

# **NOTICE OF PASSAGE OF RESOLUTION OF INTENT TO AMEND THE CARBON COUNTY DEVELOPMENT REGULATIONS**

The Carbon County Board of County Commissioners passed Resolution 2024-06, a Resolution of Intent to Amend the Carbon County Development Regulations, at their meeting of January 9, 2024. The decision followed a public hearing held on December 7, 2024.

The boundaries of the Development Regulations include all unincorporated areas of Carbon County. The proposed amendments to the Regulations include:

- Added definitions for Behavioral Health Facility, Business Containing Obscene Performances, Community or Cultural Facility, Child Care Facility, Library, Marijuana Business, and Religious Building, all of which were included in the Interim Zoning For Marijuana Businesses (pages 3-5).
- Added a definition for Impact (page 4).
- Added clarification for when specific Group 2 uses have additional criteria (page 6).
- Added criteria for impacts on current uses for Group 1 and Group 2 permits (page 9).
- Revised process for issuance of Group 2 permits to allow review by the Zoning Commission and the potential for denial, as well as

an appeal process of the Zoning Commission's decision to the County Commission (page 9).

- Removed Group 2 uses as administratively reviewed (page 15).
- Prohibited off-premise signs advertising marijuana businesses, as required by the Interim Zoning For Marijuana Businesses, making the prohibition permanent (page 17).
- Formatting only changes to the Commercial Kennels section (page 18).
- Incorporated requirements for Marijuana Businesses from the Interim Zoning For Marijuana Businesses, making the requirements permanent, with two exceptions (pages 18-20):
  - Signage setbacks from other signs were eliminated due to concerns with interpretation. Requiring a 1,500-foot setback “from any other existing sign” would potentially disallow any signage for marijuana businesses page 19).
  - The requirement for a permanent on-site wastewater system or tie into and existing system was eliminated as being unnecessary. The requirement for a permanent foundation was kept (page 20)
- Added standards and requirements for Commercial Campgrounds to address an increase in inquiries and reduce the potential for gray areas (page 20).
- Increased the setbacks for solar farms from 30 feet to 100 feet, clarified screening requirements for solar farms, and made formatting changes to the numbering system (page 27).

- Revised the public notice requirement from notifying owners of property within 100 feet of a development to 500 feet in all instances (group 2 uses, conditional uses, and variance requests).

The Carbon County Commissioners will accept written protests to the proposed Development Regulations until February 17, 2024. Written protests should be addressed to the Carbon County Commissioners, PO Box 887, Red Lodge, MT 59019, and should reference the proposed amended Development Regulations.

The proposed amended Development Regulations are available for public inspection at the Carbon County Clerk and Records Office at the Carbon County Administration Building or online at:

<https://co.carbon.mt.us/departments/planning/>.

Questions can be directed to Forrest Mandeville, contract planner, at (406) 690-1933 or by email at

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