

Tropic Town Planning Commission Meeting

Minutes of the Tropic Town Planning Commission Meeting
Held February 1, 2018 at 6:00 p.m. in the Tropic Town Heritage Center

PRESENT: Travis LeFevre, Kent Johnson, Dennis Pollock, Gene Anderson, Ginger Elmer, Steve Hill
Town Clerk Marie Niemann

OTHERS: Sharon Pollock, Joey Shakespeare, Jeanne Shakespeare, Kirk & Annette Chynoweth, Kevin Clarke, Steve Hansen,

WELCOME: Travis LeFevre

MINUTES: A motion was made by Steve Hill to approve the minutes of November 2017, Public hearing December 2017 and January 2018. Second by Dennis. Motion carried.

AGENDA: A motion was made by Dennis Pollock to approve the agenda. Second by Steve Hill ~ Motion carried.

Business License ~ Jeanne Shakespeare: A home located in a residential zone, next to the Canyon Livery Bed & Breakfast has been used as a long-term rental, but was converted to a vacation rental in 2017. Changes to the management of the business brought Jeanne into the office to discuss billing accounts and rates. In the conversation with the Town Clerk, notification of the home being used as a vacation rental was not given to the Town and a separate business license is required.

Jeanne reported she came to the office last year in June and spoke with Gaia and was told it was fine under their current business license; referring to LeFevre's B&B having a separate cottage not connected to the main building. Travis replied, Bryce Point B&B is no longer in operation and a separate license would need to be acquired if it became operational. In reviewing the Business & B&B ordinances, the cottage/STR is not in compliance; Jeanne expressed her willingness to be in compliance.

Discussion continued addressing B&B/STR requirements; the number of rooms and someone living onsite was focused on. Jeanne reported they will have management living in the B&B, with Joey also available; being he lives next door. Steve asked if the home was on the same property, Jeanne responded yes. Dennis reported the three(3) additional rooms in the rental home would change the B&B to an Inn; Jeanne said the rooms in the home are not rented out separately; having only one bathroom and used for families.

Continuing, Joey asked what the opposition is renting it as a Vacation rental; Dennis reported vacation rentals are not allowed in a residential zone; Travis commented being that it did not get Town approval it was operating illegally. This led to a discussion on the STR ordinance passed in November 2016 and those in operation were grandfathered, because the Town had written code regulating them; being that issue of vacation rentals is a very controversial topic, not just in Tropic, but throughout municipalities in the State. Joey felt he was misled when Marie emailed the vacation rental application. In reply, Marie reported the request was for a vacation rental business license application, which was sent along with the vacation rental ordinance; and that she isn't in the position to deny, approve or authorize business, the Council makes those decisions.

Jeanne stated it wasn't her intent to use the home as a vacation rental, but as a cottage as other businesses have done, i.e. Stone Canyon Inn and Bryce Point B&B; asking if they needed to register the B&B as an Inn.

Jeanne also questioned the licensing of Mecham's renting their cabin, is it licensed. Travis replied that it's the Town's understanding they took it off nightly rental and is used as part of their Canyon Trail ride business; Joey and Jeanne questioned this, stating it is used as STR.

Addressing the issue at hand, wanting to be in compliance, Jeanne asked for direction; Travis replied, as far as the planning commission, they cannot approve a vacation rental license, it's against zoning code. Jeanne asked about rezone the property, this is not an option; it would be spot zoning. The suggestion was made to have another B&B; discussed parking, living on premises, etc. A motion was made by Steve Hill to table the business license request – Second by Kent Johnson. Motion carried. Because the B&B option was listed on the agenda, Travis asked that Jeanne return to PC meeting in March to discuss this option. Jeanne also asked to be placed on February's town board agenda to discuss options.

Zone Change Applications: Two zone change applications

Marlin Francisco: Zone change application was submitted for the planning commission's review. The .98 acre parcel located at 20 South 100 East and located in a residential zone; Mr. Francisco would like to change the zoning to general commercial.

In conjunction with this, Kirk & Annette Chynoweth have also submitted application to rezone a .33 acre parcel adjoining Mr. Francisco's parcel; by so doing, this connects to adjoining commercial property on Main Street allowing for Annette to have a vacation rental in the home on her property.

Discussed change in property tax; Marlin reported taxes do not change unless the use of the property changes. Motion was made by Dennis Pollock to schedule two public hearings February 22, 2018 at 6:00 pm followed by the other 6:30 pm. Second by Gene Anderson – Motion carried.

Sharon Pollock: Information was sought for the construction of a cabin. Sharon would like to sale her home and downsize and build a cabin on property adjoining her current residence. Understanding there is no water/connections available, asked for the possibility of having an extension from her home's connection. This is not a possibility. As with previous requests from others, it was reported the Town Council has accepted the sale of an existing w/s connection that has not been installed to be purchased and used.

Food Truck/Trailer Business License

1. Steve Hansen discussed the sale of snow cones, popcorn and other items with the Commission. Levi Holm gave permission to locate the food trailer at Bryce Valley Lodging. A number of items were reviewed; it's location on site, setbacks from other structures, food permit, health inspection, guest parking, etc. Also, a water/sewer connection is needed; as has been reported no w/s connections are available and they cannot hook to a connection already in use. No plot plan or written proposal was available. A motion was made by Dennis to table the project until the items reviewed were addressed; returning with a site plan and written proposal in March. Second by Steve Hill – Motion carried.

2. Kevin Clark also was present to request a business license for his IDK Barbecue; which has been in operation for a few years in Cannonville. He has been using the Hunger Coyote parking lot as temporary location, with plans to move inside the building once the remodel is complete. Dennis Pollock inquired about a building permit for the remodel; being that the building is owned by Garrett Cottam, Kevin wasn't aware of the extent of the remodel and would let Garrett know to contact the commission on the details.

Being that they hope to move in and be operating in March, Kevin asked for a temporary license. It was reported current code doesn't have that option, but the business license ordinance is being revised and does address temporary licenses.

A plot plan showing site location as well as customer parking is needed. A motion to table the request was made by Gene Andersen and Second by Kent Johnson; asking for Kevin to return in March with the needed plot plan; and following up with Garrett on the remodel.

Other Items:

Not listed on the agenda was a third request for a food trailer was discussed. With no arrangements with private property owners to locate the business, Mr. ? inquired about the parking on the Town's right-of-way or along Highway 12; Travis reported the Highway 12 is a State Road, and is probably not an option and parking on the Town's right-of-ways isn't an option either. Dennis suggested the possibility using the Town Park as a location, something the Town Council would have to approve. As with the other two request, written proposal with details of its location, food and inspection permits is needed.

A discussion commenced with Jeanee, Joey and Annette consulting with the Commission on zoning, growth, beautification, and the overall General Plan of Tropic. Ideas and suggestions were considered which included a "Dream Meeting", as it once called, to receive input from the residents as to the future of Tropic; what direction they would like to see their community move forward; more/less economic growth, community growth, etc.

Adjourn

A motion was made by Gene Anderson to adjourn – Second by Kent Johnson. Motion carried.

Approved this 1st day of March 2018
Marie H Niemann – Tropic Town Clerk