



316 North Park Avenue, Helena, Montana 59623

ZONING ADVISORY PANEL

FINAL Meeting Minutes

Meeting Date and Time: September 22, 2021 9:30 a.m. to 11:30 a.m.

Location: Meeting Held at Carroll College, Campus Center Building, Lower Level (All Saints Hall) and Electronically Via Zoom

Board Members Present:

Pat Keim
Tyler Emmert
David Brown
Lois Steinbeck
Joyce Evans
Archie Harper
John Rausch
Kim Smith
Mark Runkle
Shane Shaw

Board Members Absent:

Jacob Kuntz
Dustin Ramoie

County Staff Present:

Greg McNally, Planner III

Moderators Present:

Dr. Eric Austin
Lucia Stewart

Members of the Public Present:

(in-person): Andrew R. Thomas, John W. Herrin, Max Milton, Bill Gowen

(as noted by the Zoom screen name or phone number listed): Islaptop, Steven Utick, HCTV, George Harris, Chris Stockwell, CDP Staff, Lindsay Morgan, DW, Derek. Sheehan

1. Call to Order

Secretary Lois Steinbeck brought the session to order at 9:37 a.m.

2. Roll Call

A quorum was established with 10 members present.

3. Zoom Meeting Protocols

Greg McNally provided an opening statement regarding the hybrid setting of both Zoom and in-person meeting protocols, the process of the meeting, Covid approved safety protocols, and Zoom and in-person participation instructions. He stated for those in-person to please enunciate and speak clearly and loudly due to having only one microphone on the center table.

4. Business Items

Moderator Eric Austin requested the presentation of non-confirming parcels to be tabled due to Dustin's absence until the October 13 meeting.

Greg McNally stated the presentation is a brief powerpoint synopsis of the non-confirming parcels as they relate to the current zoning regulations that are currently adopted. The presentation includes a map showing those non-confirming parcels and is available on the [Zoning Advisory Panel \(ZAP\) website](#).

John Rausch: Motion to postpone the presentation until Oct 13 meeting

Joyce Evans: 2nd the motion

Motion passed unanimously: 10-0.

Questions Regarding the Helena Area Realtors (HAR) Survey

John Rausch stated the results of the HAR survey are posted on the [ZAP website](#).

Pat Keim inquired how the survey results would be different if it were completed a few years ago?

John Rausch responded that yes, the current conditions definitely colored people's responses. There is a 20% increase in housing affordability with pricing going significantly north over the course of the pandemic. He added the biggest take away is that 80% of people like and approve of the living in the Helena Valley, and in addition that their biggest concern is affordability.

Pat Keim inquired if there's any information on if these prices will hold or climb?

John Rausch responded that there were too many external factors to know. It's unknown how long people are wanting to move, or if people are going to be able to move. It's part of the phenomenon of the pandemic that people could make big city money and live in a little city. It's unknown how long this condition will last.

Secretary Lois Steinbeck inquired where else this phenomenon is hitting? It sounds like commercial real estate in NYC is tanking. How do our values compare to other areas in the county, such as Billings, Montana and Bellingham, Washington?

John Rausch responded that it's more expensive than average, but it's less expensive than the extremes to live in Helena.

Secretary Lois Steinbeck inquired where Helena is on the spectrum of the markets that are increasing?

John Rausch responded that he's unaware, as he is mainly focused on the Helena Valley not on a national comparison.

Shane Shaw stated that one concern he observed in the survey is cost of housing. He added is it really part of the ZAP concern and is regulation driving the cost?

John Rausch responded that it is unknown. There is a concern amongst realtors if the ZAP zoning proposal will change the equation and make it worse by having an adverse effect on the house cost. How can ZAP and the community avoid this situation? Residents are willing to entertain that there are rules that need to be entertained for the community to be the strongest. But there are concerns of where their kids are going to live.

Archie Harper stated that regulation is a function of population growth. The more there is, the more restrictions there are. It's a trend that is going to have to be accepted and recognized. There are population pressures. It is a trend that is going to continue, and regulations are a function of population pressure.

