

ADDENDUM TO THE PLANNING BOARD PACKET
6-16-2020

RESOLUTION 2020 - 01

A RESOLUTION OF THE CONSOLIDATED CITY AND COUNTY PLANNING BOARD TO RECOMMEND BOUNDARIES AND APPROPRIATE REGULATIONS FOR THE VARIOUS ZONING DISTRICTS FOR PART-2 COUNTY INITIATED ZONING IN THE HELENA VALLEY

WHEREAS, the Board of County Commissioners (Board) has required that the Consolidated City and County Planning Board (Planning Board) make recommendations regarding County Initiated Part-2 Zoning in the Helena Valley as set forth in Section 76-2-204, MCA; and

WHEREAS, the Planning Board is authorized, as set forth in Section 76-2-204, MCA to make recommendations to the Board; and

WHEREAS, on May 19, 2020 the Planning Board held a public work session regarding the April 14, 2020 draft of the proposed Helena Valley Part-2 regulations; and

WHEREAS, on June 16th, 2020 at the Civic Center in Helena, MT, the Planning Board held a public meeting to take comments from the public specific to the establishment of the proposed Zone Districts and Regulations as presented by County Staff; and

WHEREAS, the Planning Board held additional public meetings, continued over from the aforementioned June 16th meeting, and which additional meetings were held on _____, also in the Civic Center wherein the Planning Board accepted additional public comment; and

WHEREAS, the Planning Board public meetings were also hosted via the ZOOM meeting technology to afford members of the public the opportunity to participate in the public meetings without being physically in attendance during this time of the COVID-19 pandemic; and

WHEREAS, public comment was captured live and displayed during the meetings wherein each speaker was given an opportunity to confirm their comments were accurately portrayed; and

WHEREAS, the draft zoning map of the various districts and the regulations presented at the public meetings of the Planning Board were the same version as uploaded onto the County Website and otherwise made available to the public, and which regulations were dated April 14, 2020 and which map was dated April 13, 2020 (both attached hereto as Exhibit – A); and

WHEREAS, in addition to the above noted regulations dated April 14, 2020, a “~~strikethrough / underlined~~” document dated June 11, 2020 (attached hereto as Exhibit – B) depicting some non-substantive revisions to the aforesaid regulation document was also uploaded to the County Website and otherwise made available to the public; and

WHEREAS, the Planning Board had ample time to carefully and thoroughly review and consider the draft zoning regulations, draft map, and Staff proposed revisions thereto prior to the public meetings; and

WHEREAS, the Planning Board has had ample time to carefully and thoroughly review and consider the draft zoning regulations, draft map, and proposed “~~strikethrough/underline~~” revisions thereto during the public meetings; and

WHEREAS, the Planning Board has had ample time to carefully and thoroughly review and consider the all public comments and other information obtained through the public meeting process; and

WHEREAS, the Planning Board acknowledges that the criterion noted in MCA 76-2-203(1) for establishing zoning regulations have been satisfactorily addressed as identified in the Staff Report date June 11, 2020 for this HVPA Part-2 Zoning Project; and

WHEREAS, the Planning Board took action on a recommendation to the Board regarding the proposed regulations and zoning districts.

NOW THEREFORE BE IT RESOLVED by the Planning Board:

That the Planning Board does hereby recommend to the Lewis and Clark County, MT, Board of County Commissioners the boundaries and regulations for the various zone districts as presented by Staff and which regulations document is dated April 14, 2020, and which map is dated April 13, 2020, along with a “~~strikethrough / underlined~~” document dated June 11, 2020 (attached hereto as Exhibit – B) which depicts some non-substantive revisions to the aforesaid regulation document.

PASSED AND APPROVED BY THE PLANNING BOARD on this _____ Day of _____, 2020.

LEWIS AND CLARK COUNTY
CONSOLIDATED CITY AND COUNTY PLANNING BOARD:

Dr. Gregory Thomas, Chair

Attest:

Paulette DeHart, Clerk to the Board

Attachments:

Exhibit-A (April 14, 2020 Draft Helena Valley Zoning Regulations and April 13, 2020 Draft Zoning Map)

Exhibit-B (June 11, 2020 “~~strikethrough / underlined~~” revisions document)

COMMUNITY DEVELOPMENT & PLANNING INFORMATIONAL/LISTENING SESSIONS
12-18-2019, 12-19-2019, 1-23-2020, & 1-28-2020
STATUS UPDATES REGARDING DRAFT HELENA VALLEY ZONING REGULATIONS PROJECT

As these were informational sessions, Staff made notes of general comments and questions that came up during these sessions. Below is a summary of the key comments and questions raised. No Staff responses to the comments have been given as they are statements vs. questions. Following the comments, Staff identified several actual questions; and added responses to the questions as noted below.

COMMENTS

1. Zoning in General

- Individual property owners should be able to state how they want to be zoned.
- Butte-Silverbow has a process that makes it easy to change zoning.
- County walked out of a meeting in 2007 in regard to zoning.

2. Property Rights

- Another attempt by the County to clamp down on rural property.
- Proposal is taking away the right to use our property lawfully - willing to help make it better.
- I don't preserve my open space for others.

3. Property Values

- Property values will plummet.
- Density changes will create a problem with lot prices.
- Will transfer property wealth from the rural area to urban area.

4. Density Zoning (Acreage Requirements) and Usage Zoning

- We need planning that is more land based and start to regulate use.
- Zoning should be land use based, not density based.
- Zoning based on density is uncommon and should be use based.

5. Growth Policy

- Subdivision Review alone addresses our 5 key issues.
- County has the most onerous subdivision regulations of the State and they address the 5 key issues.

6. Growth in Preferred Locations

- The area around Rimini should be limited to 160-acres.

- A resident close to the city stated they will fight annexation.
- Will divert growth to Jefferson and Broadwater Counties.

7. Agriculture

- A 160-acre parcel limit to Agriculture could de-value the property. The bank could call your loan.

8. Environmental Concerns

- Should be driven by hydrology studies.

9. Notice

- Our Facebook post of the meeting was inadequate.
- Property owners need to be individually notified.
- Property owners need to be notified.
- Heard about this meeting on Facebook 2 hours in advance.

10. Public Participation

- We need to find common ground for all of our benefit.
- Should be a vote of the citizens.
- Need to have more public meetings.
- The County promptly responded to my questions.

11. Litigation

- Going to result in multiple lawsuits.

Questions

How did the Helena Valley Planning Area Boundary get created?

Lewis and Clark County has identified six planning areas as part of its comprehensive planning efforts, Helena Valley, Wolf Creek/Craig, Canyon Ferry/York, Canyon Creek/Marysville, Augusta, and Lincoln. Each planning area has unique characteristics which require land-use planning efforts that may differ than another.

What is the distinction between Part 1 and Part 2 zoning? Which one controls when they overlap?

Part 2 zoning is initiated by the County while Part 1 zoning is initiated by a group of citizens for a particular area. Generally the more restrictive land use requirement would control; however, with the

proposed Part 2 zoning regulations, the existing Part 1 zoning regulations will control in areas where Part 1 regulations have been adopted.

What are the incentives to guide growth closer to town?

The 2015 Helena Valley Growth Policy Update recognizes that local and State land use laws are ineffective at incentivizing growth closer to existing services. The Growth Policy calls for multiple land use policy changes to facilitate growth in the Urban Growth Area adjacent to the City of Helena. A combination of improved performance standards, density controls, infrastructure improvements, and education are anticipated to incentivize growth to areas where it can be best serviced.

Why are we going to limit population growth?

We are not going to limit population growth. The regulations provide for lower density residential development in the rural areas of the Helena Valley. Future amendments and other land use requirements will provide for higher density residential development in the urban areas of the Helena Valley. The Helena Valley has land that can be developed to accommodate anticipated population growth. The citizens have indicated that growth should be directed to the urban areas of the Helena Valley while still supporting lower density development in the rural areas of the Helena Valley.

What about land that is split by Growth Area Boundary?

Section 2, 204 of the proposed regulations describes how boundary discrepancies are to be addressed.

How will it affect my taxes?

The draft zoning regulations do not require a change in how you are taxed.

How do you prove water availability?

Good question! Water availability has been a primary concern of the residents of Lewis and Clark County. The Water Quality Protection District staff are investigating this issue and learning more and more about the complex nature of our underground water availability. In some areas, long term studies may be necessary.

Would it affect livestock or shooting use on our property?

Proposed Section 18 of the regulations would recognize and permit the continued use of property in existence at the time of adoption of the regulations provided the existing use is in compliance with all other applicable rules and regulations.

Will we have checks and balances on the Commission to ensure people are treated fairly?

The Commission is a political body and each member is elected for six-year terms. Residents can seek through a zoning body called the Board of Adjustment. Should that process not be satisfactory, further relief can be sought from the Court system if the Commission is acting in a way they believe is unlawful.

Did we do an economic study?

No, an economic study was not completed, nor is one required by State Statute.

Why can't the County buy our development rights like what they do with the open space fund?

Property owners of the County can seek funds from the Open Space Bond; however, the property owner must connect with a willing sponsor, i.e. the Prickly Pear Land Trust, and the property must meet the criteria contained within the Open Space Bond.

How can I re-zone my property?

Proposed Section 1, 107 describes procedures to amend the zoning regulations.

Is there a range for the UGA, in regard to density?

While not currently included in the draft regulations, the Growth Policy would support a target density of a minimum of 4 units per acre in the urban growth area.

Will we still be able to use a family transfer?

The use of the family transfer exemption is allowed; however, lots must comply with zoning regulations.

Why do we have to regulate all of the area? Why not just regulate commercial builders?

The proposed regulations will apply to all land wholly within the Helena Valley Planning Area as supported by the Growth Policy.

Will we be getting rid of the Part 1 districts?

At this time, the citizen initiated Part 1 zoning districts will remain in place. The Growth Policy does call for the eventual consolidation and overhaul of Part 1 zoning districts to better manage these districts.

How or what do I need to disclose to my clients as a realtor?

Realtors should follow their own professional guidelines, rules, and requirements when working with their clients. The County will continue to support Realtors by providing current information on County rules, regulations, and planning efforts, as requested.

Has the map already been adopted?

No, adoption of the map will be considered by the Board of County Commissioners after they consider a recommendation from the Planning Board and public testimony at a public hearing.

How will this affect the East Helena School District?

The East Helena School District will benefit from greater predictability that land use zoning can provide which will improve their ability to plan for the future.

Will you give the Commission honest feedback on these meetings?

The County Commissioners were regularly briefed on all the listening sessions.

How will this affect road impact fees?

The County does not have road impact fees. Proportionate share exactions for off-site road impacts required through subdivision review will continue to apply at this time.

Did we consider an analysis or housing costs county-wide?

The Growth Policy Update includes a build-out analysis which indicates that our projected population growth between 2015 and 2035 could be accommodated wholly within the urban growth area of the Helena Valley Planning Area.

Can you explain further the difference between Planned Development and zoning?

A Planned Development is a unique mixed use land use pattern that would be allowed greater flexibility in compliance with zoning regulations under certain conditions.

Who will make the determinations on Planned Development? Is it an easy process?

How Planned Developments will be reviewed and approved has not yet been determined. This section of the proposed regulations will be amended at a future date.

Will existing property be grandfathered?

Proposed Section 18 of the regulations would recognize and permit the continued use of property in existence at the time of adoption of the regulations provided the existing use is in compliance with all other applicable rules and regulations.



FWP.MT.GOV

THE **OUTSIDE** IS IN US ALL.

RECEIVED

FEB 10 2020

LEWIS & CLARK COUNTY
Community Development & Planning

FWP Region 3
1400 South 19th
Bozeman, MT 59718
February 6, 2020

Greg McNally
Community Development and Planning Department
Lewis and Clark County
316 N. Park, Rm 230
Helena, MT 59623

Re: Preliminary Draft Map of Helena Valley Planning Area Zoning

Dear Mr. McNally:

Thank you for the opportunity to comment on the draft zoning map for the Helena Valley Planning Area. Montana Fish, Wildlife & Parks (FWP) appreciates working with Lewis and Clark County to ensure consideration of Montana's fish, wildlife, recreation, and parks resources in land use planning.

The attached comments and map describe areas within the Helena Valley that provide critically important habitat and connectivity for a variety of wildlife species, particularly elk. These areas include public lands, which have been managed to improve habitat security for elk and other ungulates and to maintain and improve a movement corridor for a wider range of species. We have also highlighted areas of private land that provide important big game winter range. Please consider zoning these areas at a lower density than the currently proposed 1 unit to 10 acres and 1 unit to 20 acres. Zoning should provide for building densities and connected open space that maintain these habitats and allow for wildlife movement. If the county is interested, FWP could meet with the county planners to review the data and maps and discuss densities that would conserve wildlife values. In addition, FWP recommends that cluster development be an option in all zoning districts. Clustering homes can minimize habitat fragmentation and loss of winter range and maintain the ability of big game animals to move within and between seasonal ranges (FWP 2012).

Please contact Jenny Sika at (406) 495-3268 if you have questions or would like to arrange a meeting.

Sincerely,

Mark Deleray
Region 3 Supervisor

C: Jenny Sika, Region 3 Wildlife Biologist
Howard Burt, Region 3 Wildlife Manager

FWP Comments on the Preliminary Draft Map of Helena Valley Planning Area Zoning
January 28, 2020

The following areas have important wildlife habitat and connectivity:

1. Sweeney Creek Area and Inventoried Roadless Areas

The county is proposing a Rural Mixed-Use Zoning District (1 unit to 20 acres) and Large-Lot Mixed Use Zoning District (1 unit to 10 acres) on U.S. Forest Service and Bureau of Land Management lands in the western portion of the planning area. Much of this public land provides habitat security for elk and other ungulates, which is limited in this highly fragmented landscape especially east of the continental divide (CD). The Jericho Mountain and Lazy Man Inventoried Roadless Areas and the Sweeney Creek area, where motorized use was recently eliminated, are especially important for wildlife year-round. In recent work with the Helena-Lewis and Clark National Forest (H-LC NF, formerly just the Helena NF), FWP and H-LC biologists worked to both define and identify secure habitat in the CD landscape (Canfield et al. 2013, MFWP and USDA 2013, USDA 2016a and 2016b). The proposed Rural Mixed-Use and Large-Lot Mixed Use Zoning Districts overlap and include these important wildlife areas. There are recent management recommendations as well as contemporary and ongoing research about the habitat security requirements of elk and other big game (Canfield et al. 2013, DeVoe et al. 2019, Lowery et al. 2020, MFWP and USDA 2013, Proffitt et al. 2010 and 2013, Ranglack et al. 2017).

