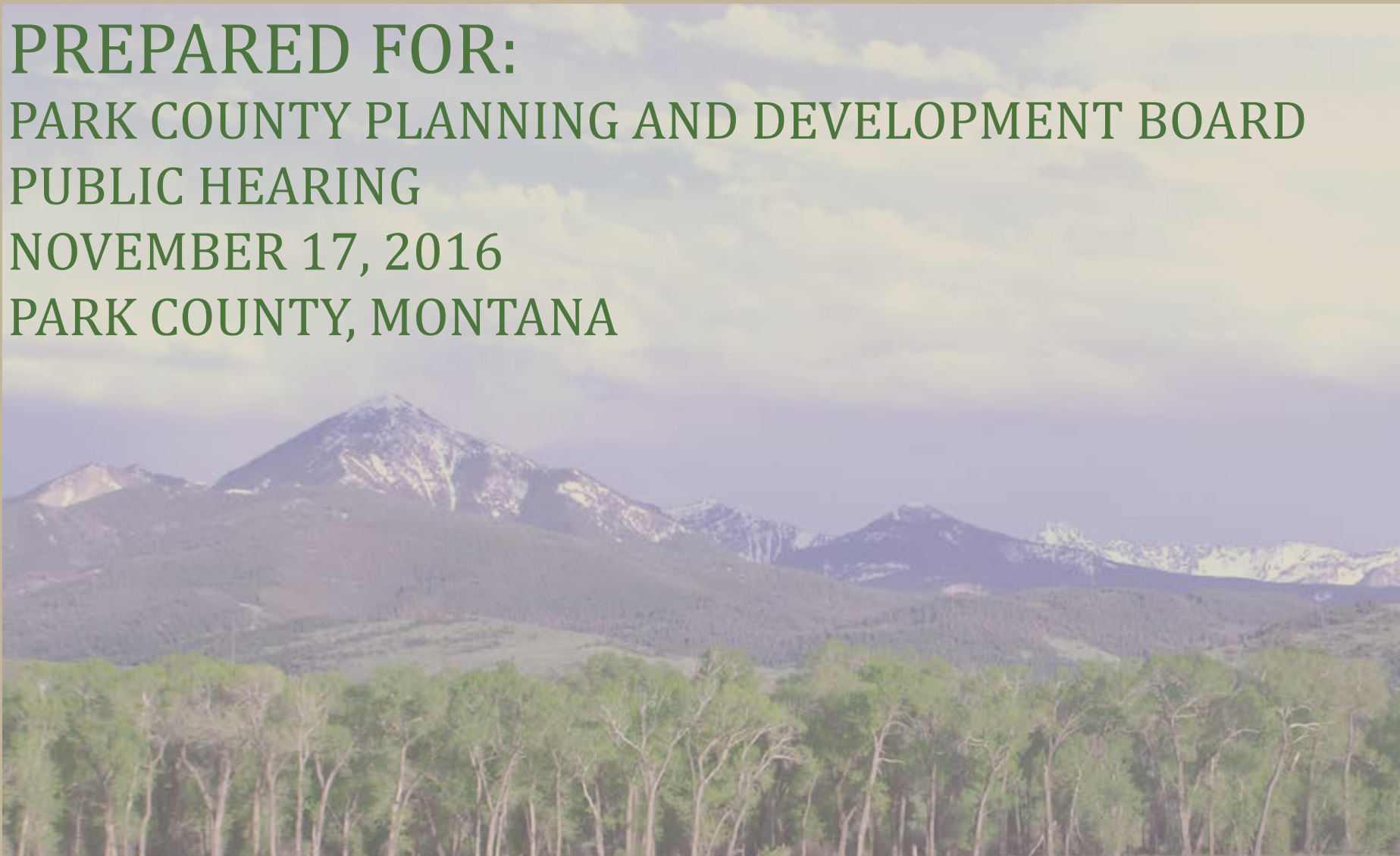




PARK COUNTY GROWTH POLICY 2016



PREPARED FOR:
PARK COUNTY PLANNING AND DEVELOPMENT BOARD
PUBLIC HEARING
NOVEMBER 17, 2016
PARK COUNTY, MONTANA



Reserved for
Planning and Development Board Resolution

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The People of Park County

This plan is the result of a community planning approach. The contents within are a result of the time, efforts and ideas of the residents of Park County who participated in the planning process. A special thanks to all of the dedicated residents of Park County who contributed to this plan on their free time in public meetings, submitting comments and filling out online materials.

Also a special thanks to the community organizations that hosted the public open houses and workshops and distributed materials to the residents of their communities.

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Table of Contents

Chapter 1 INTRODUCTION	1
What is a Growth Policy?	2
Organization	2
How is the Growth Policy Used?	2
How was the Growth Policy Developed – Public Process	3
Overview of the 2008 Growth Policy	4
Contents Required by State Law	5
Chapter 2 PARK COUNTY VISION	7
Chapter 3 KEY ISSUE: INTERGOVERNMENTAL COORDINATION	9
Chapter 4 KEY ISSUE: WATER AVAILABILITY AND WATER QUALITY	15
Chapter 5 KEY ISSUE: INFRASTRUCTURE	18
Chapter 6 KEY ISSUE: HOUSING	25
Chapter 7 KEY ISSUE: GROWTH AND DEVELOPMENT	29
Population Projections	30
Land Use Patterns	31
Employment	31
Workforce Mobility	32



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Chapter 8 PLANNING APPROACH	37
General Planning Approach	38
Implementation Table	38
Implementation Tools	49
Chapter 9 ADDITIONAL REQUIREMENTS OF LAW	54
Subdivision Review and Primary Review Criteria	55
Amendment and Revisions	57
Sand and Gravel Resources	59
Wildland Urban Interface	59
Appendix A Existing Conditions Report	A-1
Appendix B Public Input	B-1



List of Figures

Figure 1: Overview Map of Park County	10
Figure 2: Watersheds of Park County	16
Figure 3: Map of Broadband Services in Park County	19
Figure 4: Active Transportation Map of Park County	20
Figure 5: Overview of Park County Road Network	22
Figure 6: Homeowner Costs and Rent as a Percent of Income 2014	26
Figure 7: Housing Density in Park County	26
Figure 8: eREMI Population Projection 2014 - 2036	30
Figure 9: Historic Growth Rate Population Projection 2014 - 2036	30
Figure 10: Combined Growth Rate Population Projection 2014 - 2036	31
Figure 11: Change in Earnings 2001 - 2014	32
Figure 12: Sand and Gravel Resources in Park County	59
Figure 13: Wildland Urban Interface in Park County	60

Chapter 1

INTRODUCTION



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Introduction

What is a Growth Policy?

A growth policy is a non-regulatory, long-range plan that identifies and seeks to address key social, physical, environmental, economic and land use issues. At its roots, a growth policy attempts to answer the following three questions:

1. Where are we today?
2. Where do we want to be tomorrow?
3. How do we get there?

The answers to the last two questions reflect the aspirations of Park County residents and are the heart of this document.

At its core, a growth policy includes big-picture goals, measurable objectives, and sets policies that will assist the County Commissioners in making decisions about how to manage county resources. It is designed to be results-oriented and includes an implementation section describing actions, a timeline, and partners who will help to carry out the actions.

Organization

This growth policy is a plan for addressing the major issues facing Park County. The plan's organization reflects that intent. This chapter (Chapter One) sets the stage for how to use the document and describes how this plan was developed. Chapter Two is the vision statement, a description of where Park County wants to go.

The next five chapters revolve around the key issues that Park County residents identified as being especially important during the growth policy development process. Chapter Eight describes an overall planning approach. The planning approach describes what Park County intends to do to get where it wants to go. Chapter Nine covers additional requirements of state law. Appendix A is the existing conditions report that profiles where Park County is today. Finally, Appendix B details the public comment that drove the content of this plan.

How is the Growth Policy Used?

Although a growth policy is a non-regulatory document used to identify the priorities of a community, that doesn't mean it shouldn't have weight when making decisions about those priorities. In fact, that is the intended purpose. A growth policy articulates a county's strategy for moving forward. Given what we know

today and where we want to be in the future, the growth policy establishes steps for how to get there. When making decisions regarding the county's future, decision makers should look to this document for guidance.

The key issue chapters include goals, objectives, policies and actions. It is important to understand the difference between these when using the growth policy.

Goals are broad statements describing a desired future condition. They are the big-picture statement of what Park County is trying to achieve.

Objectives are general descriptions of the steps Park County should take to meet its goals. Objectives should be obtainable and measurable.

Policies are statements to assist and provide direction in general decision making over time. We've all heard the term "it's a matter of public policy." This is where some of those policies are written down.

Actions are specific steps Park County can take to attain the objectives.

Subdivision Review Criteria and Public Hearings

The basis for a governing body's decision to approve, conditionally approve or deny a subdivision proposal must be based on criteria listed in 76-3-608(3)(a), Montana Code Annotated (MCA). This section of state law lists the "608" criteria, but does not define them. Under Montana's growth policy statutes, the governing body (Board of Park County Commissioners) must define the "608" criteria, and describe how the criteria will be used when reviewing subdivision proposals. A growth policy must also include a description of how the Park County Planning and Development Board will hold public hearings on subdivision applications. The definitions and descriptions are found in Chapter Nine, Additional Requirements of Law.

Wildland Urban Interface

State law requires that growth policies provide an evaluation of the potential for fire and wildland fire, and to determine if there is a need to delineate the wildland urban interface and adopt regulations requiring defensible space around structures, provide adequate ingress and egress, and to require adequate water supplies. This analysis is provided in Chapter Nine, Additional Requirements of Law.

Zoning Resolutions

The State of Montana has enabled counties to adopt zoning through two mechanisms: Part I Zoning, which is administered through a Planning and Zoning Commission; and Part II Zoning, also known as County Zoning. By law, Part II Zoning

must be guided by and give consideration to the general policy and pattern of development set out in the growth policy. Currently Park County does not administer any Part II Zoning districts but in the future, if any are adopted, they must be guided by and give consideration to the general policy and pattern of development set forth in the growth policy.

Policy Actions

The growth policy should provide guidance to the County Commissioners when they are making certain decisions. For example, decisions about staffing levels, funding for programs, or setting yearly work plans should consider how the actions will relate to the direction in the growth policy. Will the decision move the county towards achieving the goals, or away? The State of Montana specifically requires some policy decisions give consideration to the general policy set forth in the growth policy.

Coordination within Cities and Towns Within the Jurisdiction

Under Montana law a growth policy must provide direction on how the governing body plans to coordinate with other local governments. There are two incorporated communities within the jurisdiction of the County Commissioners, Livingston and Clyde Park. Information on how the county plans to coordinate and cooperate with cities and towns is found in Chapter 3.

Authorization, Construction, Alteration or Abandonment of Public Ways, Public Places, Public Structures or Utilities

Decisions made by the County Commissioners on the authorization, construction, alteration or abandonment of public ways, public places, public structures or utilities must give consideration to the goals, objectives and policies in this growth policy.

Authorization, Acceptance, or Construction of Water Mains, Sewers, Connections, Facilities or Utilities.

Municipalities will often construct, accept, and own certain infrastructure improvements. In unincorporated Park County, other entities such as water and sewer districts will most likely be responsible for authorizing, accepting, and constructing facilities or utilities. If the County Commissioners are involved in decision making regarding this topic, consideration should be given to the goals, objectives and policies in this growth policy. In addition, other entities such as water and sewer districts can use the growth policy as a reference document in their planning processes.

How was the Growth Policy Developed – Public Process

The development of this growth policy followed a community-based planning approach. Community-based planning relies on people who live in the community to set the course for their community's future. It incorporates broad citizen participation into the drafting process in order to develop a bottoms-up approach to issues important to the people of Park County.

The outreach program developed for this growth policy update incorporated public involvement at every step of the process. To encourage the greatest level of participation, the strategy was to provide different types of opportunities for involvement in order to reach people in different ways and in different places. Below is a description of the outreach steps and how they relate to the development of the growth policy. Appendix B includes the public comments from each step.

Key Stakeholder Interviews - May 2016

The planning consultants and county staff held a series of interviews with community members and/or stakeholders in order to identify key issues facing Park County. The County Commissioners developed the initial list of stakeholders, which was narrowed down to fit the scope of the project. Park County staff posted the interview questions and a response form on the growth policy update webpage to encourage responses from the public. In total, about 30 people were interviewed. The consultants identified five key issues from the interviews to address in the growth policy and developed a first draft of the goals and objectives. The key issues identified were:

- Intergovernmental Coordination
- Water Availability and Quality
- Infrastructure
- Housing
- Growth and Development

Open Houses and Public Workshops - June 2016

In order to discuss the key issues with the public, and to evaluate the first draft of the goals and objectives, the planning consultants and county staff held open houses / workshops in Cooke City, Gardiner, Emigrant, Wilsall and Livingston. Participants were able to provide individual feedback on the key issues, goals and objectives by indicating preferences and providing comments on a series of displays, submitting more detailed written comments to explain their thoughts, and talking directly with the planners.

Where attendance was higher, attendees also participated in exercises designed to explore the key issues, goals and objectives in a group setting. Participants were asked a series of questions and to write their responses on note cards. A volunteer then reported the findings to the larger group, whose members discussed the comments in greater detail. This exercise helped to vet the key issues and provide detailed feedback on the goals and objectives.

The feedback from these meetings confirmed the key issues and was used to revise the goals and objectives. Feedback from these meetings was also used to develop policy statements, actions, implementation strategies and the general direction for land use planning.

Online Questionnaire - August 2016

During the workshops / open house meetings, the subject of land use and how to address growth and development challenges came up time after time, but feedback from the public lacked the clear direction necessary to justify drafting a specific policy direction. How (or whether) to manage land use and development can be a contentious issue, so the planners thought it was important to get greater clarity on how people think Park County should address this issue in the coming years.

The online questionnaire described three approaches to addressing land use and development challenges: a passive or reactive approach, a neighborhood / community approach, and a county comprehensive approach. Respondents could select their level of preference towards each approach and provide comments to elaborate on their preference or on any additional topic they deemed appropriate. Feedback from this questionnaire was used to develop the general policy direction for land use in the growth policy.

Land use was singled out as the topic for the online questionnaire for several reasons. Based on the key issue interviews and discussions during the June meetings, land use was clearly an issue very important to participants, but overall the feedback was not specific enough to develop a general strategy. The other key issues were not included in the questionnaire because the feedback from the stakeholder interviews and the June meetings was sufficient enough to rationalize policy and strategies for inclusion in the draft growth policy.



Photo Credit: Land Solutions LLC

Planners selected the online format for the questionnaire in order to diversify the outreach strategy. The online format allowed the public to participate in the development of the growth policy at their convenience and from the comfort of their own home. The online format allowed people to participate who would not typically, or could not attend a public meeting.

Planning and Development Board Meetings - November 2016

The Park County Planning and Development Board will hold a public hearing according to 76-1-604, MCA on the draft growth policy. The draft will be revised based on comments from the public and feedback from the Board. After the hearing(s), the Board will adopt and send a resolution and recommendation to the County Commissioners. TO BE COMPLETED FOLLOWING THE PLANNING AND DEVELOPMENT BOARD HEARING

Commissioner Meetings - TBD

TO BE COMPLETED FOLLOWING THE COMMISSIONERS MEETINGS

Overview of the 2008 Growth Policy

Accomplishments

The success of a growth policy is measured by how the document was implemented following adoption. The 2008 Park County Growth Policy successfully guided the County in several key arenas.

- The 2008 growth policy effectively guided decisions regarding the 2010 Park County Subdivision Regulations update and is being used within the allowances of state law in the subdivision review process.
- The growth policy called for the adoption of a Capital Improvements Plan and a Transportation Plan, which are important tools to guide the efficient use of funds for capital facilities and the transportation network. These documents were both drafted and adopted, and are currently being used to guide decision making.
- The growth policy has also been effectively used to support grant applications for important projects and guide public education and outreach efforts.

Need to Update

According to 76-1-601 (3)(f)(iii), a growth policy must be reviewed once every five years and revised if necessary. In 2015, the Park County Planning and Development

opment Board held a discussion on revising the 2008 growth policy at an open public meeting. At this meeting, the Board considered how a number of conditions have changed since the 2008 Park County Growth Policy was adopted. The conditions discussed included:

- The County began to recover from the Great Recession;
- The 2010 US Census was released providing updated information of Park County’s demographics;
- Data used in the existing conditions analysis in the 2008 Growth Policy is out of date;
- Since 2008, the state law which specifies what a growth policy must address was amended, requiring an evaluation of the wildland urban interface and mapping of sand and gravel resources;
- A number of plans and studies identified in the 2008 Growth Policy have been completed, providing the county with new information and new objectives to accomplish; and,
- Many of the implementation actions in the 2008 Growth Policy have been accomplished or need to be revised.

Based on this discussion, the Planning and Development Board forwarded a recommendation to update the 2008 Park County Growth Policy to the Board of County Commissioners. The County Commissioners agreed with the Planning and Development Board, and directed the Planning Department to prepare an update.

Contents Required by State Law

State law identifies several elements that a growth policy must include, but the State of Montana has given the governing body full discretion to the extent these elements are addressed. In addition to required elements, the legislature has given the governing body full discretion to include optional elements. This section describes the required elements by paraphrasing language from 76-1-601, MCA. The elements that must be addressed are:

Community Goals and Objectives



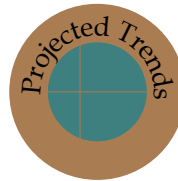
Existing Conditions



Maps and text describing an inventory of the existing characteristics and features of the jurisdictional area:

- land uses;
- population;
- housing needs;
- economic conditions;
- local services;
- public facilities;
- natural resources; and
- sand and gravel resources

Projected Trends



Projected trends for the life of the growth policy for each of the following elements:

- land use;
- population;
- housing needs;
- economic conditions;
- local services; and
- natural resources

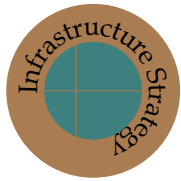
Description of Policies



A description of policies, regulations, and other measures to be implemented in order to achieve the goals and objectives.

The decals below each heading in this section can also be found at the beginning of each chapter, indicating what requirements of law are included within.

Infrastructure Strategy



A strategy for development, maintenance, and replacement of public infrastructure, including drinking water systems, wastewater treatment facilities, sewer systems, solid waste facilities, fire protection facilities, roads, and bridges.

Implementation Strategy



An implementation strategy that includes:

- a timetable for reviewing the growth policy; and
- a statement of how the governing body will coordinate and cooperate with other jurisdictions

Wildland Fire Evaluation



An evaluation of the potential for fire and wildland fire in the jurisdictional area, including whether or not there is a need to:

- delineate the wildland-urban interface; and
- adopt regulations addressing fire protection

Statement of Coordination and Cooperation



A statement of how the governing body will coordinate and cooperate with other jurisdictions that explains how the county will coordinate and cooperate with cities and towns located within the county's boundaries on matters related to the growth policy

Primary Review Criteria

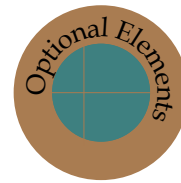


A statement explaining how the governing bodies will:

- define the criteria in 76-3-608(3)(a); and
- evaluate and make decisions regarding proposed subdivisions with respect to the criteria in 76-3-608(3)(a);

A statement explaining how public hearings regarding proposed subdivisions will be conducted.

Optional Elements



The State of Montana allows local governing bodies to adopt additional elements of a growth policy. The language used in statute gives local governing bodies great latitude to include elements to fulfill the purpose of a growth policy, but some elements, like neighborhood plans and infrastructure plans, are specifically identified.