Mark Runkle stated his observation in the survey was the question regarding the 10-acre minimum. To him, it looked grossly oversimplified to what it really is and it misstated how it actually would be implemented. He's unsure if it's because of how the questions were formulated, was it to make it clear to the average person, or if it could be stated to include more defining qualities to its actuality?

John Rausch responded that it's a value observation. It was not the intention to shade the responses but it's a good indicator to how people feel about it. Maybe the takeaway is that education and careful selection of what that 10-acre minimum rule might look like is paramount. The average person in the Valley may have a knee-jerk reaction when asked: how do they feel about it? The 10-acre minimum is not necessarily a bad idea, but the ZAP needs to be careful and deliberate on the logic of its choice.

Shane Shaw inquired if the question stated in the survey is accurate to what is proposed?

[Q.14 As you may know, last year the county passed a new regulation requiring a minimum lot size of ten acres for new homes built outside the Helena city limits. This means that any newly constructed home outside of the city limits will require at least ten acres of land. No further subdivision is allowed. Based on what you know, do you favor or oppose the minimum lot size of ten acres for new home construction outside the Helena city limits?]

Greg McNally stated its a concern that this survey went out to everyone in the County, but the rural zoning is only occurring in the southern part of the County. The question is oversimplified.

Secretary Lois Steinbeck stated what she found interesting is that 40% of the population were in favor or somewhat in favor of the 10-acre minimum, and said, "I can live with that." She stated that the question as posed in the survey represents a much more restrictive policy than the current 10-acre proposal and yet 40% of respondents supported the more restrictive policy. She was surprised and would have expected far fewer respondents to favor such a proposal.

Shane Shaw inquired again, is that standard correct as it laid out?

Greg McNally stated that today, if subdivision standards are met then yes, subdivision to smaller than 10-acres is possible. But after July 2022, the 10-acre minimum will take effect and any parcel less than 10-acres cannot be subdivided. That decision is in accordance with the Lewis & Clark Growth Policy.

Tyler Emmert stated that there are policy options of land use planning. Zoning is one policy option in the land use control, and standards are another policy option. There are standards now, and the Growth Policy states that those should be increased.

Greg McNally stated that it is correct that the Growth Policy recognizes the constraints of increasing those standards. The Montana Department of Environmental Quality (DEQ) has regulations on water and wastewater, and the County cannot go above and beyond those. So the Growth Policy states the need to assess other ways to increase those rules and regulations so that the County can approve subdivisions with more confidence.

Shane Shaw stated that how the question is written doesn't represent the question fairly. This question states, "if you want to build a home outside of the city, you need 10 acres." But that is not what the rules state.

Moderator Eric Austin suggested holding onto this specific issue when the ZAP assesses the regulations in each district. Then, for the ZAP to more broadly, assess these survey results in what it reveals about Helena Valley citizen's concerns of the quality of life. Many other questions that are in this survey are how that quality of life gets operationalized. What does it mean to affordability and the amenities available to the community? He added it lends itself to the inquiry of how to write precise survey questions. There are multiple ways that can or cannot get at the issues. He would not recommend getting too bound up other than to recognize what is included or not included, and how this information can dovetail with what is in the STEEP (social, technical, economic, environmental, political) analysis.

Greg McNally stated that the thought that any new construction will require 10-acres regardless of its size is not true. They can be built on regardless of their size.

Secretary Lois Steinbeck stated the need to provide clear educational information, particularly regarding what new construction can exist on the 10-acre minimum.

Pat Keim stated that although the question was not stated accurately, that the 10-acre minimum may have gone up to 90% if they understood that it didn't apply to the entire valley.

John Rausch stated that he doesn't think anxiety about the 10-acre minimum currently exists as long as education is good and that the level that people are aware of county zoning and the work of the ZAP and County Commissioners that are coming up with zoning in the Helena Valley Planning Area (HVPA).

