



CARBON COUNTY

MONTANA

GROWTH POLICY 2020

ACKNOWLEDGMENTS

This growth policy was made possible by the contributions and cooperative input from numerous citizen participants, local stakeholders, county and municipal staff members, and elected and appointed officials. The project team thanks all those that participated, including the following:

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Carbon County Growth Policy 2020

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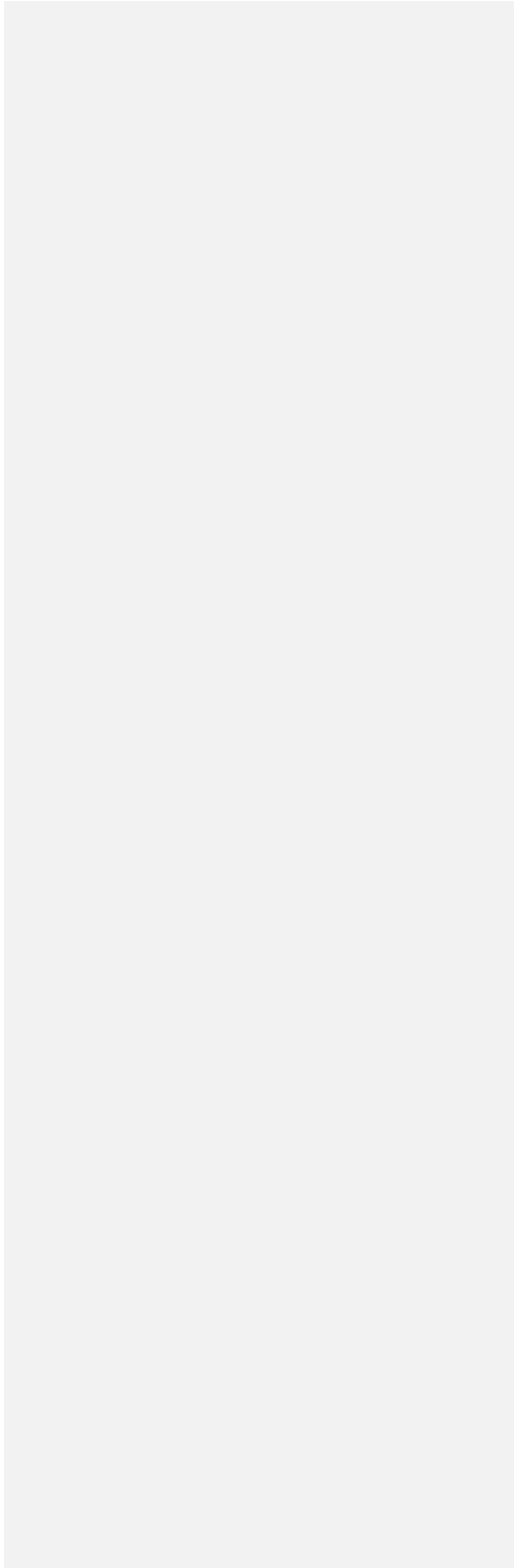
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1 INTRODUCTION

Carbon County is made up of distinctly different areas with different concerns. The Clarks Fork Valley is predominantly agricultural, while the Highway 212 corridor south of Rockvale has increasing commuter residential development and tourism.

This growth policy will provide decision makers with a resource for balancing diverse goals while creating a more vibrant, sustainable community. It is also the voice of local residents and formalizes how they want the County to grow in the future.

This plan is intended to be easily understood by the local citizenry and used as an educational tool on the county's broad land use issues and opportunities. It aims to simplify, clarify, and update previous versions of the Growth Policy where necessary. It is a plan for the future focusing primarily on the physical and economic issues pertinent in our County.

Local Planning History

Carbon County's first Comprehensive Plan was adopted in 1978 and operated as the community's guiding document for over twenty years. When Montana's state planning statute was updated in 1999, the County followed suit by adopting a growth policy in 2003. The Growth Policy was updated in 2009 and 2015. This update will keep many of the elements of the 2015 version, with updates where necessary to ensure accurate data and community goals and objectives.

The terms growth policy and comprehensive plan are sometimes used synonymously and each represent valuable tools for consensus-based policy planning and community development.

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Photo by Brian Ostwald

Plan Approach and Methods

The first phase of plan development involved data collection, identifying local population and housing outlooks, and an analysis of existing conditions. This included preparing maps and graphs relative to each topic to discover and provide visualization of trends among the various communities.

The second phase of plan development consisted of public input opportunities spread across the County. This is a necessary and important part in developing and public policy. This gave public officials and consultants invaluable guidance on citizen's preferences, and was also informative for community members. To this end, meetings were held in Bearcreek, Bridger, Fromberg, and Joliet in coordination with Town Council meetings. Monthly County Planning Board meetings also allowed for public comment and discussion. An online survey was developed and disseminated to as many people as possible to ensure large participation in the development of the policy. Periodic press releases to the Carbon County News also kept the public informed of the process.

The final phase of plan development was publicizing the draft growth policy to gather final comments and feedback. The Planning Board held a public hearing on the draft Growth Policy, after which a recommendation was made to the County Commission to adopt the document. After a resolution of intent, the County officially adopted the 2020 Growth Policy.

2 EXISTING CONDITIONS

Emerging Issues

Since 2015, the following new matters are among those that currently affect or are anticipated to affect growth in Carbon County:

Proposed County Jail

A new proposed 100-inmate jail serving Carbon, Stillwater and other Counties, if approved, will involve county decisions regarding its location and impacts including growth in the area in which it may be sited.

Wind Farm Construction And Operation

Construction is beginning of a 114-tower project in the Clarks Fork Valley generating 240 megawatts of electricity for out-of-county use. Impacts of construction include 100 trucks per week, with up to 300 workers on site.

Housing

As existing housing stock throughout the county ages, habitable and affordable housing continues to be a challenge, especially for service workers and other local residents competing with vacation rentals, retirees, second home owners, and employees during the construction and operation of the new wind farm as well as the proposed new county jail.

Solid Waste

County residents currently voluntarily contract with their own waste collectors. At least some of it ends up in municipal containers, however, shifting costs to city dwellers. A countywide program of waste collection including reduction, reuse and recycling is becoming increasingly important.

Floodplain Regulations

New federal regulations based on increased flooding throughout the country are affecting county land use and related county economics. The new regulations not only affect building in floodplains/floodways throughout the county, but also affect agricultural efforts to protect productive agricultural land from erosion.

New Highway 212/310 Corridor

The new link between Rockvale and Laurel, partially finished in 2019, creates the potential for new development along it or accessing it.

Increased Tourism

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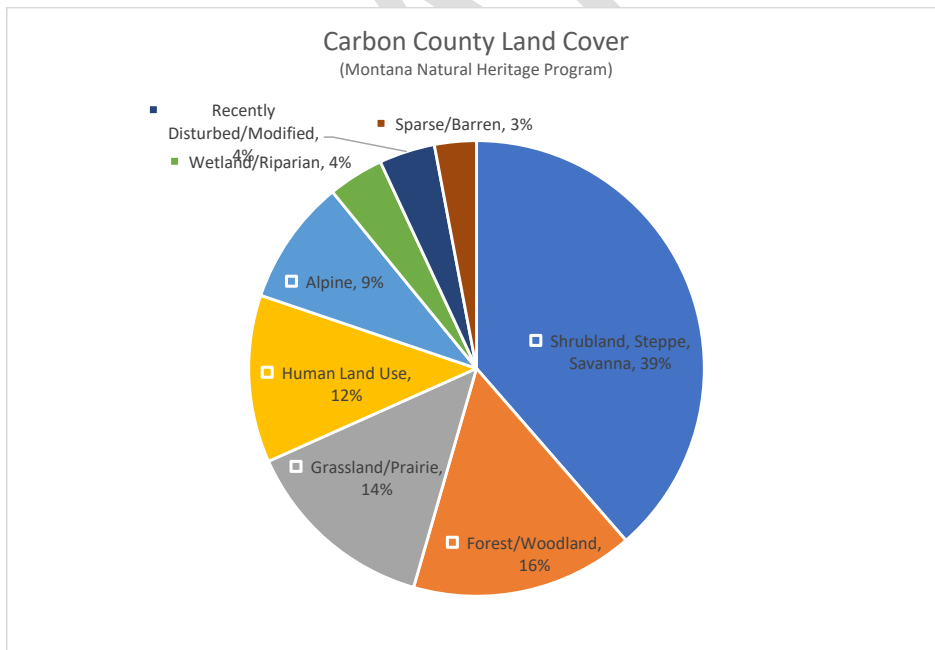
State statistics confirm that tourism is a growing economic force in Montana, second only to agriculture. Carbon County, with all its attractions, continues to experience a substantial increase in the number of tourists, with related demands on county services such as law enforcement and emergency services. SUBDIVISION REVIEW: Increased requests for family transfers continue to raise questions of whether subdivision review is being circumvented through this process.

Land Use

The majority of land in Carbon County (47%) is in public use by the Bureau of Land Management, State of Montana, National Park Service or other agencies. Various uses, including livestock grazing, recreation, logging or habitat conservation occur on these lands.

The dominant land cover is Shrubland, Steppe, and Savanna systems, encompassing 39% of land within the County. Forest and Woodland systems, consisting mostly of conifer forests, comprise about 16% of the County, while Grasslands comprise about 14%. About 12% of land is classified as Human use, which includes agricultural uses such as cultivated crops and pasture land (10%), developed land (about 2%), and mining and resource extraction (<1%). Alpine systems cover about 9% of land in the County.

Wetland and Riparian land encompassed about 4% of land, as does Recently Disturbed or Modified lands (including recently burned, insect-killed forest, and harvested forest). Sparse and Barren systems cover about 3% of the County. (Source: Montana Natural Heritage Program).



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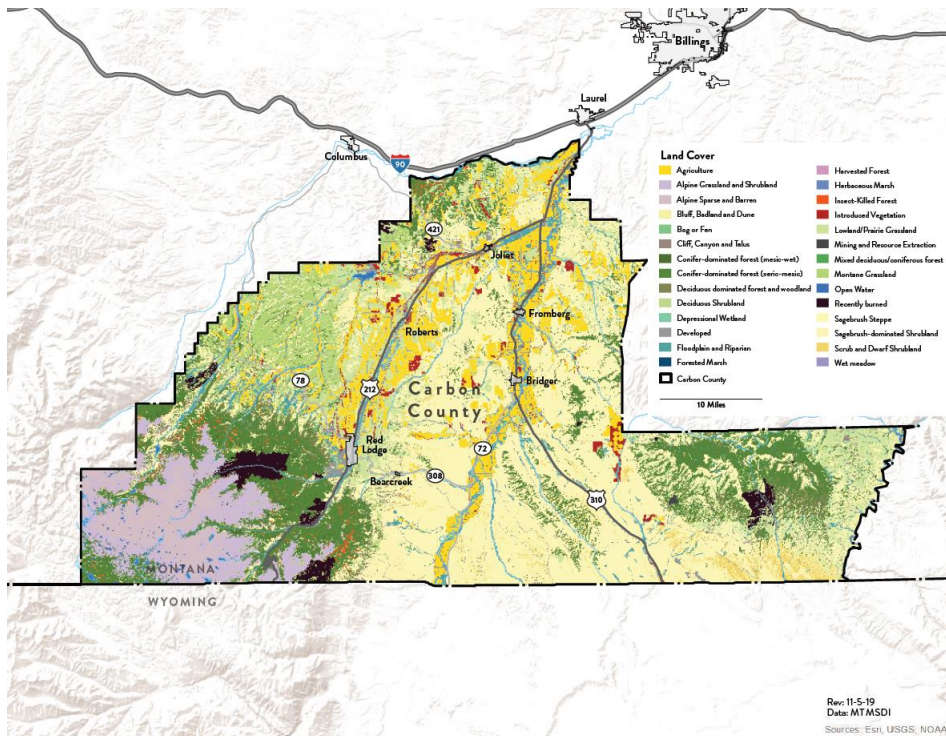
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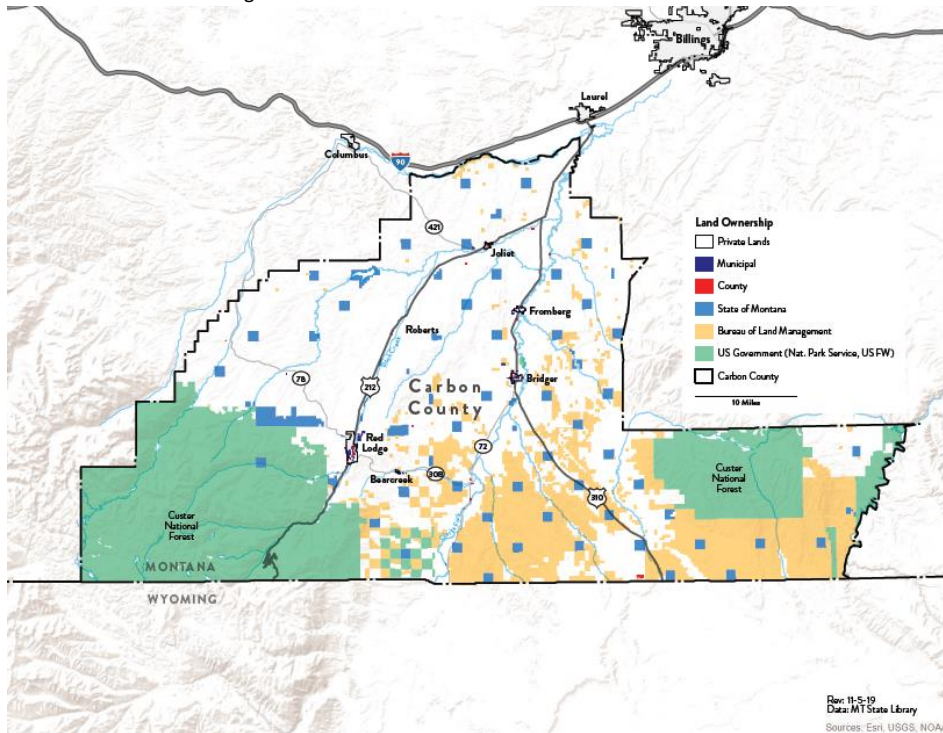
Land Ownership

All of the land in the county was included in the Crow Reservation until 1877, when a small area around Red Lodge was withdrawn for coal development. In 1882 and 1892 agreements with the Crow Tribe opened additional lands for settlement. Carbon County was formed in 1895 from portions of Park and Yellowstone counties.

The lands now in private ownership passed at one time from federal ownership primarily by means of homestead and mineral entry. Approximately 53% of the county is privately-owned. Privately-owned lands in the county are generally situated along the Clarks Fork and Rock Creek Valley bottoms and in the north county. The lands in private ownership are generally lower in elevation, more level, drier, and have more productive soils than publicly owned lands.

Both the Custer and Gallatin National Forests manage land in Carbon County. The majority of the land is managed by the Custer Forest. The Forest Service lands are concentrated in two blocks. The largest block is situated to the south, west and northwest of Red Lodge, in the southwestern corner of the county. This block of forest land is high in elevation and rugged in character, containing a portion of the Absaroka-Beartooth Wilderness Area. Forest Plan management direction for land uses along the

mountain front and wilderness area includes; grazing, wildlife habitat, water quality, multiple use, interpretation along the Beartooth Scenic Byway, and promoting the wild character. The second block of National Forest lands are located on the southeast flank of the Pryor Mountains. The Forest Plan guidance on uses for the Pryor lands include; grazing, wildlife habitat, wood products, and recommended wilderness. The Forest Service lands are primarily managed from the Beartooth Ranger District located in Red Lodge.



