

**Beaver County
Planning & Zoning Commission
May 16, 2023
6:30p.m.**

Minutes

Attendance: Karianne Jarvis- Chairman, Bryan Graham, Brady Bradshaw, Mitch Dalton, Darin Malchus, Kade Blackner, Cory Beebe, Jared Gillins-Deputy Zoning Administrator, Leo Kanell-Deputy County Attorney and Kyle Blackner- Zoning Administrator.

Visitors: Mark Whittlesey, Jackie Whittlesey, Justin Finch, Marlene Marshall, Gus Marshall and Jen Wakeland

Called to Order at 6:33p.m.

MINUTES:

The Pledge of Allegiance was led by Cory Beebe. Minutes from the April 18, 2023 meeting were reviewed. Bryan Graham made a motion to approve the minutes. Mitch Dalton seconded the motion. Brady Bradshaw, Darin Malchus, Kade Blackner and Cory Beebe voted for, thus the motion passed unanimously.

CONDITIONAL USE PERMIT:

Marlene Marshall and Gus Marshall came before the board seeking a Conditional Use Permit for a gravel pit in Sec. 13, T29S, R11W in an Agricultural District (A-20fm). The five (5) acre area has been previously tested and met specs for road projects. Initially, they just plan to sell the pit run (sand & gravel). Should the product prove abundant and the demand for more specific material arise, they would come back before the board to apply for a crusher/screening CUP in the future. Questions were asked regarding number and proximity of homes near the site; quality, quantity and market for the product; estimated valuation and cubic yards; etc.

Because they were unsure of the amount of quality product and demand, they listed a \$150,000 valuation on the project and will submit for a new permit if it exceeds that value.

Attorney, Leo Kanell joined the meeting at 6:45pm.

Board Members and applicants reviewed imposed conditions on previously issued gravel pits & crushers and came up with a list of conditions that they felt would be appropriate for this project. Mitch Dalton made a motion to approve the Conditional Use Permit with the conditions set forth. Cory Beebe seconded the motion. Kade Blackner, Darin Malchus, Brady Bradshaw and Bryan Graham voted for, thus the motion passed unanimously. Zoning Administrator, Kyle Blackner, mentioned to the board that a Reclamation Bond will be needed, but is not required as a condition of the permit because it will fall under condition #2 (compliance with all codes), as our zoning ordinance requires it for a gravel pit.

WORK MEETING:

First, the Accessory Dwelling Units final draft was reviewed. After a brief discussion, Darin Malchus stated that he was happy with the final product and made a motion to bring it to a public hearing at our June P/Z Meeting. Mitch Dalton seconded the motion. Brady Bradshaw, Kade Blackner, Cory Beebe and Bryan Graham voted for, thus the motion passed unanimously.

Next, regarding Tiny Homes, Mr. Blackner said that he was trying to decide which would be more beneficial for Tiny Homes, an Overlay District which would designate areas for Tiny Homes or making them permitted or conditional uses within specific districts. What makes these different, and somewhat difficult, is that Tiny Homes can be used as a primary or secondary dwelling, a nightly rental, a seasonal rental or a cluster subdivision of several of them, for any of the aforementioned uses. He felt that Tiny Homes for residential dwelling could be in all residential districts, but that those used for nightly rental cluster subdivisions would be better suited to the main thoroughfares and the forest/recreation district. About the time he comes up with a workable solution, he notices that Tiny Homes are in all kinds of random locations in other jurisdictions, which leaves him rethinking the plan. There was discussion amongst the board about the benefits of them; for county events and tourism, seasonal employee lodging, additional income for property owners & increased revenue for Beaver County. With the exception of Commercial Manufacturing and Industrial Districts, Tiny Homes, of one use or another, makes sense in all of the other districts. All agreed that they don't want to limit property owners, but at the same time, need to protect neighboring property owners. It was suggested that perhaps we make a chart, similar to the one he designed for the ADUs, designating the different uses as permitted or conditional, in each district. He asked board members to ponder on preferable locations for Cluster Subdivisions and we would discuss them at the next meeting. Mr. Blackner will gather ordinance data from other counties to share with the board.

Finally, board members reviewed the new A-5 District Ordinance Draft. Because the vast majority of parcels, including subdivisions, within the A-5 District are primarily for residential use, it is Mr. Blackner's desire to protect the A-5 District residents from some of the uses that are currently in our ordinance, but would be best suited for A-10 and A-20 Districts only. He is asking the board to consider removing the most invasive uses such as gravel pits, intensive livestock operations, fur farms, drilling, forestry, power plants, etc., from the A-5 Districts. Of course the ordinance would not be retroactive, but would create a buffer zone going forward.

There was extensive discussion about this topic; should SFDs be a permitted use or conditional use; implementation of A-2.5, A-5 vs. RE-5 uses; public clamor vs. reasonable conditions imposed; protecting both sides of the issue-the agricultural use and the residential owner. Numerous situations were provided to clarify the need and benefits of both sides. Kade Blackner was concerned about creating smaller A- 2.5 parcels, which would increase the population in ag districts, and recommended keeping them at a minimum of A-5. Mr. Blackner said that if everyone felt the same way, that there was not a benefit to adding the A-2.5, that size could be removed. The board was given the assignment of reviewing all of the permitted and conditional uses in the Ag Districts and consider which ones should be removed from the A-5 District. We will review it again at the next meeting.

Cory Beebe made a motion to adjourn. Kade Blackner seconded the motion. Darin Malchus, Bryan Graham, Mitch Dalton and Brady Bradshaw voted for, thus the motion passed unanimously.

The meeting concluded at 8:22 p.m.

Minutes approved on _____.

Karianne Jarvis- Chairman