

**PRICE CITY PLANNING AND ZONING SPECIAL MEETING
MINUTES OF SEPTEMBER 11, 2023**

PRESENT:

Commissioners:

Judy Beacco	Nick Tatton, Community/Human Resources Director
David Black	Jaci Adams, City Recorder
Erroll Holt	Kyleigh Morales
Richard Root	
Todd Thorne	
Chris Wood	
Jan Young	

EXCUSED: Commissioner Heffernan, Commissioner Swinburne

STAFF/OTHERS: See Public Meeting Sign-In Sheet

1. PLEDGE OF ALLEGIANCE

Chair Young called the meeting to order at 5:00 p.m. Chair Young led the Pledge of Allegiance.

2. ROLL CALL

Roll was called with the above Commissioners and staff present.

3. SAFETY SECONDS

Commissioner Wood reminded everyone about defensive driving and read a list of helpful tips.

4. MINUTES of 07-25-2023.

MOTION. Commissioner Thorne moved to approve the minutes for July 25, 2023. Commissioner Root seconded and motion carried.

5. PUBLIC COMMENT ON AGENDA ITEMS

Robin and Becky Christensen, owners of Taco Time had some concerns with Creekview Plaza Lot Split, which were addressed in agenda item 7.a., for a Conditional Use Permit.

6. GENERAL BUSINESS

There was nothing to be discussed or reported on this agenda item.

7. CONDITIONAL USE PERMIT

a. SIX (6) LOT COMMERCIAL PROPERTY LAND SUBDIVISION. Consideration and possible approval of a 6-lot commercial land subdivision, the Creekview Plaza Lot Split, at 610 W Price River Drive, Rick Magness, AWA Engineering, Representative.

Commissioners thoroughly discussed a 6-lot commercial land subdivision, the Creekview Plaza Lot Split, at 610 W Price River Drive with the representative, Rick Magness. Discussion was held regarding the existing parcel being split from 3 parcels into 6 parcels to maximize value and that each parcel met the minimum lot size for that zone, which is .75 acre.

MOTION. Commissioner Root moved to approve a six lot subdivision at 610 W Price River Drive, the Creekview Plaza Lot Split, conditional upon: (1) no further land subdivision of parcels; (2) all common areas to be open to all lots for utility, parking, emergency services, vehicle and pedestrian access in permanently and in perpetuity. Commissioner Black seconded and motion carried.

b. DAYCARE AND PRESCHOOL LAND USE. Consideration and possible approval of a daycare and preschool land use at 111 N 200 E within the commercial 1 zoning district, Building Blocks Corner After Care, Tammi Richey.

The Commissioners thoroughly discussed the land use for daycare and preschool at 111 N 200 E within the commercial 1 zoning district, Building Blocks Corner After Care, with the applicant, Tammi Richey, and specifically addressed issues that mitigate potential negative impacts of the land use. Discussion was held regarding the capacity of the building, parking, drop off and pickup, along with the hours of operation and landscaping.

Chair Young reviewed the Code sections and read aloud the below conditions for final approval for the land uses identified by the applicant.

- ☐ Business operation and occupancy limited to the lesser of the identified safe occupancy load of the building as established and regulated by the Building Inspector and Price City Fire Chief or the State of Utah permit maximum, finding that occupancy limits protect the health, safety and welfare of the building occupants and the overall community.**
- ☐ Completion of building and fire safety inspection of structure prior to occupancy by the Building Inspector and Price City Fire Chief and compliance with all required safety recommendations stemming from the inspections finding that updated and inspected structures protect the health, safety and welfare of the community and specifically protect the life safety of children at daycare or preschool.**
- ☐ Submission of a copy of State of Utah license to Price City finding that properly licensed and permitted businesses serve to protect the health, safety and welfare of the community.**
- ☐ Any building renovations completed under the auspices of a Building Permit and inspected by the Building Inspector finding that properly permitted and inspected building renovations protect the health, safety and welfare of the community.**