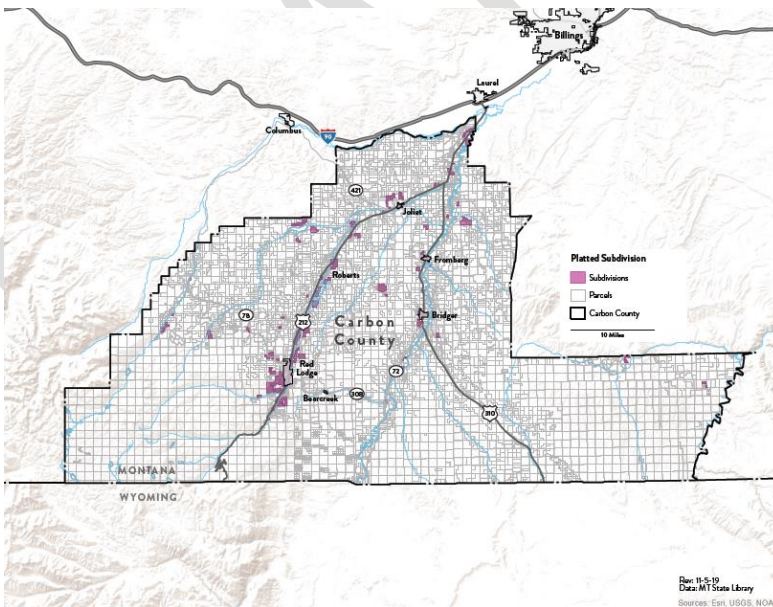
Land Development Patterns

Platted subdivisions outside of incorporated places in the county cover approximately 12,000 acres. The county contains five incorporated cities and towns (Bearcreek, Bridger, Fromberg, Joliet, and Red Lodge) with an area of about 2,700 acres. There are also several unincorporated communities including Belfry, Boyd, Edgar, Luther, Roberts, Rockvale, Roscoe, and Silesia. Most of the subdivided areas of the county – approximately 80% of the land area – reside outside of an incorporated city or town, giving the county a large role and responsibility in providing government services. A number of communities that once existed are no longer inhabited. These communities are listed in the history section of the county’s 1986 comprehensive plan.

The dominant development pattern in the County continues to be the widespread subdivision of land along Highway 212, largely between Red Lodge and Joliet. While there are fewer large subdivisions being proposed than there were 10-15 years ago, an emerging development pattern is the increasing one- or two-lot subdivisions dispersed throughout the county. Also, the use of divisions of land exempt from subdivision review, such as family transfers, create development that has an impact on development patterns, as well as local services, but is not required to meet the typical standards or conditions associated with subdivision review.

The county planning board has representation from each of the five incorporated communities, the Conservation District, and a member representing each of the three commissioner districts in the county. When a subdivision application that does not meet the summary review provisions is received by the county, the county prepares a staff report and the county planning board reviews the report. A public hearing is required for major subdivisions (subdivision creating six or more lots, or subdivisions of previously subdivided lots). The planning board then makes one of three possible recommendations to the commissioners, approve the preliminary plat, approve the preliminary plat with conditions, or deny the preliminary plat.

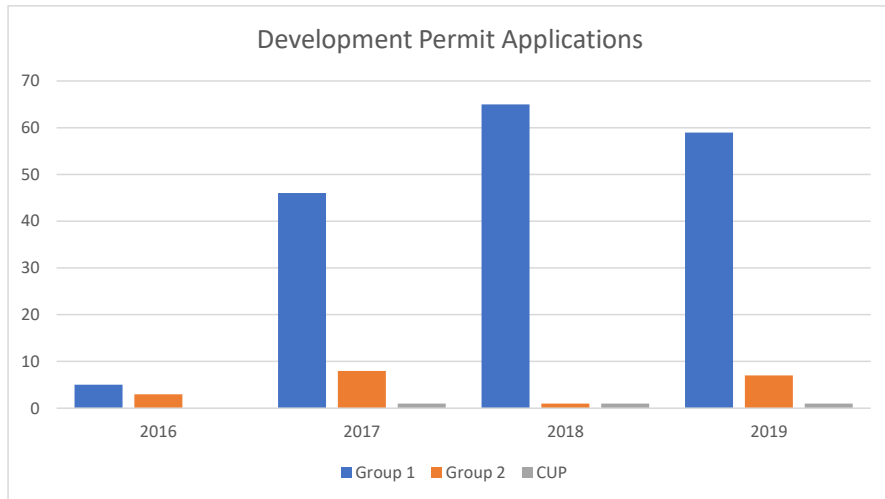
Exempt subdivisions do not go before the Planning Board or County Commissioners and may be decided administratively by the Planning Director.



In July 2016 the County adopted Development Regulations which require the issuance of a Group 1 Development Permit prior to new residential construction, a Group 2 Development Permit prior to new commercial construction or new commercial activity, and a Conditional Use Permit prior to certain Carbon County Growth Policy 2020

activities not defined as a Group 2 use, such as wind energy development, oil and gas exploration, and shooting ranges. Applications for Development Permits have increased every year, steadily increased since adoption, and while not all of these applications were approved, and some of these have been amendments to previously approved permits, this trend is expected to continue as people become more familiar with the development permit process and aware of the necessity of applying for the permit.

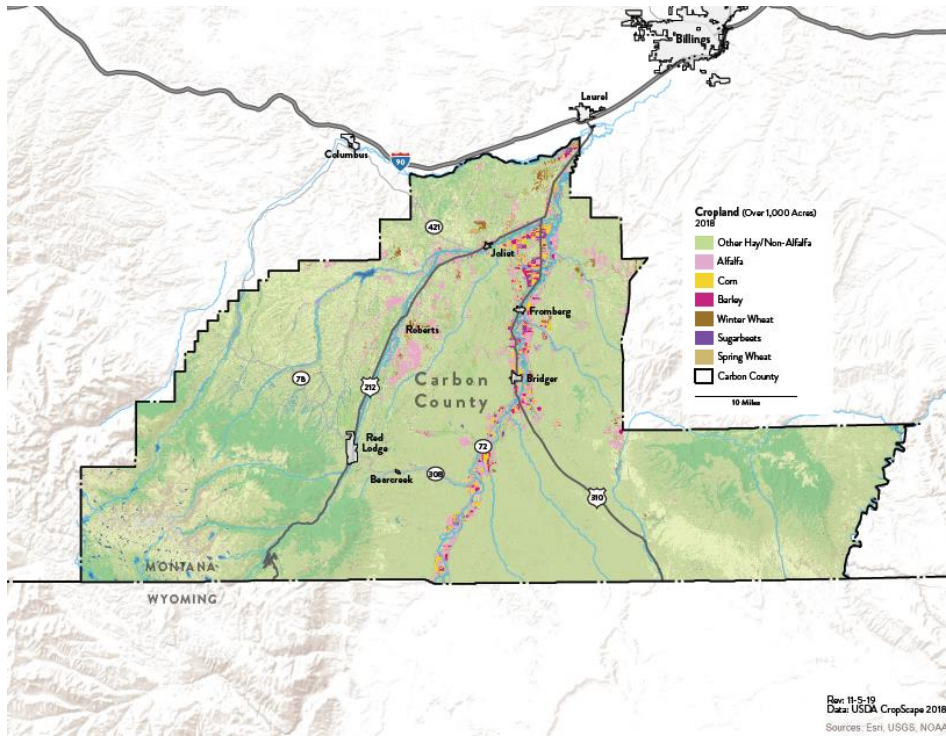
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Farmland

According to the 2017 USDA National Agriculture Census, the amount of land used for farming in 2017 was 815,758 acres, and increase of nearly 25,000 acres from 2012, reversing what had been a downward trend. The number of farms remained steady, going from 726 in 2012 to 725 in 2017. Corn, wheat, oats, barley, hay, and sugarbeets are major crops in the County.

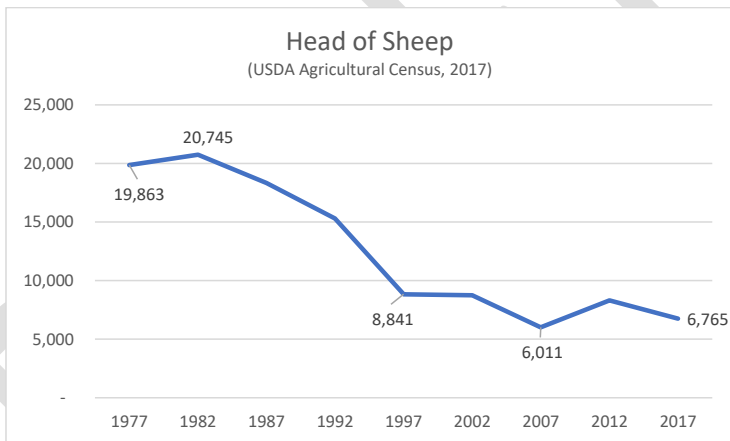
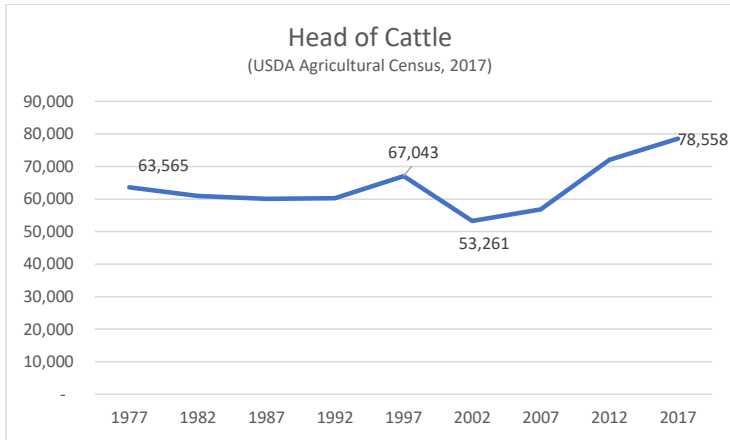
Geographically, the largest acreage of farmland is near the confluence of Rock creek and the Clark’s Fork of the Yellowstone. Flat alluvial soils here provide ideal conditions for growing sugar beets, corn, alfalfa and barley. Abundant farmland exists along the Clark’s Fork valley, while some alfalfa and non-alfalfa hay is farmed in the Rock Creek valley.



Livestock and Ranching

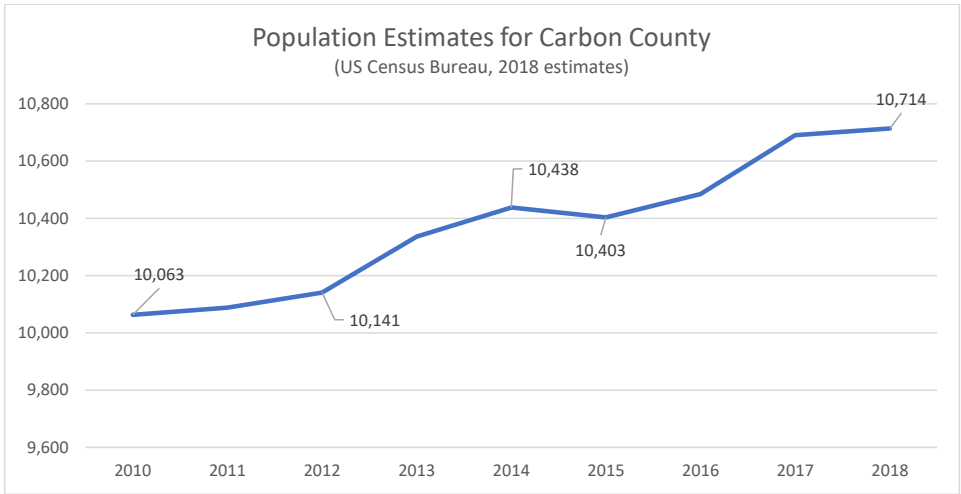
The climate and topography of Carbon County is ideal for ranching and livestock production, which is a significant component of the county's economy. Carbon County ranks 4th in the state for value in sales of cattle, and also has significant amounts of sheep and poultry productions.

Livestock production has fluctuated over the past 40 years, with number of cattle seeing the largest swings. According to the 2017 Agricultural Census, the County had a high of over 78,000 head. A historical low of 53,261 head of cattle was hit as recently as 2002. Sheep and hogs have seen a historic decline since the 1970s, with sheep currently at less than 7,000 head, and hog inventories continuing to decline to only 154 animals in the latest census.

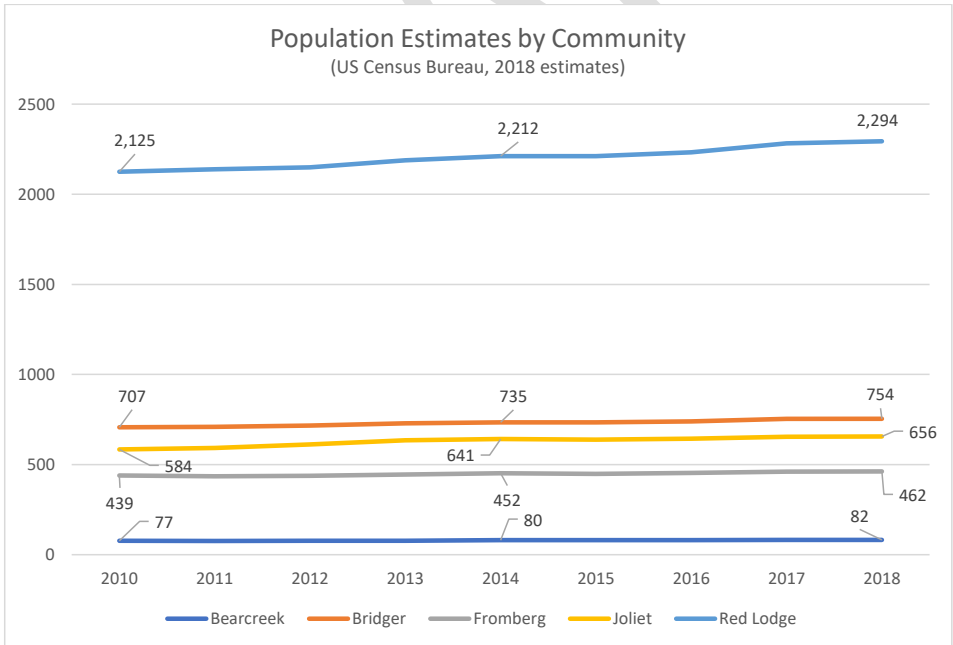


People

Carbon County grew in population from 9,552 to 10,078 between the 2000 and 2010 census. This growth is expected to continue through the 2020 census. It should be noted that this does not include seasonal and tourist population, which also impacts services. Population estimates continue to show a picture of a growing County population.



Cities and towns show similar growth to County, though Joliet stands out with an estimated 12% growth since the 2010 census.

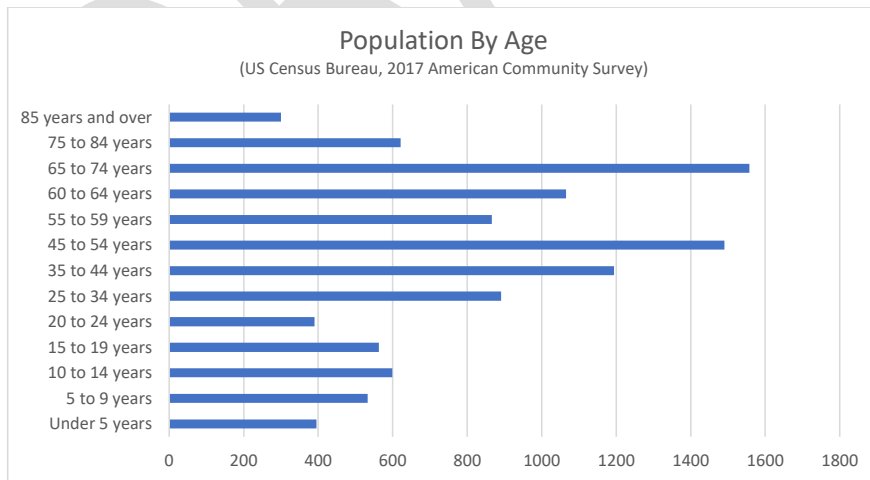


Rural and Urban Population

While incorporated areas are seeing growth, Carbon County is still a largely rural area. Over 60% of the County's population lives in unincorporated areas, which include the communities of Belfry, Edgar, Luther, Roberts, Roscoe, and Silesia.

Age and Gender

With an estimated median age of 50 in 2017, Carbon County is over ten years older than the rest of the state (39.8 years) and the US (37.8 years). The county's median family size of 2.74 also reflects the aging population when compared to the state (2.91), and the country (3.14), as older families generally do not have children in their households. The age and gender composition is not unlike other rural communities in the state and country. An aging population is illustrated in the County's population chart by large population between the ages of 45 and 74. This represents the baby boom generation, who typically are still working or near retirement. When this generation retires, there will be a significant change in demand for jobs and healthcare. A smaller bulge in school-aged children (ages 5 to 19 years) indicates a balance in the number of families and a potential younger workforce for the county. Conversely, there is a gap between the ages of 19 and 25, most likely meaning that the county's youth are leaving after completing high school or turning 18 as they seek employment or education elsewhere in the state or region. This lack of working-aged youths may indicate job opportunities or education is lacking in Carbon County.



