

Mayor
JOE L PICCOLO
City Attorney
NICK SAMPINOS
City Recorder
SHERRIE GORDON
City Treasurer
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Finance Director
LISA RICHENS



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City Council
WAYNE CLAUSING
RICK DAVIS
KATHY HANNA-SMITH
LAYNE MILLER
TERRY WILLIS

PUBLIC NOTICE OF MEETING

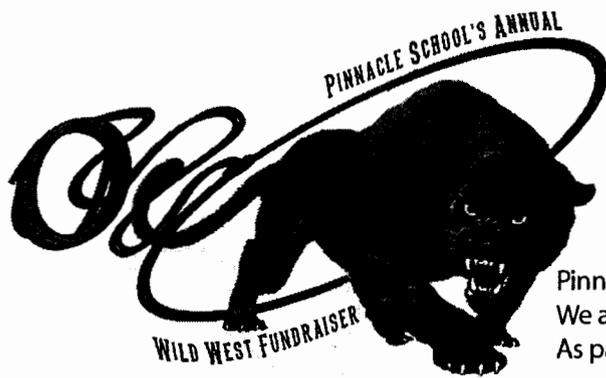
Public notice is hereby given that the City Council of Price City, Utah, will hold a Regular Meeting in the Council Chambers, 185 East Main, Price, Utah, at 5:30 PM on 01/13/2016. The Mayor reserves the right to modify the sequence of agenda items in order to facilitate special needs.

1. PLEDGE OF ALLEGIANCE
 2. ROLL CALL
 3. PUBLIC COMMENT
 4. COUNCILMEMBERS REPORT
 5. PINNACLE SCHOOL'S ANNUAL WILD WEST FUNDRAISER - Consideration and possible approval for sponsorship.
 6. PARENTS EMPOWERED PRESENTATION - Ileen Green will introduce the campaign to help prevent underage drinking.
 7. PRICE CITY LIBRARY 2015 STATISTICAL ANNUAL REPORT OF PUBLIC LIBRARY SERVICES - Library yearly report and long range plan.
 8. PRICE CITY LIBRARY OVERDUE POLICY - Consideration and approval of the Overdue Policy.
 9. MENTOR WORKS CDBG SUBCONTRACTOR REQUEST - Consideration and possible approval or decline of a request by Joseph White that Price City sponsor a CDBG application for Mentor Works, 2016 CDBG budget year.
 10. PUBLIC HEARING - Public hearing to receive input regarding the 2016 update to the Price City General Plan.
 11. PUBLIC HEARING - Public hearing to receive input on the proposed 2016 updates to the Price City Land Use Management and Development Code.
 12. RESOLUTION NO. 2016-01 - Consideration and possible approval of a resolution adopting the 2016 revision to the Price City General Plan.
 13. ORDINANCE NO. 2016-01 - Consideration and possible approval of an ordinance adopting the updates to the Price City Land Use Management and Development Code, 2008 Edition.
- CONSENT AGENDA
14. MINUTES -
 - a. December 9, 2015 City Council Meeting
 - b. January 4, 2016 City Council Swearing in Ceremony
 - c. January 8, 2016 City Council Workshop
 15. BUSINESS LICENSES - Consideration and possible approval for business licenses for Sherry's Paint and Body at 50 North 300 East, Compliance Staffing Agency, LLC at 140 North Cedar Hills Drive, and Compass Gear DBA Bicyclewerks at 82 North 100 West.
 16. FIRE DEPARTMENT - Consideration and possible approval to apply for and accept, if awarded, the 2016 Assistance to Firefighters Grant. The total grant request will be \$25,000. FEMA Will cover

- 95% of the project costs. Price City's match obligation will be 5% (\$1,250).
17. CDBG SUBCONTRACTOR AGREEMENT - Consideration and possible approval of a subcontractor agreement between Price City and the Housing Authority of Carbon County for CDBG funded projects in the 2016 project year.
 18. GENERAL ENGINEERING SERVICES AGREEMENT - Consideration and possible approval of general services agreement with Jones and DeMille Engineering, Inc. for consulting engineering services.
 19. JOINT HIGHWAY COMMITTEE GRANT APPLICATIONS - Ratification of grant applications to the UDOT Joint Highway Committee for Small Urban Road (SUR) funds and Transportation Alternative (TAP) funds. The SUR grant is for \$932,300 with a City match of \$67,700 and will be for the reconstruction of Westwood Blvd in 2021. The TAP grant is for \$195,783 with a City match of \$14,217 for improvements along Main Street including street lights and sidewalk. Project expenses exceeding these amounts will need to be covered by the City or other funding source.
 20. GREEN TEAM OF CARBON COUNTY - Consideration and possible approval to buy a trailer with modifications at a purchase price of \$2,340.00.
 21. ADOPT-A-STREET APPLICATION AND AGREEMENT - Consideration and possible approval for:
The Boy Scouts of America (younger group), Tavaputs District, to adopt the Price River Trail, beginning January 1, 2016 and ending December 31, 2018.
The Boy Scouts of America (older group), Tavaputs District, to adopt Highway 10 Main Street to Tony Basso, beginning January 1, 2016 and ending December 31, 2018.
 22. TRAVEL REQUESTS - Consideration and possible approval for:
Tamara Gray, Deseret Wave Pool, Utah Recreation & Parks Association Conference, March 6-9, 2016, St. George, UT. Brandon Ratcliffe, Basic Narcotics Tactics Training, January 25-29, 2016, Sandy, UT. Trenton Bennett, Building Inspector, Annual ABM Code Update Training, February 15-19, 2016, St. George, UT.
 23. COMMITTEES
 - a. WATER RESOURCES
 - b. EMERGENCY PLANNING
 - c. COMMUNITY PROGRESS-CULTURE CONNECTION
 - d. INTERNATIONAL DAYS
 24. UNFINISHED BUSINESS
 - a. Recycling

I, Sherrie Gordon, the duly appointed and acting Recorder for Price City, hereby certify that the foregoing City Council Agenda was emailed to the Sun Advocate. The agenda was also posted in City Hall, the City's website at www.priceutah.net, and on the Utah Public Meeting Notice Website <http://www.utah.gov/pmn/index.html>. This meeting may be held electronically via telephone to permit one or more of the council members to participate.

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should contact Sherrie Gordon at 185 E. Main Price, Utah, telephone 435-636-3183 at least 24 hours prior to the meeting.



Wild West Fundraiser

Inspiring students through educational and unique experiences

Pinnacle Schools in Price was one of the founding charter schools in Utah. We are currently in our seventeenth year of operation as a public K-12 school. As part of our charter we limit our fundraising to one major event each year.

We are currently preparing our 17th annual Wild West Fundraiser. This event benefits our entire student body for funding educational opportunities as well as funding the 5th grade students to travel to Washington DC for a hands on educational experience in correlation to their History curriculum. **This fundraiser provides most of our students a once in a lifetime experience.**

Our event's mission is to inspire students through educational and unique experiences.

This year's fundraising event will be held on **Saturday, March 12, 2016.**

We are truly grateful to those businesses that have supported our students and school in the past and would appreciate your support this year. Here are some ways to support our Wild West Carnival Fundraiser:

Donate items and/or services - Donate Money - Donate Gift Cards/Gift Certificates

We appreciate your donation! We have a few different ways your donation will be used; some possible options are: silent auction, event prizes, as a part of dinner, or be drawn in our ticket drawing. All events raise money for the same cause. If you prefer your donation to go to a specific location during our fundraiser and/or if you are donating more than one item and would like your items to stay together please specify.

We recognize all sponsors in several ways throughout the event as well as providing community recognition after the event in various forms. Our donation levels are as follows:

John Wayne \$5000 Butch Cassidy \$2500 Clint Eastwood \$1000 Wyatt Earp \$500 The Lone Ranger \$100
(large banner provided during event)

We would like to have all donations at the school, whether they are cash donations or items for our silent auction, by February 12, 2016. (If donations are not received before the date needed by they may be saved for next year's fundraiser.)

Please call at (435) 613-8102 or email with any questions;

Ashley Downard or Heidi Christensen - oem@pantheremail.com

Thank you again for your support of our school and we hope to see you at our fundraiser.

Sincerely,

Ashley Downard & Heidi Christensen
Professional Event Planners

If you have already been contacted/donated please disregard this notice. We thank you for your support!

Pinnacle Canyon Academy • Pinnacle Jr. High • Pinnacle High Schools
210 N 600 E • P.O. Box 886 • Price, Utah 84501 • 435-613-8102 • Fax 435-613-8105

Facts and tips to protect your kids
from the harms of alcohol.



PARENTS
EMPOWERED.org

ALCOHOL AND THE DEVELOPING BRAIN

ALCOHOL CAN DAMAGE DEVELOPING WHITE MATTER

In a recent study, white matter—the part that transmits signals—developed abnormally in teens who binge drank. Transmitting signals is a big part of what the brain does, which could impair learning and memory.¹

THE HIPPOCAMPUS

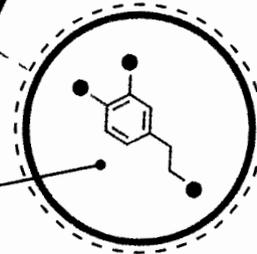
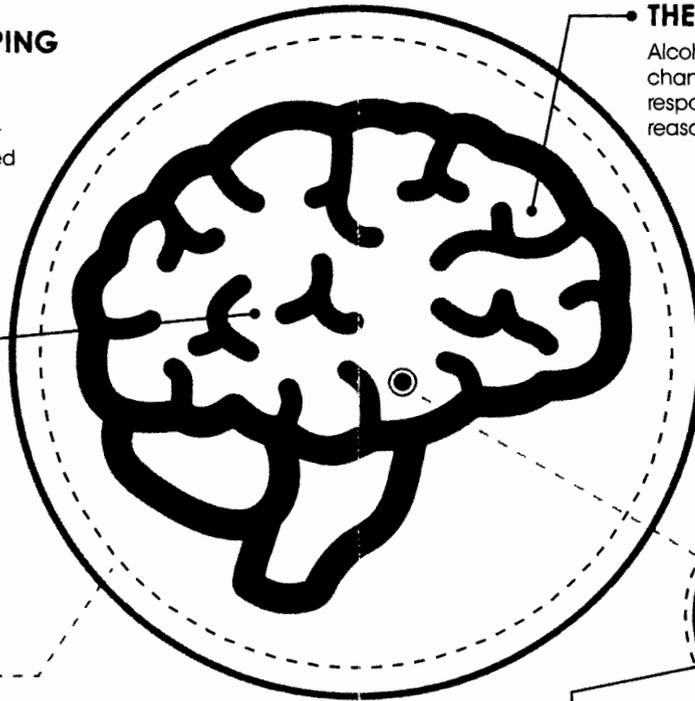
Alcohol can dramatically impact long-term memory and learning skills. The hippocampi was found to be 10% smaller among teens who drank more and longer.²

THE PREFRONTAL AREA

Alcohol can cause severe changes in this area, which is responsible for good judgment, reasoning and impulse control.²

BRAIN DAMAGE

The brain goes through dynamic change during adolescence (ages 12-21). Alcohol can seriously damage the long- and short-term growth process.²



ALCOHOL CAN PROGRAM A TEEN'S BRAIN FOR ADDICTION

A teen's brain is much more susceptible to alcohol dependence than an adult's. Alcohol tricks the brain's pleasure-reward system into generating pleasure-reward feelings from a harmful chemical instead of a real experience. Because the teen brain produces an abundance of dopamine, it can rapidly go from liking, to wanting, to craving alcohol.³



HEALTHY
NON-DRINKER



SOBER WITH
ALCOHOL-USE
HISTORY

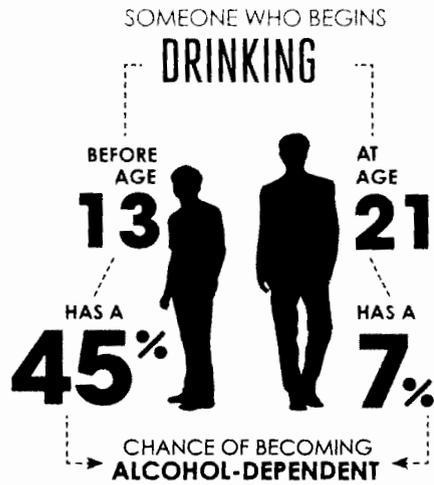


These SPECT images show functional activity levels in the brain of a healthy non-drinker (left) and that of a sober 21-year-old with a four-year history of heavy alcohol use (right). The "holes" indicate areas of reduced brain activity.

© Dr. Daniel Amen: www.amenclinic.com

SOBERING FACTS ABOUT UNDERAGE DRINKING

- 1 Parents must convey clear disapproval of underage drinking, because even a small amount of perceived parental acceptability can lead to substance use.⁴



- 2 The younger a person starts to drink, the higher the risk of addiction. Those who start before age 13 have a 45% chance of becoming alcohol-dependent, compared to 7% for those who wait until 21.⁵
- 3 Binge drinking now begins as early as grade school.⁴
- 4 Research shows 67% of teens who drink before age 15 will try other illicit drugs.⁶
- 5 It is against the law for a minor to purchase, possess, or consume any alcoholic beverage. It is illegal for anyone to sell, offer to sell, or furnish alcohol to a minor.



Grant, BF and Dawson, DA. *Journal of Substance Abuse* 9:103-110, 1997

PREVENTING UNDERAGE DRINKING REQUIRES PARENTAL INVOLVEMENT!

Like nearly anything worthwhile, keeping your children alcohol free takes effort, commitment and consistency. Fortunately, the process can be both fun and rewarding. Develop and use the following skills and you're well on your way.

1 Bonding

Stay close to your kids



Bonding is essential to preventing underage drinking. Children are less likely to drink when their parents are involved in their lives, and when children and parents feel close to each other.⁸

SPEND TIME TOGETHER

Try to spend at least 15 minutes a day of one-on-one time. The more time you spend together, the closer your relationship will be.

DO FUN ACTIVITIES TOGETHER

Do fun things together on a regular basis. Play catch. Go camping. Do craft projects. Don't skip vacations. Have a weekly "game night." Invite your kids to help plan your weekly activities.

EAT DINNER TOGETHER

Research shows teens who regularly eat as a family five to seven times per week are 33% less likely to use alcohol.⁹



LISTEN AND BE SUPPORTIVE

Take time daily to talk with your kids about their interests and activities. Ask about their lives, hopes, fears, and concerns. Encourage them to do well in school.

CREATE A POSITIVE HOME ENVIRONMENT

Be kind and respectful of each other. Remind your kids often that you love them. Maintain at least a 4:1 ratio of positive comments to negative ones.



2 Boundaries

Set clear rules and expectations



Children respond better when they have clear boundaries and expectations. Never assume your children know what your rules, expectations and attitudes are. Write down your rules and discuss them with your children so they understand the reasons behind them.

TEACH THE RISKS OF UNDERAGE DRINKING

At an early age, begin talking with your children about not drinking alcohol. Explain the real risks of underage drinking. Ask questions. Make sure they understand.

DISCUSS WHAT TO DO IF ALCOHOL IS PRESENT

It is essential that children have an alcohol-free social environment to help them remain alcohol-free. Make sure your children know what to do if they are at a party and alcohol is present or if they are offered alcohol. For example: "If there is alcohol at a party, call me, and I'll pick you up." Also brainstorm and practice ways to say "No," in addition to ensuring participation in alcohol-free activities.

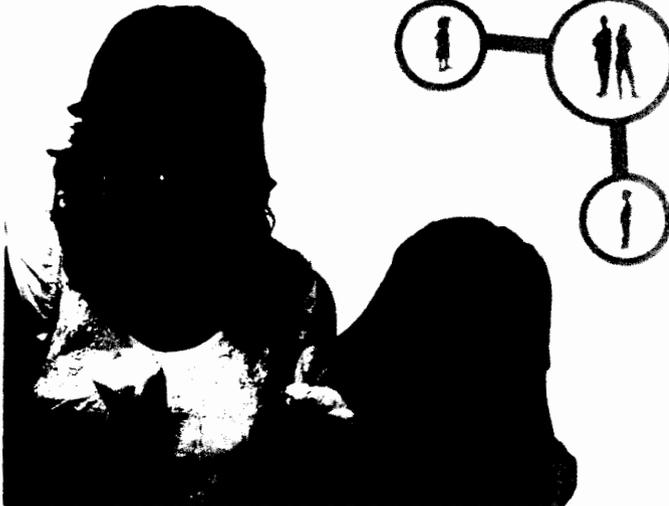
CONSISTENTLY ENFORCE THE RULES

Give appropriate consequences every time and reward your kids for staying alcohol-free.



HELP KIDS CHOOSE FRIENDS WISELY

Studies show significant increased risk for underage drinking is influenced by whether your children's friends drink.¹⁰ Encourage your children to choose friends who support your no-alcohol rules. Discuss your no-alcohol policy with your kids' friends.



3 Monitoring

Who, what, when & where



Know where your kids are, who they're with, and what they are doing. Stay involved. Studies show parental involvement drops by half between the 6th and 12th grades.¹¹ It's important to remain engaged throughout their teen years.

KNOW YOUR CHILDREN'S ACTIVITIES

Kids need fun. Help provide safe, enjoyable, no-alcohol fun for your kids and their friends. When you aren't able to be there, make sure your kids have planned activities and appropriate adult supervision.

OBSERVE YOUR CHILDREN'S EMOTIONAL WELL-BEING

Watch for signs of excess stress or depression. These can lead to teen drinking. Help them cope in healthy ways: music, exercise, talking with a counselor, friend or doctor, etc.

KNOW YOUR CHILDREN'S FRIENDS AND THEIR PARENTS

Get to know their friends and the parents of those friends. Discuss with the parents your desire to keep your kids alcohol-free and enlist their cooperation.

ENSURE AN ALCOHOL-FREE ENVIRONMENT

Make sure alcohol isn't available to your kids at home or from friends, siblings, etc. If they go to a friend's house, call to make sure parents will be home and there will be no alcohol.

KEEP IN TOUCH

Studies show kids are more at risk for alcohol use between the hours of 3:00 and 6:00 p.m., while many parents are still at work.¹² When you're away, call your kids. Text them. Show up occasionally, unannounced. Have a neighbor drop by. Let your kids know it's because you love and care for them.

At some level, most kids appreciate parental monitoring. It's very real proof their parents love them enough to care about their well-being.

Sponsored by: Utah Department of Alcoholic Beverage Control; Utah Attorney General's Office; Utah Department of Health; Utah State Office of Education, Safe and Healthy Students Programs; Utah Juvenile Courts; Utah Prevention Network; Utah Department of Public Safety; Utah Division of Substance Abuse and Mental Health; Utah Substance Abuse Advisory Council; Utah Mothers Against Drunk Driving (MADD); Intermountain Healthcare; Utah Council for Crime Prevention; and Utah PTA.

References:

¹<http://www.npr.org/templates/story/story.php?storyid=122765890>

²American Medical Assn. report on "Harmful Consequences of Alcohol Use on the Brains of Children, Adolescents, and College Students," 2003 Fact Sheet, http://www.alertlabs.org/documents/Website_AMA_Brain_Damage.pdf; National Research Council and Institute of Medicine, "Reducing Underage Drinking: a Collective Responsibility," 2004, 13, 14.

³U.S. Department of Health and Human Services, "Prevention Talk," Issue Number 14.

⁴"Utah Student Health and Risk Prevention Survey," 2013, <http://dsamh.utah.gov/sharp.htm>

⁵Grant, BF and Dawson, DA, *Journal of Substance Abuse*, 9:103-110, 1997.

⁶The National Center on Addiction and Substance Abuse at Columbia University, "Cigarettes, Alcohol, Marijuana: Gateways to Illicit Drug Use," 1994.

⁷The National Center on Addiction and Substance Abuse at Columbia University, "National Survey of American Attitudes on Substance Abuse X: Teens and Parents," August 2005.

⁸Hawkins JD, J.W. Graham, E. Maguin et al, *Journal of Studies on Alcohol*, 58(3):280-290, 1997.

⁹<http://www.casafamilyday.org>

¹⁰National Institute on Alcohol Abuse and Alcoholism, "Alcohol Alert," No. 59, April 2013; pubs.niaaa.nih.gov/publications/aa59.pdf

¹¹"Utah Student Health and Risk Prevention Survey," 2013.

¹²www.afterschoolalliance.org/research%20factsheets%202010/fact_sheet_afterschool_essential_3_22_2010.pdf

For more proven skills and activities to keep your child from using alcohol, visit ParentsEmpowered.org.

PARENTS EMPOWERED.org
Eliminating Underage Drinking in Utah

For more information on treatment, contact the Utah Division of Substance Abuse and Mental Health at **801-538-3939**.



**Statistical Annual Report of
 Public Library Services**
Data Collection Form
Fiscal Year 2015
Cities: July 1, 2014 – June 30, 2015
Counties: January 1, 2015 – December 31, 2015

IDENTIFICATION		
150	FSCS ID	UT0017
151	Library Code	CARBON1300
152	Name of Library	PRICE CITY LIBRARY
153	Street Address	159 EAST MAIN STREET
154	City (of street address)	PRICE
155	ZIP Code (of street address)	84501
156	ZIP+4 (of street address)	3033
157	Mailing Address	159 EAST MAIN STREET
158	City (of mailing address)	PRICE
159	ZIP Code (of mailing address)	84501
160	ZIP+4 (of mailing address)	3033
161	County of the Entity	CARBON
162	Telephone (include area code)	4356363188
163	Library's main website address	www.priceutah.net/Library

GENERAL INFORMATION		Current Period	Previous Period
208	Population of Legal Service Area	8,358	8,491

Service Outlets		Current Period	Previous Period
209	Number of Central Libraries	1	1
210	Number of Branch Libraries	0	0
211	Number of Bookmobiles	0	0

Paid Staff		Current Period	Previous Period
250	FTE of Librarians with ALA-accredited master's degree	1.00	1.00
251	Total FTE of Librarians	2.00	2.00
252	FTE of All Other Paid Staff	4.00	4.00
253	Total FTE of Paid Staff	6.00	6.00

Volunteers		Current Period	Previous Period
253.1	Number of individuals who worked for the library this fiscal year	42	12
253.2	Number of hours volunteers worked for the library this fiscal year	103	56

OPERATING REVENUE			
300	Local	328,419	308,229
301	State	7,022	7,836
302	Federal	0	0
303	Other	4,894	9,178
304	Total	340,335	325,243

OPERATING EXPENDITURES			
304.1	Local	328,419	308,229
304.2	State	7,022	7,836
304.3	Federal	0	0
304.4	Other	4,894	9,178
304.5	Total	340,335	325,243

OPERATING EXPENDITURES - DETAIL

Staff Expenditures		Current Period	Previous Period
350	Salaries and Wages	198,794	185,710
351	Employee Benefits	65,334	74,067
352	Total Staff Expenditures	264,128	259,777

Collection Expenditures		Current Period	Previous Period
353	Print Materials	37,478	42,210
354	Electronic Materials – Digital Units	0	0
355	Other Materials	15,480	10,556
356	Total Collection Expenditures	52,958	52,766

Other Operating Expenditures		Current Period	Previous Period
357	Other Operating Expenditures	23,249	12,700

Total Operating Expenditures		Current Period	Previous Period
358	Total Operating Expenditures	340,335	325,243

CAPITAL REVENUE			
400	Local	0	0
401	State	0	0
402	Federal	0	0
403	Other	0	0
404	Total	0	0

CAPITAL EXPENDITURES			
405	Total	0	0

COLLECTIONS		Current Period	Previous Period
450	Print Materials	51,737	50,343
451	Electronic Books (e-Books)	14,759	5,616
452	Audio – Physical Units	3,725	4,083
453	Audio – Downloadable Units	16,646	10,422
454	Video – Physical Units	3,849	4,394
455	Video – Downloadable Units	679	141
455.1	Other Materials	0	0
455.2	Total Library Collection	91,395	74,999

Licensed Databases		Current Period	Previous Period
456	Licensed Databases paid with local funds	0	0
457	Licensed Databases paid by the State Library	51	41
458	Total Licensed Databases	51	41

Current Serial Subscriptions		Current Period	Previous Period
460	Number of Current Print Serial Subscriptions	41	35

SERVICES		Current Period	Previous Period
500	Public Service Hours Per Year (all outlets)	2,864	2,860
500.1	Weekly Scheduled Public Service Hours (all outlets)	58	55
501	Library Visits	58,737	60,782
502	Reference Transactions	4,808	4,972
503	Number of registered users	3,056	2,911

Circulation		Current Period	Previous Period
549.1	Circulation of Electronic Materials	2,456	2,089
549.2	Circulation of Physical Materials	59,311	69,913
550	Total Circulation (all formats)	61,767	72,002
551	Circulation of Children's Materials (all formats)	23,220	33,427

Interlibrary Loan		Current Period	Previous Period
552	Number of Items Provided To Other Libraries	132	83
553	Number of Items Received From Other Libraries	663	721

PROGRAMS		Current Period	Previous Period
600	Total Number of Library Programs	203	192
601	Number of Children's Programs	181	180
602	Number of Young Adult Programs	12	12
603	Total Attendance at Library Programs	5,062	3,839
604	Attendance at Children's Programs	4,544	3,718
605	Attendance at Young Adult Programs	83	121

INTERNET ACCESS		Current Period	Previous Period
650	Number of Internet computers for the general public	21	24
651	Number of uses (sessions) of public Internet computers	10,465	11,791
652	Number of times (sessions) patrons used the wireless network	-1	-1

Notes

GI

Number of individuals who worked for the library this fiscal year

We added two (2) very successful programs which increased the number of volunteers and attendance at the programs.--2015-10-13

Number of hours volunteers worked for the library this fiscal year

We added two (2) very successful programs which increased the number of volunteers and attendance at the programs.--2015-10-13

OED

Employee Benefits

One employee changes to HSA and another opted for an in lieu of insurance option which resulted in a reduction of benefit.--2015-10-13

COLL

Electronic Books (e-Books)

Due to high demand and usage of e-books, USL has been building the collection.--2015-10-19

Video Materials - Downloadable Titles

USL has purchased many more e-books via Overdrive.--2015-10-19

USL has been building the collection.--2015-10-19

Total Library Collection

Due to high demand and usage of e-books, USL has been building the collection. USL has purchased many more e-books via Overdrive.--2015-10-19

OVERDUE POLICY

In an effort to encourage the return of overdue items to the library in a timely manner, Price City, by and through the Price City Library Board of Trustees, has established the following policy:

1. Overdue notices, which include replacement costs, shall be generated when unreturned items are two weeks past due. Overdue fines will be charged at the rate of \$.10 per day per item (excluding movies) with a maximum fine per item of \$2.00. The fine on overdue movies will be charged at a rate of \$1.00 per day per item. On all materials returned after the grace period, fines will be calculated and changed from the due date.
2. Patrons will be immediately restricted from borrowing materials from the Price City Library once items become overdue or the patron has accumulated a fine of \$5.00 or more.
3. Interlibrary loans are marked with a two (2) week circulation due date. A minimum fee for lost interlibrary loan items is \$50.00 or more depending on cost of the unreturned items.
4. The Price City Library works with an approved collection agency to collect fines. When fines exceed \$35.00, a patron's account will be forwarded to the collection agency and an agency service fee will be added to the account balance.
5. Patrons whose Library debts are discharged in bankruptcy will have overdue fines waived. If overdue items, however, are not returned, the patron's borrowing privileges will not be reinstated until the materials are returned or other arrangements acceptable to the Library are made.
6. Patrons who to share their e-mail addresses with the Library will receive courtesy reminders three (3) days prior to the due date on borrowed items. Additionally, a friendly reminder call will be made to patrons when the item(s) is/are three (3) days overdue. Failure to return materials will result in a restriction on the patron's ability to borrow items and to use the Library's computers.

The purpose of this policy is to have Library materials returned in a timely manner. To achieve this goal the library will allow patrons to purchase replacement copies of lost materials in their original format. Patrons must receive approval before attempting this option. Newly purchased materials must be received by or be paid for within four (4) weeks of the unreturned item's due date. Staff is willing to assist with information on ways to locate materials.

Patrons will be allowed to establish a payment plan by completing the Library's Payment Agreement form. A minimum payment must be made weekly with the total payment made within four (4) weeks from the date on the payment agreement.

Failure to meet any or all parts of this policy will result in restriction on all library services.

The Library Staff will implement this policy by following this procedure:

- Three (3) days before materials are overdue a reminder e-mail will be sent to patrons with an e-mail address on file. The staff will encourage patrons to share e-mail addresses for overdue notification purposes only.
- Patrons with overdue books will have all library privileges restricted until materials are paid for or returned.
- Three (3) days after materials are overdue a patron will be called with a friendly reminder of overdue materials and informed about our Fine Free Friday program.
- Fourteen (14) days after the materials are due, a letter will be sent to the patron informing him/her again of the overdue materials.
- If materials valued at \$35.00 or more are not returned after 18 days, the patron's account will be forwarded to a collection agency and an agency service fee will be added to the account balance.

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Price City

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 www.pricecityutah.com

UTAH'S CASTLE COUNTRY!!

City Council

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**PRICE CITY
 CITY COUNCIL MEETING
 AGENDA DOCUMENTATION**

Preparation Date: 12-24-15	Submitting Department: Community Development
Meeting Date: 1-13-16	Department Director: Nick Tatton
	Presenter: Nick Tatton

Subject:	Requested Subcontractor agreement for pass through of CDBG funds.
Purpose Statement:	CDBG requires that a public entity sponsor all applications for funds although many non-public groups are eligible for funding support.
Background &/or Alternatives:	<p>Mentor Works is a boarding house/transitional housing provider that has recently begun operation of 2 sober living homes in Price. Mentor Works is requesting \$350,000 in pass through CDBG funding for their operations. No specific project is identified and the request is essentially all of the district wide CDBG money for the funding cycle. Further the request letter indicates that Price City has already agreed to sponsor an application on their behalf; this is not true at this time.</p> <p>It is anticipated that the majority of funds available in the funding cycle will be provided to income targeted housing requests throughout the district. The Southeastern Utah Association of Local Governments, via Debbie Hatt, and the individual requesting entities will complete all application, funding, and reporting requirements for the project. Price City will only provide the subcontractor arrangement and hold 2 public hearings. All disbursement of funds received from CDBG by Price City will require lien waivers.</p> <p>Staff (Nick Tatton) does not want to work with or be involved with Mr. Joseph White.</p>
Attachments:	<ol style="list-style-type: none"> Copy of letter of request from applicant for subcontractor assistance. Copy of public hearing notice from stand-alone meeting/hearing required.
Fiscal Impact:	None beyond incremental publication costs and limited staff time and effort.
Staff Impact:	None beyond application assistance.
Legal Review:	None required for the request.
Recommendation:	It is the recommendation of staff (Nick Tatton) to decline the request finding that the request is in excess of reasonable funding levels, no project is identified and recent history with the applicant indicated that he is not capable of completing the detail required to complete a functional CDBG project and protect Price City eligibility for future CDBG funding. If approved it is the recommendation of staff that the Subcontractor anticipate grant administration funds for Price City in the project of not less than 2% of the total project cost.
Suggested Motion(s):	<p>TO DECLINE</p> <ol style="list-style-type: none"> Move to decline the request of Mentor Works that Price City provide a subcontractor agreement and facilitate the use of CDBG funds via Price City for the Mentor Works sober houses in Price.

	<p>TO APPROVE</p> <ol style="list-style-type: none">1. Move to approve a Subcontractor Agreement between Price City and Mentor Works be developed and presented to the Price City Council for consideration and possible approval at a future Price City Council meeting.
Other Comments:	<p>Based on funding limitations, projects from throughout the district (Carbon, Emery, Grand and San Juan Counties) and the project ranking and rating system it is anticipated that there is very little chance the project would received CDBG funding.</p>



1878 W. 12600 S. #230 (Mailing Address ONLY)
Riverton, UT 84065
801-923-3351
info@mwut.org
<http://mwut.org>

MentorWorks CDBG Public Notice Request

Monday, December 21, 2015

The Foundation for Family Life's MentorWorks transitional aftercare program is part of a non-profit organization seeking assistance for purchasing two sober living homes in Carbon County as part of SEUALG's 2016 CDBG funding cycle. We are requesting \$175,000 for each home for a total of \$350,000. We will complete the full application following the public hearing (Jan. 13, 2016) and following the sponsorship letter of support from Price City who has agreed to serve as our local sponsor for this 2016 CDBG grant cycle.

Participants in other areas constantly tell us how the MentorWorks program has saved their lives. The MW program and home is a critical first-step for those wanting to change their life around and get on the right path. Many important transitional resources have been secured to assist selected individuals in making a successful transition into society. Some of these resources include a bed, bedding, utilities, clothes, food, and a wide range of support for important things like transportation, employment, recovery (recovery programming, group & individual mentoring), life skills (e.g., fatherhood, etc.), and mental health (where available). Successful participants will soon be able to begin an incentivized (matched) savings account specific to obtaining own long-term housing. It is a requirement of the MW program that participants find and maintain sufficient employment and that they remain fully compliant with all program requirements.

Though we have initially opened two rental homes in Price, we need to establish two permanent locations (one for men, one for women) for long term sustainability. The target area for these homes will be in the city of Price. We look forward to providing these services to the homeless and LMI (low to moderate income) clients in SEUALG's catchment area (e.g., Carbon & Emery County). We are grateful for our relationship with Price City and their willingness to work with the MentorWorks program to provide critical, life-saving services to the homeless and low to moderate income population.

Please send a copy of the Price City sponsorship letter required by the SEUALG CDBG application process to Joseph White (address above) and Todd Thorne, SEUALG Program Manager, 375 S. Carbon Ave., Price, UT, 84501. Emailed letters are equally acceptable (joseph.familylife@gmail.com & tthorne@seualg.utah.gov).

Thank you,

A handwritten signature in blue ink that reads "Joseph White".

Joseph M. White, Ph.D.
Executive Director
Foundation for Family Life

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
FIRST PUBLIC HEARING NOTICE**

Price City will hold a public hearing to consider projects for which funding may be applied for under the CDBG Small Cities Program for Program Year 2016. Suggestions for potential projects will be solicited, both verbally and in writing, from all interested parties. The expected amount of CDBG funds for this program year will be discussed along with the range of projects eligible under this program and a review of previously funded projects. The hearing will begin at 5:00pm on Wednesday, January 13, 2016 and will be held at 185 East Main Street, Council Chambers. Further information can be obtained by contacting Nick Tatton at 636-3184. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the hearing should notify Sherrie Gordon at 636-3183 at least three working days prior to the hearing.

Published in the Sun Advocate on January 5, 2016

GENERAL PLAN PUBLIC HEARING

THE PRICE CITY PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING TO RECEIVE INPUT ON THE 2016 UPDATE TO THE PRICE CITY GENERAL PLAN ON MONDAY, JANUARY 11TH, 2016 AT 6:00PM IN THE PRICE CITY COUNCIL CHAMBERS LOCATED AT 185 EAST MAIN STREET. COPIES OF THE PROPOSED 2016 UPDATED PRICE CITY GENERAL PLAN MAY BE OBTAINED BY CALLING NICK TATTON AT 636-3184 PRIOR TO THE PUBLIC HEARING.

THE PRICE CITY COUNCIL WILL HOLD A PUBLIC HEARING TO RECEIVE INPUT ON THE 2016 UPDATE TO THE PRICE CITY GENERAL PLAN ON WEDNESDAY, JANUARY 13TH, 2016 AT 6:00PM IN THE PRICE CITY COUNCIL CHAMBERS LOCATED AT 185 EAST MAIN STREET. COPIES OF THE PROPOSED 2013 UPDATED PRICE CITY GENERAL PLAN MAY BE OBTAINED BY CALLING NICK TATTON AT 636-3184 PRIOR TO THE PUBLIC HEARING.

PUBLISHED IN THE SUN ADVOCATE DECEMBER 29, 2015 & JANUARY 5, 2016

NOTICE OF PUBLIC HEARINGS

The Price City Planning and Zoning Commission will hold a public hearing on Monday, January 11, 2016 at 6:00pm to receive input regarding proposed updates to the Price City Land Use Management and Development Code (Code). The public hearing will be held in the Price City Council Chambers located at 185 East Main Street, Price, Utah. Information on the public hearing and the proposed Code updates can be obtained by calling Nick Tatton at 636-3184.

The Price City Council will hold a public hearing on Wednesday, January 13, 2016 at 6:00pm to receive input regarding proposed updates to the Price City Land Use Management and Development Code (Code). The public hearing will be held in the Price City Council Chambers located at 185 East Main Street, Price, Utah. Information on the public hearing and the proposed Code updates can be obtained by calling Nick Tatton at 636-3184.

Published in the Sun Advocate Dec. 29, 2015 & Jan. 5, 2016

Mayor
JOE L PICCOLO
City Attorney
NICK SAMPINOS
Community Director
NICK TATTON
City Recorder
SHERRIE GORDON
Finance Director
LISA RICHENS



Price City

185 EAST MAIN • P.O. BOX 893 • PRICE, UT 84501
PHONE (435) 637-5010 • FAX (435) 637-2905
www.pricacityutah.com

UTAH'S CASTLE COUNTRY!!

City Council

KATHY HANNA-SMITH
RICK DAVIS
WAYNE CLAUSING
LAYNE MILLER
TERRY WILLIS

**PRICE CITY
CITY COUNCIL MEETING
AGENDA DOCUMENTATION**

Preparation Date: 12-8-15	Submitting Department: Community Development
Meeting Date: 1-13-16	Department Director: Nick Tatton
	Presenter: Nick Tatton
Regarding: Updated Price City General Plan	

Subject:	Update of Price City General Plan.
Purpose Statement:	Review and update of the Price City General Plan provides a mechanism to maintain the document in a function and current manner as well as keep the goals relevant.
Background &/or Alternatives:	The current General Plan was completely revised approximately 11 years ago, it then underwent a major update approximately 8 years ago. Updates and revisions are very time consuming and expensive.
Attachments:	<ol style="list-style-type: none"> 1. Copy of resolution for adoption of the updates with plan attachment. 2. Copy of resolution approved by the Price City Planning and Zoning Commission approving and recommending approval of the updates.
Fiscal Impact:	None beyond staff time and effort.
Staff Impact:	None beyond present involvements.
Legal Review:	Mr. Sampinos has reviewed the resolution as to form.
Recommendation:	It is the recommendation of staff to approve the resolution adopting the updates upon completion of a public hearing.
Suggested Motion(s):	<ol style="list-style-type: none"> 1. Move to approve RESOLUTION NO. _____, A RESOLUTION OF THE PRICE CITY COUNCIL ADOPTING THE JANUARY 2013 REVISION TO THE PRICE CITY GENERAL PLAN. 2. Move to authorize the Mayor and City Recorder to sign the resolution on behalf of Price City.
Other Comments:	Updated General Plan goals will be distributed upon approval by the City Council.

RESOLUTION NO. _____

**A RESOLUTION OF THE PRICE CITY COUNCIL ADOPTING
THE 2016 REVISION TO THE PRICE CITY GENERAL PLAN.**

WHEREAS, Price City officially adopted the updated Price City General Plan on April 14, 2004 after review and recommendation for approval by the Price City Planning and Zoning Commission and after holding a public hearing; and,

WHEREAS, from time to time updates and revisions to the Price City General Plan are necessary to keep the information in the plan current and relevant; and,

WHEREAS, a series of public meetings were conducted with the community at large and the updates reviewed regularly at Price City Planning and Zoning Commission public meetings to review and recommend updates and revisions to the Price City General Plan; and,

WHEREAS, the Price City Planning Commission has reviewed the proposed updates and revisions to the Price City General Plan and has recommended approval thereof by the Price City Council; and,

WHEREAS, the proposed updates and revisions to the Price City General Plan, as recommended by the Price City Planning Commission, are attached hereto as "Exhibit 1"; and,

WHEREAS, the updates recommended have been submitted to the Price City Council for consideration and in furtherance of the health, safety and general welfare of the City, and to enhance the orderly development of land within Price City;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF PRICE CITY, UTAH, AS
FOLLOWS:**

Section 1. That the Price City Council finds that the recommended updates and revisions to the Price City General Plan reflect a comprehensive overview of Price City's long range plans, changing trends, and key issues facing Price City's future, and re-establishes Price City's goals and policies that guide growth and development within Price City.

Section 2. That the Price City Council hereby adopts the recommended updated Price City General Plan, as set forth in "Exhibit 1", including all text, maps and references, which exhibit is attached hereto and incorporated herein by reference.

Section 3. That if any part of this resolution shall be declared invalid, such decision shall not affect the validity of the remainder of this resolution.

Section 4. That all resolutions or policies in conflict herewith are hereby repealed.

Section 5. That this resolution shall take effect immediately upon passage.

PASSED AND ADOPTED by the Price City Council this _____ day of _____, 20_____.

Joe L. Piccolo, Mayor

ATTEST:

Sherrie Gordon, Price City Recorder

PRICE CITY GENERAL PLAN



Price Municipal Corporation
Price, Utah

Updated / Adopted by the Price City Council
on January 13, 2016



Prepared by
Utah
Community
Planners



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11. APPENDICES

- A. Price Municipal Corporation Annexation Policy Plan
- B. Price Municipal Corporation Community Affordable Housing Plan
- C. Transportation Master Plan
- D. 2013 Plan Update Prioritized Issues

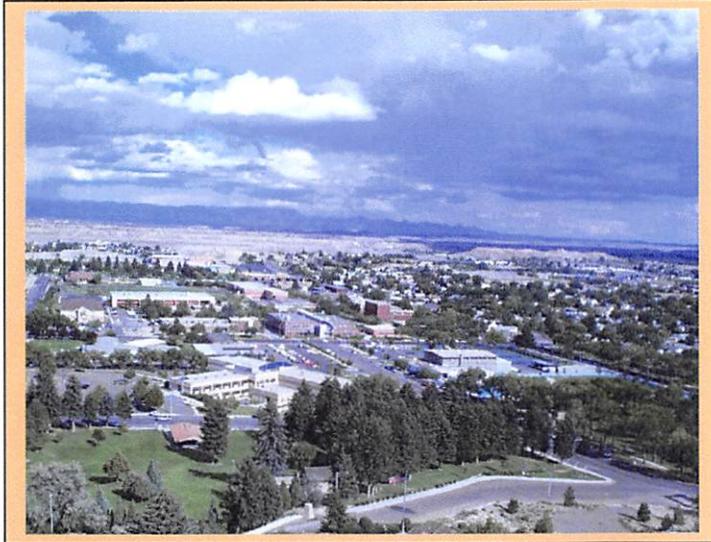
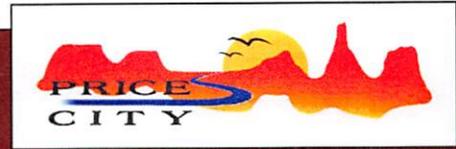


EXHIBIT 1. AERIAL PHOTO OF PRICE



PRICE CITY GENERAL PLAN

CHAPTER 1 Introduction



KEY POINTS

- Motto and Mission
- Plan Implementation
- Amendment Procedures
- History of Price
- Demographics
- General Goals

1.1. PLAN INTRODUCTION

The Price City General Plan, referred to herein as the "Plan," is the official statement of both short and long-range goals and strategies to guide growth and development within the City. The Plan focuses on improving the physical environment of the City as well as the quality of life of the citizens. It is intended to be an effective working tool employed by the City in making community decisions and achieving planning goals.

Plan Update

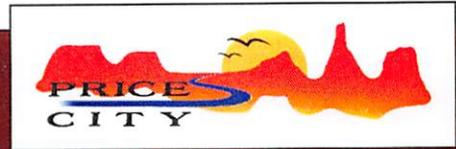
The process to establish the Price City General Plan began in September 2003. The City's General Plan prior to that time had not been officially adopted or updated for several years. The task set forth was to, in essence, start from scratch and create a new plan, which could serve as a foundational plan for the community into future years. Updates occurred in 2005, 2008, and 2013. This update, begun in January 2015, is an extension of the plan that has made the foundation for community planning.

A General Plan Advisory Committee was created with each update to work with the planning consultants, the Price City Planning and Zoning Commission and the Price City staff. The committee was made up of various members of the community, as well as representatives from City staff, the Planning Commission and the City Council. In the scope of several meetings, the committee was charged with the responsibility to provide feedback and direction for the establishment of the elements and goals for this updated General Plan. Meeting with a group of community stakeholders, the committee participated in visioning and planning exercises.

Community information has been gathered in the following areas: 1) Vision for the Future, 2) Quality of Life, 3) Growth in the Community, 4) Economic Development, 5)

PRICE CITY GENERAL PLAN

CHAPTER 1 Introduction



Downtown Revitalization, 6) Roadways/Transportation, 7) Parks and Recreation, and 8) Comments.

Key issues identified by the Advisory Committee for the most recent update process include the need for:

1. Promoting economic diversity and job opportunities,
2. Parks, trails and recreation planning and improvements,
3. Improved residential areas and infrastructure improvements throughout the City,
4. A focus on the revitalization and beautification of the downtown area and facilities, and
5. Continued emphasis on a city which is a good, friendly, and safe place for children and families.

See Appendix D for a list of a list of prioritized issues identified.

Following review and revisions, public hearings before both the Planning Commission and City Council were held. The Plan, as presented here, was updated and approved by the Price City Council .

1.2. MOTTO, MISSION AND VISION

Listed below are the Motto, Mission Statement and Vision Statement of the Price City General Plan as developed and recommended by the General Plan Advisory Committee.

The Motto serves as a slogan to paint a picture or send a message in relation to the character of the community. The Mission Statement represents the overriding purpose of what the City is and does. The Vision Statement reflects the shared image of what people want the city to become - at some point in the future. It is the big picture to guide decisions.

Motto

*"Price, the Heart of Utah's Castle Country" **

Mission Statement

"The mission of Price City is to protect and promote the welfare of all citizens by ensuring exceptional service and leadership through communication, cooperation and creativity."

Vision Statement

"Price will be a clean, friendly community that retains its safe, small-town feel and charm. The citizens envision a city that is progressive, unified, rich in heritage and ethnic diversity, with economic security and responsive government, quality education, healthy environment and good medical facilities."



** See also the motto to be used for economic development purposes on page 4-3.*

PRICE CITY GENERAL PLAN

CHAPTER 1 Introduction



1.3. PLAN IMPLEMENTATION

Implementation of the Plan comes through working documents, such as the zoning and subdivision ordinances, capital improvement programs, City budgets, and other ordinances, resolutions and studies thought appropriate by the City Council.

1.4. AMENDMENTS

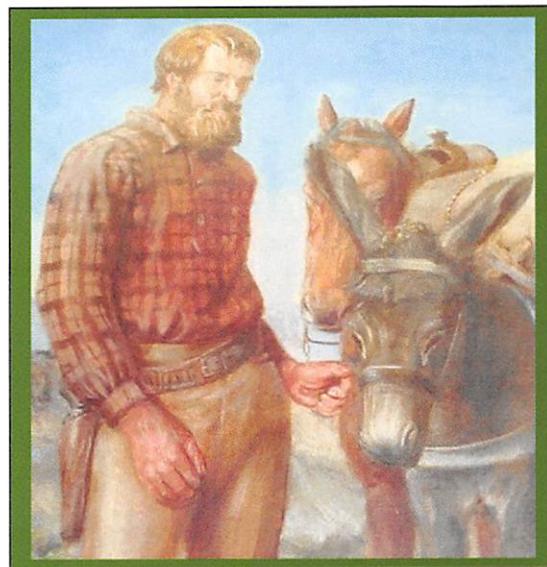
To preserve the integrity of the Plan and to insure that it reflects the changing needs of residents, it is City policy that:

- The Plan shall receive a comprehensive review at least once every five years to keep the policies and programs consistent with changing trends and conditions.
- All re-zones, improvement programs, and ordinance changes concerning development shall be in harmony with the adopted Plan.

The public may request amendments to the Plan. The City Council will hold a public hearing to consider the public's requests. The applicant must show that any amendment of the Plan is in the best interest of the City, promotes the general welfare of the community, and does not decrease the quality of life for the citizens of Price. Price City will not open the Plan to amendments if none are proposed by the public or City officials prior to any official updates or revision processes.

1.5. HISTORY OF PRICE

Price, the county seat of Carbon County, is the largest city in the county and is located in the Price River Valley of the Colorado Plateau region of Utah. It is believed that Price was named after LDS Bishop William Price of Goshen, Utah, who explored the region in 1869. The area was originally a part of Sanpete County, and then was included in Emery County when it was created in 1880. Price was organized on 14 July 1892 while it was still a part of Emery County. Price City was officially incorporated on April 1, 1911.



Caleb Baldwin Rhoades and Abraham Powell, trappers from Salem, Utah, were the first recorded settlers in the Price River Valley. They arrived in October 1877 and built a cabin in the northwest corner of what is now Price. The two returned to Salem when the trapping season was over. Their talk aroused interest in the area among their friends and families, and they soon convinced a group to join them in relocating in the Price River Valley. However, Abraham Powell never returned to Price as he was killed by a bear on 7 December 1878 while hunting in the Nebo Mountains.

PRICE CITY GENERAL PLAN

CHAPTER 1 Introduction



On 21 January 1879 Caleb Rhoades returned to the valley with two brothers, Frederick Empire Grames and Charles W. Grames. The men helped each other build homes for their families. Later that year, they were joined by their families and others, most coming from Utah County.

These early pioneers of Price experienced much hardship. Food was in short supply, and crops were difficult to grow because of a lack of irrigation water. Water had to be carried from the river in barrels and tanks. An irrigation ditch to carry water to the fields was of utmost importance. Construction of two ditches began in February 1879 when Caleb Rhoades and Frederick Grames began the project. A community effort eventually finished the two ditches, but it wasn't until the Price Water Company Canal was finished in 1888 that the irrigation problem was solved. The canal is still in use today.

The character of Price changed dramatically with the completion of the railroad in 1883. Price was quickly transformed from an isolated farming community to the commercial hub of Castle Valley. The railroad was directly responsible for Price becoming the retail, political, educational, and cultural center of the area. The railroad also opened up the nearby coal mines, which brought thousands of foreign-born, non-Mormon immigrants to work the mines. Originally these miners lived in the coal camps near the mines, but Price gradually assimilated many of them, reflecting the ethnic diversity of the county and becoming a cultural hub as well. These immigrants came from many countries, but the majority were Greek, Italian, Austrian, and Japanese. This diversified population has remained today, making Price one of Utah's most culturally complex and varied communities.



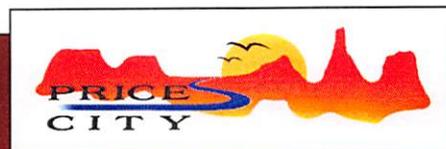
Price Courthouse, ca. 1910

Price has a variety of stores and businesses, as well as many parks, recreational facilities, schools, and a full-service hospital. Price is also the home of the Utah State University-Eastern, a local university and community college. Past expansion and future plans for USU-E's Prehistoric Museum have made it one of the best of its kind in the world.

The economy of Price is very much tied to the coal industry, and therefore has been through many up and down cycles; but Price remains today the commercial, governmental, financial and cultural center of Castle Valley. Price has always been and continues to be unique among Utah towns. *(Source: Jane Lyman Johnson, Utah History Encyclopedia)*

PRICE CITY GENERAL PLAN

CHAPTER 1 Introduction



1.6. DEMOGRAPHICS

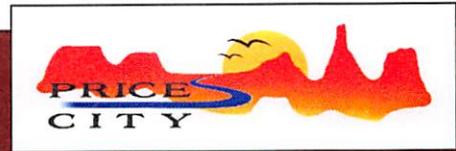
The most recent demographic data for Price in various categories is found in the results of the Census 2010 by the U.S. Census Bureau (see Exhibit 1 below). Population increased between the 2000 and 2010 Census reports by 3.7%, from 8,402 to 8,715, which nearly matches the population in 1990. Community growth through the year 2030 has been projected at 0.7% per year by the Utah State Governor's Office of Planning and Budget. At this rate, the projected population of Price in the year 2030 will be 11,481.

EXHIBIT 1. PRICE DEMOGRAPHICS

Source: U.S. Census Bureau, Census 2010			
Population and Density		Class of Worker	
Total Population	8,715	Private wage and salary workers	71.5%
Total land area in square miles	5.0	Government workers	21.7%
Density per square mile	1,733.8	Self-employed (not incorporated)	6.7%
Sex and Age		Employment by Industry	
Male	48.6%	Agriculture, forestry, fishing and hunting, and mining	7.8%
Female	51.4%	Construction	6.7%
Median Age	31.8	Manufacturing	3.2%
Race		Wholesale trade	2.4%
White	82.4%	Retail trade	15.9%
Hispanic or Latino	13.6%	Transportation and warehousing, and utilities	3.5%
American Indian	1.0%	Information	5.4%
Other	3.0%	Finance, insurance, real estate, and rental and leasing	5.3%
Households		Professional, scientific, management, administrative, waste mgmt	8.4%
Total households	3,227	Educational, health, social services	24.6%
Average household size	2.53	Arts, entertainment, recreation, accommodation, food services	3.9%
Average family size	3.11	Public administration	7.1%
School Enrollment		Other services	5.8%
Kindergarten through High School	1,565	Commuting to Work	
College or graduate school	1,182	Mean time to work in minutes	15.1
Educational Attainment		Income	
High school graduate or higher	87.5%	Median household income	\$38,194
Bachelors degree or higher	15.4%	Median family income	\$47,543
Marital Status (15 yrs +)		Per capita income	\$17,773
Now married, except separated	54.6%	Poverty Status	
Never married	31.9%	Individuals below poverty level	15.7%
Nativity and Place of Birth		Families below poverty level	13.1%
Native U.S.	95.2%	Housing Characteristics	
Born in Utah	70.6%	Total housing units	3,282
Foreign born	2.0%	Owner occupied housing units	2,979
Language Spoken at Home		Single-family units	75.2%
English only	90.8%	Built prior to 1970	45.3%
Spanish	5.3%	Median number of rooms	5.8
Top 5 Ancestries Reported		Moved into unit since 2000	58.9%
English	26.4%	2 or more vehicles	62.3%
German	16.9%	Median housing value	\$116,500
Irish	9.2%	Median monthly mortgage	\$1,071
Italian	8.6%	Median monthly rent	\$564
Danish	6.5%		
Employment Status (16 yrs+)			
Labor Force	6,299		
Unemployed	7.9%		
Females employed	50%		

PRICE CITY GENERAL PLAN

CHAPTER 1 Introduction

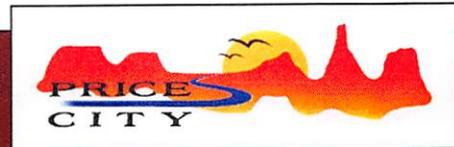


CHAPTER 1 - GENERAL GOALS

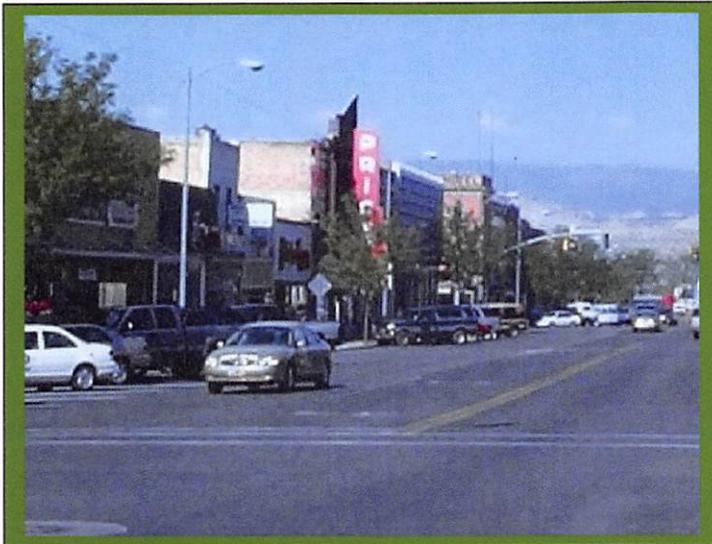
Goals	Strategies	Actions	Timing	Agency
1. Establish programs and land uses that promote quality living, employment and recreation opportunities for the citizens of Price.	A. Foster a diversity and flexibility in land use planning that is responsive to the economic market, and sensitive to the residential needs of all citizens.	i. Perform ongoing, in depth studies of current and future economic needs.	Ongoing	City Council; Community Services
		ii. Keep informed of the needs of citizens through ongoing community meetings and surveys.	Ongoing	Community Services
		iii. Streamline as much as possible all Price City permitting and licensing process for ease of use by residents and businesses	2 Years	Community Development, Public Works, Building, City Council
	B. Encourage the attraction, retention and development of diversity in business and industry that gives Price economic vitality.	i. Work closely with county, regional and state agencies in economic development.	Ongoing	City Council, Community Services
		ii. Work closely with existing businesses to keep them in Price and help them grow and prosper here.	Ongoing	City Council, Community Services
	C. Support development that is sensitive to the individual needs of both residential and commercial uses and maintains appropriate buffers between diverse land uses.	i. Update and review city ordinances and the Land Development Code on a regular basis.	Ongoing	City Council, Community Services, Planning Comm.
		ii. Require strict adherence to development guidelines in the Land Development Code.	Ongoing	City Council, Community Services, Planning Commission
		iii. Require as much as possible new development to minimize and mitigate negative impacts to the existing community, utilities and infrastructure.	Ongoing	City Council Community Services, Planning Commission
	D. Advocate a compatible mixture of residential uses throughout the city.	i. Approve site/development plans in accordance with General Plan land use and housing goals.	Ongoing	City Council, Planning Commission
	E. Provide and maintain appropriate levels of community services.	i. Review the financial feasibility and appropriateness of all identified projects and programs.	Annually	City Council

PRICE CITY GENERAL PLAN

CHAPTER 1 Introduction



		ii. Hold regular training for elected officials and staff relative to land use planning and other municipal activities.	Annually	City Council, Planning Commission, City Staff
		iii. Complete and distribute a study that details the amount of non-taxable property within Price City and the foregone revenue that may have contributed to provision of services. (PILOT Study)	1 Year	Community Development, Planning Commission, City Council.



KEY POINTS

- Land Use Classifications
- Environmentally Sensitive Areas
- Annexation Plans
- Implementation
- Land Use Goals

2.1. PURPOSE

The purpose of the Land Use Element is to demonstrate planning for community quality of life and economic vitality by 1) showing general land use classifications, and 2) establishing land use goals that manage growth.

2.2. LAND USE CLASSIFICATIONS

Price City land uses are divided into the categories of Residential, Commercial, Industrial and Special Districts (see Exhibit 3, Price City Land Use Map). Each category is divided into land use classifications, as follows:

Residential

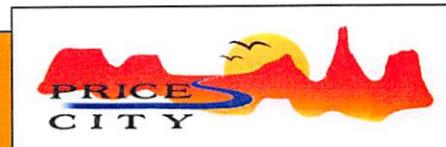
Rural Density - (Zones included: R1-43) The Rural Density Residential (RDR) classification is for residential uses in areas where a rural atmosphere, open space preservation and agriculture uses are encouraged. The housing density should not exceed 1 unit per gross acre. Exceptions to this maximum density may be permitted as conditional use, subject to the clustering of housing and provision of meaningful open space.

Low Density - (Zones included: R1-8, R1-12) The Low Density Residential (LDR) classification is for typical low density suburban neighborhoods with single-family homes on individual building lots. The housing density should not exceed 4 units per gross acre.

Medium Density - (Zones included: R1-6, R2-7) The Medium Density Residential (MDR) classification is for smaller individual home lots and multiple family housing units such as duplexes, town homes and other types of small-scale attached housing units. The housing density should not exceed 7 units per gross acre.

PRICE CITY GENERAL PLAN

CHAPTER 2 Land Use



High Density - (Zones included: R2-11) The High Density Residential (HDR) classification is for multi-family development, such as apartment and condominium complexes, with an overall housing density in excess of 7 units per gross acre.

Commercial

Community Commercial - (Zones included: C1) The Community Commercial (CC) classification is for general shopping facilities to satisfy the shopping needs of the community or a particular neighborhood. The intensity of the commercial zone applied will depend on such factors as the nature and location of surrounding uses, the ability to buffer surrounding uses, and the availability of necessary infrastructure. Also included are commercial and service uses in locations adjacent to highways or major streets. Mixed use development projects should be considered within the C1 zone district.

Industrial

Light Industrial - (Zones include: M1) The Light Industrial (LI) classification is intended to provide for clean and less intensive industrial, manufacturing and technological uses. Facilities and operations to take place within this designation should be designed to protect the environmental quality of adjacent areas.

Heavy Industrial - (Zones include: M2) The Heavy Industrial (HI) classification is for a range of industrial and manufacturing uses, including heavy industry. The intensity of the manufacturing uses and corresponding zoning will depend on surrounding uses, existing infrastructure and the ability to buffer and protect adjacent or nearby residential uses.

Special Districts

Public Facilities - (Zones include: PF) A special district is established to promote the effective planning and development of public facilities and land uses that combine residential and/or commercial with public facilities.

Special Planned Districts - (Zones include: PL) Provision is made for the establishment of special planned districts, allowing for mixed and special development uses which may vary from zoning regulations, but which will be a desirable asset to the community.

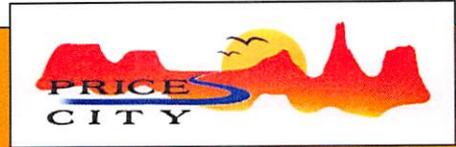
Overlay Districts - (Zones include: Signs, RDA) Overlay districts do not fall within a General Plan classification since they are intended to mix additional uses, limitations or designations with those allowed in the underlying zoning, in various areas throughout the city. Overlay zones are intended to be applied only when the overlay meets articulated needs of the City.

2.3. NEW ZONING CONSIDERATIONS

New zoning types are available that should be explored for application within Price City, including form-based zoning, performance based zoning, and mixed use zones, as well as required transitional buffer areas between commercial and residential zones. The inclusion of ½ acre residential lots within the low and rural density zone designations should also be

PRICE CITY GENERAL PLAN

CHAPTER 2 Land Use



considered.

Also, increased emphasis should be placed on flexible, streamlined and progressive zoning administration and enforcement.

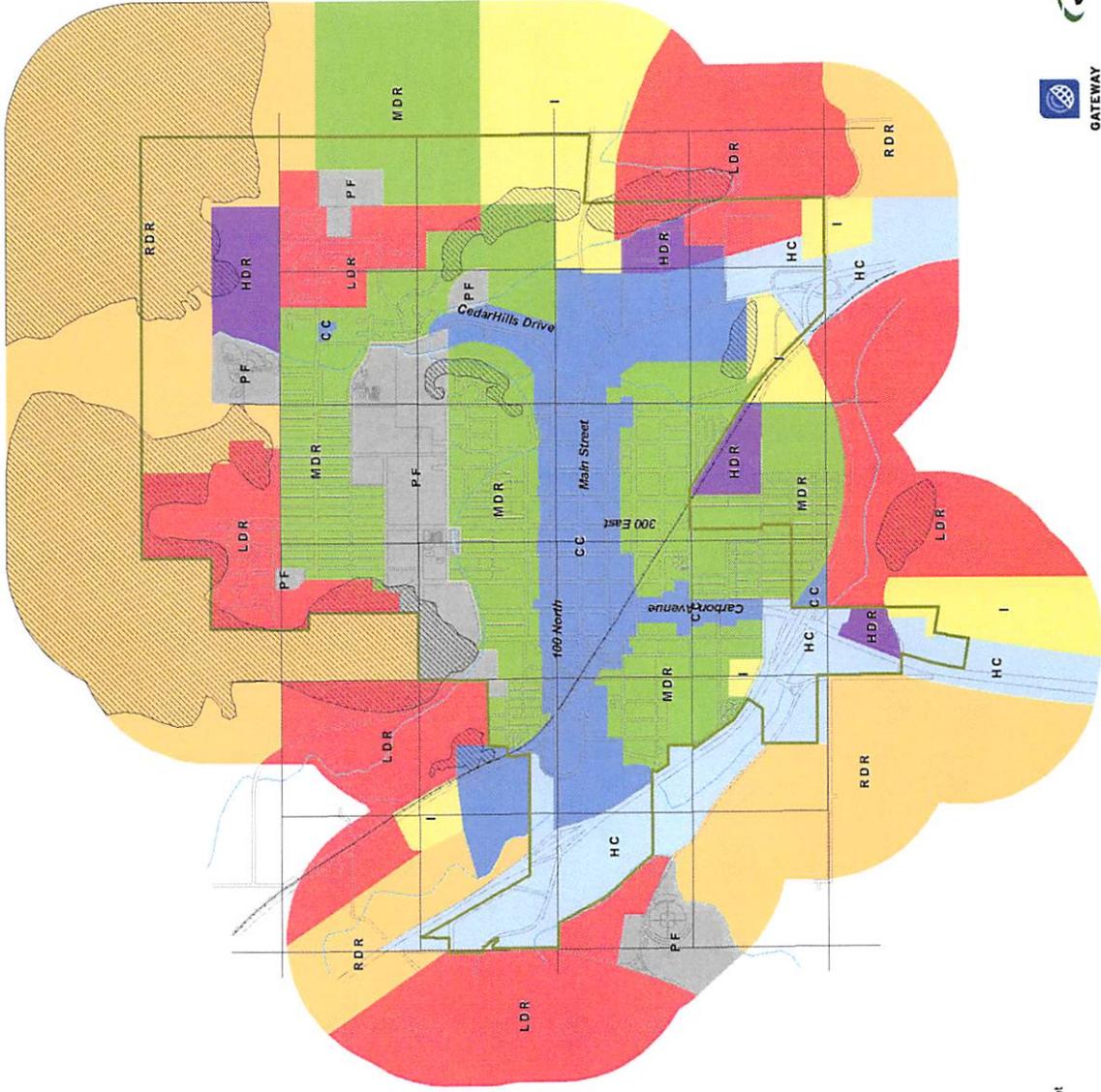
EXHIBIT 2. PRICE CITY LAND USE MAP

(Insert 11x17 map here)

PRICE CITY

GENERAL PLAN LANDUSE MAP

EXHIBIT 3



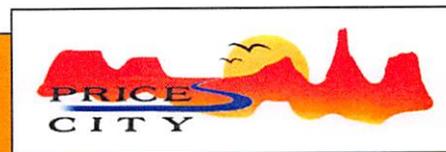
Legend

- CC = Community Commercial
- HC = Highway Commercial
- I = Industrial
- HDR = High Density Residential
- MDR = Medium Density Residential
- LDR = Low Density Residential
- RDR = Rural Density Residential
- PF = Public Facilities
- Current City Boundary
- Proposed Annexation Boundary
- Hillslope Protection Area



Updated: December, 2012

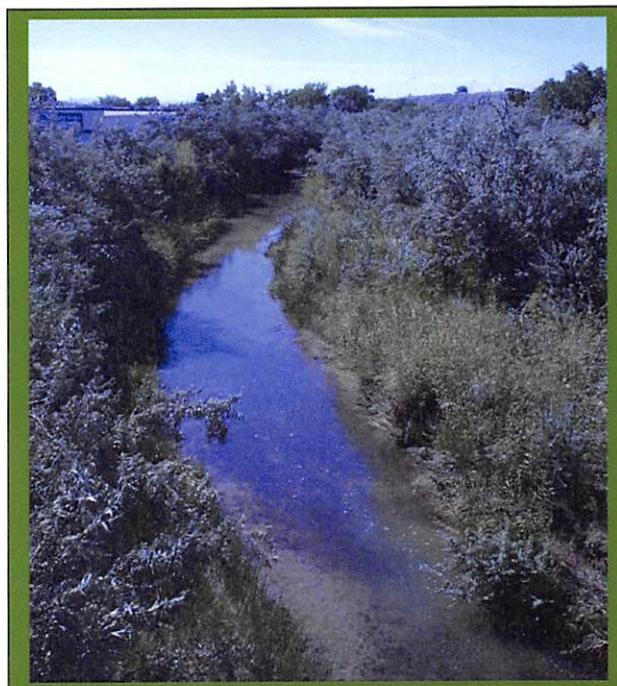




2.4. ENVIRONMENT

Protection of the environment is considered an important part of planning in Price. Development plans should be sensitive to the environment of the immediate area, as well as the whole community. Those areas in Price which are considered to be environmentally sensitive include land which 1) is within a designated 100 year flood plain as designated by FEMA, 2) is subject to geological hazards, unstable soil conditions, slopes in excess of 25%, or rock fall areas, and 3) has a high water table and ground water, including wetlands, perched water, and drainage ways.

Areas within Price recognized as having significant concern for environmental protection include the banks and adjacent lands along the Price River, Meads Wash and associated drainage corridors. Additionally, there exists concern for the protection and prevention of erosion of Wood Hill and other hills to the north of the City. These areas require special attention by the City and any potential developers, to make the protection of the environment an important objective. (See Exhibit 4, Environmentally Sensitive Areas Map)



Price River

Hillsides

Development on hillside areas is to be restricted with regard to grading, slope, rock fall, natural vegetation, drainage, and the provision of city services. Hillside development regulations and special conditions of approval that mitigate the potential for development problems should be required of development through the permitting process.

Wetlands

Wetlands are widely regarded as a valuable natural resource. The values that wetlands provide include water filtration / purification, the absorption and breakdown of toxins, the recharging of groundwater, flood control, habitat for wildlife, recreation and education, and aesthetics. It is the objective of the Price City to preserve wetland areas where possible. In some cases, however, the best course of action might be to consider development which will, relocate, improve and enhance disturbed wetlands.

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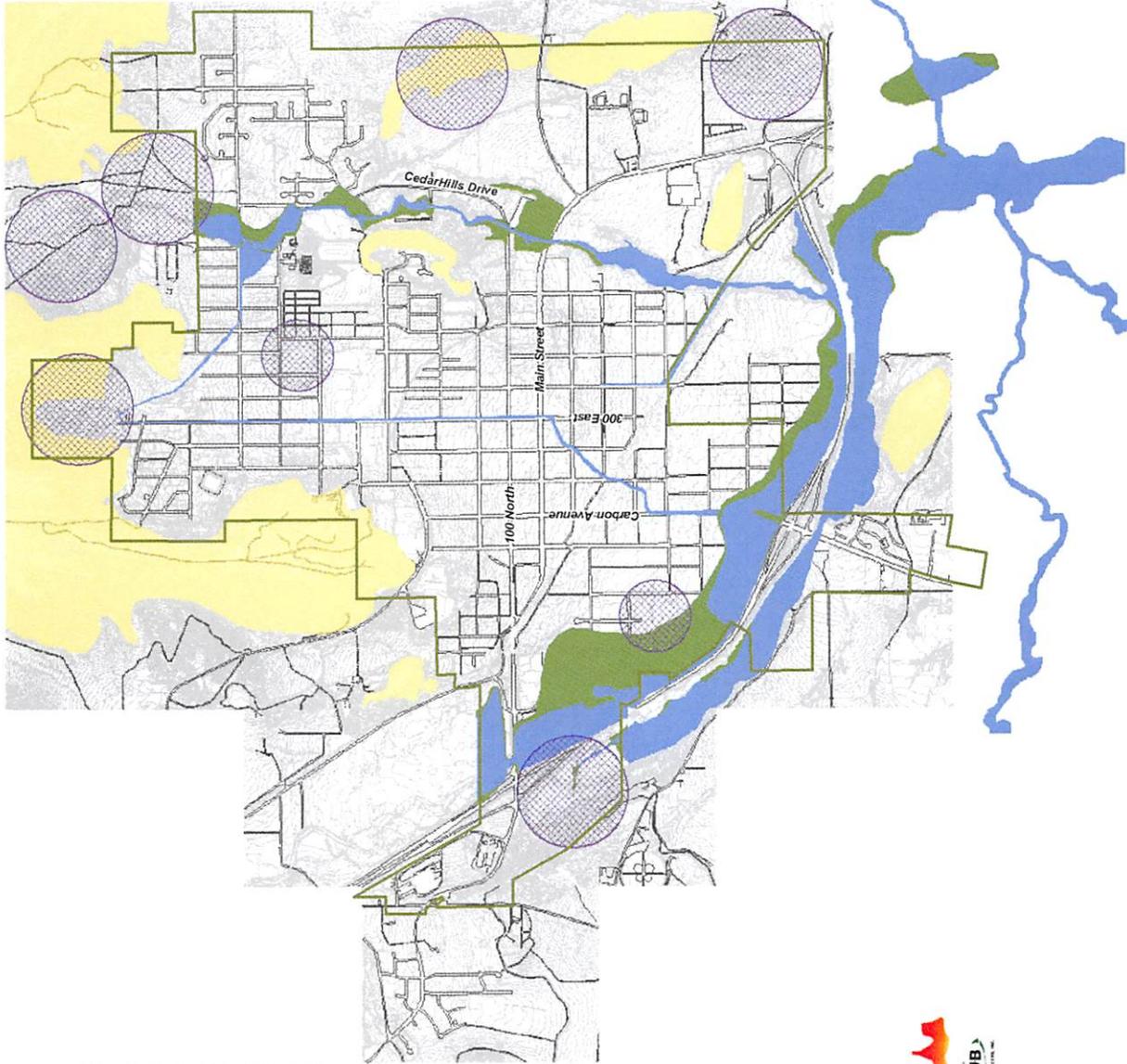


Protection of the environment throughout the City also requires continued attention to preserving and improving air quality, water quality, and the ongoing planting of trees.

EXHIBIT 3. ENVIRONMENTALLY SENSITIVE AREAS MAP

(Insert 11x17 map here)

PRICE CITY
ENVIRONMENTALLY SENSITIVE
AREAS MAP
EXHIBIT 4



Legend

-  Open Space Preservation Area
-  100 Year Flood Area
-  500 Year Flood Area
-  Hillside Protection Area



0 1,875 3,750 Feet

1 Inch = 1875 Feet

Updated: December, 2012





Open Space Preservation

Open spaces are considered to be the open environment between developed structures. It may include yards, fields, trails, parks, etc. that provide access for residents to sunlight, fresh air, etc. in an unobstructed manner. It may include landscaping, trees, shrubbery, xeriscape, etc. Open space preservation is recognized as an important land use and function of Price City. Open spaces should be required within all new developments. Several areas within the city are targeted for open space preservation, including the banks and adjoining land along Price River, Meads Wash, and Price Canal, as well as areas along Wood Hill. These areas may include open space parks and the development of recreational trails. Additionally, several areas which fall within designated potential annexation areas include lands which are best suited to be maintained for open space and recreational purposes.

Private property owners of undeveloped land, who do not desire to develop their properties, are encouraged to preserve open space through conservation easements, agriculture protection areas, or other open space preservation methods.

The following areas have been identified as important to the preservation of open spaces (see Exhibit 3, Environmentally Sensitive Areas Map):

1. Southwest of Highway 6 and 100 North / Westwood
2. North of Creekview Elementary
3. Smith Annexation area
4. USU-E campus
5. R1-43 zoned areas north of town
6. East of new connection of Homestead Boulevard between Sagewood and Airport Road
7. Southwest of Fausett Lane and 1750 East

2.7. ANNEXATION PLANS

Annexation is a process by which the boundaries are extended to incorporate additional lands into the City. Residents of a newly annexed area become citizens of the City and share in the benefits and responsibilities of that citizenship.

Unincorporated areas within ½ mile of Price City's current boundaries at any given time have been identified for possible future annexation and their potential land use designations are shown on the Price City Land Use Map (Exhibit 3). The application of the recommended land uses for those properties which seek annexation will allow for well-planned and cohesive growth. The identification of potential annexation lands and annexation policies are outlined in the Price Municipal Corporation Annexation Policy Plan, attached and incorporated into this plan as Appendix A.

PRICE CITY GENERAL PLAN

CHAPTER 2 Land Use



2.8. IMPLEMENTATION

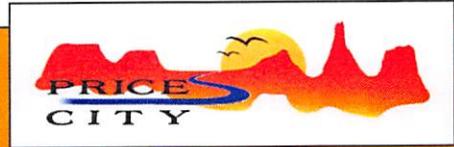
The zoning and subdivision ordinances, as found in the Price City Land Use Management and Development Code, shall carry out the land use element. Other sections of the City Code, however, may also carry out parts of this element.

CHAPTER 2 - LAND USE GOALS

Goals	Strategies	Actions	Timing	Agency
1. Promote an attractive, stable, and economically sustainable environment throughout the city.	A. Sustain development standards that ensure attractive, stable non-residential uses.	i. Review and update the land development code including zoning classifications and development standards for all non-residential uses, and consolidate and streamline language in the code.	0-3 years	City Council, Planning Commission, Building and Zoning, Community Director
		ii. Review and clarify landscaping requirements and standards including maintenance of all approved landscaping components.	0-3 years	City Council, Planning Commission, Building and Zoning
		iii. Encourage water conservation landscaping and low maintenance.	Ongoing	City Council, Planning Commission, Building and Zoning
		iv. Encourage and support policies and programs the encourage reduction of electrical peak demand	Ongoing	Electric Department, City Council
	B. Establish an environment which is friendly to new industries that diversify the economic base, use local labor, and are sensitive to environmental concerns.	i. Maintain comprehensive and streamlined permitting processes for new site plans.	Ongoing	Building and Zoning
	C. Develop a new business and industrial park in Price, which may possibly be owned by the City.	i. Take advantage of all highway off-ramp locations including beautification and business promotion efforts	0-10 years	City Council, Community Director
		ii. Encourage and facilitate the development of a Price City business and industrial park.	0-2 years	City Council, Planning Commission, Community Director
		iii. Oversee the development and promotion of the business park.	0-10 years	City Council, Community Director

PRICE CITY GENERAL PLAN

CHAPTER 2 Land Use

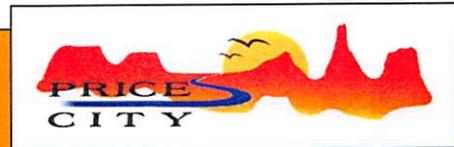


CHAPTER 2 - LAND USE GOALS

Goals	Strategies	Actions	Timing	Agency	
1. (cont.) Promote an attractive, stable, and economically sustainable environment throughout the city.	D. Foster regional shopping in areas near Highway 6 and major city corridors.	i. Maintain existing regional shopping areas on major corridors.	Ongoing	City Council, Community Director	
	E. Encourage existing commercial uses to improve and maintain buildings and landscaping.	i. Continue and improve pro-active zoning enforcement.	Ongoing	Building and Zoning	
	F. Update zoning designations to plan for future community needs.		i. Extend the PF zone to Cedar Hills Drive and the new USU-E research park.	0-2 years	City Council, Planning Commission
			ii. Consider Rezone M-D zoned areas in the central area of town adjacent to the railroad tracks to C1 to match that of adjoining zones.	0-2 years	City Council, Planning Commission
			iii. Rezone an area north of 900 North and east of Meads Wash to allow for multi-family housing.	0-2 years	City Council, Planning Commission
			iv. Review and consider options for adopting new zoning, including form-based, performance based, mixed use and transitional.	0-2 years	City Council, Planning Commission
			v. Consider ½ acre lots in areas of the city as an option in low or rural density zones	0-2 Years	Planning Commission, City Council
2. Encourage attractive, stable, and safe residential neighborhoods.	A. Encourage desirable and compatible mixtures of residential densities throughout the city.	i. Maintain the nature of established single-family residential areas, while providing for a mix of multi-family uses in various locations in the city.	Ongoing	City Council, Community Director	
		ii. Explore the potential use of a mixed-use zone and an Historic Overlay Zone including form-based zoning authorizations.	0-2 years	City Council, Planning Commission, Community Director	
	B. Require good traffic circulation patterns from residential to collector streets in all new residential subdivisions.	i. Review and update development standards for all applicable street widths and street designs including traffic calming devices for neighborhood streets.	0-1 year	City Council, Public Works, Community Director	

PRICE CITY GENERAL PLAN

CHAPTER 2 Land Use

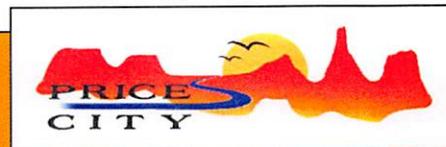


CHAPTER 2 - LAND USE GOALS

Goals	Strategies	Actions	Timing	Agency	
		ii. Encourage the development of through streets, ensuring the even distribution of traffic including N,S,E,W street grid patterns when possible.	Ongoing	City Council, Public Works	
		iii. Discourage cookie-cutter and single access developments.	Ongoing	City Council, Public Works	
	C. Encourage neighborhood stability and beautification through maintenance of properties.	i. Promote property maintenance through proactive zoning enforcement.	Ongoing	City Council, Building and Zoning, Community Director	
		ii. Encourage participation in volunteer beautification programs.	Ongoing	City Council, Building and Zoning, Community Director	
		iii. Recognize properties and property owners with well-maintained properties regularly	Ongoing	Beautification Committee	
		iv. Utilize property maintenance policies compatible with zoning enforcement.	Ongoing	City Council, Building and Zoning, Community Director	
		v. Consider the possibility of adoption of the Good Landlord Program per Utah Statute, Title 10, Ch 1. Sec 203.5.	0-3 Years	Planning Commission, City Council	
	3. Preserve open spaces in the built environment and other areas around the city through land use planning.	A. Establish regulations which results in open space preservation in new developments.	i. Adopt an ordinance which establishes the use and parameters of open space, including clustering and other open space preservation methods, and develops criteria for open space and define what it is.	0-2 years	City Council, Planning Commission, Building and Zoning, Community Director
		B. Encourage private property owners to preserve open space.	i. Explore methods such as a transfer of development rights (TDR) program for possible adoption.	0-5 years	City Council, Building and Zoning, Community Director

PRICE CITY GENERAL PLAN

CHAPTER 2 Land Use

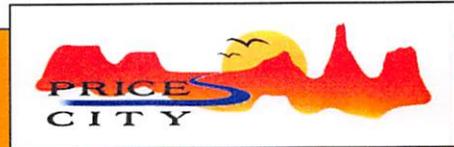


CHAPTER 2 - LAND USE GOALS

Goals	Strategies	Actions	Timing	Agency
		ii. Schedule and invite the public to seminars with public and private lands trust agencies.	Ongoing	Building and Zoning, Community Director
		iii. Consider conservation easements.	Ongoing	City Council, Building and Zoning, Community Director
	C. Support open space preservation efforts along Price River, Meads Wash, Price Canal and on Wood Hill, as well as other parcels for parks and trails throughout the city.	i. Adopt an ordinance regulating the preservation of environmentally sensitive areas.	0-2 years	City Council, Planning Commission, Community Director
		ii. Devise a plan and priorities for acquiring and/or keeping parcels planned for parks and opens spaces.	0-5 years	City Council, Community Director, Public Works
		iii. Develop a parkway and trail system along the Price River and Meads Wash.	0-5 years	City Council, Community Director, Public Works
		iv. Plan an open space preserve on all areas to the north of current boundaries, when annexed.	0-10 years	City Council, Community Director, Public Works
		v. Encourage and enforce the allocation of open space for planned neighborhood parks, recreation trails or other open spaces where possible.	Ongoing	City Council, Planning Commission, Community Director, Public Works
		vi. Work with Carbon County to establish connectivity of parks and trails systems.	Ongoing	City Council, Planning Commission, Community Director, Public Works
		vii. Establish an open space corridor on each side of the river, wash and canal.	0-2 years	City Council, Building and Zoning, Community Director

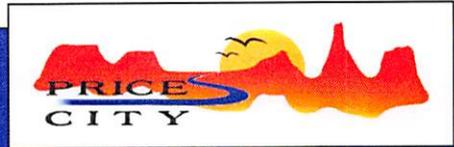
PRICE CITY GENERAL PLAN

CHAPTER 2 Land Use



CHAPTER 2 - LAND USE GOALS

Goals	Strategies	Actions	Timing	Agency
		viii. Develop a plan and ordinance to limit hillside development, and publish the plan.	0-2 years	City Council, Building and Zoning, Community Director



 **KEY POINTS**

- Downtown and Business Corridors
- Streetscape Improvements
- Historic Preservation
- Outdoor Public Art
- Urban Design Goals

3.1. INTRODUCTION

Good urban design can improve the visual and functional relationship between people and their physical environment. It can create a desirable physical form for community needs and services. Because urban design overlaps other aspects of planning such as recreation, open space, transportation, and commercial and residential land uses, this chapter will focus on objectives towards the visual design and image of the community.

