Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET

THURSDAY, JUNE 23, 2022 – 2 PM

Hybrid meeting – Missoula County Courthouse Annex Sophie Moiese Room/Microsoft Teams

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Time stamps (in green) correspond to meeting recording above. Please click to the time stamps listed to view a particular item in the meeting.

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1. **CALL TO ORDER** *[Time stamp – 00:02]*

   Commissioners Present:
   Chair Vero
   Commissioner Slotnick
   Commissioner Strohmaier

   Staff Present:
   Violet Plummer, Administrative Assistant, Commissioners' Office
   Shannon Therriault, Environmental Health Director, Health Department
   Karen Hughes, Assistant Director, Community and Planning Services
   John Hart, Civil Deputy County Attorney, Attorney's Office
   Matt Heimel, Planner, Community and Planning Services
   Jennie Dixon, Planner, Community and Planning Services
   Kyla Lehnerz, Administrative Assistant, Commissioners' Office
   Shyra Scott, Recording Director, Clerk and Recorder's Office
   Emmie Bristow, Community Engagement Coordinator, Communications
   Glenn Ingram, Temp, Community and Planning Services
   Chris Lounsbury, Missoula County Chief Administrative Officer
   Mel Fisher, Strategic Initiatives Manager, Communications and Projects
   Laure Hire, Office Manager, Community and Planning Services
   Allison Franz, Communications Manager, Communications

2. **PLEDGE OF ALLEGIANCE** *[Time stamp – 00:02]*

3. **LAND ACKNOWLEDGEMENT** *[Time stamp – 00:00]*
   Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.

4. **PUBLIC ANNOUNCEMENTS** *[Time stamp – 00:00]*

5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 00:58]*

6. **CURRENT CLAIMS LIST** *[Time stamp – 01:02]*
Claims received as of June 5, 2022 to June 14, 2022 by the Commissioners' Office total $2,395,866.37.

7. **HEARINGS**
   a. **Missoula Community Decay Ordinance – Final Hearing** *[Time stamp – 01:22]*
   Shannon Therriault, Director, Environmental Health

   [Ordinance 2022-002/Resolution 2022-076. Book: 1077 Page: 760]

   b. **New Land Use Fees – Resolution** *[Time stamp – 08:15]*
   Karen Hughes, Assistant Director, Community and Planning Services

   [Resolution 2022-075. Book: 1077 Page: 765]

   c. **Mackintosh Acres Subdivision** *[Time stamp – 35:20]*
   Karen Hughes, Assistant Director, Community and Planning Services

   [Letter 2022-193. Mailed to: Eric and Becky Nicoson]

   d. **Baack Subdivision** *[Time stamp – 45:34]*
   Jennie Dixon, Planner, Community and Planning Services

   [Letter 2022-197. Mailed to: Matthew and Margaret Baack]

   e. **Clow Boundary Line Relocation and Family Transfer** *[Time stamp – 54:03]*
   Matt Heimel, Planner, Community and Planning Services

   [Letter 2022-194. Mailed to: Isaiah and Anneliese Clow]

   f. **Bezanson Family Transfer** *[Time stamp – 1:07:00]*
   Matt Heimel, Planner, Community and Planning Services

   [Letter 2022-215. Mailed to: Edward L. Bezanson]

8. **OTHER BUSINESS** *[Time stamp – 1:41:00]*

9. **ADJOURN**
Chair Vero – Called the meeting to adjourn at 3:42 p.m.

BCC Public Meeting June 23, 2022 – Transcription

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Dialogue in the transcription attributed to "Sophie Moiese Room" is for all speakers that attended the meeting in person. Attendees that participated virtually are labeled individually.

0:02
We'll begin with a pledge.

0:04
I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

0:21
And it's just like housekeeping.

0:42
Again, I have a 4:00 thing I have to do.

0:44
So if if we're not done at 358 and I run away, that's what's going on.

0:47
But I'm leaving a quorum, so it's going to blow up.

0:55
Thank you.

0:58
Public comment on items not on the agenda.

1:02
Our current claims list as of June 5th, 2022 to June 14, 2022 by the Commissioner's Office total 2,395,500 eight $166.37.

1:16
We have 123456 hearings today and we are gonna try to be done by 4.

1:22
So Shannon Therio Zula, Community Decay Ordinance, Thank you very much.

1:30
I'm gonna share my screen, and I'm going to hope I got a little closer.

1:42
OK.

1:42
Here we go.

1:44
OK, let me.

1:52
Oh, yeah, it is.

1:54
It's definitely, definitely recognizable.

1:59
All right.

1:59
So this is the first time I've been here in a while.

2:01
So forgive me for take a little bit of time to bring all of this up, but it looks like it's working now.

2:07
And so this is the second reading of proposed changes, the community decay ordinance and we had a discussion about that on June, I think second where we had the first reading.

2:19
And just as a reminder, commissioners have the ability to control community decay.

2:25
And the first time that Missoula did that was in 1990, adopted regulations in 1990 and then an interlocal agreement in 1996.

2:34
And this hasn't been updated since then.

2:36
And really there are no substantive changes to this proposed ordinance.

2:44
Rather, it's updating language, improving definitions, bringing in, you know, how we're already operating, and then dealing with the realities on the ground.

2:55
So a couple of things.

2:57
We've added a definition for a public roadway that that matches how we're already applying it, but it makes it more clear that it could be a privately maintained Rd.

3:08
But still if the public has access to it, it's considered a public roadway and you can't maintain community decay on that roadway.

3:15
The other thing that we did is we really changed the definition of community decay to match that that the state, the state law definition, adding two things, one, junk vehicles and junk mobile homes.

3:28
That is to help us do a better job locally enforcing the junk vehicle laws because otherwise it's up to the state and there's few resources there.

3:39
So we have more resources, it's we've already been handling that under community decay.

3:43
This just makes that more clear then we have.

3:46
The prohibition section in the prohibition section in the existing ordinance is long and detailed and it was all well meant.

3:54
It was trying to be really clear what community decay was.

3:57
But the problem is that a judge has can read it to be like a pile of bricks.

4:04
A small pile of bricks in somebody's yard could be considered community decay.

4:08
That's not what it's meant to be.

4:10
And so we just took all of those prohibitions out and made it that you can't maintain community decay on your property.

4:18
Because then that really focuses on you can't have a tremendous amount of trash and garbage and junk and things on your property in a way that affects your neighbors, infects their affects the neighborhood, effects their enjoyment of life and property, which is really what the community decay ordinance is about.

4:37
So that simplified that.

4:38
And then the enforcement abatement and mitigation section was so is rather so prescriptive.

4:45
So it basically says within 30 days of getting a complaint, you'll go out and investigate it.

4:50
And then in 30 days you will write a notice of violation and you will tell them to fix it in 30 days.

4:55
And if they don't, you can do XY and Z.

4:58
Well, that's not, I mean community decay issues.

5:02
Somebody doesn't just wake up and cause community decay on their property.

5:05
It's something that occurs over time and it usually there's more stuff going on.

5:10
And so it just takes some finesse on the point on the part of the person trying to get compliance to really work with that person to find ways that they can help by, you know, providing a little bit of money or a little bit of assistance or connecting them with things.

5:26
So just this very prescriptive 30 days, 30 days, 30 days is not what works in the field.

5:31
It's not how we have gotten great compliance on any of these problems that are shown up on the screen.

5:42
So, oh, and then there's one other piece to that in the the existing community decay ordinance allows us to go on to property and clean it up given if we have the resources to do that.

5:57
But the reality is we're never ever, ever going to do that unless we have either permission from the property owner or occupant or we have a court order.

6:05
And so we've written it to reflect that just so that it's very clear, we're not just going to charge on to somebody's property without permission or permission one way or another.

6:16
This did go to the Missoula City County Health Board and they passed a resolution encouraging the board to amend the this ordinance.

6:28
And then I just have the proposed motion.

6:35
Yeah, Shannon, have you ever had to get a court order to go on to somebody's property and clean it up?

6:41
We have very rarely been involved in cleaning up somebody's property through force.

6:48
We had one of the examples that was on the screen where we did it with the property owner's permission and that took a lot.

6:56
We had.

6:57
We brought a lot of resources, a lot of community partners to that.

7:00
There is one case that I can think of where we got permission and it and we didn't follow through.

7:05
But then DEQ came in and did some things and that was just that was a that was a weird.

7:11
So we have gone to court.

7:12
We have gotten permission.

7:14
It didn't actually end up with a clean up.

7:18
I can't.

7:18
It was a long time ago.

7:19
I can't even explain why.

7:21
But really what we do is we work with the person and we look for small gains over time.

7:29
And sometimes if we can help them with resources, then we can.

7:33
You know how, like with kids, if you start helping them clean up their room and then they kind of get into it and they'll do the rest, That's that's a little bit like that.

7:44
It didn't work.

7:47
Never mind.

7:48
It doesn't always work out in the field either.

7:52
Oh yeah, the cleanup song.

7:54
Yeah, do a motion here.

7:58
I move that we adopt the proposed changes to the Missoula County Community Decay Ordinance for the 2nd and final reading.

8:03
Second, any further discussion all in favor.

8:07
Aye.

8:07
Aye.

8:07
Thanks so much, Shannon.

8:09
Awesome.

8:10
Thank you.

8:13
OK.

8:15
Next up we have Karen Hughes with new land use fees.

8:30
Where I should know where this is it, it's on a Microsoft template, that's where it is.

8:42
Super exciting.

8:43
Stanford, Montana would be my guess.

8:45
That could be.

8:48
I'm Karen Hughes with Missoula County Community and Planning Services.

8:51
And today we're going to talk about the fact that for the first time in more than a decade, the county's considering raising the land use fees assessed to development applications.