Racial Composition

By 2017 estimates, the most prevalent race in Carbon County is White at 97%, with Hispanic or Latino the second largest at about 2.4%. American Indian and Alaska Native is third at 0.9%. These figures are similar to those found in the 2010 census and indicate Carbon County is slightly less racially diverse than the state as whole, which has a population that is 89% White, 3.6% Hispanic or Latino, and 6.5% American Indian and Alaska Native.

School Enrollment

The Montana Office of Public Instruction provides enrollment numbers for schools in the county. Since the 1990s, total enrollment has steadily declined, with the largest losses in elementary students. High school student enrollment increased through the 2000s while many small elementary and K-12 schools were annexed or became inactive. Over the past decade school enrollment has mostly held steady County-wide, not less than 1,320 students, nor more than 1,386.

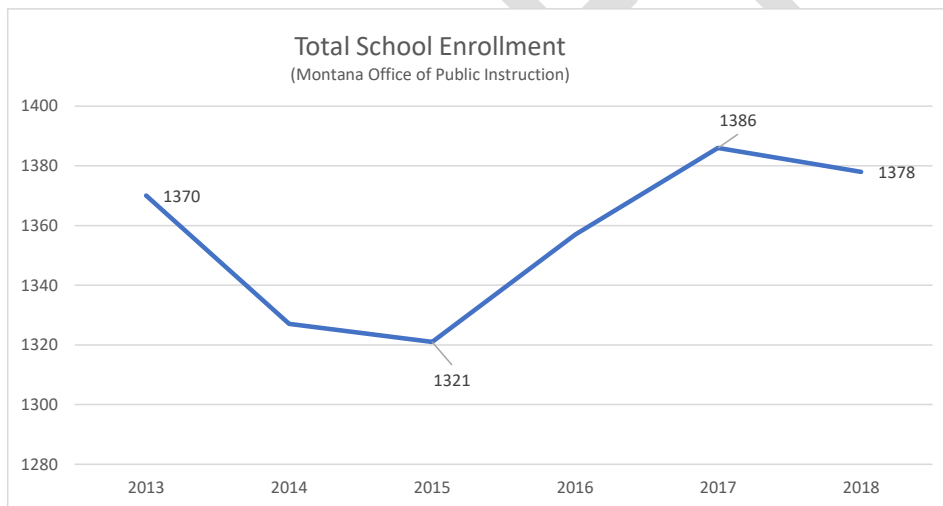
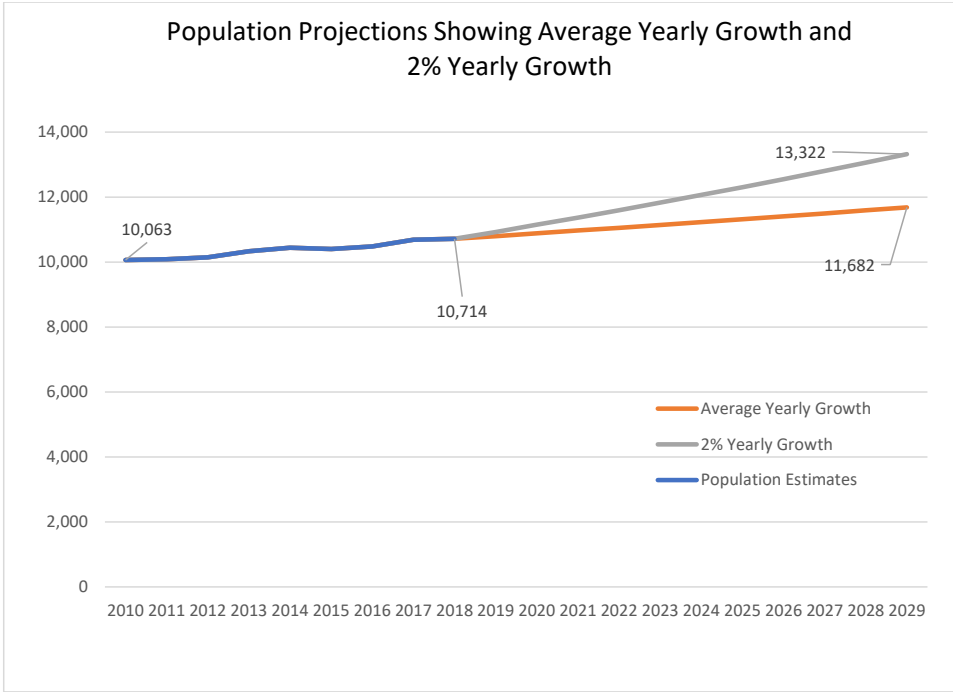




Photo by Forrest Mandeville

Population Projections

Carbon County has grown by about .79% per year, according to population estimates. If population growth continues at this level, the County can expect to add about 1000 more residents over the next decade. However, some years has seen higher growth rates, so a second projection is shown on the graph below assuming a 2% per year growth rate.



Non-Resident Population

Tourism continues to be an increasing impact in Carbon County. Regarding the Beartooth Highway itself, "Nonresident visitor expenditures contributed to over \$53 million in (local) economic activity during 2012 summer and 2013 winter seasons.... "From May 31 - September 30th, total traffic on the Beartooth Highway was 178,904 vehicles. Nonresidents represented 91% of total traffic;...57,727 from Red Lodge...", and visitors stayed a mean over 2 nights in Red Lodge. [Institute for Tourism and Recreation Research (ITRR) The Beartooth Highway: 2012-2013 Economic Impacts, Use, and Destination Image 11/1/2013.] These figures reflect tourism during the summer months that the Beartooth Highway was open and do not include the number of visitors to the county from outside the county, such as the Billings, MT, and Cody, WY, areas, and non-residents who visit outside of the summer months, including the winter ski season.

With increasing tourism comes increasing demand for public services within the county, such as law enforcement and emergency services.

Housing

Estimates from 2017 indicate there were 6,543 housing units in Carbon County, slightly up from 6,424 in 2012. A Housing Plan was developed in 2009 to inventory housing stock and to

Carbon County Growth Policy 2020

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understand trends and issues in an effort to address needs. Housing trends were driven by migration from Clarks Fork valley communities to Red Lodge, Joliet and other places along the southern Highway 212 corridor. This left vacant, underutilized and unsound homes in cities and towns in the Clarks Fork valley. Many of the same issues of housing cost, condition and supply remain. As the population grows in every community in the county, demand for quality and affordable housing will increase.

The 2017 Census American Community Survey provides estimates on the value, condition, supply and ownership of housing units.

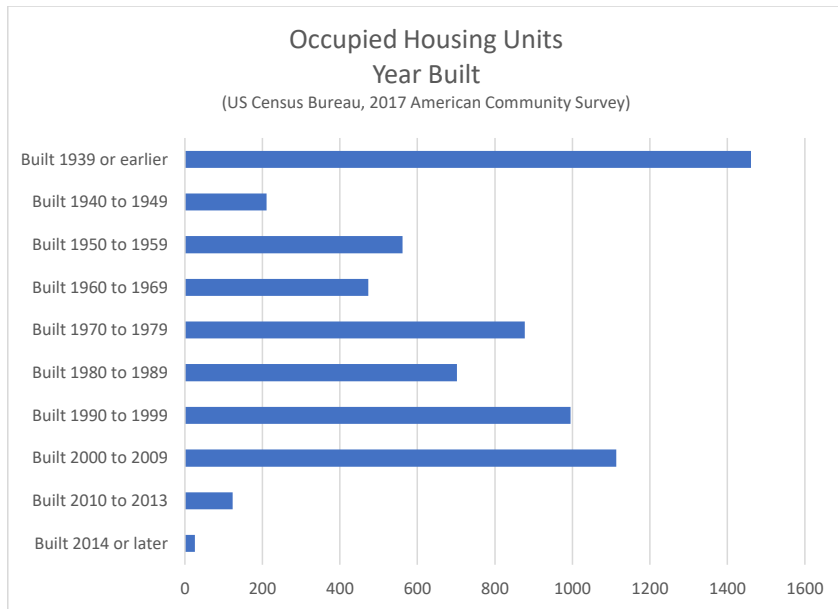
Value

Median owner-occupied home value in Carbon County in 2017 was estimated at \$227,400, higher than the median home value in the state (\$209,100) and the US (\$193,500), and up over \$30,000 from 2012. Seventy-nine percent of occupied housing units are owner-occupied. In Carbon County, over half (52%) of owned housing units had a mortgage, with median monthly owner costs being \$1,319.

Median rent in the county was \$754, which is nearly identical to the state average (\$751), but lower than the US (\$982).

Age and Condition

Most of the county's towns and cities developed in the late 19th and early 20th century, therefore nearly 22% of housing units in the county were built before 1939. A small building boom occurred in the 1970s. The most recent peak building decade was the 1990s when about 1,000 new units were constructed. The national housing boom of the 2000s is reflected in the 1,113 new units built in that decade; however, there has been a significant slowdown in new home construction since 2010.



Thirty-eight occupied housing units lacked complete plumbing facilities, 42 units lacked complete kitchens and 116 units had no telephone service.

Many of Carbon County's citizens are new residents. Of all current householders, 37.5% moved into their home between 2000 and 2009, and 26.7% moved in from 2010 to 2014. Only a little over 10% percent of householders moved in before 1989. Since 2015, 267 new householders moved into their Carbon County home.



Photos by Forrest Mandeville

Composition

Of all housing units, 72% were two or three bedroom houses, and nearly 20% had four or more bedrooms. One bedroom houses made up the difference.

Carbon County's homes have many more cars per house than the state with 39% having three or more vehicles. Statewide this figure is 29% and only 20% of US homes have three or more vehicles available. Almost all of the county's housing units (98.8%) had one occupant per room. This indicates low density housing and a probable lack of multiple family dwellings.

Demand

One demand calculation uses the number of households compared to the number of housing units to produce an estimate of housing availability or vacancy rate. According to 2017 estimates, there were an estimated 4,565 occupied housing units and an estimated supply of 6,543 units. Of these, 1,978 units were vacant.

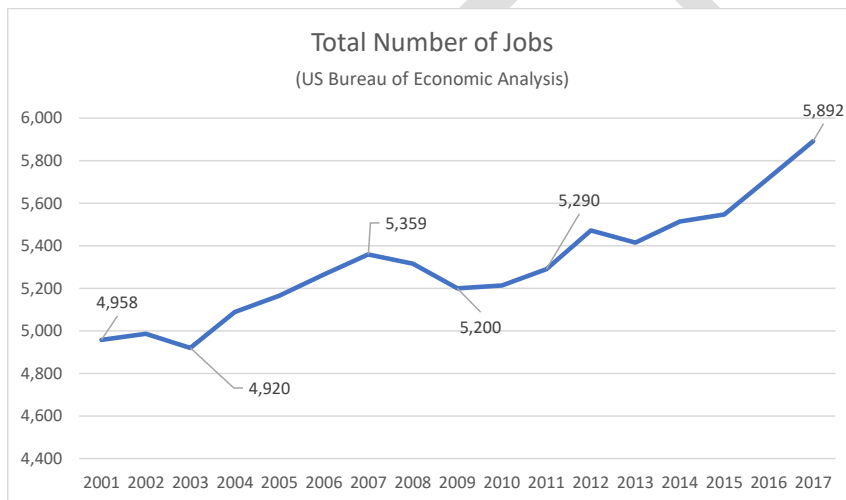
A "household" consists of all the people who occupy a housing unit. The average number of persons per household for an owner-occupied unit is 2.31, compared to 2.11 for a rental unit, both lower than the state average.

Economy

Sectors and Jobs

In 2017, the US Bureau of Economic Analysis reported there were 5,892 jobs in Carbon County, continuing an upward trend. The county's economy is evenly distributed among sectors, with management and administration (including government services) being the largest, supporting 21% of all jobs. Accommodation and Food Services is the second largest (17%), showing the importance of tourism for the local economy. Construction is the third largest sector, providing 9% of all jobs.

The economy has been shifting away from a reliance on agriculture. Since 2001, the agriculture sector has remained relatively static, recovering from a dip in the late 2000s, while non-farm employment has increased by nearly 1000 jobs, accounting for the growth over that timeframe. Real estate and rental and leasing is responsible for nearly 140 of those jobs, the largest increase of any sector, though accommodation and food services, arts, entertainment, and recreation, transportation, and construction have also added a significant number of jobs.



The top private employers in the county include the Bank of Bridger, Beartooth Hospital and Health Center, and Red Lodge Mountain Resort, as well as several restaurants and hospitality businesses.

Income and Wages

Although employment is an important measure of economic activity, it does not tell the whole story. Income is also an important measure, demonstrating potential spending potential in the area. Income may be generated within the County or from business interests outside the County. Also, retirees

may bring wealth with them to the area. Since 2010, personal income strongly increased for both farm and nonfarm categories, with farm income resurging back into positive figures after seeing net losses.

Median household income in the county is estimated at \$56,988, higher than the state median of \$50,801. Average household income is \$69,600, indicating the top half of workers are earning disproportionately more than bottom half. An estimated 20.9% of workers earn between \$50,000 and \$74,999, while 19.2% earn \$75,000-\$99,999, and an additional 19.2% earn more than \$100,000 but less than \$150,000 per year. 6.2% of households earned less than \$10,000 per year, including 2% of families.



Photo by Brian Ostwald

Beartooth Resource Conservation and Development

Carbon County is a member of the Beartooth Resource Conservation and Development (RC&D) Economic Development District. Beartooth RC&D is made up of five counties in south central Montana (Big Horn, Carbon, Stillwater, Sweet Grass, and Yellowstone). Carbon County has representation on the governing board and pays membership dues to the organization.

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Services provided by Beartooth RC&D include business development assistance and lending, specialized agricultural business development, regional and local economic development, and assistance to cities and counties to improve infrastructure and public services.

Beartooth RC&D periodically publishes a Comprehensive Economic Development Strategy (CEDS), which discusses regional economic development goals and objectives and has data for each member county. The 2019-2023 CEDS is available on the Beartooth RC&D website or at their offices in Joliet.

Public Services

Local Government

The Carbon County government consists of a three-member commission. Each commissioner represents one of three districts in the county, serves a six-year term, and is elected by all of the electors of the county. The commission elects a presiding officer from among their members annually. In addition to the commission, there are five other elected positions; Treasurer/Assessor/ Superintendent of Schools, Clerk, Sheriff, Clerk of District Court, and County Attorney.

Carbon County is home to five incorporated communities. Four of these communities, Bearcreek, Bridger, Fromberg, and Joliet, are classified as towns. Red Lodge is a city. All of the municipalities in the county have commission-executive forms of government (mayor and council.) Bearcreek, Fromberg, and Joliet have general powers. Bridger has self-governing powers and a charter.

Planning and Sanitation

The Planning and Sanitation Office was staffed and operated as one department until 2013, when those services were contracted to private consultants. Sanitarian services have since been brought back in-house, while planning is still contracted.

Planning services provided by the Planning Office include assisting the public and developers in understanding the rules and regulations, subdivision review, survey review, comprehensive planning, floodplain administration and providing support to the planning board. The sanitation services provided include; food service inspections for the approximately 300 restaurants, vacation rentals, bed and breakfasts, and bars, inspection of septic system construction and installation, approving plans and issuing septic permits.

Planning services are funded by a combination of subdivision review fees, some state reimbursement, and the taxpayer supported general fund. Grants have been obtained for comprehensive planning. The sanitation services are funded by a combination of permit fees, state reimbursement and General Fund tax revenues.



Photo by Forrest Mandeville

Law Enforcement

The Carbon County Sheriff is an elected official with responsibility for the county-wide dispatch system (which includes all municipalities), coroner duties, and the search and rescue program. The county enforcement staff includes the Sheriff, Undersheriff, Lieutenant, Sergeant, and several deputies. Dispatch is covered around the clock by full-time and part-time employees.

Funding for the programs under the sheriff which includes law enforcement, coroner services, and search and rescue has been relatively stable despite the increasing demands of a growing permanent and seasonal population. Rural residents' expectations for response are high, and an increasing number of special promotional events drawing visitors consume more and more patrol staff time.

The Carbon County jail closed in 2001 due to inability to meet new standards for detention facility. Since then, the County has housed prisoners in other counties, such as Yellowstone, Gallatin, Broadwater, and Rosebud. However, there is currently discussion of building a new detention facility in County. No site has been determined as of this writing, but there will likely be a bond measure on the 2020 ballot to allow for the construction of a 100-bed facility.