3.2. DOWNTOWN AND BUSINESS CORRIDORS

The character and success of a community is often defined by the urban design and economic vitality of the downtown area and the business corridors. In Price, the downtown area is generally seen as those blocks immediately adjoining Main Street between Heritage Park (400 West) and 300 East street. Within this area are many opportunities for urban design and community improvement, including the refurbishing / restoration of building facades, and the installation of streetscape elements.



Aerial View of Downtown Price



3.3. STREETScape IMPROVEMENTS

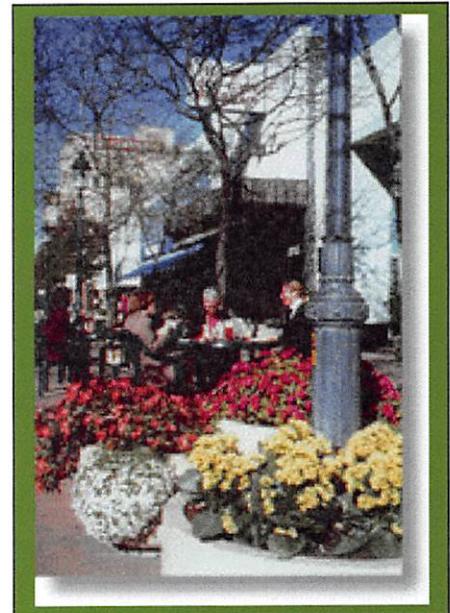
Effectively designed and constructed streetscapes on Price's streets will do much to improve their look, feel and effectiveness, and thereby have many positive impacts on the economy and quality of life in Price.

What is a streetscape? It can be defined as a facelift, a beautification or softening of a city street. It is a development project which invites pedestrian traffic by adding human elements to the harsh environment of a street designed mostly for the fast flow of vehicles. It provides physical and designable characteristics that provide the setting for successful urban living. Streetscape designs are intended to make the community's main street, or other streets, a great street. A street people want to use. A street which helps define the community.

Several options exist for designing streetscapes on Price's main corridors, which include various combinations of streetscape elements. Streetscape elements can be divided into two categories:

- 1) landscaping and surfaces, including trees, plants, grass, ground cover, rocks, sidewalks, and special surfaces
- 2) street furniture and features, including benches, planter boxes, decorative garbage containers, drinking fountains, outdoor clocks, bollards, themed signage, monuments, statues, public art, design lighting standards, banners, and special architectural features.

The Price City motto "*Price, the Heart of Utah's Castle Country*" and a city logo should be visibly applied to those streetscape elements installed.



Successful streetscape projects would maintain the necessary access and traffic flow for commercial needs, while also providing physical characteristics that provide the setting for successful urban family living. Benefits to streetscapes on the busy streets in Price include:

- Vehicular traffic is calmed as the street feels more like a corridor to move *people* and not just vehicles.
- Investment appeal and quality development expand in a spruced-up commercial corridor.
- Business activity increases in areas previously deemed harsh and unsightly.
- Increased pedestrian traffic is encouraged in a comfortable environment with shade trees, benches, and water fountains.
- An increase in property values and community pride.
- A sense of community core and cohesion is enhanced.

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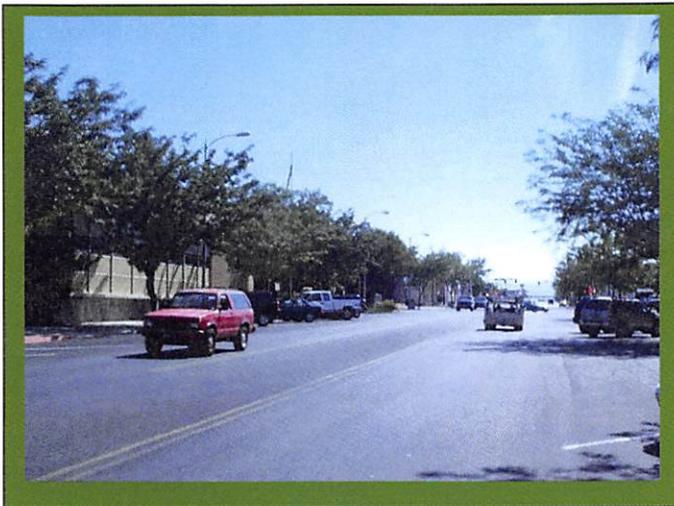
CHAPTER 3 Community Design



Main Street

Main Street is the most important corridor to the community in terms of economics, historic heritage and community core. The downtown section of Main Street, from approximately Heritage Park at 400 West to 300 East Street, carries special significance to the community as its core. Special attention to maintaining and upgrading the appearance and feel of this area is essential to its vitality and effectiveness. This section of Main Street, along with those cross streets heading north and south for at least the distance of one block, should be assigned the highest priority for streetscape improvement projects in Price. Price City should continue to actively pursue the objectives of Main Street programming and activities. Aesthetic and functional improvements to sidewalks, landscaping, lighting, etc. for the "Town Square" and Price City Peace Garden should also be included as part of the streetscape for downtown Price.

The remaining section of Main Street, between 300 East and the U.S. Highway 6 interchange, is also very important to the community, especially as a business corridor. Although the development and design of the built environment varies from that of the downtown area, attention to the quality of appearance of the streets, sidewalks and landscaping can be equally beneficial to the community. Streetscaping can take a different form in this area, but certain elements should tie into the theme of what is used in the downtown section.



Other Main Corridors

Carbon Avenue and 100 North Street should be considered second priority in for streetscape improvements. As a third priority, the following streets should be considered in streetscape improvements: 100 South Street, 300 East Street, 800 North Street, and Cedar Hills Drive. Finally, improvements should be planned on the streets surrounding Washington Park and Utah State University-Eastern. The most important areas for improvements on all streets are near major intersections and freeway entrances.

Entryways

Entryway beautification is a key to creating a great impression for visitors and setting the tone for the beautiful and progressive community that Price is and strives even more to become. Beautification improvement projects at the entryways to the community can include many types of streetscape features, but usually provide the most effective impact with landscaping around highway interchanges and welcoming monuments. Entryway areas in Price for which new and/or additional improvements should be

PRICE CITY GENERAL PLAN

CHAPTER 3 Community Design



considered include the entrances to U.S. Highway 6 at Westwood Boulevard/100 North Street, Carbon Avenue, and East Main Street/State Highway 55.

Urban Forestry

Urban forestry acts to mitigate the potential impact of the built environment. Trees play a significant role in the beautification and urban design of the community. The Price City Shade Tree Commission is charged with promoting good urban forestry in the public right-of-ways. All reasonable efforts should be made to support tree planting on private and public property. Partnerships with Utah State University-Eastern Extension regarding planting and maintenance of the plantings should be considered. The encouragement of the planning of trees in the public right-of-way should be encouraged. Trees types allowed in the public right-of-way include: pearless pear; crabapple, flowering plumb.

3.4. HISTORIC PRESERVATION

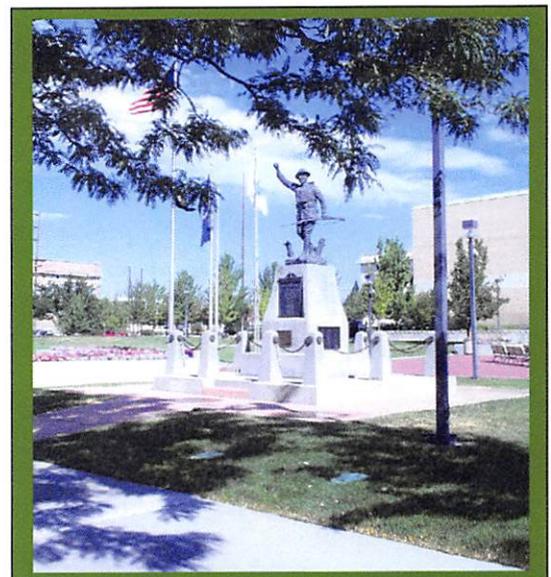
Historic buildings and houses add much to the character of a city. There are many sites in Price that either currently have, or have the potential to be given, an official historic designation. National and State Historic Registers consider a structure to be eligible for listing if that structure is at least 50 years old, has a high degree of physical integrity, meets certain criteria concerning association with historic events, persons, architectural or archeological significance, or construction techniques.

The City's Historical Commission (Certified Local Government) is involved in the cataloguing, preservation and restoration of structures in the downtown area and throughout the city, with the goal to restore older buildings to their original appearance. Also, there are many homes in the community which warrant preservation and possible designation of historic significance. A long-range goal for the City and the Historical Commission is to inventory, preserve and protect these significant structures.

3.5. OUTDOOR PUBLIC ART

Outdoor public art, such as statues, art structures and other design features, can benefit a community in many ways. Well-placed and well-designed public art can:

- Create cohesion in the urban design of a community,
- Provide a sense of community for individual neighborhoods, as well as the community at large,
- Have a positive impact on the image of the community, and



Price City Peace Garden

PRICE CITY GENERAL PLAN

CHAPTER 3 Community Design



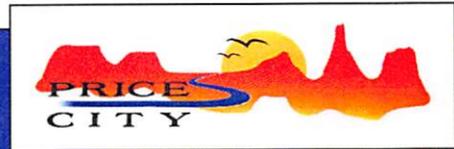
- Assist with community historical preservation efforts.
- Continue to encourage the development and placement of historic and meaningful monuments and remembrances similar to the Miner’s Memorial and disburse them throughout the city.

Public art in Price should be placed, where possible and practical, near commercial centers, along major corridors, in parks, near recreational facilities and at other locations where it can be seen by many people. Local artists are encouraged to participate in the display of public art. Price City should sponsor and organize cultural events specifically targeted at the promotion of visual and performing arts.

CHAPTER 3 - URBAN DESIGN GOALS				
Goals	Strategies	Actions	Timing	Agency
1. Realize a community design and environment that is visually pleasing and unique to Price.	A. Improve the image of Price by placing well-designed entrance signs and landscaping at entryways to the city, and by planning for public art throughout the city.	i. Identify and prioritize entryway areas for beautification projects.	0-1 year	Beautification Committee
		ii. Develop and pursue plans to beautify all community entryways in to Price.	0-10 years	City Council, Planning Commission
		iii. Identify and recommend types and locations for future public art.	0-2 years	Beautification Committee
		iv. Allocate sufficient financial resources for active beautification and improvement efforts.	Ongoing	City Council
	B. Support the Beautification Commission, the Shade Tree Commission and other programs that actively promote beautification efforts throughout the city.	i. Participate in and support community beautification and tree planting projects.	Ongoing	City Council, Community Director, Public Works
		ii. Recommend and maintain annual minimum tree planting standards to be adopted by the City.	0-2 years	Beautification Committee
		iii. Organize community clean up projects with the help of civic organizations.	Ongoing	Community Director, Public Works
	C. Focus increased efforts on the improvement and enforcement of City ordinances that promote an attractive urban environment.	i. Review and update the land development code to include provisions for urban design and landscaping requirements.	0-2 years	City Council, Community Director, Building and Zoning

PRICE CITY GENERAL PLAN

CHAPTER 3 Community Design



CHAPTER 3 - URBAN DESIGN GOALS

Goals	Strategies	Actions	Timing	Agency
		ii. Hire / train a zoning ordinance enforcement officer to reduce confusion with animal officer.	0-5 years	City Council, Public Safety
		iii. Proactively enforce the zoning codes.	Ongoing	Public Safety, Building and Zoning
		iv. Promote efforts throughout the city which establish water-wise landscaping.	Ongoing	City Council, Planning Commission, Community Director
2. Promote Main Street beautification, making it more visually appealing and pedestrian friendly, while also protecting business interests.	A. Create a citizens committee to develop recommendations for Main Street improvements and beautification.	i. Continue to plan for and implement Main Street beautification with specifics on features, upgrades and themes, including decorative lighting, uniform trees, additional flower pots, public art, and regular street sweeping.	0-2 years	City Council, Planning Commission, Community Director
		ii. Adopt design guidelines for developments on Main Street.	0-5 years	City Council, Planning Commission, Community Director
		iii. Consider, evaluate and adopt design standards for buildings, facades, etc. in the downtown area.	0-3 years	Planning Commission, City Council
3. Promote streetscape beautification on other City streets.	A. Devise a plan for the beautification of all main corridors in Price.	i. Develop streetscape projects on all main corridors, in the priority as identified in this chapter.	Immediately	City Council, Planning Commission, Community Director
	B. Address sidewalk maintenance issues throughout the downtown area.	i. Identify and mitigate cracks, separations, etc. in the sidewalks. Enforce property owner participation.	Ongoing	Public Works, Price City Council

PRICE CITY GENERAL PLAN

CHAPTER 3 Community Design



CHAPTER 3 - URBAN DESIGN GOALS

Goals	Strategies	Actions	Timing	Agency
4. Support historic preservation efforts throughout the community.	A. Maintain active efforts to preserve historic properties and projects throughout the community.	i. Develop and follow procedures and eligibility for placement of properties on the National Register.	Ongoing	Historical Commission
		ii. Survey and keep updated an inventory of historic properties.	Ongoing	Historical Commission
		iii. Pursue funding options to make money available, including low interest loans, for community historic projects.	Ongoing	Historical Commission
		iv. Actively use and engage the Price City CLG	Ongoing	Historical Commission
	B. Pursue efforts to renovate properties and storefronts in the downtown area of Main Street.	i. Procure funding and organize renovations. Utilize incentives to encourage use of existing Price City loan and rebate programs.	Ongoing	City Council, Historical Commission
		ii. Promote the restoration of original architecture rather than resurfacing of older storefront facades. Remove old, unused signage, but preserve those that are iconic and historically significant.	Ongoing	City Council, Historical Commission

PRICE CITY GENERAL PLAN

CHAPTER 4 Economics



KEY POINTS

- Downtown revitalization efforts
- Economic development pursuits
- Tourism promotion
- Community Image
- Economic Goals

4.1. INTRODUCTION

Price City is interested to pursue and maintain a healthy and attainable level of economic growth. Such growth is a means of providing a balanced, healthy economy in Price. It is a means of expanding the tax base for better homes, better schools and better public services. It is a means of providing more employment opportunities and keeping graduating students at home in the community.

Promoting and seeking economic diversity has been identified as the highest priority of community goals in the recent General Plan update process, which involved city officials and community stakeholders. Below is a list of the important economic focus issues that Price City should pursue:

Economic Focus Issues (listed by priority):

1. Promote and seek economic diversity
2. Cooperate with BEAR and USU-E for expansion and retention of businesses
3. Promote the positives of fossil fuels
4. Develop and use good marketing tools
5. Provide equal attraction and opportunity for new businesses
6. Promote renewable energy
7. Promote import and export enterprises
8. Establish good housing and workforce goals
9. Promote a "Buy Local" campaign for retail and services

The City also recognizes the importance of establishing and maintaining an appropriate level of community sustainability. While total sustainability is not possible, any reduction in the percentage of imported goods and services strengthens the community's ability to survive both economically and environmentally. The export of

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native goods and services to nearby communities, if it does not denigrate the quality of life and impact the natural environment, will also provide long-term benefits to Price City. Those benefits will be in terms of business opportunities, stable employment and increased economic well-being.

Price acts as a regional center for commercial needs and services in Carbon County and surrounding areas. Building upon existing opportunities and services becomes important as Price continues to fill this important role in the region.

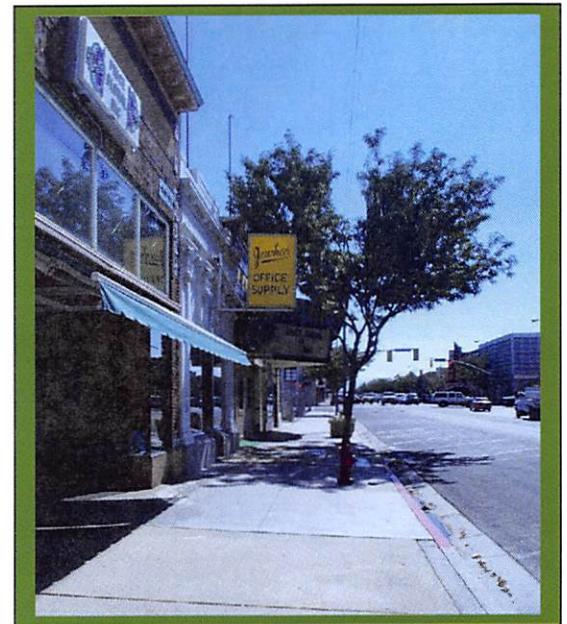
4.2. DOWNTOWN REVITALIZATION

The revitalization of the core of the community is one of the paramount economic activities of the City. Downtown Price is currently a functioning and valuable economic area of the city, although it is generally recognized as needing greater support and improvement through investment into buildings and property. The downtown area brings together the convergence of the three most important business corridors in Price, which are Main Street, 100 North Street, and Carbon Avenue. Each of these corridors connect to U.S. Highway 6, providing the backbone for business opportunities and the economic success of the community.

Recognizing the importance for a vital and effective downtown, revitalization efforts through redevelopment and other programs are being shaped by the City and the business community. Several concepts have been recently introduced which will serve to make downtown Price more viable. They include:

- Streetscape improvements (see page 20)
- Historic preservation (see page 21)
- Special events held in the downtown area
- The attraction of additional retail and commercial services
- Potential expansion of the USU-E Prehistoric Museum
- Revised historic district parking scheme with possible center lane parking or shared parking agreements among owners of parking locations.

The downtown area is no longer included in a redevelopment area of the Price City Economic Development and Urban Renewal Agency (EDURA). Funding for improvements and business assistance in downtown was formerly administered through the City for several years. It is recommended that tax increment be considered within the existing project area as individual projects may occur.



Price Main Street



Holding special events, such as farmers markets, art festivals and other street fairs can be an effective method to draw more attention and business to the downtown area. Combining the efforts of the City with that of downtown business owners, the Carbon County Chamber of Commerce as well as local resident volunteers and other public agencies can create successful special event ventures.

With the help of economic and planning consultants, the City has identified several unmet commercial and retail demands and community needs that can and should be met downtown. These include:

- Additional retail anchors
- Restaurants - for lunchtime as well as nighttime dining
- Apparel stores- including specialty clothing and shoes
- Specialty shops such as sporting goods, nurseries/ garden supplies, sewing, hobbies, crafts, stationery, and books
- Entertainment - such as bowling, theaters, live music.
- Parking
- Housing - such as mixed use developments

This data is further supported by the results obtained through the comprehensive business visitation program, the Castle Country Business Expansion and Retention (BEAR) program. Price City should continue to actively support and utilize the BEAR program for the economic benefit to the community that may be created or enhanced.

4.3. ECONOMIC DEVELOPMENT

Historically, the economy of Price and surrounding areas has had a strong relationship with the development and production of energy resources, such as coal mining. As energy uses and needs change, and new resources are utilized, reliance on the economy of energy production can create difficulties for the community. Diversity into the various fields of business and manufacturing are the growing trend for successful economic pursuits in Price.

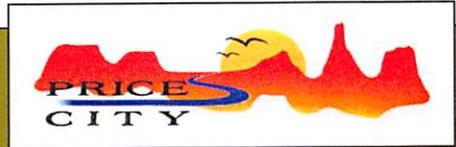
It is the City's intent to achieve the most desirable results in economic development pursuits. The economic development plan should be followed and updated as needed by the City in order to achieve the results desired by the community. The economic development plan should work in concert with the goals and efforts of other regional economic development goals and efforts.

The economic development plan should continue to focus on:

- Encouraging the attraction and development of business and industry that offer Price new jobs and diversified economic vitality,
- Continuing and improving upon assistance programs and funding for the retention and development existing businesses,

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- Promoting tourism to Price and regional attractions, and
- Improving the image of the community as a great place to live, work and play.
- Increasing the positive economic impact of Utah State University-Eastern.

A second City motto, intended for use in economic development pursuits, is:

"Price City, A Place of Value"

City economic development marketing materials and promotional programs should focus on the use of this motto in practice and theory to showcase the city and its economic development opportunities.

An effective tool for assisting new business ventures and the expansion of existing businesses is found in the Price City Economic Vitality Fund, administered by the City. Providing loans of up to \$10,000, the City's program emphasizes the need for loan recipients to improve local property values, generate employment and increase local economic activity. This program should be continued and strengthened when possible. Additionally, the City should continue to actively promote its Economic Activity Security Price City (EASY) program in which tangible business property investments may be partially reimbursed and incentivized.

4.4. TOURISM

Continued development of tourism to Price and regional attractions is another opportunity to positively impact the local economy. Working in association with the Carbon County Office of Tourism and regional agencies, the City can actively assist the promotion of tourism. To do this effectively, marketing strategies need to be defined, and the necessary resources need to be dedicated. Efforts should be increased toward promoting Price, with its plethora of nearby attractions and recreation opportunities, as a destination for travelers and outdoor sports enthusiasts.

Unique characteristics of the community and the surrounding areas need to be identified and emphasized. Continued and increased emphasis should occur in promoting and building upon existing special amenities and themes, such as the Prehistoric Museum and native peoples.

4.5. COMMUNITY IMAGE

Related to the promotion of tourism and economic development are efforts to improve the overall image of the community. Promotion should focus on the community as a great place to live, work and play, which offers opportunities and services in all areas of life. Strong quality of life factors existing in Price should be emphasized, such as the availability of recreation and outdoor adventures, strong educational resources, the

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fairgrounds and special events, the USU-E Prehistoric Museum, high quality medical facilities, a lower cost of living than in major metropolitan areas, and a safe atmosphere.

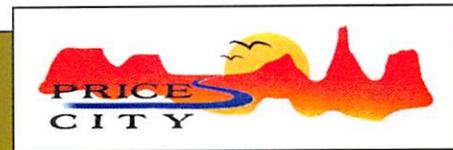
Beautification efforts in downtown, along main corridors and at community entryways, as described in Chapter 3, will have significant impact on improving the community image. Improved community image can have positive long-term economic benefits on the city. New residents, including both work force and retirement-aged people will be attracted to consider making Price their home. More travelers will look to Price as a nice, fun destination rather than a place they bypass. More businesses will look to Price as an attractive community in which to do business.

CHAPTER 4 - ECONOMIC GOALS

Goals	Strategies	Actions	Timing	Agency
1. Support the long term viability of the coal industry, while also diversifying and strengthening other economic drivers.	A. Increase Price's status as a regional center for retail, office, industrial, governmental, and service uses.	i. Establish a City economic development advisory committee to work with county regional and state agencies.	0-5 years	City Council, Community Director
		ii. Establish, review and follow up on Price City Strategic Economic Development Goals, to include promoting the positives of fossil fuels, renewable energy, and import and export enterprises.	0-4 years	City Council, Community Director
		iii. Continue to encourage regional retailers to locate in existing business corridors in Price.	Ongoing	City Council, Community Director
		iv. Encourage the development of all Highway 6 off-ramps to maximum capacity	Ongoing	City Council, Community Director
		v. Develop and promote a "Buy Local" campaign for retail and services.	0-2 years	Community Director, Chamber of Commerce
		vi. Develop a Price City Economic Development Committee and hold regular meetings to further economic development projects and initiatives within Price City	1 year then ongoing	Community Director, City Council

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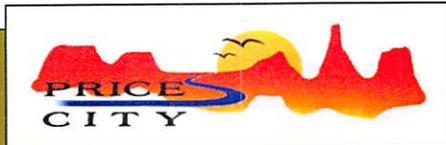


CHAPTER 4 - ECONOMIC GOALS

Goals	Strategies	Actions	Timing	Agency
1. (cont.) Support the long term viability of the coal industry, while also diversifying and strengthening other economic drivers.	B. Encourage the attraction, retention, and development of business and industry that gives Price economic vitality.	i. Continue to strengthen and expand the effective use of the Economic Vitality Fund.	Ongoing	City Council, Community Director
		ii. Make business retention a priority by making regular visits to Price businesses.	Ongoing	City Council, Community Director
		iii. Continue to operate a formal community-wide Business Retention and Expansion (BRE) program.	Ongoing	City Council, Community Director
		iv. Promote new business that brings capital from outside the region into Price's economy, such as e-commerce, online business, manufacturing that markets to national and international consumers.	Ongoing	City Council, Community Director
	C. Establish business, arts and industrial services incubator programs.	i. Actively work with the BTAC to increase community incubation capacity.	0-3 years	City Council, Community Director, Main Street Coordinator
		ii. Work closely with the USU-E regional development program.	Ongoing	City Council, Community Director, Main Street Coordinator
	D. Promote entrepreneurial education in the community.	i. Promote K-12+ entrepreneurial education programming.	0-7 years	City Council, Community Director
		ii. Support community based entrepreneurial education programming such as SBDC, BTAC, UACP, etc.	0-2 years	City Council, Community Director, Main Street Coordinator
2. Encourage the revitalization of the downtown area and main business corridors.	A. Establish specific goals for economically revitalizing the downtown area.	i. Create and pursue plans for attracting new retail and dining and other businesses in the downtown area.	0-5 years	City Council, Community Director, Main Street Program

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CHAPTER 4 - ECONOMIC GOALS

Goals	Strategies	Actions	Timing	Agency
		ii. Develop plans for holding more special events in the downtown area, involving the business community.	0-5 years	City Council, Community Director, Chamber of Commerce, Main Street Program
		iii. Re-establish the downtown redevelopment agency as soon as possible.	0-2 years	City Council, Community Director
		iv. Potentially use a mixed use zoning approach or overlay district to encourage downtown customer visitation	0-2 Years	Planning Commission, City Council
	B. Establish goals for revitalizing Carbon Avenue, First North, Airport Road and Fairgrounds Road.	i. Add south Carbon Avenue as a new RDA area.	0-5 years	City Council, Community Director
		ii. Create and pursue plans for attracting new business opportunities on Carbon Avenue, First North, Airport Road and Fairgrounds Road.	0-5 years	City Council, Community Director
3. Increase travel and tourism to Price and the area.	A. Work in association with the Carbon County Office of Tourism and regional agencies.	i. Meet with regional travel agencies on a regular basis.	Ongoing	City Council, Community Director
		ii. Develop and define tourism marketing strategies in which the City can participate.	0-5 years	City Council, Community Director
		iii. Dedicate as much as possible the necessary resources, financial and otherwise, to meet the objectives of the tourism marketing strategies.	Ongoing	City Council
4. Enhance the image of the community.	A. Develop a plan for media promotions, marketing strategies and community improvement activities.	i. Re-establish a citizens advisory team (CAT) for community improvement to review the issues and make recommendations for strategies and projects.	0-5 years	City Council

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CHAPTER 4 - ECONOMIC GOALS

Goals	Strategies	Actions	Timing	Agency
		ii. Promote the strong quality of life factors existing in Price, with a focus on the community as a great place to live, work and play, offering opportunities and services in all areas of life.	Ongoing	City Council, Community Director, all departments
		iii. Encourage beautification projects to be developed throughout the community including highway Entryways (see also Chapter 3 goals).	Ongoing	City Council, Planning Commission, Community Director
		iv. Develop, promote and fund an image improvement marketing campaign.	0-5 years	City Council, Community Director



KEY POINTS

- Transportation Master Plan
- Public Transit Issues
- Price City Streets Map
- Alternative Modes
- Transportation Goals

5.1. INTRODUCTION

The effectiveness and functionality of the transportation system and how it services population growth has significant impact on the community. The City plans to develop and maintain a system that is efficient and compliments the quality of life in Price.

5.2. TRANSPORTATION MASTER PLAN

It is the intent of the City to continue to utilize the Price City Transportation Master Plan developed in conjunction with the Utah Department of Transportation. Planning and providing for safe and efficient transportation is the chief objective of the plan. The Master Plan is a vital appendix to this chapter (See Appendix C).

A transportation master plan includes planning for the flow of traffic on and the use of city streets. In the streets component of a transportation plan, policies are established which foster a safe and effective street system, classify streets according to their intended function, establish street design requirements, and identify areas where street improvements are needed. Exhibit 5, below, shows the existing and intended use of Price City streets by classification.

Goals for improving and developing necessary transportation infrastructure are outlined in a master plan. The following transportation focus issues relating to streets and vehicular traffic are included in the goals of the Price City plan:

Street Improvement Focus Issues

1. Highway improvement, including increased efforts to potentially make U.S. Highway 6 into an interstate freeway.
2. Install street improvements throughout the community, including:

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- a. Install / replace sidewalks where needed
- b. New pavement and improvements on residential streets
- c. Install more residential street lights
3. Develop an east side plan for better connectivity, including the construction of new street connections, including:
 - a. Meads Wash road, between Main Street and Cedar Hills Drive (with light)
 - b. 400 North to Cedar Hills Drive
 - c. Extend 300 North to new Research Park road
 - d. Extend 200 South to Airport Road
 - e. Extend 400 South to Main Street
 - f. Connect 200 South to 400 South at about 900 East
 - g. New 1900 East between 800 North and Airport Road
 - h. Repair the Fairgrounds Road at Westwood Blvd. Intersection for safety
 - i. Create separate connection of Fairgrounds Road and Westwood Blvd, and another separate connection of Hospital Drive to Westwood Blvd
(See Exhibit 5, Streets Master Plan Map)

Additionally, open space areas around the City should be reviewed to determine needs for possible access and improved traffic flow.

5.3. PUBLIC TRANSIT

Planning for mass transit systems and/or transit assistance programs, such as bus, rail and air traffic systems, is another important component to be included in the Price City Transportation Master Plan. This area of transportation has much potential for further development in Price, and the surrounding area served commercially by Price City.

As a community grows and improves, greater emphasis and desire is placed on the development of public transit systems. Focus issues needing further development in relation to public transit systems in Price include:

- Developing a public transit system between Helper, Price and Wellington,
- Placing more emphasis on the development and use of the airport,
- Developing a bus station in Price, and
- Developing a train station in Price.
- Public transit from Price to Wasatch Front transit connection point.

5.4. ALTERNATIVE MODES

Alternative modes of transportation are strongly encouraged in Price. Promoting diversity in types of transportation was identified as an important issue in the recent plan update process.

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A system of bicycle routes and pedestrian pathways is planned throughout the City to allow for easy access and connection to most areas of the City. Focus issues include:

1. Create and paint stripe a bike lane on a roadway loop, starting at Main Street and 300 East, heading north to 800 North, then east to Cedar Hills Drive, then south to 100 North, and west to 300 East.
2. Identify additional future bicycle routes throughout the city.
3. Identify routing for an ATV trails plan, with connections into town from the north end to the south end.



For more information, see Chapter 7, Parks and Recreation, and Exhibit 6, Parks, Recreation and Trails Map.

PRICE CITY GENERAL PLAN CHAPTER 5 Transportation

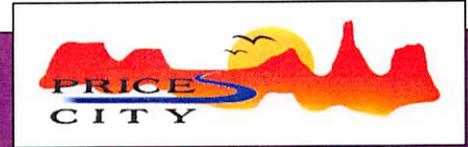
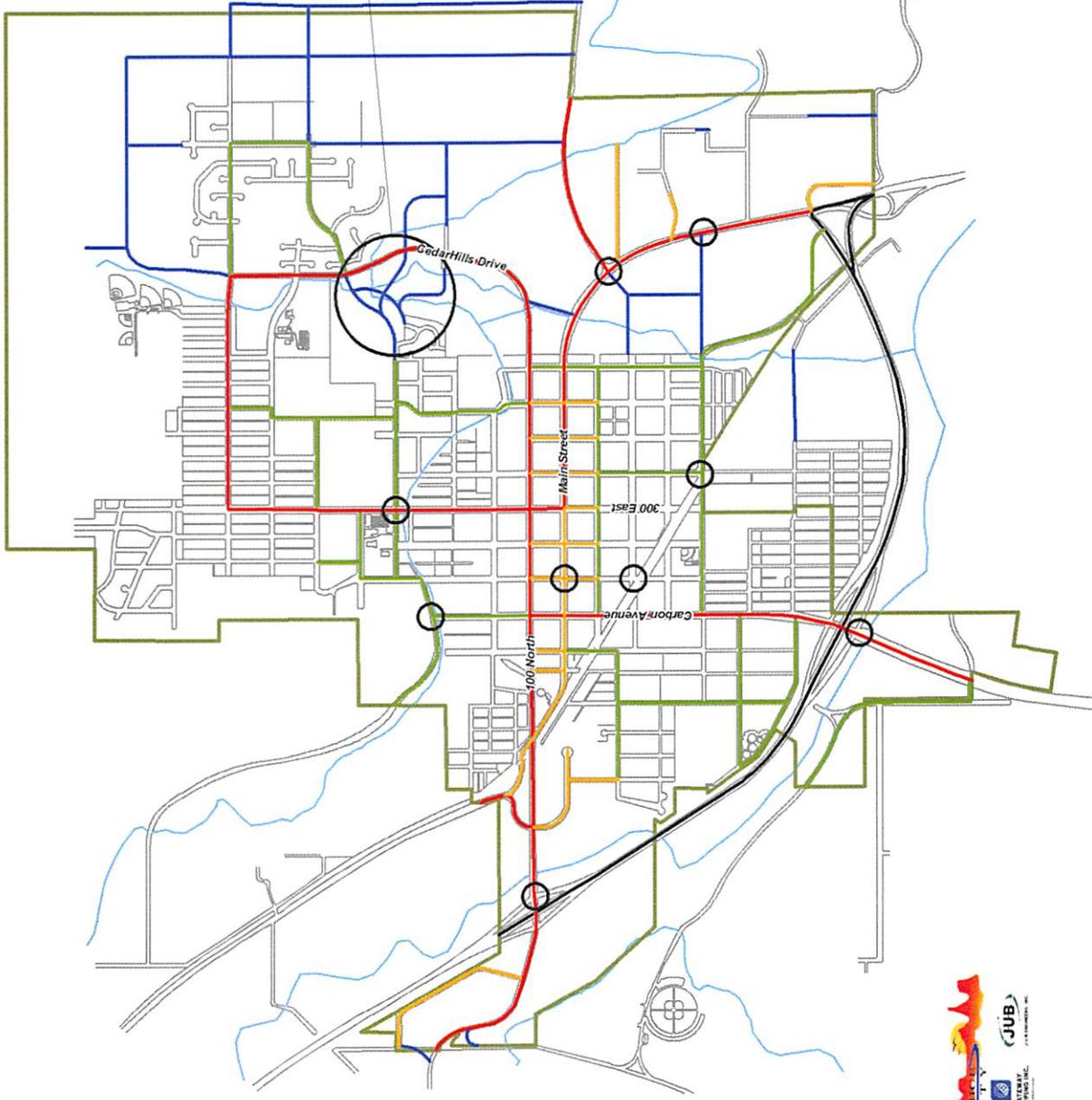


EXHIBIT 5. STREETS MASTER PLAN MAP

(Insert 11x17 map here)

PRICE CITY
STREETS CLASSIFICATION MAP
EXHIBIT 5



Possible options for future street connections.

Legend

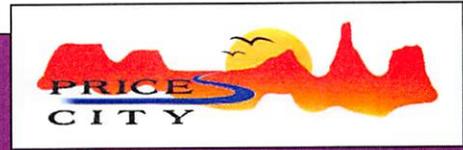
- Business Corridors
- Collector Arterials
- Collectors
- Highway
- Future Streets
- Local Streets
- Potential Semaphored or Controlled Intersections



Updated: January, 2013

PRICE CITY GENERAL PLAN

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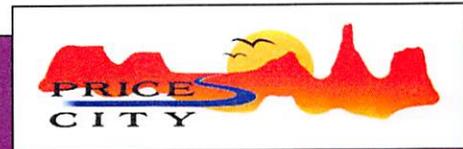


CHAPTER 5 - TRANSPORTATION GOALS

Goals	Strategies	Actions	Timing	Agency
1. Promote a balanced transportation system that serves the diverse needs of the community.	A. Encourage and assist efforts to cause Highway 6 to become an interstate freeway.	i. Meet with state and federal agency representatives on strategic methods to meet this objective.	Ongoing	City Council, Public Works Director
		ii. Dedicate necessary resources, where possible, to meet this objective.	Ongoing	City Council
	B. Plan for and fund street improvements for non-conforming streets.	i. Install full street improvements and street lights where needed.	0-10 years	City Council, Public Works
	C. Prepare and prioritize plans for new roadway connections in the community.	i. Construct 1900 East to connect to Airport Road.	0-5 years	Public Works
		ii. Plan the construction of other city road connections (see page 5-2).	Ongoing	Public Works
		iii. Review opens space areas for possible needs for additional roadway connections.	Ongoing	Public Works
	D. Promote increased use of the airport.	i. Develop an airport promotional plan in conjunction with Carbon County Economic Development, and state and federal aviation agencies.	0-2 years	City Council, Community Director, Public Works
		ii. Promote the airport as "Eastern Utah Regional Airport".	Ongoing	City Council, Community Director, Public Works
		iii. Add signage to promote access to the airport	0-5 years	Public Works
	2. Encourage and promote opportunities for alternative modes of transportation which are safe, convenient, and environmentally sensitive.	A. Develop a recreational trails system linking the parks and various areas of town, including trails for cyclists, pedestrians, equestrians and OHVs.	i. Continue to implement a detailed Trails System Master Plan, planning and identifying priority trail projects, including ATV routes.	0-5 years
ii. Work closely with Carbon County and regional recreational trail organizations.			Ongoing	Community Director, Public Works

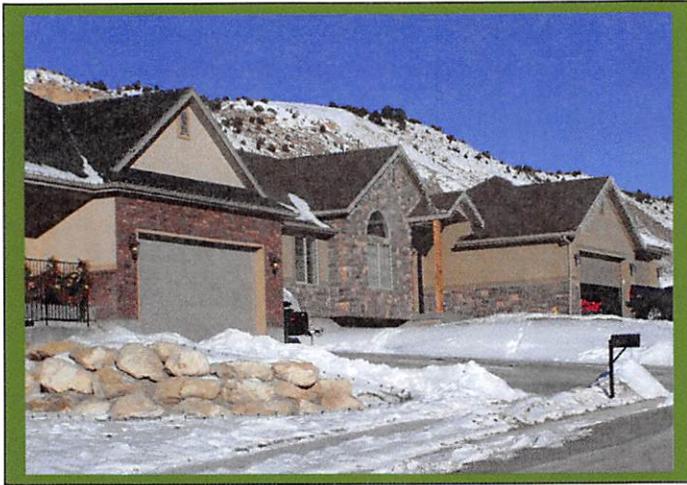
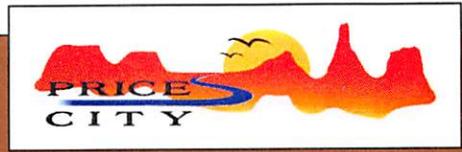
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CHAPTER 5 - TRANSPORTATION GOALS

Goals	Strategies	Actions	Timing	Agency	
2. (cont.) Encourage and promote opportunities for alternative modes of transportation which are safe, convenient, and environmentally sensitive.		iii. Seek available funding for trails development from state, federal and other resources.	Ongoing	Community Director, Public Works	
		iv. Construct trails in areas identified in this plan (See Exhibit) and further planned and/or amended in the Trails System Master Plan.	Ongoing	Public Works	
		v. Work to extend the Price River trail.	Ongoing	Public Works	
	B. Develop a public transit system between Helper, Price and Wellington		i. Meet with state and federal transportation agency representatives on developing a regional bus / transit system.	0-10 years	City Council, Public Works Director
			ii. Dedicate necessary resources, where possible, to meet this objective.	Ongoing	City Council
			iii. Incorporate the Public Services Transit Plan into city goals and plans.	0-5 years	City Council, Public Works Director
	C. Encourage train transportation to take on a greater role in Price.		i. Meet with the relevant railroad companies, state and federal agency representatives on developing a train station in Price.	0-10 years	City Council, Public Works Director
			ii. Dedicate necessary resources, where possible, to meet this objective.	Ongoing	City Council
			iii. Develop a park and ride to encourage transit to Green River, working with UDOT, the County and other agencies.	0-10 years	City Council, Public Works
	3. Prepare, adopt and implement a Transportation Master Plan.	A. Using a public involvement process, prepare a master plan including all aspects of transportation.	i. Create a steering committee including transportation professionals to determine broad category elements to include in the Master Plan.	0-10 years	City Council, Public Works
ii. Maintain and update the Transportation Master Plan.			Ongoing	City Council, Public Works	



KEY POINTS

- Housing density and options
- Moderate income housing
- Quality high-density housing needs
- Infill residential development
- Residential renewal
- Housing Goals

6.1. INTRODUCTION

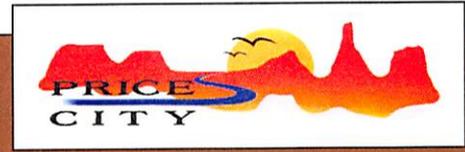
This chapter focuses on the continued and ongoing need for diverse housing opportunities in Price. Although the population has remained relatively stable over recent years, needs and desires for various types of housing have increased. Having a median housing value of \$116,500, per the 2010 Census, the housing market in Price is currently comprised largely of single-family, detached homes. The median monthly mortgage is \$1,071, and the median rent is \$564. Nearly 55% of the homes in Price have been built since 1970.

Addressing the needs for housing, the City has identified several issues, including the need for an improved mix of single and multi-family housing options, more moderate income housing options, infill housing development, and more quality high density housing projects. Price is also experiencing a need for housing options for homeless and transitional residents. Additionally, area residents are wanting condominium style housing as well as larger single family lots with large garage/shop space and RV parking availability.

6.2. HOUSING DENSITY AND OPTIONS

Seventy-five percent of the housing in Price currently falls within a single-family designation. The remaining 25%, representing various types of attached or multi-family housing units, provide most of the affordable housing options in the community. It is the City's desire to preserve existing areas of low density housing, while at the same time allowing for increased medium to high density housing needs, such as student, senior and other high quality attached housing developments.

While the importance of providing affordable housing has increased in recent years, the concept of providing a healthy balance of quality mid-level and higher-end housing is being recognized as an increasingly important goal. A diversification within Price City



neighborhoods, including a mixture of low, moderate and even high-income housing units, is desired.

6.3. MODERATE INCOME HOUSING

Moderate income housing has become an increasingly imperative issue for Price City in recent years. Economic conditions have caused housing costs in Price to increase at rates higher than personal income and wages. Because of this imbalance, many residents have been excluded from adequate housing opportunities.

The State of Utah defines moderate income housing as “housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income of the metropolitan statistical area (MSA) for households of the same size.” In other words, moderate income housing is a function of the particular circumstances and income levels of the community, rather than a type of housing. Price City and the community should strive to provide full availability of income targeted housing to the level of established need in the community in terms of number and type of units.

In an effort to meet the needs for moderate income housing, the promotion of the zoning and use of accessory dwelling units in various areas in the Price community, has been identified as an important objective. Additionally, the City should explore and develop other affordable housing options to provide more housing diversity.

An income target housing plan was originally created in October 2002, with periodic updates thenceforth, describing several policies and establishing goals. The Price Municipal Corporation Community Affordable Housing Plan is designed to assist decision making with housing issues (see Appendix B). This plan should be reviewed and updated at least every other year.

6.4. QUALITY HIGH DENSITY HOUSING

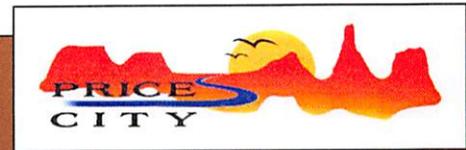
In trying to meet the need for a balanced mix of housing in Price, a key objective is to seek and require development of high quality. High-density residential developments, such as condominiums, town homes, etc., which are not geared toward meeting low or moderate income housing objectives, are currently too few in number. The development of projects which include quality design, landscaping, amenities and good maintenance should be encouraged and sought as new housing demands increase.



Student Housing

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CHAPTER 6 Housing



An important and continuing need for high-density housing is in the realm of student housing. As the student enrollment increases, further needs for providing student housing locations will arise. Areas close in proximity to Utah State University - Eastern are deemed best for additional student housing development. Nearby accommodations reduce car trips, make student life more affordable, and help current single family housing areas maintain their interior integrity.

Senior Citizen Housing

Seniors play an increasingly important role in the community and are a growing faction of the local population. More quality senior housing developments need to be encouraged, which will integrate within the single family low density zones and become an asset to the community. Additional assisted living residential projects are encouraged throughout the community in facilities constructed for that purpose.

6.5. INFILL RESIDENTIAL DEVELOPMENT

As Price continues to grow, residential development is encouraged to take place on the remaining developable lots found throughout the community to take advantage of all in-fill opportunities.

A mix of all types of housing is desired in the community, and new construction, as well as re-construction, is encouraged to take advantage of infill development opportunities.



6.6. RESIDENTIAL RENEWAL

An important focus issue for housing in Price, recently identified in the General Plan update process, is the need for the renewal of existing and aged residential areas. This includes a focus on the restoration of older homes, cleaning up yards and vacant lots, and improving the appearance of trailer courts.

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CHAPTER 6 Housing

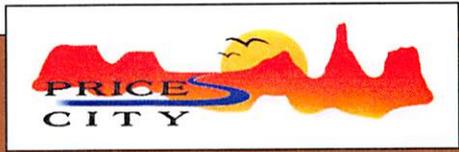


CHAPTER 6 - HOUSING GOALS

Goals	Strategies	Actions	Timing	Agency
1. Provide for an attractive mix of housing types and densities throughout the community.	A. Provide areas for residential development with rural densities that insure compatibility with open spaces and environmentally sensitive areas.	i. Plan and maintain rural density zones near and outside of the current cities boundaries.	Ongoing	City Council, Planning Commission, Building and Zoning
	B. Provide low density residential uses.	i. Encourage quality development in mid-level to high-end housing.	Ongoing	City Council, Planning Commission, Building and Zoning
		ii. Maintain existing low density zones for the development of single lot subdivisions and planned residential developments of single-family detached units.	Ongoing	City Council, Planning Commission, Building and Zoning
	C. Provide medium density residential uses.	i. Encourage diversification within medium density neighborhoods, to include a mixture of low, moderate and high-income housing units.	Ongoing	City Council, Planning Commission, Building and Zoning
			ii. Explore the establishment of mixed-use zone which allow density bonus.	0-5 years
	D. Provide medium to high density mixed-use residential uses.	i. Promote quality high density developments in high density zoned areas.	Ongoing	City Council, Planning Commission, Building and Zoning
2. Provide a reasonable opportunity for moderate income housing.	A. Encourage the use of federal and state programs that help low to moderate income level home buyers purchase or renovate and improve housing units.	i. Make state and federal programs information available to the public.	Ongoing	Community Director
		ii. Develop new or revise active use of existing home renovation programs for all residents	Ongoing	Community Development , City Council

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CHAPTER 6 - HOUSING GOALS

Goals	Strategies	Actions	Timing	Agency
	B. Promote the objectives of the Price Community Affordable Housing Plan (Appendix B).	i. Review the Community Income Targeted Housing Plan annually, and submit annual reports to the State.	Biannual	City Council, Community Director
		ii. Organize and prepare local income targeted housing development.	Ongoing	City Council, Community Director
3. Encourage orderly and beautiful residential areas throughout the city.	A. Increase enforcement of residential zoning ordinance requirements.	i. Maintain and enhance the services of a zoning ordinance enforcement officer to reduce confusion with animal control officer.	Ongoing	City Council, Public Safety, Building and Zoning
		ii. Proactively enforce approved and adopted zoning ordinances and codes.	Ongoing	Public Safety, Building and Zoning
	B. Recognize the beautification efforts of residential property owners.	i. Continue and strengthen programs such as the Yard-of-the Month award, including wise water use recognition.	Ongoing	Beautification Committee
	C. Promote the renewal of older residential areas, restoring older homes and cleaning up yards.	i. Develop a campaign with objectives to promote and assist renewal and cleanup utilizing all community resources, public and private..	Ongoing	City Council, Public Safety, Building and Zoning
4. Encourage the development of housing for senior citizens and students, in locations which both meet the needs of the residents and minimize their impact on the surrounding neighborhoods.	A. Encourage the development of senior housing projects which meet the needs of the community.	i. Promote the integration of quality senior housing developments within the single-family low density zones.	Ongoing	Community Director, Building and Zoning
		ii. Encourage the location of assisted living residential facilities throughout the community constructed for that purpose.	Ongoing	Community Director, Building and Zoning
	B. Encourage development which will meet the needs for student housing near Utah State University - Eastern.	i. Develop and adopt a plan for student housing near Utah State University - Eastern, in cooperation with university officials.	0-5 years	Community Director, Building and Zoning

PRICE CITY GENERAL PLAN

CHAPTER 6 Housing



CHAPTER 6 - HOUSING GOALS

Goals	Strategies	Actions	Timing	Agency
		ii. Promote future student housing development between downtown and the Utah State University - Eastern.	Ongoing	Community Director, Building and Zoning
		iii. Encourage the use of accessory dwelling units.	Ongoing	Community Director, Building and Zoning



KEY POINTS

- Parks and Recreation Master Plan
- Parks and Recreation Facilities
- Recreational Trails System
- Cultural Institutions and Facilities

7.1. INTRODUCTION

Price City recognizes the need to provide accessible parks and recreation facilities and services which enhance the quality of life of the residents. Included in the scope and objectives for parks and recreation in Price are plans for recreational trails, including bicycle, pedestrian and equestrian paths for public use throughout the city. An emphasis is also given to supporting and providing cultural activities and community services that enhance quality and quantity of life.

An objective of Price City is to provide or facilitate the establishment and delivery of comprehensive recreation programs, services, facilities and resources that allow and encourage participation by all residents, whether actually provided by Price City or not.

7.2. PARKS AND RECREATION MASTER PLAN

Like many communities throughout the U.S., Price City is experiencing a continuing desire for expanded and additional recreational opportunities. This creates the need for a plan to meet the current and future recreational needs and desires of the community. The parks and recreation master plan provides a proactive “road map” for guiding future planning, design and implementation decisions. The implementation of such a plan, acts as an appendix to this document, will make the use of parks, trails and recreation facilities an integral part of daily life in Price.

The attached Parks and Recreation Master Plan was initially developed through the update and application of this document, with public input provided through the General Plan update process, as described in the Plan Update section in Chapter 1. A map of existing and proposed facilities and locations was created through this process (see Exhibit 6, Parks, Recreation and Trails Map, below).

PRICE CITY GENERAL PLAN

CHAPTER 7 Parks and Recreation



Master Plan Objectives

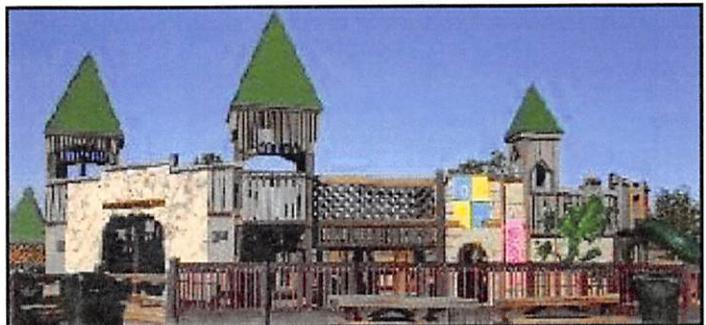
Several important objectives and focus issues were identified in the recent General Plan update process, which are included in the Parks and Recreation Master Plan, including:

1. Develop a splash pad somewhere in the community
2. Determine and meet the quality of life needs for various areas and facilities,
3. Determine and plan for future parks needs and water availability
4. Upgrade and maintain well the existing parks and recreation facilities, including the following proposals:
 - a. Improvements at Washington Park, Rose Park, South Price Park, Terrace Hills Park, and the Atwood Baseball Complex
 - b. Cultural amenities at the Peace Gardens
 - c. Plant new and rotate trees at Pioneer Park
 - d. Clean up / add landscaping to residential areas near the Smith Annexation area
 - e. Find partners to help fix up the Sheriff Posse area
5. Develop a KOA campground area - donate land, work with regional agencies
6. Sponsor a baseball tournament during U.E.A. or a Fall Classic.
7. Plan a future park near Main Street between Airport Road and Fausett Lane, vicinity of the Housing Authority of Carbon County
8. Plan good connectivity with trails and signage in the community, including:
 - a. A trail between the Price River (Kmart area) and the railroad tracks at 100 North, and from there to Washington Park
 - b. Price River trail to extend below Highway 6 at Carbon Avenue intersection and connect to Fairgrounds Road
 - c. A trailhead and picnic area near and southwest of intersection of 100 North and railroad
9. Plan and develop a community recreation center.

7.3. FACILITIES AND PROGRAMS

Existing parks and recreation facilities in Price are a source of pride and are expertly maintained to high levels of safety and operation, providing accessible recreational facilities for residents and visitors.

Price City parks and recreation facilities include:



- Desert Wave Pool
 - Washington Park
 - Pioneer Park
 - Terrace Hills Park
 - Dino-Mine Park
-
- Price City Peace Garden
 - Price South Park
 - Cove Basin Park
 - Atwood Baseball Complex
 - USU-E Prehistoric Museum
-
- Heritage Park
 - Rose Park
 - Skate Park
 - BMX Track Park
 - Underpass Park

Additional facilities adjacent to Price City boundaries, which are operated and maintained by Carbon County include the County fairgrounds and sports complex, motocross and model airplane airport. Also, proposed new parks, trails and open space areas have been identified as shown on Exhibit 6, below. Many of the local recreation programs in Price are currently administered through the Carbon County Recreation Department. As the need expands for additional programs, the City may see the need to increase involvement in programming through staffing and increased involvement with the County's recreation program.

7.4. RECREATIONAL TRAILS SYSTEM

The quality of life in a community is enhanced when it has a functional system of recreational trails, including bicycle, pedestrian, and equestrian paths and facilities. A trails system also acts as an asset to the intrinsic city transportation network. Increased levels of walking and bicycling due to the creation of these facilities leads to a cleaner environment and a healthier population.



Safety for bicycles is an important issue. According to the *Bicycle and Pedestrian Planning Guide, Parsons Brinckerhoff*, Utah's bicycle fatality rate is 36% higher than the national average, which is caused by a lack of safe bicycle corridors. Many local trips that Price residents currently make in their cars may be made on foot or by bicycle if they could do so on established safe trail corridors.

Where practical, bicycle and pedestrian paths in Price should 1) be separated from vehicular traffic, 2) be constructed with separated bike and pedestrian lanes, and 3) provide a connection between parks and open spaces such as established trail-heads.

Planning for equestrian and OHV recreational trails is also important to the community of Price, in terms of both recreation and tourism. The planning and development of such trails should be coordinated with County and regional trail user organizations and groups.

7.5. CULTURAL INSTITUTIONS AND FACILITIES

Providing and fostering cultural institutions and activities which enhance the community's quality and quantity of life is recognized as an important objective of the Price community. Several programs have become a significant part of Price's cultural life and character, which include the efforts of the Price City Culture Connection, a community based organization to showcase the talents and culture available in Price and surrounding communities. The City also sponsors events such as International Days, an annual festival which celebrates the culture, heritage, food, music and arts of the community.

A source of community pride can also be found in the Utah State University - Eastern Prehistoric Museum, located in the heart of the community, as well as the heart of dinosaur country. A unique and celebrated facility, the museum boasts a wide assortment of dinosaur fossils and ancient human artifacts.

Other civic and private organizations play important roles in the community culture as well. Fostering an environment where such organizations can develop and flourish is an ideal of the City which enjoys much support from the community. Price City should, to the extent possible, assist and support the expansion and development of cultural institutions and facilities.

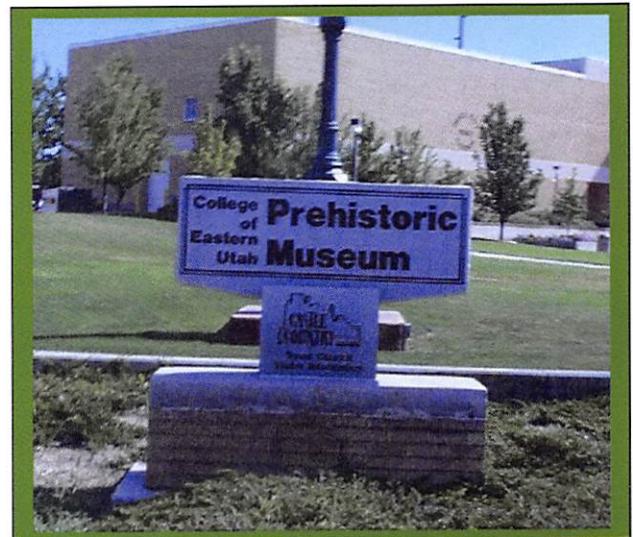
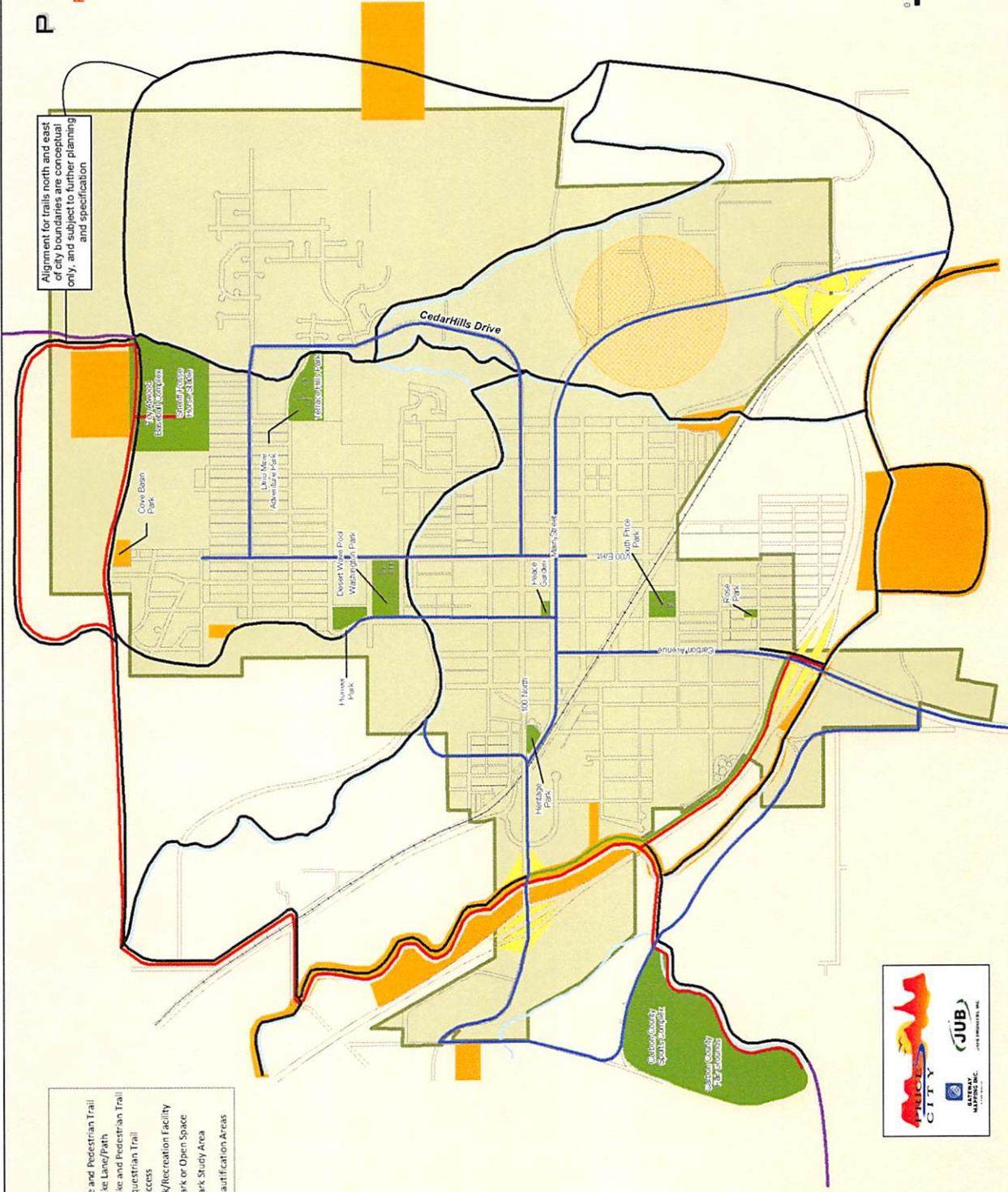


EXHIBIT 6. PARKS, RECREATION AND TRAILS MAP

(Insert 11x17 map here)

PRICE CITY PARKS, RECREATION, AND TRAILS EXHIBIT 6

Alignment for trails north and east of city boundaries are conceptual only, and subject to further planning and specification



- Legend**
- Existing Bike and Pedestrian Trail
 - Proposed Bike Lane/Path
 - Proposed Bike and Pedestrian Trail
 - Proposed Equestrian Trail
 - OHV Trail/Access
 - Existing Park/Recreation Facility
 - Proposed Park or Open Space
 - Proposed Park Study Area
 - Gateway Beautification Areas



Updated: January, 2013



CHAPTER 7 - PARKS AND RECREATION GOALS

Goals	Strategies	Actions	Timing	Agency	
1. Provide for parks and recreation facilities and services to enhance residents' quality of life.	A. Establish a plan for the development and improvement of parks and recreation facilities and services to include citizen involvement.	i. Prepare, adopt and implement a Parks and Recreation Master Plan.	0-5 years	City Council, Public Works, Parks	
		ii. Establish a citizens advisory committee to assist in the planning.	0-5 years	City Council, Public Works, Parks	
	B. Provide parks that are well dispersed throughout the city.	i. Target areas in need of parks and follow recommendations of the Parks and Recreation Master Plan.	Ongoing	City Council, Public Works, Parks	
		ii. Utilize community built playground facilities where possible.	Ongoing	Public Works, Parks	
		iii. Partner with the Housing Authority of Carbon County to locate a small park or playground on their property in the southeast quadrant of the city	0-3 years	Parks, Public Works, City Council	
	C. Encourage the acquisition of property and the development of additional recreational facilities.	i. Develop and/or support plans for a community recreation center.	0-5 years	City Council, Public Works, Parks	
		ii. Create and update priority list for the development of other needed facilities.	Ongoing	City Council, Public Works, Parks	
		iii. Plan for and fund the assessed facility and service expansion needs.	Ongoing	City Council, Public Works, Parks	
	D. Provide adequate recreation classes and programs to meet the needs of Price residents.	i. Annually assess the needs and demands for recreation programs.	Annually	City Council, Public Works, Parks	
		ii. Continue and increase involvement on the County's recreation board.	Ongoing	City Council, Public Works, Parks	
	2. Develop a system of recreational trails throughout the community.	A. Continue to enhance recreational trails development as shown in the Parks and Recreation Master Plan.	i. Submit recommendations for trail concepts and priorities to City Council.	0-2 years	Parks and Recreation Committee
			ii. Select a firm to prepare a detailed trails engineering and development plan.	0-5 years	City Council
iii. Seek and acquire any available funding.			0-5 years	Community Director	
iv. Approve the plan and budget for each trail.			0-5 years	City Council	

CHAPTER 7 - PARKS AND RECREATION GOALS

Goals	Strategies	Actions	Timing	Agency
		v. Arrange the participation of any in-kind and volunteer assistance.	0-5 years	Public Works, Parks division
	B. Coordinate the City Trails System with Carbon County and other interested parties.	i. Meet with the County to coordinate Price City trail heads and access points with the County trails system.	0-2 years	Parks and Recreation Committee
		ii. Identify and resolve physical, fiscal and political barriers to trail development.		
3. Provide recreational and cultural facilities and services to enhance residents' quality of life.	A. Support and encourage community cultural activities.	i. Support and encourage the activities and programs of the Price City Culture Connection.	Ongoing	City Council, City Staff
		ii. Offer assistance and support as well as to the continuance and improvement of the annual International Days celebration.	Ongoing	City Council, City Staff
		iii. Encourage and support the success of the USU-E Prehistoric Museum.	Ongoing	City Council, City Staff
		v. Promote the establishment of community built playgrounds.	Ongoing	City Council, City Staff



KEY POINTS

- Municipal facilities and services
- Educational support
- Community services
- Public Facilities and Services Goals

8.1. INTRODUCTION

This chapter addresses the various aspects and policies of public facilities, services and activities in the City including administrative offices, library, public works, and public safety facilities. The City, through its organizational structure, administers the City's water, wastewater, storm drainage, electrical and other typical municipal public facilities and services.

In the process of this General Plan update, the following important focus public services and facilities issues were identified:

1. Plan for the future needs and maintenance of the City Hall building
2. Plan for the future needs for the improvement of the Library. Consideration to the current status of the elements of the Library Strategic Plan is taken into consideration.
3. Promote efforts and programs for recycling
4. Plan to enhance civic and cultural services downtown
5. Plan the future needs regarding parks, cemetery and recreation in the community and the use of Price City facilities.
6. Improve, expand or construct a new Fire Station
7. Explore and improve shared services with the School District, USU-E and the County
8. Upgrade water and sewer facilities and services

8.2. MUNICIPAL FACILITIES AND SERVICES

City Administration

Administration of the City organization occurs at Price City Hall, located in the downtown area at 185 East Main Street. Offices and services found within this building

PRICE CITY GENERAL PLAN

CHAPTER 8 Public Facilities & Services

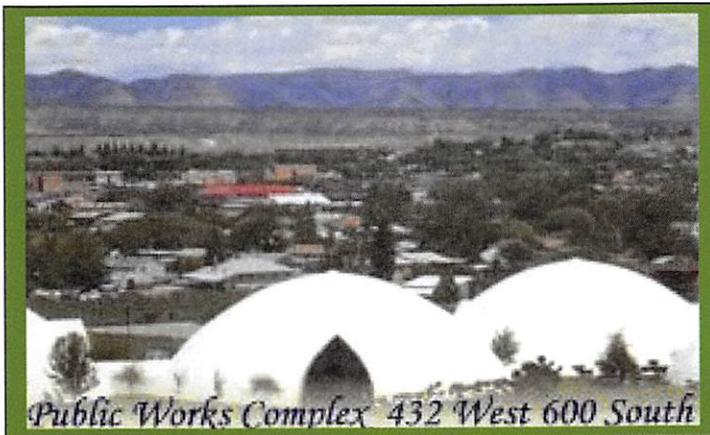


are the Mayor's Office, City Council / Planning Commission chambers, administrative and finance offices, Human Resources, Community Services, the City Library, and the City Auditorium. Adjoining this building is the USU-E Prehistoric Museum (see Chapter 7).

Price Municipal Corporation, the official name of the City organization, is organized and operated with concern for providing efficient and effective utilization of resources necessary to provide governmental services to the residents of the community.

City Library

Located at 159 East Main Street in the City Hall building, the Price City Library is the foremost library facility in Carbon County and the region. The original Price City Library was established in 1915, through the Carnegie Library endowment program. In addition to an excellent collection of books and printed resources, the library also maintains a supply of computers and software, which are available to all library patrons. Expanding and improving library services is a constant aspiration and goal, and should be considered by Price City.



Public Works

The Price City Public Works Division strives to make the City an accessible, functioning and healthy community. Located at 432 West 600 South, the "domes" house the offices for Public Works, Engineering, Water, Sewer, Streets, Fleet, City Parks, the Cemetery. In providing City services, the Public Works Division endeavors to be organized, trained and operate in an orderly and diligent process.

Public Utilities

Public utilities provided to the community by Price City include waste water collection, electrical power (through resource purchase contracts), water and irrigation water. Garbage pickup is also administered through the utilities department. The Price City Utilities Office is located in City Hall, at 185 East Main Street.

Police Department

Located at 910 North 700 East, the Price City Police Department operates under a primary objective, which is:

"A society free from crime and disorder remains an unachieved ideal; nevertheless, consistent with the values of a free society, it is the primary objective of the Price City Police Department to as closely as possible approach that ideal. In so doing, the department's role is to enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of police authority and the constitutional rights of all persons. It is not the role of the department to legislate,

PRICE CITY GENERAL PLAN

CHAPTER 8 Public Facilities & Services



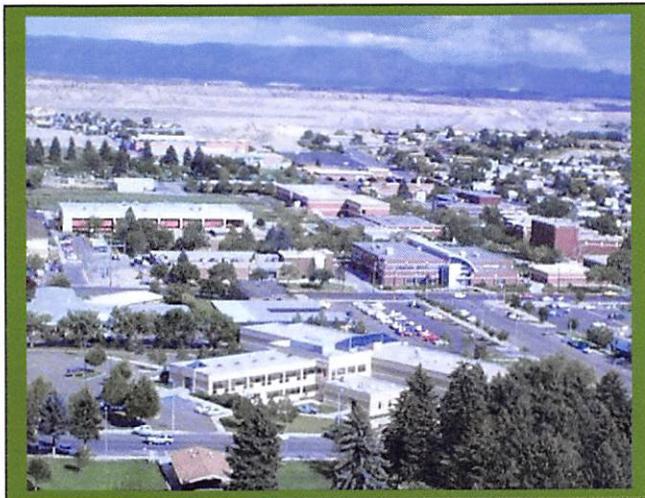
to render legal judgments, or to punish.”

Fire Department

The Price City Fire Department, located at 87 North 200 East, averages over 400 calls per year. This highly trained full service organization provides fire suppression and emergency medical services 24 hours every day to the community. The department has 24 trained "Volunteer Call Fire Fighters", and a full-time Fire Chief / Fire Marshall. All fire fighters are state certified.

8.3. EDUCATIONAL SUPPORT

It is the objective of the City to support, where possible, all educational institutions within the community, to emphasize the importance of education for all citizens.



A close working relationship needs to be maintained with the Carbon County School District and other elementary and secondary educational providers to encourage and facilitate the improvement of elementary and secondary education in Price, including recreation opportunities and shared facilities.

The City needs to actively participate in and support the growth and development of Utah State University - Eastern, to understand the needs and impacts of this noteworthy higher education institution. Price City encourages the active promotion of scholarships and local educational opportunity.

8.4 COMMUNITY SERVICES

Health Care Support

To have good, quality health care and facilities that meet the health care needs of the community is a primary goal of Price City. Existing health care facilities, such as Lifepoint Castleview Hospital, currently provide a foundation for high quality health care. The health of the community is an issue that should always concern city leaders. One method Price City has identified to address health-care issues and needs in the community is the creation of a health-care committee, comprised of representatives of local health care providers, governmental leaders, and interested citizens. The tasks of such a committee should include performing a comprehensive health-care needs assessment, and developing a community health-care plan for continued and improved public and private facilities, infrastructure and services in Price. The development of an urgent care clinic with 24 hour service the community is an identified need.



Telecommunications

Price City has strong interest in, and has taken a proactive role in the planning and encouragement of updated and quality telecommunication systems in the community including high-speed fiber optic connectivity.

Sponsoring technology workshops and hosting telecommunications-conferences have brought the importance of using and understanding telecommunications systems to the residents. Efforts to increase the community's involvement and understanding of these systems is an ongoing goal of the City.

Providing municipal business services to the community through internet services, including utility department functions and business licensing, is a City priority.



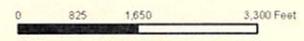
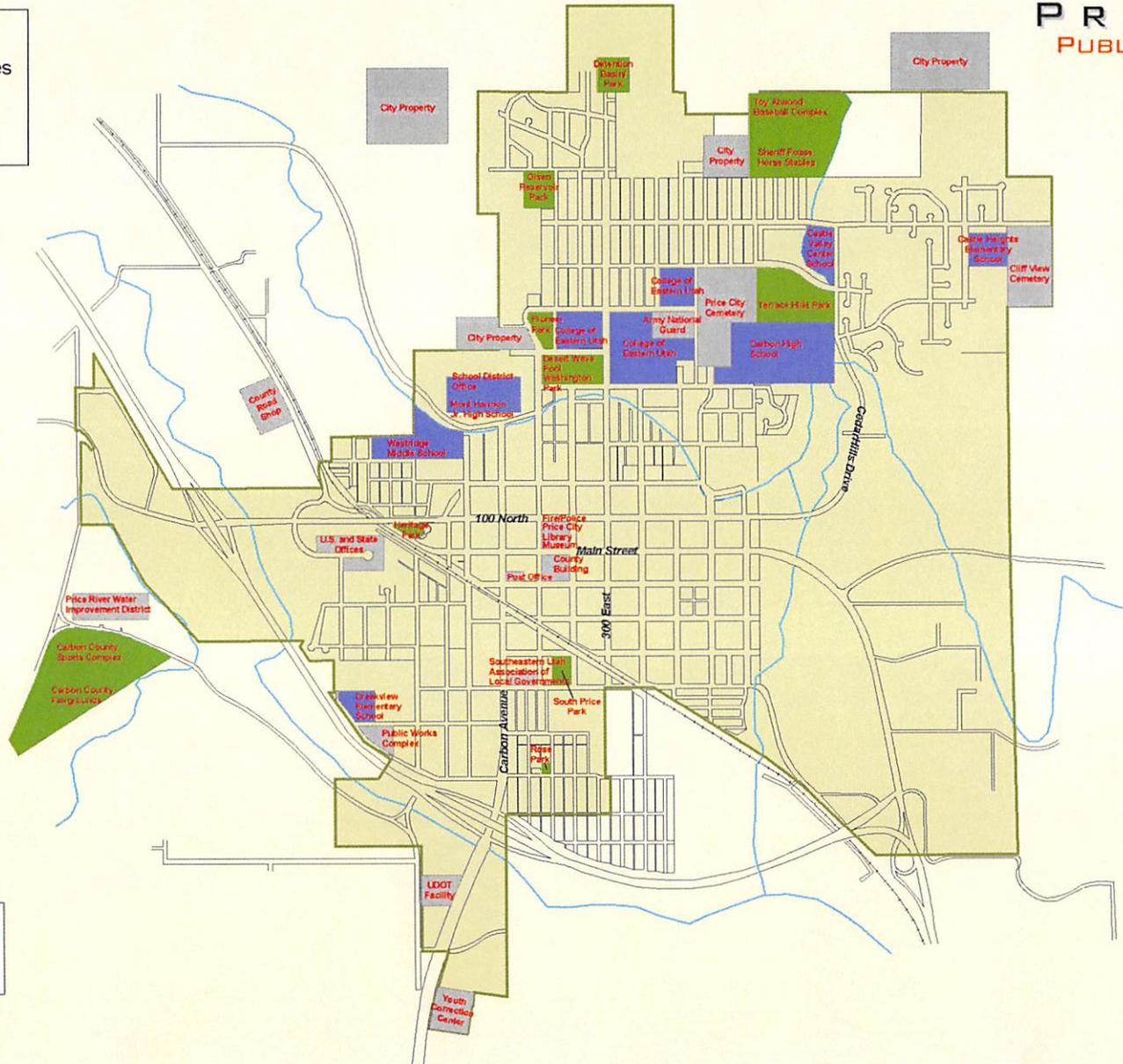
EXHIBIT 7. PUBLIC FACILITIES MAP

(Insert 11x17 map here)

PRICE CITY PUBLIC FACILITIES MAP EXHIBIT 7

Legend

- Government Facilities
- Parks
- Schools

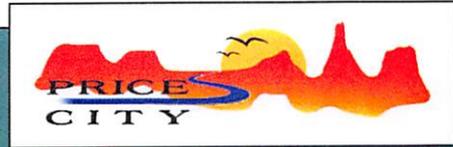


1 Inch = 1650 Feet

Updated: November 2005

PRICE CITY GENERAL PLAN

CHAPTER 8 Public Facilities & Services



CHAPTER 8 - PUBLIC SERVICES AND FACILITIES GOALS

Goals	Strategies	Actions	Timing	Agency
1. Provide effective and efficient public services to the community.	A. Maintain sufficient levels of staffing and programs to serve the public needs, which are administered with a customer-friendly attitude.	i. Provide an efficient functioning and a customer friendly service-oriented atmosphere in the City Administrative Offices.	Ongoing	City Council, Community Director
		ii. Review the efficiency of services and locations of City services, including potential centralization of services, improved intra-office communications, etc.	0-5 years	City Council, Community Director
		iii. Continue to meet the demands for the efficient and quality delivery of public utilities and Public Works services in an orderly and diligent manner, including the upgrading of lines and systems.	Ongoing	City Council, Public Works Director
		iv. Maintain a police force which is dedicated to the ideal of a crime-free society, which enforces the law in a fair and impartial manner.	Ongoing	City Council, Police Chief
		v. Maintain a fully-staffed, trained and certified Fire Department to provide to the community excellent service in fire suppression and emergency medical services.	Ongoing	City Council, Fire Chief
		vi. Involve K-12 and local college students in Price City project program planning, committees and implementation.	Ongoing	City Council, Community Director
		vii. Plan, design and develop improved electrical infrastructure and secure, stable electrical supplies for residential and commercial users.	0-10 years	City Council, Public Works
		viii. Continue supporting efforts to establish a recycling program.	Ongoing	City Council, Community Director

PRICE CITY GENERAL PLAN

CHAPTER 8 Public Facilities & Services



CHAPTER 8 - PUBLIC SERVICES AND FACILITIES GOALS

Goals	Strategies	Actions	Timing	Agency
		ix. Identify services that may not be necessary, wanted or needed in the community that are provided by Price City and eliminate or replace for efficiency	Ongoing	City Council
	B. Improve and maintain all City facilities and grounds.	i. Maintain and preserve the historic value of City Hall and maintaining City administrative offices in the building.	Ongoing	City Council, Community Director
		ii. Improve and maintain the City Center block with enhanced greenery, sidewalks, lighting, etc.	Ongoing	City Council, Community Director, Public Works
		iii. Work with the State Library Board to develop a master plan to improve the facility and services available at the City Library, including exploring the possibility of a county-wide library system.	0-5 years	City Council, Library Director
		iv. Enhance the exterior appearance of the City Library.	0-5 years	City Council, Library Director
		v. Develop a plan for Fire Department future facility and service capacity needs.	0-5 years	City Council, Fire Dept.
		vi. Develop a plan for the future use and maintenance of the Old Courthouse for possible expansion of City or other civic services.	0-5 years	City Council, Library Director
2. Provide sufficient water resources and systems to support the future growth of the community.	A. Develop additional community water resources.	i. Explore the development of water resources.	0-10 years	City Council, Public Works
		ii. Purchase private water shares whenever possible.	Ongoing	City Council, Public Works
3. Provide excellent support to educational institutions.	A. Encourage and facilitate the improvement of elementary and secondary education in Price.	i. Meet on a regular basis with Carbon County School District representatives to support efforts to improve education for Price citizens.	Ongoing	City Council, Community Director

PRICE CITY GENERAL PLAN

CHAPTER 8 Public Facilities & Services



CHAPTER 8 - PUBLIC SERVICES AND FACILITIES GOALS

Goals	Strategies	Actions	Timing	Agency
	B. Continue to support the growth and development of Utah State University - Eastern.	i. Meet on a regular basis with leaders at the Utah State University - Eastern to understand the current issues, challenges, needs and community impacts of the school and campus. ii. Support efforts to expand and improve the museum.	Ongoing	City Council, Community Director
			Ongoing	City Council, Community Director
4. Provide excellent support to community services.	A. Take a responsible role in seeing that the community health care needs are served through good, quality health care facilities and programs.	i. Create a community health-care and/or wellness committee, with responsibility for performing a comprehensive health-care needs assessment, and developing a community health-care plan.	0-5 years	City Council, Community Director
		ii. Coordinate emergency service preparedness and response plans by local providers.	0-5 years	City Council, Community Director
		iii. Support use and development of county-wide programs and projects that reduce substance abuse within the community (i.e., drug courts, mentoring, etc.)	Ongoing	City Council, Community Director
	B. Maintain a proactive role in planning and encouraging updated and quality telecommunication systems in the community.	i. Continue efforts to increase involvement and understanding of telecommunications systems, such as the sponsoring of technology workshops and conferences.	Ongoing	City Council, Community Director
		ii. Provide municipal business services to the community through internet services, including utility department functions and business licensing.	0-5 years	City Council, Community Director



ACKNOWLEDGEMENTS

Price City Council

Mayor Joe Piccolo
Council Member Rick Davis
Council Member Kathy Hanna-Smith
Council Member Terry Willis
Council Member Wayne Clausing
Council Member Layne Miller

Planning Commission

Commissioner Robert Oliver
Commissioner Judy Beacco
Commissioner Frankie Sacco
Commissioner Nancy Bentley
Commissioner Richard Root
Commissioner Jan Young
Commissioner Erroll Holt, Alternate
Commissioner Dale Evans

Price City Administration / Staff

Nick Tatton, Community Director
Nick Sampinos, City Attorney
Gary Sonntag, Public Works Director
Russell Seeley, City Engineer
Sherrie Gordon, City Recorder

Other Individuals and Agencies

DeLynn Fielding, Carbon County Economic Development
Dave Levanger, Carbon County Director of Planning
Russ Goodrich, Utah State University – Eastern
Joe Peterson, Utah State university – Eastern
Richard Tatton, Price River Water Improvement District



LIST OF EXHIBITS

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APPENDICES

- A. Price Municipal Corporation Annexation Policy Plan
- B. Price Municipal Corporation Community Affordable Housing Plan
- C. Transportation Master Plan
- D. 2013 Plan Update Prioritized Issues

Mayor
JOE L PICCOLO
City Attorney
NICK SAMPINOS
Community Director
NICK TATTON
City Recorder
SHERRIE GORDON
Finance Director
LISA RICHENS



Price City

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UTAH'S CASTLE COUNTRY!!

City Council

KATHY HANNA-SMITH
RICK DAVIS
WAYNE CLAUSING
LAYNE MILLER
TERRY WILLIS

**PRICE CITY
CITY COUNCIL MEETING
AGENDA DOCUMENTATION**

Preparation Date: 12-8-15	Submitting Department: Community Development
Meeting Date: 1-13-16	Department Director: Nick Tatton
	Presenter: Nick Tatton
Regarding: Land Code Updates	

Subject:	Annual updates to the Price City Land Use Management and Development Code.
Purpose Statement:	The Code does not contemplate all community needs and requires amendment from time to time. To avoid the high cost of hired consultants, Price City has formulated a process to review and recommend updates throughout the year, re-review those updates at an annual training retreat by the Planning Commission and propose updates to the Code facilitate community needs.
Background &/or Alternatives:	Price City purchased consulting services to provide a comprehensive Code update approximately 11 years ago, then a substantial revision approximately 9 years ago. Since that time annual updates have kept the Code current with the needs of the community and Price City.
Attachments:	<ol style="list-style-type: none"> Ordinance for adoption of the Code updates, with updated code exhibit. Copy of resolution passed by the Planning Commission recommending the City Council approve the Code updates.
Fiscal Impact:	None immediately, possible future savings to Price City via improved administrative efficiency.
Staff Impact:	None beyond existing activities.
Legal Review:	Mr. Sampinos has reviewed the proposed ordinance and approved as to form. Mr. Sampinos has also reviewed the proposed Code updates.
Recommendation:	It is the recommendation of staff to approve the Code updates as presented upon completion of a public hearing.
Suggested Motion(s):	<ol style="list-style-type: none"> Move to approve Ordinance No. _____, AN ORDINANCE ADOPTING THE UPDATES TO THE PRICE CITY LAND USE MANAGEMENT AND DEVELOPMENT CODE, 2008 EDITION. Move to authorize the Mayor and City Recorder to sign the Ordinance on behalf of Price City and publish the ordinance accordingly.
Other Comments:	Updated copies of the Code chapters affected will be distributed upon approval of the updates by the City Council.

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE UPDATES TO THE PRICE CITY LAND USE MANAGEMENT AND DEVELOPMENT CODE, 2008 EDITION.

