

RECEIVED
APR 23 2019

CASCADE COUNTY PLANNING BOARD

March 26, 2019

4:30 PM

Family Living Center, Montana Expo Park
400 3rd St. NW

Board Members: Mark Carlson, Richard Liebert, Elliott Merja, Rob Skawinski, Ken Thornton, Dan Johnstone,
Dexter Busby

Notice: Pursuant to MCA 2-3-212(1), the official record of the minutes of the meeting is in audio form, located at cascadecountymt.gov and the Clerk and Records Office. This is a written record of this meeting to reflect all the proceedings of the Board. MCA 7-4-2611 (2) (b). Timestamps are indicated in red, within each agenda item below, and will direct you to the precise location should you wish to review the audio segment.

These minutes are paraphrased to reflect the proceedings of the Cascade County Planning Board and are considered a draft until formally approved by the Planning Board.

Staff Present: Carey Haight, Charity N. Yonker, Anna Ehnes, Destiny Gough, Michael Stone, and Sandor Hopkins.

Attendees: Alex Bangofsj, Joe Bayle, Bert Beattie, Sandi Beattie, Danita Bistodeau, Kayt Bonahoom, Jamie Bonilla, Doris Boyle, Kathy Buckles, Gloria Burrows, Fred Burrows, Judson Burrows, Diane Bushman, Eva Bushman, Madeleine Cantoni, Karen Carlson, Jan Carter, John Casselli, Cliff Clawiter, Helen Coleman, Susan Colvin, Peggy Conlin, Camille Consalvo, Leanna Coulter, Glen Coulter, Lorna Coulthard, John Coulthard, Carolyn Craven, Susan DeFilippis, Lonnie Dickens, Margaret Eakman, Diane Eli, Joshua J. Eli, Michael Enk, Ron Erpelding, Paula Evitts, Mary Beth Ewen, Kathy Faelianhagen, Karen Flater, Jaybe Floyd, Maureen Fournier, Kathleen Gesaurnaen, Steve Grabodae, John Gregory, Richard Gregovich, Sharon Griffen, Jeff Griffen, Gretchen Grubidge, Shannon Guilfoyle, Janet Halko, Denise Harmon, Stacy Hermiller, Rick Higgins, Shirleen Hilbert, Mark Hilbert, Susan Hillstrom, Laura Hodges, Lisa Huderen, Eileen Hyndman, Buster Hyndman, Jody Jakes, Michael Jenkins, Deborah Jenkins, Gaye Lynn Johnson, Ariana Johnson, Travis Johnson, David Johnson, Angela Johnson, Tammy Kantorowicz, Jeffersce Kise, Nate Kluz, Una Marie Koontz, Larry Krabi, Kirsten Krauss, Lila Langel, Linda Lassila, Daryl Lassila, Chris Leatham, Britta Lee, Jim Lergland, Corine Lindshort, Mike Maeder, Stephanie Martino, Marie May, Anthony May, Cheryl McGee, Conn McKelvey, Carl R. Mehmke, Nick Mehmke, Walter Mehmke, Lynelle Melton, John Mieyr, Dan Moujen, Rennel Munsen, Joe Murphy, Don Nadeau, Arlyn Nadecese, Rosemary Nielsen, Sue Ellen Olds, Kris Oley, Kelly Olson, Amy Olson, James Olson, Les Payne, Michelle Patterson, Ian Payton, Sue Pencoske, Curt Pilling, Kim Poliss, Angie Poupa, Tony Poupa, Laura Ravenscroft, Nancy Rossmiller, Dana Rossmiller, Wanda Rude, Craig Rude, Debra Ruggerre, Jerry Rukavino, Mike Scheer, Gindy Schroer-Kohut, Ron Scott, Luaman Scott, Patty Shafer, Lita Sharone, Bill N. Short, Carlie Smith, Jeff Smith, June A. Sprout, Dale Sprout, Joyce Stanger, Starshine, John Stephenson-Luve, Frank Stimae, Lois Stimae, Shannon Sukeet, Jeff Thill, Karen Thompson, Erin Tingey, Logan Tinsen, Erin Tropila, Patty Tseermaa, Burke Tyree, Ric Valois, Dan Van Clane, Danita Vasichak, Dan Vasicher, Ryan Villines, Jo Walden, Barb Walden, Christine Ward, Jeff Winter, Diane Wright, Billy Yates, Dale J. Yatsko, Janelle Yatsko, and Nancy Zodik.

R0369490 CMS

Total Pages: 14 R 0 00 By: tmarch 04/23/2019 12:44:05 PM
Cascade County, Rina Ft Moore - Clerk & Recorder

1. Call to order: Chairman Elliott Merja called the meeting to order at 4:37 PM

2. Roll call:

Board Members Present: Dexter Busby, Dan Johnstone, Elliott Merja, Mark Carlson, Richard Liebert, Ken Thornton, and Rob Skawinski.

