

**Beaver County  
Planning & Zoning Commission  
February 15, 2022  
6:30p.m.**

**Minutes**

Attendance: Karianne Jarvis- Chairman, Kolby Blackner, Bryan Graham, Brandon Yardley, Brady Bradshaw, Mitch Dalton, Jared Gillins-Deputy Zoning Administrator, Von Christiansen-County Attorney and Kyle Blackner-Zoning Administrator. Don Noyes was not in attendance.

Visitors: Landon Blackner, Shane Gadbow, Chris Gonya, Tanner Larsen, Kaladin Larsen

Called to Order at 6:30 p.m.

**MINUTES:**

A prayer was offered by Brady Bradshaw and the Pledge of Allegiance was led by Mitch Dalton. Minutes from the January 18, 2022 meeting were reviewed. Bryan Graham made a motion to approve the minutes. Brandon Yardley seconded the motion. Kolby Blackner, Mitch Dalton and Brady Bradshaw voted for, thus the motion passed unanimously.

**SKYLINE TERRACE SUBDIVISION- PRELIMINARY PLAN APPROVAL:**

Bowman Asset Management Co-Owner & Developer, Shane Gadbow, came before the board for review of his Preliminary Plan of Skyline Terrace Subdivision in Sec. 36, T28S, R5W in a PUD District. He explained that the subdivision will include nine condos and six individual home sites, intended for individual sale, and ten small studio cabins, (nightly rentals) for guest lodging. Each home site will have its own septic system, while the condos will share one system and the studio cabins will share another. All septic designs have preliminary approval from the SWUPHD. They plan to begin the infrastructure of the 7.5-acre subdivision as soon as the weather allows. The studio cabins will then be erected, followed by the condos over the next year. Designated parking has been established for all sites and they plan to develop a small observation park near the studio cabins. Zoning Administrator, Kyle Blackner, reminded board members that this was just the subdivision approval portion of the project, but that Mr. Gadbow would be coming before them again seeking a Conditional Use Permit for the Condos, at a future date.

Brady Bradshaw had serious concerns about water, inquiring if there were sufficient water shares for this development. He stated that the Elk Meadows Special Service District was given stipulations twenty years ago to bring them into compliance with the State of Utah and none of them have been met. He would like to see more follow through from the service district. Mr. Blackner explained that this was an issue between the service district and the state and that we could invite both of them to a future meeting to discuss their concerns, points of view & plans for further development, as he anticipates continued growth in this area. He stated that there was currently an issue of limited water pressure, in some areas, and he is eager to see if the new water system is going to resolve them. There was additional discussion about water rights- vs-issued flow, release of water for compensation, appropriation of water, will serve letters, seasonal water usage, etc.

Although Mr. Gadbow was there on his own behalf, Brady Bradshaw felt that because he was also a board member of the EMSSD he should be promoting cooperation and encourage the board to come into compliance with the state. Shane Gadbow reminded board members that the EMSSD is a government entity and the water authority for that location and they are still in the process of the pending change applications with the state, so there are still some unknowns. Additionally, they are also working on other ways to satisfy the conditions from the state. He stated that the DEQ has recently approved the water line extension for this subdivision so both agencies are aware of his intentions and many of these processes are already underway. Kolby Blackner reminded board members that our board is not the water agency and we don't have the authority to enforce it and opposes the need to question the service district. County Attorney, Von Christiansen stated that Mr. Gadbow has fulfilled all of the legal requirements imposed by Beaver County for approval of this process. Mr. Blackner reminded Mr. Gadbow to anticipate the need for snow removal, suggesting he designate areas for piling large quantities of snow that will be pushed from the roadways. After additional questions and discussion, Kolby Blackner made a motion to approve the Preliminary Plan for Skyline Terrace Subdivision. Bryan Graham seconded the motion. Kolby Blackner, Bryan Graham, Mitch Dalton, and Brandon Yardley voted for. Brady Bradshaw abstained and the motion passed.

Kolby Blackner asked to be excused at 7:20.

#### **WORK MEETING:**

Zoning Administrator, Kyle Blackner, again provided information about House Bill 82 regarding Accessory Dwelling Units. Due to the statewide housing shortage crisis, the bill was created to allow for an accessory dwelling unit to be created within the established footprint (meaning a basement or portion of an **existing** dwelling) of one's primary residence. This new legislation applies specifically to long term rentals only (30 plus days) and allows for multi-family dwellings in all districts where single family dwellings are permitted or permitted with conditions, with the possible exception of 25% of the residential zones throughout the county. As many of the residential building codes were modified to promote this use, he shared a power point showing some of the requirements and code changes. Mr. Blackner presented the zoning map to the board and said they need to start working on an ordinance to establish where they would and would not be allowed within the county's jurisdiction, to conform with state law. He was uncomfortable allowing ADUs in R-10 districts due to the small lot size and lack of infrastructure, but didn't see other areas of concern. Additionally, he provided the board with an ordinance, from another authority, so they could be thinking about the items that would need addressing such as tenant access, parking, building permits, etc.

The discussion then turned to Tiny Homes (anything under 400 sq. ft.). Although some other jurisdictions are limiting in which districts they are allowed, Mr. Blackner feels we may want to put some provisions on them, but to allow them in all districts that already allow residential dwellings, speaking of those on a permanent foundation with all required permitting, code compliance and utilities. We will be having future discussion about a cluster subdivision of tiny homes (4-5) that may be permitted in a commercial district or Travel Trailer/Mobile Home Park or perhaps create a specific district for Tiny Home Parks.

Last, he mentioned the three-hour State Land Use Training scheduled for March 16<sup>th</sup> from 9:00am-noon. If board members are able to attend, he will get them registered and lunch will be provided.

Those not able to attend will have the option to watch it from their individual locations. The link will be sent to them again, prior to the training.

Brandon Yardley made a motion to adjourn. Bryan Graham seconded the motion. Brady Bradshaw, Kolby Blackner, and Mitch Dalton voted for, thus the motion passed unanimously.

The meeting concluded at 8:13p.m.

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

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Karianne Jarvis- Chairman