

# I: INTRODUCTION

## History

Lewis and Clark County adopted its first Comprehensive Plan in 1983, portions of which were updated in 1989. The focus of this Plan was the Helena Valley area, but sections on the rural areas were included. In 1996, the Board of County Commissioners adopted a more specific area plan for Lincoln and the Upper Blackfoot Valley; this was initiated in response to a major open pit gold mine proposed in the vicinity. In 1997, the County began the process to update the County Comprehensive Plan and establish area plans for other rural parts of the County, as follows:

- Augusta
- Wolf Creek-Craig
- Canyon Creek-Marysville
- Canyon Ferry-York
- The Helena Valley

These areas were defined on the basis of physical geography, school districts, fire protection districts, and general sense of community.

Lewis and Clark County is composed of a variety of physical, environmental and economic conditions. This planning process identified many of these conditions and their relationship to the functioning of the County as a whole. The process began by reviewing existing conditions, and then moved on to forecast anticipated changes. Understanding these changes and their impacts helps establish a framework for more effectively managing growth in the County.

The Comprehensive Plan (or Growth Policy, as it has been referred to since 1999) is a guidebook for the County to review and manage change. It attempts to give a total perspective of the County, and establish the necessary principles, criteria, and guidelines to make logical decisions.

It is important to emphasize that the Growth Policy is not an end, but a means. In part, it is a reference document to help in the decision-making process. It is a planning document that provides information and guidance to aid staff and commissioners as they serve the public. The time-frame for the Growth Policy is the next 10 to 20 years.

The Growth Policy will regularly be evaluated and modified to assure the document remains current as it addresses future needs of County residents. Step by step, Lewis and Clark County can continue to grow and serve the current and future population efficiently and logically, as it meets the needs of residents.

## **Common Areas of Interest**

Lewis and Clark County citizens, through an extensive public involvement process, have described how they see their county today, and how they would like to see it in the future.

Expressed concerns for the future centered on the following: natural systems and their preservation in urban/urbanizing areas; water quality and quantity; upholding the unique character of smaller towns and rural communities; and representing the historic nature of communities.

Issues and priorities directed toward the future include the following components:

- Maintain the traditional character, appearance, functions, and lifestyles of the County's rural communities and areas.
- Recreational uses of rural lands and water should not interfere with private property interests or needs.
- Provide efficient access and mobility for County residents that supports existing and future land use patterns.
- Support quality natural systems. Urban/suburban development should not adversely affect wetlands, streams, wildlife habitat, water quality and natural resource activities.

- Attractive, well-designed, livable urban communities should be supported by quality services and facilities; provide a range of housing choices; should not unduly encroach on rural lands; and be sensitive to existing ambiance.
- Within the urbanized areas, a system of open space, parks, or green belts should connect community places, provide opportunities for recreation, and enhance pedestrian/bike connections.
- Encourage a vital economy that provides living wage jobs for residents.
- Strive for an efficient and responsive government that works with citizens to meet collective needs fairly.

These issues and priorities have guided the development of this Growth Policy. They give direction for both respecting rural character and examining future growth, and are consistent with the quality of life desired by Lewis and Clark County residents. This Growth Policy recognizes the complexities involved in balancing historic patterns of growth with the issues and priorities for the future. It recognizes that flexibility is necessary to adapt to changing conditions and that at all times the Growth Policy must reflect the long term priorities and goals of the people living and working in Lewis and Clark County.

## **Planning Context**

Planning for the future is happening simultaneously at several levels--regional, countywide, in local cities and towns, and by the individual property owner. The Growth Policy should work toward consistency with applicable planning policies adopted by the State and federal governments, as well as existing regional and local planning policies.

Coordination between policy setting agencies can help ensure that the issues and priorities of this Growth Policy are acted on in a responsible manner, and reflect the majority of residents. Internally, there are also coordination issues. Water and sewer service, solid waste disposal, police and fire protection, and others are all public entities that will need to make use of this document to provide the highest quality of service to County residents.