9:04
So quick overview of the presentation, we're going to talk about what what the fees are, why we charge them, what else we're doing since some of this has to do with capacity, what else we're doing besides raising fees to address capacity issues, how we define decided on the amounts and the process we went through and public comment that we received before providing a recommendation.

9:29
So basically these are the fees that are charged to cover a portion of what it costs to review a variety of land use, permits and project applications.

9:39
They help us make sure that new construction and development meet our county regulations which implement our policies.

9:46
Those regulations include zoning, subdivision, floodplain, shoreline and buildings for lease or rent.

9:52
They benefit both property owners because and developers because they make sure that new developments meeting county rules and regulations and helps prevent enforcement issues down the line.

10:03
They also meet provide a public benefit because they help make sure that new development is meeting community design requirements and protecting public health and safety.

10:13
They are not the only fees charged for review of dilemma and projects.

10:17
Obviously, Environmental Health has review fees and the building division does as well.

10:22
These are the ones associated with the CAPS portions of the reviews.

10:28
So why we do this?

10:30
The revenue from land use fees is an essential component to helping us maintain efficient and appropriately staffed office, which should make sure that we can process applications and avoid delays in those reviews.

10:45
And delays are obviously an issue because they lead to much higher cost for whatever the final result is, such as housing.

10:54
This is especially important given the current demand that we're seeing for these sorts of services, much higher than we've seen since before the great, since before the Great Recession.

11:06
And you know, we also know that Mozilla is in a situation where we're facing a housing crisis in part due to lack of supply.

11:11
So keeping these projects moving along is really important to get housing on the ground in the end and other economic opportunities.

11:19
Appropriately scaled land use fees allow us to employ adequate staff to help answer questions, complete the development reviews also improve work flows and regulations to help us streamline processes.

11:33
So why are we raising the fees now?

11:35
Well, it's been a decade and since then our community has obviously grown and changed.

11:39
The cost of providing these services has continued to rise and the land use fees are out of date.

11:45
If you take into account that are the fees were set based on the 2010 study of the actual cost of doing these reviews and they and when the fees were adopted in 2011, they assumed 50% recovery.

12:00
That means that taxpayers already were helping cover some of the costs because they see there there's a benefit to the taxpayers which was determined by the commissioners, but they are essentially absorbing more and more of the actual costs.

12:13
We're hoping that by updating our fees that we rebalance so that there's more equitable cost sharing and we hope to be able to sustain and and ideally even enhance current levels of development review services.

12:32
Karen.

12:33
Yeah.

12:33
So in just to be clear though in on the fees set in 2011, there was no inflationary increase added in.

12:39
So annually they would adjust.

12:41
They've just been fixed since 2011 since then.

12:44
Thanks.

12:45
Yeah, good question.

12:48
So what else are we doing?

12:49
Obviously this is related to capacity, what else are we doing to deal with capacity issues?

12:54
And early on in some discussions we had with development community members, they were understandably not very excited about the notion of fee increases.

13:05
They, but they understood generally that probably something would arise, they liked the idea and the commissioners did too of keeping that 50% recovery in place.

13:14
So we really took that into account.

13:16
They also asked us to really focus on efficiency and process changes.

13:22
So really thinking through how we review projects and seeing if we can improve our processes before we really consider a more comprehensive study to update fees.

13:31
So if you study it, why don't you wait till you've, you know gotten your processes better was kind of the request.

13:38
And then to look at other options.

13:39
So we've been moving around staff resources, hiring additional staff to replace vacant positions.

13:47
We updated our code, our new zoning code which provides more streamline review and better review processes.

13:53
That was an important step.

13:55
We're using some contracted services to help supplement staff during workload surges.

14:01
All of these are and then we are also participating in community discussions, but also our own investigations of ways that we can improve services and reduce bottlenecks and processes.

14:17
So how we decided on the new amounts generally like I said, we wanted to continue this notion of recovering 50% of the costs.

14:26
In most cases that just meant applying an inflationary adjustment.

14:30
Most of the processes we have now, they may have changed a little bit, but the study that was done in 2010 reviewed things like you know doing subdivision review, doing board of adjustment projects.

14:43
So we took those fees and just applied, you know, brought the 2010 data up to 2022.

14:49
That's how most of the fees were done.

14:52
We did propose a higher increase for the zoning compliance permits.

14:59
We recognize that the new zoning code provides a number of benefits to the community and developers, with many more development options and more housing development options in every residential and mixed-use district, and those are allowed by administrative review.

15:16
But because of that, the administrative reviews are a little more complex and we added in this final inspection requirement.

15:23
So we've added some pieces in to allow more development and more kinds of development to help meet our community needs.

15:30
It also requires a little more complex review and more staff time to do that.

15:34
So those fees are intended to compensate for that.

15:37
We worked with the team that put together the zoning code as well as the the staff who do the permit reviews now to try and take our best guess, still using the 2010 study as the initial basis to take our best guess at what about a 50% recovery would be.

15:53
So that's that's the zoning compliance fees.

15:56
Then on top of that, we added some fees for services we didn't previously have phase development review.

16:03
There was a new statute not too long ago that requires a more intensive staff in public process for review of each phase of subdivision development.

16:12
So that's a fee we didn't have and we added that.

16:16
We adjusted a couple of exceptionally low fees.

16:19
Buildings for lease or rent used to be charged at $200.00 and we bumped that up.

16:24
It's kind of like a miniature subdivision review.

16:26
It doesn't warrant a subdivision review fee, but it warrants a higher fee than 200.

16:31
And then we added an annual inflation adjustment to help us avoid the major increases periodically.

16:40
So some examples of new fees for commercial mixed-use industrial zoning compliance permit.

16:48
The current fee is 200 and the proposed fee is 400.

16:51
So that's one of those higher than an inflationary adjustment fee, a minor waiver.

16:57
This is a new administrative review for minor deviations in the zoning.

17:02
So it allows more administrative flexibility.

17:04
We charge half the cost of a variance.

17:08
So again, there's administrative review, but it does take some staff time to process it.

17:14
Rezoning requests, That was a straight inflationary adjustment from $4000 to 5320.

17:22
A shoreline permit is an inflationary adjustment from 200 to 266.

17:26
A minor subdivision preliminary plat goes from 5000 to 6650.

17:33
Those are just some examples.

17:37
So in terms of the process, as I said, we started with conversations with the commissioners just to talk about philosophy kind of really honed in that that 50% recovery was a good starting point.

17:49
And to use the the study that we had as the basis for whatever we came up with.

17:55
You then asked us to go and talk with some folks from the real estate and development industry, which we did.

18:01
We got a lot of good feedback.

18:03
As I mentioned previously, we released a draft proposal after we'd had that conversation and talked to you again.

18:10
We did that at the end of May.

18:11
We've been at a variety of meetings to, you know, through community councils, through our regular monthly updates with real estate and development folks.

18:20
We did.

18:21
We put it out on Missoula County Voice and on the county website and then we are here today to hold a public hearing, consider a resolution and we're hoping that these fees are effective July one with the new zoning.

18:36
OK, we're almost there.

18:37
Public comment generally what we heard from the meetings was, yeah, that makes sense.

18:43
Bring the bring it forward to today.

18:46
I think generally people appreciated sticking with that 50% recovery.

18:50
They appreciate that we need housing.

18:52
Trying to put it all on the developers didn't seem like the right time for that.

18:57
So yeah, we we, we we appreciate that you need to raise your fees and that you need the staff and the workforce to get this work done.

19:04
But don't overdo it and this seems to be a a decent, a decent approach.

19:10
They did ask about what we were doing to avoid those one time big increases and appreciated an annual adjustment.

19:16
Thought that was a good idea.

19:17
And then they people that we met with offered to find ways to get the information out to others.

19:23
The Missoula County Voice page, you have a report in your packet from that it had 123 views.

19:30
Each time we sent an e-mail blast, there was a bubble and we did several e-mail blasts along the way between our E newsletter and and just e-mail exchanges.

19:44
And then we did receive one letter from Missoula organization of Realtors.

19:48
He got that yesterday.

19:49
They had questions around the method around percentages for each fee, which I've covered.

19:56
They asked about controls to ensure fee increases directly and promptly expand and improve services.

20:01
I think I've talked a little bit about that, but I'm happy to expand more if you'd like metrics or measures established to demonstrate any increase in staff will reduce cycle time or improve productivity.

20:13
We're interested in this idea and and it's something we want to think about as we do an assessment of our development process workflows.

20:22
They had some questions about some of the zoning fees that could adversely affect the creation of attainable housing.

20:28
You know, there's I guess part of what I've previously said is there's more than one way to incentivize fees are a piece and lower fees can be incentive.

20:38
We've also taken the approach that allowing more things everywhere it through an administrative instead of a board review is another way to help incentivize the kind of development we want to see.

20:50
And it still costs time and energy and effort to do the reviews and we still need to recover some of those costs.

20:57
So we, we still think that what we're proposing is pretty reasonable, but we certainly are happy to look at adjustments if the Commission sees that.

21:08
And then they suggested that they prefer the larger review, the fee study, which is interesting because what we heard earlier from development and real estate folks when we talked to them was that they'd actually prefer that we start with improving our work flows and processes and do that before we do a fee study.

21:27
So different different approaches.

21:31
So with that, I think that's pretty much at the end.

21:33
I have a recommended motion, I think it's in your pocket as well to adopt the resolution to enact the fees to be effective July 1st.

21:43
I have a question about the metric.

21:46
Yeah, the metric question, sorry.

21:47
Can you what's the plan going forward?

21:50
Well, we're I they asked about metrics or measures established to demonstrate any increase in staff will reduce the cycle time of process or improve productivity.

