



316 North Park Avenue, Helena, Montana 59623

ZONING ADVISORY PANEL

DRAFT Meeting Minutes

Meeting Date and Time: February 9, 2022, 9:30 a.m. to 12:00 p.m.

Location: Meeting Held Electronically Via Zoom

Board Members Present:

David Brown

Tyler Emmert

Lois Steinbeck

Joyce Evans

Archie Harper

Dustin Ramoie

Mark Runkle

Jacob Kuntz

Kim Smith - *joined at 9:38 a.m.*

Shane Shaw

Pat Keim

Board Members Absent:

John Rausch

County Staff Present:

Greg McNally, Planner III

Lindsay Morgan, 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):

CDP, HVTV, Public Participant, arthomas, CDP Staff, Steve Utick, DW, David Knoepke, Ryan Leland, Bill Gowen, K D'Arcy

1. Call to Order

Chair Jacob Kuntz brought the session to order at 9:31 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 ZOOM Meeting Protocols, the process of the meeting, Covid approved safety protocols and Zoom participation instruction.

4. Approval of the January 26, 2022 Meeting Minutes

Lois Secretary: Motion to approve the January 26th meeting minutes.

Dustin Ramoie: 2nd the motion

Motion passed unanimously: 10-0.

5. Business Items

Chair Jacob Kuntz summarized the purpose and mission of the Zoning Advisory Panel (ZAP), which is listed [on the ZAP website](#).

Moderator Eric Austin reviewed the meeting structure, purpose, and extended length, which is focused on a final discussion and consideration of any recommendations for each of the three districts that are part of the charge of the ZAP, the Urban Residential Mixed-Use Zone District, the Suburban Residential Mixed-Use Zone District, and the Rural Residential Mixed-Use Zone District. He added that any action or endorsement for the overall recommendation for each of the districts should convey the current content of the regulations relative to the Growth Policy, to each stakeholder perspectives, and to the priorities that were developed within the STEEP (Social, Technical, Environmental, Economic, Political) analysis. Each district will be discussed for 20 minutes, with the rural district as the final discussion so that additional time can be provided. Public comment will be available at the end.

David Brown stated a concern about leaving the Rural District and alternatives to the 10-acre minimum to the last item of discussion.

Tyler Emmert stated his agreement with David Brown.

Moderator Eric Austin responded that his goal is to keep the meeting on schedule.

Urban Residential Mixed-Use Zone Districts

Lindsay Morgan stated a summary and highlights of the current draft Urban Zoning District regulations.

Vice Chair Dustin Ramoie stated that with the floodplains in the Helena Valley, much of which is near proximity to the City and Urban Standards Boundary, there is considerable risk to the property owners. He stated the current draft Urban Zoning District regulations are a good start to alleviating this risk. He mentioned the City of Helena's westside annexation as a prime

example of not creating available infrastructure, whereas the City has had to go back and overturn a neighborhood to provide it. He added that proper zoning in the urban growth areas will provide sound development and planning practices.

David Brown stated there's mention of endeavors to work with the City and its standards and to explore financial incentives, but there's no discussion of enforcement, which is problematic for him.

Tyler Emmert stated that within the Urban District, there are eight zones, but a map proposing these areas is critically important for his support. He added that it's hard to change zoning once it's implemented, and there's a missed opportunity to take a step forward instead of copying the City of Helena's regulations.

Pat Keim stated the importance of adopting zoning with known City standards that will be annexed by the City. He added that if zoning is adopted, then it will give a better idea of what is going to happen and allow a more intelligent purchase of property.

Archie Harper stated his support and research of the natural resource sciences. His concern is in future development in hazardous zones in the ephemeral channel areas, and he supported a 10-acre minimum in flood hazard areas that are highlighted by both the perennial and ephemeral channels. He added this approach should be common in all of the districts, and to build to minimize impacts rather than alter the landscape to build the buildings.

