



**Parowan City Council Meeting**  
**January 26<sup>th</sup>, 2023 – 6:00 p.m.**  
**Parowan City Council Chambers**  
**35 E 100 N, Parowan, UT 84761**

**Elected Officials Present:** Mayor Mollie Halterman, Councilmember David Burton, Councilmember Sharon Downey, Councilmember Matthew Gale, Councilmember Jim Shurtleff, Councilmember Rochell Topham

**City Staff Present:** Justin Wayment, City Attorney; Callie Bassett, City Recorder; Judy Schiers, City Treasurer; Stacy Gale, Deputy Treasurer; Heather Shurtleff, Deputy Recorder;

**Public Present:** See attached sign in sheet.

- 1. Welcome and Call to Order:** Mayor Halterman called the meeting to order at 6:00 p.m.
- 2. Opening Ceremonies:** Commissioner Marilyn Wood offered the invocation. She then led the council and the public in the pledge of allegiance
- 3. Declaration of Conflicts With or Personal Interest In any Agenda Items:** David Burton declared a potential conflict of interest with agenda item 18, but said he would still participate in the discussion.

**4. Approval of Meeting's Agenda:**

Mayor Halterman asked if there was a need to have a closed session at this meeting. No one was aware of the need for a closed session. Mayor Halterman said they could strike this from the agenda.

**MOTION:** Councilmember Topham moved to approve the agenda with the removal of item #21, the closed session.

**SECOND:** Councilmember Gale seconded the motion.

**VOTE:** All councilmembers voted in favor of the motion. The motion carried.

**5. Public Comment:**

Susan Sepe expressed her gratitude for the Winter Wonderland and all those who were fundamental in making that happen. She said it was really very nice. She expressed her gratitude to Chief Adams and the department under his leadership for the police presence that she sees in town today. She sees a patrol car in her subdivision at least once, sometimes more during the day. She commended Chief Adams and his leadership. She said the city made the right decision in his hiring. She also said she feels that Parowan is in need of a public pool, but a city pool that we can afford. She said she knows they are waiting on the results of a feasibility study; however, it is now almost February, and there will be no pool again this summer. This will be the third year the town will be without a pool. She said in this economy, Parowan cannot afford the monthly upkeep of a massive indoor pool.

Lastly, Mrs. Sepe expressed appreciation to those councilmembers who responded to her email of January 19<sup>th</sup>. She said she was disappointed in those council members who did not reply. Her email expressed concerns regarding the Brian Head Resort expansion and how that affects Parowan. She said she spoke with Matt Rhode of UDOT regarding her traffic concerns. He answered all of her questions and assured her that UDOT is also concerned with the expansion. Mr. Rhodes said he would like to

meter the traffic through Parowan on its way to Brian Head during the winter months to get more accurate data.

Mrs. Sepe concluded by saying she is concerned about Parowan's infrastructure of sewer and water. She asked how Parowan can mandate that new home owners and businesses bring water shares with them, and yet share our water with Brian Head and not mandate those same requirements. She said the sewer system in Parowan is also utilized by Brian Head. She said there is no way that the current sewer treatment plant can sustain the expansion of Brian Head and Parowan. She asked who we are serving first. She said these are serious concerns that the residents of Parowan need answers to. She said she hopes Parowan officials are actively discussing these things with Brian Head and that they will keep the residents of Parowan apprised as to how this will affect the community. She said the council has an obligation to their constituents to ensure that their property and lives will not be impacted or disrupted by another town's growth.

### **CONSENT MEETING**

6. Approval of City Council Meeting Minutes for December 8, 2022.
7. Approval of Warrant Register for January 26<sup>th</sup>, 2023.
8. Approval of Financial Statement for December 2022.

Councilmember Burton said he had a comment on the minutes. He said he attended the meeting of the ad hoc committee regarding the safety issues at the Meeks pond. He was not included as attending the minutes and would like that changed to include him as being present.

**MOTION:** Councilmember Burton moved to approve the city council minutes from December 8, 2022, with the changes as noted.

**SECOND:** Councilmember Topham seconded the motion.

**VOTE:** All councilmembers voted in favor of the motion. The motion carried.

Councilmember Burton also asked about the reissuing of a payment to Southern Utah University for the water lab on the warrant register. Councilmember Topham asked if the check got lost in the mail, they cancelled the check and had to reissue the payment. The staff verified that was the case.

**MOTION:** Councilmember Downey moved to approve consent meeting agenda items number 7 & 8.

**SECOND:** Councilmember Topham seconded the motion.

**VOTE:** All councilmembers voted in favor of the motion. The motion carried.

### **ACTION MEETING**

#### **9. Water Amendment Ordinance - 2023-01-01**

Councilmember Burton feels the ordinance should be modified to address underground water and not surface water rights. Dan said he thinks the sentence should be modified to read, "Parowan City will not accept irrigation and surface water rights in exchange for underground water rights." This makes it very clear.

**MOTION:** Councilmember Burton moved to approve the Water Amendment Ordinance 2023-01-01 with the modifications as presented.

**SECOND:** Councilmember Shurtleff seconded the motion.

**VOTE:** A roll call vote was taken as follows:

	<b>AYE</b>	<b>NAY</b>
Councilmember David Burton	<u>X</u>	___
Councilmember Rochell Topham	<u>X</u>	___
Councilmember Sharon Downey	<u>X</u>	___
Councilmember Matthew Gale	<u>X</u>	___
Councilmember James Shurtleff	<u>X</u>	___

Results of the Vote: Ayes 5, Nays 0. The motion carried unanimously. Ordinance 2023-01-01 was adopted.

**10. RV Park Extended Stay Ordinance – 2023-01-02**

Dan said the key point of this potential modification is the length of stay they are going to allow for RVs in an RV park. This ordinance says it will change the length of stay from 14 days to that of a transient nature. “Transient” should be added to the definitions and defined as “a person or persons passing through or by a place with only a brief stay or sojourn. For this Chapter, this is interpreted as \_\_\_\_\_ days or less.”

The council discussed the length of stay and determined that 29 days would be

**MOTION:** Councilmember Gale moved to accept the RV Park Extended Stay Ordinance, ordinance 2023-01-02, with the transient definition of 29 days added to the definitions.

**SECOND:** Councilmember Topham seconded the motion.

**VOTE:** A roll call vote was taken as follows:

	<b>AYE</b>	<b>NAY</b>
Councilmember David Burton	<u>X</u>	___
Councilmember Rochell Topham	<u>X</u>	___
Councilmember Sharon Downey	<u>X</u>	___
Councilmember Matthew Gale	<u>X</u>	___
Councilmember James Shurtleff	<u>X</u>	___

Results of Vote: Ayes- 5, Nays- 0. The motion carried and Ordinance 2023-01-02 was adopted.

**WORK MEETING**

**11. Information and Discussion About Recycling Pick Up in Parowan: Laura McCord, Resident**

Laura has a master’s degree in sustainability management and leads sustainability efforts for a \$7 billion dollar distributor based in Illinois. She said she only shared that information to hopefully add some credibility to her presentation.

Laura said that recycling is very important to her. She found an organization called “Recyclops” that offers curb side recycling pick up of paper, plastic, aluminum, cardboard and glass. They currently service Cedar City and Enoch. She said if we could get 50 residents in Parowan to sign up, they would come and provide service to Parowan as well. She shared the pricing for Cedar City to give an idea of what the cost is (see attached), but wouldn’t know exactly what it would cost until we get the 50 residents here in Parowan. She gave instruction of where to go online and how to sign up for the service. She also printed up flyers with the information to pass on. She asked the council for any kind of support that she could get to pass on the information.

**12. Hard Surface Ordinance Discussion: Jamie Bonnett, Planning and Zoning Committee Member**

The council discussed the suggested changes from planning and zoning to PCMC 15.52.030 (see attached) regarding hard surfaces. These changes would affect all commercial lots, especially those in the highway services district.

### **13. Carbon Free Power Project Update: Jeremy Franklin, Power Superintendent**

Jeremy Franklin explained what the carbon free power project is, where they are at, and where they are going. This is a UAMPS nuclear project sited near Idaho Falls, Idaho at the department of energy's Idaho National Laboratory. It consists of 6 NuScale small modular reactors (SMR) which will generate 462 megawatts of carbon free electricity. It is scheduled to come online in 2029-30. Because this is a first of its kind technology, the licensing and construction takes a large amount of time to come to fruition. It is the first small nuclear reactor approved for use in the U.S.

