

**PRICE CITY PLANNING AND ZONING MEETING  
MINUTES OF MARCH 26, 2018**

**PRESENT:**

Commissioners:

Frankie Sacco  
Jan Young  
Nancy Bentley  
Todd Thorne

Nick Tatton-Community Director

**EXCUSED:** Commissioner Oliver, Commissioner Root, Commissioner Beacco, Commissioner Evans, Commissioner Holt-Alternate, and Sherrie Gordon, City Recorder

**OTHERS PRESENT:** Leif Nelson, Sarah Norton, Justin O'Rafferty, Haigon Larsen, Tyra Crosland, Karen Dolan, Linda Moore, Shena Carlill, Kelly Jessop, Jeanie Willson, Mike Kourianos and Brett Guymon

1. Vice Chair Young called the meeting to order at 6:01 P.M. She led the Pledge of Allegiance.
2. Roll was called with the above Commissioners and staff present.
3. MINUTES –
  - a. February 26, 2018 Planning and Zoning Training Workshop  
**MOTION.** Commissioner Thorne moved to approve the minutes for February 26, 2018. Motion seconded by Commissioner Bentley and carried.
  - b. February 26, 2018 Planning and Zoning Meeting  
**MOTION.** Commissioner Thorne moved to approve the minutes for February 26, 2018. Motion seconded by Commissioner Bentley and carried.
4. PUBLIC COMMENT ON AGENDA ITEMS – No public comment was received on any of the items.
5. CONDITIONAL USE PERMIT –
  - a. PERSONAL STORAGE BUILDING - Consideration and possible approval of a personal storage building land use development located at 87 S 500 E within the commercial 1 zoning district, Gus Adams.  
This item was struck from the agenda.  
**MOTION.** Commissioner Bentley moved to strike this item from the agenda. Motion seconded by Commissioner Thorne and carried.
  - b. YOUTH AND FAMILY GAME CENTER - Consideration and possible approval of a youth and family game center land use located at 441 E 100 N within the commercial 1 zoning district, D20 Game Cafe, Justin O'Rafferty.  
A Conditional Use Permit (CUP) application was submitted by Justin O'Rafferty to locate a youth and family game center at 441 East 100 N. The location is within the Commercial 1 (C-1) zoning district. The general land use evaluation criteria for the C-1 zoning district is located in Section 11.1 of the Price City Land Use Management and Development Code (Code), the specific land use evaluation criteria/land use checklist is in Section 11.1.m of the Code. The following land uses are applicable:
    - Limited price variety store (retail), permitted use, Section 11.3.4.28 of the Code;
    - Public assembly, miscellaneous purposes, conditional use, Section 11.3.10.5.6 of the Code;
    - Recreational center, conditional use, Section 11.3.10.6.6 of the Code.The Commissioners discussed the CUP with the applicant. Vice Chair Young read aloud the following conditions of approval:
    - All exterior lighting to be high-efficiency LED fixtures and situated (shielded, angled, timers) to mitigate light transference disturbances to neighboring residential land uses finding that high efficiency fixtures mitigate long term impacts to the public electric system and consideration of neighboring residential land uses mitigates the potential for conflicts.
    - Control and mitigation of any potential noise nuisance that may occur finding that Control and mitigation of any potential noise nuisance prevents conflicts with neighboring residential property owners.
    - Maintain garbage service to the building and property with a service frequency to prevent accumulations or wind-scatter of garbage, rubbish or debris finding that properly controlled garbage, rubbish and debris mitigates potential negative impacts to the aesthetic condition of the community.
    - Submit business signage plan to the Price City Planning Department for consideration and possible approval based on compliance with Chapter 4 of the Code prior to installation of signage finding that properly reviewed and approved signage promotes commercial activity in the community.
    - Installation of a minimum of 5% landscaping on the site of the development consistent with the requirements within the Code.

