



LA VERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, October 12, 2022, 6:00 pm

City Council Chambers, 111 South Main Street

La Verkin, Utah 84745

Present: Chair Allen Bice; Commissioners: Richard Howard, Hugh Howard, Matt Juluson, and Kyson Spendlove; Staff: Derek Imlay and Christy Ballard; Public: Patricia Wise and Toni Imlay.

Commissioner Sherman Howard was excused.

I. Call to Order: Chair Allen Bice called the meeting to order at 6:05 pm.

The invocation and Pledge of Allegiance were given by Hugh Howard.

II. Approval of Agenda:

The motion was made by Commissioner Matt Juluson to approve the agenda as written, second by Commissioner Kyson Spendlove. Richard Howard-yes, Hugh Howard-yes, Spendlove-yes, Bice-yes, Juluson-yes. Motion carried unanimously.

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

The motion was made by Commissioner Hugh Howard to approve the September 14, 2022, regular meeting, second by Commissioner Richard Howard. Spendlove-yes, Juluson-yes, Bice-yes, Hugh Howard-yes, Richard Howard-yes. Motion carried unanimously.

IV. Reports:

City Council: Patricia Wise reported on the September 21st and October 3rd City Council meetings.

Director of Operations: Derek passed out an updated draft ordinance for detached accessory dwelling units (DADU). There have been several updates made with notations off to the side. This will be on the first meeting in November for discussion.

Commissioner Richard Howard gave an example of a two-story detached accessory dwelling unit next to the sidewalk in Hurricane. He would like La Verkin to have provisions in the code to prevent that from happening.

Derek explained the proposal states all DADUs must be located behind the primary dwelling and must meet all setback and easement requirements. There can be a minimum and maximum building size for DADUs. The City also tried to address them with parking requirements.

The irrigation water will go out of the system on November 15th.

Commissioner Richard Howard asked if the pump station will move once the hot springs resort goes in and if it will require the City to pump the water out of the River from a different location.

Derek said no, the water is gravity fed from the diversion dam. The building is a filter station with three, five-hundred-micron filters. He explained the filter process.

If the City gets secondary water from the proposed Anderson Junction Reservoir, that system would also be gravity fed. He went over the probable route that line would take.

Interstate Rock is on-site, full time for the Road/Water Project. The project covers 100 South from SR9 to Main Street, 500 West off 200 North, and 470 West. It will include all new utilities, curb & gutter, and some areas will also get sidewalks. This will be a six-month project.

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.

Derek explained this amendment is similar to the Phase 3 changes. Some lot numbers changed as well. The lot sizes are not exactly what was listed in the original preliminary, but they all still meet or exceed the minimum lot size for the zone. There are also elevation changes to several lots facing Interstate Rock's gravel pit. These items required an amendment but did not affect code compliance.

Commissioner Spendlove declared a conflict of interest and would not vote but would be able to answer any questions.

The surveyor is called in when the subdivision is almost complete. This often results in minor adjustments from the preliminary plat to the final plat.

Derek said the original and amended preliminary and final plat is part of this approval recommendation.

Kevin has reviewed the documents, and the staff recommends approval.

The motion was made by Commissioner Matt Juluson to recommend approval of the revised preliminary and final plat for Cottonwood Hollow Phase 4, a 13-lot subdivision located north of 970 North, second by Commissioner Hugh Howard. Richard Howard-yes, Hugh Howard-yes, Bice-yes, Juluson-yes, Spendlove-abstain. The motion passes.

2. Presentation and discussion regarding the Tourist Commercial Zone vacation rental limit of fifteen percent per development.

Derek passed out a map of La Verkin with the Tourist Commercial Zoned properties that are 2 acres or larger, highlighted in green. These parcels fit the criteria for developments that could have vacation rentals included in them. The blue areas are zoned Tourist Commercial but are too small to qualify.

With the qualifying properties, he included the acreage of allowed vacation rentals within that property based on the recently passed 15%. For example, the RV Resort property is 11.45 acres east of LaQuinta. That development can have 1.7-acres of vacation rentals within the project.

The Commissioners need to decide if they feel 15% is adequate.

The Commissioners questioned if the percentage was building pad or total area for vacation rentals, including landscaping and open space.

Derek thought it would be a building pad.

He mentioned Mayor Wilson would not like to see more than 15% of a property be vacation rentals. He worries vacation rental villages will take up all our tourist commercial areas.