Public Comment on the Previous Business Item on the Agenda

William Gowen (*in-person, transcribed from audio recording*) stated I am the Government Affairs Chairman for HAR. Thank you for today's discussion and a few comments. We have not done a ton of surveys, but the folks who did this, American Strategies, do this for a living. We wanted to get accurate data when they asked us what we wanted to know, and they were advising us on what was and wasn't statically sound. But there is no perfect question. They actually put questions at the end of the survey so as to not skew the data. One point he wanted to make is that the Growth Plan is five years old and is old data, and that is where we should be focused. One of those five pillars should be housing affordability. Five years ago and the three years it took to complete it, not so much. But it's critical in this valley due to the number of government paychecks we have in our Valley. We have a cap and a ceiling here. We want to continue to live here, and my kids and my grandkids. That should be what drives regulation. I also want to remind the panel of a contract with University of Montana's house affordability study. That is going to be important and critical. There are going to be surprises in it and will be helpful for the panel and community-at-large. Thank you for your time.

Secretary Lois Steinbeck stated that Mr. Gowen had three minutes and 15 seconds remaining if he chose to speak again during the meeting's public comments.

Moderator Eric Austin inquired when the timeline of this study will be available?

George Harris (via ZOOM, transcribed verbatim) Thank you. First of all, I'd like to say thank you to John and for those questions and for Bill and his comments. To immediately reply to the question at hand, about the study. They are working diligently on that and I have asked that they try to have that done by the end of September and they're working towards that deadline, so I would anticipate we would be able to report to this panel in your first or second meeting in October. Secondly, just in terms of the public comment, in terms of the survey itself, one of the key points that American Strategies made with us is that, we recognize that we are talking about an entire County Commission. And the entire County Commission is responsible for that entire County and that's why the Question #14 was generic as it is. I recognize that it could be more specific. I recognized, as Bill, Eric, and others have said, you can zero in on a lot of different methods of questions. I do invite the committee to email me at gharris@helenahar.com. If you

have any specific questions you would like me to forward to the affordable housing on economic analysis study. The other factor that I think is important for us, is what Bill just hit on, it is the Growth Plan is five years old and that affordable housing is an important factor. Just for the information and then I'll get off here because I recognize your time is very valuable and I respect that immensely. I ran some numbers again yesterday in a different meeting and also for reporting for the statewide realtor association. The median price of a home for a single family in Helena-proper, and we can say it's very similar in the County, is three years ago was \$280,000. A year ago was \$296,000. And then, just this month, it is now \$361,000 for a 21% increase. But the average days on the market is really telling. Three years ago, the average days on market was more like 24 and now these homes are selling in seven days. So the number of homes that we have on the market presently with 406 realtors that we have is 66. So this is what's driving us locally, and so, where is the growth going to go. And that's why what you're doing is so immensely important. The 10-acre minimum will be analyzed. One size does not fit all but a detailed analysis as to what your panel is charged with as to what will work will be quite a challenge. As an association of realtors, we're here to offer our help in any way that we can, and follow-up and research and analysis, and the funding and the financing which our association and the national and local associations have helped us with we appreciate. But our goal is to get you non-combative, you know, we're not here as an adversary. We want to be here as a partner to help provide information that is solid, that can help you make the best decision for the growth of our County and this very important issue. Thank you for your time and we will be back.

Secretary Lois Steinbeck stated that Mr. Harris had one minute remaining if he chose to speak again during the meeting's public comments.

John Herrin (in-person, transcribed from audio recording) I've worked for the state for 17 years, and 5 years in subdivision review and I issued 400 subdivision reviews, a record in five years time. I've developed three subdivisions and I'm working on my 4th. So I've seen both sides. Problem is I hear a lot of misinformation. I'm sorry to say that I keep repeating the same thing and it doesn't seem like you're hearing me. The existing subdivision regulations and DNRC adequately cover groundwater, and wastewater and the County's subdivisions regulations are actually more stringent than state standards. The problem is that a lot of the things that they've added that are beyond the state minimum, they have not done the necessary homework to prove the need to be more restrictive. That is, two entrances that need to be County standard, when only one is necessary. They haven't done the homework to prove that that is required. So that is on top of what is already required in needing to meet the minimum standards. This County is already very restrictive. Plus, you need off-site roads where you can contribute more than 10% of the load, we have to fix that road to the nearest state highway. That's why we've repeatedly said Birds Eye Road will not become a major subdivision. The one subdivision,

