

Carbon County Planning Board & Staff

May 20th, 2014

Growth Policy Worksession #2



Worksession Outline

- Bylaws
- Review of past Implementation Strategies
- Zoning
- Introduction to Natural Resources
- Update on Public Involvement

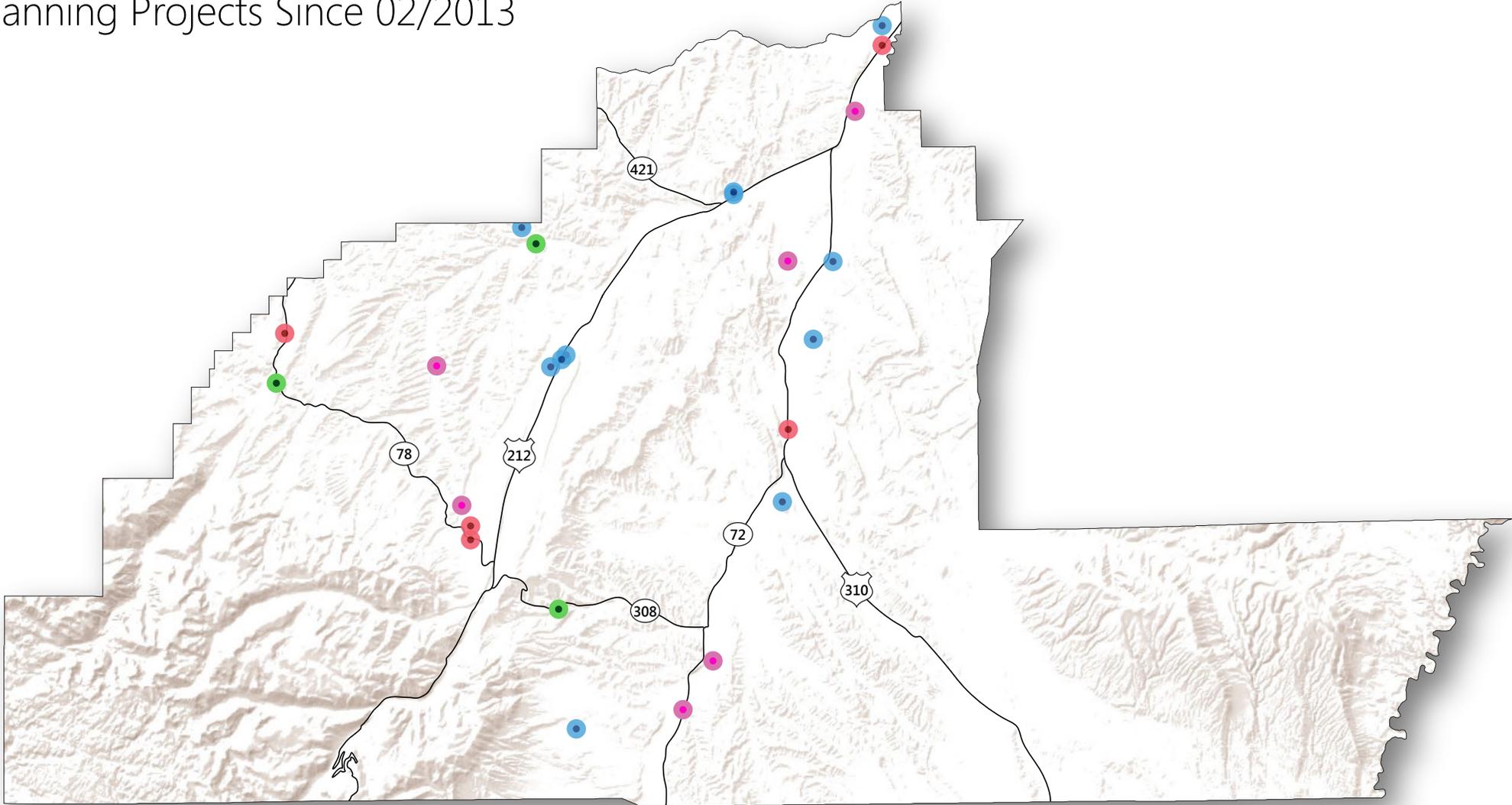
Trends from Last Update

- Increasing Population: 9,552 in 2000, 10,078 in 2010 (+5.5%)
- People were increasingly moving outside town
- Residents were increasingly working outside the county
- Increasing costs for services
- School enrollment: increased to west, decreased to east
- Increase in oil and gas exploration
- Increase in small acreage residential in rural areas
- Water supply issues

