

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF MAY 9, 2022**

PRESENT:Commissioners:

Kyle Heffernan
Renee Swinburne
Todd Thorne
Chris Wood
Errol Holt

Sherrie Gordon, City Recorder
Nick Tatton, Community/Human Resources Director

EXCUSED: Commissioner Beacco, Commissioner Black, Commissioner Root, and Commissioner Young

STAFF/OTHERS: See Public Meeting Sign-In Sheet

1. Vice Chair Thorne called the meeting to order at 5:02 P.M. He led the Pledge of Allegiance.
2. Roll was called with the above Commissioners and staff present.
3. SAFETY SECONDS – Commissioner Thorne reminded everyone to make sure the ladder is secure when working on rain gutters.
4. MINUTES OF April 25, 2022

MOTION. Commissioner Swinburne moved to approve the minutes for April 25, 2022. Motion seconded by Commissioner Wood and carried.

5. PUBLIC COMMENT ON AGENDA ITEMS - No public comment was received on any item.
6. GENERAL BUSINESS –
 - a. PRICE CITY AFFORDABLE HOUSING PLAN UPDATE. Update on the process and goals that will be in the updated Price City Affordable Housing Plan. Todd Thorne.

Todd Thorne reviewed the updated Price City Affordable Housing Plan. He handed out a copy of the Price City Affordable Housing Plan Mission Statement and draft goals and objectives. The handout listed the mission statement and four goals. The Commissioners will begin working on strategies to meet the goals.

7. CONDITIONAL USE PERMIT
 - a. SPECIAL TRAINING AND SCHOOLING AND PUBLIC GATHERING, MISC. LAND USE. Consideration and possible approval of a conditional use permit for a special training and schooling and public gathering, misc. land use located at 46 E Main Street within the Commercial 1 zoning district, Matthew Sorensen.

A Conditional Use Permit (CUP) was submitted by Matthew Sorensen to locate a special training and schooling and public gathering land use at 46 E Main Street within the Commercial 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), the specific land use evaluation criteria is in Section 11.1.m of the Code. The land uses are: Schools, Commercial, a conditional land use based on Section 11.3.5.38 of the Code; Special Training and Schooling, a conditional land use based on Section 11.3.10.3.1 of the Code; and, Public Gathering, Miscellaneous, a conditional land use based on Section 11.3.10.5.6 of the Code.

The planning commission thoroughly discussed the land use with the applicant, particularly parking and timing of estimated maximum occupancy of the property. Vice Chair Thorne read aloud the following conditions of approval:

- All facility entrances to be lighted during non-daylight hours of operation finding that lighted entrances protect the health, safety and welfare of the community. All exterior lighting to be high efficiency LED fixtures.
- Business signage, if any, to be submitted to the Price City Planning Department for review and approval prior to installation finding that properly reviewed and approved signage promotes community consistency.
- Exterior landscaping to be a minimum of 5% as identified in the Code, water wise preferred.
- Any building renovations to be completed under the auspices of a building permit and building inspection finding that building permits and inspection protect the health, safety and welfare of the community. In the event no new renovations are completed, a safety inspection by the building inspector and Fire Chief and compliance with recommendations stemming from the inspection is required.

- Procurement of a Price City business license and submission of copies of State of Utah registrations, if any.
- Garbage dumpster capacity and service frequency to prevent accumulations of garbage, rubbish or debris or wind scatter of garbage, rubbish or debris finding that property serviced garbage dumpsters serve to improve the community aesthetic.
- Restrictions:
 - Owners and employees of the business to park in the mid-block lots.
 - No land uses other than special training and schooling and public gathering for miscellaneous purposes is authorized.
 - No occupancy of the building or property in excess of the safe occupancy of the building and property as identified by the building inspector and Fire Chief.
 - No conditions at the property or structure that violate the Price City Property Maintenance Code.

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 Heffernan moved to approve a Conditional Use Permit for a special training and schooling and public gathering, miscellaneous land use located at 46 E Main Street within the Commercial 1 zoning district. Motion seconded by Commissioner Holt and carried.

b. TRANSPORTATION USE, STAGING HUB AND RECREATIONAL VEHICLE STORAGE LAND USE.