2. Continental Divide

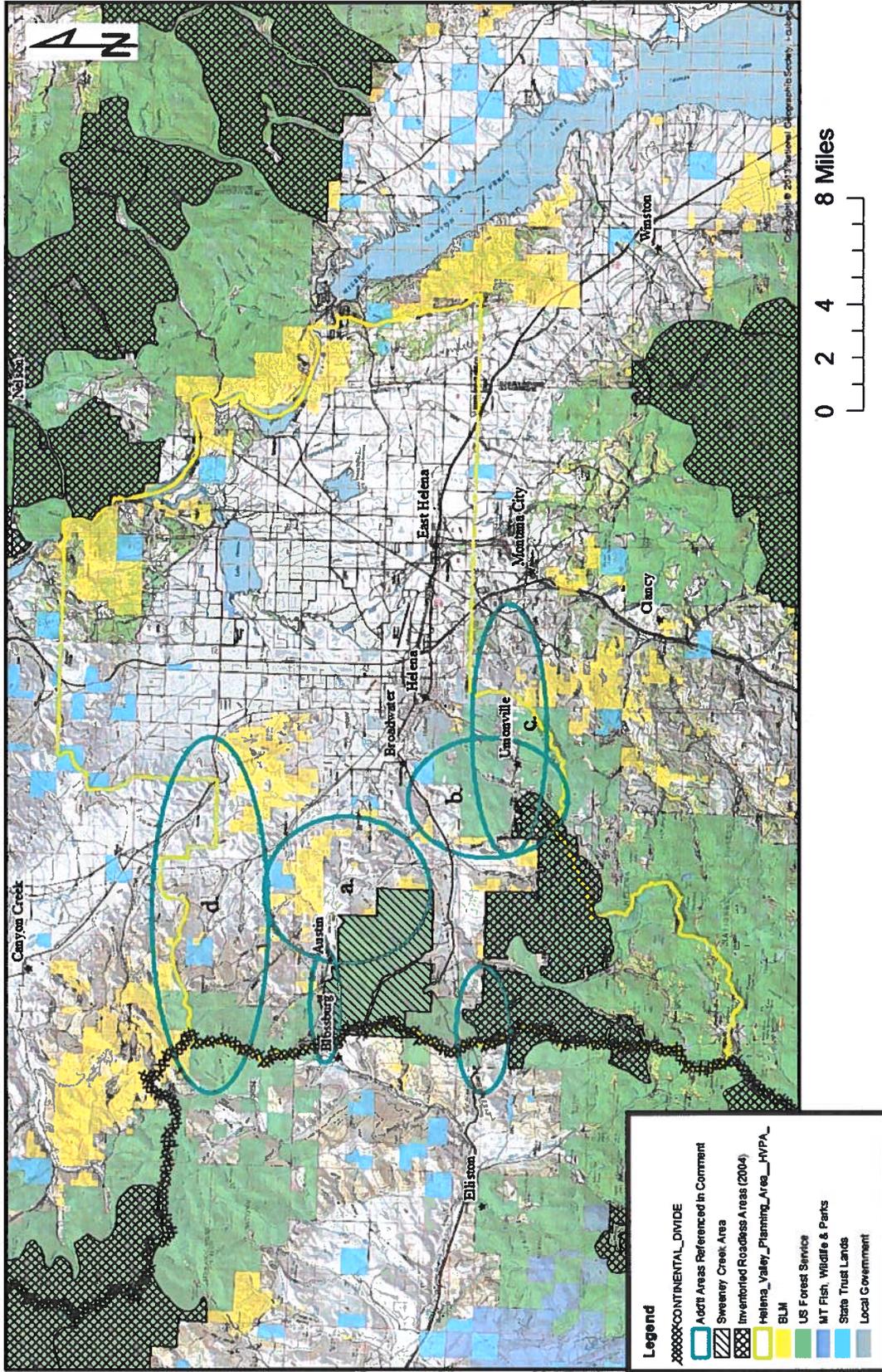
The entire reach of the CD within this proposal is also an important part of a wildlife movement corridor, both for local, resident wildlife as well as wildlife dispersing from both the Northern Continental Divide Ecosystem and the Greater Yellowstone Ecosystem. Recent work by Peck et al. (2017) demonstrates the importance of this reach of the CD for grizzly bears dispersing from both ecosystems, highlighting connectivity areas based on real world data. Additionally, FWP has documented grizzly bear use along the east slope of the CD in this area. There are also a couple of narrow reaches along the CD within this proposed zoning area, where public land is only about one mile wide: Mullan Pass and MacDonald Pass. To maintain function as a wildlife movement corridor, housing density in these areas should remain minimal.

3. Winter Range

Most of the winter range for elk is on private land within the planning area and is critically important for ungulates. There are some key areas of private land within the zoning proposal where FWP recommends lower density zoning to maintain functional winter range, similar to lower density zoning proposed in other parts of the Helena Valley to maintain agricultural opportunities and open space. For example, FWP supports the Ag Conservation Zoning District (1 unit to 160 acres) in the North Hills as it is presently proposed because it is also functional winter range for elk and is consistently utilized by bachelor groups of mature bull elk. Following are the key winter range areas where FWP recommends lower density zoning (also see map attached):

- a. The winter range between Fort Harrison and the FS land to the west is important for elk. FWP has documented use of this area by 230-340 elk during winter, which represents as much as 50% of the elk observed wintering in the hunting district (HD) in some years (HD 343; 2015-2019 data only; more data available). Our records document elk use from at least 2002 through winter 2018-2019.

- b. The winter range including Mount Helena City Park, the Mount Helena Ridgeline Trail, and the public and private land from these areas west to Colorado Gulch is important for elk. FWP has documented use of this area by 70-235 elk during winter, which represents as much as 28% of the elk observed wintering in the district in some years (HD 335; 2015-2019 data only; more data available). Our records document elk use from at least 2003 through winter 2018-2019.
- c. The winter range from Ash Grove land to the west is largely outside the proposed area, but the land in between is important for connectivity. FWP has documented use of this area by 100-300 elk during winter, which represents as much as 28% of the elk observed wintering in the district in some years (HD 335; 2015-2019 data only; more data available). Our records document elk use from at least 2005 through winter 2018-2019.
- d. The winter range immediately north of the Fort Harrison area, and encompassed by this proposal, is quite compromised already. FWP is dealing with human-wildlife (elk) conflicts in that area every winter now, and in 2019 conflict also occurred during fall. Continued loss of winter range in this area is not only detrimental to elk, it is also likely to result in more human-wildlife (elk) conflicts in this and surrounding areas.



References

Canfield, J., Pengeroth, D., Tomasik, E., Dibenedetto, J., Northern Region Geospatial Group, Taylor, S., Conway, L. 2013. Custer, Gallatin, Helena, and Lewis and Clark National Forests. Framework for project-level effects analysis on elk.

DeVoe, J. D., K. M. Proffitt, M. S. Mitchell, C. S. Jourdonnais, and K. J. Barker. 2019. Elk forage and risk tradeoffs during the fall archery season. *Journal of Wildlife Management* **83**: 801– 816. [Wiley Online Library](#) [Web of Science](#)® [Google Scholar](#)

Lowrey, B., DeVoe, J., Proffitt, K.M. and Garrott, R.A. 2020. Hiding Without Cover? Defining Elk Security in a Beetle-Killed Forest. *Journal of Wildlife Management* **84**: 138-149. doi:[10.1002/jwmg.21781](https://doi.org/10.1002/jwmg.21781)

Montana Fish, Wildlife & Parks. 2012. Fish and Wildlife Recommendations for Subdivision Development in Montana: A Working Document. Montana Fish, Wildlife & Parks, Helena, Montana. 174 pp.

Montana Fish, Wildlife & Parks and USDA Forest Service. 2013. U.S Forest Service and Montana Department of Fish Wildlife and Parks Collaborative Overview and Recommendations for Elk Habitat Management on the Custer, Gallatin, Helena, and Lewis and Clark National Forests. Unpublished paper on file at: U.S. Department of Agriculture, Forest Service, Gallatin National Forest Supervisor's Office, Bozeman, MT. 36 pp.

Peck, C. P., F. T. van Manen, C. M. Costello, M. A. Haroldson, L. A. Landenburger, L. L. Roberts, D. D. Bjornlie, and R. D. Mace. 2017. Potential paths for male-mediated gene flow to and from an isolated grizzly bear population. *Ecosphere* **8**(10):e01969. [10.1002/ecs2.1969](https://doi.org/10.1002/ecs2.1969)

Proffitt, K. M., J. L. Grigg, R. A. Garrott, K. L. Hamlin, J. Cunningham, J. A. Gude, and C. Jourdonnais. 2010. Changes in elk resource selection and distributions associated with a late-season elk hunt. *Journal of Wildlife Management* **74**: 210– 218. [Wiley Online Library](#) [Web of Science](#)® [Google Scholar](#)

Proffitt, K. M., J. A. Gude, K. L. Hamlin, and M. A. Messer. 2013. Effects of hunter access and habitat security on elk habitat selection in landscapes with a public and private land matrix. *Journal of Wildlife Management* **77**: 514– 524. [Wiley Online Library](#) [Web of Science](#)® [Google Scholar](#)

Ranglack, D. H., K. M. Proffitt, J. E. Canfield, J. A. Gude, J. Rotella, and R. A. Garrott. 2017. Security areas for elk during archery and rifle hunting seasons. *Journal of Wildlife Management* **81**: 778– 791. [Wiley Online Library](#) [Web of Science](#)® [Google Scholar](#)

USDA Forest Service. 2016a. Blackfoot Travel Plan. Final Environmental Impact Statement. Volume 2 – Appendices. February 2016.

USDA Forest Service. 2016b. Record of Decision. Big Game Security Forest Plan Amendment for the Divide Travel Plan Area. March 2016.



Ms. Susan Giese, Chair
Lewis & Clark County Commissioner:
Helena, MT

Feb 17, 2020

RE: Proposed Helena Valley Zoning

Dear Commissioner Giese:

This letter is to inform you that the Lewis & Clark County Farm Bureau, with a vast membership of individuals directly involved in agriculture, is opposed to your proposed zoning effort in the Helena Valley. Your zoning effort appears to originate from a poorly worded "survey" and we are not aware of anyone has seen a written version of. The only fact finding (or survey) was your staff attending a Helena Valley Irrigation District meeting where your staff apparently asked the question "Do you want to protect Agriculture in the Valley?". This is certainly a poorly worded question upon which to base any zoning decision, as well all want to protect agriculture.

Our concerns are:

- Your proposed effort is coming from the top down versus the bottom up. This zoning action was not requested by the landowners who would be directly affected.
- The results, if adopted as proposed, would be simply an unconstitutional taking of property rights for a large portion of landowners in the valley and surrounding area.
- This Zoning will have a major negative impact on the value of much of the land within the proposed "Ag Conservation Zone District". For example, a landowner recently bought irrigated hay land. This land has development potential, and the price reflected that. If your zoning were to happen, the development potential would be eliminated, and the value of this land would revert back to agriculture values, which are much lower than development values.
- No commissioners attended the meetings. This is not acceptable.
- The assumed goals of your zoning, which will minimize development in the valley, can be achieved by existing statute. Subdivision, water rights, septic systems, etc.
- The meetings were not noted on the county calendar. It also appeared no notes or comments were recorded during the meetings.
- During each meeting held, there was no agenda developed, no explanation of why, nor any other information provided regarding the process, future development restrictions, or timeline of the commissioners' approval/denial process. Your staff were not able to answer questions directed to them regarding the purpose of the zoning. These meetings were non-informative and that is not acceptable. Meetings are to provide information and obtain feedback, which again in this case, was not recorded.

Other things you need to consider:

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- This zoning effort would result in essentially a conservation easement without compensation, or again, a taking of property rights.
- This zoning will eliminate future development of small parcels which afford families the opportunity to have their children engage in programs such as 4-H. 4-H is a program that builds leaders and engages them in agriculture and animal husbandry.
- Landowners have stated they will 'lock the gates' to any future hunting and fishing if this zoning is approved.
- Many landowners are depending on future potential development as financial security. This zoning would eliminate that potential.
- The devaluation of land, due to the zoning, will have financial impacts to landowners with their lending institutions.

In conclusion, we are opposed to your proposed "Ag Conservation Zone District" zoning in the Helena Valley and surrounding area.

If you have questions, feel free to contact me.

Respectfully

A handwritten signature in blue ink that reads "Karl Christians". The signature is written in a cursive style with a long horizontal line extending to the right.

Karl Christians
LCCFB President

CC: Mike Murphy, LCCFB Vice President
LCCFB Board

**DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION**
Forestry Division



STEVE BULLOCK, GOVERNOR

STATE OF MONTANA

PHONE: (406) 542-4300
FAX: (406) 542-4217

2705 SPURGIN ROAD
MISSOULA, MONTANA 59804

February 21, 2020

Lewis and Clark County Commissioners
316 N. Park Avenue, Room 345
Helena, MT 59623

Re: Montana Department of Natural Resources and Conservation, Trust Land Management and Forestry Division comments to the Lewis and Clark County Draft Zoning Plan

Dear Commissioners,

Thank you for the opportunity to comment on the Lewis and Clark County Draft Zoning Plan. We appreciate your efforts to engage the state, local government and Montana citizens throughout this planning process. The Montana Department of Natural Resources and Conservation (DNRC), Trust Lands Management and Forestry Divisions, are committed to continuing a positive working relationship with Lewis and Clark County on wildfire response, community protection and preparedness, sustainable forest management and public access. It is a priority to work with you in supporting efforts that make communities more fire-adapted, so they can survive and remain viable when wildfire moves through or near the community without extraordinary intervention by fire services. DNRC and Lewis and Clark County have a history of good cooperation and will continue to do so to manage wildfires in the best interest of the citizens of Lewis and Clark County and Montana. The DNRC firmly believes zoning and land use planning can increase public and firefighter safety and reduce wildfire costs.

The DNRC's Trust Land Management Division (TLMD) manages approximately 5.2 million surface acres and 6.2 million subsurface acres across the State of Montana. The mission of TLMD is to manage resources and uses on State Trust Land for the financial benefit of Common Schools and other endowed institutions under the direction of the Board of Land Commissioners. The Land Board is comprised of the top five elected officials of the state. The TLMD is divided into the following four programs: agriculture and grazing management, forest management, minerals management, and real estate management. Together, these programs generate approximately \$100 million annually for the trust beneficiaries.

The DNRC's Forestry Division (FD) is responsible for planning and implementing forestry and fire protection programs through an extensive network of staff located in field offices across the state. The Forestry Division is divided into the following programs: fire protection, forestry assistance and good neighbor authority. The FD works to maintain and improve the health of Montana's forests, watersheds and the communities that depend on them while providing resources, leadership, and coordination to Montana's wildfire services and landowners.

The following comments are submitted in support of TLMD's and the FD's respective missions while striving to work together across all lands.

Zoning near State Trust Lands

The DNRC recognizes management of state trust land parcels located near subdivisions and in the wildland urban interface (WUI) are significant and have many challenges. Developers and prospective homeowners in new developments, especially subdivisions, value public lands and open spaces adjacent to them for recreation and other aesthetic purposes. We also know parcels are selling adjacent to state trust land ownership at an increased value. A public entity, such as a City or County government, could apply to hold a “public park” easement upon State Trust lands to maintain a status of “open space”. However, this option is only available at the discretion of the Department and the State Board of Land Commissioners (Land Board) and requires full market value compensation to the trust along with other requirements. The Department, and Land Board, must take into consideration the highest and best use of the parcel relative to revenue generation capability for the applicable trust beneficiary. The authority to approve or deny any easement resides with the Land Board. Public park (open space) outcomes aren’t always achievable and come with perpetual maintenance and management responsibilities for the easement holder. The Department would like to go on record that our lands should be considered along with private property for alternative future uses including residential or commercial development. For these reasons, we ask you to consider the following requests:

- *Include the following State Trust Lands in the Lewis and Clark County Draft Zoning plan area:*
 - *Section 36, Township 12 North, Range 4 West, North Applegate into zone Residential 10*
 - *Section 16, Township 10 North, Range 1 West, Viscaya Drive/Canyon Ferry West into Residential 10 for entire tract*
 - *Section 36, Township 12 North, Range 3 West, Noble Drive into zone Residential 10*
- *Require all proposed subdivisions adjacent to state trust lands to provide legal ROW access to DNRC for all lawful purposes, including the right of public access, to be secured at the time of approval of the subdivision.*
- *Understand DNRC can sell state trust lands. The current use (i.e. grazing, agriculture, timber, mineral development) on state trust lands may not reflect DNRC ownership values or uses in the future. The DNRC has a robust and growing commercial development program that generates revenue to fund the various trust beneficiaries, including public schools.*

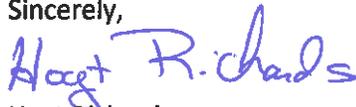
Zoning within the Wildland Urban Interface and adjacent to state trust lands:

- *Consider incorporating community protection and fire prevention development standards into proposed developments:*
 - *Defensible Space: Defensible space should be created within 100-200 feet of all subdivision structures, roads and water supplies that are designated to be used for wildfire suppression. We recommend establishing a maintenance agreement for defensible space. Creating defensible space is essential to improve structure survivability. Defensible space is the area where flammable material has been treated, removed or modified to slow the rate and intensity of an advancing wildfire.*
 - *Home Ignition Zone: Encourage developers, builders, landscapers and landowners to use ignition resistant construction materials and fire-resistant landscaping. Embers can travel up to one mile and ignite structures.*
 - *Ingress and Egress: Require multiple routes in and out of a subdivision. Evacuation route roads need ample horizontal and vertical clearance. Consider driveway width, length and*

- turnaround radius for emergency vehicles. When communities have only one way in and out, evacuations, during an emergency, can result in traffic congestion, impacts to wildfire suppression efforts, and in the most extreme circumstances, death.*
- *Addressing: Each structure should be addressed clearly and posted where easily visible from the street. Non-combustible and reflective material are also important.*
 - *Hazardous Fuels Reduction: The removal and/or reduction of hazardous fuels (vegetation) can encompass a range of management activities including thinning trees, brush clearing, prescribed fire, grazing, and hand treatments such as pruning trees and mowing. These treatments can reduce wildfire intensity and spread. The DNRC recommends promoting and implementing these activities on landscapes adjacent to subdivisions and other critical infrastructure.*

Lewis and Clark County is a trusted partner and DNRC earnestly values its close working relationship. We will provide DNRC's input regarding subdivision proposals for the Lewis and Clark County zoning board consideration in the future. Thank you for the opportunity to comment on the Lewis and Clark County Draft Zoning Plan. We look forward to working with you to support fire-adapted communities across the county and having you assist us in best management of our State Trust Lands for the benefit of Montana schools and other trust beneficiaries.