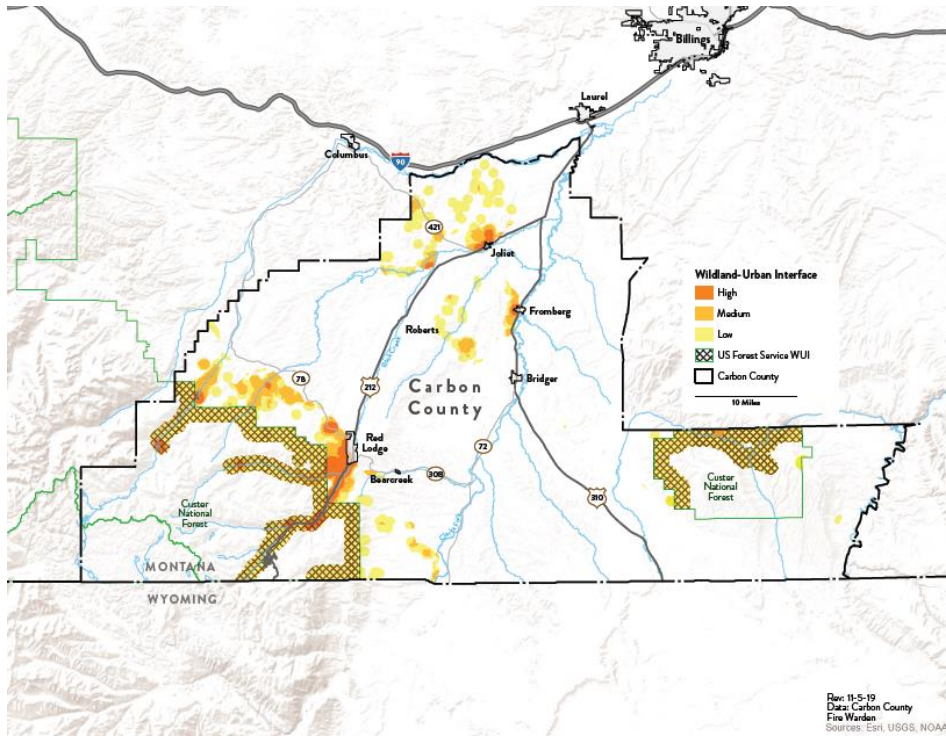
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Fire Protection

The county is divided into ten fire districts, eight of which are staffed within the County (Laurel provides fire protection in the Whitehorse Bench area and Absarokee provides fire protection in the Roscoe area).

Funding for the departments comes from a variety of sources including taxing districts, fund raisers, donations, grants, special contracts and contracts for wildland fire fighting with the state.

Issues of concern to the rural fire chiefs are acquiring funds for operations and apparatus (new fire trucks cost approximately \$250,000), attracting and retaining volunteers, the county radio system, water supply, and funds to purchase personal protective equipment. The number of new subdivisions and lots requiring fire protection is also a concern, especially if the development occurs within the Wildland Urban Interface or more than five miles from a fire station.



Delineating the Wildland Urban Interface

Home construction in or near forested areas has been increasing over the last 30 years. These areas have been named Wildland Urban Interface (WUI). A 2017 report from Headwaters Economics (Montana Land Use Planning Strategies to Reduce Risk in the Wildland-Urban Interface) reports that, while Montana had homes in about 9.4% of the WUI compared to 17.7% across the Western United States, about 9% of new homes in Montana are being constructed in the WUI. The report includes several possible land use strategies that communities can consider. Wildfires in the WUI can provide unique challenges for firefighters. By delineating the WUI, fire managers and the public can better prepare for these challenges. For instance, structures located in the designated WUI area can have home assessments completed to help the owner better understand specific risks.

Ambulance

Three ambulance services cover Carbon County, each one working in a different geographical area. The Red Lodge/Roberts Ambulance District is housed in Red Lodge at the District VII fire station and covers the Red Lodge and Roberts fire districts, approximately 1/3 of the County, including Red Lodge, Bear Creek, Roberts, Luther, Roscoe and the Beartooth Pass and Scenic Highway to the Wyoming border.

Joliet Ambulance covers an area from north of Roberts to South White Horse Bench Road, Joliet, Edgar, Silesia, and the Cooney Reservoir area.

The Clarks Fork Valley Ambulance covers approximately 750 sq. miles in the Belfry, Bridger, Fromberg area.



Photos by Forrest Mandeville

Disaster and Emergency Services

The county has a full-time Disaster Emergency Services (DES) Coordinator located in the Carbon County Personal Services building in Red Lodge. The county has an active Local Emergency Planning Committee or LEPC. The County completed an Emergency Operations Plan in 2010 to coordinate response to disasters in Carbon County, including the incorporated communities of Red Lodge, Bearcreek, Bridger, Joliet, and Fromberg. The County also has a pre-disaster mitigation plan (PDM), originally adopted in 2005 and updated in 2012 to address earthquakes, hazardous materials, dam failure/flooding, national emergency, forest/ range fire, mass casualty accidents, and volcanic ash. The County is currently in the process of updating the PDM to ensure its adequacy.

Health Care and Child Care

The county has four clinics and one hospital. The Beartooth Billings Clinic is located in Red Lodge and is affiliated with Billings Clinic Hospital in Billings. The Mountain View clinic, affiliated with St. Vincent's Healthcare in Billings, is also located in Red Lodge. The Clarks Fork Medical Center, located in Bridger is operated by Riverstone Health based in Billings. Riverstone also offers a clinic in Joliet. The clinics in Red Lodge regularly host visiting specialists from the larger area.

There are three dentists in the county, all located in Red Lodge. Dental care is also available in Laurel and Billings. There is also an optometrist in Red Lodge.

Mental health care is provided in Red Lodge via a satellite office of the Mental Health Center of Billings, as well as by several private providers.

There are three nursing home/ assisted living facilities in the county. Cedar Wood Villa Nursing home is a 76-bed home located in Red Lodge. The Willows constructed a nursing home near the campus of the hospital. Heartland Assisted Living operates on a working farm near Roberts.

Senior services are provided by the Belfry Senior Citizens Center, the Boyd Senior Center, the Golden Age Society in Bridger, the Joliet XYZ'ers, the Valley Senior Citizens Center in Fromberg, and the Red Lodge/Roberts Senior Center in Red Lodge.

Beartooth Billings Clinic employs the county's Public Nurse and is situated in the Carbon County Public Personal Services Building in Red Lodge. The nurse also visits Bridger, Roberts, and Red Lodge.

Public Assistance

The Department of Public Health and Human Services Office of Public Assistance serves Carbon County out of its Billings Field Office. The public assistance office administers local financial assistance programs including Pathways, Medical Assistance (Medicaid and medical assistance for medically needy), the CHIP program (Children's Health Insurance Program), food stamp eligibility, and the local food bank. The Office of Public Assistance is operated and funded by the state of Montana. There had been a local office in Red Lodge, but the office was closed as part of a state-wide consolidation plan in 2017.



Photo by Forrest Mandeville

Library Services

There are three public libraries in the county. They are located in Red Lodge, Bridger, and Joliet. The Carnegie Library in Red Lodge, built in 1919, is operated by the city and staffed by one full-time librarian and one part-time assistant. The Bridger library is located in the historic Bowler schoolhouse and is operated by three part-time employees. The Joliet library, located in the Joliet Community Center, is staffed by a full-time librarian. There is a six-mill countywide levy supporting the libraries. There are no fees for using the libraries in the county.

County Attorney

The county attorney is a full-time elected position located in Red Lodge. The county attorney is elected for a four-year term. The office is staffed by the attorney, a deputy attorney, and full-time assistant. Additional legal assistance is contracted as needed.

Utilities: Electricity

Electricity is provided to county residents by the Beartooth Electric Cooperative, Northwestern Energy (NWE), and the Yellowstone Valley Cooperative. Beartooth Electric is headquartered in Red Lodge and serves customers located outside of incorporated communities, and in the unincorporated communities of Roscoe, Luther, Roberts, and the East Rosebud area. The customer base of the cooperative has seen steady growth.

Northwestern Energy provides electricity to Edgar, Fromberg, Bridger, Belfry, Bear Creek, Red Lodge, Joliet, and a small number of rural customers adjacent to the communities. Yellowstone Valley Electric Cooperative provides electricity to the northern end of Carbon County.

Natural Gas

Northwestern Energy (NWE) and Montana Dakota Utilities provide the natural gas in Carbon County. Natural gas is not available everywhere. Montana Dakota Utilities (MDU) provides natural gas to Warren, Belfry, Bridger, Fromberg, Edgar, Silesia, Rockvale, and Joliet.

NWE provides gas to Roberts, Red Lodge, the Roscoe area, and one ranch in Belfry. The utility will extend gas service to new customers willing to pay for installation of infrastructure.

Telephone and Internet

Local telephone service in Carbon County is provided by CenturyLink and Project Telephone. Project Telephone provides services to Belfry, Roscoe and East Rosebud. The rest of the county is served by CenturyLink. AT&T and Verizon provide cellular services across the county. The digital signals require line of sight technology and closer tower intervals.

While there has been a decrease in the number of new towers being constructed, the concern of possible visual impacts near scenic areas still exists. New towers may constitute a land use change, which requires a county development permit. New towers require state building permits.

Internet services and cable are provided by a number of Billings and national companies.

Cable Television

Cable Television is available from Bresnan in the County. Several satellite TV options are also available.



Photo by Brian Ostwald

Public Facilities

Roads and Highways

The streets and highways in Carbon County are constructed and maintained by a combination of municipalities, the county, the state, the Forest Service, the Bureau of Land Management, and private homeowners' associations. The Montana Department of Transportation (MDT) maintains 23.9 miles of state secondary highway and approximately 153 miles of primary state highway in the county. A primary highway is a major arterial connecting with a federal highway. A secondary highway is a farm-to-market road that connects to a state highway.

As shown in the table below, traffic continues to increase on most of the county's highways since the 1990s. Increases are most notable on Highway 78 between Red Lodge and Roscoe, and Highway 212 south of Red Lodge, even though the Beartooth Pass is closed seasonally. While some other areas saw slight decreases from 2011, only Highway 308 between Belfry and Red Lodge and Highway 310 south of Bridger saw decreases since 1999. The slight decrease from 2011 and 2018 on Highway 212/310 may be due to the recently completed construction project. Traffic on this stretch of highway should be anticipated to increase rapidly.

Highway	Location	Average Daily Traffic 1999	Average Daily Traffic 2011	Average Daily Traffic 2018
72	Between Bridger and Belfry	1,400	1,664	1,897
78	Between Red Lodge and Roscoe	836	916	980
212/310	Between the Yellowstone/Carbon County line and Rockvale	5,375	8,282	7,797
212	Between Joliet and Red Lodge	2,193	2,794	2,585
212	Between Red Lodge and the Wyoming Line (averaged over 12 months)	755	953	1,291
308	Between Belfry and Red Lodge	889	975	818
310	Between Bridger and the Wyoming Line	1,314	1,665	1,291

The reconstruction and realignment of Highway 212/310 from Rockvale to Laurel is a major development in the transportation system on the County. The project rebuilt 10 miles of road, relocating it from the river valley to the bench. Construction began in 2014, and on June 24, 2019, the new road was opened to the public. A future planned phase will add an additional two lanes of traffic. This new alignment required the County to reassign addresses along the old alignment. The old road has been renamed as Clarks River Road.

Several highway and county road construction and improvement projects are scheduled over the next few years. At the time of writing, MDT is currently rebuilding Highway 212 from Roberts south, with a plan to eventually continue to Red Lodge, in order to provide safety improvements such as widened shoulders, passing lanes, flattening ditch slopes, and improving drainage. MDT also has plans to

reconstruct Highway 78 northwest of Red Lodge, but a date for the project has not yet been determined.

County Roads

Carbon County is responsible for over 900 miles of roads and bridges. Road shops are divided into three districts identical to the County Commissioner districts. County Commissioners act as Road and Bridge supervisors for their districts, with a Foreman hired at each shop. The Road Shops are located in Bridger, Joliet, and Red Lodge.

Other Roads

The Custer National Forest and BLM both maintain road systems in the county. The Custer Forest maintains approximately 300 miles of roads in Carbon County. These roads and the roads on BLM lands provide access for public and administrative uses. There are no roads in the wilderness area.

New subdivisions often have their own internal road systems. The county does not accept responsibility of new road systems, but requires that provisions for maintenance of the roads be in place through an appropriate mechanism such as a Homeowners' Association. Subdivisions roads must be constructed to the appropriate county standard to assure safety and emergency vehicle access.

Air Transportation

There are two public-use airports in Carbon County. Red Lodge has an airstrip located on the west bench above the city. Aviation fuel is available at Red Lodge. Red Lodge airport is classified as a general aviation airport. The Red Lodge strip is 4,000 feet in length and paved.

Bridger Municipal airport is also classified as general aviation and has a paved 3,400-foot airstrip on the west edge of town. This runway can accommodate large twin engine planes. There is no instrumentation at Bridger. Aviation fuel is not available, nor is there a fixed-base operator.

In addition to the two public airports in Carbon County, there are approximately 14 private-use airstrips primarily used to support ranching operations.

Rail Transportation

Burlington Northern Santa Fe (BNSF) operates in the County. BNSF owns and maintains 50 miles of mainline and nine miles of yard track in Carbon County. The rail line runs east of and parallel to Highway 212/310 from Laurel south to the junction with Highway 310 then on to Bridger. From Bridger the line leaves the river bottom and follows Highway 310 south into Wyoming. In any given 24-hour period, four to six trains cross the county traveling between Laurel and Denver.

Public Water Systems

The city of Red Lodge, the towns of Bridger, Joliet, Fromberg, Bearcreek, and the communities of Belfry and Roberts all have public water systems, and all have adopted hook-up fees. The incorporated municipalities do their own administration of the systems such as planning for and financing

improvements, setting base rates and hook-up fees, and billing. These municipalities all meter their water.

The State Department of Revenue and the county cooperatively assist the rural water districts by assessing users on their property taxes once a year in Edgar, Belfry and Roberts. The local districts handle the collection of hook-up fees and other local administrative issues.

Water system operators and water district board members report concerns with meeting state requirements for having licensed operators, and also the day-to-day management of protecting the infrastructure.

There are a number of private water systems serving subdivisions, campgrounds, and mobile home parks. The owners of these private systems are responsible for testing water quality and submitting results to the state and county sanitarian.

Most of the rural residents obtain their domestic water from individual wells although a few obtain water from springs. In some areas, cisterns are utilized due to lack of available groundwater. In this case residents must buy and haul water to their property to fill their cistern, or contract for these services.

There have been no known occurrences of contaminated groundwater affecting individual wells where the wells were properly installed. Although Joliet has submitted a wellhead protection study to the Montana DEQ, none of the communities in the county have approved wellhead protection plans.

Waste Water Systems

Rural residents in the county typically have individual septic systems. All systems installed since 1968 are required to have a county septic permit. Most of the rural systems are standard gravity septic tank and drainfield systems. Some areas where groundwater is too high or percolation too rapid, special systems must be employed.

County residents have recently raised concerns about the potential for future groundwater contamination associated with increasing development. This is especially notable in major subdivisions proposing to utilize individual septic systems.

Belfry, Edgar, and Roberts have sewer districts which operate community waste water systems. Fromberg and Bridger are permitted to discharge from their waste water facilities into the Clarks Forks River while Joliet and Red Lodge are permitted to discharge into Rock Creek. The Bearcreek sewer system was installed on 2012 and is maintained by the Town, discharging into two ponds located just east of town. Several communities are considering raising base rates, hook-up charges, or both to finance needed maintenance and improvements.

