

**WHITEFISH PLANNING BOARD
MINUTES OF MEETING
July 20, 2023**

<p>CALL TO ORDER AND ROLL CALL</p>	<p>Vice Chair John Middleton called the regular meeting of the Whitefish Planning Board to order at 6:00 pm. Board members present were Whitney Beckham, Chris Gardner, Toby Scott, and John Middleton. Steve Qunell, Scott Freudenberger and Allison Linville were absent. Planning Director David Taylor and Senior Planner Wendy Compton-Ring represented the Whitefish Planning & Building Department.</p> <p>There were no people attending the meeting besides the Board members and staff.</p>
<p>AGENDA CHANGES <i>6:01 pm</i></p>	<p>None.</p>
<p>APPROVAL OF MINUTES <i>6:01 pm</i></p>	<p>Scott made a motion, seconded by Gardner to approve the June 15, 2023, minutes without corrections. The motion passed unanimously.</p>
<p>COMMUNICATIONS FROM THE PUBLIC (ITEMS NOT ON THE AGENDA) <i>6:01 pm</i></p>	<p>None.</p>
<p>UNFINISHED BUSINESS: <i>6:01 pm</i></p>	<p>None.</p>
<p>PUBLIC HEARING 1: Zoning Text Amendments; Architectural Review City of Whitefish <i>6:02 pm</i></p>	<p>A request by the City of Whitefish for a Zoning Text Amendment to Sections 2-10 (Purpose, Powers and Duties – Architectural Review Committee), 11-3-3 (Architectural Standards), 11-5-5 (General Sign Standards) and the Architectural Review Standards to accommodate changes to state law due to the adoption of Senate Bill 407 for the Architectural Review Committee to be an advisory committee and to provide for variance requests to the architectural review standards be made to staff.</p>
<p>STAFF REPORT WZTA 23-05 (Compton-Ring)</p>	<p>Senior Planner Compton-Ring reviewed her staff report and findings. As of the writing of WZTA 23-05, no public comments had been received and none have been received since then.</p>

	Staff recommended adoption of the findings of fact within staff report WZTA 23-05 and for approval of the zoning text amendments pertaining to Architectural Review.
BOARD QUESTIONS OF STAFF	Gardner asked about duplexes and townhomes. Planner Compton-Ring explained townhomes are each on their own lot with their own meter with a zero-lot line party wall. Director Taylor read the new definitions being proposed later. Middleton asked about condos and whether a duplex could be condo-ed. Director Taylor said they could. Beckham found a typo on page 16, 'are' vs 'is' and page 20 under chapter 6, word 'structure' is missing after multi-family. Staff will make those changes.
PUBLIC HEARING	Vice Chair Middleton opened the public hearing. No one was present.
APPLICANT / AGENCIES	N/A
PUBLIC COMMENT	There being no further comments, Vice Chair Middleton closed the public hearing and turned the matter over to the Planning Board for consideration.
MOTION / BOARD DISCUSSION	Beckham made a motion, seconded by Scott, to adopt the findings of fact within staff report File No. 23-05 as proposed by City Staff.
VOTE	The motion passed unanimously. The matter is scheduled to go before the Council on August 7, 2023.
PUBLIC HEARING 2: Zoning Text Amendments City of Whitefish 6:14 pm	Zoning Text Amendment to the following Sections of the Whitefish City Code: 11-2-1, Zoning Districts Established, 11-2A (WA), 11-2B (WCR), 11-2C (WSR), 11-2D (WER), 11-2E (WLR), 11-2F (WR-1), 11-2G (WR-2), 11-2H (WR-3), 11-2I (WR-4), 11-2J (WB-1), 11-2K (WB-2), 11-2L (WB-3), 11-2M (WB-4), 11-2N (WRR-1), 11-2O (WRR-2), 11-2P (WRB-1), 11-2Q (WRB-2), 11-2T (WBMV), 11-2U (WBMRR), 11-2V (WBSD), 11-2W (T-3), 11-2X (WI-T), 11-2Y (WB-T), and 11-6 (Off-street Parking Standards), and 11-9-2, Definitions, to accommodate changes to state law from the last Legislative Session that requires multi-family and mixed-use to be permitted in all commercial zoning districts with reduced and shared parking requirements, duplexes to be allowed where single-family is permitted, and provisions for tiny homes to accommodate changes to state law due to the adoption of Senate Bills 245, 323 and House Bill 246.

