

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.

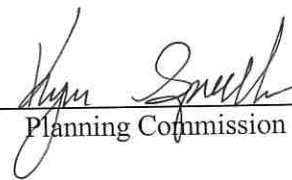
Derek added that they planned on that on the Top side. Where the vacation rentals would be all together and not in residential zones.

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

04/08/2026

Date Approved



Planning Commission Chair

pro tempore