WHEREAS, on May 14, 2008 the Price City Council adopted Price City Ordinance No. 2008-02 adopting the Price City Land Use Management and Development Code, 2008 Edition (the “Code”); and

WHEREAS, Price City has determined a need to update development and growth planning objectives of Price City, and;

WHEREAS, Price City has reviewed the status of the Code and determined that updates and changes thereto are necessary to facilitate efficient and orderly administration of the Code; and

WHEREAS, the Price City Council has authorized and directed preparation and development of updates to the Code; and

WHEREAS, The Price City Planning Commission has recommended adoption of the proposed updates to the Code; and

WHEREAS, the Price City Council has determined that the proposed updates to the Code provide for and facilitate comprehensive management and oversight of Price City’s growth and development within Price City; and

WHEREAS, the Price City Council has further determined that it is in the best interest of the health, safety and welfare of the businesses and residents of Price City to adopt the proposed updates to the Code; and

WHEREAS, a public hearing was held on January 13, 2016, conducted by the Price City Council, to receive community input regarding the proposed updates to the Code;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE PRICE CITY COUNCIL AS FOLLOWS:

Section 1. The Price City Council hereby adopts the updates to the Price City Land Use Management and Development Code, 2008 Edition, as set forth in Exhibit “1,” including text, descriptions, diagrams and maps, which is attached hereto and incorporated herein by reference.

Section 2. All resolutions or ordinances or policies in conflict herewith are hereby repealed.

Section 3. The provisions of this ordinance and the provisions adopted or incorporated by reference are severable.

Section 4. This ordinance shall take effect immediately upon its passage and publication.

PASSED AND ADOPTED BY THE CITY COUNCIL, PRICE CITY, STATE OF UTAH, THIS _____ DAY OF _____, 20____

Joe L. Piccolo, Mayor

ATTEST:

Sherrie Gordon, Price City Recorder

**Chapter 1
GENERAL AND SUPPLEMENTARY
PROVISIONS**

- 1.1 Short Title**
- 1.2 Purpose**
- 1.3 Effect of Chapter**
- 1.4 Interpretation**
- 1.5 Conflict**
- 1.6 Effect on Previous Ordinance Maps**
- 1.7 Licensing**
- 1.8 Severability**
- 1.9 Legal Remedies for Violation**
- 1.10 Appeals**
- 1.11 Enforcement**
- 1.12 Zoning Administrator Authority and Duties**
- 1.13 Definitions**

1.1. SHORT TITLE

This Code shall be known as “The Land Use Development and Management Act” of Price City, and may be so cited and pleaded. It may also be referenced as the “Land Code”.

1.2. PURPOSE

This code is adopted to provide for the health, safety, and welfare, and to promote the prosperity, peace, good order, comfort, convenience, and aesthetics of Price City and its present and future inhabitants and businesses, to protect the tax base, secure economy in governmental expenditures, foster agricultural and other industries, protect both urban and non-urban development, and to protect property values, promote wise energy use and efficiency and to protect the environment.

1.3. EFFECT OF CHAPTER

The regulations hereinafter set forth in this chapter qualify or supplement, as the case may

be, the zoning district regulations and all other regulations appearing elsewhere in this Code.

1.4. INTERPRETATION

In interpreting and applying the provisions of this Code, the requirements contained herein are declared to be the minimum requirements for the purposes set forth. Additional requirements may be recommended and / or implemented by the Price City Planning and Zoning Commission and/or the City Council.

1.5. CONFLICT

1. This Code shall not nullify the more restrictive provisions of covenants, agreements, or other ordinances or laws, but shall prevail over such provisions which are less restrictive.
2. Whenever other restrictions or provisions are adopted under Utah state law, the most restrictive requirement shall govern.

1.6. EFFECT ON PREVIOUS ORDINANCES AND MAPS

The existing ordinances covering zoning, in their entirety, and including the maps heretofore adopted and made a part of said ordinances, are hereby superseded and amended to read as set forth herein; provided, however, that this Code, including any attached or referenced map or maps, shall be deemed a continuation of previous codes and not a new enactment, insofar as the substance of revisions or previous codes is included in this Code, whether in the same or in different language; and this Code shall be so interpreted upon all questions of construction relating to tenure of officers and boards established by previous codes, to questions of conforming or non conforming uses and buildings and structure, and to questions as to the dates upon which such uses, buildings, or

structures became conforming or non conforming.

1.7. LICENSING

All officials and public employees of Price City who are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Code and shall knowingly issue no permit or license for uses, building, or purposes where the same would be in conflict with provisions of this Code and any such permit or license, if issued in conflict with the provisions of this Code, shall be null and void.

1.8. SEVERABILITY

Should any chapter, section, clause, or provision of this Code be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Code as a whole or any part thereof other than the part so declared to be invalid.

1.9. LEGAL REMEDIES FOR VIOLATION

Any person, firm or corporation, whether as principal, agent or employee, who violates or causes the violation of any of the provisions of this Code shall be guilty of a Class C misdemeanor as defined by Utah State Code and upon conviction thereof shall be punished as provided by law.

1. In addition, the following may institute injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use:

1. Price City, by action of the City Council; or

2. Any owner of real estate within the zoning district in which an alleged violation of this Code has occurred; or the owner of real estate across a zoning district line and abutting or facing the real estate where the alleged violation has occurred.

1.10. APPEALS

1. No person may challenge in district court Price City's land use decision made under this chapter or under any regulations made under authority of this chapter or this Code unless and until they have exhausted their administrative remedies. (See Appeal Authorities, Section 2.2.4)
2. Any person adversely affected by any decision made in the exercise of the provisions of this chapter may file a petition for review of the decision with the district court within 30 days after the local decision is rendered. All references to the "district court" herein refer to the 7th District Court in and for Carbon County, State of Utah.
3. Any and all court actions shall take place in Carbon County, Utah and be governed by the laws of the State of Utah.

1.11. ENFORCEMENT

1. Price City or any owner of real estate within Price City in which violations of this chapter or ordinances enacted under the authority of this chapter occur or are about to occur may, in addition to other remedies provided by law, institute:
 1. injunctions, mandamus, abatement, or any other appropriate actions; or

2. proceedings to prevent, enjoin, abate, or remove the unlawful building, use, or act.
3. Price City need only establish the violation to obtain the injunction.
4. It is unlawful to erect, construct, reconstruct, alter, or change the use of any building or other structure within Price City without approval and issuance of a valid building permit by Price City when required.
5. Price City may not issue a building permit unless plans, details, specifications and information of and for the proposed erection, construction, reconstruction, alteration, or use fully conform to all regulations then in effect.

**1.12. ZONING ADMINISTRATOR
AUTHORITY AND DUTIES**

The Zoning Administrator may be appointed by the Mayor, with the advice and consent of the City Council. In the absence of the Zoning Administrator position within Price City, the Mayor may assign such duties to other departments within Price City with the advice and consent of the City Council. The Zoning Administrator is hereby authorized to enforce this Code and all provisions hereof, and shall do so by any legal means available to him/her, including but not limited to the following:

1. Advise the Building Official, inspector and City Engineer on the issuance of building permits, conditional use permits, zoning permits and development permits. When the Zoning Administrator gives written notification to the Building Official, inspector and/or City Engineer that an intended use, building, or structure would be in violation of this Code, such written notification shall be presumption of non-conformance or

illegality and a permit for such use, building, or structure, shall not be issued. (If the offices of Building Official and Zoning Administrator are held concurrently by one person, this person shall detail the violation in writing on the permit refusal notification.)

2. Inspect the uses of buildings, structures or land to determine compliance with this Code. Such inspections shall be made at reasonable times.
3. Issue Notices of Violation wherever buildings or lands are being used contrary to the provisions of this Code. (This shall be done by serving notice in writing on any person or group engaged in said use and posting such notice on the premises.)
4. Inform the City Council of all Code violations and recommend specific courses of action with regard to each violation.
5. Maintain a file of Code violations and action taken by the City Council on such violations.

1.13. DEFINITIONS

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Code. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure;" the words "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased, or intended to be used or occupied; the word "shall" is mandatory and not discretionary, and the word "may" is permissive; the word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual; the word "lot" includes the words

plot or parcel. An asterisk (*) at the definition means that the word is defined in the Utah State Code. Words used in this Code but not defined herein shall have the meaning as defined in any other ordinance adopted by Price City.

1. **ACCESSORY USE OR BUILDING.** A use or building (including solar energy systems and renewable energy uses which may require separate review and permitting consideration) on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building. An accessory use or building shall include any structure for caretaker, or security housing, or the confinement of animals.
2. **ACTIVE SOLAR SYSTEM.** A system of equipment capable of collecting and converting incident solar radiation into heat, mechanical or electrical energy, and transferring these forms of energy by a separate apparatus to storage or to the point of use. This includes water heating, space heating or cooling, electric energy generation or mechanical energy generation and the architectural and engineering design or system necessary to balance or optimize active components thereof.
3. **ADULT DAYCARE FACILITY.** Any building or structure furnishing care, supervision, and guidance for three (3) or more adults unaccompanied by guardian for periods of less than twenty-four (24) hours per day.
4. **AMERICANS WITH DISABILITIES ACT (ADA).** Federal Law which sets guidelines for accessibility to places of public accommodation and commercial facilities by individuals with disabilities.
5. **AGRICULTURE.** The production of food through the tilling of the soil, the

raising of crops, breeding and raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business.

6. **AGRICULTURAL INDUSTRY (AGRICULTURAL BUSINESS).** The processing of raw food products by packaging, treating and/or intensive feeding. Agricultural industry includes, but is not limited to, animal feed yards, the raising of fur-bearing animals, food packaging and/or processing plants, commercial poultry or egg production, commercial greenhouses, and similar uses as determined by the Price City Planning and Zoning Administrator.
7. **AIRPORT.** All airport definitions and regulations will be found in the Airport Ordinance adopted by Price City, except as airports are governed under the general use regulations of this Code and is generally not improved or maintained by the City.
8. **ALLEY.** A public access-way generally less than 26 feet in width, which is designed to give secondary access to lots or abutting properties. An alley shall not be considered a street for the purpose of this Code. Maintenance of alley-way is the responsibility of the fronting, adjacent, adjoining, or abutting property owners.
9. **ALLUVIAL SOILS.** Areas subject to periodic flooding as defined in the soil survey prepared by the Natural Resources Conservation Service which encompasses Price City.
10. **AMUSEMENT PARK.** Any place of organized amusement activity not conducted wholly within a completely enclosed building, whether a commercial or non-profit enterprise, except temporary celebrations or

- events sanctioned by the City Council by a special permit.
11. **ANCHORED.** Secured in a manner that provides positive connection.
 12. **ANIMAL CLINIC (ALSO ANIMAL HOSPITAL).** Any building or portion thereof designed or used for the care or treatment of animals or fowl, and/or in which veterinary or grooming service is provided or is available.
 13. **APPROVED.** Approved by the code official.
 14. **APPURTENANCES.** Appendages and incidental details on buildings are to be allowed such as building projections, coverings for mechanical equipment, etc.
 15. **ARCHITECTURAL PROJECTION.** Any building or structural projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building or structure, but not including signs.
 16. **ASSISTED LIVING FACILITY.** A residential facility, licensed by the State of Utah, with a home like setting that provides an array of coordinated support personnel and health care services, available 24 hours per day, to residents who have been assessed under the Utah Department of Health or the Utah Department of Human Services Rules to need any of these services. Each resident shall have a service plan based on the assessment, which may include: (1) specified services of intermediate nursing care; (2) administration of medication; (3) support services promoting residence independence and self sufficiency. Such a facility does not include adult day care provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.
 17. **AUTOMATIC CAR WASH.** A facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding 1-1/2 tons capacity.
 18. **AUTOMATIC TRUCK WASH.** A facility for automatic or self-service washing or cleaning of trucks exceeding 1-1/2 tons capacity.
 19. **AUTOMOBILE PAINT SHOP.** A facility for body and fender repair and painting of automobiles, trucks, trailers, boats, or other travel or recreation vehicles or units.
 20. **AUTOMOBILE SELF SERVICE STATION.** A facility where gasoline or any other motor fuel for operating motor vehicles is offered for sale to the public and is dispensed to the vehicle by the purchaser; the self service station may be independent or in conjunction with a retail store.
 21. **AUTOMOBILE SERVICE STATION.** A facility where gasoline or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where automotive services are performed including tire repair, tire sales, battery sales or charging, and tune-up of automobiles, but not including major auto repair.
 22. **AUTOMOTIVE BODY AND FENDER SHOP.** A facility for major automobile, truck, mobile home, recreational coach or recreation vehicle repairs to body, frame, or fenders, and including rebuilding and painting.
 23. **AUTOMOTIVE SALES AREA.** An open area used for display, sale, or rental of new or used motor vehicles,

- mobile homes, recreational coaches, or recreation vehicles in operable condition and on a concrete or asphalt surface.
24. **AUTOMOTIVE SALVAGE YARD (AUTOMOBILE WRECKING OR PROCESSING YARD).** A lot or portion thereof used for the storage, dismantling and demolition of automobiles, other vehicles, other machinery, or parts thereof.
25. **AVERAGE SLOPE.** An expression of rise or fall in elevation along a line perpendicular to the contours of the land connecting the highest point of land to the lowest point of land within a lot or building area. A vertical rise of 100 feet between two points 100 feet apart measured on a horizontal plane is 100 percent slope (rise/run x 100).
26. **BASEMENT.** That portion of a building which is partly or completely below grade. A story, the floor of which is more than ½ of its floor-to-ceiling heights is below the average contact level of the adjoining ground. A basement shall be counted as a story when more than ½ of its floor to ceiling height is above the average contact level to adjoining ground.
27. **BATHROOM.** A room containing sanitation plumbing fixtures including a bathtub or shower.
28. **BEDROOM.** Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.
29. **BEGINNING OF CONSTRUCTION.** Means any visible work or alteration of a site, land or building.
30. **BIKE PATH (BIKE TRAIL, BIKE LANE).** A right-of-way designed and constructed and dedicated for use by bicycles and not intended for use by pedestrians or motor vehicles of any kind. A bike path may be located within or without a street right -of-way, at grade, or at a grade separated from vehicular traffic. Bike lanes may also be included as a part of a street.
31. **BILLBOARD** means a freestanding ground sign located on industrial, commercial, or residential property if the sign is designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located. Also known as “off premise advertising.”
32. **BLOCK.** The land surrounded by streets or other rights-of-way, other than an alley, or land which is designated as a block on any recorded subdivision plat.
33. **BOARDER.** A person living in a rented room in a boarding house. The boarding house operator or member of his or her immediate family who reside on the premises with the operator, shall not be considered a boarder.
34. **BOARDING HOUSE.** A building or portion thereof where, for compensation, rooms are rented together with meals for not more than six (6) boarders who generally do not directly utilize kitchen facilities. The operator of a boarding house must reside on the premises of the boarding house. The work shall include compensation in money, services, or other things of value. A boarding house does not include a residential facility for disabled persons or a residential facility for the elderly. A boarding house does not include a nonresidential facility, such as a rehabilitation/treatment facility, where the primary purpose of the facility is to deliver rehabilitation, treatment,

- counseling, medical, protective or other similar services to the occupants.
35. **BUILDABLE AREA.** The portion of a lot remaining after required setbacks have been provided, except that land with an average grade exceeding 25 percent shall not be considered geotechnically buildable unless it is geotechnically evaluated by a qualified and/or engineer and approved by conditional use permit.
36. **BUILDING.** Any structure used or intended to be used for the shelter or enclosure of persons, animals, equipment, vehicles or property.
37. **BUILDING, HEIGHT OF.** The vertical distance from the average natural grade surface at the foundation, to the highest point of the building roof or coping.
38. **BUILDING OFFICIAL or INSPECTOR.** (1) Building Official: the person designated or appointed by the Mayor and City Council as the Building Official; (2) Building Inspector: the person designated or appointed by the Mayor and City Council as the Building Inspector for Price City. The Building Official and Building Inspector may or may not be the same person.
39. **BUILDING, PUBLIC.** A building owned and operated, or owned and intended to be operated by the City, a public agency of the United States of American, the State of Utah, or any of its political subdivisions. The use of a public building is non transferrable and terminates if the structure is devoted to a use other than as a public building.
40. **CAMPGROUND.** A public area designated by a public agency for camping, or a private area licensed by the City for camping.
41. **CAMPING.** A temporary establishment of living facilities such as tents, trailers or recreational coaches as regulated by this Code.
42. **CARPORT.** A private garage completely open on two sides, or 50% open based on three to four sides. May have one side completely closed. For the purposes of this Code, a carport shall be subject to all the regulations prescribed for a private garage.
43. **CELLAR.** A room or rooms having more than 50 percent of the floor to ceiling height under the average level of the adjoining ground, for storage and not living quarters.
44. **CHIEF EXECUTIVE OFFICER** means: the Mayor in municipalities operating under all forms of municipal government; or the City Manager in municipalities operating under the Council-Manager form of municipal government.
45. **CHILD NURSERY (DAY CARE CENTER).** An establishment for the care and/or the instruction of 5 or more children, (other than for members of the family residing on the premises), for compensation, but not including a public school or pre-school.
46. **CHURCH.** A building, together with its accessory buildings and uses, maintained and controlled by a duly recognized religious organization where persons regularly assemble for religious worship and instruction.
47. **CITY COUNCIL.** The elected legislative body of Price City.
48. **CITY ATTORNEY.** The officially designated attorney for Price City.
49. **CITY ENGINEER.** The officially designated engineer of record for Price City.

50. **CLINIC, DENTAL OR MEDICAL.** A building in which a group of dentists, physicians, and/or allied professionals in the healing arts are associated for the conduct of their respective professions. The clinic may include a dental and/or medical laboratory and an apothecary. It may include out-patient care or operating rooms for outpatient surgery. Does not include overnight or long term care.

51. **CLUB, PRIVATE.** A social, recreational, or athletic club or similar association or corporation incorporated under the provisions of the Utah Non-Profit Corporation and Cooperation Act for the above-stated purposes, which maintains or intends to maintain premises upon which alcoholic beverages are or will be stored, consumed or sold.

52. **COMPATIBLE WITH RESIDENTIAL USE.** Compatibility will be measured by whether or not the proposed development adversely impacts the quality of life or harmony in the area. Property values must be sustained or enhanced as opposed to diminishing value; the effects of ultimate traffic on streets will be considered rather than complaints that a new development will increase unwanted traffic; improvements in the infrastructure will be considered as to how and who pays for them; positive contributions to the financing of needed improvements will be weighed against the assessment on existing residential developments; proximity of possible impacts will be evaluated and non-directly impacted citizens will be considered in the group of the general citizenry. Also, aesthetic relief from the monotonous and uniform subdividing of the countryside will be considered a positive factor.

53. **CONDITIONAL USE** means a land use that, because of its unique characteristics or potential impact on Price City, or surrounding neighbors, or adjacent land uses, or the environment, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate known or anticipated detrimental impacts. (A use of land for which a conditional use permit is required, pursuant to this Code.) Approval based on conditions.

54. **CONDEMN.** To adjudge unfit for occupancy.

55. **CONDITIONAL USE DEVELOPMENT.** A subdivision, planned unit development, manufactured home park, manufactured home subdivision, recreation vehicle park, landfill, land excavation, commercial or industrial development.

56. **CONDOMINIUM.** The ownership of a single unit in a multi-unit project, together with an undivided interest in common in the common areas and facilities of the property as provided by state law. A condominium development is comparable to a subdivision in that each development is characterized by multiple individual ownerships in a single development. In a condominium development the multiple individual ownerships are in structures, whereas in subdivisions such ownerships are in land. For regulation purposes the development of a condominium project is treated by Utah State law and by this Code as a subdivision, and condominium developments must comply with the subdivision regulations of this Code.

57. **CORRAL.** A space, other than a building, less than 1 acre in area or less

than 100 feet in width, used for the confinement of animals or fowl.

- 58. COUNTY. Means the unincorporated areas of Carbon County, Utah.
- 59. CROSSWALK OR WALKWAY. A right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind; but may be crossed by vehicles at right angles; a crosswalk or walkway or pedestrian-way may be located within or outside of a street right-of-way, at grade, or at a grade separated from vehicular traffic.
- 60. CUL-DE-SAC. A street which is designed to remain permanently closed at one end, and designed to accommodate the turning around by vehicles. For purposes of this Code, the length of a cul-de-sac shall be measured from the centerline of the intersecting street along the centerline of the cul-de-sac, to a point at the center of the cul-de-sac. A temporary cul-de-sac with dimensions approved by the Price City Planning and Zoning Commission may be considered while waiting for a permanent through street.
- 61. DAIRY. A facility for the production of milk on a farm for wholesale marketing off the premises shall be classified as a dairy. A commercial establishment for the manufacture, processing or packaging of milk products, and their sale is not a dairy.
- 62. DENSITY. Density is a measure of the number of dwelling units per acre of area. It shall be expressed as dwelling units per acre (DU/acre).
- 63. DETACHED. When a structural element is physically disconnected from another.

- 64. DETERIORATION. To weaken, disintegrate, corrode, rust, decay or lose effectiveness.
- 65. DEVELOPER. Any person, firm, partnership, corporation or association who proposes or causes improvements to be constructed, proposes or causes land use to be changed, or land to be subdivided for themselves or others.
- 66. DEVELOPMENT (LAND). The conversion or alteration of use or physical characteristics of land; placing improvements on the land; or putting land to intensive use such as a subdivision, PUD, manufactured home park, recreation vehicle park, shopping center, industrial park, excavation, etc.
- 67. DISABILITY. Physical or mental impairments that substantially limits one or more of a persons major life activities, including a person having a record of such a problem or being regarded as having such an impairment. The following definitions are incorporated into the definition of disability, to wit:
 - 1. disability does not include current illegal use of, or addition to, any federally controlled substance as defined in Section 102 of the Controlled Substances Act, 21, U.S.C. 802, or as defined under Title 58, Chapter 37, Utah Code Annotated, 1953, as amended;
 - 2. a physical or mental impairment includes the following, to wit:
 - 1. Any psychological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal;

special sense organs; cardiovascular, reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or

2. any mental or physiological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities; or

3. such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, human immunodeficiency virus (HIV), mental retardation, emotional illness, drug addiction, (other than current , illegal use of controlled substances) and alcoholism.

68. **DISTRICT (ALSO ZONE OR ZONING DISTRICT).** A portion of territory, of Price City, established as a zoning district by this Code, within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Code. An area with specific use requirements.

69. **DOMESTIC ANIMAL.** Animals that have been tamed and adapted for existence within the human environment. Animals capable of living in a home environment, such as a dog, cat or caged small bird including companion animals. Domestic animals of a type or quantity that are in conflict with the Price City Municipal Code or which are determined to be a nuisance by the Zoning Administrator cannot occupy or be kept within a residential zone. The Zoning Administrator will

determine whether an animal is a domestic animal. Challenges to a determination of the Zoning Administrator shall be heard by the Hearing Officer.

70. **DOMESTIC STAFF.** Persons employed or residing on the premises of a dwelling or other residential facility to perform domestic services or to assist residents in performing major life activities.

71. **DRINKING WATER FACILITIES.** Water supply lines, pumps, springs, tanks, wells, and/or any other physical facilities necessary to provide a supply of drinking water to use in sufficient quantity and of approved quality to meet the standards of this Code and Utah law.

72. **DRIVEWAY.** A private roadway, the use of which is limited to persons residing, or employed at, or otherwise using or visiting the parcel on which the driveway is located. See Section 6.5 for size, spacing and quantity limitations on residential and commercial driveways. Restrictions and conditions regarding the installation of driveway overshot entrances may be required by the Zoning Administrator and/or City Engineer.

73. **DWELLING.** Any building or portion thereof designed or used as the principal residence or sleeping place of one or more persons or families, but not including a tent, a recreation coach, hotel, motel, hospital, or nursing home.

74. **DWELLING, SINGLE FAMILY.** A building containing only 1 dwelling unit.

75. **DWELLING, TWO FAMILY (DUPLEX).** A building containing only 2 dwelling units.

- 76. DWELLING, THREE FAMILY (TRIPLEX). A building containing only 3 dwelling units.
- 77. DWELLING, FOUR FAMILY (FOUR-PLEX). A building containing only 4 dwelling units.
- 78. DWELLING, MULTIPLE FAMILY. A building containing more than 1 dwelling unit.
- 79. DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. One or more rooms in a dwelling, apartment complex or condominium designed for and/or occupied by one or more persons or a family for living or sleeping purposes and having a kitchen, bathroom and sleeping quarters.
- 80. EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall permit use under, on, over or above a said lot or lots. That portion of a lot, lots or other property, reserved for present or future use by a person, entity, utility provider or governmental agency other than the legal owner(s) of said properties. The easement may be for use on, under, or above said lot or lots, for wires, conduit, pipes, fire hydrants, poles, control boxes, manholes, etc.
- 81. ELDERLY PERSON. A person who is 60 years or older, who desires or needs to live with out other elderly persons in a group setting, but who is capable of living independently.
- 82. ENVIRONMENTAL REPORT
A written report which describes the

predevelopment conditions of the site and the post development impact.

- 1. The report includes a tabulation of proposed population density and the numbers and types of proposed dwellings and other buildings and spaces to be occupied at full development.
 - 2. The report further describes the impact of the proposed development on the following specific subject areas during development and once the anticipated population density and use is achieved: slope, soils, water courses, water table, flood hazard areas, wet lands, geologic hazards, vegetative types, wildlife, wildlife habitat, air quality, water quality, noise, lighting, traffic, sight distance, access to services, and utilities.
 - 3. The report also evaluates the potential area-wide economic impact of the development on both private and public economic sectors and the potential impact on school, public utility, and transportation systems.
 - 4. Finally, the report recommends measures which, if undertaken, will mitigate or obviate the adverse impacts resulting from construction of the proposed development, and discusses the benefits to be gained from such development, and what adverse impacts cannot be avoided and the extent of their detrimental influence.
83. EQUIPMENT SUPPORT. Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

- 84. **ESSENTIAL FACILITIES.** Those facilities which are common to the community and essential for servicing the residents and businesses; roads, rail systems, utilities, irrigation, parks, water, sanitary sewer, storm sewer, power, telephone, radio, television stations, cable TV, fiber optics, sanitation, health and public safety facilities provided by a public utility or governmental agency and for overhead, surface or underground services, and such other necessary uses as may be required by the City Council.
- 85. **EXCAVATION.** Any disruption of the land, ground, earth, rock, soil mantle and/or manmade surfacing of the same. Excavations may be either in the nature of a process or a use. Excavations undertaken for the purpose of preparing a site for an ultimate land use, building or for repairing or constructing urban service facilities are processes, whereas excavations such as gravel pits, quarries or mines are uses which require specific use authorization. Excavation in any zoning district may require prior approval and/or permitting.
- 86. **EXTERIOR PROPERTY.** The open space on the premises and on adjoining property under the control of owners or operators of such premises.
- 87. **FAMILY.** One or more persons related by blood, marriage, adoption, or guardianship, and shall also include three (3) additional unrelated individuals living with the family, such as Domestic Staff, living together as a single non-profit housekeeping unit. Family does not exclude the care of foster children.

- 88. **FAMILY FOOD PRODUCTION.** The keeping of not more than 2 cows, 2 sheep, 1 pig, 2 goats, 20 rabbits, 25 chickens, 50 pheasants, 10 turkeys, 10 ducks, 10 geese, and 20 pigeons, on a lot which is ½ acre larger than the minimum required lot size for a single-family residential lot in the zoning district, provided that an additional number of animals and fowl listed above may be kept on each additional one-half acre in the lot, and provided that not more than three categories of the above-listed kinds of animals and fowl are permitted at any one time on any ½ acre lot. A horse may be substituted for a cow.
- 89. **FARM AND/OR WILD ANIMALS.** Also referred to as livestock, farm or barnyard type animals. Animals that are kept for personal use or profit. Animals that typically reside in an agricultural setting and produce food and fiber. Livestock that is generally raised for subsistence or for profit. Includes domestic farm animals such as cows, goats, sheep, pigs and horses. Wild and/or exotic animals such as snakes, monkeys and other primates, alligators, etc., which are typically found in uninhabited environments and are not considered native species found in Utah. Farm and/or wild animals may be considered a nuisance and in violation of the Price City Municipal Code. The Zoning Administrator will determine whether an animal is considered a wild, exotic, farm or barnyard animal. Challenges to a determination of the Zoning Administrator shall be heard by the Hearing Officer.
- 90. **FEED YARD.** An agricultural industry in which animals or fowl are kept and intensively fed in a relatively

restricted area, as contrasted with open pasturage.

- 91. **FINAL PLAT OR FINAL PLAN.** A plat map prepared in accordance with the provisions of this Code, which is designed to be placed on record in the office of the County Recorder and/or City Recorder. A final plan is a map showing a drawing, details and/or information describing a project, use or building.
- 92. **FIRE FIGHTING FACILITIES.** Such water supply, water lines, fire hydrants, storage, sprinklers and other protective devices as may be required in accordance with the provisions of this Code.
- 93. **FLOOD HAZARD.** A hazard to life, land, buildings or improvements due to inundation or overflow of water having sufficient velocity, depth and width to transport water or debris, scour the surface soil, cause flooding, dislodge or damage buildings, erode the banks of water courses or threaten life.
- 94. **FLOOD PLAIN.** Areas adjoining any streams, rivers, ponds or lakes which are subject to "100 year recurrence interval floods" on maps prepared for the "National Flood Insurance Program," or a study conducted by a qualified engineer in the preparation of hydrological and hydraulic studies and the determination of flood lines, flood elevations, floodways, and "flood fringe" areas.
- 95. **FLOOD PLAIN SOILS.** Areas subject to periodic flooding and listed in the soil survey prepared by the Natural Resources Conservation Service which encompasses areas as being "on the floodplain" or subject to "flooding".
- 96. **FLOODWAY.** The flood way is the part of the flood plain which is the

main channel that carries and discharges the highest velocity and largest part of the flood flow. The flood plain is shown on maps prepared for the National Flood Insurance Program or study.

- 97. **FLOOR AREA.** The gross area in square feet of the main building, accessory buildings and other areas of specific use both indoors and out of doors.
- 98. **FRONTAGE.** All property fronting on the side of a street at the property line or right of way line.
- 99. **FRONTAGE, LOT.** The lineal measurement of the front lot line.
- 100. **GARAGE, PRIVATE.** An accessory building designed and/or used for the storage of property and motor vehicles owned and used by the occupants of the building to which it is accessory, provided that a garage shall be considered part of the dwelling if the garage and dwelling have a roof or wall in common and are attached and all four walls are enclosed including a main garage door.
- 101. **GARAGE, PUBLIC.** A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, leasing, renting or storing motor vehicles.
- 102. **GARBAGE.** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.
- 103. **GENERAL PLAN.** A document that Price City adopts that sets forth general guidelines for proposed future development of the land within Price City. Includes what is commonly referred to as a "master plan", or "comprehensive plan".

104. **GEOLOGIC HAZARD.** A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth. Geologic hazards include but are not limited to: rock falls, slide areas, cliffs, unconsolidated fill areas, floodplains, earthquake fault lines, high water table, and ground water problems, wetlands, liquefaction, etc.

105. **GOVERNING BODY** means the city council of Price City

106. **GRADE (LOT GRADE, FINISHED GRADE).**

1. For buildings fronting one street only, the elevation of the sidewalk at the center of the building lot where it adjoins the street.
2. For buildings fronting more than one street, the average of the elevations of the sidewalk at the centers of all lots.

107. **GROUP HOMES.** A home for certain disabled or elderly persons as defined by Utah State law as being permitted in residential areas of Price City by conditional use permit. (see **ELDERLY**, and **PERSON WITH A DISABILITY**)

108. **GUARD.** A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to lower level.

109. **HABITABLE SPACE.** Space in a structure for living, sleeping, eating or cooking, Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

110. **HOME OCCUPIED BUSINESSES.**

1. An occupation of a person or family where they reside and which occupation is clearly incidental and secondary to the use of the structure for dwelling and residential purposes, and does not change the residential character of the dwelling or the neighborhood, and in connection with which there is no display and/or stock of merchandise. The home occupation shall not involve the use of any accessory building, either attached or detached, which substantially changes the character of the dwelling or of the neighborhood. The Planning Commission's review of an application in arriving at affirmative findings to meet the above requirements shall also include the following specific standards;
 1. An independent contractor selling or operating through personal contacts or parties, based in a home, such as candles, jewelry, Tupperware, etc., shall be considered subject to the requirements and restrictions and standards indicated below for home occupied businesses.
 2. No employees (members of the immediate family residing in the home are not considered employees).
 3. No unusual traffic (delivery trucks, commercial vehicles, heavy equipment etc.) is permitted either on or off-site which are not customarily observed in residential use.
 4. No parking except for customary automobiles and other traditional residential vehicles including vans and pickups.

5. No parking lots beyond the driveway for more than 4 vehicles on the premises outside of the residential structure(s).
6. All required parking will be accommodated on-site.
7. Unusual waste, or debris, residential or otherwise may not be generated.
8. Unusual electronic interference may not be generated.
9. Non-residential or unusual dust, smoke, odors, noise, discharges and other contamination may not be generated.
10. Home occupied businesses shall obtain applicable local, state and federal business licensing and/or permitting.
11. When day care and pre-school centers for 4 or more children under the age of 14 for more than 4 hours a day are approved as "home occupied businesses" the following conditions will also be required:
 1. A license from the Utah Department of Social Services which shall be obtained and maintained, and all regulations and conditions imposed by that agency observed.
 2. Copies of all required State licenses will be attached to application.
 3. The foster child can be assimilated reasonably well into the family (socially).
12. When a foster care home for more than one school-age child, older person, or preschool child is approved as a "home occupation", the following conditions will also be required:

1. A social worker licensed by the State shall submit to the City Council, in writing or shall appear in person, to explain how the applicant complies with all the applicable State regulations.
 2. The host family shall be a husband and wife legally married or otherwise found to be a suitable host for a foster child by the City Council.
 3. The foster child or adult can be assimilated reasonably well into the family (socially).
 4. The residence occupied by the host family and those placed in foster care shall have adequate eating, sleeping, living and sanitary facilities for the foster care individuals, the host family and all natural and adopted children of the host family.
 5. There will be reasonable privacy and freedom for the foster care individuals to allow normal living and social growth.
 6. The foster care home is reasonably located with respect to neighborhood and other public facilities.
 7. The City Council shall make a determination that approving application will not adversely impact the neighborhood.
 8. The number of foster care persons living in the home shall be limited to five or less.
111. **HOSPITAL.** An institution licensed by the State of Utah which provides diagnostic, therapeutic, and rehabilitative services to individuals on both an in-patient and out patient basis by or under the supervision of one or

more physicians. A medical clinic or professional office which offers any in-patient or overnight care, or operates on a 24-hour basis shall be considered to be a hospital. A hospital may include necessary support service facilities such as laboratories, out-patient units and training and central services, together with staff offices necessary to operate the hospital.

- 112. **HOTEL.** A building designed and built with individual rooms where lodging is provided for compensation, with or without meals.
- 113. **HOUSEHOLD PETS.** Pets under restrained conditions ordinarily permitted in the house or yard and kept for company or pleasure, such as dogs, cats, fish (aquariums or ponds), rabbits, fowl, reptiles and amphibians, in small numbers. Restrained includes contained, leashed, fenced or caged. Does not include pigs, roosters, goats, llamas, camels, elephants, horses, cows, sheep or similar animals, nor dangerous animals such as birds of prey, poisonous snakes, alligators, wolves, lions, tigers or bears. Living conditions and waste collection for pets shall be well maintained to avoid creation of nuisance's as far as sight, smell or sound. This definition shall not include a sufficient number of dogs or cats as to constitute a kennel as defined in this Code.
- 114. **HOUSEKEEPING UNIT.** A room or group of rooms intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.
- 115. **HUD CODE.** Housing and Urban Development. The Federal Manufactured Housing Construction and Safety Standards Act.

- 116. **IMMINENT DANGER.** A condition which could cause serious or life-threatening injury or death at any time.
- 117. **IMPERVIOUS SURFACE.** Impervious surfaces are those that do not absorb water or liquids and thus cause ponding and/or runoff. All buildings, parking areas, driveways, roads, sidewalks, and any areas in concrete and asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the Building Inspector or City Engineer to be impervious within the meaning of this definition will also be classified as impervious surfaces.
- 118. **IMPERVIOUS SURFACE RATIO.** The impervious surface ratio is a measure of the intensity of land use. It is determined by dividing the total area of all impervious surfaces within the site by the total site area.
- 119. **IMPOUND/SECURITY LOT.** A security lot fenced with or without guarding, barbwire, and/or illumination, where police or privately impounded vehicles may be kept for legal evidence or other purposes or while awaiting repairs. A site where damaged vehicles are typically stored after an accident.
- 120. **INFESTATION.** The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.
- 121. **INOPERABLE MOTOR VEHICLE.** A vehicle which cannot be driven upon the public streets for reasons including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

122. **IMPROVEMENTS.** Work, objects, devices, facilities, or utilities required to be constructed or installed in a land development. Such improvements, constructed to required standards, may include, but are not limited to, streets, water facilities, sewer facilities, sidewalks, curbs and gutters, drainage facilities, trees, street signs, street lights, electric power, traffic control or safety devices, fire hydrants, and such other facilities or construction required by this Ordinance, subdivision regulations, or by the Planning Commission and/or City Council for the necessary proper development of the proposed land development and mitigation of adverse conditions.

123. **IMPROVEMENTS AGREEMENT.** An agreement (Development Agreement, etc.) between Price City and a developer, wherein the developer agrees to install all improvements required by this Code, subdivision regulations, or by the Planning Commission and/or City Council for the necessary proper development of the proposed land development and mitigation of adverse conditions.

124. **INTEGRATED DEVELOPMENT PLAN.** Comprehensive management for best assurance of maintaining standards and conditions of approval is the intent in the administration of a conditional use permit. Therefore every assurance will be required to maximize the meeting of the community's performance standards and minimize the problems of their enforcement through approved comprehensive management plans which have been prepared by the applicant and approved by the City Council. Single responsible

management is felt crucial to consistent care and observance of binding regulations in assuring compatibility with the surrounding area of certain developments negotiated with the community.

125. **JUNK.** Any salvaged or scrap copper, brass, iron, metal, rope, rags, batteries, paper, trash, plastic, rubber, tires, waste, or other articles or materials commonly designated as junk. Also means any dismantled, wrecked, or inoperable motor vehicles, or parts thereof. A motorized vehicle of any type shall be considered inoperable if it is parked or stored on property outside of an enclosed garage and is not currently registered and licensed in this state or another state.

126. **JUNK YARD.** The use of any lot, portion of a lot, or tract of land for the storage, keeping or abandonment of junk,

127. **KENNEL.** Any premises where 3 or more dogs or cats older than 4 months are kept temporarily for boarding, breeding or medical services.

128. **LABELED.** Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

129. **LAND, AGRICULTURAL.** Land used for bona fide agricultural purposes or which is projected for

agricultural use by the general plan or the zoning ordinance adopted by Price City.

130. **LAND, COMMERCIAL.** Land used for bona fide commercial purposes, or which is projected for commercial use by the general plan or the zoning ordinance adopted by Price City.

131. **LAND DEVELOPMENT STANDARDS.** Adopted standards, including but not limited to: drawings, details, specifications, studies, maps, surveys, tables, charts and references which have been adopted by the City Council by resolution and which set a standard that design and construction shall meet or exceed.

132. **LAND INDUSTRIAL.** Land used for bona fide industrial purposes or which is projected for industrial use by the general plan or the zoning ordinance adopted by Price City.

133. **LAND USE INTENSITY.** The degree to which land is used ranging from no use to unremitting, continual and concentrated use of the land. Land use intensity is normally measured by:

1. type of use (i.e., agricultural, residential, commercial, manufacturing or industrial);
2. period of use in average hours per day;
3. numbers of humans, associated animals, and machines which occupy the land during the average hours of use; and
4. the percent of the land covered by structures or improvements.

134. **LANDSCAPING (LANDSCAPED)** means the planting, paving and final dressing of finished graded earth (dirt) including retaining walls, trees, ground cover, rock, perennial plants and

annual plants etc., and together with an irrigation system to maintain the plants alive and flourishing for the length of time the plantings are to be maintained if not in perpetuity. Does not include asphalt or concrete flat work.

135. **LARGE RESIDENTIAL FACILITY.** Also called a Large Group Home, authorized as a conditional use. Large Group Homes, as either a principal or accessory use, shall not exceed six (6) persons as residents for all types of facilities. No large group home shall be located within 1,260 feet of any other type or size of group home. A reasonable accommodation may be requested for potential locations not complying with the 1,260 foot rule. A large group home shall not include persons who are diagnosed with a substance abuse problem or who are staying at the home as a result of criminal offenses.

136. **LEGISLATIVE BODY** means the City Council.

137. **LET FOR OCCUPANCY OR LET.** To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

138. **LIGHT MANUFACTURING.** Only those processes which clearly do not threaten the natural environment or the harmony of the neighborhood or immediate vicinity, may be considered light manufacturing and permitted in an area. Uses such as electronics, non-toxic welding or soldering of small items, assemblage of relatively small portable devices, highly controlled

testing, and small area accessory warehouse or storage facilities to accommodate the in-house manufactured items with their associated stocks of supplies are allowed.

- 139. **LODGING HOUSE.** A dwelling with not more than 10 guest rooms where, for compensation, lodging is provided for at least 3 but not more than 15 persons, but not including motels or hotels.
- 140. **LOT.** A parcel or unit of land abutting a public street or approved private street, described by metes and bounds and held or intended to be held in separate lease or ownership, or a parcel or unit of land shown as a lot or parcel on a subdivision plat map, planned unit development plot map, or condominium lot map, provided it is created pursuant to this Code.
- 141. **LOT AREA.** The area contained within the property lines of the individual parcels of land as may be shown on a subdivision plat or required by this Code, excluding any area within an existing street right-of-way, easements or any area required as open space under this Code.
- 142. **LOT AREA PER DWELLING UNIT, AVERAGE.** The average lot area for all single dwelling units. Individual lots may be smaller or larger than the average, provided that the average size is maintained and that all other standards of this Code are met.
- 143. **LOT, CORNER.** A lot abutting or fronting upon 2 or more streets at their intersection.
- 144. **LOT DEPTH.** The horizontal distance between the center of the front lot line to the center rear lot line.

- 145. **LOT FRONTAGE.** The length, in feet, of the front lot line from lot corner to lot corner along the street right of way line.
- 146. **LOT HELD IN SEPARATE OWNERSHIP.** Shall mean all contiguous land held in one ownership at the time of the passage of this Code or at any time hereafter, whether or not such land has been or is described separately, has separate chains of title, is described on one or more property tax notices, or is otherwise divided on paper.
- 147. **LOT, INTERIOR.** A lot other than a corner lot.
- 148. **LOT, LEGAL NON-COMPLYING.** A lot which was legally created prior to the adoption of this Code.
- 149. **LOT LINES.** The property lines bounding the lot.
- 150. **LOT LINE, FRONT.** For an interior lot, the lot line adjoining the street right of way; for a corner lot or through lot, each lot line adjoining a street.
- 151. **LOT LINE, REAR.** Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In cases where this definition is ambiguous, the zoning administrator shall designate the rear lot line. The rear lot line may front a street right of way; but, is not considered the primary frontage.
- 152. **LOT LINE, SIDE.** Any lot boundary line not a front or rear lot line. (This does not apply to any yard fronting on a street, which is by definition a front yard line.)
- 153. **LOT, RESTRICTED.** A lot having an average slope of 25 percent or more; a lot which does not contain the minimum size of a lot permitted in the

zoning district where located; a lot which has vehicular ingress to the main building or structure which, upon completion of construction on the site has a slope of 25 percent or greater; a front driveway that accesses a structure below the grade of the curb and gutter; or a lot subject to geologic hazards, or other notable problems.

- 154. **LOT RIGHT-OF-WAY.** A strip of land not less than 35 feet in width connecting a lot to a street for use as private access to that lot.
- 155. **LOT, UNRESTRICTED.** A lot having an average slope of less than 25 percent, containing a buildable area; beyond the required set backs; has positive drainage away from the all buildings; geologic hazards are negligible or can be mitigated.
- 156. **LOT WIDTH.** The horizontal distance between the side lot lines, measured at the required front yard setback line or rear yard setback line, whichever is shorter.
- 157. **MAIN USE OR BUILDING.** The principal use which will occur on a lot or the principal structure to be used by the owner on a lot, to which all other uses and structures are accessory or secondary.
- 158. **MAJOR LIFE ACTIVITIES.**
Functions such as caring for ones self, performing manual tasks, walking, seeing, hearing, speaking, breathing , learning, working.
- 159. **MAJOR STREET PLAN.** A map of Price City which shows the existing and future public street system and which has been officially adopted by the Planning Commission and City Council as the major street plan or transportation master plan for Price City. Future street locations are

general in nature. New development shall make every attempt to follow, add to, improve and dedicate the street to the public or Price City.

160. MANUFACTURED, MODULAR & MOBILE HOME HOUSING.

Manufactured Home

A dwelling that is wholly or substantially built in a factory and constructed in accordance with federal manufacturing housing construction and safety standards and regulation. The HUD code also sets performance standards for the heating, plumbing, air conditioning, thermal and electric systems. It is built with major components then delivered to the building site for installation on a permanent foundation. It is a structure that is constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy and residential use.

Modular Home

A modular home is a factory built house or building, that meets state and local codes, intended for residential occupancy that comprises "modules". It is equipped with complete plumbing, electrical and heating facilities and designed to be moved on the public highways to a site for installation on a permanent foundation. They differ from mobile homes largely in their absence of axles or a frame.

Mobile Home

A dwelling structure used for residential purposes, that was constructed between January 1, 1962, and June 15, 1976, when the HUD code went into effect. It is a dwelling structure that was manufactured, assembled, equipped with complete

- plumbing, electrical and heating facilities for sleeping and cooking intended for human occupancy. It is designed to be moved on wheels on public highways to a site for installation on a semi permanent foundation and connected to service utilities.
161. MARKET ANALYSIS. An economic analysis of the feasibility of a project.
162. MANUFACTURED, MODULAR OR MOBILE HOME PARK. A parcel of land that has been planned and improved for the placement of manufactured, modular or mobile homes for non-transient use and consisting of two or more home spaces, where the entire project is to be under single ownership or management and meets all of the requirements of this Code for manufactured, modular or mobile home parks.
163. MANUFACTURED/ MODULAR / MOBILE HOME SPACE. A space within a park designed and to be used for the accommodation of 1 manufactured /modular or mobile home.
164. MODULAR UNIT. A structure built from sections which are manufactured in accordance with the construction standards adopted by the International Building Code and transported to a building site, the purpose of which is for human habitation, occupancy or use.
165. MOTEL. A building or group of buildings for the accommodation of transient guests, comprising individual sleeping or living units, and designed and located to serve the traveling public.
166. MUNICIPALITY means a city or town incorporated in the State of Utah.
167. NATURAL RETENTION AREA. An area of poorly drained soils which lies along stream channels or swales or is adjacent to flood plain soils, which is subject to periodic flooding.
168. NEGLECT. The lack of proper maintenance of a building or structure.
169. NON-COMPLYING STRUCTURE means a structure that legally existed before its current zoning designation and/or building code regulations and because of subsequent-changes, does not conform with regulations that govern the structure.
1. A benign con-complying structure may be determined by the Zoning Administrator, upon review and determination with findings, when a development or structure fails to meet current design standards but the non-complying condition(s) are not harmful (de-minimus) and there is little or no need to limit the development or structure from expansion, redevelopment or other actions.
170. NON RESIDENTIAL TREATMENT FACILITY. A facility wherein no persons will be housed on an overnight basis, and provides services including rehabilitation, treatment, counseling, or assessment and evaluation services related to delinquent behavior, alcohol abuse, drug abuse, sexual offenders, sexual abuse, or mental health. Associated educational services may also be provided to juvenile occupants.
171. NURSING HOME (ALSO CARE CENTER, REST HOME OR

CONVALESCENT HOME). An intermediate care/nursing facility or a skilled nursing facility licensed by the State of Utah, for the care of individuals who, due to illness, advanced age, disability, or impairment require assistance and/or supervision on a 24-hour per day basis. Such a facility does not include an adult day care provider in conjunction with residential facilities for elderly persons or a residential facility for persons with a disability.

172. **OCCUPANCY.** The purpose for which a building or portion thereof is utilized or occupied.
173. **OCCUPANT.** Any individual living or sleeping in a building, or having possession of a space within a building.
174. **OFF-STREET PARKING SPACE.** The space required to park 1 vehicle off the street, which space shall meet the requirements of this Code.
175. **OFF-SITE FACILITIES.** Improvements not on individual lots or sites, but generally within the right-of-way and adjacent to or within the boundaries of the development which they serve, and as further outlined in this Code.
176. **ON-SITE FACILITIES.** Construction or placement of the main building, accessory buildings, and its appurtenant improvements on a lot.
177. **OPENABLE AREA.** That part of a window, skylight, or door which is available for unobstructed ventilation and which opens directly to the outdoors.
178. **OPEN SPACE.** Land used for recreation, agriculture, resource

protection, amenity, utility corridors, bicycle and pedestrian pathways, or buffers; is freely accessible to all residents of the development, except in the case of agricultural lands where access may be restricted; and is protected by the provisions of this Code to ensure that it remains in such uses. Open space does not include land occupied by non-recreational buildings, roads, or road rights-of-way; nor does it include the yards or lots of single-or-multiple-family dwelling units or parking areas as required by the provisions of this Code. Open space should be left in a natural state, except in the case of recreation uses which may contain impervious surfaces. Such impervious surfaces shall be included in the calculation of the impervious surface ratio.

179. **OPEN SPACE RATIO.** A measure of the intensity of land use calculated by dividing total amount of open space within the site by the Base Site Area.
180. **OPEN SPACE, USABLE.** Usable open space shall be any portion of a lot or building which meets all the following conditions:
1. The open space shall be open to the sky or shall be open to view on at least two sides.
 2. The space shall be readily accessible by foot traffic from the building or dwelling unit to which it is accessory.
 3. If the space is provided on a balcony, roof, or other facility above grade, it shall have such protective devices as required by all applicable building codes.
 4. The space shall not be provided from any required front or side yard, parking area, or driveway space.

- 181. **OPERATOR.** Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.
- 182. **OWNER.** Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.
- 183. **PARK STRIP.** Landscaped area or planting strip between the sidewalk and street curb in the public right-of-way.
- 184. **PARKING FACILITY (PARKING LOTS, PARKING STRUCTURES).** A building or open area, other than a street, used for the parking of more than 4 automobiles and available for public use, whether free, for compensation, or accommodation for clients or customers.
- 185. **PASSIVE SOLAR SYSTEM.** A direct thermal system which utilizes the structure of a building and its operable components to provide for collection, storage and distribution of heating or cooling during the appropriate times of the year, by utilizing the climate resources available at the site. It includes those portions and components of a building that are expressly designed and required for the collection, storage, and distribution of solar and the architectural and engineering design or system simulation necessary to balance or optimize passive components.

- 186. **PEDESTRIAN-WALKWAY.** A right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind; a pedestrian-way may be located within or without a street right-of-way, at grade, or grade-separated from vehicular traffic.
- 187. **PERMANENT SURVEY MONUMENT.** Any structure of concrete, masonry and/or metal permanently placed on or in the ground expressly for surveying reference.
- 188. **PERMITTED USE.** A use of land which is allowed within a particular district without the necessity of obtaining a conditional use permit. A building permit, development permit encroachment permit or temporary road closure permit may be required.
- 189. **PERSON.** An individual, corporation, partnership or any other group acting as a unit.
- 190. **PERSON WITH A DISABILITY** means a person with a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment.
- 191. **PEST ELIMINATION.** The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other approved pest elimination methods.
- 192. **PLANNED DISTRICT.** A zoning district, the boundaries of which are to be shown on the zoning map, but the regulations for which shall be determined by the general development plan to be adopted by the City Council

as part of the zoning ordinance, after public hearing, as required for other zoning districts.

- 193. **PLANNED UNIT DEVELOPMENT (PUD).** An integrated design for development of residential, commercial or industrial uses, or limited combinations of such uses, in which the density and location regulations of the zoning district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements. Planned unit development regulations may govern the subdivision of land if it is proposed by the development to sell individual lots in the planned unit development. Thus planned unit development regulations can be subdivision regulations which may be chosen by the developer as an alternative to specifically designate subdivision regulations of this Code, to become effective only through the planned unit development approval process.
- 194. **PLANNING COMMISSION.** The Planning and Zoning Commission of Price City.
- 195. **PREMISES.** A lot, plot or parcel of land, easement or public way, including any structures thereon.
- 196. **PRIME AGRICULTURAL SOILS.** Areas of soils most suited for agriculture, those in capability units I, II, or III, as indicated in the soil survey prepared by the Natural Resources Conservation Service which encompasses Price City.
- 197. **PRINCIPAL USE.** Any use which is named and listed in the use regulations and other provisions of this Code,

except those uses specifically designated as accessory uses; any use which is or may be conducted on a lot independently or any other use on the lot and not incidental or accessory to any other use on the lot; any use which establishes the primary activity on a lot.

- 198. **PRIVATE NON-PROFIT RECREATIONAL GROUNDS AND FACILITIES.** Non-profit recreational grounds and facilities operated by a non-profit corporation, association, or group.
- 199. **PROFESSIONAL TEAM, QUALIFIED.** An individual or group of individuals qualified by virtue of certified training, experience, college degree, professional registration, state licensing, and where appropriate, membership in professional associations which pass upon qualifications prior to admittance to membership. A determination of whether or not a team is qualified, in the sense explained above, shall be made solely by the Planning and Zoning Commission.
- 200. **PROTECTION STRIP.** A strip of land between the boundary of a land development and a street right of way or easement within the land development, for the purpose of controlling the access to the street by property owners abutting the land development.
- 201. **PROTECTIVE HOUSING FACILITY.** A facility either (1) operated, licensed, or contracted by a governmental entity, or (2) operated by a charitable, non-profit organization, where for no compensation, temporary, protective housing is provided to: (i) abused or neglected children waiting placement of foster care; (ii) pregnant

or parenting teens; (iii) victims of sexual abuse; or (iv) victims of domestic abuse.

202. PUBLIC FACILITIES AND PUBLIC SERVICE FACILITIES. For the public convenience, certain infrastructure including streets, water lines, sewer lines, public utilities, parks and drainage facilities may be allowed to serve various areas of the community, as public facilities. Possible additional facilities such as a sub-station for fire and/or police, post office and/or hospital may be determined to be in the public interest as well, as public service facilities by Price City, such as land, buildings and structures used by government, schools and churches.

203. PUBLIC WAY. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public of public use. Maintenance of a public way is the responsibility of the fronting, adjoining, adjacent or abutting property owners.

204. QUASI-PUBLIC. A seemingly public institution, entity or organization that is not actually public (because of independent or private control).

205. REASONABLE ACCOMODATION. A change in any rule, policy, practice, or service necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling. The following words have the following definitions to wit:

1. Reasonable. A requested accommodation that will not undermine the legitimate purpose of existing zoning regulations

notwithstanding the benefit that the accommodation will provide to a person with a disability.

2. Necessary. The applicant must show, that, but for the accommodation one or more persons with a disability likely will be denied an equal opportunity to enjoy the housing of their choice.

3. Equal Opportunity. Achieving equal results as between a person with a disability and a non-disabled person.

206. RECORD OF IMPAIRMENT.

Having a history of, or having been misclassified as having a mental or physical impairment that substantially limits one or more major life activities.

REGARDED AS HAVING AN IMPARIMENT. A person is regarded as having an impairment when:

1. the person has a physical or mental impairment that does not substantially limit one or more major life activities but is treated by another person as having such limitation;
2. has a physical or mental impairment that substantially limits one or more major life activities only as the result of the attitudes of others toward such an impairment; or
3. has none of the impairments defined in this section, but is treated by another person as having such an impairment.

207. RECREATION DWELLING (CABIN, RECREATION CABIN). A dwelling designed for limited rather than primary occupancy and generally located adjacent to or with easy access

to recreational areas. The primary purpose for the construction of such a dwelling is to provide shelter during those limited periods of time when recreation is sought in the adjacent areas.

- 208. **RECREATIONAL VEHICLE, RV, PARK (TRAVEL TRAILER PARK).** Any area or tract of land that is subdivided and/or improved where lots are rented or held out for rent to one or more owners or users of recreational vehicles for a temporary time not to exceed 30 consecutive days.
- 209. **RECREATIONAL VEHICLE SPACE.** A plot of ground within a recreational vehicle park designated and intended for the accommodation of one recreational vehicle.
- 210. **REHABILITATION/TREATMENT FACILITY.** A facility licensed to contracted by the State of Utah to provide temporary occupancy and supervision of individuals (adults and/or juveniles) in order to provide rehabilitation, treatment or counseling services. Without limitation, such services may include rehabilitation, treatment, counseling, or assessment and evaluation services related to delinquent behavior, alcohol abuse, drug abuse, sexual offenders, sexual abuse, or mental health. Associated educational services may also be provided to juvenile occupants.
- 211. **RELATED.** Related by blood, marriage or adoption within the definition of "family" means a father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild, to include the half as well as the whole blood.

212. **RENEWABLE ENERGY.** That form of energy whose supply is natural, inexhaustible and not dependent upon fossil fuel supplies. Examples include residential solar heat, wind power, geothermal power, hydropower, etc.

213. **RIGHT-OF-WAY.** That portion of land dedicated to public use for street, alley, easement, pathway and/or utility purposes or maintained in private use for similar purposes.

214. **RESIDENTIAL FACILITY FOR ELDERLY PERSONS.** A dwelling unit that is occupied on a 24-hour per day basis by 6 or fewer elderly persons in a family type arrangement. A residential facility for elderly persons shall not include any of the following, to wit:

- 1. a facility which is operated as a business; provided that such facility may not be considered to be operated as a business solely because a fee is charged for food or for actual and necessary costs of preparation and maintenance of the facility.
- 2. a facility where persons being treated for alcoholism or drug abuse are placed; a facility where placement is not on a strictly voluntary basis or where placement is part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution; or a facility which is a health care facility as defined by Title 26, Section 21, Chapter 2, Utah Code Annotated, 1953 as amended; or a facility which is a residential facility for persons with a disability.

215. **RESIDENTIAL FACILITY FOR YOUTH.** A dwelling unit that is occupied

on a 24-hour per day basis by 6 or fewer youth persons in a family type arrangement. A residential facility for elderly persons shall not include any of the following, to wit:

1. a facility which is operated as a business; provided that such facility may not be considered to be operated as a business solely because a fee is charged for food or for actual and necessary costs of preparation and maintenance of the facility.

2. a facility where persons being treated for alcoholism or drug abuse are placed; a facility where placement is not on a strictly voluntary basis or where placement is part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution; or a facility which is a health care facility as defined by Title 26, Section 21, Chapter 2, Utah Code Annotated, 1953 as amended; or a facility which is a residential facility for persons with a disability.

216. RESIDENTIAL FACILITY FOR PERSONS WITH A DISABILITY. A residence in which more than one person, and fewer than 6 people, with a disability resides and which is:

1. licensed or certified by the Department of Human Services under Title 62A, Chapter 2, of the Utah Code, Licensure of Programs and Facilities; or

2. licensed or certified by the Department of Human Health under Title 26, Chapter 21, Health Care Facilities Licensing and Inspection Act.

217. RESIDENTS, RESIDENTIAL FACILITY. Any building or portion thereof where an individual is actually living at a given point and time and intends to remain, and not a place of temporary sojourn or transient visit.

218. RESIDUAL LAND. That land which does not meet the minimum standards for a lot and therefore must be attached and become part of another parcel which does or will conform to lot minimum standards, or be attached to public land for public purposes.

219. A residential facility designated, occupied, and intending of residents fifty (50) years of age or older where common facilities for cooking and dining are available to all residents and independent facilities are provided for living, sleeping and sanitation.

220. ROADWAY WIDTH. For a street the width of the actual paved/gravel surface or travel width to be paved or graveled.

221. ROOMMATE. One of two or more persons, generally unrelated by blood or marriage, sharing the same living quarters such as a single or multi-family structure. A roommate may be considered a joint tenant or a subtenant to the landlord.

222. ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

223. ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

224. RUBBISH. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags,

cartons, boxes, wood, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust and other similar materials.

225. SCHOOL, PRIVATE. A school which is operated by a quasi-public or private group, individual, or organization, for profit or non-profit and which has a curriculum similar to that provided in any public school whether or not a complete educational curriculum.

226. SCHOOL, PUBLIC. A school operated by a school district or other public agency in the State of Utah.

227. SECURITY SURVEILLANCE. When security is a paramount concern to a project, it may require continuous and comprehensive surveillance.

228. SHELTERED WORKSHOP. An onsite supervised educational or vocational training facility for persons with a disability and does not provide any residential facilities.

229. SHELTER FOR THE HOMELESS. Charitable lodging or sleeping rooms provided on a temporary basis (usually on a daily basis) to those members of society lacking other safe, sanitary or affordable shelter. A shelter for the homeless may also include kitchen and cafeteria facilities.

230. SIGN. A presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the sign structure supports lighting systems and any attachments, ornaments or other features used to draw the attention of observers.

231. SIGN, ANIMATED. A sign which involves motion or rotation of any part created by artificial means, or which

displays flashing, revolving or intermittent lights.

232. SIGN AREA. The entire background area of a sign upon which a copy could be placed, or if there is no background, the reasonable area of the sign's message. An awning is not considered to be a background. In computing area of a sign background, only that face or faces which can be seen from one direction at one time shall be counted. The supporting incidental structure of the sign shall not be used in computing sign area.

233. SIGN, AWNING. A sign which is integral with or placed on a translucent awning or other fabric covering a framework and which is backlit and may extend beyond the face of the building.

234. SIGN, CANOPY. A sign which is mounted on and supported by a canopy and may be found either above the canopy or hanging beneath the canopy, but in all cases mounted perpendicular to the building.

235. SIGN, CHANGEABLE COPY. A sign on which the advertising message, lettering, or other graphic representation is intermittently changed by rotation, electronically or means similar thereto.

236. SIGN, FASCIA, FLAT OR WALL. A sign which is in any manner affixed to any exterior wall of a building and which projects not more than 18 inches and does not extend more than 6 inches above the parapet, eaves or building façade. A fascia sign may also be mounted above or below a canopy, not necessarily flush with the wall, but in all cases only one side has a copy. In the manner described for the fascia unit, individual letter units may also be installed as opposed to a box-type sign. Flat or wall signs may be painted or applied to the wall without projection.

237. **SIGN, FLASHING.** A sign which contains or is illuminated by lights which are intermittently cut on or off, change in intensity or otherwise create the illusion of flashing or movement.

238. **SIGN, FREE-STANDING.** A sign which is supported by one or more upright columns, poles, or braces, in or upon the ground.

239. **SIGN, IDENTIFICATION AND INFORMATION.** A sign displayed to indicate the name or nature of a building, or a use.

240. **SIGN, ILLUMINATED.** A sign on which a source of light is used in order to make the message thereon readable. This definition shall include internally and externally lighted signs.

241. **SIGN, MARQUEE.** Any sign attached to or made an integral part of a marquee.

242. **SIGN, HEIGHT OF.** The vertical distance measured from the nearest finished grade (ground level) to the top of the sign, excluding any superficial trim. In the case of a roof sign, the maximum height shall be measured from the roof line or the parapet level, if applicable, at the location of such sign.

243. **SIGN, OFF-PREMISE.** A sign which advertises a product or service not available on the premises where the sign is located.

244. **SIGN, ON-PREMISE.** A sign which advertises products or services available on the premises where the sign is located.

245. **SIGN ORDINANCE.** The sign ordinance of Price City (Chapter 4 of this Code).

246. **SIGN, PROJECTING WALL.** A sign which is affixed to an exterior wall or building or structure and which projects more than 18 inches from the building or

structure wall, and which does not extend above the parapet, eaves, or building façade of the building upon which it is placed.

247. **SIGN, ROOF.** A sign which is erected on or above the roof line of a building and which is wholly or partially supported by the building.

248. **SIGN, ROTATING.** A sign which revolves 360 degrees with continuing motion.

249. **SITE.** A parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots, or developed for a specific use.

250. **SITE AREA.** All land area within the site as defined in the deed and/or boundary description. Area shall be verified by a survey of the area.

251. **SITE PLAN.** A scaled drawing of and information pertaining to a proposed development site. A site plan shall include the following:

1. Address of the site.
2. The dimensions of the site,
3. North point,
4. Locations and names of existing and proposed buildings,
5. Locations and names of existing and proposed streets, addresses of individual building locations,
6. Public and private easements related to site,
7. Survey monuments,
8. Water courses and impoundments,
9. Location and description of existing and proposed vegetation,
10. Location of proposed parking,

- 11. Location and size of existing and proposed utility service (water, sewer, power, gas, telephone cable) lines,
- 12. Location of all other proposed on-site and off-site improvements.
- 13. Vicinity map (location in City).

252. **SKY SPACE.** That portion of the sky that must remain unobstructed for a solar collector to operate effectively. The sky space can be measured for specific time of year, use and location. (See also **SOLAR ACCESS**).

253. **SLEEPING UNIT.** A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

254. **SMALL RESIDENTIAL FACILITY.** Also called a Small Group Home. Authorized as a conditional use. Small Group Homes, as either a principal or accessory use, shall not exceed three (3) persons as residents for all types of facilities. No small group home shall be located within 1,260 feet of any other type or size of group home. A reasonable accommodation may be requested for potential locations not complying with the 1,260 foot rule. A small group home shall not include persons who are diagnosed with a substance abuse problem or who are staying at the home as a result of criminal offenses.

255. **SOLAR ACCESS.** The availability of sunlight to solar collectors and solar energy systems. Solar access to a site depends upon the specific system type and most often demands rooftop, south wall, south lot or detached collector protection.

256. **SOLAR ENERGY CONVERSION SYSTEM.** Includes active, passive and photovoltaic solar systems placed on (a)

structures to supply energy to that structure or accessory building.

257. **SOLAR GREENHOUSE/SUN SPACE/SUN PARLOR.** An attached space to a building or residence which may provide heat and/or food to users as part of a passive solar energy system.

258. **SPECIAL DISTRICT** means all entities established under authority of Title 17A, Utah Code Annotated, and any other governmental or quasi-governmental entity that is not a county, municipality, school district, or unit of the state.

259. **STABLE, PRIVATE.** A detached accessory building for the keeping of livestock owned by the occupants of the premises and not kept for hire, remuneration, or sale.

260. **STABLE, PUBLIC.** A detached accessory building where horses are boarded and/or kept for hire.

261. **SLOPES.** The change in elevation along a horizontal plane; rise over run in either foot/foot or percentage.

262. **STORY, HALF.** A partial story under a gable, hip, or gambrel roof, the wall plates of which are on at least 2 opposite exterior walls, do not extend more than 4 feet above the floor of such story, and the ceiling area of which does not exceed 2/3 of the floor area of the same half-story.

263. **STREET** means a right-of-way, that may include highways, avenues, boulevards, roads, lanes.

264. **STREET (FRONTAGE).** A street which is parallel to and adjacent to abutting properties.

265. **STREET (HALF)** A street where only half of the street is used.

266. **STREET, STUB.** A street that ends without an outlet to through traffic. It may

be permanent or temporary. A cul-de-sac may be needed for long or lengthy stub streets.

267. STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

268. STRUCTURE. Anything constructed, the use of which requires fixed location on the ground, and supports a building or other object. That which is built or constructed or a portion thereof.

269. STUDENT HOUSING UNIT. A housing unit designed specifically for students with associated living, sleeping, studying, bathing, and kitchen facilities in an integrated plan approved by the Planning Commission, and City Council.

270. SUBDIVIDER (DEVELOPER). Any person, firm, corporation, partnership or association who causes land to be divided into a subdivision for themselves or others; a developer.

271. SUBDIVISION (SEE ALSO DEVELOPMENT) means any land that is divided, re-subdivided, or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land. A subdivision includes:

1. the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and
2. divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

272. SWIMMING POOL. An accessory use subject to all state and local regulations governing safety and health, which requires a conditional use permit.

273. TECHNICAL REVIEW COMMITTEE. The Mayor may designate and appoint the Zoning Administrator, City Engineer and Building Inspector to serve as advisors meeting as a Technical Review Committee to assist staff for the purpose of evaluating applications for Planning and Zoning Commission and City Council action.

274. TEMPORARY USE. Any temporary use of land which, in the determination of the Planning Commission, and approved by the City Council shall not extend beyond 2 years from inception of such land use for long-term development and required infrastructure installations. A determination as to whether or not a land use is temporary shall be based solely upon facts submitted to the Planning Commission at the time of application for a conditional use permit for a temporary use. Short term temporary, itinerant and transient land uses, permitted or conditional, whether associated with another approved land use at the same location or not, shall not extend beyond fourteen (14) days with a minimum period of thirty (30) days between temporary uses. Unless found to be temporary, any use of land shall be presumed to be permanent. Such uses include construction facilities, emergency facilities as well as interim uses of land and buildings awaiting ultimate use, i.e. pasture for a few months before construction begins, a carnival, fair, sports field, staging area, storage, parking, etc.

275. TENANT. A person, corporation, partnership or group, whether or not the legal owner of record occupying a building or portion thereof as a unit.

276. TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

277. TRADE OR VOCATIONAL SCHOOL. Trade or Vocational School. A post high school educational or vocational training facility.

278. TRANSITIONAL HOUSING FACILITY. A facility owned, operated or contracted by a governmental entity or a charitable, not for profit organization, where, for no compensation, temporary housing (usually three to twenty four months, but in no event less than thirty days) is provided to homeless persons, while they obtain work, job skills, or otherwise take steps to stabilize their circumstances. A transitional housing facility shall not include a shelter for the homeless, and a dwelling unit provided to a family for the exclusive use as part of a transitional housing program, for more than thirty days, shall not be considered to be a transitional housing facility.

279. ULTIMATTE DEFORMATION. The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

280. UNBUILDABLE LAND. (as defined by the Planning Commission) is land with a slope greater than 25%, subject to inundation, geological hazards, flooding, rock fall, faults, wetlands or other hazards and environmentally sensitive areas. Unbuildable land may be mitigated through professional evaluation and recommendation from a soils engineer.

281. UNINCORPORATED means the area outside of the incorporated boundaries of cities and towns.

282. URBAN SERVICES. Those services normally associated with urban living, including but not limited to the following:

electricity, natural gas, streets, schools, drinking water, sewage collection and treatment facilities, health and medical facilities and police and fire protection.

283. VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from any space.

284. VICINITY MAP (LOCATION MAP). A map or drawing, not necessarily to scale, showing where a site, development, or other property is located in the City.

285. WEED. A plant that is not valued where it is growing and is usually of rank growth. A plant that tends to overgrow and choke out more desirable plants. The zoning administration shall determine weed or plant (landscaping) status in the event of disagreement.

286. WETLANDS. Areas known as longstanding marshes, swamps, rivers that are naturally wet for most of the year and have unique vegetation and/or wildlife, or as regulated by the U.S. Army Corps of Engineers through the State Engineers office.

287. WIND ENERGY CONVERSION SYSTEMS. Includes structure and all apparatus to utilize wind to drive a generator.

288. WORKMANLIKE. Executed in a skilled manner; e.g. generally plumb, level, square in line, undamaged and without marring adjacent work.

289. YARD. Open space on a lot, area beyond the buildings situated on a lot. An open space on the same lot with a structure.

290. YARD, FRONT. A space on the same lot with a building, between the front line of the building foundation (not a porch) and the front lot line, and extending

across the full width of the lot. On a corner lot there are two front yards, one side and one rear.

291. YARD, REAR. A space on the same lot with a building, between the rear line of the building foundation (not a patio) and the rear lot line, and extending the full width of the lot.

292. ZONING ADMINISTRATOR. The officially designated administrator of zoning related issues in Price City, as appointed by the Mayor with the advice and consent of the City Council. The official, or any duly authorized representative or designee who is charged with the administration and enforcement of this Code and its Chapters.

Chapter 2

ORGANIZATION FOR ADMINISTRATION AND REVIEW

2.1 Planning and Zoning

2.2 Appeal Authorities

2.1. PLANNING AND ZONING

1. CREATION OF PLANNING COMMISSION, NUMBER OF MEMBERS, APPOINTMENT. The Planning and Zoning Commission shall consist of seven (7) members, each to be appointed by the Mayor with the advice and consent of the City Council. All seven (7) members of said commission shall be residents of Price City and owners of real property within Price City. At least 4 of these 7 members shall hold no other public office within Price City.

1. The Mayor, upon the advice and consent of the City Council, may appoint up to two standing alternate members of the Planning and Zoning Commission to serve only in the absence of any duly appointed regular member. The alternate shall serve with full rights and authority at the meeting in which he/she is in attendance. The standing alternate(s) shall serve 3 year terms of office and serve consistent with all membership requirements.

2. TERM OF OFFICE. The initial terms of the appointed members of the Planning and Zoning Commission, shall be three years, and continue until their respective successors shall have been appointed, except that the terms of appointment shall be such that the terms of at least two members shall expire each year. The Planning and Zoning Commission members existing at the time of passage

of this Ordinance shall continue to serve, and the terms of its members shall be fixed by the City Council in such a manner as to comply with the above provisions for staggering terms of service. There shall be no limit to the number of terms of service so long as service is in good-standing and authorized by the City Council.

3. COMPENSATION. The members of the Planning and Zoning shall serve as such without compensation, except that the City Council may fix per diem compensation for the members of the Planning and Zoning based on necessary and reasonable expenses for meetings actually attended and land use matters reviewed and investigated. Actual expenses, in addition to those within the per diem, incurred shall be verified by presentation of bona fide receipts and vouchers.

1. All Planning and Zoning Commission members and alternate members shall be required to attend annual training on matters relating to the duties of the office and those matters that may be required by state law.

4. VACANCIES AND REMOVALS FOR CAUSE. Vacancies of appointed members occurring otherwise than through the expiration of terms shall be filled for the remainder of the unexpired terms. The City Council shall have the right to remove any member of the Planning and Zoning Commission for misconduct and may remove any member for non-performance of duty. Unexcused absences from 3 consecutive regular scheduled meetings of the Planning and Zoning may be considered by the City Council as non-performance of duty.

5. CHAIRPERSON. The Planning and Zoning shall elect from its members a

chairperson and vice-chairperson who shall serve annually, and, until such time as a new chairperson is elected.

6. **EMPLOYEES.** The Planning and Zoning Commission shall have power and authority to employ experts and a staff, and to pay such expenses as may be reasonable and necessary for carrying out the powers hereinafter set forth, but not in excess of such sums as may be appropriated by the City Council for use by the Planning and Zoning Commission.

7. **RULES AND REGULATIONS.** The Planning and Zoning Commission shall adopt such rules and regulations governing its procedures as it may consider necessary or advisable, and shall keep a record of its proceedings, which record shall be open to inspection by the public at all reasonable times. The adopted rules and regulations shall be presented to the City Council for their approval or disapproval. Only after the formal approval of the City Council shall the rules and regulations become enforceable.

8. **PLANNING AND ZONING COMMISSION POWERS AND DUTIES.**

1. The Planning and Zoning Commission shall:
 1. prepare and recommend a General Plan and amendments to the General Plan to the City Council;
 2. recommend zoning ordinances and maps, and amendments to zoning ordinances and maps to the City Council;
 3. administer provisions of the zoning ordinance, where specifically provided in this Code;
 4. recommend subdivision regulations and amendments to those regulations to the City Council;

5. recommend approval or denial of subdivision applications and conditional use permits;

6. advise the City Council on matters as the City Council requests or directs;

7. hear or decide any matters that the City Council designates, including the approval or denial of, or recommendations to approve or deny, conditional use permits;

8. exercise any other powers:

1. that are necessary to enable it to perform its function; or

2. delegated to it by the City Council.

3. that are required by State Law including review and recommendation to the Price City Council on matters regarding sale, disposition or transfer of real property owned by Price City.

9. **GENERAL PLAN**

1. Price City shall prepare and adopt a comprehensive, long range, general plan for:

1. the present and future needs of Price City; and
2. the development of the land and growth within Price City.

2. The plan may provide for:

1. health, general welfare, safety energy conservation, transportation, storm drainage, prosperity, civic activities, and recreation, educational and cultural opportunities;

2. the reduction of waste of physical, financial, or human resources that result from excessive congestion or excessive scattering of population;

3. the efficient and economical use, conservation, and production of the supply of food and water, and for drainage, sanitary, and other facilities and resources;

4. the use of energy conservation and solar and renewable energy resources; and

5. the protection of urban development, open space and the environment, protection and promotion of air quality.

3. The Planning and Zoning Commission with the approval of the City Council may determine the comprehensiveness, extent, and format of the general plan.

10. PLAN PREPARATION

1. The Planning and Zoning Commission shall create and recommend to the City Council a proposed general plan for the area within Price City.

1. The plan may include areas outside the boundaries of Price City if, in the Planning and Zoning's judgment, they are related to the future planning of Price City's territory.

2. Where the plan of Price City involves territory outside the boundaries of Price City, no action affecting that territory may be taken without the concurrence of the county unincorporated areas or other municipalities affected.

2. The general plan, with accompanying maps, plats, charts and descriptive and explanatory information, shall show the Planning and Zoning's recommendations for the development of the territory covered by the plan, and may include, among other things:

1. A land use element that designates the proposed general distribution and location and extent of uses of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate; and may include a statement of the standards of population density and building intensity recommended for the various land use categories covered by the plan;

2. A transportation and circulation element consisting of the general location and extent of existing and proposed freeways, arterial and collector streets, mass transit, and any other modes of transportation that are appropriate, all correlated with the land use element of the plan;

3. An environmental element that addresses:

1. the protection, conservation, development and use of natural resources, including forests, soils, rivers and other waters, harbors, fisheries, wildlife, quality of air, minerals, and other natural resources, hazards; and

2. the reclamation of land, storm water management, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas, the prevention, control and correction of the erosion of soils, protection of watersheds and wetlands, and the mapping of known geologic hazards;

4. A public service and facility element showing general plans for sewage, water disposal, drainage, local utilities, rights-of-way, easements, facilities for them, police and fire protection, and other public services.

5. A rehabilitation, redevelopment, and conservation element consisting of plans and programs for the elimination of blight and for redevelopment, including housing sites, business and industrial sites, public building sites, and historic preservation;

6. An economic element composed of appropriate studies and an economic development plan that may include review of municipal revenue and expenditures, revenue sources, identification of base and resident industry, primary and secondary market areas, employment, and retail sales activity;

7. Recommendations for implementing the plan, including the use of zoning ordinances, subdivision ordinances, capital improvement plans, and other appropriate actions; and

8. Any other elements that Price City considers appropriate.

11. PLAN ADOPTION

1. After completing a proposed general plan for all or part of the area within Price City, the Planning and Zoning Commission shall schedule and hold a public hearing on the proposed plan in compliance with State law, after a minimum of 10 days notice.

1. After the public hearing, the Planning and Zoning may make changes to the proposed general plan.

2. The Planning and Zoning shall then forward the proposed general plan to the City Council.

3. The City Council shall hold a public hearing, after 10 days notice, on the proposed general plan recommended to it by the Planning and Zoning.

1. After the public hearing, the City Council may make any modifications to the proposed general plan that it considers appropriate.

4. The City Council may:

1. adopt the proposed general plan without amendment;

2. amend the proposed general plan and adopt or reject it as amended; or

3. reject the proposed general plan.

5. The general plan is an advisory guide for land use decisions, and compliance can be mandated by ordinance.

12. AMENDMENT OF PLAN

1. The City Council may amend the general plan by following the procedures set forth in subsection 2.1.11.4., above.

13. EFFECT OF THE PLAN ON PUBLIC USES.

1. After the City Council has adopted a general plan or any amendments to the general plan, no street, park or other public way, ground, place or space, no publicly owned building or structure, or utility, whether publicly owned or privately owned, may be constructed or authorized until and unless:

1. it conforms to the plan; or

2. it has been considered by the Planning and Zoning Commission and, after receiving the advice of the Planning and Zoning, approved by the City Council as an amendment to the general plan.

2. Before accepting, widening, removing, extending, relocating, narrowing, vacating, abandoning, changing the use, acquiring land for, or selling or leasing any street or other public way, ground, place, property, or structure, the City Council shall submit the proposal to the Planning and Zoning Commission for its review and recommendations.

1. If the City Council approves any of the items contained in subsection 2.1.13.2, above, it shall also amend the general plan.

14. ZONING – RIGHT TO REGULATE.

1. The City Council may enact a zoning ordinance establishing regulations for land use and development that furthers the intent of this chapter.

15. PREPARATION AND ADOPTION OF ZONING REGULATIONS.

1. The Planning and Zoning Commission shall prepare and recommend to the City Council a proposed zoning ordinance, including both the full text of the zoning ordinance and maps, which represent the Commission’s recommendations for zoning all or any part of the area within Price City.

2. The City Council shall hold a public hearing on the proposed zoning ordinance recommended to it by the Planning and Zoning Commission.

1. The City Council shall publish notice of the time, place, purpose of the public hearing in a newspaper of general circulation in Price City at least 10 days before the hearing at which the proposed zoning ordinance is to be considered and public comment heard.

3. After public hearing the City Council may:

1. adopt the zoning ordinance as proposed, or
 2. amend the zoning ordinance and adopt or reject the zoning ordinance as amended; or
 3. reject the ordinance.

16. AMENDMENTS AND REZONING.

1. The City Council may amend:

1. the number, shape, boundaries, or area of any zoning district;
 2. any regulation of or within the zoning district; or
 3. any other provision of the zoning ordinance.

2. The City Council may not make any amendment authorized by this subsection unless the amendment was proposed by the Planning and Zoning or is first submitted to the Planning and Zoning for its approval, disapproval, or recommendations. The City Council shall comply with the procedure specified in Section 2.1.15 of this chapter, in preparing and adopting an amendment to the zoning ordinance or zoning map.

17. TEMPORARY REGULATIONS.

1. The City Council may, without a public hearing, enact ordinances establishing temporary zoning regulations for any part or all of the area within Price City.

1. Those temporary zoning regulations may prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure or subdivision approval.

2. The City Council shall establish a period of limited effect for the ordinances not to exceed six months from the date of enactment.

3. There shall be no claim for damages based on a temporary moratorium under this section.

18. ZONING DISTRICTS.

1. The City Council may divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of this chapter.

19. CONDITIONAL USES.

1. A zoning ordinance may contain provisions for conditional uses that may be allowed, allowed with conditions, or denied in designated zoning districts, based on compliance with standards and criteria set forth in the zoning ordinance for those uses.
2. The Board of Adjustments has jurisdiction to decide appeals of the approval or denial of conditional use permits unless the City Council has enacted an ordinance designating another body as the appellate body for those appeals.

20. NON-COMPLYING USES AND STRUCTURES.

1. Except as provided in this section, a non-conforming use or structure may be continued.
 1. A non-complying use may be extended through the same building, provided no structural alteration of the building is proposed or made for the purpose of the extension.
 2. For purposes of this subsection, the addition of a solar energy device to a building is not a structural alteration.
2. The City Council may provide in any zoning ordinance or amendment thereto for:

1. the restoration, reconstruction, extension, alteration, expansion, or substitution of non-conforming uses upon the terms and conditions set forth in the zoning ordinance;

2. the termination of all non-complying uses (except billboards) by providing a formula establishing a reasonable time period during which the owner can recover or amortize the amount of his investment in the non-conforming use, if any; and

3. the termination of a billboard that is a non-complying use by either:

1. acquiring the billboard and associated property rights by gift, purchase, agreement, exchange, or eminent domain, provided that if the City Council acquires the billboard by eminent domain, it pays the owner just compensation; or

2. allows the owner to recover or amortize the fair market value, in an amount that is equal to the amount by condemnation, and takes into consideration the reasonable cost of operation to the owner over the amortized period.