Board Members Absent: none

3. Approval of Minutes: February 19, 2019

Rob Skawinski motions to approve the minutes.

Richard Liebert seconds the motion

All in favor, motion passes 7-0

4. New Business:

Elliot Merja (00:02:23) makes a personal statement. He says that he appreciates everyone who came to this important meeting today. He would like everyone to know that this board is composed of all volunteers who are interested Cascade County citizens with the same concerns as the public. He then asks everyone to sign in as we need public record of all attendees for the county public records. He goes on to say, "that tonight's Planning Board meeting has been called as a public hearing to the Cascade County Planning staff [...]. So that, the Cascade County Planning staff may make further presentation to the Planning Board of their proposed changes to the Cascade County Zoning Regulations. The purpose of tonight's public hearing is to [obtain] public comment and feedback to the proposed changes. The Planning Board does not anticipate making any decisions tonight. We anticipate there will be at least one additional public hearing held before the Planning Board. [It] will entertain any motions involving making recommendations to the Cascade County Board of Commissioners. We only make recommendations as to whether this should go to the Commissioners or not. The law requires us to follow a formal [process] for conducting tonight's public hearing. I will require that everyone abide by this process to ensure an orderly inflow of information for the board to process. And so that everyone in attendance will be given an equal opportunity to participate. The County Attorney's office will assist the Planning Board as needed to ensure the proper process is followed. If you wish to make a comment to the Planning Board, we ask that you come to the podium to do so. We also have cordless microphones for those in attendance who are unable to access the podium. You will need to provide your name and address for the record. Please remember to address your comment to the Planning Board and not to the audience. Every person speaking has the right to do so without interruption by the audience, whether those in attendance be in support of, or opposed to that idea being presented. Respectful civility and decorum will be insisted upon. Boisterous outburst, applauding, and commentary from the audience will not be tolerated. It is disruptive to the process and has a stiffening and suppressing impact on public participation. All members of the public have an equal right to be respectfully heard by the Planning Board without cause to believe their participation and opinion is any less important or relevant to the public process than more vocal attendees. The notice of tonight's meeting indicates that public comment would generally be limited to five (5) minutes. Due to scheduling conflicts the planning board may lose its quorum numbers at about 7:30 PM this evening. Due to the limited time [...] for tonight's hearing and the likelihood that many members of our community do not have endless hours to wait for

their opportunity to make a comment to the board; we ask that citizens keep their comments on topic and concise. A 'me too' comment weighs as much with this board as the original speaker who elaborated at length on the particulars of a concern. If a member of the public is elaborating on a topic and providing new and relevant information to provide to the Planning Board, additional time may be permitted by the board. Please do not stand and read materials that have already been submitted to the board as that is not new information. The format for this evening hearing will be conducted by beginning with a staff report from the Planning staff.[...] The Planning staff [also] has a presentation to give prior to the staff report. Because the proposed amendments are lengthy, we will hear from the Planning staff regarding the proposed amendments, one section at a time. After the staff's information about that section is presented, I will invite public comment, followed by board discussion. The board may seek clarification from the Planning staff or legal counsel in regard to these issues raised by the public or it may simply take a particular public comment under advisement. We will follow this format section by section until we conclude the staff report or until we run out of time, whichever occurs first. Now on a personal note, after reviewing the written and verbal comments, I see a pattern of concerns that these regulations are changing to allow— and we are going to let the elephants out of the bag tonight— to allow a slaughter plant, and such. These regulations actually made it more restrictive. They did— you don't have to worry about that. The other thing that they came to is with regards to medical marijuana. We can change regulations on that— I don't have a problem with whatever you guys want to put in there for that. We can discuss it. They can be changed. But if you want it next door to your house somewhere in town— we are the county. We are not the city. Neihart, Belt, Cascade, and Great Falls are all incorporated cities in our county. If you want it closer than the Heavy or Light Industrial, or anything that is on the fringe of the city— because that is where the county is— you need to go to the city and talk to them. That's just a personal note. Thank you." The Planning staff to is given the floor to speak.

A. 2019 Zoning Regulation Revisions

1. Presentation by Michael Stone
2. Staff Report by Anna Ehnes, Michael Stone, and Sandor Hopkins
3. Board Discussion & Public Comments

Michael Stone(00:09:27) gives the staff's multi-media presentation

Sandor Hopkins (00:20:38) reads the Introduction, Title Page, Section 1, and Section 2 of the Staff Report

Public Comment:

Judson Burrows at 111 Fife Rd, Great Falls, MT 59405 speaks off topic about pricing fees in the Planning Division office being well priced, the slaughterhouse proposal, the government being in control, as well as asking what the purpose of this meeting is.

