

**MINUTES OF THE PLANNING AND ZONING BOARD:** The Planning and Zoning Board met on Tuesday, October 4, 2022 5:30 p.m. at the Beaver City Center, 30 West 300 North. The following members were present: Chairman Travis Hollingshead, David Albrecht, Jamie Smith, Debbie Smith and Ruben Vasquez. Also, present were Planning and Zoning Administrator Jason Brown and Secretary Paula Fails. Public present were Jackie & Mark Whittlesey, Eddie and Brian Smith, Dr. Evan Yardley DVM, Mary Wignal, Kenneth & Rebecca Lukins, Victoria Orme, Kyle & Preston Menlove, Patrea and Douglas Baldwin.

### **WORK MEETING**

Administrator Brown read over the City's Guidelines on Conditional uses and when Conditional Use permits should be issued. (Attached below) Member Debbie Smith asked about the KOA entrances and exits, Administrator Brown said they will stay the same. Member Hollingshead ask about the density on the Brian Smith multi housing at approximately, 250 West 1175 North. Member Vasquez asked if the sewer is adequate for more units at 1175 North. Mr. Brown said that if we need a denser zone the board could make a recommendation to the City Council to create an MR3 zone for more density, currently we only have MR1 and MR2. Member Hollingshead and Member Albrecht recommended that a more proactive thing to do would be to recommend to the City Council a denser zone such as MR3, MR4 and a PUD rather than approving a denser zone in our current smaller zones.

### **CONDITIONAL USES**

**The planning commission may grant a conditional use permit (CUP) for conditions harmonious under its special conditions in compliance with the Beaver City Zoning Ordinances, Title 11, Chapter 13, and in compliance with Utah Code Ann §10-9a-507 which shall be established from the application and the facts presented to the City. It is the intent of Beaver City to establish objective standards set forth in the ordinances. Beaver City will approve a CUP if reasonable conditions are proposed, or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use. The following outline is for the purpose of providing each applicant with necessary information to assist in preparing and completing the CUP application. The list is not intended to be exhaustive but rather illustrative in content, and applicant is encouraged to provide all relevant information and is advised that the Beaver City Planning and Zoning Board may request or inquire into any reasonable information necessary to fully consider the CUP permit.**

1. The proposed use at the proposed location will not be unduly detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety or general welfare of the zoning community.
2. The proposed use will be located and conducted in compliance with the goals and policies of the Beaver City's general zoning plan and the purposes of this title and its zoning codes.
3. That the property on which the use, building or other structure is proposed is of adequate size and dimensions to permit the conduct of the use in such a manner that will not be materially detrimental to adjoining and surrounding properties.
4. That the conditions imposed are necessary to reasonably mitigate anticipated detrimental effects of the proposed conditional use.

**If reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by a proposal, or the imposition of reasonable conditions to achieve compliance with applicable standards, the Beaver City Planning and Zoning may deny the conditional use request.**

**In approving a conditional use permit, Beaver City shall at least review and may impose the following conditions as a part of the conditional use permit:**

1. If new construction, the site will be suitably landscaped and maintained. The design, setbacks, fences, walls and buffers of all buildings and other structures are adequate to protect property and preserve and/or enhance the appearance and character of the area and for the purposes of the property and the zoning in which it is located;
2. If old construction, the site will be suitably improved with necessary structures, such as enclosed buildings, fences or other structures necessary to maintain the character of the area and intentions of the zone.
3. If new construction, all buildings or structures are designed to add to the quality of the area;
4. Provision of parking facilities, including adequate vehicular ingress and egress, loading and unloading areas and the surfacing of parking areas, if applicable, and driveways are developed to

specified standards, if applicable to assure proper use and capacity for vehicular traffic;

5. If applicable, the provision of required street and highway dedication and improvements, the location of the property as to any impact upon traffic, and to assure that there is adequate water supply, sewage disposal, garbage disposal, power demands and fire protection;
6. The mitigation of nuisance factors, such as noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, materials present on the property, water hazards, soil contamination, enclosure of old machinery or vehicles, and adverse impact upon neighboring properties (or mitigation thereof), or any other likely disturbances making the use incompatible with neighboring community;
7. The regulation of operating hours for activities affecting the neighborhood and community functions;
8. Regulation of signs within and without the premises;
9. Provision of a reasonable guarantee, bond or other surety, as determined by the planning commission, that the proposed conditional use will be maintained and operated in compliance with all conditions and requirements;
10. Identifying a time for regular review and monitoring as determined necessary by the City to ensure the use continues to operate in compliance with all conditions and requirements of approval;
11. Such other conditions determined necessary by the City to allow the establishment and operation of the proposed conditional use in an orderly and efficient manner and in compliance with all elements of the Beaver City Zoning Ordinance, Title 11, its general zoning plan and the intent and purposes of the Code.

#### **REGULAR MEETING**

#### **OPENING – ADMINISTRATOR BROWN**

Opened with a prayer and the Pledge of Allegiance given by Administrator Jason Brown.

**MINUTE APPROVAL** After reviewing the minutes, Board Member Albrecht motioned to approve the minutes of August 2, 2022 as presented. Board Member Debbie Smith seconded the motion. All voted in favor. None opposed.

**CONFLICT OF INTEREST STATEMENT** – Member Debbie Smith has a conflict with Brian Smith multi housing at 1175 North and Travis Hollingshead declared a conflict of interest for the Peak Country Storage units.

**PEAK COUNTRY STORAGE UNITS** Travis Hollingshead met with the board to ask for a Conditional Use Permit at approx. 1557 North Hwy 357 for storage units. The first phase entrance will be on the North East side, he will pave the entrance within the next 2 year with KOA when they are doing their project across the street. He will be putting gravel down to keep the dust down, solar lighting will be done where the containers are and at the corners, code on the gate, 6' chain link fence (90' off the road) with barbed wire on the top and security cameras. He will have 20' and 40' containers for the storage units.