- **No additional structures located on the site without specific review and approval of an amended site plan finding that future uses, structures and development may require additional permitting and consideration by Price City.**
- **Children within the structure to remain under the direct supervision of a qualified Building Blocks Corner adult employee at all times finding that qualified adult supervision mitigates the potential for malicious acts.**
- **Site requirements and restrictions: No drop-off, pick-up vehicle stacking in the public right of way. Exterior Lighting: parking lot, drop-off and pick-up area and outside corridors and play areas to be lighted and fully visible during dark hours for safety. Light fixtures to be angled away from neighboring residential properties. All exterior lighting to be LED fixtures. Garbage: Garbage cans and/or garbage dumpster to be maintained in off-street hard surfaced enclosure to prevent wind scatter of garbage, rubbish and debris. Garbage receptacles in quantity and service frequency to prevent accumulations of garbage, rubbish, debris outside of the containers. No outdoor play areas. Landscaping: Minimum of 5% of surface area of site to be landscaped. All landscaping to be water wise. Private and qualified private street crossing guard provided by Building Blocks Daycare for any street crossing between locations. No on street parking by owners or employees.**
- **Business signage to be presented to the Price City Planning Department prior to installation for review and potential approval finding that properly reviewed and approved business signage promotes increased commercial and business activity within the community, consistency in signage and is consistent with the Price City General Plan.**
- **Business operation authorized only after 7:00am and prior to 9:00pm daily finding that no extended business operation information was provided in the application and limited business operation hours mitigate disturbances.**
- **No conditions at the property or structure that violate the Price City Property Maintenance Code finding that properly maintained property 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 approve the daycare and preschool land use at 111 N 200 E within the commercial 1 zoning, Building Blocks Corner After Care. Commissioner Beacco seconded and motion carried.

c. TATTOO AND RELATED LAND USE. Consideration and possible approval of a tattoo and related business at 80 S Carbon Avenue, Hand Candy Tattoo, Keisha Way.

The Commissioners thoroughly discussed the land use of a tattoo and related business at 80 S Carbon Ave, Hand Candy Tattoo, with the applicant, Keisha Way and specifically addressed issues that mitigate potential negative impacts of the land use. Discussion was held regarding the ordinance of the location for the tattoo shop,

which was passed by the Price City Variance Committee. Also discussed was parking for employees and customers, services that will be provided and the building being ADA compliant.

Chair Young reviewed the Code sections and read aloud the below conditions for final approval for the land uses identified by the applicant.

- All exterior individual business access areas to be lighted during customer and employee use during any dark hours finding that properly lighted areas mitigate the potential for personal injury accidents. All exterior lighting to be high efficiency LED fixtures.**
- Garbage, rubbish and debris to be controlled in an enclosed dumpster location with a service frequency that prevents accumulations of garbage, rubbish and debris or wind scatter of garbage, rubbish and debris finding that controlled garbage, rubbish and debris improves the community aesthetic consistent with the Price City General Plan.**
- Business signage to be reviewed and approved by the Price City Planning Department prior to installation finding that properly reviewed and approved business signage promotes consistency in the community and serves to improve commercial activity.**
- Installation and maintenance of a minimum of 5% landscaping consistent with Code requirements, as the site may allow or accommodate. Landscaping to be water wise.**
- All owners and employees to park in the west off-street parking location identified on the site plan, no on street parking by employees and owners, finding that open on-street parking serves to improve commercial activity.**
- 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, including registration(s) with the Southeast Utah District Health Department.**
- Application for, approval of and recording with the Carbon County Recorder's office an official variance Notice of Decision providing authorization for location of the land use closer to other similar land uses than the current proximity requiring permits.**
- Compliance with the Utah Indoor Clean Air act required.**
- Restrictions: No stock, storage, display or sales of items that may be considered paraphernalia. No stock, storage, display or sales of items that may be subject to the Sexually Oriented Business (SOB) requirements and Section 11.3.4.48 of the Code. No changes to existing ingress and egress points. No land uses other than that specifically identified herein authorized, including no stock, storage,**

display or sales of items that may define the business as a smoke shop. No outdoor storage of materials, inventory, supplies or other items. No occupancy of the building in excess of the safe occupancy of the building and property as identified by the building inspector and Fire Chief. No loitering exterior to the building by employees, owners or customers. No conditions at the property or structure that violate the Price City Property Maintenance Code.