22:00
And I just think it's not something that I can answer right now.

22:02
I think we need to do some investigation of our workflows and how we, how we you know go through our review processes and that we might find some ways to put some metrics in place to help us see improvements.

22:16
But until we've kind of examined our process, it's hard to know what those metrics exactly would be.

22:21
Yeah, thanks.

22:22
Yeah, yeah.

22:26
So even apart from and and there there is logic to to tracking and generating metrics of of performance and how that relates to enhanced revenue.

22:41
But the reality is we're we're using fees a decade old.

22:45
So.

22:46
So even apart from any increased or desired increase in delivery of services, we're falling behind in in covering 50% of what it takes right now with the current level of service that we're faced with.

23:04
Yeah, that's very true.

23:06
And it only took one person retiring rather suddenly and one person on medical leave in our office.

23:11
And you're going to see me presenting A subdivision today, which is not something you often see me doing, but that's where we're at.

23:17
You're going to see Matt presenting for another staff person.

23:21
You will find that every person in our office who does planning work is going to be trained on how to process permits in the next week.

23:31
So Andrew and Lindsay who don't usually do that work will be able to do that work and help cover these surges.

23:37
And and you know we've all taken turns at the front desk.

23:41
We're at the point where this is just trying to get us to sustain and hopefully have enough that we can kind of enhance a little bit at a time.

23:50
And and we're going to use some consulting services to also help work our way through that pile.

23:55
But yeah this isn't this isn't going to be we're not going to you're not going to see huge enhancements.

24:01
What we're going to try and do is keep things moving and keep things from bottlenecking and and really bogging down.

24:07
I even heard that Deputy County Attorney John Hart is staffing your front desk is that we did have Shane stack there on OK today.

24:14
They, they do have news, Josh.

24:22
So with the letter that Mor wrote, did they bring up those same issues in the focus groups?

24:30
You know, we didn't when we originally sat down with folks from building development, real estate and economic development, they we did have at least one realtor present.

24:45
But Mor didn't at that time participate in that conversation.

24:50
They were invited.

24:51
They were invited, Yeah, that letter that they we've had ongoing conversations during our monthly updates where we've talked about capacity and talked about fees.

25:01
So with the with, for example, Dwight Easton, like we've been having kind of this ongoing conversation over time.

25:09
But yeah, when we started the process to kind of actually dig into this, they didn't participate at that point.

25:15
Yeah.

25:16
And the letter they wrote and then you and Chet responded, Is that public anywhere?

25:22
So someone could read the question and read the answer.

25:25
We have not published it.

25:26
We just sent it to to Dwight because it was a it was a follow up communication between chat and Dwight.

25:35
Is there a way to do that?

25:37
I don't.

25:37
I want to compromise.

25:39
Yeah.

25:39
I want to compromise their privacy.

25:40
I just thought you, your guys's answers were really, they were good questions and there were good answers and that people might want to read that if they're interested in these things.

25:48
No, we can make that information available.

25:50
So and then there's one last thing I just can't help but rip a little bit with the in that letter that they said, if I remember right, you all should run this more like a business and calculate your cost and run it like a business.

26:02
And my personal response was we're not a business.

26:05
If we were a business we wouldn't be sticking to a 50% cost recovery model.

26:10
We would want to get 100% cost recovery plus some kind of profit margin.

26:14
But are generating revenue at a profit is not what we do every day.

26:21
We're are use the bad word here.

26:23
We're not in the business of doing that.

26:24
We're in the business of providing services which is why that 50% cost recovery is there.

26:29
So on these the the cost of doing the work of approving these permits, 50% is borne by the developer and 50% borne by the taxpayer because we recognize the benefit to everyone of having houses.

26:41
We also recognize the profit incentive for developers.

26:44
So we split that if we were to run this like a business, we wouldn't be doing a cost share.

26:48
This is about providing services.

26:50
I just wanted to say that thanks.

26:54
And it looks like we have I'm sorry did or days did you have sharing see a hand raised it's I bet it is a public hearing.

27:06
Haley Yarbo.

27:08
Yeah.

27:08
Yarbo.

27:09
I'm sorry.

27:09
I no, no worries.

27:13
I'm at the Pathfinder and I just had to you questions about the land use fee increase.

27:19
Great.

27:20
Yeah, that's the way.

27:22
OK.

27:22
Yeah, I'm just wondering like have you considered the additional impacts to like contractors and developers since this will compound the increase since there was this building permit fees were increased last month as well.

27:45
Go ahead Karen.

27:48
Sure.

27:48
Yes, we had that in mind and actually health fees have also gone up as well.

27:55
We certainly have that in mind.

27:56
There's simply a cost of providing the service.

28:00
So it's, you know, it's commissioner's discretion as to how they want to deal with that.

28:05
We've talked about options and we've tried every which way to cover everything else.

28:09
So we can cover just using the existing resources we have and and we're just not able to given the the increases that we're facing which is coming from the development community and they're seeing pressure to to bring these projects forward.

28:23
So it's one issue compounds the other we realize but that's always been the case that the different reviews require different fees and and that those add together to the you know to the cost of whatever the final product is.

28:40
But that's always been the case and we are again simply trying to recover that basic a portion of the service costs so that we can keep the operation going.

28:51
Can I just?

28:52
And yes, go ahead, Josh.

28:54
So Haley, just to point out the cost of getting work done has has changed radically since 2011 and we're making the choice to absorb those costs and share them with the developers at 5050.

29:06
So 50% of these new costs are absorbed by taxpayers and 50% by developers.

29:12
And yeah, these costs have gone up, but when when you look at the price of a house, these are just a very small piece.

29:19
Did you have?

29:22
Yeah, I would just have one more question.

29:26
You did mention housing and stuff and I was wondering how this fits also with the Missoula affordable housing plan.

29:37
Yeah, we well our office also helps helped put that plan in place and and are working on the implementation of it.

29:48
And actually within the plan it talks about doing many of the things that we're talking about reviewing our development review processes and and appropriately scaling our fees so that we can make sure we're covering the costs of development services.

30:02
So that the there is then funding available to help cover other planning services such as infrastructure planning, which is essential to being able to continue to find places to build affordable housing for the community.

30:16
So this is all linked together.

30:20
We recognize that any fees of course contribute to housing costs.

30:23
Again, these are relatively low compared to the ultimate cost of house, but providing some cost recovery to help support that part of planning.

30:31
The development service, Development Review services piece of planning means that we have funds available to make sure we're doing more proactive planning, getting entitlements in place like zoning and updated land use maps, as well as infrastructure planning that makes it possible for us to put new houses on the ground in new places where we want growth to occur.

31:01
Great.

31:02
That's all I have.

31:02
Thank you.

31:04
Thank you.

31:06
I don't see any other hands.

31:11
Anyone in the room entertain a motion?

31:19
Could you spin up the motion?

31:24
All right.

31:25
I would move to adopt the resolution to enact new and revised land use fees as shown an Exhibit A to be effective July 1st, 2022.

31:34
Second, that and just comment here and and this relates back to the question we just heard from the reporter from the Pathfinder, there's nothing particularly sacred about this 5050 split.

31:51
It it makes a great deal of sense that there be some shared burden for the cost of review borne by both the developer and also by the public, just given the the different sorts of benefits that are accruing here.

32:06
The flip side to the the concern that these incremental costs are adding to the cost of housing is something else that we hear from some members of the public is that they don't want to be subsidizing development in a way that that unduly burdens the general taxpayers in Missoula County for projects that are going to be adding profit to individuals.

32:32
And on the flip side though, of course, as Josh mentioned earlier, there is a broader community benefit to making sure that we have some level of housing stock and affordable housing in our community.

32:44
So this is a good way to strike a balance as far as I see.

32:52
Any further discussion all in favor, folks, and they just can't help it.

32:57
OK, Slavic, when we have the resources to be adequately staffed and to retain good staff, we're gonna process Y'all's requests faster.

33:09
And I think you're gonna save more money and get more houses on the ground faster by having a high quality staff meeting your needs than if we were to say no, we're going to cut your fees, but it's going to take, you know, 2/3 as long.

33:21
I mean, you're going to lose money there.

33:23
So we want more houses on the ground, we want more affordable houses on the ground, and we want them as quickly as possible.

33:30
This is our best way to make that happen and split the burden between taxpayers and developers.

33:37
And I I can't just can't resist either.

33:38
I I said I think everyone in the room who hears who's here looking at at pitching a specific project knows well and good and folks who are joining us online do also that with every month that goes by we we don't see prices decreasing in terms of of costs associated with with building projects.

34:00
So yeah, we could, we could slip kind of get by for the time being, pulling our deputy County Attorney off the bench or senior staff out of caps, out of their office into roles that really should be conducted by other folks.

34:21
But that simply adds time and and additional burden to projects.

34:27
And so, yeah, absolutely.

34:30
The cost that would be saved and fewer staff are going to be way overwhelmed by the additional cost for projects because it's going to take so much longer and add additional costs just by virtue of inflation less I hope.

34:53
Yeah, this another 11 years doesn't go by.

34:56
OK, Any further discussion all in favor?

35:00
Aye, thanks Karen.

35:04
Thank you.

35:04
Thanks for all the work staff has done and going on dog and pony shows across the county.

35:10
Yeah, that was that was great And we have you back up for Oh my packets.

35:20
Are we doing Macintosh or are we doing OK?

35:28
Macintosh Acres.

35:37
I disorganized mine.

35:40
OK ready.

35:43
Karen Hughes, Missoula County Community and Planning Sub Services.

35:47

Macintosh Acres is a minor subdivision located South of Lolo at 6365 Lamar Trail, and the owners are Eric and Becky Nicholson, and the technical representative is Ron Newert from Eli or from PCI?

