

**Planning and Zoning Minutes**  
**June 1, 2022 – 6:00 P.M.**  
**35 East 100 North – Parowan City Office**

**MEMBERS PRESENT:** Larry Zajac (Chair), Jerry Vesely, Jake Hulet, Jamie Bonnett, Heather Peet (Alternate), Lily Shurtleff (by phone), David Burton (City Council Representative)

**MEMBERS ABSENT:**

**STAFF AND COUNCIL PRESENT:** Judy Schiers (Secretary), Molly Halterman (Mayor), Jim Shurtleff (City Council), Sharon Downey (City Council), Matt Gale (City Council)

**STAFF ABSENT:** Cleve Matheson (City Manager)

**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 (MAY 18, 2022):** Larry asked that a name change be made to the minutes. Jerry also asked for a change of spelling. Heather Peet made a motion to approve the minutes from the May 19, 2022 meeting with the spelling changes. Jerry Vesely seconded the motion. All members present voted to approve the minutes with the changes.

**CURB, GUTTER AND SIDEWALKS, HIGHWAY SERVICE AND COMMERCIAL ZONES:** Heather went over the proposed language that she had prepared, along with language that Larry had also prepared.

Larry said the intent is to have something in the City Ordinance that will be required going forward for new commercial development and because there is not a Master Drainage Plan in place, this is meant to be open ended so that it will not have to be written again, when a Master Drainage Plan is in place. Once a Master Drainage Plan is in place, developments would have six months to put in curb, gutter and sidewalks.

Jamie said she wanted to be clear on this. If there is no Master Drainage Plan in place at time of development, then when a Master Drainage Plan is in place, the developer would have six months to put curb, gutter and sidewalk in. Larry said yes.

Heather said that there is a plan, but it is outdated. Larry said that the current Master Drainage Plan is outdated and does not cover the area on 200 South.

Jamie asked if the intent was to have the developer pay the fees before improvements. Larry asked Jake to talk about bonds. Jakes said that a bond is like an insurance policy and his only hesitation on a bond, is that we have them take out a bond and the work isn't done for a period of time, then the bond would not be sufficient to cover those improvements.

There was a discussion on bonding requirements.

Larry said that a Master Drainage Plan is not in the current fiscal year budget and moves it out a year. It could take maybe two years before something is in place.

Larry said there are a couple of things to consider. We can send this language onto the attorney and have him look at it and see if he can figure another way to hold someone accountable to have this type of work done, or we can have this language ready and not modify City Code until such a time that we have a Master Drainage Plan in place. But in the two years we wait for a Master Drainage Plan, a developer goes by our current code.

David said that when you are talking about applicable engineering standards, this is a State Highway and the State standard rules trumps everything. So, when you are saying applicable engineering standards, are you taking that into consideration. Larry said that is precisely why we are saying applicable engineering standards, to take into account all standards that would apply. In other codes, we say we use Cedar City Codes, then refer them to Cedar City's Codes. Technically we are saying it twice. Master Drainage Plan is an engineering standard.

Heather asked if a developer can be required to have a drainage plan engineered for just the property being developed. Jake said that they could engineer it for their lot, but once it kicks out onto the highway and down the street, the Master Drainage Plan would take into account that water.

Larry said that Iron County Fairgrounds has now put curb and gutter on their property and is wondering if they have a plan for that water. Larry said at a couple of meetings ago there was a discussion about having water going down the street to someone else's property. Taking that into consideration, this is the issue we are facing with the Fairgrounds putting in curb and gutter. David said that the County is taking into consideration the drainage of Gurr Subdivision and the parking area. Larry said that he hears that answer, but if we take that answer and what we are talking about now, the drainage on 200 South, can we do the same thing. Larry said the point he would argue, without legal counsel here, we don't have a Master Drainage Plan that is current and there is no engineering basis for where that water is going to go, but we now have curb and gutter on 300 East. If I take what David is saying, that they did some engineering that was acceptable, and now we have curb and gutter. Dave said I'm not saying it won't affect 300 East.

Heather said what she hears Larry saying is, that since we have no current Master Drainage Plan, yet curb and gutter is going in, and they had that engineered, in this verbiage do we even need to worry about the Master Drainage Plan.

There was a discussion on what to add to the verbiage. Heather read from the minutes of the last meeting (May 18),

"Larry asked Cleve if we actually need to say "in accordance with the Master Drainage Plan" or does that get taking care of in the engineering of the property. Cleve said it could be in



accordance with any General or Master Plans of Parowan City, but would default to an attorney on where and what it says.”

Heather said I guess in Cleve’s opinion we don’t have to have it specifically say, but should say at least say in accordance with the Master Plans or General Plans of Parowan City. Larry said that word wise it makes a lot of sense to say no curb and gutter without a Master Drainage Plan, so what is being enforced and what is being talked about are two different things. I don’t know if there are any codes that said you have to have a Master Drainage Plan to put in curb and gutter.

Larry said he thinks subdivision development gets covered pretty well, but it is the commercial development where we have a problem.

Mollie said that regarding the fairground’s property, she, Kelly and Cleve met with the county engineer numerous times regarding the drainage and looking at options. She would think it appropriate to add in a checklist with approval from the public works supervisor, city manager and any appropriate entities.

Mollie said she believes that the council may need to revisit the Master Drainage Plan and find an avenue for some funding.

There was more discussion on this issue.