## **Authorization**

The Montana Codes Annotated (MCA) authorizes local governments to adopt a Growth Policy. The purpose of adopting a Growth Policy is to provide direction for community development. It has been recognized that community development is more integrated and cost-effective for both the public and private sectors when conducted pursuant to a Growth Policy. The specific authorization is found in Section 76-1-601, MCA, which is included at the end of this Introduction.

## **Citizen Involvement**

The Growth Policy is based on an extensive citizen involvement process that began in 1997 with the establishment of a Citizen Advisory Committee (CAG). The CAG provided overall project direction, and worked to resolve countywide and regional issues. The CAG consisted of two to three members from the Consolidated City-County Planning Board, a representative from each of the five Planning Areas of the County, and one representative each from four major stakeholder groups in the County. The CAG spent more than three years educating themselves, discussing issues, soliciting public comment at a variety of venues, and developing a draft document for the Consolidated Planning Board to consider. A consulting firm—Bucher, Willis & Ratliff—was retained to undertake much of the Growth Policy research and writing.

Public involvement was an important part of the process, and included the following efforts:

- A series of fifteen Planning Area workshops (three in each of the Planning Areas mentioned on page 1) to identify issues of local concern, determine vision and goals and for each area, and develop planning alternatives. The workshops were designed to stimulate dialog between community members and the County as the Growth Policy progressed. Written and oral comments were collected both during and after each meeting. A second series of workshops were held in 2002 during the process of revising the plan
- Interviews were conducted with various stakeholders who are very knowledgeable about the County and who could provide insight into issues facing the County and their historical context.

- Presentations were made to various agencies, service clubs, and other organizations to provide updates and improve overall understanding.
- Periodic news article releases were used to keep the public informed concerning upcoming meetings, workshops, planning progress, and other items of interest.
- Formal public hearings were used as part of the planning and Plan adoption process.

The Helena/Lewis and Clark Consolidated Planning Board serves in an advisory capacity to the Board of County Commissioners (and the Helena City Commission), pursuant to an inter-local agreement with the City of Helena. The Planning Board has the responsibility of recommending a growth policy for the County, and may also include recommended ordinances. The Planning Board reviewed the draft document forwarded from the CAG, directed Staff to make certain revisions, and held public hearings. Subsequent to the public hearings, the Planning Board considered the public comment received and made its recommendations to the Board of County Commissioners (BOCC).

The BOCC adopted the Growth Policy in December 2000. In January 2001 the BOCC decided to begin reviewing the document for possible changes. Both the Planning Board and BOCC conducted public review and hearings prior to adoption of the revised document in December 2003.

## **Application**

The BOCC must statutorily follow the requirements outlined for growth policies in the M.C.A. listed in the section below. The Growth Policy will also be utilized by County officials and the BOCC as they develop the annual the budget, capital improvement plans, administrative programs, grant requests, and other activities. Additionally, the Growth Policy should be utilized by private sector service providers, local economic development entities, financial institutions, and the development community to better coordinate private and public sector resources. The specific requirements of the local government are found in Sections 76-1-605 and 606, MCA, which are included at the end of this Introduction.

## **Growth Policy Statutory Definition**

Senate Bill 97, which was passed by the 1999 Montana Legislature, redefined comprehensive plan as “growth policy.” Additionally, House Bill 543 which passed in the 2001 session made some other important changes related to growth policies through amendments to sections 76-1-605, 76-1-606, 76-3-504, and 76-3-604, MCA. The requirements the Legislature has defined for growth policies are as follows:

**76-1-601. Growth policy -- contents.** (1) The planning board shall prepare and propose a growth policy for the entire jurisdictional area. The plan may propose ordinances or resolutions for possible adoption by the appropriate governing body.

