

**Parowan City Planning and Zoning Minutes**  
**February 7, 2024 – 6:00 P.M.**  
**35 East 100 North – City Offices**

**MEMBERS PRESENT:** Larry Zajac (Chair), Heather Peet, Jerry Vesely, Jamie Bonnett, Weston Reese, David Burton (Council Representative)

**MEMBERS ABSENT:** Tony Leydsman

**STAFF PRESENT:** Dan Jessen (City Manager), Keith Naylor (Zoning), Mollie Halterman (Mayor), Heather Shurtleff (Acting Secretary)

**STAFF ABSENT:** Scott Burns (City Attorney), Judy Schiers (Secretary)

**PUBLIC PRESENT:** John Dean, Jennifer Sullivan

**CALL TO ORDER:** Larry Zajac called the meeting to order at 6:06 P.M.

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

**PRESENTATION ON THE ACTIVE TRANSPORTATION PLAN BY BIKE UTAH:** Cameron Carter and Christopher Wiltsie were present via Zoom to discuss the work they have done for Parowan on the Active Transportation Plan. They went through an overview and showed a power point.

**OPEN PUBLIC HEARING TO HEAR COMMENTS CONCERNING A PROPOSED AMENDMENT TO PAROWAN CITY'S GENERAL PLAN 4.0 TRANSPORTATION 4.3 ACTIVE TRANSPORTATION FACILITIES:** Heather Peet made a motion to open the public hearing to hear comments concerning a proposed amendment to Parowan City's General Plan 4.0 Transportation 4.3 Active Transportation Facilities. Jerry Vesely seconded the motion, all members present voted in favor and the motion passed.

Larry said that the Active Transportation Plan is mentioned in our General Plan which was published in 2021. He went through highlights of where the Active Transportation Plan is mentioned in the General Plan. He said that the last Transportation plan was adopted in 2002 and revised in 2014 to address exit 75 off of I-15. He said that this plan is a huge first step in being able to move forward to making things happen in the city and is a 20-to-30-year implementation plan.

Mayor Halterman thanked everyone, especially Cameron and Chris that worked on the plan. She said she is pleased with the outcome and it is something we can work from. She said there are things in the plan that we can start working on, as we are ahead of the curve.

*(Weston Reese arrived at 6:20 P.M.)*

There were no other comments from the public.

**CLOSE PUBLIC HEARING AND ENTER REGULAR MEETING:** Heather Peet made a motion to close the public hearing and enter the regular meeting. Jerry Vesely seconded the motion, all members voted in favor and the motion passed.

**AMENDMENT TO PAROWAN CITY'S GENERAL PLAN 4.0 TRANSPORTATION 4.3 ACTIVE**

**TRANSPORTATION FACILITIES:** Larry said that, as he mentioned, the General Plan was published in 2021. He said that if we want to adopt the amendment to the General Plan with the Active Transportation Plan, we need to make a recommendation to the City Council to approve and adopt this document. This needs an ordinance and piece of code to get this plan working. Larry handed out a document that would go to City Council that the Council could use to adopt it into code. Dan said the recorder would assign the ordinance number. There were no other comments.

Heather Peet made a motion to recommend to the Parowan City Council that they approve and adopt the Parowan City Active Transportation Plan in its entirety, as provided and incorporated into the Parowan City General Plan 2021 by reference. Jerry Vesely seconded the motion. All members present voted in favor of this motion and the motion passed.

**APPROVAL OF MINUTES (JANUARY 17, 2024):** Jerry had two changes to the minutes. Heather Peet made a motion to approve the minutes from January 17, 2024 with the changes. Jerry Vesely seconded the motion. All members present voted in favor of the motion and the motion passed.

**ADDITION TO HOME AT 94 NORTH 100 EAST – LIZZIE'S HERITAGE INN:** Dan Jessen said that Ember Kerr (Architect on the project) was not able to be to the meeting. Jennifer Sullivan (Inn Manager), was present to answer questions. Dan said that this could be taken care of administratively but, since this started at Planning and Zoning, he felt it would be good to have it resolved here. He said there were issues with the set-backs in the previous submitted plans. They have moved the addition and attached it to the current home. Since it is attached, it would have different requirements than an ADU.