Jeremy said the current budget has gotten them through the class 3 project cost estimate. Based on the cost estimate, with the DOE cost sharing payments, the total DOE contribution is \$1.4 billion dollars. With the estimated inflation reduction act and benefits of the operating cost estimate, the estimated cost of energy from the project is projected to be \$89/MWh. When they started this project, the price target they were looking for was \$58/MWh. This constitutes an economic competitiveness test failure, meaning UAMPS' project management committee could decide to withdraw from the project and request reimbursement from the reactor developer. The money would not be 100% reimbursed, it would be reimbursed on the development cost portion of it. Jeremy said that inflation is the key factor in the energy cost increase. They board still feels that this new dollar figure is within realm.

Jeremy said the project is about 25% subscribed, which is just under 116 MW. With the cost increase and the subscription level being low, UAMPS has amended the development cost reimbursement agreement with NuScale to put the cost at \$89/MWh in July 2022 dollars, and added a subscription target of 80% subscription, or about 370 MW for this next year of this budget and plan of finance that they need to vote on at the next council meeting. If the project cost comes in above the \$89 or they do not have 80% subscription, they could seek reimbursement at that time.

Jeremy said the new budget for the next year has a cost exposure to the participants of about \$700,000 in which Parowan is 2.6% of that based on its entitlement for the project, which comes to about \$18,000. He said the hope is that they have a little bit of exposure to get them through the next year to see where the plant is. If it's not at 80% subscription, there is a good chance the plant doesn't continue. Since they are at the time where they need a budget amendment, they are at an off ramp. Parowan has the right to withdraw from this project. If Parowan withdraws on its own, then they have to pay the cost that they've incurred their portion of development. If UAMPS withdraws as a group, then we get the reimbursement. Parowan's cost to withdraw is around \$740,000. He said there are three options:

1. Withdraw
2. Reduce
3. Stay the Course

Jeremy said Parowan is currently subscribed at 3 MW. He said last week at the power board meeting they discussed the option of reducing down to 2 MW. Currently, Parowan receives about 2 MW from the Hunter power plant. This nuclear plant was designed to replace coal as coal goes away. They looked at the \$58 price and decided to over subscribe a little so in case they grow, they would be covered. However, with the new \$89 price tag, if they subscribe at 3 MW, Jeremy said they are putting a lot of their eggs in one basket. He and the power board agreed that at this time, the best thing to do would be to reduce to the 2 MW for this next phase. Jeremy feels the city needs to be more diversified. He

said at the next council meeting, UAMPS is requesting that they pass a resolution on whichever way they decide to go. He said if there are any questions in the next two weeks, the council should feel free to email Jeremy.

#### **14. Power Cost Adjustment: Dan Jessen, City Manager**

Dan said the power department is currently operating in the red due to having to buy power from the market. The city pays a wholesale rate for the power that we sell. Dan said the city hasn't adjusted its base rate for a long time, and they have employed a company to do a base rate study. The cost of power has been stable for a very long time. However, in the last 6 months, the power bill has been fluctuating massively. The reason for this is that the Hunter power plant, which is coal fired and from whom we get the majority of our power from, has been having coal delivery problems. They are only running at certain times during the day. The other source the city gets power from is the Colorado River. That river is suffering from the drought. When the city is unable to get power from these sources, they have to buy power through UAMPS off the market. The majority of that power comes from natural gas. Natural gas prices themselves have been fluctuating all over the place. The UAMPS bill the city got was \$287,000. The city is used to bills of \$50,000. Dan said the electric department is losing money before they even consider their own overhead.

Dan said the company that is doing the city's base rate study suggested doing what a lot of utility companies are doing, which is putting into place a mechanism called a power cost adjustment factor. What this does is add a cost adjustment to the base rate per meter base, then they will put the power cost adjustment rate on the bill. It was recommended that they do a six-month average look back. If there was a spike in the price of electricity, that cost would be passed on to the customer, but it would be smoothed out over a period of time. They would like to consider implementing the power cost adjustment. He said he doesn't know what else to do. The power company is going to burn through money until it gets to a problematic state.

Jeremy said with the future market prices that he has seen, he feels like we are through the worst of it for the next five to six months. He said if we have the price cost adjustment in place, a lot of months it won't even be charged if the city is meeting its expenses. When there is another spike, they will be able to pass the cost on to the consumer. The power cost adjustment would not spike dramatically like the actual cost spikes. There would be a smooth and gradual adjustment over time. Jeremy said he feels that the future will be at a more normal trend. They will do more research on how to implement this power cost adjustment.

#### **15. Connex Boxes as Building Material Discussion: Dan Jessen, City Manager**

Dan said he felt a little like he was putting the horse before the cart on this subject, however he felt that it was valuable in this case. He said recently there have been some building permits that have come before the planning commission which utilize shipping containers within the construction of the home. The city has an ordinance regulating shipping containers. The question was as they talk about the use of shipping containers as a building material within a home different from using shipping containers as storage. Because of the very strong public opinion about shipping containers and the uproar that took place when the ordinance was passed, Dan wanted to ask the council if they even had the appetite to discuss this before there is a lot of time spent on this.

The council discussed the following points:

- Parowan's ordinance says that shipping containers cannot be lived in.
- Should shipping containers be allowed as a less expensive building material option?
- The county allows shipping containers. Plans must make sense and be structurally sound.

- Shipping containers must be properly engineered.
- Justin Wayment suggested if they are going to allow them they should be allowed as a conditional use.

The council felt that this should be looked at and addressed.

**16. Water Station – Merchant Account Discussion: Dan Jessen, City Manager and Judy Schiers, City Treasurer**

Judy Schiers said they switched the water fill station to a credit card station so people could use their credit cards to get water. There was a problem: Xpress Billpay and Aquaflow couldn't interact with each other. They didn't have the same authorize.net gateway. It was going to be a \$4,500 fix. Judy said she started looking into it, and Chase Bank, which is one of the city's current merchant accounts, they said the city can get another merchant account that will give us the authorize.net gateway. They will give the API codes and transactions to Aquaflow so patrons can use their credit card. Judy said it will be a little more work on the city's end, but it will save \$4,500. She said Chase will match our current fees, but the fees cannot be charged separately. They must be built into the cost of the water. This will be added as a remote site, so there won't be a monthly fee. This can be online within 2-3 business days after the agreement is signed with Chase.

**17. Break Water/Storm Drain/Bridge Update: Dan Jessen, City Manager**

Dan said people have been wondering where they are at with the bridge. The city has been speaking internally. They are worried about the snow load and how fast it may come off the mountain in the spring. They are looking at options of things they can do with the breakwater to better remove debris from the storm water and potentially have it as a recharge site to recharge the aquifer. They have been talking with the county engineer. It is a city and county problem, as floods go on out along the flood channel to the Little Salt Lake, the county has to maintain that. The more sediment and debris there is the more they have to deal with as well. There is flood water that comes off the county, into the city, and back out to the county. There are hoping to solve multiple issues with one project.

In regards to the bridge, the city has been assigned an engineer by UDOT to manage the bridge project from start to finish. His name is Ruston Anderson with Wall Consulting. The bridge was estimated to be built over a storm drain channel (Parowan Creek) at a 100-year flood event level, meaning so many cubic feet per second of water going under the new bridge. That is based on the current conditions of the channel. The bridge is very expensive because it has to be very tall and very long to get over the channel that should be there to handle a 100-year event.

Dan said the question is could they actually redesign the breakwater and make it more functional. They are actively exploring creating a couple of debris basins to take out the rocks, the settlement and the trees, and then taking the bulk of the rest of that structure that is there and making a dam with an overflow. The water would be cleaned with the debris basins, and the rest of the water would be recharged for the majority of the year. The only time the water would come out would be in a major event where it would top the dam and come out in an over flow and down through the flood channel. The outflow would be much less than the city is exposed to now. This has many benefits down the line, including the possible sizing of the bridge and potential flood damage.

