

# MADISON COUNTY GROWTH POLICY

An Amendment of the  
Madison County Comprehensive Plan

Adopted September 2006

Drafted by the  
Madison County Planning Office and Planning Board

Revised and Adopted by the  
Madison County Board of Commissioners

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## **I. Purpose and Legal Authority**

In 1999, the Montana Legislature revised the city and county planning statutes to provide standards for the contents of local growth policies, or comprehensive plans. The purpose of this Update is threefold: (1) revise the Madison County Comprehensive Plan, 1999 Update to ensure that the Plan meets the standards of a Growth Policy, as outlined in 76-1-601, MCA; (2) keep the Plan current in its goals and recommended actions; and (3) provide more effective guidance on local decisions on growth, development, and conservation over the next 5-10 years.

## **II. County Goals and Objectives**

County Guiding Principles, Goals and Objectives remain unchanged from Chapter III., Madison County in the Year 2009: Our Vision. Public input on growth and the County's growth management efforts was solicited during the spring and summer of 2006, in a series of Community Conversations held in Big Sky, Ennis, Harrison, Sheridan, Twin Bridges, and Virginia City. The discussions reinforced the relevance and importance of the current "umbrella" guidelines, and they emphasized the need for a continuing effort to implement the goals, using a combination of growth management tools. Local citizens raised a number of issues common to the discussions that led up to the 1999 Comprehensive Plan Update. However, some new issues surfaced, and several "old" issues were discussed with a greater sense of urgency. Among the concerns expressed during the recent community discussions, were:

- Increased real estate values and limited housing supply have created a serious shortage of both rental and fee ownership housing opportunities for low and moderate-income residents.
- Our population is growing older, with young adults leaving and school enrollments in decline.
- Efforts to upgrade municipal services such as sewer and water are critical to future growth that makes efficient use of limited water supplies and reduces reliance on individual wells and septic systems.
- New development should be clustered. Most of the new development should occur close to existing towns.
- Planning for future growth should be better coordinated between the towns and the county.
- We have a lot of guidelines for how new development should occur, but the guidelines have no "teeth".
- Existing development regulations must be enforced, and the rules may need to be strengthened. Along with new rules should come incentives.
- We should expect new development to pay its own way.
- Efforts to help ranchers stay in business are important.
- We should continue our educational efforts aimed at helping citizens understand the impacts of development.

- Pros and cons of conservation easements.
- Pros and cons of zoning – in town, in other higher-density areas, and/or in the rural areas.
- Respect for private property rights is important, but community rights must also be respected.
- We need to put greater emphasis on open space, river corridor, and wildlife habitat protection.

See **APPENDIX A.** for a complete compilation of Public Meetings and Citizen Input, Spring-Summer 2006.

**III. Maps and Text Describing Madison County** (including information on land uses, population, housing needs, economic conditions, local services, public facilities, natural resources, and other characteristics)

Since the 1999 Plan Update was prepared, the 2000 Census has been completed. More current population, housing, income, and employment data have become available. A summary of this data is provided below. In addition, Madison County has progressed with its Geographic Information Systems (GIS) mapping program and obtained more complete land use data. Additional land use and natural resources information is also provided below, together with a fuller description of existing local services and public facilities.

**Population<sup>1</sup>**

	2005 Population Estimate	2000 Population	1990 Population	Percent Change, 1990-2000	Percent Change, 2000-2005
<b>Madison County</b>	7,274	6,851	5,989	14.4%	6.2%
Alder Area	N/A (not available)	116	N/A	N/A	N/A
Big Sky Area	N/A	188	N/A	N/A	N/A
Ennis	973	840	773	8.7%	15.8%
Harrison Area	N/A	162	N/A	N/A	N/A
Sheridan	689	659	652	1.1%	4.6%
Twin Bridges	418	400	374	7.0%	4.5%
Virginia City	135	130	142	-8.5%	3.8%

Data Sources: U.S. Bureau of the Census. Also, Census & Economic Information Center, MT Dept. of Commerce.

<sup>1</sup> The Census count of population refers only to persons who claim Madison County as their primary residence. It does not include seasonal residents.

