



LA VERKIN CITY PLANNING COMMISSION AGENDA

Regular Meeting

Wednesday, October 12, 2022, 6:00 pm

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

I. Call to Order: Chair Allen Bice

Invocation by Invitation; Pledge of Allegiance

II. Approval of Agenda:

III. Approval of Minutes: September 14, 2022, regular meeting

IV. Reports:

City Council, and the Director of Operations will present updates on meetings and activities.

V. Business:

1. Discussion and possible action to recommend approval of the revised preliminary and final plat for Cottonwood Hollow Phase 4, a 13-lot subdivision located north of 970 North.
2. Presentation and discussion regarding the Tourist Commercial Zone vacation rental limit of fifteen percent per development.
3. Presentation and discussion on increasing the permitted hotel building height in La Verkin.

VI. Adjourn:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Christy Ballard, 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://pmn.utah.gov>, posted on the LaVerkin City website at www.laverkin.org

and in the following public places within LaVerkin City limits on this October 7, 2022.

These public places being: 1) LaVerkin City office building 111 S. Main; 2) LaVerkin City office building 435 N. Main.

Christy Ballard
City Recorder

DETACHED ACCESSORY DWELLING UNITS

FOR MEMBERS OF THE HOUSEHOLD, FAMILY OR FRIENDS AND SHORT TERM – LONG TERM
RENTAL

PURPOSE

Detached Accessory Dwelling Units (ADUs) in single-family residential zones are an important tool in the overall housing needs and allow for alternative and flexible housing options in owner-occupied single-family residences. The purposes of the ADU standards of this code are:

1. Create new housing units while respecting the appearance, neighborhood character, and scale of single-family residential development.
2. Provide more housing choices in residential zones.
3. Allow more efficient use of existing housing and large underutilized yards.
4. Provide housing options for family caregivers, adult children, aging parents, and families seeking smaller households.
5. Offer a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services.
6. Allows for short term and long-term rentals
7. Broaden the range of affordable housing throughout the city

DEFINITION

A detached accessory dwelling (ADUs) unit is defined as an adjunct living unit, with a sleeping area, a bathroom, may or may not have kitchen facilities, has no attached garage or carport, and is detached from the primary residence on the same lot. A detached accessory dwelling unit (ADU) shall have its own outside entrance.

Secondary Use: The detached accessory dwelling unit (ADU) shall be clearly incidental and secondary to the primary use of the dwelling for residential purposes.

OWNERSHIP

A Detached accessory dwelling (ADU) unit shall not be sold separately or subdivided from the principal dwelling unit or lot

Owner Occupancy" means that any one of the following individuals resides on the subject property for the entire time during which a detached Accessory Dwelling Unit (ADU) or Principal Dwelling is rented or otherwise occupied by:

1. An individual who is listed on a recorded deed as an owner of the property.
2. Any person who is related by blood, marriage or adoption to an individual who is listed on a recorded deed as an owner of the property; or
3. An individual who is a trustor of a family trust who possesses legal ownership of the property.

Commented [D11]: Concerns of private information?

4. ~~The owner has a bona fide, temporary absence of three (3) years or less for activities such as temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this suspension)~~

The owner has a bona fide, temporary absence of three **consecutive** (3) years or less for activities such as temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this suspension)

5. Owner can live in the principal or detached accessory dwelling unit (ADU)

NUMBER OF DETACHED ACCESSORY DWELLING UNITS

1. Detached accessory dwelling unit (ADU) shall be allowed only on parcels containing a single-family dwelling.
2. Only one (1) detached accessory dwelling unit (ADU) or guesthouse shall be allowed on a lot or parcel.
3. ~~Commercial water rates will be charged for all Detached accessory dwelling units (ADU)~~
Commercial water rates will be charged to all properties with a Detached accessory dwelling unit (ADU)

Parking

- a. Parking: two additional off-street parking space (9' wide and 19' long) is required.
- b. Tandem parking is not allowed for accessory dwelling units.
- c. Both parking spots shall be constructed of asphalt or cement.

Commented [DI2]: All parking for ADUs must be accommodated on the lot - no on street parking would be allowed.

