

MINUTES OF THE PLANNING AND ZONING BOARD: The Planning and Zoning Board met on Tuesday, July 5, 2023, 5:30 p.m. at the Beaver City Center, 30 West 300 North. The following members were present: Travis Hollingshead, Chris Hillsman, David Kerksiek, Rubin Vasquez and Debbie Smith. Also, present were Planning and Zoning Administrator Jason Brown and Secretary Paula Fails. Public present were Jackie & Mark Whittlesey, Hagen Rubio, Roger & Alma Slater and Donald Dade.

WORK MEETING

New board member Chris Hillsman introduced himself to the board. Administrator Brown reviewed conditional use permits standards and answered questions from the board members.

Conditional Use Permit

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.

Administrator Brown also talk to the board about reviewing the height restrictions for commercial building and possible changing it to 50' height.

REGULAR MEETING

OPENING – ADMINISTATOR BROWN

Prayer and Pledge of Allegiance, by administrator Brown.

WELCOME NEW BOARD MEMBER

Chairman Hollingshead welcomed new board member Chris Hillsman.

MINUTE APPROVAL

Board Member Smith motioned. Board Member Vasquez second the motion to approve minutes for March 7 and May 2, 2023. All voted in favor of the motion. None opposed.

CONFLICT OF INTEREST STATEMENT

None

CONDITIONAL USE PERMIT

Don Dade asked for a Conditional Use Permit for a Home Business / Photography at 459 South Riverside Lane. Board Member Kerksiek motioned to approve the Conditional Use Permit for a home business at this location. Board Member Hillsman second the motion. All voted in favor of the motion. None opposed.

CONDITIONAL USE PERMIT

Hagen Rubio asked for a Conditional Use Permit for a Home Business / Small Equipment rental at 680 East 400 North.

Roger Slater had a concern to make sure the pasture doesn't turn into equipment storage.

Board Member Vasquez motioned to approve the Conditional Use Permit for a home business, with the following conditions, removing small to just equipment, use only one parcel of property, no standalone fuel tank storage on the property over 200 gallons and not to impede on the ditch easement. Member Smith second the motion. All voted in favor of the motion. None opposed.

COMMERCIAL HEIGHT RESTRICTIONS Administrator Brown discussed with the board, being proactive by changing the height restriction on commercial building from 35' to 50'.

Chairman Hollingshead concern was possible a commercial building at 50' being too close to the residential area, such as like by Family dollar. He has no issue with Highway Commercial being 50'. Member Kerksiek suggested possible different zones at different heights.

TRANSPORTATION MASTER PLAN

GIS story in motion.

Possible traffic light on 200 North and Main.

PUBLIC COMMENT No Public Comment.

The Planning & Zoning Board had no further business at this time. Board Chairman Hollingshead motioned to adjourn the meeting and Board Member Kerksiek seconded the motion. All voted in favor of the motion. None opposed. The meeting adjourned at 7:20 pm.

APPROVED – Travis Hollingshead
Chairman

ATTEST – Paula B. Fails
Recorder