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 Wood moved to approve a tattoo and related business at 80 S Carbon Avenue, Hand Candy Tattoo. Commissioner Black seconded and motion carried.

d. SPECIAL TRAINING AND SCHOOLING LAND USE. Consideration and possible approval of a conditional use permit for a special training and schooling land use located at 345 E Main St. within the commercial 1 zoning district, Meaningful Mindz, Janell Fiack.

The Commissioners thoroughly discussed the land use of a conditional use permit for a special training and schooling land use located at 345 E Main St. within the commercial 1 zoning district, Meaningful Mindz, with the applicant, Janell Fiack and specifically addressed issues that mitigate potential negative impacts of the land use. Discussion was held regarding capacity size for the building and if an inspection by Price City Fire Chief has been done, which is scheduled.

Chair Young reviewed the Code sections and read aloud the below conditions for final approval for the land uses identified by the applicant.

a. Lighting at both the front and rear entrances to the building and entrances to remain lit during all hours of building occupancy finding that lit entrances mitigate the potential for injury and accidents and protect the health, safety and welfare of the community.

i. All exterior lighting to be high efficiency LED fixtures.

b. All child drop-off and pick-up to be accommodated off-street finding that off-street drop-off and pick-up mitigates the potential for accidents.

c. Business signage to be reviewed and approved by the Price City Planning Department prior to installation finding that properly reviewed and approved business signage promotes consistency in the community and increased commercial activity.

d. Completion of a pre-occupancy safety inspection of the subject property by the Building Inspector and Fire Chief and compliance with safety recommendations stemming from the inspections finding that inspected and safe buildings protect the health, safety and welfare of the community.

i. Building occupancy not to exceed the maximum safe capacity of the building as identified by the Building Inspector and/or Fire Chief.

e. Completion of any building renovations under the auspices of a building permit finding that property permitted and inspected building renovations protect the health, safety and welfare of the community.

f. Garbage can / dumpster size and service frequency to prevent accumulations of garbage, rubbish or debris and wind scatter of garbage, rubbish and debris finding that controlled disposal of garbage, rubbish and debris serves to improve the community aesthetic.

g. Restrictions:

i. No overnight occupancy in the building.

ii. No outdoor activity (playgrounds, etc.)

iii. No parking or occupancy on community garden property to the north

h. No activity or actions that violate the Price City Property Maintenance Code finding that properly maintained structures and outdoor areas protect property values and serve to improve the community aesthetic.

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 approve a conditional use permit for a special training and schooling land use located at 345 E Main St. within the commercial 1 zoning district, Meaningful Mindz. Commissioner Root seconded and motion carried.

e. WOODWORKING LAND USE. Consideration and possible approval of a conditional use permit for a woodworking land use located at 1416 E Airport Road within the commercial 1 zoning district, Timber-Teq Custom Design, Dickson Morely.

The Commissioners thoroughly discussed a conditional use permit for a woodworking land use located at 1416 E Airport Road within the commercial 1 zoning district, Timber-Teq Custom Design, with the applicant Dickson Morely and specifically addressed issues that mitigate potential negative impacts of the land use. Discussion was held regarding the process of the business and future addition to the building.

Chair Young reviewed the Code sections and read aloud the below conditions for final approval for the land uses identified by the applicant.

All exterior areas to be lighted during customer and employee use during any dark hours finding that properly lighted areas mitigate the potential for personal injury accidents. All exterior lighting to be high efficiency LED fixtures.