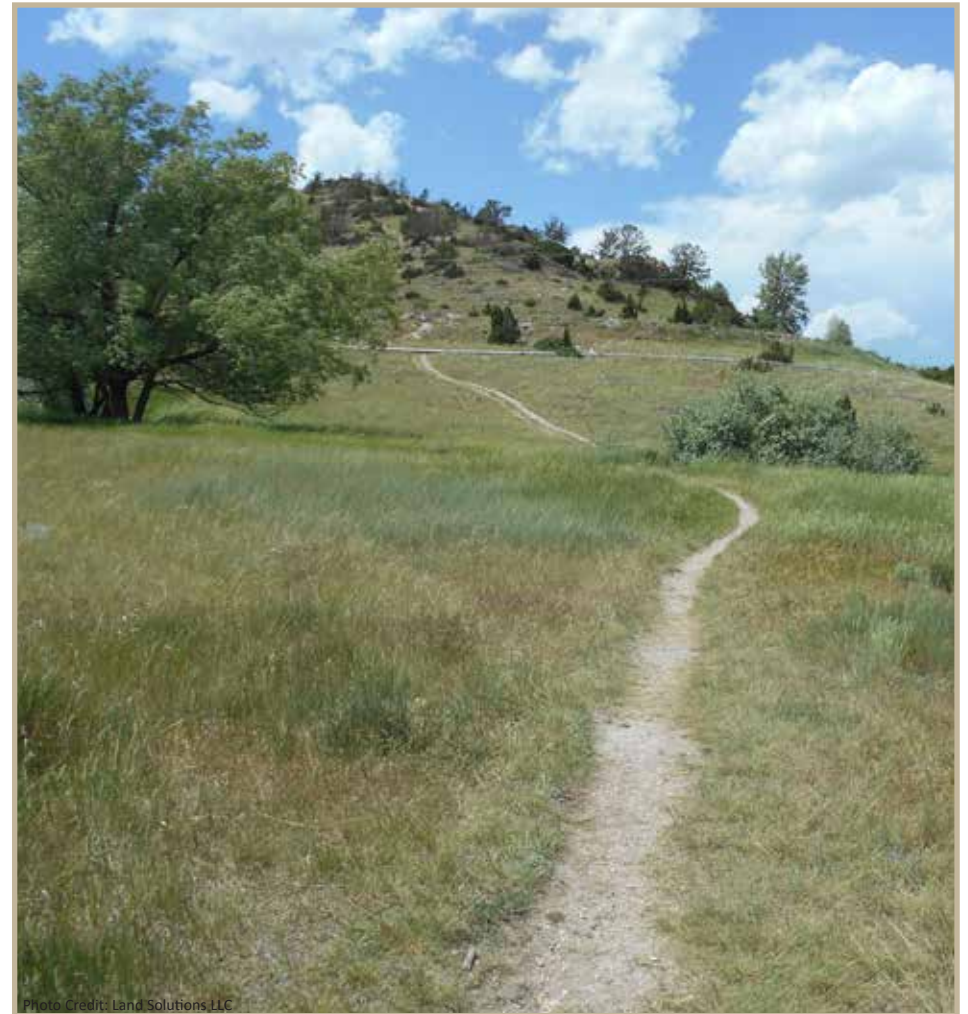


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Chapter 2

PARK COUNTY VISION

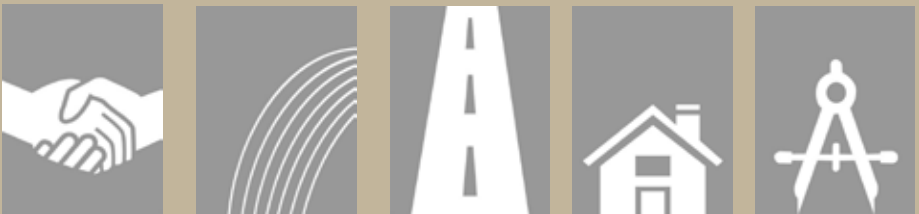


Chapter 3

KEY ISSUE: INTERGOVERNMENTAL COORDINATION



Photo Credit: Park County Montana



Key Issue: Intergovernmental Coordination



Park County does not exist in a vacuum. There are a variety of forms of government from school boards and fire districts to federal and state agencies, all involved in providing services to, and having an impact upon, the County's population and surroundings. The County Commissioners only have jurisdiction over a portion of what occurs in Park County; where they don't have jurisdiction, it is likely another entity does. Non-governmental entities such as

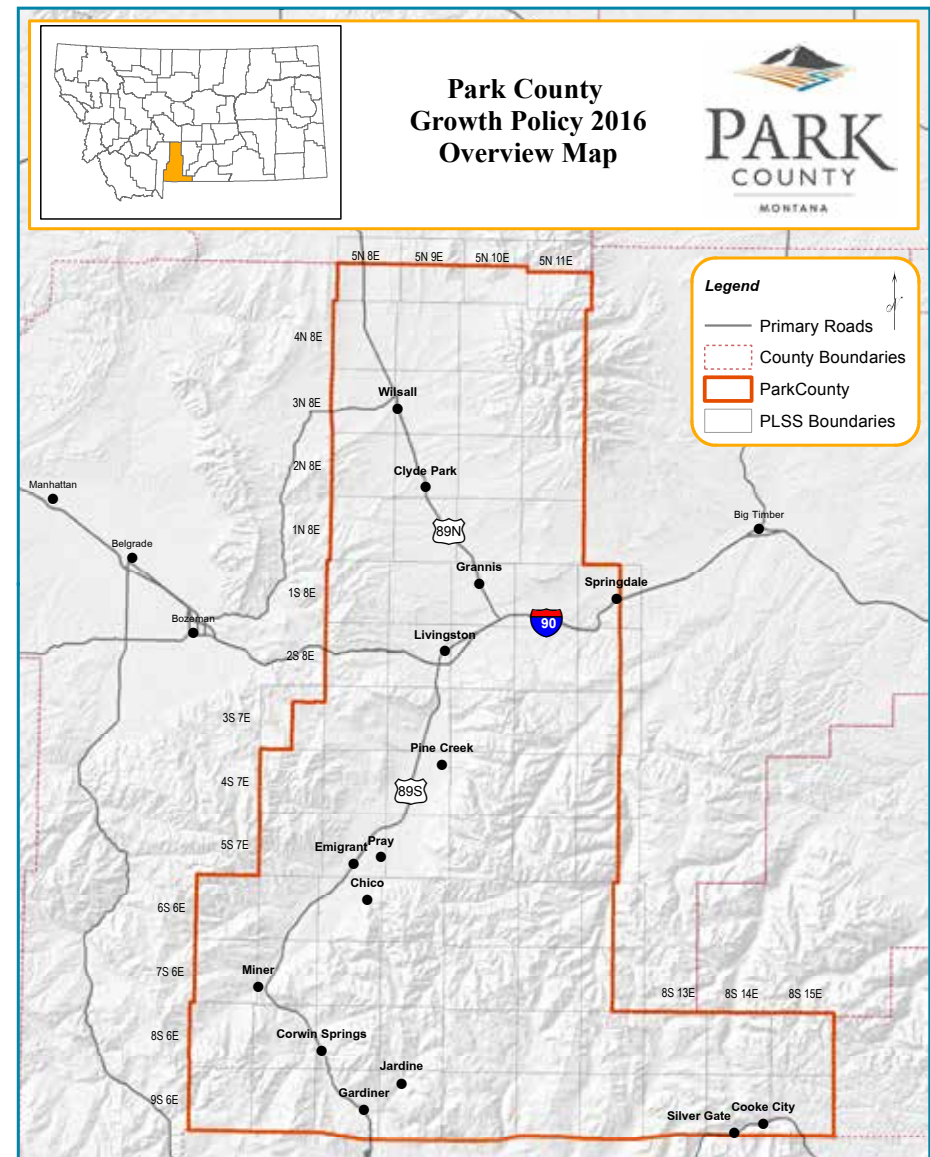
health care providers and community groups also play a critical role in providing services and contributing to Park County's quality of life. Coordination with other government agencies and non-governmental partners is critical to providing efficient and effective services to residents and visitors.

Coordination with the incorporated areas within Park County is an important component of this key issue. Coordination with Clyde Park has been smooth, but the level of coordination between Park County and the City of Livingston has fluctuated. Cities and counties often have conflicting visions and priorities for the areas around the city limits; it is not uncommon for the two entities to struggle with cooperation. Many people expressed their desire for the two entities to cooperate on land use issues in the area around Livingston. Conversations are occurring. Opportunities for coordination are presenting themselves. For certain resources, such as solid waste, there are agreements to share resources and cooperate.

Another topic discussed during the outreach process is how Park County can work with state and federal agencies. For example, Park County does not manage wildlife, but wildlife impacts private property. There is an opportunity for Park County to work with wildlife management agencies like Montana Fish, Wildlife and Parks (MTFWP) or the US Fish and Wildlife Service (USFWS) to address wildlife concerns through coordination of resources and knowledge. Coordinating with public land management agencies is also important. More than half of the land in Park County (57%) is under public ownership. Public lands include national forests, national wildlife refuges, Bureau of Land Management (BLM) lands, National Park Service (NPS) lands and state lands.

There are a total of six fire districts in Park County and two separate fire departments serving the cities of Livingston and Clyde Park. These fire districts and departments include:

- Clyde Park City Fire Department
- Clyde Park Rural Fire District
- Cooke City/Silver Gate Fire District



This map is for informational purposes only and not for legal, engineering or surveying purposes. Park County assumes no legal responsibility for this information and shall not be liable for any claims or damages arising out of the use of this information.

Figure 1: Overview Map of Park County

- Gardiner Fire District/Gateway Hose Company
- Livingston Fire Department
- Paradise Valley Fire and EMS
- Park County Rural Fire District #1
- Wilsall Rural Fire District

Fire departments/districts in Park County have mutual aid agreements set up to facilitate requests for assistance. In some cases, automatic aid agreements are in place. These requests are processed through 911 dispatch.

The Livingston office of the Human Resource Development Council provides programs such as Head Start, food banks, homeless and emergency services, transportation for senior and individuals with disabilities, job training, rental assistance, home buyer education and weatherization and energy assistance services.

Livingston HealthCare's critical access hospital and clinic serves all of Park County and was recently upgraded with a state of the art facility. The new facility operates a 25-bed critical access hospital, a multi-specialty physician practice, rehabilitation services, and home-based services.

There are seven public school districts with eleven schools in Park County. These schools include Arrowhead School, Cooke City School, Gardiner Schools, Livingston Schools, Pine Creek School, Shields Valley Schools and Springdale School. As of 2015 total public school enrollment stood at 1,959, a 10% decrease since 2005. However, since 2013 there has been a slight increase in public school enrollment. In addition to public schools there are more than 300 home school and private school students.

Goal 1: Plan for and encourage development in the area around Livingston.

Livingston is the primary population, employment and service center in Park County. The city provides public water, sewer and other infrastructure that allows for types of residential, commercial and industrial development that the county cannot provide for. In order to meet housing needs, and create employment and provide for business opportunities, the county and city should work together and find ways to encourage development around Livingston in an orderly and mutually beneficial manner.

Objective 1.1: Complete a joint planning exercise with the City of Livingston to develop a shared vision for the unincorporated area around Livingston.

A joint planning exercise is the starting point for cooperation. When dealing with growth and development around cities, relationships between cities and counties often fray because of disagreement on how development should occur. Working together to create a shared vision allows the two entities to administer their own rules, regulations, and plans, without major conflicts over what the outcomes should be.

Policy: Park County encourages well planned growth and development in and around Livingston.

Action 1.1.1: Develop a Memorandum of Understanding with the City on the process, scope and intended outcomes of a joint planning exercise.

Action 1.1.2: Establish baseline conditions and projections for future development.

Action 1.1.3: Identify what services are necessary to accommodate development.

Action 1.1.4: Finalize a report to each governing body detailing a shared vision for the planning area, service needs, and potential mechanisms for the local governments to work together to achieve that vision.

Objective 1.2: Update the existing interlocal agreement between the City of Livingston and Park County to outline steps each jurisdiction should take to meet the shared planning vision.

Once the two entities have a shared vision, they can update the existing interlocal agreement. The agreement will describe the shared vision and the roles and responsibilities of each jurisdiction. With this approach, each governing body will maintain planning authority within its jurisdiction, and agreement will have been reached on how to work together to identify where growth will go, how will it be organized, what infrastructure is needed, what standards should apply, and how annexation will occur, among other things.

Policy: Coordinate planning and development with the City of Livingston while maintaining the county's independent planning jurisdiction.

Action 1.2.1: Draft a new interlocal agreement detailing the principles of the shared vision, the methods for cooperation, and the planning tools to be used to achieve that vision.

Action 1.2.2: Adopt the updated interlocal agreement.

Action 1.2.3: Develop a work plan with the City to implement the details of the agreement.

Objective 1.3: Complete an infrastructure plan and adopt development standards that under state law provide incentives for planned development in the unincorporated area around Livingston.

Development is a business, but much of the infrastructure and services needed for development are public. Public-private partnerships are important planning tools that can encourage desirable types of growth and equitably distribute costs. In order to encourage development in and around the City of Livingston, the county should seek to provide incentives. The State of Montana has developed laws that encourage proactive planning to occur first, and if the governing body implements the plans, the development permitting process in the planning area can be simplified. In this scenario the county, in cooperation with the city, would develop a detailed infrastructure plan for the area around Livingston; evaluating the capacity and needs for infrastructure like water, sewer and transportation. Park County would adopt the plan into the Park County Growth Policy and adopt zoning accordingly. What Park County receives from this effort is a solid plan of the types and intensities of development that is likely to occur, allowing county officials to make expenditures to expand infrastructure accordingly. What developers get is a commitment to where infrastructure will go, and an expedited permitting process that can shave months off the standard approval timeframe. What the public gets is an orderly development pattern that provides services, housing and has adequate infrastructure that protects public health and safety.

Action 1.3.1: Complete a detailed infrastructure study meeting the requirements of MCA 76-1-601(4)(c).

Action 1.3.2: Adopt the detailed infrastructure plan as an amendment to the county growth policy.

Action 1.3.3: Draft and adopt zoning for the area based on the infrastructure plan amendment.

Action 1.3.4: Revise subdivision regulations according to MCA 76-3-616 (2) in order to incentivize development in this area.

Goal 2: Partner with state and federal agencies to reduce human-wildlife conflicts.

It is hard to describe to people who aren't from Park County the interactions some residents have with wildlife. These interactions pose a unique challenge, one that warrants specific attention in the growth policy. The bottom line is Park County does not manage wildlife, nor does it have authority to do so. This is the responsibility of the State of Montana, and for some species, the US Fish and Wildlife Service. But what the county can do is coordinate with the public and wildlife managers, acting as a conduit for passing information back and forth.

Objective 2.1: Develop and implement a shared strategy with wildlife management agencies and community organizations to educate the public on living with wildlife.

Montana Fish, Wildlife and Parks develops resources towards and conducts outreach on living with wildlife. This represents an opportunity for Park County staff to coordinate with wildlife managers and develop a public outreach strategy they can work together to implement. This strategy can help get the word out about living with bears, bison and elk, and can in return serve as a conduit of information from the public back to wildlife managers.

Action 2.1.1: Assist with the distribution of materials on living with wildlife developed or distributed by state and federal wildlife officials.

Objective 2.2: Identify critical wildlife corridors for development, infrastructure and conservation planning.

Working with wildlife officials, Park County can map known wildlife corridors and update the Park County Atlas. Landowners can use this information to voluntarily manage wildlife movement on their property (an example is a landowner's voluntary effort to replace fence that prohibited the movement of pronghorn antelope in the Paradise Valley). In addition, knowing where wildlife crosses highways will assist Park County staff in conversations with Montana Department of Transportation MDT about mitigating impacts to public health and safety and to wildlife in these areas.

Action 2.2.1: Use expertise, information and data from state and federal wildlife managers to identify and map corridors.

Action 2.2.2: Incorporate wildlife corridor mapping into the Park County Atlas.

Action 2.2.3: Encourage MDT to include mitigation of wildlife corridors in planning and implementing highway projects.

Goal 3: Support efforts of fire managers to manage fuels on public and private lands.

Park County does not manage fuels or fight wildland fires - this is the responsibility of private landowners, rural fire districts, and state and federal firefighting agencies. But Park County does provide assistance to these entities. Continuing to support and identifying new ways to provide backing to these entities is vital to the Park County's responsibility to protect the public health and safety.

Objective 3.1: Implement the 2014 Community Wildfire Protection Plan.

The 2014 Community Wildfire Protection Plan contains a number of actions to protect public health and safety. The challenge is the plan does not identify how to implement the plan and who is responsible for that implementation. Park County Planners are well versed in the skills of organizing and identifying implementation steps and assigning priorities to planning documents. Their assistance can help identify how to implement the plan.

Action 3.1.1: Meet with fire management officials to identify parties responsible for implementing the actions in the Wildfire Protection Plan.

Action 3.1.2: Take action to implement the tasks identified as being the responsibility of the county.

Objective 3.2: Increase support of rural fire districts.

Volunteers typically run rural fire districts. While they do have funding sources and established organizational structures, the districts typically don't have the resources of a paid city fire department. For example, rural fire districts struggle with recruitment of volunteers. This could worsen as Park County's population ages. Park County can offer assistance to districts to improve recruitment efforts. In addition, rural fire districts often rely on grant money for equipment and training. The county has a grant writer who assists rural fire districts, and can

continue to provide assistance in researching and writing grants.

Action 3.2.1: Assist rural fire districts in developing a consolidated targeted recruitment program to increase volunteers.

Action 3.2.2: Provide assistance in researching grant sources and writing grants for funding equipment, training and implementing projects.

Goal 4: Become active partners in management of federal lands.

More than half of the land in Park County (57%) is under public ownership, primarily that of the United States Forest Service (USFS) and the NPS. The National Environmental Policy Act (NEPA) requires federal agencies to consider the impacts of proposed actions prior to making decisions. A large component of NEPA is providing opportunities for public review and comment on proposed actions. NEPA includes a provision that allows a "Cooperating Agency" with special expertise with respect to an issue or jurisdiction to participate in the NEPA process by assisting the lead agency by participation in the scoping process, developing information, and providing staffing support. In this way federal agencies can consider local governments a Cooperating Agency. The State of Montana encourages local governing bodies to use a growth policy as a resource management plan for the purposes of establishing coordination or cooperating agency status with a federal land management agency. It is a goal of the Park County Growth Policy to become a more active partner in the management of federal lands through achieving this status.

Objective 4.1: Establish Cooperating Agency status with the USFS and NPS.

Cooperating agency status will allow Park County to participate in the NEPA process as a partner, improving access to federal agencies. The process to acquire this status requires Park County to reach out in writing and explain the county's areas of expertise. The federal agencies will involve Park County on a NEPA review when they determine the County has expertise that will assist in the review. It is important to note that cooperating agency status does not mean the county will be involved in any day to day management of federal lands.

Policy: Park County will take an active role in decision making on federal lands within its boundaries.

Action 4.1.1: Reach out to the USFS and NPS and determine the specific requirements to achieve cooperating agency status.

Action 4.1.2: Complete the requirements to achieve cooperating agency status.

Goal 5: Encourage efforts of non-governmental partners to address community needs.

Objective 5.1: Facilitate and provide support to community groups.

Community groups and non-profits and other Non-Governmental Organizations (NGOs) often fill public service roles the governing body cannot cover. Economic development corporations, aging services and housing services are just a few examples. Park County has numerous existing relationships with community groups and will likely continue to have more in the future.

Policy: Park County will strive to maintain relationships with community groups that assist meeting the needs of Park County residents.

Action 5.1.1: Continue formal partnerships with NGOs providing services to Park County residents.

Action 5.1.2: Develop new partnerships with NGOs that are well positioned to assist in achieving the goals of this growth policy.



Chapter 4

KEY ISSUE: WATER AVAILABILITY AND WATER QUALITY



Key Issue: Water Availability and Water Quality



Water is a basic necessity of life and is critical for the growth and development of the county. As growth and development occurs, it will be important to understand the dynamics of this crucial resource and be prepared to make decisions related to its use and to protect existing users and water quality.

In order to do this, the county should establish a foundation for future decision making. Entities such as the Montana Bureau of Mines and Geology (MBMG) at Montana Tech, the State of Montana Department of Natural Resources and Conservation (DNRC), and the Yellowstone River Advisory Council all have information on water in the Yellowstone River watershed. However, the current data does not create a comprehensive picture for future decision making. If the use of water becomes restricted through low volumes, lack of unallocated water rights, or other circumstances, or if water quality becomes degraded, water could become a major impediment to growth and development. Establishing baseline data and forecasting future conditions could prove critical to the prosperity of Park County.

Surface waters in Park County, in the form of streams, creeks, and rivers flow from the Absaroka, Bridger, Crazy, and Gallatin mountain ranges. The wide variations in elevation add to the complex drainage system. Groundwater also contributes to surface water resources. The two major river drainages in the county include the Yellowstone River flowing from the south and the Shields River flowing from the north. These two rivers provide water for irrigation, livestock, domestic and municipal needs, fish, and recreation opportunities. There are also many small, privately-owned reservoirs that provide water storage scattered around the county. Little data is available on the quantity and quality of groundwater in Park County.

Goal 6: Be prepared to make decisions on how to manage water resources.

