PRICE CITY PLANNING AND ZONING MEETING
MINUTES OF MAY 26, 2020

PRESENT:

Commissioners:
Judy Beacco via ZOOM
Nancy Bentley via ZOOM
David Black via ZOOM
Dale Evans via ZOOM
Errol Holt via ZOOM
Jade Powell via ZOOM
Richard Root
Todd Thorne via ZOOM
Jan Young

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

1. Chair Young called the meeting to order at 5:00 P.M. Due to the current COVID-19 situation, the Planning and Zoning meeting is being held electronically via ZOOM. She led the Pledge of Allegiance.

2. Chair Young asked the City Recorder to take a verbal roll call to verify attendance for this electronic meeting.
   Commissioner Beacco – Here
   Commissioner Bentley – Present
   Commissioner Black – Here
   Commissioner Evans – Present
   Commissioner Holt - Here
   Commissioner Powell – Here
   Commissioner Root - Here
   Commissioner Thorne – Here
   Attendance in the Council Chambers:
   Jan Young, Commissioner
   Richard Root, Commissioner
   Sherrie Gordon, City Recorder
   Nick Tatton, Community/Human Resources Director

   The City Recorder asked if anyone else on the conference call to please state their name for the record. The following stated their names: Ellis Pierce, Kim Martino, Jonathan Johansen, Lamont Kingston, Derek Ellis, Mayor Kourianos, and Councilmember Knott-Jespersen

3. SAFETY SECONDS – Commissioner Root suggested everyone take a step back and look at the safety protocals in place at the present time. He traveled to different cities/towns over the Memorial weekend. No one was wearing masks or practicing social distancing in light of the COVID-19 pandemic. He reminded everyone to follow the guidelines established and do the things we needed to do to keep safe.

4. MINUTES OF April 20, 2020
   MOTION. Commissioner Bentley moved to approve the minutes for April 20, 2020. Motion seconded by Commissioner Thorne.
   Chair Young asked the City Recorder to take a verbal roll call vote to verify the motion.
   Commissioner Beacco – Yes
   Commissioner Bentley – Yes
   Commissioner Black – Yes
   Commissioner Evans – Yes
   Commissioner Holt - Yes
   Commissioner Powell – Yes
   Commissioner Root - Yes
   Commissioner Thorne – Yes
   The City Recorder announced that the motion passed unanimously.

5. PUBLIC COMMENT ON AGENDA ITEMS - Chair Young stated that do to the current COVID-19 situation, this Planning and Zoning meeting is being held electronically via ZOOM. By notice of the Price City agenda and notice in the ETV Newspaper, the public was invited to contact Nick Tatton by phone or email if they had a public comment item. Chair Young turned the time over to Nick Tatton to address any public comments received.
   Mr. Tatton stated that no public comments were received. He did answer several community questions regarding the physical location of the proposed subdivision, answering directly north across 800 North Street from Cliffview Cemetery at approximately 1850 E 800 N.

6. CONDITIONAL USE PERMIT

a. PUBLIC HEARING. Public hearing to receive input on the proposed 66-lot land subdivision, Desert Canyon Subdivision, located at approximately 1850 E 800 N, proposed by Kim Martino and Ellis Pierce.

MOTION. Commissioner Root moved to open the public hearing at 5:12 p.m. Motion seconded by Commissioner Bentley and carried.

Chair Young asked the City Recorder to take a verbal roll call vote to verify the motion.

Commissioner Beacco – Yes
Commissioner Bentley – Yes
Commissioner Black – Yes
Commissioner Evans – Yes
Commissioner Holt - Yes
Commissioner Powell – Yes
Commissioner Root - Yes
Commissioner Thorne – Yes

The City Recorder announced that the motion passed unanimously.

Nick Tatton advised the Commission that no inquiries from the public had been received.

MOTION. Commissioner Thorne moved to close the public hearing at 5:13 p.m. Motion seconded by Commissioner Black and carried.

Chair Young asked the City Recorder to take a verbal roll call vote to verify the motion.