Dan said if the city can engineer this project at the breakwater working with the county and the Parowan Pumpers Association, they could use the existing structure, improve it, protect the can company's water rights, improve the diversion, recharge the aquifer, fix the storm drain problem, they

wouldn't need such a long, tall bridge, and they could fix the undersize culvert at I-15. They could be solving many problems at one time. There is one issue they still need to figure out. They will have to find a partner to process the material collected in the debris basin. They are continuing to look at options. If they can come up with a good design that can be engineered, they may have time to work on it this spring/summer. Dan said he doesn't want to derail or stop the construction of the bridge. They want to build the right bridge.

Dan added as a bare minimum, there has to be some maintenance work done on the breakwater so it can function as it is currently designed to. He also said moving forward, they need to have a meeting with all of the people he has mentioned to talk through this idea of how it could all flow and how it could work. The county engineer would like to get started on this.

Dan said when they talk about storm drains, they need to be aware that the city does not have storm drain in its master plan for 200 South. As they talk about development on the end of 200 S., they have to figure out also how to utilize this storm drain system to take the city's storm drain off of the streets as this develops. If we have a good system up by the breakwater that takes most of the flood water, it makes it more available for the city to have outlets that drop into this canal for the storm drain plan as we develop. It all ties together.

**18. MOU with the County on Retention Facility: Dan Jessen, City Manager**

Dan said there is a draft copy of the MOU. The site for the retention facility will be located north of the soccer fields in that triangular lot. The water retention facility will cover no more than 2 acres and will be used for water containment. The county will at its own cost be responsible for the construction of the facility. Once completed the county will share responsibility for the removal of sedimentary build up in the facility with the assistance of the city. The city will assume responsibility for management of vegetation and at its own cost mitigate the growth of vegetation so as not to interfere with the function of the facility. The city will assist the county in hauling away sedimentary debris with the use of city trucks or equipment.

Dan said that for future needs, if the facility requires further development or should require use of an outflow or overflow, the city will need to figure out what to do with that. The county engineer has said this is sitting on a potential gravel pit. They don't expect a lot of water to make it into this facility, but if it does it should percolate overnight. There shouldn't be issues with mosquitos.

Councilmember Burton said he has been engaged with this because of where his property is and where the water flows. He said he has talked with the Rich Wilson, county engineer, and Mr. Wilson chose the channel west of the soccer fields. He asked Commissioner Wood why they didn't choose to go down between the ball fields. Commission Marilyn Wood said to run the pipe anywhere else would cause too much damage and cost too much money. Councilmember Burton asked if the county has taken into consideration the west access to the soccer fields. The public uses that as a main access point for the kids soccer games. She said the ditch will go down there. Councilmember Burton said that the county needs to talk with the city about what their plans are because that is city property. Commissioner Wood said maybe they could run a culvert through there to allow people to cross over to enter the soccer fields.

Dan said they can call this a temporary solution and when they get the storm drain master plan done for that part of the city, maybe they can engineer it with a pipe so that it goes into a structure and down into a pipe rather than an open canal.

The councilmembers besides Councilmember Burton asked why they had not been informed about this issue. Councilmember Burton said he got involved initially because he needed to protect his home. He took the initiative to find out what was going on and spoke to people about what needed to be done. Dan said this all started when the county was taking over the fairgrounds and with the improvements they made. He apologized to the council for not passing on the information because he assumed that they knew about it because it had been going on for quite a while. Councilmember Burton and the mayor apologized as well.

#### **19. Discussion on Ground Water Management Plan Comment to State Engineer: Dan Jessen, City Manager**

Dan said the comment period is open right now on the proposed water management plan by the state engineer. He said this will be the last time the public can comment on the plan. The 60-day window opened January 9<sup>th</sup>. He asked the council if the city wanted to submit a comment on the plan, not in support or opposition, but regarding the nuances of the plan and its effect on the city. He doesn't know how much impact the comments will have. Some things that he thought of that could be included in a comment include:

- The city agrees with the need to conserve water which is our most precious natural resource.
- The city desires to protect the aquifer.
- The city is motivated and engaged on multiple fronts to actively conserve the underground water and to increase the recharge to the aquifer. The city invites everyone else in the basin who is pumping to do the same and find active solutions.
- He wanted to indicate the impact on the city. The city will lose 1,000-acre feet of groundwater in the curtailments, which is 83% of the city's underground water rights. That is a major impact to the citizens of Parowan and the state needs to know that and it needs to be on the record.
- He said the city appreciates the adjustment of the timeline in the modified plan, but the consensus is that people would like a little more time.
- The city understands that the state engineer's primary tool to achieve safe yield in the aquifer is to curtail water rights that have been over extended. For this reason, we support and encourage the state legislature to consider additional modifications to state law to provide more creative solutions to solve our water problems.
- The city is encouraged that, if the plan is adopted, it will exempt the city from the state's requirement to install individual meters on each and every pressurized irrigation customer within the city. However, in the event that this exemption was to be removed in the future by any future legislation, Parowan City would become considerably more disagreeable to the state's plan.

Dan said he will write something up and send it out to the council for their input and approval. Councilmember Shurtleff asked Dan to be specific on how the city is conserving water. Dan said the council may want to come up with a conservation tier in the water rate structure.

#### **20. Reports, Updates, Old Business Follow Up – Elected Officials and Staff:**

**Councilmember Shurtleff** reported that he had historical preservation meeting. He said it was the first time he had to have a meeting with a plan before planning and zoning had seen it. It was a proposed four plex on 200 S. They looked at the aesthetics of the building, the color, siding, etc. and approved it pending approval from the planning and zoning commission.



Councilmember Shurtleff said he volunteered as a crossing guard for a couple of days and thoroughly enjoyed it. He said there are some good kids in Parowan. Three-fourths of the kids said thank you to him for helping them across the street.

**Councilmember Gale** – no report

**Councilmember Downey** – no report

**Councilmember Topham** reported that the theater board met. The theater board is looking at getting new board members due to lack of activity by the current members. She said she will follow up with that. She gave a shout out to Parowan High School because they won the 2A region in swimming with one freshman – Sydni Lauer, Mick and Wendi Lauer’s daughter.

**Councilmember Burton** reported that the planning and zoning commission talked about billboards and hard surfaces. He said Pam Wing painted a scene of the old rock church for the birthday celebration and will donate it to the city to have it displayed. He said he is still concerned about signs for the cross walks. He said the signs are up at the Meek’s pond. He said there has been a request for another sign that says no motorized vehicles. Councilmember Burton completed the OHV online course at the encouragement of Chief Adams.

**Dan Jessen, City Manager** reported that Keith Naylor wants to apply for a grant that would be for video conferencing equipment. This would be used in the conference room, and could be used by others, not just the court. The grant for \$2,637 would pay for the equipment. Dan also reported on the following:

- Storm Drain. Dan asked the mayor to report on this. She said that they added a storm drain study to the master plan for 300 East and 200 South. This will make the plan complete and considered updated. They wrote to UDOT to ask if they would participate because 200 south is a state road and they said they will provide \$11,000 to help with this study. Dan said the city had allocated \$10,000. The bid came in at \$21,000.
- Ace Hardware Development Meeting. Dan said they are going to require this development to do their own storm drain study and show the city what they will do for a 25-year event with their own property. Dan asked them if they would pay some towards the city’s study. They agreed. They will still have to show what they will do with their water, but the city’s portion will shrink a little bit more.
- Feasibility study. This is moving along nicely. There will be a follow up meeting that will include the share-holders.
- New Cemetery Truck. The truck is finally in. They are looking for a use for the old truck. Mick Lauer says it was promised to him and he would like to use it.
- UDOT. A UDOT representative came to Parowan and looked at the 2 troublesome intersections – Main Street and 200 South and Main Street and Center Street. They can see that there is a problem and will start a study. There is not a lot of crash data available for these intersections, which is data they look at. There needs to be better signage. UDOT said that the current traffic data does not justify a 4-way stop.
- Pickleball Update. The city was awarded \$200,000. Dan asked Maria Twitchell (with the county tourism board) what this means. In the board meeting they were saying Parowan should build more courts, but they gave the city less money than asked for, so we’re not sure what that means. Dan asked if the city can build half of the courts, or is the board requiring the city to come up with the rest of the money. Maria said she will get clarification on flexibility. They

recommend that we build at least 6 courts. Dan said we could build less courts with the money they received. He would like to get a hard bid so we know what our shortfall is, and what the cost is per court. He said then they will put it out to the community for donations. Maria also said that the funds will not expire at the end of one year. They will let the city go 2 years. They may let the city apply next year as well for the difference. They will go ahead and put this out to bid.