- All parking by business owners, employees and customers to be maintained in the off-street parking lot finding that off-street parking mitigates the potential for pedestrian and vehicle accidents. Bicycle racks and other youth oriented items and infrastructure to be located on private property; not in the public right of way.
- Inspection of the subject building and property by the Price City Fire Chief and Price City Building Inspector for safety and compliance with all safety recommendations and direction stemming from the inspection finding that properly reviewed and inspected business locations protect the health, safety and welfare of the community.
- Building renovations, if any, to be completed under the auspices of a Price City Building Permit and inspection finding that properly permitted and inspected building renovations protect the health, safety and welfare of the community. Issuance of Certificate of Occupancy (C of O) by the Price City Building Department prior to building occupancy.
- Restrictions: No smoking or vaping on site not in compliance with the Utah Indoor Clean Air Act. No prepared foods on site (grease trap, sampling manhole, kitchen hood).
- No authorizations or land uses not specifically identified herein approved finding that restricted authorizations and land uses protect the long-term interests of the community.
- No conditions at the property or structure that violation the Price City Property Maintenance Code finding that properly maintained properties and structures protect area property values and is consistent with the Price City General Plan.

**ACCEPTANCE:** The applicant acknowledged that he is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval.

**MOTION.** Commissioner Sacco moved to recommend that the Price City Council provide final approval of a youth and family game center land use located at 441 E 100 N within the commercial 1 zoning district. Motion seconded by Commissioner Bentley and carried.

- c. **CARD STORE AND DIGITAL ARCADE** - Consideration and possible approval of a card store and digital arcade land use at 60 N 100 W within the Commercial 1 zoning district, Jetman Digicade, LLC., Sarah Norton. A Conditional Use Permit (CUP) application was submitted by Sarah Norton to locate a card shop and digital arcade game center at 60 N 100 W. The location is within the Commercial 1 (C-1) zoning district. The general land use evaluation criteria for the C-1 zoning district is located in Section 11.1 of the Price City Land Use Management and Development Code (Code), the specific land use evaluation criteria/land use checklist is in Section 11.1.m of the Code. The following land uses are applicable:

- Limited price variety store (retail), permitted use, Section 11.3.4.28 of the Code;
- Public assembly, miscellaneous purposes, conditional use, Section 11.3.10.5.6 of the Code;
- Recreational center, conditional use, Section 11.3.10.6.6 of the Code.

The Commissioners discussed the CUP with the applicant. Vice Chair Young read aloud the following conditions of approval:

- Lighted ingress/egress during all open hours not naturally lit finding that lighted ingress/egress to the building protects the health, safety and welfare of the community. All exterior lighting to be high-efficiency LED fixtures.
- Maintain garbage service to the building and property with a service frequency to prevent accumulations or wind-scatter of garbage, rubbish or debris finding that properly controlled garbage, rubbish and debris mitigates potential negative impacts to the aesthetic condition of the community.
- Submission of business signage plan to the Price City Planning Department for consideration and possible approval based on compliance with Chapter 4 of the Code prior to installation of signage finding that properly reviewed and approved signage promotes commercial activity in the community.
- All parking by business owners, employees and customers to be maintained in the off-street parking lot finding that off-street parking mitigates the potential for pedestrian and vehicle accidents.
- Bicycle racks and other youth oriented items and infrastructure to be located on private property; not in the public right of way.
- Inspection of the subject building and property by the Price City Fire Chief and Price City Building Inspector for safety and compliance with all safety recommendations and direction stemming from the inspection finding that properly reviewed and inspected business locations protect the health, safety and welfare of the community.
- Building renovations, if any, to be completed under the auspices of a Price City Building Permit and inspection finding that properly permitted and inspected building renovations protect the health, safety and welfare of the community.
- Issuance of Certificate of Occupancy (C of O) by the Price City Building Department prior to building occupancy.
- Restrictions:
  - No loitering of customers or employees adjacent to the State of Utah Liquor Store finding that restricted loitering mitigates the potential for conflicts with neighboring land uses.
  - No smoking or vaping on site not in compliance with the Utah Indoor Clean Air Act.
  - No prepared foods on site (grease trap, sampling manhole, kitchen hood).
  - No authorizations or land uses not specifically identified herein approved finding that restricted authorizations and land uses protect the long-term interests of the community.
- No conditions at the property or structure that violation the Price City Property Maintenance Code finding that properly maintained properties and structures protect area property values and is consistent with the Price City General Plan.