Debra Jenkins at 298 Hastings Rd, Sand Coulee, MT 59472 (00:31:27) thanks the board. She says she is puzzled by the name change of the Ag District to MU-40 District, as well as by the current growth policy. She states Goal 2, Objective C in the growth policy in relation to her confusion. She would like clarification on how the proposed zoning regulations change of use name relates to current growth policy.

Elliot Merja (00:34:30) says that he appreciates the comment and it brings up a good point regarding Section 1 in regard to the current growth policy. He says that her confusion may dissipate as the

Planning staff reads the next section, which discusses district name changes such as mixed-use districts. Then, he asks for further comments.

Logan Tinsen at 19 Stone Mill Ln, Great Falls, MT 59405 (00:35:00) thanks the board. He says that he would like some of the definitions to have further clarification, specifically in regard to the Value-Added Agriculture definition. He suggests Value-Added Agriculture be broken down into distinct categories, such as crop based Value-Added Agriculture and livestock Value-Added Agriculture.

Jaybe Floyd at 12 Homestake Ln, Great Falls, MT 59405 (00:36:19) says that there needs to be a scale (size) recorded in the definitions, as there are scales listed for definitions such as power plants...

Kirsten Krauss at 1925 3rd Ave. N, Great Falls, MT 59401 (00:37:52) says she is having a tough time understanding the maps. She would like the maps to be more defined.

Carolyn Craven at 101 14th Ave S, Great Falls, MT 59405 (00:38:54) notes out of the current growth policy objectives that only a few objectives have been addressed by the Planning staff for the proposed zoning changes. Then, she notes Section 2.2 on agriculture use. She would like the agricultural uses to be divided into various categories. She would like powerplants to exclude the use of coal as an energy source.

Stacy Hermiller at 2340 Northern Lights Dr, Great Falls, MT 59401 (00:41:39) says that the scale on the agriculture definition should be more defined. She says that there should also be separation and clarification between industrial agricultural facilities and factory farms.

Board Discussion:

Richard Liebert (00:43:13) says he would like the growth policy to be rewritten before working on revising the current zoning regulations. He also says that he does not like changing the name of Agriculture to categories of MU-40 and MU-20 Districts.

Mark Carlson (00:45:12) says he agrees that the name change is a huge concern with the public.

Sandor Hopkins (00:45:54) reads Section 3, Section 4, Section 5, and Section 6 of the Staff Report

Public Comment:

Carolyn Craven (00:47:24) says she is opposed to the name change and division of Agriculture to MU-40 and MU-20 Districts as well. She reiterates that there should be division in agricultural use into various categories, such as crop and animal use.

Kate Bonahoom at 327 N Rodney St, Helena, MT 59601 (00:47:24) says she would like all county laws and regulations to be dropped on medical marijuana use and industries.

Logan Tinsen (00:51:54) says that he believes all information in Appendix 2: Map 1 and Map 2 is based on statistics findings, which is flawed. He also wonders and would like to be addressed why there is no MU-20 District from Great Falls to Belt and why most of the MU-20 District will be in the Floodplain area. He says that he is against the name change as he finds no information to back up a reason as to why it needs to be changed. He wonders why the public has access to version four (4) of the proposed zoning regulations but does not have access to the previous versions. He would also like comprehensive planning involving landowners, justifications for these plans, more focus on long term results, to put the proposed zoning regulations on hold, to work on revising the growth policy now, and he opposes the current zoning regulation revisions.

Debra Jenkins says that she agrees with Logan Tinsen's remarks.

Jaybe Floyd (00:59:46) says that she finds this proposal to be more of a zone change, and that people need to be notified of this zone change. She continues to say that she is not against having the zoning regulations revised. She finds that the zoning regulations do need to be changed but would like the process to be more open to the public by having public involved in and during the writing process.

Carolyn Craven, Debra Ruggerre at 2819 8th Ave S, Great Falls, MT 59405, Karen Carlson at 346 Stockett Rd, Sand Coulee, MT 59472, Carlie Smith at 7 Coal Mine Ln, Great Falls, MT 59405, Patty Shofer at 172 Highland Rd, Great Falls, MT 59405, Eileen Hyndman at 983 McIver Rd, Great Falls, MT 59404, and Susan Hillstrom at 607 3rd Ave SW, Great Falls, MT 59404 agree with Jaybe Floyd.

Board Discussion:

Richard Liebert (01:04:03) asks how the medical marijuana providers became isolated in the I-2 District.