- **Garbage, rubbish and debris to be controlled in an enclosed dumpster location with a service frequency that prevents accumulations of garbage, rubbish and debris or wind scatter of garbage, rubbish and debris finding that controlled garbage, rubbish and debris improves the community aesthetic consistent with the Price City General Plan.**
- **Business signage to be reviewed and approved by the Price City Planning Department prior to installation finding that properly reviewed and approved business signage promotes consistency in the community and serves to improve commercial activity.**
- **Installation and maintenance of a minimum of 5% landscaping consistent with Code requirements, as the site may allow or accommodate. Landscaping to be water wise.**
- **Maintain not less than seven (7) off street parking spaces including requisite ADA spaces, as indicated in the submitted site plan, finding that adequate off-street parking mitigates the potential for vehicle and pedestrian accidents and injuries on public streets. Off-street parking to be hard surfaced within a period of not less than twenty-four (24) months finding that that maximum temporary period permitted in the Code is 24 months.**
- **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. Any fire lanes identified by the Fire Chief to be clearly signed and marked – may require adjustment to site plan.**
- **Procurement of a Price City business license and submission of copies of State of Utah registrations, if any.**
- **Restrictions: No authorized on-street parking along public streets. No changes to existing ingress and egress points. Control, retain and release to the storm water conveyance system all storm water flows from the property for a 100-year storm event for a 1-hour duration. No land uses other than those specifically authorized herein. No unscreened outdoor storage of materials, inventory, supplies or other items. 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 generation or disposal of any hazardous materials or materials that may be considered hazardous to the health, safety and welfare of the community.**
- **No conditions at the property or structure that violate the Price City Property Maintenance Code. Removal and mitigation of any existing Property Maintenance Code violations present on the property.**

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 Black moved to approve a conditional use permit for a woodworking land use located at 1416 E Airport Road within the commercial 1 zoning district, Timber-Teq Custom Design. Commissioner Beacco seconded and motion carried.

f. SITE PLAN AMENDMENT. Consideration and possible approval of a site plan amendment at 575 E 100 S within the commercial 1 zone district, Four Corners Community Behavioral Health, Representative, Larry Jensen.

Commissioners thoroughly discussed a site plan amendment at 575 E 100 S within the commercial 1 zone district, Four Corners Community Behavioral Health with Representative, Larry Jensen and specifically addressed issues that mitigate potential negative impacts of the land use. Discussion was held regarding the reason for the site plan amendment being to address the growing services and clients of the Four Corners Behavioral Facility.

Chair Young reviewed the Code sections and read aloud the below conditions for final approval for the site plan amendment identified by the applicant.

- ☐ All exterior business access areas to be lighted during customer and employee use during any dark hours finding that properly lighted areas mitigate the potential for personal injury accidents. All exterior lighting to be high efficiency LED fixtures.**
- ☐ Garbage, rubbish and debris to be controlled in an enclosed dumpster location with a service frequency that prevents accumulations of garbage, rubbish and debris or wind scatter of garbage, rubbish and debris finding that controlled garbage, rubbish and debris improves the community aesthetic consistent with the Price City General Plan.**
- ☐ Any additional or new business signage to be reviewed and approved by the Price City Planning Department prior to installation finding that properly reviewed and approved business signage promotes consistency in the community and serves to improve commercial activity.**
- ☐ Installation and maintenance of a minimum of 5% landscaping consistent with Code requirements, as the site may allow or accommodate. Landscaping to be water wise.**
- ☐ Any construction and any existing 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. Includes electric service upgrades and compliance with requirements for electric service by the Price City Electric Department.**
- ☐ Site Plan Requirements: Minimum of fifteen (15) off-street parking spaces. Installation of public infrastructure, including curb, gutter, sidewalk, roadway restoration along frontage on 600 E. All parking areas to be hard surfaced.**
- ☐ Restrictions: No land uses other than those contemplated herein authorized. No increase to storm water runoff volume or flow management finding that current and proposed impervious surfaces will balance. No outdoor storage of materials,**

inventory, supplies or other items. No occupancy of the building 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 Thorne moved to approve a site plan amendment at 575 E 100 S within the commercial 1 zone district, Four Corners Community Behavioral Health. Commissioner Black seconded and motion carried.

g. CAR WASH LAND USE. Consideration and possible approval of a car wash land use at 222 S Highway 55/Main Street within the commercial 1 zoning district, Slick's Car Wash, Joe Nelson.

The Commissioners thoroughly discussed a car wash land use at 222 S Highway 55/Main Street within the commercial 1 zoning district, Slick's Car Wash, with the applicant, Joe Nelson and specifically addressed issues that mitigate potential negative impacts of the land use. Discussion was held regarding the process of the car wash, number of employees and entrance and exit of vehicles.