Secretary Lois Steinbeck stated she is willing to endorse both urban and suburban zoning for future stability, with the following caveats: 1. Implementation of an extremely active public education and comment process. 2. No proposed final zoning to County Commissioners from Planning staff without financial incentives, public partnerships, and financing incentives for public infrastructure.

Tyler Emmert: Motion that the Zoning Advisory Panel would like to endorse the urban zoning but, at this time, cannot until the following are provided: a map where the eight specific zones are shown, providing some type of formal written framework for incentives, and after a healthy engagement between County and City Planning Staffs.

Shane Shaw: 2nd the motion

Discussion:

No discussion.

Motion Failed: 5-6.

For: David Brown, Tyler Emmert, Archie Harper, Kim Smith, Shane Shaw

Against: Lois Steinbeck, Joyce Evans,, Mark Runkle, Dustin Ramoie, Pat Keim, Jacob Kuntz

Secretary Lois Steinbeck: Motion that the Zoning Advisory Panel endorses the draft Urban Zoning Regulations with the understanding that there will be a robust public education and involvement process to discuss the draft regulations, that there will be maps developed prior to the implementation of the final regulations so that the public can see them, and that there will be a draft available for public review of funding mechanisms to support an extension of urban infrastructure.

Joyce Evans: 2nd the motion

Discussion:

Pat Keim requested an amendment, stating a preference of the phrase “recommend for consideration” instead of endorsement.

Secretary Lois Steinbeck agreed to reword the motion to remove the word “endorses” and use “recommend for consideration.”

Joyce Evans said she would support the rewording of the motion.

Vice Chair Dustin Ramoie recommended simplification to the motion since the state statute requires public input, as well as a map.

Secretary Lois Steinbeck stated that robust public participation is a concern and priority, and that it should occur above and beyond the statutory requirements to allow for more constructive public input and conversations.

Tyler Emmert stated his support for Lois’ redundancy to require a robust public input beyond the basic requirements.

Secretary Lois Steinbeck: Motion that the Zoning Advisory Panel recommends for consideration the draft Urban Zoning Regulations with the understanding that there will be a robust public education and involvement process to discuss the draft regulations, that there will be maps developed prior to the implementation of the final regulations so that the public can see them, and that there will be a draft available for public review of funding mechanisms to support an extension of urban infrastructure.

Joyce Evans: 2nd the motion

Motion Passes: 8-3.

For: David Brown, Lois Steinbeck, Joyce Evans, Archie Harper, Dustin Ramoie, Mark Runkle, Jacob Kuntz, Pat Keim

Against: Tyler Emmert, Kim Smith, Shane Shaw

Suburban Residential Mixed-Use Zone District

Lindsay Morgan stated a summary and highlights of the current drafted Suburban Zoning District regulations.

Tyler Emmert stated that there was not enough progress made on this zone, and it doesn't have a supportive map. He is in support of zoning this area, but is not in support at this time due to the rough nature of the current drafted regulations.

Lindsay Morgan stated that there would need to be an update to the subdivision regulations and to the public works manual to support the zoning in the Suburban District.

Vice Chair Dustin Ramoie stated his strong support for density limitation in floodplain areas in this district that mimics the Urban District would be good.

David Brown stated the need for a map for this district prior to obtaining his support.

Kim Smith stated his agreement with David Brown. All of the Lewis & Clark County public meetings that were held prior to the ZAP formation only stated the 10-acre minimum in the Rural District, not in the intermediate or suburban district. He added he could support encouraging the County Commissioners to take a look at this district but not a ZAP stamp of approval until these things are talked through.

Secretary Lois Steinbeck stated her support of moving forward. The ZAP can recognize these regulations are in the early draft phase, let the County Commissioners know the ZAP's concerns, and clearly state the need for a map per regulations. These regulations also need a robust public comment period. The ZAP's job isn't to have a set of final recommendations, but the ZAP can still express its concerns. A vote forwarding the draft regulations will have more impact to the County Commission than a hard no.

David Brown stated that the ZAP has had substantial obstacles during this process including COVID-19, meeting remotely, turnover with Planning Staff. He is in support of suspending implementation, as the ZAP hasn't done its job completely until a recommendation is crafted. He added that the ZAP can push back prior to providing an approval that is premature.