Sandor Hopkins (01:04:38) answers that the zoning regulations for medical marijuana remain currently and effectively unchanged since the Medical Marijuana Act was initiated. Past Planning staff did not address this particular topic. However, buffer zones were created previously. By default, medical marijuana has only been allowed in the I-2 District, as there were no calls out for them in any other district.

Richard Liebert (01:05:13) states a list of requests that he would like the Planning Staff to implement. For instance, he says that he would like some flexibility with the regulations with medical marijuana. He would like handouts to be given to every attendee at the meeting as well as more multi-media presentations. He also would like less data to be given at the meetings and more articulation of various things. Then, he asks how we came to the decision to change the name of the Ag District.

Michael Stone (01:06:29) replies that the idea comes from the notice of nonconforming lots within the Ag District. The question became at the time, why is around forty percent (40%) of the medium sized lots (20 acre lots) of the Ag District nonconforming. The reason was found because there were many small properties. Those areas are being proposed to be rezoned to MU-20 District. After that the Planning staff, realized the current Ag District would allow a slaughterhouse, light manufacturing, and light assembly. These businesses and assemblies are not defined in the current zoning regulations. Staff would be confronted by people who are proposing an industrial use which was considered in that planner's interpretation or by common usage. The Planning staff decided to take the district as it was and split it in such a way that protected the areas that are primarily residential uses. Those primarily residential use areas became the MU-20 District. The other areas, such as those marked by remoteness, large land lots, and less dense residential use became the MU-40 District. Using lot sizes as a statistical indicator, their assumption was that residential lots that are primarily residential (not homestead sites on an agricultural operation) would become smaller and more concentrated. Despite this indicator being statistical, it is spatial as it looks at its surrounding lots based on a weighted value table.

Overall, they wanted to protect more densely concentrated areas of residential uses from the currently existing and allowed manufacturing and industrial uses that exist in the Ag District, as it is written in the current zoning regulations. The current zoning regulations allow a rendering plant, a slaughterhouse, and a CAFO under one Special Use call out in Ag District, which seemed absurd to the Planning staff. Therefore, the Planning staff broke the Ag District apart, but did not break from convention as it is already has been allowed as a use in the district. They felt that each of those uses should be considered individually, which is why a slaughterhouse is now called out instead of hiding as it is currently in the zoning regulations. The proposed zoning regulations revisions will allow people to know that there is a proposed Special Use Permit coming to their neighborhood and what that proposed Special Use Permit is exactly coming to their neighborhood. He says that all of what the Planning Division has done is split the Ag District up in accordance to their current uses. The MU-20 District will allow more retail and

commercial uses and removes some of the uses from more remote areas where it could destroy the roads and land. The MU-40 District will be primarily agricultural use as the Planning staff cannot and will not prohibit agricultural use.

Richard Liebert (01:11:40) asks the Planning staff if the concept of MU-20 and MU-40 Districts were examined by anyone such as Brian Clifton, the previous Planning director.

Michael Stone (01:11:54) replies yes. Then he goes on to say, the current naming of our Ag District does not match its current uses in its district. A normal Ag District is strictly agricultural uses that are allowed in that district. He understands that people are upset about the name change. He also says that in Appendix 2, they added some uses. However, none of the uses were not already there in the present Ag District. They are simply trying their best to split the Ag District with what is already present in a manner that reflects what is already in that district.

Richard Liebert (01:13:55) disagrees with Michael Stone's statement and would like the public to become even more involved.

Judson Burrows speaks off topic and warns the board members about the slaughterhouse, property values, and how the slaughterhouse will be bringing outsiders into the county, which he finds unpleasant. Some of the public applaud his remarks.

Eileen Hyndman (01:16:34) asks about the impact on neighboring residential areas as she has found no noise ordinance nor an odor ordinance in Cascade County. She also finds that Special Use Permit's (SUP) do not enforce such things as well. She would like the name change and uses to be considered further.

Carolyn Craven (01:17:38) asks how they took into consideration of the prime agricultural soils.

Michael Stone (01:18:33) replies the way that prime farmland is taken into consideration is by impact of prime farmland in accordance to the Growth Policy. It would be extremely difficult, yet interesting to zone the county by topography and soil quality, rather than zoning the county by trying to follow property lines as it has been done in the past. They do use the NRCS soils database to create a prime farmland map, which is used as a reference in Special Use Permit applications. It is up to the Zoning Board of Adjustments whether or not to take issue if an application is or is not in violation of the Growth Policy. Likewise, the Planning staff does indicate in these applications' staff reports the applicant's and the staff's perspective on the impact to prime farmland.