## Housing

2000 Housing Data	Total Housing Units	Occupied Housing Units	Vacant Housing Units	Vacancy Rate		
				Owner	Rental	Seasonal or Recreational
<b>Madison Co.</b>	4,671	2,956	1,715	4.5%	10.8%	66.7%
Madison Valley (Census Tract 1)	2,115	1,101	1,014	3.9%	14.9%	74.1%
Twin Bridges-Harrison (Census Tract 2)	1,403	1,007	396	3.9%	7.4%	61.9%
Sheridan-Alder (Census Tract 3)	1,153	848	305	5.8%	7.9%	48.5%

Data Source: U.S. Bureau of the Census.

## Income and Employment

	<b>Madison County (2000)</b>	<b>Madison County (2004 or 2005)</b>	Percent Change	<b>Montana (2000)</b>	<b>Montana (2004 or 2005)</b>	Percent Change
Per Capita Income (2000-04)	\$19,702	\$24,715	25.4%	\$22,929	\$27,657	20.6%
Average Wage per Job (2000-04)	\$19,579	\$21,907	11.9%	\$24,084	\$27,721	15.1%
Unemployment Rate (2000-05)	4.0%	3.1%	-0.9%	4.9%	4.0%	-0.9%
Labor Force (2000-05)	4,018	4,110	2.3%	468,865	493,407	5.2%

Data Sources: Census and Economic Information Center, MT Dept. of Commerce. Also, MT Dept. of Labor and Industry – Research and Analysis Bureau.

## Land Use and Natural Resources

Since 1999, Madison County has gathered and mapped additional information regarding land use, development, and development suitability in various parts of the County. A buildout study was completed in the spring of 2001, to provide County officials with a clearer understanding of the existing development pattern and the potential for future development. The buildout study document, with

associated maps and charts, is available for review at the County Planning Office.<sup>2</sup> The study estimated that 34% of the 9911 parcels mapped include one or more “improvements”.<sup>3</sup> Less than 3% of the unimproved parcels are completely covered by one or more physical constraints to development.<sup>4</sup>

Land divisions occur in three major ways: (1) by filing a certificate of survey to create tracts of 160 acres or greater; (2) through the local subdivision process, to create tracts less than 160 acres in size; and (3) by creating tracts less than 160 acres for the purposes of family transfer<sup>5</sup>. Recent divisions of land into tracts less than 160 acres are summarized in Table 1.

Conservation easements have been widely used in Madison County, especially the Madison Valley, as a tool for voluntary land conservation and preservation of natural resources, productive agricultural lands, and wildlife habitat. Approximately 200,000 acres of privately owned land in Madison County are under conservation easement. Recent conservation easement activity is summarized in Table 2.

Roads and waterways, parcels and conservation easements, public/private land ownership, structures and wells in Madison County are among the land-based features that have been mapped (See Figures 1-5). Oversized maps of County data layers are available from the Madison County GIS Office.

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<sup>2</sup>The buildout study covered only those areas of the county for which two databases existed at the time: (1) parcel data from the Montana Department of Revenue; and (2) tax roll data. Big Sky was not included in the study, nor were the Silver Star, North Meadow Creek, and upper South Boulder areas.

<sup>3</sup>Most commonly, "improvement" means a residence, but it can also mean an agricultural building or commercial establishment. The buildout study characterized a parcel as "improved" even if there was only one improvement on a 640-acre section of ground.

<sup>4</sup>Physical constraints examined include riparian vegetation, high water table, high probability of flooding, and >25% slope.

<sup>5</sup> Montana State law allows a landowner to create and deed new tracts of land to immediate family members, as long as the purpose of such land transfers is not to evade the local subdivision review process.

**TABLE 1. Summary of Recent Land Division Activity  
(tracts <160 acres) in Madison County**

<b>Time Period</b>	<b># of Preliminary Plats and Family Transfers Approved</b>	<b>Lots, Condo Units, &amp; RV Spaces Created</b>	<b>Acres Divided</b>
<b>FY 1999-00</b> By Subdivision	19	338	5088 (4 projects included substantial open space commitments)
By Family Transfer	7	7	-----
<b>FY 2000-01</b> By Subdivision	18	260	764
By Family Transfer	3	3	-----
<b>FY 2001-02</b> By Subdivision	6	21	246
By Family Transfer	13	13	-----
<b>FY 2002-03</b> By Subdivision	12	218	637
By Family Transfer	15	15	-----
<b>FY 2003-04</b> By Subdivision	9	237	525
By Family Transfer	13	13	-----
<b>FY 2004-05</b> By Subdivision	6	241	1,035
By Family Transfer	18	18	-----
<b>FY 2005-06</b> By Subdivision	11	217	1,427
By Family Transfer	28	28	-----

