll be shown on your master plan infrastructure. It consists of arterial roads, collector streets, and those types of things. When that map records those streets, and that infrastructure will be dedicated to the city at that time. It will allow the developer to then take these other lots and spin them off to other developers. They can improve the project as it continues on. He also thought there's also going to be a follow-up development agreement necessary. As far as studies and plans are concerned there is definitely going to be a traffic study, analyzing traffic impacts, signalization, those type of things. UDOT's going to have their say into what goes on out there. There'll be a biological assessment, an archaeological assessment, a slope analysis, drainage study, and geotechnical geological study. Then there is going to be a master infrastructure plan that kind of spells out how much it's going to cost and what infrastructure is going to be required in order to serve this entire development. Those are called community facilities plans. Also, a public facility plans to plan the schools, fire stations, parks, and those types of things. How is all this stuff getting paid for? The city has adopted ordinance to allow for a PID or a public infrastructure district. In essence, it's an assessment district. Most states like California that's the only way major development gets paid for. Funding is through the assessment district. The way these essentially work is that the developer will come in and figure out exactly how much the infrastructure is going to cost in order to develop this, and that would include water, sewer, all your street improvements, whatever it takes in order to build this development. That number is then figured out in what a bond would be for that amount, and then that bond is then attached to the subject property. When the commercial comes in and the single-family homes come in, that assessment is then divided amongst all those different players that are out there. So, if you buy a house out in a place like this, that has a PID, you may end up having to pay as part of your bond payment. And that can be anywhere from a fifteen-year bond to thirty-year bond. Depending after thirty years, that bond gets extinguished. But what that does is allow the developer to go in and build out all the master plan improvements immediately, instead of having a phased development. Most developers like this road because it makes more sense for them. In a lot of ways, it makes more sense for the city too, because you get all your improvements right up front. Now, there is probably some risk to that if there is some failure, but like in California, this is done every day. It's not clear at this time, whether any of these developers want to do this PID process. The only other option is for a developer to pay for those improvements themselves, probably through some type of phase program.

Commissioner Bice asked if that will be in place so if they choose to do the PID they can.

Brad explained that the city has adopted the ordinance, so they're allowed to go down that process now. They will have an assessment engineer to figure out what it's going to cost. Get involved in bonds and those sides of things, and there's going to be someone on the staff that's going to have to follow this whole thing financially. But all that can come later on. This is kind of the way major development is done anymore.

Commissioner Spendlove commented there is a PID's in hurricane towards Sand Hollow Road using that same approach.

Brad explained that that's probably what you're going to be looking at now regarding a timeline with this. Other than approval for the DA for the La Verkin Mesa project, nothing has been done at this time. It could take a minimum of twelve months to three years to get fully invested. That would include the financing package and everything that you need in order to get development moving. The planning department or the planning commission will be part of this process. When they figure out who the developers are, we'll come back and give you better timelines for how these things are all going to work out. We just need to work aggressively when that time comes and get this thing where it's going to be. This is a big deal for the city. Unfortunately, some of the pristine land is going to probably go away. It's an exciting time for the city, and this will be a great project for the city.

7. Discussion regarding the General Plan.

Kevin Smedley handed out a map and explained he thought it would be helpful with the discussion about annexation. There is not very much land left to annex. South of the gorge, that's a big obstruction to get up through and there's mostly public land, and a little bit of private land there. Water conservancy lands right on the edge, and then a little bit of private land that is kind of within the peninsula. We had that discussion to come back and discuss annexation. There's an aerial showing ownership with acres on each parcel. So, those are the three pieces of information. They will be talking on a very high level about the top site as part of general plan. The very first thing is there's a little graphic at the top of that page showing basically a quasi - 3D map of where the top site is. Is that a helpful thing to have in?

Commissioner Bice replied he thought it was helpful and should be included.

Kevin explained that he made the changes they suggested at the last meeting. They didn't have any more suggestions, they moved on to page 10, but they had no changes. On page 11 added in the densities on the two residential categories.

Commissioner Bice commented that under anticipated changes at the bottom, the last sentence says, "to maintain the rural character of La Verkin", he really like that. But he wasn't sure it was going to work for them. He wasn't sure they should have it in our general plan. It's going to continue to become less rural.

Kevin replied some parts of town could remain rural.

Commissioner Bice agreed. He lives on eight acres, and he would like those big pieces of land to remain as long as possible. However, when this was written in the general plan, they were very rural. He wasn't sure it should stay in the plan.

Commissioner Spendlove recommended they modify it to say, "some rural character".

Commissioner Bice read on page 12 that residential development can occur either as an infill or new subdivisions because of the desire to maintain existing large lots.

Derek commented years ago we had really small lots. He thought some of them were R-1-10. And somewhere in the middle of that, we jumped up to R-1-14 because that was the big push. We had bigger lots so we could get a better product and cleaner yards. Large lots now, aren't sustainable. Developers aren't going to develop anything because they don't pencil them out. He thought the generation now really wanted the R-1-6 to R-3-6 areas with minimal lot size to maintain. He didn't feel like the large blocks were sustainable anymore.

Commissioner Bice suggested the wording "economically feasible". We should have as many as we can economically support, but he felt those days are gone.

Kevin asked if it needed to be even included? The market drives the size of lots.

Commissioner Bice didn't think the general plan should push them toward larger lots.

Commissioner Spendlove suggested taking the sentence out. Or change it to say on the Top Side.

Kevin commented on page twelve he dropped the work acquiring land. Unless the city plans to purchase land for recreational facilities.

Derek commented he didn't think the city would be buying any. That the recreational land they would acquire on the Top Side.

Commissioner Bice asked Patty about the developer donating or us purchasing right along that edge of Topside and connecting the trails?

Patty Wise replied it is on the master trails plan, so it has to be considered. I'm not sure if we have that in the development agreement. The goal would be that all development topside and down here, that anything of consequence in size would include trails, not just open space but trails.

Derek added we need to protect that.

Kevin commented that it wouldn't be a plan by the city but a development agreement. Do you want to mention that local commercial services will increase as more people live in the general area?

Commissioner Bice thought that was self-evident.

Kevin asked about the suggestion at the bottom of that paragraph. "To accommodate the preservation of the viewsheds, development will not be allowed in sensitive or hazardous areas. Viewshed will be preserved."

Commissioner Spendlove liked that wording a lot more. It was clear what the city was asking for.

Commissioner Bice asked about the paragraph that says development should not occur north of Highway Nine. The city limits actually go north of any of the houses in Toquerville, but it's up that really rugged canyon. He was not sure that'll ever be developable, but when this Topside happens, maybe it might. That's BLM land.

Derek commented it would be hard for the city to get BLM land.

Commissioner Spendlove thought there was a small portion of land by that that was SITLA property.

Kevin replied there is a small piece on the east side of highway nine its 39 acres.

Commissioner Bice added that maybe that's fine for now, but BLM doesn't like to be next to density. They're prone to try to unload that. And that piece of La Verkin is as big as the rest of La Verkin. It's just very rugged and may never be amenable to development, but it is a whole bunch of property.

Kevin commented that as you go forward if BLM was looking to dispose of land in that area, then that's something that could be added to the general plan too. Because it's not just a static document. He thought they could eliminate the annexation part.

Derek commented the only one would be the fight over Pah Tempe with Hurricane city. Every time we've tried to bring it in, they fought us. Every time they've tried to bring it in, we fought them. So, it stayed in the county.

Kevin commented they can leave this discussion in there. He would look at it again based on that. He put that together today to see if there's anything more that could be carved out or clarified.

Derek suggested wording it as potential annexation.

Kevin continued to the goals and policies on page are fourteen. There're just a few things that he was recommending. On page Fifteen, the one thing that he did have as a suggestion, was something they need to do under goal four, preserve natural assets. Integrating possible city facilities such as trailheads adjacent to those lands.

Commissioner Spendlove commented that that's something we've been doing over the past few years. He thought it's something they need to keep in our goals moving forward.

Kevin asked about under the "potential action steps", under number two, create a more streamlined zoning ordinance map that is customized to the working of La Verkin. Is this something that needs to be kept in there?

Derek replied that as far as our zoning map is concerned, there is a new one on our website. It shows the zoning. They can click on a property, and it'll take you right to the code.

Kevin asked if the zoning ordinances are up to where they want them to be? As far as streamlining changes. Do you want to leave goal or action set number two in there?

Derek responded that it should be continued, it needs to improve and progress.

Kevin commented on number four rather than just specifying two programs, there's others. He made a broader statement. Page sixteen: community development gets into design and beautification and that sort of thing. This, you can see under the first paragraph, there's just some clarifications in there. Any things you'd rather do under community survey or beautification? We did not do that as part of our initial effort with the January update. He recommended that it be taken out because it's old information, however, if they felt like they needed to keep it they could.

Commissioner Bice agreed to take it out.

Kevin asked for any changes to pages 16-18. There were none. Page nineteen. Potential action steps. There's a number of these that I'm just asking if these are still needed to be there. Develop design guidelines for the main transportation corridor. You had the study done recently.; is that still needed to be left in there? Is that still being worked on?

Derek replied they had two studies done. The corridor study with UDOT, and then there was another one he didn't know what the update was.

Patty Wise commented that The Zion National Scenic Byway Corridor Management Plan went through the state legislature. It was approved to go to the governor to be signed. It's something that as a city we get and want to be aware of. Its guiding principles are what it is. It's not mandates or anything, but guiding principles. So that could have a very positive impact on how the lower income portion of the corridor looks.

Kevin continued under number two, there is a goal to define the view shed for protection. Is that something that. That seems like a pretty specific goal for a broad landscape.

Commissioner Bice thought the zones did that.

Commissioner Spendlove added that and we've started to define them even more heavily now to help the viewshed.

Kevin replied that and this is saying, define what you think is viewshed.

Commissioners Spendlove and Derek didn't think they could define it.

Kevin continued to number three. Consider infill development tools that make properties easy and affordable to develop by reducing reductions in requirements like parking setbacks. So, this I know you've been modifying your zone ordinance. Is this something that's still even as a possible action? Or is this something you've just been working on and you're continuing to work on?

Derek agreed to leave it in because our ordinances are old and deficient.

Kevin continued to number four about updating and enforcing the nuisance ordinance.

Derek suggested that needs to be constant. It's only been done a few times since he has worked in the city. Things change and dynamics. Sometimes it's the property and/or the house.

Kevin continued to number five. City council could identify historic areas and buildings. The city does have the historic preservation council. Something, the city council would like to have a recommendation from them to act on, rather than city council just identify.

Commissioner Bice agreed it should be kept in the plan.

Commissioner Spendlove added that it should be the preservation committee.

Kevin continued to strengthen the sense of place through public art, gateway development, wayfinding, and through investments and through state investments. The first that came up in any of the discussions was the sense of place and public art. Do we need some discussion previously in the chapter?

Commissioner Bice replied that at the intersection of SR9 and 500, they had a grant some years ago and put a little monument there. This maybe serves that. He didn't feel it needed one more place.

Commissioner Spendlove added there's benefit in having the different opportunities for art and streetscape. He thought they needed to have something in there that would help them with the landscape, the streetscapes and art.

Kevin suggested they tie that in because they have design guidelines that they're working on. Maybe tie that into discussion with that.

Derek asked what the definition of streetscape is.

Kevin replied that the streetscape includes the buildings adjacent and includes the street itself.

Commissioner Spendlove added it was the information in the corridor study with parking and streets.

Derek asked if they could talk about that when we're doing our parking ordinance. Plus, all of their landscaping should be tied back into the ordinance that they approved through the conservancy district. As far as trees, number of trees, types of bushes to be compliant with vegetation are included. It could tie back into that,

Kevin commented he would take a stab at deciding, though with the discussion paragraphs since this is something that you want reports within the body of that chapter and sounds like some of them might go better with transportation. Page twenty, this is actually what helps drive things in every community. There was a correction in that first two introductory paragraphs setting the height in there. Under the current conditions, it refers to a study done in 2012, listing 365 companies within La Verkin. He did a web search and came up with 108 companies. It kind of is very specific about the three industries that are the most established, or is it better to have discussion about just the idea?

Commissioner Spendlove thought it should not be so specific, or it would have to be updated every year the number of current businesses.

Kevin commented on the community survey that was done in 2018. Is that information helpful to you?

Commissioner Bice didn't think it was relevant any longer.