When the ordinance was being discussed, we were focused on vacation rentals in the residential zones. Vacation rentals in commercial zones needs to be addressed. They may be necessary, but we do not want to see it overrun our Tourist Commercial Zone.

Commissioner Spendlove figured a 2-acre property with 600 square foot vacation rental buildings that touched each other would be 21 nightly rentals under the 15%. However, after you include the spacing, setback requirements, and parking, it would be closer to 12 nightly rentals.

Commissioner Juluson asked if parking was included in the 15%. Parking could be included in the development, and the percentage could be just the building.

Derek said developments like this usually do have shared parking. That is something that needs to be addressed. Setbacks are another area that needs to be defined.

Commissioner Bice feels landscaping needs to be included in the requirements. The hot springs resort and an RV resort would benefit from having vacation rentals as part of the development, but not many other types of businesses would.

Commissioner Spendlove said he was okay with shared parking. That will help the development flow better. The developer would need to design it for the vacation rentals to stay within the 15% developable area, including setbacks.

Commissioner Bice stated he is okay with shared parking if they are not allowed to overlap parking spots. We need to make sure there is adequate parking for all uses.

Councilwoman Wise asked if the 15% needed to be together or if it could be divided up throughout the development.

Derek said that is a great question and needs to be defined. He was okay with breaking it up as long as they don't exceed the 15%.

Commissioner Juluson and Commissioner Bice are okay with allowing the percentage to be divided on the property.

Commissioner Spendlove feels it would be easier and more manageable to figure the percentage by building pad rather than land. If not, it would be best to have a "nightly rental zone" within the development so the City can know the exact square footage dedicated to them to verify the percentage falls under the restriction.

Commissioner Bice feels the 15% should include landscaping. Otherwise, the area will grow to 20-30% of the development. He also thinks the City should require landscaping to make the development look nice.

Derek repeated back to the Commissioners they would like to see landscaping and setbacks part of the 15% but are fine to exclude the parking from the percentage and allow the development to have shared parking.

Commissioner Spendlove agreed that landscaping should be included in the vacation rental requirements.

Derek asked if the Commissioners liked 15% or wanted to increase that number. We don't want to make the percentage high enough to allow vacation rentals to dominate the smaller parcels.

Several of the Commissioners wondered if 15% was too low a number.

Derek will reconfigure the map to show the size of the buildable area after landscaping and minimum setbacks for some of the larger and smaller eligible parcels at 15%.

Commissioner Hugh Howard left at 6:54 pm.

3. Presentation and discussion on increasing the permitted hotel building height in La Verkin. Derek explained the current code allows for hotels to have 35 feet of occupiable space and 10 feet of non-occupiable space for a total of 45 feet. Anything higher than that requires a development agreement with the City. One of the existing hotels is about 74 feet at its highest point, and the hotel under construction is 53 feet. There has been discussion to limit hotel heights to three stories or less or to set a specific height allowance for a 4-story hotel and remove the ability for development agreements, which can become arbitrary and capricious. The surrounding communities have similar height restrictions and conditional use permit policies.

A typical hotel story is 14 feet which would give us a 56-foot-tall, 4- story hotel. This is shorter than one of our existing hotels but taller than the other one. Councilwoman Wise pointed out that the City made the Holiday Inn & Suites that is under construction drop the building pad by 10 feet, so they met the 45-foot restriction.

Derek reported at least two more hotels are coming into town. Hotels are allowed in all our commercial zones.

Commissioner Bice would like to remove hotels from the General Commercial Zone.

Councilwoman Wise asked if the height allowance would affect the vacation rentals in the Tourist Commercial Zone.

Derek said that is another thing we must consider, if we want vacation rental buildings to have multiple stories.

Commissioner Bice mentioned that a three-story vacation rental is not dramatically different from a hotel.

Derek suggested leaving the current height requirement of 45 feet for vacation rentals and letting hotels have the fourth story. That keeps the vacation rentals more “low key” and less visually impactful.

This will be discussed at an upcoming meeting.

VI. Adjourn:

The motion was made by Commissioner Kyson Spendlove to adjourn, second by Commissioner Matt Juluson. Spendlove-yes, Richard Howard-yes, Bice-yes, Juluson-yes. Motion carried unanimously at 7:09 pm.

9 Nov 22

Date Approved


Planning Commission Chair