Consideration and possible approval of a transportation use, staging hub and recreational vehicle storage land use at 98 S 300 E within the commercial 1 zoning district, Brad Davis.

A Conditional Use Permit (CUP) application was submitted by Brad Davis to locate and establish a transportation hub and recreational vehicle storage land use at 98 S 300 E in an existing building(s) within the Commercial 1 (C-1) zoning district. The general land use evaluation criteria are listed in Section 11.1 of the Price City Land Use Management and Development Code (Code) and the specific land use evaluation criteria/land use checklist is listed in Section 11.1.m of the Code. The applicable land uses are: (1) Transportation Uses, Staging Hubs, a conditional use indicated in Section 11.3.2.1.7 of the Code; and (2) Recreational Vehicle Storage, a conditional use indicated in Section 11.3.15 of the Code.

The planning commission thoroughly discussed each of the respective land use(s) with the applicant and specifically addressed issues that mitigate potential negative impacts of the land use. Vice Chair Thorne read aloud the following conditions of approval:

- Exterior areas adjacent to building(s) lighted for parking lot safety and ingress/egress safety during all dark hours finding that lighted areas mitigate nefarious acts and increase personal and vehicle safety. All exterior lighting to be high efficiency LED fixtures.
- Maintain existing perimeter fencing finding that fenced and secure recreational vehicle storage areas mitigate the potential for theft and other undesirable activity.
- Garbage dumpster to be in an enclosure, or within the fenced perimeter of the property, with hard surface finding that dumpsters in an enclosure with a hard surface mitigate the potential for contamination from garbage, rubbish and debris and prevent wind scatter of garbage, rubbish and debris. Garbage dumpster to be serviced at a frequency that prevents accumulations of garbage, rubbish or debris outside of the container.
- Installation of a minimum of 5% landscaping as required by the Code and as the site may accommodate.
- Recreational vehicle storage area to be paint striped consistent with site plan finding that site plan approval compliance and operation mitigates the potential for permit misunderstandings.
- Business or other site signage to be submitted and reviewed and approved by the Price City Planning Department prior to installation finding that properly reviewed and permitted signage serves to increase commercial activity.
- All building renovations to be completed under the auspices of a Building Permit finding that properly permitted and inspected commercial building improvements and renovations for the identified land uses herein protect the health, safety and welfare of the community. Including all requisite fire safety. In the absence of building improvements and inspection a safety inspection by the building inspector and Fire Chief and compliance with recommendations stemming from the inspection required.
- Obtain a Price City Business License(s) and registration of the business(es) with the State of Utah finding that properly licensed and registered businesses increase commercial activity in the community and protect the health, safety and welfare of the community.
- No additional storm water drainage volume or drainage control patterns or mechanisms beyond those currently utilized finding that properly controlled storm water flow mitigate the potential for flooding.
- Restrictions: No use or placement of land/sea containers. No inoperable vehicles or impoundment. No land uses not specifically herein authorized permitted. No generation or disposal of hazardous materials or other materials that may negatively impact the storm water or waste water collection systems. No daily or

overnight occupancy in any of the storage recreational vehicles. Limit to maximum of one (1) tractor trailer parked on site. Must be parked off street within the fenced perimeter as identified on the site plan. Limit to a maximum of not more than twenty (20) recreational vehicle storage spaces / recreational vehicles as identified on the site plan.

- No conditions at the property or structure that violate the Price City Property Maintenance Code finding that properly maintained properties and structures mitigates impacts to area property values and is consistent with the Price City General Plan. Removal and mitigation of any current Property Maintenance Code violations from the property and/or structure.

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 Swinburne moved to approve a transportation use, staging hub and recreational vehicle storage land use at 98 S 300 E within the commercial 1 zoning district. Motion seconded by Commissioner Wood and carried.

c. **MEDICAL CANNABIS PHARMACY LAND USE.** Consideration and possible approval of a medical cannabis pharmacy located at 20 E Main Street within the commercial 1 zoning district, Dragonfly Wellness, Adrian Apodaca.