Pat Keim stated the recommendation that the Suburban District needs to contain an exemption to the 10-acre minimum for fire and emergency services, alongside the Rural District.

Mark Runkle stated that the 10-acre minimum is only for certain areas when infrastructure is inadequate, which is in agreement with the ZAP charge. He added that there are ways to remedy that minimum if they want to do higher density by the developer being held accountable to additional mitigation efforts and regulations.

Shane Shaw stated his concern that the ZAP is making decisions and motions based on inadequate information.

Joyce Evans stated her agreement with Mark Runkle that the Planning Staff has implemented options that developers have options to reduce the 10-acre minimum, and supports the flexibility that is currently included in the draft Suburban District regulations.

Vice Chair Dustin Ramoie stated that the Planned Development option does exist, which does contain all of the technicalities for developers and landowners to use in order to create higher density. This is crafted so as to mitigate the main concerns and bring higher density and higher development patterns to the Valley.

Mark Runkle stated that the draft Suburban District regulations are currently in a good format, and the ZAP has done a lot of work. Although the draft may not be shovel ready, the Planning Staff has information and direction that is needed to come up with a final document. He stated his support that the current format is something worth moving forward on.

Secretary Lois Steinbeck: Motion to forward for consideration the draft Suburban Zoning Regulations to the County Commissioners for further refinement to include a robust public process, to refine the regulations for the district, and for the development of maps to determine the different zones.

Joyce Evans: 2nd the motion

Discussion:

Secretary Lois Steinbeck stated that the ZAP was not charged to come up with the final recommendations. If the County Commissioners will take the time to have a robust public involvement and education process, she believes the concerns the ZAP have will be resolved and potentially may be supported by more people as the regulations undergo further refinement.

Tyler Emmert inquired where the SR3 zone exists physically, and where that exists in the regulations?

Lindsay Morgan replied that the SR3 zone refers to a high density development, and would be referred to the Urban District classifications and regulations.

Pat Keim requested an amendment that the County Commissioners specifically look at allowing smaller lot sizes for emergency services in the 10-acre minimum areas.

Secretary Lois Steinbeck replied that while she does support smaller lot sizes for emergency services, she doesn't want to single out a particular item. She added that this is why there is an additional meeting to draft a letter to the County Commissioners that includes a strong statement of the ZAP's concerns that could not be included in the motions. She stated that she was not willing to change the wording of the motion.

Tyler Emmert stated that the Suburban District contains everything from highest to lowest density in this area, and with no map, there is no idea where each density is being proposed.

Motion Passed: 8-3.

For: *Lois Steinbeck, Joyce Evans, Archie Harper, Dustin Ramoie, Mark Runkle, Jacob Kuntz, Shane Shaw, Pat Keim*

Against: *David Brown, Tyler Emmert, Kim Smith*

Rural Residential Mixed-Use Zone Districts

Lindsay Morgan stated a summary and highlights of the current drafted Rural Zoning District regulations.

David Brown inquired who is being appeased and who benefits from the 10-acre minimum? He stated his opposition of the zoning in the Rural District, as there is no compensation for what is being taken away for the benefit of the public at the expense of the private landowners. He added that there needs to be a map in support of this district.

Pat Keim stated the importance of having a blanket exemption of a 10-acre minimum for the fire and emergency services within the Rural District, as this is important for placing the services where they are needed.

Secretary Lois Steinbeck stated a request to pull up the Montana Department of Natural Resource and Conservation (DNRC) hydrographs. She discussed the steady decline shown in the two hydrographs, the recharge when above average snowpack occurs, and what happens with normal precipitation, which is a steady decline. She added that until there is a better way to assess water availability for future development, there is no way to determine long term

carrying capacities of groundwater. There needs to be better data and legal authority to require data to have more dense development in the rural areas. She added that a map showing the bedrock and the water limitations in this area is essential.

