

Friends of Park County

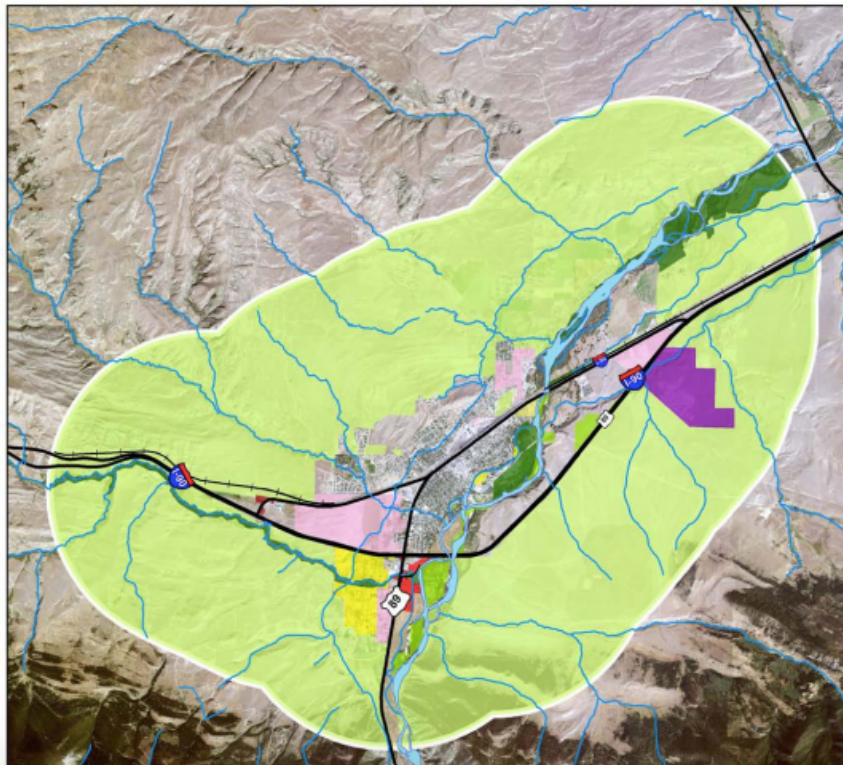
P.O. Box 23, Pray, Montana 59065

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

Suggestions for a Few Additional Improvements to the Draft Livingston Growth Policy. May 10, 2021

Adjust land use designations to limit city-type development to lands inside the city: Reserve lands outside the city limits for agriculture and other rural types of development.

Exhibit 2.9: Recommended Future Land Use Map



The circled land use designations were created to be implemented by city zoning. They make sense for future urban development inside the city limits. They don't fit the rural areas outside the city (the Extraterritorial Jurisdiction) as shown here in Exhibit 2.9, of Appendix A, the ETJ Plan.

The Planning Board made great strides in creating a consistent and coherent plan for compact growth, emphasizing infill and redevelopment and curbing sprawl in the Extra-territorial Jurisdiction (the 2-mile doughnut around the city.) This is most obvious in the Future Land Use designation of “Pastoral/Open Space” for most of the ETJ.

However, there are still hundreds of acres of land outside the city limits that could be zoned for urban-types of development under the Future Land Use Map designations shown in pink, red, yellow and purple. These designations are appropriate for development inside city limits, but not in the rural areas outside the city limits as shown below:

Should a compact growth strategy allow urban types of development on hundreds of acres of rural land outside the city limits?

Land Use Designation for lands outside City Limits (the same as inside the city limits):

Examples of what could be built outside city limits, in rural ETJ with zoning based on current land use designations:

Multifamily housing at 18 dwellings per acre, which is allowed under the “Medium Density” residential land use designation as defined in the Growth Policy.



“Office” “restaurant” “retail” and “residential” uses of any scale are allowed under “Mixed Use” land use designation as defined in the Growth Policy.

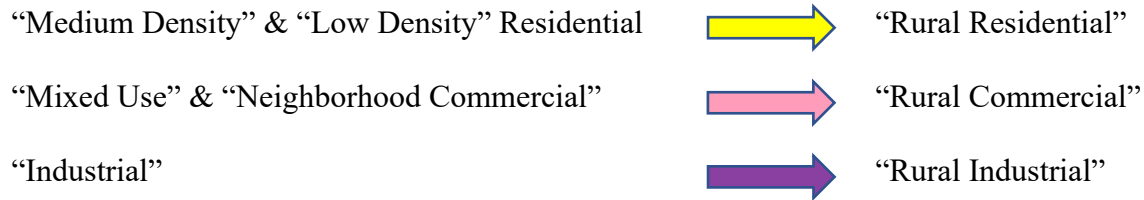


A power plant would fit “the Industrial” land use designation in the Growth Policy. (“Industrial” is no longer defined in Growth Policy.)