**Mayor Halterman** reported on the council the signs she has been working on that residents can use in case there is a city-wide emergency. The county ended up having resources to provide these signs to the different communities. She talked with the Parowan Stake President about having the youth distribute them to everyone in the community. There are enough signs for Summit as well. Paragonah already has a system that they use. The signs can be placed in the front window of homes. They are green on one side and says everyone is alright. The other side is red and says that emergency assistance is needed. It is just a way to help each other if there is a major event.

The city received a master active transportation award. It wasn't something she applied for; it came from UDOT for applying for other grants. Two cities in the state will have the opportunity to work with Chris Wiltsie of *Bike Utah!* The first kickoff meeting will be February 21<sup>st</sup> at 5:30 p.m. She said the city can move some of its master trail plan forward with this planning.

In regards to the intersection situation, Mayor Halterman said that people need to report near misses to dispatch when they happen. That is considered traffic data that they can log. She also reported that she listened to a webinar on how to engage the community better for more interactive communication. She will send the link of the recording once that is available.

Councilmember Burton said he thinks they should recognize everyone who participated in the Parowan birthday celebration because it was wonderful.

Mayor Halterman added that at the LEPC meeting they found out that there is going to be a permanent life flight helicopter in Cedar. These flights will not cost more than \$329 per flight. This is a private, for-profit corporation running this. They get most of their money elsewhere. It is a great asset to have. This will be cheaper than an ambulance ride.

**Stacy Gale, Deputy Recorder**, reported that state code has changed and allows municipalities to govern the hours of alcohol sales in their communities. Parowan's ordinance says the city follows the state code. We need to put the city's hours of alcohol sales in our municipal code.

~~21. Closed Session (UCA 52-4-204 & 205) to discuss one or more of the following (if necessary):~~

Removed from this meeting's agenda.

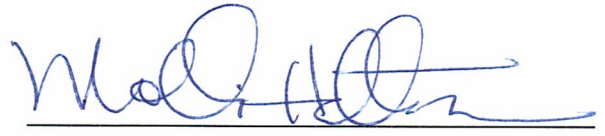
**22. Adjournment:**

**MOTION:** Councilmember Gale moved to adjourn the meeting.

**SECOND:** Councilmember Topham seconded the motion.

**VOTE:** The Council voted unanimously in favor of the motion. The motion carried. The meeting was adjourned at 9:46 p.m.

Signatures on next page.



Mollie Halterman, Mayor



Callie Bassett, City Recorder

Date Approved: FEBRUARY 23, 2023

# Optional Recycling Program Offered Via RECYCLOPS

Recyclops offers curbside pickup of paper, plastic, aluminum, cardboard, glass.

The price of a Recyclops subscription depends on the location and pickup frequency.

## SERVICES & PRICING

- ✓ At home plastic, aluminum, paper, & cardboard recycling pickups
- ✓ One time \$10 setup fee
- ✓ Save money with yearly payments
- ✓ Yearly allotment of bags - 9 per month
- ✓ Complimentary bag refills included with weekly pickups upon request
- + Add glass recycling for only \$7 per month

SIGN UP

MONTHLY SUBSCRIPTION	ANNUAL SUBSCRIPTION
Every Other Week Pickups <b>\$15</b> / month <small>\$180 annually</small> <span style="background-color: #FFD700; border-radius: 10px; padding: 2px 5px; font-size: 0.8em;">ONLY \$6.92 PER PICKUP</span>	Every Other Week Pickups <b>\$12</b> / month <small>\$144 (free) - save \$36</small> <span style="background-color: #008080; color: white; border-radius: 10px; padding: 2px 5px; font-size: 0.8em;">ONLY \$5.54 PER PICKUP</span>
Option to pay monthly, quarterly, semiannually	
MONTHLY SUBSCRIPTION	ANNUAL SUBSCRIPTION
Weekly Pickups <b>\$22</b> / month <small>\$264 annually</small> <span style="background-color: #FFD700; border-radius: 10px; padding: 2px 5px; font-size: 0.8em;">ONLY \$5.00 PER PICKUP</span>	Weekly Pickups <b>\$18</b> / month <small>\$216 (free) - save \$48</small> <span style="background-color: #008080; color: white; border-radius: 10px; padding: 2px 5px; font-size: 0.8em;">ONLY \$4.18 PER PICKUP</span>
Option to pay monthly, quarterly, semiannually	

Current Ordinance

15.52.030 Access Requirements

Adequate ingress and egress to and from all uses shall be provided as follows:

- A. Residential Lots. For each residential lot not more than two (2) driveways, each of which shall be a maximum of twenty (20) feet wide at the street lot line, and such driveways shall not be closer than twelve (12) feet to each other. No driveway shall be closer than twenty (20) feet of any intersection at any corner as measured along the property line.
- B. Other than Residential Lots. Access shall be provided to meet the following requirements:
  - 1. Not more than two (2) driveways shall be used for each one hundred (100) feet or fraction thereof of frontage on any street with the exception of u-shaped driveways.
  - 2. No two (2) of said driveways shall be closer to each other than twelve (12) feet, and no driveway shall be closer to a side property line than three (3) feet.
  - 3. No driveway shall be closer than twenty (20) feet of any intersection at any corner as measured along the property line.
  - 4. Where there is no existing curb and gutter or sidewalk, the applicant may at his option install a safety island and curb, or, in place thereof shall construct along the entire length of the property line (except in front of the permitted driveways) a curb, fence, or pipe rail not exceeding two (2) feet or less than eight (8) inches in height.
  - 5. All other uses not listed above as determined by the Parowan City Planning Commission, based on the nearest compatible use standards.

Proposed change

15.52.030 Access Requirements

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- B. Other than Residential Lots. Access shall be provided to meet the following requirements:
  - 1. Not more than two (2) driveways shall be used for each one hundred (100) feet or fraction thereof of frontage on any street with the exception of u-shaped driveways.
  - 2. No two (2) of said driveways shall be closer to each other than twelve (12) feet, and no driveway shall be closer to a side property line than three (3) feet.
  - 3. Where there is no existing curb and gutter or sidewalk, the applicant may at his option install a safety island and curb, or, in place thereof shall construct along the entire length of the property line (except in front of the permitted driveways) a curb, fence, or pipe rail not exceeding two (2) feet or less than eight (8) inches in height.

Section 3 was voted to be taken out.

4. All other uses not listed above as determined by the Parowan City Planning Commission, based on the nearest compatible use standards.

#### Current Ordinance

##### **15.52.050 Maintenance Of Parking Lots**

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

1. **Surfacing.** Each off-street parking lot shall be surfaced with a surface adequate in relation to location and use. Parking lots serving a high volume of traffic shall be surfaced in such a way to provide a dustless surface. The parking area shall be so graded as to dispose of all surface water. If such water is to be carried to adjacent streets, it shall be piped under sidewalks.
2. **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 not less than four (4) or more than eight (8) feet in height.
3. **Landscaping.** Each parking lot shall be adequately landscaped and permanently maintained.
4. **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.

#### Proposed Change

##### 15.52.050 Maintenance Of Parking Lots

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

1. Surfacing. Each off-street parking lot shall be surfaced with a **HARD SURFACE**. Parking lots serving a high volume of traffic shall be surfaced in such a way to provide a dustless surface. The parking area shall be so graded as to dispose of all surface water. If such water is to be carried to adjacent streets, it shall be piped under sidewalks. **Parking facility will be maintained in good condition and in accordance with the provisions of this ordinance. See Hard Surface Definition under 15.4.50.**
2. 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 not less than four (4) or more than eight (8) feet in height.
3. Landscaping. **All areas not covered by hard surface parking in the parking facility shall be landscaped. Xeroscape landscaping or drip system is encouraged.**
4. 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.

## Current Ordinance

Definition numbering will be changed after 49. 1-49 are okay.