Shane Shaw inquired on a clarification if proposed regulations or alternatives to the 10-acre minimum lot size in the rural area, or both, are currently being discussed.

Moderator Eric Austin responded that both are open for discussion.

Vice Chair Dustin Ramoie stated strong support for density limitations in the floodway areas. Rural areas are risky for landowners and communities, and cost taxpayers money. The Planned Development opportunities are available for areas that are suitable and applicable. The community has failed to provide what is needed for quality development in the Valley, which is currently driven by a gold rush mentality and created issues for infrastructure and long-term property issues. He supports a 10-acre minimum for better use of the current infrastructure, to address the terrible road situation, and buy time to have in-depth policy discussions and decrease the opportunities for long-term subsidized development that taxpayers end up paying for.

Mark Runkle stated that the ZAP was assigned to look for alternatives for water and fire, which they have. But when it comes to roads, what alternatives are there? It seems that it's being limited to a certain distance from state or federal highways so that local residents don't have to subsidize the public cost.

Joyce Evans stated her support for the 10-acre minimum in the rural areas, and agreed that water issues are a problem. She added that the zoning regulations can be adjusted as the County continues to grow.

Tyler Emmert made a presentation of a proposed alternative to the 10-acre minimum, which is available [on the ZAP website](#).

David Brown stated that alternatives have not been given adequate consideration, and he supports some of Tyler's ideas stated in the alternatives. He added that the Rural District is not prepared enough to advance a recommendation to the County Commissioners.

Kim Smith stated that the current draft Rural District regulations will influence the ability to do a family transfer, that buildings for lease or rent have been removed, and there is a non-confirming issue for existing parcels. The only way he will support regulations for this district is if the proposal states that any parcel that is under 10-acres is allowed to do a family

transfer, allowed to have buildings for lease or rent, and are conforming. He added that there are not that many parcels that require these exemptions, and people have bought their land with expectation to do those items with them.

Shane Shaw stated that the ZAP has not even had the lengthy discussion that is needed to resolve the primary issues the ZAP is charged to do, and inquired if the discussion could continue at the subsequent additional meeting on February 23rd.

Greg McNally stated that the County Commissioners have extended the ZAP until today with the understanding that there will be a final recommendation. The additional meeting is not tied to the final recommendation but as an after-action meeting in which the panel could talk about and provide other priorities that are not directly related to the ZAP charge.

Chair Jacob Kuntz stated that zoning has been on the table for a long time, and he's heard the general community's understanding that it should happen since there needs to be a plan, vision, and partnerships on how to move forward. He added that there does need to be a way to restrict growth and get prudent development, but that can't happen without vision and this demands this type of effort that is currently underway. A regional approach to zoning that brings in the private sector is critical. Zoning is going to happen, now let's figure out how to get it done right.

Archie Harper stated an appreciation for a fine discussion on this controversial matter and Tyler's presentation and Lois' discussion on the alluvial aquifer. He discussed bias and present bias as the over-valuing immediate rewards while putting less worth in long term consequences. He added that the final meeting demands additional work and discussion on alternatives to present to the County Commissioners.

David Brown: Motion to request that the County Commissioners extend the term of the panel to provide additional time to provide a well-thought out alternative to the 10-acre minimum.

Tyler Emmert: 2nd the motion

Discussion:

Secretary Lois Steinbeck stated her vote against the motion.

Vice Chair Dustin Ramoie stated his vote against the motion. He added that the ZAP is educated enough, has had a robust discussion on this district, and supported an idea of a similar motion to the Suburban District.

Motion Failed: 5-6.

For: David Brown, Tyler Emmert, Archie Harper, Kim Smith, Shane Shaw

Against: Lois Steinbeck, Joyce Evans,, Dustin Ramoie, Mark Runkle, Jacob Kuntz, Pat Keim

Secretary Lois Steinbeck: Motion that the Zoning Advisory Panel advance for consideration the draft Rural Zoning District with the changes that were recommended by Planning Staff, and also with the recommendation that the County Commissioners engage in a further robust public process and that the 10-acre minimum be refined into maps for clarification on where the 10-acre minimum lot size would be applied.