36:06
Oh my gosh.

36:08
The last time I presented A subdivision to the Mozilla County commissioners, he was with me with Eli, but we'll move forward to today.

36:18
The project is located on the West side of Hwy.

36:20
93 S of Lolo, about 3 1/2 miles South of Lolo in an area that's divided into orchard tracts.

36:27
That was done so at the early in the 21st century or in the late 20th century, those Old Orchard tract subdivisions of 10 acre lots that grew, no orchard new, no orchards usually.

36:42
So this is a redivision of of one of those properties that looks like it's been modified along the way.

36:51
The this is in the it's unzoned.

36:56
The Lola Regional plan, which is the conference of planning document or growth policy document for that area recommends a residential density of 1 dwell unit per five acres with the land use designation being residential.

37:10
And you can see kind of in the pattern behind the screenshot maybe, maybe it doesn't show so well.

37:17
There's kind of a variety of of things going on in that area.

37:21
Many of these properties have been somewhat developed along the way, many divisions of those orchard tracks.

37:30
So this is a 5 acre tract.

37:32
So obviously it's been probably the result of a division already relatively level.

37:38
Existing home and outbuildings are on the property.

37:40
It's surrounded by similar residential development.

37:42
Its access is off Lamar Trail, which is a 60 foot easement with a 24 foot paved surface.

37:49
And the proposal is to create 4 lots, three of which would have direct access off to Lamar Trail and the 4th would gain access through an easement, driveway easement.

38:04
So as I said, the current density is 1 to 8 per five acres in the growth policy and it is unzoned, so there are no zoning requirements.

38:13
In addition to the land use designation, we consider some of the goals and objectives, and while it doesn't strictly comply with the density requirements in the land use designation, it does.

38:27
It does generally comply with some of the goals, including the goal to efficiently integrate new development and infrastructure with existing land use patterns and provide housing that meets local residents needs.

38:38
And a variety of housing stock impacts the local services.

38:44
Pretty straightforward.

38:45
All lots will be served by individual well in septic systems.

38:48
The primary accesses we've talked about is off Lamar Trail.

38:52
There isn't pedestrian infrastructure required because it's a minor subdivision.

38:55
No Parkland dedication required.

38:57
It's located within Missoula Rural Fire District and there are so there will be residential fire sprinklers sprinklers to assist to help with that and then driveways reviewed for fire apparatus and Missoula County Sheriff provides law enforcement.

39:16
There was an agency comment from 5 Valleys Audubon about being in an area valuable grassland for bird habitat.

39:25
Obviously there's been considerable human development that has made that area somewhat unsuitable.

39:33
So the suggestion is to provide shrubs and trees within the subdivision that provide benefit to bird populations.

39:42
But I don't believe that that's the condition of approval.

39:44
It's just a general guidance.

39:47
Property owners were notified via mail on the 6th of June and we did receive a letter that's in your packet.

39:54
The issues that that letter talks about our roads and access, water supply and quality.

40:02
Wildlife growth policy, lack of compliance with the growth policy, concerns about public health and safety, particularly additional traffic impacting the local bus stop and general community impacts key conditions of approval.

40:19
I think there's a total of 10, but just a couple to note.

40:23
One is that to make sure that there's adequate review for fire apparatus access and that the driveway for Lot 4, the one that goes through the easement to the back lot that that be improved prior to final plat approval because it's the only way to get physical access to Lot 4.

40:50
And then also that that we have a fire sprinkler requirements and so the motion we're recommending approval with 10 conditions and I'm happy to answer any questions if you have them or.

41:12
And I know that Mister Ewart's here as well.

41:17
Yeah.

41:17
Ron, do you want to.

41:20
Good afternoon, everyone.

41:21
My name is Ron Ewart with PCI and here with me today is Eric Nicholson.

41:27
He and his wife Becky own the five acres.

41:30
So this property is almost to the Ravalli County in a couple miles to the side of it and I hadn't really ever driven up Lamar Trail and Ray Lane up there before.

41:42
But when I did I was very impressed at the neighborhood and lots of 1 acre lots, everything's very well maintained, the drainage, swales and so on.

41:53
And this road goes up toward toward the Canyon there and there's just a few houses up from there.

42:00
So there's not a lot of traffic at all on on Lamar trail and and Ray Lane Eric and I will work with the Missoula rural fire district on the driveway the plans and the and the as built for it.

42:19
So we we agree with the conditions and thanks to Nick wherever you are and for Karen for stepping in.

42:28
And I'd be glad to answer any questions you might have.

42:31
Thank you.

42:32
Or Eric, do you have anything that you'd like to add?

42:34
OK there any, oh, I didn't know if the staff have any more.

42:42
Is there any public comments online or in the room?

42:50
OK.

42:50
We'll close public comment and Josh and Dave discuss and the the concerns about the letter, the traffic concerns were on Lamar Trail or where where were they?

43:15
So the concern was that there's already a dozen established residential lots to the West using Lamar Trail with eight additional trips per day per lot.

43:26
That would be like a 25% increase.

43:29
So there was concern about premature degradation of the road surface, just increase in traffic and safety and the potential for accidents to occur, vehicular pedestrian accidents.

43:48
And then of course the general concern about the intersection with old 93 and Hwy.

43:52
93.

43:54
It's always a little dangerous to move through those intersections which I do virtually every day and well aware of.

44:04
OK.

44:06
Dave, Karen or or Ron, what maybe for Ron, what what is the road surface Rd.

44:13
condition right now and is it a county maintained Rd.

44:19
Well, OK, it's a privately maintained Rd.

44:21
There is a road maintenance agreement that was set up.

44:25
The road is in very good, very good shape.

44:28
It's about at least 24 feet wide and the swales are all graveled and nice and they all have drainage culverts and everybody keeps their lawn awfully nice.

44:39
And right next door there's a 5 acre five lot subdivision that was done a few years ago.

44:45
So it's very much the the norm for the area and again there's not a lot of traffic on on the road as it is and it's already developed area.

44:55
Thank you.

45:00
I don't have any questions already asked them.

45:05
OK, I'll, I'll go ahead and move to approve the Macintosh Acres minor subdivision based on the findings of fact and conclusions of law in the staff report and subject to the recommended conditions of approval in the staff report.

45:18
I'll second that.

45:20
Any further discussion all in favor?

45:23
Aye.

45:25
Thanks.

45:25
Karen, Eric and Ron.

45:28
Yeah, good luck.

45:34
OK, next I believe we have the the back subdivision, Jenny Dixon.

45:44
Yes, good afternoon.

45:48
For the record, my name is Jenny Dixon with Community and Planning Services.

45:53
And as Karen mentioned, I am presenting the back minor residential subdivision for Nick who I believe was also then presenting for Bailey.

46:04
So it's gone through us a couple of planners and and the the report is solid.

46:10
I'm here to just present the information and the applicants agent is in the audience Ken Jenkins with Montana Northwest Company.

46:18
The applicants are Matthew and Margaret Back.

46:23
This is the general location of the property outlined in blue on Council Way.

46:28
Address 1050 Council Way.

46:32
The property contains approximately 5 acres.

46:39
On the property is a home, a garage, a shop, and I believe maybe a shed.

46:47
And as you can also maybe tell from this photo, there's some steep slope that does not have any vegetation just to the east of the home, and then it slopes downward into a floodplain riparian area.

47:05
The growth policy recognizes those areas with the slope and the floodplain in an agricultural land use designation and the develop developable portion shown in yellow as a residential with the recommended density of three to 11 dwelling units per acre.

47:27
The current zoning is shown on the left screen and the property has a little yellow circle.

47:36
It's kind of bullseye middle of the of that left hand map and that shows the property currently zoned as CRR One which is a residential district with allowance for one dwelling unit per acre.

47:54
The new zoning which takes effect next week shown on the right hand side again kind of lower, middle, middle, lower left with a circle here.

48:05
And it represents the split zoning of this property as as was reflected in the land use plan with RRS One

which is equivalent to the current zone CRR 1 and new designation on the eastern half of the property of AG R which is residential one per forty.

48:26
Of course this property doesn't have 40 acres and that zoning does not preclude development on this tract.

48:33
But conditions of approval, which I'll go into in a minute, will preclude preclude development in that area shown as green as being shown on the plat as a no build zone due to slope and riparian floodplain resources.

48:49
So the proposal this, this is the existing conditions as shown on a a schematic drawing.

48:58
Here you can see more clearly the no build for slope.

49:03
And then to the right of that is the floodplain area zone AE no build zone.

49:12
This is the plat that shows the proposed split with a creation of a new Lot 1 at about 1/3 of an acre, leaving the home on the remaining 4.7 acres.

49:26
New home would be constructed on Lot 1 and these lots have been designed to accommodate setbacks of the new zoning of 25 feet.

49:41
Currently has 25 foot front and rear and 15 foot side.

49:46
The access will be by individual driveways off or individual approaches off of council way and an approach permit will be required from that public roadway for the new home.

50:06
Lots will be served by a shared well, and City of Missoula provides sewer connections.

50:14
As a minor subdivision, there's no Parkland dedication requirement and nor are there any pedestrian infrastructure facilities required.

50:21
Let's see we did receive comment from the county floodplain administrator to ensure that the FEMA floodplain be shown on the Plat and Five Valleys.

50:38
Audubon supported that protection area of that repair the riparian resource.

50:43
We have several conditions of approval, I think 18.

50:47
I've checked with the applicant and of course he'll elaborate on any that he that he may want to bring to your attention.

50:55
But at this point I don't believe there are any that are being contested by the the applicant.