Kevin commented that just changed the wording for areas of potential like included in the 2018 general and just talked about State Street and Fifth North as primary for economic development. With some of the suggestions that were given, grocery store, restaurant, regional farmers market are these the kinds of things the city is still trying to attract? Do you want to be more general.

Commissioner Bice thought it should be more general.

Kevin admitted it was confusing to him, but he didn't know if it was helpful to them or not. These opportunities can increase and support the tax. Industries that currently have a large impact could be a focus in our cities because of regional economic forces. Is that helpful

Commissioner Spendlove replied it's not.

Kevin turned to page twenty-two There is a top paragraph that has a discussion about short term. He thought that that's discussed elsewhere in the plan. It definitely does bring people to the community. Do we want any discussion there specifically about short- term rentals under economics?

Commissioner Bice replied it has become a sensitive subject in La Verkin.

Kevin referenced a survey, already in the plan, that was eight years old.

Commissioner Bice recommended taking it out.

Kevin replied under Goals and policies. Recognize that the economic opportunity areas identified by the community, which are those three areas above, the list above. If we don't really need those, did they want to spell out priority areas other than along State Street and Fifth? That's your focus, right? Or commercial when that comes.

Commissioner Bice agreed and added the Top Side potentially also.

Kevin asked Derek if the city provides incentives for businesses.

Derek replied that the city does not.

Kevin recommended they take out that sentence. Under potential action steps. They will want to provide input designated council member who's responsible for business recruitment. Relationship regulation affects the local economy. He asked if the city council have someone that just spearheads that?

Derek replied that Kyle Gubler and possibly Councilman Prince. He suggested the change could be city administrator and/or city council member.

Kevin continued on to number two. This is zone intersection for commercial development. Do you proactively do that anymore? Does the city do zone changes or wait for request to change.

Derek replied that not that we change it, but they amend to add other allowances within the existing zones. The RV resorts that are now are not allowed these days. We amended it, went through a process. As far as changing a whole to a whole different zone, these have pretty much been in place for quite a long time, but we do amend them. And that's going to be part of our big discussion topic.

Commissioner Bice added they have talked about amending it to mixed-use.

Kevin moved on to receiving governor's award as being a business friendly community. Is that something that is still working towards or would like to leave them there? That's spearheaded statewide by Salt Lake Chamber. The business license development process is getting rid of inefficiencies. Is that something that has been done already? You feel like it needs to be done.

Derek responded that the only thing we've done for business license, it kind of gets bogged down because of the fire department. Their input and lack of ability to go out and inspect in a timely manner. Fees are always a thing, charging enough or too much. He thought through our process the only one that really gets involved with people is if there's something that needs to be done is the police.

Kevin finished with the section: identifying inventory and assembling underutilized parcels for redevelopment. You have a redevelopment agency, if that's something that the city has an appetite for.

Derek suggested taking it out.

Kevin said he would clean it up and make the changes they suggested. They have a few more sections to do but it's coming to an end.

H. Adjourn:

Commissioner Allen Bice adjourned the meeting at 7:20 p.m.

Planning Commission Chair

Date Approved

AN ORDINANCE OF THE CITY COUNCIL OF LAVERKIN, UTAH, ENACTING SECTION 10-6C2-1 ET. SEQ. OF THE LAVERKIN CITY CODE, PROVIDING FOR SMALL LOT SINGLE-FAMILY HOMES AND ATTACHED HOMES UP TO EIGHT (8) DWELLING UNITS PER ACRE.

WHEREAS, the City of LaVerkin is authorized under Utah Code Title 10, Chapter 20 (Land Use, Development, and Management Act) to enact and amend zoning regulations to promote the public health, safety, and general welfare; and

WHEREAS, the City Council recognizes the need to provide a range of residential zoning districts that accommodate varying housing types, densities, and community needs; and

WHEREAS, the City's General Plan encourages a diversity of housing options, including moderate-density residential development, in order to promote housing availability, affordability, and efficient land use; and

WHEREAS, the City Council finds that a Medium Density Residential (MDR-8) zoning district allowing up to eight (8) dwelling units per acre will provide opportunities for a mix of housing types, including small-lot single-family homes, twin homes, and other attached residential units; and

WHEREAS, the MDR-8 zone is intended to serve as a transitional zoning classification between lower-density single-family residential areas and higher-density residential zones, thereby promoting compatibility and orderly development patterns; and

WHEREAS, the City Council finds that allowing a variety of housing configurations, including cluster and courtyard housing, will encourage innovative site design and more efficient use of land and infrastructure; and

WHEREAS, the ordinance includes application requirements such as precise plans, architectural review, and the potential for impact studies, which will ensure that medium-density developments are carefully designed and evaluated to mitigate potential impacts; and

WHEREAS, the ordinance establishes standards for setbacks, height, lot coverage, open space, and buffering in order to maintain neighborhood character, protect adjacent properties, and promote high-quality development; and

WHEREAS, the inclusion of requirements for common open space, recreation amenities, and homeowner associations for certain housing types is intended to ensure long-term maintenance, livability, and aesthetic quality within the MDR-8 zone; and

WHEREAS, the City Council finds that the MDR-8 zone promotes efficient use of public facilities and services, including streets, utilities, and public safety resources, while supporting sustainable growth within the City; and

WHEREAS, the ordinance provides additional safeguards, including development agreements for more intensive housing types, to address project-specific impacts and ensure compliance with City standards; and

WHEREAS, the Planning Commission has reviewed the proposed ordinance and has made a recommendation to the City Council following duly noticed public hearings in accordance with applicable law; and

WHEREAS, the City Council has held a public hearing, considered public comment, and finds that adoption of the MDR-8 zoning district is in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the City Council of LaVerkin City, Utah, that the LaVerkin Zoning Ordinance is hereby amended to add Article C2, Medium Density Residential (MDR-8), as set forth herein.

ARTICLE C2. MEDIUM DENSITY RESIDENTIAL (MDR-8)

SECTION:

10-6C2-1: Purpose

10-6C2-2: Permitted Uses

10-6C2-3: Application Requirements

10-6C2-4: Height Regulations

10-6C2-5: Area, Width And Yard Requirements

10-6C2-6: Modifying Regulations

10-6C2-1: PURPOSE:

To provide an appropriate location for small lot single-family homes and attached homes at a density of up to eight dwelling units per acre. Only those uses specified in this chapter are permitted in this zone

10-6C2-2: PERMITTED USES:

Detached, single-family residences (See Section 10-6C-3)

Twin homes, triplex and fourplex units (See Section 10-6C-3)

Cluster and courtyard housing (See Section 10-6C-3)

Home occupations subject to LVMC Section 10-7-17

Accessory buildings

Churches

Hospitals

Household pets

Mortuaries

Parks or playgrounds

Public buildings

Public libraries

Schools

Small/open congregate living facilities. (Ord. 2008-07, 5-7-2008; amd. Ord. 2009-02, 2-18-2009; Ord. 2013-10, 8-21-2013, eff. 2-17-2014)

10-6C2-3: APPLICATION REQUIREMENTS:

Unless a detached single-family home or two-family dwelling development that does not require other land use approvals is proposed, applications for development in the MDR-8 zone shall follow the application requirements below. These application requirements are in addition to processing a plat map:

- A. A precise plan application shall be submitted to the city for review and approval. A dimensioned site plan(s) showing the entire development under consideration including building location(s), setbacks, lot coverage, access locations, streets, perimeter wall(s) locations and design, preliminary landscape plan, utilities plan (including fire hydrant locations), equipment locations and screening, phasing (if any), and any other pertinent design features or aspect of the development.
- 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 landscaping plan shall be submitted as part of the application process and shall follow the requirements of Chapter 8 (conservation Landscaping Requirements) as adopted and required by the WCWCD (Washington County Water Conservation District)
- E. Lighting: All lighting shall comply with Chapter 7 Outdoor Lighting (night sky) ordinance, which includes 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. To more

fully implement this requirement, a photometric lighting plan Shall be required to show that there will be no significant overflow lighting.

- F. The Administrative Land Use Authority (ALUA) permits twin homes, triplexes, and fourplexes.

10-6C2-4: HEIGHT REGULATIONS:

No buildings shall be erected to a height greater than thirty-five (35') for a detached unit, and forty feet (40) for Attached units, except that 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:

- A. Is in furtherance of a compelling governmental interest; and
- B. Is the least restrictive means of furthering that compelling governmental interest. (Ord. 2008-07, 5-7-2008)

10-6C2-5: AREA, WIDTH, AND YARD REQUIREMENTS: SINGLE-FAMILY DETACHED DWELLINGS (SINGLE FAMILY)

District	Density	Min Lot Area in Square Feet	Min Lot Width In Square Feet	Min Lot Depth In Square Feet	Open Space	Setback In Feet			
						Front	Side	Rear	Corner lots
MDR-8	Up to eight dwelling units Per acre	4,000	40	80'	Not Required	1 25'	2 5'	3 10'	4 15'

Note:

1. Front: 25 feet to the garage, 15 feet to other portions of the structure.
2. Rear: Patio covers, open on three sides, may encroach up to three feet of the rear yard property line.
3. Corner lots: Corner lot adjacent to a street fifteen feet.

10-6C2-6: AREA, WIDTH, AND YARD REQUIREMENTS: ATTACHED-FAMILY DWELLINGS (TWIN HOMES, TRIPLEX AND FOURPLEX)

District	Density	Min Lot Area in Square Feet	Min Lot Width In Square Feet	Min Lot Depth In Square Feet	Open Space	Setback In Feet			
						Front	Side	Rear	Corner lots
MDR-8	5 Up to eight dwelling units Per acre	N/A	N/A	N/A	Required Modifying Regulations G,H	1 25'	2 5'	3 10'	4 15'

Note:

1. Front: Five feet to the garage for attached units fronting alley or private drive.
2. Side: Setback between a structure and property line for attached units.
3. Rear: Between a structure and a rear property line.
4. Corner lot: Corner lot adjacent to a street fifteen feet.

10-6C2-7: MODIFYING REGULATIONS:

- A. Accessory structures: Only allowed for single-family detached homes. These structures shall not be located in the front setback; shall be located in the rear yard area behind fencing; if located at least ten feet behind the main building, may have a side setback of two feet. No accessory building or group of accessory buildings shall cover more than eight percent (8%) of the total lot area.
- B. Common recreation area: Amenities in the common recreation area may consist of a pool, play area, tennis courts, barbeque areas, canopies, enclosed gym and workout areas, recreation rooms or any combination of the aforementioned and/or alternatives as approved by the city.
- C. Development agreement: A development agreement is required for review and approval (triplexes and fourplexes).

- D. Fencing: A six-foot high decorative block wall shall be required around the perimeter of the entire subject property. All lots and private open space areas shall be fenced with a six-foot high vinyl fence or other material approved by the city. No wood perimeter fencing is allowed.
- E. Garages Required: Minimum garage size for new home construction shall be twenty feet by twenty feet (20' x 20'). (Ord. 2008-07, 5-7-2008; amd. Ord. 2013-10, 8-21-2013, eff. 2-17-2014)
- F. Homeowner's association: Establishment of a homeowner's association is required for developments (twin homes, triplexes and fourplex housing). A homeowner's association may also be required by the city based on specific issues related to the development.
- G. Lot coverage: Structures on a lot shall not exceed 75% of the total lot area.
- H. Open space: For twin homes, triplexes and fourplexes, two hundred (200) square feet of active open space is required per dwelling unit. One hundred (100) square feet shall be in a private patio area for the exclusive use of each dwelling unit occupant. One hundred (100) square feet shall be provided in a common recreation area.
- I. Streets: All streets in or adjacent to the MDR-8 zone shall meet the requirements of the city's construction and development standards, including curb, gutter and sidewalk.
- J. Refuse Storage Areas: Refuse storage areas shall be screened so that materials stored within these areas shall not be visible from access streets, and adjacent properties. Storage or refuse areas shall not be located within required building setbacks nor within utility easements.

BE IT FURTHER ORDAINED THAT if any provision of this ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

BE IT FURTHER ORDAINED THAT this ordinance shall take effect upon passage and publication as required by law.

APPROVED AND ADOPTED this _____ day of _____, 2026.

City of LaVerkin

Kelly B. Wilson, Mayor

Attest:

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 ___ day of _____, 2026, whereupon a motion to adopt said Ordinance was made by _____ and seconded by _____.