Vice Chair Dustin Ramoie: 2nd the motion

Discussion:

Kim Smith requested an amendment that the zoning only affects the current parcels that are over 10-acre in size, and those under 10-ares in size are not subject to this zoning.

Secretary Lois Steinbeck requested additional clarification.

Kim Smith stated the request that all parcels that are under 10-acre exist as they are and retain the current rights that they have to use their land, which includes family transfers, buildings for lease or rent, and make them conforming. The draft zoning is currently focused on development on parcels that are over 10 acres.

Secretary Lois Steinbeck stated that she would not incorporate the amendment because she doesn't know the ramifications of exempting lots smaller than 10 acres from the zoning regulations.

Pat Keim requested an amendment to incorporate an exemption for the rural fire and emergency services from the 10-acre minimum.

Vice Chair Dustin Ramoie stated that this request is outside of the scope of the motion, and this request has been documented in the discussion.

Pat Keim stated that this amendment requests that the County Commissioners need to assess this.

Secretary Lois Steinbeck inquired if it would suffice to have the included at the top of the list of ZAP additional priorities that will be discussed at the final meeting that will be forwarded to the County Commissioners.

Pat Keim stated his agreement if it was listed as number one.

Shane Shaw stated his disagreement to force these regulations through and he highly objects to this motion.

David Brown stated that there are two alternatives to the 10-acre lot that are included, which are a Cluster Development and a Planned Development. He added that neither support the sustainability of agricultural lands.

Secretary Lois Steinbeck stated that she shares many of the frustrations that have been expressed. The ZAP has tried to do things collectively, to have a work plan, and that there should have been a more early assessment of the consulting information that would have been supportive of the ZAP scope. She added that a 10-acre minimum is necessary in this area until there is better data to predict water availability.

Amendment:

Kim Smith: Motion to amend - recommend that zoning applies only to acres that are above 10-acres in size.

Tyler Emmert: 2nd the motion

Amendment Failed: 1-10.

For: *Kim Smith*

Against: *David Brown, Tyler Emmert, Lois Steinbeck, Joyce Evans, Archie Harper, Dustin Ramoie, Mark Runkle, Jacob Kuntz, Shane Shaw, Pat Keim*

Secretary Lois Steinbeck inquired if there is a robust public participation, would this allow for changes to the current maps.

Greg McNally replied that yes, this is what the public process is intended for. He inquired if the current motion is intending to include the staff's suggested Planned Development.

Secretary Lois Steinbeck stated her agreement that it is intended to be included in the motion.

Secretary Lois Steinbeck: Motion that the Zoning Advisory Panel advances for consideration the draft Rural Zoning District with the changes that were recommended by Planning Staff to include Planned Developments, and also with the recommendation that the County Commissioners engage in a further robust public process and that the 10-acre minimum be refined into a maps for clarification on where the 10-acres would apply and where.

Vice Chair Dustin Ramoie: 2nd the motion

Vote on Motion as Originally Proposed Passed: 8-3.

For: Lois Steinbeck, Joyce Evans, Archie Harper, Dustin Ramoie, Mark Runkle, Jacob Kuntz, Kim Smith, Pat Keim

Against: David Brown, Tyler Emmert, Shane Shaw

Public Comment on This Agenda Item

Andrew Thomas (*on Zoom, verbatim from transcript*) stated my only recommendation that's relating to today's discussions is in both the transitional area as well as the rural areas, I would replace 10-acres with "a density in excess of one-acre to be determined based upon the constraints the parcels subject to." That would adequately limit any type of arbitrary or contentious decision-making, while still enabling the Planning Staff to be able to regulate the specific parcel in ways that meets the needs of that particular area. Also, I would very strongly recommend, as Mr. Herrin has said, to go back and to re-evaluate the entire situation, redraft the growth policy, and to do all this work prior to initiating planning. Finally, I would also say that, in terms of vote that you just took, it is exactly what this panel was intended to avoid. Is exactly the issue that was not resolved when the Planning Committee adopted the zoning in the first place. There's obviously a perpetual need for input on regulations and the need to develop regulations and that has been listened to extensively. However, it seems like the story never changes, especially from people like Mrs. Steinbeck, which with regards to Mr. Harper's comment does illustrate fundamentally the issue here is there is a bias. And the biases are in favor of one worldview. It's in favor of one approach, regardless of how inaccurate or what it is, or the costs associated with it. And again, regardless of the position you adopt on this matter, I'd ask you to consider that, because you just spent nine months working going around in circles, not developing any particular analysis as to how to deal with these issues. Thank you.