3. Notwithstanding Subsection 2.1.20.2, a legislative body may remove a billboard without providing compensation or amortization if, after providing the owner with reasonable notice of proceedings and an opportunity for a hearing, the City Council finds that:

1. the applicant for a permit made a false or misleading statement in his application;

2. the billboard is unsafe; or

3. the billboard is an unreasonable state of repair; or

4. the billboard has been abandoned for at least 12 months.

2.2. APPEAL AUTHORITIES

1. BOARD OF ADJUSTMENT, APPOINTMENT, TERM AND VACANCY.

1. In order to provide for just and fair treatment in the administration of local zoning ordinances, and to insure that substantial justice is done, Price City shall appoint a Board of Adjustment to exercise the powers and duties provided in this part.
2. The Board of Adjustment shall consist of no more than five members and whatever alternate members that the Mayor, with the advice and consent of the City Council, considers appropriate.
 1. The Mayor shall appoint the members and alternate members, with the advice and consent of the City Council, for terms of five years.
 2. The Mayor shall appoint members of the first Board of Adjustment to terms so that the term of one member expires each year.
3. No more than two alternate members may sit at any meeting of the Board of Adjustments at one time.
 1. The City Council shall make rules establishing a procedure for alternate members to serve in the absence of members of the Board of Adjustment.
4. The Mayor, with the consent of the City Council, may remove any member of the Board of Adjustment for cause if written charges are filed against the member with the City Council.

1. The Mayor shall provide the member with a public hearing if he/she requests one.

5. The Mayor, with the advice and consent of the City Council, shall fill any vacancy.

1. The person appointed shall serve for the unexpired term of the member or alternate member whose office is vacant.

2. ORGANIZATION AND PROCEDURES

1. The Board of Adjustment shall:

1. organize and elect a Chairperson; and
2. adopt rules that comply with any ordinance adopted by the City Council.

2. The Board of Adjustment shall meet at the call of the Chairperson and at any other times that the Board of Adjustment determines.

3. The Chairperson, or in the absence of the Chairperson, the acting Chairperson, may administer oaths and compel the attendance of witnesses.

4. All meetings of the Board of Adjustment shall be open to the public.

1. The Board of Adjustment shall:

1. keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact; and
2. keep records of its examinations and other official actions.

2. All records in the office of the Board of Adjustment are public records.

5. The concurring vote of three members of the Board of Adjustment is necessary to reverse any order, requirement, decision, or

determination of any administrative official or agency to decide in favor of the appellant.

- 6. Decisions of the Board of Adjustment become effective at the meeting in which the decision is made, unless a different time is designated in the board's rules or at the time the decision is made.
- 3. The City Council may fix per diem compensation for the members of the Board of Adjustment based on necessary and reasonable expenses and on meetings actually attended.

4. POWERS AND DUTIES.

- 1. The Board of Adjustment shall hear and decide:

- 1. appeals from administrative decisions applying a zoning or subdivision ordinance and the Land Use Development and Management Code, including appeals from:

- 1. building permit denials based upon a failure to comply with a zoning or subdivision ordinance;
 - 2. administrative decisions related to subdivision plats; and
 - 3. the approval or denial of conditional use permits.

5. APPEALS.

- 1. The applicant or any other person or entity adversely affected by a decision administering or interpreting a zoning ordinance may appeal that decision applying the zoning ordinance by alleging that there is error in any order, requirement, decision, or determination made by an official in the administration, interpretation, or enforcement of the Land Use Development and Management Code.

- 2. The City Council shall enact an ordinance establishing a reasonable time for appeal to the Board of Adjustment of decisions administering or interpreting the Land Use Development and Management Code.

- 3. Any officer, department, board, or bureau of Price City affected by the grant, or refusal of a building permit or by any other decisions of the Zoning Administrator in the enforcement and administration of the Land Use Development and Management Code may appeal any decision to the Board of Adjustment.

- 4. The Board of Adjustment shall hear and decide appeals from the Planning and Zoning decisions regarding conditional use permits unless the Land Use Development and Management Code designates the City Council or another body to hear conditional use permit appeals.

- 5. The person or entity making the appeal has the burden of proving that an error has been made.

- 6. Only zoning decisions applying the ordinance may be appealed to the Board of Adjustment.

- 1. A person may not appeal, and the Board of Adjustment may not consider, any Land Use Development and Management Code amendments.

- 7. Appeals may not be used to waive or modify the terms or requirements of the Land Use Development and Management Code.

6. HEARING OFFICER

- 1. The Mayor, with the advice and consent of the City Council, may appoint an Hearing Officer to decide routine -matters. The Hearing Officer

shall serve at the pleasure of the Mayor until such time as he/she is replaced.

2. The City Council shall:

1. designate which matters may be decided by the Hearing Officer; and
2. establish guidelines for the Hearing Officer to comply with in making decisions.

3. Any person affected by a decision of the Zoning Administrator may appeal the decision to the Hearing Officer as provided in this part.

7. VARIANCE COMMITTEE

1. The Variance Committee shall consist of one Price City Elected Official, the Price City Community Director and the Price City Public Works Director. The Elected Official shall be appointed by the Mayor to the Variance Committee as Chair of the Committee with the advice and consent of the Price City Council.
2. Organization and Procedures: The Variance Committee shall review and provide a determination on matters requiring a variance from established provisions of this Code, but shall not consider or hear appeals resulting from a decision of a Price City official, commission, board or the legislative body.
3. The Variance Committee Chair shall keep a record of all meetings, its findings and its resulting decisions.
4. Appeals to Variance Committee Decisions: An applicant for a variance to the Variance Committee, or any other person adversely affected by a decision made by the Variance Committee, may appeal that decision to the Board of Adjustment, applying

the provisions of Section 2.2.5 "Appeals" of the City Code.

8. VARIANCES.

1. Any person or entity desiring a waiver or modification of the requirements of the Land Use Development and Management Code as applied to a parcel of property that he/she owns, leases, or in which he/she holds some other beneficial interest, may apply to the Variance Committee for a variance from the terms of the Land Use Development and Management Code. Applicants appealing to the Variance Committee shall provide written notification to neighboring property owners within three-hundred feet (300') of the subject property of the variance, at the direction of the Zoning Administrator, if required.
2. The Variance Committee may grant a variance only if:
 1. literal enforcement of the Code would cause a hardship for the applicant that is not necessary to carry out the general purpose of the Code;
 2. there are special circumstances attached to the property that do not generally apply to other properties in the same district;
 3. granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district;
 4. the variance will not substantially affect the general plan and will not be contrary to the public interest; and
 5. the spirit of the Code is observed and substantial justice done.

6. In determining whether or not enforcement of the Code would cause hardship, the Variance Committee may not find an unreasonable hardship unless:
 1. the alleged hardship is located on or associated with property for which the variance is sought; and
 2. the alleged hardship comes from circumstances peculiar to the property, not from conditions that are general in the neighborhood.
 3. In determining whether or not enforcement of the Code would cause unreasonable hardship under Section 2.8.1., the Variance Committee may not find an unreasonable hardship if the hardship is self-imposed or economic.
3. The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.
4. Variances run with the land.
5. The Variance Committee and any other body may not grant use variances.
6. In granting a variance, the Variance Committee may impose additional conditions or requirements on the land use that will:
 1. mitigate any harmful affects of the variance; or
 2. serve the purpose of the standard or requirement that is waived or modified.
9. **APPEAL OF BOARD OF ADJUSTMENT DECISION TO DISTRICT COURT**

1. Any person adversely affected by any decision of a Board of Adjustment may petition the District Court in and for Carbon County, Utah for a review of the decision.
2. In the petition, the plaintiff may only allege that the Board of Adjustment's decision was arbitrary, capricious, or illegal.
3. The petition is barred unless it is filed within 30 days after the Board of Adjustment's decision is final.
4. The Board of Adjustment shall transmit to the reviewing court the record of its proceedings including its minutes, findings, orders and, if available, a true and correct transcript of its proceedings.
 1. If the proceeding was taped, a transcript of that tape proceeding is a true and correct transcript for purposes of this subsection.
5. If there is a record, the district court's review is limited to the record provided by the Board of Adjustment.
 1. The court may not accept or consider any evidence outside the Board of Adjustment's record unless that evidence was offered to the Board of Adjustment and the court determines that it was improperly excluded by the Board of Adjustment.
 2. If there is no record, the court may call witnesses and take evidence.
6. The court shall affirm the decision of the Board of Adjustment if the decision is supported by substantial evidence in the record.
7. The filing of a petition does not stay the decision of the Board of Adjustment.

1. Before filing the petition, the aggrieved party may petition the Board of Adjustment to stay its decision.
2. Upon receipt of a petition to stay, the Board of Adjustment may order its decision stayed pending District Court review if the Board of Adjustment finds it is in the best interest of the municipality.
3. After the petition is filed the petitioner may seek an injunction staying the Board of Adjustment's decision.

10. APPEALS

1. No persons may challenge in District Court a municipality's land use decision made under this chapter or under the regulation made under authority of this chapter or this Code until they have exhausted their administrative remedies.
2. Any person adversely affected by any decision made in the exercise of the provisions of this chapter may file a petition for review of the decision with the District Court within 30 days after the local decision is rendered.
3. The District Court shall:
 1. presume that land use decisions and regulations are valid; and
 2. determine only whether or not the decision is arbitrary, capricious, or illegal.

11. ENFORCEMENT

1. A municipality or any owner of real estate within the municipality in which violations of this chapter or ordinances enacted under the authority of this chapter occur or are about to occur may, in addition to

other remedies provided by law, institute:

1. injunctions, mandamus, abatement, or any other appropriate actions; or
 2. proceedings to prevent, enjoin, abate, or remove the unlawful building, use, or act.
 3. A municipality need only establish the violation to obtain the injunction.
2. A municipality may enforce the ordinance by withholding building permits.
 1. It is unlawful to erect, construct, reconstruct, alter, or change the use of any building or other structure within a municipality without approval of a building permit.
 2. The municipality may not issue a building permit unless plans of and for the proposed erection, construction, reconstruction, alteration, or use fully conform to all regulations then in effect.

12. PENALTIES

1. The City Council may, by ordinance, establish civil penalties for violations of any of the provisions of this chapter or of any ordinances adopted under authority of this chapter.
2. Violation of any of the provisions of this chapter or of any ordinances adopted under the authority of this chapter are punishable as a Class C misdemeanor upon conviction either;
 1. as a Class C misdemeanor; or
 - by imposing the appropriate civil penalty adopted under authority of this section.

Chapter 3
ADMINISTRATIVE PROCEDURES

- 3.1 Procedures for Amendments to Zoning and City Boundaries**
- 3.2 Document Submission and Review Procedures**
- 3.3 Step 1 – Concept Plan**
- 3.4 Step 2 – Preliminary Design Plan**
- 3.5 Step 3 – Final Design, Plan, Plats**
- 3.6 Supplemental Requirements**

3.1. PROCEDURES FOR AMENDMENTS TO ZONING AND CITY BOUNDARIES

- 1. The City Council may amend this code pursuant to section 2.1.1.6.
- 2. Any resident or other person having an equitable and bona fide interest in Price City may petition Price City for an amendment to this Code.
- 3. Any person seeking to amend this code, zoning map or city boundary shall make application for such amendment by taking required actions and filing the following information and documents with the Planning Commission:
 - 1. A written application describing the change desired and the reasons therefore.
 - 2. A non returnable amendment application fee.
- 4. Any applicant seeking to amend the zoning map or city boundary shall mail by certified mail, and submit copies thereof, a notice of the proposed action to all owners of real property within 300 feet of the proposed zone change.
- 5. Zoning or City Boundary (Annexation) Amendment requirements:

- 1. A vicinity plan, drawing of the area, and boundary description.
- 2. Names of all property owners in the subject area.
 - 1. Names of all owners within 400 feet of the subject area boundary.
- 3. A sufficient number of plain white legal size envelopes, addressed to the property owners, with Price City as the return address, and with proper postage.
- 6. All plans, plats and information shall be submitted in a neat, organized manner, prepared by individuals competent to do such work, to include licensed professional engineers, architects and land surveyors.
- 7. Price City shall prepare and give notice of public hearings to consider the proposed amendment as provided by law for zoning amendments.
 - 1. At least 10 days notice of the time and place of such hearing shall be published in a newspaper of general circulation in Price City.
- 8. The Planning Commission shall review the application and make its recommendations concerning the proposed amendment to the City Council within 30 days from receipt of the amendment application in a regularly scheduled meeting. The Planning Commission shall recommend adoption of a proposed amendment only when the following findings are made:
 - 1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of Price City.
 - 2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the

purposes stated in the chapters of this code.

9. When the Planning Commission recommends the amendment the Price City Council may:
 1. Adopt the amendment by majority vote.
 2. Reject the amendment.
 3. Modify the proposed amendment and refer back to the Planning Commission for its recommendation to be returned to the City Council within 30 days.
10. When the Planning Commission recommends denial of the amendment the City Council may:
 1. Reject the amendment
 2. Modify the proposed amendment and refer back to the Planning Commission for its recommendation to be returned to the City Council within 30 days.
 3. If the City Council determines that the proposed amendment may have merit in spite of the Planning Commission's negative recommendation, the City Council may adopt the amendment by an affirmative vote of 4 members.
11. Where an application for a zoning or city boundary amendment has been denied, the Planning Commission and the City Council shall not review the same zoning amendment application within 2 years unless there is substantial change of conditions since the earlier application. A new application and fee will be required.

3.2. DOCUMENT SUBMISSION AND REVIEW PROCEDURES

1. **PRE-SUBMISSION PROCEDURES.** To facilitate the handling of applications, the Planning Commission may adopt pre-submission procedures to allow for adequate investigations and staff review and may require compliance with such pre-submission review procedures as a prerequisite to formal receipt and action by the Planning Commission. Pre-submission review shall in no way be interpreted to mean review by the Planning Commission.
2. **SUBMISSION AND DOCKETING FOR REVIEW.** Upon receipt of application, all required fees and information for any specific step of the review procedure, the Zoning Administrator and other members of the Technical Review Committee (TRC), shall review the application for completeness and compliance with the provisions of this code and other pertinent municipal regulations. When the Zoning Administrator determines that the application is ready for Planning Commission review, the chairman of the Planning Commission will docket the application review at the next regular public meeting of the Planning Commission. Incomplete or late applications shall not be docketed for Planning Commission review.
 1. All submissions to Price City must be received a minimum of ten (10) calendar days in advance of any scheduled meeting unless otherwise approved by the Zoning Administrator.
3. **APPLICABILITY OF APPLICATION AND DOCUMENT REQUIREMENTS TO TYPES OF USES.**
 1. Applications and concept plans are required for all land uses and development as indicated.
 2. Applications, concept plans, preliminary design plans, and final

design plans and plats may be required for all conditional uses (CU) and as deemed necessary for all other uses:

1. Planned unit developments (PUD)
2. Subdivisions (SUB) / Residential
3. Recreational vehicle parks (RVP)
4. Commercial (COM)
5. Industrial sites (IND)
6. Amendments
7. Schools
8. Churches
9. Utilities.

4. APPLICATIONS TO BE SUBMITTED AND REVIEWED IN STEPS.

Applications shall be submitted and reviewed in steps. Each step shall be reviewed by the Zoning Administrator and as appropriate, the Technical Review Committee (TRC), before an application and recommendations are forwarded to and reviewed by the Planning Commission. The necessity of submitting revised and additional information, documents, and/or drawings shall be determined by the Planning Commission and/or Zoning Administrator. The steps in the approval process are as follows:

Step 1: Concept Plan

Step 2: Preliminary design plan

Step 3: Final design, plan, and/or plat

The above steps may be combined or reviewed concurrently if all submissions and reviews are complete and approved by the Zoning Administrator prior to submission to the Planning Commission.

3.3. STEP 1 – CONCEPT PLAN:

1. SUBMIT CONCEPT PLAN TO ZONING ADMINISTRATOR.

Applicants shall submit a concept plan which will enable a review of a proposed project for general scope and conditions which might impact the proposed project and Price City. The Planning Commission shall either approve or reject the concept plan.

2. DOCUMENT REQUIREMENTS. The following items shall be submitted to the Zoning Administrator for concept plan review:

1. An application and fee for concept plan approval explaining the proposed project.
2. All development activity occurring within 100 feet of a canal must notify the owner and/or operator of the canal of the development prior to commencement of the development (HB 298, 2010).
3. An environmental review of the subject development is required.
 1. For minor size developments / subdivisions (under 10 lots per project or phase) a review of the following minimum environmental impacts shall be required:
 1. Erosion, dust, soils and top soil loss
 2. Grades, slope stability and geologic hazards
 3. Ground water, drainage, water courses, flood hazards
 4. Vegetative types and landscaping
 5. Wildlife and habitat
 6. Essential urban services presently available.

7. Fire potential; Police enforcement
 8. Accumulation of solid and liquid wastes, water quality, discharge of smoke, noxious odors, air quality.
 9. Potential area-wide economic impact of the development.
 10. Noise, lighting, sound, vibrations, visual impacts, etc.
 11. Traffic congestion.
 2. For moderate size developments / subdivisions (10 to 30 lots or more per project or phase) a review of the following minimum environmental impacts shall be required:
 1. Erosion, dust, soils and top soil loss
 2. Grades, slope stability and geologic hazards
 3. Ground water, drainage, water courses, flood hazards
 4. Vegetative types and landscaping
 5. Wildlife and habitat
 6. Essential urban services presently available.
 7. Fire potential; Police enforcement
 8. Accumulation of solid and liquid wastes, water quality, discharge of smoke, noxious odors, air quality
 9. Water quality.
 10. Discharge of smoke, noxious smells.
 11. Air quality.
 12. Potential area-wide economic impact of the development.
 13. Noise, lighting, sound, vibrations, visual impacts, etc.
 14. Traffic congestion.
 3. For major size developments / subdivisions (30+ lots per project or phase) an environmental impact assessment performed by a licensed professional engineer is required.
 4. The applicant will address identified conflicts and propose mitigation of all adverse aspects of the plan.
 5. VICINITY MAP: A map showing where the project is located in the City (on a sheet 8"x 11").
 6. A SITE PLAN: A simple neatly drawn plan (on a sheet 8"x 11") representative of the project site and proposed development that is to scale, clearly legible and includes:
 - a. Applicant name, address and phone number, date of submittal
 - b. Property boundaries with dimensions.
 - c. Street and street number and/or name.
 - d. Zoning designation.
 - e. Water courses
 - f. General topography of the land.
 - g. Proposed use, buildings and site improvements.
3. CONCEPT PLAN REVIEW
1. Upon receipt of the complete concept plan application, the Zoning Administrator shall distribute copies as necessary to the Technical Review Committee and other agencies for review and comment.

2. The Zoning Administrator shall review the concept plan application for compliance with all applicable regulations. The Zoning Administrator shall notify the property owner or developer of approval, denial noncompliance the need for other information, which may assist staff and the Planning and Zoning Commission to evaluate the proposed development.
3. Where it is determined by the Planning and Zoning Commission or Zoning Administrator, after review of the concept plan, that one or more of the application requirements and procedural steps are not applicable to the project under consideration, such requirements may be waived in writing.

4. CONCEPT PLAN APPROVAL

1. A denied concept plan shall not constitute an absolute disapproval of the proposed development, but rather shall operate in a manner as to give the developer guidance to the requirements and constraints for development within Price City.
2. The applicant and/or developer for concept approval, may, upon concurrence by the Zoning Administrator, request review of a proposed development by the Price City Design Review Committee (DRC). Application for DRC review shall be made as directed by the Zoning Administrator and all approved application fees must be paid prior to DRC consideration. The DRC shall consist of the Zoning Administrator or designee, Public Works Director or designee, current Mayor Pro-Tempore and a

citizen at large, from those residing within Price City, not affiliated with the development. Upon consideration and review by the DRC, the applicant may be provided with a recommendation of a density bonus, not to exceed, twenty percent (20%). Procedures for accommodating any recommended density bonus shall be made by the DRC. Any such recommendations must be approved by both the Price City Planning and Zoning Commission and the Price City Council subsequent to the recommendation and the applicant must comply with all design element recommendations stemming from the DRC review.

2. The developer may apply for preliminary design plan approval after concept plan approval is granted. Concept plan approval shall be valid for 1 year from the date on which the concept plan was approved. Resubmission of the concept plan may be required by the Planning and Zoning Commission prior to filing an application for preliminary design approval.

3.4. STEP 2 – PRELIMINARY DESIGN PLAN

1. **SUBMIT PRELIMINARY DESIGN PLAN TO THE ZONING ADMINISTRATOR.** Following concept plan approval the applicant shall submit a preliminary design plan application to the Zoning Administrator. The preliminary design plan shall provide design solutions to problems identified in the approved concept plan. The Planning Commission shall either approve or disapprove the preliminary design plan.

1. Document Requirements. The following items shall be submitted in an application to the Zoning Administrator for preliminary design review.

1. An application and fee together with an updated and approved concept plan to include corrected or revised maps and drawings.

2. Evidence that the applicant has sufficient control and financial capability over the land to effectuate the proposed use.

3. Evidence that the appropriate agencies have reviewed the development plan and will be able provide water, sewer and electrical, natural gas, communication service to the proposed development. This does not preclude the necessity of the applicant having to upgrade the service.

4. Statement of the estimated starting and completion dates for each phase of the development, identifying what work will take place.

5. Copy of proposed protective covenants, articles of incorporation, association or condominium.

6. Tabulations showing the square footage and percent of total area of proposed development:

1. Total Area
2. Private right-of-ways
3. Public right-of-ways
4. On-site parking
5. Private buildings parking lots and hard-surfaced areas
6. Landscaping
7. Water courses
8. Undevelopable area

7. Appropriate supporting documents showing compliance with regulations of the State of Utah dealing with air emissions, water discharge standards, wetland mitigation and hazardous material mitigation.

8. Detailed estimate of the cost to complete the off-site (street or public right of way) improvements.

2. PROJECTS DESIGN INFORMATION AND PLANS

1. A SITE PLAN: A neatly drawn plan (on a sheet 8x11, 11x17 or 22x34) representative of the project site that is to scale, with dimensions, clearly legible and includes important information for both pre existing and post development conditions, demolition, fill, grading, existing improvements and proposed improvements, such as:

1. Streets.
2. Buildings (plan view and/or elevation view), not entire building design, that will be submitted later for a building permit).
3. Utilities (water, sewer, storm drain, electrical).
4. Zoning designation.
5. Drainage ways, rivers, washes, canals, ditches, springs, wells, flood plain.
6. Vegetation.
7. Geologic conditions seismic zone, earthquake faults, cliffs, alluvial fans, rock falls, land slides, wet lands, subsidence, ground water, radiological, hazardous waste.

8. The name, telephone number, and business address of the applicant, developer and owner, engineer, architect, surveyor.

9. The dimensions of the site and total acreage
10. North point and scale of drawing
11. Locations, numbering and names of streets (include traffic control)
12. Right of ways and easements; widths, curves, intersections, driveways.
13. Survey monuments
14. Storm flood control and detention ponds including submission of a preliminary drainage report in compliance with the Price City Drainage Design Criteria, when required.
15. Location and description of landscaping.
16. Parking.
17. Location and size of utility mains, service lines and connections for: water, sewer, power, gas, telephone, cable, fiber optics.
18. Demand for water, sewer and electrical, storm drainage (quantify in terms of gals/min, velocity, materials, peak demand, total yearly gallons, kwh, etc.)
19. Condition of existing facilities and ability to tolerate demand created by development.
20. Preliminary Geotechnical Review (see evaluation criteria under final plan submittal).
21. Mitigation of adverse conditions created by development.

3. REVIEW PROCEDURE FOR A PRELIMINARY DESIGN PLAN

1. The Zoning Administrator shall upon receipt of the complete preliminary design plan submission, distribute as necessary copies of the plan to the Planning and Zoning Commission, members of the Technical Review

Committee, and to such other governmental departments and agencies for review and comment. The Zoning Administrator shall allow a reasonable time period for review.

2. Failure of any of the recipients to respond to the Zoning Administrator or Planning and Zoning Commission with comments concerning the development, within a reasonable time period, shall be construed as indicating the individual, agency or department has no adverse concern with the proposed development.
3. The Planning and Zoning Commission shall consider the application for preliminary design plan approval at its next regularly scheduled public meeting following a 30 day review and processing period, except as may be limited by Planning and Zoning Commission agenda or the Zoning Administrator. This review and processing period shall be measured from the date on which the preliminary design plan application is determined by the Zoning Administrator to be substantially complete.
4. The Planning and Zoning Commission shall approve only those preliminary design plans which the Commission finds:
 1. To be developed in accordance with the intent, standards, and criteria specified in this code and other applicable regulations.
 2. To conform to an approved concept plan.
 3. To create no substantial financial hardship to Price City.
 4. To create no substantial environmental consequences which will adversely impact upon adjacent

properties and the health, safety or welfare of the inhabitants of Price City when weighed against the positive impacts of such development.

5. To mitigate known and possible adverse impacts from the proposed development.

6. When in the opinion of the Planning and Zoning Commission public facilities should be constructed within the boundaries of a proposed development for the benefit of the community as established in the comprehensive General Plan and Transportation Master Plan of Price City, the developer shall reserve a site appropriate in area and location for such public facilities and services (street, pathway, park, school, community building, etc.).

5. After review of the preliminary design plan at a public meeting, the Planning Commission shall approve, disapprove or approve with conditions, the preliminary design plan and land use, notifying the developer in writing of such action, or may postpone action to allow the developer time to provide materials or additional information needed by the Planning Commission, to then determine appropriate action.
6. Preliminary plan approval constitutes acceptance of a project or development by Price City and vesting in the proposed development or project. For a vested right to be established the applicant must make substantial financial expenditures in good faith reliance on final zoning approval and must further perfect a vested right by purchasing a building permit and make substantial financial expenditures in connection with the building permit. Substantial financial

expenditures are generally estimated to be twenty percent (20%) or more of the total project cost. A vested right may arise in the absence of zoning or other Price City approval if, at the time of the substantial financial expenditures, no prior approval was required.

3.5. STEP 3 – FINAL PLAN REQUIREMENTS

Following preliminary design plan approval, the applicant shall submit a final plan for review by the Zoning Administrator and Technical Review Committee (TRC). The final plan shall contain all the information required by this section and shall provide technical and engineering solutions to all previously identified problems.

1. DOCUMENTS FOR ZONING ADMINISTRATOR:
 1. Application for final approval.
 2. Required fee.
 3. Drawings: Plat, Site plan, Plan & Profiles, Details, Estimated quantities.
 4. Geotechnical Study.
 5. Grading Plan.
 6. Storm Water Management Plan.
 7. Mitigation of Adverse Conditions Plan.
 8. Development Agreement.
2. DRAWING REQUIREMENTS FOR ZONING ADMINISTRATOR
 1. Approved preliminary plans and details shall be included in the final plans.
 2. Dedication Plat
 1. Description of project boundaries, public streets, and easements (utility, drainage access, etc.) as well as other design elements.

2. Names and addresses of the project or development, the owner or owners of record, the developers, the engineers, the surveyors and/or the architects.
 3. Astronomic north arrow and basis of bearing.
 4. Total acreage of development project including number of lots and the acreage of each.
 5. Township, range, section and quarter section (if portion) information.
 6. Graphical scale.
 7. City Engineer's review certificate unless waived on plat.
 8. City Attorney's review certificate unless waived on plat.
 9. Planning Commission approval certificate on plat.
 10. City Council approval certificate.
 11. Recording procedure by the County Recorder on plat.
 12. Owner's dedication of property to the City or the Public.
 13. Any additional information required by City Ordinance, City Council or Utah State law on plat.
- 3. Plat/Plan Format:** The dimensions and format of the plan shall conform to City requirements. Plans may be submitted on 11" x 17" sheets provided the scale does not exceed 1" = 40' the plan is legible. Plans may also be submitted on 24" x 36" sheets provided the scale does not exceed 1" = 100'. Subdivision plats shall be submitted on 24" x 36" velum, mylar or equivalent approved by the City Engineer. In addition, all the above shall be submitted on electronic disc in AutoCad.
4. **Typical Plans:** All lands within the boundaries of the development shall be accounted for in the plans as lots, sidewalks, pathways, streets, alleys, excluded parcels, common areas, building areas, parking areas, drainage facilities, detention basins, bridges, landscape areas, permanent open space, etc., and shall contain the following:
 1. Lot lines, site grading, street improvements, drainage, water lines, sewer lines, electricity, natural gas, telephone, fiber optics, cable television, secondary water lines and any other public utility locations.
 2. In subdivisions all blocks and lots within each block shall be consecutively numbered. Excepted parcels shall be marked "not included in this development".
 3. Streets, sidewalks and alleys shall be designated as such and streets shall be numbered with bearings and dimensions given. Street names may be submitted for City approval and shall not duplicate or be similar to existing names of City or County streets. All streets shall include numerical designations. They shall not be included on the same sign blade as street names.
 4. All easements shall be designated as such with bearings and dimensions given.
 5. Parcels not contiguous shall not be included in one plan, nor shall more than one plan be made on the same sheet. Contiguous parcels owned by different parties may be embraced in one plan,

provided all owners join in dedication and acknowledgment.

5. **Cross Sections:** Provide detailed design street cross section information at 100 foot intervals along all street alignments associated with the development. Refer to the City's acceptable design for typical street cross sections. Show pavement and sub-grade design calculations (based on geotechnical study). Provide detailed cross sections for water and sewer line connections, complex valve and fitting arrangements, detention basins and catch basins, with supporting calculations and details.
6. **Profiles:** Provide profiles for all existing and designed streets and utilities with elevations at 50 foot intervals for: street centerline, top back of curb, water lines, sewer lines and drainage lines. The profiles shall indicate all vertical curves, grade changes, sewer manholes, water valves, clean outs and catch basins. Include sewer design, demand and capacity calculations.

7. Geotechnical

A geotechnical study shall be prepared and submitted by a qualified engineer on all developments, subdivisions, main structures, and buildings that will be occupied; exceptions: single lots in approved residential, commercial, manufacturing or industrial subdivisions and garages or carports, minor additions or remodels, and site accessory improvements or as otherwise recommended by the Zoning Administrator, City Engineer or Building Inspector and approved by the City Council.

The geotechnical study shall be derived from exploratory test pits or boring. At

a minimum, one test pit from each quadrant of the proposed site and one or more from the area directly under the proposed structures shall be completed. The geotechnical study shall include the following:

- a. Cover sheet and Introduction.
- b. Conclusions.
- c. Proposed Construction.
- d. General Site Construction.
- e. Subsurface Investigation.
- f. Laboratory Testing.
- g. Subsurface Conditions.
- h. Site Grading.
- i. Geological Conditions and Mitigation: seismic zone, earthquake faults, cliffs, alluvial fans, rock falls, land slides, wet lands, subsidence, ground water, radiological.
- j. Foundations.
- k. Subsurface Drainage; foundation drainage; sumps.
- l. Floor Slabs.
- m. Moisture Control and Surface drainage.
- n. Pavement design.
 - i. Street.
 - ii. Parking Lot.
- o. Mass Grading, Backfill and Compaction.
- p. Utility trenching, backfill and compaction.
- q. General Conditions.
- r. Table.
- s. Laboratory Test Results.
- t. Figures.
- u. Vicinity Map.

- v. Site Plan and location of test pits.
- w. Legend.
- x. Consolidation Swell Tests.

8. Storm Water Management Plan: A final drainage report shall be prepared and submitted in accordance with the Price City Drainage Design Criteria for all developments, or as otherwise required by the City Engineer. The Final Drainage Report shall include the following:

1. Topographic survey of the proposed site that shows the existing drainage and irrigation systems including all rivers, creeks, streams, washes and flood plains. Show pre-development and post-development contours at 2 foot intervals. Show locations and elevations of proposed structures. Establish and show the finished floor elevations (first and basement floors) of proposed buildings. Show elevations of all adjacent and adjoining properties. Show grades of all impervious surfaces.
2. Plan, profile and detail drawings and run-off calculations for new, temporary or modified drainage systems. This includes all detention basins, structures, catch basins, piping, open channels, bridges and other specific drainage features.
3. Drainage analysis that shows the peak flow rate and peak volume calculations for the pre-development and post-development conditions.
4. Analysis and Design Criteria.
The rational method is to be employed for watersheds less than

or equal to 10 acres. Peak rate and volume calculations are to be based on the 50 year 1 hour storm for the storm drainage network. Use an intensity of 1.10 inches per hour for 1 hour or other local reliable precipitation data.

The Natural Resource Conservation Service (NRCS) method is to be used on watersheds larger than 10 acres. Peak rate and volume calculations are to be based on the 100 year 24 hour storm event with a type 2 distribution for the storm drainage network.

Post development conditions shall not exceed predevelopment conditions. Check for the 5, 10, 25, 50 and 100 year storms and related flood routing. Delineate the watersheds for each catch basin and inlet. Design the storm sewer pipe network for the 50 year 1 hour storm. Evaluate the effects of the 100 year storm. Runoff and flooding shall be contained within the streets and storm sewer pipeline network.

Storm water detention basins, inlets and outlets shall be designed for the 100 year storm event.

5. Each lot will be developed and built so that there is a positive grade away from all structures. Property owners shall be responsible for controlling drainage runoff that is generated onsite. Onsite detention shall be developed as necessary. Discharge of runoff from the site shall be directed towards approved street and natural drainage ways.
6. Structures on lots shall not be built with basement garage driveways or basement stair accesses that directly connect to the street.

- 7. Evaluation of potential pollution, contamination and construction site discharge through storm water runoff from the facilities or features of the development. The results of the evaluation may require source control, pre-treatment and pollution prevention practices to be implemented to control polluted storm water runoff.

- 9. Survey Information: Plans for land surveying shall be prepared and certification made as to plan accuracy by a registered professional land surveyor properly licensed to do such work in the State of Utah. A workmanlike execution of the plan shall be made in every detail. A poorly drawn or illegible plan is sufficient cause for final plan rejection. Engineering plans and details shall be calculated, designed, prepared or reviewed by a qualified and licensed engineer. Plans shall provide the following survey information:
 - 1. Bearings, distances and curve data for all perimeter boundary lines with ties to 2 existing legal survey monuments unless otherwise required by the City Engineer). A traverse of the perimeter boundary lines from the existing legal survey monuments shall have an error of closure of not greater than 3 in 100. Bearings, distances and curve data shall also be given for all interior lot lines and dimensions including irregularly shaped lots. Distances shall be given in hundredths of a foot, angles in decimal degrees to hundredths of a degree, and bearings in degrees-minutes-seconds of an arc.

- 2. Sufficient curve data shall be given to enable the reestablishment of the curves on the ground. Include a table of curve data. This curve data shall include the following information:
 - 1. Radius of curve.
 - 2. Central angle.
 - 3. Tangent.
 - 4. Arc length.
 - 5. Chord (bearing and distance).
 - 3. Parcels bounded by a body of water shall have the bearings and distances of a closing meander traverse given and notation made that the parcel includes all land to the water's edge or high water mark or 100 year flood elevation.
 - 4. Legal descriptions and labels of major parcels, road dedications and parcels to be dedicated to the public.
 - 5. Parcels shall include area in acres.
 - 6. All survey work, property descriptions, parcel closure and plan/plat preparation shall be double checked by the Price City Engineer.
3. AS-BUILT CONSTRUCTION DRAWINGS:
- 1. As-built construction drawings shall be submitted for all required public improvements once constructed. Submission of as-built construction drawings will be required prior to the issuance of an occupancy permit or release of the development agreement. Include any common facilities that could ever apply for public acceptance or maintenance.

2. As-built construction drawings shall be submitted in a paper copy and in an electronic format contained on a compact disc. The format shall be AutoCAD, Adobe Acrobat or other format approved by the City Engineer.

4. FINAL PLAN REVIEW AND APPROVAL:

1. When a final plan/plat has been received, it shall be acted upon at a Planning and Zoning Commission meeting scheduled for development review within 30 days of receipt of final plan application by the Zoning Administrator. The Planning and Zoning Commission shall not approve any final plat unless it is reviewed and approved by the City Attorney and City Engineer in the spaces provided.
2. The Zoning Administrator will distribute copies of the final plan and/or plat for review by the Technical Review Committee (TRC) before docketing the application for final approval on the Planning and Zoning Commission agenda.
3. The Planning and Zoning Commission shall review the final plan/plat at a regularly scheduled public meeting. If the final plan/plat and all supplementary data comply with the applicable requirements of these regulations and the requirements of the approved preliminary design plan, the Planning and Zoning Commission shall certify approval of the plan on the space provided.
4. After review of the final plan/plat at the public meeting, the Planning and Zoning Commission shall send written notification of its review and official action taken to the City

Council. This notification shall specify any modifications to the final plan/plat, if any, which were made incidental to final approval of such plan/plat by the Planning and Zoning Commission.

5. The City Council shall review the final plan within 45 days of receipt of transmittal from the Planning Commission, at a regularly scheduled public meeting, or as otherwise scheduled by the City Council.
 6. The only basis for rejection of a final plan/plat shall be its non conformance to adopted rules, regulations and ordinances currently in force and affecting the land and its development, its lack of conformance with the approved preliminary design plan/plat, technical inaccuracies or insufficiencies, and poor workmanship in preparation of the plans/plat and documents.
 7. The City Council shall review and execute a development agreement and establish the kind, amount and method of financial security to be provided by the developer to guarantee completion of the required public improvements.
 8. If the City Council determines that the final plan/plan submission complies with the applicable requirements of this code, they shall certify approval of the plan; provided however, that the City Council shall approve no final plan/plat unless accompanied by a plat (if a subdivision), certified by the City Engineer and City Attorney.
- 5. SUBMIT APPROVED FINAL PLAN TO CITY COUNCIL:**
1. Following final plan/plat approval by the Planning and Zoning

Commission, the Zoning Administrator shall forward the approved final plan/plat to the City Council for review. The applicant shall appear before the City Council to answer questions, to negotiate any required bond or financial security, and to negotiate any proposed dedications. The City Council shall either approve or reject the final plan/plat. Upon approval, the applicant/owner shall submit the plan to the County Recorder to record the plat. The costs of recording shall be paid by the applicant/owner.

3.6. SUPPLEMENTAL REQUIREMENTS

1. **APPLICATIONS TO BE REVIEWED AT PLANNING COMMISSION MEETING.** Whenever applications to the Planning and Zoning Commission for formal action are required by this code, submission to the Planning Commission is hereby defined as submission of such application at a regularly scheduled public meeting of the Planning Commission.
2. **TIME PERIODS FOR PLANNING COMMISSION ACTION.** Time periods for Planning and Zoning Commission action shall not begin to run until after complete applications are officially received by the Planning Commission at a regularly scheduled public meeting.
3. **FEES.** Fees may be charged applicants for excavation permits, development permits, zoning permits, zoning amendments, building permits, occupancy permits, conditional use permits, design review, plan/plat review, annexation amendments, Planning and Zoning Commission and Board of Adjustment hearings, and such other services as are required by this code to be performed by public officers, City staff

or agencies. Such fees shall be established by resolution of the City Council and shall be in the amounts reasonably needed to defray costs to the public.

4. **APPROVAL OR DISAPPROVAL.** At each step of the review procedure, the Planning Commission shall approve or disapprove of the plans, plats, drawings, details, writings and materials submitted to it, and where applicable, shall approve or disapprove the entire application or any portion thereof. Any approval or disapproval made by the Planning Commission shall be in the form or written findings of fact and conclusions, which findings and conclusions shall be made available to the applicant and all parties concerned by the Planning Commission within 45 calendar days of the Planning and Zoning Commission meeting at which the application was reviewed.
5. **COPIES.** A minimum of 3 copies of all required application materials shall be submitted to the Planning and Zoning Commission at each step of the review process. Additional copies may be required by the Zoning Administrator as may be needed for proper review.
6. **FORMAL ACTION.** Formal action on any application, i.e. action approving or denying an application, shall be taken only at regularly scheduled or officially called meetings of the Planning and Zoning Commission or City Council.
7. **PUBLIC HEARING.** Unless specifically required by this code or other applicable law, no public hearing need be held. However, a hearing may be held when the Planning and Zoning Commission shall deem such a hearing to be necessary and in the public interest. Whenever a public hearing is held, notice thereof shall be given as required by applicable

law or if there is no otherwise applicable law, then by a method reasonably calculated to give notice to interested parties. Such notice shall be given a minimum of 10 calendar days prior to the public hearing or as required by Utah State law, whichever period of time is greater. Failure of interested parties to receive actual notice of said hearing shall in no way affect the validity of the action taken.

- 8. **DEDICATION OF LAND TO PUBLIC.** Acceptance of dedication of proposed public lands, utility, alleys, pathways, easements or street rights-of-way in an approved final plan/plat can be made only by the City Council. Final plan/plat approval by the City Council will be deemed an acceptance of dedication, unless streets, utilities, alleys, pathways, easements and other public spaces are shown as “not intended for dedication” or marked “private” or unless the City Council expressly rejects the proposed dedication.
- 9. **APPLICATION FORMS.** Application for any required Planning and Zoning Commission action shall be submitted on forms prepared for that purpose and approved by the Planning and Zoning Commission
- 10. **RETENTION OF PLANS.** Plans, specifications and reports for all applications submitted to Price City shall become the property of the City and shall be retained permanently.
- 11. **VALIDITY.** Approval of concept plans and preliminary design plans shall remain valid for 12 months and following expiration of this time periods, said approval shall expire. Once final approvals are given, projects must be started within 12 months or said approvals shall expire and a new permit application must be submitted.

12. PHASE DEVELOPMENT.

- 1. Final plan/plat approval may be granted on less than the entire project covered by preliminary plan approval and final plan/plat approval on projects containing more than 10 lots shall be done in phases, except as provided below. Each phase shall consist of the number of lots which can be completely developed with off-site improvements within a one year period, or as approved by conditional use permit. The development of the project shall be in an orderly manner and in such a way that the phases will be contiguous, the required improvements will be made available for the full, effective and practical use and enjoyment thereof by the lessees or the grantees of any of the lands developed within the time hereinafter specified.
- 2. When the off-site improvements have been 100 percent completed within the boundaries of the approved final plan/plat of any phase and reviewed by the City Engineer, and on-site improvements are 70 percent completed, the developer may submit the next phase of the proposed development in accordance with the rules and regulations of this code. On-site improvements shall be construed to mean the construction or placement of the dwelling or other main building and its appurtenant improvements on each lot.
- 3. A final plan/plat including more than 25 lots will be accepted only upon the submission of qualified evidence indicating that the market absorption rate and the financial ability of the developer are such that the off-site improvements for all lots in such final plan/plat will be completed within 1

year, and that on-site improvements will be completed on at least 70 percent of the lots within 2 years of such approval.

13. **APPEALS PROCEDURE.** Appeals from any final administrative or Planning and Zoning Commission decision may be made to the Board of Adjustment or other appeal authority, as designated or appropriate, such as the Variance Committee or the Hearing Officer.
14. **CHANGES.** Any significant changes, as determined by the Zoning Administrator, City Engineer or Building Inspector, that affect an approved final conditional use /drawing/plan/plat, will require resubmission of the conditional use/drawing/plan/plat for approval by the Planning and Zoning Commission and City Council.
15. **ADDITIONAL REQUIRED INFORMATION.** The Planning and Zoning Commission, City Council, Zoning Administrator, City Planner, City Engineer, Building Official / Inspector, or City Attorney may require the developer / applicant to provide such additional information as may be necessary to complete a proposal for the written record, demonstrate capability, solve anticipated problems, mitigate adverse conditions or show geotechnical solutions to site development, problems or concerns.

Chapter 4

SIGNS

- 4.1 Title**
- 4.2 Purpose**
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- 4.13 Sign Regulations by Overlay District**

4.1. TITLE.

The regulations contained in this chapter shall be known and may be cited as “Sign Regulations” or “Sign Code” of Price City and its Land Development Code.

4.2. PURPOSE.

The purpose of sign regulations set forth in this code shall be to coordinate the type, placement, and physical dimensions of signs within Price City; to recognize the various commercial communication requirements of all sectors of the business community; to encourage the innovative use of design; to promote both renovation and proper maintenance; to allow for special circumstances; and to guarantee equal treatment under law through accurate record keeping and consistent enforcement. These objectives shall be accomplished by regulation of display, erection, use, and maintenance of signs. The use and location of signs are regulated according to zoning district. The placement and physical dimensions of signs are regulated primarily by type.

Further purposes are to minimize potential hazards to motorists and pedestrians; to encourage signs which, by their design, are integrated with and harmonious to the buildings and sites which they occupy; to encourage sign legibility through the elimination of excessive and confusing sign displays; to reduce driver inattention; to preserve and improve the appearance of Price City as a place in which to live and to work as an attraction to nonresidents who come to visit or trade; to safeguard and enhance property values; to limit signs which may interfere with solar access of adjacent properties; to protect public and private investment in buildings and open spaces; to supplement and be a part of the regulations imposed under the zoning authority of Price City.

4.3. SCOPE.

These regulations shall not relate to or regulate building design, official traffic or official government signs, street signs; the copy and message of signs, signs not intended to be viewed from a public right-of-way, window displays; product dispensers and point of purchase displays, scoreboards on athletic fields, flags of any nation, government or non-commercial organization, gravestones, barber poles, religious symbols, commemorative plaques, the display of street numbers, or any display or construction not defined in this code as a sign.

4.4. INTERPRETATION.

In interpreting and applying the provisions of this code, the sign regulations contained herein are declared to be the minimum standards allowable for the purpose set forth. The types of signs allowed by this code shall be plenary and sign types not specifically allowed as set forth within the code shall be prohibited. It is not intended by this chapter to interfere with nor abrogate nor annul any easement, covenants, or

other agreements between private parties existing at the time of the effective date of this code; provided, however, that where this code imposes a greater restriction upon signs, and the location thereof requires or imposes other conditions than those required or imposed by other laws, ordinances or restrictions, the provisions of this code shall control.

4.5. GENERAL REGULATIONS.

1. Except as provided in this code, no sign shall be erected, raised, moved, placed, reconstructed, extended, enlarged, or altered, or have the text of the sign changed, except in conformity with the regulations herein specified for the use district in which it is located. No permit is required for the maintenance of a sign or for a change of copy.
2. All signs hereafter erected in Price City shall comply with the current standards of the International Electric Code, International Building Code, ordinances of Price City and Utah law. No sign shall be placed on public property or in air space within a public right-of-way except when expressly licensed by the City Council.
3. All signs shall be maintained in a condition suitable for use.
4. Signs requiring inspection of electrical connections or attachments to structures must be installed under the inspection of the Price City Building Inspector.
 1. Exposed parts of signs shall be painted or treated chemically in such a manner as to preserve the condition, aesthetics, and life of such signs; moving parts shall be maintained in operable condition; and signs designed to be lighted shall be maintained with a full complement of the lighting facilities required by the design of each such sign. Failure or

refusal to maintain signs may constitute a violation of the Price City Land Use Management and Development Code.

5. All signs identifying a discontinued use on the property shall be removed by the sign owner from the property within 30 calendar days of the time the use was discontinued.
 1. Signs identifying a discontinued use may be removed at the discretion of the Zoning Administrator if the sign owner fails or refuses to do so.
 2. All costs associated with removal of a sign identifying a discontinued use shall be paid by the sign owner or property owner where the sign is situated.
6. Unless otherwise specified in this chapter, all signs may be illuminated, however no sign may utilize:
 1. An exposed incandescent lamp with an external reflector without a sun screen or comparable diffusion,
 2. Any exposed incandescent lamp in excess of 15 watts unless a screen is attached, or.
 3. Any revolving beacon light.
7. Unless otherwise specified in this chapter, any sign herein allowed may use manual or automatic changeable copy.
8. No person may engage in the business of erecting, altering, relocating, constructing, or maintaining signs without a valid Utah contactor license, and a valid business license. All persons involved in the maintenance, installation, or relocation of signs near or upon the public right-of-way or property shall agree to hold harmless and indemnify Price City, its officers, agents, and employees, against any and all claims of

negligence resulting from such work. Such person shall also maintain insurance to indemnify Price City against any form of liability to a minimum of \$3,000,000.00 and provide evidence of insurance to Price City upon request.

9. Signs not regulated by this chapter:

1. On-premise advertising signs that are attached to windows or walls and are clearly of a temporary nature, and which promote specific sales for short periods of time, not to exceed ~~30~~14 days.
2. Signs which are associated with school, church, civic or community events and functions which are clearly of a temporary nature for short periods of time.
3. Interior signs
4. Real estate company “for sale” signs and owner placed “for sale” or “for rent” signs advertising specific property for sale or rent which are erected temporarily on that specific property.
5. Temporary election campaign signs, yard sale signs, night crawlers for sale signs, meeting announcements, etc. However, such signs shall be removed within 7 days following the occurrence of the announced event.
6. Directional signs (i.e., BLM, DWR, etc.), church name plate signs, etc.
7. Name plate signs less than 150 square inches in size
8. Construction signs for each street of frontage of a construction project, not to exceed 45 square feet in area. Such signs may be erected 10 days prior to beginning of construction and shall be

removed 1 day following completion of construction.

9. UDOT signs
10. Banners across streets (Public right-of-way). Requires additional City and/or UDOT approval.
11. Signs at City owned entry way structures. Signs must be properly secured for wind load. Signs must be relevant to community, civic or charitable projects and/or events. No commercial advertising is permitted. Qualifications for placement shall be determined by the Zoning Administrator.
12. Signs on vehicles, equipment, trailers, trains, boats and airplanes.
13. Temporary commercial signage. Signs may be placed at locations pre-approved by the Zoning Administrator or Planning Commission for a period not to exceed 14 days, with a minimum period of 30 days between any consecutive placement of the sign.

4.6. INSPECTIONS.

The Building Official or Zoning Administrator of Price City shall have the following duties with regard to inspection of signs:

1. Make initial inspections of any signs upon the completion, erection, reconstruction, or remodeling of the same and notification of said completion, erection, reconstruction or remodeling. Inspections shall be made to assure compliance with the provisions of these regulations, other ordinances of Price City and conditions precedent to the issuance of a conditional use permit if applicable.

2. To inspect each sign for which a complaint of non-compliance with local ordinances is made in writing to the Building Official or Zoning Administrator, or verbally documented, and maintain a log of all complaints.
3. To make routine spot checks of all signs to assure compliance with these regulations and other ordinances of Price City, and conditions precedent to the issuance of a conditional use permit if applicable.

4.7. ENFORCEMENT.

The Zoning Administrator of Price City is hereby vested with the duty of enforcing the sign regulations of this code and in the performance of such duty is empowered and directed:

1. To issue permits to construct, alter or repair signs which conform to the regulations of Price City.
2. To ascertain that all signs, construction of, or maintenance of any sign is in conformance with regulations of Price City and the conditions imposed precedent to the issuance of a conditional use permit if applicable.
3. To cause the issuance of a notice of violation or citation for violation of this Code to the person having charge or control or benefit of any sign determined by the Zoning Administrator or Building Official to be unsafe or dangerous, or in violation of ordinances of Price City.
4. To institute any appropriate action or proceedings in any case where any sign is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or in any case where any sign is in violation of any ordinance of Price City, including but not limited to the

zoning ordinance, to accomplish the following purposes:

1. To prevent such unlawful erection construction, reconstruction, alteration, repair, conversion, maintenance or use, and
2. To restrain, correct, or abate such violation.

To abate and remove any un-maintained sign, the condition of which is not corrected within 5 working days following appropriate notice to the person having charge, control, or benefit of any such sign, as provided by law.

1. The property owner, sign owner and/or occupant of any property where a sign is removed from shall pay all costs associated with the removal and any administrative costs associated with the removal.

4.8. NOTICE REQUIREMENTS.

Notification by Price City to persons having charge, or control, or benefit of any sign determined by the Zoning Administrator or Building Official to be unsafe or dangerous or in violation of the zoning ordinance or other ordinances of Price City and where Price City is contemplating removal of said sign shall be accomplished by Price City utilizing written notices sent by registered mail. Any such notice shall state the exact nature of the violation, the exact time and date by which the non-complying condition or use must be remedied, and the appeals procedure by which the person having charge, control, or benefit of such sign may appeal the decision of the Zoning Administrator.

4.9. SIGN PERMIT AND PERMIT FEE REQUIRED.

All signs hereafter erected within Price City shall be erected, reconstructed, or remodeled only in accord with the authority authorized by the sign permit issued by Price City.

Application for a sign permit shall be made to the Zoning Administrator and shall be accompanied by a fee identified in the approved fee schedule of Price City to defray the expenses to Price City incurred in the administration of this chapter. Such fee shall be established by resolution of the City Council. A sign permit shall be issued by the Zoning Administrator within sixty (60) days of receipt of application for the sign permit if the proposed sign is found by the Zoning Administrator to be in compliance with the provisions of this code and other ordinances of Price City.

4.10. RE-INSPECTION FEE.

In the event that a notice of violation is issued, a re-inspection fee shall be charged to defray the costs of re-inspection. Said re-inspection fee shall be charged for each inspection required until compliance with applicable regulations of Price City has occurred. The amount of the fee shall be established by resolution of the City Council.

4.11. SIGN OVERLAY ZONING DISTRICTS.

There are hereby created 3 overlay districts (S-1, S-2, S-3) to regulate the sign type, sign effects, sign dimensions, number of signs, and

sign location in Price City. Refer to special zoning map for description of districts.

4.12. CODES AND SYMBOLS.

In the following section the sign type, sign effects and copy content, sign dimensions, number of signs, and sign location which are allowed in the various districts are shown as “permitted” indicated by a “P” in the appropriate column (headed by the overlay zoning district designation), or as “conditional uses” indicated by a “C” in the appropriate column. If an “A” appears in the column the sign permit may be issued administratively by the Zoning Administrator if all regulations relative to the sign are completed in accordance with the Price City Land Use Management and Development Code. If, in the judgment of the Zoning Administrator, issues surrounding the sign require additional review by the Price City Planning and Zoning Commission, the use will be considered conditional. If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required; or by the letter “M” to indicate maximum building height allowed in a particular district; or by the letter ”B” to indicate the actual height of the building to which a sign is affixed or the height of the sign; or by the letter “S” to indicate the required building setback, whichever is applicable. If the regulation does not apply, or if it is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash “-“.

4.13. SIGN REGULATIONS BY OVERLAY DISTRICT

S-1	S-2	S-3
RESIDENTIAL	DOWNTOWN SHOPPING CENTERS	ARTERIAL STATE HIGHWAYS

1. Sign Type

1. On-Premise Signs

a.	Free Standing	C	C/A	C/A
b.	Marquee	-	C/A	C/A
c.	Projecting wall	-	C/A	C/A
d.	Roof	-	C/A	C/A
e.	Fascia	-	P/A	P/A
f.	Canopy	-	P/A	P/A
g.	Under canopy	-	P/A	P/A
h.	Awning (electric)	-	P/A	P/A
i.	Low profile	C/A	P/A	P/A
j.	Portable & temporary	C/A	C/A	C/A
k.	Window/door	C/A	C/A	C/A
l.	Home occupation	C/A	C/A	C/A
m.	Electric reader board	-	C/A	C/A

1. electronic signs shall have 0.3 foot candles above ambient light or less and have automatic dimming capability. This standard applies to all sign types, locations, installations where illuminated, electric, flashing or digital signage is installed.

n.	Billboards	-	-	-
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S-1	S-2	S-3
RESIDENTIAL	DOWNTOWN SHOPPING CENTERS	ARTERIAL STATE HIGHWAYS

2. Off-Premise Signs and Sign Messaging

a.	Free Standing	-	C/A	C/A
b.	Roof	-	C/A	C/A
c.	Fascia	-	C/A	C/A
d.	All off-premise signage and messages thereon shall comply with the provisions of this chapter including sign type, sign effect and copy content, sign dimensions, number of signs and sign location. ¹			
e.	Billboards	-	-	-

2. Sign Effects and Copy Content

1. On-Premise Signs

a.	Identification	P/A	P/A	P/A
b.	Illuminated	-	P/A	P/A
c.	Rotating	-	C/A	C/A
d.	Flashing	-	C/A	C/A
e.	Changeable copy	-	C/A	C/A
f.	Animated	-	C/A	C/A
g.	Electric reader board	-	C/A	C/A

2. Off-Premise Signs

a.	Illuminated	-	C/A	C/A
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¹ January 2015 Update

b.	Rotating	-	C/A	C/A
c.	Flashing	-	C/A	C/A
d.	Changeable copy	-	C/A	C/A
e.	Animated	-	C/A	C/A
f.	Message center	-	C/A	C/A
g.	Electric reader board	-	C/A	C/A
h.	All off-premise signage and messaging shall comply with the provisions of this chapter including sign type, sign effect and copy content, sign dimensions, number of signs and sign location. ²			
i.	Billboards	-	-	-

3. Sign Dimension

1. Max. Sign Height	3 Feet	C/A	C/A
2. Max. Sign Area On-Premise	35 sq. ft.	100 sq. ft.	200 sq. ft or by CUP
3. Max. Sign Area Off-Premise	-	C/A	C/A
4. Home Occupied Business	18"x24" (432 sq. in.)	18"x24" (432 sq. in.)	18"x24" (432 sq. in.)
5. Or as permitted by conditional use permit			

4. Number of Signs (per building or lot)

1. On-Premise Signs				
a.	Free Standing	1	1	1
	300 ft. apart minimum-		2	-
	500 ft. apart minimum-		-	2
b.	Marquee	-	1 + A with review	1 + A with review
c.	Projecting Wall	-	1 + A with review	1 + A with review
d.	Roof	-	1 + A with review	1 + A with review
e.	Fascia (Section 4.7.5)	1	1 + A with review	1 + A with review
f.	Windows	1	1 + A with review	1 + A with review
g.	Canopy	-	1 + A with review	1 + A with review
h.	Home Occupied Bus.	1	1	1
i.	Combinations of Above	C/A	C/A	C/A
2. Off-Premise Signs				
a.	Free Standing	-	1	1
b.	Roof	-	1	1
c.	Fascia	-	1	1
d.	All off-premise signage and messages thereon shall comply with the provisions of this chapter including sign type, sign effect and copy content, sign dimensions, number of signs and sign location. ³			
e.	Billboards	-	-	-

5. Location of Signs

1. Min. clearance under signs including overhang of public right of way.	10'	10'	14'
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² January 2015 Update

³ January 2015 Update

2. Min. setback from public right-of-way	1'	1'	1'
3. Min. distance between same sign types -		300'	500'
1. or as approved by CUP	-	C/A	C/A
4.			
4. Max. thickness of sign over right-of-way	-	1'	1'
6. Home occupied business	Window or yard only	Window or yard only	Window or yard only

6. Downtown blade sign overlay district. Placement of perpendicular signs in the downtown area, defined as the area extending from 100 north to 100 south and from 200 west to 300 east, may occur upon review and approval by the Price City Zoning Administrator and/or Planning and Zoning Commission. Signs must be attached to a permanent structure and the attachment inspected by the Price City Building Inspector, if required. Blade signs may not exceed 500 square inches in size and must be placed to provide a minimum of seven (7) feet clearance above any pedestrian pathways or sidewalks.

BLADE SIGN EXAMPLES:



4.13.7 OFF-PREMISES SIGNS AND MESSAGING.⁴

1. A sign shall be considered off-premises and include messaging considered off-premises advertising if, in the opinion of the Zoning Administrator, the sign or sign message, sign graphics, and/or sign text does not represent only the business,

⁴ January 2015 Update

service, if any, or other activity taking place at the specific location where the sign is placed, in accordance with this Code. A sign that contains any information, message, text, graphics for a business, service or activity not provided or sold at the specific location where the sign is located shall be considered off-premises.

2. Each occurrence of an off-premises sign shall be submitted to the Zoning

Administrator for review and approval prior to installation or operation with payment of the required fee as approved in the official fee schedule.

3. All off-premises signs shall be subject to all other terms, conditions, restrictions and regulations in this Code.
4. Off-premises signs do not include billboards, only complying signage that may include an off-site business message or graphic.

4.14. ADDITIONAL REQUIREMENTS:

1. Signs are not permitted on public property, within the public right-of-way, or in the air space above the public right-of-way without express license from the Price City Council. Also note that signs are not permitted in the residential districts except as expressly described in these regulations. No sign shall overhang street or road surface used by motorized vehicles.
2. Except for home occupied businesses, all other signs are considered for non-residential uses and can be placed only on non-residential properties or agriculture properties.
3. On premise signs may contain references to a single business or a combination of businesses at that location only unless expressly licensed as an off-premises sign under the terms of this Code.
4. Fascia signs may:
 1. Be attached to any wall of a building;
 2. Not exceed twenty percent (20%) of the wall area to which the sign is attached;
 3. Not extend above the roof line;
 4. Not be used on the same building which has a roof sign.
5. The owner(s) of a parcel that is a part of a commercial complex may have one freestanding pole or monument sign per the minimum distance requirement on the parcel for the purposes of advertising the business(es) on the parcel provided that:
 1. The applicant for the freestanding pole or monument sign owns or

represents the entire ownership interest of the parcel; and

2. The business(es) on the parcel has no other sign or signage on any pole or monument in the commercial complex, as determined by the Zoning Administrator.
3. Off-premises signs inherently part of or on any commercial complex sign is subject to the specific off-premises sign licensing requirements of this Code.

Chapter 5
NON-COMPLYING USES AND STRUCTURES

- 5.1 Maintenance, Repairs and Alterations**
- 5.2 Additions, Enlargements and Moving**
- 5.3 Alteration Where Parking is Insufficient**
- 5.4 Restoration of Damaged Structures**
- 5.5 Pre-Existing Provisions**
- 5.6 Vacating and Ceasing Non-Complying Uses**
- 5.7 Effect of Change of Use**
- 5.8 Non-complying Mobile Home Units**
- 5.9 Termination of Non-complying Uses**

5.1. MAINTENANCE, REPAIRS AND ALTERATIONS.

Maintenance repairs and structural alterations may be made to a non-complying structure or to a structure housing a non-complying use.

5.2. ADDITIONS, ENLARGEMENTS, AND MOVING.

1. A building or structure occupied by a non-complying use and a building or structure non-complying as to height, area, or yard requirements shall not be added to or enlarged in any manner or moved to another location on a lot, nor shall any non-complying use of land be expanded on a lot except as provided herein.
2. A building or structure occupied by a non-complying use or a building or structure non-complying as to height, area, or yard regulations may be added to or enlarged or moved to a new location on the lot upon issuance of a conditional use permit by the Planning Commission. The Planning Commission may schedule a public hearing on a request to add,

enlarge or move a non conforming use or structure if deemed necessary.

5.3. ALTERATION WHERE PARKING IS INSUFFICIENT.

A building, structure or use lacking sufficient automobile parking space in connection therewith as required by this code may be altered or enlarged, provided additional off-street automobile parking space is supplied to meet the basic requirements of this code for such alteration or enlargement.

5.4. RESTORATION OF DAMAGED STRUCTURES.

A non-complying building or structure or a building or structure occupied by a non-complying use which is substantially damaged or is destroyed by fire, flood, wind, earthquake or other calamity or natural disaster, or vandalism, etc., may be restored. The occupancy or use of such building, structure, or part thereof, which existed at the time of such damage or destruction may be continued or resumed, provided that such restoration is started within 365 calendar days immediately following the date of damage or destruction, and is diligently pursued to completion in conformance with the ordinances of Price City within 2 years, and complies with all applicable codes.

5.5. PRE-EXISTING PROVISIONS.

A structure utilized prior to the effective date of this code for a use, which after the effective date of this code is non-complying, may continue to be utilized for such non-complying use unless the structure is vacated or the use ceased for a continuous period in excess of 365 calendar days. Land used prior to the effective date of this code for a purpose which after the effective date of this code is non-complying may continue to be so used provided that such non-

complying use is not ceased for a continuous period in excess of 365 calendar days. No such non-complying use of land may in any way be expanded or extended, either in the same or on adjoining property, except as provided under Section 5.2 above.

5.6. VACATING AND CEASING NON-COMPLYING USES.

1. A vacant structure may be occupied by a use for which the structure was previously used, designed or intended, if so occupied within a period of 365 calendar days after the use became non-complying.
2. However, a structure or any portion thereof occupied by a non-complying use which is, or hereafter becomes, vacant and remains unoccupied by said non-complying use for a continuous period in excess of 365 calendar days, shall not thereafter be occupied except by a use which conforms to the use regulations of the zoning district in which it is located.
3. Should a non-complying use of land cease for a period in excess of 365 calendar days, any future use of such land shall be in conformity with the provisions of this code, and the previously authorized non-complying use is expressly prohibited.

5.7. EFFECT OF CHANGE OF USE.

The non-complying use of a building or structure may not be changed except to a conforming use; but where such change is made, the use shall not thereafter be changed back to a non-complying use.

5.8. NON-COMPLYING MOBILE HOME UNITS

1. If a non-complying mobile home is removed from the premises, it cannot thereafter be returned, except:
 1. If the mobile home is returned within 30 days where such removal was upon order of the building official for correction of deficiencies or by decision of the owner for the purpose of correcting deficiencies, or
 2. A new mobile home may be moved on to the premises if:
 1. Accomplished within 30 days of the removal of the removed mobile home and the restored or new mobile home is owned by the same owner as the mobile home removed, and
 2. Said mobile home is to be occupied for a continuous period of at least 6 months by the same occupant(s) of the mobile home removed.
2. Manufactured, modular or mobile home parks and recreational coach parks shall be licensed annually by the City Council as businesses. Such licenses shall not be issued to nor renewed for mobile home and recreational coach parks that do not meet the minimum standards contained in this code or other codes, regulations or standards adopted or established by the City Council.

5.9 TERMINATION OF NON-COMPLYING USES.

The City Council may in any zoning ordinance or amendment provide for the termination of non-complying uses, except billboards, by providing a formula establishing a reasonable time period during which the owner can recover or amortize the amount of his/her investment in the non-complying use.

1. The termination of a billboard that is a non-complying use by the City Council may occur by acquiring the billboard and associated property rights through:
 1. gift;
 2. purchase;
 3. agreement;
 4. exchange; or
 5. eminent domain.

(See Section 10-9a-5138, Utah Code Annotated 1953 as amended)

Chapter 6

**OFF-STREET PARKING
REQUIREMENTS**

- 6.1 Off-Street Parking Required**
- 6.2 Size of Parking Space**
- 6.3 Access to Individual Parking Space**
- 6.4 Number of Off Street Parking Spaces Required**
- 6.5 Access Requirements**
- 6.6 On-site Traffic Management Requirements**
- 6.6 Maintenance of Parking Lots**
- 6.7 Location of Off-Street Parking**

6.1. OFF-STREET PARKING REQUIRED.

1. At the time any building or structure is erected or enlarged or increased in capacity or any use is established or re-established, there shall be provided off-street parking spaces for automobiles in accordance with the following requirements; nonetheless, sufficient parking shall be provided off street to avoid the necessity of parking on a public street except for certain areas designated by Price City where off-street parking requirements cannot be met due to encroachment of earlier development and redevelopment and there are other programs in effect to mitigate the parking situation; or as may be required and established by conditional use permit.

6.2. SIZE OF PARKING SPACE.

The minimum dimensions of each off-street parking space, exclusive of access drives or aisles, shall be at least 9 feet by 18 feet for perpendicular and diagonal, and ninety-degree spaces and 9 feet by 22 feet for parallel spaces. The size of the parking stalls may be increased

special circumstances, ADA requirements, frequent use, loading, location and end of aisle, etc.

6.3. ACCESS TO INDIVIDUAL PARKING SPACE.

Except for single-family and two-family dwellings, direct access to each parking space shall be from a private driveway and not from a public street. All parking spaces shall have independent access not blocked by another parking space or other obstacle. The private driveway leading into the parking lot shall not be used for parking.

6.4. NUMBER OF OFF STREET PARKING SPACES REQUIRED

- 1. When calculating the floor area of a building to establish parking requirements, reasonable reductions for hallways, closets and storage space, rest rooms, kitchens and mechanical equipment may be deducted to obtain the net useable floor space.
- 2. **BUSINESS OR PROFESSIONAL OFFICES:** one parking space for each 300 square feet of net usable or floor area.
- 3. **CHURCHES WITH FIXED SEATING:** one parking space for each 3.5 fixed seats, or one parking space for each 7 feet of linear pew in the main chapel, whichever is greater.
- 4. **CHURCHES WITHOUT FIXED SEATS, SPORTS ARENAS, AUDITORIUMS, THEATERS, ASSEMBLY HALLS, MEETING ROOMS:** one parking space for each 3 seats of maximum seating capacity.
- 5. **DWELLINGS:** two parking spaces for each dwelling unit. Alternate parking capacity requirements may be considered and approved by the Planning and Zoning Commission.

- 6. **STUDENT HOUSING:** All student housing projects shall have at least 1 parking space per occupancy unit. An occupancy unit shall be defined as a bedroom having 100 square feet or less of floor space area. A bedroom having more than 100 square feet of floor space area shall count as 2 occupancy units.
- 7. **FURNITURE AND APPLIANCE STORES:** one parking space for each 600 square feet of floor area.
- 8. **HOSPITALS AND CLINICS:** two parking spaces for each bed and/or examining room
- 9. **HOTELS, MOTELS:** one space for each living or sleeping unit, plus parking space for all accessory uses as herein specified.
- 10. **NURSING HOMES:** four parking spaces, plus 1 space for each 5 beds.
- 11. **RESTAURANTS, TAVERNS, PRIVATE CLUBS, AND ALL OTHER SIMILAR DINING AND/OR DRINKING ESTABLISHMENTS:** one parking space for each 3.5 seats or 1 parking space for each 200 square feet of net useable floor area, whichever is greater.
 - 1. In addition, drive-up facilities shall provide sufficient stacking area for cars in a drive through lane in such a way as not to overhang or back up on public property or street. A parallel lane shall bypass the drive-up lane.
- 12. **RETAIL STORES:** except as provided in Section 6.4.7 above: one parking space for each 200 square feet of retail net useable floor space.
 - 1. In addition, convenience stores which sell gasoline shall provide sufficient stacking area for cars in drive through lanes in such a way as not to overhang or back up on public

property and streets. A parallel lane shall bypass the drive-up lane.

- 2. The stacking area may be considered to help fulfill the basic parking requirements.
- 13. **WHOLESALE ESTABLISHMENTS, WAREHOUSES, MANUFACTURING ESTABLISHMENTS AND ALL INDUSTRIAL USES:** as determined by conditional use permit or by planned unit development requirements, if applicable, or by Planning Commission, but in no case fewer than 4 customer spaces and 1 space for each employee projected for the highest employment shift. Parking of tractor-trailer rigs shall include a minimum of 1,500 square feet per parking space in a parking lot to accommodate parking of the vehicle and trailer and ingress-egress from the parking space.
- 14. **SHOPPING CENTER OR OTHER GROUPS OF USES NOT LISTED ABOVE:** one parking space for each 200 square feet of total net useable floor space, or as determined by conditional use permit.
- 15. **ALL OTHER USES NOT LISTED AND AMENDMENTS TO THE REQUIREMENTS ABOVE:** as determined by conditional use permit based on nearest comparable standards.
 - 1. Sufficient parking should be provided to assure:
 - 1. maximum utilization of the facilities on site will not unduly impose on neighbors rights in the vicinity;
 - 2. that in the future if there is a change of use that the parking is adequately related to the site so that a new use has a reasonable chance to provide satisfactory parking

- 2. Where precise applicable parking standards are not known or have proven unsatisfactory in other instances, the analysis of the parking requirements of the site and its proposed use is to assure a reasonable number of parking spaces that cannot become an excuse for failure of the use on the site to perform its function properly.
- 3. The intent of minimum parking requirements is that normal or competitive functions are not to be curtailed due to lack of sufficient parking and therefore the use or function of the principal user of the site fails and otherwise deteriorates.
 - 4. It shall be the responsibility of the reviewing body to prepare its analysis of parking requirements in writing and make copies available to the property owner(s)/lessee(s) and other parties of interest, as well as the City Council.
- 16. No parking on sidewalks or designated pedestrian paths.
- 17. Parking for disabled individuals shall be provided in accordance with all applicable ADA requirements.
- 18. On street parking may be used for overflow parking only. Use of on-street parking to assist in meeting minimum parking standards herein may be considered by the Planning and Zoning Commission.
- 19. On street parking shall not be used for storage of vehicles, trailers, boats, equipment, etc.

6.5 ACCESS REQUIREMENTS

- 1. Adequate ingress and egress to and from all uses shall be provided by a driveway or drive approach in the public right-of-way as follows:

- 1. **RESIDENTIAL LOTS.** For each residential lot not more than 1 access driveway which shall be a maximum of 25 feet wide at the top back of curb, or as specifically approved by the Price City Zoning Administrator and City Engineer, to include end of taper or end of radius, except lots with a frontage greater than 100 feet have the option to provide 2 access driveways each up to 25 feet wide, or as specifically approved by the Price City Zoning Administrator and City Engineer, for circular driveways and other special type circulation and parking. Driveways shall not exceed 40% of the total front yard lineal footage. Driveways shall not be closer than 3 feet to side yard at the curb line. The entire taper or radius shall fall within the right of way and not encroach into the frontage of the neighboring property.
- 2. No driveway shall be closer than 50 feet to the point of intersection of two property lines at any corner as measured along the property line.
- 3. **OTHER THAN RESIDENTIAL LOTS.** Access shall be provided to meet the following requirements:
 - 1. Not more than 2 driveways shall be used for frontage greater than 100 feet unless specifically approved by the Zoning Administrator and City Engineer.
 - 2. No two of said driveways shall be closer to each other than 12 feet, and no driveway at the back of curb shall be closer to a side property line than 3 feet.

3. Each driveway shall be not more than forty (40)¹ feet wide at the top back of curb, or as specifically approved by the Price City Zoning Administrator and City Engineer, measured at right angles to the center line of the driveway, to include end of taper or end of radius, except as increased by conditional use permit. The entire flare of any return radius shall fall within the public right-of-way and not encroach into the frontage of the neighboring property.
4. No driveway shall be closer than 50 feet to the point of intersection of two property lines at any corner as measured along the property line or as specifically approved by the Price City Zoning Administrator and City Engineer.
5. On a street where there are no curbs or gutters, all driveways shall be well marked and protection provided the entire length of the frontage exclusive of the driveways as per approved plans.
6. Open sight distance from the intersection of street pavement edge and driveway center line shall be at least 50 feet in each direction for residential and other driveways.

4. PUBLIC RIGHTS-OF-WAY AND EASEMENTS.

1. Public rights-of-way and easements are reserved for specific uses including:

- a. public access;
- b. pedestrian traffic;
- c. vehicular traffic;
- d. traffic control and devices;
- e. traffic paint striping;
- f. street and pedestrian lighting;
- g. water and sewer utilities;
- h. fire hydrants;
- i. electrical distribution utility;
- j. telephone, natural gas, cable television utilities;
- k. storm drainage utilities;
- l. irrigation systems;
- m. public signage;
- n. public snow removal/storage;
- o. curb and gutter;
- p. pavement;
- q. public parking;
- r. mail boxes and mail drops;
- s. loading and unloading;
- t. approved landscaping and trees;
- u. public benches;
- v. bicycle and pedestrian routes;
- w. ATV routes;
- x. parade routes;
- y. emergency services access and routes;

2. Public rights-of-way and easements do not allow:

- a. sports equipment placement;
- b. private snow storage;
- c. parking inhibiting public services and maintenance;
- d. obstacles having a negative impact on sight distances impacting public safety;
- e. vegetation and trees that damage public infrastructure (sidewalk, curb, gutter);
- f. long-term parking of vehicles, boats, trailers, garbage containers;
- g. cleaning out of cement or other delivery trucks;
- h. blockages of water flows in gutters, ditches and pipes;
- i. unauthorized overshot style driveway approaches.

¹ 2015 Update: to be consistent with UDOT driveway widths in commercial areas.

3. Other uses affecting a public right-of-way or easement may be considered by conditional use permit.

6.6 ON-SITE TRAFFIC MANAGEMENT REQUIREMENTS

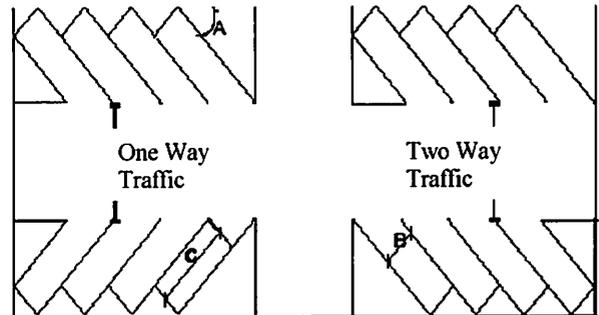
1. Dead end aisles of parking must have additional backup area such as a hammerhead of adequate size to provide sufficient radius for backup provided at the end of the aisle.
2. Backing space shall be provided for parking areas which are composed of four (4) or more spaces so that cars need not back into a public street or alley. Public sidewalks shall not be permitted to be used as part of the required backing area.
3. Acute angle parking, one (1) degree to eighty-nine (89) degrees, shall be designed for one (1) way traffic only.
4. Separate exits shall be provided for acute angle and one (1) way parallel parking of four (4) or more spaces so that cars need not exit by backing onto a street or alley.
5. All off-street parking stalls shall be designed in accordance with the dimensions and specifications set forth in Table 1 and Table 2, below.
6. A traffic control circulation plan shall be provided that includes road access placement of stop signs directional signs and speed limit signs.

TABLE 1

A (Angle)	B (Width of Stalls)	C (Length of Stalls)	D (Width of Aisle)
0°	10'	22'	20 (12 [*])
30°	9'	18'	20 (15 [*])
45°	9'	18'	20 (15 [*])
60°	9'	18'	20 ^{**}
90°	9'	18'	24'

^{*}One way traffic only

TABLE 2



6.7 MAINTENANCE OF PARKING LOTS

1. Every parcel of land used as a public or private parking lot shall be developed and maintained in accordance with the following requirements. Existing undeveloped, unimproved or unmaintained parking lots shall become compliant with the following requirements upon any change in use, occupancy or ownership of the parking lot.
 1. HARD SURFACING
 1. Each off-street parking lot shall be surfaced with an asphalt or concrete pavement and permanently maintained, unless approved otherwise by conditional use permit.
 2. The parking area shall be so graded as to dispose of all surface water. Surface water shall not be drained onto adjacent private property.
 3. If such water is to be carried to adjacent streets, it shall not cause

conflict with pedestrian or vehicular traffic. Said water shall be collected, detained, channeled and/or piped to existing gutters ditches or storm drains in the public right-of-way or easements and shall not overwhelm existing drainage systems, streets, irrigation ditches or alleys. Drainage sumps are optional and shall not affect building foundations, create subsidence or increase ground water levels.

4. For parking lots less than 1/4 acre in size, runoff need not be calculated; however, drainage will still be collected and discharged into existing drainage ways. For parking lots greater than 1/4 acre in size up to one acre in size surface runoff shall be calculated based a 50 year storm using local precipitation data. For parking lots that exceed one acre in size the surface runoff shall be calculated based on a 100 year storm using local precipitation data.
2. **SCREENING.** The sides and rear of any off-street parking lot which adjoin an area which is to remain primarily residential, having no nexus to the parking lot, shall be screened from such area residential by a masonry wall, chain link fence with slats or other solid visual barrier fence not less than 4 nor more than 6 feet in height. A landscaped buffer may be permissible as a substitute to a fence through conditional use permit authorization.
3. **LANDSCAPING.** Each parking lot shall be reasonably landscaped to

minimum landscaping standards in compliance with a plan approved by the Planning Commission and such landscaping shall be permanently maintained.

4. **LIGHTING.** Lighting shall be used to illuminate any parking lot, to increase sight distance and increase security and shall be installed to reflect the light away from adjoining residential premises and street traffic.

6.8 LOCATION OF OFF-STREET PARKING

1. Off-street parking shall not be allowed in required front yard or side yard setbacks for residential lots. All residential off street parking for vehicles, trailers, etc. that is visible from the fronting street(s) to the property shall be in parking areas only, such as driveways, carports and garages.
2. Off-premise parking in lieu of required on site parking is allowed only by conditional use permit.
3. Parking will not be allowed between the gutter and sidewalk in the park or planting strip unless approved by conditional use permit.
4. Parking stalls in the street right of way shall not be used to satisfy the onsite parking requirement.
5. No parking on sidewalks. No parking in the park or planting strip between the sidewalk and curb, unless it is a pre-existing condition in front of an existing developed lot.
6. The private driveway leading into a commercial parking lot shall not be used for parking.

CHAPTER 7
CONDITIONAL USES

- 7.1 General**
- 7.2 Performance Standards for Conditional Uses**
- 7.3 Standards for Conditional Use Developments**
- 7.4 Planned Unit Developments – Special Requirements**
- 7.5 Manufactured / Mobile Home Parks and Recreational Vehicle Parks Special Requirements**
- 7.6 Landfills and Land Excavations – Special Requirements**
- 7.7 Subdivisions (Land Development) – Special Requirements**

7.1. GENERAL

1. **PURPOSE AND INTENT.** The purpose of this chapter and the intent of Price City in its adoption is to promote the health, safety, convenience, and general welfare of the present and future inhabitants of Price City. This chapter accomplishes the aforesaid purpose and intent by providing sufficient flexibility to allow in certain areas compatible integration of uses which are related to the permitted uses of the zoning district or are of a temporary nature only, but which may be suitable and desirable only in certain locations in that zoning district due to conditions and circumstances peculiar to that location and/or upon certain conditions which make the uses suitable and/or only if such uses are designed, laid out, and constructed on the proposed site in a particular manner. While flexibility in allowing uses which would otherwise be generally unsuitable in a given zoning district is an important goal of this chapter, it is also recognized that constraints on governmental decision

making are a legal imperative. This chapter, therefore, also provides a framework of standards within which those governmental decisions must be made.

2. **CONDITIONAL USE PERMIT REQUIRED.** A conditional use permit shall be required for all uses listed as conditional uses in this Code and any proposed uses not contemplated herein. Requirements may also be imposed upon permitted uses to the extent the requirement is consistent with 7.1.1 above.
 1. For the following types of conditional uses, final plan or plat approval shall constitute the conditional use permit:
 1. Subdivisions. Minor subdivision consisting of a one (1) lot subdivision may be approved and processed in accordance with the terms of this Code administratively.
 2. Planned unit developments.
 3. Recreation vehicle parks.
 2. For all other types of conditional or permitted uses, final plan or plat approval, a specific conditional use permit or list of Land Code compliance requirements will be issued for the particular use as appropriate or as provided for in this code.
 3. Valid conditional use permits issued by Price City are considered attached to the property. Minor developments or information (name change) requiring amendment to the previously issued conditional use permit may be completed administratively, or at the direction of the Zoning Administrator. Other substitute amendments may require additional review by the Planning and

Zoning Commission and approval by the City Council.

4. REVOCATION OF PERMIT.

1. In the event any person holding a conditional use permit pursuant to this section violates the terms of the permit or violates the requirements of a permitted use, or conducts or carries on said site development in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the neighborhood of the property of the said permittee, a temporary suspension may be made effective immediately upon notification by the Zoning Administrator.
2. No conditional use permit shall be permanently revoked or suspended until review and approval of the revocation or suspension is completed by the City Council. The permittee shall be notified in writing of such review and said notification shall state:
 1. The grounds for complaint or reasons for the revocation or suspension, in clear and concise language.
 2. The time and place such review is to be held. Such notice shall be served by certified mail or personal service on the permittee at least 5 days prior to the date set for the review. At any such review hearing the permittee shall be given an opportunity to be heard, and may call witnesses and present evidence on his/her behalf. Upon conclusion of such review the City Council shall determine whether or not the permit should be suspended or revoked.

3. The Planning and Zoning Commission may hold a preliminary review to consider its recommendations to the City Council for revocation or suspension of permits, which may already have been temporarily suspended, at the next regularly scheduled meeting of the Planning and Zoning Commission.

