

**Planning & Development Board**  
Community Center, Gardiner, MT  
4:00pm, June 21, 2018

**Attendance:** Planning Board Members Peter Fox, Mike Dailey, Frank Schroeder, John Heidke, Dave Haug, Rich Baerg; Planning Staff, Lawson Moorman, Mike Inman; Public, Wendy Riley, Jerry Ladewig, Kristin Nunn, Joe Gross

**Call to Order and Introductions:** 4:00pm, Peter Fox called the meeting to order.

**Review and Approval of Minutes from Previous Meeting:** *Dailey made a motion to approve the minutes as submitted, Heidke seconded, motion passed unanimously.*

**Conflict of Interest:** None. Schroeder stated that he was adjacent to the proposed Draft Zoning District and Heidke stated he was within the proposed Draft Zoning District.

**Public Comment for Items on the Agenda:** Ladewig thanked the Board and Staff for their work at the Commission meeting surrounding the proposed zoning district.

**Update/Discussion on Draft US Hwy 89/ East River Rd/ Old Yellowstone Trail Zoning District and Next Steps:** Inman outlined the process thus far up to the Commission meeting where the Commission approved the Planning Board and Staff to move forward in accepting public comment and setting up public hearings for the proposed draft. Inman then outlined the upcoming public process, including public hearing schedules, noticing requirements, comment opportunities and the Board's role in the process. Fox asked if an outline of that process was available. Inman stated a copy of the noticing schedule was available upon request. Fox asked how the public hearing scheduled for August 16<sup>th</sup> would affect the regularity scheduled meeting in Cooke City. Inman stated that if a regular meeting was necessary for that month the regular Board meeting would be moved to Emigrant that month and take place right before the public hearing. Schroeder asked if an excess of public comment would have an effect on the schedule. Inman stated it would not as there was time already allotted in the schedule to process significant comments from the public. Fox asked what type of public comment had been received thus far. Inman stated that the majority of the feedback had been positive in nature, despite an article in the Livingston Enterprise incorrectly stating the district had already been created. The Board discussed the potential for public comment to alter the proposed language of the draft. Fox asked the public if they had any questions. Riley suggested that the Board let staff know that the draft is subject to change based on public comment.

**Discussion on Decay Ordinance Statute and Implementation Considerations:** Inman outlined the state statute surrounding decay ordinances and informed the Board on the research staff had done on neighboring jurisdictions which currently had decay ordinances. Moorman spoke about Flathead County's enforcement protocol for their decay ordinance. Schroeder and the Board discussed the fact that for Park County a decay ordinance would require some type of

scalability so as to not bog the County down in enforcement of small cases. Fox informed the Board and Staff that the Gallatin County enforcement officer was willing to come speak to the Board on their decay ordinance and that his intent for a decay ordinance would be to focus on the most egregious cases. The Board discussed various existing locations around the County that may qualify under a decay ordinance. Dailey asked about the ability to utilize lost value to neighboring properties as a basis for enforcement. Moorman said they would look into the legality of doing so. Haug brought up cases of neighbors trying to use local codes during personal feuds. Inman informed the Board that state law would not allow for decay ordinances to consider agriculture. Ladewig asked the Board to also potentially consider decay inside a home, interagency cooperation and cleanup of green box sites.

**Project Updates:** None.

**Old Business:** None.

**New Business:** Fox requested that the Staff begin utilizing local newsletters as well as the paper and website to advertise Board meetings.

**Discussion of Next Agenda:** Per the Board's request, Staff stated they would reach out to the Gallatin County code enforcement staff and ask if they would be willing to present to the Board at the next meeting. Fox also asked that Staff present the Board with specific examples of nearby decay ordinances prior to the next meeting.

**Public Comment for Items not on the Agenda:** Gross shared with the Board a potential land dispute issue between two private parties in Gardiner and gave updates on a potential bridge redecking coming up.

**Adjournment:** Fox adjourned the meeting at 5:01 pm.