Dale Yatsko at 674 Stockett Rd, Stockett, MT 59480 (00:36:19) tells of his journey and hardships of being a medical marijuana grower in the AG Districts. He mentions that he has a letter from the Cascade County attorneys on November 2018 stating that medical marijuana growers are in Ag District and dispensaries are in I-2 District. However, the county has now told him to move to I-2 District. He is concerned about how the loss of medical marijuana dispensaries and growers will affect the economy as well as the county's medical marijuana patients. He also describes his difficulty working with the Cascade County Commissioners. He would like medical marijuana to be classified.

Richard Liebert asks Dale Yatsko about veterans using medical marijuana. He also asks about whether he had difficulties with the Planning staff. Dale Yatsko answered his question about veterans. Then he stated that he had no issue with the Planning staff that the staff have been helpful. Nonetheless, the Planning staff's job is to enforce the current rules and regulations. Richard Liebert asks about setbacks. Then, Richard Liebert and Dale Yatsko discuss the high pricing of land in the I-2 District. Dale Yatsko ends by saying that people are confusing medical marijuana with recreational marijuana users. He says both are on the opposite ends of the spectrum. Some of the public applaud.

Kate Bonahoom (01:30:23) says that she agrees with Dale Yatsko's concerns and frustration. She says that the medical marijuana program is fifteen (15) years old. Before two years ago when the rules changed, it was like the Wild West. She understands Cascade County's need to regulate in order to keep order and legality. However, she finds that many of the illegal acts and chaos have died down due to the state's regulations. She then reiterates how she finds that the County should drop their rules and regulations on medical marijuana as it is a state issue not a county issue. She finds that these rules occurred because of the lack of rules for so long in the past.

Nate Kluz at 597 Arrington Rd, Belt, MT 59412 (01:32:30) asks in regard to the name change, has the Planning staff considered keeping the agricultural classification and limiting the Ag Districts expectable uses.

Stacy Hermillar speaks off topic about the slaughterhouse.

Conn McKelvey at 350 Hastings Rd, Sand Coulee, MT 59472 (01:34:32) tells of how he served on the Planning Board and the Zoning Board of Adjustment in the past. He also tells of how they discussed mixed use. He says he does not see the problem as to why they need a change of name. He says, "Maybe just tweak— fix the problems within agriculture to fix the problems within agriculture, instead of going the other way." He says you should also use zoning to mitigate impact. He then says that he is opposed to this effort to change the zoning regulations, as it was not the order that proceeded in the past when he was on the board.

Some of the public applaud his Conn McKelvey's remarks. Then, Britta Lee at 38 Cheyenne Dr, Great Falls, MT 59404 says that she agrees with the previous speakers about medical marijuana. She also finds it currently too difficult for small businesses in Great Falls to prosper and establish themselves currently.

Anna Ehnes (01:39:30) reads Section 7 of the Staff Report

Public Comment:

Nate Kluz (01:53:07) asks what the logic behind the ratios of lot coverage in professional practice is. He would also like to know what the standard practice is for determining coverage of land, and what would their peers do in a comparable situation. Furthermore, he objects to Value-Added Agriculture as a term as he finds the word unprofessional and unfit. He also wishes the board to decide tonight on these zoning regulations.

Debra Jenkins (01:56:01) says that she agrees with Nate Kluz and Conn McKelvey. She asks for clarification on the Zoning Administrator as mentioned in Section 7.5.8 and in other areas of Section 7. She would like to know how a Zoning Administrator leader allows a vote. She also agrees that there needs to be clarification of sizes and durations have/within the definitions. She also agrees that the commodities should be separately looked at, especially in regard to storage area and Permitted Principal Uses. Instances of Section 7.6.9 MU-20 District, she would like a more defined and a range of sizes of what qualifies for a specific district.

Conn McKelvey (01:59:56) says that he would like to see further analysis of what is contrary to the current growth policy.

Carolyn Craven (02:00:44) says that she has concerns over Section 7.13 on light and heavy industries. She is concerned over the language of "all nonresidential uses not otherwise prohibited by law..." in that section. She finds it more appropriate to rephrase the language to "all nonresidential uses not otherwise prohibited by law be considered through the Special Use Permit process" as there is no Special Use Permit process related to Heavy Industry. She also notes in Section 7.5, 7.12, 7.13, and 7.14

that only light industry has a set of zoning district standards. She would like there to be some set of standards for Heavy Industry, Planned Unit Development, Mixed Use, MU-20, and Mu-40. She then mentions Section 7.12.2 Light Industrial permitted uses it says, "industrial uses with statement see Section 8.2.1." However, Section 8.2.1 does not make sense with Section 7.12.2. She finishes by saying that she is opposed to temporary work force housing mentioned in Section 7.6, MU-20 District.

Nick Mehmke at 8293 Us Hwy 89, Great Falls, MT 59406 (02:03:54) says that he would like clarity in regard to Value Added Agriculture classification.