Currently, Park County does not have the scientific understanding of its water resources necessary to make informed decisions on the relationship between land, development and water. Park County should strive to establish a scientific baseline of water resources, including ground and surface water, in preparation for decision making. Park County isn't likely to actually collect the data: the capacity and duty to collect and compile the baseline information rests with state agencies and watershed groups, but the county can be the entity that organizes and directs these efforts. This type of process has proved beneficial for land use

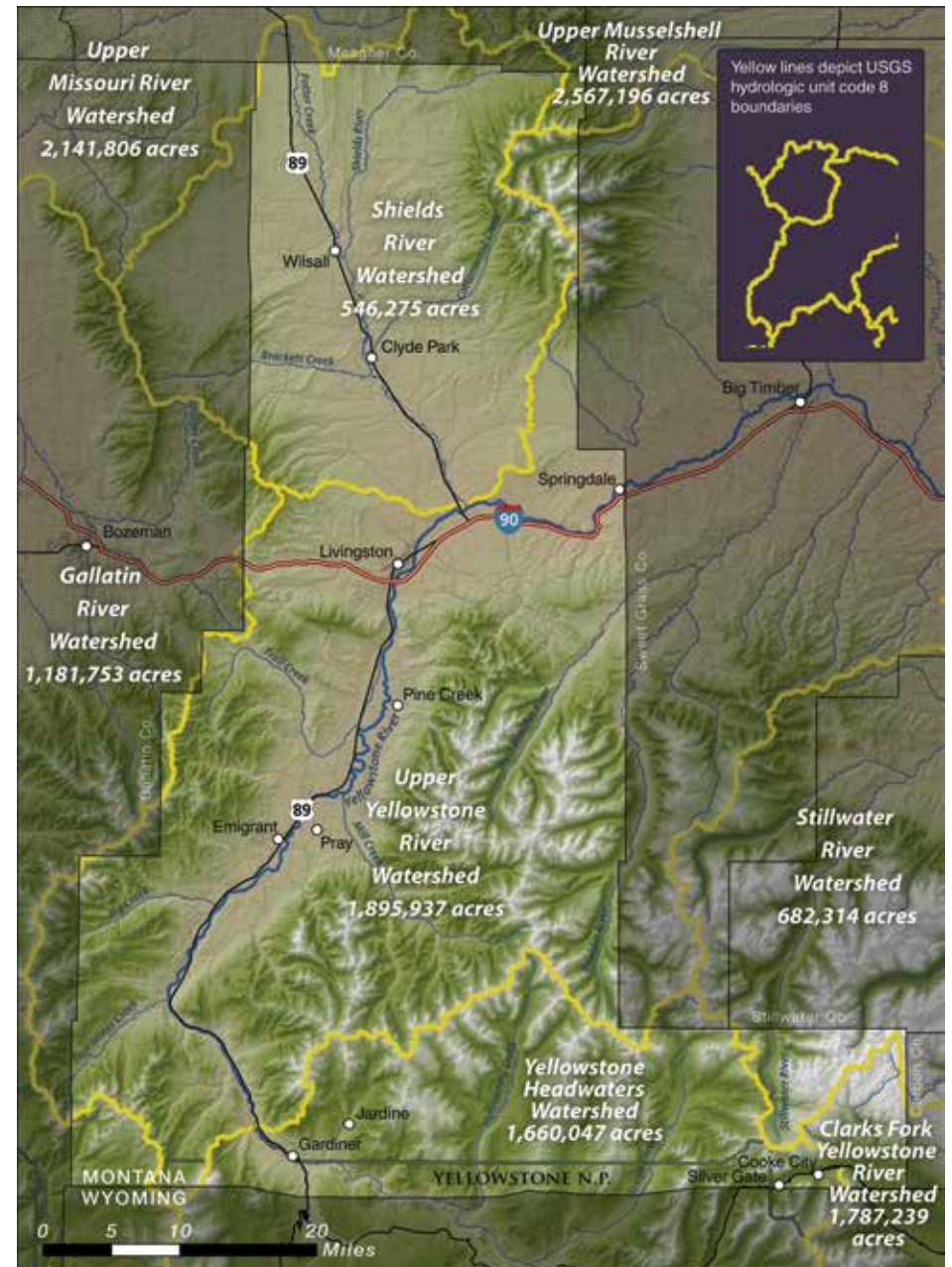


Figure 2: Watersheds of Park County

Park County Atlas

planning efforts in other Montana counties such as Lewis and Clark County.

Having an understanding of the availability and quality of water is critical to the decision making process on issues important to Park County. Water is critical to development. Understanding where water is readily available will help decision makers and developers evaluate appropriate areas for growth. It will also help cities and water districts determine where their future resources will come from and what their future needs will be. Finally, this information can assist irrigation districts with managing their resources and with their planning.

Objective 6.1: Build on recent efforts to establish baseline water quantity and quality information for the major watersheds in Park County.

The MBMG has a program that will conduct groundwater studies when solicited by local governing bodies. These studies are excellent baseline documents, and Park County should request the MBMG complete them for the major watersheds in the County. The United States Geological Survey (USGS) and DNRC, as well as the Yellowstone River Basin Advisory Council, are potential sources of baseline information for surface water.

Action 6.1.1: Coordinate with the DNRC, the USGS, the Yellowstone River Council and the MBMG Groundwater Investigation Program to identify and assemble available studies on groundwater and surface water.

Action 6.1.2: Coordinate with the DNRC, the USGS, the Yellowstone River Council and the MBMG Groundwater Investigation Program to conduct studies in areas of Park County where studies have not been completed.

Objective 6.2: Conduct a water resource study that analyzes sources, long term availability, potential conflicts, and recommendations for management.

Working with state partners, completing this plan will assist in making sound decisions about development and water use for the local governing body, will assist developers in securing water for housing, commercial, and industrial uses, and will assist irrigators.

Action 6.2.1: Coordinate with the DNRC to produce a scientifically based document identifying Park County's long term water requirements.

Action 6.2.2: Based on baseline data and longer term water requirements, work with the DNRC to prepare a water management plan that provides recommendations to County Commissioners on how to manage county resources impacted by water, and for irrigators who use water for their livelihoods.



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Chapter 5

KEY ISSUE: INFRASTRUCTURE



Key Issue: Infrastructure

A Infrastructure connects people to places and it provides the services necessary for a community to grow. Without it, there are no businesses, no trade and no jobs. The county is a provider of infrastructure, and what we think of as critical infrastructure is evolving.

The Park County Road Department is responsible for maintaining 873 miles of roads. In October 2014 the Park County Commission adopted the Park County Transportation Standards in order to provide requirements for the design, construction and reconstruction of the Park County Transportation System, which includes but is not limited to roads, bridges, culverts and trails.

Park County's transportation system is largely auto-oriented with few bicycle and pedestrian facilities located outside of Livingston and other established communities. In recognition of the need to further develop the county's non-motorized transportation network, Park County recently adopted an Active Transportation Plan, which identifies a path forward for expanding trails, sidewalks and other non-motorized facilities and infrastructure.

Park County residents living outside of Livingston (where curb side pick-up is available) must bring their solid waste to one of the 17 green boxes located in communities throughout Park County. County trucks then collect waste from the green boxes and transport it to the City of Livingston Transfer Station for eventual disposal at a landfill in Great Falls. Park County is also cooperating with the City of Livingston to allow county residents to recycle glass and other materials at the transfer station.

Portions of Cooke City, Silver Gate, Wilsall and Gardiner are served by community water systems. Gardiner also has a public wastewater system. Community water and wastewater systems allow for higher density of development than areas served by individual wells and septic systems. The maintenance and expansion of community water systems and sewer is necessary to accommodate development at higher densities in town centers.

The county has a role in ensuring that the infrastructure which enables commerce and a high quality of life is safe, effective and efficient.

Goal 7: Increase availability of broadband internet.

Having a strategy to increase the availability of broadband internet to the citizens of Park County is perhaps one of the most important things the county can do to diversify its economy and provide services to its citizens. The availability of

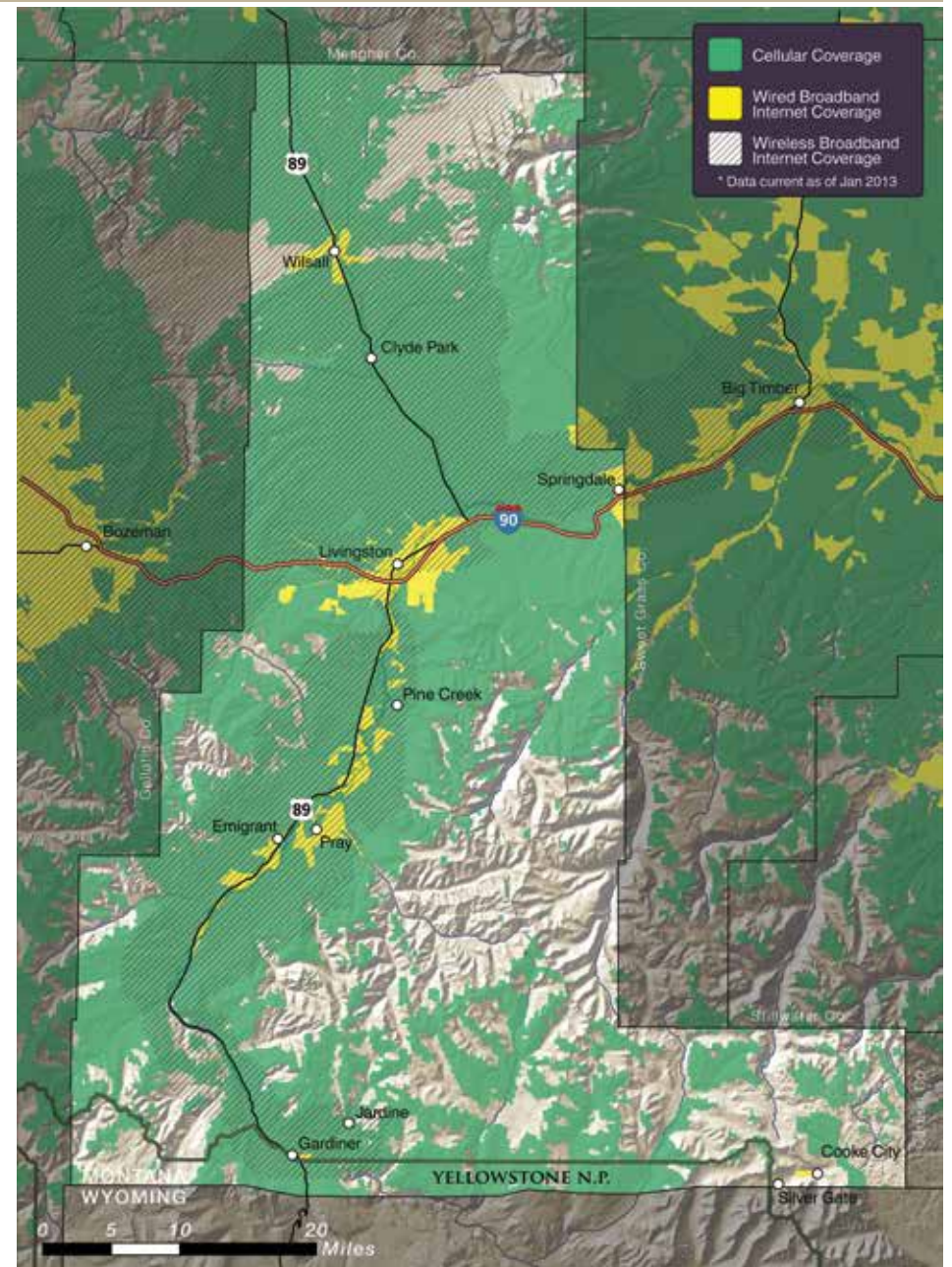


Figure 3: Map of Broadband Services in Park County

Park County Atlas

broadband internet puts businesses in Park County at a competitive level with businesses in New York and Los Angeles. It will allow for better care at medical facilities and new educational opportunities for students.

Objective 7.1: Partner with educational providers, health care providers, the City of Livingston and the business community to investigate options and make recommendations on investing in broadband infrastructure and expanding its use.

Partnerships are critical to the expansion of broadband facilities. Hospitals and schools are perfect examples of community minded entities that want broadband service. Partnerships with businesses and the banking communities are also fruitful. Most importantly, broadband infrastructure is privately owned, so the telecommunication provider’s involvement is critical to any strategy. The county should work with the City of Livingston as well as the above mentioned partners to expand broadband coverage.

Policy: Expanding broadband service within the county is a cornerstone of our future success.

Action 7.1.1: Partner with the city, NGOs and telecommunication providers to complete a broadband feasibility study focusing on ways to promote the development of next-generation broadband infrastructure in the community.

Action 7.1.2: Update the map in the Park County Atlas showing broadband coverage.

Action 7.1.3: Update the subdivision regulations to ensure broadband utilities are considered in development proposals as appropriate.

Goal 8: Create a system of interconnected trails.

From the Park County Active Transportation Plan “Parks, trails and recreation facilities are basic components that build the foundation of a community. They provide areas for group activities, intergenerational activities, personal reflection and exercise. They also provide a means to maintain natural and historic features and provide a way to preserve cultural heritage and the quality of life in a community. Trails and parks bring many benefits to a community – functional transportation, support for well planned development and tourism, healthy recreation and opportunities for children to explore the world safely.” It is a goal of the Park County Growth Policy to treat the construction, management, and

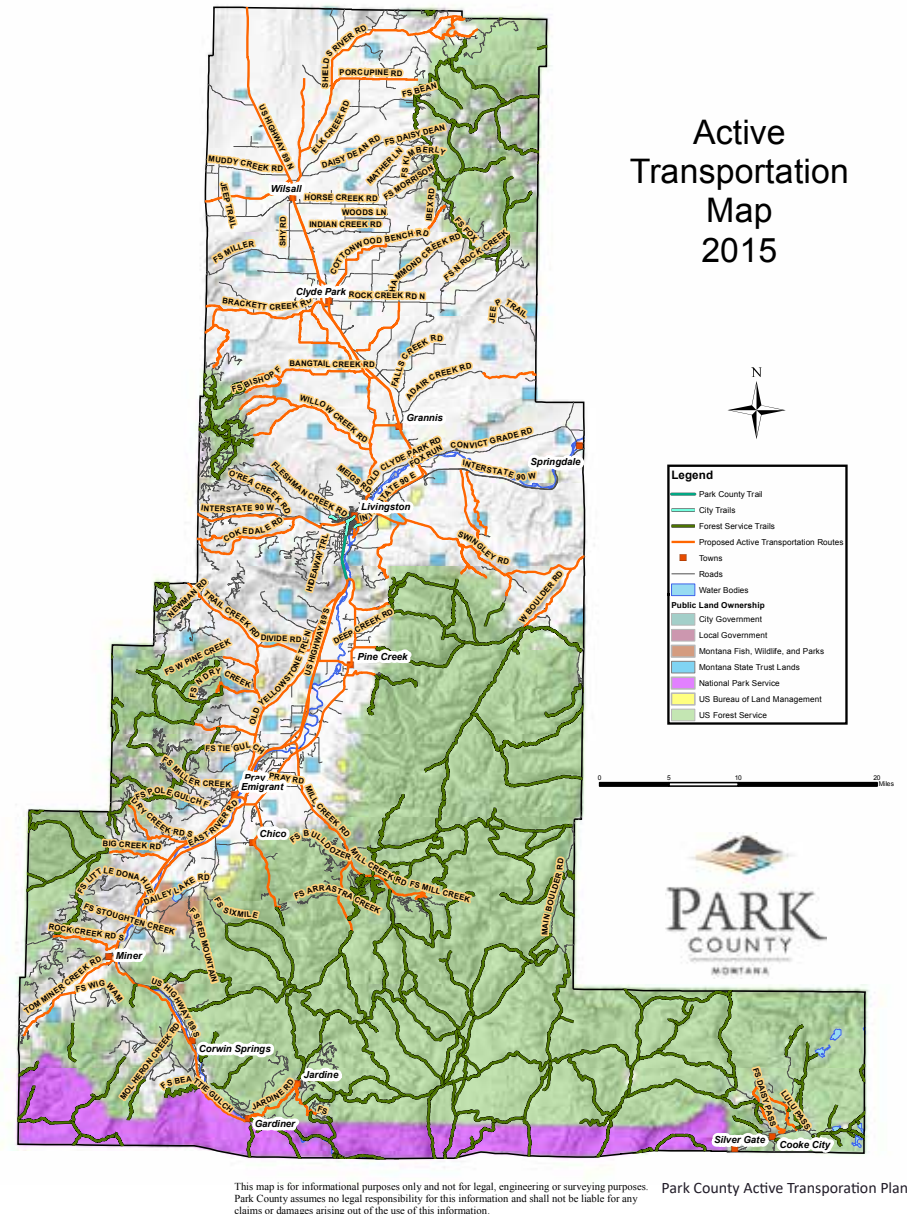


Figure 4: Active Transportation Map of Park County

maintenance of trails as infrastructure important to Park County.

Objective 8.1: Prioritize and implement the recommendations in the Park County Active Transportation Plan.

The Park County Active Transportation Plan contains a detailed list of projects and potential funding sources. The Parks & Recreation Board should prioritize these recommendations, establish a work plan, and monitor the implementation.

Action 8.1.1: Develop a five year work plan identifying responsible parties and potential mechanisms for implementing the Active Transportation Plan.

Action 8.1.2: Review and update the work plan annually.

Action 8.1.3: Review and if necessary revise the Active Transportation Plan in 2020.

Action 8.1.4: Identify, monitor and protect public access to public lands.

Objective 8.2: Continue partnerships with the City of Livingston to develop Active Transportation facilities in and around the city.

The city and county are working together to develop active transportation facilities around Livingston. This partnership increases the resources available for applying and securing funding for facilities and infrastructure.

Action 8.2.1: Identify city and county shared priorities.

Action 8.2.2: Integrate Active Transportation Planning into the shared vision and Memorandum of Understanding on land use planning in the Livingston area.

Action 8.2.3: Work with the city on grant applications for Active Transportation facility and infrastructure funding.

Objective 8.3: Identify stable, long-term funding sources for trail planning, design, construction, and maintenance.

It is not uncommon in communities that are developing a non-motorized transportation network to place the burden of maintaining the system on road or pub-

lic works department budgets without increasing revenues. As the trail system grows, the burden on the department budget grows without additional funding sources, leading to the department becoming an opponent of developing new trails. Park County should anticipate the maintenance costs for non-motorized transportation and find funding sources that aren't a draw on the already limited budget of county departments.

Policy: Trails maintenance costs should come from dedicated funding sources.

Action 8.3.1: Identify and evaluate potential options for funding the ongoing operation and maintenance costs for active transportation facilities.

Action 8.3.2: Identify and evaluate potential locally sourced funding options for the construction of new active transportation facilities.

Goal 9: Provide for a safe and efficient county road network.

As the traditional development patterns of farms and ranches converts to homes and businesses, without improvements, the transportation network will struggle to keep up. Without proper planning, the burden of increased costs to maintain and improve roads and increased risks to public health and safety will fall upon the residents of Park County. Now is the perfect time for Park County to recognize the relationship between its road network and land use. Equitable solutions that share costs of road improvements and maintenance are necessary. The growth policy calls for a strategy that revises current regulations, establishes baseline road conditions and monitors the changes over time, and identifies funding mechanisms available to address maintenance and make improvements.

Objective 9.1: Update the subdivision regulations to ensure new subdivisions pay a proportional share of their impact when upgrading County roads to meet County standards.

As development continues in rural and ex-urban areas, subdividers will sometimes propose projects on substandard county roads. The county can require improvements as a condition of approval, but the improvements must be directly proportional to the impact of the development. The most defensible approach to requiring improvements to county roads is to have a proportional share analysis as a component of the subdivision regulations design standards. Without an equitable approach to address this issue in the subdivision regulations, Park County is putting the taxpayers at risk.



Figure 5: Overview of Park County Road Network

Park County Atlas

Action 9.1.1: Research and present options to the Planning and Development Board on how other counties in Montana use subdivision regulations to require improvements to off-site county roads that are directly attributable to the impacts of a proposed subdivision.

Action 9.1.2: Update the design and improvement standards in the subdivision regulations to include a procedure for making improvements to off-site county roads based on the direct proportional impact of a proposed subdivision.

Action 9.1.3: Monitor and protect county right-of-way and easements from encroachments.

Objective 9.2: Establish a baseline for the condition of county roads and bridges, and monitor their condition over time.

When areas transition from agricultural uses to residential development patterns, the road network developed for farms and ranches will struggle to accommodate the traffic volumes and types associated with the new uses. What other communities have experienced is the that cost to maintain and improve roads can increase at a rate faster than the increased revenues from the new development. Planning ahead can help offset the undesirable impacts. Establishing a strong baseline for the condition of roads allows the county to better prioritize maintenance and improvements, as well as establish carrying capacities of roads for future development patterns. Fortunately Park County has already started a program using a simple and accurate analysis called the Pavement Surface Evaluation and Raiting (PASER) analysis to identify the condition of county roads.

Action 9.2.1: Use PASER analysis on paved, chip-sealed and gravel county roads to establish baseline conditions.

Action 9.2.2: Use PASER analysis on paved, chip-sealed and gravel county roads to monitor trends in the condition of county roads.

Action 9.2.3: Establish baseline conditions for bridges and monitor trends.

Action 9.2.4: Develop and maintain a GIS map documenting historic and up-to-date PASER ratings for all paved, chip-sealed and gravel county roads in order to analyze improvement and deterioration over time.

Objective 9.3: Prioritize the use of rural special improvement districts to upgrade substandard county roads in areas that are already developed.

Using baseline PASER data and reviewing existing development patterns, Park County will have the information necessary to evaluate priority areas for rural special improvement districts (RSIDs) or other funding mechanism to improve roads. This process will require input and support from the impacted areas.

