



- b. **MOBILE FOOD TRUCK LAND USE.** Consideration and possible approval of a mobile food truck location at approximately 1250 East Main Street within the Commercial 1 (C-1) zoning district, The Hideout, Dave Reay.

A Conditional Use Permit (CUP) application was submitted by Dave Reay for a mobile food truck vending operation called "The Hideout". Nick Tatton provided the following information to the Commission: General land use evaluation criteria is listed in Section 11.1 of the Price City Land Use Management and Development Code (Code), specific land use evaluation criteria and the land use checklist are listed in Section 11.1.m of the Code. It was noted that the applicant chose to only submit an application for one (1) location of operation, staff advised the applicant to submit multiple locations on one application as additional locations will require additional permit applications, consideration and possible approval. The land use, eating places, food vending trucks – temporary or permanent street and sidewalk vending operations, is conditional and listed in Section 11.3.4.14.1 of the Code and contains the following specific requirements as they relate to a mobile food vending truck:

- Truck not to be parked in one location exceeding thirty (30) days.
- No overnight parking of truck.
- All food prepared on-site, in truck, no prepared off-site in commissary or other prep area;
- Truck to be self-contained for water and fuel, etc. No connection to outside services. Must have hot water available within truck
- Minimum distance between vending truck locations of five-hundred feet (500') and no trucks within five-hundred feet (500') of a public or private school.
- Must have written permission from property owner for parking location.
- Must provide garbage and trash receptacles and services to receptacles daily.
- If seating is provided adjacent to truck, must provide parking and restroom facilities for customers consistent with other Code requirements for on-premises eating places.
- No drive through window permitted to be operated from mobile food vending truck.
- Signage on truck only, no other signage permitted.
- Truck must have own lighting, no additional exterior lighting is permitted.
- Hours of operation limited to 6:00am to 10:00pm and may be further restricted based on location of truck and adjacent land uses.

Staff recommends approval of the conditional use permit for the site applied for based upon the following conditions of approval:

- a. Full and ongoing compliance with each land use requirement for food vending trucks listed in Section 11.3.4.14.1 of the Code, indicated below, finding that compliance with Code requirements promotes and maintains an orderly community and is consistent with the goals in the Price City General Plan.
  - i. Truck not to be parked in one location exceeding thirty (30) days.
    1. As a temporary use, truck to come-and-go from location, on-site time is limited to no more than fourteen (14) days per parking period with a minimum of thirty (30) days between parking periods.
  - ii. No overnight parking of truck.
    1. This includes trailer and associated equipment.
  - iii. All food prepared on-site, in truck, no prepared off-site in commissary or other prep area.
  - iv. Truck to be self-contained for water and fuel, etc. No connection to outside services. Must have hot water available within truck.
  - v. Minimum distance between vending truck locations of five-hundred feet (500') and no trucks within five-hundred feet (500') of a public or private school.
  - vi. Must have written permission from property owner for parking location.
  - vii. Must provide garbage and trash receptacles and services to receptacles daily.
    1. Must provide a minimum of two (2) garbage cans in the minimum size of thirty-two (32) gallon capacity.
    2. Other adjacent dumpster locations not permitted for use.
  - viii. If seating is provided adjacent to truck, must provide parking and restroom facilities for customers consistent with other Code requirements for on-premises eating places.
    1. No seating or tables permitted finding that no restrooms and no permanent parking is installed or developed at the site nor included in the site plan submitted with the application.
  - ix. No drive through window permitted to be operated from mobile food vending truck.
  - x. Signage on truck only, no other signage permitted.
  - xi. Truck must have own lighting, no additional exterior lighting is permitted.
  - xii. Hours of operation limited to 6:00am to 10:00pm and may be further restricted based on location of truck and adjacent land uses.
- b. Must provide temporary off street parking in a temporary surface, such as gravel road base or asphalt millings, to accommodate a minimum of four (4) customer passenger vehicles spaces including ADA access finding that [temporary] surfaced off-street parking mitigates mud and debris track out to Main Street.

- c. No conditions at the site or property that violate the Price City Property Maintenance Code finding that properly maintained properties protect property values and is consistent with the Price City General Plan.
- d. Acknowledgement by the applicant that he is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval and that the approval is for the 1250 East Main Street site only; no other sites are approved at this time based on the application submitted.

Mr. Rea voiced his disapproval of Price City's process and his intent not to comply with the conditions of approval and left the meeting without further discussion with the Commission regarding the proposed land use.

**MOTION.** Commissioner Root moved to recommend denial of the Conditional Use Permit by the Price City Council for The Hideout Food Truck based on Section 7.1.7.2 of the Code. "The applicant cannot or does not give the Planning and Zoning Commission reasonable assurance that the conditions imposed incident to issuance of a conditional use permit will be complied with". Motion seconded by Commissioner Evans and carried.