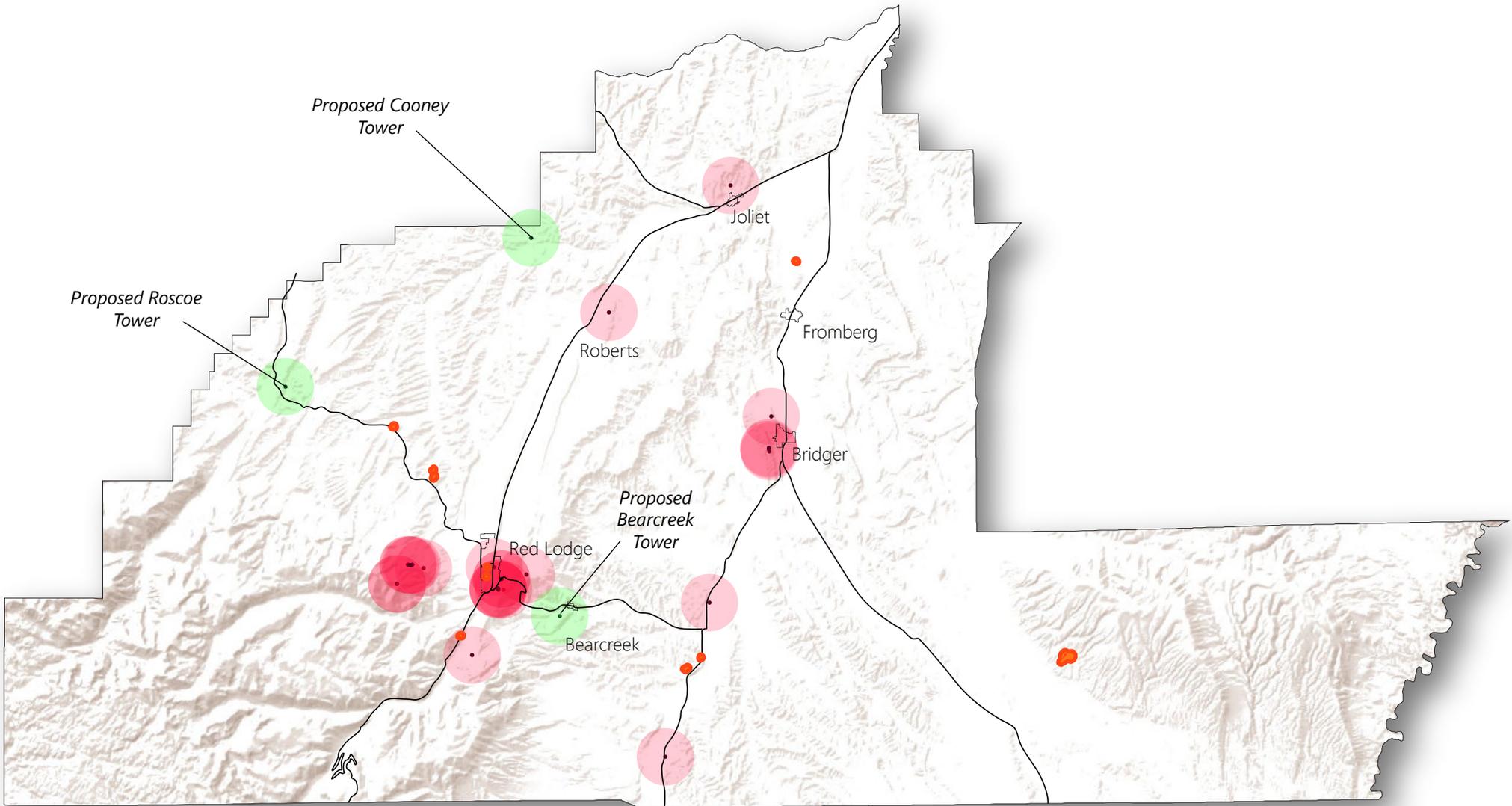
Trends Now

- Stable Population? 10,078 in 2010, 10,057 in 2012 (-0.2%)
- People are increasingly moving to incorporated towns
- More than half (51%) of workers commute outside the county, compared to 37% in 2008
- School enrollment: increasing in HS, decreasing in Elem-8
- Slight increase in oil and gas exploration/drilling
- Increase in seasonal resident housing units: 18% in 2010, 25% in 2012
- Increasing costs for services?
- Decrease in small acreage subdivisions, increase in exempt single-lot subdivisions
- Water supply issues?

Carbon County Planning Projects Since 02/2013

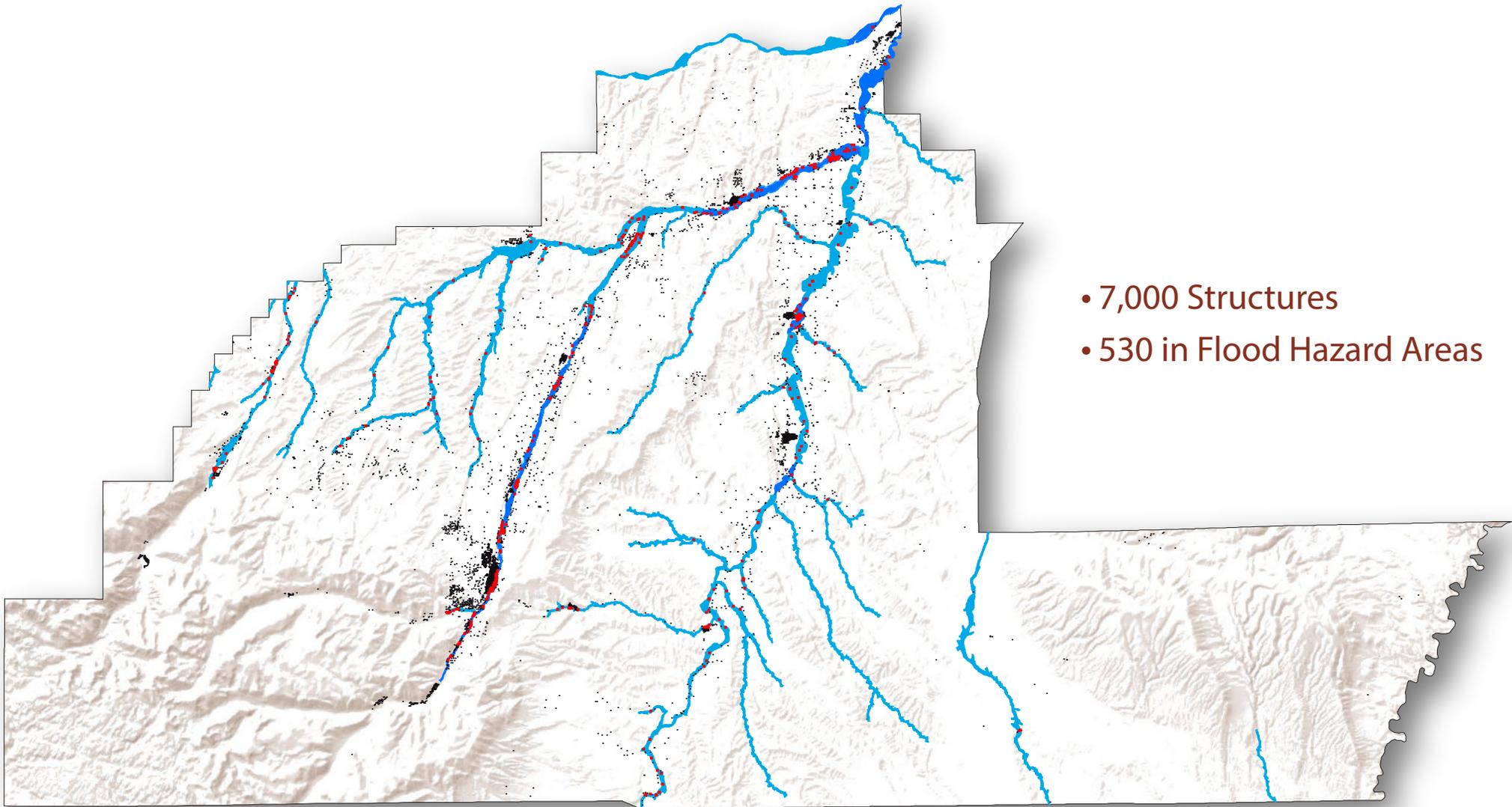


- Minor Subdivision
- Cell Tower
- Exempt Subdivisions (Family Transfers, Court Orders)
- Boundary Relocation Exemption

