

Parowan City Planning and Zoning Minutes
August 3, 2022 – 6:00 P.M.
35 East 100 North – Parowan City Office

MEMBERS PRESENT: Larry Zajac (Chair), Jerry Vesely, Jamie Bonnett, Heather Peet, Rochelle Topham (Sitting in for David Burton – Council Representative), Judy Schiers (Secretary), Christian Jones (City Attorney)

MEMBERS ABSENT: Jake Hulet, Mollie Halterman (Mayor)

PUBLIC PRESENT: Ron Clayton, Doug Fox

CALL TO ORDER: Larry Zajac called the meeting to order at 6:00 P.M.

ANY CONFLICTS WITH ITEMS ON THE AGENDA: There were no conflicts declared.

APPROVAL OF MINUTES (JULY 20, 2022): Jerry Vesely made a motion to approve the minutes from the July 20, 2022 meeting. Jamie Bonnett seconded the motion. All members present voted in favor of this motion.

RURAL COMMUNITY CONSULTANTS – SUBDIVISION REVIEW ESTIMATE: Larry said that Planning and Zoning had asked Rural Community Consultants to provide a cost estimate to revise our subdivision code. He thinks that they misunderstood the scope of the work we wanted done. They bid it thinking that we would be doing most of the work. The reason we are pushing it out to them is we don't have the staff to do this type of project. Larry said he contacted them and gave them the particulars and asked them to revise the estimate.

The Planning and Zoning Committee went through the revised estimate provided by Rural Community Consultants. There was a discussion regarding the Project Understanding, item #3. Larry said that we have had a code in place for six years and there have been revisions and patches, but there are some inconsistencies that need to be fixed. He said that Rural Community Consultants would look at State Codes and bring us up to date and revise the subdivision checklist.

The Committee then went through the estimate. There is a "not to exceed" lump sum of \$3,210.00. The estimate is broken down into two phases. First phase is estimated to take approximately 20 hours, which would equate to a commitment of up to \$2,600. The second phase is from three virtual meetings, no longer than one hour in duration and would equate to a commitment of \$520.00. Larry said that he isn't sure \$520.00 will be sufficient, at which point we could ask for more money to finish the project or stop and ask for them to finish it off.

He said in reviewing the City Code, it looks like updates were done with a 2016 date. It is estimated from previous City samples that we would be looking at approximately \$30,000 to have our code reviewed from top to bottom.

Jerry Vesely said this would require the Council to be engrossed in a big way. Larry said that we would make a recommendation to the Council and Mayor and then they would make the decisions.

Larry said we could make two motions. One that we proceed with the subdivision portion of the City Code or two, that we proceed with the entire code.

Jerry feels this might be an explosive discussion. The subdivision is something that we must do. Jamie said her thoughts would be to go and ask for the complete code to be reviewed and see what the Council determines they can do.

Heather Peet asked if the city ever had just a zoning position. Judy said that Cleve held just the zoning position until he was put in as manager and then took on both jobs. Heather said instead of paying Rural Community Consultants \$30,000.00, would that money be better spent on hiring a part-time or even full-time zoning position that could go through our code. Larry said essentially by hiring Rural Community Consultants we are hiring a part-time position. If we really need a zoning administrator as a position, that would be a different issue. Rochelle said that at this point, the Council is considering hiring for both the Manager and Zoning positions.

Larry said that Rural Community Consultants has the people with experience to write the code. They are on the State preferred vendor list, so they have been vetted. Plus, we have first hand knowledge of their expertise, as they just helped with the General Plan.

Heather said she feels that \$3,210 is less of a commitment and may be easier for the Council to handle right now. Rochelle said this would be good to bring up when we are talking about next year's budget, probably not the current budget.

Jamie Bonnett made a motion to send to the City Council having Rural Community Consultants review our current City Code, excluding the subdivision ordinance with proposed rates of \$30,000.00. Heather Peet seconded the motion. All members present voted in favor of this motion.

Jamie Bonnett made a motion to send to the City Council having Rural Community Consultants move forward with updating the subdivision ordinance and subdivision checklist, with the rate based on the \$3,210.00 quote we received. Heather Peet seconded the motion. All members present voted in favor of this motion.