Chair Young reviewed the Code sections and read aloud the below conditions for final approval for the land use identified by the applicant.

- ☐ Compliance with plans submitted and approved for development and any additional direction from Price City for amendments or changes finding that development consistent with submitted and approved plans mitigates development misunderstandings and leads to high quality development.**
- ☐ All exterior business access areas to be lighted during customer and employee use during any dark hours finding that properly lighted areas mitigate the potential for personal injury accidents. All exterior lighting to be high efficiency LED fixtures.**
- ☐ Garbage, rubbish and debris to be controlled in an enclosed dumpster location with a service frequency that prevents accumulations of garbage, rubbish and debris or wind scatter of garbage, rubbish and debris finding that controlled garbage, rubbish and debris improves the community aesthetic consistent with the Price City General Plan. Garbage dumpster to not interfere with any utility service connections above or below ground.**
- ☐ Any additional or new business signage to be reviewed and approved by the Price City Planning Department prior to installation finding that properly reviewed and approved business signage promotes consistency in the community and serves to improve commercial activity.**

- **Installation and maintenance of a minimum of 5% landscaping consistent with Code requirements, Landscaping to be water wise.**
- **Installation of six-foot (6') sight obscuring fencing from NW corner of building to west property line, along west property boundary to south property boundary then east to the west boundary of the ingress/egress easement area finding that fencing mitigates land use conflicts.**
- **Control, retain and release all storm water runoff from the impervious surfaces within the developed property with a capacity to manage a 100-year storm event for a minimum of a 1-hour duration. Storm water management plan direct storm water flows to an approved public storm water conveyance. Storm water plan to be approved by Price City prior to occupancy.**
- **All utility connections to be coordinated and installed per the respective utility provider direction including lateral line sizes and placement finding that properly connected utility services mitigate development problems and promote quality long term development.**
- **Four (4) off-street parking spaces based on net usable space in the structure. Parking to be hard surfaced. No on-street parking permitted.**
- **Right turn only signage posted upon egress from the subject property to Highway 55/Main Street finding that right turn only mitigates the potential for vehicle and pedestrian conflicts.**
- **Ingress/egress location approval to be confirmed by the Utah Department of Transportation in writing. Install and/or replace, if damaged during construction, all necessary public infrastructure adjacent to and fronting the subject property, including but not limited to sidewalk, planter strip, curb, gutter, roadway restoration, street lighting. Infrastructure to be installed/replaced to minimum Price City standards. Completion of an infrastructure development agreement with the Price City Public Works Department and payment of any required financial surety associated with the public infrastructure development agreement securing the (re)installation of any public unfractured, as needed, if required.**
- **New building construction 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. Includes geotechnical study and soils information necessary for the safe development of the property as contemplated. Includes electric service upgrades and compliance with requirements for electric service by the Price City Electric Department. Completion of a Price River Water Improvement (PRWID) waste water survey and compliance with all requirements stemming from the survey for protection of the waste water system finding that increased waste system capacity may be produced and additional grease traps and sampling manholes may be necessary. Copy of survey to be provide to Price City.**
- **Restrictions: No land uses other than those contemplated herein authorized. No vehicle stacking across the public right-of-way. All vehicle stacking to be accommodated on-site. No outdoor storage of materials, inventory, supplies or other items. No occupancy of the building 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 Beacco moved to approve a car wash land use at 222 S Highway 55/Main Street within the commercial 1 zoning district, Slick's Car Wash. Councilmember Root seconded and motion carried.

8. UNFINISHED BUSINESS. Nick Tatton, Community Director, reminded everyone about the Price City Planning and Zoning Commission Training Retreat that will be held on November 29, 2023 from 9:00 a.m. to 3:00 p.m.

Chair Young asked for a motion to close the regular Planning and Zoning meeting.

MOTION. Commissioner Beacco moved to close the regular Planning and Zoning meeting. Commissioner Wood seconded and motion carried.

The regular Planning and Zoning meeting was adjourned at 6:29 p.m.

APPROVED: _____
Chair, Jan Young

ATTEST: _____
City Recorder, Jaci Adams