Administrator Brown stated that he received a letter from Fishlake Lumber and they didn't have a problem with the storage unit business. Dr. Evan Yardley with Indian Creek Veterinary clinic said that he is fine with the storage units, they will be great neighbors and they have cleaned up the property nice. As long as they are aware of the smells, noises, early and late hours and he will not be moving his horses. Member Jamie Smith asked about signage, in the future he will have one sign on the South property line just one coming North bound, perpendicular to the road. Board Member Vasquez ask if he would be storing boats and trailers. Phase 1 will have 19 parking spots for RV's, boats, trailers etc. Administrator Brown asked about utilities (power and water). Mr. Hollingshead stated that he has no plans for utilities at this time and there is a fire hydrant in the front of the property. Member Jamie Smith asked about the speed limit on the road, it is 40 in this area. Administrator Brown said that the city will reduce the speed limit from Main Street to 1800 North to 30 MPH. Board Member Albrecht motioned to approve Peak Country Storage Conditional Use Permit with the conditions talked about tonight. Board Member Vasquez second the motion. All voted in favor of the motion. None opposed.

**MEMBER VASQUEZ CHAIRMAN PRO-TEM** At this time Chairman Hollingshead was excused. Member Vasquez replaced Chairman Hollingshead as Chairman pro-tem.

**BEAVER KOA** Preston Menlove representing the KOA at approx. 1500 North Hwy 357, met with the board to ask for a Conditional Use Permit to expand the existing Campground and add an additional 52-60 more full hookup RV Sites, 27 pull through and 25 back ins. They will be sites for overnight use no long-term parking. They will have power (50-amp plugs), water and sewer at each site. Member Vasquez asked if the sewer was sufficient for the expansion, Mr. Menlove stated that the 4" line was sufficient. Exit and entrance will remain the same, a privacy

type fence to the west and north in between them and the neighbor, roads will be gravel, lighting will be around the outside, entrance and exit. Administrator Brown asked about landscaping, Mr. Menlove plans on planting trees and having a drip system. Member Debbie Smith asked about lighting, they plan on a few lights but not too many because people want to sleep. Administrator Brown stated that they will have to follow Beaver City construction standards on lighting at the entrance and exit. Mr. Menlove also said that they will be moving the mini cabins to the North of the pool and open up 6 more sights where they currently are placed. Dr. Evan Yardley Indian Creek Veterinary clinic would like the neighbors to remember that he has been in the neighborhood for years and he is not going to change his business and he would recommend the fence be lowered at the access and add better signage, because customers are missing the entrance and turning around at his business parking lot to go back to the KOA. Evan has also witnessed kids on the 4-wheeler trail almost getting hit by trucks pulling out on to Manderfield Hwy and he feels that they can't see due to the fence, other than that he doesn't have problem with them adding on and it will look better that a bunch of weeds. Victoria Orme Manager of the Beaver KOA stated that they could do better with the signage as they pull out with a sign that says children at play. She also stated that google has their address wrong and they will try to work on changing it. Member Albrecht suggested that they work with google to get their address changed through them.

Board Member Debbie Smith motioned to approve Beaver KOA Conditional Use Permit with the conditions talked about in the meeting. Board Member Jamie Smith second the motion. All voted in favor of the motion. None opposed.

**BRIAN SMITH** met with the board to ask for an increase in multi-family housing density at 250 West 1175 North. He would also like verification on one partial to confirm that is zoned multi family. Administrator Brown stated that as far as the city know the partial in question should be zoned Multifamily not industrial. He would like to build 14 units that he will sell. He only has plans for a 25' road. The size of the units are 1480 square feet each unit is 23' wide 20' deep, 3 bedroom 2 1/2 bath, no basement, 8' in between each double unit, fencing on the north, no scape (xeroscapte) in the front yard and the owner would be responsible to finish the back yard. Curb, cutter and sidewalk around the outside property roads and fencing along the back of the units. Current zoning fits 11 units. Member Albrecht motioned to recommend to the City Council to create a new zone that would allow a higher density, such as a MR3 Zone as 14 units per acre and approve Brian Smith's Subdivision Member Jamie Smith second the motion. All voted in favor of the motion. None opposed.

Dr. Evan Yardley recommended to make it 18 units per acre to make a bigger difference in the future. Brian Smith suggested that 14 units per acre is the most you can get in with roads, parking, and yard space, unless you build up.

#### **FENCE ORDINANCE REVIEW AND RECOMMENDATIONS**

Administrator Brown stated that the fence height and intersection height of fenced setbacks, has been an ongoing discussion and the board needs to make a recommendation to the city council. Member Debbie Smith motion to recommend to the City Council to have the fence ordinance changed to 50' with-in an intersection, be maximum 4' and 6' height in residential areas. Commercial districts could still be permitted up to 8'. Member Albrecht second the motion. All voted in favor of the motion. None opposed.

#### **GENERAL PLAN UPDATE**

We do not have an update from Ryan Robinson with Jones and DeMille, he will have an update for the board at the next meeting.

**PUBLIC COMMENT** – No public comment.

The Planning & Zoning Board had no further business at this time. Board Member Albrecht motioned to adjourn the meeting and Board Member Jamie Smith seconded the motion. All voted in favor of the motion. None opposed. The meeting adjourned at 7: 35 pm. Next meeting will be November 1, 2022.

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APPROVED – Travis Hollingshead  
Planning & Zoning Chairman

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ATTEST – Paula B. Fails  
Recorder

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APPROVED – Ruben Vasquez  
Chairman Pro-Tem