Board Discussion:

Dexter Busby (02:05:16) says in Section 7.13.2 that "Medical Marijuana uses are permitted." He does not find that we are permitting uses and that they should look at that wording.

Sandor Hopkins (02:06:09) replies that we permit the facilities related to medical marijuana.

Dexter Busby agrees with Sandor Hopkins clarification.

Richard Liebert (02:06:27) asks if the Planning staff could define permitted principal use is and 'by right'. He wonders as well if anything goes in a permitted principal use.

Sandor Hopkins (02:06:44) explains that 'by right' is a shorthand term for permitted principal uses. A permitted principal use is a use that is allowed through a Location/Conformance Permit along with other standards of approval and permits by other departments and agencies such as the health department. He goes on to say that uses for an area still need to be called out in the category of that zoning area's permitted principal uses.

Richard Liebert (02:08:02) finds Appendix 3 useful. He also would like clarification with the size range of qualification for either MU-20 District and MU-40 District.

Michael Stone (02:08:53) replies that one could be in either district. One district would have a lot size that conforms with that district's minimal lot size. If one was in MU-40 District, one would be considered nonconforming. It does not make an impact as it does not prohibit one from doing something, but it does prohibit one from further subdividing. Unless, one has some other type of exemption at the beginning of those districts.

Richard Liebert (02:09:20) finds it interesting that veterinary clinics are currently a SUP. However, within the MU-40 District it would be permitted under a Location/Conformance Permit. He says that he understands that the Planning staff is trying to reduce SUP requirements in a broad context.

Richard Liebert speaks to Conn McKelvey by questioning his past job experience and experience in regard to the Loebro company. Elliot Merja states that he is Loebro company's neighbor, as well as how the land for the company was originally Agriculture land.

Elliot Merja (02:11:29) says that his opinion is that having a MU-40 District or a MU-20 District, makes it a bit easier to avoid getting into problems with spot zoning.

Conn McKelvey (02:12:14) says that he disagrees and finds that leaving the name Ag District and spot zoning has protected the county.

Sandor Hopkins (01:39:30) reads Section 8 of the Staff Report

Public Comment:

Carolyn Craven (02:22:08) asks if we could switch to a more sustainable and cleaner energy such as wind and solar energy, which would be in alignment with Growth Policy Goal 1, Objective J.

Susan Colvin at 287 McIver Rd, Great Falls, MT 59404 agrees with Carolyn Craven's remarks.

Jeff Thill at 2015 5th Ave N, Great Falls, MT 59401 (02:23:23) asks if the zoning regulations in regard to the fireworks permit be changed to match the state's ARM 23.12.501. He would also like Cascade County to make certain regulations in regard to temporary fireworks stand differ from the state.

Tony Roupa at 309 Hastings Rd, Sand Coulee, MT 59472 (02:28:20) mentions Appendix 3 about large scale production of agricultural products does not seem to be required to have a SUP. He mentions that he could not find a setback of two (2) miles from a residential property in there. He says large scale feedlots have a setback requirement of at least one (1) mile from a residential property and does not seem to require a SUP. Lastly, he does not understand why there is a buffer zone for trees.

Board Discussion: none

Anna Ehnes (02:30:29) reads Section 9, Section 10, and Section 11 of the Staff Report

Public Comment:

Debra Jenkins (02:33:14) says that she approves of Section 9.2.4 Location/Conference Permit expiration date clarification changes.

Carolyn Craven agrees with Debra Jenkins on her remarks of Section 9.2.4 and Eileen Hyndman remarks on the need for noise and odor regulations.

Carolyn Craven (02:33:37) finds that there should be an ordinance on air pollution emission regulations on top of odor and noise regulations.

Eileen Hyndman agrees with Carolyn Craven's remarks.

Board Discussion: none

Richard Liebert (02:35:03) asks what the difference is between a SUP and an Unclassified Use Permit (UUP) as well as how a UUP came about. He also asks if a UUP is not restricted or bound to a certain district.

Sandor Hopkins (02:35:24) replies yes to the question about UUP being not bound or restricted by a certain district. As for the UUP, he is unfamiliar with its origin as it was established before he came to work with the Planning Division. He will have to research that answer later on. However, he can say that the standards that are applicable to a SUP are identical to a UUP's applicable standards. He says the difference is that UUP's that are separate from specific zoning districts can be applied to any district within the county as a special case by case basis.

Richard Liebert discusses UUP's in regard to the slaughterhouse. Sandor Hopkins replies to his comments by stating that they will be addressing UUP's more in depth in the next section reading.

Anna Ehnes (02:37:18) reads Section 12, Section 13, Section 14, Section 15, Section 16, Section 17, and Section 18 of the Staff Report

Public Comment:

Ryan Villines at 3024 5th Ave S, Great Falls, MT 59405 (02:41:34) states observations. He questions the purpose of zoning and rezoning.