Sincerely,



Hoyt Richards
DNRC CLO Area Manager

CC: TLMD and FD Divisions

Helena Valley Irrigation District

3840 North Montana Avenue, Helena, MT 59602 (406) 442-3292
sharonfoster@hvid-mt.com Web Site: hvid-mt.com

March 25, 2020

L&C County Board of County Commissioners
316 N. Park Ave. Rm. 345
Helena, MT 59623

Dear Chairperson Geise; Commissioners Hunthausen and McCormick,

This letter is with regards to the county's efforts to evaluate and possibly institute Zoning in the Helena Valley. The Helena Valley Irrigation District (HVID or District) has not to this date made any public statement or stand regarding the county Zoning efforts. The District has received a number of comments or complaints from land owners and water users in the valley stating that during the Zoning public meetings, they got the impression from county presenters that the HVID is on board with and supports the county's Zoning plans.

We want to make clear that the HVID, its management and/or its elected Board of Commissioners have never either in private or public, registered support or for that matter, formal opposition to the county's Zoning efforts. Please ensure that no one representing L&C County, including the Commission, insinuates or makes the impression that the HVID supports Zoning in the Helena Valley.

On August 6, 2019, the HVID held its monthly Commissioner Meeting. On the agenda was "County Zoning" represented by Planning employees, Peter Italiano and Greg McNally. Mr. Italiano did an excellent job explaining what Zoning is, the BoCC's desire to implement it, and the positives that can come out of good Zoning, as well as negatives without having good Zoning. Mr. McNally also did an excellent job explaining how "Planning" works at the county level, and described benefits to all citizens if Zoning was thoughtfully and properly implemented. We certainly appreciated Mr. Italiano and McNally's respectful and educational presentation.

Part of the discussion involved several of our Commissioners providing comments, concerns, as well as questions. The following is a quotation from the August 6, 2019 Minutes from Commissioner, Mark Diehl when responding to Mr. Italiano's question, asking, "*if the Board wanted the agricultural lands in the valley to be preserved as agriculture going into the future.*"

Board Vice-President, Mark Diehl addressed Mr. Italiano's question by explaining that, "*Agricultural living is vital to his family as it has been farming and ranching for 83 years. He also added the importance of ag land owners to have the flexibility to do different things with their land such as subdivision development, which may be economically necessary to supplement and preserve the farm. Mr. Diehl stated that, "in his opinion, Zoning picks winners and losers."* And he does not want the government to restrict his rights to do as he chooses with his property. Mr. Diehl also added that "*in his opinion, land zoned for development located next to a farm or ranch could be worth a lot more money than land restricted to agriculture, and questioned the fairness of that.*"

Board President, John Baucus added (again from the Minutes), responding to Mr. Italiano's question, *"if the Board wanted the agricultural lands in the valley to be preserved as agriculture going into the future."*

"John Baucus shared his concern that if land is zoned as agriculture, could the property tax paying land owner's rights be impeded to do other things outside of agriculture such as adding a solar farm, or trading and selling land?"

I use these examples of quotes from Board members to reinforce to you that the HVID never made any statements supporting Zoning or the efforts to zone in the valley, but rather clearly brought up deep concerns and questions about possible devastating and negative impacts to agricultural land owners. These questions and comments brought up by the Board are important ones, and deserve satisfactory answers.

The land is the agricultural person's livelihood. It's their home, their range for cattle, their farming, their corrals, their livestock's home, as well as their land to develop for other residential or commercial needs or desires, which could supplement their agricultural business, or simply add to their overall income. As large property tax paying farms and ranches, the owners want and need flexibility to operate and develop their lands as they deem necessary to be successful agricultural businesses, now and into the future.

HVID Commissioners understand and appreciate the many issues that the BoCC deals with in this large and diverse county. It also supports the BoCC addressing and studying those issues, including Zoning. What it wants is for the BoCC along with Mr. Italiano and his staff to take seriously the concerns of agricultural land owners including HVID Board members and their concerns articulated in this letter and in the HVID August 6, 2019 meeting Minutes, and for the BoCC not to institute any valley Zoning without the support of the Helena Valley agricultural land owners and community.

Thank you and finest regards.

Sincerely,



JAMES A. FOSTER, MANAGER
HELENA VALLEY IRRIGATION DISTRICT

Cc: John Baucus, President, Board of Commissioners
Mark Diehl, Vice-President, Board of Commissioners
Gary Burnham, Board of Commissioners
Tom Nicolls, Board of Commissioners
Craig Winterburn, Board of Commissioners

From: [Greg McNally](mailto:Greg.McNally)
To: pullmanclint@gmail.com
Subject: RE: Zoning Regulation Comments
Date: Wednesday, June 10, 2020 4:40:00 PM

Clint Pullman,

Thank you for your comments. Please note that we will provide them to the Planning Board for their June 16th public meeting at the Helena Civic Center at 6:00 p.m.

Best,
Greg

Greg McNally, Planner III

Lewis and Clark County
Community Development and Planning Department
316 N. Park, Rm 230
Helena, MT 59623
(406) 447-8343 (Direct)
(406) 447-8374 (Front Office)
gmcnally@lccountymt.gov

From: County_Planning_Mail <County_Planning_Mail@lccountymt.gov>
Sent: Wednesday, June 10, 2020 3:31 PM
To: Greg McNally <GMCNALLY@lccountymt.gov>
Subject: FW: Zoning Regulation Comments

From: Clint Pullman <pullmanclint@gmail.com>
Sent: Wednesday, June 10, 2020 2:03 PM
To: County_Planning_Mail <County_Planning_Mail@lccountymt.gov>
Subject: Zoning Regulation Comments

The attached word document is my comment for your proposed zoning regulations. Please see that the planning board members have a chance to see it before the meeting. Thank you for your time.

Clint Pullman
406-439-8338

Clint Pullman
P.O. Box 277
East Helena, MT 59635
406-439-8338
pullmanclint@gmail.com

June 8, 2020

Dear City of Helena and Lewis & Clark County Consolidated Planning Board,

Last week I became aware of the City of Helena and Lewis & Clark County Consolidated Planning Board plan to move forward with a zoning ordinance for the "Helena Valley". You sent out a postcard that looked like junk mail announcing a request for public comment and stating there would be a meeting on June 16th. You did not announce the time or place for this meeting until today, June 8th. You have made it really hard to organize any opposition for sure. It is very frustrating that with everything going on in the world right now our local officials feel this is an appropriate manner and time to try and slip something like this through. I really expect more transparency and cooperation from our local leaders and I am very frustrated by what I am seeing from your actions regarding your attempts to institute County Initiated Zoning. I find the whole concept unacceptable as we already have a Citizen Initiated Zoning process that works quite well. Several local communities, I believe 35 districts, have been able to put together zoning plans that work well for their specific needs. We need to keep with that system and do away with this effort to have a one size fits all. The extent of the regulation packet of almost 200 pages is ridiculous! That is not good government. All you are going to do is create a huge bureaucracy and a bunch of red tape for landowners to struggle through any time they want to do anything with their properties.

To be clear, I am opposed to any attempt to institute County Initiated Zoning regulations. Further, I find it reprehensible that the proposed plan is trying to sneak in the Rimini Area to your "Helena Valley" zoning district. Including Rimini in your plan makes no sense as our community is entirely different than the "Helena Valley." You are simply trying to control the Ten Mile Creek watershed and keep any building from happening in the Rimini area. That effort is a direct affront to our private property rights. I own 3 mining claims in the Rimini area and my wife's parents also own 3 mining claims in Rimini. After reading these highly restrictive zoning restrictions I realized that our properties will basically be rendered useless and we could never build on them due to the 100 foot setback from waterways and 25 foot setback from all boundaries. The plan also greatly limits options for subdividing making the process even more difficult. It regulates fencing, lighting, business operations, and requires extensive permitting processes for anything you wish to build or modify on your property. My family bought our properties years ago in hopes of having a family place to relax and recreate. I planned to build in my retirement which was supposed to be 3 years ago. I have not had the chance to build my cabin yet and now I may never get that opportunity because I have continued staying on at my employment providing public service to the citizens of our county and this state. I have dedicated my entire career to public service and this is the thanks I am going to get for staying on during emergencies. This is the source of my frustration.

Once I learned of your plan I took a leave of absence from my job to try and organize opposition by mailing my neighbors information and contacting each of them directly when possible. I have reached out to all of the Rimini area property owners as well as several westside property owners. All of them have been shocked to see that these areas are included in your plan. I am hoping you will agree with me and the other area landowners that these restrictions do not fit well for the community in Rimini and the westside and are not necessary.

We have put up with and been through a lot in Rimini over the past decade. Through dealing with the EPA clean up, the road construction, and the latest logging operations it has been very difficult to enjoy or even access our properties. Enough is enough. Let us all be left alone from government overreach and allow us the liberty to peacefully enjoy our

Addendum to the 6-16-2020 Planning Board Packet, Page 23 of 98

property. This is not a time when people want more government controlling our lives. Look at the mess going on in our country and in the world. All created by government.

I am against county wide blanket zoning plans all together. There is already an option for neighborhoods to utilize citizen-initiated zoning if the people in a given area see fit to do so. That plan obviously works because there are already 35 citizen initiated zoning districts within Lewis & Clark County. Let's stick to that plan and leave the rest of us alone. Remove the Rimini and Westside areas from your proposed planning district as these regulations simply do not fit well for our properties.

Thank you, be well, and God Bless,

Clint Pullman

From: [County Planning Mail](#)
To: [Mel Griffin](#)
Subject: RE: zoning comments
Date: Tuesday, June 9, 2020 3:40:00 PM

Mel Griffin,

Thank you for your comments. Please note that we will provide them to the Planning Board for their June 16th public meeting at the Helena Civic Center at 6:00 p.m.

Best,
Greg

Greg McNally, Planner III

Lewis and Clark County
Community Development and Planning Department
316 N. Park, Rm 230
Helena, MT 59623
(406) 447-8343 (Direct)
(406) 447-8374 (Front Office)
gmcnally@lccountymt.gov

From: Mel Griffin <melogriffin@gmail.com>
Sent: Monday, June 8, 2020 1:37 PM
To: County_Planning_Mail <County_Planning_Mail@lccountymt.gov>
Subject: zoning comments

Thank you for soliciting public comments. I really hope that zoning efforts are successful this time around. My comments are attached.

From: [County Planning Mail](#)
To: [Greg McNally](#)
Subject: FW: Planning area/boundary change
Date: Thursday, June 4, 2020 9:18:24 AM
Attachments: [ATT00001.txt](#)

-----Original Message-----

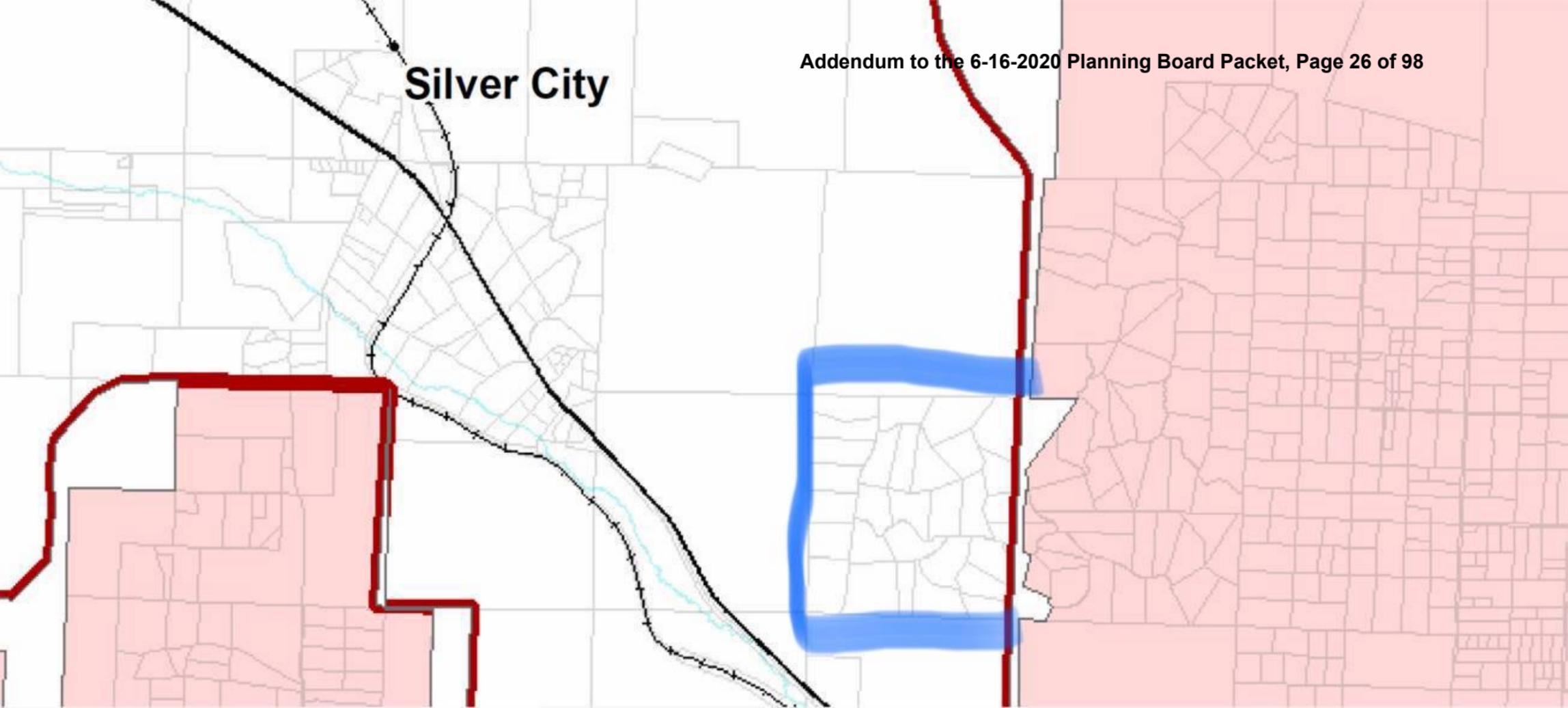
From: Nicholas Schreiner [<mailto:nschreiner74@hotmail.com>]
Sent: Thursday, June 04, 2020 8:56 AM
To: County_Planning_Mail
Subject: Planning area/boundary change

Hello,

Thank you for the opportunity to comment on the proposed zoning changes. I only have one suggestion for the proposal which concerns adding a section to your planning area.

As is, the planned zoning will split the Woodland Hills Homeowners Association into two different rural planning areas (mixed-use and un-zoned). I recommend that the the planning area boundary be changed to incorporate T11N, R4W, Sec. 9. I have attached an edited screen shot of the section of concern. Your current proposal will split multiple lots based on the township line and will not include 1/3 of our subdivision. Because we all have the same covenants and for consistency across the HOA, I am recommending that you incorporate all of section 9 into your plan as Rural Residential Mixed-Use Zone (10).

Silver City



From: [County Planning Mail](#)
To: [Greg McNally](#); [Peter Italiano](#)
Subject: FW: Helena valley zoning
Date: Tuesday, June 2, 2020 9:07:57 AM

From: davev [mailto:lazyjc2@gmail.com]
Sent: Monday, June 01, 2020 5:44 PM
To: County_Planning_Mail
Subject: Helena valley zoning

The current plan will destroy the retirement of many older farmers and small ranches like mine. Many of us plan to use the equity in our property to retire, this plan will reduce the value of all property in this area. I consider it a taking.
Jerry Christison 5220 Lake Helena dr 59602.
Sent from [Mail](#) for Windows 10

From: [Harley Breker](#)
To: [County Planning Mail](#)
Subject: Comments sought- Helena valley zoning regs
Date: Sunday, June 14, 2020 10:44:13 AM

In response to the postcard I received in the mail requesting comments.

The neighborhood timberworks estates near Jim Darcy and moose junction - adjustments to zoning would benefit this neighborhood a lot if they addressed the construction of multi-family dwellings. The existing 4-plex structures in this neighborhood have been detrimental to this neighborhood and could have been avoided if it were zoned differently not to allow multi family dwellings.

Since zoning typically is intended to stabilize or protect property values - this poor zoning that has allowed these 4-plexes to continue going up could cause the opposite. They could potentially drive down single family home property values in this neighborhood and send buyers looking in other neighborhoods.

Many homeowners in timberworks estates agree that these buildings should not have been allowed to go up in the first place and were under the impression that they were originally buying in a single family home neighborhood. We now have four 4-plexes occupied with a fifth one being built. These are very unsightly, have poor curb appeal, poor landscaping, major parking issues, garbage issues, weed problems - all of which have not been addressed on the previous 4-plex before they start building another in the exact same way which will have the exact same problems.