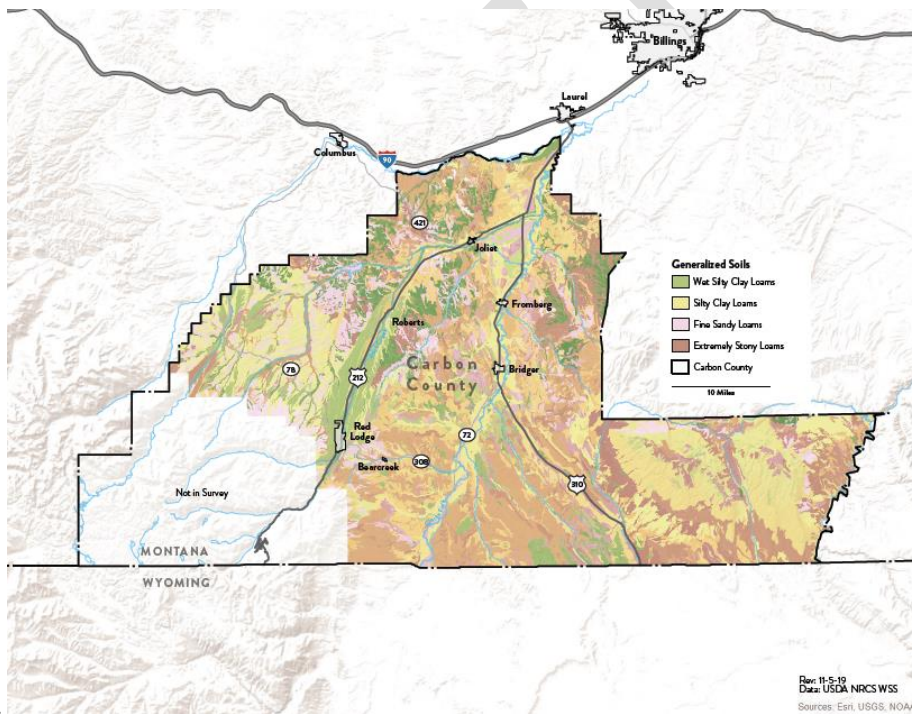
Solid Waste

Solid waste collection for the entire county is provided by Republic Services (formerly Allied Waste Disposal) or MacKenzie Disposal, both located in Billings. Republic Services has waste collection contracts with the City of Red Lodge and the Towns of Bearcreek, Bridger and Joliet.

There are various issues with the waste generated by rural residents and especially second home owners. The City of Billings owns and operates the sanitary landfill in which all of the waste generated in Carbon County is disposed. The city has 700 acres set aside for its landfill, 280 of which are currently under permit with the Montana Department of Environmental Quality. The permit is in effect until the acres under permit are filled with waste.

The City of Billings has separate annual agreements for waste disposal with Carbon County, the City of Red Lodge, and the Towns of Bridger, Fromberg, and Joliet. All remaining landfills in Carbon County were closed in the 1990s.

Joliet, Bridger, and Red Lodge participate in voluntary recycling programs initiated by the communities. A non-profit, Red Lodge Recycling, promotes reduction of waste and helps provide opportunities for recycling.



Natural Resources

Soil Resources

In 1975, the National Resource Conservation Service (NRCS) of the U.S.D.A. and the Forest Service in published a Soil Survey for the Carbon County Area Montana. The survey stated: "The soils of Carbon

Carbon County Growth Policy 2020

County can generally be described in five separate geographic areas, each having unique landscape-soil relationships” (Carbon County General Resource Assessment, NRCS, 1999). Detailed surveys completed as recently as 2003 in the NRCS Soil Survey Geographic Database (SSURGO), the most- detailed county-level digital soil database, provide large-scale soil unit boundaries for Carbon County. The survey identifies 178 soil types, with four major types prevalent across the county: wet silty clay loams, silty clay loams, fine sandy loams and extremely stony loams. Southwestern Carbon County (Beartooth-Absaroka Wilderness) was not included in the survey.

Wind Resources

The County’s most notable wind resources are located southeast of Bridger, along the western slope of the Pryor Mountains. A 240MW wind energy generation project is currently being developed in this area by Rocky Mountain Power, a division of PacificCorp. The project is anticipated to be completed in late 2020 and will employ as many as 300 construction workers at any given time, with a peak anticipated in summer 2020. About 12 permanent positions will be created to operate the wind farm.



Photo by Brian Ostwald

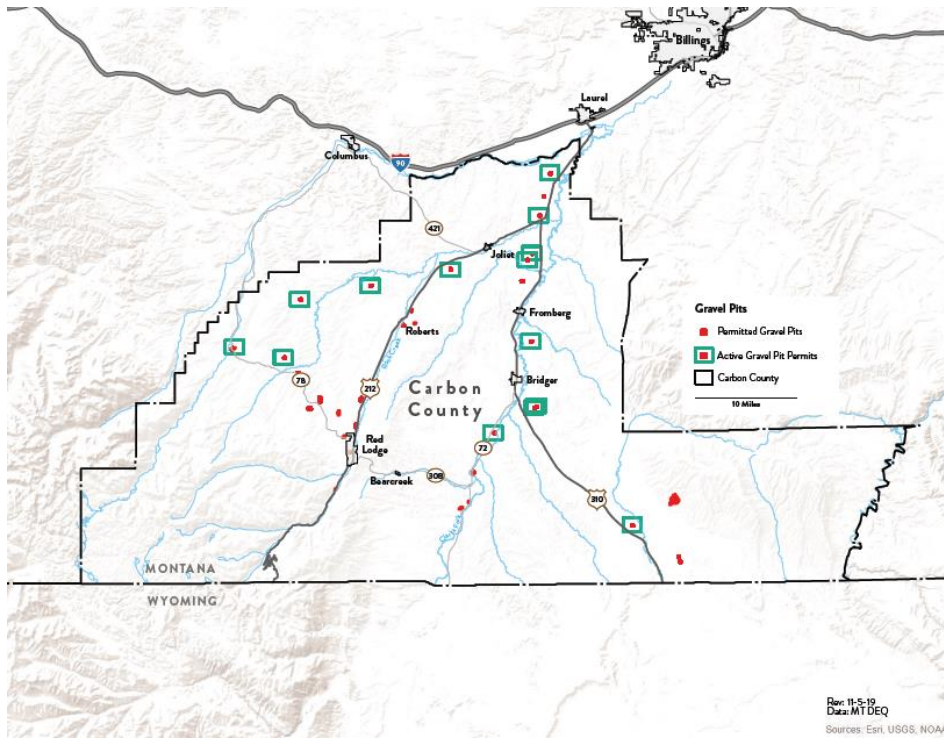
Mineral Resources

These are located generally along major highway corridors throughout the county, with most along the State Highway 78 and US Highway 212 corridors.

Gravels generally suitable for construction uses are found throughout the county in the alluvium and alluvial terraces. Montana Bureau of Mines and Geology maps showing the locations of these formations — specifically Quaternary Alluvial Terraces (Qat), Quaternary Pediment Gravels (Qpg), and

Alluvial Fans (Qaf) — indicate the potential gravel sources in Carbon County. These maps can be found at www.mbm.mtech.edu by going to one of the four appropriate quadrangles covering Carbon County.

Bentonite is found to the west and southwest of the Pryor Mountains. Gypsum which has not been mined commercially since the 1920's is found in outcrops east of Gypsum Spring and in three locations west of the Pryor Mountains. Large private surface mining operations exist in the southwest corner of the Pryor Mountains on private land.



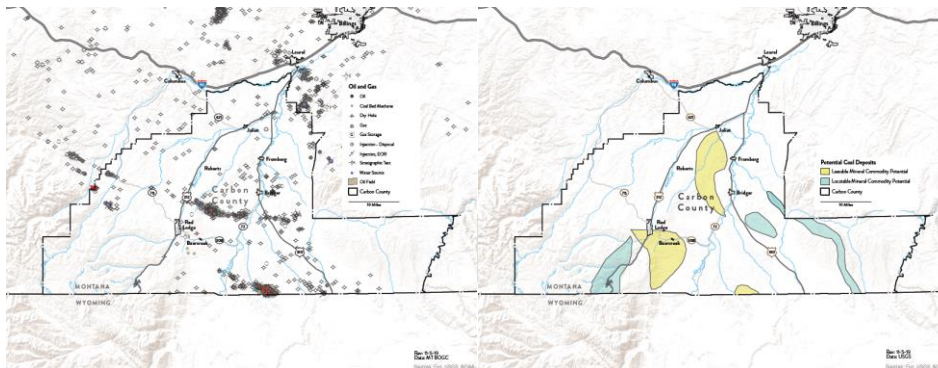
Oil and Gas

The first oil well drilled in Montana was in Elk Basin, in 1915. At present, only the Dry Creek and Elk Basin Fields are in significant production. Oil exploration is currently occurring near Belfry on private land, and on the Mackay Dome in the western part of the County.

Coal

Coal is found in several locations in the county including Bridger, Fromberg, Red Lodge, Bear Creek, and the Silver Tip coal field on the Wyoming border. The coal at Bridger is found in three distinct beds covering a total of 13,660 acres. The Bear Creek field contains nine separate beds in the Fort Union

formation with a total thickness of 71 feet of coal. West of Rock Creek, coal lies in a narrow, steeply-dipping zone which terminates against the Beartooth thrust fault. The BLM estimates that there are still significant coal reserves in the Bridger and Bear Creek fields. Despite the potential availability of coal, there are currently no operating coal mines in Carbon County.

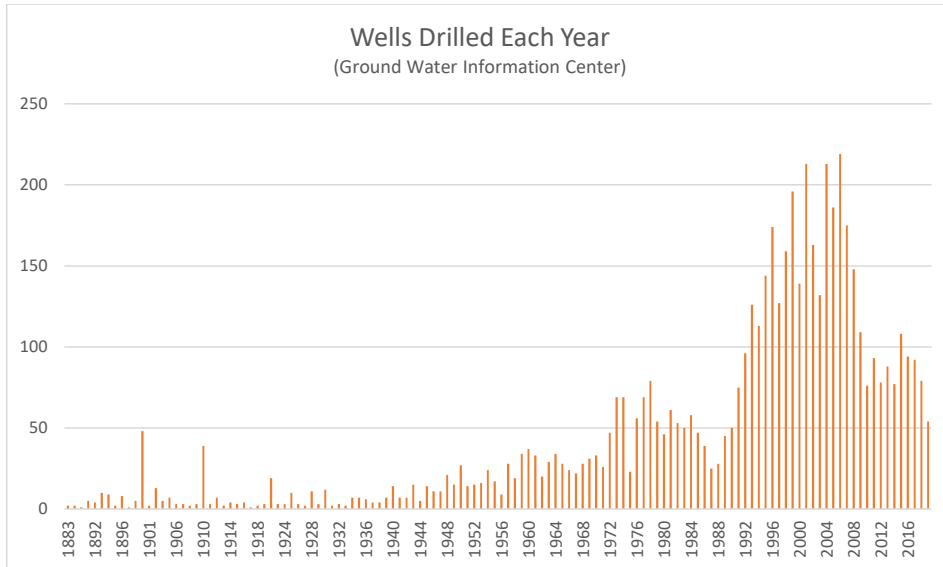


Surface and Ground Water

Carbon County's water resources are managed by private and public landowners, water rights holders, and municipalities.

The water resource consists of both surface and groundwater. Groundwater in Carbon County is stored both in consolidated and unconsolidated aquifers. The three primary groundwater areas in the county are the Beartooth Plateau, the Pryor uplift, and the basins.

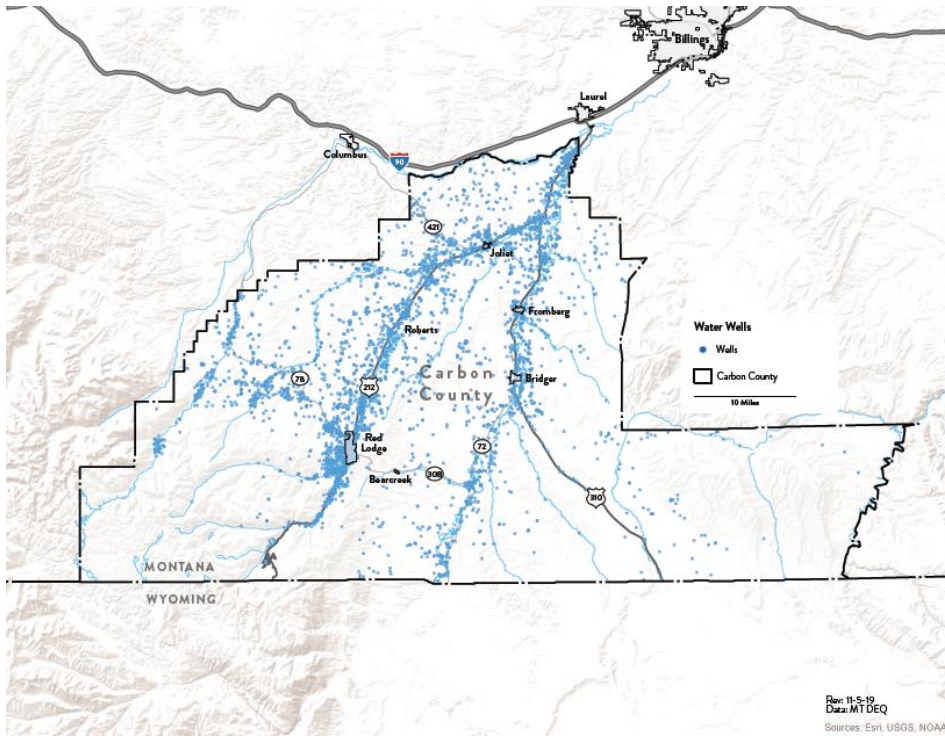
There are approximately 5,784 water wells in the county. Peak water well drilling occurred in the mid-2000s, but has tapered off over the past decade. This may be due to the housing market recession, new state rules for when a water right is required, or a combination of both. About 4,139 wells (61%) are used for domestic drinking water. Eighteen percent, or about 1,209 wells are used for stockwater, while about ten percent are irrigation wells.



Domestic water resources are typically less than 100 feet deep. Most of the wells in Carbon County are shallow wells, with only 94 deeper than 500 feet. The first well was drilled in 1883.

There are two hydroelectric generating stations in the county, both located on the South Fork of Dry Creek east of Red Lodge. The larger station generates 2 Megawatts while a smaller downstream station generates 0.5 Megawatts.

There are two state-owned dams in the county. Located on Red Lodge Creek, Cooney Dam, which is 102 feet high, was completed in 1937 to provide water storage for irrigation. The reservoir stores 28,400 acre feet of water. Cooney Dam also created Cooney Reservoir State Park, which is a popular recreation site in the summer months. The Glacier Lake Dam at 57 feet in height was also completed in 1937. The Glacier Lake Dam stores 4,200 acre feet.



Wildlife

The diversity and extent of high quality habitat in the county supports a wide range of wildlife species. In addition to numerous ungulates, Carbon County is home to two species of bears, gray wolves, mountain lions, a variety of upland birds, raptors, and non-game species.

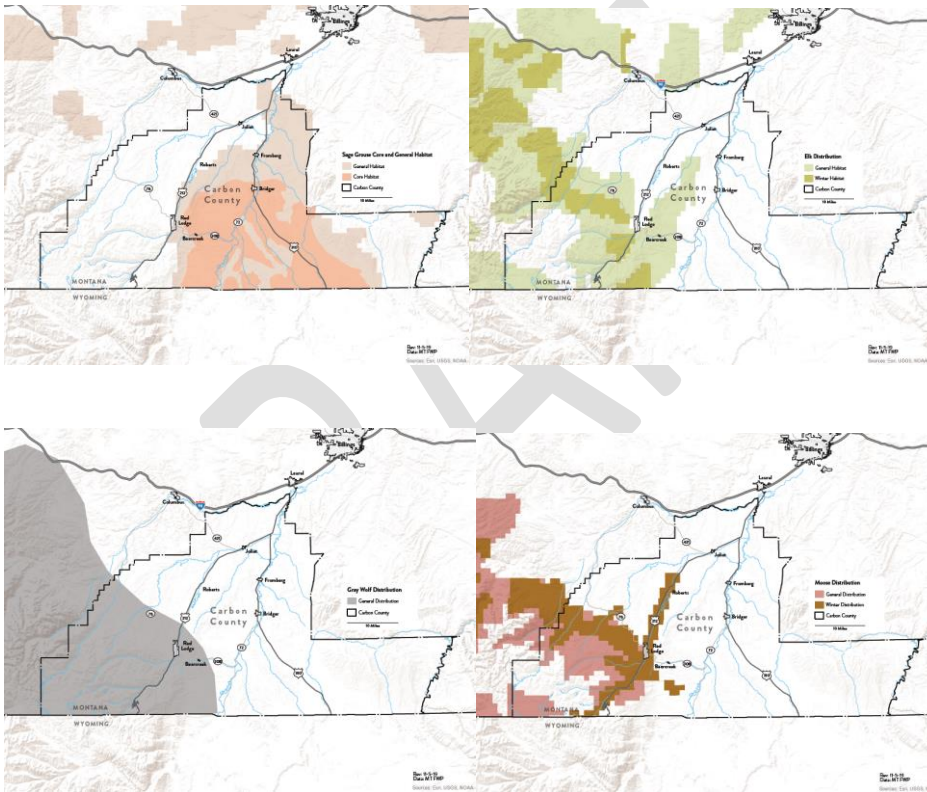
A recent state habitat conservation effort identified parts of the county as Greater Sage Grouse Core Areas, which continues to effect land and natural resources development in the south and eastern parts of the county. The Montana Sage Grouse Habitat Conservation Program will seek to keep management in state hands, rather than federal.