RSIDs can also be effective at bridging funding gaps for road improvements caused by subdivisions. When a subdivider builds a subdivision on a substandard county road, the subdivider can only be required to fund a percentage of the upgrade based on the direct proportional share on the impact generated by the subdivision. It is never 100%. This means there is always a funding gap between what the developer must pay and the total cost of the upgrades. The county can use RSIDs to cover that gap. Other funding mechanisms are also available, but usually spread the costs to all taxpayers, not just the ones using the road.

Policy: Support mechanisms to bring substandard roads up to full county standards.

Action 9.3.1: Use the PASER analysis, existing Preliminary Engineering Reports (PERs), traffic data, development patterns and other pertinent information to evaluate what roads need funding for maintenance and upgrades.

Action 9.3.2: Complete PERs on roadways in priority areas in order to determine estimated costs to bring substandard roads up to county standards.

Action 9.3.3: With the support of neighborhoods, create RSIDs to bring priority substandard roads up to county standards.

Action 9.3.4: Use RSIDs to supplement the cost of bringing a substandard county road up to county standards when off-site improvements directly proportional to the impact of subdivision do not cover the entire costs of improvements.

Action 9.3.5: Update the county RSID policy.

Objective 9.4: Continue to secure federal funding sources to upgrade county roads and bridges that provide access to recreation areas on public lands.

Park County currently pursues federal grants that fund improvements to county

roads providing access to federal lands. These programs provide assistance to the county at mitigating impacts to county roads used by the public to access federal lands. By prioritizing grant funding for mitigating impacts and upgrading county roads in the growth policy, the county will be more competitive at receiving awards, which should help to reduce the burden of upgrading and maintaining these roads.

Action 9.4.1: Pursue funding assistance such as the Montana Federal Lands Access Program and/or other federal and state programs in order to mitigate impacts to county roads and upgrade county roads.

Goal 10: Support water and sewer districts in and around community centers.

Park County has a number of unincorporated communities where the existing development patterns and conditions require public water and/or wastewater systems. These communities, especially the Cooke City – Silver Gate and Gardiner areas, are also struggling with high costs of housing. Community based land use planning, coupled with infrastructure improvements, will set the stage for these communities to build upon and sustain their prosperity.

Objective 10.1: Coordinate with the existing water and sewer districts to update water and sewer facilities.

Water and sewer districts often operate independently from county governments, even organized in some instances as separate governing bodies. However, they provide invaluable services to county residents, and are critical to community development. The county supports the water and sewer districts, and should continue to do so through staffing and grant writing, among other technical expertise.

Policy: Park County supports improvements, expansions and upgrades to public water and sewer systems located in community centers.

Action 10.1.1: Write letters of support, provide staff resources, and be partners in applications for funding sources for improvements, upgrades and expansions to water and sewer systems located in community centers.

Objective 10.2: Evaluate and support the development of public water and wastewater systems in community centers in order to accommodate new growth and existing development.

Water and sewer districts often do their own facility planning. However, their planning efforts are often infrastructure specific, and more comprehensive community planning efforts can sometimes improve the effectiveness. Both Gardiner and the Cooke City - Silver Gate areas have public utilities that have needs, and comprehensive planning efforts could help those districts evaluate and plan for upgrades and expansions. Upgrading and expanding these facilities are necessary for community development and economic diversification.

Policy: Extend community planning expertise to public water and sewer districts located in community centers.

Action 10.2.1: Complete area/neighborhood plans for Gardiner and the Cooke City - Silver Gate area that evaluates future infrastructure needs, projects land uses, and prioritizes infrastructure improvements, upgrades and expansions.

Goal 11: Collect, treat and dispose of solid waste as part of an effective and efficient waste management system.

During the outreach process for this growth policy, residents made it clear that solid waste management should be a focus. With such a dispersed rural population, the county maintains multiple satellite collection points (green box sites). These collection points are extremely important to residents who live in rural areas. To keep them open, the county needs to keep costs down. The county maintains data on the use of these facilities, which helps manage them in a cost effective manner. In addition, continuing the county's partnership with the City of Livingston to manage solid waste seems to be the best long term arrangement. Finally, people who commented in the growth policy process wanted to see more options for recycling.

Objective 11.1: Maintain a database on the use of solid waste.

The Public Works Department collects data on the use at the satellite collection points. This data helps to manage the sites as efficiently as possible and keep costs to a minimum.

Action 11.1.1: Continue collecting data on the use of the satellite collection points and use the data to evaluate operations in order to keep costs down.

Objective 11.2: Continue partnerships with the City Livingston to manage solid waste

The partnership with the City of Livingston for the collection and disposal of solid waste has a long history. For now, the plan is to continue this relationship.

Policy: Continue working with the City of Livingston on the disposal of solid waste.

Action 11.2.1: Revise agreements with the City of Livingston when necessary.

Objective 11.3: Continue efforts to support and explore new options for recycling.

Policy: Support recycling.

Action 11.3.1: Develop an internal county policy and guidelines for waste reduction and recycling.



Photo Credit: Land Solutions LLC

Chapter 6

KEY ISSUE: HOUSING



Photo Credit: Dennis Glick



Key Issue: Housing



The cost of housing in Park County is on the rise. The median housing value as of 2014 in Park County was \$210,100, which is substantially higher than the median housing value for Montana as a whole, which was \$187,600 in 2014. Perhaps more significant is the fact that median housing values in Park County increased by 112% between 2000 and 2014 compared to 96% for the state as a whole.

The United States Department of Housing and Urban Development defines housing cost burden as paying more than 30% of household income on housing. In 2014 an estimated 41% of renters in Park County had a housing cost burden, which is lower than the state as a whole where the figure is 46%. While the figure is slightly better for owner occupied housing, still 30% of homeowners in Park County were estimated to have a housing cost burden in 2014 compared to 22% for the state as a whole.

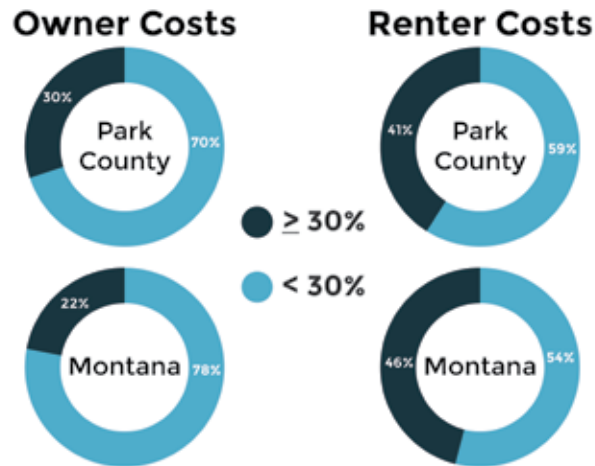


Figure 6: Homeowner Costs and Rent as a Percent of Income 2014

Is the cost of housing outpacing wages? What does affordable housing mean for the workforce or low income households? How do housing prices impact elderly residents, or people with special needs? Looking west, the cost of housing in Gallatin County is skyrocketing. Anecdotal evidence seems to indicate this is impacting Park County housing costs. Will it continue? Park County needs to gain a better of understanding of its housing needs and lay the foundation to address affordability.

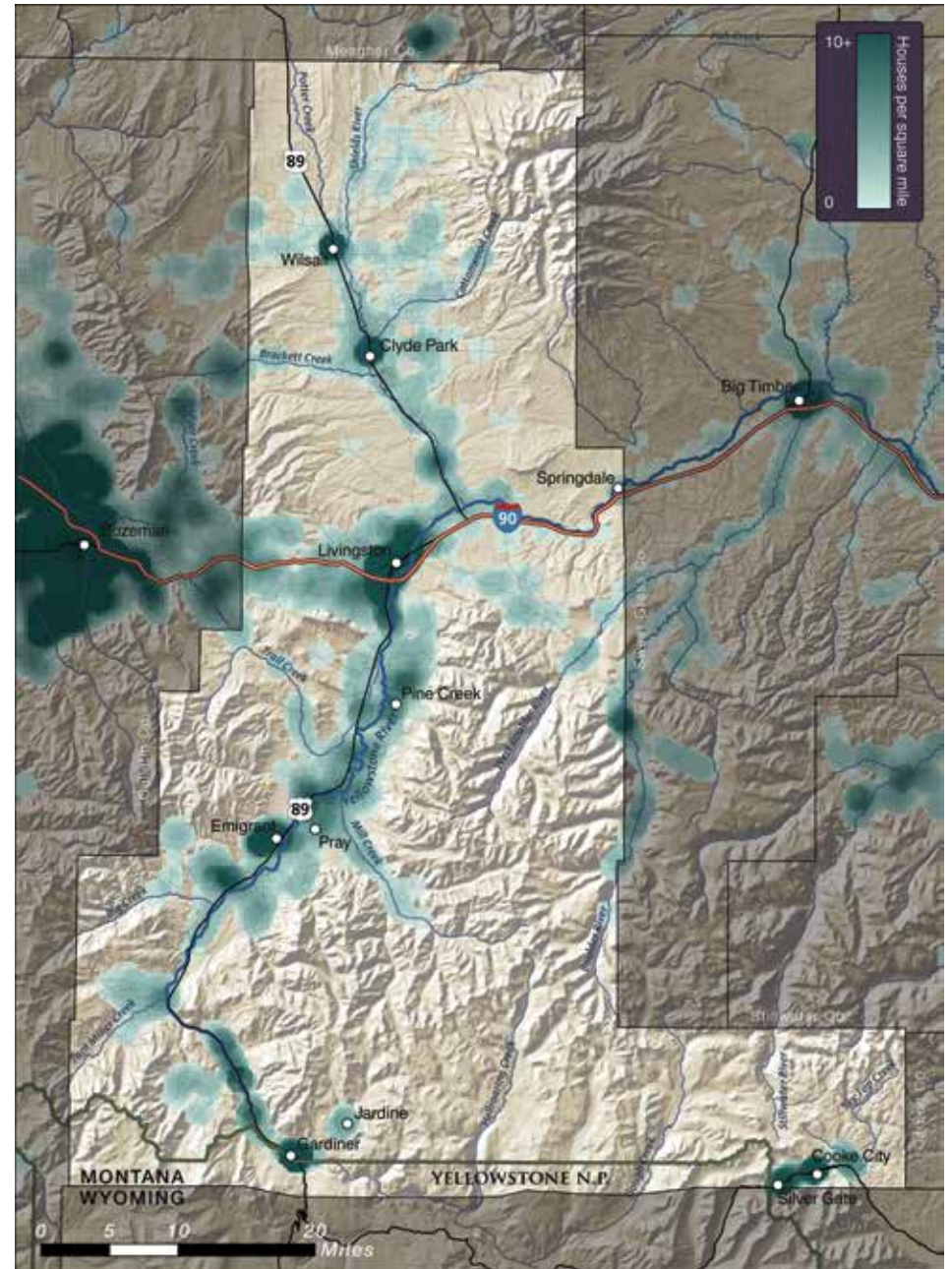


Figure 7: Housing Density in Park County

Park County Atlas

Goal 12: Provide for affordable, low income and workforce housing.

Right now there are a lot of questions about affordable housing that Park County doesn't have the answers to. How much is growth in Gallatin County affecting housing in Park County? Is this growth likely to continue? What is the impact of vacation rentals on the housing market? How can Park County increase workforce housing? The goal of this growth policy isn't to solve the county's issues, but it can provide direction on how the county should address the issues moving forward.

Objective 12.1: Prepare a housing plan for all of Park County that identifies affordable housing needs and targets, identifies possible funding sources, and pinpoints implementation partners.

The Montana Department of Commerce has a program dedicated to providing technical assistance to communities looking to understand their housing needs and prepare a housing plan. This program would be a great starting point towards having an understanding of what the current status of housing is and what Park County needs to do to address these issues.

Policy: Park County supports the development of affordable and workforce housing.

Action 12.1.1: Work with the Montana Department of Commerce Housing Division's Technical Assistance Program to identify and plan for housing needs in Park County.

Objective 12.2: Work with Cooke City and Silver Gate residents to develop an affordable / workforce housing strategy.

The gateway communities adjacent to Yellowstone National Park are struggling with rising housing costs and limited housing supply. Gardiner has conducted a needs assessment and a five year housing plan. This process can serve as a model for Cooke City and Silver Gate. The planning and GIS departments can provide assistance with this process.

Action 12.2.1: Using Gardiner's strategy to develop and draft the Gardiner Area Housing Action Plan, and using Gardiner's Housing Needs Assessment and Five Year Housing Plan as a model, assist Cooke City and Silver Gate complete a similar process.

Action 12.2.2: Provide technical planning and mapping assistance to Cooke City and Silver Gate to identify land appropriate for new development of rentals and ownership units in affordable and market-rate sectors.

Action 12.2.3: Provide assistance to Cooke City and Silver Gate in monitoring the implementation of their Area Housing Plan once adopted.

Objective 12.3: Assist with implementing the strategies in the Gardiner Area Housing Action Plan.

Now that Gardiner has developed a housing action plan, the county should become active partners in its implementation. The Planning and GIS Departments have skills that can help.

Action 12.3.1: Provide technical planning and mapping assistance to Gardiner in order to identify land appropriate for new development of rentals and ownership units in affordable and market-rate sectors.

Action 12.3.2: Provide assistance to Gardiner in monitoring the implementation of the Gardiner Area Housing Plan.

Objective 12.4: Actively support and pursue grant funding to provide affordable housing to people with special needs and the elderly.

Housing is especially a concern for an aging population and people with special needs. These populations often rely on fixed incomes and increasing housing costs can price them out of their homes. Also, affordable housing options are important to seniors wanting to age in place. Aging in place means providing the housing options for seniors to downsize or find housing with features they need, such as first story bedrooms, without having to leave their community.

Action 12.4.1: Evaluate the potential for incorporating housing services for people with special needs and the elderly under the Park County Health Department.

Action 12.4.2: Support NGOs and the County Health Department in securing grants that provide affordable housing to people with special needs and the elderly.

Objective 12.5: Evaluate the benefits and impacts of vacation rentals on communities.

Vacation rentals in communities with tourism based economies are an increasing component of visitor accommodations, but they also compete with local residents for housing by causing measurable shifts in housing supply. During the outreach process of this growth policy, participants said vacation rentals are driving up housing costs and driving down supply in the gateway communities. This is consistent with other tourism based communities throughout the west. However, we don't have information on their true impact or on their benefits to the community. If the county is going to address affordable housing in gateway communities, the benefits and impacts of vacation rentals must be a part of that discussion.

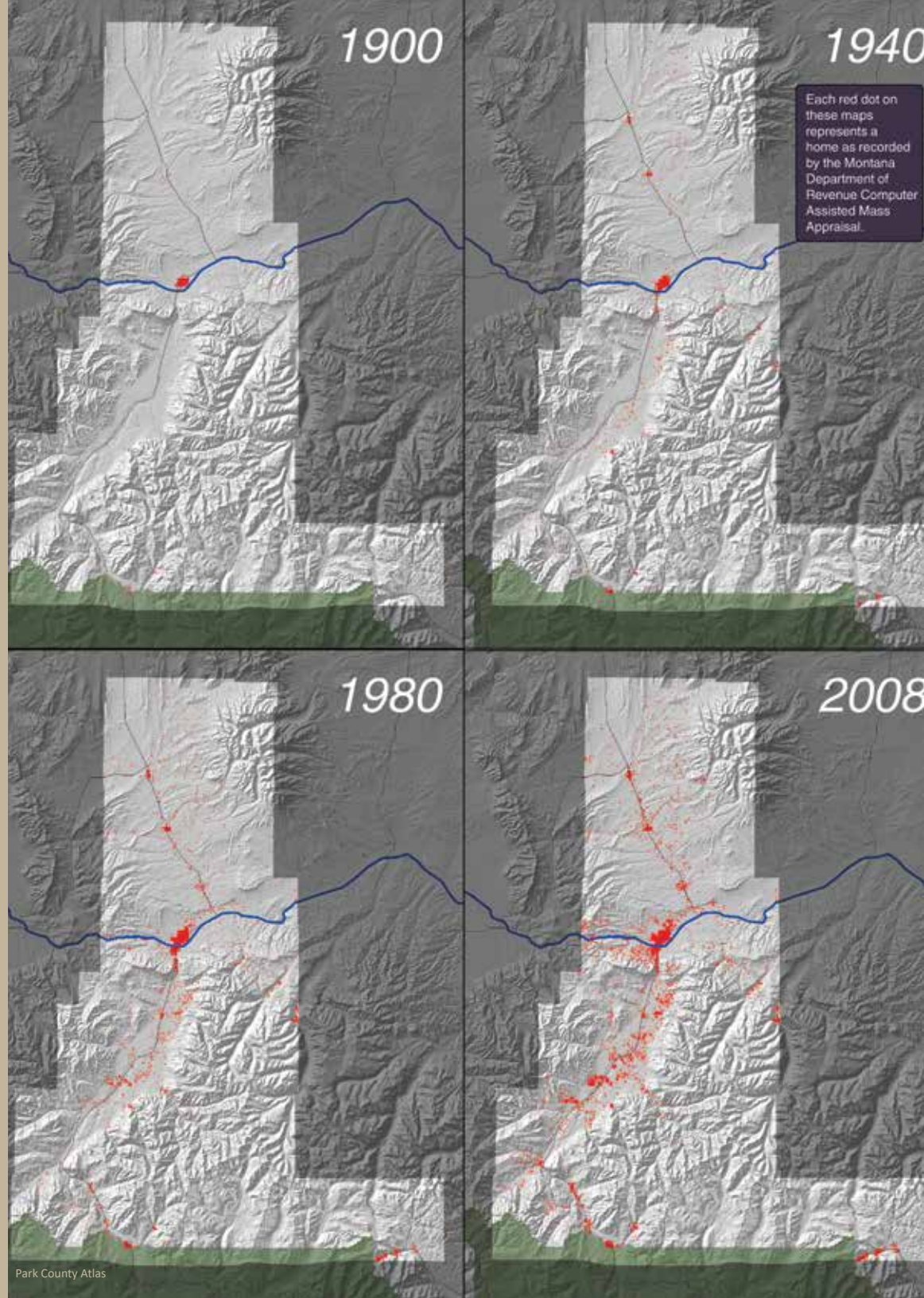
Action 12.5.1: Complete a study on the local economic impact of Short-term rentals that presents an overall context, identifies issues, and provides recommendations to address the issues.



Photo Credit: Land Solutions LLC

Chapter 7

KEY ISSUE: GROWTH AND DEVELOPMENT



Key Issue: Growth and Development



Over the life of this growth policy, growth and development in Park County is certain to occur. By 2036, Park County's population is projected to be around 17,800 people, adding an additional 1,000 people per decade. Growth and development is positive for Park County, helping to diversify and strengthen the County's economy. However, as growth and development occurs, conflicts will arise and impacts will occur. The County Commissioners, county staff, and citizens need to be aware of the positive and the negative impacts growth will bring in order to maximize the benefits and minimize the drawbacks.

Planners use population projections to gauge future demand for services, land uses, water, energy and more. Population projections use data on past and current conditions, combined with assumptions, to create a model of future conditions. Projections can vary greatly depending upon the methodology. In the case of this growth policy, it is beneficial to evaluate more than one projection.

Population Projections

Planners use population projections to gauge future demand for services, land uses, water, energy and more. Population projections use data on past and current conditions, combined with assumptions, to create a model of future conditions. Projections can vary greatly depending upon the methodology. In the case of this growth policy, it is beneficial to evaluate more than one projection.

17,800

Projected Population in Park County in 2036

The State of Montana's Census and Economic Information Center (CEIC) provides county level population projections, produced by Regional Economic Models, Inc. (eREMI). The eREMI model is a complex evaluation of demographic and economic data, developed with help from economists at CEIC in part to help project population changes in areas affected by the Bakken Oil boom. The downside of the eREMI model is that it tends to underestimate average annual population growth in counties on the western side of the state outside of the Bakken, especially in the more mountainous counties with an amenity driven economy. What the eREMI does very well is account for an aging population, something which is pronounced in Park County. The average annual growth rate in the eREMI model changes year to year, with a high of 0.17% and a low of - 0.08%.

