

**REGULAR MEETING OF THE  
CARBON COUNTY PLANNING BOARD**

August 18, 2015, Tuesday 7:00 PM

Carbon County Courthouse  
102 North Broadway Avenue  
Red Lodge, MT

**A. CALL TO ORDER**

7:00 Julie called the meeting to order.

**B. ROLL CALL**

Present: Julie Jones, Diann Larson, Gene Koch, Gordy Hill, Annette Anderson, Pete Cretelli, and Clint Giesick.

Absent: David Alsager (excused), John Francis, and Bob (Pits) DeArmond.

Staff: Brent Moore, Monica Plecker, Angela Newell

Audience: John Hager Bridger, Susann Beug Red Lodge, Julie Holzer Red Lodge, Deborah Muth Red Lodge, Ron Wolfe Red Lodge, Tom Tschida Bridger, Carol Nash Bridger, Maggie Zaback Billings, Ron Kapor Bridger, and Becky Grey, Red Lodge.

**C. MINUTES**

Annette moved to approve the July 21, 2015 meeting minutes; Gene second; motion carried.

**D. PUBLIC HEARINGS**

No public hearings were scheduled

**E. REGULAR BUSINESS – Development Permit Working Session**

Julie turned the meeting over to Brent.

Brent reviewed the progress in previous work sessions.

Staff began outlining the procedures for the three different types of review. Tonight the focus will be agricultural uses within the County. The intent is not to terminate existing operations or prevent the use, development, or recovery of any agricultural resource. The board reviewed the working draft of Agricultural Conditional Uses and the definitions of various agricultural activities including: Agricultural Operations, Agricultural Oriented Business, Animal Feed Lots, Commercial Feed Operations, Commercial Greenhouse, Guest Ranch Facility, and Seasonal Produce Stands.

The board reviewed the list of the Exempt Agricultural Uses: pasturing livestock; planting and cultivation of crops, including harvesting; corrals; barns and other accessory buildings; equestrian facilities including arenas; seasonal produce stands; animal feedlots not meeting the definition of commercial feed operation; dwelling(s) associated with agricultural operations; and non-commercial agricultural uses. Brent noted a past incident where a rancher built a barn to feed his own cattle and surrounding landowners opposed it because it was a "feed lot." Planning staff worked

with the owner and surrounding landowners and determined that it did not meet the threshold to be considered a “commercial” operation as there was not a definition in current regulations. Annette asked what State regulations were already in place for commercial feed lots and if there was a benefit of adding more regulations? Julie expressed concerns about feed lots being too close to small communities and the potential impact the proximity could have. The Department of Environmental Quality (DEQ) definition of Commercial Feed Lot and setback requirements will be reviewed to determine if the DEQ thresholds are right for Carbon County or not.

The board discussed the possible benefits of having a public hearing for feed lot operations and whether that level of public notice was necessary when surrounding landowners would be notified through the administrative review. Gene asked if existing operations would be subject to the regulations if they were sold or transferred. Brent noted that existing operations would be grandfathered in but would subject to new regulations if the grandfathered use was abandoned.

The board reviewed the list of Conditional Agricultural Uses: agriculturally oriented businesses as defined; commercial and industrial agricultural uses that require processing and manufacturing facilities; commercial feed operation; guest ranch facility; commercial greenhouse; landscape materials sales lot; and tree farms. The Conditional Uses are not intended to include normal family operated farming or ranching but could regulate large operations that impact roads and traffic. Julie noted that the seasonal beet harvest does have an impact on traffic and a year round operation with similar volume would have a higher impact. Staff noted that a conditional use permit would allow for guidance on setbacks, parking, and site layouts. There was a brief discussion of guest ranches; the board felt it may be more appropriate for guest ranches to be captured in the Building for Lease or Rent Regulations. Brent confirmed that the consensus of the board was to not regulate agricultural activities until they reach an “industrial” level. The definitions of Industrial Uses will draw the line between what is exempt and what is a conditional use.

Annette asked about signage. Staff noted that prohibiting “off-premise advertising” was intended to limit signage to the operations on the premises and prohibit advertising of unrelated activities such as billboards on wind towers. Pete asked about requiring landscape buffers for light, noise, and dust. He also noted that 50 foot setbacks may be too short and would like to see the commercial feed lot threshold reduced from 300 head. Staff noted that industrial buffering will be addressed at a later date. Gordy asked about potential impacts of manure spreading.

#### **F. PETITION AND COMMUNICATION FROM THE AUDIENCE**

Ron Kapor, Bridger – Asked what would happen if someone wanted to put in feed lot close to residents? Brent noted that commercial feedlot would need development permit and the board’s intent is to clarify the definition of Commercial Feed Lots. Ron noted that when he was a member of the Planning Board a feed operation south of Silesia came before the Board for approval. Brent reiterated that the current regulations do not allow for planning board review.

Carol Nash, Bridger – asked if a feed lot was grandfathered in and then the head count increased to the “industrial” level, would it keep its grandfathered status. The board will consider this when finalizing the definition of Commercial Feed Lot.

John Hayden, Bridger – Noted that agricultural operations are getting bigger all the time, and believes lowering the headcount threshold is a mistake. He also believes that subdivisions that locate near agricultural operations should be responsible for putting up buffers. Brent noted that this is addressed in the Growth Policy and current Subdivision Regulations.

Julie Holzer, Bridger – Asked if rail road loading facilities or slaughter houses would be included in the regulations. Staff noted the request to review.

Susann Beug, Red Lodge – Believes animal hospitals and dog kennels in the County are related to agricultural and should be exempt.

John Hayden added that most producers have side businesses to supplement income in the off season.

Ron Kapor, Bridger – Requested that the board consider personal property rights and insure that those rights are not ignored if a neighbor opposes development.

Becky Grey, – Requested that when developments next to existing agricultural operations are considered that agricultural impacts are taken into consideration.

## **G. WRITTEN COMMUNICATIONS**

None received.

## **H. REPORTS FROM PLANNING BOARD MEMBERS AND COMMITTEES**

Diann presented comments on last meeting’s session. The last sentence of the General Purposes section is still not sitting right with her. In the Growth Policy there are several references to tourism and recreation expansion in the Clarks Fork Valley, Diann believes that both agricultural and recreation need to be considered when looking at development. Annette noted that she would like to keep definitions broad as tourism and recreation do not impact the Clarks Fork Valley to the extent that they impact the Red Lodge area. Annette wants to make sure that a use is not excluded before it is examined. Brent revised the last sentence to include “preserve agricultural resources, support tourism, recreation, and use of its natural resources for multiple uses.”

## **I. STAFF REPORTS**

None received.

Annette requested that audience correspondence be included in the posted minutes.

8:20 Julie entertained motion to adjourn; Anette second; motion carried.