The Montana Sage Grouse Habitat Conservation Program

Montana Sage Grouse Habitat Conservation Map identifies central Carbon County as core and general habitat for greater sage grouse. The Montana Sage Grouse Habitat Conservation Program and Strategy is a collaborative effort by a diverse group of stakeholders to sustain viable sage grouse populations and conserve habitat. The Program implements Montana’s Executive Order 12-2015 and the Greater Sage

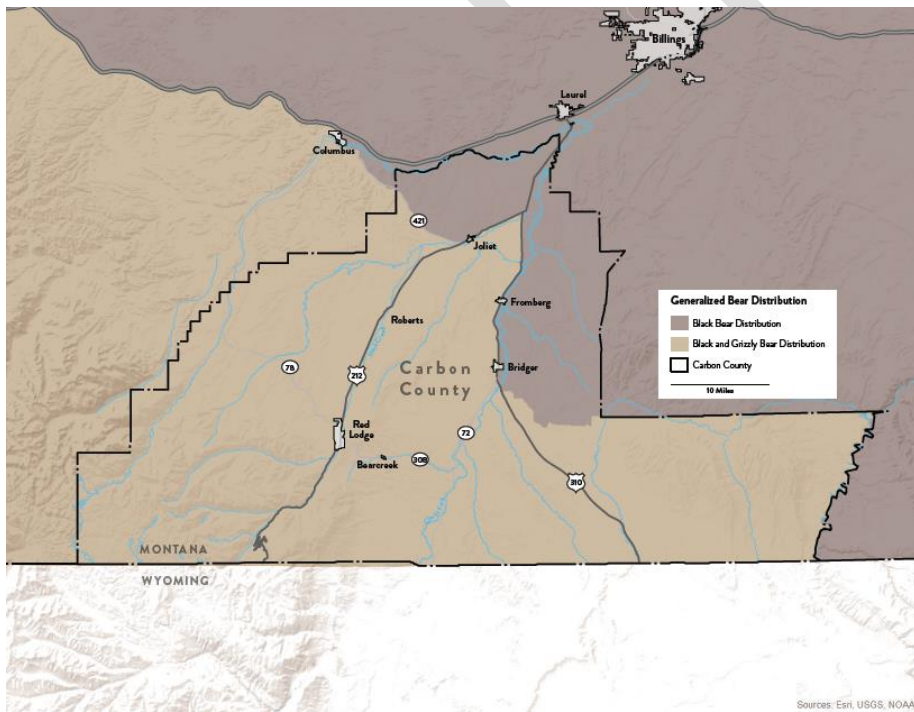
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Grouse Stewardship Act as part of a wider collaborative effort involving Montana and 10 other western states developing conservation strategies to conserve greater sage grouse populations and habitat across its range. These state collaborative commitments involving landowners, state and federal agencies, and other private stakeholders resulted in the U.S. Fish and Wildlife Service to decide listing under the Endangered Species Act was currently not warranted. Implementing Montana's Conservation Strategy and achieving the goal to conserve greater sage grouse and key sagebrush habitats will ensure that listing under the federal Endangered Species Act will not be warranted so that Montana will maintain authority to manage its own lands, wildlife, and economy.





Photos by Brian Ostwald



Scenic Resources

Scenic resources, like all other natural and fiscal resources, should be considered a significant economic asset for Carbon County. County residents and visitors value the outstanding natural appearing landscape which is an important facet to the quality of life in Carbon County and a draw for recreationists, current residents, and potential future residents.

In 1989, the Beartooth Highway was classified as a National Forest Scenic Byway because of the spectacular views along its route. The Beartooth Highway received about 1,291 vehicles per day in 2018. The Absaroka Beartooth Mountain front range is a dramatic topographical feature visible from most the county, including along the main highways.

Siting, height, and setback requirements for certain developments (telecommunication towers, Highway 212 signage, wind turbines, etc.) are addressed in the County's Development Regulations.



Photo by Brian Ostwald

Culture and Tourism

In recent decades, culture and tourism have become major economic drivers in Carbon County. Retail shopping, lodging, dining and touring have been driven by growth in Billings and other outside areas. Tourism is quickly becoming the county's most important economic resource. According to a 2012 report from the US Forest Service ("The Economy of Carbon County", USFS, 2012), "Carbon County was more reliant on industries connected to travel and tourism than either the state of Montana or the nation as a whole in 2009" due to employment contributions (pg. 3).

Carbon County Growth Policy 2020

The county can be classified by four descriptive characteristics:

- Gateway
- Amenity-rich
- Rural
- Second home/retirement

These all provide value to the citizens in this region. As a gateway community, Carbon County inherits a strong tourism base because of Yellowstone National Park and the Beartooth Highway.

Being located between fifteen minutes to a few-hour's drive from Billings, Carbon County is just far enough away from Montana's largest metro area to be considered a rural community, but close enough to be accessible to the roughly 110,000 people in the Billings metro area. Because of proximity to natural amenities like Yellowstone National Park, the city, and the availability of services and comforts, Carbon County has become a destination for retirees and second homeowners.

This provides both challenges and opportunities for the County and its communities. As previously discussed, the County sees a large and growing amount of traffic on its highways, a condition that is expected to increase as construction projects repair and improve these highways, and population, tourism, and recreation continue to increase.

Yellowstone National Park and the Beartooth Pass continue to be a major tourist attraction. The Beartooth Pass entrance through Cooke City/Silver Gate is the least traveled of the three entrances to the park in Montana, however this is due to the seasonal highway closure.

The route through the Paradise Valley from Livingston to Gardiner (open year round) sees over twice as many vehicles as the Beartooth Pass. The entrance from Bozeman through the Gallatin Valley and West Yellowstone sees a similar number of vehicles.

Carbon County's abundance of cultural, heritage or archaeological resources plays a role in development permitting and review, particularly in rural unincorporated areas. Most development projects require a state cultural resources inventory and approval. For certain projects, the state generally requires impacts to these resources to be mitigated.

3 PUBLIC INVOLVEMENT

A large part of the growth policy update involved soliciting input from citizens and community organizations. Public engagement was both an opportunity for education and for feedback. The following is a summary of the process used to build consensus and a heightened awareness of the roles and responsibilities between public officials and the broader community.



Photo by Forrest Mandeville

Stakeholder and Public Outreach

Building collaborative relationships with stakeholders is important in the development of any planning document. County departments were informed early on of the development of this document and solicited for comments to ensure accuracy of the information provided herein.

Additionally, communities were a valuable source of information in the development of this document. The town councils of Bearcreek, Fromberg, Joliet, and Bridger all provided time on their agendas for discussion of this document and were an invaluable source of input.

The Carbon County News was utilized to disseminate update and meeting times and locations, as well as opportunities for additional public involvement. Weekly newspapers are very valuable for small communities, both in reporting local news and in keeping the public informed.

Public Opinion Survey

In addition, an opinion survey was made available online and the website distributed at each public meeting as well as press releases. Many of the county’s past issues or priorities were reaffirmed through the new survey, which asked respondents to prioritize several factors to the County’s future, as well as a series of demographic questions.

In the survey, in response to a question about which is most important to the County’s future, jobs/economic growth ranked first, followed by infrastructure, agriculture, tourism, environment, and, finally, recreation. Notable, over 85% of respondents ranked the County as an above average or far above average place to live. All respondents reported that they were full-time County residents.

DRAFT

4 KEY ISSUES

Community and Economic Development

Issues related to community and economic development varied heavily depending on location. In towns, expansion to infrastructure was a major driver of growth. Several communities are investing heavily in infrastructure, or planning to, with the hope to be able to take advantage and attract growth. Residents and community leaders in the Clarks Fork Valley perceived there was a growing potential for growth, especially with the improved highway between Rockvale and Laurel. In these communities, any form of economic growth was desired. In areas where tourism made up a higher percentage of the economy, the focus was on attracting more tourism.

Key Issues:

1. Infrastructure capacity and condition, and funding public improvement projects
2. Housing supply, condition, and affordability in small rural towns, in order to attract new, permanent residents **and accommodate needs of temporary construction workers of large projects**
3. Aging population and lack of younger workers
4. Maintaining a tax base
5. Year round survival of small businesses
6. Meeting potential growth demand while maintaining small town character
8. **Accommodating the impacts of construction and operation of new major projects such as a wind farm or county jail** ~~Potential for wind development~~

Tourism and Recreation

Recreational opportunities are a major economic resource and bring many people to the county in the summer and winter seasons. Although the economies of some towns and cities are largely driven by tourism, communities in the Clarks Fork Valley do not see significant benefits from tourism. As the Billings metropolitan area **and marketing of area resources** continues to grow, more and more people will visit Carbon County.

Key Issues:

1. **Underutilized tourist and recreation resources in the spring, fall and winter months** ~~Promoting tourism in the spring, fall, and winter months~~
2. **Potential for expanding tourism and recreation opportunities** ~~Expanding tourism and recreation opportunities~~
3. **Lack of tourist attractions and marketing for small communities** ~~Encouraging tourist attractions in small communities~~

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Natural Resources and Environment

Nearly every issue was geographically delineated between the county's various areas, but none more than natural resource development. There has been concern about adverse impacts from development, especially oil and gas, along the Beartooth front. In the Clarks Fork Valley, however, natural resource development is generally seen as a positive. On-going wind farm development is occurring in the southeast portion of the County. Specific environmental issues included the impacts of resource development on water and air quality, roads, and wildlife habitat.

Key Issues:

1. Regional differences in demand for resource development
2. Potential impediments to economic development
3. Geographic location and availability of the resource
4. Impacts to sensitive environmental resources
5. Availability of groundwater
6. Protection of scenic and recreational resources
7. Potential impacts of wind energy developmentGrowing potential for wind development
8. Protection of key wildlife habitat particularly associated with greater sage grouse (see Montana Sage Grouse habitat Conservation Program, Montana Sage Grouse Habitat Conservation Map), Migratory Bird Treaty Act, and Bald and Golden Eagle Protection Act.

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Land Use and Agriculture

Land use and regulation can be a divisive issue in Montana, and Carbon County is no exception. While many individuals do not want "unattractive" developments to occur, there was not a strong desire for stronger land use controls in rural areas. There was little to no desire expressed to either strengthen or weaken the current system of development regulation in the County.

The preservation of Carbon County's agricultural land is of high importance to farmers, ranchers, and rural residents. In the past, sprawling growth and widespread subdivision of farm land in areas near towns has threatened the county's agricultural resources. In addition, suburban-type growth increases infrastructure and service costs, limiting the county's ability to provide acceptable levels of service.

The US Forest Service works closely with the county and other organizations to promote proper growth near its lands in the Custer National Forest.

Keeping lands in agricultural production maintains open space and conserves wildlife habitat. Suburban and exurban development fragments habitat and removes productive lands from agricultural use.

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Key Issues:

1. Market-driven development and subdivision of productive agricultural land for non-agricultural purposes
2. Development of irrigated (rather than dryland) agricultural land
3. Expanding pattern of subdivision
4. Potential development in the wildland-urban interface
5. Growth along urban boundaries that increases infrastructure and service costs
6. Increase in commuter traffic to Billings
7. Fragmentation and loss of wildlife habitat from suburban and exurban development.

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5 VISION

The growth policy, by guiding land use decisions, is one way of moving towards the vision residents have of the future. The vision is a collection of statements designed to guide the formation of goals, objectives and implementation strategies.



Photo by Brian Ostwald

The following statements describe the desired future of the residents and leaders of Carbon County.

- Agriculture remains an important component of the county's economy and way of life. Agricultural lands are largely retained in agricultural production.
- Land use change and development occurs in such a way so as not to jeopardize water quality or availability, **or adversely impact key wildlife habitat.**
- Economic enterprises which offer a living wage, **build upon the agricultural base where possible,** are scaled appropriately to be consistent with residents' quality of life expectations, and do not cause significant degradation to water or air quality.

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- Carbon County remains a good place to live as evidenced by good schools, high levels of community involvement, small family farms, low crime rates, clean air and water, open spaces and scenic vistas, abundant wildlife, and friendly people.
- Local governments in Carbon County are working in harmony with each other for the benefit of all county residents, especially in the areas of land use, services, and public infrastructure.
- Parts of the county in proximity to the Yellowstone County line will continue to be an attractive location for commuters working in the Billings metropolitan area.

The goals, objectives and implementation measures contained in the growth policy originated with the issues and vision identified by county residents. Each of the major issues raised by citizens – that the county is authorized to address – is embodied in one or more of the following goals and objectives. The goals, objectives, and implementation measures are for a five-year planning period. The implementation measures require a variety of actions on the part of the county. Some of the implementation measures will be ongoing during this planning period, some will extend beyond the five years, some of the measures will guide the county in responding to development applications, and some will require county- initiated actions.

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6 GOALS AND OBJECTIVES

Goals are the first step in achieving the vision, while the objectives are more specific statements explaining how the goals can be implemented. Implementation actions follow the objectives, and offer strategies designed to complete plan implementation.



Photo by Brian Ostwald

Goal 1. Land Use and Development

Encourage land uses that are appropriate on the lands for which they are proposed, consider and act upon new development proposals to the county in a consistent manner, and approve new development compatible with the retention of lands currently in agricultural production. (“Appropriate” in this case means that the land has the physical characteristics necessary to support the proposed use).

Objective 1.1: Ensure county subdivision and development permit regulations are in conformance with the Growth Policy and development occurs according to the conditions of County approval.

- 1.1.A. Revise subdivision regulations as needed to be in accordance with the Growth Policy.
- 1.1.B. Revise development regulations as needed to be in conformance with the Growth Policy.

- 1.1.C. Develop a system to track the approvals process to confirm that conditions of approval have been satisfied. Include costs to County for this work in final plat approval fees.

Objective 1.2: Increase understanding of present land use change trends and consequences. Develop factual information upon which to base regulations that will guide growth in a manner consistent with residents' vision for the future

- 1.2.A. Complete a build- out analysis to look at how development is presently occurring and will continue to occur without intervention.

- 1.2.B. Track the number of acres of agricultural land converted to residential natural resource developments. Report this number to the citizens of the county annually.

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- 1.2.C. Track the reported effects on agricultural lands, tourism, and wildlife associated with new residential and natural resource development including, infrastructure, property value, water, air, and soil impacts.

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- 1.2.D. Review process of family transfer exemptions to subdivision review and present proposals to address them.

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Objective 1.3: Assist farmers and ranchers who wish to continue using their lands for agricultural production.

- 1.3.A. Make resources available upon request to assist citizens in the development of local zoning districts (citizen-petition zoning.) (76-2- 101 MCA)
- 1.3.B. Revise the subdivision regulations to require that all subdivision covenants contain a statement clarifying that agricultural operations are exempt from governmental zoning and nuisance ordinances according to the right-to-farm statute (76-2-901, MCA), that developers notify owners of any existing water delivery ditches, pipelines, and facilities in the subdivision to assure unobstructed use and maintenance consistent with historic and legal rights., and that the subdivision plat shows on its face, water course easements to access, use, maintain and repair water user facilities.
- 1.3.C. Continue to make the Carbon County Code of the West (Resolution 05-20) available to realtors and new residents. (The code is posted on the county's website, www.co.carbon.mt.us.)
- 1.3.D. Continue to fund and support an active County weed control program which includes both education and regulation. Streamline the process to treat noxious weeds and recover costs when landowners do not treat their weeds. Continue to require weed inspections and bonding as necessary for any land use change and new development with fees to cover staff time for inspections.
- 1.3.E. Provide basic referral information in response to requests about conservation easements. The county has no funding, nor is it proposing the use of public monies, to purchase agricultural or conservation easements.

