

**PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF AUGUST 20, 2018**

PRESENT:

Commissioners:

Dale Evans
Jan Young
Judy Beacco
Nancy Bentley
Frankie Sacco
Richard Root

Nick Tatton, Community Director
Sherrie Gordon, City Recorder

EXCUSED: Commissioner Thorne and Commissioner Holt-Alternate

OTHERS PRESENT: Cody Lupo, Valerie Lupo, Mark Quintana, and Candace Allen

1. Based on the recent resignation of Chairman Oliver from the Planning Commission, Vice Chair Young called the meeting to order at 6:00 P.M. She led the Pledge of Allegiance.
2. Roll was called with the above Commissioners and staff present.
3. SAFETY SECONDS - Nick Tatton explained 'Safety Seconds'. He would like each Commissioner to take a few seconds at the beginning of every meeting and present a brief safety message. Commissioners will rotate left starting with Commissioner Bentley at the next scheduled meeting. Mr. Tatton stated that school began today and be sure and watch out for the children on their way to school and going home after school.
4. MINUTES of August 6, 2018
MOTION. Commissioner Evans moved to approve the minutes for August 6, 2018. Motion seconded by Commissioner Bentley and carried.
5. PUBLIC COMMENT ON AGENDA ITEMS – No public comment was received on any items.
6. CONDITIONAL USE PERMIT –
 - a. RETAIL, WHOLESALE, WAREHOUSING, EQUIPMENT, REPAIR LAND USE - Consideration and possible approval of a conditional use permit for a retail, wholesale, warehousing, equipment, repair land use at 322 S Highway 55, within the Commercial 1 zoning district, Castle County Hydraulic & Supply, Santo Lupo. Cody Lupo addressed the Commissioners on behalf of his father, Santo Lupo. A Conditional Use Permit (CUP) was submitted by Santo Lupo for relocation of an existing business, Castle Country Hydraulic & Supply from its present location (outside of the Price City boundaries) to a location within the Price City boundaries at 322 S Highway 55 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 in Section 11.1.m of the Code. The retail components of the business are coincident and considered a permitted land use. The conditional land uses are: machinery, equipment and supplies, conditional land use, Section 11.3.9.7 of the Code and wholesale trade and warehousing, conditional land use, Section 11.3.9 of the Code.
The Commissioners discussed the business with Mr. Lupo. Vice Chair Young read aloud the following conditions of approval:
 - Exterior lighting to be installed to mitigate the potential for accidents occurring within the vicinity of the business operation finding that properly illuminated business exteriors mitigate accidents. All exterior lighting to be high efficiency LED fixtures.
 - All outdoor materials, inventory, supplies, equipment, work in progress, to be located within the property boundaries and within a sight obscuring screened/fenced enclosure finding that secured and screened outdoor materials, inventory, supplies, equipment, work in progress serves to improve the community aesthetic and is consistent with the goals in the Price City General Plan.
 - Garbage, rubbish debris dumpster to be located in a dumpster enclosure and served with a frequency to prevent accumulations of garbage, rubbish, debris and/or wind scatter of garbage, rubbish, debris finding that controlled garbage, rubbish, debris services serves to improve the community aesthetic and is consistent with the goals in the Price City General Plan.
 - No impacts to existing site ingress/egress and off-street parking maintained for employees, customers, visitors finding that ingress/egress control and off-street parking mitigate potential conflicts for pedestrians and vehicle traffic.
 - Installation of a minimum of 5% landscaping as required by the Code finding that landscaped businesses, particularly those on main community corridors, serves to improve the community aesthetic and is consistent with the goals in the Price City General Plan.
 - Submission of business signage to the Price City Planning Department for Code compliance review prior to installation finding that reviewed and approved signage promotes increased commercial and business activity in the community.
 - All building renovations to take place under the auspices of a Price City Building Permit and building inspection finding that properly permitted and inspected commercial renovation protects the health, safety and welfare of the community.
 - Procurement of a Price City Business License finding that properly licensed businesses improve the economic condition within Price City and protect the health, safety and welfare 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 Root moved to recommend that the Price City Council provide final approval of a Conditional Use Permit (CUP) for a retail, wholesale, warehousing, equipment, repair land use at 322 S Highway 55, within the Commercial 1 zoning district, Castle County Hydraulic & Supply. Motion was seconded by Commissioner Beacco and carried.

b. **VEHICLE ACCESSORY, REPAIR, SERVICE LAND USE** - Consideration and possible approval of a vehicle accessory, repair and service land use located at 712 S Nick Lane within the Manufacturing 1 (M-1) zoning district, Rusty Fork, Nick Madrigal.