Three rural land use designations and three new sentences are all that is required as the basis for zoning that will keep urban development inside the city and not sprawling into rural areas outside the city.

This oversight can be remedied by replacing those urban land use designations with corresponding rural designations, which can be accomplished by changing and consolidating the land use designations into rural commercial, rural density residential and rural industrial:



Each of these designations need just a one-sentence definition. (We have provided examples in the attachment.)

Prevent highway commercial zoning from undermining downtown Livingston and making the entrance to Livingston another ugly commercial strip.

The freeway-oriented commercial development land use designation at the I-90 interchanges is a recipe for downtown-debilitating commercial sprawl at the still rural entrance to Livingston. The area in question is about 100 acres, roughly twice the size of downtown. The current zoning for this land is “Highway Commercial.” The Future Land Use Map designation is “Community Commercial.” We recommend reducing the area designated “Community Commercial” be limited to the Print For Less (PFL) parcels and the other parcels that are already developed.

Maintain this entrance to Livingston?



Or allow this to happen?



Making sure public facilities are consistent with your compact growth policy.

The Growth Policy should ensure that city (urban types of) services are not provided to serve rural uses, or that development outside the city limits forces the city to annex properties in order to ensure that the Yellowstone River or aquifers are not polluted or depleted. (The City has already done that for Green Acres and is now considering it for the Montague Road area.)

Conversely, the presence of urban facilities outside or adjacent to the city limits, should not justify and allow urban development in the rural area outside the city.

In the attachment we have offered some language for a new goal, objective and strategy that would do that.

Replace three words in Chapter 4 in order to better protect the Yellowstone River's natural features.

The revised draft Growth Policy has objectives and strategies in Chapter 4 "Natural Resources" about protecting water quality and the natural habitat of the Yellowstone River that are contradicted by other strategies in Chapter 6, "Economy."

Strategy 4.2.1.2: Monitor and discourage development as well as public uses in environmentally sensitive areas ident

Objective 4.3.2: Protect the riparian corridors to preserve unique wildlife and promote water quality.

Strategy 4.3.2.2: Protect the Yellowstone River's natural flow and flood cycles to promote the health of the riparian area and associated wildlife.

But Chapter 6 "Economy" contains this contradictory strategy:

Strategy 6.2.1.1: Explore improved access to the Yellowstone River recreation, such as riverfront parks, boat ramps, and islands while respecting and protecting the natural environment.

It can be made consistent with your conservation goals by substituting "Maintaining existing access" for "Explore improved access."

Change land use designations on in order to protect lives and property from flooding on Ninth Street Island, which is a FEMA designated "floodway."

Ninth Street Island, like other parts of Livingston has been flooded many times, including in 1996:



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A Yellowstone Newspaper

Vol. 81 No. 167 Livingston, Mont., Tuesday, June 11, 1996 - Fifty Cents

Island cut in two by flood

By JIM DAY
Enterprise Staff Writer

At about 11 a.m. Tuesday morning, the Yellowstone River inundated the area under the 1940 bridge that had been protecting much of the lower part of Ninth Street Island.

Water rushed across the road on the island, cutting into the asphalt-paved sidewalks as well as a nearby parking lot for mailmen, parked against the bridge's lower level.

Water rushed across the road on the island, cutting into the asphalt-paved sidewalks as well as a nearby parking lot for mailmen, parked against the bridge's lower level.

From the perspective above the bridge, you could see the rising water level in front of the slide house, pushing the water out of the rising flood.

"It's just a wall of water," said Robert Woodruff, a county road worker, standing after the slide collapsed.

The new channel across the island under the bridge forced the water into the river, and under road between Slide House and the river. The slide house was the only one of its kind in the area, and it was the only one of its kind in the area.

The slide house was the only one of its kind in the area, and it was the only one of its kind in the area.

Murder victim shot?

By FLOOD OVERWHELM

Presumably one victim in a gun shot wound may have been one of several dead victims that contributed to the cause of death in the murder of a Park County man.

But a shooting in a river, possibly a homicide, is the subject of a Park County investigation.

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Livingston Enterprise photo showing a person standing near a flooded area, possibly a bridge or road.



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A Yellowstone Newspaper

Vol. 84 No. 158 Livingston, Mont., Monday, June 10, 1996 - Fifty Cents

A river runs over it

Flood levels exceed 1974 and could get higher

By JIM DAY
Enterprise Staff Writer

Even Charles reached through the lower current during severe flood water of Livingston and pointed to the river, where the water was at the level of the river.

The water flowed over a ridge that is a sign of the river's rising level. The water flowed over a ridge that is a sign of the river's rising level.