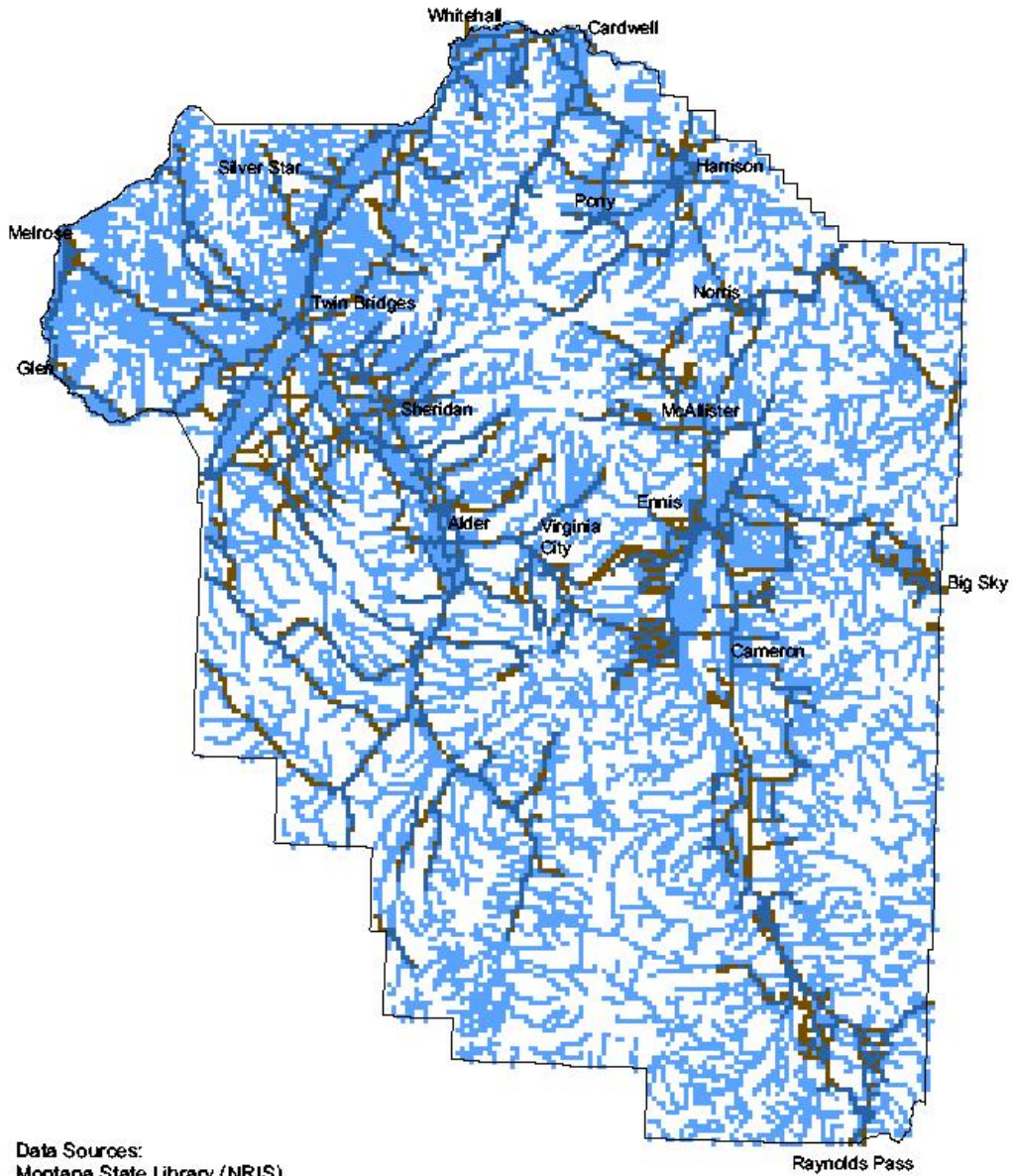
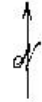
Sources: Madison County Clerk & Recorder's Office and Madison County Planning Office.