A roll call vote was then taken with the following results:

NAME	VOTE
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Nancy Cline, City Recorder

AN ORDINANCE OF THE CITY COUNCIL OF LAVERKIN, UTAH, ENACTING SECTION 10-6C3-1 ET. SEQ. OF THE LAVERKIN CITY CODE TO PROVIDE FOR DEVELOPMENT OF ATTACHED HOUSING, CONDOMINIUMS AND TOWNHOMES AT A DENSITY OF UP TO FOUR (4) STORIES AND FOURTEEN (14) DWELLING UNITS PER ACRE.

WHEREAS, the City of LaVerkin is authorized under Utah Code Title 10, Chapter 20 (Land Use, Development, and Management Act) to adopt and amend zoning regulations to promote the public health, safety, and general welfare; and

WHEREAS, the City Council recognizes the need to provide for a broader range of housing types within the City, including higher-density residential development, in order to meet the needs of a growing and diverse population; and

WHEREAS, the City's General Plan encourages a variety of housing options, including multi-family housing, in appropriate locations in order to promote housing affordability, efficient land use, and economic sustainability; and

WHEREAS, the City Council finds that the establishment of a High Density Residential (HDR-14) zoning district allowing up to fourteen (14) dwelling units per acre and building heights up to four (4) stories will help accommodate future growth while reducing pressure to expand into undeveloped areas; and

WHEREAS, the HDR-14 zone is intended to support compact development patterns that make efficient use of existing and planned infrastructure, including transportation systems, utilities, and public services; and

WHEREAS, the City Council finds that higher-density residential development, when properly designed and regulated, can provide high-quality living environments and contribute to the vitality of the community; and

WHEREAS, the ordinance includes detailed application requirements, including precise plans, architectural review, and impact studies, to ensure that development within the HDR-14 zone is carefully evaluated and designed to mitigate potential adverse impacts; and

WHEREAS, the ordinance establishes standards for building height, setbacks, landscaping, open space, parking, and buffering in order to promote compatibility with adjacent land uses, particularly lower-density residential zones; and

WHEREAS, the inclusion of requirements for common open space, recreational amenities, and homeowner associations is intended to ensure long-term maintenance, livability, and quality of development within the HDR-14 zone; and

WHEREAS, the City Council further finds that requirements related to lighting, landscaping, drainage, traffic analysis, and other technical studies will help protect public safety and minimize impacts on surrounding properties; and

WHEREAS, the requirement for development agreements in most HDR-14 projects will provide an additional mechanism to address project-specific impacts and ensure compliance with City standards and policies; and

WHEREAS, the Planning Commission has reviewed the proposed ordinance and has made a recommendation to the City Council following duly noticed public hearings in accordance with applicable law; and

WHEREAS, the City Council has conducted its own public hearing, considered public input, and finds that adoption of the HDR-14 zoning district is in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the City Council of LaVerkin City, Utah, that the LaVerkin Zoning Ordinance is hereby amended to add Article C3, High Density Residential (HDR-14), as follows:

ARTICLE C3. HIGH DENSITY RESIDENTIAL (HDR-14)

SECTION:

10-6C3-1: Purpose

10-6C3-2: Permitted Uses

10-6C3-3: Application Requirements

10-6C3-4: Height Regulations

10-6C3-5: Area, Width and Yard Requirements

10-6C3-6: Modifying Regulations

10-6C3-1: PURPOSE:

To provide for the development of attached housing, condominiums and townhomes at a density of up to four (4) stories and fourteen (14) dwelling units per acre. Only those uses specified in this chapter are permitted in this zone.

10-6C3-2: PERMITTED USES:

Multi-family housing (See Section 10-6C1-3)

Apartments, condominiums and townhomes (See Section 10-6C1-3)

10-6C3-3: APPLICATION REQUIERMENTS:

Unless a townhome development is proposed that does not require additional land use regulation approvals, applications for development in the HDR-14 zone shall follow the application requirements below. These application requirements are in addition to processing a plat map.

- A. A precise plan application shall be submitted to the city for review and approval. A dimensioned site plan(s) showing the entire development under consideration including building location(s), setbacks, lot coverage, access locations, streets, perimeter wall(s) locations and design, preliminary landscape plan, utilities plan (including fire hydrant locations), equipment locations and screening, phasing (if any), and any other pertinent design features or aspect of the development.
- 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 landscaping plan shall be submitted as part of the application process and shall follow the requirements of Chapter 8 (conservation Landscaping Requirements) as adopted and required by the WCWCD (Washington County Water Conservation District)
- E. Lighting: All lighting shall comply with Chapter 7 Outdoor Lighting (night sky) ordinance, which includes 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. To more fully implement this requirement, a photometric lighting plan Shall be required to show that there will be no significant overflow lighting.

10-6C3-4: HEIGHT REGULATIONS:

Maximum building height shall not exceed Forty Feet 40' or four stories except that 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:

- A. Is in furtherance of a compelling governmental interest; and
- B. Is the least restrictive means of furthering that compelling governmental interest. (Ord. 2008-07, 5-7-2008)

10-6C3-5: AREA, WIDTH, AND YARD REQUIREMENTS:

District	DENSITY	Minimum Lot Area in Square Feet	Lot Width In Feet	Minimum Dwelling Unit Square Footage	Open Space	Setback In Feet			
						Front	Side	Rear	Corner lots
MDR-14	Up to fourteen dwelling units Per acre	N/A	N/A	600 Sq. Ft.	Modifying regulations 10-6c2-7 (L)	1,5 25'	2,5 20'	3,5 20'	4,5 25'

Note:

1. Front or street: A minimum 25-foot-wide landscape area between the property line and any improvements (i.e., buildings, courtyards, parking spaces, paving, etc.).
2. Side: 20 feet landscaped.
3. Rear: 20 feet landscaped.
4. Corner lots: 25' landscaped.
5. Building setbacks adjacent to single family 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.

10-6C3-7: MODIFYING REGULATIONS:

- A. 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.
- B. Bicycle Racks: E.V. ready bicycle parking racks (one bicycle parking space for each unit) shall be provided at a centralized location.
- C. Buildings: All buildings shall front a street unless determined otherwise by the city
- D. Common recreation area: Amenities in the common recreation area may consist of a pool, play area, tennis courts, barbeque areas, canopies, enclosed gym and workout areas, recreation rooms or any combination of the aforementioned and/or alternatives as approved by the city.
- E. 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.

- F. Development agreement: A development agreement is required for review and approval in the HDR zone unless a townhome project is proposed that does not require additional land use regulation approvals .
- G. Lot coverage: Structures on a lot shall not exceed 75% of the total lot area
- H. Fencing: A block wall shall be required along the perimeter of a property as prescribed in Section 10-6G-2.2F and Section 10-7-7 of the La Verkin Municipal Code.
- I. Garages Required: Minimum garage size for townhome construction shall be twenty feet by twenty feet (20' x 20'). (Ord. 2008-07, 5-7-2008; amd. Ord. 2013-10, 8-21-2013, eff. 2-17-2014)
- J. Homeowner's association: Establishment of a homeowner's association is required. A homeowner's association may also be required by the city based on specific issues related to the development
- K. Loading area: One dedicated and marked 10 foot by 20 foot loading space shall be required for every 15 dwelling units. This loading space requirement is in addition to the resident/tenant parking requirement outlined in the parking requirement above
- L. Open space: Two hundred (200) square feet of active open space is required per dwelling unit. One hundred (100) square feet shall be in a private patio area for the exclusive use of each dwelling unit occupant. One hundred (100) square feet shall be provided in a common recreation area.
- M. Storage areas: If no enclosed garage is provided for each dwelling unit, 250 square feet of enclosed storage shall be provided per unit. This storage is in addition to room closets, coat closets, water heater closets, etc.
- N. Streets: All streets in or adjacent to the HDR-14 zone shall meet the requirements of the city's construction and development standards, including curb, gutter and sidewalk.
- O. 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.
- P. Vehicular access/parking: Each dwelling unit shall have a minimum of two dedicated parking spaces per unit with one being covered or enclosed, excepting townhomes, which require 2 enclosed parking spaces (See 10-6C2-7I). One additional 9-by-18 foot parking space shall be required for every three dwelling units for guest parking in any multifamily complex.

- Q. Balconies: Balconies shall be enclosed with a solid material (wall) to a height prescribed by the International Building Code if such balconies are facing exterior property lines of the overall development. Wrought iron or open fencing is permitted on balconies if the balconies face the interior of the project.
- R. Outdoor Storage: Outdoor storage is prohibited. In addition, balconies shall not be used for storage or for hanging laundry or other materials.

BE IT FURTHER ORDAINED THAT if any provision of this ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

BE IT FURTHER ORDAINED THAT this ordinance shall take effect upon passage and publication as required by law.

APPROVED AND ADOPTED this _____ day of _____, 2026.

City of LaVerkin

Kelly B. Wilson, Mayor

Attest:

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 ___ day of _____, 2026, whereupon a motion to adopt said Ordinance was made by _____ and seconded by _____.

A roll call vote was then taken with the following results:

NAME	VOTE
_____	_____
_____	_____
_____	_____

Nancy Cline, City Recorder

AN ORDINANCE OF THE CITY COUNCIL OF LAVERKIN, UTAH, ENACTING SECTION 10-6C1-1 OF THE LAVERKIN CITY CODE, PROVIDING FOR DEVELOPMENT OF DETACHED SINGLE-FAMILY RESIDENCES AT A DENSITY OF UP TO SIX (6) DWELLINGS PER ACRE.

WHEREAS, the City of LaVerkin is authorized under Utah Code Title 10, Chapter 20 (Land Use, Development, and Management Act) to enact and amend zoning ordinances to promote the public health, safety, and general welfare; and

WHEREAS, the City Council finds it necessary from time to time to amend the LaVerkin Zoning Ordinance to respond to changing growth patterns, housing needs, and land use demands within the City; and

WHEREAS, the City has experienced continued residential growth and increasing demand for moderately sized single-family lots that provide opportunities for home ownership while maintaining the character of established residential neighborhoods; and

WHEREAS, the creation of a One-Family Residential (R-1-6) zoning district allowing up to six dwelling units per acre will provide an appropriate transition between lower-density residential zones and higher-density residential or mixed-use areas; and

WHEREAS, the R-1-6 zone is intended to encourage efficient use of land and public infrastructure, including streets, water, sewer, and other utilities, while avoiding urban sprawl and promoting orderly development; and

WHEREAS, the City Council finds that establishing minimum lot sizes, setbacks, height limitations, and other development standards within the R-1-6 zone will help ensure compatibility with surrounding land uses, protect property values, and preserve neighborhood livability; and

WHEREAS, the ordinance permits only detached single-family dwellings and other limited, compatible uses, thereby maintaining the traditional residential character while allowing reasonable flexibility for customary residential activities; and

WHEREAS, the inclusion of standards for accessory buildings, garage requirements, landscaping, and utility easements is intended to promote safe, functional, and aesthetically pleasing development patterns; and

WHEREAS, the City Council finds that the R-1-6 zone will expand housing opportunities within the City in a manner that is consistent with the City's General Plan goals and policies, including providing a range of housing types and densities; and

WHEREAS, the Planning Commission has reviewed the proposed ordinance and has made a recommendation to the City Council following duly noticed public hearings in accordance with applicable law; and

WHEREAS, the City Council has held its own public hearing, has considered public comment, and finds that adoption of this ordinance is in the best interest of the City and its residents.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of LaVerkin City, Utah, that the LaVerkin Zoning Ordinance is hereby amended to add Article C1, One-Family Residential (R-1-6), as follows:

ARTICLE C1. ONE-FAMILY RESIDENTIAL (R-1-6)

SECTION:

10-6C1-1: Purpose

10-6C1-2: Permitted Uses

10-6C1-3: Height Regulations

10-6C1-4: Area, Width And Yard Requirements

10-6C1-5: Modifying Regulations

10-6C1-1: PURPOSE:

The Single Family Residential (R-1-6) zone is intended for the development of detached single-family residences at a density of up to six dwelling units per acre. Only those uses specified in this chapter are permitted in this zone. All provisions of the La Verkin Municipal Code not specifically stated in this zoning section shall apply where applicable.

10-6C1-2: PERMITTED USES:

Agriculture, including home gardens and fruit trees.

Churches.

Detached single family homes.

Home occupations.

Household pets.

One-family dwellings.

Parks or playgrounds.

Public libraries.