51:00
Those conditions, those 18 conditions primarily have to do with revising language on the plat or in the covenants relative to residential fire sprinklers in all the dwellings app, a fire apparatus friendly turn around and labeling those areas as no build and other things like a weed management plan and and that type of thing being reflected in the covenants.

51:29
So you'll see some of those important conditions of approval here.

51:36
Staff is recommending approval of this proposed subdivision.

51:41
There were no variances requested.

51:43
So it's merely a motion on the minor plat.

51:48
And with that, I will conclude my comments.

51:52
Thanks, Ken.

51:54
Would you like to share anything?

52:03
For the record, Ken Jenkins with Montana Northwest Company.

52:09
I would like to thank the team at CAPS for the review and presentation.

52:18
The subdivision is very simple, very straightforward.

52:22
Even at that it is still a process.

52:24
I wish there was a quick and easy for stuff like this, but I'd really just wanted to thank the staff and appreciate the service that this project was given with the 11 year old rates.

52:38
Thank you.

52:44
OK.

52:45
Is there any any public comment?

52:49
Don't see anyone online, no one else in the room.

52:52
OK, We'll close the public hearing discussion with commissioners.

52:59
I'd like to keep up with quick and easy if we can.

53:01
Pretty simple.

53:03
Yeah.

53:03
Simple.

53:03
Yeah.

53:05
Yeah.

53:05
I'll make a motion.

53:06
I move to approve the back minor subdivision based on the findings of fact and conclusions of law in the staff report and subject to the recommended conditions of approval in the staff report.

53:16
Second, OK, Any further discussion all in favour?

53:21
Aye, Aye.

53:22
Thank you.

53:23
Thanks.

53:23
Thanks, Jenny.

53:24
Thanks, Jenny.

53:24
Thanks, Ken.

53:26
I'm impressed at your alls at CAPS Versatility.

53:30
Everybody's doing every is is Chad going to be in here doing this next week, next week.

53:36
Next week.

53:36
Next week.

53:37
Next week.

53:42
Yeah.

53:42
Yeah.

53:45
Well, well done.

53:50
OK, Matt, at least somebody allowed boundary line sign the job they've signed up for.

53:54
Yeah.

53:58
OK.

53:58
Good afternoon, commissioners.

54:00
Matt HYML here with the County Planning office.

54:03
We'll be resenting the Cloud Family Transfer Boundary Line relocation for Nick Zenetas.

54:09
And just a moment while I pull up our PowerPoint.

54:16
Let's see.

54:34
OK, we are there.

54:35
So today is the scheduled public hearing for the Boundary Line Relocation and Family Transfer exemptions from the Montana Subdivision Planning Act.

54:44
The claimant is Isaiah and Annalise Clough, and this property for the exemption is located in the West fork of Petty Creek drainage off of Micah Springs Road.

54:59
And that's about 8 miles South of Interstate 90 of West of Missoula.

55:12
The property is unzoned and it is designated as open and resource, which has a recommended residential density of 1 dwelling unit per 40 acres.

55:24
That's a 40 behind the the text there.

55:27
And that is a recommendation from the 2002 Regional Land Use Guide.

55:32
So here's a summary of the existing conditions on the property.

55:34
It is addressed as well.

55:37
We have two properties involved with the exemption.

55:40
The first property which is highlighted in the green and black line on the map is addressed at 7261 Mica Springs Road and that is 13.14 acres in area.

55:52
It is undeveloped with no structures.

55:54
However, Isaiah's father is in the process of building a single family residence at this location and the second property involved is 7178 Mica Springs.

56:05
That is 11.68 acres in area and the claimants are also in the process of building a single family residence at that location.

56:15
So here is a map showing the proposed conditions or layout that would result from this exemption.

56:24
So the blue arrow on the top is pointing to proposed track 19-B1 which would be 14.72 acres in area created for 4.72.

56:37
Excuse me getting ahead of myself with too many too many numbers that is proposed.

56:41
We transferred to Keith Bonnerts, the Family Transfer claimant's father and the red Aerial red arrow lease to track 19B-2 which is 8.02 acres that it will be through a boundary line relocation and quick claim to the father and track 19 a one will be 12.02 acres.

57:05
That's shown with the lighter blue arrow which is a Family Transfer remainder track also involved in the boundary line with relocation.

57:13
Overall there will be a proposed density of 1 volume unit per 8.28 acres and just just have some more contacts to the layout because we have a boundary relocation and then a family transfer tract.

57:28
Let's see.

57:28
So here is 1 parcel shown in blue, the other shown in this orange color.

57:36
So this is the proposed configuration for the boundary line relocation.

57:41
And then in this vibrant magenta we see what will be created by the family transfer.

57:49
So with all subdivision exemptions, we seek agency comment.

57:53
During our review period, we did receive two comments.

57:57
First from the city County Health Department, noting that this is subject to sanitation of subdivision review for water and wastewater.

58:06
And the second comment came from the county floodplain administrator noting that the flood risk for this location is unknown because West Fork of Petty Creek has not been mapped under FEMA floodplain mapping.

58:21
So in these instances, we do check to see if the drainage area exceeds 5 miles.

58:27
And in the subdivision regulations, when a drainage area exceeds 5 square miles that would normally require a flood study and that would be through subdivision review.

58:42
And then in our analysis for the rebuttable presumptions and evasion criteria, we did find that there were a few of those criterion that were triggered by this request.

58:53
Note that the criterion being triggered does not automatically result in it being evasion, but I'll touch on those key points here.

59:00
So one of the criterion is that the property was transferred to the claimant in the past two years.

59:07
So under two years of ownership is one of the criteria that can lead to a conclusion of evasion.

59:15
A couple other evasion were one, as I noted earlier from the floodplain comment that it may be a a site within flood hazard area.

59:26
If this were to go through formal subdivision review, we would have a flood study for this drainage basin that would give us that determination.

59:34
Another evasion criteria is whether the proposal is incompatible to growth policy.

59:39
And that was noted as being applicable because the resultant density of 1 unit per 8.28 acres exceeds what is recommended in the growth policy, which is 1 per 40.

59:53
The last division criteria is whether review of an equivalent subdivision proposal would lead to the imposition of significant conditions of approval or denial.

1:00:04
And one of those factors would be the wildfire hazard rating for this area.

1:00:12
It's identified as being a very high wildfire hazard area and so we would review whether impacts to public health and safety are significant, requiring mitigation or whether those are on.

1:00:24
Or whether those cannot be mitigated with conditions of approval.

1:00:28
And the second factor, which I noted earlier, is that a flood study would be required for a subdivision.

1:00:39
So with that, I do have our standard Family Transfer questions for the applicant and I did believe I saw their name on the team's roster before.

1:00:48
If they could, please state their name for the record.

1:00:51
Isaiah Clow.

1:00:53
Thank you.

1:00:54
I have 5 questions for you.

1:00:55
One, did you buy the property with the intent of dividing it?

1:00:58
Yes.

1:01:01
OK.

1:01:01
Two, do you or your transferees intend to transfer the property within the next year?

1:01:06
No, thank you.

1:01:09
Have you talked to anyone at the county about going through subdivision review?

1:01:14
I've just talked to Nick through the Family Transfer, but not through the subdivision process.

1:01:19
No.

1:01:22
Will the property be developed, We intend to have single family residences on on the three proposed tracks, but that's the extent of our development, OK.

1:01:38
And will the will the recipient of the property be residing on the property?

1:01:43
That's the intention.

1:01:44
Yes.

1:01:48
Thank you.

1:01:48
That concludes my overview of the questions.

1:01:52
The presentation and staff is recommending approval of this request.

1:01:57
Thanks, Matt.

1:02:00
Oh, I was before we jump to commissioners, do we have any further comments?

1:02:09
Nope.

1:02:10
OK, go ahead.

1:02:13
This is for Mr.

1:02:15
KLO.

1:02:16
So if I understand it right, you you said you're gonna have you'll have three, you have 3 tracks and you'll have three houses.

1:02:24
That's the intent.

1:02:26
And then and and you have your father living in one house and then you and your wife living in the second house.

1:02:33
Is that correct?

1:02:34
Yes, Sir.

1:02:35
What would become of the 3rd house and 3rd tract?

1:02:39
Yeah, the third track is again we're intending to transfer it to my wife's father so that both of our our dads can be adjacent to us.

1:02:48
And so the idea would be to build a single family residence on that third tract for him.

1:02:55
Obviously he would do that on his own with his own resources but but that's the request that's why we put in there that you know we want to have a single have that zone for a single family residence.

1:03:08
Obviously we'd have to go through the I think it was a sanitation review or whatever it was listed there in the review from the county team Matt could could they give that land to their father-in-law in the same process not at this moment today because it's not being asked for but in this same process.

1:03:30
Would that have worked What Yes.

1:03:33
One of the spouses direct parent would be eligible for a family transfer.

1:03:41
So it.

1:03:42
But we've got both spouses parents looked at as a as a recipients of family transfer one now and one later.

1:03:52
Isn't that that correct No.

1:03:55
We're doing a single we're I'm I'm deeding track 19 B2 to my father doctor family transfer.

1:04:02
OK and then and then when we do a family transfer to my father-in-law or my wife's father for 19 B one this is what we talked about last month I don't know remember you probably have a lot of these but yeah.

1:04:13
Yeah.

1:04:14
All right.

1:04:14
Thank you.

1:04:15
Thank you.

1:04:17
Go ahead.

1:04:17
Dave.

1:04:17
Yeah.

1:04:19
Matt.

1:04:19
Yeah.

1:04:19
Could you just so that we have it on the record, review what it is that we were requested to take action on last month and kicked it back to the property owner to bring us what we have here today?

1:04:34
Just describe it if you could.