(2) A growth policy must include:

(a) community goals and objectives;

(b) maps and text describing an inventory of the existing characteristics and features of the jurisdictional area, including:

(i) land uses;

(ii) population;

(iii) housing needs;

(iv) economic conditions;

(v) local services;

(vi) public facilities;

(vii) natural resources; and

(viii) other characteristics and features proposed by the planning board and adopted by the governing bodies;

(c) projected trends for the life of the growth policy for each of the following elements:

(i) land use;

(ii) population;

(iii) housing needs;

(iv) economic conditions;

(v) local services;

(vi) natural resources; and

(vii) other elements proposed by the planning board and adopted by the governing bodies;

(d) a description of policies, regulations, and other measures to be implemented in order to achieve the goals and objectives established pursuant to subsection (2)(a);

(e) 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;

- (f) an implementation strategy that includes:
    - (i) a timetable for implementing the growth policy;
    - (ii) a list of conditions that will lead to a revision of the growth policy; and
    - (iii) a timetable for reviewing the growth policy at least once every 5 years and revising the policy if necessary;
  - (g) a statement of how the governing bodies will coordinate and cooperate with other jurisdictions that explains:
    - (i) if a governing body is a city or town, how the governing body will coordinate and cooperate with the county in which the city or town is located on matters related to the growth policy;
    - (ii) if a governing body is a county, how the governing body will coordinate and cooperate with cities and towns located within the county's boundaries on matters related to the growth policy;
  - (h) a statement explaining how the governing bodies will:
    - (i) define the criteria in 76-3-608(3)(a); and
    - (ii) evaluate and make decisions regarding proposed subdivisions with respect to the criteria in 76-3-608(3)(a); and
  - (i) a statement explaining how public hearings regarding proposed subdivisions will be conducted.
- (3) A growth policy may:
- (a) include one or more neighborhood plans. A neighborhood plan must be consistent with the growth policy.
  - (b) establish minimum criteria defining the jurisdictional area for a neighborhood plan;
  - (c) address the criteria in 76-3-608(3)(a);
  - (d) evaluate the effect of subdivision on the criteria in 76-3-608(3)(a);
  - (e) describe zoning regulations that will be implemented to address the criteria in 76-3-608(3)(a); and
  - (f) identify geographic areas where the governing body intends to authorize an exemption from review of the criteria in 76-3-608(3)(a) for proposed subdivisions pursuant to 76-3-608.

(4) The planning board may propose and the governing bodies may adopt additional elements of a growth policy in order to fulfill the purpose of this chapter.

History: Ap. p. Sec. 31, Ch. 246, L. 1957; amd. Sec. 12, Ch. 247, L. 1963; amd. Sec. 1, Ch. 156, L. 1973; Sec. 11-3831, R.C.M. 1947; Ap. p. Sec. 3, Ch. 246, L. 1957; amd. Sec. 2, Ch. 247, L. 1963; amd. Sec. 1, Ch. 349, L. 1973; Sec. 11-3803, R.C.M. 1947; R.C.M. 1947, 11-3803(part), 11-3831; amd. Sec. 8, Ch. 582, L. 1999.

76-1-605. Use of adopted growth policy. After adoption of the growth policy, the city council, board of county commissioners, or other governing body within the territorial

jurisdiction of the board must be guided by and give consideration to the general policy and pattern of development set out in the growth policy in the:

(1) authorization, construction, alteration, or abandonment of public ways, public places, public structures, or public utilities;

(2) authorization, acceptance, or construction of water mains, sewers, connections, facilities, or utilities;

(3) adoption of subdivision controls; and

(4) adoption of zoning ordinances or resolutions.

History: En. Sec. 40, Ch. 246, L. 1957; amd. Sec. 15, Ch. 247, L. 1963; R.C.M. 1947, 11-3840(part); amd. Sec. 12, Ch. 582, L. 1999.

76-1-606. Effect of growth policy on subdivisions and plats. (1) When a growth policy has been approved, the subdivision regulations adopted pursuant to chapter 3 of this title must be made in accordance with the growth policy.

History: En. Sec. 42, Ch. 246, L. 1957; amd. Sec. 4, Ch. 271, L. 1959; amd. Sec. 16, Ch. 247, L. 1963; amd. Sec. 9, Ch. 273, L. 1971; R.C.M. 1947, 11-3842; amd. Sec. 13, Ch. 582, L. 1999; amd. Sec. 2, Ch. 527, L. 2001.

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