**TABLE 2. Summary of Recently Recorded Conservation Easements in Madison County**

<b>Area of County</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>TOTAL</b>
<b>Beaverhead Valley</b>							
<b>Big Hole Valley</b>			<b>1</b>				<b>1</b>
<b>Big Sky</b>	<b>1</b>						<b>1</b>
<b>Jefferson Valley (Twin Bridges – Harrison)</b>	<b>1</b>			<b>1</b>	<b>1</b>		<b>3</b>
<b>Madison Valley</b>	<b>4</b>	<b>2</b>	<b>4</b>	<b>5</b>	<b>2</b>	<b>7</b>	<b>24</b>
<b>Ruby Valley</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>14</b>
<b>TOTAL</b>	<b>9</b>	<b>5</b>	<b>6</b>	<b>9</b>	<b>6</b>	<b>8</b>	<b>43</b>

Sources: Madison County Clerk and Recorder's Office and Madison County Planning Office.

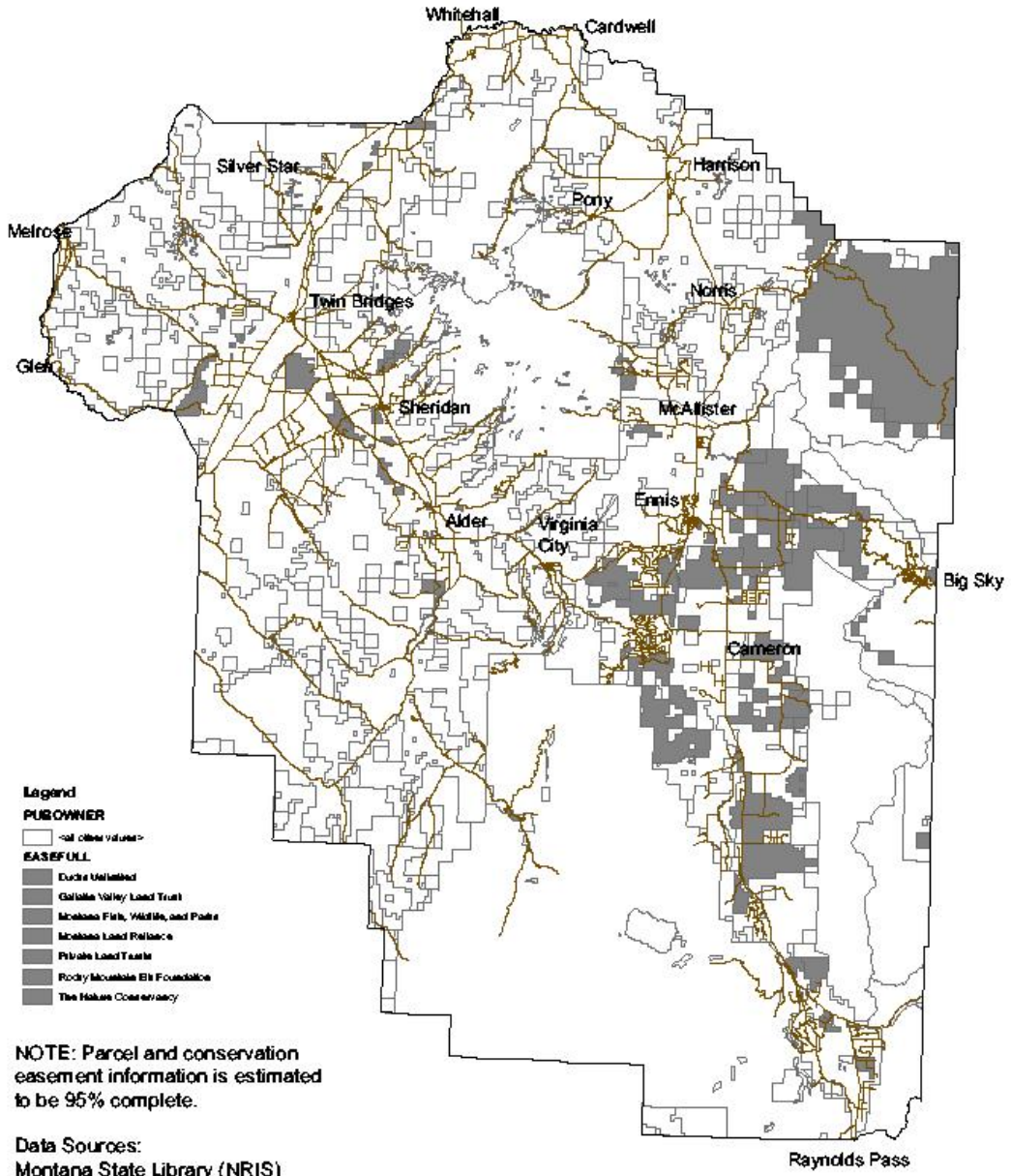
**Figure1. Madison County  
Roads, Waterways, and Towns**