### **15.04.020 Definitions**

1. Accessory Use or Building: A use or building on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building.
2. Agriculture: The tilling of the soil, the raising of crops, horticulture and gardening, commercial greenhouses, breeding, grazing and keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals, or similar uses.
3. Agricultural Industry or Business: An industry or business involving agricultural products in manufacturing, packaging, treatment, sales, intensive feeding, or storage, including but not limited to animal feed yards, fur farms, food packaging or processing plants, commercial poultry or egg production, and similar uses as determined by the Planning Commission.
4. Alley: A public access-way less than twenty-six (26) feet in width, which is designed to give secondary access to lots or abutting properties; an alley shall not be considered a street, for the purposes of this Ordinance.
5. Animals: Animals shall include the following: horses, cows, sheep, and goats, excluding pigs, mink, exotic and dangerous animals which are normally associated with zoos.
6. Animal Control Officer: The Animal Control Officer shall be the Parowan City Chief of Police, unless otherwise designated by the Parowan City Council.
7. Apartment (General Commercial District): For purposes of the General Commercial District, apartment is defined as there (3) or more separate residential units with at least one common wall.
8. Automobile Service Station: A place where gasoline, or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services performed may include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, replacement of spark plugs, lights, fans, and other small parts. The repair of non-passenger trucks and other heavy vehicles is not permitted.
9. Average Percent of Slope: An expression of rise or fall in elevation along a line perpendicular to the contours of the land, connecting the highest point of land to the lowest point of land within an area or within a lot. A vertical rise of one hundred (100) feet between two points one hundred (100) feet apart, measured on a horizontal plane is a one hundred (100) percent slope.
10. Basement: A story whose floor is more than twelve (12) inches below the average level of the adjoining ground, but where no more than one-half ( $\frac{1}{2}$ ) of its floor-to-ceiling heights is above the average contact level of the adjoining ground.
11. Bed and Breakfast Inn: A commercial establishment for the purpose of nightly rental of accommodations, with the provision of the breakfast meal included in the rental fee. A Bed and Breakfast Inn is primarily intended to be a conditional use within a residential zone. A Bed and Breakfast Inn must meet the following criteria:
  1. Must be an existing structure that is deemed suitable for occupancy and public use as required by the Uniform Building Code and all other applicable codes and ordinances.
  2. Must not have more than four (4) rentable guest rooms.
  3. Owner/Operator must reside on the premises.
  4. Off-street parking must be provided; two (2) spaces for owner/operator and one (1) space per guest room.
  5. There may be one sign, not to exceed nine (9) square feet on size, the maximum dimension on a side not to exceed four and one-half (4.5) feet. The sign must be made of wood, stone

or brick. Artificial illumination of the sign may be accomplished only by the use of external, low-level, unobtrusive flood lamps.

6. The establishment must be on a street that meets Parowan City standards and Fire Code width requirements.
  7. Modifications to the appearance and size of the structure should be in keeping with the residential character of the neighborhood within which the establishment is located. If modifications to the existing structure are made, they may not include separate outside entrances to the guest rooms.
  8. The site must be landscaped so as to minimize the aesthetic impact on the neighboring properties and to maintain the residential character of the neighborhood within which the establishment is located.
12. Beginning of Construction: The excavation of soil for the placing of concrete footings or foundation for a building or structure.
  13. Block: The land surrounded by streets or other rights-of-way, other than an alley, or land which is designed as a block on any recorded subdivision plat.
  14. Boarding House: A building with not more than five (5) guest rooms where, for compensation, meals are provided for at least five (5) but not more than fifteen (15) persons.
  15. Buildable Area: The portion of a lot remaining after required yards have been provided, except that land with an average grade exceeding fifteen (15) percent shall not be considered buildable area unless it is approved by conditional use permit for construction, after study by a geologist, soils engineer, or sanitarian as required by the Planning Commission.
  16. Building: Any structure used or intended to be used for the shelter, or enclosure of persons, animals, or property.
  17. Building, Accessory: A building which is subordinate to, and the use of which is incidental to, that of the main building or use on the same lot.
  18. Building, Main: The building housing the principal use of a lot.
  19. Building Code: The ordinance adopted by the Parowan City Council that prescribes the minimum standards for the construction of buildings within the City limits and is enforced by the Parowan City Building Inspector and Zoning Administrator. The building code may be referenced interchangeably as the Uniform Building Code (UBC), International Building Code (IBC) or any other name of reference similar thereto and shall be identified as the Building Code currently being enforced by Parowan City.
  20. Building, Height of: The vertical distance from the average finished grade surface to the highest point of the building roof of coping.
  21. Building Inspector/Zoning Enforcement Officer: That official or officials designated by Parowan City to enforce its zoning ordinances. The Zoning Enforcement Administrator and Building Inspector shall have the authority to act interchangeably in enforcing any ordinance enacted by Parowan City except as hereafter provided. If the Zoning Enforcement Officer and Building Inspector are not the same person, each person shall have the authority to act on the capacity of the other regardless of whether they are being identified in the Parowan City Ordinances as Building Inspector or Zoning Enforcement Administrator unless specifically prohibited by local, Federal, or State law.
  22. Carport: A private garage not completely enclosed by walls or doors. For the purposes of this Ordinance, a carport shall be subject to all the regulations prescribed for a private garage.
  23. Church: A building, together with its accessory buildings and uses, maintained and controlled by a duly recognized religious organization where persons regularly assemble for worship.
  24. Conditional Use: A use of land for which a conditional use permit is required, pursuant to this Ordinance.
  25. Corral: A space, other than a building, less than one (1) acre in area, or less than one hundred (100) feet in width, used for the confinement of animals or fowl.
  26. Coverage, Building: The percent of the total site area covered by buildings.



27. District: A portion of the territory of the City of Parowan, established as a zoning district by this Ordinance, within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance; also includes "zone", and "zoning district".
28. Driveway: A private roadway, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which the driveway is located.
29. Dwelling: Any building or portion thereof designed or used as the more or less permanent residence of sleeping place of one or more persons or families, but not including a tent, recreational coach, hotel, hospital, or nursing home.
30. Dwelling, Mobile Home: (See "Mobile Home".)
31. Dwelling, Single-Family: A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit.
32. Dwelling, Two-Family: A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units.
33. Dwelling, Single-Family and Two-Family (General Commercial District): The right to construct, renovate, enlarge or otherwise maintain a residential dwelling on any lot currently zoned General Commercial. No single or two-family dwellings shall be permitted on any future property zoned General Commercial which has not already been established on the effective date of this ordinance (June 23, 2005).
34. Dwelling, Multiple-Family: A building arranged or designed to be occupied by more than two (2) families, and having more than two (2) dwelling units.
35. Dwelling Unit: One or more rooms in a dwelling, apartment hotel or apartment motel, designed for or occupied by one (1) family for living or sleeping purposes and having one (1) but not more than one (1) kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units.
36. Earth Shelter Home: A dwelling specifically designed for energy saving purposes to be below the finished grade and covered by earth or sod. A lived in basement of an uncompleted single-family dwelling shall not constitute an earth shelter home.
37. Easement: That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said property(ies). The easement may be for use under, on, or above said lot or lots.
38. Essential Facilities: Utilities or sanitary and public safety facilities provided by a public utility or other governmental agency for overhead or surface or underground services, excluding any building, electrical sub-station or transmission line of fifty (50) KV or greater capacity, except by conditional use permit.
39. Fence: A physical barrier to delineate, contain, or designate an area designed for a specific use i.e. an enclosure for a dwelling unit; and area for storage, etc.
40. Flood Hazard: A hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.
41. Frontage, Lot: The lineal measurement of the front lot line.
42. Garage, Private: A detached accessory building, or a portion of a main building, used or intended to be used for the storage of motor vehicles, recreational coaches, boats, or other recreational vehicles, but not including the parking or storage of trucks or vans having a capacity in excess of one and one-half (1 ½) tons.
43. Garage, Repair: A structure or portion thereof, other than a private garage, used for the repair of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles and recreational coaches, and collision repair service.
44. Geological Hazard: A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth.
45. Grade:

