

**Parowan City Planning and Zoning Minutes  
April 19, 2023 - 6:00 P.M.  
35 East 100 North — Parowan City Office**

**MEMBERS PRESENT:** Larry Zajac (Chair), Jerry Vesely, Jamie Bonnett, Jake Hulet, Tony Leydsman (Alternate), Weston Reese (Alternate), David Burton (Council Representative)

**MEMBERS ABSENT:** Heather Peet

**STAFF AND COUNCIL PRESENT:** Mollie Halterman (Mayor), Dan Jessen (City Manager), Judy Schiers (Secretary), Christian Jones (Attorney)

**PUBLIC PRESENT:** Ron Clayton

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

**ANY CONFLICTS WITH ITEMS ON THE AGENDA:** No conflicts were declared.

**APPROVAL OF MINUTES (APRIL 5, 2023):** Jake Hulet made a motion to approve the minutes from April 5, 2023 with a change to members present. Jamie Bonnett seconded the motion. All members present voted in favor of this motion.

**PARCEL BOUNDARY ADJUSTMENT NORTH PARK SUBDIVISION:** Dan explained that this property had a subdivision started in 2004. They started the process deeding the road (what was then 850 North), although the road was never installed and the subdivision was never completed. This came back two years later which showed the deeded roadway moving 150 feet to the south and renamed 750 North. At the same time there was a recorded change to the no access line to allow entrance. UDOT felt the prior entrance was too close to the off ramp of the interchange. The new recorded plat showed the road moving 150 feet to the south. Though the roads are owned by the City, but is showing as one taxed parcel, even though it has been separated by our roads. When they decide to subdivide, there are some decisions that they will need to make regarding size and number of parcels. Tonight though, we are dealing with a boundary adjustment. They are proposing to realign the boundary, which would still leave the two parcels, but would shift a line from the north end of the parcel.

Dan showed the commission the map and explained that we are dealing with the "hat" looking piece on the north end of this property. They would still have the two parcels, just realigning parcel one. Some cities don't require that this item come before the Planning and Zoning, but sometimes that can get messy and our City Ordinances says that it does need to come before the Planning and Zoning. Dan said at a recent land use training, those presenting said that the cities do need more involvement in these type of issues. Larry asked about the agreement. Dan said that the agreement

is a Parowan City document that we have them do. He reminded the commission of the Peddle realignment, which was trickier because of the utility easements. If the property owners own both properties, they draw up legal document with before or afters which has property descriptions on it. Larry asked if these are recorded. Dan said yes, which is why we need the map and legal descriptions.

Jerry Vesely made a motion to allow the Parcel Boundary Adjustment for the North Park Subdivision as submitted. Jamie Bonnett seconded the motion. All members present voted in favor of this motion.

**ZONE CHANGE FROM AGRICULTURAL TO COMMERCIAL APPROXIMATELY 300 WEST OLD HIGHWAY**

**91:** Larry said he doesn't want to get into this too deep, as this will need a public hearing. He handed out a rezone consideration sheet for the members to look at. He asked that they look through this, and our code, and come prepared for the next meeting with the pros and cons of the rezone request. He asked the members if they had any questions.

Jerry asked how long this had been zoned agricultural. Larry said that it had been in the General Plan that way, that he knows of, since 2015. To know for sure, we would have to look back in the zoning ordinances. Jerry said his interest is what the zone was when the building was built. He remembers it being a truck stop and restaurant. They must have been in compliance at some point. Dan said that since this property has been for sale, he has had several interesting parties call and wonder about different development ideas.

Dan said that the hotel/apartments there now is technically non-conforming, but is grandfathered in. The building in the back has lost its non-conforming use because it has not been used. It couldn't be remodeled and used as townhomes or part of the hotel because it has been used for storage. There are R-3 parcels in this area and the future land use map has three parcels in this area as high density residential. There is no commercial in that area, which is what they are requesting. Larry said that the General Plan is a forward-looking document and in that regards are we going to go forward in the City or backward. He said that we had the opportunity to change this zone when we revisited the General Plan, but we opted to keep what was there. He said we can look at this the next time the General Plan is revised, but revising the General Plan is quite a process. Dan asked legal if they would retain their non-conforming status, if the zone changed. Legal's opinion was they would still retain their grandfather status.

Larry asked the members to take the handout and study it, as we should have some discussion at the public hearing.

**BILLBOARD ORDINANCE:** Larry said he had some feedback from the City Attorney asking why we are rewriting state code. He said that as a commission we acknowledged that and just left the things in the ordinance that Parowan wanted to restrict. Christian said he will get it in ordinance format and Judy will track the progress and bring to the next meeting.

Jamie said that the hard surface definition will need to be placed at the public hearing the same time as the billboard ordinance. Larry said that the Council will need to decide if they are going to have a public hearing. The Planning and Zoning will have a public hearing and make revisions and send onto City Council. Dan said he believes that the legislative body holds the public hearing. Larry and Dan will look into this and see who needs to have the public hearing. Dan said that we need to update our code on subdivision requirements and public hearings and we need to match our code to the State Code. Larry said we will look at putting this item on the agenda for May 17<sup>th</sup>.

**MEMBER REPORTS:** Larry said that from the Land Use training there was a lot of useful information Larry said that the presentation that caught him off guard was when they talked about the transfer of development rights. A parcel of property in the same jurisdiction somewhere in town that may be higher density, and a parcel out in the valley that is a 50-acre farm for instance, that 50-acre parcel can sell 50 development rights to the parcel in the town. There was a lot more to that discussion. He said that there were a lot of forward-looking things that were pushed forward in this particular land use training seminar. There is a huge push to increase density. Dan said they also talked about having to allow internal accessory units, even in the most restrictive R1 Zones. Larry said he will get copies of the update to the Land Use Code Book. Dan said that at the City Manager's Conference he recently attended, a poll of City Managers showed that the managers were pretty negative about how long it would take for the staff and administration to deal with all the changes coming about.

Jerry said he will be absent on May 3<sup>rd</sup> and Jamie said she will be absent May 17<sup>th</sup>.

**ADJOURN:** Jerry Vesely made a motion to adjourn the meeting at 7:00 p.m. Jamie Bonnet seconded the motion. All members present voted to adjourn the meeting.