Proper zoning could have prevented this. One way to mitigate the damage already done by these dwellings is by creating and enforcing some covenants. Covenants that would address where you're allowed to

Keep your garbage can, how long you're allowed to set it out on the street, who's responsible for weed/lawn upkeep, how many vehicles each unit is allowed to have parked and where they're allowed to park (not at an angle on the front yard), restrict what else can be parked out front of them (no trailers, campers, boats due to space constraints of these particular units).

As a homeowner in this neighborhood I would like to see some zoning action taken to prevent any future multi family dwellings being built here - and to have some damage control on the ones that have unfortunately already been built.

With improved zoning, we can try to keep this neighborhood a destination for homebuyers for years to come.

Harley

June 13, 2020

Peter Italiano, Director
Department of Community Development
Lewis and Clark County
City-County Building
Helena, Mt 59623

Dear Peter:

I wish to express support for the latest version of the proposed zoning ordinance for the Helena Valley and commend the County Commissioners, Planning Board, and staff for undertaking the difficult path to develop the tools to implement the 2015 County Growth Policy, developing a plan for the orderly development of the Helena Valley, at the same time seeking to protect areas of high environmental values.

General Comment-

Massachusetts conservationist Robert Lemire is quoted as saying that the hallmark of an enlightened society is that it “builds what needs to be built and at the same time protects what needs to be protected”. I believe we must provide areas for population growth within the Helena Valley, but at the same time protect the areas that need to be protected, like areas of irrigated agricultural lands with the best soils, floodplains, wetlands, and key corridors for wildlife movement as well as general wildlife habitat.

I believe these principles are consistent with the key policies described in the 2015 County Growth Policy.

Specific Comments-

I offer three specific comments, as follows:

1. Bob's Valley Market Area – residential and commercial development is occurring at urban densities.

The recent announcement of an Ace Hardware and plans for a grocery store dramatize the urbanization that is occurring at the Lincoln Road Interchange. Already the area is taking on the character of a small town.

If this area is going to be a Valley growth center, it needs to be zoned accordingly and plans undertaken for design of an urban community with urban infrastructure, including plans to provide water service from the City of Helena or, possibly, construction of a water treatment plant and connection to Hauser Reservoir. A public water and sewer district serving the area can be formed, thus making the area eligible to receive federal and state grant and low interest loan assistance for infrastructure improvements. Zoning to support a planned urban community in this vicinity is a key tool, along with the need to undertake a major study as to how to provide adequate water and wastewater resources to this area.

2. 10- Acre Minimum for Rural Residential-

The proposed 10-acre minimum may lead to more sprawl and development that would be extremely expensive to provide with public services. No minimum lot size may be necessary since State wastewater disposal regulations already address minimum lot size requirements.

3. Creation and Conservation of Interconnected Lands with High Environmental Values – A “Grand Rounds” for the Helena Valley

Any zoning considered should encourage the creation and conservation of interconnected lands with high environmental values. Similar to the Grand Rounds Open Space and Trails System extending around the Twin Cities of Minneapolis and Saint Paul, key “green” areas and corridors can be established, connecting an overall Helena Valley Open Space system, based especially on connected lands with high agricultural values, creeks and floodplains, parklands, and wildlife habitat.

Such a system would be developed in coordination with similar open space plans of the cities of Helena and East Helena. Such a “Grand Rounds” open space system could include privately held agricultural lands as well as parcels administered cooperatively with State Fish, Wildlife, and Parks; State Lands; County lands; Helena Valley Irrigation District; Prickly Pear Land Trust; BLM; etc. – all cooperating together on a voluntary basis under the umbrella of a County-sponsored “Grand Rounds” open space community trust. Such a “Ground Rounds” open space system would constitute a tremendous gift to future generations of Valley residents.

Conclusion-

Finally, many thanks to you, staff, the County Commissioners, members of the Planning Board, and members of the public, who have worked so hard to support the future welfare of the Helena Valley. In conclusion, thank you, Peter, for all your hard work and service to Lewis and Clark County.

Sincerely

Gus Byrom
703 Red Letter St.
Helena, Mt 59601
(406) 443-0677
gbyromiii@gmailcom

From: [Rebekka Dodge](#)
To: [County Planning Mail](#)
Subject: Helena Valley Zoning
Date: Friday, June 12, 2020 3:03:39 PM

I am responding to a postcard regarding comments on Helena Valley Zoning. I do have a couple of thoughts. I drive through the valley often and it seems to be a mish mash of different things that are disparate.

1. Flood and septics would, of course, be my main concern.
2. Fire protection. (I'm sure you guys have that under control)
3. Make sure manufactured homes/trailers are zoned in separate areas. When I drive down Montana Ave. I see...house, trailer, business, business, house, sub-division, etc. It's quite ugly.
4. make sure people are required to plant a minimum amount of trees within a year of moving in - this includes businesses - for beauty and flood control.
5. sub-divisions must not have more than 2 entrances onto a main thoroughfare. Individual homes must enter with other homes to minimize entries onto main streets.
6. Businesses should be zoned into areas that do not include homes.
7. Homes with businesses should be allowed.
8. Junk yards must be fenced or have trees planted that hide them. The fences should be nice looking.
9. Junk vehicles should be limited and towed away after a certain amount of time with the owners paying for the towing.
10. Gravel pits should be hidden by fences or trees.
11. Churches should be limited in each neighborhood.

These are my main thoughts, but anything to make our city more beautiful.

Rebekka Dodge
5700 York Road
Helena, MT 5902
406-459-4438

From: [rj](#)
To: [County Planning Mail](#)
Subject: Proposed zoning plan to include Rimini
Date: Thursday, June 11, 2020 3:19:47 PM

Dear Sirs, Madames,

The proposed zoning plan is not needed. If you must approve this plan, the Rimini area should (must) be excluded from the district as we are not the "Helena Valley".

Thank you,
Richard and June Dosier
3400 Rimini Rd
Helena, MT 59601

Mailing address
39 crossfire Drive
Clancy, MT 59634

Sent from [Mail](#) for Windows 10

Richard and June Dosier
39 Crossfire Drive
Clancy, MT 59634
richjuned@3riversdbs.net

June 11, 2020

Dear City of Helena and Lewis & Clark County Consolidated Planning Board,

We just recently became aware of the City of Helena and Lewis & Clark County Consolidated Planning Board plan to move forward with a zoning ordinance for the "Helena Valley". From the news, We understand there would be a meeting on June 16th. With everything going on in the world right now, it is not the appropriate time for our local officials to pursue something like this. We are disappointed with your choice to institute County Initiated Zoning. The whole concept is unacceptable as we already have a Citizen Initiated Zoning process that works quite well. Several local communities have been able to put together zoning plans that work well for their specific needs. We need to keep with that system and do away with this effort to have a one size fits all. The extent of the regulation packet of almost 200 pages is ridiculous! That is not good government. All you are going to do is create a huge bureaucracy and a bunch of red tape for landowners to struggle through any time they want to do anything with their properties.

To be clear, we are opposed to any attempt to institute County Initiated Zoning regulations. Further, we find it reprehensible that the proposed plan is including the Rimini Area in your "Helena Valley" zoning district. Including Rimini in your plan makes no sense as our community is entirely different than the "Helena Valley." It appears that you are simply trying to control the Ten Mile Creek watershed and keep any building from happening in the Rimini area. That effort is a direct affront to our private property rights. We own 3 mining claims in Rimini. Our lots in Rimini are 40 feet by 100 feet. After reading these highly restrictive zoning restrictions, we realized our properties will basically be rendered useless and worthless. We could never build on them due to the 100-foot setback from waterways and 25-foot setback from all boundaries. The plan also greatly limits options for subdividing making the process even more difficult. It regulates fencing, lighting, business operations, and requires extensive permitting processes for anything you wish to build or modify on your property.

We bought our properties years ago in hopes of having a family place to relax and recreate. Your proposed plan destroys this dream.

We are hoping you will agree with us and the other area landowners that these restrictions do not fit well for the community in Rimini and the westside and are not necessary.

We have put up with and been through a lot in Rimini over the past decade. Through dealing with the EPA clean up, the road construction, and the latest logging operations it has been very difficult to enjoy or even access our properties. This is not a time when you should pursue these regulations.

To emphasize our position again,

- a) We are against county wide blanket zoning plans all together. Drop this plan and investigate other options that focus solely on the problems you are attempting to solve. There is already an option for neighborhoods to utilize citizen-initiated zoning if the people in a given area see fit to do so. That plan obviously works because there are already 35 citizen initiated zoning districts within Lewis & Clark County. Let's stick to that plan.
- b) Remove the Rimini and Westside areas from your proposed planning district as these regulations simply do not fit well for our properties. We must be able to utilize our existing properties.

Thank you, be well, and God Bless,

From: [rj](#)
To: [County Planning Mail](#)
Subject: Proposed county zoning plan
Date: Friday, June 12, 2020 8:04:54 AM
Attachments: [Planning Comment Email.docx](#)

Dear sirs and madams,

Please read our comments on the attached letter.

We are opposed to the proposed zoning plan due to its many negative impacts. We are sure you can put your heads together and come up with a better solution!

Thank you,

Richard and June Dosier

Sent from [Mail](#) for Windows 10

From: [Russ Gowen](#)
To: [County Planning Mail](#)
Subject: zoning
Date: Monday, June 15, 2020 9:41:33 AM

I am 100% against the proposed zoning . Resident 395 Griffin Rd Helena MT

Russell T Gowen President
Helena Abstract and Title Company
P.O.Box 853 Helena Mt. 59624
phone 406-442-5080
fax 406-442-6179
e-mail



FOR YOUR PROTECTION

Email hacking and fraud are on the rise.
Please call your Escrow officer immediately using contact information obtained from an independent source to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

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From: [Russ Gowen](#)
To: [County Planning Mail](#)
Subject: zoning
Date: Monday, June 15, 2020 9:42:49 AM

I am 100% against the proposed zoning . President Lisara Corporation

Russell T Gowen President
Helena Abstract and Title Company
P.O.Box 853 Helena Mt. 59624
phone 406-442-5080
fax 406-442-6179
e-mail rtgowen@helenaabstract.com



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From: [Russ Gowen](#)
To: [County Planning Mail](#)
Subject: zoning
Date: Monday, June 15, 2020 9:45:12 AM

I am 100% against the proposed zoning . Member Double G LLC.

Russell T Gowen President
Helena Abstract and Title Company
P.O.Box 853 Helena Mt. 59624
phone 406-442-5080
fax 406-442-6179
e-mail rtgowen@helenaabstract.com



FOR YOUR PROTECTION

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COUNTY-INITIATED ZONING IN THE HELENA VALLEY

COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the

current and future residents of the Helena Valley?

I believe we already have too many rules and regulations and limit on property & a Kimini should be included in the "Helena Valley". We bought away from the city for the very reasons of additional government restrictions.

What should additional zoning in the Helena Valley include?

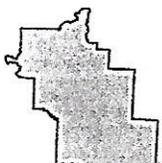
Not Kimini

What should additional zoning in the Helena Valley NOT include?

Kimini

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

Kimini is isolated away from the city and we should be able to do what we'd like with our land without having to get an OK from city government. We are not affecting the city of Helena with our building and land and therefore we should not be including in this zoning initiative.



From: [Delores Habel](#)
To: [County Planning Mail](#)
Subject: Comment form for June 16th meeting for County-initiated zoning in the Helena Valley
Date: Saturday, June 13, 2020 3:37:33 PM
Attachments: [Montana Property Re-zoning letter to defend change 6.13.20.pdf](#)

Please see the attached comment form of disagreement with the new zoning for Helena Valley, specifically in regards to the city of Rimini. I won't be in person on the 16th meeting, but please make sure my remarks are heard.

Thank you,
Delores Habel
803-361-0734

HELENA VALLEY ZONING REGULATIONS

An Implementation Element of the Lewis and Clark County Growth Policy

Helena Association of REALTORS® (HAR) Position Summary

HAR is opposed to the proposed Helena Valley Zoning Regulations as drafted. The following Position Summary outlines the reasons why the proposed regulations are ill-advised and why Lewis and Clark County should go back to the drawing board to further solicit public feedback and to develop regulatory solutions that accommodate instead of discourage growth in the future.

The draft zoning regulations are so restrictive that the Helena area won't be able to build enough housing for future growth that is affordable to the average household.

- According to Growth and Development Trends – Key Point #3 of the *Lewis and Clark County Growth Policy Update 2015, Volume 1 – Key Issues Report* (Key Issues Report), the Helena Valley is projected to grow by 10,000 people over the next 20 years, requiring an additional 4,000 housing units.
- HAR believes that the key problem with a 10-acre minimum is that it is arbitrary and inflexible. It will remove vast amounts of land from developability and make what little development that can occur unaffordable to the average household.
- The draft regulations appear to offer “Cluster Lot Design” as an alternative for developers to achieve more dense development. The way the cluster development option is structured in the draft regulations requires developers to set aside a vast majority of any developable parcel in the zoning district for open space preservation. Like the 10-acre minimum, the cluster development option would take a lot of land out of the development pool. When the supply of developable land decreases by government fiat and demand stays constant or increases the price of land will increase as well, in turn artificially and substantially increasing the cost of housing.
- Moreover, cluster development in general is not a viable option for developers given the challenges of absorbing the cost of providing services and infrastructure, which is associated with the ability to develop larger, denser subdivisions. How will the development community build 4,000 units with a 10-acre minimum or even the limited 1-acre lots allowable under the cluster development option?

The regulations bypass the hard work of planning ahead for growth.

- Key Point #4 of Growth and Development Trends states that, “The current Growth Policy for Helena Valley calls for the County to manage growth to establish Urban, Transitional, and Rural areas with development plans to guide orderly growth.” Key Point #8 in Public Input states, “A workshop of stakeholders and regional planning experts identified the pressing need for cooperation between the City and County on facilitating growth in the areas around Helena where public utilities are available.” Per Montana statute, that’s exactly what zoning regulations are supposed to do: “...facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements” (MCA 76-2-203(1)(b)(iii).”
- The draft Helena Valley Zoning regulations ignore these key points in the zoning statute. The County should be doing the hard work of coordinating with the City of Helena to plan ahead for growth by figuring out how to extend municipal services to, in particular, transitional areas on the urban fringe. The lines on the zoning map are arbitrary and why would the County zone for 10-acre minimums in areas that are close to the urban fringe? The County should encourage dense development in those areas while simultaneously developing a plan to extend critical infrastructure to those areas. HAR understands that his type of planning is very challenging and stands committed to working with the County and the City to not only decide where infrastructure and services should go but how it gets paid for.

- The draft regulations are too rigid and inflexible to even allow for bona-fide planning designed to accommodate, as opposed to discourage, growth. This is no surprise in light of the fact that the intent statement in Section 7 – Rural Residential Mixed-Use (RR) on p. 7-2 of the draft regulations states a preference for “lower density” and that “Urban development within this district is *strongly discouraged*” (emphasis added).
- Instead of pigeon-holing the intent statement to lower density and strongly discouraging urban development, the County should use more measured and balanced wording that indicates a desire to accommodate growth as landowners and the market dictate. “Strongly discourage” gives the intent statement a negative feel and also begs the question what does “strongly discourage” mean in terms of actual regulations and regulatory authority?
- The draft regulations also appear to ignore Key Point #4 of Waste Management, which states, “Continuing the individual septic system maintenance program, expanding it to include non-municipal sewer systems, *and extending Helena’s municipal sewers are all keys to accommodating future growth while protecting groundwater supplies*” (emphasis added). The public supports extending public sewers to new development in the County according to Key Point #6 of Public Input. Key Point #9 in Public Input emphasizes this point further: “Stakeholder input in September of 2015 led to *increased emphasis on infrastructure investment in all three proposed growth management areas*” (emphasis added).

The draft zoning regulations will create regulatory uncertainty for landowners, developers, and the County.

- One of the key concerns when analyzing a body of regulations is whether they create a specter of regulatory certainty or uncertainty. While there will never be a perfect set of regulations, there are some hallmarks that bolster regulatory certainty, including clearly defined terms, set process timelines, and the absence of statements not linked to actual regulations and regulatory authority.
- In the draft regulations, there are some regulatory processes that contain undefined or vague terms, and intent statements contain anti-development rhetoric that is not necessarily linked to specific regulations and regulatory authority. Furthermore, some regulatory processes fail to include set timelines for landowner applicants. Some processes include timelines, which HAR appreciates.
- A good example of undefined terms is found in the section on Cluster Lot Design 706.01 on pp. 7-4 – 7-7. The section uses “soils of agricultural importance,” “prime farmland,” and “agricultural soils” without any definition. Furthermore, there is nothing in the regulations setting out criteria to identify what is referred to as prime farmland. There also is an assumption that development occurs at the expense of prime farmland, instead of considering how to mitigate the potential impact that development may have on prime farmland; or any consideration that the owner of prime farmland no longer wants to farm the land.

