

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF JANUARY 23, 2012**

PRESENT: Commissioners:
Larry Bruno, Chairperson
Frankie Sacco
Rick Davis
Alfred Richens
Judy Beacco
Robert Oliver
Erroll Holt
Nick Tatton, Community Director
Laurie Tryon, City Recorder

EXCUSED: Grady McEvoy, Alt.

OTHERS PRESENT: Deloris Markakis, Ed Shook, Jim Shorts, Karen Martino-Basso, Jim Marrs, Mike Metzger, Kirt Rasmussen, Lauren Christiansen, Irene Everett, Jane Berneche, Ruth Metzger and Kathy Hanna-Smith

1. MINUTES of January 9, 2012
MOTION. Commissioner Davis to approve the minutes of January 9, 2012. Motion seconded by Commissioner Sacco and carried.
2. PUBLIC COMMENT ON AGENDA ITEMS: No public comment was received.
3. PUBLIC HEARING-To receive input on the proposed 2012 updates to the Price City Land Use Management and Development Code.
MOTION. Commissioner Holt moved to open the public hearing at 6:02 p.m. Motion seconded by Commissioner Beacco and carried. Chairman Bruno read aloud the updates to the Price City Land Use Management and Development Code to Chapters 1, 4, 10, 11 and 17. He stated that updates included additions and or deletions of language, misspellings, punctuation, and clarifications in Chapter 17 to meet concerns by the Utah League of Cities and Towns and the Utah Board of Realtors. Jim Marrs read from a 2 page letter on behalf of the Carbon/Emery Board of Realtors. He stated that as long as the recommended updates are adopted with the changes listed in the letter, the board supports the Property Maintenance Code within Chapter 17 of the Price City Land Use Management and Development Code. He stated that the biggest concern for the board regarding the term, “agent” as it was listed in the code has now been addressed and everyone feels comfortable with the updates. He thanked the Planning and Zoning Commission and Nick Tatton for their diligence and patience in supporting the Board of Realtors with the updates to the code. Chairman Bruno thanked the members of the board for attending the meeting to provide their comments. **MOTION.** Commissioner Richens moved to close the public hearing at 6:19 p.m. Motion seconded by Commissioner Oliver and carried.
4. RESOLUTION 2012-02PZ-Consideration and possible approval of a Resolution approving and recommending to the City Council the adoption of the proposed 2012 updates to the Price City Land Use Management and Development Code.

The resolution adopts the code updates by the Planning Commission and recommends that the City Council adopt the Code updates by ordinance. Chairman Bruno read aloud Resolution 2012-02PZ. **MOTION.** Commissioner Davis moved to approve Resolution 2012-02PZ and to authorize the Chair and City Recorder to sign the resolution on behalf of the Price City Planning Commission and deliver a copy of the resolution to the Price City elected officials. Motion seconded by Commissioner Sacco and carried.

5. **FRIENDLY LANDLORD PROGRAM.** Report and recommendation from the Friendly Landlord Program Committee.

Commissioner Davis stated that a Friendly Landlord Program was discussed in a committee with Police Chief Shilaos, Chairman Bruno and Commissioner Davis on Jan. 9, 2012. He stated that the committee chose to not recommend adopting the program at this time in Price City as the Property Maintenance Code now addresses property issues. **MOTION.** Commissioner Holt moved to decline the Friendly Landlord Program. Motion seconded by Commissioner Richens and carried.

6. **STATEWIDE AUTO & RV LIQUIDATORS-**Consideration and possible approval of a Conditional Use Permit, business occupancy, for an automotive and RV sales, repair, service and accessories business at 410 East Main Street within the C-1 zoning district.

Commissioner Davis disclosed that he works as a Safety Coordinator for Tony Basso, owner of Statewide Auto & RV Liquidators.

No one from Statewide Auto & RV Liquidators was in attendance. **MOTION.** Commissioner Holt moved to table the item until the next meeting. Motion seconded by Commissioner Oliver and carried.

7. **KERR MCGEE OIL & GAS ONSHORE LLP (ANADARKO)-**Consideration and possible final approval for drilling and siting of a coal bed methane natural gas well at approximately 275 North 1900 East (lot #25) within the combined C-1 and M-1 zoning district.