A second model to consider is the historic growth rate methodology. This model evaluates the historic average annual growth rate over a set period of time, and projects it going forward. The upside of this model is its simplicity; the downside is it doesn't take into account changing demographics or economic conditions. Park County has an aging population which may cause growth rates to slow over time (which is evident in the eREMI model), but the economy is also diversifying, which can help moderate populations shifts that occur when commodity prices

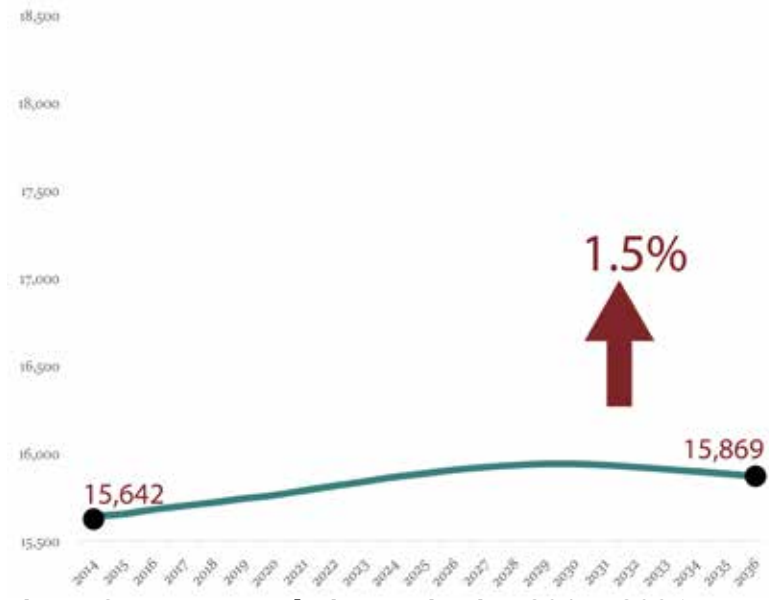


Figure 8: eREMI Population Projection 2014 - 2036

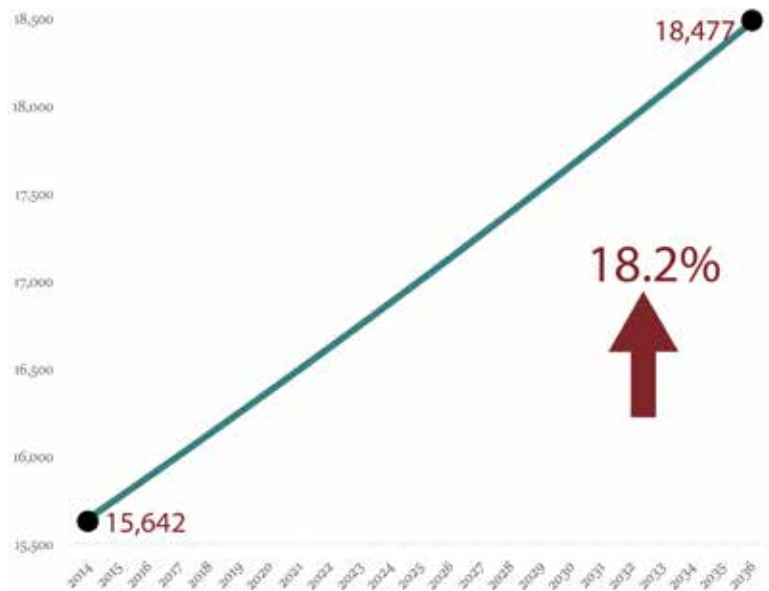


Figure 9: Historic Growth Rate Population Projection 2014 - 2036

rise and fall (which Park County has historically been susceptible too). These changes are not represented in the historic growth rate methodology. The average annual growth rate in Park County since 1970 is 0.76%.

A third methodology is to combine the eREMI and historic models into one by averaging the difference between the two average annual growth rates. This model tempers the optimism of the historic model by allowing influence of the eREMI's demographic and economic considerations. Due to the influence of the eREMI model, the average annual growth rate of this model fluctuates year to year with a high of 0.47% and a low of 0.34%.

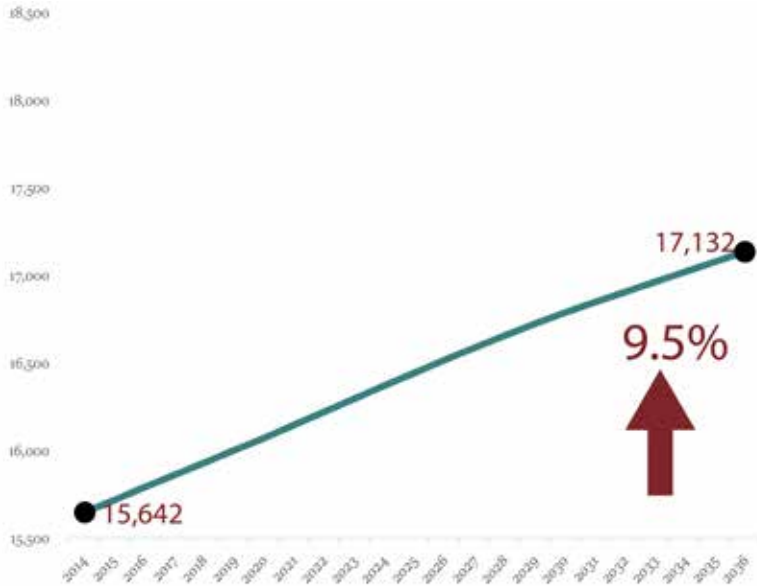


Figure 10: Combined Growth Rate Population Projection 2014 - 2036

The three models produce a range of outcomes over 20 years. On the high end, the historic model projects the population of Park County in 2036 to be 18,477. In the middle, the combine model projects the population of Park County in 2036 to be 17,132. On the low end, the eREMI model projects the population of Park County in 2036 to be 15,869.

Given the eREMI's tendency to underestimate growth rates, and given the explosive growth seen in Gallatin County which one should assume will cause migration into Park County, the eREMI projection seems too low. It seems reasonable the actual growth rate will be somewhere between the historic growth rate and the combined approach. Therefore, this growth policy will assume the population of Park County in 2036 to be around 17,800, or an increase of about 1,000 people per decade. This seems reasonable considering past decades of

expansion, the influence of amenity migration, assumed migration from Gallatin County, and the aging population. However, given Park County's history of boom and busts, another recession could temper this growth or another boom could accelerate it.

Land Use Patterns

When it comes to land use patterns, the primary drivers are individual property owners making decisions based on the real estate market and other considerations. Property has to be available for development; either for sale or owned by a person wishing to develop. A landowner looking to develop decides upon the density and type of development dependent based on the market and site characteristics of the property. Because little of Park County is zoned, there is no accurate way to project what type and intensity of development will occur and where it will occur. This is especially problematic when planning for and investing in public infrastructure needed to serve a growing population.

Of all the regulations in place in Park County, the Montana Department of Environmental Quality's (MDEQ) water and sanitation rules have the greatest impact on development patterns. Most new development that divides property is reviewed by MDEQ. The MDEQ rules typically require about one acre of land for individual wells and septic systems. This establishes a de facto minimum lot size of about one acre for most single family homes in the rural areas of Park County. If a public water or public sewer system is available, the de facto minimum lot size is about 20,000 square feet. If public water and public sewer systems are available, for example in Gardner, there is no minimum lot size. The MDEQ minimum lot sizes are site specific considerations, only addressing specific development proposals reviewed by the agency.

The Park County Subdivision Regulations are the primary tool employed by Park County to review development proposals. The subdivision review process focuses on evaluating the design of a subdivision to mitigate negative impacts on public health and safety and other criteria. The subdivision review process does not regulate the location or type of development, and rarely influences the proposed density.

Employment

The majority of jobs in Park County are concentrated in several unique population centers including Livingston, Clyde Park, Cooke City, Silver Gate, Emigrant, Pray, Gardiner, and Wilsall. All of these communities share an independent, resilient spirit and have local economies sustained by a diverse array of commercial and industrial businesses and agricultural activities. That being said, the unique nature of each community is tied to its geographic location. This is demonstrat-

ed by the fact that communities like Wilsall and Clyde Park in the Shields Valley are more reliant on agriculture, whereas communities that flank Yellowstone National Park, such as Cooke City and Gardiner, lean heavily on tourism, entertainment, food service, and retail.

The community of Livingston is also home to many service sector jobs and houses a large portion of the County's industrial jobs, with a working railyard and several large manufacturers.

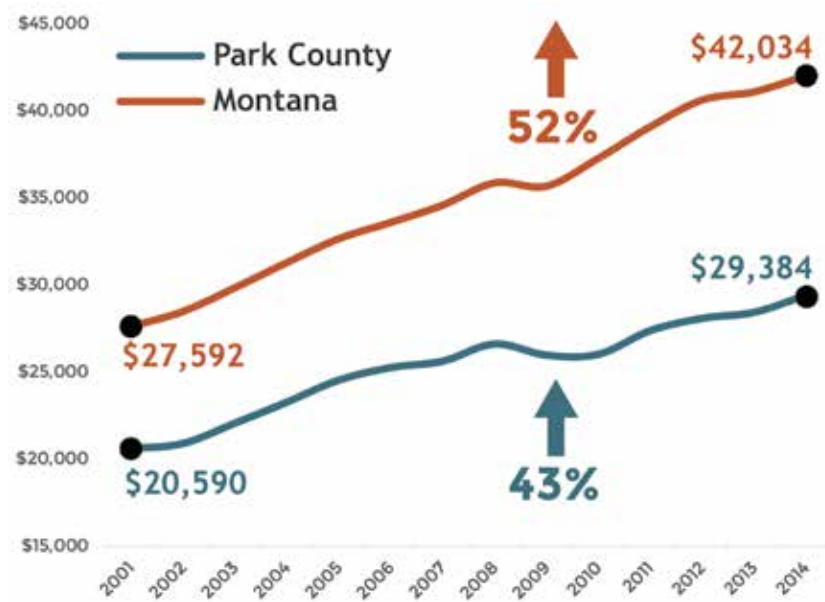


Figure 11: Change in Earnings 2001 - 2014

Workforce Mobility

In 2004, 84% of the jobs in Park County were filled by Park County residents and 16% were filled by residents of other counties, over half of which were filled by Gallatin County residents. By 2014 those figures shifted, with 62% of the jobs in Park County filled by Park County residents and 38% were filled by residents of other counties, nearly one third of which were filled by Gallatin County residents. This trend demonstrates that an increasing share of jobs in Park County are being filled by residents of neighboring counties.

Similarly, in 2004, 63% of employed Park County residents worked in Park County and 37% worked in other counties, over two-fifths of whom worked in Gallatin County. By 2014, these figures shifted so that 52% of employed Park County

residents worked in Park County and 48% worked in other counties, close to half of whom worked in Gallatin County. This trend shows that an increasing share of Park County workers are seeking employment in nearby counties.

Goal 13: Protect private property rights.

Objective 13.1: When making decisions regarding land use, uphold provisions of the US Constitution and the Constitution of the State of Montana that protect private property rights.

Private property ownership is the foundation upon which free enterprise is built. As such, private property rights and ownership of property shall be protected. Any laws, regulations, or restrictions shall consider the protection of those rights.

The Park County growth policy incorporates and affirms the following basic principles concerning property rights:

“No person shall be deprived of life, liberty, or property without due process of law, nor shall private property be taken for public use, without just compensation.” (U.S. Bill of Rights, Amendment 5).

“No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” (U.S. Bill of Rights, Amendment 14)

“All persons are born free and have certain inalienable rights. They include the right to a clean and healthful environment and the rights of pursuing life’s basic necessities, enjoying and defending their lives and liberties, acquiring, possessing, and protecting property, and seeking their safety, health, and happiness in all lawful ways. In enjoying these rights, all persons recognize corresponding responsibilities.” (Montana Constitution, Article II, Section 3).

“The right of individual privacy is essential to the well-being of a free society and shall not be infringed without the showing of a compelling state interest.” (Montana Constitution, Article II, Section 10).

“Private property shall not be taken or damaged for public use without just compensation to the full extent of the loss having been first made to or paid into the court for the owner. In the event of litigation, just compensation shall include necessary expenses of litigation to be awarded by the court when the private property owner prevails.” (Montana Constitution, Article II, Section 29).

“The Park County Commission recognizes and supports the original concept of the framers of the Constitution wherein the power of eminent domain should

only be used as a last resort to acquire private property for a public project that is necessary to accomplish the general welfare of Park County citizens.” (Park County Commission, Resolution 881, August 2, 2005).

Policy: Protect private property rights for all citizens of Park County.

Action 13.1.1: The County Attorney should review land use proposals of significance for legal issues prior to adoption.

Action 13.1.2: The County Attorney should be present at key decision making points to provide legal advice to the Commissioners on land use proposals of significance.

Goal 14: Take an active role in the land use and development process.

The current methodology for addressing land use conflicts in Park County follows a passive approach. Except for a handful of site review tools Park County is required to administer by state law and a handful of zoning districts, Park County has passed on its authority to govern land use decisions given to it by the State of Montana. Park County has the right to do that, but what this means is in many situations, such as recent gravel pit mining and asphalt batch plant proposals, decisions are not made at the local level. Where the state does not take authority over a specific proposal, conflicts over land use often come down to private attorneys battling it out in civil court. This means the power to govern some local land use issues is out of the hands of local citizens and officials. It also means a high degree of uncertainty for individuals and businesses looking to invest in Park County. Based on participation throughout the drafting of this document, people in Park County are looking for their local officials to be to be more active in the land use and development process.

Objective 14.1: Recognize the relationship between enhanced revenues generated by new growth and the long term liabilities for maintaining infrastructure and providing services.

Generally, when property is developed the county sees increased tax revenues which in theory, pay for the services the new development requires. Some development generates more in new revenues than is needed for services, but for other development the costs to provide services is higher than the increased revenues. This is especially true when considering the long term cost of maintenance and upgrades to infrastructure.

For example, the surface of a road has a life span. The maintenance needs of

that road typically increase gradually as the road ages, and eventually the road surface reaches the end of its life. Costs to maintain the road increase slowly over time, then there is a big jump in expense when the road requires a major overhaul. However, the revenues from taxes generated by the people who use that road remain relatively constant. If the revenues generated from new development don't stay equal to or outpace the long term costs to provide services, taxes will need to increase or services will need to be cut.

Using information publically available on the Montana Cadastral website, the county can map the ratio of tax revenue generated per acre throughout the county. Then, using a combination of county sources, the county can estimate the costs to provide service to the different geographic areas. With this information, the county can evaluate development patterns that will provide for a sustainable county budget.

Policy: Recognize new revenues from development don't always pay for the services new residents require.

Action 14.1.1: Create and maintain data and mapping on property tax revenues generated on a per acre basis in order to identify the location and types of development that provide the greatest economic benefit to the county.

Action 14.1.2: Assist areas that collect resort taxes to establish community priorities for the expenditure of those funds.

Action 14.1.3: Use grant sources to fund market analyses for communities in Park County.

Objective 14.2: Identify the current mechanisms for addressing land use conflicts and evaluate options for improvement.

Empirically, people in Park County believe conflicts over land use are increasing and intensifying, pitting neighbor versus neighbor. This growth policy calls for a more active approach that uses a combination of community/neighborhood scale planning, as well as addressing some issues more comprehensively or countywide. Making a profound shift in land use strategy should not happen without the county being fully informed. This calls for objectively and thoroughly analyzing the existing approach for addressing land use conflicts in Park County and identifying the benefits, limitations and impacts of the system.

Action 14.2.1: Draft a report that evaluates the current mechanisms for addressing land use conflicts.

Action 14.2.2: Evaluate alternative approaches and how they would improve conflict resolutions over the existing approach

Objective 14.3: Develop tools that will allow the County to respond to and address evolving land use issues.

Park County is still a relatively rural county. People are connected - they know one another, have connections to the locations and communities throughout the county. But Park County can also be diverse. Because of the physical landscape, there are vast differences between areas and communities. People are the binding factor. Park County's strategy for addressing land use issues needs to be flexible and responsive to changing communities and economies. The county will need to address some issues locally as a neighborhood or community, and others comprehensively as a county. Being flexible with the tools in the tool box will allow the county to respond to issues quickly and appropriately.

Policy: Support a planning approach that recognizes some issues are localized, and other issues are countywide.

Action 14.3.1: Use neighborhood and area planning to provide specific policy direction to specific areas that have unique issues.

Action 14.3.2: Use topic specific plans such as transportation plans, capital improvement plans, or parks plans to provide specific policy direction on topics that have unique issues but are comprehensive to all Park County residents.

Action 14.3.3: Develop a future land use map for Park County and adopt it as an amendment to this growth policy.

Objective 14.4: Continue with and expand upon community outreach efforts that inform citizens of planning activities, while keeping planners aware of pressing issues.

One of the guiding principles of this growth policy is that the people of Park County will drive planning efforts. The benefits of this community driven approach is the citizens of Park County will be involved in the development of solutions. However, some pitfalls exist. Sometimes the public is not sufficiently educated on the issues or possible outcomes to make informed comments. Other times local officials are not in touch with the public's needs. Park County cannot overlook or undervalue public outreach and involvement as a part of implementing this growth policy.

Policy: Planning in Park County will be inclusive, and driven by the residents of Park County.

Action 14.4.1: Continue to hold community listening sessions following Planning and Development Board meetings.

Action 14.4.2: Update the Park County Atlas.

Action 14.4.3: Maintain the planning department's high level of transparency by making information available online, and attending informational meetings of community groups.

Action 14.4.4: Support the continuing education of staff.

Action 14.4.5: Support staffing levels that allow staff and county officials to attend community meetings.

Objective 14.5: Identify areas of critical agricultural importance and implement mechanisms in these areas that support the ability of agricultural land owners to continue operations.

Agricultural lands are economically important to Park County, both as a base industry and for the quality of life and the rural sense of place they create. Agricultural land is also susceptible to the conversion to new residential uses. The challenge is to make the information and tools available for agricultural landowners so they can voluntarily keep ag land as ag land.

Policy: Support the right of agricultural landowners to voluntarily keep their land in agricultural production.

Action 14.5.1: Create a map of agricultural lands of importance by prime soil types identified by the USDA, large parcel sizes taxed as agricultural, and other considerations. Review the map with agricultural landowners for their input.

Action 14.5.2: Update the Park County Atlas to include the map of agricultural lands of importance.

Objective 14.6: Develop incentives to encourage planned development that will be served by existing or planned infrastructure near existing communities centers.

Infrastructure is critical for development, and certain types of development cannot be built without certain types of infrastructure. Some of these development types are critical to addressing the key issues Park County is facing, such as housing. Starter homes, affordable homes, senior and workforce housing all benefit from services like public water and sewer. If Park County is going to grow by 1,000 people per decade over the next 20 years, more housing and more affordable housing will be required. Community centers are key to providing these possibilities. Community centers are also critical to diversifying the economy. Some commercial and industrial facilities need public water and sewer. Furthermore, it is far more efficient to deliver other infrastructure like broadband in community centers than in rural areas. These are all reasons why the community centers in Park County are so important.

Helping community centers thrive starts with good planning. The first step is to establish the community's needs. Additional steps include: conducting housing assessments to identify the type and amount of housing needed; completing a market analysis to identify the retail and commercial potential; completing infrastructure plans and community visioning processes; and identifying the areas where a community can easily and appropriately accommodate new growth.

An important step towards meeting the objective to provide incentives is to adopt regulations according to the adopted planning documents. This is important to ensure growth will happen how and where it is planned and to allow for the efficient extension of services in advance. In addition, the subdivision regulations can be evaluated to determine if the county can modify design standards in the community centers to reflect the higher infrastructure levels. It is likely that in community centers where zoning has been adopted, the design standards in the subdivision regulations can be reduced (you can have different design standards for different geographies within a jurisdiction, and it is a good way to incentivize development in certain areas). With proactive planning for land use and infrastructure, and the right development codes in place, the county can expedite the process for approving subdivisions.

Policy: Support development in community centers.

Action 14.6.1: Acquire grant funding to complete a market analysis for Gardiner and the Cooke City area.

Action 14.6.2: Complete neighborhood plans for community centers.

Action 14.6.3: Complete infrastructure plans according to 76-1-604(4)(c) MCA.

Action 14.6.4: Adopt and revise development standards.

Action 14.6.5: Allow for expedited review of subdivisions in community centers according to 76-3-616 MCA.

Objective 14.7: Provide resources and support efforts to address the needs of an aging population.

Park County's population is older than the state average and aging fast. The county needs to prepare for an aging population. This means providing a housing supply that enables people to age within their communities, providing health care, ensuring community centers are walkable, and transportation to services is available.

Action 14.7.1: When creating development codes, provide for a range of housing choices that allow older adults to "downsize" while remaining in their community.

Action 14.7.2: Assist the county health department with identifying and implementing objectives of that department's strategic plan as appropriate.

Action 14.7.3: In community centers, recognize that walkability is critical to older adults being able to reach the services they need. Work with MDT on highway projects to incorporate context sensitive design that promotes walkability and non-motorized facilities.

Action 14.7.4: Work with regional partners to explore potential options to provide a public transportation service that assists older adults in accessing the services they need.

Action 14.7.5: Use GIS to map the location of critical services for older adults, and develop models that demonstrate travel times to those services. Locate new services or develop mobile services to serve areas with relatively high population densities that are far from existing services.

Goal 15: Diversify Park County's economy.

Objective 15.1: Provide resources and support to economic development agencies operating in Park County.