**ACCEPTANCE:** The applicant acknowledged that she is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval.

**MOTION.** Commissioner Thorne moved to recommend that the Price City Council provide final approval of a card store and digital arcade land use at 60 N 100 W within the Commercial 1 zoning district. Motion seconded by Commissioner Bentley and carried.

- d. **TREATMENT AND PHARMACY LAND USE** - Consideration and possible approval of a drug treatment and pharmacy land use to be co-located within the existing social services location at 77 S 600 E within the commercial 1 zoning district, Linda Moore, Executive Director, Project Reality DBA Operation Recovery.

A Conditional Use Permit (CUP) application was submitted by Linda Moore, Executive Director to co-locate a program called Project Reality DBA Operation Recover, a drug treatment program along with a pharmacy and proprietary land use, business within the existing 4-Corners location at 77 S 600 E within the Commercial 1 (C-1) zoning district. The land use applied for is identified as Drug and proprietary, a conditional use based on Section 11.3.4.13 of the Price City Land Use Management and Development Code (Code), and rehab and treatment facility, a conditional use based on Section 11.3.10.1.3 of the Code. The general land use evaluation criteria is listed in Section 11.5 of the Code, the specific land use evaluation criteria is listed in Section 11.1.m of the Code. The Commissioners discussed the land uses and restrictions with the applicant to ensure complete understanding of the conditions of approval. The Commissioners discussed the land use, need in the community for the service and the current and past programs in place at the location administered by 4-Corners.

The Commissioners discussed the CUP with the applicant. Vice Chair Young read aloud the following conditions of approval:

- No on street parking by finding that restricted on-street parking mitigates parking congestion in the commercial area and promotes commercial activity consistent with the Price City General Plan.
- Garbage containers and service frequency utilized that prevent the accumulations of garbage, rubbish and debris finding that properly sized and serviced garbage containers prevent wind scatter and accumulations of garbage, rubbish and debris.
  - No improper disposal of medications in traditional garbage receptacles.
- Price City Police Department review and concurrence regarding storage and disposal of any medications on-site finding that properly reviewed and authorized procedures mitigate potential malfeasance regarding medications. Must be completed prior to any dispensing of medications.
- Building and fire safety inspection of structures on the site and used for business purposes for compliance by the Price City Building Inspector and/or Price City Fire Chief finding that properly inspected buildings protect the health, safety and welfare of the community.
  - Compliance with all safety recommendations stemming from the inspections.
  - Procurement of a Price City Building Permit for any building renovations or improvements that occur.
- Security review of medication storage and procedure by the Price City Police Chief and compliance with recommendations stemming from the review finding that reviewed and understood medication storage mitigates the potential for theft and disproportionate usage of public safety resources.
- Licensing in good standing of all pharmacists and other DOPL licensed persons involved with treatment and/or dispensing of medications finding that properly licensed persons protect the health, safety and welfare of the community.
- Business signage to be reviewed and approved by the Price City Planning Department prior to installation finding that properly reviewed and approved signage promotes community consistency.
- No business operation from the site except that previously authorized and that expressly applied for, considered, and approved herein finding that additional business operations may require additional licensing and/or CUP consideration.
- Procurement of a Price City Business License, as required, for legal operation of the business within Price City.
- No conditions at the property or structure that violate the Price City property maintenance code finding that properly maintained properties and structures protect community property values.