Stallion Ridge, will probably be the last subdivision we'll see on the road, because the cost is too prohibitive. That goes countywide and this county is rural. That affects everybody in the County, not just Helena Valley. So, to say that we need this zoning and 10-acres minimums, there is zero documentation for needing that on 150,000 acres and, in fact, you can hardly point to one point, except for along North Montana where we did densities that are urban in design. Okay, so please, I don't understand why we keep talking about the 10-acre is a good idea. It is not. It is depressed, significantly depressing the supply of available lots. It's receding supply. Period. Right here in the newspaper, this guy is pretty good. He's moderately conservative you could say, but he writes really good stuff and he says that basically red tape hurts. So, but if you look at supply and demand, I have told you last time, there is no pipeline of affordable lots coming out, especially rural lots. There is zero. I've seen two in the last year. And that's one of the things that you need to ask the County to produce. That they need to produce the data that shows how many subdivisions are being created. What is the type of wastewater and a sewer systems that are being created, and where are they located at. Because they're just not happening and that's the reason we're seeing prices go through the roof. The supply isn't there. To make 10-acre tracts is just going to spill the growth. And you know what's going to happen, Broadwater County is going to grow like crazy. Jefferson County is capped out. There isn't that much left. I went to the parade of homes. Under \$1.5 million homes are being built up and down by lineup there in Jefferson County, one after another. \$1.5 million in gorgeous places, but the supply is going. They're out. They just don't have that many lots left. So what's going to happen if we make 10-acre tracts? Okay, we're going to have millionaires coming in and buying and building huge homes. That's not affordability. That's not what we need in the county. So I think we need to drop the 10-acres thing because it doesn't help us. There is adequate water supply for 10-acre. It can go down to one acre or half acre if you prove it. And you have to go through detailed huge application to get through the process. Trust me. It's not easy. And the same that we need a 10-acre tract on top of that from a zoning standpoint is wrong. We need to do is make it so that the existing subdivision regulations are correct and are supported by science, which they're not in this County. And then to add another layer on it with false narrative.

Secretary Lois Steinbeck stated that there is a remaining 30 seconds left.

John Herrin (*in-person, transcribed from audio recording*) responded yeah, and I ask for another five [minutes] at the end, please.

Secretary Lois Steinbeck said that there is only 5 minutes per speaker total for all public testimony and stated her apologies.

John Herrin (*in-person, transcribed from audio recording*) responded you know you need to change that because administrative rules in Montana say that you are supposed to listen to the public, and if you're not getting the right information is two...

Secretary Lois Steinbeck (*in-person, transcribed from audio recording*) stated from a point of order, Mr Herrin, we are here to hear your comments. And we have our rules that have been reviewed by our attorneys. I hope you listened to my announcement that we are limiting every speaker to five minutes total, and the other speakers have been very gracious and they know their time remaining. I'm very sorry that was not clear to you. And I cannot argue with you.

John Herrin (*in-person, transcribed from audio recording*) responded you need to change the rules okay, as you're not getting the information you need. I will challenge you legally then. There's another lawsuit. We're just building the case that you're not listening. This is illegal.

Andrew Thomas (*in-person, transcribed from audio recording*) stated with regards to the development and implication of the survey, I contributed to both drafting the questions and ensuring that the survey population was accurate and that the questions adhered to the best practices that you would see in survey methodology in broader social science and as objectively as possible in constructs that we wanted to assess. We didn't want to engage in a bias survey. We wanted to provide objective evidence. Given the fact that I have a PHD in the social sciences, and have roughly 20 years experience implementing surveys for published academic research, as well as applied research, I can assure you that those were objective and you should feel confident in the information that was revealed. Thank you.