1:04:36
My my memory of the request last month is that was a only family Transfer for the Western tract 19.

1:04:48
Well, it's not 19 B now, but the westernmost tract was the subject of the Family Transfer.

1:04:54
And one of the issues I remember was that there was this adjacent track that could be utilizing the boundary line relocation.

1:04:59
So that's where the second transfer comes in.

1:05:02
Is that where the plan did aggregation and then the transfer aggregation, boundary line relocation and then a transfer, the Trifecta, yes or no aggregation, just boundary line relocation, Boundary line transfer in order to no aggregation.

1:05:18
It's the BLR looking.

1:05:24
So the track shown in this blue overview that I believe retains that is the Family Transfer remaining track that retains an ownership by the claimant 19V1 which is covered in orange now goes to according to this slide to Isaiah's father and then the Family Transfer recipient is Keith OK and that and then they're deeding the orange one to the father.

1:05:50
Yes.

1:05:50
So there are two, two transfers going what one after boundary relocation, one with a Family transfer.

1:05:55
OK.

1:05:56
So if my recollection serves me correctly the the concern previously was with just the Family Transfer you would have been creating a lot that could be potentially sold off.

1:06:10
In this event, it ensures that that we have right family members occupying both tracks.

1:06:21
Correct.

1:06:21
OK.

1:06:22
Sorry to waste your time there, Mr.

1:06:25
Claw, with our going backwards.

1:06:26
Oh, no worries, no worries.

1:06:27
It's all good.

1:06:29
I'm happy to make a motion.

1:06:31
Great.

1:06:32
OK.

1:06:32
And I'm going to reword it in the active voice.

1:06:36
I move that we approve the request by Isaiah and Annalise Cloud to utilize the Boundary Line Relocation and Family Transfer exemptions as presented in the exemption application and affidavit.

1:06:46
I'll second that.

1:06:48
Any further discussion All in favor?

1:06:51
Aye.

1:06:54
So.

1:06:54
So I'm dying to know which father got the better piece of last.

1:06:58
Yeah.

1:06:59
OK.

1:07:00
Do you want that on the record, Miss McLeod?

1:07:02
Yeah, not on the record.

1:07:05
Thank you very much.

1:07:06
Appreciate it.

1:07:07
Thank you.

1:07:07
Thank you.

1:07:09
OK, Matt again for Ben.

1:07:13
Excuse me.

1:07:15
Zenson.

1:07:16
Did I pronounce that correctly?

1:07:32
OK, nice.

1:07:34
OK, Commissioner, is Matt Heimel here again with the planning office.

1:07:37
And this is the Bezanson Family Transfer, today's public hearing.

1:07:42
The claimant is Ed Edward Bezanson, Recipient is Heather Bezanson.

1:07:51
And the property.

1:07:52
Here's a broader aerial map.

1:07:53
The property is located about three quarter of mile northwest of Butler Creek, and it's about 5 Rd.

1:08:01
miles northeast of Interstate 90.

1:08:04
Here's a topographic map that's a little closer, showing it located on the top of a ridgeline that's about 800 vertical feet above Butler Creek, and access to the site is provided via an approximate 1 1/2 mile private Access via switchbacks from Butler Creek Rd.

1:08:25
The property is was unzone as of the date that the application was determined to be sufficient.

1:08:32
It will be zoned agricultural working lands.

1:08:36
However, for purpose of subdivision exemption review, it was unzoned when it was a a sufficient application and the growth policy recommends a Working lands Land use designation with a recommended residential residential density of 1 to 1 unit per 40 acres.

1:08:58
So just an overview of existing conditions.

1:09:01
The 20 acre parcel is undeveloped, mostly forested with varying slopes.

1:09:06
There is a access leading to these four parcels from Butler Creek Rd.

1:09:13
But there is no internal roadway constructed at this time according to aerial imagery, and nor is there a established water source or wastewater source for this lot.

1:09:25
And here is another just a view of the topographic contours for the property.

1:09:32

Slopes such as in in the central part, vary anywhere from 10 to 20% approximately, without more detailed topographic surveying.

1:09:41
But there are variant slopes, as I said.

1:09:43
What's the shading difference?

1:09:45
I'm sorry?

1:09:46
South it's white and N it's pale green.

1:09:51
That shading difference is on the base map that was used to create this map called I think a world world topo base map.

1:10:00
And typically it's generated corresponding to areas of like either dense or forest cover.

1:10:06
Oh, like a USGS quad map.

1:10:07
Yeah, or the grassland.

1:10:09
Or you can hide A platoon, right?

1:10:11
It's spoon is covered.

1:10:15
Here's here's some images generated from Google Earth.

1:10:18
Just giving some context of the area the properties generally located in that red Oval.

1:10:23
So this is a view from the southeast and here is a view from the northwest up.

1:10:32
And here is a sketch from the application.

1:10:36
So the proposal is to divide track two of certificate 5768 into two halves, which would both be 10.02 acres in area.

1:10:47
The eastern half would be transferred to the claimant's daughter Heather and the subdivision exemption affidavit states that both tracks are intended for residential use by the claimant and recipient and this certificate of survey was created Also with the Family Transfer exemption.

1:11:07
It created.

1:11:10
These 4 tracks you see here all under over 20 acres in area and tracks 1/3 and four of the survey are also intended for residential use by other members of Timber Ridge Properties LLC on tracks 1/3 and four.

1:11:24
So Timber Rich Properties LLC previously owned tract two.

1:11:29
It was quick claimed to the claimant.

1:11:33
And according to the subdivision exemption affidavit, the claimant is also a member of Timber Rich Properties LLC.

1:11:41
So I'm going to go over some key points from the staff analysis for the rebuttable presumptions and general evasion criteria.

1:11:48
I do have slides further in the PowerPoint that have the full text for all of these if there's any questions or additional clarification I needed.

1:11:57
But I'll touch on each one of these key points from the staff report.

1:12:01
So under well every subdivision exemption is reviewed against rebuttable presumptions and general evasion criteria.

1:12:10
And the question is whether the requested exemption is evasion from the Montana Subdivision and Planning Act.

1:12:16
And there are rebuttable presumptions established, one of which has to do if there was a transfer between one family member and the other prior to this request.

1:12:27
And in this case, we do have a transfer from Timber Ridge Properties LLC by Quickclaim deed filed this past March to the claimant.

1:12:36
And as I said, according to the exemption application, the claimant is a member of that LLC.

1:12:41
Another rebuttable presumption is whether the claimant or recipient owned other tracts of land in Missoula County, and that is also applicable.

1:12:49
The grantor and recipient jointly own a Tract and Windsor Park subdivision, which is a residential subdivision northeast of the airport, specifically a property on Bordeaux Blvd.

1:13:01
Which is developed with a single family house.

1:13:04
And the Grantor also owns a lot in the Grassland #12 subdivision up Grant Creek Rd.

1:13:13
And as I said before, Timber Ridge Properties LLC owns the other 20 acre part parcels, one on the left hand side of the highlighted property and the other two on the right hand side to the east moving into the general evasion criteria.

1:13:28
As I alluded to in the prior transfer, the ownership of this property has also been well in ownership by the claimant for less than two years.

1:13:37
Timber Ridge Properties originally acquired it in this past March 3rd and it was quitclaim from the LLC to the claimant on March 24th.

1:13:49
We also look in general evasion criteria to see if there is a pattern of development that would indicate of moving towards a subdivision that would be done without subdivision review.

1:13:59
And some of those elements that we look for are common roads, a development plan or an existing existing pattern in the context of other exemptions from prior years.

1:14:10
In this case, we found that yes, there is a common Rd.

1:14:13
layout planned.

1:14:13
We see that there may be preliminary designs for Ridge View Rd.

1:14:17
cutting across the property and also the private access that I alluded to before that switchbacks up about 800 vertical feet from Butler Creek Rd.

1:14:27
And also it generally fits a context of existing pattern of exempt tracks to to the South.

1:14:36
Another evasion criteria is whether the exempted tracks or whether the use of the exemption is unsuitable for the intended use.

1:14:44
So the intended use here that's stated in the exemption application is this residential use by the claimant and the intended recipient and other family members involved with the LLC.

1:14:56
And in staff's analysis I describe that as a unzoned parcel.

1:15:03

Before the effective date of of our new zoning update, there could be potential for multiple dwelling units without zoning compliance review, being unzoned with no density requirements or to reconfigure the boundaries to achieve 210 acre tracts with a boundary line relocation.

1:15:21
Both of those options won't be applicable with the zoning update coming on July 1st, but with the upcoming zoning, there is the option to have one single family residence or one single family home on the parcel with a accessory dwelling unit.

1:15:41
I must stress that in the purpose of the evasion criteria review, the property is unzoned, so there is an evasion criteria that asks whether the exemption creates a violate A violation of zoning.

1:15:57
And in the staff report the answer to that question is no, because it is vested as an unzoned property for this review.

1:16:03
But for informational purposes, I wanted to point out that with the zoning, there are options to have a principal dwelling unit and an accessory dwelling unit.

1:16:13
Another evasion criteria is whether the request is incompatible to growth policy, and in this analysis we found that it does not substantially comply with the recommended density for working lands, which is 1 unit per 40.

1:16:32
And with these 4 tracks, we'll have a we'll have a development pattern that would exceed the recommended density.

1:16:44
And the last division criteria that I'll touch on is the potential for significant impacts with subdivision review.

1:16:50
So had an equivalent layout been brought to us for minor subdivision review, it's likely that we would have identified potential factors for imposition of significant conditions or potentially denial.

1:17:06
Those would include, but are not really limited to, mitigating wildfire hazards, dealing with slope and hillside development standards, and providing legal and physical access to these lots.