**ACCEPTANCE:** The applicant acknowledged that she is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval.

**MOTION.** Commissioner Thorne moved to recommend that the Price City Council provide final approval of a drug treatment and pharmacy land use to be co-located within the existing social services location at 77 S 600 E within the commercial 1 zoning district with the above listed conditions and subject to all prior conditions of approval for the location. Motion seconded by Commissioner Bentley and carried.

- e. **TATTOO, BODY ART, RETAIL SALES** - Consideration and possible approval of a tattoo, body art, retail sales land use located at 135 W Main Street, within the commercial 1 zoning district, Intrysik Ink, LLC., Haigon Larsen.

A Conditional Use Permit (CUP) application was submitted by Haigon Lee Larsen to locate a tattoo shop with retail sales at 135 W Main Street within the Commercial 1 (C-1) zoning district. The general land use evaluation criteria is listed in Section 11.1 of the Price City Land Use Management and Development Code (Code) and the specific land use evaluation criteria is located in Section 11.1.m of the Code. The applicable land use is in Section 11.3.5.40 of the Code and is listed as Skin art, tattooing, piercing and body alteration.

Mr. Tatton informed the Commission that the business opened up without obtaining a CUP or a business license and has been on hold pending the completion of the permitting and licensing process. The advance opening was based on a prior business owner and not Mr. Larsen.

The Commissioners discussed the land use with the applicant to ensure a complete understanding of the conditions of approval. It was confirmed with the applicant that the landlord letter is needed.

The Commissioners discussed the CUP with the applicant. Vice Chair Young read aloud the following conditions of approval:

- Maintain all business garbage service of a type and frequency to prevent accumulations or wind-scatter of garbage, rubbish or debris finding that properly maintained garbage, rubbish, debris conditions mitigate negative impacts to the community aesthetic.
- Business owners and employees to park in mid-block lots finding that maintaining open street parking improves commercial activity in the community.
- Business signage not to exceed that allowed within Chapter 4 of the Code finding that complaint signs promote consistency in the community.
- Specific acknowledgement and approval of the business in the location identified being located within less than ½ mile of other similar land uses finding that a proximity requirement is listed in Section 11.3.5.40 of the Code.
- Procurement of a Price City Business License finding that all businesses operating within Price City are required to be licensed by Price City.

- Safety inspection of the business location by the Price City Building Inspector and Price City Fire Chief and compliance with any safety recommendations stemming from the safety inspections finding that properly reviewed and inspected business locations protect the health, safety and welfare of the community. Building permit required for any building renovations.
- Land Use Restrictions:
  - No sales of any items that may be considered subject to the terms and requirements of the Price City Sexually Oriented Business Ordinance.
  - No sales of smoke shop items including vape.
- No loitering within the vicinity of the business finding that loitering may create a negative community aesthetic and a loitering restriction may mitigate a negative aesthetic.
- No land uses allowed that are not specifically authorized herein finding that additional or differing land uses may require additional land use application(s), consideration and possible approval by Price City.
- No conditions at the property or structure that violation the Price City Property Maintenance Code finding that properly maintained properties and structures protect area property values and is consistent with the Price City General Plan.

**ACCEPTANCE:** The applicant acknowledged that he is aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval.

**MOTION.** Commissioner Sacco moved to recommend that the Price City Council provide final approval of a tattoo, body art, retail sales land use located at 135 W Main Street, within the commercial 1 zoning district. Motion seconded by Commissioner Bentley and carried.

6. UNFINISHED BUSINESS – Nick Tatton informed the Commissioners that Tony Basso has a new project that may be on the next Planning and Zoning meeting. He also asked the Commissioners for suggestions for training topics.

Meeting adjourned at 6:47 p.m. pursuant to a motion by Commissioner Bentley. Motion seconded by Commissioner Thorne and carried.

APPROVED: \_\_\_\_\_  
Vice Chair, Jan Young

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