SIZE AND LOCATION REQUIREMENTS

- a. The detached accessory dwelling unit (ADU) must meet the setbacks and easements for the zone, as well as the separation from the primary dwelling unit
- b. Detached accessory dwellings are not allowed on lots smaller than 8,000 sq. ft or RV mobile home parks
- c. Minimum - Max Coverage of detached accessory dwelling unit (ADU)
 - 1) R-1-8 350 sq. ft. - 450 sq. ft.
 - 2) R-1-10 550 sq. ft. - 650 sq. ft.
 - 3) R-1-14 750 sq. ft. - 850 sq. ft.
 - 4) R-A-1 750 sq. ft. - 850 sq. ft.
- d. ADUs along with other accessory building: No accessory building or group of accessory buildings shall cover more than eight percent (8%) of the total lot area.

Commented [DI3]: We have included a minimum and maximum size

Commented [DI4]: Added the 8% back in

DESIGN: ARCHITECTURAL DESIGN

1. materials,
 - a. Architectural design, materials, and construction shall match the primary residential structure.

Commented [DI5]: Existing sheds or accessory units would we require them to follow this requirement or just new construction

DESIGN CRITERIA

1. New construction:

- a. Existing buildings such as Shed – metal buildings are not allowed to be converted over to an ADU.

Commented [D16]: New construction: Existing buildings such as Shed – metal buildings are not allowed to be converted over to an ADU.

2. Slab on grade:

- a. All ADUs must be attached to a slab on grade with footings as required by the IRC building code

Commented [D17]: Added slab on grade with footings

3. Height:

- a. The maximum height of a detached accessory dwelling (ADU) shall not exceed the height of the single – family dwelling on the property.

Commented [D18]: Foot print (slab on grade) of total livable sq. ft
No basement's allowed

4. Entrance:

- a. The detached accessory dwelling unit (ADU) shall have its own outside entrance.

5. Landscaping:

- a. Landscaping shall be provided and maintained to minimize impact on neighboring properties, to retain residential character, and to provide a visual buffer for onsite parking in relation to adjacent properties and the street.

6. Addressing

- a. The primary and detached accessory dwelling unit (ADU) shall have the same address, except for a letter (B) designation to provide differentiation between the main dwelling and the additional unit for mail or emergency response purposes.
- b. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property on a permanently fix structure.
- c. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) in height with a stroke width of not less than 0.5 inch (12.7 mm).

Commented [D19]: Have discussion with Fire department
And post office - we don't want to have to add additional mail boxes

7. Utility's

- a. The main dwelling and the additional living unit shall be served by the same utilities electric meter, water meter, and sewer connection. Additional impact fees, as established by the city from time to time may be assessed for the second dwelling unit.

APPLICATION REQUIREMENTS

Application Requirement: Any homeowner who resides in a single-family dwelling and whose property is in a residential zone and desires a detached accessory dwelling unit (ADU) is required to obtain a detached accessory dwelling unit permit. The detached accessory dwelling (ADU) permit shall be in addition to any building permits that may be necessary to create the detached accessory dwelling unit. (ADU) The applicant shall submit the following as part of the application for a detached accessory dwelling permit (ADU)

1. A site plan drawn accurately to scale that shows property lines and dimensions, the location of existing buildings and entrances, any proposed building and its dimensions from buildings and property lines, and the location of parking stalls.
2. Detailed floor plans drawn to scale with labels on rooms indicating uses or proposed uses.
3. Written verification that the applicant is the owner of the property and has permanent residency in the existing single – family dwelling where the request is being made. A recorded deed restriction acknowledging that the single – family dwelling will remain owner-occupied, in order for an accessory dwelling unit to be rented.

OR

Deed Restriction: As a condition of approval required to establish a guesthouse or casita, the property owner shall record against the deed of the subject property, a deed restriction, in a form approved by the city, running in favor of the city, which shall prohibit the rental, lease or sale of the guesthouse or casita separately from the rental, lease or sale of the primary dwelling unit. Proof that such deed restriction has been recorded shall be provided to the zoning administrator prior to the issuance of the certificate of occupancy for the guesthouse or casita

4. Rental dwelling business license

Building plans

1. All building plans that are submitted for an detached accessory dwelling unit are required to have an engineer's stamp on submitted plans
2. All plans are to be submitted through the City's online building permit process.
3. All building is to follow the current IRC code as well as any other applicable city code.

Tourist Commercial - Vacation rentals @ 15%