Shane Shaw stated his concern about the ZAP committee. He understands the importance of public comment, and appreciates his discussions with Mr. Herrin. But he doesn't think the ZAP should allow anyone to come to the meetings and make statements accusing the County employees of making false public statements. He doesn't agree with that. He doesn't think anyone gets to walk up front and accuse Greg or Peter that they are potentially misleading the public or making false statements. There is no way to defend that. He wants the information but he's not interested in listening to people's degrading comments.

David Brown stated the ZAP has an educational responsibility to the public. If it's not well explained, they are going to respond however they respond. It's one of the tasks as a panel and has been identified in the STEEP analysis, that public awareness is needed.

Secretary Lois Steinbeck stated that in her former life she was Legislative staff. In hearings, they'd hear how staff didn't know what they were doing, or were inaccurate. She understands the frustrations and the frustration with staff. She can tell the public that they have faith in the staff and they do good work. She added her frustration that the staff are blamed for the politics of this process. They are doing their jobs as best they can, alongside the ZAP members.

John Rausch departed at 10:40 a.m.

Archie Harper stated when the public makes comments, he wants to hear information, not attacks. He requests the public to highlight the important points with facts and data, and limit their time and if there is a need to go beyond that time, to please make written comments so that those can be reviewed.

STEEP Analysis: Summary and Concluding Discussion

Moderator Eric Austin displayed a consolidated list from the STEEP analysis that included the number of votes, which is posted on the [ZAP website](#). He stated that this summary is not to quantitatively compare but a way to assess the number of votes in comparison to each other across the categories. He noted that the economic poll includes both numbers of votes from the original and the repolled votes. He inquired, from each of the ZAP member's stakeholder perspective, is there anything in this consolidated list of priorities that they'd like to emphasize as important?

Pat Keim replied that from his stakeholder perspective of fire services, he wanted to emphasize the importance of appropriate lot sizes for emergency facilities. There is not a need for 10-acres in the rural area. He added the need for transportation infrastructure and to make sure the roads are adequately built to accommodate emergency services, such as the importance for two entrances and exits.

Tyler Emmert stated that on page 2-3, 28.03 of the Growth Policy, it states the exceptions for government lots should be able to cover the need for emergency response facilities. He added that the ZAP needs to start to have these more specific conversations.

Moderator Eric Austin stated the next meeting will be focused on non-confirming lots. He added that this process is to gather a shared baseline, but this process is designed to go slow to go fast.

Secretary Lois Steinbeck stated the importance of water and water quality, and how this appears in all of the categories. Part of the Valley has too much and other areas don't. Well logs are not sufficient. Water availability is paramount. Some of the areas don't have hydrogeologic data to do something different than a 10-acre minimum.

Moderator Eric Austin stated that this issue/question is to manifest itself will be different between the three districts, and their review of draft regulations is how to operationalize this importance within each district.

Pat Keim stated that water is a fixed factor, no matter what happens with zoning and regulations. He added that infrastructure can be used to move water to where it exists to where it doesn't, so don't let it override other important topics.

Mark Runkle agreed.

Archie Harper stated that the ZAP is making regulations that are open and subject to revisions and updates. There are unknowns that will become known, so flexibility is paramount.

David Brown stated there's been extensively talk about the resources that are necessary for human life, such as roads, fire protection, water, and wastewater. But there has been little discussion of the life enhancing qualities such as open space, wildland interface, parklands, and this is concerning.

Moderator Eric Austin responded that it does show up in the social category with the phrase, "impacts and character of community." But he agrees that it's not specific and there is a need to keep track of that specific item.

Archie Harper agreed with David Brown on the importance of open space, parks, trails, and the recreation aspects that should be integrated into the zoning. The HAR results also stated that the community does reveal that open space is a priority.

Moderator Eric Austin stated that in a statewide 1,400 response survey on the newcomers to Montana, the #1 driving factor is quality of life.

