



316 North Park Avenue, Helena, Montana 59623

## **ZONING ADVISORY PANEL**

### **Approved Meeting Minutes**

**Meeting Date and Time:** February 10, 2021 9:30 a.m. to 12:10 p.m.

**Location:** Meeting Held Electronically Via Zoom

#### **Board Members Present:**

John Rausch  
Mark Runkle  
Pat Keim  
Jacob Kuntz  
Tyler Emmert  
David Brown  
Lois Steinbeck  
Joyce Evans  
Archie Harper  
Dustin Ramoie  
Kim Smith

#### **Board Members Absent:**

One Vacant Position

#### **County Staff Present:**

Peter Italiano, Director  
Greg McNally, Planner III

#### **Moderators Present:**

Dr. Eric Austin  
Lucia Stewart

#### **Members of the Public Present (as noted by the Zoom screen name or phone number listed):**

HCTV, George Harris, Steve Utick, Kelli Maxwell, James Swierc, 406-457-4008, Pete Schade, 406-439-0305, Nicole Giacomini

### **1. Call to Order**

County Staff brought the session to order at 9:30 a.m.

### **2. Roll Call**

A quorum was established with 11 members present.

### **3. Zoom Meeting Protocols**

Greg McNally provided an opening statement regarding the ZOOM Meeting Protocols, the process of the meeting, Covid approved safety protocols and Zoom participation instructions.

### **4. Introductions**

Each member of the Zoning Advisory Panel (ZAP) made brief introductions.

### **5. Approval of January 27, 2021 Meeting Minutes**

**Lois Steinbeck: Moved to approve**

**Jacob Kuntz: 2nd the motion**

**Motion passed unanimously: 11-0**

### **Current Vacancy on ZAP:**

Peter Italiano confirmed that Harold Begger, Flooding Concerns representative, had resigned from the ZAP. The notice of the vacancy will be posted by staff, who may reach out to Lewis & Clark County Valley Resident Flood Committee for potential members.

### **6. Election of Panel Officers (Chair, Vice Chair, Secretary) (tabled from January 27, 2021)**

Moderator Eric Austin discussed the responsibilities of the ZAP officers to include: calling meetings to order, managing parliamentary procedure of adopting minutes, and managing the procedure as ZAP develops recommendations to the county planning board. But the coordination of the elements of the agenda falls within the scope of moderator, therefore the scope would be less than in a similar panel.

#### **Panel Discussion:**

Since there were three ZAP members who volunteered to serve as officers in specific or any position, it was proposed to treat this by unanimous consent with:

Jacob Kuntz: Chair

Dustin Ramoie: Vice Chair

Lois Steinbeck: Secretary

**Motion to approve**

**Joyce Evans: 2nd the motion**  
**David Brown: 2nd the motion**

No further comments or questions about the motion.

**Motion passed unanimously: 11-0.**

## **7. Business Items**

### **Ground Rules Review:**

Moderator Eric Austin made a few small adjustments as a working document, with no need to adopt those rules. They will be posted to the website. There was a short discussion about “I” messages to avoid accusations, take the temperature down and own one's perspective or experiences.

### **State and Local Land Use Codes and Regulations:**

#### **Presentation:**

Greg McNally presented a PowerPoint of a general overview of the state and local land use codes and regulations, focusing specifically on: Growth Policy, Subdivision Regulations, Exemptions, Building for Lease or Rent, and Zoning - Part 1 and Part 2.

The document is available online.

(<https://www.lccountymt.gov/cdp/zoning/zoning-advisory-panel.html>)

#### **Board Discussion:**

Moderator Eric Austin asked if there were any questions before proceeding.

David Brown suggested the ZAP become aware of expertise that the panel may need in the process, and his concern to guide the ZAP so as to not get off on tangents and be productive.

Moderator Eric Austin noted the idea behind presentations to give a baseline of shared understanding.

Pat Keim stated the ZAP may run into regulations in this process, and wanted to identify a process on how the panel makes its final recommendations that take the regulations into account.

Moderator Eric Austin stated the regulations will set the framework. He requested questions or concerns from ZAP about other topics or other issues it would like to see addressed, as there is limited time to address issues outside the identified five major areas. Minimally they will be captured and responded to.