Michael Stone (02:42:05) asks for specificity.

Ryan Villines (02:42:12) asks what the scope and purpose is of creating new zones. He thinks it should be to drive development.

Michael Stone (02:42:30) explains that the rezoning maps are Appendices 2 and 6. He explains that zoning depends on many things and can hinder or facilitate economic activity.

Ryan Villines (02:43:08) asks what the Cascade County Planning Division's goal is. He questions if it is to hinder or promote development.

Michael Stone (02:43:19) states the answer is contingent. For an example, he says given that removing slaughterhouse in MU-20 effectively hinders that development in that area. He says that people have commented that medical marijuana zoning is a hinderance on space for that activity.

Ryan Villines (02:43:58) states an observation that staff took geospatial and real data to create new zoning which he approves of. He then asks what the zoning is tailored around. He asks if it is currently tailored around the current uses in the county. He asks if the Planning staff agrees.

Michael Stone (02:44:34) states that historical land use reinforced the assumptions that went into the statistical model that Sun and Missouri River corridors on the map have heavy residential development and increasing tourism interest due to the river amenity. Staff, in making the staff proposal, looked at what has been seen recently as far as development that has come in and historical changes of land through subdivision. The Cooper Subdivision (Dearborn area) is given as an example.

Ryan Villines (02:46:54) says that is understandable. He says we should learn from those past mistakes and should take another look at zoning in the county and should look more forward to see future land uses. He thinks we are looking a little too far past with analytics. He states it is known that the four-lane highway east of town [MT-200] is prime for development and asks why that is not reflected in zoning.

Michael Stone (02:47:56) states that this area is not dense with small lots.

Ryan Villines (02:47:05) asks if this is through data.

Michael Stone (02:47:06) states there is an option and application process for people who want to rezone their area. As a staff proposal, the process was done so an accusation of arbitrarily drawing districts could not be made. He explains that due to the methodology used, the area east of town was MU-40 with the exception of the Homestake subdivision due to the commons area. As an outlier, it remained MU-40 as nothing else in that area statistically meets MU-20 criteria. The Belt area has a higher concentration of smaller lots and is MU-20 District; where it has the majority of subdivided land for residential uses gone in. He notes that north of 200 and the northern part of the county is largely agricultural and has the bulk of the county's prime farmland with pasture the predominate use in the county's south. The Foothills subdivision is almost all prime farmland with residential use removing it from farmland. Residential subdivisions are primary threat to farmland. He says a policy exists that subdivisions are reviewed based on impact to prime farmland but not implemented.

Ryan Villines (02:51:29) says that makes sense. He discusses Section 12.1 establishing the Zoning Board of Adjustment and asks why that has not changed.

Michael Stone (02:52:19) states the question is not understood and the state authorizes that board.

Ryan Villines goes off topic and discusses the county's past proposal of limiting criteria. Anna Ehnes tries to clarify if from last round of filling board positions. Ryan Villines affirms.

Anna Ehnes (02:53:08) iterates board appointments are done by the Commission.

Ryan Villines (02:53:25) talks about statements in published papers and that Planning staff made the recommendations seen on last year's board applications.

Anna Ehnes (02:53:56) iterates not done by staff to staff's knowledge and reiterates the Commission appoints board applicants.

Carey Haight (02:54:02) interjects that the line of questioning is too far afield.

Anna Ehnes (02:53:05) reiterates that appointments are by the Commission.

Ryan Villines (02:54:25) notes Section 13.1 is unchanged. He states zoning enforcement is important. Goes off topic with last year's [Commission] criteria and claims that is not allowed.

Carey Haight (02:55:30) interjects and instructs Villines not to depose Planning staff, and that he is quite over time.

Ryan Villines goes off topic on time and content limits. He says will sue for content limitations and other issue. Anna Ehnes asks for clarification. Ryan Villines goes off topic on government entities breaking a rule. Michael Stone replies by directing Ryan Villines to contact the Cascade County attorneys. Then, Ryan Villines goes off topic on government breaking the rule.

Carey Haight (02:57:13) says Mr. Chair.

Elliot Merja (02:57:28) asks if there is anything Mr. Villines has to say on the zoning proposal.

Ryan Villines goes off topic on Section 13 and an infraction.

Elliot Merja (02:57:55) asks if any there are any further comments from the public.

Conn McKelvey (02:58:08) says that he objects to any expansion on UUP.