Usually county government involvement in economic development in rural areas is limited. Economic development corporations typically do most of the heavy lifting. Economic development corporations are usually set up like non-profits with some elected officials sitting on the board. This standard arrangement is essentially the case in Park County. It is important to note the county has great staff and a strong county structure which can assist economic development efforts. To reach the goal of diversifying Park County's economy, the local government should actively participate in economic development.

Policy: Park County actively participates in and supports economic development.

Action 15.1.1: Continue formal partnerships with economic development corporations and advocate strategies that work towards meeting the goals of this growth policy.

Action 15.1.2: Recognize the county has more resources and greater capacity to promote private investment than non-profit economic development corporations, identify ways the county can use its capacity and profile to assist local economic development authorities to expand economic development.

Action 15.1.3: The county should take an active role in coordinating the different economic development activities in the unincorporated towns and incorporated municipalities in Park County by communicating to these communities the shared long-range goals, by being more active in their strategic planning, and by providing assistance in program evaluation.

Objective 15.2: Recognize the value of Park County's unique natural amenities and recreational opportunities as competitive strengths, attracting talent and companies that diversify and strengthen the economy.

We are living in a changing world. People and businesses now choose where they live and locate for a whole different set of reasons than they did 20 years ago. In today's world, with the right talent and the right infrastructure, a business in Park County can be on a level playing field with competitors anywhere else in the entire world. Quality of life of the community is now one of the most important factors both workers and business owners consider when deciding

where to locate. The old way of economic development was to use tax breaks to attract large employers to the community. The new way of economic development is to focus on the quality of life which attracts the talent to seed new business and grow the ones already there.

To be clear, this isn't about growing the tourism based economy, this is about diversification. By focusing on the unique strengths Park County has, the county will be able to attract the talent who will create jobs in other sectors of the economy. Montana consistently ranks at the top of the country for entrepreneurship, and its manufacturing base is growing while in much of the country it is shrinking. These are opportunities Park County can capitalize upon.

Action 15.2.1: Develop an amenity-based economic development strategy that builds on the natural and cultural assets of Park County to achieve economic growth.

Action 15.2.2: If adopting regulation, consider the importance of the built environment and preserving or enhancing the small town appeal, such as a compact physical layout and historic architecture. Promote codes that allow flexibility; discourage codes that are rigid.

Action 15.2.3: If adopting regulation, consider the importance of the natural environment and recreational opportunities and their relationship with attracting talent that benefits existing employers.

Action 15.2.4: Consider benefits and costs in land use decisions, finding balance between developing and preserving natural resources that can support primary employment such as agriculture, fishing, timber, mining, renewable energy development and traditional energy development.

Chapter 8 PLANNING APPROACH



Planning Approach

General Planning Approach

The purpose of the Park County Growth Policy is to identify the key issues facing Park County and to put together a strategy to address those issues. The organization of the document reflects this purpose. While the growth policy discusses key issues within individual chapters, they are not independent of one another and the methods to approach the issues are interlinked.

The people who attended the open houses, spoke at meetings, and participated in the online questionnaire drove the policy direction in this document, and they called for a shift in how the county approaches planning. The current approach to planning in Park County is a passive approach, where the county addresses issues as they arise. During the outreach process it became clear a new approach is necessary, one where the county is more active in the planning discussion. This represents a shift in policy, one that will be welcomed at times, and at other times, prove difficult and contentious. For this shift to occur successfully, it will need to happen incrementally over time, and the residents of Park County will need to continually be the driving force. Generally, the strategy is to approach the key issues in three phases.

The first phase to addressing an issue is to collect the information, data and description of the conditions necessary to make informed decisions. This is critical for two reasons. First, the people making decisions need accurate information. Second, the public must help drive the process, and for the public to be involved in a meaningful manner, they must also be well informed.

With informed officials and an informed public, Park County can start to evaluate different ways to address the key issues. This growth policy contains examples of different tools to address the key issues. These include funding mechanisms, regulatory tools, and coordination ideas but can include other methods as well. With the right information in hand, the community can have a discussion on what tools will work to solve a specific issue. They can evaluate the positives and negatives of the tool, and make good decisions on the right tool to use.

The final phase of the process is putting the tools to use. This could mean adopting regulations, funding an infrastructure project or formalizing a relationship with another entity. This is the final step towards addressing a specific issue, but the work doesn't end here. The county will have to continue to evaluate the effectiveness of the action. Some issues may be resolved by implementing just one action in this document, while others may require a host of actions.

It is important to note that progress on addressing the key issues is going to vary. Implementing some actions will be simple and straight forward, while others

will be more challenging and complex. This growth policy includes a timeframe for implementing different actions, but conditions or prioritization will change through the life of the growth policy. Park County should use the timeline as a guide, and adjust the implementation of strategies as conditions warrant.

Implementation Table

The implementation table organizes the recommended actions into a format so the user of the growth policy can easily identify when the action are planned to occur and who should carry the action out. The columns in the implementation table are:

Lead Partners: This column lists who will take a leadership role for each action. It does not cite all of the partners and participants who will be involved with each action, especially partners and participants outside of the county's jurisdiction. Depending on the action, the county's role will vary from leading, facilitating or supporting.

Timeframe: This column indicates when the action is expected to be taken. The time frames included are:

Immediate: These actions are to be initiated or completed within 1 year of adoption of the plan and generally reflect immediate priorities.

Short-term: These actions are to be initiated or completed within 1 to 5 years from adoption of the plan.

Mid-Term: These actions are to be initiated or completed within 5 to 10 years from adoption of the plan.

Ongoing: These actions will occur throughout the life of the plan.

Below is a list of acronyms used in the implementation table to identify the lead partners.

AO - Park County Accounting Office

BCC – Park County Board of County Commissioners

BOH - Park County Board of Health

CA – Park County Attorney

DES – Park County Disaster and Emergency Services

FC – Park County Fire Council

GIS – Park County GIS Department

GSP - Park County Grants and Special Projects

HD – Park County Health Department

NGOs – Non-Government Organizations

PCA – Park County Public Communications Administrator

PD – Park County Planning Department

PDB – Park County Planning and Development Board

PRB – Park County Parks and Recreation Board

PW - Park County Public Works

SWB - Park County Solid Waste Board

Goal 1: Plan for and encourage development in the area around Livingston.

Objective	Action	Timeframe	Lead Partners
Objective 1.1: Complete a joint planning exercise with the City of Livingston to develop a shared vision for the unincorporated area around Livingston.	Action 1.1.1: Develop a Memorandum of Understanding with the City on the process, scope and intended outcomes of a joint planning exercise.	Immediate	PD, PDB, CA, PBCC,
	Action 1.1.2: Establish baseline conditions and projections for future development.	Short-term	PD, PDB
	Action 1.1.3: Identify what services are necessary to accommodate development.	Short-term	PD, PDB
	Action 1.1.4: Finalize a report to each governing body detailing a shared vision for the planning area, service needs, and potential mechanisms for the local governments to achieve that vision.	Short-term	PD, PDB
Objective 1.2: Update the existing interlocal agreement between the City of Livingston and Park County to outline steps each jurisdiction should take to meet the shared planning vision.	Action 1.2.1: Draft a new interlocal agreement detailing the principles of the shared vision, the methods for cooperation, and the planning tools to be used to achieve that vision	Short-term	PD, PDB, CA, PBCC
	Action 1.2.2: Adopt the updated interlocal agreement.	Short-term	BCC
	Action 1.2.3: Develop a work plan with the city to implement the details of the interlocal agreement.	Mid-term	PD, PDB
Objective 1.3: Complete an infrastructure plan and adopt development standards that under state law provide incentives for planned development in the unincorporated area around Livingston.	Action 1.3.1: Complete a detailed infrastructure study meeting the requirements of MCA 76-1-601 (4)(c).	Mid-term	PD, PDB
	Action 1.3.2: Adopt the detailed infrastructure plan as an amendment to the county growth policy.	Mid-term	PDB, BCC
	Action 1.3.3: Draft and adopt zoning for the area based on the infrastructure plan amendment.	Mid-term	PD, PDB
	Action 1.3.4: Revise subdivision regulations according to MCA 76-3-616 (2) in order to incentivize development in this area.	Mid-term	PD, PDB

Goal 2: Partner with state and federal agencies to reduce human-wildlife conflicts.

Objective	Action	Timeframe	Lead Partners
Objective 2.1: Develop and implement a shared strategy with wildlife management agencies and community organizations to educate the public on living with wildlife.	Action 2.1.1: Assist with the distribution of materials on living with wildlife developed or distributed by state and federal wildlife officials.	Ongoing	PD, PCA
Objective 2.2: Identify critical wildlife corridors for development, infrastructure and conservation planning.	Action 2.2.1: Use expertise, information and data from state and federal wildlife managers to identify and map corridors.	Short-term	PD, GIS
	Action 2.2.2: Incorporate wildlife corridor mapping into the Park County Atlas.	Mid-term	PD, GIS
	Action 2.2.3: Encourage MDT to include mitigation of wildlife corridors in planning and implementing highway projects.	Ongoing	PD

Goal 3: Support efforts of fire managers to manage fuels on public and private lands.

Objective	Action	Timeframe	Lead Partners
Objective 3.1: Implement the Community Wildfire Protection Plan.	Action 3.1.1: Meet with fire management officials to identify parties responsible for implementing the actions in the Wildfire Protection Plan.	Short-term	PD, FC, DES
	Action 3.1.2: Take action to implement the tasks identified as being the responsibility of the county.	Short-term	PD, BCC, FC, DES
Objective 3.2: Increase support of rural fire districts.	Action 3.2.1: Assist rural fire districts in developing a consolidated targeted recruitment program to increase volunteers.	Short-term	FC, DES
	Action 3.2.2: Provide assistance in researching grant sources and writing grants for funding equipment, training and implementing projects.	Ongoing	GSP

Goal 4: Become active partners in management of federal lands.

Objective	Action	Timeframe	Lead Partners
Objective 4.1: Establish Cooperating Agency status with the USFS and NPS.	Action 4.1.1: Reach out to the USFS and NPS and determine the specific requirements to achieve Cooperating Agency status.	Short-term	BCC, PCBD
	Action 4.1.2: Complete the requirements to achieve Cooperating Agency status.	Short-term	BCC, PCBD

Goal 5: Encourage efforts of non-governmental partners to address community needs.

Objective	Action	Timeframe	Lead Partners
Objective 5.1: Facilitate and provide support to community groups.	Action 5.1.1: Continue formal partnerships with NGOs providing services to Park County residents.	Ongoing	BCC, NGOs
	Action 5.1.2: Develop new partnerships with NGOs that are well positioned to assist in achieving the goals of this growth policy.	Ongoing	BCC, NGOs

Goal 6: Be prepared to make decisions on how to manage water resources.

Objective	Action	Timeframe	Lead Partners
Objective 6.1: Build on recent efforts to establish baseline water quantity and quality information for the major watersheds in Park County.	Action 6.1.1: Coordinate with the DNRC, the USGS, the Yellowstone River Council and the MBMG Groundwater Investigation Program to identify and assemble available studies on groundwater and surface water.	Short-term	PD, PDB
	Action 6.1.2: Coordinate with the DNRC, the USGS, the Yellowstone River Council and the MBMG Groundwater Investigation Program to conduct studies in areas of Park County where studies have not been completed.	Short-term	PD, PDB
Objective 6.2: Conduct a water resource study that analyzes sources, long term availability, potential conflicts, and recommendations for management.	Action 6.2.1: Coordinate with the DNRC to produce a scientifically based document identifying Park County's long term water requirements.	Mid-Term	PD, PDB
	Action 6.2.2: Based on baseline data and longer term water requirements, work with the DNRC to prepare a water management plan that provides recommendations to County Commissioners on how to manage county resources impacted by water, and for irrigators who use water for their livelihoods.	Mid-Term	PD, PDB

Goal 7: Increase availability of broadband internet.

Objective	Action	Timeframe	Lead Partners
Objective 7.1: Partner with educational providers, health care providers, the City of Livingston and the business community to investigate options and make recommendations investing in broadband infrastructure and expanding its use.	Action 7.1.1: Partner with the city and NGOs and telecommunication providers to complete a broadband feasibility study focusing on ways to promote the development of next-generation broadband infrastructure in the community.	Short-term	PD, NGOs,
	Action 7.1.2: Update the map in the Park County Atlas showing broadband coverage.	Short-term	PD, GIS
	Action 7.1.3: Update the subdivision regulations to ensure broadband utilities are considered in development proposals as appropriate.	Short-term	PD

Goal 8: Create a system of interconnected trails.

Objective	Action	Timeframe	Lead Partners
Objective 8.1: Prioritize and implement the recommendations in the Park County Active Transportation Plan.	Action 8.1.1: Develop a five year work plan identifying responsible parties and potential mechanisms for implementing the Active Transportation Plan.	Immediate	PD, PRB
	Action 8.1.2: Review and update the work plan annually.	Ongoing	PD, PRB
	Action 8.1.3: Review and if necessary revise the Active Transportation Plan in 2020.	Mid-Term	PD, PRB
	Action 8.1.4: Identify, monitor and protect public access to public lands.	Ongoing	PD, PW
Objective 8.2: Continue partnerships with the City of Livingston to develop Active Transportation facilities in and around the city.	Action 8.2.1: Identify city and county shared priorities.	Immediate	PD
	Action 8.2.2: Integrate Active Transportation Planning into the shared vision and Memorandum of Understanding on land use planning in the Livingston area.	Immediate	PD, PDB, PCA, PBCC
	Action 8.2.3: Work with the city on grant applications for Active Transportation facility and infrastructure funding.	Ongoing	PD, GSP
Objective 8.3: Identify stable, long-term funding sources for trail planning, design, construction, and maintenance	Action 8.3.1: Identify and evaluate potential options for funding the ongoing operation and maintenance costs for Active Transportation facilities.	Mid-Term	PD, PRB, AO
	Action 8.3.2: Identify and evaluate potential locally sourced funding options for the construction of new active transportation facilities.	Mid-Term	PD, PRB, GSP, AO

Goal 9: Provide for a safe and efficient County road network.

Objective	Action	Timeframe	Lead Partners
Objective 9.1: Update the subdivision regulations to ensure new subdivisions pay a proportional share of their impact when upgrading County roads to meet County standards.	Action 9.1.1: Research and present options to the Planning and Development Board on how other counties in Montana use subdivision regulations to require improvements to off-site county roads that are directly attributable to the impacts of a proposed subdivision.	Immediate	PD, PDB
	Action 9.1.2: Update the design and improvement standards in the subdivision regulations to include a procedure for making improvements to off-site county roads based on the direct proportional impact of a proposed subdivision.	Immediate	PD, PDB
	Action 9.1.3: Monitor and protect county right-of-way and easements from encroachments.	Ongoing	PW

Goal 9: Continued

Objective 9.2: Establish a baseline for the condition of county roads and bridges, and monitor their condition over time.	Action 9.2.1: Use a PASER analysis on paved, chip-sealed and gravel county roads to establish baseline conditions.	Immediate	PW
	Action 9.2.2: Use a PASER analysis on paved, chip-sealed and gravel county roads to monitor trends in the condition of county roads.	Ongoing	PW
	Action 9.2.3: Establish baseline conditions for bridges and monitor trends.	Short-term	PW
	Action 9.2.4: Develop and maintain a GIS map documenting historic and up-to-date PASER ratings for all paved, chip-sealed and gravel county roads in order to analyze improvement and deterioration over time.	Short-term	PW, GIS
Objective 9.3: Prioritize the use of rural special improvement districts to upgrade substandard County roads in areas that are already developed.	Action 9.3.1: Use the PASER analysis, existing preliminary engineering reports (PERs), traffic data, development patterns and other pertinent information to evaluate what roads need funding for maintenance and upgrades.	Short-term	PD, PW, GIS
	Action 9.3.2: Complete PERs on roadways in priority areas in order to determine estimated costs to bring substandard roads up to county standards.	Ongoing	PW
	Action 9.3.3: With the support of neighborhoods, create RSIDs to bring priority substandard roads up to county standards.	Ongoing	PW, PD
	Action 9.3.4: Use RSIDs to supplement the cost of bringing a substandard county road up to county standards when off-site improvements directly proportional to the impact of subdivision do not cover the entire costs of improvements.	Ongoing	PW, PD
	Action 9.3.5: Update the county RSID policy.	Short-term	PW, BCC
Objective 9.4: Continue to secure federal funding sources to upgrade county roads and bridges that provide access to recreation areas on public lands.	Action 9.4.1: Pursue funding sources such as the Montana Federal Lands Access Program and/or other federal and state programs in order to mitigate impacts to county roads and upgrade county roads.	Ongoing	PW, GSP

Goal 10: Support water and sewer districts in and around community centers,

Objective	Action	Timeframe	Lead Partners
Objective 10.1: Coordinate with the existing water and sewer districts to update water and sewer facilities.	Action 10.1.1: Write letters of support, provide staff resources, and be partners in applications for funding sources for improvements, upgrades and expansions to water and sewer systems located in community centers.	Ongoing	BCC, GSP, PW
Objective 10.2: Evaluate and support the development of public water and wastewater systems in community centers in order to accommodate new growth and existing development.	Action 10.2.1: Complete area/neighborhood plans for Gardiner and the Cooke City - Silver Gate area that evaluates future infrastructure needs, projects land uses, and prioritizes infrastructure improvements, upgrades and expansions.	Short-term	PD, GIS, PW, GSP

Goal 11: Collect, treat and dispose of solid waste as part of an effective and efficient waste management system.

Objective	Action	Timeframe	Lead Partners
Objective 11.1: Maintain a database on the use of solid waste.	Action 11.1.1: Continue collecting data on the use of the satellite collection points and use the data to evaluate operations in order to keep costs down.	Ongoing	PW
Objective 11.2: Continue partnerships with the City Livingston to manage solid waste.	Action 11.2.1: Revise agreements with the City of Livingston when necessary.	Ongoing	PW, BCC
Objective 11.3: Continue efforts to support and explore new options for recycling.	Action 11.3.1: Develop an internal county policy and guidelines for waste reduction and recycling.	Short-term	SWB, PW, BCC

Goal 12: Provide for affordable, low income and workforce housing.

Objective	Action	Timeframe	Lead Partners
Objective 12.1: Prepare a housing plan for all of Park County that identifies affordable housing needs and targets, identifies possible funding sources, and pinpoints implementation partners.	Action 12.1.1: Work with the Montana Department of Commerce Housing Division's Technical Assistance Program to identify and plan for housing needs in Park County.	Immediate	PD
Objective 12.2: Work with Cooke City and Silver Gate residents to develop an affordable / workforce housing strategy.	Action 12.2.1: Using Gardiner's strategy to develop and draft the Gardiner Area Housing Action Plan, and using Gardiner's Housing Needs Assessment and Five Year Housing Plan as a model, assist Cooke City and Silver Gate complete a similar process.	Short-term	PD
	Action 12.2.2: Provide technical planning and mapping assistance to Cooke City and Silver Gate to identify land appropriate for new development of rentals and ownership units in affordable and market-rate sectors.	Short-term	PD, GIS
	Action 12.2.3: Provide assistance to Cooke City and Silver Gate in monitoring the implementation of their Area Housing Plan once adopted.	Mid-Term	BCC, PD, GIS, GSP
Objective 12.3: Assist with implementing the strategies in the Gardiner Area Housing Action Plan.	Action 12.3.1: Provide technical planning and mapping assistance to Gardiner in order to identify land appropriate for new development of rentals and ownership units in affordable and market-rate sectors.	Short-term	PD, GIS
	Action 12.3.2: Provide assistance to Gardiner in monitoring the implementation of the Gardiner Area Housing Plan.	Ongoing	PD, GIS, GSP

Goal 12: Continued

Objective 12.4: Actively support and pursue grant funding to provide affordable housing to people with special needs and the elderly.	Action 12.4.1: Evaluate the potential for incorporating housing services for people with special needs and the elderly under the Park County Health Department.	Mid-Term	HD, BOH
	Action 12.4.2: Support NGOs and the County Health Department in securing grants that provide affordable housing to people with special needs and the elderly.	Ongoing	BCC, GSP, HD, BOH
Objective 12.5: Evaluate the benefits and impacts of vacation rentals on communities.	Action 12.5.1: Complete a study on the local economic impact of Short-term rentals that presents an overall context, identifies issues, and provides recommendations to address the issues.	Short-term	PD

Goal 13: Protect private property rights.

Objective	Action	Timeframe	Lead Partners
Objective 13.1: When making decisions regarding land use, uphold provisions of the US Constitution and the Constitution of the State of Montana that protect private property rights.	Action 13.1.1: The County Attorney should review land use proposals of significance for legal issues prior to adoption.	Ongoing	CA, PD, BCC
	Action 13.1.2: The County Attorney should be present at key decision making points to provide legal advice to the Commissioner’s on land use proposals of significance.	Ongoing	CA, PD, BCC

Goal 14: Take an active role in the land use and development process.

