



## PAROWAN CITY PLANNING AND ZONING MEETING MINUTES

Wednesday, July 23, 2025 – 6:00 P.M.

Parowan City Council Chambers

35 E 100 N, Parowan, UT 84761

Office: (435) 477-3331

**Commission Members Present:** Jamie Bonnett (Chair), Weston Reese, Shane Williamson, Cecilie Evans (Alternate), Councilman David Burton

**Excused:** Jerry Vesely, Tracey Wheeler (Alternate)

**City Staff Present:** Mollie Halterman, Mayor; Scott Burns, City Attorney; Callie Bassett, City Recorder

**Public Present:** Councilmember John Dean

### CALL TO ORDER

The Planning and Zoning Commission meeting for July 23, 2025, was called to order by Chair Jamie Bonnett.

### DECLARATION OF CONFLICTS WITH ANY AGENDA ITEMS

Jamie asked if any commission members had conflicts with agenda items. There were no conflicts declared.

### APPROVAL OF MINUTES FROM JUNE 18th, 2025, and JULY 2, 2025

Chair Bonnett noted that the June 18th minutes had been corrected as per David Burton's request prior to the meeting.

Motion: Shane Williamson moved to approve the minutes from June 18th, 2025.

Second: Weston Reese

Vote: All in favor, none opposed. Motion passed.

Motion: Shane Williamson moved to approve the minutes from July 2nd, 2025.

Second: Weston Reese

Vote: All in favor, none opposed. Motion passed.

### PUBLIC HEARING TO CONSIDER COMMENTS REGARDING PUBLIC/OPEN SPACE SUBDIVISION REQUIREMENTS

Before opening the public hearing, Shane provided a summary of the public/open space subdivision requirements being considered:

- The purpose is to ensure new housing developments fairly contribute to parkland and open space, adjust requirements based on zoning and subdivision size, and promote long-term recreational needs and quality of life.
- The requirements would apply to all residential subdivisions of 3 or more lots.
- Parkland dedication would be required for subdivisions greater than or equal to 10 acres, with developers dedicating land to the city for public parks.
- Minimum dedication percentages of gross subdivision area would vary by zone:

- Rural Estates: No requirement
- A1, R1, R1A: 1.5 percent
- R2: 3 percent
- R3, PUD, MPD: 4.5 percent
- Land must be usable, accessible, and free of major encumbrances.
- Fee in lieu of parkland would be required for subdivisions under 10 acres or where land dedication is impractical, and may be used for large subdivisions in special cases where a nearby park already exists.
- Fee would equal fair market value of the land that would have been dedicated, with land value set by a city fee table or appraisal if approved by the city.
- Additional 5 percent gross area must be set aside for usable private or shared open space for high-density or clustered projects like PUDs and MPDs.
- Credits for natural areas or trails may count towards requirements if part of the city's open space network or improved and publicly accessible.
- Requirements would be reviewed during subdivision approval, and fee in lieu payments would go to a park reserve fund for parkland and facility improvements.

Motion: Shane Williamson moved to open the public hearing to consider comments regarding the public open space subdivision requirements.

Second: Weston Reese

Vote: All in favor. Motion passed.

Chair Bonnett opened the floor for public comment. No public comments were offered.

Motion: Shane Williamson moved to close the public hearing.

Second: Commissioner Weston Reese

Vote: All in favor. Motion passed.

#### **RECOMMENDATIONON PUBLIC/OPEN SPACE SUBDIVISION REQUIREMENTS**

Jamie Bonnett noted that the commission had previously discussed most aspects of the requirements, specifically focusing on ensuring new housing developments contribute fairly to parkland and open space. The main consideration during this meeting was confirming the dedication percentages for various zoning categories. Jamie confirmed that the commission was comfortable with the percentages as presented, which were as follows: 1.5 percent for A1, R1, and R1A zones; 3 percent for R2; and 4.5 percent for R3, PUD, and MPD zones. These percentages were part of the broader initiative to adjust requirements based on zoning and subdivision size to promote long-term recreational needs and enhance the quality of life within the community.

The commission reviewed and expressed mutual agreement on the requirement that land must be usable, accessible, and free of major encumbrances, reiterating their comfort with the requirements as presented. Additionally, the commission considered the provisions for fee in lieu of parkland contributions, especially for subdivisions under 10 acres or where land dedication is impractical, which should align with fair market value or be determined through a city-approved appraisal. Overall, the commission felt these measures provided a balanced approach to manage open space subdivision requirements effectively.

The commission expressed that they felt comfortable with the requirements as presented.

Motion: Shane Williamson moved to recommend the public open space subdivision requirements to the city council as presented.

Second: Cecilie Evans

Vote: All in favor, none opposed. Motion passed.

### **SHORT TERM RENTAL DISCUSSION AND SET DATE FOR POSSIBLE PUBLIC HEARING**

The commission discussed several aspects of the short-term rental (STR) ordinance:

#### Occupancy Limits

Shane Williamson shared during the discussion that Brian Head's approach to occupancy limits relies on the international fire code standard, which allocates one person per 200 square feet of livable space. He elaborated on the rationale behind this choice, pointing out that while some regions limit occupancy based on the number of bedrooms, this can prove to be impractical. In particular, a scenario was outlined where a significantly large house, featuring only a few bedrooms, would face unnecessary restrictions if its occupancy was capped solely by bedroom count. By using the space-based formula, an equitable solution that accommodates larger homes without penalizing them for fewer bedrooms is achieved. This approach was discussed as more flexible and representative of the actual living conditions, thereby better aligning with housing standards. After considering these factors, the commission collectively agreed and decided to adopt the 200 square feet per person standard for Parowan, ensuring a more practical and fair occupancy policy for its short-term rentals.