Larry said in this version of the plan, he didn't see the floor plan of the addition. Jennifer said that there would be a three-car garage in the front, with a commercial kitchen behind and a private apartment on top, that would not be rented. Larry said with additional sleeping quarters, that would add additional parking spaces required. Jennifer said that even with the addition, they would have adequate parking. Dan said our parking code is vague with no direction as to types of businesses and how many parking stalls are required. Larry said he feels this is administrative at this point.

Jerry said it looks like they have met their setbacks. Dan said he wanted to mention that this is one of the better Bed and Breakfasts around and a gem for Parowan.

Heather Peet made a motion that this matter does not need Planning and Zoning approval and referred it back to the Administrative Staff. Jerry Vesely seconded the motion. All members present voted in favor of the motion and the motion passed.

**FINAL PLANS FOR TERRIBLE HERBST TRAVEL CENTER 200 SOUTH APPROXIMATELY 1600 WEST:** Dan said that Horrock Engineers were on-line to participate in this discussion. Russel Skuse introduced himself and Taylor Dahle and Les Kiseges, engineers with Horrocks.

Dan said that we have been working with Terribles and Horrocks on these plans for some time. The last couple of months we have been finalizing the actual review of their civil plans for the layout that is the Travel Center on lot two. There are three main buildings; the Travel Center, a self-service car wash and a Starbucks. The City engineer, public works, storm drain, sewer, have all been working on this and although there are still a few issues to work through, there is nothing that would prevent it from being submitted for approval. Dan said that in our code anything bigger than a single-family residence needs to come to Planning and Zoning. It does say that Planning and Zoning can give authority to approve to the administrator. Dan said that the City Engineer has looked at the plans and is satisfied with them.

David Burton asked if everything had been resolved with UDOT. Dan said that no, they are still working through some things, but similar to Ace Hardware and the Hotel, the Certificate of Occupancy will be conditional upon storm drain being completed and at least agreed on and in construction. Dan said they all thought it was agreed upon, but UDOT backtracked when the potential annexation across the freeway was presented. They are asking them to make an alteration to the off-ramp which would foul up the storm drain plans that the City had approved. UDOT is in discussions with Maverik to have them cover their portion of the storm drain plan.

Jerry asked if there had been any discussion regarding the increase of traffic on 200 South. Dan said that the commercial subdivision did a traffic impact study and it is completed. They will have to make some alterations, but all of that has been resolved to UDOT's satisfaction.

Jamie asked if the back parking (#2 on the map) was for diesel parking or overnight parking. Russell said that is just additional parking and they are not facilitating that. Dan said that there is some undeveloped space in the top triangle of the map that could be addressed later for this.

Dan said this area is in a flood plain, as per the 2009 FIRM maps, and that has been the biggest challenge for this project. We have required all three developers to build above the base flood elevation. They will detain their own water and have to convey that water off sight. Larry asked if the water was to be managed together or individually. Dan said that all three will have their own detention.

Larry asked Dan to go through the water calculations. Dan said that this subdivision was grandfathered to the City's old code or entitled to the code when it was annexed. On the plat for the subdivision, it refers to the water development fee. Originally this was a two-lot subdivision and when they made a third lot, the City made them bring in an additional acre foot of water. Each lot in the subdivision would have an acre foot. With the Travel Center, Car Wash and Starbucks they will need 4.97-acre feet of water. With the grandfathered portion, that would mean they would need to either deed the City 3.97-acre feet or they can pay a water development fee. Dan said he ran this by the City Engineer and their calculations were right. Dan said that with the average price of water which is \$22,958.00 per acre foot x 3.97 acres, that would mean they would need to pay \$91,143.00 in lieu of them going on the market and buying the water at that rate. The City will put that in our reserve and buy water at some point.