Public schools

10-6C1-3: HEIGHT REGULATIONS:

No building shall be erected to a height greater than thirty-five feet (35'). No accessory building shall be erected to a height greater than twenty feet (20') except that 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:

- A. Is in furtherance of a compelling governmental interest; and
- B. Is the least restrictive means of furthering that compelling governmental interest. (Ord. 2008-07, 5-7-2008)

10-6C1-4: AREA, WIDTH AND YARD REQUIREMENTS:

District	Minimum Lot Area In Square Feet	Lot Width In Feet	Lot Dept	Setback In Feet			
				Front	Corner Side	Side	Rear
R-1-6	6,000	60	80	25' to the garage – 20' to other portions of the structure	Corner Lot Adjacent To A Street	5'	10'

(Ord. 2008-07, 5-7-2008)

10-6C1-5: MODIFYING REGULATIONS:

- A. **Side Yards:** Private garages and other accessory buildings located at least ten feet (10') behind the main building may have a side setback of *Five feet (5')* if no utility's exist in the setback or *Seven and Half feet (7.5)* if utilities exist
- B. **Rear Yards:** Private garages and accessory buildings located at least ten feet (10') behind the main building may have a rear setback of *Five feet (5')* if no utilities exist in the setback or *Seven and a Half feet (7.5)* if utilities exist (Ord. 2008-07, 5-7-2008)
- C. **Easement Required:** All lots shall have easements on side and rear property lines 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.

D. **Accessory Buildings:** No accessory building or group of accessory buildings shall cover more than eight percent (8%) of the total lot area.

E. **Garages Required:** Minimum garage size shall be twenty feet by twenty feet (20' x 20'). (Ord. 2008-07, 5-7-2008; amd. Ord. 2013-10, 8-21-2013, eff. 2-17-2014) 1) Renovations of existing garages into living space is not allowed unless a new garage can be built within the sizing limits of this zone.

F. **Lot Size:** An area of not less than Six thousand (6,000) square feet shall be provided and maintained for each one-family dwelling and uses accessory thereto. (Ord. 2009-02, 2-18-2009; amd. Ord. 2013-10, 8-21-2013, eff. 2-17-2014)

G. **Lot Coverage:** Structures on a lot shall not exceed 70 percent of the total lot area.

H. All dwelling units shall be installed with front yard landscaping prior to issuance of a certificate of occupancy.

I. **Homeowner's Association:** A homeowner's association may be required by the city based on specific issues related to the development.

BE IT FURTHER ORDAINED THAT if any provision of this ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

BE IT FURTHER ORDAINED THAT this ordinance shall take effect upon passage and publication as required by law.

APPROVED AND ADOPTED this _____ day of _____, 2026.

City of LaVerkin

Kelly B. Wilson, Mayor

Attest:

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 ___ day of _____, 2026, whereupon a motion to adopt said Ordinance was made by _____ and seconded by _____.

A roll call vote was then taken with the following results:

NAME

VOTE

Nancy Cline, City Recorder

Ordinance No. 2026-_____

AN ORDINANCE OF THE CITY COUNCIL OF LAVERKIN, UTAH, AMENDING §§10-6G5-1 ET. SEQ. OF THE LAVERKIN CITY CODE, ALSO KNOWN AS THE MIXED USE (MU) ZONE.

WHEREAS the City Council of LaVerkin, Utah has previously adopted §§10-6G5-1 et. seq. of the LaVerkin City Code, establishing rules and regulations pertaining to Mixed Uses (MU) 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 §§10-6G5-1 et. seq of the LaVerkin City Code, be, and is hereby, amended in its entirety to read as follows:

ARTICLE G5. MIXED USE (MU)

SECTION:

[10-6G5-1: Purpose](#)

[10-6G5-2: Permitted Uses](#)

[10-6G5-3: Prohibited Uses](#) ¹ (Rep. by Ord. 2007-26, 10-3-2007)

[10-6G5-4: Uses Subject To Similar Findings](#)

[10-6G5-5: Height Regulations](#)

[10-6G6-6: Area, Width, And Yard Requirements](#)

[10-6G5-7: Development Standards](#)

[10-6G5-8: Commercial Design Guidelines](#)

[10-6G5-9: Application Requirements](#)

Notes

¹ 1. See subsection 10-1-3B of this title.

10-6G-1: PURPOSE:

The intent of the Mixed Use (MU) zone is to provide for a mix of commercial uses (lower floor generally facing a public right-of-way) with multi-family residential uses (apartments, condominiums) above and possibly surrounding the commercial lower level area. Mixed use development is intended to be high-quality urban development that is pedestrian friendly and complementary to the surrounding area. Commercial uses and professional/artisan uses must be a part of the overall design of any development. All provisions of the La Verkin Municipal Code not specifically stated in this zoning section shall apply where applicable.

10-6G5-2: PERMITTED USES:

Accessories shop

Antique shop

Appliance sales, including electronics

Art school

Bakery products

Bank, savings and loan or other financial institution

Barber shop

Beauty and/or nail salon

Beauty school

Bicycle shop

Blueprinting and copying

Book and stationery store

Business college

Camera shop

Cards/gifts shop

Check cashing shop

Childcare center

Clothing and wearing apparel shop

Clothes cleaning

Computer/electronics store

Confectionery store

Convenience store

Cosmetics store

Crafts and supplies store

Custom dressmaking shop

Cutlery shop

Dance studio

Decorating or drapery shop

Delicatessen

Doughnut shop

Eyeglass and lens store

Fabric store

Fitness center

Flower shop

Food specialties store

Furniture store

General merchandise store

Gift shop

Grocery store – neighborhood

Hardware and appliance store

Health/nutrition store

Hobby shop

Home furnishings store

Home occupations subject to LVMC Section 10-7-17

Indoor recreational facilities

Interior decorator

Jewelry store

Kitchenware store

Leather goods shop

Library

Locksmith

Mail center

Martial arts studio

Medical office

Medical supplies sales

Microbrewery

Music instruments shop

Nursery or day care

Offices, business or professional

Office products and supply store

Paint store

Parking structures

Party goods store

Pet shop

Post office and related services

Printing, photocopying

Radio, television and appliance store

Residential (condominiums, apartments). **Must be associated with a bottom floor commercial component (See Section 10-6G5-5 Note 4).**

Restaurant or other eating place, including ice cream, yogurt, cookies

Retail sales

Shoe store

Sporting goods store

Studio, art or music

Supermarket

Swimming pool/supplies store

Tailor shop

Thrift store

Toys/hobbies store

Variety store

10-6G5-3: PROHIBITED USES:

1. Vacation rentals.

Notes: See subsection 10-1-3B of this title.

10-6G5-4: USES SUBJECT TO SIMILAR USE FINDING

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

10-6G5-5: 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 **forty-five feet (45')** 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 **fifty feet (50')** inclusive of the underlying building structure. **First floor commercial can be constructed to a height of 15 feet.** 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. 2006-09, 3-1-2006; amd. Ord. 2023-02, 2-5-2023)

		Density	Lot Width	Setback In Feet
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District	Area			Front	Side	Rear
MU See note 3	1/2 acre (21,780 square feet) ²	The maximum residential units shall be 14 dwelling units per acre. See Note #4	70ft	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 the 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 **70%** of the total lot area.
4. **Seventy-five (75) percent of the total floor area of a development can be developed as residential. Twenty-Five (25) percent of the total floor area of a development shall be developed as commercial.**

10-6G5-7: DEVELOPMENT STANDARDS:

- A. 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)
- B. Balconies:** Balconies shall be enclosed with a solid material (wall) to a height prescribed by the International Building Code if such balconies are facing exterior property lines of the overall development as well as the first ten (10) feet turning back into the interior. Wrought iron or open fencing is permitted on balconies if the balconies face the interior of the project. Balconies separating the units must be enclosed with a solid material wall up to the roofs edge.
- C. Bicycle Racks:** E.V. ready bicycle parking racks (one bicycle parking space for each unit) shall be provided at a centralized location.
- D. Buildings:** All buildings shall front a street unless determined otherwise by the city.
- E. Common recreation area:** Amenities in the common recreation area may consist of a pool, play area, tennis courts, barbeque areas, canopies, enclosed gym and workout

areas, recreation rooms or any combination of the aforementioned and/or alternatives as approved by the city.

- F. 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.
- G. Development agreement:** A development agreement is required for review and approval in the MU zone (Reference LVMC Section 10-6G3-7).
- H. Homeowner's association –** For sale housing/property owner's association: Establishment of a homeowner's association/property owner's association is required for attached units, condominium housing and commercial development as determined by the city. **Bylaws shall be approved by the city.**
- I. 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. This loading space requirement is in addition to the resident/tenant parking requirement outlined in the parking requirement above.
- J. Management Office:** Rental apartment complexes require the construction of a dedicated and staffed management office.
- K. Open space:** Two hundred (200) square feet of active open space is required per dwelling unit. One hundred (100) square feet shall be in a private patio area for the exclusive use of each dwelling unit occupant. One hundred (100) square feet shall be provided in a common recreation area.
- L. Outdoor Storage:** Outdoor storage is prohibited. In addition, balconies shall not be used for storage or for hanging laundry or other materials.
- M. Residences:** Minimum dwelling unit square footage shall be 600 feet.
- N. Streets:** All streets in or adjacent to the MU zone shall meet the requirements of the city's construction and development standards including curb, gutter and sidewalk.
- O. Storage areas:** If no enclosed garage is provided for each unit, 250 cubic feet of enclosed storage shall be provided per unit. This storage is in addition to room closets, coat closets, water heater closets, etc.
- P. 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.
- Q. 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. Each residential dwelling unit shall have a minimum of two dedicated parking spaces per unit with one being covered or enclosed. One additional nine (9) foot by 18 foot parking space shall be required for every three dwelling units for guest parking.

10-6G5-8: 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)

10-6G5-9: APPLICATION REQUIREMENTS:

Commercial developments in the MU 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.
5. **Building signs:** A ratio of 1.25 square feet of sign area for each linear foot of building or tenant space frontage is required.
6. **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.
7. **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.
8. **Pylon signs:** Pylon signs are not permitted.
9. **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:** A lighting plan, 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. All lighting shall follow 4-7-1 et. seq. LaVerkin City Code (city's outdoor lighting/night sky ordinance).



2026 Planning Commission Priority List

January - February 2026

- ~~▪ General Commercial~~
- ~~▪ Retail Commercial~~
- ~~▪ Tourist Commercial~~
- Mixed use

February – March 2026

- Parking
- Sign Ordinance

April – May 2026

- ~~▪ R-1-6~~
- ~~▪ HDR-14 (High Density Residential)~~
- ~~▪ MDR (Medium Density Residential)~~

June – July 2026

- Development Agreement
- PUDs

CHAPTER 10

OFF STREET PARKING

SECTION:

10-10-1: Required

10-10-2: Size

10-10-3: Access To Individual Spaces

10-10-4: Number Of Spaces

10-10-5: Specifications

10-10-6: Vehicle Condition

10-10-7: Location Of Gasoline Pumps

10-10-8: Maintenance Of Lots

10-10-1: REQUIRED:

At the time any building or structure is erected or enlarged or increased in capacity or any use is established, there shall be provided off street parking spaces for automobiles in accordance with the following requirements. (Ord. 99-07, 6-16-1999)

10-10-2: SIZE:

The dimensions of each off street parking space shall be at least nine feet by eighteen feet (9' x 18'). Handicap spaces will meet ADA requirements and other local, state, and federal laws designed to accommodate persons with physical disabilities. (Ord. 99-07, 6-16-1999; amd. Ord. 2002-08, 7-17-2002)

10-10-3: ACCESS TO INDIVIDUAL SPACES:

Except for one-family and two-family dwellings, access to each parking space shall be from a private driveway and not from a public street. (Ord. 2009-02, 2-18-2009)

10-10-4: NUMBER OF SPACES:

The number of off street parking spaces required shall be as follows:

Automotive repair	1 parking space for each 150 square feet of floor area
Business or professional offices	1 parking space for each 200 square feet of floor area
Churches with fixed seating	1 parking space for each 3.5 fixed seats, or 1 parking space for each 7 feet of linear pew, whichever is greater
Churches without fixed seats, sports arenas, auditoriums, theaters, assembly halls, meeting rooms	1 parking space for each 3.5 seats of maximum seating capacity
Day nurseries in commercial zones, including preschools and nursery schools	1 parking space for each staff member plus 1 parking space for each 10 children
Dwellings	2 parking spaces for each dwelling unit
Facility with auditorium	1 parking space for each 200 square feet of floor area
Furniture and appliance stores	1 parking space for each 600 square feet of floor area
Hospitals	2 parking spaces for each bed
Nursing homes	1 space for each employee working on the highest employment shift, plus 1 space for each 5 beds
Restaurants, taverns, private clubs, and all other similar dining and/or drinking establishments	1 parking space for each 3.5 seats or 1 parking space for 100 square feet of floor area (excluding kitchen, storage, etc.), whichever is greater
Retail stores, shops, except as provided for furniture and appliance stores above	1 parking space for each 200 square feet of retail floor space
Shopping centers and other groups of uses not listed above	As determined by conditional use permit or planned unit development procedure, if applicable, or by planning commission