Secretary Lois Steinbeck stated a request that further public testimony not target individual panel members, as this process has not been easy, and it is not appreciated that the public call out particular panel members.

Bill Gowen (*on Zoom, verbatim from transcript*) stated I am the Government Affairs Chair for the Helena Association of Realtors. I raised in public comment, after the fact, and when public comment has absolutely no use. The standard that this was done today, Mr. Facilitator. I won't use your name because it's been requested that I don't. But I am utterly unhappy with the way this has been facilitated. You did not allow the people on this panel to get the information and to do what your charge was and that's a shame. Part of the public process is to listen to public comments before you vote on the issue. And about bias. There is biased. Everyone has bias. that's very important for us to have bias. But what you've done is made a recommendation for

things that now you're back to where you were when you began. And I am disappointed. Not in the members and all the effort and work that was put in. It's that it never got to where it needed to be and never got to the Commission that you needed more time and more effort to get right. And that there was all this time wasted on things in hindsight that was probably not necessary, but that's where we are. What's wrong with taking the time to do it right. Making a recommendation on things that aren't quite figured out yet defeats the purpose of what you were here to do. What a waste of time and you wasted a lot of mine, too. I'm very unhappy and it will be voiced very clearly, as I did at the last Commission meeting.

Kim D'Arcy (*on Zoom, verbatim from transcript*) stated good afternoon, I've been listening for some time throughout your process. Thank you all for putting your time into this. This is more of a comment, not on a technical stance. I think that there's been some great presentations throughout the year, and very informative. My discussion, or comment I guess, is more related to a lifestyle and that would be a rural lifestyle. So I'm unsure what rural residential means when we're trying to put in revenue generating areas, parks. I bought my park, you know, yes it's 10 acres to be rural. But that means I have horses in my backyard. I've got dogs in my backyard. I don't want to share my fence line with a cluster development because it's affordable to them. I worked very hard to make it affordable to me or saved my money so I could afford that 10 acres. And so again, kind of an emotional statement. I agree with Pat. We have to provide fire protection for everybody, regardless if it's in a cluster situation or a highrise situation, and they can't afford 10 acres nor should they. But I also don't want to see a lineup of mobile homes going in next to me. Not that they're not needed but I paid up. Somebody said, if they want that way of life, they need to pay for it. Well guess what, I paid for it. It was expensive. It was very expensive, and I'm paying for it on top of my RID [Rural Improvement District], on top of the high taxes, and I'm still driving crummy roads, as we all know. Secondly, if it involves enforcement, I'm out. We can see how the ordinances are enforced in the Northwest Valley. It's a shame, I own a very nice place but I hate driving through what I have to drive through to get to my nice place. And lastly, there was another remark, that not everybody can afford a BMW, but they don't want to live next to a junkyard either. I'll help in any way I can but I don't think that the public is being intimidated at this point to participate because many of us are being run over. I know we're not there yet and we'll get there. And again, thank you for your time.