Larry asked for the attachment to the plans that had the state plans that showed how they came to these numbers. Dan showed those and explained the indoor use and outdoor use. He said the Division of Drinking Water has different ways of calculating what is needed for example, service stations were calculated on how many pumps, a car wash on the number of bays. That is how they get to that total number of peak per day and in this situation that equates to 4.97. Larry asked if those calculations were reviewed by the State Engineer. Dan said the City Engineer verified that they were correct.

Heather said she hopes this does not come off as offensive, but is there any way to not have this happen. She said there are already plans for a Maverik across the freeway and at the other exit the TA is already there. Dan said that in your role as Planning Commission, if they fit our code and zone and you say no for the reasons you are asking, they could sue us. So, to answer your question, no, you can't limit their property rights. David said that this is beyond the scope of this committee. Heather said she thinks it is a sad day for Parowan.

Jamie Bonnett made a motion to give the City approval to issue a building permit. Weston Reese seconded the motion. All members present, except for Heather Peet voted in favor. Heather Peet voted nay. The motion passed.

David thanked those on-line for joining and believes this project has the support of the community and the City.

**BILLBOARD ORDINANCE:** Dan said that he originally put this on the agenda and then after some thought, and discussing it with Larry, he thinks it should just go to the City Council. He reminded the commission that this came to them and a public hearing was held. The commission had a 3 to 2 vote, and sent it to the City Council for approval of billboards in City limits, with constraints. He said the City Council decided they did not want to accept any new billboards and directed the previous City Attorney to write an ordinance for that. The ball got dropped and Dan said he finally wrote an ordinance and put it on the agenda, but now realizes it needs to go to City Council. He said there is a new council and who knows where it may go from here. One additional note, and this does not mean anything legally, Economic Development discussed this and wants to send a letter to the City Council asking them to allow billboards. Larry said that when this was a discussion, the Chamber of Commerce had some feelings about this as well. Dan said this issue has been well represented on the different points of view.

Heather Peet made a motion to table the Billboard Ordinance. Jamie Bonnett seconded the motion. All members present voted in favor of this motion and the motion passed.

Jerry said he will not be at the next meeting. Jamie said she will also not be at the next meeting.

Heather said that she saw the email regarding the Land Use Spring Conference. She will be attending on-line. Dan said there is a fee for that and the City can get you registered. Larry said there are always interesting topics and well represented. There is an important one on there that is "How to Manage a Planning Commission." Dan said there is money available for training. David said there is a topic on how to obtain funding.

Dan said that the City has been working through the different committees and their terms. The Planning and Zoning is one that was brought up in City council. Parowan City Code says that the term of commission members is 4-years, staggered in two-year blocks. He noted that alternates are not in the code. Dan said he is keeping track of all the committees on a master sheet which will make it easier from this point on.

Dan said that Larry and Heather's term would be up in 2025 and at that point if they are interested in remaining, they can talk with the Mayor. The other three will be staggered in two-year terms. We are going to get organized on how to stagger the terms. David said that the code says the Council member term runs with the term of the office. Dan said that Tony Leydsman is an alternate, Judy Schiers is the secretary and David Burton is the council representative. He said there are a few other things that are interesting. This commission appoints their own chair and members of the body have to be residents of Parowan City and not come from the same expertise. A member of the Historic Preservation may serve on this commission, and Historic Commission says the same thing. Three of the five should hold no office in the City and the Mayor appoints with the advice and consent of the Council. The Council representative is a liaison and not a voting member.

Jamie asked about another alternate. Dan said if you have a name give it to the Mayor.

Larry thanked everyone for the last meeting. He appreciates the City working through the terms and assignments of the committees. He said that this body had a meeting a few months ago with the Historic Preservation regarding Appendix A. He has a revised copy from Dan that they worked on and would like to send it out to the commission and have comments for the next meeting. Dan said that the Historic Preservation spent hours going through Appendix A and feels it is a good document.

**ADJOURN:** Heather Peet made a motion to adjourn the meeting at 7:15 P.M. Jerry Vesely seconded the motion. All members voted in favor and the meeting was adjourned.