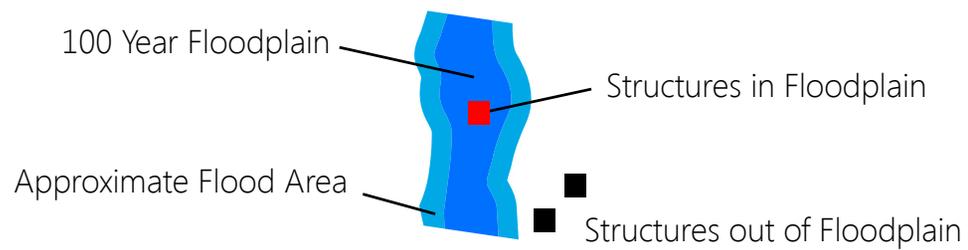


● Telecommunications Antennae

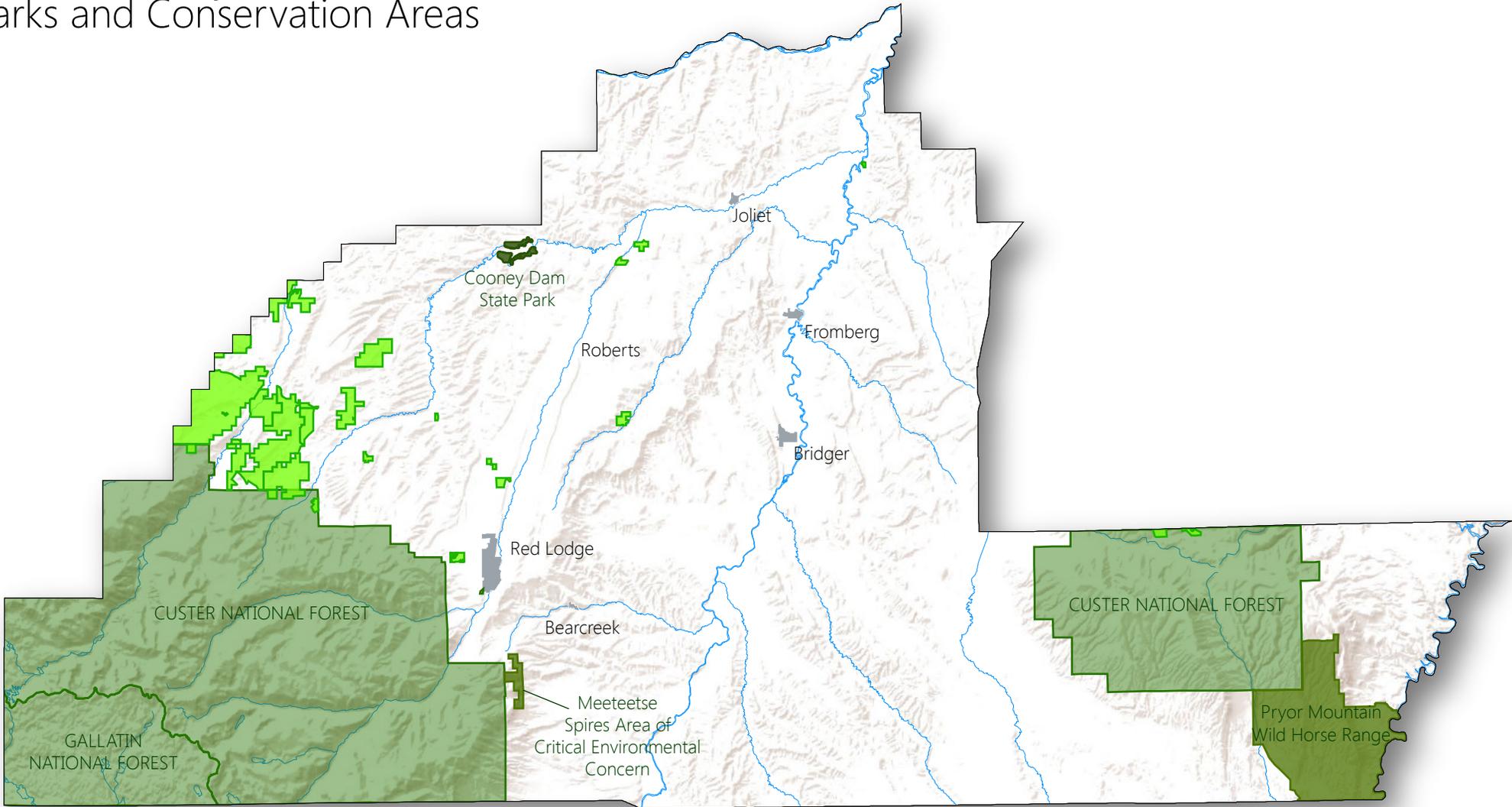
■ Gravel Pit



Flood Hazard Areas

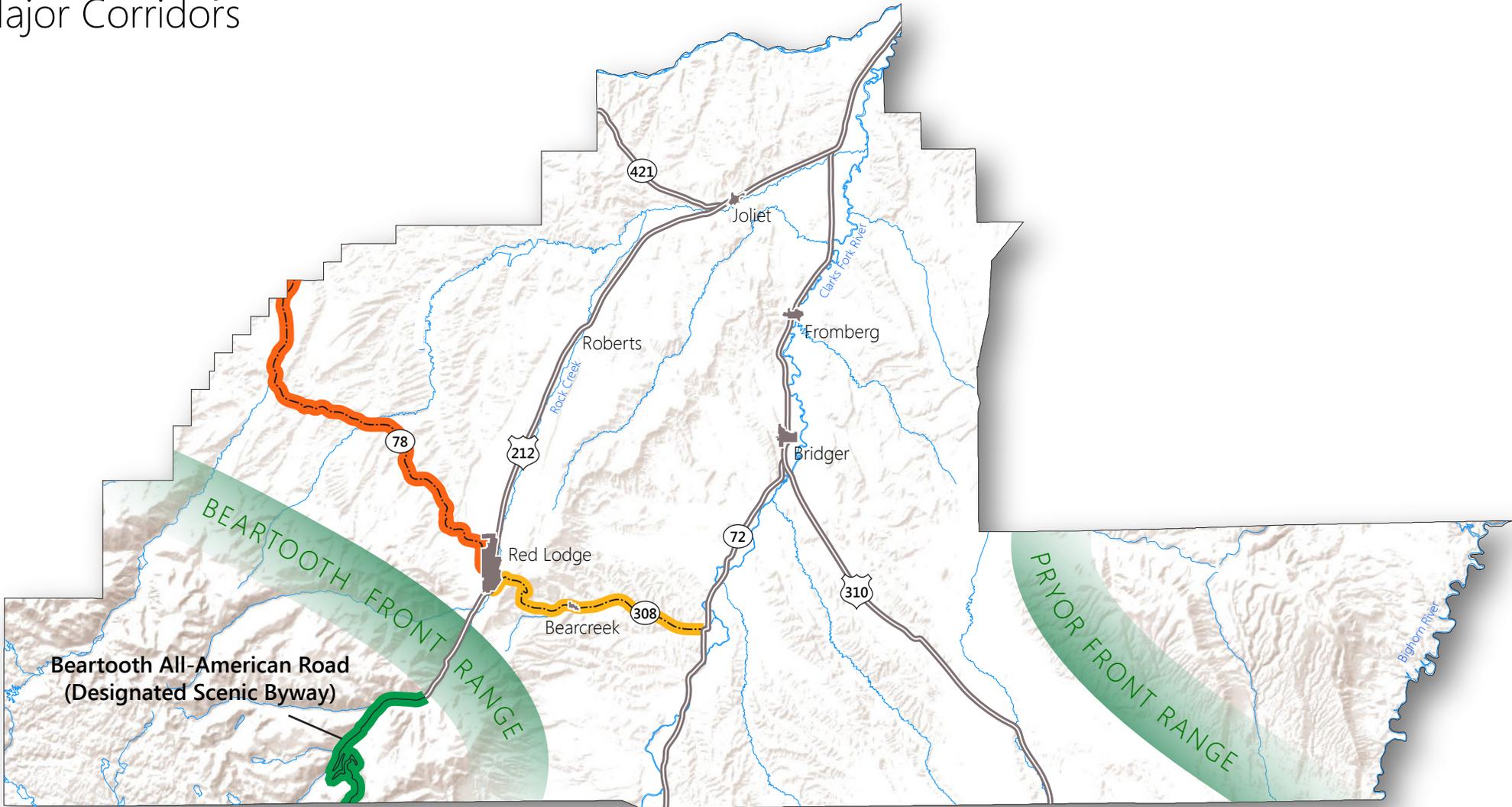


Carbon County Parks and Conservation Areas



-  Conservation Easements
-  National Forest
-  BLM Conservation Area
-  State Park

Carbon County Major Corridors



**Beartooth All-American Road
(Designated Scenic Byway)**

Protected Corridor



Corridors of Concern



Planning Board Bylaws

Membership:

- One County resident from each of the 3 Commissioner Districts
- Two County residents appointed by Commissioners without regard to geographic location
- One County resident from each of the following towns appointed by their respective Town Council: Joliet, Fromberg, Bridger and Bearcreek
- One County resident appointed by the Commissioners who also presides on the Conservation or Grazing District

Planning Board Bylaws

Representation:

Chair (vacant) - County resident: Tucker District

Vice Chair: Julie Jones - Fromberg resident

Secretary: Diann Larson - At Large

David Alsagar - County resident: Prinkki District

Mike Schara - County resident: Grewell District

Kathy Burgener - Bearcreek resident

John Francis - Joliet resident

Gene Koch - Bridger resident

At Large (vacant) - At Large

At Large (vacant) - Conservation District

Planning Board Bylaws

Quorum:

“A majority of the Planning Board shall constitute a Quorum for the transaction of business and the taking of official action.”

Attendance:

“Members may be replaced by the appropriate body if any member misses more than two consecutive regular meetings or more than five regular meetings in any calendar year.”



presides over meetings and public hearings

calls special meetings

inform other board members of upcoming business