Nick Tatton informed the Commissioners that Mr. Madrigal requested the permit be removed from the agenda. He is not going to move his business.

MOTION. Commissioner Evans moved to strike Item 6.b from the agenda. Motion seconded by Commissioner Root and carried.

c. **CONVENIENCE STORE LAND USE** - Consideration and possible approval of a convenience store land use at 585 East Main Street, within the Commercial 1 zoning district, Outkastics, Mark Quintana.

A Conditional Use Permit (CUP) application was submitted by Mark Quintana for the land use of a convenience store (C-Store) to be located at 585 E Main Street within the Commercial 1 (C-1) zoning district. Mr. Quintana will be having several other land uses at the location that are permitted uses and do not require the CUP. He has already started those components of the business and received a business license from Price City. The other land uses include retail sales of merchandise and art work. 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/land use checklist is in Section 11.1.m of the Code, the conditional land use is Convenience Store and is listed in Section 11.3.4.22.5 of the Code.

The Commissioners reviewed the business operation in detail with Mr. Quintana and specifically discussed that the location cannot become a smoke shop. Sales of tobacco products are only allowed as a component of the C-store operation. Mr. Quintana indicated that he would not be selling alcohol at the location.

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

- Exterior lighting to be in place during open hours before or after dark finding that properly lit business ingress/egress and parking mitigates the potential for accidents and injuries. All exterior lighting to be high efficiency LED fixtures.
- Maintain garbage services to the site in a manner that does not produce visible garbage, rubbish and debris, does not produce any nuisance odors, and with a service frequency to prevent accumulations or wind scatter of garbage, rubbish or debris finding that properly controlled garbage, rubbish and debris protects the community aesthetic.
- Installation of a minimum of 5% landscaping finding that landscaping is required by the Code and presents a valued community aesthetic and improves the overall commercial activity in the community.
- Maintain a minimum of six (6) off-street parking spaces (including ADA spaces) finding that off-street parking mitigates the potential for vehicle or pedestrian accidents.
- Submission of any business signage to the Price City Planning Department for review and possible approval prior to installation on the building or site finding that properly reviewed business signage promotes consistency in the community and serves to increase commercial activity in the community.
- Procurement of a Price City business license, in good standing, finding that properly licensed businesses protect the health, safety and welfare of the community. Maintain all State of Utah registrations and licensing as applicable.
- No business activity or sales that may subject the land use to an interpretation that the location may be considered a smoke shop subject to Section 11.3.4.49 of the Code and other State of Utah restrictions. No sales of items or materials that may be considered or used as drug paraphernalia.
- No prepared foods on-site finding that proper grease hoods and grease traps are not present in the building.
- Any building renovations/construction to be completed under the auspices of a Price City Building Permit finding that commercial building renovation that is properly permitted and inspected protects the health, safety and welfare 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 Bentley moved to recommend that the Price City Council provide final approval of a Conditional Use Permit (CUP) for the land use of a convenience store (C-Store) to be located at 585 E Main Street within the Commercial 1 (C-1) zoning district. Motion seconded by Commissioner Root and carried.

7. **UNFINISHED BUSINESS** – Nick Tatton reminded the Commissioners of the Public Hearing scheduled for September 10, 2018 regarding the Planning Commission becoming the final Land Use Authority. He noted that Commissioner Oliver has moved outside Price City limits, he has resigned from the Planning Commission as he is no longer eligible to serve and the seat is vacant. This position will need to be filled and notice will be sent to the newspapers to announce this vacancy and request interested persons to apply. Mr. Tatton asked the Commissioners to consider changing the starting time of the Planning and Zoning Commission meetings to 5:00 P.M. or 5:30 P.M.

starting in 2018. The Commissioners present indicated support for changing the start time of the meetings, Mr. Tatton requested the Commissioner's send him an email indicating their preference.

Meeting adjourned at 6:31 p.m. pursuant to a motion by Commissioner Evans. Motion seconded by Commissioner Bentley and carried.

APPROVED: _____
Vice Chair, Jan Young

ATTEST: _____
City Recorder, Sherrie Gordon