#### Parking Requirements

Shane reported on how Brian Head handles parking issues, particularly during the winter when snow removal is critical. He explained that Brian Head prohibits on-street parking between October 31 and April 30, holding the owner accountable for any parking citations issued during this time. The citation goes to whoever parked there, and the license holder receives an infraction. After three infractions, the license can be revoked. However, the commission felt Parowan's situation differs since many homes have city-owned property in front where cars can park without impeding street plowing. They considered that Parowan doesn't face the same challenges as areas with less parking space and opted for a more flexible approach.

The commission discussed the importance of maintaining clear roadways for plowing during the winter and agreed to introduce specific parking requirements for short-term rentals (STRs). These requirements would mandate a minimum of two off-street parking spaces for each STR, ensuring that the property could accommodate vehicles without relying on street parking. Additionally, any additional street parking must be directly in front of the rental property, not in front of neighboring properties, to prevent disputes and maintain neighborhood harmony. The commission emphasized that these parking regulations should be included in the "good neighbor policy," which is required to be posted in all STRs. This policy is designed to outline tenant responsibilities and ensure that both owners and renters understand the parking requirements and adhere to them.

#### Local Ownership Requirement

The commission engaged in a discussion about the implications and potential changes regarding Section 6 of the draft ordinance, which mandated local ownership for short-term rentals (STRs). City Attorney Scott Burns provided insight into the legal aspects of such a requirement, advising the commission that outright prohibiting out-of-state ownership could potentially be challenged as unconstitutional. Scott highlighted the constitutional issues, particularly in regard to the commerce clause, drawing parallels to cases involving out-of-state businesses and the necessity of allowing them a path to operate within the state under constitutional protections.

To navigate these concerns, the commission considered an alternative approach, focusing instead on ensuring direct responsibility and accountability for STR operations through the implementation of a requirement for each STR to have a designated local contact person. This person would be tasked with being available 24/7 to respond to any issues or emergencies at the property, capable of addressing concerns within a 30 to 60-minute timeframe, thereby aligning with community standards for prompt resolution of problems.

The commission explored how such a requirement could provide the necessary oversight and responsiveness desired by the community without violating constitutional protections. This local contact person, or local agent, would likely need to reside within the community or close proximity, similar to the model used in Brian Head, where a stringent local presence is ensured for managing property concerns effectively. The commission agreed that this solution balanced the need for local oversight with constitutional considerations.

In reviewing these options, the commission also discussed the broader implications of this amendment for managing the overall STR landscape within Parowan, highlighting how this change could help maintain community standards and address neighborhood concerns over STR operations. Consistent with the city attorney's guidance, the commission agreed to modify the ordinance by removing the local ownership requirement while instituting the local contact person provision, with a commitment to further refine and detail these guidelines in upcoming discussions and public hearings.

#### *Citywide Cap*

The commission thoroughly examined the prospect of introducing a 10% cap on the overall number of short-term rentals (STRs) permitted within Parowan. In assessing the current landscape, it was noted that Parowan encompasses roughly 1,400 residential units, thereby facilitating a capacity for up to 140 STRs under the proposed cap. Presently, the commission estimated that the city accommodates approximately 30-40 STRs.

City Attorney Scott Burns affirmed the legal feasibility and defensibility of instituting such a regulatory measure, underlining its appropriateness in managing the growth and distribution of STRs. The commission acknowledged the cap as an effective strategy to regulate the proliferation of STRs, ensuring that the character and balance of residential neighborhoods could be maintained while allowing a sustainable level of short-term rental activity.

Moreover, the intent behind this cap is to provide equitable guidelines that accommodate both homeowners' rights to utilize their properties for STR purposes and the community's interests, avoiding over-commercialization that could disrupt local residential dynamics. This regulatory approach would aim to address community concerns, ensuring that the growth of STRs does not overwhelm the existing neighborhood fabric.

In light of this discussion, the commission agreed that this cap would serve as a prudent measure to balance the competing needs and interests, thereby contributing to the overall strategic development of the city's housing policies.

#### *Fees and Inspections*

The commission discussed implementing additional fees similar to those used by Brian Head:

- A higher business license fee for STRs compared to standard business licenses

- An "enhanced service fee" allowed by state code to offset additional public safety costs
- A fee for required fire inspections, which would be conducted every two years

Shane Williamson offered to help city staff develop the calculation methodology for these fees based on his experience with Brian Head's fee structure. The commission agreed that these fees should be added to the city's consolidated fee schedule rather than specified in the ordinance.

The commission decided to schedule a public hearing for August 6, 2025, to gather public input on the STR ordinance before making a final recommendation to the City Council.

Motion: Shane Williamson moved to schedule the public hearing for the short-term rental code for August 6, 2025.

Second: Cecilia Evans

Vote: All in favor. Motion passed.

#### REPORTS

There were no reports from commission members.

#### PUBLIC COMMENT

No public comments were offered.

#### ADJOURN

Motion: Shane Williamson moved to adjourn.

Second: Cecilia Evans

Vote: All in favor. Motion passed.

The meeting adjourned at approximately 6:38 PM.



Callie Bassett, City Recorder

Date Approved: 8/20/2025