1:17:21
So that concludes my overview of the rebuttable presumptions and invasion criteria.

1:17:25
But again, there's more information later in the slides that if you would like I can go to the full full text and this is a image provided by the claimant sent to me via e-mail and it shows just an overhead layout and after the standard Family Transfer questions, if the claimant wishes he can describe or what he's trying to convey here.

1:17:55
So with that, I will ask the the standard Family Transfer questions.

1:17:59
If you could please come to the podium and state your name for the record.

1:18:06
Excuse me, name is Ed Bazanson.

1:18:11
Oh, can you check your microphone?

1:18:13
I just want to talk a little closer.

1:18:15
OK.

1:18:16
Does that sound right?

1:18:19
OK.

1:18:19
My name is Ed Bazanson.

1:18:21
Thank you.

1:18:22
I have 5 questions for you.

1:18:23
You can also see them on the screen.

1:18:25
One, did you buy the property with the intent of dividing it?

1:18:29
Yes.

1:18:33
Two, do you or your transferees intend to transfer the property within the next year?

1:18:37
Yes.

1:18:41
Three, have you talked to anyone at the county about going through subdivision review?

1:18:45
No.

1:18:49
Or will the property be developed?

1:18:52
Yes.

1:18:54
And five, will the recipient of the property be residing, be residing on the property?

1:18:58
Excuse me.

1:18:59
Yes.

1:19:00
Thank you, Commissioners.

1:19:04
That concludes my presentation and questions.

1:19:08
Staff is recommending denial of this request.

1:19:13
Thanks Matt.

1:19:14
So Mr.

1:19:15
presents and do you want tell us your story?

1:19:18
I will thank you.

1:19:19
You get to the right page because first of all, thank you for your time today.

1:19:28
Having none, none have, having never done this before, I feel as if I didn't share with Matt enough information in the beginning.

1:19:38
So I hope to change his mind and gain your support today.

1:19:41
Oh, actually, can you get a little closer to the microphone?

1:19:44
Sorry, you don't want me to repeat that, right.

1:19:48
So we are, the four of us are Tom and Pam Copley, Paul and Melissa Copley, Jim and Anisa Bezanson and Ed and Kim Bezanson.

1:20:02
These are the owners of Timber Ridge properties.

1:20:07

We're a long standing Montana family who have been looking for a piece of property like this for over 2 years now.

1:20:19
We visualize as a place that we can develop as kind of a family.

1:20:25
One spot for kids and grandkids to come forever.

1:20:33
One of the things that was mentioned is we were an LLC and I want to point out we have a very good reason for deciding to be an LLC.

1:20:47
The reason was is that as a family, we have a bunch of infrastructure to put in these lots.

1:20:55
We have no wells.

1:20:58
We have obviously no sewer.

1:21:01
We have no side road or in whatever you called it in lot road or something.

1:21:10
And we also have to get powered a lot 3 and four.

1:21:15
We have to do some fire reduction because on the backside of those lots it's extremely thick and and some of us didn't know which lot we actually we're most interested in until we can get a little better look at the view for all the trees.

1:21:33
So we decided to make an LLC and share in the cost equally because some of the lots do have infrastructure to them.

1:21:42
Lot 2 has a road to it and also power.

1:21:47
We've got to get a lot to a Rd.

1:21:49
Lot 1 for my sister's place and Lot 3 and four.

1:21:55
And just because a lot too had a road in it and had power in it, we didn't want to get into arguments as to who owed what.

1:22:06
So we created an LLC so everybody would share in the expense.

1:22:12
And if we get the family transfer and sell a lot to aid to my daughter, we would share in the whatever receipts were gained from selling that when we were first in.

1:22:40
I guess our due diligence.

1:22:42
With purchasing these lots, at first we didn't know about the zoning changes and all that stuff.

1:22:53
But once we learned about them, I think my sister came in and visited with Matt, not Matt, but somebody up front at the counter or something.

1:23:02
Maybe you remember Pam.

1:23:03
Matt, I don't know.

1:23:04
But basically she visited a little bit.

1:23:10
And then my brother Jim also visited about a week later when he was out here and they were under the depression.

1:23:19
It wasn't that tough because we were up against the deadline to close the property.

1:23:23
So we closed on the property and I'm not that's not like you screwed me over here or anything.

1:23:29
That's just kind of what happened here.

1:23:32
And the other thing is in the covenants, there are covenants with this property and the covenants when this property allowed for dividing to five acre tracts.

1:23:43
Now we we never had any attention to five acre tracks, but we thought as a result of that 110 acre track wouldn't be a big problem.

1:23:52
We've been searching for this property for two years like I said and in that time I'd always told my daughter we were going to carve out a spot for anyway.

1:24:06
The reason Lot, too, is the choice for me.

1:24:09
It's because I've got to plow that darn road and I don't want to plow down to 1, three, and four.

1:24:16
The other thing is, is Lot 2 has two building sites on it.

1:24:20

We're on top of a Ridge the entire way and basically that has two flat spots where they're unseen from each other and every the interest.

1:24:40
The neat thing about all these homes is they're unseen from one another because of the lay of the land up there.

1:24:46
So it just made sense to do that particular lot to try to attempt the family transfer.

1:24:57
One thing we have with a couple of the adjoining lots down below, there is a road maintenance agreement in place and I just wanted to point out that the road maintenance agreement, if we were lucky enough to get this family transfer, would become a subject to the road maintenance agreement map.

1:25:22
You can see that the density isn't very much, it's the end of the road.

1:25:25
There's no, there's nothing built behind us and nothing going to because it's extremely steep back there.

1:25:31
It's straight down, straight up on the other side, very, very steep.

1:25:38
Views are incredible.

1:25:40
We we want to build some trails back in there and do cross country ski trails and some hiking trails and you know I used to have a place like this up in City Lake and everybody had gathered there for Christmas.

1:25:52
It was awesome.

1:25:53
So we visualize that in our future.

1:26:00
That's about all I have to say.

1:26:02
One of the reasons we put that Interior Rd.

1:26:04
in there because we had to have an address for this, this application and we couldn't get an address unless we showed the interior Rd.

1:26:14
So that's why I was drawn in there, drawn in there, I should say.

1:26:19
That's all I have.

1:26:21
And I have a question about you.

1:26:22
You mentioned covenants, yeah.

1:26:27
For which property or the covenants are on one 2-3 and four box 123 and four.

1:26:34
OK.

1:26:34
We bought those with covenants in place and I think Matt showed in the report that there were no covenants.

1:26:41
But I pointed out to him later when I saw that that there were some and shared them with him, but he didn't have time to get them to you, I believe.

1:26:48
Is that right, Matt?

1:26:49
Basically.

1:26:52
So after the report was published, I did receive a copy of private covenants that apply to these properties.

1:26:59
They were filed about seven months prior to the LLC purchasing them.

1:27:04
One of the evasion criteria is whether there are going to be new restrictive covenants in the property.

1:27:09
Those covenants, from what I could tell, were not filed by the claimant.

1:27:14
So it so at my analysis, it did not apply to say that it was necessarily evidence for further development or evasion.

1:27:21
But yes, there are private covenants, but they were not created through subdivision review and they are not covenants that are enforceable by the county through permitting.

1:27:32
OK, who is the original owner that created the the covenants?

1:27:39
The claimant can correct me if I'm wrong, but I know that there was a LLC in the state of Washington's Some of the Members Gang LLC, for example, that filed the lots.

1:27:51
It was actually Keith Crumbbeck owned all that property.

1:27:55
The Washington LLC is one of the properties behind us.

1:28:00
OK, Dave, thanks, Mr.

1:28:04
Bizanson.

1:28:04
So the proposed lot to be, would you be occupying that parcel?

1:28:13
OK And your daughter would be receiving lot 2A, Correct.

1:28:17
And it sounds like you'd be actually charging your daughter.

1:28:22
So, well, I'm not going to be able to give it to her because we have four members of family in the LLC.

1:28:30
So in order to create income from there was an agreement between all of us in our LLC that there would be a price affixed to that lot.

1:28:42
And whether I give it to her or not, some of that money will come out of my pocket for sure.

1:28:49
OK.

1:28:50
But can I can, I'm just trying to get the the players lined up.

1:28:54
So can you tell me who's in the LLC?

1:28:56
Yeah, my brother-in-law and his wife, that's Tom and Pam, Tom and Pam Copley, their son, Paul and Melissa Copley.

1:29:06
My wife and I, Kim and I, and my brother Jim and his wife Anissa.

1:29:12
Tom retired two weeks ago.

1:29:16
I retire next year.

1:29:17
And my brother's two years out.

1:29:20
And who owns lots three and four?

1:29:22
We all do.

1:29:23
That's so that's just a part of the LLC, right.

1:29:26
So everything we've done here was it was within the LLC.

1:29:31
So because I wanted to do the Family Transfer, I pick Lot 2 because that's the one for the Family Transfer.

1:29:41
But I still got a share in the cost of bringing in power wells and everything for lots 123 and four.

1:29:54
And we're talking a kind of a main line between the five because any infrastructure to the house itself is the responsibility whoever ends up with that lot.

1:30:09
Does that make sense?

1:30:11
Yeah.

1:30:11
Thank.

1:30:11
Thank you, 01.

1:30:13
One final question, I guess this would be for for Matt.

1:30:15
You mentioned that under the new zoning, Lot 2 could accommodate both a dwelling unit and accessory structure of some sort.

1:30:25
Could could that not occur right now under the existing zoning?

1:30:31
So right at this time being unzoned until July 1st as unzoned property, there could be up to three single family dwelling units without further public land use review through buildings for police or rent.

1:30:45
And then when the zoning is effective, one, any one of these lots could have one accessory dwelling unit.