1. For buildings adjoining one (1) street only, the elevation of the sidewalk at the center of the wall adjoining the street.
  2. For buildings adjoining more than one (1) street, the average of the elevations of the sidewalk at the centers of all walls adjoining the streets.
  3. For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.
  4. Any wall parallel or nearly parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street.
46. Governing Body: The elected legislative body of the City of Parowan.
47. Habitat Conservation: Real Property that has been set aside, dedicated, reserved, encumbered, declared or restricted for the use of preserving or conserving endangered wild plant or animal habitat for a term of years or in perpetuity.
48. Handicapped Person: A person who has a severe, chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments, which is likely to continue indefinitely, and which results in a substantial functional limitation in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and who requires a combination or sequence of special interdisciplinary or generic care, treatment, or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.
49. Handicapped Persons - Residential Facility: A single-family or multiple-family dwelling unit, consistent with existing zoning of the desired location, that is occupied on a 24-hour per day basis by eight (8) or fewer handicapped persons in a family-type arrangement under the supervision of a house family or manager, and that conforms to all applicable standards and requirements of the Department of Social Services, and is operated by or operated under contract with that department.
50. Home Occupation: Any use conducted entirely within a dwelling and carried out by persons residing in the dwelling unit, which is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not exceed twenty-five (25) percent of the total ground floor area of the home.
51. Household Pets. Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries, or other similar domestic birds, and miniature pot-bellied pigs as to constitute a kennel as defined in this Ordinance. Household pets shall not include the keeping of dangerous animals.
52. Infill Development: Any multi-family residential or non-residential development that occurs on vacant under used property that exists within a more intensely developed area of the city.
53. Junk: Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris or other waste or salvage materials; dismantled, junked, or wrecked automobiles or parts thereof; and old or scrap ferrous or non-ferrous metal materials.
54. Kennel: Any premises where three (3) or more dogs older than four (4) months are kept.
55. Local Attorney: The attorney employed by or officially representing the City of Parowan.
56. Local Building Inspector: The Parowan City Building Inspector employed by or officially representing the City of Parowan.
57. Local Engineer: The engineer employed by or officially representing the City of Parowan.
58. Local Jurisdiction: The City of Parowan.
59. Local Planner: The planner employed by or officially representing the City of Parowan.
60. Lot: A parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership, or a parcel or unit of land shown as a lot or parcel on a recorded subdivision map, or shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division or a larger tract into three (3) or more smaller units.

61. Lot, Corner: A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.
62. Lot, Depth: The horizontal distance between the front and the rear lot lines measured in the main direction of the side lot lines.
63. Lot Lines: The property lines bounding the lot.
64. Lot Line, Front: For an interior lot, the lot line adjoining the street; for a corner lot or through lot, the lot line adjoining either street, as elected by the lot owner.
65. Lot Line, Rear: Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the Parowan City Building Inspector shall designate the rear lot line.
66. Lot Line, Side: Any lot boundary line not a front or rear lot line. A side lot line separating a lot from another lot or lots in an interior side lot line; a side lot line separating a lot from a street is a street side lot line.
67. Lot, Right-of-Way: A strip of land of not less than sixteen (16) feet in width connecting a lot to a street for use as private access to that lot.
68. Mobile Home: A detached, single-family dwelling unit of not less than forty-five (45) feet in length, designed for long-term occupancy, and to be transported on its own wheels (permanent or detachable), or on a flatbed or other trailer; it shall contain a flush toilet, sleeping accommodations, and a tub or shower bath, kitchen facilities, and plumbing and electrical connections provided for attachment to appropriate external systems, and ready for occupancy except for connections to utilities and other minor work. Presectionalized, modular or prefabricated homes not placed on a permanent foundation shall be regarded and regulated as mobile homes.
69. Mobile Home, "Single-Wide": A mobile home conforming to the above definition of a mobile home, being a single unit not less than ten (10) feet wide and having a gross floor area of not more than 1000 square feet.
70. Mobile Home, "Double-Wide": A mobile home conforming to the above definition of a mobile home and having a gross floor area of not less than 1000 square feet. Double-wide mobile homes shall be regarded and regulated as conventional housing when they conform to all applicable building and housing codes, and are placed on a permanent foundation which meets all applicable building and housing codes, incorporates a pitched roof into its design, utilizes block or equivalent skirting around the bottom of the unit, and has the towing tongue and wheels removed.
71. Mobile Home Lot: A lot within a mobile home subdivision, designed and to be used for the accommodation of one (1) mobile home.
72. Mobile Home Park: A space designed and approved by the City of Parowan for occupancy by mobile homes, to be under a single ownership or management, and meeting all requirements of the Parowan City Zoning Ordinance and the Parowan City Mobile Home Park Ordinance for mobile home parks.
73. Mobile Home Space: A space within a mobile home park, designed and to be used for the accommodation of one (1) mobile home.
74. Mobile Home Subdivision: A subdivision designed and intended for residential use where the lots are to be individually owned or leased, and occupied by mobile homes exclusively.
75. Modular Home: A permanent dwelling structure built in pre-fabricated units, which are assembled and erected on the site, or at another location and brought as a unit to the site; said modular home is classed as a mobile home until it is placed on a permanent foundation and complies with all governing building codes.
76. Motel: A building or group of buildings for the drive-in accommodation of transient guests, comprising individual sleeping or living units, and designed and located to serve the motoring public.

77. Nonconforming Building or Structure: A building or a structure which does not conform to the regulations for height, coverage, or yards of the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its erection.
78. Nonconforming Use: The use of a building or structure or land which does not conform to use regulations for the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its establishment.
79. Official Map: A map which has been adopted as the official map of the City of Parowan, showing zoning designations, existing public streets, streets on plats of subdivisions which have been approved by the Parowan City Planning Commission, and/or other street extensions, widenings, narrowings, or variations which have been surveyed and definitely located.
80. Off-street Parking Space: The space required to park one (1) passenger vehicle, which space shall meet the requirements of this Ordinance.
81. Open Space: Area formally reserved, improved or maintained in parks, trails, courts, playgrounds, sports fields, swimming pools, agricultural production, golf courses, and other similar recreational areas. Open space shall not include habitat conservation area.
82. Parking Lot: An open area, other than a street, used for the parking of more than four (4) automobiles and available for public use, whether free, for compensation, or accommodation for clients or customers
83. Planned Unit Development: Development characterized by a unified site design for a number of housing units, clustering of buildings and providing common open space density increases and a mix of building types and land uses.
84. Plot Plan: A plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by the Parowan City Planning Commission.
85. Recreational Coach or Recreational Vehicle: A vehicle, such as a travel trailer, tent camper, camp car or other vehicle with or without motive power, designed and/or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah Vehicle Code, and designed for use as human habitation or a temporary and recreational nature.
86. Sign: A presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.
87. Sign Area: The area in square feet of the smallest rectangle enclosing the total exterior surface of a sign having but one (1) exposed exterior surface. Should the sign have more than one (1) surface, the sign area shall be the aggregate of all surfaces measured as above which can be seen from any one (1) direction at one (1) time.
88. Sign: A sign displayed to indicate the name or nature of a building, or of a use.
89. Sign, Development: A sign indicating the name of, and information pertinent to, new construction.
90. Sign, Civic: A sign identifying name, and or, function of a public building.
91. Sign, Real Estate: A sign identifying property for sale, lease, or rent.
92. Sign, Residential: A sign identifying a residence.
93. Site Plan: A plan required by, and providing the information required by, PCMC 15.02.090.
94. Solar Energy System: Any mechanism that heats or provides electricity to a residence or other building, using energy from the sun.
95. Stable, Public: Any stable where horses are boarded and/or kept for hire.
96. Story, Half: A partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls do not extend more than four (4) feet above the floor of such story, and the ceiling area of which does not exceed two-thirds (2/3) of the floor area of the same half story.

97. Structure: Anything constructed, the use of which requires fixed location on the ground, or attachment to something having a fixed location upon the ground; includes "building".
98. Temporary Seasonal Business: Fruit stands and sno-cone shacks. Temporary stands may be set up with the following setback requirements: front yard setback - 1 foot from property line; rear yard setback - 30 feet; side yards on middle block lots - 10 feet each side; side yards on corner lots - 25 feet on street side and 10 feet on opposite side.
99. Yard: A required open space on a lot, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this Ordinance.
100. Yard, Front: A space on the same lot with a building, between the front line of the building (exclusive of steps) and the front lot line, and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building.
101. Yard, Rear: A space on the same lot with a building, between the side line of the building (exclusive of steps, chimneys, and open stairways), and the rear lot line, and extending the full width of the lot. The "depth" of the rear yard is the minimum distance between the rear lot line and the rear line of the building.
102. Zone: (See "District").
103. Zoning Administrator: The local official designated by the Parowan City Council to enforce the regulations of this Ordinance. The Zoning Administrator will also be the Parowan City Building Inspector, unless the Parowan City Council designates otherwise

## Proposed Ordinance

Definition numbering will be changed after 49 to add "Hard Surface" 1-49 are okay.