represents the board in various other public forums



Responsibilities

Board should expect the **Staff** to:

- *collect, provide and interpret data concerning the County*
- *be well acquainted with the community: land, people, laws, challenges and opportunities*
- *make sound recommendations to the board*
- *keep the board informed on community and development issues and opportunities*
- *stay up-to-date with current planning and zoning issues*
- *act professionally, ethically and in the best interest of the community and the planning board*

Responsibilities

Staff should expect the **Board** to:

- *be familiar with the county's plans, ordinances and policies*
- *seek its professional opinion on planning matters*
- *be fair and impartial when reviewing quasi-judicial matters*
- *be an advocate in the community for sound planning and development principles without personal biases*
- *effectively communicate their schedules or other conflicts*
- *be prepared for hearings on applications*
- *follow up on any missed material and make request for supplementary materials should they feel it's necessary*

Implementation

“The County Planning Board shall be responsible for reviewing the Growth Policy and making recommendations for changes to the goals, objectives, and implementation measures.”

2009 Growth Policy - Section V.C



GROWTH POLICY = PUBLIC POLICY



Implemented through:
Regulations
Specific Strategies

Example: Goal #1 - Land Use and Development

“Encourage land uses that are appropriate on the lands for which they are proposed...and approve new development that is compatible with the retention of lands currently in agricultural production.”

Objective 1.4: Encourage development in areas that are not in agricultural production.