John Herrin (*on Zoom, verbatim from transcript*) First point of order, I thought all motions to be made by the ZAP committee had to be a super majority for all votes, and it was a simple five to six or some low five to four or something like that. Anyway, it didn't seem like you're following your own procedures. Mainly I like to talk about several things. One, the solutions that should be looked at is a fair and equitable only way to really address all these water supply to roads to fire protection is through taxes. And everybody wants to stop and make the new guy pay for it

through the subdivision regs and now these onerous five, one, two, ½-acre tracks. It doesn't make any sense because, quite frankly, it's just going to slow and hurt too many people in affordability and all that stuff. So how do we solve the issues of roads that are fair and accurate instead of making the new guy having to pay for fire protection onsite when regional centers are supposed to be the way to go. Then everybody pays fair and even share. And that's legal. That's not targeting. It's not discrimination. We have zoning regulations and subdivision regs that are discriminatory. And that's illegal. You can't target just a new person to fix all the roads, and that's pure and simple, I said it over and over again, it still goes nowhere. And I don't understand how this process is really fair because it doesn't seem like you're reading what I say or or the groundwater issues and stuff like that. You're painting a broad brush that everything in the North Hills and the Scratch Gravel Hills has some limited water and, yes, we do have certain areas. But you're required to do a pump test, to monitor wells adjacent to determine the transmissibility and the store activity of the aquifer, which says how long you can pump. Sometimes it's 36 hours. Sometimes it's 48 hours. To say that you're just doing water levels is garbage. Quite frankly, there is ample water in a lot of areas that are now 10-acres. Period. It is blanket craziness to do this. For roads, the major crash areas, the major problems are in the main highways, which are County and State roads. You don't have crashes on dirt roads so where's the safety issue? And as far as the fire protection, it's safer to have smaller tracks on grassland areas than it is to have larger tracts, which the 600-acre fire in the Bird's Eye in September 2020 proved. So where can you guys really go, if you go to court and you're asked to prove how you made 180,000 acres of rural land 10-acres, and how you can take and make the transitional suburban areas by these arbitrary cut-offs. And it looks like you're going to make it based on just roads. So who's going to draw that map. You don't even have a map yet, and now you just passed it? I mean the whole process is broken and, yes, you do need to do studies. You need the 2015 Growth Policy updated. It has to be every five years. If you have major changes, and you have huge changes. So how can we go forward when Lois said, and everybody admits, we don't have the data. It'd be nice to have but we'll go ahead and pass it anyway because we are mandated. No, you're not. Nobody was pushed to do this. And not in my backyard syndrome is prevalent. And it can't be that way. It has to be scientific based. It has to be based on facts. Problem is nobody is listening to the facts. The facts don't say 10-acres density control was wrong. So let's get back to what alternatives can be done. Why isn't somebody looking at the tax. Nobody wants to pay more money for roads. You're given an RID. Everybody votes it down. So who is at fault here for the reason the roads are deficient. In fact, those roads are safe. You can't say that a person driving down a gravel road is going to get killed. So all it is, it's a matter of convenience. It's a way to trap us into this quagmire that's created insane that we have some safety and health issues. You don't have the basis. We go to court, you can't prove it, not on fire, not on roads, and not on water supply. It is a blanket one-size-fits-all that won't stand the muster in a court of law. Period. And how you guys can get around, keep twisting. and

keep going down this road, as Shane says, we were a ship and we're crashing. And who's running the ship? just like a cruise ship that crashed and killed people.

6. Public Comment on Any Matters Within the Scope of the ZAP that is not on the Agenda

None.

7. Announcements

Secretary Lois Steinbeck requested that a Jamboard be posted for the final meeting, as it's imperative that the ZAP address a few things that were expected from this process.

Moderator Eric Austin stated that he has reorganized the STEEP items that includes those items raised outside the direct ZAP charge but have been prioritized. He added that a Jamboard will be created to add reflections on these items that will be utilized to craft a letter to the County Commissioners.

Vice Chair Dustin Ramoie stated he is available on February 16th, but has a conflict on February 23rd.

David Brown requested a summary of the final votes and motions prior to the next meeting.

Lucia Stewart responded that a summary of motions will be created and sent to the ZAP members promptly.

Mark Runkle: Motion to end the meeting

Tyler Emmert: 2nd the motion

Motion passed unanimously: 11-0.

8. Next Scheduled Meeting

February 23, 2022 at 9:30 a.m. on Carroll Campus and Zoom.

Adjourned at 12:32 p.m.