Peter Italiano stated that regulations within Lewis & Clark County need to be in compliance with the Montana Code Annotated (MCA). He noted the county staff is currently in the process of retaining a consultant to work on revamping subdivision regulations.

*Chairman Jacob Kuntz left the meeting at 10:54am*

Peter Italiano reminded the ZAP is looking at a comprehensive approach to how growth occurs in the Helena Valley, and those impacts to the public and environment. The difference between zoning and subdivision is the subdivision process is inward looking for the planning office, which does not afford the county and public to get a better understanding of the impacts to the greater community. Zoning sets the collective framework for county and public so it will create a sustainable path to manage the growth.

Moderator Eric Austin stated that the County may need to hire consultants to assess these larger questions, and reiterated the importance of the sequence to identify what is known and identify gaps before ZAP panel recommendations are made so as to give adequate time for a complete assessment.

Secretary Lois Steinbeck recommended a work plan with critical time points.

Moderator Eric Austin concurred.

**Presentation:**

Greg McNally presented a PowerPoint on the 2015 Helena Valley Growth Policy and its goals, and the public participation process that took place. The policy identified the five big constraints that impact growth and infrastructure investment. These key issues include: water availability, wastewater management, road conditions, rural fire protection, flooding.

The document is available online.

(<https://www.lccountymt.gov/cdp/zoning/zoning-advisory-panel.html>)

**Board Discussion:**

David Brown inquired about the link to the documentation of the Growth Policy public participation that had previously taken place.

Pat Keim requested Growth Policy public participation town hall meetings summaries.

Greg McNally responded that this information was already available and presented in a chapter of the Growth Policy.

Secretary Lois Steinbeck stated the need and importance for the public participation process.

Moderator Eric Austin concurred about where and when public comment is available in these meetings, and the ability to augment more public comment and engagement.

Vice Chair Dustin Ramoie called for public comment.

**8. Public Comment**

Nicole Giacomini asked what are the ZAP's plans going forward about how this will affect landowners, as the majority of individuals she's spoken with have no idea what is going on, and feel that few people have been informed. How will ZAP proceed in informing us in the future as the process moves forward?

Vice Chair Dustin Ramoie acknowledged the public comment period and the initial meetings.

Secretary Lois Steinbeck asked the persons who testified how the ZAP could do better to foster public participation?

Nicole Giacomini stated that statutory requirements do not translate in reaching everyone, and there is a disconnect from residents to government. She suggested more mailers. She also noted the challenges of limited participation during COVID19. She stated a website is a good resource; however, not everything is contained there, and requested more face-to-face education, or have a resource to ask questions and obtain a response, such as an educational department.

Secretary Lois Steinbeck stated that statutory requirements are not everything that should be done. She took note of the public's suggestions as requesting more mailers and a method for a more basic way to communicate.

No additional public comment was presented.

#### **9. Public Comment on items not included on the Agenda**

Vice Chair Dustin Ramoie called for public comment on items not on the agenda.

No public comment.

Public comment closed.

#### **10. Announcements**

Moderator Eric Austin stated the next meeting will review the Urban Suburban interface.

Greg McNally showed the County website location to find the ZAP documents.

#### **Board Discussion:**

Secretary Lois Steinbeck requested materials prior to the meeting, including the presentations that will be made.

Tyler Emmert stated an upcoming homework item to be prepared for is the TIF districts for offsite infrastructure.

Kim Smith concurred on being provided materials prior to the meeting.

Vice Chair Dustin Ramoie requested a clarification on the ZAP meetings every two weeks.

Peter Italiano concurred on the meeting schedule to be the 2nd and 4th Wednesday of each month.

Secretary Lois Steinbeck requested a cost estimate of a mailer to all Helena Valley residents of the zoning process and website link, and mentioned potential partners to work with in the education process to make it more accessible.

Peter Italiano stated he will obtain a mailer estimate, as the staff had done a 15,000 postcard mailing previously. In order to initiate the mailing, a ZAP vote is required in order for it to be presented to the County Commissioners to approve the funding.

#### **11. Next Scheduled Meeting**

February 24, 2021 at 9:30 a.m.

**Adjourned at 12:11 p.m.**