RESOLUTION NO. 2006- 060

**A RESOLUTION OF THE
GALLATIN COUNTY COMMISSION
TO ADOPT A GROWTH POLICY IMPLEMENTATION PROGRAM**

This resolution was introduced by the Gallatin County Planning Department. Moved by Commissioner SKINNER, and seconded by Commissioner MURDOCK. The resolution was adopted UNANIMOUSLY.

WHEREAS, the Gallatin County Commission desires to implement the Gallatin County Growth Policy through a comprehensive land use planning program that will support long-term sustainable growth in Gallatin County; and

WHEREAS, such a program shall be known as the Gallatin County Growth Policy Implementation Program (Program); and

WHEREAS, §76-2-201 – §76-2-228, MCA, authorizes a board of county commissioners "that has adopted a growth policy" to adopt county zoning for "the purpose of promoting the public health, safety, morals, and general welfare;" and

WHEREAS, the Gallatin County Growth Policy adopted by the Commissioners on April 13, 2003, promotes use of zoning as a method to "protect existing property rights while providing greater land use flexibility and possibly incentives for increased density." The Growth Policy states that zoning can "help maintain the agricultural and range land while promoting the protection of environmentally sensitive, important habitats, prime agricultural lands, and significant open space." Additionally, the Growth Policy states that "extensive citizen input recommended the establishment of county-wide zoning to maintain valued attributes with long-term impact on the qualify of life in Gallatin County." The Growth Policy recommends creation of county established zoning districts, cluster subdivisions, neighborhood planning and use of transfer of development rights as methods to help manage growth (Chapter 6, Gallatin County Growth Policy); and

WHEREAS, the Program must involve considerable public input and participation from the initial stages through complete implementation; and

WHEREAS, the Program must recognize that property values must be protected; and

WHEREAS, the Program must recognize that viable agricultural lands and agricultural operations, including lands with prime soils, are deserving of protection; and

WHEREAS, the Program must recognize the need to coordinate the Gallatin County Growth Policy with capital improvement plans; and

WHEREAS, the Program must enhance regulatory predictability while allowing for continued flexibility; and

WHEREAS, the Program may include the following: a county zoning regulation for the geographic areas of Gallatin County that are not currently part of an existing zoning district; a county-wide transfer of development rights program; a rural land use assistance program; and specific design standards for new subdivisions including cluster design standards; and

WHEREAS, Gallatin County will continue to encourage and facilitate on-going neighborhood planning and zoning processes; and

WHEREAS, the Program must include a timeline for completion of individual growth Program components (see attached); and

WHEREAS, the Commissioners believe this Program is necessary to protect the public health, safety and general welfare for the following reasons:

- Gallatin County is Montana's fastest-growing county, with an 11.5-percent growth rate, or 7,800 new people, from 2000 to 2004, and the County is projected to experience high growth rates for several years;

- Currently, Gallatin County is unable to keep up with provision of essential public safety services – especially roads, sheriff, etc. and without a comprehensive growth management program will continue to fall behind in provision of essential public services;

- Valley-wide uncontrolled growth threatens the rural way of life and amenities that make Gallatin County a desirable place to live and work;

- Infill near our towns and communities must be encouraged with corresponding incentives to help protect prime agricultural land, riparian and wetland resources, and critical wildlife habitat;

- Specific design standards are needed to ensure new growth is compatible with existing neighborhoods and that new growth provides adequate infrastructure to support desired densities while minimizing impacts to existing neighborhoods;

- Additional 'exclusionary' zoning districts do not consider greater County interests, threaten agricultural land values, and potentially push less-desirable land uses to inappropriate areas;

- Without a comprehensive long range planning program, potential opportunities for compensating landowners for not developing and protecting sensitive landscapes may be diminished;

- Incentive programs such as Transferable Development Rights (TDRs), purchase of development rights, rural development assistance, etc. will not happen unless the County Commission takes the initiative and starts the process;

- Gallatin County residents, including rural landowners, newcomers, and urban residents, have encouraged the County Commission to take positive action to manage growth; and

WHEREAS, at their regular public meeting held March, 14, 2006, the Gallatin County Commission held an initial public hearing to discuss their intent to pursue county-wide zoning, a transfer of development rights program, rural land use assistance, comprehensive neighborhood planning, and other growth management tools, and to take public comment on such a program. The Commissioners held public meetings on April 14, 21, 28, May 5 and 12 to further discuss the feasibility of possible incentive programs; and

WHEREAS, the Commissioners recognize that any adopted planning program will follow all statutorily mandated legal processes, and that the public will have ample opportunity to participate and comment as programs are considered.

NOW THEREFORE BE IT RESOLVED:

The Gallatin County Commission hereby adopts the attached Gallatin County Growth Policy Implementation Program.

Dated this 30th day of May 2006.

GALLATIN COUNTY COMMISSION

John Vincent, Chair

William A. Murdock, Member

Joe Skinner, Member

ATTEST:

Shelley Vance

Shelley Vance, Clerk and Recorder

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