<p>STAFF REPORT WZTA 23-06 (Taylor)</p>	<p>Planning Director Taylor reviewed his staff report and findings. As of the writing of WZTA 23-06, only one public comment had been received, which was forwarded to the Board and a copy placed on the dais, and no other comments have been received since then.</p> <p>Staff recommended adoption of the findings of fact within staff report WZTA 23-06 and for approval of the Zoning Text Amendments.</p>
<p>BOARD QUESTIONS OF STAFF</p>	<p>Scott asked how did staff propose the changes by reviewing the legislative bills or looking at nationwide standards? Director Taylor said staff went through the code section by section to see how the new laws applied, then looked at other communities for examples for new items. Scott noted that modular homes could be used for workforce housing. Director Taylor agreed, provided the building can meet the standards and is on a permanent foundation. Scott wondered about a shipping container and Director Taylor responded, if it can meet the building code and it is on a permanent foundation, it probably could be OK.</p> <p>Gardner understands the reason for this, as it is a mandate from the state legislature and aimed at particular towns. The state got rid our ability to do inclusionary zoning and then subsequently upzoned all our property which will increase the value of the land. The only gain is to developers and realtors and not affordable housing. He is not in support of these mandates.</p> <p>Beckham agrees with Gardner on all those items and asked about Daniel Sidder’s suggestions, understanding we would need new public comment/hearing, but is supportive of the ideas. Staff has not had an opportunity to review the suggestions and these items such as minimum lot sizes could be reviewed as part of the Growth Policy update.</p> <p>Middleton asked about the relationship of these amendments to SB 382 and how the amendments ‘may’ be temporary versus ‘shall’ be temporary. He is worried these amendments could lock the City into certain regulations we will not be able to turn back if we do not want those regulations in the future.</p> <p>Scott pointed out that, in the future, the regulations can be changed.</p>

PUBLIC HEARING	Vice Chair Middleton opened the public hearing. No one was present.
APPLICANT / AGENCIES	n/a
PUBLIC COMMENT	There being no comments, Vice Chair Middleton closed the public hearing and turned the matter over to the Planning Board for consideration.
MOTION / BOARD DISCUSSION	<p>Scott made a motion, seconded by Middleton, to adopt the findings of fact within staff report WZTA 23-06, as proposed by City Staff.</p> <p>Beckham, seconded by Scott, offered a friendly amendment to have staff and City Council look at Daniel Sidder’s email and the decrease in the minimum lot size and decrease in the parking.</p> <p>The vote was unanimous on the friendly amendment.</p>
VOTE	The main motion to approve the text amendments passed 3-1, Gardner opposed. The matter is scheduled to go before the Council on August 7, 2023.
PUBLIC HEARING 3: Subdivision Text Amendments City of Whitefish 6:42 pm	A request by the City of Whitefish for a Subdivision Text Amendment to Sections: 12-3-3 (Preliminary Plats), 12-3-4 (Review of the Preliminary Plat Application), 12-3-5 (Expedited Preliminary Plat Review Process), 12-3-6 (Preliminary Plat Review Process; Major Subdivision), 12-3-7 (Preliminary Plat Review Process, Minor Subdivisions), 12-3-8 (Preliminary Plat Review Process; Minor Subdivision, Waiver of Preliminary Plat), 12-3-11 (Modifications to Preliminary Pat; New Information or Amendments to Plats), 12-3-12 (Final Plat Process), 12-4-12 (Lots), 12-5-2 (Divisions of Land Exempt from Subdivision Review and Evasion Criteria), 12-5-3 (Division of Land Exempt from Review but Subject to Survey Requirements and Zoning Regulations), 12-5-4 (Procedures for Review of Subdivision Exemption), 12-5-5 (Evasion Review Criteria for Subdivision Exemptions), and 12-6 (Definitions) to accommodate changes to state law due to the adoption of Senate Bills 131, 152, 158, 170, 331, 407 and House Bills 211 and 874 pertaining to various amendments to the Montana Subdivision and Platting Act.

<p>STAFF REPORT WSUB 23-01 (Compton-Ring)</p>	<p>Senior Planner Compton-Ring reviewed her staff report and findings. As of the writing of WSUB 23-01, no 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 WSUB 23-01 and for approval of the Subdivision Text Amendments.</p>
<p>BOARD QUESTIONS OF STAFF</p>	<p>Beckham asked about section about “within 20 working days of review additional review or new conditions may not be imposed” and Planner Compton-Ring stated it came right out of the new state law. She also explained Missoula’s townhome exemption interpretation which prompted the changes.</p>
<p>PUBLIC HEARING</p>	<p>Vice Chair Middleton opened the public hearing. No one was present.</p>
<p>APPLICANT / AGENCIES</p>	<p>n/a</p>
<p>PUBLIC COMMENT</p>	<p>There being no comments, Vice Chair Middleton closed the public hearing and turned the matter over to the Planning Board for consideration.</p>
<p>MOTION / BOARD DISCUSSION</p>	<p>Beckham made a motion, seconded by Scott, to adopt the findings of fact within staff report WSUB 23-01, as proposed by City Staff.</p>
<p>VOTE</p>	<p>The motion passed unanimously. The matter is scheduled to go before the Council on August 7, 2023.</p>
<p>GOOD AND WELFARE 6:56 pm</p>	<ol style="list-style-type: none"> 1. <i>Matters from Board.</i> None 2. <i>Matters from Staff.</i> Taylor brought up August meeting that there are no items and we will do a work session for the Growth Policy Update kick off meeting. 3. <i>Poll of Board members available for the next meeting on August 17, 2023.</i> All members present indicated they thought they would be available except Gardner.
<p>ADJOURNMENT 6:57 pm</p>	<p>The meeting was adjourned on a motion by Gardner, seconded by Scott, at approximately 6:57 pm. The next regular meeting of the</p>

	Whitefish Planning Board is scheduled to be held on August 17, 2023, at 6:00 pm, at 418 East 2nd Street.
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John Middleton, Vice Chair of the Board

David Taylor, Recording Secretary

APPROVED AS SUBMITTED / CORRECTED: _____