Kim Smith stated that his stakeholder is to represent developers, but he's shifting more to representing consumers and property owners. The reason is because more than half of these items are handled by subdivision regulations, such as water quality, water supply, and water treatment. There are some examples that the Montana DEQ has missed the mark but to what extent hasn't been fully determined. He used an example of residents needing to spend \$14,000 to deepen their wells to obtain water. But he's more concerned about the impacts of zoning to property values and what property owners can do with their property. He added that the state subdivision regulations could be better. He stressed the need to be careful in the rural areas.

Tyler Emmert stated that in regards to open space, he suggested the need to zone outside the HVPA. If restrictions are set in one area and not in another, development will go outside the boundary. The route of land use control that is currently being taken is going to encourage growth outside of the HPVA. He added that standards and education haven't happened yet, and encouraged the need to step back to focus on policy option #1 such as funding infrastructure and land controls. These items need to get to the Commission.

David Brown stated that the low rates of financing is the main driver in the cost of housing. All that is mentioned is the cost of building materials, scarcity of lots, and realtor commissions. He added that this demand would slow down if there is restricted credit through interest rate control. The outside influences are missing from the economic STEEP category.

Mark Runkle stated that in regards to housing professional and standard housing, the County policy is trying to control where the standard housing goes. He referred to the developments around the Valley that have issues as urban clusters, which are developments on small lots with low infrastructure to serve them, which is essentially taking urban development and moving it

to the County. The professional housing will buy the 10-acre lots, no matter what zoning does. He added that he doesn't believe that the standard housing will be beyond the HVPA.

Tyler Emmert responded that his concern is the professional housing outside the HVPA where landowners are taking 160-acres and cutting them into 10-acre lots and selling them for \$200,000 per lot, which is occurring in Jefferson County. This could be open space, but it's becoming harder to do with the prices. He encouraged the need to zone outside the HVPA and then inside the HVPA.

Greg McNally responded that one of the reasons for focusing on HVPA is because this where 98% of the growth is occurring.

Tyler Emmert stated if you put a plug where 250 houses were going to go, then where are they going to go?

Mark Runkle responded that a report he's seen states that of the 202 County permits this year, only 25-30 of those are professional housing that are \$500k and up.

Moderator Eric Austin stated that the ZAP has talked about advocating issues to the County Commission that are going to be outside the specific charge of this panel, such as financing. He noted that this has been captured, and what is the substance, content, and the form of that recommendation is still to be determined. Minimally, the ZAP can note it and pass it along, or it could go so far as a formal recommendation. He added that the aim of the consolidated STEEP document is to provide a document that can be a reminder of the tenor and priorities as the ZAP moves into Phase III, so keep this at hand.

Public Comment on the Previous Business Item on the Agenda

Andrew Thomas (*in-person, transcribed from audio recording*) stated in response to Mr. Brown's comment about young people expecting the standard of living that their parents have at the end of their careers or more advanced in their life. When you look at the data, your generation had it much easier than mine, and I have it easier than the people behind me. I would suggest that you go to the Bureau of Labor Statistics and there's a consumer price index calculator. Wages have been more or less stagnant since the early 1970s. The cost of living for consumer goods since roughly the 1950's is about 250%. The cost of housing, as has been articulated multiple times, has doubled since the 1980s. When you look at what someone in the middle class, maybe upper middle class, spends on consumer goods, including healthcare, student loan repayment, other durable goods, it's exponentially more than what people spent in the 1980s and 1970s. I will grant you that this panel does not deal with issues of health care, which are out of control, lack of retirement savings, the lack of capital accumulation, lack of real income gains, but they have an effect on people. I teach here and I work with students. Most of the students are concerned about this. Most of the students at this school that are in the business department or in the accounting department leave the state because they cannot afford it.

Employers cannot afford to pay them enough to live here. I understand there's this intergenerational ag[ricultural] stuff, you know the young people got to work their way. You look at the numbers, if you don't, believe me. Investigate the empirical evidence about this, but also go around the community and talk to people. Now the impact that this has on this matter per se is, if you do not make a concerted effort to honestly address this issue, the state will face a demographic collapse. Because, as you people retire or have already retired, and my generation retires, there will not be anybody to replace them. You want to see what that looks like then look at Japan. I respect the need for open space. I respect the need for aesthetics, but fundamentally when you look at this issue, it is pressing and it is very broad, but with regards to the specific issue of housing affordability, there must be a concerted effort in this panel to realistically understand it. Thank you.