Objective	Action	Timeframe	Lead Partners
Objective 14.1: Recognize the relationship between enhanced revenues generated by new growth and the long term liabilities for maintaining infrastructure and providing services.	Action 14.1.1: Create and maintain data and mapping on property tax revenues generated on a per acre basis in order to identify the location and types of development that provide the greatest economic benefit to the county.	Ongoing	PD, GIS
	Action 14.1.2: Assist areas that collect resort taxes to establish community priorities for the expenditure of those funds.	Ongoing	PD
	Action 14.1.3: Use grant sources to fund market analyses for communities in Park County.	Short-term	GSP, PD
Objective 14.2: Identify the current mechanisms for addressing land use conflicts, and evaluate options for improvement.	Action 14.2.1: Draft a report that evaluates the current mechanisms for addressing land use conflicts.	Short-term	PD
	Action 14.2.2: Evaluate alternative approaches and how they would improve conflict resolutions over the existing approach.	Short-term	PD, PDB
Objective 14.3: Develop tools that will allow the County to respond to and address evolving land use issues.	Action 14.3.1: Use neighborhood planning and areas plans to provide specific policy direction to specific areas that have unique issues.	Ongoing	PD

Goal 14: Continued

	Action 14.3.2: Use topic specific plans such as transportation plans, capital improvement plans, or parks plans to provide specific policy direction on topics that have unique issues but are comprehensive to all Park County residents.	Ongoing	PD, PW, PRB, PDB, BCC
	Action 14.3.3: Develop a future land use map for Park County and adopt it as an amendment to this growth policy.	Mid-Term	PDB, PD, GIS
Objective 14.4: Continue with and expand upon community outreach efforts that inform citizens of planning activities, while keeping planners aware of pressing issues.	Action 14.4.1: Continue to hold community listening sessions following Planning and Development Board meetings.	Ongoing	PDB, PD
	Action 14.4.2: Update the Park County Atlas.	Mid-Term	PD
	Action 14.4.3: Maintain the planning department's high level of transparency by making information available online, and attending informational meetings of community groups.	Ongoing	PD
	Action 14.4.4: Support the continuing education of staff.	Ongoing	BCC
	Action 14.4.5: Support staffing levels that allow staff and county officials to attend community meetings.	Ongoing	BCC
Objective 14.5: Identify areas of critical agricultural importance and implement mechanisms in these areas that support the ability of agricultural landowners to continue operations.	Action 14.5.1: Create a map of agricultural lands of importance by prime soil types identified by the USDA, large parcel sizes taxed as agricultural, and other considerations. Review the map with Agricultural landowners for their input.	Short-term	PD, GIS
	Action 14.5.2: Update the Park County Atlas to include the map of agricultural lands of importance.	Mid-Term	PD, GIS
Objective 14.6: Develop incentives to encourage planned development that will be served by existing or planned infrastructure near existing communities centers.	Action 14.6.1: Acquire grant funding to complete a market analysis for Gardiner and the Cooke City area.	Short-term	PD, GSP
	Action 14.6.2: Complete neighborhood plans for community centers.	Short-term	PD
	Action 14.6.3: Complete infrastructure plans according to 76-1-604(4)(c) MCA.	Mid-Term	PD
	Action 14.6.4: Adopt and revise development standards.	Mid-Term	PD, PDB, BCC
	Action 14.6.5: Allow for expedited review of subdivisions in community centers according to 76-3-616 MCA.	Mid-Term	PD, PDB, BCC

Goal 14: **Continued**

<p>Objective 14.7: Provide resources and support efforts to address the needs of an aging population.</p>	<p>Action 14.7.1: When creating development codes, provide for a range of housing choices that allow older adults to “downsize” while remaining in their community</p>	<p>Mid-Term</p>	<p>PD, PDB, BCC</p>
	<p>Action 14.7.2: Assist the county health department with identifying and implementing objectives of that department’s strategic plan as appropriate.</p>	<p>Short-term</p>	<p>PD, HD</p>
	<p>Action 14.7.3: In community centers, recognize that walkability is critical to older adults being able to reach the services they need. Work with MDT on highway projects to incorporate context sensitive design that promotes walkability and non-motorized facilities.</p>	<p>Ongoing</p>	<p>PD, HD</p>
	<p>Action 14.7.4: Work with regional partners to explore potential options to provide a public transportation service that assists older adults in accessing the services they need.</p>	<p>Ongoing</p>	<p>HD, GSP</p>
	<p>Action 14.7.5: Use GIS to map the location of critical services for older adults, and develop models that demonstrate travel times to those services. Locate new services or develop mobile services to serve areas with relatively high population densities that are far from existing services.</p>	<p>Mid-Term</p>	<p>GIS, HD</p>

Goal 15: Diversify Park County's economy.

Objective	Action	Timeframe	Lead Partners
Objective 15.1: Provide resources and support to economic development agencies operating in Park County.	Action 15.1.1: Continue formal partnerships with economic development corporations and advocate strategies that work towards meeting the goals of this growth policy.	Ongoing	PDB, BCC
	Action 15.1.2: Recognizing the county has more resources and greater capacity to promote private investment than non-profit economic development corporations, identify ways the county can use its capacity and profile to assist local economic development authorities to expand economic development.	Short-term	PDB, BCC, PD
	Action 15.1.3: The County should take an active role in coordinating the different economic development activities in the unincorporated towns and incorporated municipalities in Park County, by communicating to these communities the shared long-range goals, by being more active in their strategic planning, and by providing assistance in program evaluation.	Short-term	PDB, BCC, PD
Objective 15.2: Recognize the value of Park County's unique natural amenities and recreational opportunities as competitive strengths, attracting talent and companies that diversify and strengthen the economy.	Action 15.2.1: Develop an amenity-based economic development strategy that builds on the natural and cultural assets of Park County to achieve economic growth.	Short-term	PDB, BCC
	Action 15.2.2: If adopting regulation, consider the importance of the built environment and preserving or enhancing the small town appeal, such as a compact physical layout and historic architecture. Promote codes that allow flexibility and discourage codes that are rigid.	Ongoing	PD, PDB, BCC
	Action 15.2.3: If adopting regulation, consider the importance of the natural environment and recreational opportunities and their relationship with attracting talent that benefits existing employers.	Ongoing	PD, PDB, BCC
	Action 15.2.4: Consider benefits and costs in land use decisions, finding balance between developing and preserving natural resources that can support primary employment such as agriculture, fishing, timber, mining, renewable energy development and traditional energy development.	Ongoing	PD, PDB, BCC

Implementation Tools

This section contains a description of regulatory and financial implementation tools. These descriptions are for reference only. These tools may never be used, or other tools not listed here may prove to be more appropriate.

Regulatory Tools

Subdivision Regulations

Subdivision regulations must be consistent with the growth policy. Chapter Nine details how Park County should define the primary review criteria, how impacts will be evaluated, and how the Planning and Development Board will conduct public hearings. A number of actions in the implementation table call for amendments to the subdivision regulations. One concept briefly mentioned in the text of the growth policy is adopting different design standards in community centers. It is a new concept to Park County, but one that might be worth exploring. Theoretically, with good planning in place and zoning adopted according to the plan, the county can simplify the design standards because many of the community goals and objectives, as well as health and safety concerns would be addressed in the zoning regulations.

Buildings for Lease or Rent

The State of Montana recently required all jurisdictions in the state to adopt buildings for lease or rent (BLR) regulations. These regulations require review when a landowner plans to place four or more buildings on a property. If Park County moves to adopt Part II Zoning in the future, the county could draft the zoning to address buildings for rent or lease according to 76-8-103 MCA and therefore exempt such development from review in the zoned areas.

Building Codes

Building codes are intended to protect public health, safety and general welfare as they relate to the construction and occupancy of buildings and structures.

Compliance Permit

Often associated with zoning, compliance permits can be used in unzoned areas as well. A compliance permit could be required prior to the commencement of construction, to ensure all local regulations and requirements are met. Like a checklist, the compliance permit would ensure requirements like septic permits, approach permits, floodplain issues, or subdivision requirements are met prior to construction.

Zoning

State law enables counties to adopt zoning through two mechanisms, Part I Zoning and Part II Zoning. By law, Part II Zoning must be guided by and give consideration to the general policy and pattern of development set out in the growth policy.

Part I vs Part II Zoning

Part I Zoning, also referred to as Citizen Initiated Zoning, received some consideration during the outreach process as a potential implementation strategy. Part I Zoning is attractive because citizens design and administer the zoning. However, Part II Zoning offers a more robust public adoption process and has more procedural protections for the public. The consulting team, which has experience in jurisdictions throughout the state, recommends Park County use Part I Zoning only on a limited basis.

One of the attractive qualities of Part I Zoning is that the citizens write the zoning, and petition to the county for adoption. This is also the primary problem with Part I Zoning in that the rules, terms, definitions and administrative procedures are inconsistent from district to district. As more districts are adopted, this provides a confusing and inconsistent array of development rules that are often tied to small geographic areas. For example, Lewis and Clark County had a policy to only adopt Part I Zoning districts for decades. Today they have 56 different zoning districts. They are so confusing and convoluted that the county staff struggles to administer them and the local realtors and builders dislike them because they are so inconsistent. Lewis and Clark County is in the process of converting all of the Part I Zoning to Part II Zoning. Flathead County also only used Part I Zoning, but they converted all but one of their Part I Zoning districts to Part II Zoning district over 20 years ago. Park County should learn from their mistakes

Part I Zoning is typically proposed when there is a perceived threat to a neighborhood that is deemed by the majority to be inappropriate. It has often been used to stop a particular land use proposal. Zoning should be adopted to further a community value or to achieve a community goal, and the public has the right to participate in that process. All this being said, there may still be useful application of Part I Zoning, and it should not be prohibited by policy, but it should be used sparingly.

Part II Zoning is also known as county zoning. When it comes to public participation and being community driven, which are principles of this growth policy, Part II Zoning is far more in-line with the growth policy than Part I Zoning. Part II Zoning has a much higher threshold for public involvement than Part I Zoning. Part II Zoning must be consistent with the goals, objectives, policies and actions

in this growth policy, a document driven by public participation. This ensures that when Part II Zoning is considered for adoption, community goals are being adequately considered. The public notice requirements are also more inclusive for Part II Zoning than Part I, and it requires a hearing with the Planning and Development Board, while Part I does not.

Finally Part II Zoning is administered by the county, and major decisions are made by the County Commissioners who are accountable to the people of Park County. State law provides more guidance for how appeals, variances and other matters are decided under Part II Zoning. For all of these reasons, it is recommended that if zoning is used to implement the growth policy, Part II Zoning be considered in most circumstances.

Zoning Types

The purpose of zoning is to achieve community goals. It is a tool that can take virtually any different form. People tend to think of zoning in the manner seen in a city like Livingston or Bozeman. Planners call these ordinances Euclidean Zoning, and their intended purpose is the separation of incompatible land uses. These days, Euclidean Zoning is undergoing scrutiny in the planning profession and is falling out of favor in some rural areas. However, Euclidean Zoning has been around for so long and is so well established, that the transition away from using it is occurring very slowly. After all, there are benefits to this type of zoning.

Cascade County administers a countywide Euclidean Zoning ordinance. The Cascade County model identifies zoning districts based on general use and lot size. Each district establishes a minimum lot size and lists the uses permitted by right within the district. Other uses require a conditional approval process. Uses not listed as permitted or conditional are not allowed within that district. Each use district contains detailed requirements on lot size and shape, setbacks for buildings and building height limits. The Cascade County model includes “supplemental regulations” commonly referred to as performance standards. The supplemental regulations primarily regulate signs, lighting, and parking.

Powell County also has a countywide comprehensive zoning ordinance which could be considered a Euclidean hybrid. Powell County’s zoning ordinance is primarily focused on density, while use is a secondary consideration. The county is broken into five districts, where each district prescribes a minimum lot size, and each district contains a list of uses that do and don’t require site review. The Powell County ordinance does not prohibit land uses; it requires uses not listed as permitted go through the conditional use permitting process. If the use can meet the conditional use standards, it is approved. If not, it is denied.

The Powell County model includes some specific considerations like regulations

on signs and cell towers, some “overlay” zoning districts that require setbacks from streams or special wildlife considerations.

In 2005, Lake County adopted a density map and regulations for areas of the county that were previously unzoned. The density map and regulations is a unique concept in Montana. Technically zoning, the Lake County model only addresses density (units per acre), while use is not regulated. The county is split into different districts, each with an allowable density. Existing lots are grandfathered but new splits must conform to the regulation. For example, if you had an existing undeveloped parcel in any district no matter the acreage, you could put any use you want on that property. If you had ten acres in the five acre district, you could split that lot into two five-acre lots and put any use you wish on those two lots. If you only had eight acres in the five acre district, you could not split the lot.

The Lake County model contains some additional provisions, such as the ability to cluster new lots, and the ability to transfer development rights. Otherwise, the regulation is very short, only 14 pages long.

A zoning strategy new to the scene is form-based codes for rural areas. While some Montana cities have adopted elements of form-based codes, no county has. Form based codes focus on the physical character of development and how it relates to its surroundings. They are becoming increasingly popular because they are considered a more precise, reliable and proactive tool for achieving community goals than Euclidean Zoning, and actually can be less regulatory.

While rural form based codes sound difficult and complicated, do not be discouraged from evaluating this as an option if Park County is considering zoning to implement actions in the growth policy. They are not as difficult to write and administer as people believe, but they do require having knowledgeable professional planning staff. Find a model and evaluate it for how it could work in Park County. It could be worth investigating.

A standard form based code built for small towns could be an excellent tool for established community centers like Gardiner or Cooke City. Form based codes for small towns are more common than form based codes for rural areas. There are many templates out there to choose from.

Funding Options

Below are examples of different funding mechanisms that Park County can employ to implement the recommended actions within the plan. This list is not exhaustive; other funding mechanisms may exist. It is important to note the inclusion of a funding mechanism into this list does not mean the community will support the mechanism or even if it is appropriate for Park County. The commu-

nity will need to consider these options in context to the actions they wish the implement.

General Obligation (G.O.) Bonds

The sale of general obligation bonds can finance major improvements to the transportation system and other public improvements. State statutes limit the level of bonded indebtedness.

Special Bond Funds

The County may issue special bond funds on an as-needed basis for specific projects. The voters must approve a special bond fund.

Local Option Fuel Tax

Counties can adopt a local option fuel tax of up to \$0.02 per gallon for funding construction and maintenance of county roads. The revenues are split with the cities. A local option fuel tax could add 15% to the County Road Budget for the fiscal year 2016. Dyed diesel is not eligible to be taxed.

Road Fund

The County Road Fund can be used for the construction, maintenance and repair of county roads.

Bridge Fund

The Bridge Fund provides financing for engineering services, capital outlays, and necessary maintenance for bridges.

Capital Improvement Fund

The Capital Improvement Fund can finance major capital improvements to county infrastructure. Revenues are generated by loans from other county funds, and must be repaid within ten years.

Development Exactions/Impact Fees

Impact fees are assessed to new development during the approval process. They are used towards capital improvements necessary to accommodate new growth. They cannot be used for existing deficiencies.

Resort Tax

Communities that meet a certain threshold according to state law are eligible to adopt a resort tax. A resort tax is a sales tax adopted by the local governing body in communities that have high number of tourists. The tax is usually placed on goods and services like dining and beverages or other items usually bought by tourists. A community can issue bonds which are paid back through the resort tax.

Tax Increment Financing (TIF)

Tax increment financing is a special district that allows a community to borrow against the area's future tax revenues. The money raised through a TIF district is invested in projects that will encourage development within the district. Revenues created by the increased tax base in the district are used to pay off the debt.

Business Improvement Districts (BID)

A BID is a special district where an additional assessment is placed on commercial properties. The funds generated by the special assessment must be used to fund projects and programs that benefit the property owners within that district. In Montana, they are commonly used in downtowns and are referred to as downtown business improvement districts. The use of funds is governed by a board of property owners or their representatives from the district.

Rural Special Improvement Districts (RSIDs)

RSIDs are districts where an additional assessment is placed on properties. The funds generated are generally targeted towards a specific purpose. RIDs affect both commercial and residential properties.

Hotel Tax

Hotel taxes are an additional tax on hotel rooms within a jurisdiction. The money generated by the additional tax must be used to promote and generate tourism, generally during shoulder seasons.

Grants

Below is a list of grants commonly used to fund the drafting or actions that implement a plan. This is not an inclusive list; there are many more grant opportunities available.

Community Development Block Grants (CDBG)

This grant program assists communities with housing, public facilities and neighborhood renewal projects. Communities must have matching funds for CDBG projects. It is administered through the Montana Department of Commerce.

Treasure State Endowment Program

The Treasure State Endowment Program administered by the Montana Department of Commerce helps local governments with infrastructure planning as well as constructing or upgrading drinking water systems, wastewater treatment facilities, sanitary or storm sewer systems, solid waste disposal and separation systems, and bridges.

Southern Montana Resource Advisory Committee

The Southern Montana Resource Advisory Committee is an official advisory committee to the USFS that makes recommendations for funding for infrastructure projects.

Transportation Alternatives

The Transportation Alternatives program replaces the funding from pre-MAP-21 programs including Transportation Enhancements, Recreational Trails, Safe Routes to School, and several other discretionary programs, wrapping them into a single funding source. The funds are generally used for a variety of smaller-scale transportation projects.

Montana Office of Tourism Grant Program

This program awards funds to projects that strengthen Montana's economy through the development and enhancement of the state's tourism industry. The Grant Program offers funding in four categories.

Main Street Grants

The Montana Main Street Program helps communities strengthen and preserve their historic downtown commercial districts by focusing on economic development, urban revitalization, and historic preservation through long-range planning, organization, design, and promotion.

Environmental Protection Agency (EPA) Assessment Grants

Assessment grants provide funding for a grant recipient to inventory, characterize, assess, and conduct planning and community involvement related to

brownfields sites. An eligible entity may apply for up to \$200,000 to assess a site contaminated by hazardous substances, pollutants, or contaminants (including hazardous substances co-mingled with petroleum) and up to \$200,000 to address a site contaminated by petroleum.

Brownfield Assessment Grants

A Targeted Brownfields Assessment (TBA) is an environmental assessment of a contaminated or potentially contaminated site. A TBA may consist of a phase I site assessment; a phase II site assessment; and/or development of cleanup plans, including cost estimates. Both DEQ and EPA have funding available for TBAs. For an eligible entity, DEQ or EPA has one of their contractors conduct the work. To qualify, a project must have a clear benefit to the community, the applicant must not have contributed to the contamination, and it must meet the definition of a brownfields site.

The Planning Context in Montana

State

The State of Montana significantly reworked its land use planning statutes in 2003, moving away from the term comprehensive plan and instead started using the term growth policy. The statutes require a growth policy to cover certain topics but give the governing body adopting the document wide discretion to the extent they are covered. While the State of Montana does not require local governing bodies develop and adopt a growth policy, it does deliver the enabling legislation that gives local governments the authority to do so.

County

A growth policy can cover all or part of a jurisdiction. In Park County, it covers the unincorporated areas of the county, including the unincorporated communities like Wilsall, Gardiner, Cooke City and Silver Gate. The growth policy calls for coordination with the incorporated communities of Clyde Park and Livingston, but it does not have jurisdiction to address issues or topics within the jurisdiction of those communities.

City

Both Clyde Park and Livingston have adopted their own growth policies. The planning context of these documents may extend beyond their city limits, but they have no jurisdiction in the county unless annexation occurs or the city/town and county sign an interlocal agreement to share some planning responsibilities.

Neighborhood / Area Plans

The state has enabled governing bodies to adopt neighborhood plans as a part of a growth policy. Neighborhood plans can address issues and topics specific to more organized communities like Gardiner, or a loosely defined area like the Paradise Valley. While neighborhood plans can be topic and area specific, they still need to be in general conformance with the county's adopted growth policy.

This growth policy recommends neighborhood planning as an implementation tool. When adopting a neighborhood plan, Park County should follow the process outlined in the growth policy statutes. However, neighborhood plans do not need to contain all of the elements of a growth policy.

Topic Specific Planning

Topic plans include transportation plans, resource management plans, parks plans and others that can be incorporated into the umbrella of a growth policy. These plans are an element of the growth policy that reach into far greater detail on a specific topic, and provide topic specific recommendations that a growth policy generally doesn't include. If adopted as a part of a growth policy, these planning documents must be in general conformance with the county's adopted growth policy.



Chapter 9 ADDITIONAL REQUIREMENTS OF LAW



Photo Credit: Land Solutions LLC



Additional Requirements of Law

Subdivision Review and Primary Review Criteria

Under the Montana Subdivision and Platting Act, Park County must evaluate preliminary subdivision applications for several criteria including compliance with state subdivision law, local subdivision regulations, the growth policy, area and issue plans, and local zoning. All subdivisions must comply with state and local law (including zoning); however, the governing body may not withhold, deny, or impose conditions on any land use approval or other authority to act based solely on compliance with a growth policy.