Implementation Strategy 1.4.A: Develop and adopt streamlined regulations to encourage cluster developments. *(Timeframe: 1 year)*

Implementation

Land Use

NOT COMPLETED

TASK	TIMEFRAME
revise development regulations	1 year
annual field monitoring review of permitted projects	annually
track acres of ag land converted to residential	annually
county-sponsored forum on preserving ag land	2 years
adopt streamlined regulations to encourage cluster developments	1 year
develop recommendations on historic preservation	2 years
adopt zoning on towers to minimize visual impacts	1 year
encourage open space and habitat dedications for parkland requirements	1 year
develop policy for telecommunication towers	1 year
prepare build-out analysis	6 months
assist citizens in local zoning efforts	ongoing
comment on state and federal undertakings	ongoing
coordinate with MDT on alternatives for highway projects that affect existing residences and ag land	ongoing

COMPLETED

TASK	TIMEFRAME
revise subdivision regulations	1 year
continue weed program	ongoing
develop system for assuring conditions of approval were met and track those conditions	1 year
request (not require) developers obtain input from Montana FWP during subdivision design	1 year
make Code of the West available	ongoing
provide referral information about Conservation Easements	ongoing

- *What has been accomplished since the 2009 Growth Policy?*
- *What tasks are still relevant and what should be prioritized?*
- *Who is responsible for implementing these strategies?*

Implementation

Water Resources

NOT COMPLETED

TASK	TIMEFRAME
compile hydrological info via MBMG on east and west benches of Rock Creek	ongoing
seek grant funds for well and septic data base and incorporate data in county GIS	3 years
identify MDEQ standards for public water and wastewater thresholds in new developments; incorporate these into subdivision regulations	1 year
assist sewer and water districts in captial planning	ongoing
invite MDEQ to present info on wellhead protection plans	2 years
seek grants to prepare wellhead protection plans	5 years
revise subdivision regulations for streamside setbacks	2 years
contact universities to invite research on the effects of development on water resources	2 years
plan for and seek grants to provide technical water and sewer training	ongoing
seek grants to prepare wellhead protection plans	5 years

- *What has been accomplished since the 2009 Growth Policy?*
- *What tasks are still relevant and what should be prioritized?*
- *Who is responsible for implementing these strategies?*

COMPLETED

TASK	TIMEFRAME
administer floodplain program	ongoing

Implementation

Financial Management

NOT COMPLETED

TASK	TIMEFRAME
seek funds to study impacts of development and adopt necessary impact fees	5 years
adopt incentives that minimize costs to the county	5 years
explore recycling feasibility	3 years
meet with industry representatives to coordinate transportation to minimize traffic impacts	ongoing
review emergency response statistics and develop service standards	4 years
review road policy	1 year
prepare capital asset inventory and condition assessment of county-owned buildings	5 years
make map of county road priorities available	ongoing
prepare condition assessment of bridges and prioritize maintenance projects	4 years

COMPLETED

TASK	TIMEFRAME
review weed and fire fees	1 year
implement rural addressing and E-911 system	2 years
update Emergency Operations Plan	1 year
assist water and sewer districts in capital planning	ongoing
participate in Beartooth RC&D	ongoing
participate in Beartooth Economic Development District	ongoing
seek grant funds for infrastructure development	ongoing
convene an economic development committee involving county residents	1 year
prepare inventory of roads and develop road management plan	4 years
review subdivision fees	1 year

- *What has been accomplished since the 2009 Growth Policy?*
- *What tasks are still relevant and what should be prioritized?*
- *Who is responsible for implementing these strategies?*

Implementation

Intergovernmental Cooperation

NOT COMPLETED

TASK	TIMEFRAME
organize annual regional planning board forum	ongoing
organize annual regional public works directors' forum	ongoing
coordinate with MDT on state highway projects	ongoing
administer DES program	ongoing
educate residents about urban interface	ongoing
hold annual meeting on road work coordination	ongoing

COMPLETED

TASK	TIMEFRAME
encourage infill and monitor local government actions to ensure consistency	ongoing
maintain current subdivision regulations	1 year
request safety studies on major county highways	1 year

- *What has been accomplished since the 2009 Growth Policy?*
- *What tasks are still relevant and what should be prioritized?*
- *Who is responsible for implementing these strategies?*



What is zoning?

- Zoning is a flexible tool crafted to meet your needs
- Identify what is trying to be achieved:
 - Use guidance from the Growth Policy
 - Apply appropriate mechanisms and types
 - Results are not “one size fits all”



Statutory Authority (MCA)

County Zoning

- 76-2-101 MCA (Part One)

Citizen Initiated Zoning

- Does not require Growth Policy
- Establishes a Planning and Zoning Commission
- 76-2-201 MCA (Part Two)
 - Requires a Growth Policy

Municipal Zoning

- 76-2-301 MCA (Part One)

Municipal Zoning

- Requires Growth Policy



Interim Zoning

County Zoning

- 76-2-206 MCA (Part Two)
 - Regulates uses and related matters that constitute an emergency
 - Good faith effort to conduct studies, adopt or revise a Growth Policy or zoning regs
 - Limited Timeframe (1 yr. + 1 yr.)

Municipal Zoning

- 76-2-306 MCA
 - Adopted as an urgency measure prohibiting/regulating uses that may be in conflict with a zoning proposal being considered; studied or intended to be studied
 - Applicable within city limits and up to 1 mile from corporate boundary
 - Limited Timeframe (6 mth + 1 yr.)



How to...

Criteria and Guidelines for Adoption

- Zoning regulations must be made:
 - In accordance with a growth policy
 - Designed to:
 - secure safety from fire and other dangers
 - promote public health, safety and general welfare
 - facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements



How to...

In the adoption of zoning regulations, the governing body shall consider:

- reasonable provision of adequate light and air
- the effect on motorized and nonmotorized transportation systems
- promotion of compatible urban growth
- the character of the district and its peculiar suitability for particular uses
- conserving the value of buildings and encouraging the most appropriate use of land in the jurisdiction

Also, Counties must, as nearly as possible, make zoning regs compatible with nearby municipalities.



Citizen Initiated Zoning

MCA 76-2-101: 60% of affected owners of real property can petition for the creation of a zoning district

MCA 76-2-104 (2): allows that group to then adopt a development plan for the physical and economic development of that zoning district

Note: This can't occur within an incorporated city.

Process would be:

- notice
- public hearing (with 30 day protest period)
- resolution to adopt (unless protested by 50% of property owners)
- levy on the taxable value of real property for zoning expenses

Note: MCA states no adopted zoning district can regulate lands used for grazing, horticulture, agriculture or growing timber. But the code doesn't say anything specific to oil and gas development.

Floodplain

Temporary Emergency Permit Form

Carbon County Planning Department
 17 West 11th Street • PO Box 466 • Red Lodge, MT 59068
 Email: brentm@ctagroup.com • Phone: 406-896-6283

Temporary Emergency Permits are not issued in order to make a structure habitable.