Kirt Rasmussen and Lauren Christiansen were in attendance on behalf of Anadarko. Nick Tatton provided the following written information and recommendations regarding the final approval for a Conditional Use Permit (CUP) submitted by Anadarko Petroleum Corporation a subsidiary of Kerr-McGee Oil & Gas Onshore LP, to locate a natural gas pump within the Airport Road Industrial Park subdivision: “the area is zoned both Manufacturing 1 (M-1) and Commercial 1 (C-1). There are two (2) separate considerations for the Planning Commission to review within this application: (1) the temporary use associated with the development of the site and the actual drilling; and, (2) the permanent land use associated with the actual well jack. The temporary use may be permitted based on Section 11.3.9.12.5, water and well drilling, within the Price City Land Use Management and Development Code (Code) and the long term permanent land use is indicated in Section 11.3.9.13.3, crude petroleum and natural gas, of the Code. It is anticipated that the temporary drilling period will be six (6) weeks. It is advisable to provide an eight (8) week period for the drilling to accommodate unforeseen circumstances. General evaluation criteria for both land uses are located in Section 11.1.1 and 11.1.5 of the Code and the specific land use criteria/checklist is listed in Section 11.1.m of the Code.”

Nick Tatton stated that staff recommended final approval per the conditions indicated based on the previous discussions with the applicant. Chairman Bruno read aloud the following conditions of approval:

- a. Acknowledge that the drilling activity is anticipated to be completed within approximately 6 to 8 weeks of commencement of drilling and that all disturbances on adjoining lots or undeveloped dedicated public streets must be immediately remediated upon completion of drilling activity at the site finding that remediation of drilling activity on adjoining lots and public streets protects the long term interest of the community and the integrity of the business park subdivision;
- b. Completion of the project in compliance with the final site plan and procurement of all necessary or required easements for pipeline placement north of subdivision finding that development in compliance with approved site plans and easements protects the property rights and interests of adjoining property owners and is in compliance with the Code;
- c. Treatment of the 100 year flood plain along Cardinal Wash as prescribed in the prepared environmental comments provided by the applicant to Price City and coordination of any

- additional or unanticipated storm water and 100 year flood plan impacts with the Price City Engineer finding that proper treatment of flood plains protect infrastructure, downstream property owners and is required by the Code;
- d. Obtain and comply with written permission directives via a property owner agreement from the property owner of record, Mr. Jim Boud, indicating conditions of use at the property finding that property owner permission for land uses on their property is a basic tenant of land use permitting within Price City and is consistent with the Code (copy of said land owner agreement to be provided to Price City);
 - e. Install the minimum 5% landscaping as required by the Code finding that landscaping requirements improve overall community property values and is required of all land uses and developments;
 - i. Landscaping does not need to be 'green' vegetation and may be competed within the general area of the development. Landscaping to be installed at the entrance to the business park subdivision at the Airport Road intersection consistent with the landscaping concept plan submitted by the applicant.
 - f. Install fencing around the pump jack in such a manner that the perimeter of the pump jack wherein the project is located is fenced with a six foot (6') non-site obscuring fence with secured gate, or as otherwise agreed to with the property owner and confirmed as acceptable by the Price City Planning Commission, finding that fencing the perimeter of the site situates the property for development post drill and well project and protects the site from encroachment by vandals, children, etc. and possible impacts on the public safety network in the community;
 - g. Installation of all site work at lot #25 and area development matters, such as the widening of 1900 East to the as built condition on the east side of the road, installation of the grade for 275 North Street, in compliance with the established Airport Road Industrial Park subdivision development plan, including road placement, utility connections, storm water management, etc. finding that compliance with existing approved plans for development mitigate potential negative impacts on adjoining property owners and is consistent with the Price City General Plan;
 - h. Installation of all utility services to the site as agreed to by the Price City Planning Department and Public Works Department and in a manner not to interfere with the planned installation of other public infrastructure as indicated in the approved subdivision plan(s) finding that planned installations of all infrastructure mitigates future development conflicts;
 - i. Completion of an environmental review as required in Chapter 3 of the Code indicating any mitigation plans for any identified environmental conditions requiring mitigation finding that protection of the physical environment is a primary concern for Price City and is consistent with the Price City General Plan;
 - j. Signage to be installed on the fence at the site indicating what the project is, who the owner is and emergency contact information, upon review and approval of the sign plan by the Price City Planning Department finding that properly signed land uses mitigate community misunderstandings and promote improved commercial and industrial activity;
 - k. Completion of a development agreement, if required, and submission of the required financial surety, if required, with the Price City Public Works Department finding that properly agreed to and guaranteed public infrastructure development is in the long-term financial interest of the community and is required by Price City;
 - l. Completion and installation of all site structures, footers, foundations, utility connections, etc. after procurement of a valid Price City Building Permit only and inspection of all site structures, footers, foundations, utility connections, etc. by the Price City Building Inspector finding that properly permitted and inspected construction protects the health, safety and welfare of the community;