### **15.04.020 Definitions**

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3. Agricultural Industry or Business: An industry or business involving agricultural products in manufacturing, packaging, treatment, sales, intensive feeding, or storage, including but not limited to animal feed yards, fur farms, food packaging or processing plants, commercial poultry or egg production, and similar uses as determined by the Planning Commission.
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5. Animals: Animals shall include the following: horses, cows, sheep, and goats, excluding pigs, mink, exotic and dangerous animals which are normally associated with zoos.
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7. Apartment (General Commercial District): For purposes of the General Commercial District, apartment is defined as three (3) or more separate residential units with at least one common wall.
8. Automobile Service Station: A place where gasoline, or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly

- into motor vehicles, and where services performed may include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, replacement of spark plugs, lights, fans, and other small parts. The repair of non-passenger trucks and other heavy vehicles is not permitted.
9. Average Percent of Slope: An expression of rise or fall in elevation along a line perpendicular to the contours of the land, connecting the highest point of land to the lowest point of land within an area or within a lot. A vertical rise of one hundred (100) feet between two points one hundred (100) feet apart, measured on a horizontal plane is a one hundred (100) percent slope.
  10. Basement: A story whose floor is more than twelve (12) inches below the average level of the adjoining ground, but where no more than one-half (½) of its floor-to-ceiling heights is above the average contact level of the adjoining ground.
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    1. Must be an existing structure that is deemed suitable for occupancy and public use as required by the Uniform Building Code and all other applicable codes and ordinances.
    2. Must not have more than four (4) rentable guest rooms.
    3. Owner/Operator must reside on the premises.
    4. Off-street parking must be provided; two (2) spaces for owner/operator and one (1) space per guest room.
    5. There may be one sign, not to exceed nine (9) square feet on size, the maximum dimension on a side not to exceed four and one-half (4.5) feet. The sign must be made of wood, stone or brick. Artificial illumination of the sign may be accomplished only by the use of external, low-level, unobtrusive flood lamps.
    6. The establishment must be on a street that meets Parowan City standards and Fire Code width requirements.
    7. Modifications to the appearance and size of the structure should be in keeping with the residential character of the neighborhood within which the establishment is located. If modifications to the existing structure are made, they may not include separate outside entrances to the guest rooms.
    8. The site must be landscaped so as to minimize the aesthetic impact on the neighboring properties and to maintain the residential character of the neighborhood within which the establishment is located.
  12. Beginning of Construction: The excavation of soil for the placing of concrete footings or foundation for a building or structure.
  13. Block: The land surrounded by streets or other rights-of-way, other than an alley, or land which is designed as a block on any recorded subdivision plat.
  14. Boarding House: A building with not more than five (5) guest rooms where, for compensation, meals are provided for at least five (5) but not more than fifteen (15) persons.
  15. Buildable Area: The portion of a lot remaining after required yards have been provided, except that land with an average grade exceeding fifteen (15) percent shall not be considered buildable area unless it is approved by conditional use permit for construction, after study by a geologist, soils engineer, or sanitarian as required by the Planning Commission.
  16. Building: Any structure used or intended to be used for the shelter, or enclosure of persons, animals, or property.
  17. Building, Accessory: A building which is subordinate to, and the use of which is incidental to, that of the main building or use on the same lot.
  18. Building, Main: The building housing the principal use of a lot.
  19. Building Code: The ordinance adopted by the Parowan City Council that prescribes the minimum standards for the construction of buildings within the City limits and is enforced by the Parowan

City Building Inspector and Zoning Administrator. The building code may be referenced interchangeably as the Uniform Building Code (UBC), International Building Code (IBC) or any other name of reference similar thereto and shall be identified as the Building Code currently being enforced by Parowan City.

20. Building Height of: The vertical distance from the average finished grade surface to the highest point of the building roof of coping.
21. Building Inspector/Zoning Enforcement Officer: That official or officials designated by Parowan City to enforce its zoning ordinances. The Zoning Enforcement Administrator and Building Inspector shall have the authority to act interchangeably in enforcing any ordinance enacted by Parowan City except as hereafter provided. If the Zoning Enforcement Officer and Building Inspector are not the same person, each person shall have the authority to act on the capacity of the other regardless of whether they are being identified in the Parowan City Ordinances as Building Inspector or Zoning Enforcement Administrator unless specifically prohibited by local, Federal, or State law.
22. Carport: A private garage not completely enclosed by walls or doors. For the purposes of this Ordinance, a carport shall be subject to all the regulations prescribed for a private garage.
23. Church: A building, together with its accessory buildings and uses, maintained and controlled by a duly recognized religious organization where persons regularly assemble for worship.
24. Conditional Use: A use of land for which a conditional use permit is required, pursuant to this Ordinance.
25. Corral: A space, other than a building, less than one (1) acre in area, or less than one hundred (100) feet in width, used for the confinement of animals or fowl.
26. Coverage, Building: The percent of the total site area covered by buildings.
27. District: A portion of the territory of the City of Parowan, established as a zoning district by this Ordinance, within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance; also includes "zone", and "zoning district".
28. Driveway: A private roadway, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which the driveway is located.
29. Dwelling: Any building or portion thereof designed or used as the more or less permanent residence of sleeping place of one or more persons or families, but not including a tent, recreational coach, hotel, hospital, or nursing home.
30. Dwelling, Mobile Home: (See "Mobile Home".)
31. Dwelling, Single-Family: A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit.
32. Dwelling, Two-Family: A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units.
33. Dwelling, Single-Family and Two-Family (General Commercial District): The right to construct, renovate, enlarge or otherwise maintain a residential dwelling on any lot currently zoned General Commercial. No single or two-family dwellings shall be permitted on any future property zoned General Commercial which has not already been established on the effective date of this ordinance (June 23, 2005).
34. Dwelling, Multiple-Family: A building arranged or designed to be occupied by more than two (2) families, and having more than two (2) dwelling units.
35. Dwelling Unit: One or more rooms in a dwelling, apartment hotel or apartment motel, designed for or occupied by one (1) family for living or sleeping purposes and having one (1) but not more than one (1) kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units.
36. Earth Shelter Home: A dwelling specifically designed for energy saving purposes to be below the finished grade and covered by earth or sod. A lived in basement of an uncompleted single-family dwelling shall not constitute an earth shelter home.

37. Easement: That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said property(ies). The easement may be for use under, on, or above said lot or lots.
38. Essential Facilities: Utilities or sanitary and public safety facilities provided by a public utility or other governmental agency for overhead or surface or underground services, excluding any building, electrical sub-station or transmission line of fifty (50) KV or greater capacity, except by conditional use permit.
39. Fence: A physical barrier to delineate, contain, or designate an area designed for a specific use i.e. an enclosure for a dwelling unit; and area for storage, etc.
40. Flood Hazard: A hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.
41. Frontage, Lot: The lineal measurement of the front lot line.
42. Garage, Private: A detached accessory building, or a portion of a main building, used or intended to be used for the storage of motor vehicles, recreational coaches, boats, or other recreational vehicles, but not including the parking or storage of trucks or vans having a capacity in excess of one and one-half (1 ½) tons.
43. Garage, Repair: A structure or portion thereof, other than a private garage, used for the repair of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles and recreational coaches, and collision repair service.
44. Geological Hazard: A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth.
45. Grade:
  1. For buildings adjoining one (1) street only, the elevation of the sidewalk at the center of the wall adjoining the street.
  2. For buildings adjoining more than one (1) street, the average of the elevations of the sidewalk at the centers of all walls adjoining the streets.
  3. For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.
  4. Any wall parallel or nearly parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street.
46. Governing Body: The elected legislative body of the City of Parowan.
47. Habitat Conservation: Real Property that has been set aside, dedicated, reserved, encumbered, declared or restricted for the use of preserving or conserving endangered wild plant or animal habitat for a term of years or in perpetuity.
48. Handicapped Person: A person who has a severe, chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments, which is likely to continue indefinitely, and which results in a substantial functional limitation in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and who requires a combination or sequence of special interdisciplinary or generic care, treatment, or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.
49. Handicapped Persons - Residential Facility: A single-family or multiple-family dwelling unit, consistent with existing zoning of the desired location, that is occupied on a 24-hour per day basis by eight (8) or fewer handicapped persons in a family-type arrangement under the supervision of a house family or manager, and that conforms to all applicable standards and requirements of the Department of Social Services, and is operated by or operated under contract with that department.
50. **Hard Surface**: **Hard Surface means asphalt, concrete, brick or aggregate with an asphaltic or cement binder which is compliant with Parowan City's engineering standards and having an overall depth**



of 6.0 inches. Or as approved by the Planning and Zoning Commission, other permanent types of surfacing which prevent the raising of dust or loose particles.