Project Street Address	City	State	Zip Code
-------------------------------	-------------	--------------	-----------------

Owner's Name			Business Name		Contractor License #
Address		Phone Number	Address		Phone Number
City	State	Zip Code	City	State	Zip Code
Email Address			Email Address		

Project Description	Project Valuation
	\$

Project Includes: Plumbing Electrical Mechanical

Project Type	Structure Type	
<input type="checkbox"/> Structure stabilization	<input type="checkbox"/> One Family Dwelling	<input type="checkbox"/> Office, Bank, and Professional Building
<input type="checkbox"/> Bank Stabilization	<input type="checkbox"/> Two Family or Attached Dwelling (including townhouse)	<input type="checkbox"/> School

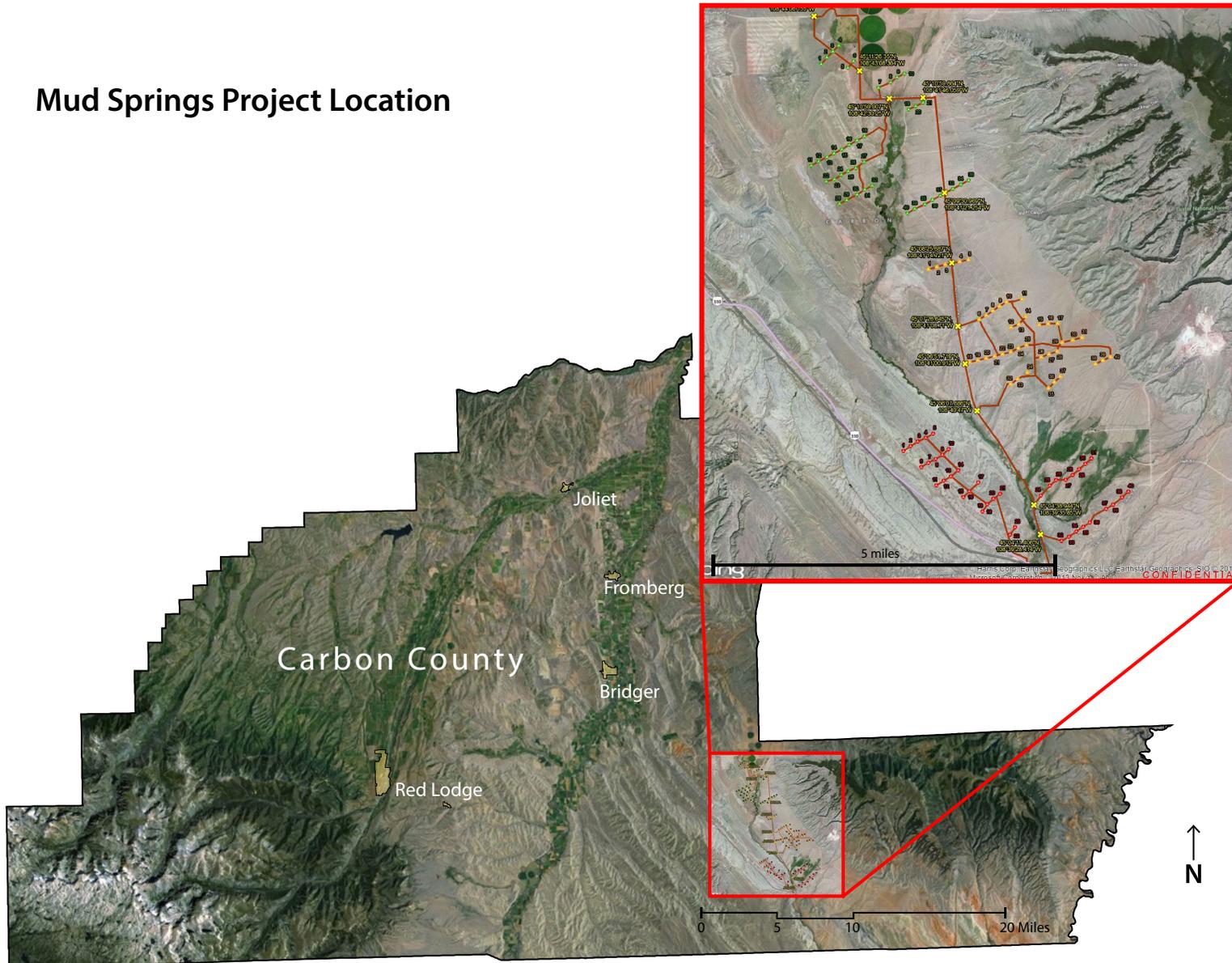
Growth Policy Purpose

- Reevaluate Priorities
- Set a Framework for Development
- Direct Growth Appropriately
- **Protect Limited Resources**

