

**Beaver County  
Planning & Zoning Commission  
January 19, 2016  
6:30 p.m.**

**Minutes**

Attendance: Darrel Davis-Chairman, Steve Kinross, Mike Riley, Walter Schofield, Drew Coombs, Kolby Blackner, Heidi Eyre from the Attorney's Office and Kyle Blackner as Zoning Administrator.

Visitors: Jim Webb and Scott Albrecht.

Called to Order at 6:35p.m. Kyle Blackner introduced the new members: Walter Schofield, Drew Coombs, and Kolby Blackner. After some discussion Mike Riley made a motion to appoint Darrel Davis as Commission Chairman. Drew Coombs seconded the motion. Motion passed unanimously.

**MINUTES**

Minutes from the November 17, 2015 meeting were read and discussed. Mike Riley made a motion to approve the minutes. Kolby Blackner seconded the motion. Motion passed unanimously.

**MURPHY BROWN- AG PROTECTION ZONE APPLICATION**

Jim Webb, representing Murphy Brown, LLC came before the commission to answer any questions they had regarding the application. Scott Albrecht gave a power point presentation that explained the Ag Protection Area and the timeline required to review it. All neighboring landowners were notified. The Ag Protection Area was established 20 years ago, but this is Beaver County's first application. We reviewed the map of proposed parcels, located in both Ag Zones and MU Zones. Murphy-Brown's intent is to protect themselves from nuisance, eminent domain, potential lawsuits, etc. Murphy Brown will still be required to apply for a CUP to complete any new projects. Mike Riley made a motion to recommend that the County Commission approve the Ag Protection Area as applied for. Steve Kinross seconded the motion. Kolby Blackner & Drew Coombs abstained from voting, stating a conflict of interest. Darrel Davis passed the chair to Kolby Blackner. Mike Riley, Walter Schofield, Darrel Davis and Steve Kinross voted for the motion. Motion passed. Kolby Blackner passed the chair back to Darrel Davis.

Jim Webb alleviated public concern about the manure piles near the pig barns. About every 20 years, it is necessary to pull the sludge from the lagoons. Pumps siphon it out onto manure drying pads, which have a 90% compaction rate, and it take about 90 days to dry. Once dried, the manure is applied to agriculture farm land in the area. This process had been approved by the Environmental Protection Agency.

**ADDITION TO CONDITIONAL USER PERMIT APPLICATION**

A draft was presented to the board, for consideration, to amend the wording of Ordinance 9-17-12A Review, Revise or Revoke of Conditional Use Permits. Feedback from local developers was shared. They are uncomfortable with the idea that the county could modify an existing CUP.

Board members felt it necessary to establish wording/guidelines with more consequence should applicants neglect to comply with the conditions of their CUP. We discussed the need for addressing complaints, compliance review, and the ability to modify an existing CUP, should the proposed use change from its original design, while still maintaining confidence and trust with developers to encourage economic growth. Kolby Blackner made a motion to add the wording “or if the use of said CUP changes”. Drew Coombs seconded the motion. Motion passes unanimously.

**ADDITION TO CONDITIONAL USES LIST – ALL ZONES**

Kyle Blackner proposed two different drafts, for consideration, to add to the end of the conditional uses list at the end of each zone. They discussed each one and Heidi Eyre said that both Von & Leo liked the second wording best. Mike Riley made a motion to recommend the County Commission change the wording to read “Uses not specifically listed that are similar to those above, which are in harmony with the character and intent of this zone, shall be submitted to the Planning Commission for their consideration. Uses not specifically listed that are not in harmony with the character and intent of this zone are not permitted in this zone”. Drew Coombs seconded the motion. Motion passed unanimously.

Heidi Eyre left the meeting.

**NIGHTLY RENTAL – DEFINITION**

The board reviewed multiple definitions of Nightly Rentals. They agreed that establishing a definition is the first step in regulating them. They inquired what other counties have done, and whether it should require a Business License or a Special CUP. Kolby Blackner made a motion to table this and have Kyle Blackner get them information about what other counties and cities have done. Walter Schofield seconded the motion. Motion passes unanimously.

Mike Riley made a motion to adjourn. Drew Coombs seconded the motion. Motion passed unanimously. The meeting was concluded at 8:40 p.m.

Minutes approved on \_\_\_\_\_.

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Darrel Davis - Chairman