MINOR LOT SUBDIVISION DEFINITION: Larry said it is not his intent to read the Subdivision Ordinance, but would suggest that the members read it. He said our Ordinance mirrors the State Code. It is almost a cut and paste. He doesn't feel that it is very clear.

Larry went through the Cedar City's Subdivision Code. Cedar City addresses a Minor Lot Subdivision in a much different way. Brian Head's code reads like ours. Cedar City Code breaks down subdivision into two types, simple minor lot and detailed minor lot and then goes on to explain what those are. They also have procedures in the code. Larry said he wasn't an advocate of putting office procedures in the code, because it is hard to change if different procedures are in the code.

Larry said that in the city chart of fees, there is a fee listed for a Minor Lot Subdivision. His recommendation is that we need to discuss this at the next meeting after everyone has had a chance to go through some of the documents. (Documents are attached to the minutes).

Heather said she is a "need to know" person" and is wondering why we are looking at this if we are having Rural Community Consultants look at our Subdivision Ordinance. Larry said that the Planning and Zoning will be reviewing documentation and feels it is a good idea to have some background. He said I'm pointing out a missing piece of code that leads into how we handle water for subdivisions.

WATER FOR NEW LOTS: Larry said that in February the City Council said if you are going to do a subdivision of any lot, or creation of a new lot, you must bring in water for that lot. The amount of water you bring in is based on an engineer's recommendation. He said that the city code contains no guidance for water shares for existing lots. We know what verbal recommendations are, but there is nothing in code. For example, if there is a lot in the city that existed before February 24 of this year, is it grandfathered in and they are allowed one hook up to the city system. There are a lot of R2 lots in the city, so can they build a mother-in-law's quarters or a duplex and not have to bring in water. It is important to know how we are dealing with paper water rites.

There was further discussion on water availability and steps being taken by the State, farmers and Cities in relation to impacts on municipalities and the farmers.

Larry said that indirectly by saying that if you split a lot you need to bring in water, the city has put a building moratorium in place.

Heather said she is confused as to why we are looking at this. Larry said you have to bring water if you want to build. Heather asked if this was good or bad. Larry said it would be how you look at it. Are you pro-growth - then this would be bad. If you are anti-growth, then this would be pretty awesome. Heather said, as it is written now, it puts a stop to all building. Larry said not all building, but it limits building. Any future development would be required to bring in water and Larry said that there is potential for the need to change.

Heather said since this was brought up tonight, is there a plan? Larry said that he wants to be able to answer questions at the counter with information that is backed by data. Heather asked if this will be addressed by Rural Community Consultants. Larry said this is something we all need to look at and discuss. He said as it stands right now, if a developer wants to bring in a commercial development, I don't know what to tell them about the water development fee. He said how do we distinguish between an applicant from someone wanting to subdivide. Christian said that the developer would have already turned the water over, that they are not taking anymore water from the city. Larry asked who decides the need and how is that defined. Christian said you always need additional water.

Larry said this is not clear and could be interpreted differently. He said our code needs to reflect the water boards recommendations and if they are not writing the code, we need to have it reviewed to have a reasonable approach.

Larry said his intent was to have some discussion, education and awareness. The water situation will not be going away and we need to be aware of how this affects the Planning and Zoning's decisions.

Jerry said that we need to be mindful of the State level activities that will affect us on the city level.

MEMBER REPORTS: Heather apologized for being late tonight and missing the last meeting. She said that she brought some information in regards to set-backs. She said that the State Highway requirements are 20' foot set-backs, where our code is 25". We could rewrite our code to stipulate and agree with the Highway Code of 20' minimum, with a maximum of 25' to create a more walkable community, and preserving a small town feel that we love about Parowan. Larry said he will put it on the agenda for the next meeting.

Larry said he attended a meeting with Mayor Halterman, Sharon Downey and Andy Nielsen, who is looking at building the hardware store on 200 South. They are pressing ahead with that and are behind schedule. He said it will include a lumber yard. He said there is a potential of a truck stop and a hotel at this location also. There are some challenges for them, mainly with UDOT, as they need ingress and egress.

ADJOURN: Jerry Vesely made a motion to adjourn the meeting. Jamie Bonnett seconded the motion. The meeting was adjourned at 7:42 P.M.

Minutes were approved on:

8-17-22

Larry Zajac
Larry Zajac, P&Z Chair

Judy Schiers
Judy Schiers, Secretary