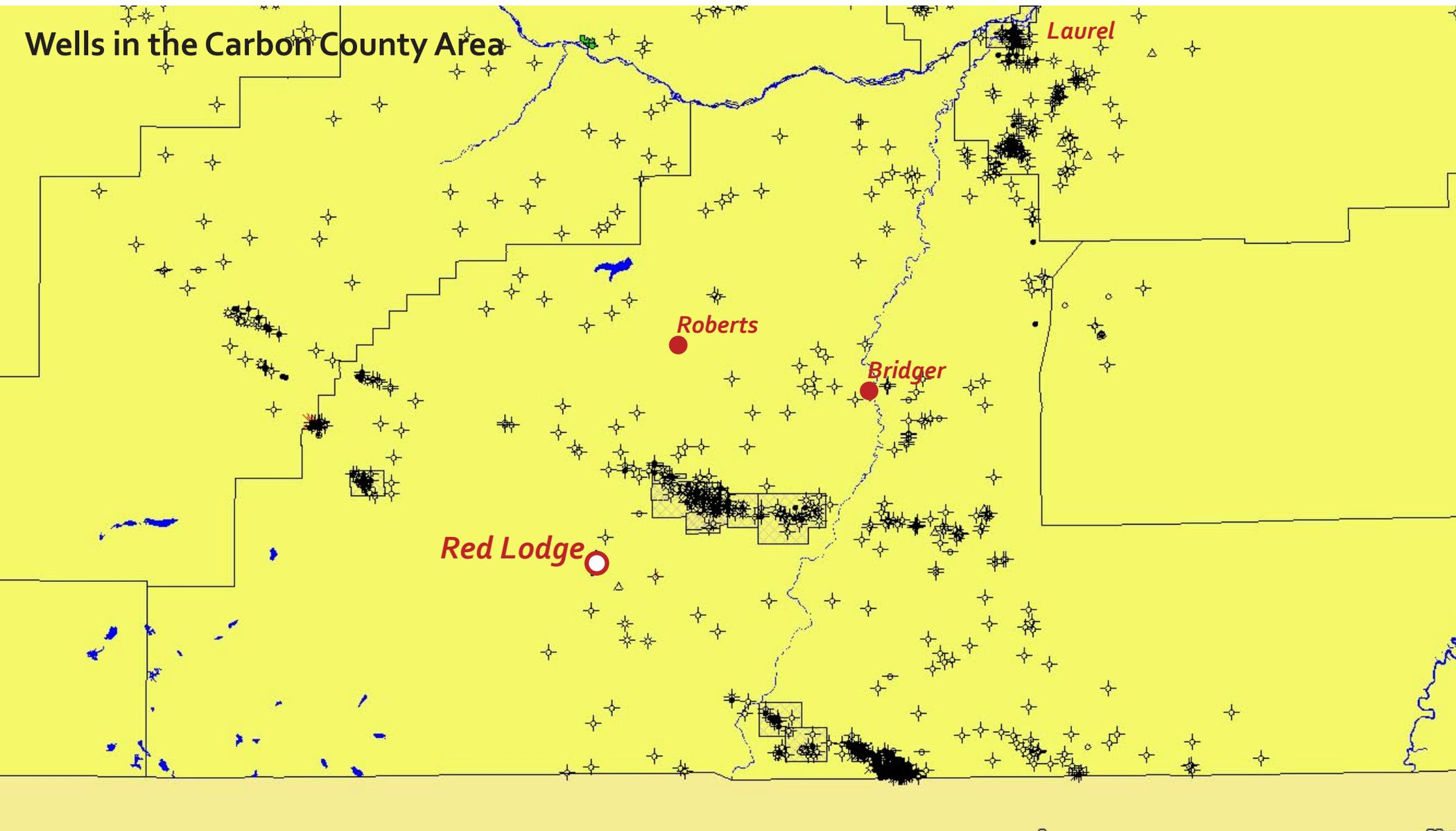
- **Oil and Gas**
- **Wind and Solar**
- **Timber and Land**
- **Fisheries and Wildlife**
- **Water**
- **Cultural and Historic**
- **Open Space and Scenic**