5. **NON-TRANSFERABLE.** Conditional use permits are non-transferable, however they do attach to the property and may be assumed by subsequent property owners or users upon written notice of concurrence with all existing conditions of approval.
6. **EXPIRATION OF PERMIT.** Every conditional use permit shall expire by limitation and become null and void if the work authorized by such permit has not been commenced within 1 year, or is not completed within 2 years from date of issue; except that the Planning and Zoning Commission may, if the permit holder presents satisfactory evidence that special circumstances or unusual difficulties have prevented work being started or completed within the specified time limits, grant a reasonable extension of time, in up to one year intervals, if written application is made and approved before the expiration of the permit.
7. **GROUND FOR DENIAL OF A CONDITIONAL USE PERMIT APPLICATION.** The following shall constitute grounds for denial of a conditional use permit application:
 1. Under circumstances of the particular case, the proposed use will be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the

vicinity and there is no practical means available to the applicant to effectively mitigate said detrimental effects.

2. The applicant cannot or does not give the Planning and Zoning Commission reasonable assurance that conditions imposed incident to issuance of a conditional use permit will be complied with.
 3. Unsatisfactory past performance such as: failure to comply with past permit conditions or current/past permit violations¹.
 4. Requested conditional use is not permissible under the provisions of this code.
 5. Failure to complete all application requirements and/or pay all required fees.
- 8. ISSUANCE OF CONDITIONAL USE PERMIT TO BE DEPENDENT ON AFFIRMATIVE FINDINGS.**
Conditional uses may be approved by the City Council upon recommendation of the Planning and Zoning Commission, in locations permitting such uses in this Code. Before approval is granted, a report to the City Council by the Planning and Zoning Commission shall find that the proposed development will meet the requirements of this Code.
9. **GENERAL INSPECTION.** Following the issuance of a conditional use permit by the City Council, the Zoning Administrator, City Engineer or Building Inspector, shall inspect such use to insure that development is undertaken and completed in compliance with the conditional use permit.
 10. **CONSTRUCTION SHALL MEET OR EXCEED THE CITY'S**

IMPROVEMENT STANDARDS.

Construction standards, including drawings, details, calculations, tables, charts, references and regulations may be adopted by resolution by the City Council, and when done so shall constitute minimum land development standards supplementing this Code. Additional standards may be required by conditional use permit.

11. **CONFLICTING PROVISIONS.** Where specific requirements are made or exemptions allowed under other sections of this Code, those requirements or exemptions shall prevail over the land development standards supplementing this Code.
12. **IMPROVEMENT CONSTRUCTION TO BE OBLIGATION OF DEVELOPER.** Public improvements required by this Code shall be constructed at the expense of the developer and shall comply with the land development standards supplementing this Code. Public infrastructure shall be considered dedicated to the public with final approval of the conditional use permit.
13. **COMMENCEMENT OF CONSTRUCTION.** Site improvement or grading of any proposed development site prior to Preliminary Design Plan approval by the Planning and Zoning Commission is prohibited, unless specifically enumerated by the Planning and Zoning Commission in the concept approval stage.

7.2. PERFORMANCE STANDARDS FOR CONDITIONAL USES.

Applicants for conditional use permits shall meet all specific requirements made in this Code. In addition, the Planning and Zoning Commission may establish additional

¹ Clarify unsatisfactory performance, update 2016

requirements as outlined herein to meet the concerns of safety for persons and property, health and sanitation, environment, General Plan proposals and neighborhood needs, performance, and administration. More specifically, the Planning and Zoning Commission may require:

1. CONDITIONS RELATING TO SAFETY FOR PERSONS AND PROPERTY.

1. Building elevations and grading plans which will prevent or minimize flood water damage, where property may be subject to flooding.
2. The relocation, covering or fencing of canals, irrigation ditches, drainage channels, and other potential attractive nuisances existing on or adjacent to the property.
3. Increased or decreased setback distances from lot lines where the Planning and Zoning Commission determines it to be necessary to insure the public safety and to insure compatibility with the intended characteristics of the district as outlined in this Code.
4. Appropriate design, construction, and location of structures, buildings, and facilities in relation to any earthquake fault which may exist on the property, and limitations and/or restrictions on the use and/or location of uses due to special site conditions, including but not limited to geologically hazardous areas, flood plains, washes, fault zones, rock fall and landslide areas.
5. Limitations and control of the number, location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and appearance and harmony with adjacent development.

6. Plans for the location, arrangement, and dimensions of truck loading and unloading facilities.

7. Construction of curbs, gutters, drainage culverts, sidewalks, streets, fire hydrants, street lighting, traffic control and traffic signals.

8. Reduction of permitted street grades for winter and storm conditions, or exposure.

9. Fences shall not create visual sight distance nor other safety hazards. Backing movements, passing vehicles, sidewalk traffic, small children, bicycles, etc. shall be considered in the location of fences. If so directed by the Planning Commission, fences shall be constructed of a design style, quality or material that mitigates land use impacts or promotes consistency within an area or neighborhood.

2. CONDITIONS RELATING TO HEALTH AND SANITATION.

1. A guarantee of sufficient water to serve the intended land use, to provide fire protection and a water delivery system meeting standards adopted by the City Council.

2. A waste water disposal system and a solid waste disposal system meeting standards adopted by the City Council.

3. Construction of water mains, sewer mains, and drainage facilities serving the proposed use, in sizes necessary to protect existing users in the zoning district and to provide for an orderly development of land in Price City.

3. ENVIRONMENTAL CONCERNS.

1. Limitations and/or restrictions on the use and/or location of uses in sensitive areas due to soils

- capabilities, wetlands, ground water, wildlife and plant life.
2. Processes for the control, elimination, or prevention of land, water, air or light pollution; the prevention of soil erosion; and the control of objectionable odors and sounds.
 3. The planting of ground cover or other required surfacing to prevent dust and erosion.
 4. Restructuring of the land and planting of the same as directed by the Planning and Zoning Commission when the conditional use involves cutting and/or filling the land and where such land would be adversely affected if not restructured.
4. **CONDITIONS RELATING TO COMPLIANCE WITH INTENT OF GENERAL PLAN AND CHARACTERISTICS OF VICINITY (OR NEIGHBORHOOD)**
1. The removal of structures, debris, or plant materials, incompatible with the intended characteristics of the zoning district outlined in this Code.
 2. The screening of yards or other areas as protection from obnoxious land uses and activities.
 3. Landscaping to insure compatibility with the intended characteristics of the zoning district as outlined in this Code.
 4. Limitations or controls on the location, height, and materials of walls, fences, hedges, and screen plantings to insure harmony with adjacent development, or to conceal storage areas, utility installations, or other unsightly development.
 5. The relocation of proposed or existing structures as necessary to provide for future streets in the transportation and

- circulation element of the Price City General Plan and Transportation Master Plan, adequate sight distances for general safety, or similar problems.
6. Provision for or construction of on or off site recreational facilities necessary to satisfy needs of the conditional use.
 7. Population density and intensity of land use limitations where land capability and/or vicinity relationships make it appropriate to do so to protect health, safety and welfare, or conservation of values.
 8. Other improvements which serve the property in question and which may compensate in part or in whole for possible adverse impacts to the zoning district from the proposed conditional use.
 9. Conservation of values - community, neighborhood and property values. Activities that do not diminish real property values as assessed by the Carbon County Assessor.²
 10. The character of the neighborhood and aesthetics of the streetscape shall be considered in the location, design and style and construction material of fences and in determining the reduction of any front yard for fencing purposes.
 11. Individual structures and properties comprised of an individual unit of ownership shall have individual and independent utility connections. All individually owned residential or commercial properties must be individually connected to utilities including water, sewer, electricity and natural gas unless otherwise approved

² Recommended by ULCT, 2016 Update.

by both the Price City Engineer and the Zoning Administrator.

5. CONDITIONS RELATING TO PERFORMANCE

1. Time limits on the validity of the conditional use permit. Such time limits shall be determined by the following guidelines:
 1. A conditional use permit for uses which are of a temporary nature only may be issued for the intended duration of the temporary use or for 2 years, whichever period of time is shorter.
 2. Unless there is substantial and positive development action under a conditional use permit within a period of one year of its issuance, said permit shall expire. The Planning and Zoning Commission and City Council may grant an extension at one year intervals, when deemed in the public interest.
2. The work may be guaranteed by filing a surety bond or other valuable assurance in favor of and acceptable to Price City in an amount to be determined by the Public Works Director or City Engineer or City Council. The amount of said surety bond or other valuable assurance shall not exceed the amount calculated by the developer's engineer and reviewed by and concurred with the City's Engineer as necessary to assure compliance with all conditions.
3. Specific short and long-range plans of development may be required to demonstrate timeliness, feasibility and impact on the public.

6. ENERGY CONSERVATION CONCERNS

1. Solar orientation of buildings and uses.
 2. Use of renewable energy sources.
 3. Efficiency and/or intensity of exterior lighting
 4. Shading and protection of important buildings and paving (parking lots etc.), landscaping and trees, location of buildings and screens.
 5. Effective use of vestibules.
 6. Wind screening.
 7. Circulation (travel) efficiency.
 8. Efficiency of storm water removal and erosion control.
 9. Maintenance and efficiency for off-site improvements to be maintained by the public;
 10. Maintenance and efficiency for on-site improvements to be maintained by users, occupants and owners, etc.
7. **PUBLIC HEARINGS.** A public hearing may be held when deemed by the Planning and Zoning Commission or City Council to be in the public interest. However, in the following instances the holding of a public hearing shall be mandatory:
1. The Planning and Zoning Commission determines that existing streets and thoroughfares are not suitable and adequate to carry anticipated traffic, and increased densities resulting from the proposed use may generate traffic in such amounts as to overload the street network outside the zoning district.
 2. The Planning and Zoning Commission determines that increases in miscellaneous traffic, light, odor, or environmental pollution generated by the proposed use may significantly change the intended characteristics of

the zoning district as outlined in this Code.

- 3. The Planning and Zoning Commission determines that the architectural design of the proposed use varies significantly from the architectural characteristics of the zoning district (as outlined in this Code) in which such use is proposed.

7.3. STANDARDS FOR CONDITIONAL USE DEVELOPMENTS.

When applicable, the following general standards shall apply to all conditional use developments within Price City, unless waived or limited in application of the development standard for good and sufficient reasons by the Planning and Zoning Commission:

- 1. The development shall be in single, group or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.
- 2. Landscaping, fencing, and screening within the site and as a means of integrating the proposed development into its surroundings shall be planned and presented to the Planning and Zoning Commission for approval, together with other required plans for the development.
- 3. The size, location, design and nature of signs, if any, and the intensity and direction of lighting or floodlighting shall be detailed in the application.
- 4. A grading and drainage plan shall be submitted to the Planning and Zoning Commission with the application in compliance with the Price City Drainage Design Criteria.
- 5. A planting / landscaping plan showing the proposed tree, shrubbery, and lawn plantings shall be prepared for the entire site to be developed, including especially

the yards and parkways which abut upon or are within the right-of-way of public streets.

- 6. It shall be shown that under the circumstances of the particular case, the proposed use will not be detrimental to the health, safety, or general welfare of persons residing in the vicinity of the conditional use development.
- 7. All buildings used for human occupancy when completed shall be served by a central water system and central sewage disposal system which have been approved by the Building Official and which are in compliance with applicable local and state law.
- 8. In order to insure that the development will be constructed to completion in accordance with approved plans, the Planning and Zoning Commission shall require the developer to post a surety bond or mortgage or other valuable assurance acceptable to the City Council in an amount equal to the estimated cost, plus 10%, of constructing all required landscaping, fencing, street lighting, drainage, irrigation, road improvements, pedestrian ways, bike paths, curbs and gutters, hard surfacing, drinking water and sewer lines, fire protection, and traffic control and signals, as shown on the final site plan. Estimates of cost shall be furnished by the developer which will be checked for accuracy by the Planning and Zoning Commission staff. Final determination of the amount of the surety bond or other assurance shall be approved and directed by the City Council.
 - 1. The duration of the bond or other assurance shall be for one or more years from the date of approval of the development by the City Council. An extension of time for completion may be granted by the City Council upon

application by the developers, provided such application is submitted at least 60 days prior to the expiration of the surety bond or other assurance and provided the issuer of the bond is willing to extend the time of the assurance. Said assurance shall not expire prior to completion of the project and approval of release by the City Council.

2. In the event the developer defaults or fails or neglects to satisfactorily install the required improvements within one year from the date of approval and approved extensions of the development by the City Council or to pay all liens in connection therewith, the City Council may declare the surety bond or other assurance forfeited and Price City shall install or cause the required improvements to be installed using the proceeds from the collection of the bond or other assurance to defray the expense thereof.

In the event there is a development requiring a Conditional Use Permit with the stipulation that a street right-of-way be dedicated and certain improvements be completed within the right-of-way in front or adjacent to the development, then the improvement may be guaranteed by one of two options:

- a. Complete the agreement and post a surety for a guarantee and record the plat, thus allowing developer the ability to sell platted parcels and apply for a building permit to construct a building, prior to completing the improvements in the right of way. However, in no case may the house receive an occupancy permit prior to the completion of the improvements in the right-of-way. The duration of the surety shall not

expire prior to the completion of the improvements.

- b. Complete the agreement without submitting a surety for a guarantee and without recording the plat, thus allowing the developer the ability to complete the improvements without the expense of a surety for a guarantee. However, the developer shall not be allowed to sell any parcels or receive apply for a valid building permit issued by Price City until all of the improvements are complete, a 10% one year guarantee is posted and the plat has been recorded. This would not apply to all conditional uses, particularly where it does not involve a street dedication and/or street improvements.

3. The developer shall be responsible for the quality of all materials installed and workmanship. At the completion of the work, or not less than 10 days prior to the release date of the surety bond or other assurance, the City's Engineer shall make a preliminary inspection of the improvements made and submit a report to the City Council setting forth the conditions of such facilities. If all liens are paid and other conditions thereof are found to be satisfactory, the City Council shall release the surety bond or other assurance. If the condition of material or workmanship shows unusual depreciation or does not comply with the acceptable minimum standards, standards required by conditional use permit, or durability or if any outstanding liens are not paid, the City Council may declare the developer in default.
9. In the event that the land contained within a development is traversed by a proposed major street, water line, sewer line, or drainage channel shown in the

General Plan or Transportation Master Plan, or described in a general plan element or map, said development shall be designed in accordance therewith. The right-of-way across the development for such transportation and circulation elements, or other right-of-way shall be deeded to the City or dedicated to the public.

10. Grouping and spacing of buildings and dwellings in residential areas shall provide for a restful and un-crowded environment. Landscaped areas shall be encouraged as the dominant features of the development. Areas not covered by buildings or by off-street parking space or driveways shall generally be planted / landscaped into natural vegetation, lawn, trees and shrubs, and otherwise landscaped and maintained in accordance with good landscape practice as approved on the final plan. Permanent automatic irrigation systems shall be installed when required by the Planning and Zoning Commission to provide for maintenance of planted areas.
11. Details of plans, plats, and documents to be submitted showing the size of land, size of water lines, drainage lines, sewer lines and other domestic sewage disposal facilities, garbage and trash disposal, the quality of materials and improvements, protection from adverse influences, lighting, landscaping, off-street parking, grading and other details of design and construction shall conform to standards as set forth in such resolutions pertaining to such standards as may be adopted by the Planning and Zoning Commission.
12. The development shall meet all standards and requirements of this Code and all requirements of applicable ordinances, and Utah law.

13. The development shall be in keeping with the general character of the zoning district within which it is to be located.
14. The Planning and Zoning Commission (may require) expects that details, drawings, plats and plans for the development be prepared by a qualified professional team, licensed engineers, architects and surveyors. In all cases, it is recommended that professional design and other assistance be obtained early in the project program. It is the intent of Price City that the developer solves all the problems and addressed all issues before approval is given and construction begins.
15. Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient capacity to insure controlled drainage and prevent the accumulation of stagnant pools of water in or adjacent to the development.
16. All structures required by this Code to have building permits and all uses required to have use permits shall be inspected by the a Building Official in accordance with procedures established by the most recent edition of the International Building Code, as adopted by Price City and this Code; provided, however, that no building permit for such structures or use permits shall be issued until the Planning Commission, or the Zoning Administrator if authorized by the Planning and Zoning Commission and City Council, has issued a conditional use permit for the building site or use or have determined that a conditional use permit is not required by this Code.
17. All development occurring within 100 feet of a canal must notify the owner or

operator of the canal of the development as required by State law (HB 298, 2010)

7.4. PLANNED UNIT DEVELOPMENTS - SPECIAL REQUIREMENTS

1. **PURPOSE.** The purpose of planned unit development is to permit flexibility in land use and to allow diversification in the interrelationships of various uses and structures with their sites and thus offers an alternative method to the traditional type of development. The application of planned unit development concepts is intended to encourage neighborhoods, housing, design, open space, and facilities compatible with the present living environment in Price City as described by the General Plan, while at the same time insuring compliance with practices which will assure the health, safety and public welfare of the future inhabitants of the planned unit development, as well as maximizing the energy utilization efficiency of the project. In exchange for the additional services provided by the developer in a planned unit development, this chapter will allow for increased intensity of buildings and more flexible uses of the land.
2. **CONDOMINIUMS TO BE DEVELOPED AS PLANNED UNIT DEVELOPMENT.** Where, in the opinion of the Planning and Zoning Commission, the unique features of a condominium project (i.e., ownership, financing, topography, types of land uses, etc.) require more flexibility in design solutions in order to protect the public interest, the proposed condominium project shall comply with the provisions of this chapter. Any conflicting provision of another ordinance adopted by Price City may be waived by the Planning and Zoning Commission with the approval of

the City Council when the performance standards of the City are achieved.

3. **PLANNED UNIT DEVELOPMENTS TO MEET USE LIMITATIONS OF ZONING DISTRICTS WHEREIN LOCATED.** No conditional use permit for a planned unit development shall be granted unless such development will meet the use limitations of the zoning district in which it is to be located, including planned unit developments in planned districts, and meet the density and other limitations of such districts, except as such requirements may be lawfully modified (variance approved) as provided by this chapter or by zoning district regulations. Compliance with the regulations of this Code in no sense excuses the development from the applicable requirements of the subdivision regulations, except as modifications thereof are specifically authorized in the approval of the application for the planned unit development.
4. **REQUIRED CONDITIONS.**
 1. No planned unit development shall have an area less than that approved by the Planning and Zoning Commission as adequate for the proposed development.
 2. The Planning and Zoning Commission shall require such arrangements of structures and open spaces as necessary to assure that adjacent properties will not be adversely affected. In particular:
 1. Where feasible, buildings of the lowest height and the least intensity of buildings and uses shall be arranged around the boundaries of the development.
 2. Lot area, width, yard, height, set back, and coverage requirements

shall be determined by approval of the preliminary design plan.

3. Where feasible, buildings or landscaping shall not unreasonably prohibit the free flow of air or direct exposure to sunlight, specifically in regard to solar heating and/or cooling structures by solar energy systems.
4. The development will be planned so as to provide solar access to all of the residential units, unless specifically waived by the Planning and Zoning Commission.
3. All plans must be prepared by a qualified professional team, licensed engineer, architect or land surveyor.
4. Ownership of private open space reservations shall be established in a manner acceptable to the City Council and made a part of the conditions of the plan approval.
5. **OPEN SPACE REQUIREMENTS.** Preservation, maintenance and ownership of required open spaces within the development shall be accomplished by:
 1. Dedication of the land to Price City as a public park or parkway system, including a certificate of title insurance; or
 2. Granting to Price City a permanent and perpetual open space easement on and over the said private open spaces to guarantee that the open space remains perpetually in recreational or park use, with ownership and maintenance being the responsibility of an Owners Association established with articles of association and bylaws which are satisfactory to the City Council and enforceable by the City Council; or

3. Granting to Price City a permanent and perpetual open space easement on and over the said private open spaces to guarantee that the open space remains perpetually in recreational or park use, to be maintained from the proceeds of a perpetual maintenance trust fund established by the developer in an amount satisfactory to the City Council; or by
4. Complying with the provisions of the Condominium Ownership Act of 1963, Title 57, Chapter 8, Utah Code Annotated, 1953, as amended, which provides for the payment of common expenses for the upkeep of the common areas and facilities.

**7.5. MANUFACTURED/ MODULAR /
MOBILE HOME PARKS AND
RECREATIONAL VEHICLE PARKS
SPECIAL REQUIREMENTS**

1. **PURPOSE AND INTENT.** The purpose and intent of this section is:
 1. To permit variety and flexibility in land development for residential purposes by allowing the use of manufactured /modular/mobile homes and recreational vehicles under certain conditions.
 2. To require that mobile home and recreational vehicle developments will be of such character as to promote the objectives and purposes of this Code; to protect the integrity and characteristics of the zoning district contiguous to those in which manufactured / mobile home parks are located; and to protect other land use values contiguous to or near mobile home or recreational vehicle developments.
2. **LOCATION.**

1. No mobile home shall be located anywhere within the corporate boundaries of Price City except in a licensed mobile home park or approved mobile home subdivision, or as temporary living quarters or office by conditional use permit. Emergency or temporary parking of any unoccupied mobile home outside a licensed mobile home park or mobile home subdivision will be permitted for a period not exceeding 24 hours. This limitation does not apply to unoccupied mobile homes in licensed mobile home sales areas. Approved manufactured or modular homes may be exempt from this requirement. Manufactured and modular homes may be allowed in traditional residential subdivisions that are specifically approved by conditional use for such homes.
 2. Recreational coaches which do not include facilities necessary to be manufactured / mobile homes as defined in this Code, shall not be used at any place within the corporate boundaries of Price City, at any time, for living quarters except in designated camping areas or recreational coach parks.
 3. Recreational coaches which are unoccupied for living space may be temporarily stored on a private residential lot or larger parcel of land, provided they do not violate any required setbacks for front or side yards. Long term storage of recreational coaches, maintenance operations, reconstruction, or construction activities are permitted within enclosures only and in zoning districts allowing such uses.
3. STANDARDS AND REQUIREMENTS FOR ALL MANUFACTURED /

MODULAR/ MOBILE HOME PARKS, RECREATIONAL VEHICLE PARKS, AND MANUFACTURED/MODULAR / MOBILE HOME SUBDIVISIONS.

1. The Planning and Zoning Commission shall review the proposed development plan to determine its compliance with all portions of the City's General Plan and, among other things, shall attempt to make sure that such development will constitute an environment of sustained desirability and stability and that it will not adversely affect amenities in the surrounding area. Standards higher than the minimum standards contained in this Code may be required if necessary for local conditions of health, safety, and protection of property, and to insure that the development will mix harmoniously with contiguous and nearby existing and planned uses.
2. The Planning and Zoning Commission shall not approve any application for a manufactured /modular/ mobile home park, recreational vehicle park, or manufactured /modular/ mobile home subdivision conditional use permit if the developer cannot provide required water supplies and facilities, fire protection, waste disposal systems, storm drainage facilities, access or improvements, or if the developer cannot assure that the development will be completed within 12 months, or if the Planning and Zoning Commission or City Council determines there would be unusual danger of flood, wind, fire or other hazard, or if the proposed development would be of such character or in such a location that it would:

1. Create excessive costs for public services and facilities.
 2. Endanger the health or safety of the public.
 3. Unreasonably hurt or destroy the environment.
 4. Cause excessive air or water pollution, or soil erosion or,
 5. Be inconsistent with any adopted general or specific plan of the area in which it is to be placed.
3. The development shall conform to the following standards and requirements, unless modified by an approved planned unit development plan:
1. The area shall be in single ownership, or if in several, the application for approval of the development shall be filed jointly by all owners of the property included in the plan.
 2. A strip of land at least 15 feet wide surrounding the entire park shall be left unoccupied by manufactured /modular/ mobile homes, recreational vehicles, storage buildings, service buildings, garages or any add-ons, and shall be planted and maintained in lawn, shrubs, trees, and an irrigation /sprinkler system, with an approved durable sight obscuring permanent wall or fence designed to afford privacy to the development.
 3. All storage and solid waste receptacles outside the confines of any manufactured/modular / mobile home or recreational vehicle shall be housed in a closed, view obscuring structure compatible in design and construction to the manufactured

/modular/ mobile homes, and to any service buildings within the development; all patios, carports, garages, and other add-ons shall be compatible in design and construction with the manufactured /modular/ mobile home. The service buildings shall be constructed in accordance with standard commercial practice and kept in good repair as determined by the Zoning Administrator. In manufactured /modular/ mobile home developments where units will be situated with long axis perpendicular to the street, streets will run in a north-south direction to the greatest extent possible. This is to promote solar orientation of the units.

4. In addition to meeting the above requirements and conditions, and conforming to the other laws of Price City, all manufactured /modular/ mobile home parks, recreational vehicle parks, and manufactured /modular/ mobile home subdivisions shall also conform to all applicable Utah State regulations. In the event of any conflict between said regulations and this chapter, this chapter shall take precedence where its regulations are more strict, and the provisions of the state regulations shall take precedence where such regulations are more strict.
4. Every manufactured/modular / mobile home park, recreational vehicle park, and mobile home subdivision shall provide underground utility service to every mobile home stand or lot as required by the Planning and Zoning Commission, including but not

limited to water, sewer, electricity, natural gas, telephone, and TV.

5. **COMPLIANCE WITH OTHER REGULATIONS.** Any manufactured/modular / mobile home or recreational vehicle located in any permitted area shall comply with and conform to all other zoning laws, rules, regulations, and building, plumbing, electrical, fire prevention, and all other codes and requirements applicable to a structure or building erected within the zoning district in which said mobile home or recreational vehicle is located.
6. **GUARANTEES**
 1. For manufactured /modular/ mobile home parks and recreational vehicle parks, adequate and reasonable guarantees must be provided as determined by the Planning and Zoning Commission and City Council for permanent retention of open spaces and, for the maintenance of roadways, storage facilities, service facilities, and landscaping resulting from the application of these regulations. Guarantees shall be in the form of a surety bond, or a cash deposit, in the sum to be determined by the Planning and Zoning Commission, which form must be approved by the City Council and the City Attorney. The basis for providing assurance of compliance will be a management plan developed by the applicant and approved by the Planning and Zoning Commission and City Council that will outline standards of operation, remedies for failure to comply with those standards and a single responsible

person or entity for its administration and dealing with Price City.

2. In any case, when a manufactured/modular / mobile home park or recreational vehicle park is owned by more than one person, the developer shall establish and appoint a park manager. The manager shall be authorized to receive, process, and represent fully the interests of the owners in respect to continuing management and maintenance of the park.
3. Prerequisite to the operation of any manufactured/modular / mobile home park or recreational vehicle park in Price City shall be the obtaining of an annual business license from Price City.
4. In the event a manufactured /modular/ mobile home or recreational vehicle park is not completed according to approved plans, or operated and maintained according to the approved management plan, the annual business license may be denied or revoked. The manufactured /modular/ mobile homes or recreational vehicles and associated property and facilities shall be removed, and all services discontinued before any part of the land within the development planning area may be used for any other purpose, or be subdivided.
5. The premises on which any manufactured /modular/ mobile home is located, used, or occupied shall be maintained in a clean, orderly and sanitary condition. The accumulation of

any rubbish, waste, weeds, inoperative vehicles, or other unsightly material thereon shall constitute a public nuisance and a violation of this Code.

6. Reasonable guarantees to assure compliance with this requirement will be required of the developer and/or owner as a requirement of conditional use permit approval and ultimately the issuance of the annual City Business License.

1. **ADDITIONAL REQUIREMENTS FOR MANUFACTURED / MOBILE HOME PARKS.** In addition to the requirements for manufactured /modular/ mobile home parks outlined above in this section, mobile home parks shall meet the following requirements:

1. The number of manufactured / mobile homes shall be limited to 7 units per acre and may be limited to fewer units, depending on manufactured /modular/ mobile home size, topography, and other factors of the particular site. The mobile homes may be clustered, provided that the total number of units does not exceed the number permitted on one acre, multiplied by the number of acres in the development. The remaining land not contained in individual lots, roads, or parking shall be set aside and developed as parks, playgrounds, and service areas for the common use and enjoyment of occupants of the development, and the visitors thereto.
2. No home or add-on shall be located closer than 10 feet from the nearest portion of any other home or add-on. All such homes and add-ons shall be set back at least 10 feet from road curbs or walks. If a manufactured /modular/ mobile home's tongue remains attached, it shall be set back a

minimum of 6 feet from road curbs or walks. All manufactured /modular/ mobile homes, storage buildings, service buildings, garages, carports, or other add-ons, etc., shall be set back at least 15 feet from any boundary of the manufactured /modular/ mobile home park, road curb or walks.

3. Off-street parking shall be provided at the rate of 2 parking spaces per manufactured /modular/ mobile home space, and each such parking space shall have a minimum width of 10 feet and minimum depth of 20 feet. In no case shall the parking space be located farther than one 100 feet from the manufactured /modular/ mobile home space it is designed to serve.
4. A security compound for storage of vehicles, boats and other large items shall be provided equivalent to a minimum of 300 square feet of paved area per manufactured /modular/ mobile home space, as approved by the Planning and Zoning Commission.
5. One-story bulk storage areas shall be provided within a manufactured /modular/ mobile home park equivalent to 60 square feet per manufactured /modular/ mobile home space. The area designated for said bulk storage shall be improved, fenced, landscaped, and screened as approved by the Planning and Zoning Commission.
6. Not less than 10% of the gross land area shall be set aside for the joint use and enjoyment of occupants in a park-like setting with both active and passive recreational accommodations. The land covered by vehicular roadways, sidewalks, off-street parking, storage and required setbacks

shall not be construed or included as part of this 10% common area; provided, however, that in initial stages of development or special smaller developments the minimum area shall be not less than 1/2 acre or 10%, whichever is greater.

7. Yard lighting with a minimum of 0.2 foot candles of light shall be required for protective yard lighting the full length of all driveways and walkways at each space.
8. All areas not covered by manufactured /modular/ mobile homes or recreational vehicles, hard surfacing, or buildings shall be landscaped as approved by the Planning and Zoning Commission, and such landscaping shall be permanently maintained.
9. All off-street parking spaces and driveways shall be hard surfaced before the adjacent spaces may be occupied.
10. The roadways shall be designed to accommodate anticipated traffic, including the following standards, unless modified by an approved planned unit development plan:
 1. ONE-WAY TRAFFIC: A minimum of 15 feet in width plus extra width as necessary for maneuvering mobile homes.
 2. TWO-WAY TRAFFIC: A minimum of 30 feet in width.
 3. ENTRANCE ROADWAYS: A minimum of 36 feet in width.
 4. ROADWAYS: All roadways shall be hard surfaced and bordered by 24 inch rolled gutters or an approved equivalent.
 5. SIDEWALKS: 36-inch minimum width sidewalks shall be installed

on all main roadways within the development, if required by the Planning and Zoning Commission.

6. ACCESS: Each park shall have at least 2 accesses to public streets, unless more than one access is prohibited by a responsible public agency or immovable obstacle.
11. Within 45 days of occupancy, each manufactured /modular/ mobile home shall be skirted, or if shields are used, they are to be anchored, fireproof, and well-painted. Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities must be of sufficient capacity to insure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the development.
12. The manufactured /modular/ mobile home park shall:
 1. Be in keeping with the general character of the zoning district in which it is to be located.
 2. Be located on a parcel of land not less than 10 acres, or on two or more parcels separated by a street or alley only and totaling 10 acres, unless modified by an approved planned unit development plan.
 3. Have at least 25 spaces completed, ready for occupancy, or an approved financing plan for construction and phase completion, together with approved security to assure compliance, before first occupancy is permitted.
 4. A laundry for convenience of park occupants, but not for the general public, may be included in

manufactured /modular/ mobile home parks.

13. No manufactured /modular/ mobile home space shall be rented for a period of less than 30 days, and occupancy shall be by written lease. Leases shall be made available for inspection by the officials of Price City upon demand, to review compliance with these occupancy requirements.
 14. Access shall be provided to each manufactured /modular/ mobile home stand for maneuvering mobile homes into position. The access way shall be kept free from trees and other immovable obstructions. Paving under mobile homes will not be required if adequate support is provided as required by Utah State regulations. Uses of planks, steel mats, or other means to support the mobile home during placement shall be allowed, so long as the same are removed upon completion of placement.
2. **ADDITIONAL REQUIREMENTS FOR RECREATIONAL VEHICLE PARKS.**
In addition to the requirements for recreational vehicle parks outlined above in this section, recreational vehicle parks shall meet the following requirements:
1. Recreational vehicle parks shall generally be located:
 1. Adjacent to or in close proximity to a collector, major traffic artery or highway.
 2. Near adequate shopping facilities.
 3. Within or adjacent to an existing or planned a mobile home park.
 2. Not less than 10% of the gross land area shall be set aside for the joint use

or enjoyment of occupants. The land covered by vehicular roadways, sidewalks, and off-street parking shall not be construed as part of the 10% common area required for parks and playgrounds for occupants; provided, however, that in initial stages of development or in special smaller developments the minimum area shall not be less than 1/2 acre or 10%, whichever is greater.

3. Yard lighting with a minimum of 0.2 foot candles of light shall be required for protective yard lighting the full length of all driveways and walkways.
4. All areas not covered by recreational vehicles, hard surfacing, or buildings shall be landscaped and permanently maintained pursuant to a plan approved by the Planning and Zoning Commission.
5. All off-street parking spaces and driveways shall be hard surfaced before the adjacent recreational vehicle spaces may be occupied.
6. The roadways shall be designed to accommodate anticipated traffic, including the following standards, unless modified by an approved planned unit development plan:
 1. **ONE-WAY TRAFFIC:** A minimum of 15 feet in width plus extra width as necessary for maneuvering recreational vehicles.
 2. **TWO-WAY TRAFFIC:** A minimum of 30 feet in width.
 3. **ENTRANCE ROADWAYS:** Minimum of 36 feet in width.
 4. **ROADWAYS:** Roadways shall be hard surfaced bordered by 24 inch rolled gutters or an approved equivalent.

5. **SIDEWALKS:** 36 inch minimum width sidewalks shall be installed on both sides of all main roadways, within the development, unless otherwise directed by the Planning and Zoning Commission.
6. **ACCESS:** Each recreational vehicle park shall have at least 2 accesses to public streets, unless more than one is prohibited by a responsible public agency or immovable obstacle.
7. No individual space in a recreational vehicle park shall be used by one individual recreational vehicle for more than 90 days consecutively, nor shall such space be leased to any one individual for a period longer than 90 days in any one calendar year.
8. Recreational vehicles may be stored where permitted, but not used for permanent living quarters.
9. Recreational vehicles may be stored, displayed, sold and serviced, but not used for living quarters, in a sales lot in an appropriate zoning district when such use is a permitted use or a conditional use.
10. Recreational vehicles may be parked in an approved and licensed mobile home park provided that:
 1. The recreational vehicle park portion of the development is separated by barriers, screens, or otherwise from the area of mobile homes;
 2. The recreational vehicle use area shall have direct access to a collector or arterial street; and
 3. Separate ingress and egress shall be provided for recreational vehicles when required by the

Planning and Zoning Commission.

11. Recreational vehicle parks may be approved by the City Council in locations permitting such use in this Code. Before such approval is given, a report to the City Council by the Planning and Zoning Commission shall be submitted with findings that the proposed development will:
 1. Be placed on a parcel of land of not less than 5 acres, or within a mobile home park, unless modified by a planned unit development plan.
 2. Before first occupancy, have at least 25 spaces completed (10 if in a mobile home park), or an approved schedule of financing, construction and phase completion, and approved security, to assure compliance.

**7.6. LANDFILLS, GRADING
EXCAVATIONS, BACKFILLING AND
COMPACTION - SPECIAL
REQUIREMENTS**

1. **PURPOSE AND INTENT.** This section is adopted to promote public safety and the general public welfare; to protect property against loss from erosion, earth movement, rock fall, landslide, subsidence, collapse, cave-in, dust and flooding; to maintain a superior community environment; to provide for the continued orderly growth of Price City; and to insure the maximum preservation of the natural scenic character of major portions of Price City by establishing minimum standards and requirements relating to land grading, excavations, and fills, and procedures by which these standards and requirements may be enforced. It is intended that this

section be administered with the foregoing purposes in mind and specifically in an attempt to:

1. Insure that the development of each site occurs in a manner harmonious with adjacent lands so as to minimize problems of drainage, erosion, earth movement and similar hazards.
 2. Insure the public lands and places, water courses, streets, and all other lands in Price City are protected from erosion, earth movement and drainage hazards.
 3. Insure that the planning, design and construction of all development will be done in a manner which provides maximum safety and human enjoyment and except where specifically intended otherwise, makes such construction as unobtrusive in the natural terrain as possible. Complete a geotechnical report evaluating existing conditions, develop recommendations for earthwork activity and identify precautions.
 4. Insure, where practicable, the maximum retention of natural vegetation to aid in protection against erosion, earth movement and other hazards and to aid in preservation of the natural scenic qualities of Price City.
- 2. PERMIT REQUIRED - EXCEPTIONS.**
1. No person shall commence or perform any grading or excavation, including those in gravel pits and rock quarries, in excess of the limits specified below without first obtaining a conditional use permit for such grading or excavation.
 2. In this section, all references to conditional use permit shall mean a conditional use permit for grading,

backfilling or excavation. (See also Chapter 18 of the International Building Code, Soils & Foundations).

3. A conditional use permit shall be required in all cases where development comes under any one or more of the following provisions unless such work is otherwise exempted elsewhere in this chapter:
 1. Excavation, fill or any combination thereof exceeding 5,000 cubic yards. Excavation or fill within a known mapped 100 year floodplain.
 2. Fill exceeding 10 feet in vertical depth at its deepest point measured from the adjacent undisturbed ground surface.
 3. An excavation exceeding 5 feet in vertical depth at its deepest point.
 4. An excavation, fill or combination thereof exceeding an area of five acres.
 5. Vegetation removal from an area in excess of five acres.
4. A conditional use permit shall not be required in the following cases:
 1. Excavations below finished grade for which a building permit is required and has been issued by Price City, including, but not limited to, the following:
 1. septic tanks and drain-fields,
 2. tanks,
 3. vaults,
 4. tunnels,
 5. equipment basements,
 6. swimming pools,
 7. cellars, or

8. footings for buildings or structures.
2. Excavation or removal of vegetation within property owned by public utility companies or within public utility easements by public utility companies.
3. Removal of vegetation as a part of the work authorized by an approved building permit.
4. Tilling of soil or cutting of vegetation for agricultural or fire protection purposes.
5. Commercial quarries operating with valid conditional use permits and/or in appropriate industrial zones as provided for in this Code.
6. Engineered interior fills or surcharge on the property with respect to industrial development.
7. Items not covered by this chapter which are exempted from required permits by this Code and the building code of Price City.
8. Grading and/or excavation done pursuant to an approved final development or subdivision plan.

3. **RESPONSIBILITY.** Failure of the City Officials to observe or recognize, excavation or fill work, hazardous or unsightly conditions, or to recommend denial of the conditional use permit, or of the Planning and Zoning Commission to deny said permit, shall not relieve the permittee from making application for a permit and from responsibility for appropriately doing the work or damages resulting there from.

4. **RETENTION OF PLANS.**

Plans, specifications and reports, for all excavation or fill work and conditional use permit applications, shall be retained by the property owner.

5. **INSPECTIONS.**

1. The Zoning Administrator, Building Official, Building Inspector or City Engineer shall make the inspections hereinafter required and shall either approve that portion of the work completed or shall notify the permittee wherein the same fails to comply with this section. Where it is found by inspection that conditions are not substantially as stated or shown in the conditional use permit application, the inspector may stop further work until and unless approval is obtained for a revised grading plan conforming to the existing conditions.

2. Plans for grading work, approved by the Planning and Zoning Commission, shall be maintained at the site during the progress of the grading.

3. In order to obtain inspections, the permittee shall notify Price City at least 48 hours before said inspection is to be made.

6. **STANDARDS AND SPECIFIC REQUIREMENTS.**

1. **APPLICABILITY.**

All grading and excavation shall comply with the requirements set forth in this chapter in addition to other requirements of this Code.

2. **HOURS OF OPERATION.** All grading and excavation in or contiguous to residential neighborhoods shall be carried on between the hours of 7:00 a.m. to 7:00 p.m., 7 days a week. The Zoning Administrator, City Engineer or

Building inspector may waive this requirement if it is shown that restricting the hours of operation would unduly interfere with the development of the property and it is shown that other properties or neighborhood values would not be adversely affected.

3. **DUST AND DIRT CONTROL.** All graded or disturbed surfaces of excavations, and all equipment materials and roadways on the site shall be dampened or suitably treated, managed, or contained to prevent clouds of dust and the deposit of dust on neighboring properties or streets; all materials transported to or from the site shall be so contained during transportation as to prevent spillage on street or other property outside of the site. Tracking of mud and debris by the wheels or tracks of vehicles and equipment will be prevented by setting up an area (drain rock pad) on site for the vehicles and equipment to drive over to loosen mud and debris. Failure to control dust and dirt may result in suspension or revocation of conditional use permit(s) and/or building permit(s).
4. **SLOPES.** The Zoning Administrator, City Engineer or Building Inspector may require the percent of slope of a cut or fill to be reduced if it is found that the cut or fill is subject to unusual or excessive erosion, caving or sliding, or if other conditions make such requirements necessary for stability. Steeper slopes may be permitted where the material being cut is unusually stable.
5. **FILL MATERIAL.** All fill, except in publicly approved refuse disposal or other landfill operations, shall be earth, rock, or other inert materials

free from organic material, metal, asphalt, petroleum products, toxins or other hazardous materials, except that topsoil spread on cut and fill surfaces may incorporate humus for desirable moisture retention and plant growth.

6. **DRAINAGE.** Drainage analysis, reports, and plans, when required, must comply with the Price City Drainage Criteria. Adequate provisions shall be made to prevent any surface waters from damaging any excavation or any portion of a fill and adversely impacting adjacent properties. Discharges shall comply, when required, with the requirements of the Utah Department of Environmental Quality. Drainage structures shall be constructed or installed as necessary to prevent erosion damage or to prevent saturation of the fill or natural material, at the foot of or behind cut slopes and walls.
7. **FINISHED CUTS AND SLOPES.** The exposed or finished cuts or slopes of any fill or excavation shall be smoothly graded. Exposed slopes of any cut or fill shall be protected by erosion control and approved planting, crib walls, retaining walls, fabrics or walls and planting, terracing, or a combination thereof.
8. **BACKFILL.** Any pipe trench or other trenching or excavation made in any slope of any excavation or filled site shall be back-filled in lifts and compacted to the level of the surrounding grade.
9. **COMPACTION OF FILLS.** Unless otherwise directed by the Zoning Administrator, City Engineer or Building Inspector, all fills governed by this Code intended to support buildings, structures, or where

otherwise required to be compacted for stability, shall be compacted, inspected and tested in accordance with the following provisions unless otherwise dictated by a geotechnical/soils report:

1. The natural ground surface shall be prepared by removal of: vegetation and, if necessary, shall be graded to a series of terraces.
2. The fill shall be spread in a series of layers, each not exceeding 12 inches in thickness, and shall be compacted by "sheepsfoot" roller compactor (after each layer is spread) or other acceptable method approved by the City Engineer.
3. The moisture content of the fill material shall be controlled at the time of spreading and compaction to obtain required maximum density.
4. The fill material after compaction shall have an average dry density of not less than 95% of maximum dry density and a minimum of 90% in all portions of the fill requiring compaction as determined by the AASHO Soil Compaction Test Method T99-57 or T180-57, or other acceptable testing method.
5. A written report of the compaction, showing location, boundaries and depth of test holes, materials used, moisture conditions, recommended soil-bearing pressures, and relative density obtained from all tests, prepared by a civil engineer or soils engineer licensed by the State of Utah shall be submitted to the Zoning Administrator,

Building Inspector or City's Engineer.

6. The Zoning Administrator, City Engineer or Building Inspector may require additional tests or information if, in their opinion, the conditions or materials are such that additional information is necessary, and may modify or delete any of the above-listed requirements that in their opinion are unnecessary to further the purpose of this Code.
- 10. EROSION CONTROL AND LANDSCAPING.** All cut and fill surfaces created by grading except for firebreak purposes shall be planted with a ground cover that is compatible with the natural ground covers in Price City. Topsoil is to be stockpiled during rough grading and used on cut and fill slopes. When slopes too steep to support continuous ground cover have been permitted and in lieu thereof niches and ledges provided for planting, such slopes need not be planted with a continuous ground cover, but may instead be screened with vines and plantings. Cuts and fills along public roads may be required to be landscaped so as to blend into the natural surroundings.
- 11. FILLING FOR AGRICULTURAL AND FIRE PROTECTION PURPOSES.** Filling of the ground for agricultural or fire protection purposes shall be accomplished with such practices as will prevent erosion and damage to natural drainage channels.
- 12. FINAL INSPECTION.** If upon final inspection of any grading it is found that the work authorized by the conditional use permit has been satisfactorily completed in accordance

with the requirements of this Code and any other requirements imposed, the Zoning Administrator, City Engineer or Building Inspector shall so record in the record.

The Zoning Administrator, City Engineer or Building Inspector shall have the authority to revoke any conditional use permit whenever it is found that the work covered by the certificate has been materially extended or altered without prior approval, or that any planting, retaining walls, cribbing, drainage structures, or other protective devices as shown on the approved plans and specifications submitted with the application for a permit have not been maintained in good order and repair. Said revocation shall remain until the problems and non conformance are corrected.

13. PROHIBITED ACTIVITIES.

1. The provisions of this chapter shall not be construed as permitting the removal of topsoil solely for resale, or of permitting quarrying of any site within the limits of Price City unless in a zoning district allowing such activities.
2. This chapter shall also not be construed as authorizing any person to maintain a private or public nuisance upon his or her property, and compliance with the provisions of this chapter shall not be a defense in any action to abate such nuisance.
3. Filling the 100 year floodway.

7.7. SUBDIVISIONS (LAND DEVELOPMENT) - SPECIAL REQUIREMENTS

1. SCOPE OF SECTION

1. No person shall subdivide or otherwise develop any tract of land which is located wholly or in part within Price City, except in compliance with this Code, and with the development regulations adopted by the City Council of Price City.
2. No person shall sell or exchange or offer to sell or exchange any parcel of land which is any part of a development of a larger tract of land, nor offer for recording in the office of the County Recorder any deed conveying such parcel of land, or any interest therein, unless such development has been created pursuant to and in accordance with the provisions of this Code and local regulations;
 1. provided that this Code shall not apply to any lot or lots forming a part of a development created and recorded according to then applicable law prior to the effective date of this Code, except as specifically provided in this Code.
3. This Code shall apply, however, to lots created prior to adoption of this Code and not in compliance with then applicable law.
4. No lot within a development created and recorded prior to the effective date of this Code or approved by the Planning and Zoning Commission and City Council and recorded in the County Recorder's office under the provisions of this Code shall be further divided, rearranged, added to or reduced in area, nor shall any boundaries of any lot be altered in any manner so as to create more lots than initially recorded, or any non-conforming lot, without first obtaining the approval of the Planning

and Zoning Commission and the City Council.

5. Restricted lots are prohibited unless flood plain and geotechnical design solutions to problems associated with such lots have been prepared by a qualified professional team and approved by the Planning and Zoning Commission.
2. **INTENT AND PURPOSE.** The purpose of this section and the intent of Price City in its adoption is to promote the health, safety, convenience, and general welfare of the present and future inhabitants of Price City.
 1. This section will accomplish this purpose by:
 1. Providing policies, standards, requirements, and procedures to regulate and control the design and improvement of all developments.
 2. Assisting in the implementation of the objectives, policies, and programs of the General Plan by ensuring that all proposed developments, together with provisions for their design and improvement, are consistent with the General Plan, Transportation Master Plan and all applicable specific plans.
 2. Preserving and protecting, to the maximum extent possible, unique and valuable natural resources and amenities, including topographic and geologic features, beaches and natural water courses, fish and wildlife habitats, historical and cultural places, and scenic vistas and attractions; and improving the public's access to and enjoyment of such resources and amenities through the dedication or

continuance of appropriate public easements thereto.

3. Preserving and protecting the special environmental quality and aesthetic character of all hillside, flood plains and mountainous areas; preventing detrimental impacts to the soil mantle, vegetative cover, and other environmental factors; reducing the hazards to life and property from fire, flood, erosion, sedimentation and soil slippage; and relating the amount of grading within a development to the slope of the natural terrain.
4. Encouraging the clustering of housing and building developments where subdivisions or other developments are permitted in hillside and mountainous areas, minimizing grading, preserving the natural terrain, and enlarging the open space.
5. Relating land use intensity and population density to existing developments, street capacity and traffic access, the slope of the natural terrain, the availability and capacity of public facilities and utilities, and open spaces.
6. Providing lots of sufficient size and appropriate design for the purposes for which they are to be used.
7. Providing streets of adequate capacity and design for the traffic that will utilize them, and ensuring maximum safety for pedestrians and users of vehicles.
8. Ensuring adequate access to each building site.
9. Providing sidewalks, pedestrian-ways, bike paths, and equestrian and hiking trails for the safety, convenience, and enjoyment of residents of new developments.

10. Providing adequate systems of water supply, sanitary sewage disposal and collection, storm drainage, street lighting, fire protection and other utilities needed for public health, safety, and convenience.
11. Providing adequate sites for public facilities needed to serve residents of new developments.
12. Ensuring that costs of providing land for streets, alleys, pedestrian-ways, bike paths, easements, and other rights-of-way and for the improvements therein needed to serve new developments are borne by the property owner and/or developer(s). Maintenance of street, alley and pedestrian ways, paths, easements and other rights of way fronting or abutting a parcel are the maintenance responsibility of the fronting or abutting property owner.
13. Preventing land which is actually or potentially dangerous by reason of flood hazard, inundation, inadequate access, inadequate water supply or fire protection, insufficient sewerage facilities, or hazardous geological conditions, from being developed for any use or in any manner tending to create an increased detriment to the public health, safety, or welfare and burden on the City.
14. Ensuring that, insofar as possible, land is developed in a manner that will promote the public health, safety, convenience, and general welfare and the physical, social and economic development of the area in conformance with the General Plan and Transportation Master Plan, and provide access for solar and other renewable energy sources to the maximum extent possible, and encourage energy and water

conservation through design, layout, "siting" and other techniques.

15. Preserving and protecting to the maximum extent possible, solar access to structures and encourage and promote/ require energy conservation and the use of renewable energy sources.
16. Providing space for parking bays. (off-street parking as needed)
17. Providing space for bike paths and jogging trails.

3. MAPS AND PLATS REQUIRED

1. Whenever any lands are laid out and platted, the owner of those lands shall cause an accurate map or plat to be made of them that sets forth and describes:
 1. all the parcels of land laid out and platted, by their boundaries, course, and extent, and whether they are intended for streets or other public uses, together with any areas that are reserved for public purposes;
 2. all blocks and lots intended for sale, by number, with their precise length, width bearing and distance; and
 3. all existing easements and right-of-ways.
2. The owner of the land shall acknowledge the map or plat before an person authorized by law to acknowledge conveyances of real estate.
 1. The surveyor making the map or plat shall certify the same.
 2. Each utility company shall acknowledge the map or plat by the signature of its executive officer.

3. The City Council and Mayor shall approve the map or plat as provided by law.
3. After the plat map has been acknowledged, certified, approved, and a receipt received for the payment all taxes due and payable, the owner of the land shall file and record it in the Carbon County Recorder's office in the county in which the lands platted and laid out are situated.

4. SUBDIVISION APPROVAL PROCEDURE

1. No one may file or record a plat of a subdivision of land or lot line adjustment or change, situated within the municipal boundaries of Price City, in the County Recorder's office unless:
 1. it has been recommended for final approval by the Price City Planning and Zoning Commission or Zoning Administrator; or
 1. it is a minor 1 lot subdivision or lot line adjustment completed in accordance with the terms of this Code and processed administratively; and,
 2. a lot line adjustment only for a real property transaction may be completed by completion of a lot line boundary adjustment agreement or by completion of a new plat indicating the lot line boundary adjustment as directed or approved by the Zoning Administrator; and,
 2. approved by the City Council; and

3. approved by the Mayor and other officers that the City Council designates in an ordinance; and
 4. the approvals are entered in writing on the boundary adjustment agreement or plat by the Mayor or by other officers designated in the ordinance.
 5. Final boundary adjustment agreement or plat signatures of approval include: Mayor-with attest, County Recorder, City Engineer, City Attorney, Planning Commission Chair or Zoning Administrator-with attest, preparer of the plat prior to presentation for recording.
- 5. EXEMPTIONS FROM PLAT REQUIREMENT.** Any land divided for any purpose into 2 or more parts after the passage of this Code shall be subject to the provisions and regulations of this Code, except:
1. In subdivisions of less than 10 lots, land may be sold by metes and bounds, without the necessity of recording a plat if:
 1. a recommendation has been received by the planning commission;
 2. the deed contains a stamp or other mark indicating that the subdivision has been approved by:
 1. the legislative body; or
 2. other officers that the legislative body designates in an ordinance.
 3. the subdivision is not traversed by the mapped lines of a proposed street as shown in the General Plan and Transportation Master Plan and does not require the dedication of

any land for street or other public purposes; and

4. if the subdivision is located in a zoned area, each lot on the subdivision meets the frontage, width, and area requirements of the zoning district in which it is located or has been granted a variance from those requirements by the Board of Adjustment.
5. Municipalities under the council-mayor form of government shall comply with Section 10-3-121 9.5, (Utah Statutes)

6. DEDICATION OF STREETS

1. Maps and plats, when made, acknowledged, filed, and recorded according to procedures specified in this part, operate as a dedication of all streets and other public places, and vest the fee of those parcels of land in Price City for the public for the uses named or intended in those maps or plats.
2. The dedication established by this section does not impose liability upon Price City for streets and other public places that are dedicated in this manner but unimproved.

- 7. RECORDING FINAL PLAT.** The City Council shall supervise, at the direction of the owner, the recording of the Final Plat or Map with the Carbon County Recorder, which is to be done within 10 calendar days of the completed approval of the Final Plat by the City Council; the owner shall pay the expense of such recording, unless agreed upon otherwise. Failure of an owner to properly record a plat with the Carbon County Recorder may subject the project / subdivision to re-processing and the imposition of additional fees.

8. VACATING OR CHANGING A SUBDIVISION PLAT.

1. The City Council of Price City may with or without a petition, consider any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any street, lot, or alley contained in a subdivision plat at a public hearing.
 1. If a petition is filed, the responsible body or officer shall hold the public hearing within 45 days after it is filed if:
 1. the plat change includes the vacation of a public street or alley;
 2. any owner within the plat notifies the municipality of their objection in writing within ten days of mailed notification; or
 3. a public hearing is required because all of the owners in the subdivision have not signed the revised plat.
 2. Any fee owner, as shown on the last county assessment rolls, of land within the subdivision that has been laid out and platted as provided in this part may, in writing, petition the City Council to have the plat, or any portion of it, or any street or lot contained in it, vacated, altered, or amended as provided in this section.
 3. A petition to vacate, alter, or amend an entire plat, a portion of a plat, or a street or lot contained in a plat shall include:
 1. the name and address of all owners of record of the land contained in the entire plat;
 2. the name and address of all owners of record of land adjacent

to any street that is proposed to be vacated, altered, or amended; and

3. the signature of each of those owners who consents to the petition.
4. Petitions that lack the consent of all owners referred to in Subsection 7.7.8.3 above may not be scheduled for consideration at a public hearing before the City Council until the notice required by this part is given.
 1. The petitioner shall pay the cost of the notice.
5. When the responsible body or officer proposes to vacate, alter or amend a subdivision plat, or any street or lot contained in a subdivision plat, they shall consider the issue at a public hearing after giving the notice required by this part.
6. Petitions to adjust lot lines between adjacent properties may be executed, per Utah State Code, upon the recordation of an appropriate deed if:
 1. no new dwelling lot or housing unit results from the lot line adjustment;
 2. the adjacent property owners consent to the lot line adjustment;
 3. the lot line adjustment does not result in remnant land that did not previously exist; and
 4. the adjustment does not result in violation of current and applicable zoning requirements.
9. **NOTICE OF HEARING FOR PLAT CHANGE**
 1. The responsible body or officer shall give notice of the proposed plat change by mailing the notice to all owners of record referred to in Section 7.7.8, addressed to their

mailing addresses appearing on the rolls of the Carbon County Assessor.

1. the responsible body or officer shall ensure that the notice includes:
 1. a statement that anyone objecting to the proposed plat change must file a written objection to the change within 10 days of the date of the notice;
 2. a statement that if no written objections are received by the responsible body or officer within the time limit, no public hearing will be held; and
 3. the date, place, and time when a hearing will be held, if one is required to consider a vacation, alteration, or amendment without a petition when written objections are received or to consider any petition that does not include the consent of all the landowners as required by Section 7.7.8.
2. If the proposed change involves the vacation, alteration, or amendment of a street, the responsible body or officer shall give notice of the date, place, and time of the hearing by:
 1. mailing notice as required in Subsection 7.7.9.1; and either:
 1. publishing the notice once a week for four consecutive weeks before the hearing in a newspaper of general circulation in Price City in which the land subject to the petition is located; or

2. if there is no newspaper of general circulation in Price City, post the notice four consecutive weeks before the hearing in three public places in Price.

10. GROUNDS FOR VACATING OR CHANGING A PLAT

1. Within 30 days after the public hearing required by this part, the responsible body or officer shall consider the petition.
 1. If the responsible body or officer is satisfied that neither the public nor any person will be materially injured by the proposed vacation, alteration, or amendment, and there is good cause for the vacation, alteration, or amendment, the City Council, by ordinance, may vacate, alter, or amend the plat, any portion of the plat, or any street or lot.
 2. The responsible body or officer may approve the vacation, alteration, or amendment by ordinance, amended plat, administrative order, or deed containing the stamp or mark indicating approval by the responsible body or officer.
2. The responsible body or officer shall ensure that the vacation, alteration, or amendment is recorded in the office of County Recorder in which the land is located.
3. An aggrieved party may appeal the responsible body's or officer's decision to the District Court, in and for Carbon County, Utah, as provided in Section 10-9-1001 (Utah Code Annotated 1953, as amended)

11. RESTRICTIONS FOR SOLAR AND OTHER ENERGY DEVICES

1. The City Council, in order to protect and ensure access to sunlight for solar energy devices, may adopt regulations governing legislative subdivision development plans that relate to the use of restrictive covenants of solar easements, height restrictions, side yard and setback requirements, street and building orientation and width requirements, height and location of vegetation, with respect to property boundary lines, and other permissible forms of land use controls,
2. The City Council may refuse to approve or renew any plat or subdivision plan, or dedication of any street or other land, if the deed restrictions, covenants, or similar binding agreements running with the land for the lots or parcels covered by the plat of subdivision prohibit or have the effect of prohibiting reasonably sited and designed solar collectors, or other energy devices based on renewable resources from being installed on buildings erected on lots or parcels covered by the plat or subdivision.

12. DESIGN STANDARDS.

1. All developments shall comply with the following standards unless a variance from one or more provisions of this section is approved by the City Council in accordance with the variance procedure of this Code.
2. GENERAL STANDARDS:
 1. The design of a development shall preserve insofar as possible the natural terrain, natural drainage, existing topsoil, and trees.
 2. Land subject to hazardous conditions such as slides, mud flow, rock falls, snow avalanches,

possible mine subsidence, shallow water table, open quarries, floods, and polluted or non-potable water supply shall be identified and shall not be developed until the hazards have been eliminated or will be eliminated or mitigated by the proposed development and construction plans.

3. LOTS

1. No single lot shall be divided by a municipal or county boundary line.
2. A lot shall not be divided by a road, alley, or other lot.
3. No wedge-shaped lot shall be less than 30 feet in width at the front property line, or the lot frontage required in the zoning district, whichever is larger.
4. Side lot lines shall be at right angles or radial to street lines, except where justified by the developer and approved by the Planning and Zoning Commission.
5. All residential lots in developments shall front on a public street, or on a private street approved by the Planning and Zoning Commission and the City Council of Price City. Required frontage shall not be considered to be provided if vehicular access across the street-line is prohibited. Double frontage lots are allowed on corners. Triple frontage is prohibited unless approved by the Planning and Zoning Commission (does not include frontage on an alley).

6. Corner lots shall be so designed as to provide for the same quality and size of building area as interior lots by such enlargement as necessary to accommodate the increased required front setbacks and yards. The Planning and Zoning Commission may, when no adverse impact to health, safety or welfare of residents is demonstrated, approve an exception on corner lot front yard setbacks to accommodate reasonable and planned development.

4. STREET REQUIREMENTS

1. The street layout shall conform to the General Plan and Transportation Master Plan of Price City.
2. Minor streets shall be laid out to discourage through traffic.
3. Stub streets shall be provided where needed to connect to adjacent undeveloped land and new streets must be provided where needed to connect to existing stub streets in adjacent developments. Not more than 8 lots shall front on a stub street, except where an approved temporary cul-de-sac turnaround is provided. Stub streets shall not slope downhill without a means for drainage to escape.
4. Intersections of minor streets with collector arterial streets shall be kept to the minimum.
5. Minimum right-of-way widths for public streets shall be determined by the City Council for various categories of streets, but shall in no case be less than the following:

1. Arterial 100 feet
2. Collector Arterial: 80 feet
3. Collector Street: 66 feet
4. Local (minor) Street: 60 feet
6. Minimum right-of-way widths for private streets shall be the same as for public streets of the same use category, unless a different width is specifically approved. The appropriate use category for a private street shall be determined by the Planning and Zoning Commission before a building or use permit is approved along such private street.
7. Public streets shall have pavement roadway widths not less than the following:
 1. Arterial: 75 feet
 2. Collector Arterial: 55 feet
 3. Collector Street: 41 feet
 4. Local (minor) Street or Frontage Road: 35 feet
8. Minimum improved roadway widths for private streets shall be the same as for public streets of the same use category, unless a different width is specifically approved.
9. Where no curbs are required to be installed, a minimum of 6 foot shoulders shall be provided on each side of the street, not to exceed a 2:1 slope.
10. No half-streets are permitted unless approved by the Planning and Zoning Commission and City Council.
11. Dead-end or including stub streets, shall be permitted or

- required by the Planning and Zoning Commission only to provide future access to adjoining property, except for dead-end street systems in cluster developments, in planned unit developments, condominium developments, or similar special projects or in older sections. Said street shall not drain downhill with no outlet. The end of said dead end or stub streets shall be barricaded with fence, jersey barricades or large rock boulders with red diamond shape reflective signs.
12. Permanent cul-de-sac on streets serving no more than 26 lots, and not more than 600 feet long, whichever is more restrictive, may be permitted and shall be provided with a right-of-way at the turn-around of 55 feet radius or more, and the top back of curb radius shall be 45 feet or more. Cul-de-sac streets intended to be only temporary must also satisfy the above requirements.
 13. No more than 4 streets shall enter an intersection.
 1. Roundabouts shall only be constructed with the specific approval of a conditional use permit by the Price City Planning and Zoning Commission and Price City Council and shall not serve more than 4 streets.
 14. Streets shall intersect at 90 degrees, except where otherwise approved as necessary by the Planning and Zoning Commission.
 15. The center lines of 2 subordinate streets meeting a through street from opposite sides shall extend

as a continuous line, or the center lines shall be offset at least 150 feet.

5. **STREET NUMBERING (NAMES).** Street number shall be numbered based on the adopted grid system. Streets may also be named but there shall be no duplication of street names within the City or County. All street names must be approved by the Planning and Zoning Commission and shall be given to the County Recorder and County Building Official for review and recommendation prior to the approval of proposed street names by the Planning and Zoning Commission.
6. **CURVATURE AND ALIGNMENT** To ensure adequate sight distances, street roadway line connections shall be made by horizontal curves. The minimum center lines radii for minor streets shall be one hundred 150 feet and all other streets shall be 300 feet. On collector and arterial streets a minimum tangent of 100 feet shall be required between a curve and street intersection. A minimum tangent of 100 feet shall be required between reverse curves and shall be designed to provide minimum sight distances of 200 feet for minor streets and 300 feet for all other streets, except that vertical curves for collector and arterial streets shall be as determined by the current specifications of AASHTO.
7. **FRONTAGE ON MAJOR HIGHWAYS.** Where a residential development abuts a major highway, frontage roads may be required.
8. **ROADBED CONSTRUCTION STANDARDS FOR PAVED ROADWAYS FOR PUBLIC STREETS.** Minimum roadbed

grading and paving for minor, collector, and arterial streets shall be established by the City Council, unless recommended otherwise by a geotechnical report.

9. **STREET GRADES.** All street grades shall be designed as follows:
 1. Arterial and collector streets shall be limited to a maximum grade of 10%. Sustained grades shall be limited to 7%.
 2. Minor streets shall be limited to a maximum grade of 12%. Sustained grades shall be limited to 9%.
 3. Cul-de-sacs shall not have a negative grade without adequately planned water drainage. All cul-de-sacs shall terminate with a grade not to exceed 3% for the last 100 feet of traveled surface.
 4. Street intersections shall have a vertical alignment such that the grade shall not exceed 3% for a minimum distance of 50 feet each way from the centerline of the intersection.
 5. Maximum grades shall be approved only when accompanied by changes to a lesser grade, and where length of that portion of that road at maximum grade is less than 600 feet.
 6. All changes in vertical alignment shall be made by vertical curves with minimum length of 50 feet for local (minor) streets and 100 feet for collector and arterial streets.
 7. Streets in mountainous terrain or on steep hillsides shall be

designed at less than maximum allowable grade in order that they can be safely negotiated and that snow can be removed during winter, and that development can be adequately accessed by emergency services.

10. SIDEWALKS, CURBS AND GUTTERS.

1. Sidewalks, curbs and gutters shall be provided on both sides of all streets to be dedicated to the public, unless approved otherwise by the Planning and Zoning Commission and City Council. Sidewalks, curbs and gutters may be required by the City Council on existing streets bordering the development.
2. Sidewalks, curbs, gutters and driveway approaches, in the public right of way, shall be constructed of concrete. Decorative epoxy, acrylic or painted concrete or stamped concrete is not allowed. Sidewalks in commercial zones may be decorative as approved by conditional use permit.
3. Park strips shall be installed at a minimum width of 5 feet, unless otherwise approved the Planning and Zoning Commission.
4. Park or plant strips may be landscaped with grass, trees, flowers, bushes and/or rocks or paver bricks. Solid concrete or asphalt pavement is not allowed. Exceptions may be made when, in the opinion of a Technical Review Committee (TRC) comprised of the Zoning Administrator, City Engineer and Public Works Director, an alternate treatment of the park

strip, to include hard surfacing, of the park strip, may serve to improve storm water management, pedestrian or vehicle traffic safety or other specifically identified public needs. Hard surfaced park-strips are the financial responsibility of the adjoining property owner when dig-ups or other maintenance activity may impact the hard surface.³ Vegetative hedges and trees with low-hanging branches are not allowed.

5. Trees in the park or planting strips shall be of a variety that when full grown will not heave or otherwise negatively impact the sidewalk.
6. Sidewalks may be placed against the top back of curb providing the sidewalk is 6 feet wide unless restricted by pre-existing conditions.

11. BLOCK STANDARDS. Block lengths shall be reasonable as approved by the Planning and Zoning Commission, and in total design shall provide for convenient access and circulation for emergency vehicles.

12. PEDESTRIAN CROSS-WALKS. Where blocks exceed 600 feet in length, pedestrian rights-of-way of not less than 10 feet in width may be required by the Planning and Zoning Commission through blocks where needed for adequate pedestrian circulation. Sidewalk improvements of no less than 4 feet in width shall be placed within the rights-of-way, when

³ January 2015 Update: flexibility on park strip treatments

required by the Planning and Zoning Commission.

- 13. LOT SIZE STANDARDS.** All lots shall conform to area requirements of any existing zoning regulations. Where no zoning regulations are in effect, density standards or minimum lot size requirements may be specified by the Planning and Zoning Commission and set by conditional use permit.

14. EASEMENT STANDARDS.

1. Whenever practical, minimum 10 foot wide utility easements shall be placed along front lot lines. Easements shall follow rear and side lot lines only as an exception, with width to be determined.
2. Where front-line easements are required, a minimum of 10 feet shall be allocated as a utility easement. Perimeter easements shall be not less than 15 feet in width, extending throughout the peripheral area of the development, if required by the Planning Commission.
3. All easements shall be designed so as to provide efficient installation of utilities. Special guying easements at corners may be required if any utilities are to be overhead. Public utility installations shall be so located as to permit multiple installations within the easements. The developer shall establish final utility grades prior to utility installations.

15. UTILITIES TO BE

UNDERGROUND. Unless the Planning and Zoning Commission and City Council determine, upon

application by the developer, and recommendation of the City's Engineer, that it is not feasible to do so, all power lines, telephone lines, and other utility lines shall be placed underground by the developer. The pattern or cross-section of utility placement will be as approved.

- 16. ALLEYS.** The Planning and Zoning Commission may approve service or secondary access to the interior of blocks where deemed to be in the public interest, in which case such alleys must be indicated in the Preliminary Design Plans and on the Final Plat. Alleys must be labeled as either public or private. Alleys are not considered public streets. Maintenance of all public or private alleys is the responsibility of the fronting, abutting or adjacent property owner.

17. SANITARY SEWAGE DISPOSAL GENERAL REQUIREMENTS.

1. Except as otherwise provided below, the developer shall provide, or have provided, a piped sanitary sewerage system to the property line of every lot in the development. The sewerage system shall meet the minimum standards and requirements of Price City, the Health Department, and the Price River Water Improvement District. A sewer system capacity study shall be completed by the developer as required to determine availability of downstream sewer pipeline condition, capacity and special sewerage treatment requirements.
2. Septic tanks and/or sealed vaults may be approved only when an existing sanitary sewer system is more than 1/2 mile from the

boundary of the development and shall be disapproved in any case unless approved in writing by the Building Official and the Health Department. In order to determine the adequacy of the soil and geology involved to properly absorb sewage effluent and to determine the minimum lot area required for such installations, an interpretive map based on the Natural Resources Conservation Service Soil Survey showing the suitability of the soil for septic tank fields or pits shall be submitted, along with the results of percolation tests. The results of these data will be reviewed by the Health Department and the Building Official, in addition to any other information available to them, for recommendations to the Planning and Zoning Commission. The following requirements shall be met:

1. Land altered, or filled with non-earth materials within the last 10 years shall not be divided into building sites which are to be served by soil absorption waste disposal systems.
2. Each developed lot to be served by an on-site soil absorption sewerage disposal system shall contain an adequate site for such system. An adequate site requires a minimum depth of 8 feet from the surface of the ground impermeable bedrock, and a minimum depth of 6 feet from the surface of the ground to the groundwater surface (based on annual high water

level). Each site must also be at least 1,500 feet from any shallow water supply well and 300 feet from any stream or water course, and at least 50 feet from any dwelling or property line.

3. Soils having a percolation rate slower than or faster than standards allowed by the Building Official or the Health Department shall not be divided into building sites to be served by soil absorption sewage disposal systems.
4. Land rated as having severe limitations for septic tank absorption fields as defined by the local county soil survey, U.S. Department of Agriculture, Natural Resources Conservation Service shall not be divided into building sites to be serviced by soil absorption sewage disposal systems unless each such building site contains not less than 20,000 square feet of other soils rated suitable for building construction and installation of an on-site soils absorption sewage disposal system.
5. An applicant desiring to install soil absorption sewage disposal facilities on the soils having severe limitations, as determined in the preliminary plan review, shall have additional on-site investigations made, including percolation tests; obtain the certification of a soils scientist that specific areas lying within these soils are suitable for the proposed soil absorption

sewage disposal system; and meet Building Official and Utah State Division of Health standards and regulations. In addition, the Building Official and Department of Health shall find that the proposed corrective measures have overcome or will overcome the severe soil limitations.

6. Other applicable standards adopted by the City Council and local and State Division of Health.
7. Septic systems and drain fields will not be allowed on topography, cliffs and terrain that is elevated above the surrounding area where additional development can occur.

18. SANITARY SEWER MAINS, LATERALS, AND HOUSE CONNECTIONS - FUTURE. Where local, county and regional master or general plans indicate that construction or extension of sanitary sewers may serve the development area within a reasonable time, the Planning and Zoning Commission may require the installation and capping of sanitary sewer mains and house connections by the developer, in addition to the installation of temporary individual on-lot sanitary disposal systems by the developer or lot purchaser. Whenever individual on-lot sanitary sewage disposal systems are proposed, the developer shall either install such facilities or require by deed restrictions or otherwise as a condition of the sale of each lot or parcel within such development that on-lot sanitary sewage disposal facilities be installed

by the purchaser of said lot at the time the principal building is constructed, and no building permit shall be issued until such installation is assured. In all other cases, sanitary disposal facilities for sewage shall be provided for every lot or parcel by a complete community or public sanitary system. All sewer mains shall be a minimum of 8 inches in diameter. Larger size sewer mains will be installed as recommended by sewer study.

19. TEST PROCEDURES. Test of sanitary sewer mains, laterals, and house connections shall be conducted in accordance with local and State health requirements. As-built drawings will be submitted along with installation and testing reports. The City's approval will be required before putting the system in service.

20. WATER IN SUFFICIENT QUANTITY TO BE OBLIGATION OF DEVELOPER.

1. The procurement of water, as required by the City Council, shall be by purchase of water rights, water shares, exchange, or service agreement, and shall be the responsibility of the developer. There shall be water available for use in the development in an amount sufficient to meet minimum flows of 250 gallons per person per day plus outside irrigation and minimum static pressures of 50 pounds per square inch (psi) with a fire flow requirements of 1000 gal per minute. The minimum pressure and flow may be increased based on project impact. There shall be adequate water resources, treatment, storage, transmission and distribution to service the project.

2. In no event shall the quantity of water provided by the developer be less than that required to meet minimum fire flow standards.

21. CULINARY WATER SYSTEM. The culinary water delivery system shall extend to the property line of every lot and shall be capable of delivering the flows and pressures as required. All water mains shall be a minimum of 8 inches in diameter, unless required to be larger based on a water system study. Plan and profiles design drawing will be submitted. As-built drawings will be submitted along with installation and testing reports. The City's approval will be required before putting the system in service.

22. IRRIGATION SYSTEMS (INCLUDING DRAINAGE FACILITIES).

1. Where an existing irrigation system consisting of open ditches is located on or adjacent to or within 100 feet of a proposed development, complete plans for relocation, piping, covering or other safety precautions shall be submitted with an application for preliminary approval of a plat. An easement for the irrigation route shall be required.
2. In all developments, irrigation systems shall be underground with clean-outs of a type and in such amounts as may be deemed acceptable by the City Engineer.
3. All pressure irrigation systems in or within 100 feet of a proposed development shall be identified and otherwise color coded (purple) as to pipe and valve color to meet local and State standards and regulations and to prevent

cross-connections and contamination.

23. PERMIT REQUIRED. A conditional use permit shall be required prior to the construction of any development. Final plan approval shall constitute such conditional use permit for any development.

13. STORM DRAINAGE AND FLOOD PLAINS

1. Complete drainage systems for the entire development area shall be designed by an engineer licensed in the State of Utah and qualified to perform such work, and shall be shown on a drawing and shall be in compliance with the Price City Drainage Design Criteria. All existing drainage features which are to be incorporated in the design shall be so identified. If the Final Plat is to be presented in sections, a general drainage plan for the entire area shall be presented with the first section, and appropriate development stages for the drainage system for each section indicated.
2. The drainage and flood plain systems shall be designed to:
 1. Permit the unimpeded flow of natural water courses.
 2. Ensure adequate drainage of all low points.
 3. Ensure compliance with development in designated flood plains in accordance with the National Flood Insurance Program, Rate Maps, City Flood Plain Ordinance and in other areas of suspected flooding.
 1. Construction of buildings shall not be permitted in a known or formally designated floodway.

2. Building construction may occur in that portion of the designated flood plain (flood fringe) where the return frequency is 100-years, provided all usable floor space is constructed above the designated maximum probable base flood elevation.
3. Where flow velocities in a flood plain are generally determined to be under 5 feet per second and maximum flood depth will not exceed 3 feet, such uses as cultivated agriculture, nurseries, parks and recreation facilities and accessory parking may be permitted. Warning signs shall be posted and maintained.
4. Any use of land is prohibited where flooding would create a public health hazard or problem. This includes shallow wells, non-cased deep wells, sanitary landfills, septic tank and on-lot sewage disposal systems, water treatment plants, and also sewage disposal systems not completely protected from inundation.
5. Any contemplated flood plain encroachment or channeling shall be thoroughly analyzed and its effect on stream flow determined before such encroachment is undertaken. Any construction, dumping, and filling operations in a designated flood plain constitute an encroachment and must be approved by the

Planning Commission before accomplishment.

4. The drainage basin as a whole shall accommodate not only runoff from the development area but also, where applicable, the system shall be designed to accommodate the runoff from those areas adjacent to and "upstream" from the development itself, as well as its effects on lands downstream.
5. All proposed surface drainage structures shall be indicated on the plans.
6. All appropriate designs, details, and dimensions needed to clearly explain proposed construction materials and elevations shall be included in the drainage plans, to include on-site detention.

Analysis and Design Criteria.

1. The rational method is to be employed for watersheds less than or equal to 10 acres. Peak rate and volume calculations are to be based on the 50 year 1 hour storm for the storm drainage network. Use an intensity of 1.10 inches per hour for 1 hour or other local reliable precipitation data.
2. The Natural Resource Conservation Service (NRCS) method is to be used on watersheds larger than 10 acres. Peak rate and volume calculations are to be based on the 100 year 24 hour storm event with a type 2 distribution for the storm drainage network.
3. Post development conditions shall not exceed predevelopment conditions. Check for the 5, 10, 25, 50 and 100 year storms and related flood routing. Delineate the

watersheds for each catch basin and inlet. Design the storm sewer pipe network for the 50 year 1 hour storm. Evaluate the effects of the 100 year storm. Runoff and flooding shall be contained within the streets and storm sewer pipeline network.

4. Storm water detention basins, inlets and outlets shall be designed for the 100 year storm event.
5. Each lot will be developed and built upon such that there is a positive grade away from all structures. Property owners shall be responsible for controlling drainage runoff that is generated onsite and impacts from offsite runoff. Onsite detention shall be developed as necessary. Discharge of runoff from onsite shall be directed towards approved street and natural drainage ways.
6. Structures on lots shall not be built with basement garage driveways or basement stair accesses that directly connect to the street.
7. Evaluation of potential pollution, contamination and construction site discharge through storm water runoff from the facilities or features of the development. The results of the evaluation may require source control, pre-treatment and pollution prevention practices to be implemented to control polluted storm water runoff. Prepare and submit a 'Storm Water Pollution Protection Plan' according to local and/or State regulations.
8. On-site drainage shall not negatively impact adjacent properties or development. Alteration to existing water routes or channels shall not

impact adjacent properties or development. Work within mapped flood plain areas will require a stream channel alteration permit through the State of Utah.

9. All necessary permits shall be obtained from applicable local, state, and federal agencies (i.e. State Engineer, US Army Corps of Engineers, State Division of Health etc.)

Chapter 8

**RESIDENTIAL FACILITIES
(GROUP HOMES) STANDARDS**

- 8.1 Purpose and Background**
- 8.2 Definitions**
- 8.3 Residential Housing Development, Design, Construction and Other Standards.**
- 8.4 Large Residential Facilities for Elderly Persons**
- 8.5 Large Residential Facilities for Persons with a Disability**
- 8.6 Large Residential Facilities for Youth Rehabilitation**
- 8.7 Small Residential Facility for disabled, elderly or youth.**

8.1 PURPOSE AND BACKGROUND

1. The purpose of this chapter is to comply with Section 10-9a-520, Utah Code Annotated, 1953 as amended (U.C.A.). It is further the purpose of this chapter to permit the establishment of group homes (residential facilities) for “persons with disabilities”, as defined herein, subject to licensing procedures and, where appropriate, conditional use standards.
2. It is the City’s intent to comply with the Utah Fair Housing Act and the Federal Fair Housing Amendments Act of 1988.
3. This chapter shall govern any facility or residence that meets the definition of a residential facility (group home) for persons with disabilities, the elderly, or youth, as set forth herein.
4. A residential facility (group home), large or small, shall be a permitted use in the zoning district(s) where residential occupancy is allowed, subject to the licensing and administrative requirements set forth herein. (See

Section 8.3 of this Chapter and Chapter 10 and Chapter 11 of this Code).

8.2 DEFINITIONS. For purposes of this chapter the following definitions shall apply.

1. **Adult Daycare Facility.** Any building or structure furnishing care, supervision, and guidance for three (3) or more adults unaccompanied by guardian for periods of less than twenty-four (24) hours per day.
2. **Assisted Living Facility.** A residential facility, licensed by the State of Utah, with a home like setting that provides an array of coordinated support personnel and health care services, available 24 hours per day, to residents who have been determined by the Utah Department of Health or the Utah Department of Human Services to need any of these services. Each resident shall have a service plan based on the assessment, which may include: (1) specified services of intermediate nursing care; (2) administration of medication; (3) support services promoting residence independence and self sufficiency. Such a facility does not include adult day care provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.
3. **Boarder.** A person living in a rented room in a boarding house. The boarding house operator or member of his or her immediate family who reside on the premises with the operator, shall not be considered a boarder.
4. **Boarding House.** A building or portion thereof where, for compensation, rooms are rented together with meals for not more than six (6) boarders who generally do not directly utilize kitchen facilities. The operator of a boarding house must

reside on the premises of the boarding house. The work shall include compensation in money, services, or other things of value. A boarding house does not include a residential facility for disabled persons or a residential facility for the elderly. A boarding house does not include a nonresidential facility, such as a rehabilitation/treatment facility, where the primary purpose of the facility is to deliver rehabilitation, treatment, counseling, medical, protective or other similar services to the occupants.

5. **Building, Public.** A building owned and operated, or owned and intended to be operated by the City, a public agency of the United States, the State of Utah, or any of its political subdivisions. The use of a public building is non transferrable and terminates if the structure is devoted to a use other than as a public building.
6. **Disability.** Physical or mental impairments that substantially limit one or more of a person’s major life activities, including a person having a record of such a problem or being regarded as having such an impairment. The following are incorporated into the definition of disability, to wit:
 - (a) disability does not include current illegal use of, or addiction to any federally controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802, or as defined under the Utah Controlled Substances Act, Section 58-37-1, et seq., U.C.A.;
 - (b) a physical or mental impairment includes the following:
 - (i) Any psychological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems:

neurological; musculoskeletal; special sense organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or

- (ii) any mental or physiological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities; or
 - (iii) such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, human immunodeficiency virus (HIV), mental retardation, emotional illness, drug addiction, (other than current , illegal use of controlled substances) and alcoholism.
7. **Domestic Staff.** Persons employed or residing on the premises of a dwelling or other residential facility to perform domestic services or to assist residents in performing major life activities.
 8. **Elderly Person.** A person who is 60 years or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.
 9. **Family.** One or more persons related by blood, marriage, adoption, or guardianship, and shall also include three (3) additional unrelated individuals living with the family, such as Domestic Staff, living together as a single non-profit housekeeping unit. Family does not exclude the care of foster children.

10. Hospital. An institution licensed by the State of Utah which provides diagnostic, therapeutic, and rehabilitative services to individuals on both an in-patient and out patient basis by or under the supervision of one or more physicians. A medical clinic or professional office which offers any in-patient or overnight care, or operates on a 24-hour basis shall be considered to be a hospital. A hospital may include necessary support service facilities such as laboratories, out-patient units and training and central services, together with staff offices necessary to operate the hospital.

11. Large Residential Facility. Also called a Large Group Home, authorized as a permitted use. Large Group Homes, as either a principal or accessory use, shall not exceed six (6) persons as residents for all types of facilities. No large group home shall be located within 1,260 linear feet of any other type or size of group home. A reasonable accommodation may be requested for potential locations within closer proximity than 1,260 feet. A large group home shall not include persons who are diagnosed with a substance abuse problem or who are staying at the home as a result of criminal offenses.

