

Friends of Park County

P.O. Box 23, Pray, Montana 59065

Promoting thoughtfully planned growth in order to protect and enhance Park County's vibrant communities, sustainable working lands, and healthy natural resources.

Supplemental Testimony to the Livingston Planning Board On Development in the Extraterritorial Jurisdiction

Transmitted February 2, 2021 for the February 3, 2021 Meeting

- 1. The Planning Board should not use a broad brush land use designation to allow or recommend that most of the ETJ can be developed as ½ and 1-acre homesites.**

The fact that the Growth Policy is a recommendation and not a regulation does not answer the question about what those recommendations should be.

Similarly, the fact that the Growth Policies land use designations are meant to be “broad brush” designations that will allow a range of uses under future zoning, does not answer the question of what those land designations should be.

The Growth Policy and its land use designations should clearly express, not be at odds with the policy goals endorsed by the Planning Board.

If it wants agriculture and natural resources to be protected in the ETJ, which is what other policies in the draft Growth Policy, and the public comments call for, then you should reject a “recommendation” or a “broad brush land use designation” that explicitly “recommends” them.

- 2. The land use designation of “Agriculture/Very Low Density Residential” is self-contradictory and therefore must be replaced with an appropriate land use designation or designations that reflect a policy of protecting agricultural and natural resource lands and resources.**

It does not make sense to adopt a land use designation of “Agriculture/Very Low Density Residential” to express an intent to “protect and enhance agriculture: given that ranching or irrigated farming or pasturing does not take place on 1 acre of ½ acre lots with houses on them. In fact, ½ and 1-acre homesites consume agricultural land.

3. Other pairs of cities and counties (and townships) provide examples of effective planning, zoning and other policies and programs that avoid ringing a city with sprawl and protect agricultural lands. The Planning Board should consider these models.

There are examples of how cities and towns have cooperated with surrounding cities and counties to ensure compact and contiguous urban development and preventing subdivisions and residential development in agricultural lands around the city.

Some examples that may be of interest to the Planning Board come from states that, like Montana, do not require planning for compact growth and the protection agricultural lands, include Frankenmuth and Frankenmuth Township in Michigan, Winters and Yolo County in the Central Valley of California and Sioux Falls and Minnehaha and Lincoln Counties in South Dakota.

Friends of Park County does not necessarily endorse all the various elements in these joint planning and land regulation systems but believes these examples are useful and instructive as a starting point for Livingston and Park County.



The town of Frankenmuth and the surrounding Frankenmuth Township in Michigan have decades of experience in planning for the town's compact growth, planned and limited extension of urban services and the protection of surrounding agricultural lands through a combination of zoning and conservation easements. They even decided to share a common building for city hall and the township governing body and administrative staff.



Winters is a city about the same size as Livingston with a growing tourist industry, surrounded by agricultural land in Yolo County in California's Central Valley. As a result of the passage of a citizen initiative many years ago, the cities in Yolo County (including Woodland and Davis) have protected agricultural land and required compact, contiguous urban growth.

Excerpt from vision statement in County of Yolo Countywide 2030 General Plan (page VI-3):

The vision of Yolo County is to remain an area of active and productive farmland and open space. Both traditional and innovative agricultural practices will continue to flourish in the countryside, while accommodating the recreational and tourism needs of residents and visitors. Communities will be kept separated and individual through the use of working agricultural landscapes, while remaining connected by a network of riparian hiking trails, bike paths and transit. While more families will call the cities and towns home, they will live in compact neighborhoods that are friendly to pedestrians and bicyclists and are located within easy access to stores and work. Some limited new growth will be allowed and infill and more dense development within older developed areas will be encouraged, bringing improved infrastructure (e.g. roads, sewer, water, drainage) to rural small communities where service does not presently exist or is inadequate. By implementing this vision, Yolo County can grow and prosper in a way that reflects our unique values.



For decades, Sioux Falls, South Dakota has carefully limited the extension of urban services in order to ensure compact and contiguous development. Like Livingston, it enjoys the benefit of a shared “extraterritorial jurisdiction.” Like Frankenmuth, Michigan it has cooperated with adjoining Lincoln and Minnehaha Counties to protect surrounding agricultural lands through a combination of zoning and farmland easements. Growth through expansion of urban services occurs concurrently with annexation and is thoughtfully planned far in advance, by identifying sequential tiers of contiguous land for future urbanization based on availability or adequate future funding for urban services.

On the next page is an excerpt from the most recent plan update reaffirming policies to protect agricultural lands in the surrounding extraterritorial jurisdiction.



Sioux Falls Comprehensive Development Plan

September 2016

Minor Amendment August 2019

Excerpt from page 28 (highlighting added:

Rural Areas This is agricultural land beyond the future urbanized area and planned urbanized service area where the existing rural character is to be maintained.

Rural Area (Agricultural uses outside city growth area.)

The extraterritorial planning jurisdiction surrounding Sioux Falls contains vast areas of agricultural land on which urban development will not be desirable during the planning period. Both city residents and the rural community have a fundamental interest in preventing scattered and haphazard development patterns in outlying areas.

Rural area development policies should continue to be planned jointly by the City of Sioux Falls, Minnehaha County, and Lincoln County. In areas where development would result in problems which require extensive public and private expenditures to correct, existing and future property owners will be protected and governmental expenditures minimized by managing development in accordance with these policies.

[Link to Sioux Falls Comprehensive Planning Documents - 2019 update of 2016 Comprehensive Plan](https://www.siouxfalls.org/planning-dev/planning/comp-plan) <https://www.siouxfalls.org/planning-dev/planning/comp-plan>