WIND POWER RESOURCES

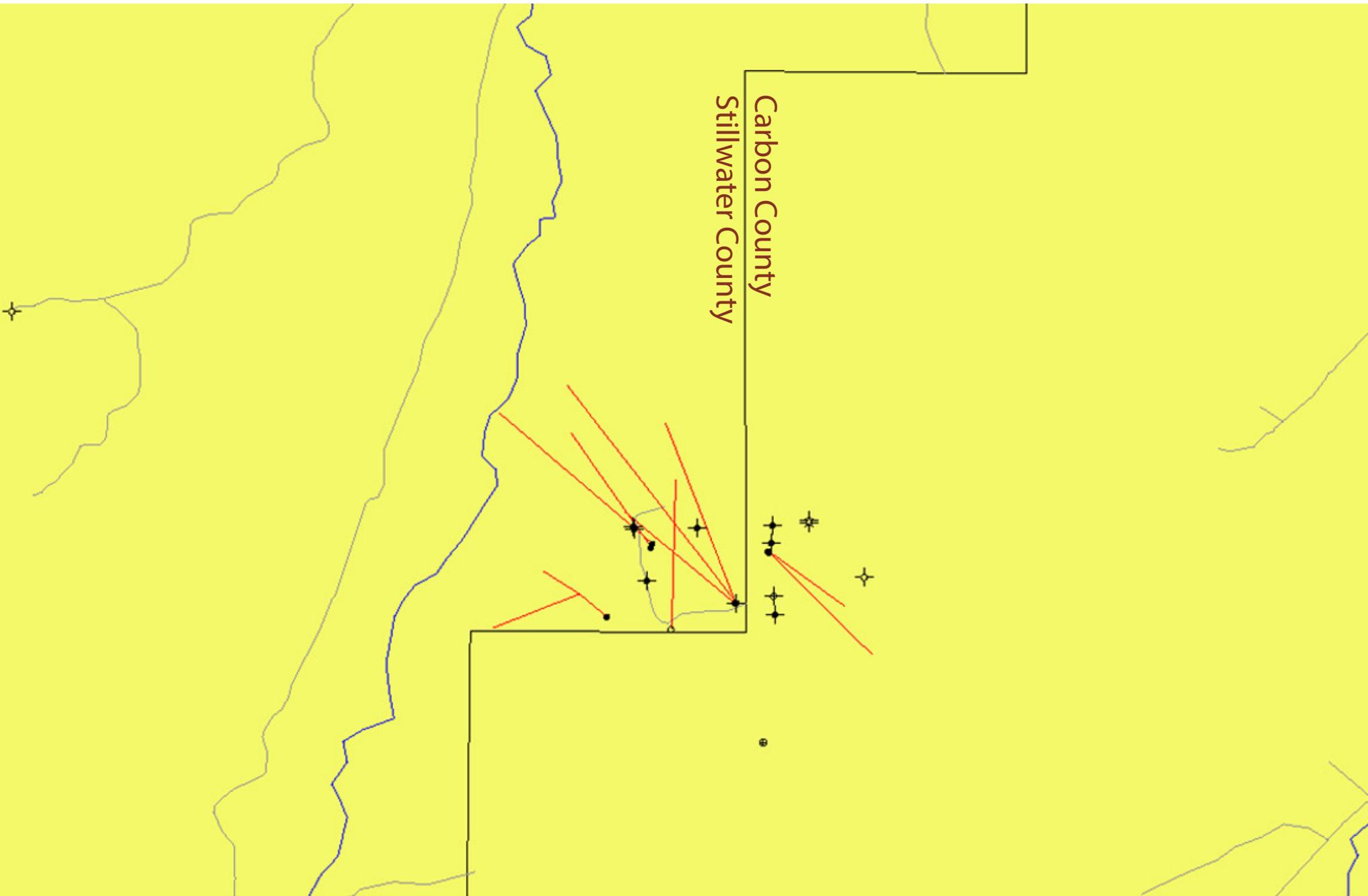
Mud Springs Project Location



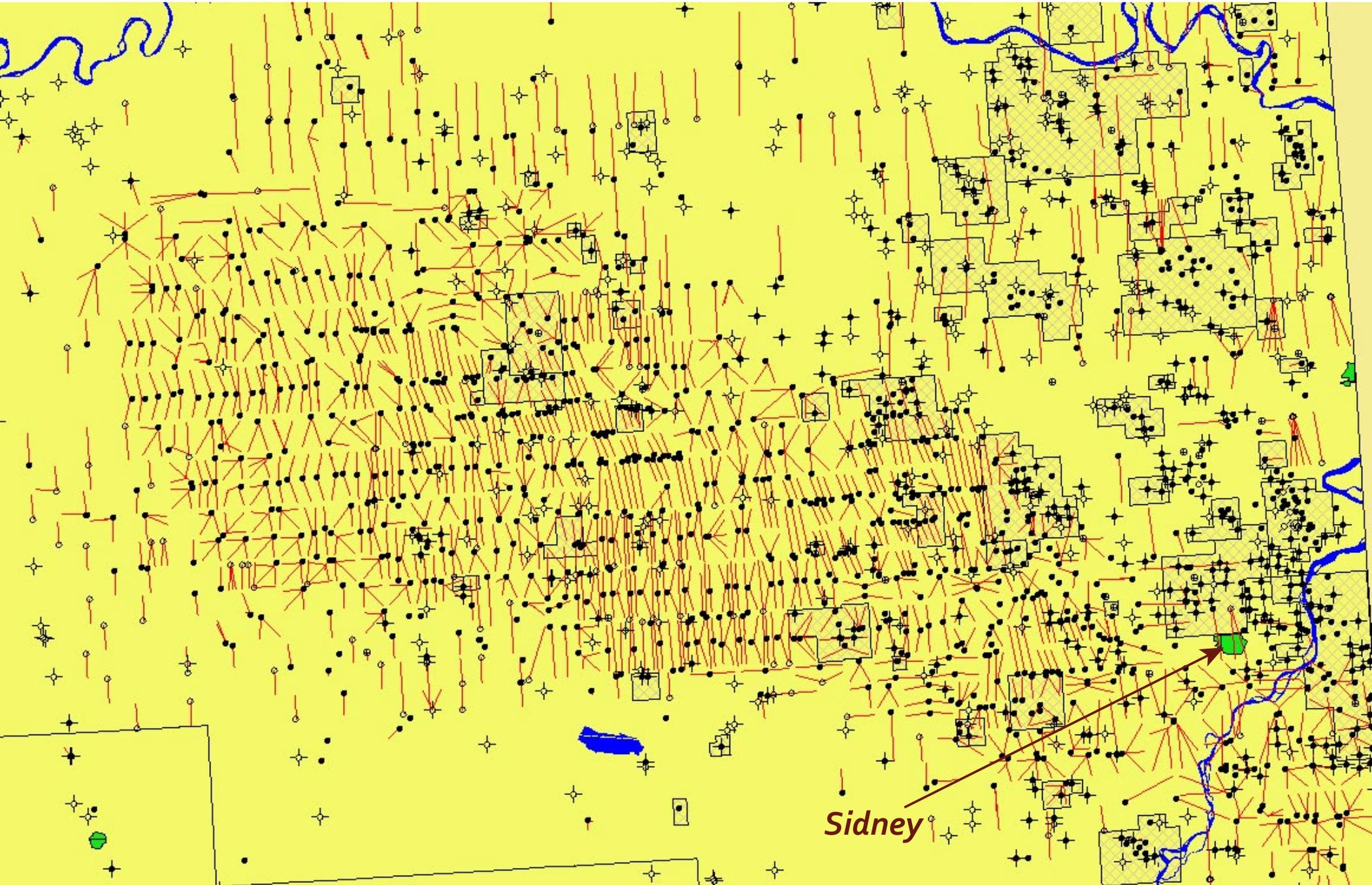
Wells in the Carbon County Area



Carbon County
Stillwater County



Richland County



PUBLIC INVOLVEMENT PLAN

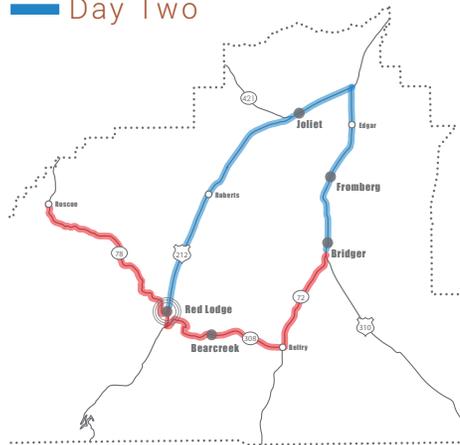
1 County Field Trip

This trip will consist of two days of field surveys that include:

- documentation of view corridors and transport routes
- resident, visitor and business owner interviews
- distribution of Growth Policy Citizen Guidebook
- mapping

Route:

- Day One
- Day Two



2 Local Stakeholder Outreach

Extensive efforts will be made to engage community leaders and organizations in problem solving and visioning for the future growth of the region. By stimulating broad awareness and building collaborative relationships, this Growth Policy will represent the community's voice and will be much more likely to succeed.

The following stakeholders will be contacted for input, expertise and to disseminate information to their members.

- Historic Preservation Board
- Community Foundations in Red Lodge, Roberts & Joliet
- Beartooth Front Community Forum members
- Food Partnership Council
- Carbon County Resource Council
- Forest Service, Montana FWP or other state/federal agencies

3 Regional Community Outreach

Public Open Houses will give residents an opportunity to comment on various maps, outlines, charts and plan topics. They'll be asked to provide insight into the primary issues facing their community. Open Houses will be held in the following towns:

- Joliet
- Fromberg
- Bearcreek
- Bridger

A Citizen Opinion Survey will be distributed during the County Field Trip and at each of the public open houses. The input received from the survey will provide the basis for the community vision, goals and strategies of the plan.

4 Community Feedback Website

Distributing valuable information across the County in a timely manner is crucial to the success of the plan. Among many other outlets, the Carbon County Growth Policy website will provide residents with easy access to data collected, maps, stakeholder summaries and draft versions of the plan.

Carbon County residents and business owners are encouraged to play an active role in the creation of this plan. If you would like to contribute photos or participate in featured 'place stories,' please contact us. Additional questions, concerns or comments can also be directed to:

Brent Moore, AICP
406.896.6285
brentm@ctagroup.com

NEXT STEPS

