

Gallatin County Interim Zoning Task Force Minutes for February 25, 2009

Date: March 11 2009

Time: 7:30 AM

- **Place:** Gallatin County Courthouse Community Room

Task Force Members Present: Don Seifert; Alvin Vander Vos; Dick Huttinga; Shane Skinner; Jackie Flikkema; Ron Pike; Rich Morse; Sandy Lee; Drew Jenkins.

County Staff/Personnel Present: Heidi Jensen; Jason Karp; Greg Sullivan, Tom Rogers

County Commissioners Present: None

Public Present: Carol Roark; Jerry Rice

Chairman Seifert commenced the meeting at 7:35 AM.

Public comment received on non-agenda items: No Public Comment

Minutes approved from February 25, 2009.

Agenda Item:

Update from the Classification Sub-committee:

Tom started discussion by giving a handout of a draft Classification System. He discussed the handout and the table section, which was similar to the discussion the TF had previously. One of the hardest classifications the sub-committee is having has been defining what a permanent pit is. What happens if a temporary pit is extended continually year after year? Or if it is in the middle of a subdivision, next to multi-family units, or a school, etc.? Tom discussed the work the sub-committee has done regarding noise. Tom asked for examples to change the scale mechanism that was established on page 5 of the handout.

Jackie started the discussion by asking about amendments? Tom talked about extensions not being allowed without additional review. What happens when the pit is already existing and then residential comes towards you? The answer is that they know it is there and take that risk. Sandy talked about putting the information on a plat. Jason mentioned Las Campanas and how it was on the plat and there was a sign-off sheet of acknowledgement from homebuyers. Tom pointed out page 5 table 2, quantification of residential units from ¼-1 mile. Drew talked about coming up with a table of linear depression of property values from the pit. Jackie talked about considerations made based on geographic location, such as in Belgrade one mile may be the whole city, while in Logan one mile is more reasonable. Population may need to be examined more closely. Don asked Tom if he ran his formula on

anything? Tom said yes he ran them on the TMC pits that have gone through the CUP process. Rich added the numeric system is going to be tested, and that it is important to quantify uses and what exactly temporary is. Rich also talked mentioned the classifications and uses from the tables located within the attachment. Jackie asked how temporary pits will be controlled? Tom said the bigger question for the TF was how do they want to proceed? Under the current zoning process a LUP is required. Greg talked about the point of a permit, and that it is to regulate and comply with the established process. Jackie is worried we are setting up contractors for failure. Greg talked about how the County has taken steps to work with as many members of the public as possible. Don mentioned the sub-committee has discussed this and that it has been decided that a lot of contractors would like to have a permit for their own security. Ron would like some teeth put into people that do not comply.

Rich continued with the temporary classification. He further moved to class 3 permits. The objective once you get up into the class 3 is to “step things up” the first step is where the county is now with the requirements of a CUP. Jackie doesn’t understand the need for 3 steps under class 3. She felt that requiring an EIS under the class 3 (3) pit was too expensive, not required under DEQ and would scare developers away. Carol gave an example of the pit in Gateway with a permit for 7 years, which was okay but when they extended their permit for another 10 years it was unacceptable. Group discussion about the classes and movement from class 3 (1-3). Greg talked about creating certainty. Rich moved discussion forward and talked about certainty with the three different pits under class 3. He felt the certainty would help with the property values discussion. Don pointed out that one of the triggers that differentiates a permanent pit and a temporary pit was off-site sales. Rich discussed the sub-committee’s need for example a 36 month pit vs. a 400 acre pit. Tom argued that the process for a CUP is all the same. Drew, Don, and Jackie had more discussion on class 3 pits. Heidi talked about adding additional review by the county, such as currently the operator submits a report after three years, perhaps the long-term pits could submit more often over time, perhaps eliminating the EIS. The idea was well received, however cost does need to be examined. Dick mentioned that currently the CUP process is 1 page yet half a million dollars. Carol talked about doing a more extensive EA instead of EIS. The operators are very concerned about doing an EIS because it is so expensive. Rich said the EIS was just thrown out and it was a possibility of determining a difference between 3 (1-3). Don talked about an ongoing EA review.

Resolution update given. Don talked about giving a short presentation as to where the TF is at where we are going and what is happening.

Agenda topic: Changing time and location.