

**FLATHEAD COUNTY PLANNING BOARD
WORKSHOP MINUTES
OCTOBER 23, 2013**

**CALL TO
ORDER**

A workshop of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Marie Hickey-AuClaire, Noah Bodman, Jim Heim, Bob Faulkner and Greg Stevens. Jeff Larsen, Ron Schlegel and Gene Shellerud were absent. BJ Grieve and Erik Mack represented the Flathead County Planning & Zoning Office.

There were two people in the audience.

**PUBLIC
COMMENT**

None.

**CONSIDERATION
OF LETTER
FROM
EVERGREEN
CHAMBER OF
COMMERCE
RE: PUBLICLY
INITIATED
ZONE CHANGE**

Grieve explained why the agenda item concerning the consideration of a letter from the Evergreen Chamber of Commerce regarding a publicly initiated zone change was on the agenda. He reviewed briefly the process a publicly initiated zone change needed to follow.

TJ Wendt, 2129 Hwy 2 E, was the chair of Economic Development Committee for the Evergreen Chamber of Commerce. He said what the Chamber was asking the board and Commissioners to pass authorization on a way to reenergize the Evergreen business corridor. The corridor currently stretches from the underpass at Buffalo Hill to Rose Crossing and parts of Reserve. He said the thought process was if they could find a way to help the landowners in that corridor have more uses than raw retail, they could attract more businesses to the Evergreen area and fill some of the empty building with jobs, etc. The result was the letter in front of the board. They hoped the two year overlay would be a success so everyone could benefit from increased occupancy along the corridor. They saw it as a win-win situation especially since it overlaid the B-2 zoning designation already in place. The general feeling he received from people in the area was positive. He explained why Evergreen wanted this zone change. He asked the board to support the proposal.

BJ Lupton, 704 Country Way, owned a business in Evergreen across from Kmart. He thanked the board, Grieve and Mack for their service and help in formulating the proposal. He gave a background history of the proposal and himself, said the board

of directors felt they should proceed with the overlay and explained feedback from an article concerning the overlay in the newspaper. He thanked the board for their time.

Stevens, Lupton, Wendt and Grieve discussed if negative responses were expected in opposition to the overlay, the possible involvement of people with outside ties in Evergreen, how people in the residential zoning might feel about the overlay, adjacent property notification from the Commerce, a public meeting scheduled November 19, 2013, meetings which had occurred concerning the overlay with the Chamber membership, the detriment of having vacant buildings and the benefits of having more business in the area.

Grieve reviewed the publicly initiated zone change before the board, the process which needed to be followed and the history of the request. He said it was an unprecedented collaboration between the Chamber, Planning Office and Planning Board. He echoed what Lupton and Wendt stated concerning the lack of opposition to the overlay. He went on to explain the differences between this project and other past proposed zone changes in the Evergreen area. He explained the benefits of the zone change which included comparable uses with the pre-existing B-2 zoning, the two year time limit on the overlay, the ability to inventory businesses to gauge the success or lack of success of the overlay, the possibility to make the overlay permanent and the process which would need to be followed.

Faulkner and Grieve discussed what potential objections could be to the overlay and why this process needed to be followed since it was an organization asking for the zone change not an individual.

Bodman and Grieve discussed if the businesses which occupied the corridor under the temporary overlay would be non-conforming uses if the overlay was not made permanent after two years and if they were grandfathered. They also talked about if the businesses chose to apply for a zone change for light industrial would they have different uses than the proposed overlay and the process which would need to be followed. They also discussed in depth the uncertainty with the two year limit on the overlay for businesses, if the overlay was the best mechanism for attracting businesses and what could be done at the end of two years if the plan did not work. They talked about Bodman's concern about future push back from the change of

zoning with the overlay, what would be considered objectionable impacts and why the overlay was structured the way it was.

Wendt, Grieve and Lupton explained why the chamber requested the overlay be structured the way it was, what had been done to come to the proposal of the overlay before the board, the process which would be followed if the overlay became permanent, who had been involved in formulating the overlay and the benefits of the public meeting.

The board, Grieve and Lupton discussed if 'objectionable impacts' and 'hazardous materials' could be more specific in the letter, the cons of having such vague wording, the pros and cons of rewording the overlay and zoning interpretations.

Stevens did not see any problems from the public concerning the overlay.

Grieve and the board discussed if the process could be finalized by January, 2014, what happens in the process and if other places in Montana had used interim zoning for this purpose.

**MAIN MOTION
TO FORWARD
TO THE
COUNTY
COMMISSIONERS
A REQUEST
THE FLATHEAD
COUNTY
PLANNING AND
ZONING OFFICE
BE
AUTHORIZED
TO WORK ON
THE
EVERGREEN
ENTERPRISE
OVERLAY AS
REQUESTED BY
THE
EVERGREEN
CHANMBER OF
COMMERCE**

Faulkner made a motion seconded by Heim to forward to the County Commissioners a request that the Flathead County Planning and Zoning Office be authorized to work on the Evergreen Enterprise Overlay as requested by the Evergreen Chamber of Commerce.

**BOARD
DISCUSSION**

Hickey-AuClaire thought the overlay was a great idea to help revitalize the area.

**ROLL CALL
VOTE TO**

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION**

Grieve said he and Mack had a variety of information assembled for the topics of accessory apartments and home occupations for the board. They could prepare a text amendment and bring it before the board in February after the public meeting. He said the staff was shorthanded and the extra time would be beneficial.

Stevens and Grieve discussed what was going to be brought before the board which was a packet of text amendments the board had seen, a packet of information the board had given feedback on and research Mack had done on home occupations and accessory apartments.

Stevens and staff discussed the differences between the different types of log, kit and manufactured homes and why that language was included in the text amendment.

The board agreed to have the information presented to them in February.

ADJOURNMENT

The workshop was adjourned at approximately 7:15 pm.

Marie Hickey-AuClaire, Chairman

Donna Valade, Recording Secretary

*APPROVED AS **SUBMITTED**/CORRECTED: 12 / 11 / 13*