- 1.3.F. Protect private property rights while balancingBalance individual property rights with the rights of other property owners and community interests for the public health, safety and welfare of all citizens.

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Objective 1.4: Encourage development in areas that are not in agricultural production

- 1.4.A. As authorized by the state legislature in 2003, in 76-3-509 MCA, formulate and adopt regulations to encourage cluster development for those developments that meet the definitions.

Objective 1.5: Ensure direct County input into any proposal with the potential to cause large-scale impacts to land use, natural resources, or quality of life in the county.

- 1.5.A. Request information and briefings, hold public hearings, and actively respond to requests for comment by state and federal agencies proposing projects such as land exchanges, and large scale mineral or recreation development in the county.
- 1.5.B. Allow the Planning Board more involvement when significant archaeological or historical properties are affected a development, and when recommending impact mitigation to significant sites (listed on the National Register of Historic Places or determined eligible for listing).
- 1.5.C. Request that the Montana Department of Transportation provide information on how alternatives under consideration for state highway projects will affect existing residences and agricultural land.

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Objective 1.6: Encourage the voluntary preservation of open space and wildlife habitat in the county.

- 1.6.A. Encourage developers to dedicate to the property owners' association open space, wildlife habitat, and/ or riparian areas within or in close proximity to each major subdivision or development to comply with parkland requirements.
- 1.6.B. When revising the subdivision regulations, development regulations, incorporate a voluntary request that developers coordinate with the local Fish, Wildlife and Parks Bureau of Land Management, and Forest Service agencies early in the development process about design and mitigation of Biologist early in the subdivision development process about subdivision design, mitigation of impacts to wildlife and wildlife habitat, and public safety related to wildlife.

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- 1.6C Encourage developers to mitigate impacts to wildlife, recreation areas, and agriculture such as by closing water storage tanks and pits, cleaning spills, and keeping major migration corridors as open as possible.

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- 1.6D When considering changes in land use particularly energy development, consult with and follow recommendations for conservation of greater sage grouse and other wildlife species as outlined in Montana Sage Grouse habitat Conservation Program, Montana

Sage Grouse Habitat Conservation Map), Migratory Bird Treaty Act, and Bald and Golden Eagle Protection Act.

Objective 1.7: Direct urban growth to existing communities, incorporated towns and cities, or platted unincorporated places.

- 1.7.A. Explore the potential for future land use mapping in areas immediately adjacent to existing communities

1.7.B. Discourage urban growth within the wildland-urban interface.

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Objective 1.8: Cooperate across jurisdictional boundaries to discuss future projects and development approval processes, such as telecommunications towers, pipelines, electrical transmission, etc. Respond in a consistent manner to applications for the erection of telecommunications towers.

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- 1.8.A. Prepare and adopt a policy or ordinance which can be provided to developers ahead of time to guide the review of telecommunications towers applications and permits. The policy should encourage consideration of visual impacts and co-location to minimize the number of towers necessary.

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- 1.8.B. Prepare and adopt policies or ordinances, when appropriate, for all other development proposals that may involve other jurisdictions. Consider a telecommunications tower ordinance to accomplish the policy in 1.8.A.

Objective 1.9: Encourage and cooperate with other jurisdictions to upgrade existing residential housing and create new housing for existing and new county residents.

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Goal 2. Water Resources Management

Ensure that proposed land uses consider and disclose impacts to ground and surface water quality and availability.

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Objective 2.1: Increase knowledge about hydrological resources in the county.

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- 2.1.A. Continue to work with Montana Bureau of Mines and Geology to study ground water quantity on the East and West Benches of Rock Creek, and to research the effects of development on ground and surface water quantity and quality.
- 2.1.B. Seek grant funds and technical assistance to develop a data base for septic systems and wells. Include a septic system layer in any Geographical Information System that is implemented by the county.

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Objective 2.2: Require the development of public water and/or wastewater systems when necessary to protect water quality.

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- 2.2.A. Use the Montana Department of Environmental Quality's standards to determine the factors and thresholds to be considered when determining which developments will

require a public water supply and/or public wastewater system. Incorporate these into the subdivision regulations.

- 2.2.B. Request that best management practices be used in new development projects to mitigate impacts to water quality.

Objective 2.3: Require developers to disclose potential effects of development on ground and surface water resources.

- 2.3.A. Revise the subdivision and development regulations to require developers to identify, disclose and mitigate potential impacts to groundwater and surface water resources within a one-mile radius of the proposed development, or to disclose when the effects are unknown.

Objective 2.4: Assist unincorporated communities with ongoing maintenance, repair, or expansion of sewer and water infrastructure.

- 2.4.A. Encourage communities to use staff assistance and resources from the Beartooth Resource Conservation and Development Area (RC&D), the Local Government Center at MSU-Bozeman, and the Department of Commerce to assist in obtaining grant funds, and in capital planning and the development of rate structures.
- 2.4.B. Identify technical training needs county-wide and coordinate resources to offer training. Continue to apply for grant funds to assist in covering costs for training water and sewer facility operators.

Objective 2.5: Assist in protecting public and private drinking water supplies due to growth causing increased pressure on scarce drinking water resources.

- 2.5.A. Invite the Montana Department of Environment Quality to make a presentation to the county, local government public works directors, and unincorporated community's water system operators on developing wellhead protection plans.
- 2.5.B. Apply for grants and request assistance from MSU, MSU-Billings, Montana Tech, and Rocky Mountain College, to accomplish the preparation wellhead protection plans. (MCA 75-6-120, Wellhead and source water protection programs)

Objective 2.6: Continue to administer the floodplain program for unincorporated areas of Carbon County.

- 2.6.A. Revise the Carbon County Floodplain Ordinance to comply with updates to state and federal policy.
- 2.6.B. Coordinate with DNRC, Carbon Conservation District, and any other parties involved in the joint permitting process.
- 2.6.C. Consider stream development setbacks on a case by case basis.

2.6.D. Respond to federal floodplain regulations that affect the economic viability of both agricultural and residential development within the county.

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Goal 3. Financial Management and Public Services

Ensure that new development mitigates to a reasonable extent, increased costs or impacts to levels of services, and public facilities already provided to existing residents and landowners.

Objective 3.1: Ensure that both on-site and off-site costs associated with development are identified and borne by the appropriate party.

- 3.1.A. Perform an impact fee study to explore the feasibility and adoption of impact fees.
- 3.1.B. Meet when appropriate with industry representatives to discuss demands on infrastructure and services produced by company employees residing in the county and the means to assist the county in recovering associated costs.
- 3.1.C. Work with industry representatives as appropriate to coordinate transportation arrangements to minimize traffic and impacts to roads and bridges.
- 3.1.D. Identify and adopt incentives for development that minimize costs to the county.
- 3.1.E. Review, and as necessary, update planning and development review fees to cover costs including Growth Policy revision and updates.
- 3.1.F. Review, and as necessary, revise fees collected for weed field review and bonding, and fire protection review.

Objective 3.2: Ensure that County expenditures for emergency services are planned appropriately to provide maximum benefit for the funds expended.

- 3.2.A. Complete implementation of the rural addressing and Enhanced 911 systems.
- 3.2.B. Update the county Emergency Operations Plan to include continued training, necessary disclosure, and liability measures for the changing needs of the county as they come.
- 3.2.C. Compile and review statistics on emergency service requests and response times. From this information, develop standards for levels of service for fire protection, ambulance service, and law enforcement, throughout the county. Utilize the level of service standards to guide decisions on the investment of public funds in infrastructure, staffing, and equipment for the provision of emergency services.

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Objective 3.3: Ensure county expenditures for public facilities and services are planned appropriately to provide maximum benefit for the funds expended.

- 3.3.A. Prepare a capital improvements plan or needs assessment.
- 3.3.B. Review and revise as necessary the road policy on accepting private roads.

- 3.3.C. Complete a condition assessment for each county- owned building and develop a life cycle plan which identifies the projected annual expenditures for operation and maintenance.
- 3.3.D. Complete an inventory of the known county roads. Develop a road management plan which identifies the number of road miles needing county maintenance and/or rehabilitation and the frequency, by road miles. Develop a method for prioritizing road maintenance.
- 3.3.E. Continue updating road maintenance and snowplowing priorities maps.
- 3.3.F. Complete an inventory and condition assessment of the bridges for which the county is responsible. Continue to replace county bridges according to the schedule of priorities and availability of funds.
- 3.3.G. Assist sewer and water districts in capital improvement planning and structuring fees by providing resources and/or workshops available through MACo and the Department of Commerce.

Objective 3.4: Participate in economic development activities which benefit county residents and businesses, and that do not compromise current county economic development drivers, including agriculture, tourism, and outdoor recreation.

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- 3.4.A. Continue membership and active participation in the Beartooth RC&D. Utilize the RC&D staff to assist communities and businesses with locally-initiated projects.
- 3.4.B. Apply for grant funds from the State Department of Commerce and the Federal Economic Development Administration as opportunities become available, to construct and upgrade infrastructure in support of development consistent with the goals of this plan. Request and utilize technical assistance as the need arises to support economic development.
- 3.4.C. Examine case studies from other communities to determine how current business, tourism, recreation and agriculture may be supported or impacted by new development.

Objective 3.5: Involve county residents in economic development.

- 3.5.A. Consider “neighborhood planning” for sub-areas of the county to identify geography-specific development strategies.

Objective 3.6: Explore the feasibility of a County-wide reduction, re-purposing and recycling program.

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- 3.6.A. Invite recycling industry representatives to explore the logistical feasibility, economic feasibility, and level of interest for a county-wide reduction, re-purposing and recycling program.

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3.6.B Support countywide usage of existing recycling infrastructure in Carbon County including Red Lodge Recycling.

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Objective 3.7: Explore applications of tax increment financing districts in unincorporated county areas.

Objective 3.8: Continue to support current economic drivers such as agriculture, tourism and natural resource development.

Goal 4. Cooperation with Other Governments

Work cooperatively for the benefit of County residents with unincorporated communities, local governments in the county, and state and federal government agencies planning activities in the county that could affect Carbon County residents.

Objective 4.1: Direct development to existing communities.

- 4.1.A. Coordinate the review of subdivision and development permit applications within one mile of incorporated community boundaries, or in any cases where municipal services are being requested.
- 4.1.B. Organize a session for members of all planning boards or public works directors in the county to identify issues of mutual concern, and receive training.
- 4.1.C. Urge incorporated towns and cities to adopt annexation and extension of services plans that include county coordination.

Objective 4.2: Minimize unintentional consequences of local government policies with respect to development patterns.

- 4.2.A. Encourage infill to take advantage of existing services, facilities, and infrastructure by monitoring local government actions to ensure consistency between municipal and county policies where possible.
- 4.2.B. Maintain up-to-date subdivision and development permit regulations for use by the county and those communities without separate planning boards.

Objective 4.3: Continue to provide cost-effective services to residents for road maintenance and construction.

- 4.3.A. Communicate with MDT, the Forest Service, the Bureau of Land Management, and adjacent counties to discuss road projects, coordinate schedules, and look for efficiencies through working cooperatively.
- 4.3.B. Continue to work with MDT on the construction/ reconstruction projects on Highways 212, 212/310, 78, 72, and 310. Coordinate with MDT on residential development planning in the north end of the county for commuters to Billings that utilize Highway 212/310.

Objective 4.4: Promote the public health and safety through cooperation with the state and federal governments.

- 4.4.A. Continue to administer the Disaster Emergency Services program in the county. Utilize state funds and training to support county DES program.
- 4.4.B. Continue to work with the Forest Service to educate the public about dangers and challenges associated with the continued growth and building within the Wildland/Urban interface. Support rural departments applying for state and federal grant monies for staffing, training, and equipment. Update the Community Wildfire Protection Plan as necessary.
- 4.4.C. As appropriate, request the Montana Department of Transportation to conduct studies of traffic safety on highways in the county.
- 4.4.D. Coordinate to ensure proper access and approach to sensitive irrigated agricultural lands.

Goal 5. Natural and Environmental Resources

Develop the county’s natural resources balancing economic development with environmental responsibility **while preserving the existing agriculture, tourism, and outdoor recreation economies.**

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Objective 5.1: Leverage natural resource development to promote economic and community development.

- 5.1.A. Partner and communicate with oil, gas, wind, or other resource developers to identify and implement best practices for exploration and development.
- 5.1.B. Promote renewable resource development.

Objective 5.2: Promote policies and strategies to mitigate potential impacts without deterring natural resource development

- 5.2.A. Consider possible impact mitigation policies in the development regulations.
- 5.2.B. Attempt to coordinate with industry, landowners, and local leaders to promote “good neighbor” strategies.
- 5.2.C. Request developers seek baseline data on air, water, **and soil quality, and wildlife habitat** in areas of development to ensure environmental quality is maintained.

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5.2D Maintain access to public lands, unobstructed scenic views, and the right to a clean and healthful environment in Carbon County.

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5.2E Proposed development, particularly energy development, or changes in land use will consider impacts to greater sage grouse populations and habitat and follow guidelines and recommendations contained in the Montana Greater Sage Grouse Conservation Program, Executive Order 12-2015, and the Greater Sage Grouse Stewardship Act.



Photo by Brian Ostwald

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7 IMPLEMENTATION AND FRAMEWORK

The Implementation Framework provides actions and completion timeframes for action items that implement the vision and goals of the growth policy.

	<i>Task Description Summary</i>	<i>Completion Timeframe</i>
<i>Goal 1: Land Use and Development</i>	1.1.A. Revise subdivision regulations as necessary	Annually, Ongoing
	1.1.B. Revise development regulations as necessary	Ongoing
	1.1.C. Develop a system to track the approvals process	1 year
	1.2.A. Complete a build-out analysis	Periodically
	1.2.B. Track number of acres of agricultural land converted to residential <u>or natural resource</u> development	Ongoing
	1.2.C. Track the reported effects on agricultural lands, tourism, and wildlife associated with new residential and natural resource development including, infrastructure, property value, water, air, and soil impacts.	Ongoing
	1.2.D. Review process of family transfer exemptions to subdivision review and present proposals to address them	1 year
	1.3.A. Make resources available to assist residents with Part 2 zoning	Ongoing
	1.3.B. Revise the subdivision regulations	1 year
	1.3.C. Make the "Code of the West" available	Ongoing
	1.3.D. Fund and support an active County weed control program	Ongoing
	1.3.E. Provide referral information on conservation easements	Ongoing
	1.3.F. Balance individual property rights with the rights of other property owners and community interests for the public health, safety and welfare of all citizens. Protect private property rights while balancing individual rights	Ongoing
	1.4.A. Encourage cluster development	Ongoing
	1.5.A. Comment on state and federal undertakings	Ongoing
	1.5.B. Develop recommendations on historic preservation	5 years
1.5.C. <u>Coordination-Coordinate</u> with the Dept. of Transportation	Ongoing	
1.6.A. Encourage open space and habitat dedications for parkland requirements	1 year	

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1.6.B. Obtain input from Montana Fish, Wildlife and Parks, Bureau of Land Management, and Forest Service	Ongoing
1.6.C. Encourage developers to mitigate impacts to wildlife, recreation areas, and agriculture	Ongoing
1.6.D. Consult with and follow recommendations for conservation of greater sage grouse and other wildlife species as outlined in Montana Sage Grouse habitat Conservation Program, Montana Sage Grouse Habitat Conservation Map), Migratory Bird Treaty Act, and Bald and Golden Eagle Protection Act.	Ongoing
1.7.A. Explore potential for future land use mapping	5 years
1.7.B. Discourage urban growth within the wildland- urban interface.	Ongoing
1.8.A. Cooperate across jurisdictional boundaries to discuss future projects and development approval processes for all other development proposals that may involve other jurisdictions. Guide review of telecommunication towers	Ongoing
1.8.B. Consider telecommunications tower new policies and/or ordinances when appropriate	1 year Ongoing

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	Task Description Summary	Completion Timeframe
Goal 2: Water Resource Management	2.1.A. Compile and study groundwater science	2 years
	2.1.B. Seek grants for well and septic system data countywide	5 years
	2.2.A. Identify public water/sewer system thresholds	5 years
	2.2.B. Request best management practices in new development projects	Ongoing
	2.3.A. Revise subdivision regulations	1 year
	2.4.A. Aide in securing grants for capital projects	Ongoing
	2.4.B. Coordinate water/sewer training needs	Ongoing
	2.5.A. Invite Dept. of Environmental Quality to present on wellhead protection	2 years
	2.5.B. Apply for grants to complete wellhead protection projects	2 years
	2.6.A. Revise floodplain regulations to comply with state and federal policy updates	As needed