- c. **ELECTRIC VEHICLE CHARGING STATION.** Consideration and possible approval of an electric vehicle charging station at 782 Price River Drive, within the Commercial 1 zoning district, Tesla Motors.

A Conditional Use Permit (CUP) application was submitted by Andrea Mansour, Agent for Tesla for development of an electric vehicle charging station, specific to Tesla vehicles. General land use evaluation criteria is listed in Section 11.1 of the Price City Land Use Management and Development Code (Code), specific land use evaluation criteria and the land use checklist are listed in Section 11.1.m of the Code. The land use, Electric vehicle group and individual charging stations and CNG vehicle filling stations, is conditional and listed in Section 11.6.15.5 of the Code.

The planning commission discussed the location and placement of protective bollards around the equipment located within the parking lot. The site plan indicates only a couple of bollards. The applicants' representative provided details on the fencing and existing bollards and experience in other installations they have had. The Commission was satisfied that the existing plan provided adequate protection to the equipment and the public.

Vice Chair Sacco read aloud the following conditions of approval:

- a. Price City and Price City contractor, if any, perpetual access to electrical equipment for maintenance of the public electrical infrastructure finding that access is required to maintain the public electric system to mitigate outages.
- b. No Price City service or maintenance on any Tesla owned equipment finding that private electric service equipment is not the responsibility of Price City to maintain.
- c. Submission of written confirmation from the private property owner indicating authorization and authority for placement of Tesla equipment on private property finding that private property rights are protected.
- d. No enforcement of parking restrictions, if any, by Price City on private property owned, occupied or used for electric vehicle charging by Tesla or impacting landlord property finding that private property parking and vehicle restrictions are the responsibility of the private property owner(s) those authorized to use the property.
- e. Pedestrian lighting to be LED fixtures finding that LED fixtures are energy efficient and reduce overall community electrical load and costs.
- f. Wood fencing on Tesla equipment to be regularly maintained and treated to mitigate any potential condition that may place the wood in violation of the Price City Property Maintenance Code.
- g. Informational sign to be placed on fencing around equipment indicating emergency and/or service contact information finding that local service and maintenance may not be available to mitigate service, vandalism, graffiti, etc. issues.
  - i. Optional submission of evidence of local service and maintenance provider to mitigate service, vandalism, graffiti, etc. issues.
- h. Placement of at least one garbage can adjacent to charging station and regular service for garbage can to accommodate charging station users finding that proper collection and disposal of garbage, rubbish and debris mitigates scatter and is consistent with the Price City General Plan.
  - i. Optional submission of evidence of use of adjacent garbage facilities finding that proper collection and disposal of garbage, rubbish and debris mitigates scatter and is consistent with the Price City General Plan.
- i. Price City electrical distribution system upgraded to accommodate Tesla electrical loads and system impact, at Tesla expense, consistent with approved engineering design by Price City and Price City's contractor, Rocky Mountain Power, finding that electrical system upgrade is necessary to serve the electrical load and mitigate any electrical service impact to other system users connected to the system.
- j. Completion and approval of a UDOT right-of-way encroachment permit in conjunction with the Price City Engineering finding that the permit must be obtained for placement of electrical equipment within the UDOT right-of-way, as indicated on the submitted site plan.

- k. Procurement of a Price City building permit and all construction and development completed under the auspices of the building permit finding that construction and development that is properly permitted and inspected protects the health, safety and welfare of the community.
- l. Development consistent with requirements for development within the flood plan and any direction from the Price City Engineer finding that development within the flood plan includes special requirements.
- m. No conditions at the site or structures that violate the Price City Property Maintenance Code finding that properly maintained property and structures protect area property values and the location is on a main community entrance.

Kevin S. Provance representing Black & Veach Engineering/Tesla Motors confirmed he is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval. Mr. Provance asked for details regarding the permit protest period in Price City. Mr. Tatton confirmed that the protest period for any approval is thirty (30) days, as indicated in the Code.

**MOTION.** Commissioner Bentley moved to recommend the Price City Council approve the Conditional Use Permit for Tesla as applied for and with the conditions indicated. Seconded by Commissioner Young and carried.

7. UNFINISHED BUSINESS – No unfinished business discussed.

Meeting adjourned at 6:29 p.m. pursuant to a motion by Commissioner Beacco. Motion seconded by Commissioner Root and carried.

APPROVED: \_\_\_\_\_  
Frankie Sacco, Vice Chair

ATTEST: \_\_\_\_\_  
Sherrie Gordon, Price City Recorder