

# WHITEFISH STRATEGIC HOUSING PLAN STEERING COMMITTEE MINUTES

February 11, 2021 at 6:00 p.m.

**1. Call to order:**

The meeting was called to order at 6:01 p.m.

Present: Addie Brown-Testa, Wendy Compton-Ring, Ben Davis, Rhonda Fitzgerald, Bob Horne, John Muhlfeld, Dana Smith

Absent: Kevin Gartland, Rebecca Norton

Others: Jerry Dunker, Judah Gersh, Dave Radatti

**2. Approval of Minutes from the January 26, 2021 meetings:**

Brown-Testa/Horne moved to approve the January 26, 2021 meeting minutes. Passed unanimously.

**3. Public Comments:** Email from Jerry Dunker re: impact fees (Tier 3 Strategy); Judah Gersh – just hear to listen

**4. Accessory Dwelling Unit Draft Language Revisions:**

Staff reviewed the memo, changes made to the ADU draft since the previous meeting and questions staff wanted addressed by the Committee.

Rhonda – the purpose of the ADU is to increase affordable housing opportunities. She is concerned they could have the opposite effect because they could increase the price of housing for families. She noted many of the features of homes local want – including the need for small open space and that an ADU could reduce the desired open space. She wants the Committee to make sure we fully understand the impacts of ADUs.

The Committee worked through the questions staff had and the sections of the draft language and made the following suggestions:

- OK that a nonconforming structure could change its use to an accessory apartment without receiving a variance. Staff will have follow-up conversations with the Building Official on this topic.
- Suggested the maximum size of an ADU be 600 s.f. or 50% of the primary structure, whichever is less.
- Reviewed the design standards and made the following suggestions/comments:

- Clarified that additional height still limits one to 2-stories
- Eliminated the ability of one to have a deck facing an interior lot line regardless of its setback
- Add a 'catch all' for design ideas, if one can come up with a better design idea than those listed in the regulations
- Suggested any appeals of the design of an ADU be to the Architectural Review Committee
- Noted the photos assembled by staff is the beginning of an ADU Design Manual for the public. This could help owners and designers of ADUs to think about how they are meeting the requirements. Include the privacy drawing from the city of Seattle's manual in the ADU Design Manual (or something similar).
- The Committee wants to focus the review of these regulations by the Architectural Review Committee to the bulk, scaling and mass of accessory structures and neighborhood compatibility
- The Committee wondered if the noticing shouldn't be 300-feet versus 150-feet for an Administrative CUP. This needs to part of a larger discussion.

Other Comments

There was continued discussion on 30 days being the minimum required to not be considered a Short-Term Rental. This topic is outside the scope of ADUs.

**NEXT STEPS:**

This draft will be going to the March 1st City Council for Work Session for review and direction and the Architectural Review Committee on March 2nd for comment.

**5. Update from Whitefish Housing Authority:**

Snow Lot The WHA completed interviews last week for the Owner's Representative on development of the Snow Lot and they are deciding between two groups. That decision will occur next week.

Rhonda – in following up with our discussion at the last meeting, are all the units rented at the Riverview Meadows Apartments? Yes, they are.

**NEXT STEPS:**

Nothing from the Steering Committee

**6. Update from City of Whitefish:**

Needs Assessment/Plan Update of 2021 Moving Forward

Dana got full Council support to get the Housing Needs Assessment updated.

Montana State Legislature 2021 Session

HB 259 passed the Committee this week 9-8 and is moving onto the House. As of the time of the Housing Steering Committee meeting, it hadn't been scheduled before the full House. There are lots of other bills but nothing regarding housing.

Other Items:

*Impact Fees* – Thanks to Jerry Dunker for providing the information (attached to these minutes). It warrants attention from the Committee. Dana indicated the Council needs to identify a funding source to cover impact fees and noted water and sewer fees are the highest. Jerry did get his trail impact fee reimbursed because he built the public trail within his development. City of Bozeman reimburses impact fees. Impact fees are an expensive requirement. Judah Gersh noted some of the 'flat-rate' fees are the same for a small studio apartment as they are for an enormous Single-Family Home.

*Residential Linkage* – Rhonda asked about implementing Residential Linkage (Tier 2 Strategy). Dana said additional research will be required because impact fees can only be used for public infrastructure with a 10-year life span.

7. **Next Committee Meeting:** March 11, 2021
8. **Adjourn:** The meeting adjourned at 8:00 p.m.

**From:** Jerry Dunker  
**Sent:** Thursday, February 11, 2021 12:25 PM  
**To:** Dana Smith <[dsmith@cityofwhitefish.org](mailto:dsmith@cityofwhitefish.org)>  
**Subject:** Permit and Impact fee waivers for affordable housing.

Hi Dana,

I wanted to submit this email for potential discussion at tonight's Strategic Housing Committee Meeting. I know it's not on the agenda, and I don't want to take up time during public comment. Maybe this can be on a future agenda?

The reduction or waiving of impact/permit fees has been discussed in the past to incentivize affordable/deed restricted housing. There were initially some legal questions pertaining to the City's ability to do this. I believe those questions have been resolved, and it was determined that some Cities in Montana are already doing this. Bozeman?

I've attached links to 2 articles pertaining to this in other States.

To date we have paid \$169,000 toward these fees at Trailview. That cost is only for 14 of the 58 deed restricted homes we are building. I'm sure you are aware of the rising construction costs. We are seeing between 12 and 28% increases for material and labor costs, while we are capped at 3% annual price increases.

Waiving these fees is one step toward keeping current projects viable and incentivizing new projects. I don't need to get into the inclusionary zoning legislation and its impact on Whitefish, but I believe it's obvious that some new/additional initiatives are required.

Thank you for your continued time and support of workforce housing in Whitefish.

Jerry Dunker  
Trail View, LLC

<https://timesofsandiego.com/politics/2019/01/09/county-waives-permits-and-impact-fees-for-affordable-housing-development/>

<https://www.localhousingsolutions.org/act/housing-policy-library/reduced-or-waived-fees-for-qualifying-projects-overview/reduced-or-waived-fees-for-qualifying-projects/>