Data Sources:  
Montana State Library (NRIS)  
Global Positions, LLC

Map prepared by Madison County GIS Office, 07/06

**Figure 2. Madison County  
Parcels and Conservation Easements**

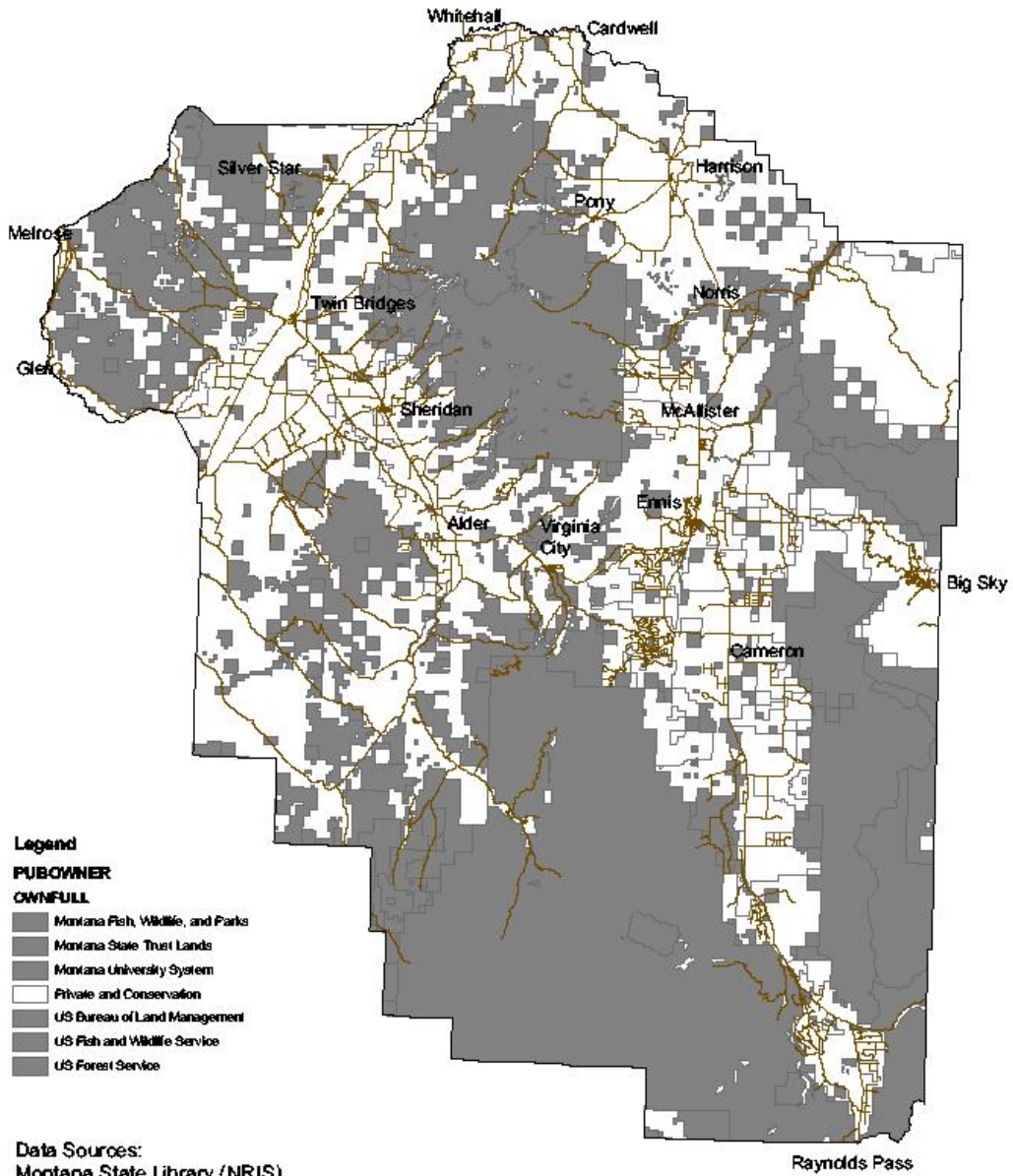


NOTE: Parcel and conservation easement information is estimated to be 95% complete.