Transient lodging facilities (BnB/VR) (pertaining to bed and breakfast (BnB) and vacation rental (VR) facilities)	See sections 10-6A-2-1, 10-6B-2-1, 10-6D-2-1, and 10-6D1-2-1 of this title, summarized as 1.1 spaces for each living or sleeping unit, plus not less than 2 additional parking spaces for resident family in BnB facilities, plus parking space for all accessory uses as herein specified
Transient lodging facilities (non-BnB/VR) (including, but not limited to, hotels, motels, motor hotels, lodges, inns, etc., but not including bed and breakfast and vacation rental facilities)	1.1 spaces for each living or sleeping unit, plus not less than 3 additional parking spaces for employee parking, plus parking space for all accessory uses as herein specified
Wholesale establishments, warehouses, manufacturing establishments and all industrial uses	As determined by conditional use permit or by planned unit development requirements, if applicable, or by the planning commission, but in no case fewer than 1 space for each employee projected for the highest employment shift
All other uses not listed above	As determined by the building inspector, based on the nearest comparable use standards

(Ord. 99-07, 6-16-1999; amd. Ord. 2015-07, 8-19-2015)

10-10-5: SPECIFICATIONS:

A. Driveways Required: Building permits for new home construction and new garage construction shall specify and require a driveway from the main or front entrance of each garage to the point where the lot line abuts a public or private street. Each driveway shall be constructed of either asphalt or cement and shall be at least the width of the garage opening plus two feet (2'), except in the case of a flag lot which shall be subject to the width and surface requirements set forth in section 10-7-12 of this title.

B. Number: Not more than two (2) driveways shall be used for each one hundred feet (100') or fraction thereof of frontage on any street utilizing high back curb and gutter.

C. Distance: No two (2) of said driveways shall be closer to each other than twelve feet (12').

D. Curb Cutting: Each driveway cut in high back curb shall be not more than thirty five feet (35') in width, measured at right angles to the centerline of the driveway, except as increased by permissible curb return radii. The entire flare of any return radius shall fall within the right of way.

E. Corner Lot: No driveway shall be closer than twenty five feet (25') to the intersection, measured along the property line.

F. Safety Island: In all cases in commercial zones where there is an existing high back curb and gutter or sidewalk on the street, the applicant for a permit shall provide a safety island along the entire frontage of the property, except for the permitted driveway. On the two (2) ends and street side of each such island shall be constructed a concrete curb, the height, location and structural specifications of which shall be approved by the city engineer. (Ord. 2006-32, 10-4-2006)

G. Shared Parking Facilities: Shared parking facilities may be used jointly with parking facilities for other uses when operations are not normally conducted during the same hours, or when peak uses vary.

Requests for shared parking are subject to the approval of the planning commission. Requests shall be subject to the following guidelines. Sufficient evidence shall be presented to show that there will be no substantial conflict in the periods of peak demand of uses for which the joint use is proposed.

1. The number of parking stalls which may be credited against the requirements for the uses involved will not exceed the number of spaces that may normally be required for any one of the uses sharing the parking.

2. Parking facilities shall not be located further than two hundred feet (200') from any use proposing to use such parking and should be contiguous to the businesses sharing the lot.

3. A written agreement shall be executed by all parties concerned assuring the continued availability of shared parking facilities in the event that one of the uses shall be sold or otherwise change ownership or management. (Ord. 99-07, 6-16-1999; amd. Ord. 2006-32, 10-4-2006)

H. Overflow Parking: All parking lots or stalls in excess of the minimum requirements for section 10-10-4 of this chapter constitute overflow parking, and may be provided at the property or business owner's discretion. (Ord. 2002-08, 7-17-2002; amd. Ord. 2006-32, 10-4-2006)

10-10-6: VEHICLE CONDITION:

All vehicles parked on streets or in off street parking must be in running condition. Any parking of vehicles not in running condition will be deemed a nuisance. (Ord. 99-07, 6-16-1999)

10-10-7: LOCATION OF GASOLINE PUMPS:

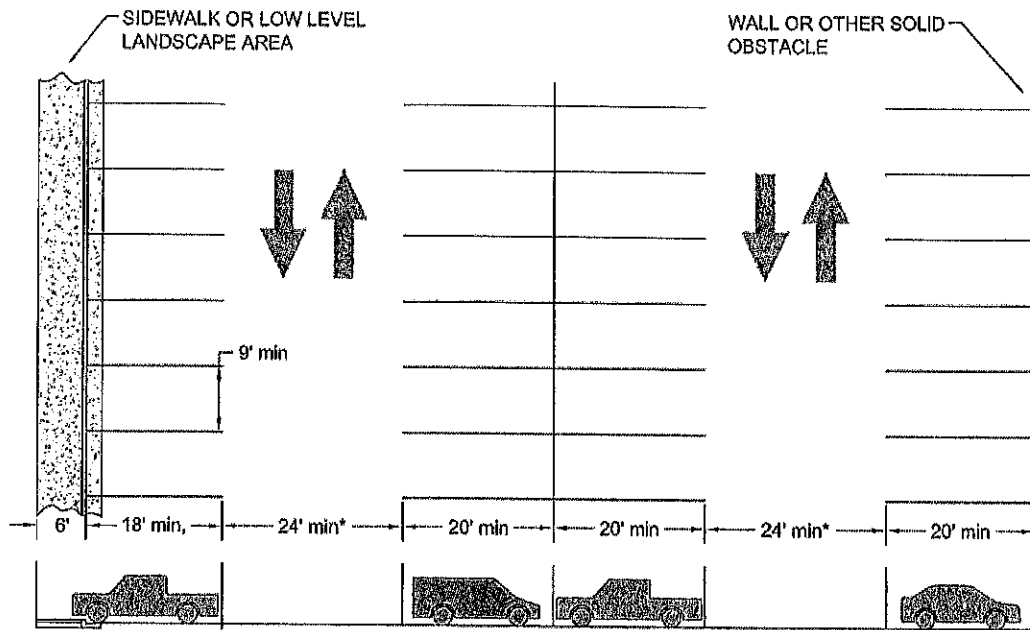
Gasoline pumps shall be set back not less than eighteen feet (18') from any street line to which the pump island is vertical and twelve feet (12') from any street line to which the pump island is parallel, and not less than ten feet (10') from any residential or

agricultural district boundary line. If the pump island is set at an angle on the property, it shall be so located that the automobiles stopped for service will not extend over the property line. (Ord. 99-07, 6-16-1999)

10-10-8: MAINTENANCE OF LOTS:

Every parcel of land used as a public or private parking lot shall be developed and maintained in accordance with the following requirements:

- A. Required: Each parking lot shall be permanently maintained. (Ord. 99-07, 6-16-1999)
- B. Surfacing: Each off street parking lot shall be surfaced with an asphaltic or concrete pavement so as to provide a dustless surface; the parking area shall be so graded as to dispose of all surface water. If such water is carried to adjacent streets, it shall be piped under sidewalks. Overflow parking lots or stalls may be surfaced with asphalt, concrete, gravel or other all weather surface so as to provide for a dustless surface. (Ord. 2002-08, 7-17-2002)
- C. Screening: The sides and rear of any off street parking lot which face or adjoin a residential district shall be screened from such district by a masonry wall or solid visual barrier fence eight feet (8') in height.
- D. Lighting: Lighting used to illuminate any parking lot shall be arranged to reflect the light away from adjoining premises in any residential district and from street traffic. (Ord. 99-07, 6-16-1999)



CONDITION "A"

PARKING ADJACENT TO SIDEWALK OR LOW LEVEL LANDSCAPE AREA WHICH ALLOWS OVERHANG OF VEHICLE.

MINIMUM PARKING STALL LENGTH 18-FOOT.

ADJACENT SIDEWALK MUST BE 6-FOOT MINIMUM.

CONDITION "B"

END TO END PARKING

MINIMUM PARKING STALL LENGTH 20-FOOT.

CONDITION "C"

PARKING ADJACENT TO WALL OR OTHER SOLID OBSTACLE.

MINIMUM PARKING STALL LENGTH 20-FOOT.

GENERAL NOTES:

MINIMUM STALL LENGTH SHALL BE BASED UPON PARKING CONDITION SHOWN, ABOVE.

MINIMUM STALL WIDTH SHALL BE 9-FOOT.

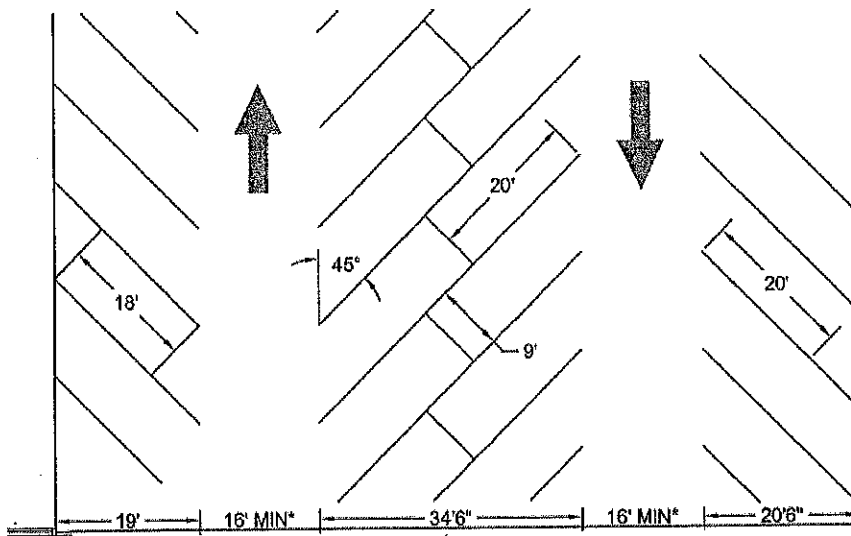
THE NUMBER OF ACCESSIBLE PARKING STALLS REQUIRED SHALL BE PROVIDED PER FEDERAL GUIDELINES.

- MINIMUM AISLE WIDTH SHALL BE 24-FOOT. FIRE DEPT. MAY REQUIRE ADDITIONAL FOR FIRE ACCESS ROADS.

PARKING LOT DESIGN STANDARDS



PARKING LOT LAYOUT (90°)



CONDITION "A"

PARKING ADJACENT TO SIDEWALK OR LOW LEVEL LANDSCAPE AREA WHICH ALLOWS OVERHANG OF VEHICLE.

MINIMUM PARKING STALL LENGTH 18-FOOT.

ADJACENT SIDEWALK MUST BE 6-FOOT MINIMUM.

CONDITION "B"

END TO END PARKING

MINIMUM PARKING STALL LENGTH 20-FOOT.

CONDITION "C"

PARKING ADJACENT TO WALL OR OTHER SOLID OBSTACLE.

MINIMUM PARKING STALL LENGTH 20-FOOT.

GENERAL NOTES:

MINIMUM STALL LENGTH SHALL BE BASED UPON PARKING CONDITION SHOWN, ABOVE.

MINIMUM STALL WIDTH SHALL BE 9-FOOT.