1:30:54
Yes, one principal home and one accessory dwelling unit.

1:30:59
OK, thank you.

1:31:01
And and honestly, I I think there's going to be a couple of those, maybe on Lot 3 and Lot 4 for my brother's kids, etcetera.

1:31:10
But on Lot 2B, that would be my daughter's home.

1:31:15
And they have a family and 980 square feet's not gonna get it done.

1:31:19
That's the maximum that you can have on an Adu is 980 square feet.

1:31:30
Although I I guess what you're you can have a house.

1:31:34
Yeah.

1:31:34
What you're saying is you could have three houses here with no limitation on square footage on Lot 2.

1:31:39
Is that correct, man?

1:31:40
Yeah.

1:31:40
Under the.

1:31:41
If it's unzoned, you could have three houses on each lot, right?

1:31:45
That is correct until July 1st and that point it's and then at on July 1st it is AGW zoning with one house and 18 Adu.

1:31:55
But that is correct until as unzoned property there could be up to three and you have to have to pull a building permit by July 1st in order to do that is that I mean come July 1st that would not be a possibility.

1:32:10
What?

1:32:10
What does it take to be vested in this current zoning?

1:32:13
To be vested, we would need a substantially complete zoning compliance permit submittal on, on, or by June 30th.

1:32:22
You don't have to have building permits or plans for houses to be yes or no to be vested there.

1:32:30
There are expiration dates for the zoning compliance submittal that should correspond with building permits at submittals, but right now we are taking zoning compliance permit applications.

1:32:41
I did not know that how to talk to talk to us about what a zoning compliance permit application would look like.

1:32:52
I mean how, how onerous would that be?

1:32:56
So hypothetically we we don't have many days left here but hypothetically is it possible to apply for a zoning compliance permit to build a couple dwelling units on Lot 2 right now it is possible a a substantially zoning, well it would be a land use and zoning compliance permit, it's on zones would predominantly be land use review, a substantially complete permit submittal will need to have a scaled site plan floor plans and elevations that show finished and existing grade.

1:33:29
OK that's not quite, that's quite a bit, quite a bit good Josh.

1:33:37
So I'm just.

1:33:39
I want to make sure I understand, right?

1:33:40
So right now the LLC owns all of the lots, is that correct?

1:33:43
The LLC owns all of them.

1:33:44
Yeah.

1:33:45
OK.

1:33:46
So just wrapping my mind around the essence of a family transfer is 1 member of a family transferring a piece of land to another.

1:33:56
This feels a little different and I'm totally sympathetic with what you're trying to do.

1:34:00
And I'm.

1:34:00
I'm rooting for you.

1:34:01
I want it to work.

1:34:02
I'm just trying to wrap my mind around it so it it just feels a little awkward.

1:34:07

It looks like a an LLC using a family transfer and I think an LLC would typically just be selling a you go through a a minor subdivision and then sell the land.

1:34:18
Well that's that's why I did the quick quick quick claim deed, quick claim deed on two out of the out of the LLC.

1:34:26
So it wasn't a member of the LLC.

1:34:28
Lot 2 is not currently in the LLC.

1:34:30
OK great.

1:34:31
Thank you.

1:34:31
So personal family agreement.

1:34:33
Got it is.

1:34:35
But thank you that that's very helpful.

1:34:36
So your family just owns Lot 2 and you're gonna if if this tell me if this is the case.

1:34:42
Because I'm.

1:34:42
And I'm just trying to understand.

1:34:44
So you and your wife and your daughter.

1:34:47
You and your wife own Lot 2.

1:34:49
Yes.

1:34:49
And you want to cleave off half of it and give it to your daughter.

1:34:52
Yes.

1:34:52
And you're gonna live on one part and your daughter's gonna live on the other part.

1:34:55
Yes.

1:34:57
That sounds more family transferish to me.

1:35:00
Yeah.

1:35:01
OK.

1:35:03
Dave it looked like John might have had something he wanted.

1:35:08
I'd love to hear from John.

1:35:09
I I was just going to say you're on to something, Josh.

1:35:12
That it, if it was an LLC transferring to didn't feel right that wouldn't be in compliance with the law.

1:35:20
Yeah.

1:35:20
The Family Transfer has to go from a natural person to a natural person.

1:35:25
Yeah.

1:35:25
Yeah.

1:35:25
And and Matt explained that to me a while ago and that's why we did it.

1:35:29
OK.

1:35:32
So the the only concern I would have is typically the ones we say yes to person is living on one of these lots.

1:35:41
So obviously they're not going to move and then they give the other piece of land to their their child or their father or whatever.

1:35:50
What we're trying to prevent is somebody creating lots they can then sell, which is should be the act of subdivision.

1:35:56
But you're sidestepping subdivision, right.

1:36:02
So it would be great if you happened to be living on one of these right now.

1:36:06
Yeah, this all came on pretty fast.

1:36:09
No worries.

1:36:10
The we figure it's going to take us two years to develop this property.

1:36:14
Honestly as a family we've got roads to build and and we we intend to big project.

1:36:22
We tend to do those ourselves to save money.

1:36:27
We do have to rebuild the main road up and that we don't have the ability to do.

1:36:33
But the nice thing about this is we're splitting it up between 4:00 families and you know that makes the cost a little more bearable.

1:36:45
You know I'm thinking we can get into a lot for about 400 and 54180 thousand and we feel like that's a pretty good price for those lots up at Butler Creek.

1:36:57
Dave.

1:36:59
Oh, I thought you had your hand up.

1:37:00
Yeah, I did.

1:37:01
I can't remember what I was going to do.

1:37:03
Happens with me every day.

1:37:04
No, that's OK.

1:37:05
It gets worse.

1:37:07
So yeah.

1:37:09
So I I'm this is this is definitely nontraditional.

1:37:14
But I I I feel good about it given what you've had to say here and not I'm.

1:37:20
I'm OK with and and I totally respect what you what you did man.

1:37:23
That feel like your recommendation is accurate and I'm just deviating a little bit given my personal sense of what you're attempting to do and so I'm.

1:37:33
I'm OK moving to approve this well.

1:37:36
And Matt you made anticipated Josh's opinion there.

1:37:42
Do you have other slides that you wanted to share with us?

1:37:47
No thank you.

1:37:48
I I don't have additional information.

1:37:50
Those were available in case you wanted me to dig into those evasion criteria, but I have no additional information.

1:37:57
OK.

1:37:57
You mentioned additional slides and I didn't.

1:37:59
No, I didn't want to leave anything out.

1:38:01
Got it.

1:38:01
Thanks, Dave.

1:38:06
Yeah, I'll go ahead.

1:38:07
And 2nd, the motion.

1:38:08
I wonder is, is there anyone on the line who would want to speak?

1:38:13
Oh, thank you.

1:38:13
I completely forgot about that.

1:38:18
I don't know who.

1:38:19
SM Small room P or Glenn Ingram or T guest are do you have any comments on this Oh goodness Glenn apologies or John County Attorney as I'm saying yeah I just I just wanna make sure that I understand what we're what we're telling this this applicant here about the what the consequences of the change in the zoning And so as I understand it and please Matt correct microphone is correct me if I'm wrong.

1:38:59
We've deemed that the application for this Family Transfer is because it came in before July 1st, is sufficient for purposes of zoning on this property because it's unzoned.

1:39:16
But we're not making any representations.

1:39:19
If, if the Commission was to approve the Family Transfer as applied, we're not making any representations about whether or not there can be a single family residence built on both Lot 2A and 2B.

1:39:34
Is that correct?

1:39:37
So with approval of the Family Transfer, it will approve the creation of 2 tracks.

1:39:42
Since those will have commissioners approval, they will be legal non conforming as to the minimum lot size.

1:39:49
So each track could have, I believe one single family home on it.

1:39:55
Now there are other general standards in the zoning update that will apply and I highly encourage Ed and everyone else involved to meet with us about, for example, the Hillside and Ridgeline standards because those will have a role to play in how this all gets designed.

1:40:12
OK, that's exactly what I wanted to understand.

1:40:14
Do you understand that Ed?

1:40:15
No, I was no I do not.

1:40:18
Thank you.

1:40:20
So with approval of the family transfer that the approval is creation of these tracks.

1:40:26
When you come in to build the houses and have the site plan reviewed it will need to meet the zoning regulations.

1:40:34
Being legal, non conforming lots, they can each have a home over there.

1:40:38
Also going to be Ridgeline design design standards and hillside design standards that apply to areas that and are in excess of specific grades, for example.

1:40:49
I believe there's also elevation requirements for when hillside standards apply.

1:40:55
So there will be some design considerations that anyone building here should definitely meet with the planning office about.

1:41:01
Yeah, OK, I understand that.

1:41:03
Do you have a question?

1:41:09
His motion been.

1:41:11
Did you make a motion?

1:41:12
Did That was OK.

1:41:13
In a nice second.

1:41:13
OK.

1:41:14
Sorry.

1:41:15
I just wasn't sure if you were amusing.

1:41:17
Thank you.

1:41:19
OK.

1:41:19
Any further discussion all in favor.

1:41:24
Aye, Aye.

1:41:25
Good luck.

1:41:26
Thank you very much.

1:41:27
Good luck.

1:41:27
Thank you.

1:41:28
Thanks for sharing the story.

1:41:30
Thank you.

1:41:30
Thank you.

1:41:31
Thanks.

1:41:31
And that's for your thorough work.

1:41:33
Yes, absolutely.

1:41:33
Thanks.

1:41:34
We appreciate that.

1:41:38
I'm right on time.

1:41:39
Look at that.

1:41:41
OK.

1:41:41
Have a great day everyone.