

Tropic Town Planning Commission Meeting
Held Thursday, July 7, 2016
Tropic Town Heritage Center at 6:00 p.m.

PRESENT: Dan Cloud, Riley Roberts, Alfred Foster, Damon Brinkerhoff, Dennis Pollock ~ Marie Niemann
Town Clerk

OTHERS: Gary Bybee, Hunter, McLain, Merrilee Mecham, Annett Chynoweth, Steve & Barbara Duke, Pete Mangum, Daniel Sudweeks family, Nathaniel Steed, Mike Burbidge

CALL TO ORDER: Dan Cloud

MINUTES: Minutes available ~ Commission Not prepared to approve

Gary Bybee: A business license application for a vacation rental was present. Commission reviewed zoning, requirements regarding sales tax, resort tax and room tax collected by the Town. Gary questioned why contact was made regarding the installation of an 8ft fence being built separating his and Tyson Brinkerhoff property. Commission discussed the fencing code and height restriction is 6ft; will need a variance approval from the Council. Also, Commission went through the building/construction approval process; any project over \$1,000 will be reviewed and a building permit from the County, projects less than \$1,000 will be reviewed by the Commission – verifying zoning, setbacks, etc., and upon finding all in compliance the Commission will give recommendation to the Town Council; this process has been in place for many years.

A motion was made by Riley Roberts to recommend a business license for Gary Bybee for the home located at 40 East Center as a vacation rental. Second by Dennis Pollock – Motion carried. Regarding the fence, a motion was made by Riley Robert to recommend the Council to grant a variance allowing an 8 foot fence. Second by Dan Cloud – Motion carried.

Pete Mangum: Construction plans including plot map for a room addition to a home was viewed; setbacks, zoning, etc., was in order. A motion was made by Riley Roberts to recommend this project to the Council for approval – Second by Alfred Foster. Motion carried.

Annette Chynoweth: The construction of extending the roof covering the front porch was red tagged; there was confusion on whether or not a building permit was required. Annette reported she spoke with Riley regarding the project, which he did not clearing understand the extent of the project. After review of the project it was determined it would need a building permit. A motion was made by Alfred Foster to recommend approval to the Town Council – Second by Dan Cloud. Motion carried.

Steve & Barbara Duke: Building permit application was submitted for a kitchen/room extension; the existing home is an older home - Alston Shakespeare; discussed setbacks, etc. A motion was made by Dennis Pollock to recommend the project to the Town Council for approval – Second by Alfred Foster. Motion carried.

Hunter Mecham: An application was discussed and reviewed for Hunter Mecham ~ Home/Taxidermy business. Property is located in Residential R-1-20 – adjoining the Pristine; 100 foot buffer is required on the back end of his property. Also discussed Home Occupation Permit requirements - Chapter 3 – Zoning Ordinance; not occupy more than 50% of the permitted area, etc. A motion was made by Riley Roberts to recommend approval to the Town Council for a building permit and home occupation business license. Second by Dan Cloud – Motion carried.

Daniel Sudweeks Property: Family is preparing to clear and clean the family's property. Questions, concerns, regarding irrigation water lines, subdividing, etc. were discussed.

Nathanial Steed: Mr. Steed was not on the agenda, but was in attendance to ask questions regarding re-zoning, and business ventures within current zoned property. He recently purchased property from the Ruby's Inn located adjacent to Bryce Meadows; looking at putting in an RV park.

Mike Burbidge: Mike also was not on the agenda, but expressed frustration with roads, specifically the graveled road in his subdivision; would like to have it chip seals/paved.

DISCUSSION/REVIEW

Vacation Rentals: A public meeting to receive input from the community regarding vacation rentals in residential zones was held June 30th. Commission discussed the format of the meeting, was discouraged with the comment period after each question – it was opened for rebuttal.

As discussed, reviewed, examined and debated in planning commission, town board and public meetings, the Commission gives the following recommendation to the Town Council regarding Vacation Rentals:

Tropic Town Planning Commission
Recommendations to the Town Council

July 14, 2016

To: Mayor Brinkerhoff and Tropic Town Council
From: Tropic Town Planning Commission
Subject: Vacation Rentals

Vacation Rental/Holiday Homes/STR's: It has been determined that this type of project/business does NOT fit the intent of the zone as outlined under Permitted Uses in the Tropic Town's Residential Zone (Ordinance #992004, Chapter 19 – Residential District).

Reasoning & Alternatives

~Where does it fit?

*There alternative areas in Town - Residential Recreation Commercial, General Commercially zoned areas are available for this activity.

~Intent of the Zone

*Not currently listed as a permitted use in Residentially Zoned/Non Commercial areas

*Does not fit the intent of the Zone. The decision is not based on the business itself, but its location.

Commission's Recommendation:

No new requests for Vacation Rental/Holiday Homes/STR's in Residential, Agricultural, Pristine, or Non-Commercial Zones.

Existing businesses be allowed to continue under an exemption with conditional uses as outlined in the proposed conditional use permit, until such time as the property changes ownership, at which time the business use will discontinue, and the home will revert back to traditional residential neighborhood zone and additional business license for these locations will not be granted.

It is also recommended that:

- *Re-evaluate the Town Zoning Ordinance
- *Business License/Exemptions; Renew annually
- *Utility Service billed Commercial; implement sales/resort/transit tax

Proposed Action Made By: Dan Cloud, Riley Roberts, Damon Brinkerhoff, Alfred Foster, Dennis Pollock

Dark Ranger Night Sky Telescope Program

Regarding the business license and conditional use for Kevin Poe the Planning Commission make the following recommendation:

Tropic Town Planning Commission
Recommendations to the Town Council

July 14, 2016

To: Mayor Brinkerhoff and Tropic Town Council
From: Tropic Town Planning Commission
Subject: Dark Ranger Night Sky Program

Dark Ranger Night Sky Program: It has been determined that this type of project/business does NOT fit the intent of the zone as outlined under Permitted Uses in the Tropic Town's Agricultural Zone (Ordinance #992004, Chapter 18 –Agricultural District).

Reasoning & Alternatives

~Where does it fit?

- *There alternative areas in Town - Residential Recreation Commercial zoned areas are available for this activity.

~Does not fit the intent of the Zone. The decision is not based on the program or activity itself, but its location.

~No Sanitary facilities

~Business license has different pretense than first granted.

Commission's Recommendation: Not to renew a business license for the "Dark Ranger Nigh Sky Program"

Proposed Action Made By: Dan Cloud, Riley Roberts, Damon Brinkerhoff, Alfred Foster, Dennis Pollock

Approved this 2nd day of February 2017
Marie H Niemann