12. Major Life Activities. Functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and/or working.

13. Non-Residential Treatment Facility. A facility wherein no persons will be housed on an overnight basis, and provides services including rehabilitation, treatment, counseling,

or assessment and evaluation services related to delinquent behavior, alcohol abuse, drug abuse, sexual offenders, sexual abuse, or mental health. Associated educational services may also be provided to juvenile occupants.

14. Nursing Home. An intermediate care/nursing facility or a skilled nursing facility licensed by the State of Utah, for the care of individuals who, due to illness, advanced age, disability, or impairment require assistance and/or supervision on a 24-hour per day basis. Such a facility does not include an adult day care provider in conjunction with residential facilities for elderly persons or a residential facility for persons with a disability.

15. Protective Housing Facility. A facility either (1) operated, licensed, or under contract with a governmental entity, or (2) operated by a charitable, non-profit organization, where, temporary, protective housing is provided at no financial charge to: (i) abused or neglected children waiting placement in foster care; (ii) pregnant or parenting teens; (iii) victims of sexual abuse; or (iv) victims of domestic abuse.

16. Reasonable Accommodation. A change in any rule, policy, practice, or service necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling. The following words, as they relate to Reasonable Accommodation, have the following meanings:

(a) Reasonable. A requested accommodation that will not undermine the legitimate purpose

- of existing zoning regulations notwithstanding the benefit that the accommodation will provide to a person with a disability.
- (b) Necessary. The applicant must show, that, but for the accommodation, one or more persons with a disability will likely be denied an equal opportunity to enjoy the housing of their choice.
 - (c) Equal Opportunity. Achieving equal results as between a person with a disability and a non-disabled person.
17. Record of Impairment. Having a history of, or having been classified as having a mental or physical impairment that substantially limits one or more major life activities.
18. Regarded as Having Impairment. A person is regarded as having an impairment when:
- (a) the person has a physical or mental problem/condition that does not substantially limit one or more of his/her major life activities but is treated/deemed by another person as having such limitation;
 - (b) the person has a physical or mental problem/condition that substantially limits one or more major life activities only as the result of the attitudes of others toward such an impairment; or
 - (c) the person has none of the impairments/conditions or problems defined in this section, but is treated by another person as having such an impairment.
19. Rehabilitation/Treatment Facility. A facility licensed by or contracted
- with the State of Utah to provide temporary occupancy and supervision of individuals (adults and/or juveniles) in order to provide rehabilitation, treatment or counseling services. Without limitation, such services may include rehabilitation, treatment, counseling, or assessment and evaluation services related to delinquent behavior, alcohol abuse, drug abuse, sexual offenders, sexual abuse, or mental health. Associated educational services may also be provided to juvenile occupants.
20. Related. Related by blood, marriage or adoption within the definition of "family" means a father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild, to include the half as well as the whole blood.
21. Residential Facility for Elderly Persons. A dwelling unit that is occupied on a 24-hour per day basis by 6 or fewer elderly persons in a family type arrangement. A residential facility for elderly persons shall not include any of the following:
- (a) a facility which is operated as a business; provided that such facility may not be considered to be operated as a business solely because a fee is charged for food or for actual and necessary costs of preparation and maintenance of the facility.
 - (b) a facility where persons being treated for alcoholism or drug abuse are placed; a facility where

- placement is not on a strictly voluntary basis or where placement is part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution; or a facility which is a health care facility as defined by the Health Care Facility Licensing and Inspection Act, Section 26-21-1, et seq., U.C.A.; or a facility which is a residential facility for persons with a disability.
22. Residential Facility for Persons with a Disability. A residence in which more than one and fewer than 6 people with a disability reside and which is:
- (a) licensed or certified by the Department of Human Services pursuant to Section 62A-2-101, et seq., U.C.A., which governs the Licensure of Programs and Facilities; or
 - (b) licensed or certified by the Department of Human Health under the above mentioned Health Care Facilities Licensing and Inspection Act.
23. Residential Facility for Youth. A dwelling unit that is occupied on a 24-hour per day basis by 6 or fewer persons designated as youths in a family type arrangement. A residential facility for youths shall not include any of the following:
- (a) a facility which is operated as a business; provided that such facility may not be considered to be operated as a business solely because a fee is charged for food or for actual and necessary costs of preparation and maintenance of the facility.
 - (b) a facility where persons being treated for alcoholism or drug abuse are placed; a facility where placement is not on a strictly voluntary basis or where placement is part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional institution; or a facility which is a health care facility as defined in Section 26-21-2, U.C.A.; or a facility which is a residential facility for persons with a disability.
24. Residential Facility. Any building or portion thereof where an individual is actually living at a given point in time and intends to remain, and not a place of temporary sojourn or transient visit.
25. Retirement Home. A residential facility designated, occupied, and intended for use by residents fifty (50) years of age or older where common facilities for cooking and dining are available to all residents and independent facilities are provided for living, sleeping and sanitation.
26. Sheltered Workshop. An onsite supervised educational or vocational training facility for persons with a disability and does not provide any residential facilities.
27. Shelter for Homeless. Charitable lodging or sleeping rooms provided on a temporary basis (usually on a daily basis) to those members of society lacking other safe, sanitary or affordable shelter. A shelter for the homeless may also include kitchen and cafeteria facilities.
28. Small Residential Facility. Also called a Small Group Home.

Authorized as a permitted use. Small Group Homes, as either a principal or accessory use, shall not exceed three (3) persons as residents for all types of facilities. No small group home shall be located within 1,260 feet of any other type or size of group home. A reasonable accommodation may be requested for potential locations within closer proximity than 1,260 feet. A small group home shall not be used to accommodate persons who are diagnosed with a substance abuse addiction/problem or who have been sentenced to home confinement as a result of criminal offenses.

- 29. Trade or Vocational School. A post high school educational or vocational training facility.
- 30. Transitional Housing Facility. A facility owned, operated or under contract with a governmental entity, or a charitable, not for profit organization, where temporary housing is provided at no financial charge to homeless persons, while they seek/obtain work, job skills, or otherwise take steps to stabilize their circumstances on a temporary basis, usually 3 to 24 months, but not less than 30 days. A transitional housing facility shall not include a shelter for the homeless; and a dwelling unit provided to a family for their exclusive use as part of a transitional housing program, for more than thirty days, shall not be considered to be a transitional housing facility.

8.3 RESIDENTIAL HOUSING DEVELOPMENT, DESIGN, CONSTRUCTION AND OTHER STANDARDS

- 1. RESIDENTIAL FACILITIES CONSTRUCTED ON-SITE OR MANUFACTURED OFF-SITE (ALL FACILITY TYPES). Residential facilities construction shall comply with all applicable building, health and safety regulations in effect in Price City, the Americans with Disabilities Act, all applicable fire regulations, all applicable State standards and licensing requirements and be constructed on a legal lot in a zone which permits the residential facility and following issuance of an appropriate Building Permit by Price City. A Certificate of Occupancy issued by Price City is required and will be issued upon finding that the residential facility has complied with all of the applicable regulations. The facility shall also comply with all zoning provisions applicable to single family detached dwellings for the zone in which it is to be located, except as may be otherwise allowed by the provisions within this chapter.
 - (a) NEW ON-SITE RESIDENTIAL FACILITY CONSTRUCTION (ALL TYPES). New construction of residential facilities on site shall meet the requirements of the International Building Code (IBC), and be inspected by the Price City Building Department.
 - (b) The exterior of all new residential facilities shall be completed within one year of the City's issuance of the Building Permit and prior to use or occupancy.
 - (c) NEW OFF-SITE CONSTRUCTED RESIDENTIAL FACILITIES (ALL TYPES). New residential facilities constructed or manufactured off-site in a "factory" must be certified to be in compliance with the International Building Code or the National

Manufactured Housing Construction and Safety Standards Act of 1974 and bear the approved U. S. Department of Housing and Urban Development approved (HUD) insignia. The HUD insignia may not be removed from its original location on the structure nor any modification made to the structure without prior approval of Price City. Installation of an off-site manufactured residential facility that is designed to meet IBC requirements shall be permanent and comply with IBC requirements for component assemblies.

- (i) Installation of the off-site manufactured residential facility constructed to meet HUD requirements and which bears the HUD insignia shall comply with the authorized "installation manual" which accompanies the unit from the factory. The installation shall be designed to meet seismic, wind load and flotation requirements. A copy of the calculations shall become part of the building permit application. The residential facility shall be permanently installed on an approved permanent foundation which is constructed according to the HUD installation manual or the IBC.

2. PREVIOUSLY USED AND OLDER OFF SITE CONSTRUCTED RESIDENTIAL FACILITIES (ALL TYPES). Anyone intending to move previously used off-site constructed residential facilities into Price City or to move the same within Price City shall:

- (a) Provide a certification from a qualified licensed professional architect approved by Price City that

the structure was constructed to meet HUD requirements and retains the insignia of approval, has not been modified, or, if it has been modified that such modification does not invalidate the original factory certification for its intended use.

- (b) Provide a certification from a qualified licensed professional architect approved by Price City that the facility was constructed to meet IBC requirements and has not been modified, or, if it has been modified that such modification does not invalidate the original approval of having been constructed to meet IBC requirements.
- (c) If a residential facility does not meet the above criteria and the local Building Official is convinced that the plans for its installation in Price City will bring it into full compliance with the IBC, said Building Official may approve the plans and allow the residential facility to be moved to its intended permanent legal and complying location in Price City, so long as the intended site has been approved by City.

3. EXTERIOR APPEARANCE RESIDENTIAL FACILITY (ALL TYPES) Roof, exterior siding, dimensions, and skirting or foundation of a residential facility shall meet the following standards:

- (a) Roofs shall have a minimum pitch of 2.5 to 12 over at least 75% of the structure and have a surface of wood shakes, wood or composition asphalt mineral surface shingles, concrete, fiberglass or metal tiles, single-ply, slate, built-up gravel, or standing rib metal roofing. Roof overhangs must not be less than six inches, including rain gutters which may account for up

- to four inches of overhang measured from the vertical side of the dwelling.
- (b) Exterior siding materials shall consist of wood, masonry, concrete, stucco, "masonite", metal or vinyl clad lap, or any material with similar appearance which meets the IBC requirements.
 - (c) The minimum width of any dwelling shall be at least 22 feet at the narrowest point of the main floor at ground level for at least 32 feet measured at right angles to the width face, exclusive of garage area.
 - (d) Skirting is required with materials which meet IBC standards and which are aesthetically consistent with concrete or masonry type foundation materials.
 - (e) All setbacks shall comply with the requirements of the residential zone in which the facility is located.
 - (f) All required parking areas shall be off street on hard surfaced driveways and in such other locations approved for parking by the Price City Planning Commission and City Council.
4. **STORAGE SPACE REQUIRED FOR RESIDENTIAL FACILITIES (ALL TYPES).** A residential facility must provide a minimum of 72 square feet of enclosed storage space with at least six feet of clear height located within the residential facility, in the basement, in the garage area (supplemental to) or in an accessory storage structure on site which conforms to all applicable zoning and building code regulations and requirements.
5. The following standards shall apply to all residential facilities:
- (a) Each residential facility shall be subject to all minimum Price City development standards for construction or renovation in place at the time of the construction or renovation applicable for a dwelling unit in the zoning district in which the facility is located.
 - (b) Minimum parking spaces required shall be the same as for a similar dwelling in the same zoning district. The Planning Commission may require additional off-street parking, in addition to the minimum parking requirement, to accommodate potential facility activity levels and residents and visitors at the residential facility.
 - (c) No residential facility for the elderly, disabled or youth shall be made available to any individual who has demonstrated, by prior behavior, actions and /or criminal convictions, or as a resident that he or she:
 - (i) May be determined to be or does constitute a direct threat to the health or safety of other individuals; or
 - (ii) Has or may engage in conduct resulting in substantial physical damage to the property of others.
 - (iii) The Price City Police Department shall provide health, safety and property damage assessments at the request of the Zoning Administrator or applicant regarding the status of an individual or group of individuals.
 - (d) Prior to occupancy of a residential facility, the person or entity licensed or certified by the Department of Human Services or the Department of Health, who is the applicant for a permit and license to Price City, shall:
 - (i) Provide a certified copy of such license to Price City;

- (ii) Certify, in a sworn affidavit submitted with the application for a business license and/or conditional use permit, compliance with the Americans with Disabilities Act.
- (iii) Certify, in a sworn affidavit submitted with the application for business license and/or any applicable Conditional Use Permit, that no person will be placed or remain in an approved residential facility (all types of facilities) whose prior or current behavior, actions and/or criminal incidents or convictions, has demonstrated that such person is or may be a direct threat to the health or safety of other individuals, or whose said behavior, actions and/or incidents or convictions has resulted in or may result in substantial physical damage to the property of others.
- (e) The use allowed under this Chapter for residential facilities is non-transferrable and shall terminate if:
 - (i) The facility becomes devoted to, or a land use occurs other than a residential facility of any type approved by Price City.
 - (ii) The license or certification issued by the Department of Human Services or Department of Health or any other applicable agency is revoked; or
 - (iii) The facility fails in any way to comply with the conditions set forth in this section or any reasonable conditions additionally set forth by the Planning Commission and Price City Council.
- (f) No Large Residential Facility of any type shall exceed or be approved to exceed six (6) residents, not including staff at the approved location.
- (g) No Small Residential Facility of any type shall exceed or be approved to exceed three (3) residents, not including staff at the approved location.
- (h) Residential facilities of any type shall not be approved or permitted in the C-1, M-1 and M-2 zoning districts.
- (i) Residential Facilities of any type may be approved as a permitted use, upon review of compliance requirements and notice of such approval issued by Price City, in R1-6, R1-8, R1-12, R2-7, R2-11 and RE zoning districts, subject to the terms of this Chapter.
 - (i) All residential facilities of all types and sizes must obtain a business license per each location from Price City.
- (j) None of the conditions or requirements of this Chapter shall be interpreted to limit or impede reasonable accommodations necessary to allow the establishment or occupancy of a residential facility for person(s) with a disability.
 - (i) Any person or entity who desires to request a reasonable accommodation shall file an application to the Price City Planning Commission. Said applications shall include, in writing, the following and shall be subject to the fee schedule approved by Price City for submittal of such application:
 1. The name, mailing address, e-mail address and phone number(s) of the applicant;
 2. The nature and extent of the disability;

3. An exact statement of the ordinance or policy from which the applicant requests consideration of a reasonable accommodation;
 4. The applicant's proposed reasonable accommodation(s);
 5. A statement detailing why a reasonable accommodation is necessary.
 6. The physical address of the property where the applicant intends to live.
- (ii) When considering whether or not to grant a reasonable accommodation, the Price City Planning Commission shall, at a minimum, consider the following factors, among others deemed appropriate and applicable to the individual situation under review:
1. The zoning district and ordinance applicable to the property in question.
 2. The parking, traffic, and noise impact on the neighborhood where the reasonable accommodation is requested.
 3. Whether or not the accommodation requested will pose an undue burden or expense to Price City.
 4. The extent to which the accommodation will or will not benefit the applicant.
 5. The extent to which the accommodation will or will not benefit the community.
 6. Whether or not the accommodation fundamentally alters the zoning ordinance and whether or not the accommodation would likely create a fundamental change in the character of a residential neighborhood.
7. Whether or not the applicant has demonstrated that the accommodation will affirmatively enhance the applicant's life, or ameliorate the effects of the applicant's disability, or the lives or disabilities of the person on whose behalf the application is filed.
 8. Whether or not the accommodation is granted, is similar housing available within the R1-6, R1-8, R1-12, R2-7, R2-11 or RE zoning districts for the applicant or group of applicants.
 9. Given the scope of the accommodation requested, what is the impact on the immediate neighborhood.
 10. The requirements of all applicable Federal and State laws and regulations.
- (iii) Written findings and conclusions of the Price City Planning Commission shall be sent to the applicant within thirty (30) days after the decision by the Price City Planning Commission.
- (iv) If a request for a reasonable accommodation is denied, such decision may be appealed to the Price City Council.
- (k) No residential facility (group home) of any type or size for persons with disabilities shall be established, operated or maintained within Price City without a valid license issued by the Utah State Division of Licensing

and/or the Department of Human Services, and without a valid business license issued, per each physical location, by the Price City Business License Office.

8.4 RESIDENTIAL FACILITIES FOR ELDERLY PERSONS

1. A residential facility for elderly persons shall:
 - (a) conform with existing zoning requirements of the desired location;
 - (b) a large residential facility for elderly persons may be occupied on a 24 hour-per-day basis by a maximum of six (6) or fewer elderly persons in a family-type arrangement; and
 - (c) a small residential facility for elderly persons may be occupied on a 24 hour-per-day basis by a maximum of three (3) or fewer elderly persons in a family-type arrangement; and
 - (d) conform with applicable standards of the Department of Human Services and be licensed and inspected by that department.
2. APPROVAL OF ELDERLY RESIDENTIAL FACILITIES
 - (a) Upon application for a permit to establish a residential facility for elderly persons in any area where residential dwellings are allowed, Price City may decide whether or not the proposed residential facility for elderly persons conforms to ordinances adopted by Price City.
 - (b) If Price City determines that the residential facility for elderly persons complies with all applicable ordinances, it shall grant the requested permit for that facility.

3. ELDERLY RESIDENTIAL FACILITIES IN AREAS ZONED EXCLUSIVELY FOR SINGLE-FAMILY DWELLINGS

1. A residential facility for elderly persons shall be permitted in any municipal zoning district that is zoned to permit such use, subject to all applicable licensing and administrative requirements of Price City and:
 - (a) conforms to all applicable health, safety, zoning, and building codes;
 - (b) can be used as a residential facility for elderly persons without structural or landscaping alterations that would change the structure's residential character; and
 - (c) conforms to Price City's criteria, adopted by ordinance, governing the location of residential facilities for elderly persons in areas zoned to permit exclusively single-family dwellings.
 - (a) appropriate buffer between residential facilities so as to not result in clustering or "ghettoization" of such facilities.
 - (b) sufficient separation between facilities to avoid any impairment to the effectiveness of the residential setting.
 - (c) maintains the nature and character of single family zoning districts so as not to negatively impact the general welfare of the facility's residents.
 - (d) eliminates potential disparate impacts that may result in adverse treatment of people with disabilities and is neutral to the intended land use when compared to other land uses.
 - (e)

8.5 LARGE RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY

1. RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY

- (a) A residential facility for persons with a disability shall conform with existing zoning requirements of the desired location.
- (b) A large residential facility for persons with a disability may be occupied on a 24 hour-per-day basis by a maximum of six (6) or fewer persons with a disability in a family-type arrangement and under the supervision of a house family or manager.
- (c) A small residential facility for persons with a disability may be occupied on a 24 hour-per-day basis by a maximum of three (3) or fewer persons with a disability in a family-type arrangement; and
- (d) both types of such homes shall conform with applicable standards of the Department of Human Services.

2. LOCATION AND PERMITTING OF RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY

- (a) Residential facilities for persons with a disability may be permitted in any area where residential dwellings are allowed, subject to all applicable licensing and administrative requirements of Price City.
 - (i) Exception: A residential facility for persons with a disability that would likely create a fundamental change in the character of a residential neighborhood may be excluded from a zoning area.
- (b) Administrative requirements shall be limited to the following:

- (i) the facility meet all applicable development, building, safety, zoning, and health ordinances applicable to similar dwellings and/or developments;
- (ii) the operator of the facility provide assurances that the residents of the facility will be properly supervised on a 24-hour basis;
- (iii) the operator of the facility establish a municipal advisory committee through which all complaints and concerns of neighbors may be addressed;
- (iv) the operator of the facility provide adequate off-street parking space;
- (v) the facility be capable of use as a residential facility for persons with a disability without structural or landscaping alterations that would change the structure's residential character;
- (vi) no person being treated for alcoholism or drug abuse be placed in a residential facility for persons with a disability;
- (vii) no person who is violent be placed in a residential facility for persons with a disability;
- (viii) placement in a residential facility for persons with a disability be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility; and
- (ix)
 - 1. an appropriate buffer between residential facilities so as to not result in clustering or "ghettoization" of the group homes.

2. sufficient separation between group homes to avoid any impairment to the effectiveness of the group home setting.
3. maintains the nature and character of single family zoning districts so as not to negatively impact the general welfare of the group home residents.
4. eliminates potential disparate impacts that may result in adverse treatment of people with disabilities and is neutral to the group home land use when compared to other land uses.

5.

3. APPROVAL OF RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY

- (a) Upon application for a permit to establish a residential facility for persons with a disability in any area where residential dwellings are allowed, Price City may decide only whether or not the residential facility for persons with a disability conforms to ordinances adopted by Price City under this part.
 - (i) If Price City determines that the residential facility for persons with a disability complies with those ordinances, it shall grant the requested permit to that facility.
- (b) The use granted and permitted by this section is non transferable and terminates if the structure is devoted to a use other than a residential facility for persons with a disability or if the structure fails to comply with the ordinances adopted under this part.

Discrimination against persons with a disability and against residential facilities for persons with a disability is prohibited.

- (i) The decision of Price City regarding the application for a permit by residential facility for persons with a disability must be based on legitimate land use criteria and may not be based on the disabled condition of the facility's residents.

8.6 LARGE YOUTH REHABILITATION RESIDENTIAL FACILITY.

The following conditions and standards apply to youth rehabilitation facilities:

1. The facility shall conform to all applicable standards and requirements of the Utah State Department of Human Services.
2. The facility shall conform to all building, safety, health and zoning requirements of the Price City Land Development Code applicable to structures in the zone in which the proposed facility is to be located.
3. Any facility located in an existing residential dwelling shall be capable of use as a youth rehabilitation facility without structural or landscaping alterations that would change the structure's residential character.
4.
 - (a) an appropriate buffer between residential facilities so as to not result in clustering or "ghettoization" of such facilities.
 - (b) sufficient separation between facilities to avoid any impairment to

the effectiveness of the facility's setting.

- (c) maintains the nature and character of single family zoning districts so as not to negatively impact the general welfare of the facility's residents.
- (d) eliminates potential disparate impacts that may result in adverse treatment of the youth housed in the facility and is neutral to the group home land use when compared to other land uses.

(d)

5. The facility shall have a landscaped front yard.
6. The facility shall have a rear yard sight obscuring fence.
7. The facility shall be of a size, scale and design such that it is in harmony with other residential uses in the neighborhood.
8. The facility shall comply with applicable Utah State laws and regulations and not exceed a ratio of 1 adult to 3 youth or exceed a total of 6 youth assigned to the facility at any one time.
9. Shall be staffed by qualified professional adults on a 24 hour per day basis at all times in accordance with the above mentioned supervision ratio.

8.7 SMALL RESIDENTIAL FACILITY FOR DISABLED, ELDERLY OR YOUTH

1. A small residential facility may also be called a Small Group Home. Authorized as a permitted use, subject to all applicable licensing and administrative requirements of Price City. Small Group Homes, as either a principal or accessory use, shall not exceed three (3) persons as residents for all types of facilities. A small group

home shall not include persons who are diagnosed with a substance abuse problem or who are staying at the home as a result of criminal offenses.

2. A small residential facility must be staffed on a 24 hour per day basis by qualified providers for the facility.
3. A small residential facility may be directed to disabled, elderly or youth clientele, but the clientele type may not be combined.
 - (a) an appropriate buffer between residential facilities so as to not result in clustering or "ghettoization" of the group homes.
 - (b) sufficient separation between group homes to avoid any impairment to the effectiveness of the group home setting.
 - (c) maintains the nature and character of single family zoning districts so as not to negatively impact the general welfare of the group home residents.
 - (d) eliminates potential disparate impacts that may result in adverse treatment of residents housed therein and is neutral to the group home land use when compared to other land uses.
4. All small residential facilities must meet the same construction and other standards as a large residential facility as indicated in Section 8.3 of this Chapter and must meet all required permitting of other regulatory agencies and entities and must not impact the residential nature of a neighborhood.
5. All small residential facilities must obtain an administrative permit and Business License from Price City prior to occupancy.

Chapter 9

ZONING DISTRICT ESTABLISHMENT

- 9.1 Establishment of Zoning Districts**
- 9.2 Filing of Code and Map**
- 9.3 Rules for Locating Boundaries**
- 9.4 Authorized Uses Within Districts are Plenary**
- 9.5 Additional Requirements in Each District**
- 9.6 Zoning at Time of Annexation**

9.1. ESTABLISHMENT OF ZONING DISTRICTS.

For the purposes of this code the territory of Price City which has adopted this code is divided into one or more of the following listed zoning districts as shown on the zoning map(s) of Price City.

- 1. Rural Residential District, R1-43 (Chapter 10)
- 2. Single Family Residential District, R1-12 (Chapter 10)
- 3. Single Family Residential District, R1-8 (Chapter 10)
- 4. Single Family Residential District, R1-6 (Chapter 10)
- 5. Multiple Residential District, R2-7 (Chapter 10)
- 6. Multiple Residential District, R2-11 (Chapter 10)
- 7. General Commercial District, C1 (Chapter 11)
- 8. Manufacturing Distribution District, M1 (Chapter 11)
- 9. General Manufacturing District, M2 (Chapter 11)
- 10. Sensitive Area District, SA (Chapter 12)

- 11. Planned District, PL (Chapter 13)
- 12. Public Facilities District, PF (Chapter 14)
- 13. Redevelopment Overlay Zone, RDA (Chapter 15)
- 14. Sign overlay district S-1, S-2, S-3 (Chapter 4) and Downtown Blade Sign overlay district (Chapter 4)

9.2. FILING OF CODE AND MAP.

This code and map or maps shall be filed in the custody of the Price City Recorder and may be examined by the public subject to the reasonable regulations established by said City Recorder.

9.3. RULES FOR LOCATING BOUNDARIES.

Where uncertainty exists as to the boundary of any zoning district, the following rules shall apply:

- 1. Wherever the district boundary is indicated as being approximately upon the centerline of a street, alley, or block, or along a property line, then, unless otherwise definitely indicated on the map, the centerline of such street, alley, block, or such property line shall be construed to be the boundary of such zoning district. The Zoning Administrator shall provide final zoning district boundary determination when uncertainty exists.

Whenever such boundary line of such zoning district is indicated as being approximately at the line of any river, irrigation canal or other waterway, or railroad right-of-way, or public park or other public land, or any section line, then in such case the center of such river or stream, canal or waterway, or of such railroad right-of-way, or the boundary line of such public land or such section line shall be deemed to be the boundary or such zoning district. The Zoning

Administrator shall provide final zoning district boundary determination when uncertainty exists.

Where such zoning district boundary lines cannot be determined by the above rules, their location may be found by the use of the scale appearing upon the map. The Zoning Administrator shall provide final zoning district boundary determination when uncertainty exists.

9.4 AUTHORIZED USES WITHIN DISTRICTS ARE PLENARY.

The uses of land allowed in each zoning district shall be plenary and uses of land not specifically allowed as set forth therein shall be prohibited (-) in the respective zoning district.

9.5 ADDITIONAL REQUIREMENTS IN EACH DISTRICT.

In addition to the requirements imposed within each zoning district, the requirements contained in each of the various chapters and sections of this Code may apply. Chapters 1, 3, 5, 6 and 16 are applicable in all zoning districts. Requirements of Chapters 4, 7, 8, 12 and 15 also may be applicable in each or any of the other zoning districts. The applicability of overlay districts shall be evidenced by notation on the zoning map.

9.6 ZONING AT TIME OF ANNEXATION

1. The legislative body of a municipality may assign a zoning designation to territory annexed to that municipality at the time the territory is annexed.
2. If the annexing municipality's zoning ordinance does not designate a zone for the territory to be annexed to the municipality, or if the legislative body does not assign a zone to territory at the time it is annexed, the territory annexed to a municipality shall be zoned

according to the zone of the annexing municipality with which it has the longest common boundary.

3. The legislative body shall consider zoning designations of annexed land prior to annexation when assigning a zone to the annexed territory.

Chapter 10

RESIDENTIAL AND MULTIPLE RESIDENTIAL DISTRICTS

- 10.1 Purpose**
- 10.2 Codes and Symbols**
- 10.3 Use Regulations**
- 10.4 Area Regulations**
- 10.5 Width Regulations**
- 10.6 Frontage Regulations**
- 10.7 Front Yard Regulations**
- 10.8 Rear Yard Regulations**
- 10.9 Side Yard Regulations**
- 10.10 Height Regulations**
- 10.11 Coverage Regulations**
- 10.12 Depth Regulations**
- 10.13 Improvements Required to be Completed or in Progress Before a Building Permit May Be Issued**
- 10.14 Residential Estate District**
- 10.15 Improvements Completion**
- 10.16 Businesses Prohibited**
- 10.17 Accessory Dwellings**

10.1.PURPOSE.

General evaluation criteria to be utilized in consideration of land use applications include:

- a. The land use application complies with all applicable provisions of the Price City Land Use Management and Development Code, state and federal law;
- b. The proposed use is consistent with the Price City General Plan;
- c. Structures associated with the proposed land use are compatible with surrounding structures in terms of use, scale, mass and circulation patterns;
- d. The proposed land use is not detrimental to the public health, safety and welfare. Any potential or

known detrimental impacts of the proposed land use shall be mitigated through the imposition of reasonable conditions placed on the proposed land use;

- e. Vehicle and pedestrian traffic conditions are not adversely affected by the proposed land use including the existence or need for dedicated turn lanes, pedestrian access and capacity of existing streets;
- f. Sufficient utility connectivity and capacity are demonstrated and confirmed;
- g. Sufficient emergency vehicle access to service the proposed land use;
- h. The location and design of off-street parking is included and the proposed land use is in compliance with off-street parking standards;
- i. Fencing, screening and landscaping to separate the proposed land use from adjoining land uses and mitigate potential conflicts in uses is considered;
- j. Exterior lighting complies with adopted lighting standards and mitigates impacts;
- k. Within and adjoining the site, impacts to aquifers, slopes and flood potential have been mitigated and is appropriate to the topography of the site;
- l. The land use checklist (See Section m) has been utilized in evaluation of the proposed land use.
- m. Land Use Checklist:
 - a. Lighting at the site
 - b. Fencing at the site

- c. Utility connections and capacity at the site
- d. Traffic patterns existing and produced
- e. Ingress and egress from the site
- f. Signage, type, location, style
- g. Landscaping
- h. Parking, on and off-street
- i. Public infrastructure needed and/or in place
- j. Need for public infrastructure development agreement
- k. Need for building permit for renovation or new construction
- l. State or Federal permits or licenses needed
- m. Local business license needed or in place and past performance, if applicable
- n. Storm water management issues
- o. Geotechnical study needed or issues present
- p. Building and fire safety issues present
- q. Environmental impacts and mitigations
- r. Easements, encroachments or rights-of-way needed, in place or required
- s. Notification of surrounding property owners of activity at site
- t. Variances or other adjustments needed or appropriate

- u. Existing non complying uses and structures

These districts are intended to be primarily residential in character and protected from encroachment by commercial, agricultural and industrial uses.

1. To promote and preserve the keeping of limited numbers of domestic animals, no farm animals, and low residential density.
2. R1-12. To provide areas for low density, single-family residential neighborhoods of spacious and un-crowded character.
3. R1-8. To provide areas for medium and low density, single family residential neighborhoods.
4. R1-6. To provide areas for medium low-density, single family residential neighborhoods.
5. R2-7. To provide areas for medium residential density with opportunity for varied housing styles and character.
6. R2-11. To provide areas for high residential density with opportunity for varied housing styles and character.
7. R1-43. To provide areas of low density. The keeping of limited numbers of animals and maintaining areas of crops, horticulture and large gardens.
8. Residential Estate District, RE. (See Section 10-14)

10.2. CODES AND SYMBOLS.

In following sections of this chapter, uses of land or buildings which are allowed in various districts are shown as “permitted uses” indicated by a “P” in the appropriate column, or as “conditional uses” indicated by a “C” in the appropriate column. Permitted uses (P) shall require a letter of authorization of the land use

to be issued by the Price City Planning Department prior to development, installation or commencement of the land use. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash “-“. If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter “A”. If the regulation does not apply, it is indicated in the appropriate column by a dash “-“. ADM indicates the assignment of the approval to administration under the direction of the Zoning Administrator.

10.3. USE REGULATIONS.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the rural residential district, single family residential district, or multiple residential district except as provided in this code. (See chart below)

ZONING DISTRICTS APPLICABILITY		R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
10.3.1	ACCESSORY USES. ALL ACCESSORY USES LOCATED ON RESIDENTIALLY ZONED LAND SHALL HAVE LANDSCAPING INSTALLED ON THE PROPERTY AND MAINTAINED IN COMPLIANCE WITH THE PRICE CITY PROPERTY MAINTENANCE CODE.¹						
10.3.1.1	Accessory buildings and uses customarily incidental to permitted uses other than those listed below	P	P	P	P	P	P
10.3.1.1.1	Residential Accessory Use when no main residential building on subject property	C/ADM	C/ADM	C/ADM	C/ADM	C/ADM	C/ADM
10.3.1.2	Swimming pool	C	C	C	C	C	C
10.3.1.3	Accessory buildings and uses customarily incidental to permitted uses and farm uses that may be used for the housing of equipment, supplies, animals, fish or fowl, shall be located at least 100 feet from a dwelling or public street	P	-	-	-	-	-
10.3.1.4	Accessory buildings and uses customarily incidental to conditional uses	C	C	C	C	C	C
10.3.1.4.1	Accessory Dwelling Units (ADU) such as basement apartments, over garage apartments, cottages and other	C	C	C	C	C	C

¹ January 2015 Update

ZONING DISTRICTS APPLICABILITY		R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
	similar secondary residential uses. Subject to the provisions of Section 10.17.						
10.3.1.5	Temporary buildings (facilities, dumpsters, storage containers, etc.) for uses incidental to construction work, including living quarters for guard or night watchman, which building must be removed upon completion or abandonment of the construction work. Mobile homes for temporary living quarters and such other temporary uses found appropriate to the Planning Commission and approved by the Governing Body.	C	C	C	C	C	C
10.3.1.5.5	Temporary Uses. Temporary uses, permitted or conditional, associated with another use at a site or not, must not exceed fourteen (14) days with a minimum period of thirty (30) days between temporary periods.	ADM Or C	ADM Or C	ADM Or C	ADM Or C	ADM Or C	ADM Or C
10.3.1.6	Distributed Generation. Residential sized wind electricity generators, commonly referred to as small wind or micro wind and solar electricity generation installations. Must be installed such that the energy generated is received on the utility side of the meter in a feed-in-tariff manner, not the residential side of the meter. Requires meter, inverter, controls, and other equipment as may be required by Price City.	C	C	C	C	C	C
10.3.2	AGRICULTURE AND FORESTRY						
10.3.2.1	Agriculture including raising limited numbers of animals, fowl or fish; raising of crops,	P	-	-	-	-	-

ZONING DISTRICTS APPLICABILITY		R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
	notification to be made to all property owners within 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.						
10.3.3.9.5 ⁵	Small Residential facility for disabled, elderly or youth. Subject to Chapter 8 restrictions Public Hearing Required. Applicant to pay publication costs. Written notification to be made to all property owners within a minimum of 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	P	P	P	P	P	P
10.3.3.9.5.1	Adult Day Care Facility	C	C	C	C	C	C
10.3.3.9.5.2	Assisted Living Facility	C	C	C	C	C	C
10.3.3.9.5.3	Boarding House Public Hearing Required. Applicant to pay publication costs. Written notification to be made to all property owners within a minimum of 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing. Written notification to be made to all property owners within a minimum of 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	-	-	-	-	C	C
10.3.3.9.5.3.5	Roommates in Single or	P-	P-	P-	P-	P-	P-

⁵ Proximity requirement of 1,260 feet between facilities and 500 feet from SOB, tobacco or alcohol sales removed 2016 update at the recommendation of ULCT.

ZONING DISTRICTS APPLICABILITY		R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
	Multiple Family Structure. Roommates not to exceed safe and sanitary capacity of structure or living quarters, one roommate per bedroom in structure or living quarters. Extra roommates requires ADMIN CUP.	ADMIN	ADMIN	ADMIN	ADMIN	ADMIN	ADMIN
10.3.3.9.5.4	Protective Housing Facility Public Hearing Required. Applicant to pay publication costs. Written notification to be made to all property owners within a minimum of 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	C	C	C	C	C	C
10.3.3.9.5.5	Rehabilitation/Treatment Facility ⁶ Public Hearing Required. Applicant to pay publication costs. Written notification to be made to all property owners within a minimum of 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	C	C	C	C	C	C
10.3.3.9.5.6	Transitional Housing Facility Public Hearing Required. Applicant to pay publication costs. Written notification to be made to all property owners within a minimum of 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	C	C	C	C	C	C

⁶ Conditional in R1-43, R1-12, R1-8 and R1-6 added in 2016.

ZONING DISTRICTS APPLICABILITY		R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
10.3.3.10	Student housing	-	-	-	-	C	C
10.3.3.11	Accessory dwellings	C	C	C	C	C	C
10.3.3.12	Temporary, not to exceed 1 year, shipping/storage containers and truck trailers/boxes and other non-permitted storage uses	-	-	-	-	-	-
10.3.3.13	Temporary street festivals, block parties, events, street markets	C/ADM	C/ADM	C/ADM	C/ADM	C/ADM	C/ADM
10.3.3.14	Temporary or permanent sidewalk vending operations	-	-	-	-	-	-
10.3.4	Home Operated Business, Zoning Administrator must determine that adverse neighborhood impacts mitigated based on conditions of approval. May be referred to the planning commission by the Zoning Administrator	ADM C if needed	ADM C if needed	ADM C if needed	ADM C if needed	ADM C if needed	ADM C if needed
10.3.4.1	Home Occupied Business; Office Use Only. Includes independent contractor sales operations (candles; jewelry, etc.)	ADM	ADM	ADM	ADM	ADM	ADM
10.3.5	Hospital; medical or dental clinic accessory to a hospital and located on the same or near the premises	-	-	-	-	C	C
10.3.5.5	Nursing Home	C	C	C	C	C	C
10.3.5.7	Retirement Home	-	-	-	-	C	C
10.3.6	Manufactured and Modular home, (single home – various widths); No Mobile Homes. Must be compatible with the neighborhood where placed; front door oriented to frontage and street.	C/ADM	C/ADM	C/ADM	C/ADM	C/ADM	C/ADM
10.3.7	Manufactured, modular, mobile home parks and subdivisions (See Section 7.5)	C	C	C	C	C	C

ZONING DISTRICTS APPLICABILITY		R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
10.3.8	Private educational institution having a curriculum similar to that ordinarily given in public schools	C	-	-	-	C	C
10.3.9	Private recreational grounds and facilities, not open to the general public, and to which admission charge is made	C	C	C	C	C	C
10.3.10	Professional offices when harmonious with the general character of the district where located.	C	C	C	C	C	C
10.3.11	Public and quasi-public buildings and uses (cemeteries, parks, churches, essential service facilities, golf courses, substations or transmission lines 50 kv or greater capacity, recreation facilities, schools, public and private streets, railroad and utility lines, rights-of-way, and parking).	C	C	C	C	C	C
10.3.11.1	Public, private and quasi public social service providers	-	-	-	-	-	-
10.3.11.2	Placement of cellular telephone towers: height; design; aesthetic presentation to be directed by Planning Commission	C	C	C	C	C	C
10.3.12	Land excavations and backfilling for building, foundations, mass grading, 100 year mapped flood plains and new developments.	C	C	C	C	C	C
10.3.13	Subdivisions	C	C	C	C	C	C
10.3.13.1	Cluster or conservation subdivision	C	C	C	C	C	C
10.3.13.2	Traditional Neighborhood Subdivision	C	C	C	C	C	C
10.3.14	Planned unit developments	C	C	C	C	C	C
10.3.15	Recreational vehicle storage (parking)	C	C	C	C	C	C

ZONING DISTRICTS APPLICABILITY		R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
10.3.16	Removal of Blighted properties and redevelopment activities	C	C	C	C	C	C
10.4.	AREA REGULATIONS						
10.4.1	The minimum lot area in square feet for a single-family or multi-family dwelling structure in the district regulated by this chapter shall be:	43,560	12,000	8,000	6,000	7,000	11,000
10.4.1.1	The additional lot area in square feet for each additional dwelling structure shall be:	-	-	-	-	6,000	1,000
10.4.1.2	Minimum lot area in square feet for all main uses or buildings other than residential dwellings shall be:	5,000	5,000	5,000	5,000	5,000	5,000
10.5.	WIDTH REGULATIONS						
10.5.1	The minimum width in feet for any lot at the building setback line, except as modified by planned unit development, shall be:	200	90	75	60	65	70
10.6.	FRONTAGE REGULATIONS						
10.6.1	The minimum width of any lot at the street right-of-way line in feet, except as modified by conditional use permit, shall be:	60	45	40	40	45	45
10.7.	FRONT YARD REGULATIONS						
10.7.1	The minimum depth in feet for the front yard for main buildings in districts regulated by this chapter shall be from the property line or street right of way line to the main foundation wall of the dwelling or building:	30	30	30	25	25	25
10.7.2	or the average of the existing building setbacks on the block where 50 percent or more of the frontage is developed; however, in no case shall be less than:	30	25	25	20	20	20
10.7.3	or be required to be more than: The roof overhang in feet shall	30 3	30 3	30 3	25 3	25 3	25 3

ZONING DISTRICTS APPLICABILITY		R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
	not be more than: Covered front porches and decks may extend beyond the building foundation wall up to 10 feet providing they are open on at least 3 sides and may not be enclosed by screen or grates.	A	A	A	A	A	A
10.7.4	Accessory buildings may have the same minimum front yard depth as main buildings if they have the same side yard required for main buildings; otherwise they shall be set back the following number of feet from the rear of the main building (minimum):	4	4	4	4	4	4
10.7.5	On corner lots, main buildings shall have two front yards, one rear yard, and one side yard.	A	A	A	A	A	A
10.8.	REAR YARD REGULATIONS						
10.8.1	The minimum depth in feet for the rear yard in the districts regulated by this chapter (see also Section 1.29) shall be:	50	50	30	20	20	20
10.8.2	Accessory buildings may have a minimum setback of 1 foot provided that all drainage from them stays on the lot. If there is less than 10 feet distance to another accessory building on an adjacent lot the construction shall consist of fire resistive materials.	A	A	A	A	A	A
10.8.3	On corner lots which rear on a side yard of another lot, accessory -buildings may have a minimum setback of 1 foot provided that all drainage from them stays on the lot. If there is less than 10 feet distance to another accessory building on an adjacent lot the construction shall consist of fire resistive materials.	A	A	A	A	A	A

ZONING DISTRICTS APPLICABILITY		R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
10.9.	SIDE YARD REGULATIONS						
10.9.1	The minimum side yard in feet for any dwelling in districts regulated by this chapter shall be:	15	10	8	6	6	6
10.9.2	The total width of the two required side yards in feet shall be:	30	24	18	16	18	18
10.9.3	Except that in no case shall the total width of the two side yards be less than the height of the building	A	A	A	A	A	A
10.9.4	Other main buildings (not residential) shall have a minimum side yard in feet of:	20	20	15	15	20	20
10.9.5	The total width of the 2 required side yards in feet shall be:	25	40	35	35	45	45
10.9.6	The minimum side yard in feet for an accessory building shall be:	10	10	6	6	6	6
10.9.7	Accessory buildings may have a minimum setback of 1 foot provided that all drainage from them stays on the lot. If there is less than 10 feet distance to another accessory building on an adjacent lot the construction shall consist of fire resistive materials.	A	A	A	A	A	A
10.9.8	Provided that no accessory buildings shall be located in feet closer to a dwelling on an adjacent lot than 10 feet.	10	10	10	10	10	10
10.9.9	On corner lots, main buildings shall have two front yards and one rear yard, and one side yard.	A	A	A	A	A	A
10.9.10	The side yard for a corner lot in feet shall not be less than:	15	10	8	6	6	6
10.9.11	Carports not wider nor longer than the main building; with the front open and the side and rear	A	A	A	A	A	A

ZONING DISTRICTS APPLICABILITY		R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
	sides open at least 50%; not more than 1 story in height; firmly anchored and attached to the main building and constructed of fire resistant materials; may extend no closer than 1 foot from the side property line, with all drainage falling on the property; there is no carport next to it on the adjacent lot; and there is at least 7 feet distance to the nearest dwelling or accessory building on the adjacent lot.						
10.10.	HEIGHT REGULATIONS						
10.10.1	The maximum height for all buildings and structures in districts regulated by this chapter shall be 35 feet or 2½ stories or as specifically approved by conditional use permit.	C	C	C	C	C	C
10.11.	COVERAGE REGULATIONS						
10.11.1	The maximum coverage in percent for any lot in the districts regulated by this chapter shall be:	20	30	35	35	35	50
10.12.	DEPTH REGULATIONS						
10.12.1	The minimum depth of a lot in feet in districts regulated by this chapter, except as may be modified by conditional use permit, shall be:	150	130	100	95	95	95
10.13.	IMPROVEMENTS REQUIRED TO BE COMPLETED OR IN PROGRESS BEFORE A BUILDING PERMIT MAY BE ISSUED FOR A NEW PRIMARY BUILDING AND OR LAND USE, ACCESSORY BUILDINGS AND LAND USES MAY REQUIRE PUBLIC IMPROVEMENTS⁷. (Improvements are to be in compliance with standards adopted by the municipality); Exception: May not apply to garages, carports, additions, remodels or accessory improvements when associated with a main building. May be applicable for approved accessory uses when no main building is present⁸.						
10.13.1	Street grading	A	A	A	A	A	A

⁷ 7-30-13

⁸ Updated to clarify relationship between main building, accessory building in 2016.

ZONING DISTRICTS APPLICABILITY		R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
10.13.2	Street base	A	A	A	A	A	A
10.13.3	Street paving	A	A	A	A	A	A
10.13.4	Curb and gutter	A	A	A	A	A	A
10.13.5	Sidewalk	A	A	A	A	A	A
10.13.5.5	Alleys – maintenance of all public and private alleys is the responsibility of the adjoining, fronting or abutting property owner.	A	A	A	A	A	A
10.13.6	Surface drainage facilities / flood control	A	A	A	A	A	A
10.13.7	Wastewater disposal facilities; Sewer	A	A	A	A	A	A
10.13.8	Culinary water facilities	A	A	A	A	A	A
10.13.9	Fire fighting facilities; Fire Hydrants	A	A	A	A	A	A
10.13.10	Street name signs / traffic control	A	A	A	A	A	A
10.13.11	Street monuments	A	A	A	A	A	A
10.13.12	Survey monument boxes	A	A	A	A	A	A
10.13.13	Street lights	A	A	A	A	A	A
10.13.14	Address numbers	A	A	A	A	A	A
10.13.15	Public utilities (power, natural gas, telephone, cable TV, etc.). Propane tanks prohibited unless specifically approved by Conditional Use Permit in all zones.	A	A	A	A	A	A
10.13.16	Electric vehicle group charging stations and CNG vehicle refill stations or locations	C	C	C	C	C	C
10.13.17 ⁹	Landscaping. Must be installed prior to occupancy and shall be maintained in compliance with the Price City Property Maintenance Code.	A	A	A	A	A	A
10.13.18 ¹⁰	Artificial Grass and Turf Installations, subject to the following minimum standards. Standards						

⁹ January 2015 update

ZONING DISTRICTS APPLICABILITY	R1-43	R1-12	R1-8	R1-6	R2-7	R2-11
	<p>apply to all zone districts. Installation and approval considered “A” for all zone districts.</p> <p>Artificial Grass and Synthetic Turf Installations, subject to the following minimum standards:</p> <ol style="list-style-type: none"> 1. Installed consistent with the guidelines of the Association of Synthetic Grass Installers (ASGi). 2. A landscape plan must be submitted to the Price City Planning Department. The plan shall include both the artificial turf area and other landscaped areas. This is in addition to any other required landscape plan documents. 3. Synthetic turf may not be installed in the public right of way (park and planter strips). 4. Synthetic turf shall be limited to a maximum coverage of fifty percent (50%) of the yard area. 5. Installation of synthetic turf shall be performed by a contractor with a valid license. The contractor shall also have all necessary permits and licenses to conduct business within Price City. 6. Synthetic turf shall have a minimum blade length (pile height) of 1.25 inches. Nylon based grass blades are not permitted. 7. All existing sprinkler systems (piping, valves and sprinkler heads) no longer in use must be either capped or removed. All existing landscaping must be removed where the synthetic turf will be located and a minimum of three inches (3”) of soil excavated. 8. The turf area shall be leveled, with a crushed stone sub base added to establish a foundation and facilitate drainage of the turf. The stone sub base shall be a minimum of three inches (3”) in depth and be compacted to ensure proper drainage. 9. A weed barrier must be provided to prohibit growth of weeds. This barrier may be incorporated into the synthetic turf or be installed as a separate layer. 10. The synthetic turf shall be securely fastened to the ground. Seams shall be glued and stapled to minimize tears. The synthetic turf should be placed in patterns that emulate real grass. 11. An infill of sand and rubber must be poured into the synthetic turf to keep the blades erect and provide a natural feel and look. 12. The synthetic turf must be maintained at all times. Rips and/or tears, holes, seam separations and uplifted surfaces shall be promptly repaired. Unrepaired synthetic turf shall be considered a violation of the Price City Property Maintenance Code. 					

¹⁰ Artificial Grass Section Added January 2016

10.14. RESIDENTIAL ESTATE DISTRICT, RE.

1. OBJECTIVES AND

CHARACTERISTICS: The objective in establishing the Residential Estate District, RE is to encourage the creation and maintenance of a residential environment within an area which is characterized by large lots (minimum of one acre) on which single family dwellings are situated, surrounded by settings in which the pre-development natural character of the landscape is retained. Native plant species, wildlife habitats, low water consumptive landscapes, minimum vehicular traffic, private lanes connected to public streets, featured or gated entries, building products produced from natural materials, and quiet residential conditions are also characteristic of this zone. While much of this zone is currently devoted to open land uses, it is intended that the land shall be developed into residential uses as the needs arise having characteristics as herein above set forth. The minimum area for a RE District shall be ten (10) acres and contain up to 9 individual building lots plus the public areas, such as roads and utility rights-of-way. Representative of the uses within the RE District are one family dwellings, caretaker's cottages (not to exceed one per lot), parks and playgrounds. Boarding and lodging houses, two family dwellings, triplexes, apartment houses and other multiple dwellings representative of higher density residential areas are strictly prohibited in this zone. Commercial and industrial uses, to include home occupied businesses, are strictly prohibited. In order to accomplish the objectives and purpose of this ordinance, and to promote the characteristics of this

zone the following precise regulations shall apply to the Residential Estate District, RE:

2. PERMITTED USES: The following uses shall be permitted in the Residential Estate District, RE:

1. One-family dwellings and accessory buildings and structures; including guest houses (not to exceed 1200 square feet) and subject to the setback requirements of one-family dwellings, private garage and/or barn.

2. Keeping of animals and fowl, as an accessory use to a single family dwelling, limited to the following:

1. Two large animals per lot and one additional large animal for each 10,000 square feet over 1 acre. Large animals may include horses, cattle, goats, sheep or other animals determined by the Planning and Zoning Commission to be compatible with this zone.

2. Not more than 20 poultry or rabbits shall be kept on any lot.

3. Planned Unit Developments approved per this ordinance.

4. Residential facility for persons with a disability, elderly persons, or youth, not to exceed six (6) residents. Residential facility requirements of Chapter 8 apply.

3. **CONDITIONAL USES:** Fire stations, public facilities, schools may be permitted as a conditional use and shall be considered in the RE residential zone.

4. **AREA REQUIREMENTS:** An area of not less than one (1) acre (43,560 sq. ft) shall be provided and maintained for

each dwelling and uses accessory thereto.

5. **WIDTH REQUIREMENTS:** The minimum width of any building site for a dwelling shall be one hundred-fifty (150) linear feet.
6. **BUILDING SETBACK REQUIREMENTS:**
 1. **Side Setback:** A minimum side yard of any building shall be twenty (20) feet, and the total width of the two required side yards shall be not less than forty (40) feet. On corner lots, the side yard which faces on a street, shall be not less than thirty (30) feet for any building.
 2. **Front Setbacks:** The minimum depth of the front yard for main buildings and for private garages which have a minimum side yard of twenty (20) feet shall be thirty-five (35) feet. Other private garages and all accessory buildings other than private garages shall be located at least six (6) feet in the rear of the main building.
 3. **Rear Setbacks:** The minimum rear yard for any main building shall be thirty (30) feet.
7. **BUILDING HEIGHT REQUIREMENTS:** The maximum height of any building shall be two (2) stories above ground, not to exceed thirty-five (35) feet.
8. **BUILDING SIZE REQUIREMENTS:** The ground floor area of any one-family main dwelling shall not be less than twelve hundred fifty (1,250) square feet, exclusive of open porches and carports.
9. **SPECIAL PROVISIONS:**
 1. All Special Provisions in R-1 Residential Zone.

2. Variations from development standards of other residential zones may be permitted by the City Council as part of the approval of this zone. Variations shall not include changes in the permitted uses allowed except to the extent set forth herein.
 3. The minimum area required for Residential Estate District is ten (10) acres.
 4. All streets within a Residential Estate District shall meet with City Engineering Standards. Streets adjacent to a Residential Estate District and master planned arterial and collectors shall be fully improved with curb, gutter and sidewalk in accordance with City Engineering Standards.
 5. The Residential Estate District is designed to be in areas where the generally uniform slope is 5% or less and therefore, would not require curb, gutter and sidewalks along public streets. Areas with slopes greater than 5% will be permitted with fully improved streets (curb, gutter and sidewalk) or as a P.U.D. Public streets shall have a minimum of one hard-surfaced sidewalk or footpath per street.
 6. Areas used for animals shall be maintained so as to conform with health, sanitation, water and drainage requirements or other conditions set forth by the Price City Planning and Zoning Commission and Price City Council.
10. **SUPPLEMENTARY DEVELOPMENT STANDARDS:** See Chapter 16, Supplementary Development Standards.

10.15. IMPROVEMENTS COMPLETION.

The improvements in sections 10.13 and 10.14 shall be completed and guaranteed through a development agreement or other financial surety for a period of not less than one year from the date of substantial completion. Said improvements installed within the approved public right-of-way, City property and/or easements shall be dedicated to the City for continued ownership, maintenance and operation. Exceptions to the development agreement shall be indicated in the conditional use permit.

10.16. BUSINESSES PROHIBITED.

1. It shall be unlawful for any person, firm or corporation, to establish, conduct, operate or maintain, or cause or permit to be established, operated or maintained within the designated residential district of said City of Price, any brick yard or brick kiln, garage, undertaking parlor, or any other business which may tend to disturb the peace and quiet of the neighborhood, or endanger its health, safety or welfare.
2. It shall be unlawful for any person, firm or corporation to establish conduct, operate or maintain or cause or permit to be established, operated or maintained within said residential district or within 1,500 feet of the boundaries thereof, any circuses, carnivals, exhibitions of showmen, transient exhibitions featuring mechanical rides or amusements, traveling shows unless expressly permitted by the City Council upon recommendation of the Price City Planning and Zoning Commission.

10.17. ACCESSORY DWELLINGS.

1. **PURPOSE.** The purpose of this Section is to establish use and development regulations for accessory dwelling units (ADU). These regulations are adopted for the following purposes:
 1. To allow City residents to house elderly parents, disabled relatives, and other family members or students under conditions where those family members can enjoy a degree of independence while also having assistance readily available when needed.
 2. To accommodate such housing in single-family residential neighborhoods with minimal impacts on the neighborhood in terms of traffic, noise, parking, congestion, and compatible scale and appearance of residential buildings.
 3. To prevent the proliferation of multiple family rental dwellings, absentee ownership, property disinvestment, building code violations, and associated decline in quality of single-family residential neighborhoods.
 4. To establish uniform standards for ADUs.
2. **SCOPE.** The requirements of this Section shall apply to any approved ADU within the City. Such requirements shall not be constructed to prohibit or limit other applicable provisions of the Land Use Development and Management Code, and other laws. An ADU that conforms to the development standards of this Code shall be subject to a conditional use permit in all residential zones.
3. **DEVELOPMENT STANDARDS – PERMITTED USE.**

The development standards set forth in this section shall apply to any ADU allowed as a conditional use.

1. **Location.** An accessory dwelling unit (ADU) shall be allowed only within an existing lot with a main building or as an attachment to an owner occupied single-family dwelling. In addition, an ADU shall not be allowed on a lot or parcel which fronts on to a street (whether a public or private street) which has a paved roadway less than 30 feet wide.
2. **Number of Accessory Dwelling Units and/or Guest Houses.** A maximum of 1 ADU shall be allowed per legal lot when an occupied single-family dwelling exists. No lot or parcel shall simultaneously include an ADU and a guest house.
3. **Parking.** A single-family dwelling with an ADU shall provide at least 3 off-street parking stalls conforming with the City's parking standards specified elsewhere in this Code. No more than 2 parking stalls shall be within the side or rear yard setbacks adjacent to a street. No parking for the ADU shall be allowed within the front yard setback area. Parking stalls shall be paved with concrete, masonry, or concrete pavers. Gravel parking stalls or driveways may be allowed at the discretion of the Zoning Administrator, provided that the structure to be used as an ADU was in existence at the time of the adoption of this ordinance, the structure was accessed or served by a gravel driveway and/or parking stalls at the time of adoption of this ordinance, and the surface is

sufficient to allow for access by public safety vehicles.

4. **Utility Metering.** Separate utility metering for the ADU shall be allowed and is preferred, and the utility service shall be in the property owner's name. All utility connection plans for the ADU shall be approved by the Zoning Administrator and the City Engineer.
5. **Minimum and Maximum Size of Accessory Dwelling Unit.** An ADU shall not be larger than the single-family dwelling to which it is accessory. An ADU is not subject to other minimum or maximum square footage requirements; provided that dimensions and sizes of living areas, kitchen areas, sleeping areas and bathroom facilities shall comply with applicable provisions of the adopted Price City Building Code. Lot coverage may be increased by 10% to accommodate ADU's.
6. **Construction Codes.** An ADU shall comply with the construction housing codes in effect at the time the ADU is constructed, created as a separate dwelling, or subsequently remodeled. This shall include the obtaining of a building or other permits as the codes may require.
7. **Building Entrances.** An ADU that is added onto an existing single-family dwelling or is part of an approved new single-family dwelling shall have a separate entrance, the sole purpose of which, is to provide access to the ADU.
 1. **Basement apartments or over garage apartments** may be approved with separate entrances by specific approval of the Planning and Zoning

Commission and shall be subject to all other requirements of this Code.

8. **Architecture.** An ADU that is added onto an existing single-family dwelling or a new single-family dwelling that is designed to accommodate an ADU shall not resemble a multi-family structure in terms of the scattered placement of garage doors, carports, or number or location of outside entries or porches. The architectural design and materials of an addition for an ADU shall match the existing single-family dwelling so that the addition appears to be part of the original building.
9. **Access Between Units.** An unrestricted passage of at least six feet (6') shall exist between an ADU and the principal single-family dwelling in which it is located. Use of such passage shall not require going out-of-doors, using a key, or passing through a garage or unfinished part of the dwelling.
10. **Absentee Owner.** The owner of the property shall live on the property in either the main building or the ADU and compensation in the form of rent or rent equivalents may only be collected for either the main building or the ADU but not both.
11. **Home Occupied Business.** No Home Occupied Business or Office Use Only shall be permitted in a main building or ADU to a main building on the same property.
4. **CONDITIONAL USE.** No additional dwelling may be created unless a conditional use permit for a second dwelling has been approved in accordance with City regulations

regarding the establishment of a second dwelling unit on property and is restricted to only 1 ADU.

5. **NOTICE.** Upon approval of an accessory dwelling unit permit by the City, the owner of the property where the ADU is located shall execute a notice of accessory dwelling unit approval. Such notice shall define the approved use and any restrictions or conditions of approval. The Property Owner shall record the notice with the County Recorder and provide a copy thereof to Price City.

**Chapter 11
COMMERCIAL AND INDUSTRIAL
DISTRICTS**

- 11.1 Purpose**
- 11.2 Codes and Symbols**
- 11.3 Use Regulations**
- 11.4 Height Regulations**
- 11.5 Area, Width, Frontage, Yard and Coverage Regulations**
- 11.6 Improvements Required to be Completed or in Progress Before a Building Permit May Be Issued**
- 11.7 Improvements Completion**

11.1.PURPOSE

General evaluation criteria to be utilized in consideration of land use applications include:

- a. The land use application complies with all applicable provisions of the Price City Land Use Management and Development Code, state and federal law;
- b. The proposed use is consistent with the Price City General Plan;
- c. Structures associated with the proposed land use are compatible with surrounding structures in terms of use, scale, mass and circulation patterns;
- d. The proposed land use is not detrimental to the public health, safety and welfare. Any potential or known detrimental impacts of the proposed land use shall be mitigated through the imposition of reasonable conditions placed on the proposed land use;
- e. Vehicle and pedestrian traffic conditions are not adversely affected by the proposed land use including the existence or need for dedicated

- turn lanes, pedestrian access and capacity of existing streets;
- f. Sufficient utility connectivity and capacity are demonstrated and confirmed;
- g. Sufficient emergency vehicle access to service the proposed land use;
- h. The location and design of off-street parking is included and the proposed land use is in compliance with off-street parking standards;
- i. Fencing, screening and landscaping to separate the proposed land use from adjoining land uses and mitigate potential conflicts in uses is considered;
- j. Exterior lighting complies with adopted lighting standards and mitigates impacts;
- k. Within and adjoining the site, impacts to aquifers, slopes and flood potential have been mitigated and is appropriate to the topography of the site;
- l. The land use checklist (See Section m) has been utilized in evaluation of the proposed land use.
- m. Land Use Checklist:
 - a. Lighting at the site
 - b. Fencing at the site
 - c. Utility connections and capacity at the site
 - d. Traffic patterns existing and produced
 - e. Ingress and egress from the site
 - f. Signage, type, location, style
 - g. Landscaping
 - h. Parking, on and off-street

- i. Public infrastructure needed and/or in place
- j. Need for public infrastructure development agreement
- k. Need for building permit for renovation or new construction
- l. State or Federal permits or licenses needed
- m. Local business license needed or in place and past performance, if applicable
- n. Storm water management issues
- o. Geotechnical study needed or issues present
- p. Building and fire safety issues present
- q. Environmental impacts and mitigations
- r. Easements, encroachments or rights-of-way needed, in place or required
- s. Notification of surrounding property owners of activity at site
- t. Variances or other adjustments needed or appropriate
- u. Existing non complying uses and structures

1. **GENERAL COMMERCIAL DISTRICT C1.** To provide areas in appropriate locations where a combination of business, retail commerce, public, quasi-public, office, multiple-family uses, entertainment, and related activities may be established, maintained and protected.

- 1. All uses allowed as indicated in Section 11.3.
- 2. Any parcel larger than one acre at the time of passage of this code may be divided or developed only under planned unit development approval. No new lot smaller than ¾ acre may be created except as provided for in a PUD or as specifically recommended by Price City Planning Department staff and approved by the Planning and Zoning Commission and City Council or approved through the variance appeal process.
- 3. Every conditional use permit and every planned unit development approval shall be based primarily on how the development, as proposed in the application, will contribute to compatibility and mutual private and public benefit from existing, proposed, and potential buildings and uses in the area; the efficient, effective, and aesthetic use of land, buildings, landscaping, and amenities; and the improvements to be made in land use, building construction and appearance, traffic safety and control, landscaping and drainage.
- 4. Area, width, frontage, yard coverage and height regulations in a C1 district are to be determined by conditional use permit or planned development approval.
- 5. **MANUFACTURING – DISTRIBUTION DISTRICT M1.** To provide for areas in appropriate locations where heavy industrial processes necessary to the economy may be conducted. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.
- 6. **GENERAL INDUSTRIAL DISTRICT M2.** To provide for areas in appropriate

Chapter 11

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- 11.7 Improvements Completion**

11.1.PURPOSE

General evaluation criteria to be utilized in consideration of land use applications include:

- a. The land use application complies with all applicable provisions of the Price City Land Use Management and Development Code, state and federal law;
- b. The proposed use is consistent with the Price City General Plan;
- c. Structures associated with the proposed land use are compatible with surrounding structures in terms of use, scale, mass and circulation patterns;
- d. The proposed land use is not detrimental to the public health, safety and welfare. Any potential or known detrimental impacts of the proposed land use shall be mitigated through the imposition of reasonable conditions placed on the proposed land use;
- e. Vehicle and pedestrian traffic conditions are not adversely affected by the proposed land use including the existence or need for dedicated

- turn lanes, pedestrian access and capacity of existing streets;
- f. Sufficient utility connectivity and capacity are demonstrated and confirmed;
- g. Sufficient emergency vehicle access to service the proposed land use;
- h. The location and design of off-street parking is included and the proposed land use is in compliance with off-street parking standards;
- i. Fencing, screening and landscaping to separate the proposed land use from adjoining land uses and mitigate potential conflicts in uses is considered;
- j. Exterior lighting complies with adopted lighting standards and mitigates impacts;
- k. Within and adjoining the site, impacts to aquifers, slopes and flood potential have been mitigated and is appropriate to the topography of the site;
- l. The land use checklist (See Section m) has been utilized in evaluation of the proposed land use.
- m. Land Use Checklist:
 - a. Lighting at the site
 - b. Fencing at the site
 - c. Utility connections and capacity at the site
 - d. Traffic patterns existing and produced
 - e. Ingress and egress from the site
 - f. Signage, type, location, style
 - g. Landscaping
 - h. Parking, on and off-street

- i. Public infrastructure needed and/or in place
- j. Need for public infrastructure development agreement
- k. Need for building permit for renovation or new construction
- l. State or Federal permits or licenses needed
- m. Local business license needed or in place and past performance, if applicable
- n. Storm water management issues
- o. Geotechnical study needed or issues present
- p. Building and fire safety issues present
- q. Environmental impacts and mitigations
- r. Easements, encroachments or rights-of-way needed, in place or required
- s. Notification of surrounding property owners of activity at site
- t. Variances or other adjustments needed or appropriate
- u. Existing non complying uses and structures

1. **GENERAL COMMERCIAL DISTRICT C1.** To provide areas in appropriate locations where a combination of business, retail commerce, public, quasi-public, office, multiple-family uses, entertainment, and related activities may be established, maintained and protected.

- 1. All uses allowed as indicated in Section 11.3.
- 2. Any parcel larger than one acre at the time of passage of this code may be divided or developed only under planned unit development approval. No new lot smaller than 3/4 acre may be created except as provided for in a PUD or as specifically recommended by Price City Planning Department staff and approved by the Planning and Zoning Commission and City Council or approved through the variance appeal process.
- 3. Every conditional use permit and every planned unit development approval shall be based primarily on how the development, as proposed in the application, will contribute to compatibility and mutual private and public benefit from existing, proposed, and potential buildings and uses in the area; the efficient, effective, and aesthetic use of land, buildings, landscaping, and amenities; and the improvements to be made in land use, building construction and appearance, traffic safety and control, landscaping and drainage.
- 4. Area, width, frontage, yard coverage and height regulations in a C1 district are to be determined by conditional use permit or planned development approval.
- 5. **MANUFACTURING – DISTRIBUTION DISTRICT M1.** To provide for areas in appropriate locations where heavy industrial processes necessary to the economy may be conducted. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.
- 6. **GENERAL INDUSTRIAL DISTRICT M2.** To provide for areas in appropriate

locations where heavy industrial processes necessary to the economy may be conducted. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.

- 7. Mixed use overlay zone. All C-1 zoning district areas may provide for mixed use development whereby commercial, professional and residential uses are present in the same location or area of development.

11.2. CODES AND SYMBOLS.

In the following sections of this chapter, uses of land or buildings which are allowed in various districts are shown as “permitted uses”, indicated by a “P” in the appropriate column, or as “conditional uses”, indicated by a “C” in the appropriate column. Permitted uses (P) shall require a letter of authorization of the land use to be issued by the Price City Planning Department prior to development, installation or commencement of the land use. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, “-“. If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter “A”. If the regulation does not apply, it is indicated in the appropriate column by a dash, “-“. Permitted uses require a notice of zoning verification from the Price City Zoning Administrator. “ADM” indicates the assignment of the approval to administration under the direction of the Zoning Administrator. The Zoning Administrator may require the proposed use be considered by the Planning Commission and City Council prior to approval of any permit or license.

11.3. USE REGULATIONS.

No building, structure or land shall be used and no building or structure shall be hereafter

erected, structurally altered, enlarged or maintained in the commercial and industrial districts except as provided in this Code. Accessory uses and buildings customarily incidental to uses authorized by conditional use permit in any district are also authorized by issuance of a conditional use permit in any such district. Temporary uses as defined in this Code are authorized in any district upon issuance of a conditional use permit for the same.

(See chart below)

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
11.3.1	AGRICULTURAL			
11.3.1.1	Agricultural industries	-	C	C
11.3.1.2	The tilling of the soil, the raising of crops, horticulture and gardening	P	P	P
11.3.2	COMMERCIAL			
11.3.2.1	Residential			
11.3.2.1.1	Hotels, tourist courts and motels	C	-	-
11.3.2.1.2	Recreation coach parks	C	-	-
11.3.2.1.3	Rooming and boarding houses	C	-	-
11.3.2.1.3.1	Individual single or multi-family dwellings and mixed use residential component of development and related accessory uses	C	-	-
11.3.2.1.3.1.5	Distributed Generation. Solar or small wind electric generators placed on residential structures. Must be installed such that the energy generated is received on the utility side of the meter and in a feed-in-tariff manner, not the customer side of the meter. Requires meter, inverter, controls, and other equipment as may be required by Price City.	C	-	-
11.3.2.1.4	Religious quarters	C	-	-
11.3.2.1.5	Large Residential Facility (Group homes) for the disabled, elderly and youth rehabilitation, provided they are separated at least 1,260 feet from another similar facility and 500ft from any tobacco, alcohol sales or sexually oriented business land use. Subject to Chapter 8 requirements. Public Hearing Required. Applicant to pay publication costs. ¹ Written notification to be made to all property owners within 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	-	-	-
11.3.2.1.5.5	Small Residential facility (Group Homes) for the disabled, elderly and youth rehabilitation, provided they are separated at least 1,260 feet from another similar facility and 500ft from any tobacco, alcohol sales or sexually oriented business land use. Subject to Chapter 8 requirements. Public Hearing Required. Applicant to pay publication costs. Written notification to be made to all property owners within 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public	-	-	-

¹ Public Hearings for group homes, boarding house, treatment facility, protective housing, shelter for homeless added 2016

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
	hearing.			
11.3.2.1.5.6	Adult Daycare Facility	C	-	-
11.3.2.1.5.7	Assisted Living Facility	C	-	-
11.3.2.1.5.8	Boarding House. Public Hearing Required. Applicant to pay publication costs. Written notification to be made to all property owners within a minimum of 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	C	-	-
11.3.2.1.5.9	Non-Residential Treatment Facility	C	-	-
11.3.2.1.5.10	Protective Housing Facility. Public Hearing Required. Applicant to pay publication costs. Written notification to be made to all property owners within a minimum of 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	C	-	-
11.3.2.1.5.11	Shelter for the Homeless. Public Hearing Required. Applicant to pay publication costs. Written notification to be made to all property owners within a minimum of 250 feet of the subject property by the application indicating the nature of the proposed facility, contact information and the time, place of the public hearing.	C	C	C
11.3.2.1.6	Industrial	-	P	P
11.3.2.1.7	Transportation uses; staging; hubs	C	C	C
11.3.2.1.8	Over-the-Road and Local Bus terminals, stations, etc.	P	P	P
11.3.2.1.9	Hard surface parking, commercial	C	C	C
11.3.2.1.10	Private garage	C	C	C
11.3.2.1.11	Structure parking	C	C	C
11.3.2.1.12	Mixed use commercial and residential development projects	C	-	-
11.3.3	COMMUNICATION			
11.3.3.1	Radio and television communication facilities	C	C	C
11.3.4	RETAIL TRADE			
11.3.4.1	Antiques and used merchandise	P	-	-
11.3.4.1.5	Auto parts, non-mechanical repair location	P	P	P
11.3.4.2	Bakeries	C	-	-
11.3.4.3	Books and stationery	P	-	-
11.3.4.4	Candy, nuts and confectionery	P	-	-

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
11.3.4.5	Children and infants wear	P	-	-
11.3.4.6	Computer sales and service	P	-	-
11.3.4.7	Custom tailoring	P	-	-
11.3.4.8	Dairy products	P	-	-
11.3.4.9	Department stores	P	-	-
11.3.4.10	Direct selling organizations	P	-	-
11.3.4.10.1	Temporary street festivals, block parties, events, street markets	C/ADM	C/ADM	C/ADM
11.3.4.11	Drinking places (alcoholic beverages)	C	C	C
11.3.4.11.5	Drinking places – Microbrewery or Microdistillery (brewing and manufacturing of less than 15,000 barrels per year) with or without food service-consumed on premises ²	C	C	C
11.3.4.12	Drive-in restaurants	C	P	P
11.3.4.13	Drug and proprietary	C	-	-
11.3.4.14	Eating places (food consumed on premises)	C	P	P
11.3.4.14.1	Eating places, food vending trucks – temporary or permanent street and sidewalk vending operations. Impact mitigation conditions for food vending trucks: <ul style="list-style-type: none"> a. Truck not to be parked in one location exceeding thirty (14) days. Minimum of thirty (30) days between temporary periods. b. No overnight parking of truck. c. No occupancy or living in truck. d. All food prepared on-site, in truck, not prepared off-site in commissary or other prep area. e. Truck to be self-contained for water and fuel, etc. No connection to outside services. Must have hot water available within truck. f. Minimum distance between vending truck locations of five-hundred feet (500') and no trucks parked within five-hundred feet (500') of a public or private school. g. Must have written permission from property owner for parking location. h. Must provide garbage and trash receptacles and service to receptacles daily. i. If seating is provided adjacent to truck, must 	C	C	C

² January 2015 Update

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
	<p>provide parking and restroom facilities for customers consistent with other Code requirements for on-premises eating places.</p> <p>j. No drive through window permitted to be operated from mobile food vending truck.</p> <p>k. Signage on truck only, no other signage permitted.</p> <p>l. Truck must have own lighting, no additional exterior lighting is permitted.</p> <p>m. Hours of operation limited to 6:00am to 10:00pm and may be further restricted based on location of truck and adjacent land uses.</p>			
11.3.4.15	Electrical goods	P	-	-
11.3.4.16	Family clothing	P	-	-
11.3.4.17	Farm and garden supplies & equipment	C	-	-
11.3.4.17.5	Firearms and/or Ammunition Sales ³	C	C	C
11.3.4.18	Fruits and vegetables	P	-	-
11.3.4.19	Furniture, home furnishings and equipment	P	-	-
11.3.4.20	Furriers and fur apparel	P	-	-
11.3.4.21	Gasoline service stations	C	P	P
11.3.4.22	Groceries (with or without meat)	P	P	-
11.3.4.23	Hardware and farm equipment	P	P	-
11.3.4.24	Heating and plumbing equipment	C	P	-
11.3.4.25	Household appliances	P	-	-
11.3.4.26	Ice cream establishments	P	-	-
11.3.4.27	Jewelry	P	-	-
11.3.4.28	Limited price variety stores	P	-	-
11.3.4.29	Liquor – package	C	-	-
11.3.4.30	Lumber and other building materials	C	P	-
11.3.4.31	Mail order house	P	-	-
11.3.4.32	Meats and fish	C	-	-
11.3.4.33	Men’s and boy’s clothing and furnishings	P	-	-
11.3.4.34	Merchandise vending machines operators	P	P	P
11.3.4.34.5	A. Military surplus sales without firearms ⁴	P	P	P

³ January 2015 Update

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
	B. Military surplus sales with firearms and/or ammunition	C	C	C
11.3.4.35	Motor vehicle dealers	P	P	P
11.3.4.35.5	Outlet Stores and Outlet Malls	C	C	C
11.3.4.36	Pets and pet supplies	P	P	P
11.3.4.37	Paint, glass and wallpaper	P	P	-
11.3.4.37.5	Pawnbrokers and pawn shops	C	C	C
11.3.4.38	Radios, televisions and music supplies	P	-	-
11.3.4.39	Shoes	P	-	-
11.3.4.40	Sporting goods and bicycles	P	-	-
11.3.4.40.5	Sporting goods with firearm and/or ammunition sales ⁵	C	C	C
11.3.4.41	Tires, batteries and accessory	P	P	P
11.3.4.42	Women’s accessories and specialties	P	-	-
11.3.4.43	Women’s ready-to-wear	P	-	-
11.3.4.44	Other retail trade – apparel and accessories	P	-	-
11.3.4.45	Other retail trade, i.e., automotive, marine craft, aircraft and accessories	C	C	C
11.3.4.46	Shopping complexes for retail trade	C	-	-
11.3.4.47	Temporary uses consistent with other permitted or conditional uses taking place at the location (fireworks stands, etc.)	P/C/ADM	P/C/ADM	P/C/ADM
11.3.4.48	Sexually oriented business when complying with the sexually oriented business ordinance	-	C	C
11.3.4.49	Smoke shop (retail tobacco specialty shop) providing legal tobacco and related products; no items that may be considered drug paraphernalia or items/products considered a drug or intoxicant. Must meet the Utah Statutory requirements of 2012 HB 95. <ol style="list-style-type: none"> 1. Not located within 1,000 feet of a community location (park, library, playground, church, etc.). 2. Not located within 600 feet of another retail tobacco specialty shop. 3. Not within 600 feet of property zoned for agriculture use or 	C	C	C

⁴ January 2015 Update

⁵ January 2015 Update

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
	residential use.			
11.3.4.51	Vending machines and vending operations – single or multiple machines	P	P	P
11.3.5	SERVICES			
11.3.5.1	Administration and business office services	P	P	-
11.3.5.2	Advertising services	C	-	-
11.3.5.3	Animal clinics, animal hospitals & small animal grooming (not boarding); boarding or kennel not permitted in C-1	C	C	C
11.3.5.3.5	Boarding or Kennel operation and related uses; all potential nuisance matters (noise, sight, smell, etc.) must be mitigated via conditions of land use approval	-	-	C
11.3.5.4	Apparel repair, alteration and cleaning, pickup services, shoe repair services	P	P	P
11.3.5.5	Automatic car wash, truck wash	C	P	P
11.3.5.6	Automobile repair and services	C	P	P
11.3.5.7	Banking and bank-related functions	P	P	-
11.3.5.8	Beauty and barber shops general	P	-	-
11.3.5.8.1	Cosmetic tattooing only (not artistic tattoo, piercing, etc.)	C	C	C
11.3.5.9	Beauty and barber shops tied to motels	P	-	-
11.3.5.10	Carpeting and other floor coverings	C	P	-
11.3.5.11	Comprehensive health care facilities (centers)	C	-	-
11.3.5.12	Computer and software maintenance services	P	C	-
11.3.5.13	Consumer and mercantile credit reporting	P	-	-
11.3.5.14	Credit services (other than banks)	P	P	P
11.3.5.14.5	Daycare or pre-school	C	-	-
11.3.5.15	Dental laboratory services	C	P	P
11.3.5.16	Duplicating mailing and stenographic services	P	-	-
11.3.5.17	Dwelling and other building maintenance services	P	-	-
11.3.5.18	Electrical services	C	P	P
11.3.5.19	Employment services	P	-	-
11.3.5.20	Funeral and crematory services	C	P	-
11.3.5.21	General contract construction services	C	P	P
11.3.5.22	Holding and investment services	P	-	-
11.3.5.23	Insurance carriers, agents, brokers and services	P	-	-

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
11.3.5.24	Laundering, dry cleaning, and dyeing services	C	P	P
11.3.5.25	Medical clinics – outpatient services	C	-	-
11.3.5.26	Medical laboratory services	C	P	P
11.3.5.27	News syndicate services	P	-	-
11.3.5.28	Painting, wall coverings and decorating services	P	P	P
11.3.5.29	Photographic services	P	C	C
11.3.5.30	Plumbing, heating and air-conditioning services	C	P	P
11.3.5.31	Private clubs including fraternal and sorority membership organizations with or without alcohol	C	-	-
11.3.5.32	Professional health and care offices and clinics – Medical offices, Dentist offices	C	-	-
11.3.5.33	Real estate agents, brokers, and management services	P	-	-
11.3.5.34	Real estate operative construction builders	C	P	P
11.3.5.35	Real estate subdividing and land developing services	C	P	P
11.3.5.35.5	Recycling Operations (not vending machine based inside of other establishments)	C	C	C
11.3.5.36	Roofing and sheet metal services	C	P	P
11.3.5.36.5	Salon Businesses. May include barber and beauty, massage, therapy, tanning, limited related services training, etc.	P	P	P
11.3.5.37	Security services and commodity brokers, dealers, exchanges and services	P	-	-
11.3.5.38	Schools (commercial)	C	-	-
11.3.5.39	Sexually oriented business when complying with the sexually oriented business ordinance	-	C	C
11.3.5.40	Skin art, tattooing, piercing, body alteration. No drug paraphernalia, no sexual items or services. Must be ½ mile from other similar existing land use.	C	C	C
11.3.5.41	Public, private, or quasi public social services administration and activity	C	C	C
11.3.6	ENTERTAINMENT			
11.3.6.1	Drive-in theaters	C	C	-
11.3.6.2	Legitimate theaters	C	-	-
11.3.6.3	Motion picture theaters	C	-	-
11.3.6.4	Race tracks (commercial)	C	C	C
11.3.6.5	Sports activities facilities	C	C	C

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
11.3.7	INDUSTRIAL			
11.3.7.1	Food products manufacturing			
11.3.7.1.1	Baker products	C	C	C
11.3.7.1.2	Beverage	C	C	C
11.3.7.1.3	Canning and preserving of fruits, vegetables, meat and seafood	C	C	C
11.3.7.1.4	Confectionery and related products	C	C	C
11.3.7.1.5	Dairy products	C	C	C
11.3.7.1.6	Grain mill products	C	C	C
11.3.7.1.7	Meat products	-	C	C
11.3.7.1.8	Sugar	C	C	C
11.3.7.2	Fabricated textile products manufacturing			
11.3.7.2.1	Broad and narrow woven fabrics and other small wares (cotton, manmade fibers, silk and wool)	-	C	C
11.3.7.2.2	Dyeing and finishing of textiles (except wool fabrics and knit goods)	-	C	C
11.3.7.2.3	Knit goods, yarns and threads	-	C	C
11.3.7.2.4	Wearing apparel and accessories	C	C	C
11.3.7.3	Furniture products manufacturing			
11.3.7.3.1	Furniture- manufacturing	-	C	C
11.3.7.3.2	Partitions, shelving, lockers, office and store fixtures	-	C	C
11.3.7.3.3	Wooden containers and cabinetry	C	C	C
11.3.7.4	Paper products manufacturing			
11.3.7.4.1	Bookbinding and related industrial	-	C	C
11.3.7.4.2	Books: publishing and printing	C	C	C
11.3.7.4.3	Converted paper and paperboard products (except containers and boxes)	-	C	C
11.3.7.4.4	Newspapers publishing and printing	C	C	C
11.3.7.4.5	Paperboard containers and boxes	-	C	C
11.3.7.4.6	Periodicals: publishing and printing	C	C	C
11.3.7.4.7	Printing trade services	C	C	C
11.3.7.5	Precision instrument and jewelry manufacturing			
11.3.7.5.1	Costume jewelry, costume novelties, buttons and misc. notions (except precious metals)	C	C	C