The draft zoning regulations negatively impact the rights of private property owners.

- Landowners in the proposed zoning district will face burdensome, if not unsurmountable, restrictions on the ability to develop their land as current subdivision regulations and the real estate market dictate. Landowners won’t be able to achieve the highest and best use of their property.
- Agricultural landowners, in particular, in the Helena Valley will be the most impacted. They will not be able to maximize the return on their generations-long investment in the land with 10-acre minimums. The cluster development option is impractical and would require agricultural landowners to set aside large portions for open space preservation, making it very difficult if not impossible to pencil out a development.
- Additionally, directly affected landowners have not been afforded an adequate level of participation in the process of drafting the regulations. Every directly affected landowner should receive a draft of

the regulations and a clear explanation of how they will impact the use of their land if adopted by the County. Subsequently, the County should establish a process for these landowners to engage in the redrafting of the regulations. This is critical in light of the fact that a district court in Montana has struck down a landowner's fundamental right to protest zoning regulations.

Current subdivision regulations are designed to mitigate the impacts of development to protect the public.

- The main argument for the restrictive draft regulations is basically to protect public health, safety, and the general welfare. But any regulations must balance these public interest goals with the interests of landowners, the business community, and the local economy. Montana statute directs that local government reviewing authorities consider the "the needs of agriculture, industry, and business be recognized in future growth" (MCA 76-1-102(1)).
- The purpose of land use regulations is to protect the public while also accommodating growth. The restrictive draft zoning regulations are not needed because of current law. The Subdivision and Platting Act requires a strict review of land use development, specifically requiring a review of impacts to agriculture, agricultural water user facilities, local services, the natural environment, wildlife, wildlife habitat, and public health and safety (MCA 76-3-608(3)(a)). The County can place conditions on a subdivision to mitigate any impacts.
- Of note, under the Water Use Act (Title 85), the Montana Department of Natural Resources and Conservation reviews water availability for subdivisions. Furthermore, under the Sanitation in Subdivisions Act (MCA 76-4), the Montana Department of Environmental Quality reviews water quality. These statutes are designed to protect the public's interest in water availability and water quality while also allowing development to proceed.
- Where specific circumstances warrant, Montana's zoning statute provides landowners with the ability to initiate their own zoning district and regulations. If a particular group of landowners feel their interests aren't protected by current regulations, they can undertake Part 1 zoning, which entails proposing a zoning district for adoption by the County. Part 1 zoning is fairly common in the Helena Valley and is a citizen-driven approach to regulating land use in an area that features common characteristics and common long-term land use goals.

From: [Peter Italiano](#)
To: [Greg McNally](#)
Subject: FW: Helena Association of Realtors® (HAR) Zoning position
Date: Friday, June 12, 2020 11:41:28 AM
Attachments: [HAR Fin Position Summary - L&C County Helena Valley Draft Zoning Regulations\[2\].pdf](#)
Importance: High

fyi

Thanks,
Peter A. Italiano, Director
Community Development & Planning
Lewis and Clark County, Montana
316 North Park Ave. – Suite 222
Helena, MT 59623
Office: (406) 447-8374
pitaliano@lccountymt.gov

ALERT – This E-Mail account may become subject to the “Right to Know” provisions of the Montana Constitution and can be considered a public record pursuant to MT law. As such, e-mail sent or received, its sender and receiver(s), and the e-mail contents, may be subject to public disclosure.



From: George Harris <gharris@helenahar.com>
Sent: Friday, June 12, 2020 11:39 AM
To: Peter Italiano <PITALIANO@lccountymt.gov>; Roger Baltz <rbaltz@lccountymt.gov>
Subject: Helena Association of Realtors® (HAR) Zoning position
Importance: High

Peter Italiano: Lewis and Clark County Planning Director
Roger Baltz: Lewis and Clark County CEO

Peter and Roger:

Thank you so much to both of you and your staff for your hard work on the Helena Valley Zoning proposed regulations. We appreciate the opportunity to participate in the process. We also appreciate the opportunity to attend the June 16th 6 pm meeting at the Civic Center.

Our Government Affairs Committee (GAC) has worked on this issue and recommended that the Helena Association of Realtors® (HAR) oppose the proposal in its present form. The HAR Board of Directors have voted to Approve that recommendation at this time. I have attached a summary of HAR’s position for your record and review. Mr. Bill Gowen our GAC chairman will briefly present testimony on our behalf at the meeting. Other members may

comment but we have asked them not to repeat testimony already presented.

Again we appreciate your efforts and the opportunity to be part of this important matter.

Sincerely

George H. Harris, MPA, ARM

CEO

Helena Association of Realtors

2707 Colonial Drive

Helena, Montana 59601

Work 406-449-3835

Mobile 406-422-7724

Email gharris@helenahar.com





Community Development and Planning
Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623
Phone: 406-447-8374 Fax: 406-447-8398
e-mail: planning@lccountymt.gov



COUNTY-INITIATED ZONING IN THE HELENA VALLEY
COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

What should additional zoning in the Helena Valley include?

What should additional zoning in the Helena Valley **NOT** include?

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

From: [Susan Hennessey](#)
To: [County Planning Mail](#)
Subject: Comment Form Zoning in the Helena Valley
Date: Monday, June 15, 2020 3:23:15 PM
Attachments: [WebPage.pdf](#)

We are **Outside City Limits** in the Residential Rural Section 7 - have owned property since 1985.

Zoning is of value when it is not overly restrictive and when it assists in maintaining property values; which assists in maintaining valuable tax basis income for the county and state. We totally agree with the 10 acre minimum for Rural Residential.

Our Concerns are in regard to the WATERBODY SETBACKS AND BUFFERS - TYPE III.

Our lot is 1.3 acres therefore a setback of 100 feet is extremely significant. Therefore, request adjustment to a maximum of 50 feet and no buffer (same as Type IV)

How are you or are you willing to address usage with regard to property rental? Due to the limited size of our sub-division (20 lots) and a road with "No Outlet" I would not want to permit usage of AirB-n-B; VRBO; or independent rentals of less than 120-180 days due to concerns for potential Fire Evacuations and Road Maintenance.

How do the Zoning Draft regulations effect our Covenants?

Courteously,
James E. & Susan K. Hennessey

406-458-4794
henney19@me.com

RESIDENCE ADDRESS:

3923 Deer Park Dr.
Helena, MT 59602

MAILING ADDRESS:

2047 N Last Chance Gulch #302
Helena, MT 59601

P.S. Your Comment Form in the future should have the ability to be filled out online for submission, please. A good web designed can easily complete this task.

https://www.lccountymt.gov/fileadmin/user_upload/County_Com_Dev/Documents/Public_Meeting_Comment_Form.pdf

From: [Tim Holmes](#)
To: [County Planning Mail](#)
Subject: Rimini Zoning
Date: Friday, June 12, 2020 5:27:45 PM

Dear Planning Board members,

I was in Rimini visiting and making paintings this weekend and was very impressed with the historic and natural values of this lovely town. I urge you to preserve the town as much as possible in its historic form and prevent further development. These treasures are disappearing fast and they are absolutely irreplaceable for all!

Sincerely,

Tim Holmes

446 N. Hoback, Helena, MT 59601

406.916.9266

TimHolmesStudio.com



Community Development and Planning
Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623
Phone: 406-447-8374 Fax: 406-447-8398
e-mail: planning@lccountymt.gov



COUNTY-INITIATED ZONING IN THE HELENA VALLEY
COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

I BELIEVE ZONING PROCESS MUST LIMIT HOUSING/POPULATION EXPANSION TO AVOID DETERIORATION OF QUALITY OF SERVICES, WATER, FIRE CONTROL & ACCESS FOR EXISTING RESIDENTS

What should additional zoning in the Helena Valley include?

① CAREFUL RESTRICTION OF ADDITIONAL REQUIREMENTS ON U/G WATER, ② INSURE ACCESS FOR FIRE FIGHTING AND LIMIT GROWTH IN AREAS WITHOUT AT LEAST TWO MEANS OF EMERGENCY EGRESS OVER PUBLIC ACCESS ROADS,

What should additional zoning in the Helena Valley NOT include?

- NO APPROVAL OF LARCS SUBDIVISIONS WITH LOTS SMALLER THAN 10-15 ACRES
- NO APPROVAL OF SUBDIVISIONS WITHOUT MUNICIPAL WATER & WASTE WATER SERVICES

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

ZONING IS A CRITICALLY NECESSARY

PROCESS TO ENSURE THAT ALL GROWTH IS WITHIN THE CAPABILITY OF MUNICIPAL SERVICES OF ALL KINDS. ZONING SHOULD NOT BE A TOOL TO EITHER PROMOTE OR RESTRICT GROWTH

From: billandruthughes@gmail.com
To: [County Planning Mail](#)
Subject: Zoning Ordinance "Helena Valley"
Date: Friday, June 12, 2020 7:54:55 PM

I am writing in response to the zoning proposal for the "Helena Valley"

I am a part owner of a cabin and land in Rimini.

The proposal, as I understand it, is very broad and sweeping. The same requirements would apply to properties in Rimini that would apply to properties in the Helena Valley. This is not appropriate zoning. The issues in a small, rural, mining community are not the same in the developing Helena Valley. The same applies to properties in the west valley as opposed to the east valley. Zoning should be done on specific areas, not broad sweeping areas that include unique areas that have their own issues. Zoning should take into consideration the input of those that would be impacted by zoning proposals. Zoning proposals don't fit across different areas.

I'm opposed to the current zoning proposals. They are too broad to be effective and appropriate for the "Helena Valley". I recommend the Zoning Board work with residents and taxpayers when specific proposals are brought to them that impact a particular defined area of Lewis & Clark County.

William Hughes

From: [Bill Hurford](#)
To: [County Planning Mail](#)
Subject: the county needs a plan
Date: Tuesday, June 16, 2020 1:04:35 PM

<https://www.wsj.com/articles/towns-to-self-storage-facilities-please-go-someplace-else-11572346802>

I am not recommending doing what this story is about. What I do think is the county needs a plan.

The Helena Valley has 80 storage facilities. The Industry standard recommends 10 sqft per person. By my research Helena is sitting close to 30 sqft per person that is close to the highest in the country. If facilities keep getting built you will have a lot of facilities going bankrupt. That is a massive tax base for the county and losing that revenue will be destructive to the growth of The valley. Having a plan in place is important for the health of the Helena Valley.

Greatfalls has 23 facilities.

Thanks Bill Hurford

From: [Mark Poore](#)
To: [County Planning Mail](#)
Subject: Helena Valley Rezoning Regulations
Date: Thursday, June 11, 2020 8:29:01 AM

I have concerns about this meeting as per the present health situation. Will the county be responsible for the liability of gathering people together during this health crisis? I also have concerns about access to the meeting for people who do not have computer access. ie. Zoom or Skype Are we going to become a community like Bozeman where locals can't afford to live because of increase taxes and land values?
Thanks Mark Poore

COUNTY-INITIATED ZONING IN THE HELENA VALLEY COMMENT FORM

Do you reside in... (Circle One) City of Helena City of East Helena **Outside**
City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

Additional zoning is designed to prohibit, versus promote, additional homes and and businesses in the Helena Valley.

What should additional zoning in the Helena Valley include?

Just leave it alone and it will be perfect.

What should additional zoning in the Helena Valley NOT include?

As a resident of Rimini Road, I'd ask that this area not be subject to additional zoning much like Marysville, Canyon Creek, Silver City Wolf Creek, Canyon Ferry, York, etc. I didn't see any of these bordering communities listed in your draft.

Zoning regulations that limit heights of buildings, size of acreage sales, distances of buildings from water sheds really have no place in a community that shows an extremely minimal amount of construction of any type happening yearly. Most buildable acreage in the area currently has a seasonal cabin or year around home on the site. The watershed itself to include Ten Mile Creek, Scott Reservoir and Chessman Reservoir are all well protected by either Forest Service or BLM or in some cases private property abutting the water.

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

County Planning Division
Room 230
316 N. Park Ave.
Helena, MT 59623

Attention: County Initiated Zoning in the Helena Valley

To: Consolidated City and County Planning Board

Attention: Greg

This letter is in response to your request for comments sought regarding the proposed zoning regulations.

We have property and a cabin south of Rimini. These regulations are not applicable for our situation, as we are not in an area where this type of zoning is necessary. These regulations go beyond the existing Federal and State laws and regulations that are sufficient for our situation. Our property is within National Forest and therefore we have existing Forest Service requirements.

It appears that you are attempting to control and over regulate the taxpayers in the county. Your need seems to be to override state laws/building codes and is a real attempt to force compliance for fees and codes, thus overriding present regulations.

Your job as a community development organization should be to help with goals and ideas for the future in a broad sense. In our situation, with the current regulations, our land is protected and already regulated. It's not good to override these regulations and force change. Our cabin is somewhat isolated (is not in a town or urban setting). These extreme requirements would affect personal property, the value of the property. It would be best that long term investments be done by the legislature and/or ballot.

I don't believe when the county commissioners ask for long term goals and ideas that they are asking for strict code changes. They are there to help the community grow and set workable goals, not develop strict new laws and codes that are not in agreement with what landowners and taxpayers really need.

I understand zoning and it should be to help citizens, and should be applicable to individual areas and needs. To blanket every property with this zoning without taking into account the type of area and needs, is not meeting needs according to the individual situation and location.

We are people and not numbers, and it does not seem that you have taken that into account. It does not seem that you have taken the time to look at individual needs, different locations and areas. You have just lumped it all together, assuming that one size fits all. It seems that your government is not for the people, but to control and over-regulate.

During this time with the Covid-19 virus people are uneasy, and this is not a good time for more government regulations. It is a poor time to create more restrictions, making people feel more controlled and put down by encroaching government demands.

Sit back, relax, and set humane practical goals pertaining to the location and area where the property is located. Forget rigid code changes and enforcements, some of which are more rigid than those in the city of Helena.

It is important to note that Rimini road from the highway to the south end of Rimini is maintained by the county. The road past the south end of Rimini is a narrow dirt track needing much repair and continues to Scott Reservoir and beyond. It is not maintained by the county. The county has stated that the road is the responsibility of the forest service since it occupies most of the land beyond, which is in the National Forest. This area is in the National Forest and most of the land is property of the United States Government. The landowners also do not have power, electricity, and municipal water supply, or even winter snow plowing.

There is little or no chance of having subdivision or need of extensive codes going beyond the existing codes and laws that are already in place by state and federal agencies, including the forest service.

These proposals will create undo hardships for some property owners. They will probably force lower property values which will result in lower taxes for the county. The buyers for this type of property won't want to invest in property with the extensive restrictions being proposed. This results in the loss of investment capital and provides more hardships. Zoning regulations in these areas should be things like speed limits for motorcycles, 4-wheelers, snowmobiles (providing safety for hikers, bikers, and other drivers), and written permission to cut fire wood on private property, and regulations for people shooting firearms along the road.

It is very difficult to try to give appropriate comments on the proposals because of the extensive length – 126 pages.

REVIEW

1. The proposed zoning regulations will cause personal hardships.
2. The county does not service our roads and area.
3. We lack power, electricity, phone lines, municipal water service, etc.
4. Only small amounts of private land, most land owned by forest service.
5. County overriding state, federal and forest service codes and laws.
6. Will affect our lifestyles, personal freedoms, investments and future needs.
7. Opposing proposed zoning and regulations.

Thank you for your consideration.

Sincerely,

Daniel C. Melick

From: [Dan & Linda](#)
To: [County Planning Mail](#)
Subject: Proposed Helena Valley Zoning Regulations
Date: Saturday, June 13, 2020 1:23:29 PM
Attachments: [County Planning Division Letter Final.docx](#)

Email comments

Attention: Greg

I am sending a letter with my comments - for the meeting on June 16, 2020. Please see attached. I would appreciate this being presented at the meeting. Thank you.

I have also sent a hard copy via mail that should arrive on Monday. Dan Melick

From Maxwell Milton, reside at 111 Alfalfa Rd in Special Zoning District #39.

Comments to the Consolidated City Planning Board regarding Approval of a Resolution for the Recommendation, to the Board of County Commissioners, for the adoption of regulations and establishment of the zoning districts for the Lewis and Clark County - Helena Valley Planning Area.

Thank you for the opportunity to provide comments. In my comments I want to speak to some broader level issues

1. Neighborhood centers. Since the initial regulations as written address only the Rural Residential mixed use zone I am would recommend exploring a “neighborhood” center concept centered on **Bob’s Valley Market area** west and north of the Lincoln exchange with flexibility to provide a more intentional “village” mixed use district where this is already occurring. I would endorse Gus Byrum’s submitted comments suggesting this area be planned as a **Valley Growth center** with targeted zoning including plans for water and waste water service.