A Conditional Use Permit (CUP) application was submitted by Adrian Apodaca, Dragonfly Wellness, to locate and establish a medical cannabis pharmacy at 20 East Main Street in an existing building(s) within the Commercial 1 (C-1) zoning district. The general land use evaluation criteria are listed in Section 11.1 of the Price City Land Use Management and Development Code (Code) and the specific land use evaluation criteria/land use checklist is listed in Section 11.1.m of the Code. The land uses are: (1) Drug and Proprietary, a conditional land use, based on Section 11.3.4.13 of the Code; (2) medical marijuana facility, a conditional land use, based on Section 11.3.1.5 of the Code; and, (3) medical laboratory services, a conditional land use, based on Section 11.3.5.26 of the Code.

The planning commission thoroughly discussed each of the respective land use(s) with the applicant and specifically addressed issues that mitigate potential negative impacts of the land use on the community as well as any benefits the community may experience. Vice Chair Thorne read aloud the following conditions of approval:

- All customer and employee site ingress/egress to be fully lighted during all dark hours finding that lighted entrances and exits mitigate the potential for personal injury accidents. All exterior lighting to be high efficiency LED fixtures.
- All owners and employees to park in mid-block public parking lots leaving on-street parking open for customers of all downtown business finding that open on-street parking serves to improve commercial activity in the commercial zone.
- Specific approval of curbside delivery and pick up of product from business to customers parking on-street finding that curbside delivery and pick up of product serves to improve commercial activity in the community.
- Provide copies of all State of Utah and Southeast Utah District Health Department permits to Price City finding that properly licensed and permitted business protect the health, safety and welfare of the community.
- Procure Price City business license prior to operation of the business finding that properly licensed and permitted business protect the health, safety and welfare of the community.
- Business signage not to exceed thirty (30) square feet as indicated in the conditional use permit submitted. Window treatments and window signage not regulated by Price City. Medical cannabis specific signage to be compliant with State of Utah regulations and Section 4.13.3.2.a of the Code.
- Installation of a minimum of 5% landscaping, as applicable, compliant with the Code and finding that landscaped business improves the community aesthetic and is consistent with the Price City General Plan. Landscaping to be water wise.
- All building renovations to be completed under the auspices of a Building Permit finding that properly permitted and inspected commercial building improvements and renovations for the identified land uses herein protect the health, safety and welfare of the community. Including all requisite fire safety.
- Garbage dumpster serviced at a frequency that prevents accumulations of garbage, rubbish or debris outside of the container.
- Coordinate building security with the Price City Police Department finding that coordinated security protocols mitigate the occurrence of theft and limit the need for public safety interventions.
- Restrictions:
- No land uses or occupancy not specifically contemplated or identified, considered or approved herein shall be authorized. No on-site cultivation or growing of product. No medical treatments on-site. No restriction of pedestrian or vehicular passage or safety associated with curbside delivery and pick-up. No dedicated on-street parking permitted. No disposal of items or materials in dumpster/garbage that may attract nefarious actions or 'dumpster diving' activity.

- No conditions at the property or structure that violate the Price City Property Maintenance Code finding that properly maintained properties and structures mitigates impacts to area property values and is consistent with the Price City General Plan. Removal and mitigation of any current Property Maintenance Code violations from the property and/or structure.

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 Heffernan moved to approve a medical cannabis pharmacy located at 20 E Main Street within the commercial 1 zoning district. Motion seconded by Commissioner Holt and carried.

8. UNFINISHED BUSINESS – Nick Tatton stated that Yaoqun Lin, owner of Asian Bistro located at 355 East Main Street, contacted him and said that the demolition clean up is underway.

Vice Chair Thorne called for a motion to close the regular Planning and Zoning meeting.

MOTION. Commissioner Wood moved to close the regular Planning and Zoning meeting. Motion seconded by Commissioner Swinburne and carried.

Vice Chair Thorne stated that the regular Planning and Zoning meeting was adjourned at 5:57 P.M.

APPROVED: _____
Vice Chair, Todd Thorne

ATTEST: _____
City Recorder, Sherrie Gordon