2.6.B. Coordinate with joint floodplain permitting agencies	Ongoing
2.6.C. Consider stream development setbacks	1 year

	<i>Task Description Summary</i>	<i>Completion Timeframe</i>
Goal 3: Financial Management and Public Services	3.1.A. Perform an impact fee study	1 year Ongoing
	3.1.B. Discuss demands on infrastructure with industry	Ongoing
	3.1.C. Coordinate with industry to mitigate transportation impacts	Ongoing
	3.1.D. Identify incentives that minimize county costs	1 year
	3.1.E. Review/update planning fees	An As needed
	3.1.F. Review/update weed and fire fees	As needed
	3.2.A. Complete rural addressing and E911 system	Ongoing
	3.2.B. Update the Emergency Operation and Pre-Disaster Mitigation Plans	As needed
	3.2.C. Develop level of service standards for emergency response services	1 year
	3.3.A. Prepare a Capital Improvements Plan/Needs assessment	5 years
	3.3.B. Review and revise private road policy	5 years
	3.3.C. Assess county-owned buildings	2 years
	3.3.D. Inventory known county roads	Ongoing
	3.3.E. Update county road maintenance priority map	Ongoing
	3.3.F. Inventory and assess bridges	Ongoing
	3.3.G. Pursue resources available from MACo and the MT DOC to complete water/sewer improvement projects	Ongoing
	3.4.A. Continue participation in Beartooth RC&D	Ongoing
	3.4.B. Apply for state/federal grants for infrastructure projects and technical assistance	Ongoing
	3.4.C. Examine case studies in new development	Ongoing
	3.5.A. Consider neighborhood planning	1 year
	3.6.A. Invite recycling industry reps to discuss recycling program feasibility	1 year
	<u>3.6.B. Support countywide usage of existing recycling infrastructure in Carbon County including Red Lodge Recycling.</u>	Ongoing

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Task Description Summary

Completion Timeframe

Goal 4: Cooperation with Other Governments	4.1.A. Coordinate subdivision and development permit application review within one mile of incorporated places	Ongoing
	4.1.B. Identify mutual areas of concern	Ongoing
	4.1.C. Encourage extension of services planning	1 year
	4.2.A. Encourage infill development	Ongoing
	4.2.B. Update and administer subdivision regs for unincorporated areas	1 year
	4.3.A. Communicate with other agencies regarding road projects	Ongoing
	4.3.B. Continue coordination with MDOT on all highway projects	Ongoing
	4.4.A. Utilize state funds to administer Disaster and Emergency Services program	Ongoing
	4.4.B. Coordinate with US Forest Service on wildfire danger	Ongoing
	4.4.C. Request MDOT traffic studies where appropriate	As needed
	4.4.D. Ensure proper access and approach to sensitive agricultural lands	Ongoing

	<i>Task Description Summary</i>	<i>Completion Timeframe</i>
Goal 5: Natural and Environmental Resources	5.1.A. Partner and communicate with developers to identify best practices	Ongoing
	5.1.B. Promote renewable energy development	Ongoing
	5.2.A. Consider impact mitigation policies	Ongoing
	5.2.B. Attempt to coordinate with industry, landowners and local leaders	Ongoing
	5.2.C. Request developers seek data on air, water and soil quality	Ongoing
	5.2.D. Maintain access to public lands, unobstructed scenic views, and the right to a clean and healthful environment in Carbon County.	Ongoing
	5.2.E. Consider impacts to greater sage grouse populations and habitat and follow guidelines and recommendations contained in the Montana Greater Sage Grouse Conservation Program, Executive Order 12-2015, and the Greater Sage Grouse Stewardship Act.	Ongoing

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Development Regulations

The county adopted the development permitting system in 1981 to manage any change in use from agricultural, residential, or recreational to commercial or industrial. The Development Regulations are adopted under MCA 76-2 Part 2 “County Zoning”.

Future updates to the development regulations should acknowledge potential impacts of new development to the public health, safety or welfare, and should allow for such impacts to be mitigated when necessary.

Subdivision Regulations

The review of subdivision and the regulations governing the review process affect the ability of the local government to achieve the growth policy’s goals. Since 1974, every county, city, and town has been required by state law to “adopt and provide for the enforcement and administration of subdivision regulations.” The governing bodies have also had the authority to review subdivisions for their compliance with master planning documents. **House Bill 543, passed by the 2001 state legislature and signed into law by the governor, now requires subdivision regulations be revised to be in accordance with the growth policy within one year of its adoption.**

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This section provides information on how the county will review subdivisions. It explains:

1. How the county defines the state’s review criteria,
2. How those criteria will be used to evaluate and make decisions on subdivisions, and
3. How public hearings will be conducted.

Criteria Definition

State law requires that subdivisions be reviewed for their effects on seven primary criteria: agriculture, agricultural water user facilities, local services, natural environment, wildlife, wildlife habitat, and public health and safety. This section clarifies how the county defines those criteria.

Agriculture: The use of the land for grazing and crop production to produce food, feed, and fiber commodities. Examples may include: cultivation and tillage of the soil; dairying; growing and harvesting of agricultural or horticultural commodities; and the raising of livestock, bees, fur-bearing animals, or poultry. This definition does not include concentrated animal feeding operations.

Agricultural water user facilities: Facilities that provide water for the production of agricultural products on agricultural land including, but not limited to ditches, canals, pipes, head gates, sprinkler systems, tanks, reservoir, ponds, or developed springs.

Local services: Any and all services or facilities local government is authorized to provide, such as water supply, sewage disposal, law enforcement, fire protection, transportation system, and educational system as well as services not provided by local government such as electricity, gas, telephone, and solid waste disposal.

Natural environment: Existing physical conditions relating to land, water, air, plant and animal life of an area and the interrelationship of those elements, such as soils, geology, topography, vegetation, surface water, ground water, aquifers, drainage patterns, recharge areas, climate, floodplains, noise, scenic resources, and objects of historic, prehistoric, cultural, or aesthetic significance.

Wildlife: Animals (e.g. mammals, birds, reptiles, fish), that are not domesticated, existing in their natural environment.

Wildlife habitat: Geographic areas containing physical or biological features essential to wildlife for breeding, rearing, nesting, and/or winter feeding and forage; and/or essential to the conservation of listed endangered and threatened species under the Endangered Species Act.

Public health and safety: A condition of optimal well-being, free from danger, risk, or injury for a community at large, or for all people, as well as for the welfare of a specific individual or a small class of persons.

Evaluation

The evaluation of the effect of the proposed subdivision on these seven criteria determines if there are significant unmitigated adverse impacts. Unmitigated adverse impacts are potential grounds for denial of a proposed subdivision. Below are examples of items considered in evaluating the impact of a proposed subdivision on the seven primary criteria. These examples do not necessarily reflect all potential items. Depending on the proposed subdivision, some of these items may not apply. In addition, some proposals may require evaluation of other factors not included in these examples to weigh the subdivision's effect on these criteria. It is the subdivider's responsibility to document proposed mitigation of any adverse impacts on these six criteria.

Effect on agriculture.

- Number of acres that would be removed from the production of crops or livestock.
- Acres of prime farmland (as defined by the USDA) that would be removed
- Effect on use of remainder and adjoining properties as farm or ranch land
- Potential conflicts between the proposed subdivision and adjacent agricultural operations, including:
 - Interference with movement of livestock or farm machinery
 - Maintenance of fences
 - Weed proliferation
 - Vandalism or theft
 - Harassment of livestock by pets or humans
- Other items to be considered include:
 - Effect on market value of surrounding land
 - Net effect on taxes resulting from additional services

Effect on agricultural water user facilities.

- Location and proximity to agricultural water user facilities
- Potential conflicts between facility users and subdivision residents, including:
 - Seeps, flooding, washouts
 - Obstructions and interference
 - Unintended uses (recreation or landscaping)
- Water rights

- Vehicular access to facility

Effect on local services.

- Increased demand on services and need to expand services
- Ability to provide services to subdivision, including:
 - Response times
 - Conditions of roads, bridges, and railroad crossings
 - Physical Barriers
- Provision of adequate local services and public facilities simultaneous or prior to onset of impact
- Any special or rural improvement districts that would obligate local government involvement fiscally or administratively

Effect on natural environment.

- Runoff reaching surface waters (e.g., streams, rivers or riparian areas)
- Impacts on ground water quantity and quality
- Impacts on air quality
- Impacts on scenic resources
- Impacts on historic, prehistoric, and cultural resources
- Noxious weeds
- Wetlands not covered under nationwide permits.

Effect on wildlife and wildlife habitat.

- Loss of significant, important and critical habitat, as defined by Montana Fish, Wildlife and Parks or the U.S. Fish and Wildlife Service.
- Impacts on significant, important and critical habitat including potential effects of:
 - Roads and traffic
 - Closure of existing operations and/or potential to provide new access to public lands
 - Effects of humans and pets on wildlife.

Effect on public health and safety.

- Creation of potential man-made hazards (e.g. unsafe road intersection, development in wildland urban interface fire areas).
- Natural hazards (e.g. wildfire, flooding, steep slopes).
- Existing potential man- made hazards (e.g. high pressure gas lines, lack of fire protection, cumulative impacts).
- Traffic safety.
- Emergency vehicle access.
- Emergency medical response time.
- Condition of road leading to proposed subdivision.
- Condition of bridges on road leading to proposed subdivision.
- Any other item that endangers public health and safety.

Public Hearing Procedures

A fundamental component of the subdivision review process is the opportunity for members of the public and interested groups to offer comments on the proposal. The opportunity to make comments in public is provided by the public hearing process. The Planning Board will also accept written comment received outside of the public hearing, but may set deadlines for the receipt of such comment. Under state law, the requirement to hold a public hearing does not apply to the first minor subdivision from a tract of record. A minor subdivision is defined as containing five or fewer lots.

The general steps for the public hearing, which is conducted by the Planning Board in Carbon County, are as follows:

1. Introduce public hearing.
2. Explain subdivision review procedure and decision criteria.
3. Planning Department staff report.
4. Applicant presentation.
5. Public testimony.
6. Close public hearing.

Court decisions have held that public meetings that extend late into the night are not really accessible to the general public. The meeting should be conducted so that those who want to speak for or against, or who seek additional information, will have an opportunity to do so while still providing a reasonable adjournment time.

The Planning Board Chair, who presides over the meeting, is responsible for setting the guidelines or methods for public comment. The Chair will review general guidelines prior to public comment, reminding the public of the criteria upon which the final decision must be made. Because each meeting is somewhat different, a standardized set of guidelines may not work in every case. Options to manage public discussion can include, but are not limited to, the following:

- Asking those who wish to speak to sign in, and use the list to call on speakers.
- Limiting the amount of time each person can speak.
- Allowing each person to speak only once until all have had an opportunity.
- Requesting individuals to address new issues only and not repeat what has already been addressed.

The planning board will vote on the subdivision application after the public hearing is adjourned. Their decision will be forwarded to the Board of County Commissioners as a formal recommendation.

Implementation and Amendment of the Growth Policy

Timetable for implementing the growth policy

The growth policy should be implemented according to the implementation measures listed under each goal and objective in the Implementation Framework.

A list of conditions that will lead to revision of the Growth Policy

To remain a useful tool for guiding land use development in the county, this growth policy will need to be periodically updated. The following conditions will trigger a revision of the growth policy.

- The passage of five years from adoption;
- Legislative changes which mandate significant additions, corrections, or amendments to the growth policy;
- Changed conditions including but not limited to litigation in Carbon County or elsewhere in Montana which sets legal precedent clearly contrary to stated goals, objectives and strategies in the County's growth policy.

A timetable for reviewing the growth policy

The Carbon County growth policy shall be revised at a minimum every five years from the most recent date of adoption. Review may occur more frequently than five years if one or more of the conditions that lead to a revision of the growth policy listed above occur. The County Planning Board shall be responsible for reviewing the growth policy and making recommendations for changes to the goals, objectives, and implementation measures.

Amending the Growth Policy

Amendment of the growth policy may occur as recommended by the County Planning Board. Triggers which could cause the County Planning Board to recommend amendment could include, but are not necessarily limited to; a determination that an issue was not adequately addressed in the growth policy or an issue arising which was not contemplated in the growth policy.

The process by which the growth policy will be amended is as follows;

1. An issue or deficiency is identified to the Planning Board by a member of the Planning Board, the Board of County Commissioners, the County Planner, or a local government member.
2. The Planning Board has oversight responsibility for language proposed for any amendments of the growth policy.
3. Prior to the submission of the proposed amendment to the governing body, the board shall give notice and hold a public hearing on the growth policy. At least 10 days prior to the date set for hearing, the board shall publish in a newspaper of general circulation in the jurisdictional area a notice of the time and place of the hearing.
4. The Planning Board conducts a public hearing on the proposed amendment and votes on whether to recommend that the Board of County Commissioners adopt the amendment.
5. Within 60 days of the vote of the Planning Board and not less than 30 days, the Board of County Commissioners votes to accept or reject the recommendation from the Planning Board.

Application for Growth Policy Amendment

Description of Amendment

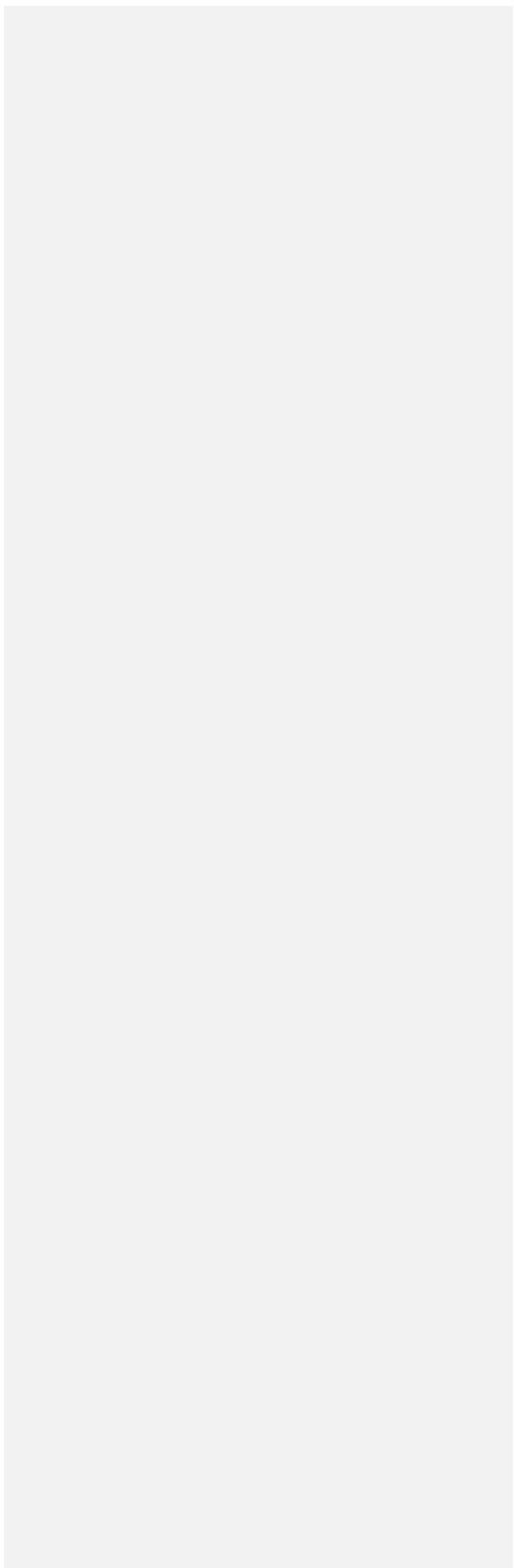
Elements of growth policy to be amended:

Summary of proposed amendment:

Provide or attach the following in a narrative format with any maps or drawings as needed. Please demonstrate:

How or where an error was made in the growth policy that requires an amendment to preserve a property right or to preserve equal protection under the law:

How or where conditions in the County have changed to a degree that requires an amendment to the growth policy:



How the amendment furthers the visions, goals, or objectives in the growth policy:

How the proposed amendment will provide clear, community benefit:

I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans, or any other information submitted as a part of this application, to be true, complete and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of the application signifies approval for Carbon County staff to take appropriate investigative action as part of the growth policy amendment process.

Applicant's Signature

Date