The area is identified in the 2015 Growth policy as the **Census Designated “Place” most likely to receive the highest level of new households** in the HV Planning area in the next 20 years. Obviously current restraints for water, and road improvements complicate that possibility. A **Growth Center neighborhood zone** could allow for a variety of service, retail and professional opportunities, and some mixed use and higher density housing similar to the proposed Suburban and Urban Zones. Successfully planning for this could take pressure off a need or push to develop the extensive working agricultural lands in the Valley proper. It will require creativity and wider community buy-in to finance the infrastructure to accomplish this. But a case can be made that do it would benefit long term Community Design for the larger Helena area as a whole.

Accordingly, I think it would helpful if the Commissioners would appoint an **Advisory Committee to the Planning Bd** to begin fleshing out this option so it could be amended sooner than later to these regulations if and when they are adopted. Obviously designing and paying for a remote community water service there will be a huge lift but I do believe it might lead to a better community design Valley wide.

2. Sensitive areas. I would favor identifying and establishing protections for sensitive **areas that provide critical ecological services** such and floodplains, wetlands, and ground water recharge areas, and important wildlife habitat. Also I recommend identifying and establishing a **network of connecting trail and bikeways easements**, connecting to the growing existing areawide trail systems.

Perhaps even identify future **elementary school sites** and a **park network** connected to trails and bike paths

3. Coordination with the City of Helena

For these efforts to be successful **close coordination with the City** should begin sooner than later. I would **recommend establishing a second Advisory Committee to City County Planning Board to assist it in its role in advising both**

Commissions in the implementation of already identified action items and recommendations in their Growth Policies (still pending, I believe, in the case of the City) that call for the close coordination and integration of planning tools within the City's Urban Growth Boundary and this proposed County Urban Residential mixed use areas.

3. More remote areas outside the Valley.

I understand that large subdivisions in these areas would be a nightmare to service for fire and safety protection, roads etc.

To help get acceptance for planning in the more remote areas of the Planning area it may be important to communicate to existing and newly arrived landowners that creative and flexible lot designs are available such as cluster zoning that allow residential use to grow in ways that do not "waste" land and provide ways to achieve conservation of land available of agricultural use, wildlife habitat, residential/ wild land interface, floodplains, wildfire safety, etc in the more mountainous areas outside the Valley.

4. In conclusion, I am in favor of creating planning tools to limit housing densities further out from City provided services, with the exception of a North Valley Growth zone, and to direct denser mixed use development in the Helena Valley Planning area to the Urban and Suburban mixed use zones as argued for in the Growth Policy.

I do have some concern that setting **minimum lot sizes by itself** with extensive rules for variances, CUP, PUDs, etc without the ability to mitigate **cumulative impacts** etc may not be the only or best way to meet a common objective of both the County and City Growth policies. **There is an argument that creating a denser community design will be more affordable to residents, taxpayers, and area businesses by encouraging efficient use of infrastructure dollars as the city grows to the north. I believe we will need to developed overlays that encourage and allow creativity, flexibility and adaptability to changing conditions and pressures.**

However, It is already practically prohibitively expensive to develop in the City. So I understand it will be a heavy lift for our community to accept and finance more creative and flexible planning tools both inside and outside the City limits (I believe they exist) because to do so would require an extensive community process that would be expensive to facilitate and not guaranteed to succeed.

But in an age of climate change and limited financial resources for City and County governments we need to keep open options to create a more timely and resilient community design for the greater Helena area over the next few decades and beyond.

The Helena Community large will need to roll up its sleeves and pull together to create a community where a person can "lead a good life in a prosperous place" as I recently heard a community planner put it. Establishing planning mechanisms for the Helena Valley Planning Area is an important beginning.

Thank you. Maxwell Milton. 111 Alfalfa Rd, Helena, 59602

From: [Max Milton](#)
To: [Peter Italiano](#)
Cc: [County Planning Mail](#)
Subject: Comments for Planning Bd meeting June 16 regarding Proposes Zoning map and ordinance
Date: Monday, June 15, 2020 4:00:07 PM
Attachments: [HVPA Zoning Resolution Comment 6.15.20.pdf](#)

Community Development and Planning Department
June 15, 2020

Comments submitted for Consolidated City County Planning Board meeting June 16, 2020

Dear Peter and Greg

Thank you for the all effort that has gone into getting us this far, particularly your effort last fall and this winter to gather input from the community.

I basically am in favor of moving forward with the proposed Zoning map establishing the three zoning districts.

Doing a little research I understand the the format of the Zoning Ordinance proposed here is a pretty standard template. That said these regulations by themselves are not user friendly to a layperson trying to understand what we are signing onto here as County residents. We do not even have language yet for the suburban and urban mixed use zones. I believe continued education and outreach to the wider community will remain important to obtaining widespread community support for this significant change to the Planning area.

Peter, I thought your Zoning 101 power point at BOCC meeting that I watched streamed in late February was very useful and I think it would be helpful to make available the video from that section of the meeting along with the Commissioners strong statements at the end of that meeting explaining why it is important to for the County adopt a zoning ordinance and move on to next steps required to implement the 2015 Growth Policy. I recommend you explore the idea of posting that presentation and the Commissioners' comments as a recurring showing on Helena Civic TV or even have it posted as a Youtube link on the County website and social media sites.

When the IR does publish something about this I hope they link people to the conclusions and action items from the 2015 Growth Policy and to this staff report making the case for this Resolution.

Sincerely,
Max Milton

comments here and attached

From Maxwell Milton, reside at 111 Alfalfa Rd in Special Zoning District #39.

Comments to the Consolidated City Planning Board regarding Approval of a Resolution for the Recommendation, to the Board of County Commissioners, for the adoption of regulations and establishment of the zoning districts for the Lewis and Clark County - Helena Valley Planning Area.

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The area is identified in the 2015 Growth policy as the **Census Designated "Place" most likely to receive the highest level of new households** in the HV Planning area in the next 20 years. Obviously current restraints for water, and road improvements complicate that possibility. A **Growth Center neighborhood zone** could allow for a variety of service, retail and professional opportunities, and some mixed use and higher density housing similar to the proposed Suburban and Urban Zones. Successfully planning for this could take pressure off a need or push to develop the extensive working agricultural lands in the Valley proper. It will require creativity and wider community buy-in to finance the infrastructure to accomplish this. But a case can be made that do it would benefit long term Community Design for the larger Helena area as a whole.

Accordingly, I think it would helpful if the Commissioners would appoint an **Advisory Committee to the Planning Bd** to begin fleshing out this option so it could be amended sooner than later to these regulations if and when they are adopted. Obviously designing and paying for a remote community water service there will be a huge lift but I do believe it might lead to a better community design Valley wide.

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Perhaps even identify future **elementary school sites** and a **park network** connected to trails and bike paths

3. Coordination with the City of Helena

For these efforts to be successful **close coordination with the City** should begin sooner than later. I would **recommend establishing a second Advisory Committee to City County Planning Board to assist it in its role in advising both Commissions** in the implementation of already identified action items and recommendations in their Growth Policies (still pending, I believe, in the case of the City) that call for the close coordination and integration of planning tools within the City's Urban Growth Boundary and this proposed County Urban Residential mixed use areas.

3. More remote areas outside the Valley.

I understand that large subdivisions in these areas would be a nightmare to service for fire and safety protection, roads etc.

To help get acceptance for planning in the more remote areas of the Planning area it may be important to communicate to existing and newly arrived landowners that creative and flexible lot designs are available such as cluster zoning that allow residential use to grow in ways that do not "waste" land and provide ways to achieve conservation of land available of agricultural use, wildlife habitat, residential/ wild land interface, floodplains, wildfire safety, etc in the more mountainous areas outside the Valley.

4. In conclusion, I am in favor of creating planning tools to limit housing densities further out from City provided services, with the exception of a North Valley Growth zone, and to direct denser mixed use development in the Helena Valley Planning area to the Urban and Suburban mixed use zones as argued for in the Growth Policy.

I do have some concern that setting **minimum lot sizes by itself** with extensive rules for variances, CUP, PUDs, etc without the ability to mitigate **cumulative impacts** etc may not be the only or best way to meet a common objective of both the County and City Growth policies. **There is an argument that creating a denser community design will be more affordable to residents, taxpayers, and area businesses by encouraging efficient use of infrastructure dollars as the city grows to the north. I believe we will need to developed overlays that encourage and allow creativity, flexibility and adaptability to changing conditions and pressures.**

However, It is already practically prohibitively expensive to develop in the City. So I understand it will be a heavy lift for our community to accept and finance more creative and flexible planning tools both inside and outside the City limits (I believe

they exist) because to do so would require an extensive community process that would be expensive to facilitate and not guaranteed to succeed.

But in an age of climate change and limited financial resources for City and County governments we need to keep open options to create a more timely and resilient community design for the greater Helena area over the next few decades and beyond.

The Helena Community large will need to roll up its sleeves and pull together to create a community where a person can “lead a good life in a prosperous place” as I recently heard a community planner put it. Establishing planning mechanisms for the Helena Valley Planning Area is an important beginning.

Thank you. Maxwell Milton. 111 Alfalfa Rd, Helena, 59602

From Maxwell Milton, reside at 111 Alfalfa Rd in Special Zoning District #39.

Comments to the Consolidated City Planning Board regarding Approval of a Resolution for the Recommendation, to the Board of County Commissioners, for the adoption of regulations and establishment of the zoning districts for the Lewis and Clark County - Helena Valley Planning Area.

Thank you for the opportunity to provide comments. In my comments I want to speak to some broader level issues

1. Neighborhood centers. Since the initial regulations as written address only the Rural Residential mixed use zone I would recommend exploring a “neighborhood” center concept centered on **Bob’s Valley Market area** west and north of the Lincoln exchange with flexibility to provide a more intentional “village” mixed use district where this is already occurring. I would endorse Gus Byrum’s submitted comments suggesting this area be planned as a **Valley Growth center** with targeted zoning including plans for water and waste water service.

The area is identified in the 2015 Growth policy as the **Census Designated “Place” most likely to receive the highest level of new households** in the HV Planning area in the next 20 years. Obviously current restraints for water, and road improvements complicate that possibility. A **Growth Center neighborhood zone** could allow for a variety of service, retail and professional opportunities, and some mixed use and higher density housing similar to the proposed Suburban and Urban Zones. Successfully planning for this could take pressure off a need or push to develop the extensive working agricultural lands in the Valley proper. It will require creativity and wider community buy-in to finance the infrastructure to accomplish this. But a case can be made that do it would benefit long term Community Design for the larger Helena area as a whole.

Accordingly, I think it would helpful if the Commissioners would appoint an **Advisory Committee to the Planning Bd** to begin fleshing out this option so it could be amended sooner than later to these regulations if and when they are adopted. Obviously designing and paying for a remote community water service there will be a huge lift but I do believe it might lead to a better community design Valley wide.

2. Sensitive areas. I would favor identifying and establishing protections for sensitive **areas that provide critical ecological services** such and floodplains, wetlands, and ground water recharge areas, and important wildlife habitat. Also I recommend identifying and establishing a **network of connecting trail and bikeways easements**, connecting to the growing existing areawide trail systems.

Perhaps even identify future **elementary school sites** and a **park network** connected to trails and bike paths

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Thank you. Maxwell Milton. 111 Alfalfa Rd, Helena, 59602

From: [Max Milton](#)
To: [Peter Italiano](#)
Cc: [County Planning Mail](#)
Subject: Resending: Comments for Planning Bd meeting June 16 regarding Proposes Zoning map and ordinance
Date: Monday, June 15, 2020 11:03:37 PM
Attachments: [Zoning Resolution Comments final 6.15.20.pdf](#)

Resending with minor edits. (Groan.)

Community Development and Planning Department
June 15, 2020

Comments submitted for Consolidated City County Planning Board meeting June 16, 2020

Dear Peter and Greg

Thank you for the all effort that his gone into getting us this far, particularly your effort last fall and this winter to gather input from the community.

I basically am in favor of moving forward with the proposed Zoning map establishing the three zoning districts.

Doing a little research I understand the the format of the Zoning Ordinance proposed here is a pretty standard template. That said these regulations by themselves are not user friendly to a layperson trying to understand what we are signing onto here as County residents. We do not even have language yet for the suburban and urban mixed use zones. I believe continued education and outreach to the wider community will remain important to obtaining widespread community support for this significant change to the Planning area.

Peter, I thought your Zoning 101 power point at BOCC meeting that I watched streamed in late February was very useful and I think it would be helpful to make available the video from that section of the meeting along with the Commissioners strong statements at the end of that meeting explaining why it is important to for the County adopt Part 2 Zoning and move on to next steps required to implement the 2015 Growth Policy. I recommend you explore the idea of posting that presentation and the Commissioners' comments as a recurring showing on Helena Civic TV or even have it posted as a Youtube link on the County website and social media sites.

When the IR does publish something about this I hope they link people to the conclusions and action items from the 2015 Growth Policy and to this staff report making the case for this Resolution.

Sincerely,
Max Milton

Edited comments here and attached

From Maxwell Milton, reside at 111 Alfalfa Rd in Special Zoning District #39.

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Thank you. Maxwell Milton. 111 Alfalfa Rd, Helena, 59602

From: [Colleen Phillips](#)
To: [County Planning Mail](#)
Subject: Proposed Helena Valley Zoning Regulations
Date: Wednesday, June 10, 2020 1:26:53 PM

TO: Lewis and Clark County Community Development and Planning Committee
FROM: Tim and Colleen Phillips
RE: Proposed Helena Valley Zoning Regulations
DATE: June 10, 2020

Good afternoon. My husband and I own a home outside of Helena city limits (Holmberg Village Estates) and specifically purchase this home, in a housing development, with written covenants to protect our investment. However, after 15 years, we have come to understand that not everything that is written is enforceable. Unfortunately we have a neighbor, who on any given day, is in violation of at least 8 of the HOA covenants and we have no avenue of action or resolution.

I share that to say this. Tim and I purchased 20 acres in Rimini so that we could have a piece of Montana that was ours. If we can access our land, it is ours to do with what we please. It isn't worth a great deal but as we make our way toward retirement, we enjoy packing a lunch, driving up there, taking a seat on a log and contemplating life. What project we might do, what we might build, wondering if our kids and their kids will enjoy the land as much as we do. Yes, Rimini is rough, hard to maneuver, very bumpy, set back and out of the way, but the history and the adventure lives on. It lives on because it is one of the few areas around this valley that isn't regulated and heavily zoned.

I fully understand the desire of some landowners in the North Valley to push for better zoning, I too wish for better HOA covenant enforcements. However, I do not believe Rimini and similar areas such as Marysville, Canyon Creek, York, Silver City and Wolf Creek should be pulled into this blanket zoning restrictions and regulations.

Thank you for your time and consideration of our concerns.

Tim and Colleen Phillips

From: [Mickie Sennett](#)
To: [County Planning Mail](#)
Subject: Count Initiated Zoning
Date: Tuesday, June 16, 2020 2:12:01 PM

I have property in the Rimini area and definitely do not want to have blanket zoning for that area.

My home is just outside of town and I don't think it's necessary to be highly restrictive.

I have been out of town and just got my mail last night.

Why did this information come out last week instead of 30-60 days in advance?

Thank you,

Patti Sennett

Sent from my Verizon, Samsung Galaxy smartphone

Get [Outlook for Android](#)

Community Development and Planning
316 N Park Room 230
Helena, MT 59623

Re: Helena Valley Zoning

To whom it may concern,

I have been a resident in Lewis and Clark County for over 20 years now. During that time, I have lived in the Helena valley and worked for a business in Helena. This county is my home.

I became aware of the planned zoning of the valley a while ago, and I must say it surprised me.

I understand that there is a small group of people that believe we need zoning in this area though I have still not heard who exactly these individuals are.

I have had discussions about this topic with my neighbors, friends and others in the last several months and the overwhelming majority are not in favor of it and, like myself, are unsure why it is being proposed.

During this whole process, it should be plainly evident on the “why” to those who are affected. There also should be documented and researched facts supporting it. I am hoping this comes out in your discussions with the public. This impacts private landowners heavily and I would think one would want to work closely with them during the process.

A short list of items that trouble me:

1. “There are a very small group that is pushing this.” That obviously is not good. The opinions of a very small few should not affect so large a many without due process.
2. “Subdividing land in this county is too easy.” Ask anyone that has gone through the process of subdividing, be it major, minor or even family transfers and you will learn that statement could not be further from the truth. It is NOT easy to do in this county.
3. I know the minimum proposed lot size has changed dramatically recently. To me that means this process, if even valid, is still in its infancy and it not based on good evidence.
4. “This zoning is to protect the public.” From what? I am a firm believer that if we have a problem, we should know what the problem is from study and facts...not a perception by a small group of individuals, that may or may not be even true.
5. It seems the folks behind this do not live in the proposed zoning area. While of course this isn't a major problem, I think it is still a very valid point that should be brought up.
6. I have heard that “this will happen this year.” If true, that is just ridiculous, especially given the circumstances of this year. This should NOT be rushed through! These things take time and should not be so casually thrown out there like this.