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
11.3.7.5.2	Computer component manufacture or assembly	C	C	C
11.3.7.5.3	Jewelry, silverware and plated ware	-	C	C
11.3.7.5.4	Musical instruments and parts	-	C	C
11.3.7.5.5	Ophthalmic goods	-	C	C
11.3.7.5.6	Optical instruments and lenses	-	C	C
11.3.7.5.7	Pens, pencils and other office and art(ists) materials	-	C	C
11.3.7.5.8	Photographic equipment and supplies	-	C	C
11.3.7.5.9	Surgical, medical and dental instruments and supplies	-	C	C
11.3.7.5.10	Toys, amusements, sporting goods and athletic goods	-	C	C
11.3.7.5.11	Watches, clocks, clockwork operated devices and parts	C	C	C
11.3.7.6	Other products manufacturing			
11.3.7.6.1	Motion picture production	C	C	C
11.3.7.6.2	Pottery and related products	C	C	C
11.3.7.7	Wood and paper manufacturing			
11.3.7.7.1	Millwork, veneer, plywood and prefabricated structural wood products	-	-	C
11.3.7.7.2	Paper (except building paper)	-	-	C
11.3.7.7.3	Paperboard	-	-	C
11.3.7.7.4	Pulp	-	-	C
11.3.7.7.5	Sawmills and planing mills	-	-	C
11.3.7.8	Chemical and plastics manufacturing			
11.3.7.8.1	Agricultural chemicals	-	-	C
11.3.7.8.2	Drug	-	C	C
11.3.7.8.3	Industrial inorganic chemicals	-	-	C
11.3.7.8.4	Miscellaneous plastic products	-	C	C
11.3.7.8.5	Paints, varnishes, lacquers, enamels and allied products	-	-	C
11.3.7.8.6	Plastics materials and synthetic resins, synthetic and other manmade fibers (except glass)	-	-	C
11.3.7.8.7	Soap, detergents and cleaning preparations, perfumes, cosmetic and other toilet preparations	-	-	C
11.3.7.9	Petroleum products manufacturing			
11.3.7.9.1	Paving and roofing materials	-	-	C
11.3.7.9.2	Petroleum refining	-	-	C

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
11.3.7.9.3	Rubber footwear	-	-	C
11.3.7.9.4	Tires and inner tubes	-	-	C
11.3.7.10	Nonmetallic products manufacturing			
11.3.7.10.1	Abrasive, asbestos, and miscellaneous nonmetallic mineral products	-	-	C
11.3.7.10.2	Cement (hydraulic)	-	-	C
11.3.7.10.3	Concrete, gypsum and plaster products	-	-	C
11.3.7.10.4	Glass and glassware (pressed or blown)	-	-	C
11.3.7.10.5	Plate glass	-	-	C
11.3.7.10.6	Structural clay products	-	-	C
11.3.7.11	Metallic products manufacturing			
11.3.7.11.1	Blast furnaces, steel works and the rolling finishing of ferrous metals, etc.	-	-	C
11.3.7.11.2	Iron and steel foundries and manufacturing	-	-	C
11.3.7.11.3	Nonferrous foundries	-	-	C
11.3.7.11.4	Primary smelting and refining of nonferrous metals	-	-	C
11.3.7.11.5	Rolling, drawing and extruding of nonferrous metals	-	-	C
11.3.7.11.6	Secondary smelting and refining of nonferrous metals and alloys	-	-	C
11.3.7.12	Machine products manufacturing			
11.3.7.12.1	Electrical machinery, equipment and supplies	-	C	C
11.3.7.12.2	Engineering, laboratory and scientific research instruments and associated equipment	-	C	C
11.3.7.12.3	Instruments for measuring, controlling and indicating physical characteristics	-	C	C
11.3.7.12.4	Machinery (except electrical)	-	C	C
11.3.7.12.5	Ordnance and accessories	-	-	C
11.3.7.12.6	Transportation equipment	-	-	C
11.3.8	TRANSPORTATION			
11.3.8.1	Staging for trucking, local and long distance (terminals)	-	C	C
11.3.9	WHOLESALE TRADE AND WAREHOUSING			
11.3.9.1	Drugs, chemicals, and allied products	-	C	C
11.3.9.2	Dry goods and apparel	C	C	C
11.3.9.3	Electrical goods	C	C	C

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
11.3.9.4	Farm products and equipment	C	C	C
11.3.9.4.5	Firearm and/or ammunition sales ⁶	C	C	C
11.3.9.5	Groceries and related products	C	C	C
11.3.9.6	Hardware, plumbing, heating equipment, and supplies	C	C	C
11.3.9.7	Machinery, equipment and supplies	C	C	C
11.3.9.8	Motor vehicles and automotive equipment	C	C	C
11.3.9.9	Petroleum products distribution warehouses and bulk plants	-	C	C
11.3.9.10	Research and development	C	C	C
11.3.9.11	Storage facility:			
11.3.9.11.1	Multiple units with 6' barb wire or spiral wire fence, hard paved surface yard (concrete or asphalt), security yard lighting and full fire truck accessibility	-	A	A
11.3.9.11.1.5	Temporary, not to exceed 1 year, shipping/storage containers and truck trailers/boxes and other non-permitted storage uses	C	C	C
11.3.9.11.2	Setback in feet:			
11.3.9.11.2.1	from property line to front fence	5	5	5
11.3.9.11.2.2	from property line to side or rear fence	0	0	0
11.3.9.11.2.3	from front fence to building or stall	15	15	15
11.3.9.11.2.4	from side or rear fence to building or stall	10	10	10
11.3.9.11.7	Multiple storage units	A	A	A
11.3.9.11.8	Enclosed storage units	A	A	A
11.3.9.11.9	Outside storage stalls	-	A	A
11.3.9.11.10	Maximum size of unit or stall in square feet	600	800	800
11.3.9.11.11	Maximum height of building in feet or as specifically approved by conditional use permit	20	30	30
11.3.9.11.12	Warehousing business or associated with	C	C	C
11.3.9.12	Industrial Services			
11.3.9.12.1	Concrete services and batching plants	-	C	C
11.3.9.12.2	General contract on construction services	-	C	C
11.3.9.12.3	Masonry, stonework, tile setting, and plastering services	-	C	C
11.3.9.12.4	Roofing and sheet metal services	-	C	C
11.3.9.12.5	Water and well drilling services	-	C	C

⁶ January 2015 Update

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
11.3.9.13	Mining			
11.3.9.13.1	Chemical and fertilizers (mineral) mining	-	-	C
11.3.9.13.2	Coal mining	-	-	C
11.3.9.13.3	Crude petroleum and natural gas. Well drilling is a temporary use, 6 months or less. Well operation is a permanent use. Must be 600 feet or more from any residential land use.	-	C	C
11.3.9.13.4	Dimension stone	-	-	C
11.3.9.13.5	Land excavations	C	C	C
11.3.9.13.6	Metal ore mining	-	-	C
11.3.9.13.7	Sand and gravel – quarrying	-	-	C
11.3.9.13.8	Other mining and quarrying of nonmetallic minerals (except fuels)	-	-	C
11.3.9.14	Outdoor Storage			
11.3.9.14.1	Auto wrecking yards	-	-	C
11.3.9.14.2	Outdoor storage (non-auto)	-	C	C
11.3.9.14.3	Petroleum products bulk plants	-	C	C
11.3.10	INSTITUTIONAL			
11.3.10.1	Health services			
11.3.10.1.1	Hospital services	C	C	C
10.3.10.1.2	Nursing Home	C	-	-
10.3.10.1.3	Rehabilitation/Treatment Facility	C	-	-
11.3.10.1.4	Sanitariums, convalescent centers and facilities	C	-	-
11.3.10.1.5	Retirement Home	C	-	-
11.3.10.1.6	Sheltered Workshop	C	C	C
11.3.10.2	Government services			
11.3.10.2.1	Correctional institutions	C	C	C
11.3.10.2.2	Executive, legislative and judicial functions	C	C	C
11.3.10.2.3	Postal services	C	C	C
11.3.10.2.4	Protective functions and their related activities	C	C	C
11.3.10.3	Educational services			
11.3.10.3.1	Special training and schooling	C	C	C
11.3.10.3.1.5	Public or Private School – K to 12	C	C	C
11.3.10.3.1.6	Public or Private School – Higher Education (College &	C	C	C

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
	University)			
11.3.10.3.2	Trade or Vocational School	C	C	C
11.3.10.4	Religious and welfare services			
11.3.10.4.1	Churches, synagogues, and temples, chapels, etc.	C	C	C
11.3.10.4.2	Welfare and charitable services	C	C	C
11.3.10.5	Public and quasi-public			
11.3.10.5.1	Art galleries	P	-	-
11.3.10.5.2	Fairgrounds	C	C	C
11.3.10.5.3	Libraries	P	C	C
11.3.10.5.4	Museums	P	-	-
11.3.10.5.5	Nature exhibitions	C	-	-
11.3.10.5.6	Public assembly, misc. purposes	C	C	-
11.3.10.5.7	Public information centers	P	-	-
11.3.10.6	Entertainment, recreation and open space group or organized camps			
11.3.10.6.1	Gymnasiums and athletic clubs	C	C	C
11.3.10.6.2	Parks – general recreation	P	-	-
11.3.10.6.3	Parks – leisure and ornamental	P	P	-
11.3.10.6.4	Playgrounds	C	-	-
11.3.10.6.5	Play lots or tot lots	C	-	-
11.3.10.6.6	Recreation centers (general)	C	C	C
11.3.10.6.7	Swimming pools	C	C	C
11.3.10.7	Streets and other circulation elements			
11.3.10.7.1	Airports	-	C	C
11.3.10.7.2	Alleys – maintenance of alleys is the responsibility of the adjoining, fronting or abutting property owner(s)	C	C	C
11.3.10.7.3	Freeways	C	C	C
11.3.10.7.4	Streets, public	C	C	C
11.3.10.7.5	Streets, private	C	C	C
11.3.10.7.6	Railroads and appurtenances	C	C	C
11.3.11	LAND DEVELOPMENTS			
11.3.11.1	Subdivisions	C	C	C
11.3.11.2	Planned unit developments	C	C	C

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
11.3.11.3	Industrial parks	-	C	C
11.3.11.4	Shopping centers	C	-	-
11.3.11.5	Land development for:			
11.3.11.5.1	Various commercial	C	C	C
11.3.11.5.2	Industrial and manufacturing	-	C	C
11.3.12	UTILITIES			
11.3.12.1	Communication			
11.3.12.1.1	Radio and television facilities	C	C	C
11.3.12.1.2	Telephone and telegraph	C	C	C
11.3.12.1.3	Cable television	C	C	C
11.3.12.1.4	Other communications services	C	C	C
11.3.12.1.5	Placement of cellular telephone towers: height; design; aesthetic presentation to be directed by Planning Commission	C	C	C
11.3.12.2	Utilities lines and rights-of-way			
11.3.12.2.1	Culinary water	C	P	P
11.3.12.2.2	Electricity (substations or facilities)	C	C	C
11.3.12.2.2.1	Distributed Generation. Electric generation by wind or solar means, small and micro wind installations of appropriate size. Must be installed such that the energy generated is received on the utility side of the meter, not the customer side of the meter. Requires meter, inverter, controls, and other equipment as may be required by Price City.	C	C	C
11.3.12.2.3	Irrigation water	C	C	C
11.3.12.2.4	Natural gas; propane tanks prohibited unless specifically approved by Conditional Use Permit	C	C	C
11.3.12.2.5	Pipelines (oil and gas transmission)	C	C	C
11.3.12.3	Other facilities			
11.3.12.3.1	Sewage disposal	-	-	C
11.3.12.3.2	Solid waste disposal	-	-	C
11.3.12.3.3	Storm water drainage facilities	C	C	C
11.4	HEIGHT REGULATIONS			
11.4.1	The maximum height for any building in districts regulated by this chapter shall be:			
11.4.1.1	in feet	35	75	75
11.4.1.2	in number of stories	2½	7	7

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
11.4.1.2.1	Except as determined by conditional use permit	A	A	A
11.4.1.3	in structures with more than 2½ stories, fire protection design, evacuation facilities, and automatic fire sprinkling systems will be required to mitigate the additional potential of loss of life and/or property.	A	A	A
11.5	AREA, WIDTH, FRONTAGE, YARD AND COVERAGE REGULATIONS			
11.5.1	The minimum depth and/or length for yards in the districts regulated by this chapter shall be:			
11.5.1.1	Front yard	25	25	25
11.5.1.2	Rear yard	20	20	20
11.5.1.3	Side yards	10	10	10
11.5.1.4	Except as determined by conditional use permit	A	A	A
11.6.	IMPROVEMENTS REQUIRED TO BE COMPLETED OR IN PROCESS BEFORE A BUILDING PERMIT MAY BE ISSUED FOR A NEW PRIMARY BUILDING AND OR LAND USE. ACCESSORY BUILDINGS MAY REQUIRE IMPROVEMENTS⁷. Improvements are to be in compliance with standards adopted by the municipality. Exception: Does not apply to garages, carports, additions, remodels or accessory improvements.			
11.6.1	Street grading	A	A	A
11.6.2	Street base	A	A	A
11.6.3	Street paving	A	A	A
11.6.4	Curb and gutter	A	A	A
11.6.5	Sidewalk	A	A	A
11.6.6	Surface drainage facilities / flood control	A	A	A
11.6.7	Waste water disposal facilities; Sewer	A	A	A
11.6.8	Culinary water facilities	A	A	A
11.6.9	Fire fighting facilities; fire hydrants	A	A	A
11.6.10	Street name and traffic control signs	A	A	A
11.6.11	Street monuments	A	A	A
11.6.12	Survey monuments boxes	A	A	A
11.6.13	Street lights	A	A	A
11.6.14	Address numbers	A	A	A
11.6.15	Public utilities – power, gas, telephone, cable TV, etc.	A	A	A
11.6.15.5	Electric Vehicle group and individual charging stations and CNG vehicle filling stations/locations	C	C	C

⁷ 7-30-13

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
11.6.16	General planned landscaping – minimum 5% of total land area	A	A	A
11.6.16.5 ⁸	<p>Artificial Grass and Synthetic Turf Installations, subject to the following minimum standards:</p> <ol style="list-style-type: none"> 1. Installed consistent with the guidelines of the Association of Synthetic Grass Installers (ASGi). 2. A landscape plan must be submitted to the Price City Planning Department. The plan shall include both the artificial turf area and other landscaped areas. This is in addition to any other required landscape plan documents. 3. Synthetic turf may not be installed in the public right of way (park and planter strips). 4. Synthetic turf shall be limited to a maximum coverage of fifty percent (50%) of the yard area. 5. Installation of synthetic turf shall be performed by a contractor with a valid license. The contractor shall also have all necessary permits and licenses to conduct business within Price City. 6. Synthetic turf shall have a minimum blade length (pile height) of 1.25 inches. Nylon based grass blades are not permitted. 7. All existing sprinkler systems (piping, valves and sprinkler heads) no longer in use must be either capped or removed. All existing landscaping must be removed where the synthetic turf will be located and a minimum of three inches (3”) of soil excavated. 8. The turf area shall be leveled, with a crushed stone sub base added to establish a foundation and facilitate drainage of the turf. The stone sub base shall be a minimum of three inches (3”) in depth and be compacted to ensure proper drainage. 9. A weed barrier must be provided to prohibit growth of weeds. This barrier may be incorporated into the synthetic turf or be installed as a separate layer. 10. The synthetic turf shall be securely fastened to the ground. Seams shall be glued and stapled to minimize tears. The synthetic turf should be placed in patterns that emulate real grass. 11. An infill of sand and rubber must be poured into the synthetic turf to keep the blades erect and provide a natural feel and look. 	A	A	A

⁸ Artificial grass added January 2016 Update.

ZONING DISTRICTS APPLICABILITY		C1	M1	M2
	12. The synthetic turf must be maintained at all times. Rips and/or tears, holes, seam separations and uplifted surfaces shall be promptly repaired. Unrepaired synthetic turf shall be considered a violation of the Price City Property Maintenance Code.			
11.6.17	Other infrastructure and land use impact mitigation improvements as deemed necessary by the City	A	A	A
11.6.18	Removal and redevelopment of blighted properties	C	C	C

11.7. IMPROVEMENTS COMPLETION.

The improvements in section 11.6 shall be completed and guaranteed through a development agreements and a form of guarantee (financial surety) which is acceptable by the City for a minimum period of one year from substantial completion. Exceptions shall be indicated in the conditional use permit and expressly approved by the Price City Council. Said improvements installed within the approved public right-of-way, City property and/or easements shall be dedicated to the City for continued ownership, maintenance and operation.

Chapter 12
SENSITIVE AREA DISTRICT, SA

- 12.1 Purpose and Intent**
- 12.2 Permitted Uses**
- 12.3 Conditional Uses**
- 12.4 General**

12.1 PURPOSE AND INTENT.

1. The purpose of the SA overlay district is to designate and describe those areas within the municipality that possess physical and/or environmental characteristics which require special public consideration of use applications which might affect the structure or the land, the management of surface or subsurface water, safety of future land occupants due to increased fire, earthquake, rock fall, flooding or storm hazards within the proposed development, or the uneconomic extension of public facilities and services. Of specific concern is development in flood prone areas, earthquake zones, landslide areas, areas of steep slope or unstable soils, rock fall, wetlands, and other sensitive areas requiring careful assessment prior to alteration.

- 1. It is the intent of these regulations to permit the widest possible latitude in the use of property, while at the same time requiring design solutions which will avoid detrimental impacts on sensitive natural areas, as well as provide protection from adverse natural forces and hazards.

12.2 PERMITTED USES.

The following uses are permitted in the SA overlay district:

- 1. Tilling of the soil
- 2. Raising of crops

- 3. Horticulture and gardening, excluding agricultural industries.

12.3 CONDITIONAL USES.

The SA overlay district is an overlay district whose sole effect is to require additional review of proposed uses in the underlying districts. To this end, any permitted use in a district overlaid by an SA overlay district, with the exception of those uses permitted in section 13.2 above, is a conditional use. Conditional uses authorized in districts overlaid by the SA overlay district remain conditional uses.

12.4 GENERAL.

The "Sensitive Area District, SA" zoning district, if not marked on the zoning map per se, shall nonetheless include areas of Price City designated as:

- 1. 100 year mapped flood plain according to the National Flood Insurance Program.
- 2. Geologic hazards areas including earthquake areas/faults, unstable soil conditions, subsidence, slopes in excess of 25%, rock fall areas, cliffs, unstable slopes and areas subject to flooding.
- 3. Areas of high water table and ground water including wetlands, high water table, perched water, floodway, drainage ways and swampy conditions.
- 4. Areas adjacent to or within one-hundred feet (100') of any high pressure natural gas transmission line. Inspection by a qualified provider and the Price City engineer must accompany any development plans, utility installations or construction activity taking place.
- 5. Other environmentally sensitive areas as may be identified by the Zoning Administrator, Public Works Director, City Engineer or Building Inspector.

**Chapter 13
PLANNED DISTRICT, PL**

- 13.1 Purposes**
- 13.2 Standards and Requirements**
- 13.3 Approval Required Prior to Rezoning**
- 13.4 Findings Required for Approval**
- 13.5 Concept Plan Requirements**
- 13.6 Revert to Original Zoning**

13.1 PURPOSES

1. To encourage and provide a means for effectuating desirable development through the use of variations in sites, mixed land uses, and/or varied dwelling or other buildings.
2. To preserve the amenities and compatibility of PL Districts by adoption of a general development plan showing proper orientation, desirable design character, and compatible land uses.
3. To provide for the orderly pre-planning and long term development for a variety of uses or large tracts of land which are under unified ownership or development control, so as to ensure that the entire tract will provide an environment of stable and desirable character.
4. To give the developer reasonable assurance that phased development plans prepared in accordance with an approved general development plan will be acceptable to Price City.
5. Phased development plans shall include subdivision plans and/or planned unit development plans as provided for in this chapter.
6. To enable the adoption of measures providing for development of the surrounding area in character compatible with the planned district.

**13.2 STANDARDS AND
REQUIREMENTS.**

The following provisions shall apply in a PL District, which district shall also be subject to other provisions of this code, except that where conflict in regulations occurs, the regulations specified in this chapter, or on a development plan approved pursuant to this chapter, shall apply.

1. PL Districts may be established on parcels of land which are suitable for, and of sufficient size, to be planned and developed in a manner consistent with the purposes and objectives of this chapter. No PL district shall include less than 5 acres of contiguous land unless otherwise specifically approved by conditional use permit.
2. No ordinance establishing a PL District shall be adopted unless and until there is on file with Price City, written consent of every property owner within such district at the time of adoption of the ordinance, agreeing:
 1. That the owner will be bound by the conditions and regulations proposed and which will be effective within the PL District.
 2. To record such written agreement with the Carbon County Recorder.
3. Before detailed studies of any PL District development plans shall be undertaken by the planning staff or the Planning Commission, there shall be on file with Price City the written request of all property owners within the proposed district that such detailed studies be made.
4. Standards for area, coverage, density, yard requirements, parking and screening for PL district uses shall be governed by the standards of the residential, commercial, or industrial zoning districts most similar in nature and function of the

proposed PL District use(s), as determined by the Planning Commission, and as contained in an approved preliminary design plan for the planned unit development. Standards for public improvements shall be governed by applicable ordinances, regulations and laws. Exceptions to or modification of these standards may be made by the Planning Commission and by the City Council, when these bodies find that such exceptions encourage a desirable living environment and are warranted in terms of the proposed planned unit development as a whole.

13.3 APPROVAL REQUIRED PRIOR TO REZONING.

Prior to the filing of a formal PL District rezoning application, the applicant shall have obtained concept plan approval for the planned unit development from the Planning Commission, which plans shall have been certified to the City Council. Upon receipt of the approved concept plan, the City Council shall proceed with the zoning district amendment procedures outlined in this code. Such amendment procedures shall be deemed to have been satisfied by the meeting of the planned unit development requirements (which must be met incident to obtaining concept plan approval from the Planning Commission).

13.4 FINDINGS REQUIRED FOR APPROVAL.

After public hearing following required legal notice, the City Council may by ordinance establish a PL District, provided that it finds that the facts submitted with the application and presented at the hearing establish:

1. The proposed PL District or a given unit thereof can be substantially completed within two years of the establishment of the PL District.

2. Each phase of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective will be attained; and that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts.
3. The streets proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the PL District.
4. Commercial development can be justified economically at the locations proposed, if any, to provide commercial facilities.
5. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.
6. Any exception from standard ordinance requirements is warranted by the design and amenities incorporated into the final plan.
7. The PL District is in conformance with the General Plan.
8. Existing or proposed utility services are adequate for the population and use densities proposed.

13.5 CONCEPT PLAN REQUIREMENTS.

At the time of adoption of any ordinance establishing a PL District, the City Council shall make appropriate arrangements with the applicant to ensure the accomplishment, at the scheduled times, of the public improvements, public dedications, and grants of easement to be shown on the approved concept plan. The PL District shall be given an appropriate name

number or letter to identify it and the approved concept plan shall be adopted by reference and become part of this code.

13.6 REVERT TO ORIGINAL ZONING.

1. If no development has occurred to effectuate a PL District development within 2 years after the district has been created, the Planning Commission shall review the action and determine whether or not the continuation of a given PL District is in the public interest. If the Planning Commission so recommends, the City Council may order that the area revert to the original zoning district from which it was created, without a public hearing.
2. If the land within a PL District is sold to new owner(s), the Planning Commission or the City Council shall require the new owner(s) to accept in writing all obligations and guarantees required by the Preliminary Design Plan of the original owner(s). In the event that such agreement is not provided, the governing body may, without public hearing, return the zoning of the PL District to the original zoning district which existed prior to creation of the PL Districts.
3. If the owner(s) or developer of the PL District is unwilling or unable to carry out the requirements of the Preliminary Design Plan because claimed adequate water supplies, waste water disposal, streets, or other major elements of approval cannot or will not be provided as required, the City Council may stop all development in the district until such failure has been remedied or may terminate the PL District and revert back to the original zoning district which existed prior to creation of the PL District, without waiting for the 2 year period provided above to expire.

Chapter 14

PUBLIC FACILITIES, PF

- 14.1 Purposes**
- 14.2 Standards and Requirements**
- 14.3 Approval Required Prior to Rezoning**
- 14.4 Findings Required for Approval**
- 14.5 Concept Plan Requirements**
- 14.6 Revert to Original Zoning**

14.1 PURPOSES

1. To encourage and provide a means for effectuating desirable public facilities and institutional development through the use of variations in sites, mixed land uses, and/or varied other buildings.
2. To preserve the amenities and compatibility of PF Districts by adoption of a general development plan showing proper orientation, desirable design character, and compatible land uses and facilities.
3. To provide for the orderly preplanning and long term development for a variety of uses or large tracts of land which are under unified ownership or development controls, so as to ensure that the entire tract will provide an environment of stable and desirable character.
4. To give the owner reasonable assurance that phased development plans prepared in accordance with an approved general development plan will be acceptable by Price City.
5. Phased development plans shall include subdivision plans and/or planned unit development plans as provided for in this chapter.
6. To enable the adoption of measures providing for development of the surrounding area in character compatible with the Public Facilities District.

7. To provide flexibility for school campuses and other public or quasi-public activity campuses and recreation sites for ultimate beneficial planning and development.

14.2 STANDARDS AND REQUIREMENTS.

The following provisions shall apply in a PF District, which district shall also be subject to the other provisions of this code, except that where conflict in regulations occurs, the regulations specified in this chapter, or on a development plan approved pursuant to this chapter, shall apply.

1. PF DISTRICTS may be established on parcels of land which are suitable for, and of sufficient size, to be planned and developed in a manner consistent with the purposes and objectives of this chapter.
2. No ordinance establishing a PF District shall be adopted unless and until there is on file with Price City written consent of every property owner within such district at the time of adoption of the ordinance, agreeing:
 1. That the owner will be bound by the conditions and regulations proposed and which will be effective within the district, and,
 1. To record such written agreement with the Carbon County Recorder.
3. Before detailed studies of any PF District development plans shall be undertaken by the planning staff or the Planning Commission, there shall be on file with Price City the written request of all property owners within the proposed district that such detailed studies be made.
4. Standards for area, coverage, density, yard requirements, parking and screening for PF District uses shall be governed by the standards of the residential, commercial, or industrial zoning districts most similar in

nature and function to the proposed PF District use(s), as determined by the Planning Commission, and as contained in an approved Preliminary Design Plan for the public facilities development. Standards for public improvements shall be governed by applicable ordinances, regulations and laws. Exceptions to or modification of these standards may be made by the Planning Commission and by the City Council, when these bodies find that such exceptions encourage a desirable living environment and are warranted in terms of the proposed development as a whole.

14.3 APPROVAL REQUIRED PRIOR TO REZONING.

Prior to the filing of a formal PF District rezoning application, the application shall have obtained concept plan approval for the planned development from the Planning Commission, which plans shall have been certified to the City Council. Upon receipt of the approved concept plan, the City Council shall proceed with the zoning district amendment procedures outlined in this code. Such amendment procedures shall be deemed to have been satisfied by the meeting of the planned unit development requirements (which must be met incident to obtaining concept plan approval from the Planning Commission).

14.4 FINDINGS REQUIRED FOR APPROVAL.

After public hearing following required legal notice, the City Council may by ordinance establish a PF District, provided that it finds that the facts submitted with the application and presented at the hearing establish that:

1. The proposed PF District or a given unit thereof can be substantially completed in a timely manner.

2. Each phase of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective will be attained; and that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts.
3. The streets proposed are suitable and adequate to carry anticipated traffic, and increased concentrations of activities will not generate traffic in such amounts as to overload the street network outside the PF District.
4. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.
5. Any exception from standard ordinance requirements is warranted by the design and amenities incorporated into the final plan.
6. The PF District is in conformance with the General Plan.
7. Existing or proposed utility services are adequate for the population densities and use concentrations proposed.

14.5 CONCEPT PLAN REQUIREMENTS.

At the time of adoption of any ordinance establishing a PF District, the City Council shall make appropriate arrangements with the applicant to ensure the accomplishment, at the scheduled times, of the public improvements, public dedications, and grants of easement to be shown on the approved concept plan. The PF District shall be given an appropriate name, number or letter to identify it; and, the approved concept plan shall be adopted by reference and become a part of this code.

14.6 REVERT TO ORIGINAL ZONING.

1. If no development has occurred to effectuate a PF District development within 2 years after the district is created, the Planning Commission shall review the action and determine whether or not the continuation of a given PF District is in the public interest. If the Planning Commission so recommends, the City Council may order the area reverted to the original zoning district from which it was created, without a public hearing.
2. If the land within a PF District is sold to new owner(s), the Planning Commission or the City Council shall require the new owner(s) to accept in writing all obligations and guarantees required by the Preliminary Design Plan of the original owner(s). In the event that such agreement is not provided, the governing body may, without public hearing, return the zoning of the PF District to the original zoning district which existed prior to creation of the PF Districts.
3. If the owner(s) or developer of the PF District is unwilling or unable to carry out the requirements of the Preliminary Design Plan because claimed adequate water supplies, waste water disposal, streets, or other major elements of approval cannot or will not be provided as required, the City Council may stop all development in the district until such failure has been remedied or may revert the zoning to the original zoning district which existed prior to creation of the PF District, without waiting for the 2 year period provided above.

Chapter 15
REDEVELOPMENT AREA
DISTRICT, RDA

- 15.1 Purpose**
- 15.2 Permitted Uses**
- 15.3 Conditional Uses**
- 15.4 Special Provisions**
- 15.5 Area, Width, Frontage, Yard, Coverage and Height Regulations**

15.1 PURPOSE.

The purpose of this zone is to provide for flexible utilization of land in redevelopment areas, as established by Price City, where some of the established land patterns and uses are non-conforming with respect to basic community standards adopted in this code. When it is determined to be in the interests of the community to foster appropriate utilization of existing facilities, undersized lots, or redevelop blighted areas, a conditional use permit may be used to reduce parking requirements an/or otherwise modify requirements for uses that will be beneficial to the area and harmonious with the surroundings.

15.2 PERMITTED USES.

None.

15.3 CONDITIONAL USES.

All uses located within the limits of the Redevelopment Overlay Zone are conditional uses and require issuance of a conditional use permit.

15.4 SPECIAL PROVISIONS.

- 1. Uses may be continued or changed.
- 2. Buildings may be altered to accommodate new uses.

- 3. Uses and buildings may be limited as to scope or length of time.
- 4. Every conditional use permit and each approval shall be based primarily on how the development, as proposed in the application, will contribute to economic activity, compatibility, mutual private and public benefit from existing, proposed or potential buildings and uses in the area; the efficient, effective, economic and aesthetic use of land, buildings, landscaping, and amenities; and the improvements to be made in land utilization, building construction and appearance, traffic safety and control, landscaping and drainage.
- 5. The conditional use permit approval process requires timely notification of the municipal Redevelopment Agency to allow for analysis and input in the process.

15.5 AREA, WIDTH, FRONTAGE, YARD, COVERAGE, AND HEIGHT REGULATIONS.

The same as in the underlying zone except as may be modified by conditional use permit after public hearing by the Planning Commission.

Chapter 16
SUPPLEMENTARY
DEVELOPMENT STANDARDS

- 16.1 Building Permits – Site Plan Required**
- 16.2 Building, Use and Occupancy Permits**
- 16.3 Building Permit Approval Conditions**
- 16.4 Inspection and Approval Required**
- 16.5 Conditional Use Permit Required for Restricted Lots**
- 16.6 Substantial Lots at Time of Code Passage**
- 16.7 Non-Conforming Lots Prohibited**
- 16.8 Lot Standards and Street Frontage**
- 16.9 Every Dwelling on Lot – Exceptions**
- 16.10 Lots and Dwellings Fronting on Private Streets – Special Provisions**
- 16.11 Yard Space for One Building Only**
- 16.12 Yards to be Unobstructed – Exceptions**
- 16.13 Exceptions to Height Limitations**
- 16.14 Additional Height Allowed**
- 16.15 Minimum Height of Dwellings**
- 16.16 Maximum Height and Floor Area of Accessory Buildings**
- 16.17 Area of Accessory Buildings**
- 16.18 Accessory Building Architectural Requirements**
- 16.19 Water and Sewerage Requirements**
- 16.20 Clear View of Intersecting Streets**
- 16.21 Fences May Be Required**
- 16.22 Maximum Height of Fences, Walls and Hedges**
- 16.23 Sale or Lease of Required Space**
- 16.24 Construction Subject to Geologic or Flood Hazards**
- 16.25 Location of Gasoline Pumps**
- 16.26 Property Divided by Zoning District Boundaries**
- 16.27 Utility Extensions Authorized**
- 16.28 Utilities Responsible for Excavations**
- 16.29 Property Owned by Other Government Units**
- 16.30 Transportation Master Plan Effects**
- 16.31 Conservation of Values**

16.1 BUILDING PERMITS – SITE PLAN REQUIRED

An application for a building or use permit shall be made to the Price City Building Official, Building Inspector and shall include a site plan and such other information as may be required by ordinance in Price City. (See latest edition of IBC as adopted)

16.2 BUILDING, USE, AND OCCUPANCY PERMITS

1. No building or structure shall be constructed, reconstructed, altered, or moved and no land shall be used except after the issuance of a Building, Use, and Occupancy Permit for the same by the Building Official or Inspector of Price City.
2. Building, Use, and Occupancy Permits shall not be granted for the construction or alteration of any building or structure, for the moving or removal of a building onto or from a lot or for the use or occupancy of a building or land if such structure, construction, alteration, moving, use, or occupancy would be in violation of any of the provisions of this Code. Permits issued in violation of any provision of this Code, whether intentional or otherwise, shall be null and void.
3. An occupancy permit shall not be issued until the Zoning Administrator, City Engineer and/or Building Official or Inspector, shall have filed on record a report or other verified official comment (respective to their responsibilities) finding that the structures and intended uses are in compliance with the provisions of this Code and specifically as to location and completion of both off-site (curb, gutter, sidewalk, paving, utilities, fences, ditches, etc.) and on-site (buildings, etc.) improvements.

**16.3 BUILDING PERMIT APPROVAL
CONDITIONS**

The installation of curb, gutter, sidewalks, street paving, drainage culverts, and covered or fenced irrigation ditches of a type approved by the City Council are required on any existing or proposed street adjoining a lot on which a building is to be established-except as may be provided otherwise elsewhere in this code. Such curbs, gutters, sidewalks, paving, drainage culverts, and safety features for irrigation ditches and canals, etc., are required as a condition of building permit approval, when Price City adopts a policy that such street is to be improved according to an adopted plan.

**16.4 INSPECTION AND APPROVAL
REQUIRED**

Buildings and structures requiring a building permit pursuant to the provisions of this Code shall not be occupied nor put into use until the City Building Official or Inspector, has inspected such building or structure, finds compliance with the Code and the building code of Price City, and gives a written certificate of use and/or occupancy and use to the owner or his agent to occupy and/or use the building or structure in the manner approved by the issuance of a valid building permit.

**16.5 CONDITIONAL USE PERMIT
REQUIRED FOR RESTRICTED
LOTS**

No building permits shall be issued for construction of any building or structure to be located on a restricted lot unless a valid Conditional Use Permit for the same has previously been issued pursuant to this Code.

**16.6 SUBSTANDARD LOTS AT TIME OF
CODE PASSAGE**

Any lot legally held in separate ownership at the time of adoption of this Code, which lot is below the requirements for lot area or lot width or depth for the district in which it is located and on which lot a dwelling would be permitted if the lot met the area requirements of the Code, may be used for a single-family dwelling if such a lot is located in a residential district. The front, side and rear set backs shall meet the distances specified in the code. When this Code replaces a previously adopted zoning ordinance, if a lot was legally created under the provisions of that ordinance, it shall be classified as a legal non complying lot under this Code.

**16.7 NON-CONFORMING LOTS
PROHIBITED**

After adoption of this Code, no lot having less than the minimum width, depth and area required in the zoning district in which it is located may be created nor shall building permits be issued for construction on such non conforming lots created subsequent to adoption of this Code.

**16.8 LOT STANDARDS AND STREET
FRONTAGE**

Except for planned unit developments, condominiums, legal non complying lots and as otherwise provided in this Code, every lot hereafter created shall have such area, width, and depth as required by this Code for the zoning district in which such lot is located and shall have frontage upon a public street or upon a private street or right-of-way approved by the Planning Commission, before a building permit may be issued, provided that no lot containing 5 acres or less shall be created which is more than 3 times as long as it is wide.

**16.9 EVERY DWELLING ON A LOT –
EXCEPTIONS**

Every dwelling structure shall be located and maintained on a separate lot having no less than the minimum area, width, depth and frontage required by this Code for the zoning district in which the dwelling structure is located, except that farm or ranch dwellings, group dwellings, condominiums, and other multi-structure dwelling complexes under single ownership and management, which are permitted by this Code and have approval from the Planning Commission, may occupy a single lot.

**16.10 LOTS AND DWELLINGS
FRONTING ON PRIVATE STREETS –
SPECIAL PROVISIONS**

Lots and any dwellings thereon, with frontage only on private streets, shall be allowed by conditional use permit procedure only, and shall be subject to all applicable requirements of this Code.

**16.11 YARD SPACE FOR ONE
BUILDING ONLY**

No required yard or other open space around an existing building or which is hereafter provided around any building for the purpose of complying with the provisions of the Code shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.

**16.12 YARDS TO BE UNOBSTRUCTED –
EXCEPTIONS**

Every part of a required yard shall be open to the sky, unobstructed except for permitted accessory buildings in a rear yard, the ordinary architectural projections of skylight, sills, belt courses, cornices, chimneys, flues, and other ornamental features which project into a yard not more than 2-1/2 feet, and open or lattice-

enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers projecting into a yard not more than 5 feet.

**16.13 EXCEPTIONS TO HEIGHT
LIMITATIONS**

Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless, radio, or television masts, theater lofts, silos, energy generation and conservation apparatus, or similar structures may be erected above the height limits herein prescribed. Nonetheless no space above the height limit shall be allowed for purposes of providing additional floor space, nor shall such increased height be in violation of and other ordinances or regulations of Price City.

16.14 ADDITIONAL HEIGHT ALLOWED

Public buildings and utility buildings, when authorized in a zoning district, may be erected to a height greater than the district's height limit by conditional use permit.

**16.15 MINIMUM HEIGHT OF
DWELLINGS**

No dwelling shall be erected to a height less than 1 story above grade, except in a planned unit development. No below grade (basement) single dwelling.

**16.16 MAXIMUM HEIGHT AND FLOOR
AREA OF ACCESSORY BUILDINGS**

No building which is an accessory to a one-family, two-family, three-family, or four-family dwelling shall be erected to a height greater than

1 story or 20 feet, whichever is lower, nor be higher, nor contain greater square foot floor area than the principal building to which it is accessory.

16.17 AREA OF ACCESSORY BUILDINGS

No accessory building or group of accessory buildings in any residential district shall cover more than 25 percent of the rear yard.

16.18 ACCESSORY BUILDING ARCHITECTURAL REQUIREMENTS

If the total footprint area of an accessory building/structure exceeds 500 square feet or 50% of the footprint area of the primary structure (whichever is less), the accessory structure must:

1. Have any fences, walls, etc. be designed with residential styling, including:
 1. A roof pitch which matches that of the primary structure, but not to be less than 2½ feet of rise to 12 feet of run, and
 2. Exterior finishing materials similar to the exterior finishing materials used on the primary structure or primary structures on any surrounding residential property within a 300 foot radius; and
2. Have design characteristics that are in harmony with existing residential buildings in the neighborhood; and
3. Create no substantial adverse aesthetic or economic impacts on the neighborhood.

16.19 WATER, ELECTRIC AND SEWERAGE REQUIREMENTS

All developments constructed within Price City shall connect to City utilities, including water,

sewer, electric, storm drainage, unless otherwise approved by conditional use permit.

16.20 CLEAR VIEW OF INTERSECTING STREETS

In all zoning districts which require a front yard, no obstruction (natural grade, vegetation, sign, wall or fence) to view in excess of 2 feet in height, above the street pavement or sidewalk, shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points 40 feet from the intersection of the street lines/property lines. Exception: pedestal type identification signs (base not to exceed 12 inches in any direction and bottom of sign clearance of 7 feet), and a single tree (that does not exceed 12 inches of trunk diameter pruned with a minimum of 7 feet of limb or branch clearance). There shall be a clear view of intersecting streets that connect with driveways, alleys, sidewalks and pathways. There shall be an adequate sight distance of 50 feet in each direction, at a point 15 feet back from the street right of way line. The view of automobile drivers shall not be obstructed. Maintenance of alley ways is the responsibility of property owners with property that fronts, is adjacent to, or abuts any public or private alley way.

16.21 FENCES MAY BE REQUIRED

When approved by the City Council, the Planning Commission may require the erection of fences as a prerequisite to approval of any project or to the granting of any building permit where, in the opinion of said Commission, this is necessary to protect life and property, or to prevent conflict of uses. Such fences shall be of a type, design and construction material and size necessary, in the opinion of the Planning Commission, to accomplish the above-stated purpose.

16.22 MAXIMUM HEIGHT OF FENCES, WALL, AND HEDGES

1. Fences, walls, and hedges may be erected or allowed to the permitted building heights in the district when located within the required buildable area beyond the required setbacks.
2. Fences, walls, and hedges may not exceed 6 feet in height within any required rear yard or interior side yard and no permit shall be issued for a fence exceeding 6 feet in height except for below:
 1. The Planning Commission may require installation of a fence or other separation between properties or land uses higher than 6 feet for the express purpose of protecting property values or mitigating adverse land use impacts.
 2. The Planning Commission may consider requests from property owners within Price City requesting fences or other separations in excess of 6' in height if expressly for protection of property values or mitigation of an adverse land impact.
3. Notwithstanding any other provisions herein, no view-obscuring (less than 50% open) fence, wall or hedge exceeding 3 feet in height shall be erected or allowed closer to any street line than the required building setback line. Non view-obscuring (50% or more open) fences or walls may be erected to a maximum height of 4 feet within the front yard.
4. For the purpose of this section, single shrub planting shall not constitute a hedge if the closest distance between the foliage of any 2 plants is and remains at least 5 feet.

5. Where a fence, wall, or hedge is located along a property line separating 2 lots and there is a difference in the grade of the properties on the two sides of the property line, the fence, wall, or hedge may be erected or allowed to the maximum height permitted on either side of the property line.
6. All fence construction requires review and issuance of a zoning permit and approval by the Zoning Administrator, City Engineer or Building Inspector. Building permits for fences are required only when required by the Building Inspector to conform with adopted building code(s).
7. There shall be no fence nor hedge within 5 feet of any fire hydrant, mail box, utility pole or driveway.
8. Fences, walls, hedges, signs, trees shall not obstruct the view of automobile drives at intersecting streets, alleys, driveways, sidewalks, pathways, trail heads and stop signs. Trees and vegetation shall be trimmed and pruned to prevent obstruction of a safe view and adequate sight distance. Maintenance of all property fronting, adjacent to, or abutting intersecting streets, alleys, driveways, sidewalks, pathways, trail heads and stop signs is the responsibility of the property owner whose real property abuts, fronts or is adjacent to intersecting streets, alleys, driveways, sidewalks, pathways, trail heads and stop signs.

16.23 SALE OR LEASE OF REQUIRED SPACE

No space needed to meet the width, yard, area, coverage, parking or other requirements of this Code for lot or building may be sold or leased away from such lot or building.

16.24 CONSTRUCTION SUBJECT TO GEOLOGIC OR FLOOD HAZARDS

Whenever development or construction is or may be subject to geologic or floor hazards, the Planning Commission may require the applicant to submit a geologic and soils survey report prepared by a licensed professional engineer.

1. When such report indicates a lot to be subject to unusual, potential or actual geologic or flood hazards, the applicant shall meet the special conditions required by the Planning Commission to mitigate, reduce or eliminate such hazard, or if such conditions cannot be met or will not be met, the application for a building or conditional use permit shall be denied.

16.25 LOCATION OF GASOLINE PUMPS

Gasoline pumps shall be set back no less than 18 feet from any street line (property line) to which the pump island is perpendicular, and 18 feet from any street line to which the pump island is parallel, and not less than 18 feet from any residential district boundary line. If the pump island is set at an angle on the property, it shall be so located that the automobiles stopped for service will not extend over the property line. Pumps shall not be located in the corner clearance boundary, see section 16.20, Clearview of Intersecting Streets.

16.26 PROPERTY DIVIDED BY ZONING DISTRICT BOUNDARIES

Where a zoning district boundary cuts through a lot existing at the time of adoption of this Code, the use regulations governing the portion of the lot located within the more restrictive zone shall govern the use and development of the entire lot, unless a variance has been granted by the Board of Adjustment in accordance with the limitations of Chapter 2 – Board of Adjustment. Legally existing non conforming uses and buildings on the lot, and lots that can be legally subdivided into two or more legal conforming, lots are exempt.

16.27 UTILITY EXTENTIONS AUTHORIZED

No sewer service line, water service line, electrical nor gas utility line shall be installed by a public or private company to a building, structure, or use which does not comply with the provisions of this Code or other local regulations.

16.28 UTILITIES RESPONSIBLE FOR EXCAVATIONS

It is the intent of this Code to hold franchised utilities responsible for all excavations, backfilling and paving. To this end all such work, whether done by a private or public entity, shall be commenced only pursuant to the issuance of a permit (see Chapter 7 of this Code). Cuts and fills shall be constructed according to standards established by Price City, or in compliance with existing franchise agreements.

16.29 PROPERTY OWNED BY OTHER GOVERNMENT UNITS

1. Each government entity (local, state, federal) school district, special district, and political subdivision of Utah shall conform to the land use and development ordinances of Price City when installing, constructing, operating, or otherwise using any area, land, or building situated within the municipality only in a manner or for a purpose that conforms to Price City's ordinances.
1. Price City may waive fees associated with development and construction for other governmental units upon request by the governmental unit. Development conditions and requirements of this code cannot be waived.

2. A school district or charter school is subject to Price City's land use regulations as required by state statute, except that Price City may not:
 1. Impose any special requirements for landscaping, fencing, aesthetic considerations, construction methods or materials, building codes, building use for education purposes, or the placement or use of temporary classroom facilities on school property;
 2. Require a school district to participate in the cost of any roadway or sidewalk not reasonably necessary for the safety of school children and not located on or contiguous to school property, unless the roadway or sidewalk is required to connect an otherwise isolated school site to an existing roadway;
 3. Require a school district to pay fees not authorized by state statute;
 4. Provide for inspection of school construction or assess a fee or other charges for inspection, unless neither the school district nor the state superintendent has provided for inspection by an inspector, other than the project architect or contractor, who is qualified under criteria established by the state superintendent with the approval of the state building board and state fire marshal;
 5. Require a school district to pay any impact fee for improvements not reasonably related to the impact of the project upon the need which the improvement is to address; or
 6. Impose regulations upon the location of a project except as necessary to avoid unreasonable risks to health or safety.

16.30 TRANSPORTATION MASTER PLAN EFFECTS

Wherever a lot is adjacent to a mapped street on the adopted Transportation Master Plan or General Plan of Price City, there shall be a front yard provided which is measured from the planned edge of the future right-of-way.

16.31 CONSERVATION OF VALUES

The appearance and condition of premises has a significant effect on property values, wholesomeness of surroundings and moral values. Accordingly, the following regulations shall apply: The outside surface of buildings shall be constructed with an architectural finish and materials that are weather resistant and permanently secured to the building.

1. The outside surface of buildings shall include at a minimum: siding, paint, sealers, wood, metal or brick, and roofing, soffit, fascia, doors, and drainage control etc.
2. Whenever a front yard is required, such yard shall be landscaped. Landscaping may include trees, lawn, shrubbery, drought tolerant plants, brick pavers, rocks and xeriscaping. No asphalt or concrete is allowed except for walks and driveways.
3. No vehicle parking shall be allowed in the front yard area except in approved driveways.
4. Trash, weeds or other materials liable to contribute to a fire hazard, infestation by rodents or insects shall not be allowed to remain on any lot outside of approved containers in Price City and no junk, debris, abandoned or dismantled vehicles, or similar refuse material shall be stored or allowed to remain outdoors except in a zoning district wherein such land use is permissible by conditional use permit.

5. View obscuring fences (less than 50% open) shall be installed by the property owner to block the view from the public right-of-way, or from neighboring properties and uses; and whenever uses of land are found by the Planning Commission to be offensive, detracting, obnoxious, visually polluting or otherwise visually devaluing to the community.
6. Confirmed violations of this Section may result in the issuance of a citation to the property owner and/or occupant of said property by Price City.

Chapter 17**PROPERTY MAINTENANCE STANDARDS**

- 17.1 General Provisions**
- 17.2 Administration and Enforcement**
- 17.3 Powers and Duties of Zoning Administrator**
- 17.4 Approval and Testing**
- 17.5 Violations**
- 17.6 Notices and Orders**
- 17.7 Unsafe Structures and Equipment**
- 17.8 Emergency Measures**
- 17.9 Means of Appeal**
- 17.10 Stop Work Order**
- 17.11 Definitions**
- 17.12 Additional Requirements**
- 17.13 Exterior Property Areas**
- 17.14 Exterior Structure**
- 17.15 Rubbish and Garbage**
- 17.16 Pest Elimination**
- 17.17 Boarding Standard**

17.1 GENERAL PROVISIONS.

- 17.1.1 Title.** The regulations in this Chapter shall be known as the Property Maintenance Code of Price City.
- 17.1.2 Scope.** The provisions of this Chapter shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and

for administration, enforcement and penalties.

- 17.1.3 Intent.** This Chapter shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Enforcement actions necessary to promote compliance with the provisions of this Chapter shall be under the direction of the Zoning Administrator or the Zoning Administrator's designee and as indicated in Section 17.3.
- 17.1.4 Severability.** If a section subsection, sentence, clause or phrase of this Chapter is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Chapter.
- 17.1.5 Conflict.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern as it relates to this Chapter. Where differences occur between provisions of this Chapter and the referenced standards, the provisions of this Chapter shall apply. Where, in a specific case, different sections of this Chapter specify different requirements, the most restrictive shall govern.

17.1.6 Maintenance. Equipment, systems, devices and safeguards required by this Chapter or a previous regulations or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruptions as necessary while repairs or alterations are in progress. The requirements of this Chapter are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or occupant of a premises or property or the owner's or occupant's designated agent shall be responsible for the maintenance of buildings, structures and premises. An agent providing proactive assistance to Price City at the request of the Zoning Administrator, or designee, to mitigate and/or remove violations of this ordinance at property or structures provided with a notice or citation under this ordinance may mitigate their responsibility. Failure to act in a timely and effective manner in response to a request for property maintenance assistance by the Zoning Administrator or designee may subject the agent to penalties hereunder.

17.1.7 Application of other codes. Repairs, additions or alterations to a structure or changes of occupancy,

shall be done in accordance with the procedures and provisions adopted by Price City. Nothing in this Chapter shall be construed to cancel, modify or set aside any provision of the adopted Price City building codes, fire codes or other chapters of the Price City Land Use Management and Development Code.

17.1.8 Existing remedies. The provisions in this Chapter shall not be construed to abolish or impair existing remedies of Price City or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

17.1.9 Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this Chapter shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturers' installation instructions. Building Permits and/or Conditional Use Permits are required, when and where indicated.

17.1.10 Historic Buildings. The application of the Chapter shall be negotiated between Price City and property owners of record for existing buildings or structures officially designated as historic buildings when such buildings or structures are judged by Price City to be safe and in the public interest of health, safety and welfare.

17.1.11 Requirements not covered by this Chapter. Requirements necessary for the strength, stability or proper

operations of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this Chapter, shall be determined by the Price City Building Inspector and/or Zoning Administrator or the Zoning Administrator's designee.

17.1.12 Other laws. The provisions of this Chapter shall not be deemed to nullify any provisions of local, state or federal law.

17.2 ADMINISTRATION AND ENFORCEMENT

17.2.1 General. The activity of property maintenance and enforcement is hereby created and the Zoning Administrator or the Zoning Administrator's designee.

17.2.2 Appointment. The Zoning Administrator shall be the official charged with administration of this Chapter as appointed by the Mayor.

17.2.3 Deputies. In accordance with the prescribed procedures of Price City and with the concurrence of the Mayor and City Council, the Zoning Administrator shall have the authority to appoint a deputy(s). Such deputy(s) shall only have powers as delegated by the Zoning Administrator and Mayor and City Council.

17.2.4 Liability. The Zoning Administrator, any member of an appeal authority or Price City employee charged with the enforcement of this code, while acting for Price City, in good faith, and without malice in the discharge

of the duties required by this Chapter or other pertinent law or ordinance, shall not thereby be held personally liable, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Chapter shall be defended by Price City at Price City's expense. The Zoning Office or employee, who is the subject of any such claim or lawsuit shall not be liable for any costs of defense.

17.3 DUTIES AND POWERS OF THE ZONING ADMINISTRATOR

17.3.1 General. The Zoning Administrator is hereby authorized and directed to enforce the provisions this Chapter. The Zoning Administrator or the Zoning Administrator's designee shall have the authority to render interpretations of this Chapter and to adopt practices and procedures in order to clarify the application of its provisions. Such practices and procedures shall be in compliance with the intent and purpose of this Chapter. Such practices and procedures shall not have the effect of waiving requirements specifically provided for in this Chapter.

17.3.2 Inspections. The Zoning Administrator or the Zoning Administrator's designee shall make, or cause to be made, all the required inspections, or shall accept reports of inspection by approved agencies or

individuals. All reports of such inspections shall be in writing and be certified by a responsible person of such approved agency or by the responsible individual. The Zoning Administrator or the Zoning Administrator's designee is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.

17.3.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this Chapter, or whenever the Zoning Administrator or the Zoning Administrator's designee has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this Chapter, the Zoning Administrator or designee is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this Chapter, provided that if such structure or premises is occupied the Zoning Administrator or the Zoning Administrator's designee shall present credentials to the occupant and request entry. If such structure or premises is unoccupied, the Zoning Administrator or the Zoning Administrator's designee shall first make a reasonable effort to locate the owner or other person having charge or control of the structure of premises and request entry. If entry is refused or if the owner or other person having charge or control of the premises cannot be located, the Zoning Administrator or the Zoning Administrator's designee shall have

recourse pursuant to the remedies provided by law to secure entry.

17.3.4 Identification. The Zoning Administrator or the Zoning Administrator's designee shall carry proper identification when reviewing or investigating structures or premises in the performance of duties under this Chapter.

17.3.5 Notices and orders. The Zoning Administrator or the Zoning Administrator's designee shall issue all necessary notices or orders to ensure compliance with this Chapter.

17.3.6 Department records. The Zoning Administrator or the Zoning Administrator's designee shall keep official records of all business and activities of the department specified in the provisions of this Chapter. Such records shall be retained in the official records of Price City for the period required for retention of public records.

17.4 APPROVAL AND TESTING

17.4.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this Chapter, the Zoning Administrator or the Zoning Administrator's designee shall have the authority to grant modifications for individual cases upon application of the owner or owner's representative, provided the Zoning Administrator or the Zoning Administrator's designee shall first find that special individual reason(s) makes compliance with the strict letter of this Chapter impractical and the modification is in compliance with the intent and purpose of this

Chapter and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

17.4.2 Alternative materials, methods and equipment. The provisions of this Chapter are not intended to prevent the installation of any material or to prohibit any method of construction or limit any alternative which has been or may be approved. An alternative material or method of construction may be approved where the proposed design is satisfactory and complies with the intent of the provisions of this Chapter, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Chapter in quality, strength, effectiveness, fire resistance, durability and safety.

17.4.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this Chapter or evidence that a material or method does not conform to the requirements of this Chapter, or in order to substantiate claims that alternative materials or methods are sufficient, the Zoning Administrator or the Zoning Administrator's designee shall have the authority to require tests to be conducted to verify compliance or non-compliance at the expense of the owner.

17.4.4 Test methods. Test methods shall be as specified in recognized test standards. In the absence of

recognized and accepted test methods, the Zoning Administrator or designee shall be permitted to approve appropriate testing procedures performed by an approved agency or individual.

17.4.5 Test reports. Reports of tests shall be retained by the Zoning Administrator or the Zoning Administrator's designee for the period required for retention of public records.

17.4.6 Used material and equipment. The use of used materials which meet the requirements for new materials may be permitted. Materials, equipment and devices shall not be reused unless they are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved by the Zoning Administrator or the Zoning Administrator's designee and/or Building Inspector.

17.4.7 Approved materials and equipment. Materials, equipment and devices approved by the Zoning Administrator or the Zoning Administrator's designee shall be constructed and installed in accordance with such approval.

17.4.8 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies shall consist of valid research reports from approved sources.

17.5 VIOLATIONS

17.5.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this Chapter. Unlawful acts shall be considered in the following categories:

17.5.1.1 Permitting: Business License Violation.

17.5.1.2 Permitting: Conditional Use Permit Violation – no permit authorized or failure to comply with permit or other provisions within the Price City Land Use Management and Development Code.

17.5.1.3 Property: Discarded Appliances Present and Visible.

17.5.1.4 Property: Garbage, rubbish, debris, junk present and visible.

17.5.1.5 Property: Infestation or conditions present to promote rodent harborage.

17.5.1.6 Property: Inoperable motor vehicles, trailers, boats, ATV's, motor coaches present.

17.5.1.7 Property: Parking of vehicles, trailers, boats, ATV's, motor coaches in non parking areas.

17.5.1.8 Property: Weeds in excess of 12 inches in height present and visible.

17.5.1.8.5 Parking, rubbish, debris, junk, weeds, vegetation growth or other violations present in the parking strip, curb, gutter or sidewalk abutting owners property.

17.5.1.9 Structure: Boarding of windows and doors not to standard.

17.5.1.10 Structure: Imminent danger to health, safety and welfare due to condition(s) present.

17.5.1.11 Structure: Neglect of maintenance to structure or neglect of protective treatment(s).

17.5.1.12 Structure: Unfit for occupancy due to health, safety and welfare dangers.

17.5.1.13 Structure: Unsafe or dangerous conditions present and visible at structure that may impact health, safety and welfare.

17.5.2 Notice of violation. The Zoning Administrator or designee shall serve a notice of violation or order in accordance with Section 17.6 of the Chapter.

17.5.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with section 17.6 shall be deemed guilty of a Class C Misdemeanor or civil infraction as determined by Price City, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the Zoning Administrator or the Zoning Administrator's designee shall cause the appropriate proceeding to correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Chapter or of the order or direction made pursuant thereto. Any action taken by Price City, including all itemized costs incurred by Price City to remove violations, fines or fees incurred or imposed, shall be charged against the real property upon which the structure is located in accordance with Section 10-11-3, Utah Code Annotated, 1953 as amended, UCA.

17.5.4 Violation penalties. Any person who shall violate a provision of

this Chapter, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served may be deemed a separate offense.

17.5.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude Price City from instituting appropriate legal action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

17.6 NOTICES AND ORDERS

17.6.1 Notice to person responsible. Whenever the Zoning Administrator or the Zoning Administrator's designee determines that there has been a violation of this Chapter or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed herein to the person responsible for the violation as specified in this Chapter. Notices for condemnation procedures shall also comply with this Section.

17.6.2 Form of Notice. Notice shall be prepared and in accordance with the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.

4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this Chapter.
5. Inform the property owner of the right to appeal.
6. Include a statement of the right of Price City to file a lien on the real property involved with the violation.
7. Include information regarding the appeal procedure of Price City.

17.6.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally upon the said property's owner(s); or,
2. Sent by certified, return receipt requested, mail to the last known address of the owner(s) of the property; or
3. A copy of the notice has been posted in conspicuous place on or about the structure affected by such notice.
4. Courtesy copies of the said notice will be mailed or delivered to the property's occupant (if the occupant is someone other than the owner thereof, and/or any agent who may be representing the property's owner).

17.6.4 Unauthorized tampering. Signs, tags or seals posted or affixed by the Zoning Administrator or designee shall not be mutilated, destroyed or tampered with, or removed without authorization from the Zoning Administrator.

17.6.5 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 17.5.

17.6.6 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served; to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been met or the owner has provided a disclosure of the compliance order and its' contents to the prospective buyer and such person has accepted, in writing, full responsibility for improvements and remedies necessary to address the compliance order to Price City's satisfaction.

17.7 UNSAFE STRUCTURES AND EQUIPMENT

17.7.1 General. When a structure or equipment is found by the Zoning Administrator or the Zoning Administrator's designee and/or Building Inspector to be unsafe, or when a structure is found unfit for human occupancy and/or habitation, or is deemed unlawful, such structure may be condemned pursuant to the provisions of this Chapter.

17.7.2 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of

such faulty construction or unstable foundation, that partial or complete collapse is possible.

17.7.3 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

17.7.4 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the Zoning or the Zoning Administrator's designee and/or Building Inspector finds that such structure is unsafe, unlawful or because of the degree to which the structure lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks sufficient ventilation, illumination, sanitary or heating facilities or other essential equipment required by this Chapter, the Price City Land Use Management and Development Code, all adopted building or fire code(s), or because the location of the structure constitutes a hazard or potential hazard to the occupants of the structure or to the public.

17.7.5 Unlawful structure. An unlawful structure is one found, in whole or in part, to be occupied by more persons than permitted, occupied by a use not permitted or was erected, altered or occupied contrary to law.

17.7.6 Dangerous structure or premises.

For the purpose of this Chapter, any structure or premises that have any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passage way, stairway, exit or other means of ingress or egress that does not conform to Price City requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of ingress or egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, removal or movement of some portion of the

ground necessary for the support thereof, or for any other reason, is likely, in the professional opinion of Price City officials, to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
7. The building or structure and/or physical location thereof is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance dangerous to children who might play in the building or structure, or becomes a harbor for vagrants, criminals or immoral persons, or enables persons to use the building or structure to create a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure as provided by the codes of Price City.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing systems, or otherwise is determined by Price City, its contracted agent or another regulatory agency (such as the health department) to be unsanitary, unfit for human

habitation or in such a condition that is likely to cause sickness or disease.

10. Any building or structure, that because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, may be determined to be a threat to life or health.

11. Any portion of a building that remains on a site after the demolition or destruction of the building or structure, whenever any building or structure is abandoned which constitutes a current or potential attractive nuisance or hazard to the public.

17.7.7 Closing of vacant structures. If a structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the Zoning or the Zoning Administrator's designee or designee is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be a current or potential attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the Zoning Administrator or the Zoning Administrator's designee shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real property upon which the structure is located and shall be a lien upon such real property pursuant to Section 10-11-3, UCA, or a

lawsuit may be commenced to collect Price City's expense.

17.7.8 Authority to disconnect service utilities. The Zoning Administrator or designee shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards of Price City in case of an emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The Zoning Administrator or the Zoning Administrator's designee shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner or occupant of the building or service system shall be notified in writing as soon as practical thereafter.

17.7.9 Notice. Whenever the Zoning Administrator or designee has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or person or persons responsible for the structure or equipment in accordance with Section 17.6. If the notice pertains to equipment, it shall be placed on the condemned equipment. The notice shall be in the form prescribed in Section 17.6. The person(s) responsible may be the property owner of record, the occupant or tenant at the property, the property

manager or any agent responsible contractually for maintenance thereof to represent the property. An agent providing proactive assistance to Price City at the request of the Zoning Administrator, or designee, to mitigate and/or remove violations at property or structures provided with a notice or citation may mitigate their responsibility. Failure to act in a timely and effective manner in response to a request for property maintenance assistance by the Zoning Administrator or designee may subject the agent to further penalties hereunder.

17.7.10 Placarding. Upon failure of the owner or person(s) responsible to comply with the notice provisions within the time given, the Zoning Administrator or the Zoning Administrator's designee shall cause to be posted on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

17.7.11 Placard removal. The Zoning Administrator or the Zoning Administrator's designee shall remove, or cause to be removed, the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated or otherwise remedied to the satisfaction of Price City. Any person who defaces or removes a condemnation placard without the approval of the Zoning Administrator or the Zoning Administrator's designee shall be

subject to the applicable penalties provided by this Chapter and other penalties under this Code or Utah Law.

17.7.12 Prohibited occupancy. Any occupied structure condemned and placarded by the Zoning Administrator's designee shall be vacated as ordered by the Zoning Administrator or the Zoning Administrator's designee and/or Building Inspector. Any person who shall occupy a placarded premise or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premise or operate placarded equipment shall be subject to the same penalties provided above.

17.7.13 Abatement methods. The owner, operator or occupant or agent of a building, premises or equipment deemed unsafe by the Zoning Administrator or the Zoning Administrator's designee and/or Building Inspector shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

17.7.14 Record. The Zoning Administrator or the Zoning Administrator's designee shall cause a report to be prepared and filed on an unsafe condition. The report shall identify the use and occupancy of the structure and the nature of the unsafe condition.

17.8 EMERGENCY MEASURES

17.8.1 Imminent danger. When, in the opinion of Price City officials, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or defective or dangerous equipment, Price City officials are hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The Zoning Administrator or designee shall cause to be posted at each entrance to such structure a notice reading as follows: **“This Structure Is Unsafe and Its Occupancy Has Been Prohibited by Price City.”** It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same. Entry into any such structure shall be at the direction of the Price City Building Inspector under the terms of a valid Price City Building Permit.

17.8.2 Temporary safeguards.

Notwithstanding other provisions of this Chapter whenever, in the opinion of Price City officials, there is imminent danger due to an unsafe condition, the Zoning Administrator or the Zoning Administrator’s designee and/or Building Inspector shall order the necessary work to be done, including the boarding up of openings to render such structure temporarily safe whether or not the

procedure herein described has been instituted; and shall cause such other action to be taken as the Official(s) deem necessary to address such emergency.

17.8.3 Closing streets. When necessary for public safety, the Zoning Administrator or the Zoning Administrator’s designee shall temporarily close structures and close, or facilitate the action of the Price City Mayor and Council to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

17.8.4 Emergency repairs. For the purposes of this section, the Zoning Administrator or designee may employ the necessary labor and materials to perform the required work as expeditiously as possible.

17.8.5 Costs of emergency repairs. Costs incurred in the performance of emergency repairs may be paid by Price City. Price City reserves the right to institute appropriate action against the owner of the unsafe premises for the recovery of such costs. Recovery of any costs of emergency repairs may result in a lien being recorded against the real property in the office of the Recorder of Carbon County, Utah.

17.9 MEANS OF APPEAL

17.9.1 Application for appeal. An application for appeal of a decision made or action taken under this Chapter shall be based on a claim that the true intent of this Chapter or the rules adopted hereunder have

been incorrectly interpreted or applied, the provisions of this Chapter do not fully apply, or the requirements of this Chapter are adequately satisfied by other means. Appeals may be presented as follows:

1. **Appeal to the Zoning Administrator:** An appeal must be submitted as a written application for appeal, filed within 10 days after the day the decision, notice or order was served.
2. **Appeal to the Hearing Officer:** An appeal of the Zoning Administrators' finding and determination must be filed within 10 days of the determination by the Zoning Administrator.
3. **Appeal to the Price City Council:** An appeal of the Hearing Officers' finding and determination must be filed within 10 days of the determination by the Hearing Officer.
4. **Appeal to the Price City Board of Adjustment:** An appeal of the Price City Councils' finding and determination must be filed within 10 days of the determination by the Price City Council.
5. **Appeal to District Court:** An appeal of the Price City Board of Adjustment's finding and determination must be filed within 10 days of the determination by the Price City Board of Adjustment.
6. **Administrative fees, if any,** pursuant to the Price City fee schedule, must be paid at the time of any appeal filing.

17.9.2 Records and copies. The decision and proceedings of any appeal authority listed above shall be recorded. Copies shall be furnished to the appellant and the Zoning Administrator.

17.9.3 Administration. The Zoning Administrator or designee shall take, or cause to be taken, immediate action in accordance with the final decision of any appeal authority.

17.10 STOP WORK ORDER

17.10.1 Authority. Whenever the Zoning Administrator or the Zoning Administrator's designee and/or Building Inspector finds any work regulated by this Chapter being performed in a manner contrary to the provisions of this Chapter or in a dangerous or unsafe manner, the Zoning Administrator or the Zoning Administrator's designee and/or Building Inspector is authorized to issue a stop work order.

17.10.2 Issuance. A stop work order shall be in writing and shall be given to the owner of the property, the occupant or tenant of the property, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work may be authorized to resume.

17.10.3 Emergencies. Where an emergency exists, the Zoning Administrator or the Zoning Administrator's designee and/or Building Inspector shall not

be required to give a written notice prior to stopping the work.

17.10.4 Failure to comply. Any person(s), including owners, occupants and agents, who shall continue, or cause or allow to continue any work or not complete repairs required under this Chapter, after having been served with a stop work order or a repair order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a class C misdemeanor. The recommended fine schedule of not less than \$120.00 dollars (representing the minimum processing and administration time necessary by Price City for compliance action) or more than \$360.00 dollars per day or occurrence of the violation (representing the anticipated maximum processing and administration time necessary by Price City for compliance action) shall be submitted to the Carbon County Justice Court for use and consideration when adjudicating cases.

17.11 DEFINITIONS

17.11.1 Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this Chapter, have the meanings shown in this chapter.

17.11.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

17.11.3 Terms defined in other codes.

Where terms are not defined in this Chapter and are defined in the Price City Land Use Management And Development Code, such terms shall have the meanings ascribed to them as stated in that code.

17.11.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. The Zoning Administrator or the Zoning Administrator's designee may also provide definition and interpretation of terms contained herein.

17.11.5 Parts. Whenever the words "dwelling units," "dwelling," "premises," "building," "rooming house," "rooming unit," "housekeeping unit" or "story" appear in this Chapter, they shall construed as though they were followed by the words "or any part thereof."

17.11.6 Words Defined

1. **AGENT.** A person or legal entity authorized to act for and on behalf of another. Agent does not mean a licensed real estate agent or broker when only listing a property for sale unless that agent or broker is authorized, required or obligated by contract to maintain the premises for the property owner (e.g. a property manager).
2. **APPROVED.** Approved by the code official.

3. **BASEMENT.** That portion of a building which is partly or completely below grade.
4. **BATHROOM.** A room containing sanitation plumbing fixtures including a bathtub or shower.
5. **BEDROOM.** Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.
6. **CONDEMN.** To adjudge unfit for occupancy.
7. **DETACHED.** When a structural element is physically disconnected from another.
8. **DETERIORATION.** To weaken, disintegrate, corrode, rust, decay or lose effectiveness.
9. **DWELLING UNIT.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
10. **EASEMENT.** That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall permit use under, on, over or above a said lot or lots.
11. **EQUIPMENT SUPPORT.** Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.
12. **EXTERIOR PROPERTY.** The open space on the premises and on adjoining property under the control of owners or operators of such premises.
13. **GARBAGE.** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.
14. **GUARD.** A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to lower level.
15. **HABITABLE SPACE.** Space in a structure for living, sleeping, eating or cooking, Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.
16. **HOUSEKEEPING UNIT.** A room or group of rooms intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.
17. **IMMINENT DANGER.** A condition which could cause serious or life-threatening injury or death at any time.
18. **INFESTATION.** The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

19. INOPERABLE MOTOR VEHICLE. A vehicle which cannot be driven upon the public streets for reasons including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

20. LABELED. Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

21. LET FOR OCCUPANCY OR LET. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

22. NEGLECT. The lack of proper maintenance of a building or structure.

23. OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

24. OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

25. OPENABLE AREA. That part of a window, skylight, or door which is available for unobstructed ventilation and which opens directly to the outdoors.

23. OPERATOR. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

24. OWNER. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

25. PERSON. An individual, corporation, partnership or any other group acting as a unit.

26. PEST ELIMINATION. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other approved pest elimination methods.

27. PREMISES. A lot, plot or parcel of land, easement or public way, including any structures thereon.

28. PUBLIC WAY. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public of public use. Maintenance of the public

way is the responsibility of the fronting, abutting or adjoining property owners.

29. ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

30. ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

31. RUBBISH. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust and other similar materials.

32. SLEEPING UNIT. A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

33. STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

34. STRUCTURE. That which is built or constructed or a portion thereof.

35. TENANT. A person, corporation, partnership or group, whether or not the legal owner of record occupying a building or portion thereof as a unit.

36. TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

37. ULTIMATE DEFORMATION. The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

38. VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from any space.

39. WEEDS. A plant that is not valued where it is growing and is usually of rank growth. A plant that tends to overgrow and choke out more desirable plants. The zoning administration shall determine weed or plant (landscaping) status in the event of disagreement.

40. WORKMANLIKE. Executed in a skilled manner; e.g. generally plumb, level, square in line, undamaged and without marring adjacent work.

41. YARD. An open space on the same lot with a structure.

42. ZONING ADMINISTRATOR. The official, or any duly authorized representative or designee who is charged with the administration and enforcement of this Chapter.

17.12 ADDITIONAL REQUIREMENTS

17.12.1 Scope. The provisions of this chapter shall govern the minimum

conditions and the responsibilities or persons for maintenance of structures, equipment and exterior property.

17.12.2 Responsibility. The owner, occupant or agent of the owner or occupant, of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in his Chapter. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this Chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

17.12.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

17.13 EXTERIOR PROPERTY AREAS

17.13.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant, owner or agent shall keep the part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

17.13.1.5 Public Nuisances. No person owning, renting, leasing, occupying or having charge or possession of any property or structure within Price City shall maintain such premises in such a way as to allow the existence of any of the following conditions, all of which are declared a public nuisance, posing a threat to the public health, safety and welfare of the community:

1. Junk;
2. Rank or noxious weeds at any state of maturity;
3. Buildings or structures which have been abandoned, partially destroyed, improperly maintained or partially constructed;
4. Dead, decayed or diseased vegetation;
5. Abandoned, inoperative or other motor vehicles, trailers, campers, boats, RV's or other mobile equipment that is stored between structures or buildings and the abutting public streets, upon said public streets;
6. Attractive nuisances dangerous to children or the general public;
7. Discarded or stored furniture, cartons or other unsightly items visible from public streets;
8. Garbage cans or containers stored in front yards, except on the day of collection;
9. Maintenance of premises in such condition as to be detrimental to public health, safety or general welfare, or in such a manner as to constitute a public nuisance; and,
10. Property building exteriors or equipment, unsightly or in such condition or deterioration or disrepair that the same may cause

diminution of property values of neighboring properties.

17.13.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved storm water retention areas and reservoirs.

17.13.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions by the owner, occupant or agent of the owner or occupant of the adjacent or adjoining real property.

17.13.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve inches (12") in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however this term shall not include cultivated flowers and gardens.

Upon failure of the owner, occupant or agent having charge of a party to cut and destroy weeds after receiving notice of violation, they may be subject to prosecution in accordance with Section 17.5 and as prescribed by Price City. Upon failure to comply with the notice of violation, any duly authorized employee of Price City or contractor hired by Price City shall be authorized to enter upon the property in violation and cut

and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner, occupant or agent responsible for the property. An agent providing proactive assistance to Price City at the request of the Zoning Administrator, or designee, to mitigate and/or remove violations at property or structures provided with a notice or citation may mitigate their responsibility. Failure to act in a timely and effective manner in response to a request for property maintenance assistance by the Zoning Administrator or designee may subject the agent to further penalties hereunder.

Instances of bona-fide xeriscaping and natural vegetation shall be subject to review by the Zoning Administrator or the Zoning Administrator's designee for a determination of compliance with this section. Areas of undeveloped property that have been disturbed by human or mechanical means shall be subject to the terms of this section. Those natural areas that are undisturbed may not be subject to this section.

17.13.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

17.13.6 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

17.13.7 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at anytime be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Parking of vehicles shall not be upon landscaped portions of front yards in an area zoned for residential land uses.

Exception: A vehicle of any type is permitted to undergo major overhaul, including bodywork, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

17.13.8 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner, occupant or agent to restore said surface to an approved state of maintenance and repair within five (5) days of notice of such a condition by Price City.

17.13.9 Trimming of trees. Every railroad company, canal company, ditch company and water company, and every person, firm or corporation

owning, controlling, occupying or representing real property within Price City shall trim all trees in the manner consistent with Price City policy where such trees are placed in and upon the sidewalks and streets of the city, or where the limbs of such trees overhang the sidewalks and streets of Price City.

17.13.10 Removal of Snow and Ice.

It shall be unlawful for any person, firm, corporation, agent or representative to permit snow and ice to form and accumulate and remain upon any sidewalk which abuts onto any real property owned or represented by such person, firm, corporation or agent.

17.14 EXTERIOR STRUCTURE

17.14.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

17.14.2 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code as adopted by Price City as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;

3. Structures or components thereof that have reached their functional or operational limit;

4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;

5. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects;

6. Foundation systems that are not firmly supported by footings, are not plumb and free of open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;

7. Exterior walls that are not anchored to supporting and supported elements are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;

8. Roofing or roofing component defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;

9. Flooring and flooring component defects that affect serviceability or flooring components that show signs

of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects;

10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;

11. Overhang extensions or projections including but not limited to, trash chutes, canopies, marquees, signs, awnings fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and all load effects;

12. Exterior stairs, decks, porches balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects; or

13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. When substantiated otherwise by an approved method.

2. Demolition of unsafe conditions shall be permitted when approved by

the Zoning Administrator or the Zoning Administrator's designee and/or Building Inspector.

17.14.3 Protective treatment. All exterior surfaces, including but not limited to, doors and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation exempt from this requirement.

17.14.4 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

17.14.5 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

17.14.6 Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

17.14.7 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

17.14.8 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

17.14.9 Decorative features. All cornices, belt courses, corbels terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in safe condition.

17.14.10 Overhang extensions. All overhang extensions including but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in

sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

17.14.11 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

17.14.12 Chimneys and towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound and in good repair. All exposed surfaces of metal and wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

17.14.13 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

17.14.14 Window, skylight and door frames. Every window, skylight door and frame shall be kept in sound condition, good repair and weather tight.

17.14.15 Glazing. All glazing materials shall be maintained free from cracks and holes.

17.14.16 Openable windows. Every window other than a fixed window shall be easily openable and capable of being held in position by window hardware.

17.14.17 Insect screens. During the period from April 1 to November 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food or human consumption are processed, manufactured, packaged or stored shall be equipped with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

17.14.18 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with approved building codes.

17.14.19 Basement hatchways. Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

17.14.20 Guards for basement windows. Every basement window

that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

- 17.14.21 Building security.** Doors, windows or hatchways for dwelling units, room units for housekeeping units shall be provided with devices designed to provide security for the occupants and property within.
- 17.14.22 Doors.** Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a lock throw of not less than 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.
- 17.14.23 Windows.** Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device.
- 17.14.24 Basement hatchways.** Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be

equipped with devices that secure the units from unauthorized entry.

17.15 RUBBISH AND GARBAGE

- 17.15.1 Accumulation of rubbish or garbage.** All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.
- 17.15.2** Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers at approved locations only.
- 17.15.3 Rubbish storage facilities.** The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.
- 17.15.4 Refrigerators.** Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors thereof.
- 17.15.5 Disposal of garbage.** Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.
- 17.15.6 Garbage facilities.** The owner of every dwelling shall supply one of the following; an approved mechanical food waste grinder in each dwelling unit or an approved leak proof, covered, outside garbage

container in an approved location only.

17.15.7 Containers. The owner, operator or agent of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leak proof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

17.16 PEST ELIMINATION

17.16.1 All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.

17.16.2 Owner. The owner, occupant or agent of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

17.16.3 Single occupant. The owner or occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

17.16.4 Multiple occupancy. The owner, occupant(s) or agent of a structure containing two or more dwelling units, a multiple occupancy, a rooming house, or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior

property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for extermination.

17.16.5 Occupant. The owner, occupant or agent of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

17.17 BOARDING STANDARD

17.17.1 General. All windows and doors shall be boarded in an approved manner to prevent unauthorized persons and shall be painted to correspond to the color of the existing structure.

17.17.2 Boarding sheet material. Boarding sheet material shall be a minimum of ½ inch (12.7 mm) thick wood structural panels complying with the International Building Code.

17.17.3 Boarding framing material. Boarding framing material shall, at a minimum, be 2 inch by 4 inch (51 mm by 102 mm) solid sawn lumber complying with the International Building Code

17.17.4 Boarding fasteners. Boarding fasteners shall at a minimum be 3/8 inch (9.5 mm) in diameter carriage bolts of such a length as required to penetrate the assembly and as required to adequately attach the washers and nuts. Washers and nuts shall comply with the International Building Code.

17.17.5 Boarding installation. The boarding installation shall be in accordance with the figure below.

17.17.6 Boarding sheet material. The boarding sheet material shall be cut to fit the door or window opening neatly or shall be cut to provide an equal overlap at the perimeter of the door or window.

17.17.7 Windows. The window shall be opened to allow the carriage bolt to pass through or the window sash shall be removed and stored. The 2 inch by 4 inch (51 mm by 102 mm) strong back framing material shall be cut a minimum of 2 inches (51 mm) wider than the window opening and shall be placed on the inside of the window opening; 6 inches minimum above the bottom and below the top of the window opening. The framing and boarding shall be predrilled. The assembly shall be aligned and

the bolts, washers and nuts shall be installed and secured.

17.17.8 Door walls. The door opening shall be framed with minimum 2 inch by 4 inch (51 mm by 102 mm) framing material secured at the entire perimeter and vertical members at not more than 24 inches (610 mm) on center. Blocking shall also be secured at not more than 48 inches (1219 mm) on center vertically. Boarding sheet material shall be secured with screws and nails alternating every 6 inches (152 mm) on center.

17.17.9 Doors. Doors shall be secured by the same method as for windows or door openings. One door to the structure shall be available for authorized entry and shall be secured and locked in an approved manner.

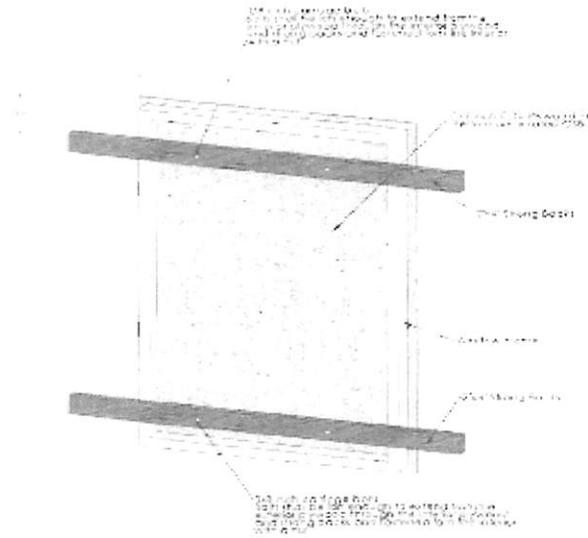


FIGURE A103.1(1)
BOARDING OF DOOR OR WINDOW

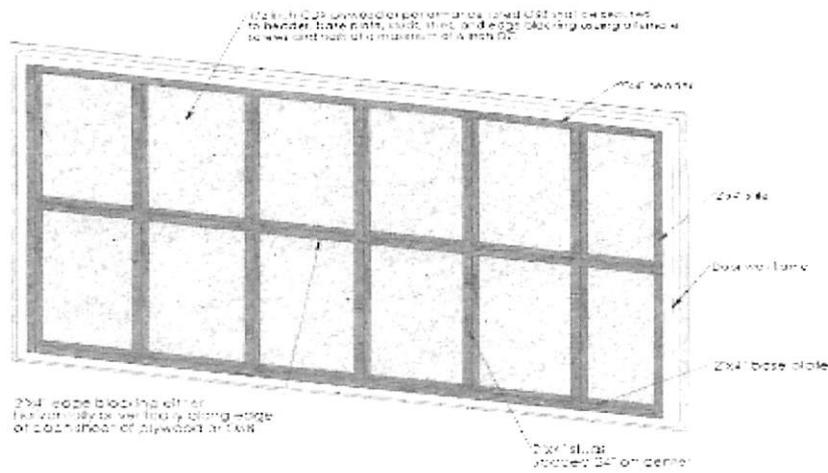


FIGURE A103.1(2)
BOARDING OF DOOR WALL

Minutes of the Price City Council Meeting
City Hall
Price, Utah
December 9, 2015 at 5:30 p.m.

