

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF APRIL 8, 2013**

PRESENT: Commissioners:

Larry Bruno	Laurie Tryon
Frankie Sacco	Nick Tatton
Robert Oliver	
Angela Sampinos	
McKell Warburton	

EXCUSED: Commissioner Evans, Commissioner Beacco and Commissioner Micoz

OTHERS PRESENT:

1. MINUTES of February 25, 2013. **MOTION.** Commissioner Oliver moved to approve the minutes of February 25, 2013 as presented. Motion seconded by Commissioner Sampinos and carried.
2. PUBLIC COMMENT ON AGENDA ITEMS- No public comment was received.
3. Z'S SMOKES-Consideration and possible approval of a Conditional Use Permit for Z's Smokes, David L. Zserai, for the land use of a retail sales smoke shop located at 135 West Main Street within the C-1 zoning district.
David L. Zserai submitted an application for a Conditional Use Permit (CUP) for the land use of a smoke shop to be located at 135 West Main Street within the Commercial 1 (C-1) zoning district. Nick Tatton provided the Commission with the following information: General evaluation criteria for the zoning district is in Section 11.1 of the Price City Land Use Management and Development Code (Code), the specific evaluation criteria/land use checklist is in Section 11.1.m of the Code. The land use, identified as "Smoke shop providing legal tobacco and related products; not items may be considered drug paraphernalia or items/products considered a drug or intoxicant", is a conditional use in the C-1 zoning district and listed in Section 11.3.4.49 of the Code. Mr. Zserai stated he is working with Vocational Rehab to start this business. He stated that his smokeshop will only sell tobacco products, cigarette making machines, rolling papers, tobacco pipes, incense and some gifts but he will not sell anything illegal, drug or paraphernalia related. He provided a copy of the proposed business sign that will be fascia mounted and be approximately 25 square feet in size.
Chairman Bruno read aloud the conditions and acknowledgement for this type of business:
 - a. Retail sales authorized for legal tobacco products and sundries only, no authorization for sale of products or items that may be considered illicit drug paraphernalia or used in conjunction with illicit drugs, explicit or implied, finding that restriction of sales of such items that may be considered illicit drug paraphernalia or used in conjunction with illicit drug protects the health, safety and welfare of the community.
 - b. Maintenance of all required State of Utah licensing in good standing and provision of copies of all license renewals as they occur to Price City finding that properly licensed businesses operate legally and contribute to positive commercial and retail activity that improve the economy.
 - c. Signage to be installed at business only after review and approval of signage by the Price City Planning Department finding that properly reviewed and approved signage promotes consistency in the community and improves commercial and retail activity that improve the economy.
 - d. Safety inspection of the subject property and structure by the Price City Building Inspector and Price City Fire Chief and compliance with any requirements stemming from those safety inspections finding that commercial building occupancy safety is protected through building and fire safety inspections.

- e. Compliance with the Utah Indoor Clean Air Act and no loitering or smoking within 300 feet of the subject property finding that compliance with state law and restrictions of loitering and smoking promote an improved community aesthetic and protect the health, safety and welfare of the community.
- f. No conditions at the property or structure that place the property or structure in violation of the Price City Property Maintenance Code.

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. **MOTION.** Commissioner Sacco moved to approve the Conditional Use Permit and Business License for Z's Smokes. Motion seconded by Commissioner Oliver and carried.

4. UNFINISHED BUSINESS-

- Carbon County Courthouse will be back on the agenda at an upcoming meeting for final approval
- Nick Tatton will check on the capacity of vehicles at Tony Basso's car lots following a complaint of too many cars and cars parked on the sidewalk and too far over the right-of-way at the Carbon Avenue location and the Main Street location near Sherald's.

Meeting adjourned at 6:20 p.m. pursuant to a motion by Commissioner Sampinos.
Motion seconded by Commissioner Oliver and carried.

APPROVED: _____
Chairman, Larry Bruno

ATTEST: _____
City Recorder, Laurie Tryon