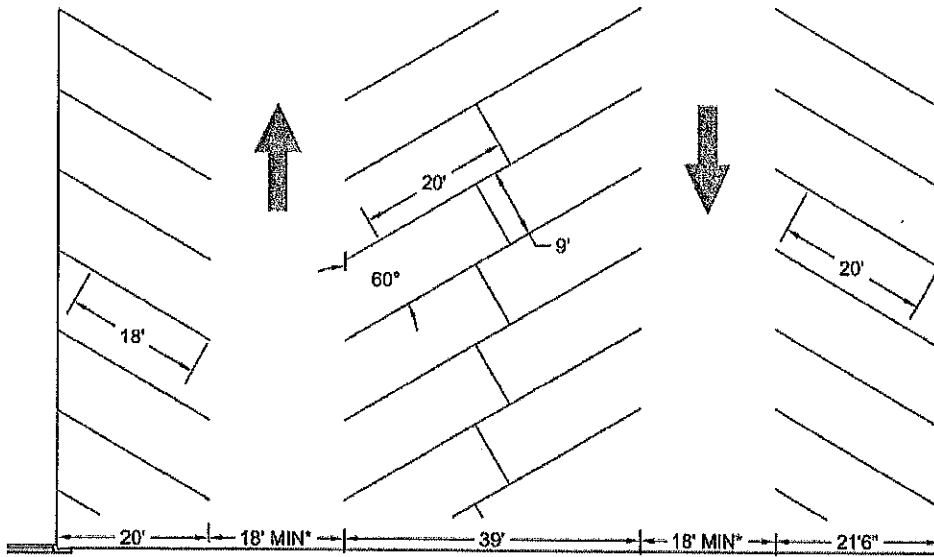
THE NUMBER OF ACCESSIBLE PARKING STALLS REQUIRED SHALL BE PROVIDED PER FEDERAL GUIDELINES.

- MINIMUM ONE-WAY AISLE WIDTH SHALL BE 16-FOOT. FIRE DEPT. MAY REQUIRE ADDITIONAL FOR FIRE ACCESS ROADS.

PARKING LOT DESIGN STANDARDS



PARKING LOT LAYOUT (45°)



CONDITION "A"

PARKING ADJACENT TO SIDEWALK OR LOW LEVEL LANDSCAPE AREA WHICH ALLOWS OVERHANG OF VEHICLE.

MINIMUM PARKING STALL LENGTH 18-FOOT.

ADJACENT SIDEWALK MUST BE 6-FOOT MINIMUM.

CONDITION "B"

END TO END PARKING

MINIMUM PARKING STALL LENGTH 20-FOOT.

CONDITION "C"

PARKING ADJACENT TO WALL OR OTHER SOLID OBSTACLE.

MINIMUM PARKING STALL LENGTH 20-FOOT.

GENERAL NOTES:

MINIMUM STALL LENGTH SHALL BE BASED UPON PARKING CONDITION SHOWN, ABOVE.

MINIMUM STALL WIDTH SHALL BE 9-FOOT.

THE NUMBER OF ACCESSIBLE PARKING STALLS REQUIRED SHALL BE PROVIDED PER FEDERAL GUIDELINES.

- MINIMUM ONE WAY AISLE WIDTH SHALL BE 18-FOOT. FIRE DEPT. MAY REQUIRE ADDITIONAL FOR FIRE ACCESS ROADS.

PARKING LOT DESIGN STANDARDS



PARKING LOT LAYOUT (60°)

CHAPTER 11

SIGN REGULATIONS

SECTION:

10-11-1: Purpose And Objectives

10-11-2: General Requirements

10-11-3: Definitions

10-11-4: Permit Process

10-11-5: Classification Of Signs

10-11-6: Prohibited Signs

10-11-7: Exempt Signs

10-11-8: Sign Standards

10-11-9: Unlawful Signs, Sign Removal, And Indemnification

10-11-10: Disposal Of Signs

10-11-11: Area And Height Computation

10-11-12: Sign Standards Table For Residential, Industrial And Commercial Zones

10-11-13: Nonconforming Signs

10-11-14: Violations And Remedies

10-11-1: PURPOSE AND OBJECTIVES:

A. The purpose of these sign regulations is to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. Accordingly, the city adopts these regulations to provide for a healthy business environment considering safety aspects while maintaining those aesthetic qualities reflective of the natural surroundings. This chapter is adopted under the zoning authority of the city in furtherance of the more general purposes set forth in this zoning title. It supersedes all previous ordinances or sections pertaining to the same.

B. The goals to be achieved by these regulations are:

1. To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this chapter;
2. To allow certain signs that are small, unobtrusive and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this chapter, but without a requirement for permits;
3. To provide for temporary signs without commercial messages in limited circumstances in the public right of way;
4. To prohibit the construction of any new off premises signs throughout the city;
5. To prohibit all signs not expressly permitted by this chapter;
6. To stimulate harmony within the community while allowing for competitive opportunities and protection of property values to preserve a healthy business environment and a sustainable economy;
7. To create a city image that reflects the surrounding natural scenic grandeur;
8. To establish a visual management corridor along scenic Highway 9;
9. Provision for the safety of pedestrians and motorists and promotion and protection of the public welfare; and
10. To provide for the enforcement of the provisions of this chapter. (Ord. 2005-41, 12-21-2005)

10-11-2: GENERAL REQUIREMENTS:

A. **Applicability:** A sign may be erected, placed, established, painted, created or maintained in the city only in conformance with the standards, procedures, exemptions and other requirements of this chapter.

B. **Sign Approval:** Except as otherwise provided, it shall be unlawful and an infraction to erect or maintain any sign or outdoor advertising structure in the city of LaVerkin without first obtaining the approval of the planning commission for said sign or advertising structure, the giving of which shall be based upon the provisions of this title. Said approval shall not be required for exempt signs that meet the requirements of this title.

C. **Variations:** Any person or entity desiring a waiver or modification of the requirements of this chapter as applied to a sign that such person owns, leases, or in which such person holds some other beneficial interest, may apply to the board of adjustment for a variance in accordance with this title.

D. Appeals: Any person aggrieved by a decision of the planning commission may appeal in writing within fifteen (15) days of said decision pursuant to this title. (Ord. 2005-41, 12-21-2005)

10-11-3: DEFINITIONS:

Words and phrases used in this chapter shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in this zoning title shall be given the meanings set forth in such title. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this chapter.

ANIMATED SIGN: Any sign that uses movement or change of lighting to depict action or create a special effect or scene. A sign on which the message changes more than eight (8) times per day.

BANNER: Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business, shall not be considered banners.

BEACON: Any light with one or more beams directed into the atmosphere or directed on one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.

BILLBOARD: A freestanding sign that exceeds the maximum allowable dimensions of freestanding signs as set forth in this title.

BUILDING INSPECTOR: The building inspector of the city or his or her designee.

BUILDING MARKER: Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

BUILDING SIGN: Any sign attached to any part of a building, as contrasted to a freestanding sign.

CANOPY SIGN: Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service.

CHANGEABLE COPY SIGN: A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.

COMMERCIAL MESSAGE: Any sign wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, or other commercial activity.

FLAG: Any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of government, political subdivision or other official entity.

FLAGPOLE: A tall staff or pole on which a flag is raised; a strong rod or stick with a specialized utilitarian purpose.

FREESTANDING SIGN: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

IDENTIFICATION SIGN: Any sign which indicates the business name or official entity.

INCIDENTAL SIGN: A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking", "entrance", "loading only", "telephone" and other similar directives. No sign with a commercial message shall be considered incidental.

LOT: Any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record that is recognized and intended as a unit for the purpose of transfer of ownership.

MARQUEE: Any permanent roof like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

MARQUEE SIGN: Any sign attached to, in any manner, or made a part of a marquee.

NONCONFORMING SIGN: Any sign that does not conform to the requirements of this chapter.

PENNANT: Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind. Individual pennants shall not measure more than eight inches by fifteen inches (8" x 15") triangle.

PERSON: Any association, company, corporation, firm, organization, or partnership, singular or plural, of any kind.

PORTABLE SIGN: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs connected to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right of way, unless said vehicle is used in the normal day to day operations of the business.

PRINCIPAL BUILDING: The building in which is conducted the principal use of the lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clearly accessory uses shall not be considered principal buildings.

PROJECTING SIGN: Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches (6") beyond the surface of such building or wall.

RESIDENTIAL SIGN: Any sign located in a district zoned for residential uses that contains no commercial message.

ROOF SIGN: Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure and extending vertically above the highest portion of the roof.

ROOF SIGN, INTEGRAL: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches (6").

SETBACK: The distance from the property line to the nearest part of the applicable building or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

SIGN: Any device, fixture, placard, or structure, including banners and flags, that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, show support for, or identify the purpose of a person, entity or cause, or to communicate information of any kind to the public.

STREET: A strip of land or way subject to vehicular or pedestrian traffic that provides direct or indirect access to property, including, but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails or other thoroughfares.

STREET FRONTAGE: The distance for which a lot line adjoins a public street, from one lot line intersecting said street to the farthest distant lot line intersecting the same street.

SUSPENDED SIGN: A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

TEMPORARY SIGN: Any sign that is used only temporarily and is not permanently mounted. The signs shall be removed when the event advertised is complete or within six (6) months of installation.

TIME/TEMPERATURE SIGN: An animated sign on which the only copy that changes is an electronic or mechanical indication of time or temperature.

VISUAL CORRIDOR: In recognition of the role that visitation to Zion national park plays in attracting economic development to the city of LaVerkin, there is hereby created a visual management corridor. This is defined as the area east of mile marker 13 on Highway 9 to the town of Virgin town limits. The boundaries for the purpose of regulating signage and building to minimize distraction of views and scenery will be three hundred feet (300') or all of any commercial zone abutting SR9, whichever is greater.

WALL SIGN: Any sign attached parallel to, but within six inches (6") of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

WINDOW SIGN: Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

ZONE LOT: A parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage and use, and that can provide such yards and other open spaces as required by zoning regulations. (Ord. 2005-41, 12-21-2005; amd. Ord. 2024-09, 3-6-2024)

10-11-4: PERMIT PROCESS:

A. **Permits In General:** The approval of the planning commission shall be evidenced by a permit issued by the building inspection division. All signs shall be constructed and all permits shall be issued in accordance with the provisions of the applicable building related code(s).

B. Permit Requirements:

1. A permit is required if a sign requiring a permit under the provisions of this chapter is to be placed, constructed, erected, or modified on a zone lot. The owner of the lot shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of this section.

a. Flag Poles greater than twenty-five feet (25') in height are required to get a building permit from the city which includes plans and specifications stamped by a licensed structural and electrical engineer to assure proper grounding, strength, wind resistance, seismic loads, and other relevant engineering requirements as required by the building codes.

2. The property owner shall maintain in force, at all times, a sign permit for such sign in accordance with this section.

3. No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this chapter.

C. **Off Premises Permits:** Permits for off premises nonconforming signs shall be renewed on an annual basis. Applications for permits, or for the renewal of permits, shall require the applicant to disclose the owner of the sign and the owner of the property on which the sign is or will be located, all relevant dates in regard to expiration of any lease or lease option, the date and cost of construction of the sign, the date and cost of any modification of the sign, the fair market value as appraised for property tax purposes, the date the sign will be depreciated for federal income tax purposes, the cost of operating the sign, and any other information reasonably required by the planning commission.

D. **Revocation:** A permit may be revoked and a sign removed pursuant to this code if the applicant for a permit makes a false or misleading statement in the permit application or renewal.

E. **Permit Procedures:** The following procedures shall govern the application for and the issuance of all sign permits under this chapter:

1. Application For Permit: All applications for sign permits shall be submitted to the building inspector on an application form provided by the building inspector. Any sign requiring a conditional use permit shall make application for planning commission review. Planning commission shall set the conditions for the signage in question. Any appeal of the planning commission decision shall go before city council.

2. Fees: Each application for a sign permit shall be accompanied by the applicable fees set forth in this section, which shall be established by the city council from time to time by resolution.

3. Completeness: Within five (5) days of receiving an application for a sign permit, the building inspector shall review it for completeness. If the building inspector finds that it is complete, the application shall then be processed. If the building inspector finds that it is incomplete, the building inspector shall, within such five (5) day period, send a notice to the applicant of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this chapter.

4. Action On Plan:

a. Approve Or Reject: The building inspector shall either:

(1) Approve the proposed plan if the sign as shown on the plan and the plan itself conforms in every respect with the requirements of this chapter; or

(2) Reject the proposed plan if the sign as shown on the plan or the plan itself fails in any way to conform to the requirements of this chapter. In the case of a rejection, the building inspector shall specify in the rejection the section or sections of this chapter with which the plan is inconsistent.

b. Permits To Construct Or Modify: Signs identified in this chapter as requiring a permit, may be installed or created only in accordance with a duly issued and valid sign construction permit from the building inspector. Such permits shall be issued only in accordance with the following requirements and procedures:

(1) Permit For New Sign Or Sign Modification: An application for construction, creation or installation of a new sign or for modification of an existing sign shall be accompanied by detailed drawings to show the dimensions, design, structure and location of each particular sign then in effect for the zone lot. One application and permit may include multiple signs on the same zone lot.