Bill Gowen (*in-person, transcribed from audio recording*) stated that the real crux of the problem and why we are all here is the City of Helena and their inability to grow this City and grow beyond what they're doing. We all know that that is the problem. Why we don't drag the City Commission down here and have them sit through this is beyond me. That's what you need to do. Demand they do their job and grow their City. Because they didn't, and you want to see why we have the growth where we do, then come out where I live. I live two miles north of Bob's Valley Market. I love it there. Why wasn't that development closer to town? Because the City at Helena wouldn't annex it and wouldn't do their job. We all know that that's very important for us all to keep in mind. That's where the problem lies. And there have been very few that have been able to work with them. Mark, I know you have had to deal with them on a daily basis and it's not easy.

Kim Smith stated the reasoning for the importance of financing, particularly in the discussion of the urban area. Mr. Gowen is right that the City isn't going to resolve or be proactive about this issue. There's a few pieces of property that are adjacent to the City that can be developed, but the City can't hopscotch out and once there is ring of properties exist around the City that don't want to develop, or may have Part 1 Zoning and can't be developed, that's where there is a need for some financial infrastructure to work forward, and in particular in the urban areas.

Secretary Lois Steinbeck requested this be addressed in more detail at the next meeting to understand the interface between Part 1 Zoning and annexation.

Chris Stockwell (*on Zoom, transcribed from audio recording*) made a request if there is some way to see all the speakers or if each speaker could identify themselves prior to speaking.

Joyce Evans departed at 11:28 a.m.

5. Public Comment on Items Not on the Agenda

None.

Pat Keim: Motion to extend the meeting by 15 minutes

David Brown: 2nd the motion

Motion passed unanimously: 8-0.

6. Announcements

Moderator Eric Austin reviewed the upcoming meeting agenda which includes a more detailed review of the ZAP charge within the three districts, and what will be seen in the skeleton outlines within the draft regulations.

Tyler Emmert stated that he has a proposal that will be submitted to Greg McNally.

Moderator Eric Austin stated in each of the subsequent meetings, each of the districts will be kept separate and staggered, starting with the urban, rural and then the suburban. He reminded the ZAP that they will have the STEEP compiled list alongside maps, data layers, and other information from Phase I.

Secretary Lois Steinbeck requested if it is possible to update the growth data in the Growth Policy with the new census numbers.

Greg McNally replied that the census data doesn't match up with the HVPA. When the Growth Policy analysis was compiled, there was a professional firm hired to capture accurate data for their specific area.

Tyler Emmert recommended the ZAP to read the City of Helena zoning regulations, since the Lewis & Clark County urban regulations are recommended to match the City's.

Moderator Eric Austin provided an update on the public engagement and listening session. The idea is to create events once there are preliminary proposals and draft regulations that are tangible for the public to review. There are potentially three live events and one virtual listening or feedback session. They will be structured as an open house, round table discussions instead of a public hearing. This process would make the discourse functional and get as much feedback as possible, with more than one microphone. The sessions will also utilize students to manage the tabletops and work in pairs to facilitate the tables. There will be potentially four or five tables per session. More information will be discussed at a later date, but an educational component is a priority so that the public feels like their concerns are being heard, and to address transparency and quality of information. The timeline is unknown at this time, but it will be at the backend of Phase III.

Tyler Emmert stated the need to start on policy option #1 in the Growth Policy in conjunction with the Part 2 zoning process.

Mark Runkle inquired if the listening sessions have a place that the public can also be written down.

Moderator Eric Austin responded that there will be note takers for verbal feedback, and the public can provide written comments, and a potential QR code where it can be submitted digitally.

Mark Runkle: Motion to end the meeting

Archie Harper: 2nd the motion

Motion passed unanimously: 8-0.

8. Next Scheduled Meeting

October 13, 2021 at 9:30 a.m.

Adjourned at 11:47 a.m.