

City of Livingston Zoning Commission Meeting Minutes
Tuesday August 10, 2021

- 1) Call to Order: (5:34 PM)
- 2) Roll Call: (5:34:22 PM)
 - a) Zoning Commission members in attendance: Mathieu Menard, Jim Baerg, Wendy Weaver, Michal DeChellis, Michael Wojdylack, Deborah Monaghan
 - b) Quorum present
- 3) Consent Items (5:33:25 PM)
 - a) Approve meeting minutes from June and July
 - i) Jim didn't see minutes, so we'll do that during the next meeting
- 4) Public Comment (5:36:22 PM)
 - a) There are public present but are interested in other items later on
- 5) Agenda Items: (5:38 PM)
 - a) Zoning Text amendment from the public
 - i) Mathieu takes us through this
 - ii) Blake Presler presentation – made the zoning text request
 - 576Enterprise Blvd
 - Bozeman, Montana
 - (1) Limited to 8-foot ceilings- decreases window heights, architect, and builder, allows airflow and more contemporary looks, increase property height, 32 feet is typical in this zoning and doesn't allow another story
 - (2) WW comments on height limit to Blake
 - (3) Presler explains more about this – Bozeman was 32 and Bozeman increased to 38 to include more density and a room and an attic, many municipalities are in the 30-34 mark
 - (4) MD says that some new construction that already exceeds this
 - (5) JB says that 34 would ease the restrictions to a certain degree, what are the pros and cons of this?
 - (6) DM comments on implications of raising the roof
 - (7) No public comment
 - (8) JB motions to amend this change allowable height in R1 and R!! from 27 to 34 except of building that are 312 in pitch
 - (9) Blake agrees that this change will allow more flexibility
 - (10) Commission approves this

iii) Recommendation to annex KPRK to the city

- (1) MM comments - This has been annexed in April and we need to assign a zoning category to this – recommend to zone this as NC – there is a significant of flood way
- (2) WW - where did the flood hazard designation come from? Looking into flood plane areas.
- (3) MM 100 year floodplain limits the construction that can occur here?
- (4) WW - where are we on gateway overlays conversations? Would we want to do an overlay here?
- (5) MM says that this was a gateway overlay – we could propose that this be included in the overlay area. HC would make the most sense since the retail affects this.
- (6) WW concerned that this is all HC and would want this to look different and better. We need to have an overlay in this area.
- (7) DM – how would this affect public access?
 - (a) MM- There isn't public access here already. If there was a subdivision then we would need to address open space/public access. Can't require public access through zoning.
- (8) DM – sliver on park street that isn't zone- would that disrupt this with?
 - (a) MM – railroad right of way is not zoned, would have to build a road connection? Park street is controlled by MDT, any street connection would have to happen through the City.
- (9) WW – radio station is allowed?
 - (a) MM – that is the next conversation – fireworks stand can continue to be a use for the next year.
- (10) DM – environmental review if there was to be a subdivision
 - (a) MM - would have to provide a environmental review, would send through MW&P – robust consideration about any development there
 - (b) DM – can we create an environmental overlay zone?
 - (i) MM - think that there is a proposed environmental zone in the growth policy
 1. Wildlife study, wildlife run-off – could be included in gateway and retail zone
 - (c) JB – parcel divided into R2, properties in that parcel – some owners would have land in one zone and one in another. Potential future subdivision issues? Have property owners been notified?
 - (i) MM says that one only person had a comment on this. All landowners have been contacted. Ideally new subdivision would put in block and alley.
- (11) JB - Change HW to NC, Add zone overlay to the motion?

- (12) MD - Where would HC stop? Where is NC currently?
- (a) JB – HC should be commercial primarily – would like to see definition of NC written more in the neighborhood
 - (b) MM working on a mixed use zone
 - (c) Love the idea of neighborhood commercial to help service this area. This is a different concern, but thinking about safely crossing this road from the M street area if we increase services. This area is underserved with commerce. Specifically thinking about the food desert/apartheid issue in this area.
 - (d) JB – what would we like to be there? ZC would like to keep talking about this.
 - (i) MM think about RX coffee, proposed church, radio station and make sure that this fits to keep them?
 - (ii) DM – are we under pressure to decide quickly? Do we need to table?
 - (iii) MM – Could come with mixed use zone, appeals would end in Dec for this. Could zone it as proposed if mixed use passes? Could look at NC – could look at mixed use?
 - (iv) JB what is mixed use?
 - (v) MM – neighborhood commercial with neighborhood element?
 - 1. High density zone in the city – 4 units per city lot – allowing all uses in NC and maybe some more, not allowing drive-throughs
 - (vi) ZC and MM discussion about possibilities for mixed use zoning
 - (vii) MM says to suggest NC that allows everything there to stay there except for fireworks stand or say HC with the design overlay – with the idea that it would change to mix uses – can apply current design standards – and ask for an additional review
 - (viii) MW – going forward as proposed and addressing the matter when we have this figured out.
 - (ix) JB – can we do a meeting in person? Take the tables in the zoning ordinance and make distinctions.
 - (x) Jonathan Hettinger – 220 Willow Drive –
 - 1. Concerns about commercial development if it is HC – makes sense to have a gateway overlay, neighborhood commercial makes sense as a stop gap until another mixed use is available.
 - (xi) DM – motion to recommend that this zone map amendment be approved with approved that HC is shown as NC, keep residential as R2, that the area shown as HC recommended as the design gateway overlay
 - (xii) MW seconds
 - (xiii) ZC passes this motion
 - (e) KPRK radio station

- (i) MM let this be allowed use
- (ii) Public Comment? No PC
- (iii) WW - Motion to allow and accept all staff recommendations so the radio station in all commercial uses.
- (iv) MW seconds that.
- (v) ZC passes this motion

6) Future agenda items (7:10pm)

- a) R3 and manufacturing zones
- b) Review this zoning - What is mixed use zoning and NC
- c) Continue Building design standards discussions

7) Adjournment (7:12PM)

The next regular meeting will occur on 9/14/2021, at 5:30pm,