Present:

Mayor Piccolo

Councilmembers:

Kathy Hanna-Smith

Layne Miller

Wayne Clausing

Rick Davis

Terry Willis

Bill Barnes-Police Captain

Nick Sampinos-City Attorney

Miles Nelson-Public Works Director

John Daniels-Human Resource Director

Nick Tatton-Community Director

Lisa Richens-Finance Director

Sherrie Gordon-City Recorder

Excused Absence: Brett Cammans-Customer Service

Present: William Laursen, Lisa Laursen, Douglas Laursen, Casey Hopes, Chantz Richens, Nancy Bentley and Baxter, Chad Laursen, Max Dolan Wheeler, Karca Dolan, Richard Laursen, Jim Piacitelli, Todd Thorne, Diana Root, Richard Root, Nick Mahleres, Dale Evans, Rudy Marcelino, Tom Alleman, Jerry Wheeler, Terry Houser and Pete Riggs

1. Mayor Piccolo called the regular meeting to order at 5:32 p.m. He invited the Boy Scouts in attendance to lead the Pledge of Allegiance.
2. Roll was called with the above Councilmembers and staff in attendance.
3. PUBLIC COMMENT – Jim Piacitelli, representing the Green Team of Carbon County, updated the Council on their accomplishments. January 7, 2016 marks their seventh year they have been doing business. Their goal is to divert waste from the landfills and put the items into recycling so the items can be used again. At this point in time, they have 10 trailers out in the community and have a bid out for another trailer to be designated for cardboard recycling. He thanked the Council, Board Members and Price City citizens for their support. He commented upon and read passages from the book titled “City of Diversity” A History of Price, Utah by Ronald G. Watt and commented on the value of the book.
4. COUNCILMEMBERS REPORT – The Councilmembers presented an update on the activities and functions in which they have participated in since the last Council meeting.

Councilmember Hanna-Smith suggested the Council consider installing signage on 100 West 100 North directing traffic to the Price Main Street and 100 North business corridors. The Council agreed to review this suggestion at a future workshop meeting.

5. PLANNING COMMISSION MEMBER APPOINTMENT - Consideration and possible approval of (re)appointment of Richard Root, Nancy Bentley, Dale Evans to 3-year terms on the Price City Planning Commission and appointment of Todd Thorne to a 3-year term as a standing alternate on the Price City Planning Commission.

MOTION. Councilmember Willis moved to approve the Planning Commission appointments as recommended by staff and presented for appointment by Mayor Piccolo. Motion seconded by Councilmember Hanna-Smith and carried.

Sherrie Gordon, Price City Recorder, administered the oath of office to each newly (re)appointed and appointed members of the Planning Commission. The Council thanked them for their willingness to serve the community.

6. EAGLE SCOUT PROJECT-DOUGLAS LAURSEN-SPONSORED BY PRICE CITY -
 1. Accept Eagle Scout project and determine who is the fiscal agent.

2. Ratification of sponsoring eligible applicant, Mr. Laursen, to the Recreation and Transportation Special Service District.

Mr. Laursen addressed the Council. He updated the Council on where he was at with his Eagle Scout project of purchasing and installing backboards at the Price City tennis court. The total cost of the project is \$4,632.00. He has received private donations of approximately \$1,000.00, a \$1,000.00 donation from the Carbon County Recreation/Transportation Special Service District, and \$1,500.00 from the Carbon County School District. He asked Price City to act as the fiscal agent for the project and for a \$1,000.00 donation toward the project. Mr. Laursen said that the project should be completed by January 2016. The Council commented on the excellent job Mr. Laursen has done on this project.

MOTION. Councilmember Hanna-Smith moved to approve as follows :

1. Price City accepts the Eagle Scout project.
2. Price City will be the fiscal agent.
3. Ratification for Price City to act as sponsoring eligible applicant, for Mr. Laursen, to the Recreation and Transportation Special Service District.
4. Authorize a Price City contribution of \$1,000.00 toward the project.

Motion seconded by Councilmember Davis and carried.

7. RESOLUTION NO. 2015-24 - A resolution authorizing and directing deposit of funds to a committed fund balance. Funds from the sale of real property in the amount of \$8,549 to Toni Sampinos consistent with the Price City Real Property Management Program.

MOTION. Councilmember Miller moved to approve Resolution No. 2015-24. Motion seconded by Councilmember Willis and carried.

8. PROPERTY BIDS - Consideration, discussion, possible approval and bid acceptance and direction to staff regarding revised property purchase bids received, if any, for possible real property sales by Price City at the Olsen Reservoir site at approximately 850 North 100 East.

Nick Tatton addressed the council. He stated that Price City had received three timely qualified revised bids meeting the minimum bid requirements set by the City Council from the three property owners remaining with an interest to purchase the real property from Price City. It is staff's recommendation that:

1. Council accepts the bids, noting that each meets the minimum bid amount set by the City Council.
2. Maintain the April 1, 2016 date for completion of final sale closing of the real property.
3. Allow property owners that have submitted bids (accepted tonight) to withdraw their bids if they choose to do so on or before the next City Council meeting, scheduled for January 13, 2016 without further obligation to purchase the property.
4. If a property owner withdraws a bid, encroachments must be removed and the City property must be restored to its original state as indicated in the prior City Council action. In the event a property does not sell, the encroachment removal and remediation of the Price City owned property must begin on or before April 1, 2016 and be completed prior to June 30, 2016.
5. All transaction costs, engineering costs, construction costs, professional service costs to be paid by the property owners individually or collectively.

MOTION. Councilmember Clausen moved to accept the staff recommendation and accept the property purchase bids and direct staff to finish the sale of the property and/or notify the property owners to remove the encroachments by the dates indicated and previously approved. Motion seconded by Councilmember Hanna-Smith and carried.

Mr. Houser, one of the property owners submitting a purchase bid, thanked the Planning and Zoning Commission and the City Council for their work on this project. The Mayor and City Council commented on their appreciation for all of the work by staff and the property owners.

9. ORDINANCE 2015-002 - Adopt the City Council 2016 meeting schedule.

MOTION. Councilmember Hanna-Smith moved to approve Ordinance 2015-02. Motion seconded by Councilmember Miller and carried.

10. ORDINANCE 2015-003 - Adopt the Planning and Zoning Commission meeting 2016 schedule.

MOTION. Councilmember Clausing moved to approve Ordinance 2015-03. Motion seconded by Councilmember Willis and carried.

11. CHRISTMAS SANTA CLAUS AIR SPACE PERMIT - Consideration and possible approval of an air space permit for Santa Claus to deliver toys and goodies to the children of Price for Christmas 2015.

MOTION. Councilmember Miller moved to approve the air space permit for Santa Claus. Motion seconded by Councilmember Hanna-Smith and carried.

CONSENT AGENDA – Councilmember Davis requested Item 15 be pulled from the consent agenda for further discussion. **MOTION.** Councilmember Hanna-Smith moved to approve consent agenda items 12 through 18 with the exception of Item 15. Motion seconded by Councilmember Willis and carried.

12. MINUTES -

- a. November 24, 2015 City Council
- b. December 4, 2015 City Council Workshop

13. 2016 BOARD/COMMITTEE MEETING SCHEDULES - Consideration and possible approval for the 2016 meeting schedule for the Library Board, International Days Committee and Community Progress Committee.

14. 2016 EMPLOYEE HOLIDAY SCHEDULE - Consideration and possible approval of the Price City employee 2016 holiday schedule.

15. HIRING ROSTER - Consideration and possible approval to establish a hiring roster from which to fill police officer vacancies in the next twelve months. The roster will consist of the preferred subset of candidates interviewed on December 1, 2015.

Councilmember Davis requested a description of the benefits that Price City receives by using a hiring roster. John Daniels and Captain Barnes listed the following benefits of a hiring roster:

- Decreases the time to hire significantly.
- Decreases the overtime needed when an officer leaves the Police Department. Other officers must pick up the hours needed to provide service to the community until an officer can be replaced. This creates overtime pay.
- The hiring of a police officer is detailed and lengthy. A hiring roster decreases considerable dollars in the hiring process.
- The hiring roster decreases administrative cost.
- Applicants are required to test for the police officer position. The test must be refreshed with every interview. The hiring roster saves time and cost in revisiting these tests.
- All individuals placed on the roster are qualified candidates and are ready for immediate employment if available.
- The work product and work load remains constant and consistent and professional when police officers change.

MOTION. Councilmember Davis moved to approve authorization to create a hiring roster for police officers. Motion seconded by Councilmember Miller and carried.

16. TOBACCO USE CESSATION PROGRAM - Consideration and approval of a tobacco use cessation program that can be voluntarily used by eligible employees of Price City and their spouses as documented in the attached memorandum to Mayor and City Council.

17. BUSINESS LICENSE - Consideration and possible approval of a business license for LNT Concrete located at 375 South Carbon Avenue.
18. TRAVEL REQUEST -
Kevin Drolc, Mid-Winter Chief of Police Conference, December 8-9, 2015, Salt Lake City, UT.
Chris Pugliese, Glock Armorer's Course, January 6-8, 2016, St. George, UT.
19. COMMITTEES – Updates presented.
 - a. WATER RESOURCES
 - b. EMERGENCY PLANNING
 - c. COMMUNITY PROGRESS - CULTURE CONNECTION
 - d. INTERNATIONAL DAYS
20. UNFINISHED BUSINESS
 - a. Recycling – Councilmember Willis will attend a meeting on December 10, 2015 at 4:00 p.m.

The regular City Council meeting was adjourned at 6:52 p.m. by Mayor Piccolo, pursuant to the motion by Councilmember Willis.

APPROVED:

ATTEST:

Joe L. Piccolo, Mayor

Sherrie Gordon, City Recorder

“DRAFT”

Minutes of the Price City Swearing in Ceremony
City Hall, Price, Utah
January 4, 2016, 12 o'clock noon

Present:

Mayor Joe L. Piccolo

Nick Tatton, Community Director

Councilmembers:

Miles Nelson, Public Works Director

Kathy Hanna-Smith

Police Chief, Kevin Drolc

Layne Miller

Sherrie Gordon, City Recorder

Rick Davis

Wayne Clausing

Terry Willis

Also Present: Judge Douglas B. Thomas, Norma Procarione, Tina Rowley, Tami Ursenbach, Chantz Richens, Linda Allred, and several members of the community and media.

Mayor Piccolo welcomed everyone to the ceremony and spoke of the importance of serving as an elected official.

Several community members and family members of the newly elected officials were in attendance.

The Oath of Office was provided by Judge Douglas B. Thomas.

Wayne Clausing, Rick Davis and Layne Miller were sworn in as Councilmembers. The newly elected officials expressed appreciation to the public for their confidence in voting them into office and spoke briefly about their ideas and plans for the City's future.

Adjourned at 12:15 p.m.

APPROVED:

Joe L. Piccolo, Mayor

ATTEST:

Sherrie Gordon, City Recorder

Minutes of the Special Price City Council Workshop
City Hall, Room 106
January 8, 2016 – 7:00 a.m.

Present:

Mayor Joe Piccolo

Councilmembers:

Terry Willis

Rick Davis

Wayne Clausing

Present: Brett Cammans, Russell Seeley and Richard Tatton

Excused: Councilmember Hanna-Smith and Councilmember Miller

The Council met and discussed the following items:

1. PRWID flood damage assessment is almost complete at about 2 million - 11 million annual budget
2. City song proposed at \$2,000
3. State of the City address recommended
4. Meetings unscheduled will not be held unless emergency is in place
5. Budgeting in tough times - we need to set example
6. Library employee discussion
7. Joint highway committee application
8. Transportation - corridor moneys
9. Senior Center
10. Water, sewer, street repair on 400 North and 400 south

Meeting adjourned at 9:31 a.m.

APPROVED:

ATTEST:

Joe L. Piccolo, Mayor

Sherrie Gordon, City Recorder

Account No: 3194
Business Activity: 2153
Fee: \$100



BUSINESS LICENSE APPLICATION

Send all completed and properly signed forms (including attachments as necessary) along with applicable licensing fees to: Price City Business Licensing, P.O. Box 893, 185 East Main, Price, UT 84501. For questions call (435) 636-3183.

PLEASE TYPE OR PRINT LEGIBLY.

Renewal (check and show changes only on form below)

Business Status: <input checked="" type="checkbox"/> New Business <input type="checkbox"/> Location Change <input type="checkbox"/> Name Change <input type="checkbox"/> Ownership Change		
Business Name (include DBA): <u>Compass Gear dba Bicyclewerks</u>		
If Name Change, list previous name:		
Business Address: <u>82 N. 100 W.</u>		Suite/Apt. No.:
City: <u>Price</u>	State: <u>UT</u>	Zip Code: <u>84501</u>
Business Telephone: <u>(435) 637-7676</u>	Business E-mail:	Business Fax:

Account No: 3192
Business Activity: State Employment Services
Fee: \$100 PAID



BUSINESS LICENSE APPLICATION

Send all completed and properly signed forms (including attachments as necessary) along with applicable licensing fees to: Price City Business Licensing, P.O. Box 893, 185 East Main, Price, UT 84501. For questions call (435) 636-3183.

PLEASE TYPE OR PRINT LEGIBLY. Renewal (check and show changes only on form below)

Business Status: <input type="checkbox"/> New Business <input type="checkbox"/> Location Change <input type="checkbox"/> Name Change <input checked="" type="checkbox"/> Ownership Change		
Business Name (include DBA): <u>Compliance Staffing Agency, LLC</u>		
If Name Change, list previous name: <u>Price Mine Service, Inc.</u>		
Business Address: <u>140 N. Cedar Hills Drive,</u>		Suite/Apt. No.: <u>6A</u>
City: <u>Price</u>	State: <u>UT</u>	Zip Code: <u>84501</u>
Business Telephone: <u>(435) 637-9300</u>	Business E-mail: <u>godendash@compliance</u>	Business Fax: <u>435-637-1606</u>

Account No: 3193
Business Activity: 8111 Auto Repair
Fee: \$100 PD



BUSINESS LICENSE APPLICATION

Send all completed and properly signed forms (including attachments as necessary) along with applicable licensing fees to: Price City Business Licensing, P.O. Box 893, 185 East Main, Price, UT 84501. For questions call (435) 636-3183.

PLEASE TYPE OR PRINT LEGIBLY.

Renewal (check and show changes only on form below)

Business Status: New Business Location Change Name Change Ownership Change

Business Name (include DBA): Sherry's paint and body

If Name Change, list previous name:

Business Address:

50N 300 E

Suite/Apt. No.:

City:

Price

State:

Utah

Zip Code:

84501

Business Telephone:

(435) 636-8482

Business E-mail:

Business Fax:

City:

State:

Zip Code:



Sherrie Gordon <sherrieg@priceutah.net>

Request to apply for grant

2 messages

Paul Bedont <paulb@priceutah.net>

Fri, Dec 18, 2015 at 9:25 AM

To: Sherrie Gordon <sherrieg@priceutah.net>

Cc: Joe Piccolo <joep@piccoloautoplaza.com>, Rick Davis <Rickd@priceutah.net>, Kathy Hanna Smith <kathyhannasmith@gmail.com>, Wayne Clausing <wclausing@sutherlandsibr.com>, Layne Miller <laynemiller@priceutah.net>, Terry Willis <terryw@priceutah.net>

Sherrie,

Please place this on the next city council agenda.

****Fire Department requests permission to apply for and accept, if awarded, the 2015 Assistance to Firefighters Grant. The total grant request will be \$25,000; however FEMA will cover for 95% of the project costs. Our grant match obligation will be 5% (\$1250.00).****

Rationale:

In 2014 we completed an in depth hazardous materials risk assessment and found we were not appropriately equipped to handle many of the current railroad, highway or fixed facility hazardous materials risks we will likely face. This grant will be used to purchase hazardous materials response equipment needed for our fire department to address these risks.

The best option to house this equipment would be a response vehicle, which FEMA would pay for, however with no place to house a vehicle we have opted for a utility trailer which can be stored in front of the fire station.

Thank You,
Paul**Paul Bedont****Fire Chief****Price City Fire Department****(O) 435-636-3187****(F) 435-636-3150****fire@priceutah.net**

Mayor
 JOE L PICCOLO
City Attorney
 NICK SAMPINOS
Community Director
 NICK TATTON
City Recorder
 SHERRIE GORDON
Finance Director
 LISA RICHENS



Price City

185 EAST MAIN • P.O. BOX 893 • PRICE, UT 84501
 PHONE (435) 637-5010 • FAX (435) 637-2905
 www.pricecityutah.com

UTAH'S CASTLE COUNTRY!!

City Council

KATHY HANNA-SMITH
 RICK DAVIS
 WAYNE CLAUSING
 LAYNE MILLER
 TERRY WILLIS

**PRICE CITY
 CITY COUNCIL MEETING
 AGENDA DOCUMENTATION**

Preparation Date: 12-8-15	Submitting Department: Community Development
Meeting Date: 1-13-16	Department Director: Nick Tatton
	Presenter: Nick Tatton

Subject:	Subcontractor agreement for pass through of CDBG funds.
Purpose Statement:	CDBG requires that a public entity sponsor all applications for funds although many non-public groups are eligible for funding support.
Background &/or Alternatives:	Price City does not have an in-house identified use for CDBG funds in the 2015 funding cycle. It is anticipated that the majority of funds available in the funding cycle will be provided to income targeted housing requests throughout the district. The applications sponsored by Price City for use and benefit by the Carbon County Housing Authority may become funded if they rank high enough district-wide for funding consideration based on the limited amount of funding available. This is the same arrangement that Price City has used in the past. The Southeastern Utah Association of Local Governments, via Debbie Hatt, and the individual requesting entities will complete all application, funding, and reporting requirements for the project. Price City will only provide the subcontractor arrangement and hold 2 public hearings. All disbursement of funds received from CDBG by Price City will require lien waivers.
Attachments:	<ol style="list-style-type: none"> 1. Copy of CDBG required subcontractor agreement. 2. Copy of letter of request from applicant for subcontractor assistance. 3. Copy of public hearing notice from stand-alone meeting/hearing required.
Fiscal Impact:	None beyond incremental publication costs and limited staff time and effort.
Staff Impact:	None beyond application assistance.
Legal Review:	Mr. Sampinos has reviewed the subcontractor agreements and approved as to form.
Recommendation:	It is the recommendation of staff to approve the subcontractor agreement and authorize the Mayor and City Recorder to sign the subcontractor agreement on behalf of Price City. It is further the recommendation of staff that the Subcontractor anticipate grant administration funds for Price City in the project of not less than 2% of the total project cost.
Suggested Motion(s):	<ol style="list-style-type: none"> 1. Move to approve a Subcontractor Agreement, CDBG Project, between Price City and the Carbon County Housing Authority for the purpose of pass through of CDBG funds for a qualifying CDBG project proposed by the Carbon County Housing Authority. 2. Move to authorize the Mayor and City Recorder to sign the Subcontractor Agreement, CDBG Project on behalf of Price City.
Other Comments:	Based on funding limitations, projects from throughout the district (Carbon, Emery, Grand and San Juan Counties) and the project ranking and rating system it is anticipated that there is a 50/50 chance the project will be funded.

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
FIRST PUBLIC HEARING NOTICE**

Price City will hold a public hearing to consider projects for which funding may be applied for under the CDBG Small Cities Program for Program Year 2016. Suggestions for potential projects will be solicited, both verbally and in writing, from all interested parties. The expected amount of CDBG funds for this program year will be discussed along with the range of projects eligible under this program and a review of previously funded projects. The hearing will begin at 5:00pm on Wednesday, January 13, 2016 and will be held at 185 East Main Street, Council Chambers. Further information can be obtained by contacting Nick Tatton at 636-3184. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the hearing should notify Sherrie Gordon at 636-3183 at least three working days prior to the hearing.

Published in the Sun Advocate on January 5, 2016

**SUBCONTRACTOR AGREEMENT
CDBG PROJECT**

THIS AGREEMENT entered into this 13th day of January, 2016, by and between Price Municipal Corporation, a municipal corporation of the State of Utah, hereinafter referred to as “Contractor”, and [Carbon County Housing Authority, 251 South 1600 East #2647, Price, Utah 84501](#) a non-profit corporation organized under the laws of the State of Utah, hereinafter referred to as “Subcontractor”.

WITNESSETH:

WHEREAS, Contractor will enter into a Contract Agreement with the Utah Department of Community and Economic Development, Division of Housing and Community Development, hereinafter referred to as the “Block Grant Agreement,” and;

WHEREAS, Contractor desires to subcontract with Subcontractor to perform said project as outlined in Exhibit 1, Scope of Work, and:

WHEREAS, the Subcontractor desires to perform the project for Contractor as outlined in the Scope of Work, upon the terms and conditions set forth below;

NOW, THEREFORE, in consideration of the mutual covenants and promises contained hereafter, the parties hereto agree as follows:

1. Subcontractor agrees to abide by all of the terms and conditions and perform all of the responsibilities and obligations of the Block Grant Agreement a copy of which is incorporated herein and by this reference is made a part hereof.
2. Contractor hereby agrees to pay to Subcontractor such funds as it may receive, and shall make available all rights, privileges and responsibilities Contractor may have under the Block Grant Agreement, subject to Subcontractor’s full performance of the terms and conditions hereof.
3. Subcontractor shall provide the services set forth in the Scope of Work, and in doing so shall, in addition to the requirements of Paragraph 1, above, perform according to the provisions of the attached Standard Terms and Conditions, any Additional Terms and Conditions; and other, Performance Requirements Established by Contractor, if any. A copy of each Attachment is attached hereto and by this reference made a part hereof.
4. Subcontractor acknowledges that Contractor, as a condition of receiving a block grant under the Block Grant Agreement, has agreed to hold the State of Utah harmless from such claims, damages, loss or injury as the state may suffer in the event Contractor fails to comply with the terms of the Block Grant Agreement. Recognizing that default by Subcontractor in performance of the terms and conditions of this Agreement may result in default by Contractor in its obligations to State of Utah under the Block Grant Agreement, Subcontractor hereby agrees to indemnify and hold Contractor harmless from any and all such claims, damages, loss, or injury as Contractor may suffer as a result of Subcontractor’s failure to comply with the terms and conditions of this Agreement.

5. Time is of the essence of this Agreement.
6. If either party to this Agreement is required to initiate or defend litigation in any way connected with this Agreement, the prevailing party in such litigation, in addition to any other relief which may be granted, whether legal or equitable, shall be entitled to reasonable attorneys' fees.
7. The Contractor, its officers and employees shall not be liable or responsible for any accident, loss or damage happening to the work or improvements specified in this Agreement unless the same was caused by the negligence or misconduct of the Contractor or its officers and employees; nor shall the Contractor, nor any of its officers or employees be liable for any injury to persons or property by reason of said work or improvements unless the same was caused by the negligence or misconduct of the Contractor or its officers and employees; all said liabilities shall be assumed by the Subcontractor, prior to the completion and acceptance of the same by the Contractor.
8. Subcontractor hereby agrees to indemnify, protect and save harmless Contractor from and against any and all claims, demands, causes of action, costs or liabilities, in law or in equity, of every kind or nature whatsoever directly or proximately resulting from the operations of Subcontractor in carrying out the terms and provisions of this Agreement, including, but not limited to demands for damages to property and injury or death of persons, including payments under Workers Compensation laws of the State of Utah or under any plan of employee disability and for any death benefits which may arise out of Subcontractor's operation, presence, or use of equipment in the performance of the services designated herein.
 - a. Contractor shall require construction labor and material lien waivers to be completed, as applicable, prior to release of any funds received by Contractor from the Block Grant Agreement to Subcontractor. In addition, Subcontractor hereby specifically indemnifies Contractor against any and all claims by Subcontractor, Subcontractors' agents or other construction companies hired by Subcontractor to provide labor and materials concerning the Scope of Work.
9. Subcontractor shall carry adequate insurance on itself as insured, and Contractor as an additional insured, to protect itself and Contractor from any and all claims, demands, actions, judgments, costs, expenses, and liabilities, of every kind and nature which may arise or result directly or indirectly from or by reasons of such loss, injury, or damages as set forth above. Subcontractor shall maintain at its own expense, during the term of this Agreement, the following types of insurance and minimum coverage limits and shall provide certificates to Contractor verifying such coverage as follows:

<u>Insurance Coverage</u>	<u>Minimum Coverage Limits</u>
Worker's Compensation	Statutory
Employer's Liability	\$100,000 each occurrence
General Liability (bodily injury and property damage combined)	\$1,000,000 each occurrence \$1,000,000 aggregate
Automobile Liability (bodily injury and property damage combined)	\$1,000,000 each occurrence \$1,000,000 aggregate

Subcontractor shall also maintain such environmental liability insurance as may be required by applicable local, state, and federal laws, rules and regulations.

All insurance certificates shall provide for at least thirty (30) days notice from insurer to Contractor before coverage is canceled or materially changed.

All insurance certificates shall identify Contractor as an additional insured.

10. This Agreement may be terminated by either party by giving the other party thirty (30) days written notice. In the event of termination, Subcontractor shall be paid for all work completed through the date of termination.

WHEREFORE, the parties have signed this Contract the day and year first above written.

CONTRACTOR

By: Joe L. Piccolo_____

Title: Mayor

ATTEST:

Sherrie Gordon_____

Title: City Recorder

SUBCONTRACTOR

By: Victor Staley_____

Title: Executive Director

EXHIBIT 1
SCOPE OF WORK FOR PROJECT

Repair and/or replace and/or install upgraded and/or replacement systems within property and buildings owned by the Housing Authority of Carbon County.

**GENERAL ENGINEERING SERVICES AGREEMENT
BETWEEN
OWNER AND ENGINEER
FOR
PROFESSIONAL SERVICES**

This is an Agreement effective as of September 15, 2015, between PRICE MUNICIPAL CORPORATION (“OWNER”) and JONES & DEMILLE ENGINEERING, INC. (“ENGINEER”). OWNER retains ENGINEER to perform General Engineering Professional Services for an indefinite number of projects (“Assignments or Services”). The parties enter into this Agreement for the purpose of creating a general agreement that will provide standard and uniform terms for certain subsequent agreements to be entered into between ENGINEER and OWNER.

OWNER and ENGINEER, in consideration of their mutual covenants as set forth herein, agree as follows:

ARTICLE 1–ENGINEER’S SERVICES

1.01 Scope

- A. ENGINEER shall provide the services set forth in Exhibit A or as approved in writing by OWNER and shall not be responsible to provide any services not expressly contained in the Exhibit A (Scope of Work) and Exhibit B (Standard Terms and Conditions).
- B. Upon this Agreement becoming effective, ENGINEER is authorized to begin services set forth in Exhibit A.
- C. Upon execution of an Assignment Order by OWNER and ENGINEER, services will be performed by ENGINEER in accordance with this Agreement and its exhibits, and as limited or expanded upon by the terms agreed upon in the Assignment Order.

ARTICLE 2–OWNER’S RESPONSIBILITIES

2.01 General

- A. OWNER shall have the responsibilities set forth herein and in Exhibit A.

ARTICLE 3–TIMES FOR RENDERING SERVICES

- 3.01 ENGINEER’s services will be performed within the time period or by the date stated in Exhibit A or as approved by OWNER.

- 3.02 If ENGINEER's services are delayed or suspended in whole or in part by OWNER, ENGINEER shall be entitled to equitable adjustment of the time for performance and rates and amounts of compensation provided for elsewhere in this Agreement to reflect reasonable costs incurred by ENGINEER in connection with, among other things, such delay or suspension and reactivation.
- 3.03 General Engineering Services are limited to 8 to 24 hours per week unless prior written approval is provided. Assignments (projects) that will exceed these limited hours per week by more than 10% will require prior written approval.

ARTICLE 4-PAYMENTS TO ENGINEER

4.01 Methods of Payment for Services of ENGINEER.

- A. OWNER shall pay ENGINEER for services rendered under this Agreement as follows:
1. Approved Hourly Rates plus Reimbursable Expenses to be paid for services described in Exhibit A and to be paid as outlined in Exhibit C.
 2. Or, if both the Owner and the Engineer agree to a defined Scope of Work, a Lump Sum amount may be agreed upon.

4.02 Other Provisions Concerning Payment

- A. Adjustments. ENGINEER's compensation is conditioned on time to complete each Assignment. Should the time to complete an Assignment be extended beyond this period, due to reasons not the fault of ENGINEER, compensation to ENGINEER shall be appropriately adjusted.
- B. For Additional Services. OWNER shall pay ENGINEER for all services not included in the scope of this Agreement on the basis agreed to by the parties at the time such services are authorized by OWNER.

ARTICLE 5-DESIGNATED REPRESENTATIVES

- 5.01 Contemporaneous with the execution of this Agreement, ENGINEER and OWNER shall each designate specific individuals as ENGINEER's and OWNER's representatives with respect to the services to be performed or furnished by ENGINEER and responsibilities of OWNER under this Agreement. Such individuals shall have authority to transmit instructions, receive information, and render decisions relative to the Assignments or Services on behalf of their respective party.

ARTICLE 6-CONTENT OF AGREEMENT

6.01 The following Exhibits are incorporated herein by reference:

- A. Exhibit A, "Further Description of Services, Responsibilities, Time, and Related Matters," consisting of 2 pages.

- B. Exhibit B, "Standard Terms and Conditions," consisting of 6 pages.
- C. Exhibit C, "Payments to Engineer," consisting of 2 pages.
- D. Exhibit D, "Duties, Responsibilities, and Limitations of Authority of Resident Project Representative," consisting of 5 pages.

6.02 Total Agreement

This Agreement (consisting of pages 1 to 3, inclusive), together with the Exhibits identified in paragraph 6.01, constitutes the entire agreement between OWNER and ENGINEER and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have executed this agreement, the Effective Date which is indicated on page 1.

OWNER:
Price Municipal Corporation

By: _____

Name: Joe Piccolo, Mayor

Date Signed: _____

Address for giving notices:
185 East Main; PO Box 893

Price, UT 84501

Designated Representative:

Name: Miles C. Nelson

Title: Public Works Director

Phone Number: 435-637-5010

Facsimile Number: 435-637-5031

Email Address: milesn@priceutah.net

Attest: _____

Sherrie Gordon, City Recorder

ENGINEER:
Jones & DeMille Engineering, Inc.

By:  _____
DocuSigned by:
CF0EFB37510F475...

Name: Brian Barton, P.E.

Date Signed: November 17, 2015

Address for giving notices:
1535 South 100 West

Richfield, UT 84701

Designated Representative:

Name: Brian Barton, P.E.

Title: President

Phone Number: 435-896-8266

Facsimile Number: 435-896-8268

Email Address: brian@jonesanddemille.com

This **EXHIBIT A**, consisting of 2 pages, referred to in and part of the Agreement between Owner and Engineer for Professional Services dated September 15, 2015.

Further Description of Services, Responsibilities, Time, and Related Matters

Specific articles of the Agreement are amended and supplemented to include the following agreement of the parties:

A.1.01 ENGINEER's Services

- A. ENGINEER shall provide general civil engineering and related services on an ongoing basis. Engineer's services shall be provided consistent with and limited to the standard of care applicable to such services, which is that Engineer shall provide its services consistent with the professional skill and care ordinarily provided by consultants practicing in the same or similar locality under the same or similar circumstances. Assignments shall include, but are not limited to, the following work categories:
1. Preconstruction and Design Engineering
 2. Construction Engineering
 3. Surveying
 4. Materials Testing
 5. Planning and Studies
 6. Funding Acquisition
 7. Environmental
- B. ENGINEER shall, prior to initiation of an Assignment, provide OWNER an estimated total cost, time and estimated completion date for each project. ENGINEER shall not begin work until OWNER's approval is given by issuing an approved Assignment Order, as included as Attachment A1.

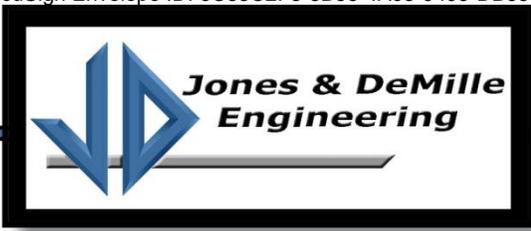
A.2.01 OWNER's Responsibilities

- A. OWNER shall provide approval of Assignments, estimated cost, time and estimated completion date; and:
1. Participate in progress and decision meetings with ENGINEER.
 2. Promptly respond to communications and requests from ENGINEER.
 3. Provide existing maps, permits, correspondence and all other applicable information not already in ENGINEER's possession.
 4. Respond in a timely manner so as not to delay the services of the ENGINEER.
- B. ENGINEER shall be entitled to use and rely upon all such information and services provided by OWNER or others in performing ENGINEER's services under this Agreement.

C. OWNER shall bear all costs incident to compliance with its responsibilities pursuant to this paragraph A.2.01.

A.3.01 Times for Rendering Services

A. The time period for the performance of ENGINEER's services shall be within the milestones established per each Assignment.



1535 South 100 West
Richfield, UT 84701
435.896.8266

www.jonesanddemille.com

ASSIGNMENT ORDER

In accordance with the General Engineering Services Agreement Between Owner and Engineer, dated _____ (“Agreement”), Owner and Engineer agree as follows:

1. **Specific Project Data.**

Project Title: _____ (the “Assignment”)

Description: _____

2. **Services of Engineer.** Engineer’s services shall be provided consistent with and limited to the standard of care applicable to such services, which is that Engineer shall provide its services consistent with the professional skill and care ordinarily provided by consultants practicing in the same or similar locality under the same or similar circumstances. Engineer incorporates herein by reference those services set forth in Section A1.01 of Exhibit A of the Agreement and adds the following services specific to the Assignment:

///

3. **Owner’s Responsibilities.** Owner shall have those responsibilities set forth in Section A.2.01 of Exhibit A of the Agreement.

4. **Times for Rendering Services.** Engineer’s services will be performed by _____.

5. **Payments to Engineer.** Owner shall pay Engineer for the above assignment as follows and as outlined in Exhibit C: _____.

Execution of this Assignment Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon receipt of a copy of this Assignment Order signed by Owner.

JONES & DEMILLE ENGINEERING, INC.

Signature

Title

Date

Client

Signature

Title

Date

[Project Number]

This **EXHIBIT B**, consisting of 6 pages, referred to in and part of the Agreement between Owner and Engineer for Professional Services dated September 15, 2015.

Standard Terms and Conditions

Article 6 of the Agreement is amended and supplemented to include the following agreement of the parties:

B.6.01.B Standard Terms and Conditions

1. **Standard of Care**

The standard of care for all professional services performed or furnished by ENGINEER under this Agreement will be the care and skill ordinarily used by member of ENGINEER's profession practicing under similar circumstances at the same time and in the same locality. ENGINEER makes no warranties, express or implied, under this Agreement or otherwise, in connection with ENGINEER's services.

2. **Independent Contractor**

All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of OWNER and ENGINEER and not for the benefit of any other party. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either OWNER or ENGINEER. ENGINEER's services under this Agreement are being performed solely for OWNER's benefit, and no other entity shall have any claim against ENGINEER because of this Agreement or the performance or nonperformance of services hereunder. OWNER agrees to include a provision in all contracts with contractors and other entities involved in this project to carry out the intent of this paragraph.

3. **Payments to ENGINEER**

Payment amounts shall be made in accordance with Article 4.01. Work will be halted if payments are not made in a timely manner.

4. **Insurance**

ENGINEER will maintain insurance coverage for Workers Compensation, General Liability, Automobile Liability and Professional Liability, in amounts mutually agreed upon, and will provide certificates of insurance to OWNER upon request.

5. **Indemnification and Allocation of Risk**

a. To the fullest extent permitted by law, ENGINEER shall indemnify and hold harmless OWNER, OWNER's officers, directors, partners, and employees from and against costs, losses, and damages (including, but not limited to, reasonable fees and charges of engineers, architects, attorneys, and other professionals, and reasonable court or arbitration or other dispute resolution costs) caused solely by the negligent acts or omissions of ENGINEER or ENGINEER's officers, directors, partners, employees, and consultants in the performance of ENGINEER's services under this Agreement.

b. To the fullest extent permitted by law, OWNER shall indemnify and hold harmless ENGINEER, ENGINEER's officers, directors, partners, employees, and consultants from and against costs, losses, and damages (including, but not limited to, reasonable fees and charges of engineers, architects, attorneys, and other professionals, and reasonable court or arbitration or other dispute resolution costs) caused by the negligent acts or omissions of OWNER or OWNER's officers, directors, partners, employees, and consultants with respect to this Agreement.

c. To the fullest extent permitted by law, ENGINEER's total liability to OWNER and anyone claiming by, through, or under OWNER for any injuries, losses, damages and expenses caused in part by the negligent entity or individual, shall not exceed the percentage share that ENGINEER's negligence bears to the total negligence of OWNER, ENGINEER, and all other negligent entities and individuals.

d. In addition to the indemnity provided under paragraph B.6.01.B.5.b. of this Exhibit, and to the fullest extent permitted by law, OWNER shall indemnify and hold harmless ENGINEER and ENGINEER's officers, directors, partners, employees, and consultants from and against injuries, losses, damages and expenses (including, but not limited to, all fees and charges of engineers, architects, attorneys, and other professionals, and all court or arbitration or other disputes resolution costs) caused by, arising out of, or resulting from Hazardous Environmental Condition(s), provided that (i) any such injuries, losses, damages and expenses are attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property, including the loss of use resulting therefrom; and (ii) nothing in this paragraph B.6.01.B.5.d shall obligate OWNER to indemnify any individual or entity to the extent of that individual or entity's own negligence or willful misconduct.

e. The indemnification provision of paragraph B.6.01.B.5.a. is subject to and limited by the provisions agreed to by OWNER and ENGINEER in paragraph B.6.01.B.6, "Limit of Liability" of this Agreement.

f. ENGINEER's commitments as set forth in this Agreement are based on the expectation that all of the services described in this Agreement will be provided. In the event OWNER later elects to reduce design professional's scope of services, OWNER hereby agrees to release, hold harmless, defend and indemnify ENGINEER from any and all claims, damages, losses or costs associated with or arising out of such reduction in services.

6. Limit of Liability.

Notwithstanding any provision of the agreement to the contrary, ENGINEER shall not be liable or responsible for any costs, expenses, losses, damages or liability beyond the amounts, limits, coverage, or conditions of the insurance held by ENGINEER. In the event any third party brings suit or claim against ENGINEER for any matter relating to or arising from the assignments or services (including, without limitation any suit alleging exposure to or damage from materials, elements or constituents at or from the assignments or services or which is alleged to have resulted in or causes disease or any

adverse health condition to any third party, or resulted in costs for remedial action, uninhabitability of the property, or other property damage), before, during or after the performance of the assignments or services, OWNER agrees, at its sole cost and expense, to indemnify, defend and hold ENGINEER and its officers, employees, contractors, and representatives harmless from all costs (including without limitation attorney fees, witness costs and court costs), expenses, losses and judgments. OWNER shall have the right to investigate, negotiate and settle, with ENGINEER's concurrence, any such suit or claim.

7. Dispute Resolution

a. OWNER and ENGINEER agree that they shall first submit any and all unsettled claims, counterclaims, disputes, and other matters in question between them arising out of or relating to this Agreement or the breach thereof ("disputes") to mediation.

b. If a party alleges a dispute or controversy with the other party arising out of or relating to the performance of services under this Agreement, then either party shall have the right to request mediation within 20 days after the claiming party has provided the other party with written notice describing the dispute and the claiming party's position with reference to the resolution of the dispute.

c. Except as otherwise agreed, mediation will proceed pursuant to the Construction Industry Mediation Rules of the American Arbitration Association in effect on the Effective Date of the Agreement. A mediator will be appointed within 30 days of receipt of a written request. The mediator will endeavor to complete the mediation within 30 days thereafter.

d. No performance obligation under or related to this Agreement shall be interrupted or delayed during any mediation proceeding except upon written agreement of both parties.

e. The mediator shall not be a witness in any legal proceedings related to this Agreement.

8. Termination of Contract

Either party may at any time, upon seven days prior written notice to the other party, terminate this Agreement. Upon such termination, OWNER shall pay to ENGINEER all amounts owing to ENGINEER under this Agreement, for all work performed up to the effective date of termination, plus reasonable termination costs.

9. Access

OWNER shall arrange for safe access to and make all provisions for ENGINEER and ENGINEER's Consultants to enter upon public and private property as required for ENGINEER to perform services under this Agreement.

10. Hazardous Environmental Conditions

It is acknowledged by both parties that ENGINEER's scope of services does not include any services related to a "Hazardous Environmental Condition," i.e. the presence at the

site of asbestos, PCBs, petroleum, hazardous waste, or radioactive materials in such quantities or circumstances that may present a substantial danger to persons or property exposed there in connection with the Assignment. In the event ENGINEER or any other party encounters a Hazardous Environmental Condition, ENGINEER may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Assignment affected thereby until OWNER: (i) retains appropriate specialist consultant(s) or contractor(s) to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (ii) warrants that the site is in full compliance with applicable laws and regulations. OWNER acknowledges that ENGINEER is performing professional services for OWNER and that ENGINEER is not and shall not be required to become an “arranger,” “operator,” “generator,” or “transporter” of hazardous substances, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1990 (CERCLA), which are or may be encountered at or near the site in connection with ENGINEER’s activities under this Agreement.

11. Patents

ENGINEER shall not conduct patent searches in connection with its services under this Agreement and assumes no responsibility for any patent or copyright infringement arising there from. Nothing in this Agreement shall be construed as a warranty or representation that anything made, used, or sold arising out of the services performed under this Agreement will be free from infringement of patents or copyrights.

12. Ownership and Reuse of Documents

All documents prepared or furnished by ENGINEER pursuant to this Agreement are instruments of service, and ENGINEER shall retain an ownership and property interest therein. Reuse of any such documents by OWNER shall be at OWNER’s sole risk; and OWNER agrees to indemnify, and hold ENGINEER harmless from all claims, damages, and expenses including attorney’s fees arising out of such reuse of documents by OWNER or by acting through OWNER.

13. Use of Electronic Media

a. Copies of Documents that may be relied upon by OWNER are limited to the printed copies (also known as hard copies) that are signed or sealed by the ENGINEER. Files in electronic media format of text, data, graphics, or of other types that are furnished by ENGINEER to OWNER are only for convenience of OWNER. Any conclusion or information obtained or derived from such electronic files will be at the user’s sole risk.

b. When transferring documents in electronic media format, Engineer makes no representations as to long-term compatibility, usability, or readability of documents resulting from the use of software application packages, operating systems, or computer hardware differing from those used by ENGINEER at the beginning of any assignment or service.

c. If there is a discrepancy between the electronic files and the hard copies, the hard copies govern.

d. Because data stored in electronic media format can deteriorate or be modified inadvertently or otherwise without authorization of the data's creator, the party receiving electronic files agrees that it will perform acceptance tests or procedures within 60 days, after which the receiving party shall be deemed to have accepted the data thus transferred. Any errors detected within the 60-day acceptance period will be corrected by the party delivering the electronic files. ENGINEER shall not be responsible to maintain documents stored in electronic media format after acceptance by OWNER.

14. Opinions of Probable Construction Cost

a. Construction Cost is the cost to OWNER to construct proposed facilities. Construction Cost does not include costs of services of ENGINEER or other design professionals and consultants, cost of land, rights-of-ways, or compensation for damages to properties, or OWNER's costs for legal, accounting, insurance counseling or auditing services, or interest and financing charges incurred in connection with OWNER's contemplated project, or the cost of other services to be provided by others to OWNER pursuant to this Agreement. Construction Cost is one of the items comprising Total Project Costs.

b. ENGINEER's opinions of probable Construction Cost provided for herein are to be made on the basis of ENGINEER's experience and qualifications and represent ENGINEER's best judgment as an experienced and qualified professional generally familiar with the industry. However, since ENGINEER has no control over the cost of labor, materials, equipment, or services furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions. ENGINEER cannot and does not guarantee that proposals, bids, or actual Construction Cost will not vary from opinions of probable Construction Cost prepared by ENGINEER. If OWNER wishes greater assurance as to probable Construction Cost, OWNER shall employ an independent cost estimator.

15. Opinions of Total Project Costs

a. Total Project Costs are the sum of the probable Construction Cost, allowances for contingencies, the estimated total costs of services of ENGINEER or other design professionals and consultants, cost of land, rights-of-way, or compensation for damages to properties, and OWNER's cost for legal, accounting, insurance counseling or auditing services, and interest and financing charges incurred in connection with a proposed project, and the cost of other services to be provided by others to OWNER pursuant to this Agreement.

b. ENGINEER assumes no responsibility for the accuracy of opinions of Total Project Costs.

16. Force Majeure

ENGINEER shall not be liable for any loss or damage due to failure or delay in rendering any service called for under this Agreement resulting from any cause beyond ENGINEER's reasonable control.

17. Assignment

Neither party shall assign its rights, interests or obligations under this Agreement without the express written consent of the other party.

18. Binding Effect

This Agreement shall bind, and the benefits thereof shall inure to the respective parties hereto, their legal representatives, executors, administrators, successors, and assigns.

19. Severability and Waiver of Provisions

Any provision or part of the Agreement held to be void or unenforceable under any laws or regulations shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon OWNER and ENGINEER, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision. Nonenforcement of any provision by either party shall not constitute a waiver of that provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

20. Survival

All express representations, indemnifications, or limitations of liability included in this Agreement will survive its completion or termination for any reason.

21. Headings

The headings used in this Agreement are for general reference only and do not have special significance.

22. Controlling Law

This Agreement is to be governed by the law of the State of Utah, in which the ENGINEER's principal office is located.

23. Notices

Any notice required under this Agreement will be in writing, addressed to the appropriate party at its address on the signature page and given personally, or by registered or certified mail postage prepaid, or by a commercial courier service. All notices shall be effective upon the date of receipt.

This **EXHIBIT C**, consisting of 1 page, referred to in and part of the Agreement between Owner and Engineer for Professional Services dated September 15, 2015.

Payments to ENGINEER for Services and Reimbursable Expenses

Article 4 of the Agreement is amended and supplemented to include the following agreement of the parties:

ARTICLE 4 – PAYMENTS TO THE ENGINEER

C4.01 For Services Set forth in Exhibit A – Lump Sum or Approved Hourly Rates plus Reimbursable Expenses

- A. OWNER shall pay ENGINEER for General Engineering Services as follows:
 - 1. General Engineering Services: For Engineering Services set forth in Exhibit A, an amount equal to the cumulative hours charged to the Project by each class of ENGINEER's employees times Approved Hourly Rates for each applicable billing class for all services performed on the Project, plus Reimbursable Expenses and Engineer's Consultant's charges if any.

C4.02 Approved Hourly Rates

- A. Approved Hourly rates are set forth in this Exhibit C and include salaries and wages paid to personnel in each billing class plus the cost of customary and statutory benefits, general and administrative, overhead, non-project operating costs, and operating margin or profit.
- B. The Approved Hourly Rates and Reimbursable Expenses may be adjusted annually (as of April 1 by mutual agreement of the parties) to reflect equitable changes in the compensation payable to ENGINEER.

This **ATTACHMENT C1**, consisting of 1 page, referred to in and part of the Agreement between Owner and Engineer for Professional Services dated September 15, 2015.

Engineering Services Hourly Rates as of April 1, 2015

Principal Professional Engineer	\$	160.00
Senior Professional Engineer	\$	130.00
Structural Engineer	\$	120.00
Professional Engineer	\$	110.00
Senior Project & Field Manager	\$	105.00
Project Engineer In Training	\$	90.00
Engineering & Lab Technician Intern	\$	50.00
CAD Manager	\$	120.00
Senior CAD	\$	104.00
GIS Manager	\$	90.00
GIS Technician	\$	80.00
CAD	\$	70.00
Principal Professional Land Surveyor	\$	160.00
Professional Land Surveyor	\$	105.00
Senior Survey Technician	\$	97.00
Survey Technician	\$	75.00
1-Person GPS Survey Crew	\$	130.00
2-Person GPS Survey Crew	\$	195.00
3-Person GPS Survey Crew	\$	260.00
1-Person Robotic Total Station Crew	\$	112.00
2-Person Robotic Total Station Crew	\$	185.00
3-Person Robotic Total Station Crew	\$	250.00
Environmental Scientist	\$	100.00
Senior Lab & Field Observation Technician	\$	93.00
Lab & Field Observation Technician II	\$	85.00
Lab & Field Observation Technician I	\$	65.00
Senior Project Accountant	\$	110.00
Project Accountant	\$	80.00
Accounting & Office Manager	\$	80.00
Office Technician	\$	55.00
Vehicle Mileage	<i>per mile</i>	\$ 0.575
4 Wheeler Rental	<i>per day</i>	\$ 140.00
4 Wheel Rhino	<i>per day</i>	\$ 200.00
Professional Sub-consultants		Cost + 15%

This **EXHIBIT D**, consisting of 5 pages, referred to in and part of the Agreement between Owner and Engineer for Professional Services dated September 15, 2015.

Duties, Responsibilities, and Limitations of Authority of Resident Project Representative

Article 5 of the Agreement is supplemented to include the following agreement of the parties:

5.02 *Resident Project Representative*

- A. ENGINEER shall furnish a Resident Project Representative (“RPR”) to assist ENGINEER in observing progress and quality of the Work. The RPR may provide full time representation or may provide representation to a lesser degree.
- B. Through RPR's observations of Contractor's work in progress and field checks of materials and equipment, ENGINEER shall endeavor to provide further protection for OWNER against defects and deficiencies in the Work. However, ENGINEER shall not, during such RPR field checks or as a result of such RPR observations of Contractor's work in progress, supervise, direct, or have control over Contractor's Work, nor shall ENGINEER (including the RPR) have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for security or safety at the Site, for safety precautions and programs incident to any contractor's work in progress, or for any failure of a contractor to comply with Laws and Regulations applicable to such contractor's performing and furnishing of its work. The ENGINEER (including RPR) neither guarantee the performances of any contractor nor assumes responsibility for Contractor's failure to furnish and perform the Work in accordance with the Contract Documents. In addition, the specific terms set forth in Paragraph A1.01 of Exhibit A of the Agreement are applicable.
- C. The duties and responsibilities of the RPR are as follows:
 - 1. *General:* RPR is ENGINEER's representative at the Site, will act as directed by and under the supervision of ENGINEER, and will confer with ENGINEER regarding RPR's actions. RPR's dealings in matters pertaining to the Contractor's work in progress shall in general be with ENGINEER and Contractor. RPR's dealings with Subcontractors shall only be through or with the full knowledge and approval of Contractor. RPR shall generally communicate with OWNER only with the knowledge of and under the direction of ENGINEER.
 - 2. *Schedules:* Review the progress schedule, schedule of Shop Drawing and Sample submittals, and schedule of values prepared by Contractor and consult with ENGINEER concerning acceptability.
 - 3. *Conferences and Meetings:* Attend meetings with Contractor, such as preconstruction conferences, progress meetings, job conferences and other project-related meetings, and prepare and circulate copies of minutes thereof.

4. *Liaison:*
 - a. Serve as ENGINEER's liaison with Contractor. Working principally through Contractor's authorized representative or designee, assist in providing information regarding the intent of the Contract Documents.
 - b. Assist ENGINEER in serving as OWNER's liaison with Contractor when Contractor's operations affect OWNER's on-Site operations.
 - c. Assist in obtaining from OWNER additional details or information, when required for proper execution of the Work.
5. *Interpretation of Contract Documents:* Report to ENGINEER when clarifications and interpretations of the Contract Documents are needed and transmit to Contractor clarifications and interpretations as issued by ENGINEER.
6. *Shop Drawings and Samples:*
 - a. Record date of receipt of Samples and approved Shop Drawings.
 - b. Receive Samples which are furnished at the Site by Contractor, and notify ENGINEER of availability of Samples for examination.
 - c. Advise ENGINEER and Contractor of the commencement of any portion of the Work requiring a Shop Drawing or Sample submittal for which RPR believes that the submittal has not been approved by ENGINEER.
7. *Modifications:* Consider and evaluate Contractor's suggestions for modifications in Drawings or Specifications and report such suggestions, together with RPR's recommendations, to ENGINEER. Transmit to Contractor in writing decisions as issued by ENGINEER.
8. *Review of Work and Rejection of Defective Work:*
 - a. Conduct on-Site observations of Contractor's work in progress to assist ENGINEER in determining if the Work is in general proceeding in accordance with the Contract Documents.
 - b. Report to ENGINEER whenever RPR believes that any part of Contractor's work in progress will not produce a completed Project that conforms generally to the Contract Documents or will imperil the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents, or has been damaged, or does not meet the requirements of any inspection, test or approval required to be made; and advise ENGINEER of that part of work in progress that RPR believes should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection, or approval.

9. *Inspections, Tests, and System Start-ups:*

- a. Consult with ENGINEER in advance of scheduled inspections, tests, and systems start-ups.
- b. Verify that tests, equipment, and systems start-ups and operating and maintenance training are conducted in the presence of appropriate OWNER's personnel, and that Contractor maintains adequate records thereof.
- c. Observe, record, and report to ENGINEER appropriate details relative to the test procedures and systems start-ups.
- d. Accompany visiting inspectors representing public or other agencies having jurisdiction over the Project, record the results of these inspections, and report to ENGINEER.

10. *Records:*

- a. Maintain at the Site orderly files for correspondence, reports of job conferences, reproductions of original Contract Documents including all change orders, field orders, work change directives, addenda, additional Drawings issued subsequent to the execution of the Construction Contract, ENGINEER's clarifications and interpretations of the Contract Documents, progress reports, Shop Drawing and Sample submittals received from and delivered to Contractor, and other Project-related documents.
- b. Prepare a daily report or keep a diary or log book, recording Contractor's hours on the Site, weather conditions, data relative to questions of change orders, field orders, work change directives, or changed conditions, Site visitors, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures; and send copies to ENGINEER.
- c. Record names, addresses, fax numbers, e-mail addresses, web site locations, and telephone numbers of all Contractors, Subcontractors, and major Suppliers of materials and equipment.
- d. Maintain records for use in preparing Project documentation.
- e. Upon completion of the Work, furnish original set of all RPR Project documentation to ENGINEER and as appropriate or as requested to OWNER.

11. *Reports:*

- a. Furnish to ENGINEER periodic reports as required of progress of the Work and of Contractor's compliance with the progress schedule and schedule of Shop Drawing and Sample submittals.

- b. Draft and recommend to ENGINEER proposed change orders, work change directives, and field orders. Obtain backup material from Contractor.
 - c. Furnish to ENGINEER and OWNER copies of all inspection, test, and system start-up reports.
 - d. Immediately notify ENGINEER of the occurrence of any Site accidents, emergencies, acts of God endangering the Work, damage to property by fire or other causes, or the discovery of any Constituent of Concern.
12. *Payment Requests:* Review applications for payment with Contractor for compliance with the established procedure for their submission and forward with recommendations to ENGINEER, noting particularly the relationship of the payment requested to the schedule of values, Work completed, and materials and equipment delivered at the Site but not incorporated in the Work.
13. *Certificates, Operation and Maintenance Manuals:* During the course of the Work, verify that materials and equipment certificates, operation and maintenance manuals and other data required by the Contract Documents to be assembled and furnished by Contractor are applicable to the items actually installed and in accordance with the Contract Documents, and have these documents delivered to ENGINEER for review and forwarding to OWNER prior to payment for that part of the Work.
14. *Completion:*
- a. Participate in visits to the Project to determine Substantial Completion, assist in the determination of Substantial Completion and the preparation of lists of items to be completed or corrected.
 - b. Participate in a final visit to the Project in the company of ENGINEER, OWNER, and Contractor, and prepare a final list of items to be completed and deficiencies to be remedied.
 - c. Observe whether all items on the final list have been completed or corrected and make recommendations to ENGINEER concerning acceptance and issuance of the Notice of Acceptability of the Work.

D. Resident Project Representative shall not:

- 1. Authorize any deviation from the Contract Documents or substitution of materials or equipment (including “or-equal” items).
- 2. Exceed limitations of ENGINEER’s authority as set forth in this Agreement.
- 3. Undertake any of the responsibilities of Contractor, Subcontractors or Suppliers.

4. Advise on, issue directions relative to, or assume control over any aspect of the means, methods, techniques, sequences or procedures of Contractor's work.
5. Advise on, issue directions regarding, or assume control over security or safety practices, precautions, and programs in connection with the activities or operations of OWNER or Contractor.
6. Participate in specialized field or laboratory tests or inspections conducted off-site by others except as specifically authorized by ENGINEER.
7. Accept shop drawing or sample submittals from anyone other than Contractor.
8. Authorize OWNER to occupy the Project in whole or in part.



Younger
Boys

ADOPT-A-STREET APPLICATION AND AGREEMENT

Price City, hereinafter called the "City," and Boy Scouts of America
TAVAPUTS DISTRICT.
hereinafter called the "Group", recognize the need and desirability of litter-free streets and public areas and are entering into this Agreement to permit the Group to contribute towards the effort of maintaining a litter-free community.

By signature below, the Group acknowledges the hazardous nature of the work and agrees to assume full responsibility in the event of an accident or other incident involving death or injury to a member of the Group or others, or property damage caused as a result of negligence or intentional conduct on the part of any member or members of the Group. The Group further agrees to the following provisions:

- Participants shall be at least ⁸~~15~~ years old. When participants are 15 years of age or younger, the Group shall furnish adequate supervision at the ratio of one adult for every five children.
- Each Group will be acting as authorized volunteer workers for Price City and will be given safety instructions by the _____, or his/her designee, which will include the following:
 - A. Volunteers must stay off the traveled area of the roadway;
 - B. If traveled area is to be crossed, it must be done by the group together, with proper flagging and supervision;
 - C. Volunteers shall not cross traveled areas of Interstate Freeways. Changing sides will be accomplished by traveling to the next exit and returning to the other side of the road;
 - D. Litter pick up will be done only during daylight hours; and
 - E. This Agreement serves as a safety notice for participants of the group before participating in a roadside clean up. Prior to each drive the group will furnish a list of participants to _____.

Price River Trail

- Groups shall adopt a section of roadway that is a minimum of two blocks in length.
- Groups shall be required to adopt for a minimum of a one to two year period.
- The Group shall pick up litter a minimum of three times a year, preferably during the spring, summer and fall seasons during daylight hours. One of these times may be designated by the City with thirty days notice to the Group.
- The Group will be responsible for required supplies and materials for the clean-up project, in addition to providing each participant of the group with durable gloves which are required to be worn at all times, and other safety related equipment (i.e., safety glasses and so on). See Attached Safety Tip Sheet.
- The Group shall place filled trash bags at the edge of the shoulder of the adopted street, as they become full, for pick up and disposal by the City Street Department the next work day. Bags are to be tied. Torn bags are to be placed inside another bag and tied.
- Unused materials and supplies furnished by the City Street Department shall be returned to the Street Department within one week following clean up.

The City agrees to accomplish the following:

- Erect a sign at the adopted area with the Group's name or acronym displayed.
- Provide orange vests and trash bags.
- Remove the filled trash bags the first workday after pick-up.
- Coordinate publicity efforts with the Group to solicit local media coverage.
- Remove litter from the adopted section only under unusual circumstances, i.e. to remove large, heavy or hazardous items.

If in the sole judgment of the City, it is determined that the adopting group is not meeting the terms and conditions of this agreement, upon 30 days notice the City may terminate the adoption agreement and remove the signs.

The City recognizes the Group as the adopting organization for the sections of street described as The Price River Trail and the Group accepts the responsibility of picking up litter in this area and promoting a litter-free environment within Price City for a period beginning Jan 01, 2016, and ending Dec 31, 2018 (minimum of one year).

We certify that we have read, understood and will abide by all of the forgoing provisions of this agreement.

BSA-TAVAPUTS DISTRICT

Name of Group

Jim Bethel
Group Representative (signature)

11/10/15
Date

Jim Bethel
Group Representative (print)

212 E. 100 N. Price, UT 84501
Mailing Address

City State Zip

(435) 637-8059 801 616-2772

Telephone (day) Telephone (evening)

Authorized by Mayor of Price City

Date

ATTEST: _____
City Recorder

Application for Adopt-A-Street is made by filling out and signing the above agreement. Original agreements will be filed with the Price City Recorder's Office.



PRICE
CITY

Older
Boys

ADOPT-A-STREET APPLICATION AND AGREEMENT

Price City, hereinafter called the "City," and Boy Scouts of America
TAVAPUTS DISTRICT
hereinafter called the "Group", recognize the need and desirability of litter-free streets and public areas and are entering into this Agreement to permit the Group to contribute towards the effort of maintaining a litter-free community.

By signature below, the Group acknowledges the hazardous nature of the work and agrees to assume full responsibility in the event of an accident or other incident involving death or injury to a member of the Group or others, or property damage caused as a result of negligence or intentional conduct on the part of any member or members of the Group. The Group further agrees to the following provisions:

- Participants shall be at least 11 years old. When participants are 15 years of age or younger, the Group shall furnish adequate supervision at the ratio of one adult for every five children.
- Each Group will be acting as authorized volunteer workers for Price City and will be given safety instructions by the _____, or his/her designee, which will include the following:
 - A. Volunteers must stay off the traveled area of the roadway;
 - B. If traveled area is to be crossed, it must be done by the group together, with proper flagging and supervision;
 - C. Volunteers shall not cross traveled areas of Interstate Freeways. Changing sides will be accomplished by traveling to the next exit and returning to the other side of the road;
 - D. Litter pick up will be done only during daylight hours; and
 - E. This Agreement serves as a safety notice for participants of the group before participating in a roadside clean up. Prior to each drive the group will furnish a list of participants to _____.

- Groups shall adopt a section of roadway that is a minimum of two blocks in length.
- Groups shall be required to adopt for a minimum of a one to two year period.
- The Group shall pick up litter a minimum of three times a year, preferably during the spring, summer and fall seasons during daylight hours. One of these times may be designated by the City with thirty days notice to the Group.
- The Group will be responsible for required supplies and materials for the clean-up project, in addition to providing each participant of the group with durable gloves which are required to be worn at all times, and other safety related equipment (i.e., safety glasses and so on). See Attached Safety Tip Sheet.
- The Group shall place filled trash bags at the edge of the shoulder of the adopted street, as they become full, for pick up and disposal by the City Street Department the next work day. Bags are to be tied. Torn bags are to be placed inside another bag and tied.
- Unused materials and supplies furnished by the City Street Department shall be returned to the Street Department within one week following clean up.

The City agrees to accomplish the following:

- Erect a sign at the adopted area with the Group's name or acronym displayed.
- Provide orange vests and trash bags.
- Remove the filled trash bags the first workday after pick-up.
- Coordinate publicity efforts with the Group to solicit local media coverage.
- Remove litter from the adopted section only under unusual circumstances, i.e. to remove large, heavy or hazardous items.

If in the sole judgment of the City, it is determined that the adopting group is not meeting the terms and conditions of this agreement, upon 30 days notice the City may terminate the adoption agreement and remove the signs.

The City recognizes the Group as the adopting organization for the sections of street described as HWY 10 MAIN Street to Tony Basso and the Group accepts the responsibility of picking up litter in this area and promoting a litter-free environment within Price City for a period beginning Jan 1, 2016, and ending Dec 31, 2018 (minimum of one year).

We certify that we have read, understood and will abide by all of the forgoing provisions of this agreement.

BSA - TAVAPUTS DISTRICT
Name of Group

J. Bethel 12/8/15
Group Representative (signature) Date

Jim Bethel
Group Representative (print)

212 E. 100 N. Price, UT 84501
Mailing Address

City State Zip

(435) 637-8059 (801) 616-2772
Telephone (day) Telephone (evening)

Authorized by Mayor of Price City Date

ATTEST: _____
City Recorder

Application for Adopt-A-Street is made by filling out and signing the above agreement. Original agreements will be filed with the Price City Recorder's Office.

PRICE MUNICIPAL CORPORATION
TRAVEL REQUEST AND AUTHORIZATION

Date 12/29/15

Name Tamara Gray

Department Pool

Purpose of Travel To attend the Utah Recreation and Parks Association Conference

Organization Sponsoring Activity Utah Recreation and Parks Association

Destination St. George, UT

Dates March 6th – March 9th, 2016

Note: All travel for more than one day or requiring overnight lodging must be authorized by Council Action.

Other Pertinent Information:

This conference is budgeted for annually

Estimated Expenses:

Travel:	Estimated Total
Mode of Travel: <u> </u> City Car (if available)	
<u> X </u> Personal Car	\$ <u>164.00</u>
<u> </u> Public Carrier	\$
Meals: <u> 4 </u> Days	\$ <u>62.00</u>
Lodging <u> 3 </u> Nights	\$ <u>300.00</u>
Registration Fees	\$ <u>200.00</u>
Other (Describe) _____	
Estimated Total	\$ <u>726.00</u>

Approval:

Councilperson	Supervisor (if applicable)	Finance (Budgeted)
_____	_____	_____

Price City Police Department Travel Request and Authorization

Date: January 5, 2016

Employee: Brandon Ratcliffe

Purpose of Travel: Basic Narcotics Tactics Training

Agency Sponsoring Activity: Sandy City Police Department

Destination: Sandy City, Utah

Dates employee will be involved in training (include travel time): Jan. 25-29, 2016

Expenses will be reimbursed to the City by: _____

Registration is waived

Method of Travel:

City Vehicle (gas) \$ _____

Personal Vehicle (gas)

_____ miles x _____ cents per mile = \$ _____

Meals: supper on Jan. 24, lunch/supper on Jan. 25-29 \$ 161.00

Lodging: On Visa (Jan. 24-28) \$ 696.00

Registration Fees: \$ _____

Other Expenses: _____ \$ _____

Total \$ 857.00

Submitted by:  Chief Kevin Drolc

Submitted to City Council for Approval on _____



Beliveau Professional Services

Basic Narcotics Tactics Training

Missouri Post Certified

Date: January 25th – January 29th, 2016

Location: Sandy Utah Police Department

Time: 0900-1700

Class Tuition: \$495

This 36 hour course is designed for law enforcement officers. This class will be beneficial for general criminal detectives, narcotics agents, patrol officers, and any other officers interested in proactive narcotic related policing. Training will include:

- Conducting successful surveillance
- Controlled deliveries of Parcel Interdiction & Delivery
- Train Interdiction
- Undercover Narcotic Operations
- Operational planning & briefing
- C/S Management
- Knock & Talk investigations
- Consensual Encounters
- Targeting Problem Areas
- Search Warrant Preparation & Execution
- Videos of successful & unsuccessful narcotic operations (including robberies)
- Practical exercises include: surveillance, controlled deliveries, u/c narcotic operations, consensual encounters, and c/s management
- Instructors teach based on their experience as a narcotic officer

Overall rating by attendees: 4.74 out of 5.00

"Best undercover narcotics school I've attended"

"Instructors are very knowledgeable"

"Very good and well organized class"

"One of the best trainings I've attended"

**Register at: www.beliveaunarctraining.com or
e-mail our agency at beliveaups@yahoo.com**

Mayor
JOE L PICCOLO
City Attorney
NICK SAMPINOS
Community Director
NICK TATTON
City Recorder
SHERRIE GORDON
Finance Director
LISA RICHENS



Price City

185 EAST MAIN • P.O. BOX 893 • PRICE, UT 84501
PHONE (435) 637-5010 • FAX (435) 637-2905
www.pricacityutah.com

UTAH'S CASTLE COUNTRY!!

City Council

KATHY HANNA-SMITH
RICK DAVIS
WAYNE CLAUSING
LAYNE MILLER
TERRY WILLIS

TRAVEL REQUEST: UTAH CHAPTER ICC TRAINING CONFERENCE

PERSON: TRENTON BENNETT

DATE: FEB 15-19, 2016

LOCATION: ST. GEORGE, UTAH

REASON: IMPROVE EFFECTIVENESS OF INSPECTION SERVICES, SPECIFICALLY AS IT RELATES TO CODE UPDATES AND BUILDING INSPECTION EFFECTIVENESS FOR SAFETY AND EFFICIENTLY FOR CUSTOMER SERVICE.

<u>COSTS:</u>	CONF. REGISTRATION	\$225.00
	AIRLINE	\$0.00
	VEHICLE	\$150.00 – FUEL PURCHASES
	LODGING	\$450.00 – 5 NIGHTS STAY
	MEALS	\$150.00 – NOT INCLUDED WITH CONF.
	MISC. & UNEXPECTED	\$49.00 ~ 5% OF TRAVEL COSTS
	TOTAL GROSS TRAVEL	\$1,024.00
	TOTAL	<u>\$1,024.00– ONE TIME EXPENDITURE</u>

BILLING: BUILDING INSPECTION, GENERAL FUND

- ACCT #10-52-231 FOR REGISTRATION
- ACCT #10-52-230 FOR HOTEL AND MEALS

MISC: PART OF ANNUAL TRAINING PROGRAM AND PLAN.

Utah Chapter ICC Annual Business Meeting and Education Conference 2016

**Monday, February 15th, 2016
through
Friday February 19th, 2016**



This education conference was made possible in part by:

The State of Utah 1% fee on building permits:

The National ICC Organization;

and the Utah Chapter

WELCOME:



Welcome to the 2016 Annual Business Meeting of the Utah Chapter ICC. The Board of Directors would like to extend an invitation to the best week in the Inspection Industry. Once again the Chapter Board and Education Committee have labored diligently to guarantee that you will experience the best education classes your money can buy! This education seminar will keep you on the cutting edge of building code knowledge.

We have many activities and entertainment planned for the week of this year's conference. Our theme is Costume-Palooza. At the Tuesday night family activity wear costumes of your favorite celebrity, historical figure (including politicians) fairy tale character, or anything else you can come up with! Feel free to be creative! Kids and partners included! There will be judging for the best costumes of all ages and fabulous prizes for the winners.

Come join in excellent education and fist-bumping fun with your friends and colleagues. We look forward once again to your attendance at this outstanding conference.

GOLF AT SUNBROOK

This annual golf tournament will be held on Monday, February 15th 2016. The first tee time is 11:00 a.m. at the Sunbrook Golf Course; 2240 Sunbrook Drive. St. George, Utah. For those interested, you **must** pre-register by January 29th. The cost is \$65.00. \$5.00 of it is for a credit in the snack bar. For registration information, contact Ken Martin at 801-634-2250. **Green fees will be paid at the door but you must pre-register with Ken no later than January 29th. If you're signed up but find you can't play please give Ken Martin a weeks' notice.**

LODGING

This year's conference will be held once again at the St. George Courtyard Marriot! The Courtyard is located at 185 South 1470 East, St. George, Utah 84790. It is just south of the Factory Outlet Mall.

The room rates are \$94.00, plus 11.6% room tax per night. Call 1-800-290-4387 for room reservations or FAX them at 1-435-986-0588.

When registering, use "UCIC" to get the special room rates for arrival on Monday, Feb. 15th and departing on Friday, Feb. 19th. The block name is "UCIC".

The entire hotel is reserved for the Utah Chapter ICC for that week!

Hotel registration deadline is January 14, 2016

(Rooms will likely not be available at the lower rate after the deadline.)

INFORMATION

For additional information about this conference, please contact:

Cathryn Nelson at (801) 446-5327 for **General** Questions

Jason Van Ausdal at (801) 491-7832 for **Education** Questions

Bill Bell at 801-229-7053 for **Financial or Registration** Questions.

Darrin Hancey at (435) 563-6507 for **Vendor** Questions.

You can also register online at www.utahicc.org

↑INSTRUCTOR INFORMATION:↓



Douglas W. Thornburg, AIA, CBO, is currently Vice-President of Education and Certification for the International Code Council (ICC) where he provides administrative and technical leadership for the ICC education and certification programs. Prior to employment with ICC in 2004, he spent nine years as a code consultant and educator, and the previous ten years with the International Conference of Building Officials (ICBO). Doug also continues to develop and present building code seminars nationally and has developed numerous educational texts and resource materials. He was presented with ICC's inaugural Educator of the Year Award in 2008, recognizing his outstanding contributions in education. A graduate of Kansas State University and a registered architect, Doug has over 35 years of experience in building code training and administration. He has authored a variety of code-related support publications, including the *IBC Handbook* and the *Significant Changes to the International Building Code*.



Jason Van Ausdal, A licensed Commercial and Residential Inspector and Chief Building Official with Springville City, offers the industry over 17 years' experience. An active member of several professional organizations, Jason is currently serving as a board member on the Utah Chapter Association of Electrical Inspectors and the Utah Chapter ICC. Jason has taught several classes for the Home Builders Association and Utah Plumbing and Heating Contractors Association. Jason also was recently placed on the Electrical Advisory Committee for the State of Utah and is a committee member of USAP.



Paul Thorley is a licensed Structural Engineer in Utah and Idaho. Paul has a Masters degree from Brigham Young University in Mechanical Engineering. He is the founder and president of Acute Engineering that provides architects, home builders, designers and developers with reliable results. He has worked in business formats as management including business modeling, projections, negotiations, and system integration. Paul has recently provided training topics for inspectors such as "Structural Beams" and provided presentations at BYU for the civil and environmental engineering programs. He has also been invited to present in Miyazaki, Japan for timber frame tensile strength capacities for the World Conference on Timber Engineering.



Steve Thomas brings more than 30 + years of experience in code administration and construction industries. He is professionally certified by ICC and FEMA. He is a member of multiple professional organizations including the Colorado Chapter of the International Conference of Building Officials where he served as President. Steve currently serves as Vice Chairman of the IBC Means of Egress code development committee.



Jeanne Bullock is a Combination Commercial and Residential Inspector, Plans Examiner, Accessibility/Plans Examiner and since 2011 a Residential/Commercial Energy Inspector/plans examiner. Jeanne has over 10 years of experience teaching code, energy and code violation classes for the Home Builders Association and other organizations/conferences in the state.

Jeanne is the representative in charge of Uniformity Meetings with the Southern Utah ICC Chapter Region Building Officials that meet once a month, has also served as the Utah Chapter of ICC's Southern Region Coordinator. She also, has been the past Secretary for the International Association of Electrical Inspectors (IAEI) Southern Region.

CLASS DESCRIPTIONS

INSTRUCTOR INFORMATION CONTINUED



Russell Thornburg brings to the classroom first-hand knowledge of all aspects of the building industry from the basics of home ownership, to general contracting, to field inspection and plans examiner. For more than twenty years he was self-employed as a licensed general contractor, and has 11 years of experience working for municipalities in the state of Minnesota. During that time he began teaching Building Inspection Technology programs for Minnesota State Colleges and Universities, as well as Continuing Education Seminars for local ICC chapters. He currently works as plans examiner for Johnson County KS, and the City of Gardner KS. He also writes, and develops code and administration seminars and presents these programs for various organizations, including Municipalities, Institutes, ICC chapters, Building Associations, and industries throughout the United States, and is an active ICC instructor.



Chris Jensen In August of 1994 Chris received his Journeyman electricians licensed and in June of 2004 he received his Master electrician's license. From 1990 to 2005 he worked as an electrician, until May of 2005 when he changed hats and became a combination inspector for North Logan City. He teaches the electrical apprenticeship program for Bridgerland Applied Technology College, and is an active member of the Utah Chapter of the IAEI and holds a position on the board. In June of 2012 Chris was selected to represent the IAEI as an Alternate to Robert Kauer on code making panel 10 for the National Electrical Code. He served in that capacity during the 2014 NEC revision cycle and remains an active CMP member for future revision cycles.

2015 IBC: Changes and Updates:

Overviews the changes from the 2012 to the 2015 IBC®. Identifies changes in organization and code requirements and the applicability of these requirements to design, plan review and inspection. This course uses the Significant Changes to the International Building Code 2015 Edition.

2015 IRC: Residential Plan Review

To provide a systematic, common sense approach for residential plan review for One and Two Family Dwellings, for the recognition of code compliance. The International Residential Code, Chapters 1 through 10 and Reference Standards will be used for a portion of the specification base. Third party testing, Evaluations Services, ICC, and industry and manufacturer's standards will all be addressed in the plan review process.

2014 NEC: Commercial and Industrial Applications

This course will highlight the wiring methods and installation practices used for commercial and industrial settings and break down the code requirements of these wiring methods. Misapplications and misunderstandings of these wiring methods are common in the commercial and industrial settings. This course will also address the wiring of motors from an NEC standpoint with an emphasis on applying the code to industrial settings. Finally this course will finish with an NEC overview of transformer wiring with an emphasis on grounding and bonding and overcurrent protection of transformers.

2015 IRC: Residential General Provisions

The 2015 International Residential Code will be used to identify the general provisions and basic structural standards (electrical, plumbing, mechanical and construction) for the purpose of determining a minimum standard of living for residential occupancy.

Moisture Intrusion:

During this session, we will have the opportunity to discuss the building science behind moisture intrusion in the residential environment in relation to building code requirements. This course will examine the concepts of sustainability, net zero energy, and durability design criteria in terms of providing fundamental information on the 2015 International Residential Code exterior weather barrier provisions. Participants will learn through a detailed examination of the exterior wall envelope weather-barrier components, roof assembly components, and foundation elements how to avoid moisture intrusion problems and how to conform to the requirements of the 2015 IRC.

2015 IRC Fire Separations

An in-depth look at required construction methods for both Two-Family Dwelling and Townhouse fire separation walls, floor-ceiling assemblies. This course will be of interest to contractors, designers, plans examiners, field inspectors and architects.

Review applications of through and membrane penetrations

Review assemblies and application of fire separation wall

Review floor, roof and ceiling construction applications.

Light Frame Structural Analysis and Documentation:

This course is an introductory course for light framed construction and deciphering the information in the calculations and supporting documents. What do the numbers mean and how are they derived? What should the numbers be in my area and how do I find them in the calculations? These will be covered in this hands on presentation

2015 IBC Accessibility and Usability for Commercial Buildings:

This seminar focuses on the minimum requirements for new or existing construction of accessible commercial facilities for compliance with the 2015 International Building Code (IBC) and ICC A117.1-2009 Accessible and Usable Buildings and Facilities. It addresses the design, plan review and inspection of commercial buildings to ensure that people with physical impairments, visual impairments and hearing impairments can use the facilities. They will participate in activities that involve questions and answers, discussion and case study, performing parts of individually and in groups.

2015 IRC Updates:

There have been significant changes made to the International Residential Code® (IRC®) since the 2012 edition. This course will identify important changes in the IRC from 2012 to 2015 edition. Participants will be presented with those changes that will most impact their use of the code when they adopt the 2015 IRC. The learner will receive an overview of the most important code changes including the State Amendments

IBC/IRC Code Administration

This course will cover the administration and implementation of the codes for policy and laws. How to meet the requirements for plans, inspections and permitting. The course will also cover the skills needed to do the job and survive. Sample cases will be part of an interactive 'hands on course'.

Soft skills with dialogue will also be covered.

Common Code Violations:

The purpose of the Common Code Violation Class is to learn and understand many of the most common code violations. It was originally based on a "Top Ten Code Violations" from the Utah Chapter of an ICC Newsletter many years ago. The class teaches about those original ten and has added what Inspectors today are seeing out in the field. This resource collection helps everyone "out in the field" see the code violations "right and wrong" ways to identify the code.

2015 IBC: Fire Resistive Construction

This course based out of the 2015 IBC will cover the aspects of construction pertaining to fire resistance, smoke penetrations, overall designs, penetrations, rated assemblies and fire suppression for buildings of all types.

2015 IBC : Means of Egress

This course will cover chapter 10 of the IBC and the components of egress and evaluations of buildings for egress requirements. Understand required exits vs additional. Egress components details will also be part of the instruction.

2016 Annual Business Meeting and Training Conference Class Schedule

Time	Tuesday, February 16	Wednesday, February 17	Thursday, February 18	Friday, February 19
7:00 AM	Registration	Registration	Registration	Registration
8:00 AM	2015 IBC Updates of changes Full Day Steve Thomas	2015 IBC: Means of Egress Full Day Steve Thomas	2015 IBC: Accessibility Full Day Doug Thornburg	Common Code Violations Half Day Jeanne Bullock
	Residential Plan Review Half Day Russell Thornburg	Residential Moisture Intrusion aspects Half Day Russell Thornburg	2015 Full Day Steve Thomas Fire Resistive Construction	
	Commercial and Industrial applications 2014 NEC Full Day Chris Jensen	Understanding Calculations Full Day Paul Thorley	Code Administration Full Day Jason Van Ausdal	
9:00 AM	Vender Break	Vender Break	Break	Break
9:45 AM	Class Continued	Class Continued	Class Continued	Class Continued
12:00 Noon	Lunch	Lunch	Lunch	
1:00 PM	Full day classes Continued	Full Day Classes Continued	Full Day Classes Continued	This education conference was made possible in part by the 1% fee on building permits The National ICC Organization and The Utah Chapter
	Residential General Provisions Half Day Russell Thornburg	Residential Fire Separations Half Day Russell Tornburg	Full Day Classes Continued	
2:30 PM	Vender Break	Vender Break	Break	
3:15 PM	Class Continued	Chapter Business Meeting Everyone Invited!	Class Continued	



Everyone Loves to Play Dress-up!!!

Be sure to attend the Tuesday night Costume-Palooza, a spectacular event planned for the whole family. Be prepared to be transported to fantasy heaven! Join us in dressing as your favorite celebrity, historical figure (including politicians) or fairy tale character! Dinner will be provided and Cathryn will be the Mistress of Ceremonies! Judging will take place for the best costumes and fabulous prizes awarded for all ages! To top it off, there will be entertainment to round out the Best Night of Make-Believe Ever!!



Please Join us Thursday night
 (February 18th) for the
 prestigious Jess Miller Awards Banquet:



Quinn Davis
2015 Jess Miller Award Recipient

Chapter members and their companions can enjoy fine dining and
 an enjoyable semi-formal evening. (Child care will be provided)

Jess Miller - 1986	Ray Noble - 1987	Ron Ivie - 1988	Ron Bullock- 1989
Roger Evans - 1990	Joe Empey - 1991	Chuck Hugo - 1992	Jody Hilton - 1993
Doug Smith-1994	Anne Von Weller-1995	Ken Martin-1996	Steve Hamblin-1997
Larry Wiley-1998	John P. Nelson-1999	Frank Robinette-2000	Scott Hodge-2001
Paul Tippets-2002	Chad Nay-2003	David Levanger-2004	Paul Bauer-2005
Kevin Croshaw-2006	Gilbert Gonzales-2007	John Saunders-2008	Bill David Bell - 2009
Jeff Whitney-2010	Kirk Jacobsen— 2011	Scott Marcell— 2012	Don Davies— 2013
Kurt Gardner— 2014	Quinn Davis — 2015		

(Please complete a separate registration form for each participant.)

Name of Attendee: _____ Jurisdiction/Company: _____

Address: _____ Telephone: (____) _____

Email Address: _____ Is this your first ABM attended? YES No

How many will attend the Welcome Dinner on Monday Night? _____ Number for the Tuesday night activity and dinner? _____

How many will attend the Jess Miller Banquet? _____

Circle Applicable Fees	Payment on or BEFORE January 15th 2016	Payment AFTER January 15th 2016	With Golf BEFORE Registering on January 15th 2016	With Golf AFTER registering on January 15th 2016
Chapter Members	\$225.00	\$250.00	\$290.00	\$315.00
Non Members	\$250.00	\$275.00	\$315.00	\$340.00
One Day Only	\$100.00	\$125.00	\$165.00	\$190.00

Select courses you will attend:

Tuesday

- 2015 IBC Updates & Changes
- Residential Plan Review
- 2014 NEC Applications
- Residential Provisions

Wednesday

- 2015 Means of Egress
- Moisture Intrusion
- Understanding Calculations
- Residential Fire Separations

Thursday

- 2015 IBC Accessibility
- 2015 Fire Resistive Construction
- IBC/IRC Code Administration

Friday

- Common Code Violations

Register Online At
www.utahicc.org

Make Checks Payable To:

Utah Chapter ICC Total enclosed: \$ _____.

C/O Bill Bell—56 North State Street- Orem, Utah 84057