- m. Written confirmation from DOGM or other responsible State of Utah department, upon permit finalization, regarding compliance and authorization to proceed with the project, and compliance with all Utah DOGM R-469 requirements finding that properly permitted oil and gas projects by DOGM are prerequisite to local Price City permitting;
- n. No site access from 800 North Street or other city residential areas to the North, all site access from the North on 1900 East only or South along Airport Road and 1900 East finding that commercial and industrial traffic in the residential neighborhoods to the north and east and elementary school zones do not accommodate the industrial and commercial traffic the well site may initiate;
- o. Notification of all property owners within 500' of the project site of the date, time and place of anticipated final CUP approval and contact information for applicant and Price City finding the properly notified neighboring land owners of commercial and industrial land uses reduces the opportunity for misunderstandings and mitigates confusion regarding land uses and plans;
- p. No conditions at project site or structures that place the site or structure in violation of the Price City Property Maintenance Code in effect now or in the future finding that properly maintained property and structures protect community property values, promote improved community aesthetics, and is required by the Code;
- q. Other conditions:
 - i. Comply with all laws of Price City, Carbon County and the State of Utah.
 - ii. Store and dispose of garbage in an approved container properly and promptly from site.
 - iii. Control dust at all times from site, pre drilling; during drilling; post drilling and production.
 - iv. No open fires allowed on the site.
 - v. Keep gates closed and prevent unauthorized entry to pump area.
 - vi. Control and eliminate any noxious weeds, as identified by Carbon County, at the site.
 - vii. Containment of all storm water on site and, as necessary, control all surface water used or produced through construction of berms and pits with pit liners and fencing around pits or transferred to a reinjection site. All surface water to be controlled as indicated in the environmental comments and in compliance with recommendations by the Price City Engineer.
 - viii. Repair any roads or public infrastructure damaged by the land use as directed by the Price City Public Works Director.
 - ix. Completion of all infrastructure installation and development to meet or exceed Price City minimum standards.
 - x. Mitigate all emission of fumes, smoke, noise, vibration or odor beyond the boundaries of lot #25 as applicable.

MOTION. Commissioner Holt moved to recommend the Price City Council provide final approval for the drilling of a natural gas well and pumping of natural gas on parcel ID# 01-1520-0030 owned by the James R. and Linda C. Boud Trust, as applied for by Anadarko Petroleum Corporation a subsidiary of Kerr-McGee Oil & Gas Onshore LP located on lot #25 of the Airport Road Business Park at approximately 275 North 1900 East within the combined Manufacturing 1 (M-1) and Commercial 1 (C-1) zoning districts, based on the land uses indicated in Section(s) 11.3.9.12.5 and 11.3.9.13.3 of the Price City Land Use Management and Development Code (Code), the general evaluation criteria located in Section(s) 11.1.1 and 11.1.5 of the Code and the specific evaluation criteria/land use checklist criteria listed in Section 11.1.m of the Code. Motion seconded by Commissioner Sacco and carried.

ACCEPTANCE: The Commission confirmed that the applicant, applicants agents and representatives, are aware of the conditions of approval, understand the conditions of approval and intend to comply with

the conditions of approval.

8. UNFINISHED BUSINESS:

1. CUSTOMER SERVICE PROGRAM REPORT-

Commissioner Holt will follow up with customers that come before the Planning and Zoning Commission to receive a Home Occupied Permit or a Conditional Use Permit. He will speak to each individual or company representative to see how the customer service process went and if the experience was convenient and pleasant with the City staff and Commissioners. He will fill out a report form in order to keep track of the customer service experience throughout the year.

Meeting adjourned at 6:45 p.m. pursuant to a motion by Commissioner Richens.

APPROVED: _____
Chairman, Larry Bruno

ATTEST: _____
City Recorder, Laurie Tryon