Board Discussion:

Richard Liebert (02:59:01) says, "[...] I just would like to go back to our last citizen here. [...] And I think you reflected on Mr. Chairman that there are merits and positive things about MU-20 and MU-40 in terms in how to steer certain activities to smaller areas and leave the broad pastures and farm fields okay, without interruption [...]. But I would like to also look at the merits of pros and cons of fixing things within the Agriculture District, versus creating a whole new division, splits, and all that. I think that those are all subjects for working groups and work sessions in the future-- [...] and I do want to go back to an issue of law here. In May 2014 (that is when the last Growth Policy was completed and authorized and voted on by the County Commission [...]). We are within the five (5) year window-- and I'm just going to read right of the Cascade County Growth Policy from 2014, at least once every five (5) years after adoption of Cascade County Planning Board, will review the Cascade County Growth Policy [to] determine [if] revisions are necessary, as required by Montana Code Annotated. The basis of such determination whether to revise the Cascade County Growth Policy will include an assessment of the following issues. I am not going to read them all but I'm going to read three (3) key ones. 'Significant changes in existing trends and conditions or projected trends [...]'. I think with the statistical data we seen from staff that [...] it could be applied there. 'Changes in community goals [...]'. What does this community want? Do we want CAFOs? Do we want economic activity? This all goes with the growth policy. Last one took months to complete. Susan Conell, the last official Planning Division Director-- we haven't had an official one since she left in

November 2016. We incorporated work groups in 2012— working committees, JLUS— 2009 we had working groups. We need working groups besides the data. We need real people sitting together at a table, saying, 'What's good for Agriculture? What's good for commercial? What's good for medical marijuana? What's good for industry?' We need working groups like that bring their feedback in to embrace more of the folks out there. Because we are the people. We have a government. We direct by the consent of our will through the— us and the Planning Board, we have various skills and development, instruction, planning, agriculture, and so forth... industry. [...] We are appointed by the year elected County Commissioners, and we have a staff that serves as public servants to provide information. But I think we do much better when we had a broader inclusion of everybody, and smaller groups, and more work sessions where we can get down in the weeds. We're heeding a huge elephant tonight and its very tough to heed it one piece at a time— over this time. [...] I suggest in the future we have more multi-media engagement, more handouts for the audience— so that they have a better grasp at what's going on. I know that we can do this. I don't want to be a PowerPoint ranger, but I think that we can use PowerPoint more effectively in certain instances that show the people points. So that people have a grasp of this, but we need to have some way to incorporate more public forms, more feedback, work sessions, [and] work groups. Before, we jump into a full-blown zoning change— and I know that there is a lot good housekeeping, a lot of changes to administrative staff that the staff identified— that's good— but we need to do what was successful in the past for 2014, 2009, [and] 2012. [...] One last thing—2012, we were looking at the issue of fracking in the county. [...] We [had] citizen input on how we would regulate some of the oil and gas activities. They will be required to have [a] SUP. [...] I remember the industries saying we don't want that, but we did it. [...] We also put provisions on man camps as well. So that's all I have to say Mr. Chairman."

5. Old Business: none

6. Board Matters:

Richard Liebert wonders why no one has been hired yet for Cascade County Planning Division Administrator in Public Works. He then points out Public Works Deputy Director Ian Payton, to make it clear to the public that he is currently acting as the Cascade County Planning Division Administrator.

7. Public Comments Regarding Matters within the Board's jurisdiction:

Laura Ravenscroft at 312 2nd Ave SW, Great Falls, MT 59404 (03:05:16) asks for clarification on Elliot Merja's personal comment at the beginning of the meeting. She wonders how the regulations have become more restrictive on slaughterhouses.

Elliot Merja (03:05:36) replies that the slaughterhouse used to be that a slaughterhouse, CAFO, and a rendering plant all under one SUP. These changes make it that each individual facility has to have its own SUP. Therefore, it is more restrictive than currently. In short, the slaughterhouse will have to go through more processes and will have more restrictions.

Carolyn Craven (03:06:31) personally thanks the board for scheduling a later timed meeting with an extended duration of time for this revision process.

Some of the public applaud in agreement towards Carolyn Craven's remarks of gratitude.

Richard Liebert (03:07:04) asks when the next meeting for zoning regulation revisions will take place. He would also like more press releases.

Sandor Hopkins (03:07:13) says the Planning Board meetings are typically held on the third (3rd) Tuesday of every month. However given the vast public interest in this particular project and other proposals coming to the near future, the Planning staff is unaware of when the next Planning Board meeting will be.

Elliot Merja (03:08:30) acknowledges the staff for putting this meeting together.

8. Adjournment: 7:46 PM

Elliot Merja made a motion to adjourn

Dexter Busby seconds the motion

All in Favor, Motion passes 7-0

Mark Carlsson
Chairman or Vice Chairman
(Print)


Signature

April 16 - 2019
Date


Planning Staff (Print)

Sander Hopkins
Signature

4-16-2019
Date