

**WHITEFISH PLANNING BOARD
MINUTES OF MEETING
February 16, 2023**

<p>CALL TO ORDER AND ROLL CALL</p>	<p>Chair Steve Qunell called the regular meeting of the Whitefish Planning Board to order at 6:00 pm. Board members present were Scott Freudenberger, Chris Gardner, Allison Linville, and John Middleton; Whitney Beckham and Toby Scott were absent. Planning Director David Taylor, and Long Range Planner Alan Tiefenbach represented the Whitefish Planning & Building Department.</p> <p>There were two people attending in addition to the board members and staff.</p>
<p>PLANNING BOARD APPOINTMENTS <i>6:02 pm</i></p>	<p>Linville made a motion, seconded by Gardner to nominate Qunell as Whitefish Planning Board Chair. Qunell accepted the nomination. The motion passed unanimously.</p> <p>Gardner made a motion, seconded by Freudenberger to nominate Middleton as Whitefish Planning Board Vice Chair. Middleton accepted the nomination after no one else stepped forward. The motion passed unanimously.</p>
<p>AGENDA CHANGES <i>6:04 pm</i></p>	<p>None.</p>
<p>APPROVAL OF MINUTES <i>6:04 pm</i></p>	<p>Gardner made a motion, seconded by Linville to approve the November 17, 2022 minutes without corrections. The motion passed unanimously.</p>
<p>COMMUNICATIONS FROM THE PUBLIC (ITEMS NOT ON THE AGENDA) <i>6:05 pm</i></p>	<p>City Councilor Rebecca Norton, 530 Scott Avenue, said she will try to come to the Planning Board meetings regarding the Growth Policy updates. She spoke with Director Taylor today about somehow incorporating the zoning upgrading into the Growth Policy. She has heard from three people who told her our zoning needs to be updated. Director Taylor reminded her the Growth Policy is the very large picture and zoning comes in sometimes much later, but she wanted to plant a seed as she thinks it would help if the Planning Board would think that way while working on it. She thanked the Planning Board for taking the project on.</p>
<p>UNFINISHED BUSINESS: <i>6:06 pm</i></p>	<p>None.</p>

<p>PUBLIC HEARING 1: CITY OF WHITEFISH ZONING TEXT AMENDMENT REQUEST <i>6:06 pm</i></p>	<p>A request by the City of Whitefish for a zoning text amendment to § 11-3-11 Fences and Retaining Walls, and § 11-9-2, Definitions, to clarify limitations on retaining wall heights in building setbacks and exemptions for vehicle egress and steep slopes.</p>
<p>STAFF REPORT WZTA 23-01 (Taylor)</p>	<p>Director Taylor reviewed his staff report and findings. As of the writing of WZTA 23-01, no written public comments had been received and none have been received since then.</p> <p>Staff recommended adoption of the findings of fact within staff report WZTA 23-01 and for approval of the proposed changes to Title 11, Chapters 3 and 9 of the Zoning Regulations to the Whitefish City Council.</p>
<p>BOARD QUESTIONS OF STAFF</p>	<p>Gardner asked and Director Taylor said over the last couple of years several landscape architects have called and asked for clarifications which is what is driving this to happen right now. There has been some confusion over this, so they decided to take care of it quickly since it is a simple fix. Gardner asked and Director Taylor said this does not change any limitations to property; we are just clarifying it, and actually broadening part of it a little by adding in the required parking. Gardner asked about the timing and Director Taylor said the Council will have two readings on this just like a zone change, and it would go into effect 30 days later, in mid-April.</p> <p>Freudenberger asked if railings are addressed anywhere, and Director Taylor said railings are required if retaining walls are over a certain height. That is addressed in the Building Code rather than the Zoning Code. Freudenberger asked and Director Taylor said building height is measured from natural grade, so before anything is built, to the highest point of the building. There is currently no definition in there, so this helps clarify, not change.</p>
<p>PUBLIC HEARING</p>	<p>Chair Qunell opened the public hearing.</p>
<p>APPLICANT / AGENCIES</p>	<p>N/A</p>
<p>PUBLIC COMMENT</p>	<p>Rebecca Norton, 530 Scott Avenue, said her house was built 116 years ago and that she is in a unique situation with her neighbor in a dispute about a fence between the properties. Finding No. 9 reads, "That historical uses and established uses patterns and recent change in use trends will be weighed equally</p>

	<p>and consideration not be given one to the exclusion of the other." She wondered if there is a way to address platting that was not done very well when the town was first started and whether this Finding might harm people like her.</p> <p>There being no further comments, Chair Qunell closed the public hearing and turned the matter over to the Planning Board for consideration.</p>
<p>MOTION / BOARD DISCUSSION</p>	<p>Gardner made a motion, seconded by Freudenberger, to adopt the findings of fact within staff report WZTA 23-01, as proposed by City Staff.</p> <p>Qunell asked Director Taylor to speak to Ms. Norton's question and he said this would not affect any already existing retaining wall in the City, only new ones being built. Something like that would be a dispute between two property owners. In the future, no one would be able to build a retaining wall over two feet in the 6' setback and would hopefully prevent something like that from happening.</p>
<p>VOTE</p>	<p>The motion passed unanimously. The matter is scheduled to go before the Council on March 6, 2023.</p>
<p>GOOD AND WELFARE 6:19 pm</p>	<ol style="list-style-type: none"> 1. <i>Matters from Board.</i> Chair Qunell thanked former Planning Board Vice Chair John Ellis for his many years of service on this board and wished him a happy retirement from it. 2. <i>Matters from Staff.</i> Director Taylor introduced Alan Tiefenbach, Long Range Planner. This is his first Planning Board meeting. We also hired another Planner, Luke Sponable, who will be our Housing Coordinator and Long Range Planner, who will officially start full time in July. Chair Qunell asked and Director Taylor said Planning staff is full again. 3. <i>Poll of Board members available for the next meeting on March 16, 2023.</i> All members present indicated they thought they would be available. Chair Qunell asked that absent members Beckham and Scott be notified of the March 16 meeting.
<p>ADJOURNMENT 6:20 pm</p>	<p>The meeting was adjourned to a work session on the upcoming Landscape Charter revision, and Growth Policy Update, on a motion by Linville, seconded by Freudenberger, at approximately 6:20 pm. The next regular meeting of the Whitefish Planning Board is</p>

	scheduled to be held on March 16, 2023, at 6:00 pm, at 418 East 2nd Street.
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/s/ Steve Qunell
Steve Qunell, Chair of the Board

/s/ Keni Hopkins
Keni Hopkins, Recording Secretary

APPROVED AS **SUBMITTED** / CORRECTED: 3-17-23