Jamie Bonnet made a motion to send the proposed language for review to the City Attorney “Curbs, gutters, and sidewalks shall be installed on existing and proposed streets by the owner/developer in accordance with the applicable Engineering Standards”, and proposed that these be inserted in 15.36 and 15.38. Jerry Vesely seconded the motion. All members present voted in favor of this motion.

**FREEWAY BILLBOARDS ALONG I-15 CORRIDOR – BEYOND THE PROS AND CONS:** Larry went through the process at the last meeting in regards to the facilitated discussion regarding the billboards. He said the next step would be to go through the pros and cons and address something along the order of can we mitigate the con by or we simply cannot mitigate that. We can then use the mitigations to write language to mitigate the cons.

1. Aesthetically unappealing

The art on the billboard could be appealing  
Research is needed to see if we can control what goes on a sign  
If we allow billboards, we can’t control who they are promoting  
When looking at the billboard you can’t see through the sign  
Blocks the view  
How many are placed within an area, within close proximity  
The advertisement itself  
Signage overload cause mental and physically distractions

May be outdated information

Larry showed the members a presentation on billboards in and around the Parowan area. Larry said we can figure out what mitigations can help these things

2. Distract drivers

Designed to distract drivers

Electronic and rotating signs that roll through different messages

Mitigate that by writing in the ordinance that there are not any digital or rotating signs.

3. Traffic accidents

Distracted drivers looking at all the signs.

We can mitigate that by writing in the ordinance that there are not any digital or rotating signs.

4. Dark sky detractor residence.

Lights bothering adjoining areas

Lighting can be mitigated by requiring downward lighting and where lighting is placed

5. Message could send business elsewhere

Billboards direct traffic where they want them to go

We can't control the message

Mitigation could be if the City charges a fee, maybe we could offer a break if Parowan is promoted. Would need to talk with the attorney and see if that is possible.

6. Could obstruct scenery

Mitigation could be limiting density

7. Could obstruct residential views

Larry said a little homework, look at billboards and see if there are any billboards that block my view

Mitigation would be not allowing billboards in residential zones

8. Could be nuisance if not well-maintained.

Mitigation would be to follow the state code or codes written by the Utah Outdoor Advertising Act. Also enforce a penalty or fine if the sign is not maintained. The enforcement would be to the land owner

9. Could devalue property or adjoining property

If you have a billboard butting up against the adjoining piece of property and new property owners want to rezone, that could be an issue

Can mitigate this by spacing.

10. – Could be distraction to Airport

Rule on height by the airport. (Airport Overlay Zone)

Already mitigated by the Airport Overlay Zone

11. Could promote undesirable content

We can mitigate this.

Heather said that the state is working on that. Mitigate that.

12. No Control of content – already discussed.

13. Enforcement requires resources – already discussed.

14. Updates require resources

Jamie feels this could be a pro – create jobs for locals in town

15. Owner rivalry – Property Owner vs Sign Owner

This would be a civil issue and not our problem

16. Future development may be inhibited

Already discussed and can be mitigated

17. Growth may tax city resources

As billboards draw people off the freeway, we grow. This is a pro and a con.

Not much we can do about this item

18. Direct Parowan city revenue

Minimal – Billboards are not for Parowan City to make money, it's for businesses

Signs entering into Parowan and only one advertising Parowan

Value to worth ratio – enforcement vs value you are going to realize from the activity

Mitigate this by looking at the license fee for the billboard.

19. No sales tax income

Not sure if businesses in Parowan would directly benefit from signs, but could indirectly. Lot of small business owners in Parowan cannot afford a billboard

Can't mitigate

20. Complications could create property lawsuit – Larry – takes us back to property owners vs sign owner.

Already discussed.

21. Could poorly represent Parowan

Unsightly

Corridor with a lot of billboard signs

Already discussed

**MEMBER REPORTS: SUBDIVISION CHECKLIST AND SETBACKS:**

Jake feels that the subdivision checklist should be talked about when Cleve is here to be involved. Larry said a couple of things he is finding when looking into the checklist is does this checklist have what our code says and that is a time-consuming thing. Another thing that has to be done, is our code updated and in compliance with state codes. We are not ideally suited as a body to do that in a reasonable amount of time. We should have a serious discussion next week what our next step is and if we can reasonable have someone look at Section 14 to make sure we are compliant. Maybe a consultant, like we used for the General Plan

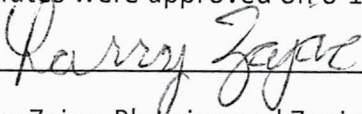
Jamie gave the members a handout regarding hard surfaces. She said everything this is listed on the first page is the same. She did look at the ADA requirements and put in the handout what the ADA has to say about hard surfaces. Larry asked if our definition of a hard surface would meet the ADA requirements. Jamie said there is no specific material mentioned, just so that it is stable and firm and slip-resistant. This will be put on the next meeting.

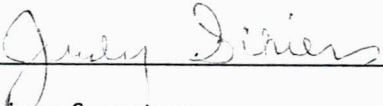


Larry said that the zoning map is on [parowan.org](http://parowan.org) and there is valuable information on [ironcounty.net](http://ironcounty.net) under the GIS section regarding maps and property lines.

**ADJOURN:** Jerry Vesely made a motion to adjourn the meeting at 8:10 P.M. Jake Hulet seconded the motion. The meeting was adjourned.

Minutes were approved on 6-15-2022

  
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Larry Zajac, Planning and Zoning Chair

  
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Judy Schiers, Secretary