(2) Inspection: The building inspector shall cause an inspection of the zone lot for which each permit for a new sign or for modification of an existing sign is issued during the six (6) month period after the issuance of such permit or at such earlier date as the owner may request. If the construction is not substantially complete at the time of inspection, the permit shall lapse and become void. If the construction is substantially complete, but not in full compliance with this chapter and applicable codes, the building inspector shall give the owner or applicant notice of the deficiencies and shall allow an additional thirty (30) days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. All records on permitted signs shall be kept and maintained at the city offices by the building inspector.

c. Term Of Permit; Renewable: The owner of a zone lot containing signs requiring a permit under this chapter shall at all times maintain in force a sign permit for such property. Sign permits shall be issued for individual zone lots, notwithstanding the fact that a particular zone lot may be included with other zone lots in a common signage plan. Sign permits shall be issued for twelve (12) months. Signs shall be automatically renewed so long as no changes have occurred or the sign permit has not lapsed.

(1) Initial Sign Permit: An initial sign permit shall be issued by the building inspector covering the period from the date of the inspection of the completed sign installation, construction, or modification through the last day of the calendar year.

(2) Lapse Of Sign Permit: A continuing sign permit shall lapse if not renewed or if the business license for the premises lapses, is revoked or is not renewed. A sign permit shall also lapse if the business activity on the premises is discontinued for a period of one hundred eighty (180) days or more and is not renewed within thirty (30) days of a notice from the city to the last permittee, sent to the premises, that the sign permit will lapse if such activity is not renewed.

(3) Assignment Of Sign Permits: A current and valid sign permit shall be freely assignable to a successor as owner of the property or holder of a business license for the same premises, subject only to filing such application as the building inspector may require and paying any applicable fee.

F. Fee Schedule: The fees for sign permits and plans shall be as established by resolution of the city council. This fee schedule may be modified from time to time by resolution. (Ord. 2005-41, 12-21-2005; amd. Ord. 2007-24, 8-15-2007; Ord. 2024-09, 3-6-2024)

10-11-5: CLASSIFICATION OF SIGNS:

Every sign erected or proposed to be erected within the city of LaVerkin shall be classified by the planning commission in accordance with the definitions of signs contained in this chapter. Any sign which does not clearly fall within one of the classifications shall be placed in the classification which the sign, in view of its design, location, and purpose, most clearly approximates in the opinion of the planning commission. (Ord. 2005-41, 12-21-2005)

10-11-6: PROHIBITED SIGNS:

In addition to any sign not specifically permitted or allowed in accordance with this chapter, the following signs are prohibited:

A. Billboards; Off Premises Signs: No outdoor off premises advertising signs shall be constructed or erected after the effective date hereof. Any replacement sign shall conform to all provisions of this chapter. This subsection is not meant to prohibit temporary signs off premises advertising yard sales, open houses, or other similar residential related activities.

B. Others Specified: All signs not expressly permitted or allowed under this chapter or exempt from regulation hereunder in accordance with this chapter, are prohibited in the city. Such signs include, but are not limited to:

1. Beacons.
2. Billboards.

3. Strings of lights not permanently mounted to a rigid background, except those exempt in this chapter.
4. Inflatable signs and tethered balloons.
5. Faded, torn or stained flags are prohibited.
6. Signs designed for emitting sound, smoke, or steam.
7. Natural object used as a sign. No sign shall be painted on or affixed to any natural object in its natural location such as, but not limited to, a boulder, tree, or cliff face.
8. Vehicle signs. Signs affixed upon a vehicle, trailer or the like, parked conspicuously so as to attempt to direct attention to a place of business in an effort to circumvent the provisions of this chapter. This shall apply to vehicles parked on either public or private property. This shall not be construed as to prohibit customized automobile license plates.
9. Signs which bear or contain statements, words or pictures of an obscene or pornographic character (as defined by the U.S. supreme court in Miller vs. California, 413 U.S. 15, 24 (1973)), and anything that demeans or otherwise degrades religions, races, sexes or ethnic groups. (Ord. 2005-41, 12-21-2005)

10-11-7: EXEMPT SIGNS:

The following signs shall be exempt from permit regulation under this chapter:

A. No Permit Required: The following signs shall be allowed without a sign permit under the noted conditions and shall not be included in the determination of type, number or area of signs allowed on premises. Any other signs exceeding the conditions specified in this section (i.e., number, size, type, or area), shall require a permit as prescribed in this chapter. Exempt signs are subject to the provisions of this chapter regarding the safety, maintenance, and repair of signs. Exempt signs shall be compatible with the overall purpose and intent of these regulations.

1. Public notices; warnings: Any public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance.
2. Interior signs: Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet (3') beyond the lot line of the zone lot or parcel on which such sign is located.
3. Holiday lights, decorations: Holiday lights and decorations with no commercial message.
4. Traffic control signs: Traffic control signs on private property, such as stop, yield and similar signs, the face of which meet department of transportation standards and which contain no commercial message.
5. Construction signs: One nonilluminated sign per construction project not to exceed eight (8) square feet in area, nor six feet (6') in height, used to indicate owner, general contractor, architect, and other pertinent construction data. Such signs shall be erected no more than five (5) days prior to the beginning of construction for which a valid building permit has been issued, shall be confined to the construction site, and shall be removed within five (5) days of completion.
6. Directional or instructional signs: Signs not to exceed four (4) square feet in area, used to identify restrooms, public telephones, walkways or signs providing direction such as parking lot entrance and exit signs and those of similar nature. Such signs shall be located entirely on the property to which they pertain and shall not in any way advertise or otherwise mention a business. Such signs shall be either wall mounted or freestanding. If freestanding and such sign is located adjacent to a primary street, it shall be placed at the driveway or sidewalk entrance to the property closest to the item being identified. Freestanding directional signs shall not exceed three feet (3') above grade. If wall mounted, no portion of such sign shall be placed higher than eight feet (8') above grade. Directional or instructional signs visible from the public right of way shall not exceed two (2) such signs per business or business center.
7. Flags:
 - a. Flags flown on a temporary basis for purposes of honoring national or civic holidays.
 - b. Any official flag, pennant, or emblem of any nation, state, city or other political unit, provided all such flags or emblems shall not exceed twenty five feet (25') in height.
8. Government signs: Governmental signs for traffic control and other regulatory purposes, street signs, danger signs, and signs of public service companies indicating danger, notices issued by any court and aids to service or safety that are erected by or by order of a public officer in the performance of his public duty.
9. Historical or memorial signs: Memorial signs or tablets erected by recognized historical agencies, names of buildings, dates of erection and related information, provided the sign be cut into any masonry surface or inlaid so as to be part of the building and does not exceed two (2) square feet in area.
10. House numbers and nameplates: Signs not exceeding two (2) per address and each sign not to exceed two (2) square feet in area in all city zones.
11. Open House Signs: Nonilluminated, off site, portable signs, placed on private property, containing directions to the location of an open house which is for sale, limited to one sign per intersection corner, not to exceed a total of five (5) such signs, provided the signs:
 - a. Shall not exceed four (4) square feet in area or four feet (4') in height; and
 - b. Shall be removed immediately following a scheduled open house.
12. Political and campaign signs: Any number of nonilluminated political or campaign signs on behalf of candidates for public

office or measures on election ballots, provided said signs shall:

- a. Be placed, posted or erected no earlier than one day following the candidate filing deadline and shall be removed within four (4) days following election when candidate is either eliminated or elected;
- b. Be placed only on private property with the permission of the property owner;
- c. Not be located within or over the public right of way.

A fifty dollar (\$50.00) fine shall be levied for each day a sign is displayed after the four (4) day deadline for removal has expired.

13. Protective signs: Nonilluminated flat signs of not more than one square foot each, which contain words protective of an occupant, such as "no trespassing", "beware of dog", and the like, provided such signs be placed only at intervals of not less than thirty feet (30') or in compliance with the requirements of state law. The total number of signs allowed per property shall be reasonable in number, not to exceed six (6) such signs and shall comply with the intent of these sign regulations.

14. Real estate signs:

a. On each street frontage, for any lot or building, one nonilluminated sign that serves solely to advertise the actual intent to sell, rent or build to suit, provided:

- (1) Such sign is located entirely within the property to which the sign applies;
- (2) Each individual sign shall not exceed six (6) square feet, nor four feet (4') in height and the total combined sign area shall not exceed twelve (12) square feet; and
- (3) The signs shall be removed within seven (7) days after the sale, rental or lease has been consummated.

15. Service station signs: For each service station or other business selling automotive fuel, one price sign for each street frontage. Each sign strip not to exceed eight (8) square feet in area. Total price sign shall not exceed eight feet (8') in height. In addition, one "self/mini/full serve" sign, not to exceed three (3) square feet in area, is allowed on each end of each pump island.

16. Temporary signs: Temporary signs not exceeding eight (8) square feet in area pertaining to:

- a. Fundraisers or events of civic, philanthropic, educational or religious organizations; provided, that said signs are posted no more than fourteen (14) days prior to said event and are removed no more than seven (7) days after an event; or
- b. Special commercial events, such as grand openings or sales, provided such sign be displayed no longer than fourteen (14) consecutive days. No more than one such sign per business shall be displayed at any one time and no more than two (2) such signs may be displayed during any twelve (12) month period.

B. Maintenance: Repainting, cleaning or other normal maintenance and repair of a sign not involving structural, design, color, or character changes or alterations shall not be considered as creating a sign insofar as requiring issuance of a sign permit. Such signs must be in conformance with all other building, structural, and electrical codes and regulations of the city. Substitution of a new or different advertiser shall not be considered normal maintenance and shall be considered creating a new sign requiring the issuance of a sign permit. (Ord. 2005-41, 12-21-2005)

10-11-8: SIGN STANDARDS:

All signs requiring permit approval shall comply with the following standards and regulations and these standards and regulations shall be considered minimum requirements in reviewing all applications for sign permits:

- A. Materials: All signs shall be constructed of permanent materials.
- B. Attachment: All signs shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure except for banners, flags, temporary signs, and window signs.
- C. Visibility: No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision of traffic or create a safety hazard.
- D. Signs On Private Property: Signs shall be allowed on private property in the city in accordance to specifications set forth in this chapter.
- E. Signs In The Public Right Of Way: No signs shall be allowed in the public right of way, except as listed hereafter. Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

1. Permanent Signs: Permanent signs, including:

- a. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information such as chamber of commerce at each city entrance, and direct or regulate pedestrian or vehicular traffic;
- b. Bus stop signs erected by a public transit company;
- c. Information signs of a public utility regarding its poles, lines, pipes or facilities; and
- d. Awning, projecting and suspended signs projecting over a public right of way in conformity with the conditions of this chapter.

2. Temporary Signs: Temporary signs in accordance with this chapter, meeting the following requirements:

- a. No Commercial Message: Such signs shall contain no commercial message; and
- b. Emergency Signs: Emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right of way.
- F. Fire Escapes: No sign shall be erected in such a manner that any portion of the sign or its support, will interfere with the use of any fire escape, exit, or standpipe, or obstruct any required stairway, door, ventilator, or window.
- G. Utility Lines: No sign shall be erected or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the laws of the state of Utah or rules and regulations duly promulgated by agencies thereof.
- H. Clearance: No sign shall be erected in such a manner that any portion of the sign or its support will extend over a public or private walkway with a minimum clearance of less than twelve feet (12').
- I. School Zones: No sign shall be erected within twenty feet (20') of a school zone except for those signs designated in this section. (Ord. 2005-41, 12-21-2005)

10-11-9: UNLAWFUL SIGNS, SIGN REMOVAL, AND INDEMNIFICATION:

A. Compliance With Code: All signs shall be maintained in good structural condition, in compliance with the appropriate detailed provisions of the building code relating to design, structural members, and connections. Signs shall also comply with the provisions of the national electrical code and additional construction standards hereinafter set forth in this section.

B. Abandoned Signs: Any sign, including all structural, support and other componential elements, which is located on a property, premises or structure which:

1. Becomes vacant and unoccupied for a period of one hundred eighty (180) days or more,
2. Pertains to a time, event or purpose which no longer applies, or
3. Pertains to an occupant or business different from the resident occupant or business

shall be deemed to have been abandoned. Abandoned signs shall be removed according to the provisions of this section.

C. Dangerous Or Defective Signs: No person shall maintain or permit to be maintained on any premises owned or controlled by him, any sign which is in a dangerous or defective condition. Dangerous or defective signs shall be removed in accordance with this section.

