

TOWN OF MANILA
PLANNING AND ZONING WORK SESSION & REGULAR MEETING AGENDA
DATE: JUNE 5th, 2023
TOWN OFFICE: 145 EAST HWY 43
@ 5:30 P.M. WITH THE REGULAR MEETING IMMEDIATELY FOLLOWING

MEETING CALLED TO ORDER: *WORKSESSION @ 5:31 P.M.*

PRESENT: Christijan Draper, Brian Nelson, Jason Kuhn, & Samantha Reitz

EXCUSED: Dennis Andelin & Bill Rylander

GUESTS: Mayor Kathi Knight, Town Council Members Gretchen Northcott & Randy Browning, Will & Julie Christensen

NEW BUSINESS:

- **Discuss STR Cap and operational regulations.** – Upon further discussion, it was determined that the cap will remain the same. It has not been filled at this time and The Commission would like to wait until it has been before they consider allowing more STRs into the Town. The Commission and Town Council also discussed only allowing those who reside within the Town or surrounding county to be able to hold a permit; so, they can monitor and care for the property properly. It was decided that if a property owner applying for an STR permit has a property management company that is in the town or county, can be available 24hrs a day, and holds an active business license with the town, then that would be acceptable too.
- **Discuss STR Transfer of business licenses.** It was discussed that planning and zoning will no longer accept the transfer of a business license & conditional use permit for the operation of a short-term rental. Currently, when properties change ownership, they have 10 days to start the application process. We are not going to allow this when we change our ordinances. The new applicants will have to go through the whole approval process just like any other applicant.
- **Discuss amendments to P & Z Bylaws.** The Commission discussed the bylaws. Some things are outdated and some things need to be clarified. The majority of the bylaws will remain the same. The biggest change is the enforcement of the organizational meeting. It will be during the organizational meeting that the Commission officers will be elected. The other change is the process in which special meetings will be established and members notified of said meetings.
- **Final discussion on ordinance book.** Samantha informed the Commission that the final draft of the new ordinance book is on the drive and that it is just missing the STR ordinance. She also informed the board that this was the last chance to review it and make sure all the corrections that were discussed with Brad had been made and placed in the book.

MOTIONS WERE MADE TO SEND TOWN COUNCIL RECOMMENDATIONS FOR WHAT WAS DISCUSSED. THIS WAS JUST A WORK SESSION AND THESE MOTIONS WERE MADE BY MISTAKE. PROPER RECOMMENDATIONS SHALL BE MADE AT A LATER DATE IN A REGULAR MEETING.

- **Adjournment** - At 6:07 P.M. Jason moved to adjourn the meeting. The motion was seconded by Brian, all were in favor and the motion carried.

MEETING CALLED TO ORDER: *REGULAR MEETING @ 6:07 P.M.*

PLEDGE OF ALLEGIANCE: Recited

PRESENT: Christijan Draper, Brian Nelson, Jason Kuhn, & Samantha Reitz

EXCUSED: Dennis Andelin & Bill Rylander

GUESTS: Mayor Kathi Knight, Will, and Julie Christensen

MINUTES OF PREVIOUS MEETING: *May 1st, 2023* approved unanimously.

NEW BUSINESS:

- **Will & Julie Christensen** - 580 E 100 N. requesting an audience with the Commission. Will and Julie took the floor and introduced herself, Will, and their family. She expressed their goal to be full-time residents of Manila. Will then took the floor and he informed the commission that they are intending on building a nice home and they moved a trailer onto their lot to be used as a temporary job site work trailer. They showed an example plot map of what they are intending to do. The commission informed them that that structure is considered a dwelling, it is not designated as a temporary building, It requires a foundation to be set up, and even if it was a designated temporary structure a building permit is required, as is a conditional use permit. It was asked when they thought they would be ready to apply for a building permit. They said that they were going to be going forward with getting a building permit, they must send their plans in to get them engineered and professionally drawn up. Julie took the floor and stated that she was under the understanding that we could not give them permission for the trailer, she then stated that the trailer would remain on the lot until they get a building permit. Samantha informed them that the building inspector who red-tagged it was intending on giving them 30 days to remove it from the property as it violates several ordinances. Julie expressed frustration because she said that she had reached out for help with what is required for a building permit, she said that she spoke to multiple people and got conflicting information, Mayor Knight explained that she should be contacting Sami because she is the planning and zoning secretary. Brian told them that our hands are tied and we cannot give permission for this. Will said that he needs a home base for the next 2 to 3 years. He then asked how big of a structure he can have on there temporarily and he was told that we would have to reach out to Matt for what is classified as a temp structure. Brian recommended that we reach out to Rob as well. The Christensen's left before the discussion was over. The Planning Commission discussed the subject further. This issue needs more input from the attorney and Matt. The town does not want to set a precedent here by allowing a single-family dwelling to be used as a temporary building. If this is permitted once it will have to be permitted for everyone. In discussions with Matt before the meeting, he recommended that the Commission move to have the structure that is in multiple violations be removed from the property in a specified amount of time. The Commission and the Mayor agreed the Christensen's did not go through any of the proper channels for approval. Mayor Knight suggested giving them 30 days to have it removed. Jason moved to give the Christensen's 30 days from the 13 of June to have that trailer removed. Brian seconded the motion; all were in favor and the motion carried.

RESULT: UNANIMOUS: 30 DAYS FROM JUNE 13TH TO REMOVE THE TRAILER IN VIOLATION.

- **Kattie Gahley** – Requesting approval for a business license and conditional use permit for an STR located at 50th N. Main Street. This property is currently used as an STR, but the Gahleys were required to have all the required inspections done and to submit all the required documentation, which they had done. Their file was considered complete. Brian moved to approve the business license and the conditional use permit. Jason seconded the motion. All were in favor and the motion carried

RESULT: APPROVED: UNANIMOUS: BUSINESS LICENSE & C.U.P. FOR A STR.

- **Shawn Argyle** – Requesting a building permit for a garage located at 263 N Dry Creek Lane. Upon review of the plot map everything looked good and there were no concerns. Brian moved to approve the building permit request. Jason seconded the motion all were in favor and the motion carried.

RESULT: APPROVED: UNANIMOUS: BUILDING PERMIT FOR A GARAGE.

- **Don Raddon** – Requesting a building permit for a garage located at 379 N Dry Creek Lane. Upon review of the plot map everything looked good and there were no concerns. Brian moved to approve the building permit request for a garage. Jason seconded the motion all were in favor and the motion carried.

RESULT: APPROVED: *UNANIMOUS*: BUILDING PERMIT FOR A GARAGE.

- **Scott Wirthlin** – Requesting a building permit for a foundation for a garage located at 56th East Ridge Lane. Upon review of the plot map everything looked good and there were no concerns. Brian moved to approve the building permit request for a foundation only. Jason seconded the motion all were in favor and the motion carried.

RESULT: APPROVED: *UNANIMOUS*: BUILDING PERMIT FOR A FOUNDATION ONLY.

- **Mike Baldassari** is requesting a preliminary review for a garage to be built at 215 N Dry Creek Lane. Upon review of the plot map, everything looked good and there were no concerns. Brian moved to approve the preliminary review. Jason seconded the motion all were in favor and the motion carried.

RESULT: APPROVED: *UNANIMOUS*: PERLIMINARY PLAN REVIEW.

THE PLANNING AND ZONING COMMISSION HAS REQUESTED THAT THEY SWITCH THEIR WORK-SESSION MEETINGS TO BE HELD AFTER THE REGULAR MEETING; TO GET OUR RESIDENTS WHO ATTEND FOR THEIR AGENDA ITEMS PROCESSED FASTER. SAMI WAS ASKED TO CONFIRM THIS AS AN ACCEPTABLE PROCESS WITH THE ATTORNEY.

SCHEDULING THE NEXT MEETING AND ADJOURNMENT

The next meeting has been moved due to the holiday, if approved the work session shall be held after the regular meeting on July 10th starting at 5:30. At 6:07 p.m. Brian moved to adjourn the meeting, Jason seconded the motion. All were in favor and the motion carried.