

**SPECIAL MEETING OF THE WALLACE PLANNING, ZONING
AND HISTORIC PRESERVATION COMMISSION
July 20, 2022**

Chairman Stayduhar called the meeting to order at 4:00 pm at Wallace City Hall in the Council Chambers.

Roll Call: Commission members present: Sara Murphy, Dave Kuns, Emma Stayduhar, Courtney Friehe, Scott Lewis. Absent members: none.

Business:

Workshop for considering Mountain Overlay District language for the purpose to discuss, review and set a hearing date for proposed Mountain Overlay District addition.

E. Stayduhar addressed the Commission and stated, "We are conducting a workshop to consider a draft of the Mountain Overlay District Ordinance. Our city attorneys, including Keisha Oxendine previously, have been working on this ordinance for about a year. P&Z's task tonight will be to review the ordinance in order to make a recommendation regarding its adoption by City Council. We will review the work through the draft page by page. Depending on how quickly we move through the document, we may or may not need to schedule additional workshops. Because this meeting is a workshop and not a public hearing, comments will not be accepted by the public. No formal decision regarding the adoption of this ordinance will be made tonight. Once all workshops have been completed, we will schedule a public hearing on adoption of the ordinance. At that stage, there will be a public comment period. The public will have opportunities to submit their opinions ahead of the meeting. We will also provide oral testimony at the public hearing. During that hearing, the P&Z Commission will make a recommendation to City Council to approve or disapprove the ordinance or approve it with modifications. After that recommendation is made, the City Council, not P&Z, will make the final decision regarding the ordinance's adoption. For purposes of this meeting tonight, we therefore request that no comments or outburst are made. "

E. Stayduhar went on to state the background leading up to tonight's meeting. "In October of 2020, the County P&Z voted to accept proposed amendments to the County Comp Plan that included policies to regulate development of the hillsides, to promote scenic beauty, and protect natural resources and public welfare. January 2021 the County asked the city to follow in suit. February 2021 the City Council directed Wallace P&Z to work with the County on regulations to preserve the hillsides. In June of 2021 the County formally amended the County Comp Plan. In June of 2021, the City of Wallace formally amended their Wallace Comp Plan to include policies to regulate development of the hillsides, to promote scenic beauty, and protect natural resources. "

E. Stayduhar went on to read into the record the amendments that were made to the Wallace City Comp Plan.

"Now that the City Comp Plan has been amended to include policies that authorize the adoption of regulations to regulate hillside development, scenic beauty and public welfare, the next step

is what we are doing tonight. The purpose of this ordinance is to regulate development of the hillsides to protect scenic beauty and protect natural resources, maintain public safety, and minimize any visual impacts of hillside development on the city. Also, keep in mind that the city received about 260 public comment letters surrounding this topic back in 2021. About 250 of those letters were in support of adopting hillside preservation policies and 10 were opposed to the adoption of hillside preservation policies.”

The Commission went on to review the proposed Mountain Overlay District draft language. After an extensive review of the MOD draft language, the commission has compiled the changes and questions as follows:

Page 2. K. Change drives to the road. The Commission thought that this would simplify the language to make it easier for the public to understand.

Page 2. P. Add additional language to PURPOSES

Page 3. 50 Cubic Yards. The commission would like to understand what this would look like and how to explain that if the question arises. (e.g., what is the comparison to dump truck loads or is there a different measure that is easier to understand for the applicant and commission?) *question for engineer*

Page 5. P. - iii. Roofs must be designed to minimize visibility. (The Commission was confused on what exactly this meant. Is there another language to consider? Some thought it meant the shape, others thought it meant color or reflectivity.) *question for engineer*

Page 5. T. No building or development shall exceed two (2) stories in height. (This was also thought to be subjective as some might have differing ideas on what a story height should be.) Is there a more definable language to be used?) *question for engineer*

Page 6. B. Remove language highlighted. Commission thought applicants might get confused and not all applicants would be submitting a pre application.

Page 7. A. Commission asked to change 30 days to 60 days if it is permissible and not a state code or statute.

Page 8. C.-3. Commission wanted ask legal how this could be read with more clarity. Equally applied to all applicants usually a percentage.

Page 9. E. (This is just some editing clean-up)

Page 10. 2. The Commission thought that the language for a variance requires a fee, however, they didn't want to overburden the applicant with more than what it actually cost the City to do a variance, if this is possible.)

Page 10. 3. Again, can the 30 days be set at 60, or is the 30 days required legally?

Page 13. B. Editing again-need to move up to page 12 and align with other tabs.

C. Friehe made a motion to approve the changes made tonight and to forward the document to legal for review which includes some technical questions both to our attorneys and our city engineer. S. Murphy seconded the motion. All in favor, motion carries.

Discussion was held as to setting a tentative public hearing date for the MOD Ordinance. All agreed that September 6, 2022 or September 21, 2022 would be the best dates for Public Hearing, depending on legal review.

There being no further business to come before the Commission. C. Friehe made a motion to adjourn. Seconded by S. Murphy. All in favor. Meeting adjourned at 5:33 p.m.

A handwritten signature in black ink, appearing to read 'Emma Stayduhar', written over a horizontal line.

Emma Stayduhar, Chairman of Commission

Attest:

A handwritten signature in black ink, appearing to read 'Amanda Trogden', written over a horizontal line.

Amanda Trogden, Deputy City Clerk