D. Unlawful Signs:

1. Any sign displayed, erected, installed, suspended, attached, moved, enlarged, replaced, converted or altered after the effective date hereof, which does not comply with the provisions of this title, shall be deemed unlawful. Any work in progress on such sign shall be ordered by the planning commission or designee to cease immediately and said sign shall be removed in accordance with the provisions of this section.

2. Signs which are not in compliance with this chapter and are therefore considered unlawful according to this section and which continue to be in noncompliance according to the provisions of these sign regulations, shall be deemed unlawful, and shall be removed according to the provisions of this section.

E. Removal Of Signs: The planning commission or designee shall cause to be removed any sign not in compliance with safety or maintenance standards, abandoned signs, dangerous or defective signs, or unlawful signs. The planning commission or designee shall prepare a notice which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed or the violation is not corrected within fifteen (15) days, the sign shall be removed in accordance with the provisions of this section.

1. Notices: All notices shall be mailed by certified mail to the owner of the property on which the sign is located, the owner of the sign and the occupant of the property. If any such person is unknown or cannot be found, notice shall be mailed to such person's last known address, if any, and shall be posted on said sign or on the premises.

2. Time Periods: Any time periods provided in this section shall be deemed to commence on the date of the certified mailing. If more than one notice is sent by certified mail, the date of the first notice mailed shall apply. Signs may be required to be removed as a condition of a conditional use permit without further notice.

3. Appeal: The sign owner or property owner on whose property the sign is located may appeal the determination ordering removal or compliance by filing a written notice of appeal with the planning commission within fifteen (15) days after mailing of the notice pursuant to this chapter.

4. Emergency Abatement: Notwithstanding the above, in cases of emergency, the planning commission or designee may cause the immediate removal of a dangerous or defective sign without notice. (Ord. 2005-41, 12-21-2005)

10-11-10: DISPOSAL OF SIGNS:

A. Authority: Any sign removed by abatement by the planning commission or designee pursuant to the provisions of this chapter shall become the property of the city and may be disposed of in any manner deemed appropriate by the city. The cost of removal and disposal shall be considered a debt owed to the city by the owner of the sign and the owner of the property, and may be recovered in an appropriate court action by the city. The cost of removal and disposal shall include all incidental expenses incurred by the city in connection with the sign removal and disposal.

B. Emergency Removal: When it is determined by the planning commission or designee that said sign would cause an imminent danger to the public safety, and contact cannot be made with the sign owner or property owner, no written notice shall have to be

served. In this emergency, the planning commission or designee may correct the danger, all costs being charged to the sign owner and property owner.

C. Sale Of Signs: If it shall be necessary for the planning commission or designee to remove a sign pursuant to the provisions hereof, and it should be practical to sell or salvage any material derived in the aforesaid removal, the planning commission may sell the same at private or public sale at the best price obtainable, and shall keep an account of the proceeds thereof. Such proceeds, if any, shall be used to offset the costs of removal to be charged to the sign owner or property owner. The city may file suit in court to collect any excess over such proceeds and the cost of such removal shall be levied as an assessment against the property on which the sign is located. (Ord. 2005-41, 12-21-2005)

10-11-11: AREA AND HEIGHT COMPUTATION:

The following principles shall control the computation of sign area and sign height:

A. Single Faced Signs: The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.

B. Multifaced Signs: The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two (2) identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than twenty four inches (24") apart, the sign area shall be computed by the measurement of one of the faces.

C. Height: The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:

1. Existing grade prior to construction; or
2. The newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for locating the sign.

In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

D. Maximum Total Permitted Sign Area For Zone Lot: The permitted sum of the area of all individual signs on a zone lot shall be computed by applying the formulas provided in this chapter to the lot frontage, building frontage, or wall area, as appropriate, for the zoning district in which the lot is located. Lots fronting on two (2) or more streets are allowed the permitted sign area for each street frontage. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign area allocation that is derived from the lot, building, or wall area frontage on that street. (Ord. 2005-41, 12-21-2005)

10-11-12: SIGN STANDARDS TABLE FOR RESIDENTIAL, INDUSTRIAL AND COMMERCIAL ZONES:

Sign Type	Residential Zones	Size And Number Allowable	Industrial And Commercial Zones	Size And Number Allowable
Animated	Prohibited	X	Conditional use permit (commercial zones only) Permitted (Industrial zone only)	Conditional use permit Contact city for size and number
Banner	Allowed	5 percent wall area 1 per building	Allowed	5 percent wall area 1 per building 12 foot clearance
Beacon	Prohibited	X	Prohibited	X
Billboard	Prohibited	X	Prohibited	X
Building marker	Allowed	4 square feet	Allowed (Industrial zone only) Permitted (commercial zones only)	4 square feet Contact city for size and number
Canopy	Prohibited	X	Permitted	25 percent of vertical surface of canopy 12 foot clearance
Changeable copy	Prohibited	X	Permitted	64 square feet
Flag/Flagpole	Allowed	16 foot clearance 25 foot height	Allowed	Contact City for size and number; see Note 6

Freestanding	Permitted	32 square feet 5 foot height 10 foot setback	Permitted	64 square feet 25 foot height 10 foot setback
Identification	Allowed	5 percent total wall area	Allowed	20 percent total wall area
Incidental	Allowed	6 square feet	Allowed	64 square feet
Marquee	Prohibited	X	Conditional use permit (commercial zones only)	Conditional use permit
			Permitted (Industrial zone only)	Contact city for size and number
Pennant	Prohibited	X	Allowed	2 per building 12 foot clearance
Portable	Permitted	20 square feet	Allowed	20 square feet
Projecting	Prohibited	X	Permitted	40 square feet 12 foot clearance
Residential	Allowed	20 square feet	Allowed	20 square feet
Roof	Prohibited	X	Permitted	40 square feet 1 per principal building
Roof/integral	X	X	Permitted	40 square feet 2 per principal building
Suspended	Prohibited	X	Permitted	20 percent total wall area 1 per entrance 12 foot clearance
Temporary	Allowed	32 square feet	Allowed	32 square feet per 50 foot frontage
Time/temperature	X	X	Conditional use permit (commercial zones only)	Conditional use permit
			Permitted (Industrial zone only)	Contact city for size and number
Wall	Allowed	1 per building	Allowed	20 percent total wall area
Window, permanent	Allowed	20 percent total area	Allowed	20 percent total area
Window, temporary	Allowed	1 per building 20 percent total area	Allowed	No limitation

Notes:

1. Total Signage:
 - a. Residential Zone: Total area of all signs, except building markers and flags, shall not exceed 64 total square feet.
 - b. Commercial Zone: Total area of all signs, except building markers and flags, not to exceed 300 total square feet; and should be less than 10 percent of ground floor area.
 - c. Industrial Zone: The total area of all signs, except building markers and flags, shall not exceed 300 square feet. The total sign area shall not exceed 10 percent of ground floor area of the principal building.
2. Typical Setback: Typical setbacks in residential and commercial zones shall be 10 feet unless otherwise specified.
3. Sign Location In Intersections: Signs shall be located such that there is at every street intersection, a clear view between heights of 3 feet and 10 feet within a triangular area formed by the corner and points on the curb 30 feet from the intersection or entranceway.
4. Lots Fronting Two Or More Streets: Lots fronting on 2 or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on 1 street in excess of that allowed for lots with only 1 street frontage.
5. Total Wall Area: Total wall area shall be computed without using window area.
6. Flagpoles with Flags Taller than 25 feet:
 - a. Where allowed:
 - i. Public Facilities Zone

- ii. Tourist Resort Commercial Zone
- b. Compliance with LaVerkin City night sky ordinance:
 - i. Lighting must illuminate from top down.
- c. Building Permits: See 10-11-4.B.1.a.
- d. Flag sizes and flagpole heights:

Flagpole Structure	Maximum Size of Flag
20 feet	4 ft x 6 ft
25 feet	5 ft x 8 ft
30-35 feet	6 ft x 10 ft
40-45 feet	6 ft x 10 ft or 8 ft by 12 ft
50-65 feet	8 ft x 12 ft or 10 ft x 15 ft

(Ord. 2005-41, 12-21-2005; amd. Ord. 2006-28, 7-19-2006; Ord. 2024-09, 3-6-2024)

10-11-13: NONCONFORMING SIGNS:

Except as otherwise provided herein, the owner of any zone lot or other premises on which exists a sign that does not conform with the requirements of this chapter or for which there is no current and valid sign permit shall be obligated to remove such sign or, in the case of a nonconforming sign, to bring into conformity with the requirements of this chapter.

A. **Signs Existing On Effective Date:** For any sign existing in the city on the effective date hereof, an application for a sign permit must be submitted to the building inspector before the expiration of six (6) months from the effective date hereof. For any sign on property annexed later, applications for sign permits shall be submitted within six (6) months of the effective date of the annexation or within such period as may be established in an annexation agreement between the city and the landowner. Signs that are the subject of applications received after the applicable date set forth in this section shall be subject to all of the terms and conditions of this chapter and shall not be entitled to the protection of this chapter.

B. **Nonconforming Existing Signs; Permits And Terms:**

1. **Permit Issued:** A sign that would be permitted under this chapter only with a sign permit, but which was in existence on the effective date hereof or a later date when the property is annexed to the city, and which was constructed in accordance with the ordinances and other applicable laws in effect on the date of its construction, but which by reason of its size, height, location, design or construction is not in conformance with the requirements of this chapter, shall be issued a nonconforming sign permit if an application in accordance with subsection A of this section is filed within six (6) months of the above date or within six (6) months of property annexation.

2. **Term:** Such permit shall allow the signs subject to such permit, which were made nonconforming by the adoption of this chapter, to remain in place and be maintained for a period ending no later than five (5) years; provided, that no action is taken which increases the degree or extent of the nonconformity. Such signs are also subject to the provisions of subsection B4 of this section. A change in the information on the face of an existing nonconforming sign is allowed; however, any nonconforming sign shall either be eliminated or made to conform with the requirements of this section when any proposed change, repair or maintenance would constitute an expense of more than twenty five percent (25%) of the lesser of the original value or replacement value of the sign.

3. **Lapse Of Nonconforming Sign Permit:** A nonconforming sign permit shall lapse and become void under the same circumstances as those under which any other sign permit may lapse and become void.

4. **Sign Removal Required:** A sign that was constructed, painted, installed or maintained in conformance with a permit under this chapter, but for which the permit has lapsed or for which the time allowed for the continuance of a nonconforming sign has expired, shall immediately be removed by the property owner, including the supporting structure, upon the city's request. (Ord. 2005-41, 12-21-2005; amd. Ord. 2006-28, 7-19-2006)

10-11-14: VIOLATIONS AND REMEDIES:

A. **Specified Violations:** Any of the following shall be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided by this chapter, by this zoning title and by state law:

- 1. To install, create, erect or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zone lot on which the sign is located;
- 2. To install, create, erect, or maintain any sign requiring a permit without such permit;
- 3. To fail to remove any sign that is installed, created, erected or maintained in violation of this chapter, or for which the sign permit has lapsed; or
- 4. To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this title.

B. **Separate Violation:** Each sign installed, created, erected, or maintained in violation of this chapter shall be considered a separate violation when applying the penalty portions of this title.

C. **Specified Remedies For Enforcement:** Any violation of this chapter or of any condition or requirement adopted pursuant hereto

may be restrained, corrected, or abated, as the case may be, by injunction or other appropriate proceedings pursuant to state law. A violation of this chapter shall be considered a violation of this zoning title. The remedies of the city shall include the following:

1. Issuing a stop work order for any work on any signs on the same zone lot;
2. Seeking an injunction or other order of restraint or abatement that requires the removal of the sign or the correction of the nonconformity;
3. Imposing any penalties that can be imposed directly by the city under this zoning title;
4. Seeking in court the imposition of any penalties that can be imposed by such court under this zoning title; and
5. In the case of a sign that poses an immediate danger to the public health or safety, taking such measures as are available to the city under the applicable provisions of this zoning title and building code for such circumstances;
6. Reimbursement of enforcement costs from the property owner, including attorney fees; and
7. The city shall have such other remedies as are and as may from time to time be provided for or allowed by state law for the violation of this zoning title.

D. Cumulative Remedies: All such remedies provided herein shall be cumulative. To the extent that state law may limit the availability of a particular remedy set forth herein for a certain violation or a part thereof, such remedy shall remain available for other violations or other parts of the same violation. (Ord. 2005-41, 12-21-2005; amd. Ord. 2006-28, 7-19-2006)