While I have not been able to attend any meetings to date due to my busy work schedule, I am hoping that the process, if continued, is a steady logical process that is properly done.

If someone thinks that there is a problem in the valley that zoning (which, to my understanding is NOT a land development tool) is needed to fix, then we need to change the Montana subdivision laws and rules. I do not believe that zoning is the answer.

I understand that with this proposed zoning, that, for instance, if an area is zoned in such a way that even a simple boundary line adjustment to fix a problem would be unqualified because of the zoning (and I have heard variances will be resisted heavily.) This makes absolutely no sense in rural area.

If a properly documented, legal and performed family transfer is now denied due to zoning, again that makes absolutely no sense.

I should keep this short, so in closing I want to reiterate that this just seems to be the wrong thing at this time and I am not in favor of it.

Sincerely
Tom Stark
Helena, MT

From: [Tom Stark](#)
To: [County Planning Mail](#)
Subject: Proposed Helena Valley Zoning Regulations
Date: Tuesday, June 16, 2020 10:21:00 AM
Attachments: [Helana valley 2020 zoning letter.docx](#)

Lewis and Clark County Planning

Please see the attached, thank you

Tom Stark
Helena, MT

From: [Diane Tenney](#)
To: [County Planning Mail](#)
Subject: Proposed "Helena Valley Zoning Ordinance" - Public Comments
Date: Tuesday, June 16, 2020 1:45:06 PM

Attention: Lewis & Clark County and City of Helena Consolidated Planning Board

Re: Proposed "Helena Valley Zoning Ordinance"

Gentleman:

My family has owned property in Rimini for over 145 years. I am currently the fourth generation owner of several patented mining claim properties which were originated in the 1870's by my great grandfather, a Helena pioneer since 1865. I believe the community of Rimini, along with the surrounding Ten Mile Creek Watershed, should be exempt from the proposed Lewis & Clark County "Helena Valley Zoning Ordinance."

I feel the highly restrictive zoning regulations being proposed in this ordinance do not fit well for the Rimini community as the properties in and around Rimini were created and have historically evolved as mining claims, which constitute hundreds of non-conforming mining properties with very specific characteristics such as overlapping boundaries and unique geographical features not found in less rural areas within the Helena Valley.

The community of Rimini and the surrounding Ten Mile Watershed would be best served by the creation of a "Citizen-Initiated Zoning District", similar to the 35 other Citizen-Initiated Zoning Districts which currently exist within Lewis & Clark County and NOT be included in a blanket County Zoning Plan.

Respectfully,

Diane Tenney

From: [Nancy Westerbuhr](#)
To: [County Planning Mail](#)
Subject: Comments on Helena Valley Zoning Regulation
Date: Tuesday, June 16, 2020 11:13:25 AM

To the Community Development Board.

I am opposed to the proposed valley zoning regulations. I do not feel that the Helena city commission should be allowed 4 voting members on issues that are outside of Helena city limits. I believe the regulations go too far in restricting the private property owners rights. The setback limits have worked for many years and the increase to 25 feet may make it impossible for updates on buildings, septic systems and other potential building projects. I am concerned that if these regulations are adopted that we could be told what kind of trees, fences and other improvements that could be made. If people in subdivisions want to have limits they have the right to set up home owner associations but these are not things that our government agencies should be spending tax dollars on. The tax dollars should be used for improvements on roads not to hire more enforcement persons.

Thank you. Nancy Westerbuhr
4535 Valley Drive
Helena, Mt 59602 465-4868

Sent from my iP

From: [Steven Williams](#)
To: [County Planning Mail](#)
Subject: Re: County Initiated Zoning Comment?
Date: Monday, June 15, 2020 2:49:28 PM

On Mon, Jun 15, 2020, 11:42 Steven Williams <steveo559107@gmail.com> wrote:

Where can I find a Zoning Comment/Concern form that can be filled out online and sent in electronically? I am very concerned about the lack of Drift Spray Regulation. As the area continues to grow and the Urban/Rural interface expands farmers have to be aware when applying pesticides or related chemicals, on windy days, is not a good farming practice and it impacts their neighbors. It needs to be strictly regulated to prevent ignorant applicators from polluting adjacent neighborhoods. It is 2020 and Lewis and Clark County needs to move forward. Yes I see the form you can print out and fill out by hand. Who does that in 2020? So please direct me to the location on the Lewis and Clark website where I can fill out a form online and submit it. Thank You, Steven Williams



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Community Development and Planning
Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623
Phone: 406-447-8374 Fax: 406-447-8398
e-mail: planning@lccountymt.gov



COUNTY-INITIATED ZONING IN THE HELENA VALLEY
COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

I BELIEVE ZONING PROCESS MUST LIMIT HOUSING/POPULATION EXPANSION TO AVOID DETERIORIZATION OF QUALITY OF SERVICES, WATER, FIRE CONTROL & ACCESS FOR EXISTING RESIDENTS

What should additional zoning in the Helena Valley include?

① CAREFUL RESTRICTION OF ADDITIONAL REQUIREMENTS ON U/G WATER, ② INSURE ACCESS FOR FIRE FIGHTING AND LIMIT GROWTH IN AREAS WITHOUT AT LEAST TWO MEANS OF EMERGENCY EGRESS OVER PUBLIC ACCESS ROADS,

What should additional zoning in the Helena Valley NOT include?

- NO APPROVAL OF LARCS SUBDIVISIONS WITH LOTS SMALLER THAN 10-15 ACRES
- NO APPROVAL OF SUBDIVISIONS WITHOUT MUNICIPAL WATER & WASTE WATER SERVICES

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

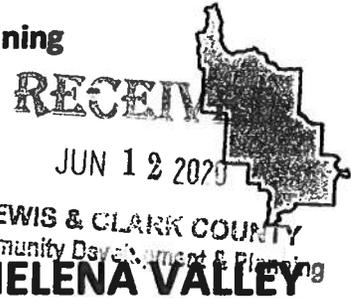
ZONING IS A CRITICALLY NECESSARY

PROCESS TO ENSURE THAT ALL GROWTH IS WITHIN THE CAPABILITY OF MUNICIPAL SERVICES OF ALL KINDS. ZONING SHOULD NOT BE A TOOL TO EITHER PROMOTE OR RESTRICT GROWTH



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Do you reside in... (Circle One)

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How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

*Your plan will make my property useless....
Your plan does NOT Fit the Rimini Land owners*

What should additional zoning in the Helena Valley include?

NOT Rimini

We have put up with logging - EPA Clean up and Road construction - Do NOT make changes that will make our property useless please

What should additional zoning in the Helena Valley NOT include?

PLEASE REMOVE THE RIMINI AREA FROM THESE PROPOSED HELENA VALLEY ZONING REGULATIONS!

Rimini is a unique community and should not be subject to these highly restrictive zoning proposals. Similar communities in the county (Marysville, Canyon Creek, York, Silver City, Wolf Creek) are not subject to these restrictions. Rimini deserves the same treatment and should be left to decide on their own if they wish to initiate any type of citizen initiated zoning. PLEASE DON'T FORCE THESE REGULATIONS ON OUR COMMUNITY!

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Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623
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RECEIVED

JUN 12 2020



LEWIS & CLARK COUNTY
Community Development & Planning

COUNTY-INITIATED ZONING IN THE HELENA VALLEY
COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

*NEGATIVELY WE ALREADY HAVE ENOUGH RULES & REGULATIONS!
DO WHAT YOU WANT WITH THE CITY BUT STAY OUT OF
ARE LIVES!*

What should additional zoning in the Helena Valley include?

*Nothing, The County doesn't do what they should be
doing now, so more Regs. are not going to help
except make more money for the County.
And don't go and mess with the Rimini district.*

What should additional zoning in the Helena Valley NOT include?

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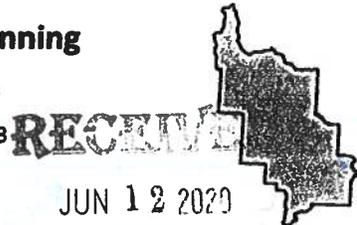
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Thank you for listening.



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Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

Why do you call this the Helena Valley Planning Area when you are including everything west of Helena to the Powell County border on the Continental Divide? This is very misleading. Don't force these regulations on residents in Rimini, Priest Pass, Clousea Road, etc



**Community Development and Planning
Lewis and Clark County**

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COMMENT FORM

JUN 10 2020

LEWIS & CLARK COUNTY
Community Development & Planning

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City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

What should additional zoning in the Helena Valley include?

What should additional zoning in the Helena Valley **NOT** include?

PLEASE REMOVE THE RIMINI AREA FROM THESE PROPOSED HELENA VALLEY ZONING REGULATIONS!

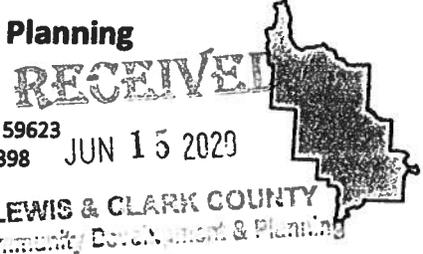
Rimini is a unique community and should not be subject to these highly restrictive zoning proposals. Similar communities in the county (Marysville, Canyon Creek, York, Silver City, Wolf Creek) are not subject to these restrictions. Rimini deserves the same treatment and should be left to decide on their own if they wish to initiate any type of citizen initiated zoning. **PLEASE DON'T FORCE THESE REGULATIONS ON OUR COMMUNITY!**

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:



Community Development and Planning
Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623
Phone: 406-447-8374 Fax: 406-447-8398
e-mail: planning@lccountymt.gov



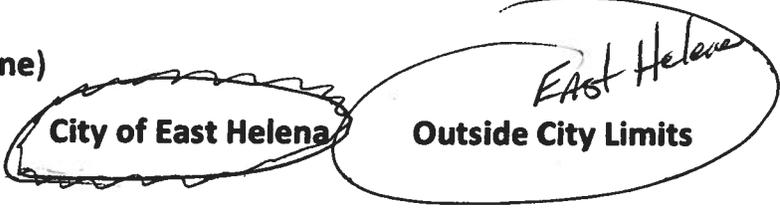
COUNTY-INITIATED ZONING IN THE HELENA VALLEY
COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits



How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

Properties will basically be useless, not being able to build or subdivide without making the process more difficult and costly.

What should additional zoning in the Helena Valley include?

Nothing. The current Rules are fine.

What should additional zoning in the Helena Valley **NOT** include?

PLEASE REMOVE THE RIMINI AREA FROM THESE PROPOSED HELENA VALLEY ZONING REGULATIONS!
Rimini is a unique community and should not be subject to these highly restrictive zoning proposals. Similar communities in the county (Marysville, Canyon Creek, York, Silver City, Wolf Creek) are not subject to these restrictions. Rimini deserves the same treatment and should be left to decide on their own if they wish to initiate any type of citizen initiated zoning. PLEASE DON'T FORCE THESE REGULATIONS ON OUR COMMUNITY!

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

County Planning Division
Room 230
316 N. Park Ave.
Helena, MT 59623

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JUN 15 2020

LEWIS & CLARK COUNTY
Community Development & Planning

Attention: County Initiated Zoning in the Helena Valley

To: Consolidated City and County Planning Board

Attention: Greg

This letter is in response to your request for comments sought regarding the proposed zoning regulations.

We have property and a cabin south of Rimini. These regulations are not applicable for our situation, as we are not in an area where this type of zoning is necessary. These regulations go beyond the existing Federal and State laws and regulations that are sufficient for our situation. Our property is within National Forest and therefore we have existing Forest Service requirements.

It appears that you are attempting to control and over regulate the taxpayers in the county. Your need seems to be to override state laws/building codes and is a real attempt to force compliance for fees and codes, thus overriding present regulations.

Your job as a community development organization should be to help with goals and ideas for the future in a broad sense. In our situation, with the current regulations, our land is protected and already regulated. It's not good to override these regulations and force change. Our cabin is somewhat isolated (is not in a town or urban setting). These extreme requirements would affect personal property, the value of the property. It would be best that long term investments be done by the legislature and/or ballot.

I don't believe when the county commissioners ask for long term goals and ideas that they are asking for strict code changes. They are there to help the community grow and set workable goals, not develop strict new laws and codes that are not in agreement with what landowners and taxpayers really need.

I understand zoning and it should be to help citizens, and should be applicable to individual areas and needs. To blanket every property with this zoning without taking into account the type of area and needs, is not meeting needs according to the individual situation and location.

We are people and not numbers, and it does not seem that you have taken that into account. It does not seem that you have taken the time to look at individual needs, different locations and areas. You have just lumped it all together, assuming that one size fits all. It seems that your government is not for the people, but to control and over-regulate.

During this time with the Covid-19 virus people are uneasy, and this is not a good time for more government regulations. It is a poor time to create more restrictions, making people feel more controlled and put down by encroaching government demands.

Sit back, relax, and set humane practical goals pertaining to the location and area where the property is located. Forget rigid code changes and enforcements, some of which are more rigid than those in the city of Helena.

It is important to note that Rimini road from the highway to the south end of Rimini is maintained by the county. The road past the south end of Rimini is a narrow dirt track needing much repair and continues to Scott Reservoir and beyond. It is not maintained by the county. The county has stated that the road is the responsibility of the forest service since it occupies most of the land beyond, which is in the National Forest. This area is in the National Forest and most of the land is property of the United States Government. The landowners also do not have power, electricity, and municipal water supply, or even winter snow plowing.

There is little or no chance of having subdivision or need of extensive codes going beyond the existing codes and laws that are already in place by state and federal agencies, including the forest service.

These proposals will create undo hardships for some property owners. They will probably force lower property values which will result in lower taxes for the county. The buyers for this type of property won't want to invest in property with the extensive restrictions being proposed. This results in the loss of investment capital and provides more hardships. Zoning regulations in these areas should be things like speed limits for motorcycles, 4-wheelers, snowmobiles (providing safety for hikers, bikers, and other drivers), and written permission to cut fire wood on private property, and regulations for people shooting firearms along the road.

It is very difficult to try to give appropriate comments on the proposals because of the extensive length – 126 pages.

REVIEW

1. The proposed zoning regulations will cause personal hardships.
2. The county does not service our roads and area.
3. We lack power, electricity, phone lines, municipal water service, etc.
4. Only small amounts of private land, most land owned by forest service.
5. County overriding state, federal and forest service codes and laws.
6. Will affect our lifestyles, personal freedoms, investments and future needs.
7. Opposing proposed zoning and regulations.

Thank you for your consideration.

Sincerely,



Daniel C. Melick



Community Development and Planning
Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623
Phone: 406-447-8374 Fax: 406-447-8398
e-mail: planning@lccountymt.gov

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LEWIS & CLARK COUNTY
Community Development & Planning

COUNTY-INITIATED ZONING IN THE HELENA VALLEY
COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

This will have a negative impact on residents and county. It will make law breakers out of people who do not comply and generate an increase cost to the county for enforcing policies, legal fees, and detention of offenders

What should additional zoning in the Helena Valley include?

Fewer zoning restrictions for county residents living in the proposed areas so they can afford to make improvements on their property without high cost of studies, permits, government bureaucracy, and lengthy approval times.

What should additional zoning in the Helena Valley NOT include?

Should not include Blue Cloud, Colorado Gulch, Rimini, Walker Gulch, or McDonald Pass areas. These areas have not been considered part of the Helena Valley in the past.

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

I am concerned about the overreach of the County, City, and State governments who are using deceptive practices to generate a revenue stream for these agencies at the cost of residents.



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Lewis and Clark County

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LEWIS & CLARK COUNTY
Community Development & Planning

COUNTY-INITIATED ZONING IN THE HELENA VALLEY
COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

What should additional zoning in the Helena Valley include?

What should additional zoning in the Helena Valley **NOT** include?
PLEASE REMOVE THE RIMINI AREA FROM THESE PROPOSED HELENA VALLEY ZONING REGULATIONS!
Rimini is a unique community and should not be subject to these highly restrictive zoning proposals. Similar communities in the county (Marysville, Canyon Creek, York, Silver City, Wolf Creek) are not subject to these restrictions. Rimini deserves the same treatment and should be left to decide on their own if they wish to initiate any type of citizen initiated zoning. PLEASE DON'T FORCE THESE REGULATIONS ON OUR COMMUNITY!