Definitions of Primary Review Criteria

AGRICULTURE: Activities related to the production of food, feed, and fiber commodities, livestock and poultry, bees, biological control insects, fruits and vegetables, and sod, ornamental, nursery and horticultural crops that are raised, grown, or produced for commercial purposes on lands taxes as agricultural by the State of Montana.

AGRICULTURAL WATER USER FACILITIES: Any part of an irrigation system historically used to produce an Agricultural product on property used for Agricultural purposes as defined in Section 15-7-202, MCA.

LOCAL SERVICES: Any and all services or facilities local government is authorized to provide, such as water supply, sewage disposal, law enforcement, fire protection, emergency services, transportation system, educational system, noxious weed control, as well as services that local government does not provide such as power, telephone, state highways, etc.

NATURAL ENVIRONMENT: Existing physical conditions relating to land, water, air, plant and animal life of an area and the interrelationship of those elements, such as soils, geology, topography, vegetation, surface water and drainage, floodplains, and ground water and aquifers.

WILDLIFE: Wildlife are animals (e.g. mammals, birds, reptiles, fish) that are neither human nor domesticated, existing in their natural environment.

WILDLIFE HABITAT: Wildlife habitats are geographic areas containing physical or biological features essential to wildlife for breeding, rearing, nesting, and/or winter feeding and forage, or important for migratory patterns; and/or essential to the conservation of listed endangered and threatened species under the Endangered Species Act.

PUBLIC HEALTH AND SAFETY: A condition of optimal well being, free from danger, risk, or injury for a community at large, or for all people, as well as for the

welfare of a specific individual or a small class of persons.

Evaluation of Primary Review Criteria

The Planning and Development Board and County Commission shall:

1. Objectively review proposed subdivisions according to current state law and the Park County Subdivision Regulations; and
2. Provide the subdivider and all members of the public with access to the subdivision project file and all the materials provided to the Planning and Development Board and Commission for review (in accordance with the Park County Public Information Policy); and
3. Review all subdivision applications within the statutory time limits and not arbitrarily limit the number of subdivisions reviewed in a month; and
4. Provide clear, concise application materials and checklists to the subdivider in order to clearly outline those elements that must be submitted with a subdivision application for review.

Consistent with state statute, Park County must evaluate a proposed subdivision for its impact on the six primary review criteria defined above. The evaluation will focus on the identification of potentially significant, unmitigated, adverse impacts. Those subdivisions that present adverse impacts that are unmitigated may be denied or approved subject to specific conditions, which may include mitigation of the adverse impacts. When considering mitigation/conditions the Commission shall consult with the subdivider and shall give due weight and consideration to the expressed preference of the subdivider. Impacts to agriculture, agricultural water user facilities, local services, the natural environment, wildlife and wildlife habitat, and public health and safety shall be evaluated based on the consideration of the types of factors below. The list is illustrative and not inclusive. All of the factors may not apply to all subdivisions depending on the size, type, and location of the subdivision. Additional factors may be considered based upon site specific conditions.

Agriculture

- Impact on adjacent agricultural operations.
 - Interference with the movement of livestock or farm machinery.
 - Interference with agricultural production and facilities.
 - Maintenance of fences.
 - Proliferation of weeds.

- Increased human activity and nuisance complaints.
- Harassment of livestock by pets.
- Restrictions on diversification of existing agricultural land uses.
- Impact on agricultural soils.
- Cost of services for the subdivision.
- Evaluate need for special or rural improvement districts.
- Impact on county roads.
 - Evaluate the need to accept new county roads.

Agricultural Water User Facilities

- Impact on water availability for agricultural water users.
- Impact on owner of water user facilities.
 - Access for maintenance.
 - Liability and risk of accidents involving trespassers.
- Impacts on facility users and potential conflicts with subdivision residents.
 - Seeps, flooding, and washouts.
 - Obstructions and interference.
 - Unintended uses (recreation and landscaping).
 - Maintenance access.
- Impacts to water rights holders.
 - Clarify water rights and how they will be transferred or otherwise allocated.

Local Services

- Impact on current and planned level of service capacity.
 - Sheriff.
 - Park County Volunteer Fire Departments.
 - Park County Emergency Medical Services.
 - Roads, bridges, culverts, and cattle guards.
 - Schools.
 - Solid Waste Facilities.
 - Water and Wastewater Facilities.
- Impact on cost of services.
 - Current and anticipated tax revenues.

Natural Environment

- Impact on air quality.
- Impact of groundwater quality and quantity.
- Impact on surface water features.
- Impact on wetlands.
- Impact on residential ambient exterior light level.
- Impact on historic and prehistoric sites.

Wildlife

- Impact of subdivision location and access roads on wildlife, including nesting sites, winter range, travel corridors (migration routes), and wetlands.
- Impact and potential of human-wildlife conflicts.
- Impact and potential of pet-wildlife conflicts.

Wildlife Habitat

- Impact of subdivision location and access roads on wildlife, including nesting sites, winter range, travel corridors (migration routes), and wetlands.
- Impact and potential of human-wildlife conflicts.
- Impact and potential of pet-wildlife conflicts.

Public Health and Safety

- Impact on traffic safety.
- Impact on emergency vehicle access and response time (sheriff, fire, and ambulance).
- Impact on groundwater quality due to the cumulative effect of septic systems and/or wells.

- Impact of exposure to natural/or manmade hazards.
- Impact of development on adjacent land uses.

Public Hearings

A fundamental component of the subdivision review process is the opportunity for members of the public and interested groups to offer comments on the proposal. The opportunity to make comments in public is provided by the public hearing process.

Public hearings for subdivisions will be conducted in accordance with all statutory requirements and procedures outlined in Montana State laws and the Park County Subdivision Regulations. Public hearings are mandatory for all subsequent minor and major subdivisions. The requirement to hold a public hearing does not apply to the first minor subdivision from a tract of record. Notice of the public hearings must be given by publication in a newspaper of general circulation in the county not less than 15 days prior to the date of the hearing. (See Section 76-3-605, MCA).

The County Commission and Planning and Development Board shall also accept written comment received outside of the public hearing, but may set deadlines for the receipt of such comment. The general steps for the public hearing, which is conducted by the County Commission and/or Planning and Development Board in Park County, are as follows:

1. Introduce the public hearing.
2. Explain the subdivision review procedure and decision criteria.
3. Planning Office staff report.
4. Applicant presentation.
5. Questions and answers to clarify points of the presentations.
6. Public testimony.
7. Staff/Applicant comments/rebuttal.
8. Close public hearing.

The meeting should be conducted so that those who want to speak for or against, or who seek additional information, will have an opportunity to do so while still providing a reasonable adjournment time.

The Commission Chair and/ or Planning and Development Board Chair, who presides over the meeting, are responsible for setting the guidelines or methods for public comment. The Chair shall run the meeting according to proper meeting protocol, using Robert's Rules of Order, for example, as a model. The Chair will

review general guidelines prior to public comment, reminding the public of the criteria upon which the final decision must be made. Because each meeting is somewhat different, a standardized set of guidelines may not work in every case.

Standard procedures for public participation should include:

- Sign-in sheet for all persons attending the meeting, that includes name, address, and contact information.
- Requiring anyone wishing to speak to clearly state their name and address for the record.

Options to manage public discussion can include, but are not limited, to the following:

- Asking those who wish to speak to sign in, and use the list to determine speaker sequence.
- Requesting that each speaker's comments be of significant public interest and not redundant.
- Allowing each person to speak only once until all have had an opportunity.

Amendment and Revisions

From time to time the growth policy will need amendments and revisions. Conditions change, and policies must adjust. Amendments and revisions can come from the governing body, or from the general public. In all cases, the amendments and revisions must be vetted thoroughly through a public process, and the Board of County Commissioners always has the discretion to approve, amend or reject the proposal.

Public Amendment Requests

Members of the public have the right to propose amendments to the growth policy. It is important to note that the growth policy is a guiding document for all of Park County, and its development was driven by public comment through a robust public outreach process. Therefore to maintain the integrity of a publicly driven document, individual proposals to amend the growth policy must undergo a high level of public scrutiny.

If a member of the public wishes to amend a provision of the growth policy, he/she shall submit a request to the planning department which identifies the specific areas of the growth policy to be amended and the requested changes. In the request, the applicant must address the criteria listed below in detail, and as appropriate provide support with factual information including their sources.

The Planning Director will have discretion to request additional information or clarification.

Once a request is submitted to the planning department, the Planning Director will notify the Planning and Development Board and the Board of County Commissioners of the request. If the proposed amendment affects a specific geographic area or a specific segment of the population, or for any other reasonable purpose the Planning Director identifies, the Planning Department may choose to hold a publically noticed workshop on the proposed amendment prior to making their recommendation to the Planning and Development Board.

The planning department shall conduct a thorough analysis of the amendment according to the criteria listed below, and may recommend changes to the amendment based on their analysis or based on public comment to the Planning and Development Board. The planning department may also recommend approval or denial of the amendment based on the same reasoning.

The Planning and Development Board may, at its discretion, hold one or more workshops on the proposed amendment, and shall hold a public hearing. After consideration of the planning department's recommendations and suggestions elicited from the public at the workshops and public hearing, the board shall by resolution recommend the governing body adopt the amendment as proposed, adopt the amendment with changes, or that the amendment not be adopted. The Governing Body should take action on the proposed amendment according to 76-1-604 MCA.

Criteria

Does the proposed amendment constitute an overall improvement to the growth policy, or does the change result in a specific benefit to an individual landowner or group of landowners?

Does the proposed amendment respond to the interests and changing needs of

the entire county, and is it balanced with the interests of the area most directly impacted by the goals and objectives?

How does the proposed amendment correspond to the implementation actions?

Will the proposed amendment adversely affect the community as a whole, or a portion of the community?

Does the proposed amendment adversely affect public safety and health, or the general quality of life of the residents?

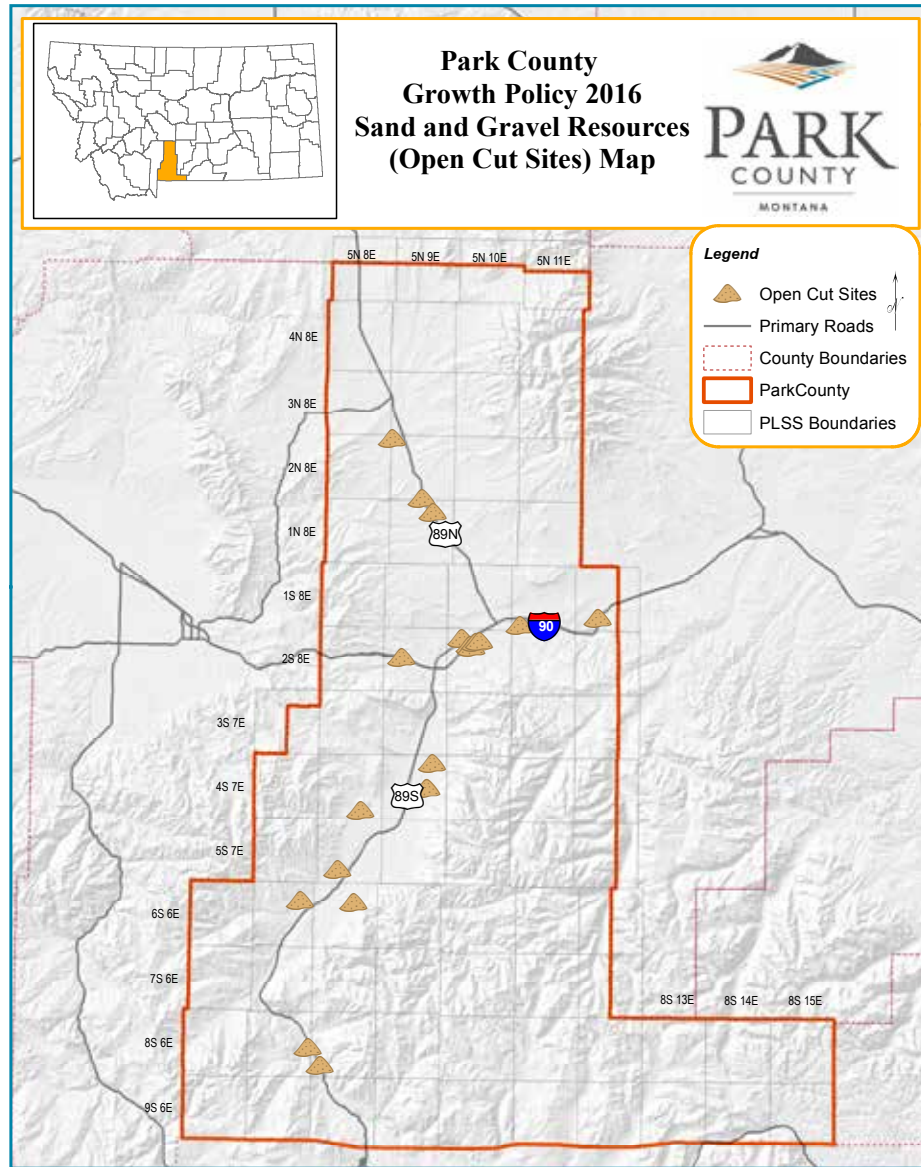
Does the proposed amendment adversely affect the current land uses?

Is the proposed amendment compatible with future land uses outlined in the growth policy?

Is the proposed amendment consistent with the overall intent, goals and objectives of the growth policy?

Revision

At least every five years, the Planning and Development Board shall review the growth policy to determine if revisions are necessary. To determine if revisions are necessary and to what extent, the Planning and Development Board should review the existing conditions, goals, objectives, policies and implementation measures. For the required five year review, the Planning and Development Board shall send a memo to the Board of County Commissions with their recommendation to either revise or not to revise the document, and to the extent they believe revisions are necessary. The Board of County Commissioners should consider the recommendation, and if they concur that revisions are necessary, direct the Planning Department to commence.



This map is for informational purposes only and not for legal, engineering or surveying purposes. Park County assumes no legal responsibility for this information and shall not be liable for any claims or damages arising out of the use of this information.

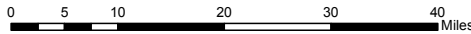


Figure 12: Sand and Gravel Resources in Park County

Sand and Gravel Resources

Sand and gravel is an essential resource to the growth and development of Park County. Sand and gravel is necessary for the construction of infrastructure and in many housing applications. A major component to the cost of sand and gravel is transportation, therefore sand and gravel extraction must be done in relatively close proximity to the location of the end user. However, sand and gravel operations are not always the best neighbors, especially if the neighbors are residents. In community centers, where people live relatively close together, sand and gravel operations are not desirable.

Gravel resources are generally, but not always, located along streams, rivers, or areas where certain kinds of geologic activities have occurred. Map 12 shows potential gravel resources and currently permitted gravel pits throughout the county. This map may help to identify where additional gravel resources have a greater potential of being found and developed. While most of Park County is unzoned, state law allows the prohibition of sand and gravel mining in areas zoned residential. In areas zoned other than residential, sand and gravel mining may be conditioned to address the impacts to surrounding landowners and the environment, but may not be prohibited.

Wildland Urban Interface

Section 76- 1-601(3)(j)MCA requires an evaluation of the potential for fire and wildland fire in the jurisdictional area. The statute requires a discussion of whether or not there is a need to:

- Delineate the wildland-urban interface (WUI); and
- Adopt regulations requiring defensible space around structures, adequate ingress and egress to and from structures to facilitate fire suppression activities, and adequate water supply for fire protection.

Need to Delineate

Wildland fires are a fact of life in Park County, and fires are burning faster, hotter and scorching more acreage than in the recent past. At the same time, more homes are being built in the hills and forests across the county. As a result, the costs of fighting fires is increasing, as well as the risk to people and property. The Park County Community Wildfire Protection Plan (CWPP) focuses on “wildfire assessment including wildfire history, updated fuel models, historic fire regimes and values at risk,” as well as “assessment of emergency egress routes in need of hazard mitigations, a clear definition of the WUI in the local landscape, an explanation of weather’s relationship to wildfires, and a prioritization of specific fuel reduction areas and or projects.”

Map 13 displays the WUI as identified or delineated in the CWPP.

The Montana DNRC defines the WUI as:

A WUI fire situation exists anywhere that structures are located close to natural vegetation. A fire can spread from the vegetation to structures or vice-versa. A WUI can vary from a large housing development adjacent to natural vegetation to a structure(s) surrounded by natural vegetation. The two general categories of WUI are:

The boundary WUI means an area where a clearly defined, linear boundary of homes meets wildland vegetation. Typically, this sort of interface is on the fringe of large towns; and

The intermix WUI means an area where structures are scattered among or mixed with wildland vegetation, without a clearly defined boundary. Typically, the intermix WUI is in rural areas where people have subdivided wildlands into small parcels of 1 to 40 acres.

The definition of the WUI varies from agency to agency. Regardless of how each agency defines the WUI, the most important factors are not where the interface is located, but how development affects the ability of wildland fire fighters to manage incidents and that residents and firefighters may be put at risk.

Need to Adopt Regulations

Park County has adopted standards in the subdivision regulations that require a fire protection plan to mitigate impacts to public health and safety. The regulations require specific considerations for subdivisions located in the WUI as defined by a host of different sources. The regulations require water supplies, safe turn-arounds for emergency vehicles, fuels treatments and other provisions. These standards in the subdivision regulations are necessary to protect the public health and safety in Park County. No additional WUI regulations are anticipated at this time.

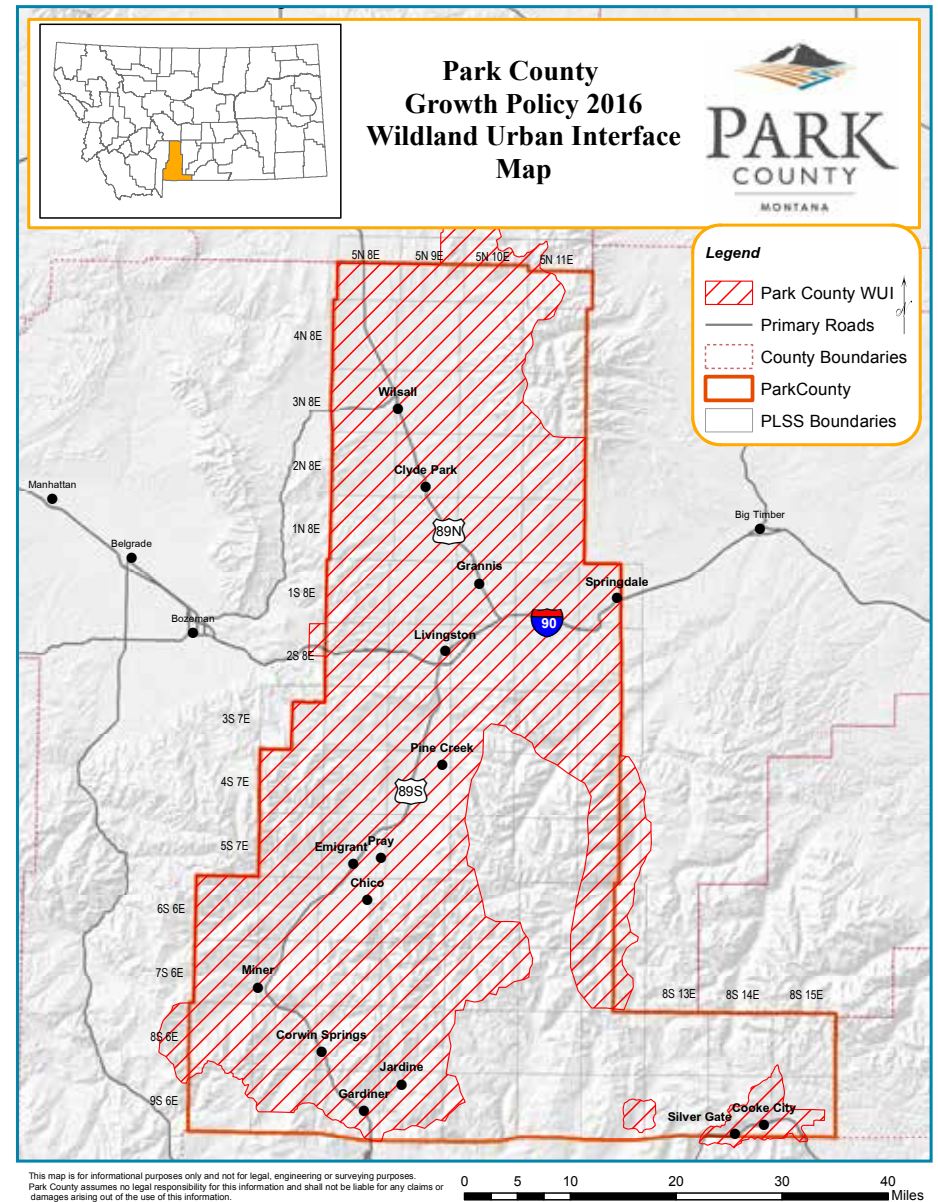


Figure 13: Wildland Urban Interface in Park County