



Consolidated Land Use Board Meeting Minutes

The regular meeting of the Livingston Consolidated Land Use Board was held on April 10, 2024 at 5:30 PM in the Community Room of the City/County Building at 414 E. Callender Street. The meeting was facilitated by Chair Jessie Wilcox.

1. Call to Order (5:34 PM)

2. Roll Call

In attendance: Jesse Wilcox (Chair), Bailey Goodwine, Caitlin Chiller, John Kalmon, Frank O'Connor, Forrest Huisman. Planning Staff: Jennifer Severson.

3. Election of Board Officers – Vice-Chair

Severson explained the roll of the Vice Chair. Chiller motioned to nominate Huisman as Vice-Chair. The nomination was seconded by Goodwine. **Vote passes 6-0. (2:13 minutes)**

4. Approval of Minutes

Goodwine motioned to approve the March 13, 2024 LUB minutes. The motion was seconded by O'Connor. **Motion to approve the March meeting minutes passes 6-0 (recording 2:56 minutes).**

5. General Public Comments (3:00 minutes)

Leslie Feigel (166 Miller Dr) explained that she represents Livingston local businesses as Chamber of Commerce Director and she is also the Chair of the organization known as 'It's My Land'. Leslie mentioned SB 382 passed during the 2023 legislature- she is excited to work together with the Consolidated Land Use Board. She mentioned that It's My Land previously turned in 397 signatures out of 512 property owners that represent the ETJ (Extra Territorial Jurisdiction) and is very active. It's My Land is looking forward to being part of the conversation for future Land Use in Livingston.

Lou Ann Nelson (5178 US Hwy 89S) stated that she lives in the ETJ area and would like to have some interface and collaboration with the Consolidated Land Use Board in the future.

Brad Hicks (64 Shamrock Ln) stated he would like to stay involved in Livingston and Park County decisions, including the Consolidated Land Use Board.

Bev Kovash (11 Willow Drive) -she is also located in for ETJ areas. Beth adds that she would like to stay informed on decisions that are made about the Future Land Use Map.

Consolidated Land Use Board Meeting Minutes

Jason Gunnerson (1108 Ridgeview Trl) stated he is running for House District 58 and was attending with It's My Land to learn more about what is going on with the Consolidated Land Use Board.

6. New Business

- A. **Zoning Code Update (10:18 minutes)**- Jennifer Severson, City of Livingston Planning Director, provided an overview of the Community Technical Assistance Program (CTAP) CTAP team was from Great West Engineering- they were hired by the State of Montana at no cost to the City. CTAP team analyzed Livingston's Growth Policy and Zoning Code and issued an Assessment and Recommendations Report to provide guidance to the City about possible changes that need to be made Zoning Code consistent/ supportive of the Growth Policy. The work completed by the CTAP team will inform the Consultant Team selected to do the Zoning Code Update and saves time and money during the code update process.

Severson then provided overview of the Zoning Code Update RFP Scope of Work, including key deliverables throughout the process. Severson gave a status update on the consultant selection process and confirmed the budget allocated to the Code Update is \$125,000. Confirmed that Code Update process is expected to take ~ 1 year once consultant is on board. Opportunities throughout the process for public engagement and input.

Questions/ Comments from the Consolidated Land Use Board (32:35 minutes):

Huisman stated that it would be helpful if he could see a schedule for the next 12 months for public meetings related to the Zoning Code update. More public input will lead to better and more robust process.

Chiller asked if there will be a Project Steering Committee for the Zoning Code update, and if it will be similar to the way the Growth Policy operated? Severson responded that the Growth Policy did not have a Project Steering Committee, but the Steering Committee for the Zoning Code update will work in tandem with the CLUB Board and the City Planning staff.

Wilcox reiterates key points in the Zoning Code Update process, including role of the project Steering Committee. There will be public meetings for anyone to attend. The consultant team will come up with recommended revision updates for

Consolidated Land Use Board Meeting Minutes

the zoning, which will then go to a Steering Committee. The Steering Committee will then make recommendations to changes and fine tune the proposed updates.

Goodwine asked that Staff and the Code Update consultant make it clear to the public how and when they can get involved and provide feedback.

Severson reiterated the Code Update process and resulting code changes will not apply to the ETJ or anywhere that is not within the City limits (i.e. annexed area).

Public Comments

Brad Hicks (64 Shamrock Ln)- asked if the County Commissioners will be involved; Severson confirmed they are welcome to participate in the process as members of the public, however, they will not be involved in decision making as the Code Update will not include property outside the City municipal boundaries.

Patricia Grabow (204 E. Callender St)- asked if there is legal recourse by members of the public to replace members or influence discussions of the project Steering Committee. Severson said she would look into that, but that typically, Steering Committees are selected by government agency and Staff and selection and activity of the Steering Committee is not a public process. Grabow stated that there were lots of opportunities of public input during the Growth Policy adoption process. Wilcox clarified that there will be ample opportunities for public input and engagement during the Code Update process. Grabow also asked for clarification about Consolidated LUB process during public land use/ zoning reviews.

Christina Nelson (88 Falls Creek Rd)- running for County Commissioner- looking forward to learning about how City and County can collaborate on land use issues.

David Lewis (16 Willow Bend Ln)- Montana is a predominantly rural state; residents of the County are concerned about external influences on local land use and zoning activities and has concerns that consultants are being brought in to lead the Code Update process because it may lead to government overregulation and higher taxes. Cautions that government employees should be servant leaders not regulators.

Leslie Fiegel- questions if Future Land Use Map is going to be brought before the City's Land Use Board. Mentioned SB 382 requirements for this; Severson clarified that Park County and Livingston do not have enough population to

Consolidated Land Use Board Meeting Minutes

require compliance with SB 382, and, at this time, the City does not intend to voluntarily comply with SB 382. Severson also commented that an update to the Growth Policy is necessary and anticipated within 5 years of the adoption of the Growth Policy (2021); then zoning code will again be updated to maintain consistency with Growth Policy updates.

Myron Kovash (11 Willow Drive)- objects to the connotation of the term CLUB as it sounds exclusive.

Presentation and questions finished. (1:02:30 minutes)

7. Old Business

None

8. Board Comments (1:02:40 minutes)

Chair Wilcox confirmed that the Consolidated Land Use Board will be referred to as the LUB (no longer the 'CLUB' acronym) from moving forward.

Chiller asked if there will be a replacement for Hettinger, since he resigned. Severson responded that Staff is already working to replace Hettinger. She anticipates having a new LUB member appointed by the City Commission before the next LUB meeting.

Severson commented that if existing State Land Use Laws passed during 2023 Legislature, currently staid by courts, the code updates related to those laws will come before the LUB as soon as possible.

9. Adjournment (6:42 PM)