Commissioner Beacco – Yes
Commissioner Bentley – Yes
Commissioner Black – Yes
Commissioner Evans – Yes
Commissioner Holt - Yes
Commissioner Powell – Yes
Commissioner Root - Yes
Commissioner Thorne – Yes

The City Recorder announced that the motion passed unanimously.

b. LAND SUBDIVISION AND INFRASTRUCTURE DEVELOPMENT. Consideration and possible approval of a 66-lot land subdivision and the installation of public infrastructure, Desert Canyons Subdivision, approximately 1850 E 800 N, Kim Martino and Ellis Pierce.

A Conditional Use Permit (CUP) application and associated information was submitted by Ellis Pierce and Kim Martino for a multiple lot land subdivision and development to be located at approximately 1850 East 800 North within the Residential 1-8 (R1-8) zoning district. The subdivision is called Desert Canyons. The subdivision of the land and the development are conditional uses listed in the Price City Land Use Management and Development Code (Code). The project is contemplated to be completed as a Planned Unit Development (PUD). A PUD is defined in Section 1.13.193 of the Code and PUD Special Requirements are identified in Section 7.4 of Code. The land subdivision is a conditional use pursuant to Section 10.3.13 of the Code and the PUD itself is conditional based on Section 10.3.1 of the Code. General evaluation criteria are listed in Section 10.1 of the Code and the specific evaluation criteria is listed in Section 10.1.m of the Code.

This is a large and complex subdivision and development project. The Planning Commission thoroughly discussed the project with the applicants, the applicants' engineer and building acting as agent for the applicant, and ensures understanding of all development conditions. Of particular note, a discussion was held regarding nuisance control (dust, noise, etc.) during construction, construction access from 1900 E rather than via 800 N, time frames for building the public infrastructure, the condition that once approved with the PUD and smaller lots no amendments will be allowed.

Jonathan Johansen from Johansen and Tuttle Engineering reviewed the plans and drawings in detail with the planning commission. He reviewed lot layout, setbacks, storm water management, installation of public infrastructure and general development management.

A discussion was held regarding not restricting Home Occupied Businesses (HOB) in the development, the setbacks on each lot in the development and potential height of structures in the development. No HOB restriction, setback minimums of 20 foot front yard, 6 foot side yard each side and 20 foot rear yard and structure height exceeding 35 feet but not exceeding 40 feet were identified. Chair Young asked for a motion to include the aforementioned (no HOB restriction, setbacks and height allowance) into the upcoming approval conditions.

MOTION. Commissioner Root moved to not restrict Home Occupied Businesses (HOB), establish 20 foot front and rear yard minimum setbacks, 6 foot minimum side yard setbacks and allow height exceeding 35 feet but less than 40 feet. Motion seconded by Commissioner Evans.

Chair Young asked the City Recorder to take a verbal roll call vote to verify the motion.

Commissioner Beacco –Approved
Commissioner Bentley – Approved
Commissioner Black – Yes
Commissioner Evans – Yes

Commissioner Holt - Yes
Commissioner Powell – Yes
Commissioner Root - Approved
Commissioner Thorne – Yes

The City Recorder announced that the motion passed unanimously.

Commissioner Thorne requested a discussion regarding open space within the development based on the potential approval of the PUD allowing increased density. The Commissioners and development representatives discussed the open spaces surrounding the storm water management facilities and other open spaces adjacent such as Castle Heights Elementary School property and Cliffview Cemetery.

The Commissioners further discussed the CUP in detail with the applicants. Chair Young read aloud the following conditions of approval:

- Applicant to specifically understand and acknowledge that approval of the land subdivision and development project as a PUD is irrevocable and Price City shall not accept any alterations or amendments to the zoning, construction standards authorized, development or subdivision finding that elements of the PUD do not all otherwise comply with all Code requirements.
- All developed infrastructure including but not limited to roads, curb, gutter, sidewalk, water utility, sewer utility, storm water utility, electrical utility, fire hydrants, street lights to be installed as indicated in the submitted plans, meeting all Price City minimum approved standards and inspected by the Price City Engineer finding that quality development of long term infrastructure protects the interest of Price City and is consistent with the Price City General Plan. Includes installation of street markings and signage.
- Conditions specific to applicant's potential request to Price City to accept ownership of public infrastructure within the PUD: (1) All public infrastructure within the PUD shall be fully installed as indicated on submitted and accepted plans. Partial installation shall not be considered or accepted by Price City. (2) All public infrastructure shall be fully installed throughout the entirety of the subdivision within twenty-four (24) months of this approval. (3) All public infrastructure shall be installed in compliance with Price City minimum standards or better and pass inspection by the Price City Engineer. (4) Submission of any Public Infrastructure Development Agreement or amendment thereto along with requisite financial surety to Price City guaranteeing the installation and functionality of the public infrastructure. (5) Non-compliance with any aforementioned requirements shall negate Price City acceptance of the dedication of any public infrastructure within the subdivision/development. (6) Price City shall not unreasonably withhold approval of, and acceptance of the dedication of the public infrastructure to Price City if all is in compliance. May require submission of financial surety to Price City.
- Submission of a geotechnical study to the Price City Engineer for acceptance and concurrence, development in compliance with the study and any direction from the Price City Engineer finding that development compliant with qualified geotechnical studies protects the health, safety and welfare of the community.
- Submission of a storm water management study to the Price City Engineer for acceptance and concurrence, development in compliance with the study and any direction from the Price City Engineer finding that development compliant with qualified storm water management studies protects the health, safety and welfare of the community.
- Developed housing must have installed (or installation in bona-fide progress) lot landscaping pursuant to Section 10.13.17 prior to provision of construction Certificate of Occupancy (CofO) and any individuals residing at the housing unit(s), as completed.
- No installation of modular, manufactured to mobile homes on any parcels within the subdivision finding that the small nature of the PUD lots does not facilitate installation of modular, manufactured to mobile homes. All home installation shall be of the size, orientation and type presented to Price City by developer.
- Provision of a copy of homeowner's association covenants, if any, to Price City. Price City will not enforce private covenants.
- No conditions at the development site in violation of the Price City Property Maintenance Code finding that properly maintained property and construction sites mitigate negative impacts on the surrounding properties. Dust control, traffic congestion control during construction required. Construction access from 1900 E, not 800 N west of subdivision.

Nick Tatton confirmed that he will include the HOB restriction removal, the minimum setback requirements and the allowed height approved in the final permit documentation.

ACCEPTANCE: The applicants acknowledged that they are aware of the conditions of approval, understands the conditions of approval and intends to comply with the conditions of approval.

Chair Young asked for a motion to approve the Conditional Use Permit.

MOTION. Commissioner Root moved to approve a LAND SUBDIVISION AND INFRASTRUCTURE DEVELOPMENT of a 66-lot land subdivision and the installation of public infrastructure, Desert Canyons Subdivision, approximately 1850 E 800 N as discussed with the allowances and restrictions indicated. Motion seconded by Commissioner Evans.

Chair Young asked the City Recorder to take a verbal roll call vote to verify the motion.

Commissioner Beacco –Approved
Commissioner Bentley – Approved
Commissioner Black – Yes
Commissioner Evans – Yes
Commissioner Holt - Yes
Commissioner Powell – Yes
Commissioner Root - Yes
Commissioner Thorne – Yes

A brief discussion was held regarding dark sky requirements and the potential for use of mandated house lighting instead of developer installed street lighting. Required installation of public street lighting will remain in place as planned.

7. UNFINISHED BUSINESS - No unfinished business discussed.

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

MOTION. Commissioner Thorne moved to close the regular Planning and Zoning meeting at 6:06 p.m. Motion seconded by Commissioner Bentley.

Chair Young asked the City Recorder to take a verbal roll call vote to verify the motion.
Commissioner Beacco –Approved
Commissioner Bentley – Yes
Commissioner Black – Yes
Commissioner Evans – Yes
Commissioner Holt – Yes
Commissioner Powell – Yes
Commissioner Root - Yes
Commissioner Thorne – Yes
The City Recorder announced that the motion passed unanimously.

The regular Planning and Zoning meeting was adjourned at 6:07 P.M.

APPROVED: _____ ATTEST: _____
Chair, Jan Young City Recorder, Sherrie Gordon