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

COUNTY-INITIATED ZONING IN THE HELENA VALLEY

COMMENT FORM

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JUN 15 2020

LEWIS & CLARK COUNTY
Community Development & Planning

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

This will have a **negative** impact on the residents and county. It will make law breakers out of people who do not comply and generate an increased cost to the county for enforcing policies, legal fees and detention of offenders.

The Helena Valley has never and should never include the Blue Cloud, Colorado Gulch, Rimini, Walker Gulch, and McDonald Pass areas. Including these areas is deceptive to residents who have lived in the area for any length of time.

What should additional zoning in the Helena Valley include?

Fewer zoning restrictions for the residents who live in these proposed areas so they can afford to make improvements on their property without the high cost of studies, permits, government bureaucracy, and lengthy approval times. Imposing these overprotective government policies stifles the privileges of property owners to use their property as they see fit. These privileges were given to us by our ancestors who for some of us where the early settlers of the Helena area. Your proposed regulations are going to far.

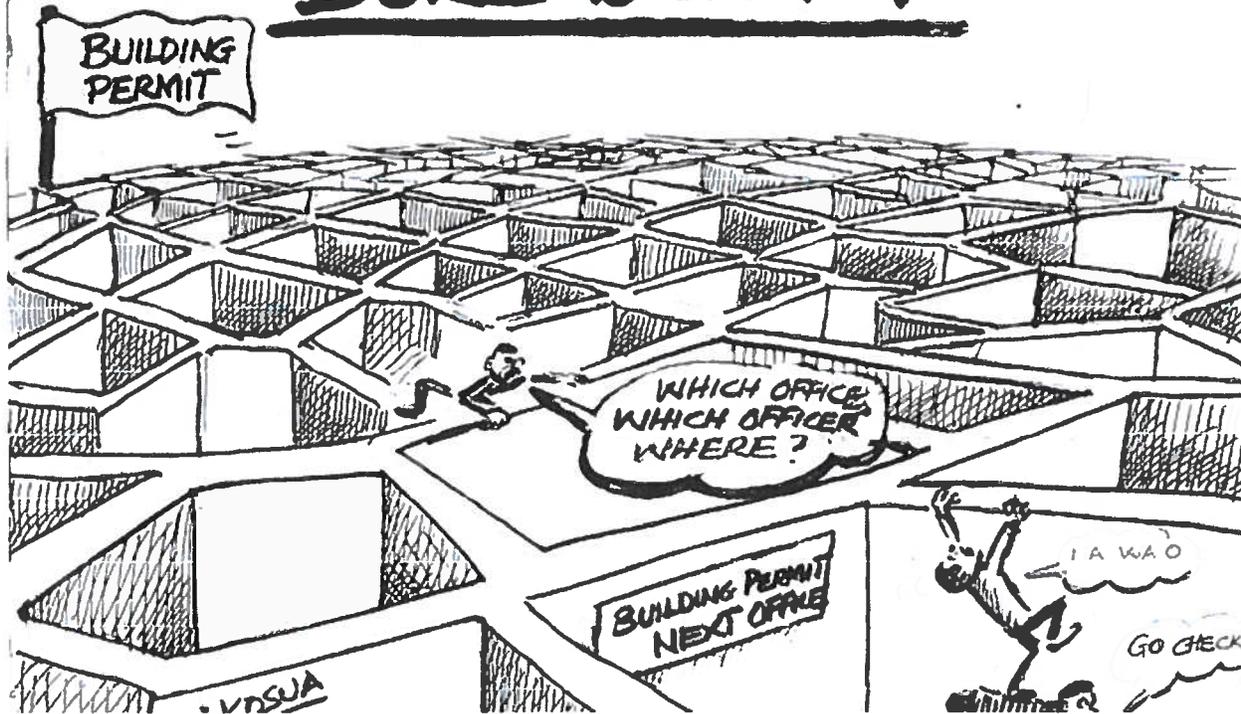
What should additional zoning in the Helena Valley NOT include?

Should **NOT** include Blue Cloud, Colorado Gulch, Rimini, Walker Gulch, or McDonald Pass areas. Traditionally these areas were **NOT** a part of the Helena Valley. The Helena valley has always been understood to be North and North East of Helena Proper.

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

I am concerned about the overreach of the County, City, and State government who are using deceptive practices to generate a revenue stream for these agencies at the cost of residents.

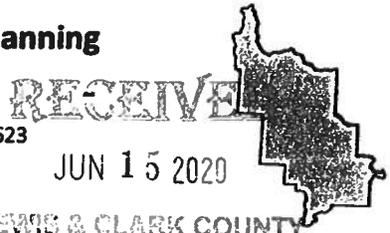
BUREAUCRACY





**Community Development and Planning
Lewis and Clark County**

316 N. Park Ave. Room 230 Helena, MT 59623
Phone: 406-447-8374 Fax: 406-447-8398
e-mail: planning@lccountymt.gov



COUNTY-INITIATED ZONING IN THE HELENA VALLEY
COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

What should additional zoning in the Helena Valley include?

What should additional zoning in the Helena Valley **NOT** include?

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Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

Negative affect

The valley living cost will rise or any area that has zone regulations the cost will rise. People be forced to pay for permits to do any improvements. Loss of freedom.

Positive affect

There must be some control of waste water systems to prevent water pollution. In a word public health.

What should additional zoning in the Helena Area include?

May some structural zoning and what does that look like for people who are impoverished.

Rimini should not be included in zoning because we are an independent community who requires no city resources. We are a community with limited financial resources. We don't need to be taxed out of our homes.

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Roxann Lincoln and Kenneth Phillips JUN 15 2020
1003 9th Avenue, Helena MT 59601 LEWIS & CLARK COUNTY
Community Development & Planning
roxannlincoln@bresnan.net

June 11, 2020

Community Development & Planning
316 N. Park Room 230
Helena, MT 59623

Re: Draft Helena Valley Zoning Regulations 4/14/2020

Dear Consolidated Planning Board:

We have the following comments concerning the above referenced document. Our comments are concerning the Rimini area and the upper Ten Mile Creek drainage.

We were unable to determine where in the valley the different uses (RR, SR, UR) are proposed. Therefore, it appears that Rimini and the Ten Mile Creek drainage have been included with the same zoning requirements as the Helena Valley. This area doesn't seem to fit into these zoning regulations. The Ten Mile Creek area starting at Rimini Road and going into the Helena National Forest is far different from the Helena Valley area. This area is a steep forested stream canyon and therefore, not conducive to subdivision development, agriculture, gravel mining, etc. The majority of the area is National Forest land. There are some private parcels of land remaining from the mining history of the area. Some of the private parcels are residential but most of the parcels are recreational use.

Based on this fact, the draft regulations don't seem to fit this area. For example many parcels are narrow and long that run up and down the mountains on each side of the creek. The set backs proposed would prevent current landowners from constructing even a small cabin on their property. Sub-dividing this area is not practical at all and farming is non-existent. The area is used for forestry, recreation and for Helena's drinking water.

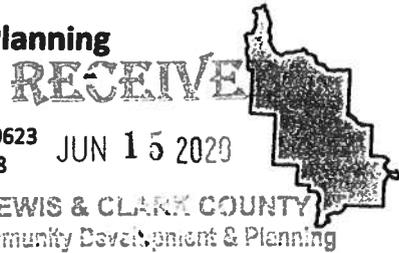
The parcels are narrow, steep topography and thus have very limited building sites. Since, this area is so very different from the valley we recommend that it be removed from this zoning requirements. If this area must be zoned then we recommend it be designated as forestry and recreational use with more appropriate zoning requirements consistent with how this area has been used for the past 25 years.

Sincerely,

Roxann Lincoln
K Phillips



Community Development and Planning
Lewis and Clark County



316 N. Park Ave. Room 230 Helena, MT 59623
Phone: 406-447-8374 Fax: 406-447-8398
e-mail: planning@lccountymt.gov

LEWIS & CLARK COUNTY
Community Development & Planning

COUNTY-INITIATED ZONING IN THE HELENA VALLEY COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

Zoning in the Helena Valley North of the city limits due to continual growth is a necessary response by local Government to insure standards, uniformity and safety for the residences.

What should additional zoning in the Helena Valley include?

Control a balance between the need of the residence and commercial interest.

What should additional zoning in the Helena Valley NOT include?

PLEASE REMOVE THE RIMINI AREA FROM THESE PROPOSED HELENA VALLEY ZONING REGULATIONS!

Rimini is a unique community and should not be subject to these highly restrictive zoning proposals. Similar communities in the county (Marysville, Canyon Creek, York, Silver City, Wolf Creek) are not subject to these restrictions. Rimini deserves the same treatment and should be left to decide on their own if they wish to initiate any type of citizen initiated zoning. PLEASE DON'T FORCE THESE REGULATIONS ON OUR COMMUNITY!

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

Zoning in the greater rural Rimini area of L & C. Co. where population density is low seems to me to be an over reach by local Government, which may cause a undue burden on local property owners

[Signature]
1900 Lody Ave.



Community Development and Planning

Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623
Phone: 406-447-8374 Fax: 406-447-8398
e-mail: planning@lccountymt.gov

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JUN 15 2020



LEWIS & CLARK COUNTY

COUNTY-INITIATED ZONING IN THE HELENA VALLEY

COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

Property up Rimini

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

We keep getting more + more regulations put on us + our freedom as property owners taken away we own property in East Helena + up in Rimini and I don't think we need

What should additional zoning in the Helena Valley include?

someone to tell us what we can do with our property I think this is wrong we have enough regulations especially up Rimini
Shane, Charles Boff

What should additional zoning in the Helena Valley NOT include?

PLEASE REMOVE THE RIMINI AREA FROM THESE PROPOSED HELENA VALLEY ZONING REGULATIONS!
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Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

I also think this should be put out to vote on with the property owners that pay their property taxes not the 3 officials on the board



Community Development and Planning
Lewis and Clark County

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JUN 15 2020

COUNTY-INITIATED ZONING IN THE HELENA VALLEY

COMMENT FORM

Do you reside in... (Circle One) Bigfork I own 4 Rimawi mining claims

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

See Attached letter - I 100% agree with every thing Clint says.

What should additional zoning in the Helena Valley include?

Mineowner Family Partnership, LLP
Dennis G. Mineowner, CPA
735 Highway 83
Bigfork, MT 59911

Responding

What should additional zoning in the Helena Valley NOT include?

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

I own four mining claims I am trying to sell in the hills SW of Rimini. Your proposals if enacted would make it impossible to sell with the 25" border restrictions. It is impossible to get power to them and they usually only have one possible site for a cabin.

Clint Pullman
P.O. Box 277
East Helena, MT 59635
406-439-8338
pullmanclint@gmail.com

June 8, 2020

Dear Fellow Rimini Land Owners,

Last week I became aware of a plan by the City of Helena and Lewis & Clark County Consolidated Planning Board to move forward with a zoning ordinance for the "Helena Valley". They sent out a postcard that looked like junk mail announcing a request for public comment and stating there would be a meeting on June 16th. They did not announce the time or place for this meeting until today, June 8th. They have made it really hard to organize any opposition for sure. It is very frustrating that with everything going on in the world right now our local officials feel this is an appropriate time to try and slip something like this through. (Meeting at the Civic Center Tue June 16th @ 6:00 PM)

The regulations are over 100 pages long and can be viewed at <https://www.lccountymt.gov/cdp/zoning.html>. After reading these highly restrictive zoning restrictions I realized that my properties will basically be rendered useless and I could never build on them due to the 100 foot setback from waterways and 25 foot setback from all boundaries. The plan also greatly limits options for subdividing making the process even more difficult. It regulates fencing, lighting, business operations, and requires extensive permitting processes for anything you wish to build or modify on your property. These zoning regulations will also create a huge bureaucracy that will be very difficult to navigate.

I'm reaching out to all of the Rimini area property owners. I am hoping you will agree with me that these restrictions do not fit well for our community in Rimini and are not necessary. Personally, I am against county wide blanket zoning plans all together. There is already an option for neighborhoods to utilize citizen-initiated zoning if the people in a given area see fit to do so. That plan obviously works because there are already 35 citizen initiated zoning districts within Lewis & Clark County. Let's stick to that plan and leave the rest of us alone. Please let the planning board know that you do not want County Initiated Zoning to be implemented. Further, let them know that including Rimini in their plan makes no sense as our community is entirely different than the "Helena Valley." They are simply trying to control the Ten Mile Creek watershed and keep any building from happening in the Rimini area.

We have put up with and been through a lot in Rimini over the past decade. Through dealing with the EPA clean up, the road construction, and the latest logging operations it has been very difficult to enjoy or access our properties. Enough is enough. Let us all be left alone from government overreach and allow us the liberty to peacefully enjoy our property.

You can send your comments opposing the proposed zoning ordinance to planning@lccountymt.gov. You may also mail your comments to Community Development and Planning / 316 N. Park Room 230 / Helena, MT 59623. Just make sure you do so immediately as they need to be received by the 16th. Probably best to email at this point. The phone number for the planning office is 406-447-8374 but they won't be much help if you can even get them to call you back.

Thank you for listening and taking the time to send comments, or attend the meeting if you are in Helena.

Thank you, be well, and God Bless,

Clint Pullman



Community Development and Planning

Lewis and Clark County

316 N. Park Ave. Room 230 Helena, MT 59623
Phone: 406-447-8374 Fax: 406-447-8398
e-mail: planning@lccountymt.gov

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JUN 16 2020



LEWIS & CLARK COUNTY
Community Development & Planning

COUNTY-INITIATED ZONING IN THE HELENA VALLEY

COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

What should additional zoning in the Helena Valley include?

Nothing

What should additional zoning in the Helena Valley **NOT** include?

PLEASE REMOVE THE RIMINI AREA FROM THESE PROPOSED HELENA VALLEY ZONING REGULATIONS!

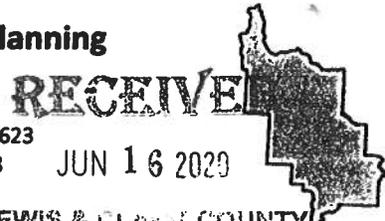
Rimini is a unique community and should not be subject to these highly restrictive zoning proposals. Similar communities in the county (Marysville, Canyon Creek, York, Silver City, Wolf Creek) are not subject to these restrictions. Rimini deserves the same treatment and should be left to decide on their own if they wish to initiate any type of citizen initiated zoning. **PLEASE DON'T FORCE THESE REGULATIONS ON OUR COMMUNITY!**

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:



Community Development and Planning
Lewis and Clark County

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COUNTY-INITIATED ZONING IN THE HELENA VALLEY
COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

Helena residents do not need highly restrictive zoning regulation whatsoever -

What should additional zoning in the Helena Valley include?

Please remove The RIMINI area from the blanket zoning plan.

What should additional zoning in the Helena Valley NOT include?

PLEASE REMOVE THE RIMINI AREA FROM THESE PROPOSED HELENA VALLEY ZONING REGULATIONS!
Rimini is a unique community and should not be subject to these highly restrictive zoning proposals. Similar communities in the county (Marysville, Canyon Creek, York, Silver City, Wolf Creek) are not subject to these restrictions. Rimini deserves the same treatment and should be left to decide on their own if they wish to initiate any type of citizen initiated zoning. PLEASE DON'T FORCE THESE REGULATIONS ON OUR COMMUNITY!

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

Rimini Land Owner

6/15/2020



Community Development and Planning
Lewis and Clark County

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Phone: 406-447-8374 Fax: 406-447-8398
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JUN 16 2020



LEWIS & CLARK COUNTY
Community Development & Planning

COUNTY-INITIATED ZONING IN THE HELENA VALLEY
COMMENT FORM

Do you reside in... (Circle One)

City of Helena

City of East Helena

Outside City Limits

How do you think additional zoning could positively or negatively affect the current and future residents of the Helena Valley?

Negatively affects: would cease back up in maintaining roads. It seems like the further you "extend" the Helena Valley, the more problems in upkeep on County roads...

What should additional zoning in the Helena Valley include?

No additional zoning in my opinion. Problematic. It should not include the small community of Rimini.

What should additional zoning in the Helena Valley NOT include?

PLEASE REMOVE THE RIMINI AREA FROM THESE PROPOSED HELENA VALLEY ZONING REGULATIONS!
Rimini is a unique community and should not be subject to these highly restrictive zoning proposals. Similar communities in the county (Marysville, Canyon Creek, York, Silver City, Wolf Creek) are not subject to these restrictions. Rimini deserves the same treatment and should be left to decide on their own if they wish to initiate any type of citizen initiated zoning. PLEASE DON'T FORCE THESE REGULATIONS ON OUR COMMUNITY!

Let us know your thoughts, concerns, and ideas about additional zoning in the Helena Valley Planning Area:

What this will do is eventually bring higher taxes to the communities that live away from Helena in order to avoid high taxes. Please do not include Rimini and such rural areas.

above - Rimini property owner
J. Margotat