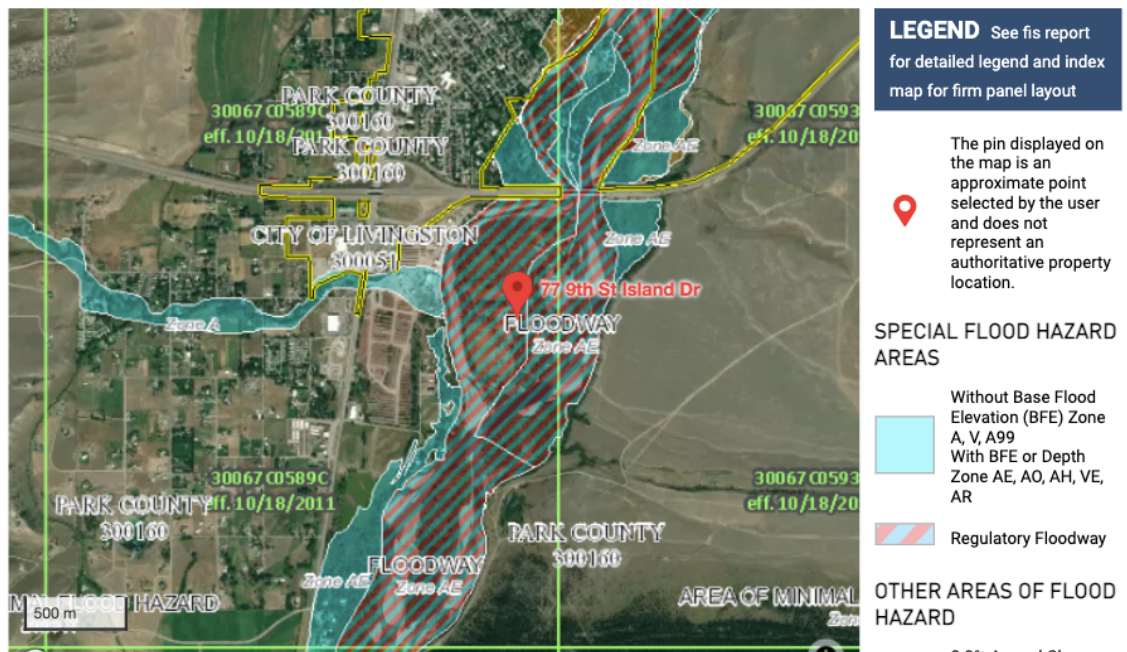
Enterprise photo by Jim Day

Workers try to keep up with rising waters

Volunteers needed to fill sandbags

It is not surprise Ninth Street Island is shown as being entirely in the floodway on FEMA maps:

FEMA Flood Map Report



There are only a few homes and businesses on the Island now. The Future Land Use Map designation, Very Low Density residential, allows 1 to 2 homes per acre. Zoning based on that land designation would allow for more than 100 more homes on the Island than now (assuming septic sewage disposal would be feasible.)

We recommend that a new “Flood Risk Resilience” land use designation be applied to the Ninth Street Island that limits the number of houses and other uses to what is there now, or perhaps allow for one house for every ten acres, which would allow the owners of the larger parcels one or two more houses each.

Attachments

Three Sentences to Achieve Consistency between Overall Compact Growth Policy and Future Land Use Designations outside the City Limits

“Mixed Use and Neighborhood Commercial,” a urban-oriented land use designation as defined on page 109 of the draft Growth Policy could be consolidated into the:

Rural Commercial land use designation allows for low-intensity, moderate scale, commercial retail and entertainment uses, buildings and services, that serve a high percentage of rural residents and visitors rather than providing urban scale commercial uses that belong inside the city limits.

“Medium Density Residential,” an urban-oriented land use designation as defined on page 109 of the draft Growth Policy could become:

The Rural Density land use designation provides for rural residential development and ancillary structures in the Extra-Territorial Jurisdiction at a maximum density of one home per 10 acres or one home per pre-existing ownerships smaller than 10 acres.

“Industrial” which currently has no definition in the revised draft Growth Policy, could become:

Rural Industrial designated lands are lands inside the Extra-Territorial Jurisdiction are used for the preliminary processing and storage of raw materials produced as part of rural resource extraction, such as the preliminary processing and storage of wood products, agricultural products or the processing and storage of rock into gravel.

Achieving Consistency Between Public Facilities and City Growth Policy

Draft language to achieve consistency between overall growth policy and public facilities:

NEW Goal 9.1. Maintain existing public facilities and provide new public facilities of the type, in the locations, financed and timed in ways that realize the overall growth policy for compact, contiguous growth and redevelopment.

NEW Objective 9.1.1. Use the timing and provision of new public facilities to promote infill and redevelopment and phase contiguous new Smart Growth development to achieve a traditional pattern of city growth that maintains the vitality of the downtown and existing neighborhoods.

NEW Strategy 9.1.1.1 Create infrastructure maintenance and improvement phasing plan based on an analysis of the city’s and its taxpayers’ fiscal capacity to pay for maintenance, operations, renovations and new public facilities, that is integrated with other compact growth policies and implementation steps including updating of city’s zoning.