51. Home Occupation: Any use conducted entirely within a dwelling and carried out by persons residing in the dwelling unit, which is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not exceed twenty-five (25) percent of the total ground floor area of the home.
52. Household Pets. Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries, or other similar domestic birds, and miniature pot-bellied pigs as to constitute a kennel as defined in this Ordinance. Household pets shall not include the keeping of dangerous animals.
53. Infill Development: Any multi-family residential or non-residential development that occurs on vacant under used property that exists within a more intensely developed area of the city.
54. Junk: Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris or other waste or salvage materials; dismantled, junked, or wrecked automobiles or parts thereof; and old or scrap ferrous or non-ferrous metal materials.
55. Kennel: Any premises where three (3) or more dogs older than four (4) months are kept.
56. Local Attorney: The attorney employed by or officially representing the City of Parowan.
57. Local Building Inspector: The Parowan City Building Inspector employed by or officially representing the City of Parowan.
58. Local Engineer: The engineer employed by or officially representing the City of Parowan.
59. Local Jurisdiction: The City of Parowan.
60. Local Planner: The planner employed by or officially representing the City of Parowan.
61. Lot: A parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership, or a parcel or unit of land shown as a lot or parcel on a recorded subdivision map, or shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division or a larger tract into three (3) or more smaller units.
62. Lot, Corner: A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.
63. Lot, Depth: The horizontal distance between the front and the rear lot lines measured in the main direction of the side lot lines.
64. Lot Lines: The property lines bounding the lot.
65. Lot Line, Front: For an interior lot, the lot line adjoining the street; for a corner lot or through lot, the lot line adjoining either street, as elected by the lot owner.
66. Lot Line, Rear: Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the Parowan City Building Inspector shall designate the rear lot line.
67. Lot Line, Side: Any lot boundary line not a front or rear lot line. A side lot line separating a lot from another lot or lots in an interior side lot line; a side lot line separating a lot from a street is a street side lot line.
68. Lot, Right-of-Way: A strip of land of not less than sixteen (16) feet in width connecting a lot to a street for use as private access to that lot.
69. Mobile Home: A detached, single-family dwelling unit of not less than forty-five (45) feet in length, designed for long-term occupancy, and to be transported on its own wheels (permanent or detachable), or on a flatbed or other trailer; it shall contain a flush toilet, sleeping accommodations, and a tub or shower bath, kitchen facilities, and plumbing and electrical connections provided for attachment to appropriate external systems, and ready for occupancy except for connections to utilities and other minor work. Presectionalized, modular or prefabricated homes not placed on a permanent foundation shall be regarded and regulated as mobile homes.

70. Mobile Home, "Single-Wide": A mobile home conforming to the above definition of a mobile home, being a single unit not less than ten (10) feet wide and having a gross floor area of not more than 1000 square feet.
71. Mobile Home, "Double-Wide": A mobile home conforming to the above definition of a mobile home and having a gross floor area of not less than 1000 square feet. Double-wide mobile homes shall be regarded and regulated as conventional housing when they conform to all applicable building and housing codes, and are placed on a permanent foundation which meets all applicable building and housing codes, incorporates a pitched roof into its design, utilizes block or equivalent skirting around the bottom of the unit, and has the towing tongue and wheels removed.
72. Mobile Home Lot: A lot within a mobile home subdivision, designed and to be used for the accommodation of one (1) mobile home.
73. Mobile Home Park: A space designed and approved by the City of Parowan for occupancy by mobile homes, to be under a single ownership or management, and meeting all requirements of the Parowan City Zoning Ordinance and the Parowan City Mobile Home Park Ordinance for mobile home parks.
74. Mobile Home Space: A space within a mobile home park, designed and to be used for the accommodation of one (1) mobile home.
75. Mobile Home Subdivision: A subdivision designed and intended for residential use where the lots are to be individually owned or leased, and occupied by mobile homes exclusively.
76. Modular Home: A permanent dwelling structure built in pre-fabricated units, which are assembled and erected on the site, or at another location and brought as a unit to the site; said modular home is classed as a mobile home until it is placed on a permanent foundation and complies with all governing building codes.
77. Motel: A building or group of buildings for the drive-in accommodation of transient guests, comprising individual sleeping or living units, and designed and located to serve the motoring public.
78. Nonconforming Building or Structure: A building or a structure which does not conform to the regulations for height, coverage, or yards of the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its erection.
79. Nonconforming Use: The use of a building or structure or land which does not conform to use regulations for the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its establishment.
80. Official Map: A map which has been adopted as the official map of the City of Parowan, showing zoning designations, existing public streets, streets on plats of subdivisions which have been approved by the Parowan City Planning Commission, and/or other street extensions, widenings, narrowings, or variations which have been surveyed and definitely located.
81. Off-street Parking Space: The space required to park one (1) passenger vehicle, which space shall meet the requirements of this Ordinance.
82. Open Space: Area formally reserved, improved or maintained in parks, trails, courts, playgrounds, sports fields, swimming pools, agricultural production, golf courses, and other similar recreational areas. Open space shall not include habitat conservation area.
83. Parking Lot: An open area, other than a street, used for the parking of more than four (4) automobiles and available for public use, whether free, for compensation, or accommodation for clients or customers
84. Planned Unit Development: Development characterized by a unified site design for a number of housing units, clustering of buildings and providing common open space density increases and a mix of building types and land uses.
85. Plot Plan: A plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by the Parowan City Planning Commission.

86. Recreational Coach or Recreational Vehicle: A vehicle, such as a travel trailer, tent camper, camp car or other vehicle with or without motive power, designed and/or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah Vehicle Code, and designed for use as human habitation or a temporary and recreational nature.
87. Sign: A presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.
88. Sign Area: The area in square feet of the smallest rectangle enclosing the total exterior surface of a sign having but one (1) exposed exterior surface. Should the sign have more than one (1) surface, the sign area shall be the aggregate of all surfaces measured as above which can be seen from any one (1) direction at one (1) time.
89. Sign: A sign displayed to indicate the name or nature of a building, or of a use.
90. Sign, Development: A sign indicating the name of, and information pertinent to, new construction.
91. Sign, Civic: A sign identifying name, and or, function of a public building.
92. Sign, Real Estate: A sign identifying property for sale, lease, or rent.
93. Sign, Residential: A sign identifying a residence.
94. Site Plan: A plan required by, and providing the information required by, PCMC 15.02.090.
95. Solar Energy System: Any mechanism that heats or provides electricity to a residence or other building, using energy from the sun.
96. Stable, Public: Any stable where horses are boarded and/or kept for hire.
97. Story, Half: A partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls do not extend more than four (4) feet above the floor of such story, and the ceiling area of which does not exceed two-thirds (2/3) of the floor area of the same half story.
98. Structure: Anything constructed, the use of which requires fixed location on the ground, or attachment to something having a fixed location upon the ground; includes "building".
99. Temporary Seasonal Business: Fruit stands and sno-cone shacks. Temporary stands may be set up with the following setback requirements: front yard setback - 1 foot from property line; rear yard setback - 30 feet; side yards on middle block lots - 10 feet each side; side yards on corner lots - 25 feet on street side and 10 feet on opposite side.
100. Yard: A required open space on a lot, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this Ordinance.
101. Yard, Front: A space on the same lot with a building, between the front line of the building (exclusive of steps) and the front lot line, and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building.
102. Yard, Rear: A space on the same lot with a building, between the side line of the building (exclusive of steps, chimneys, and open stairways), and the rear lot line, and extending the full width of the lot. The "depth" of the rear yard is the minimum distance between the rear lot line and the rear line of the building.
103. Zone: (See "District").
104. Zoning Administrator: The local official designated by the Parowan City Council to enforce the regulations of this Ordinance. The Zoning Administrator will also be the Parowan City Building Inspector, unless the Parowan City Council designates otherwise