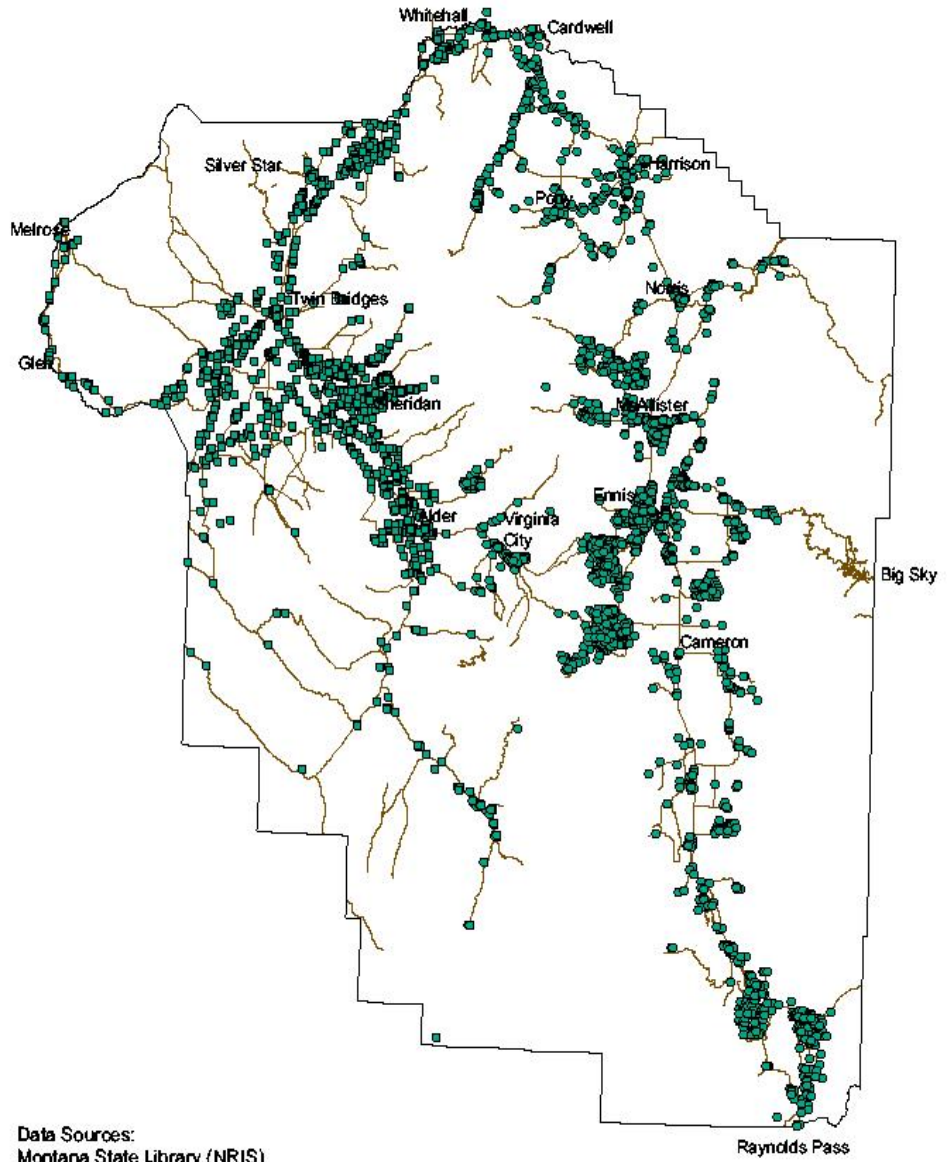
Data Sources:  
Montana State Library (NRIS)  
Global Positions, LLC

Map prepared by Madison County GIS Office, 07/06

**Figure 3. Madison County  
Public/Private Land Ownership**



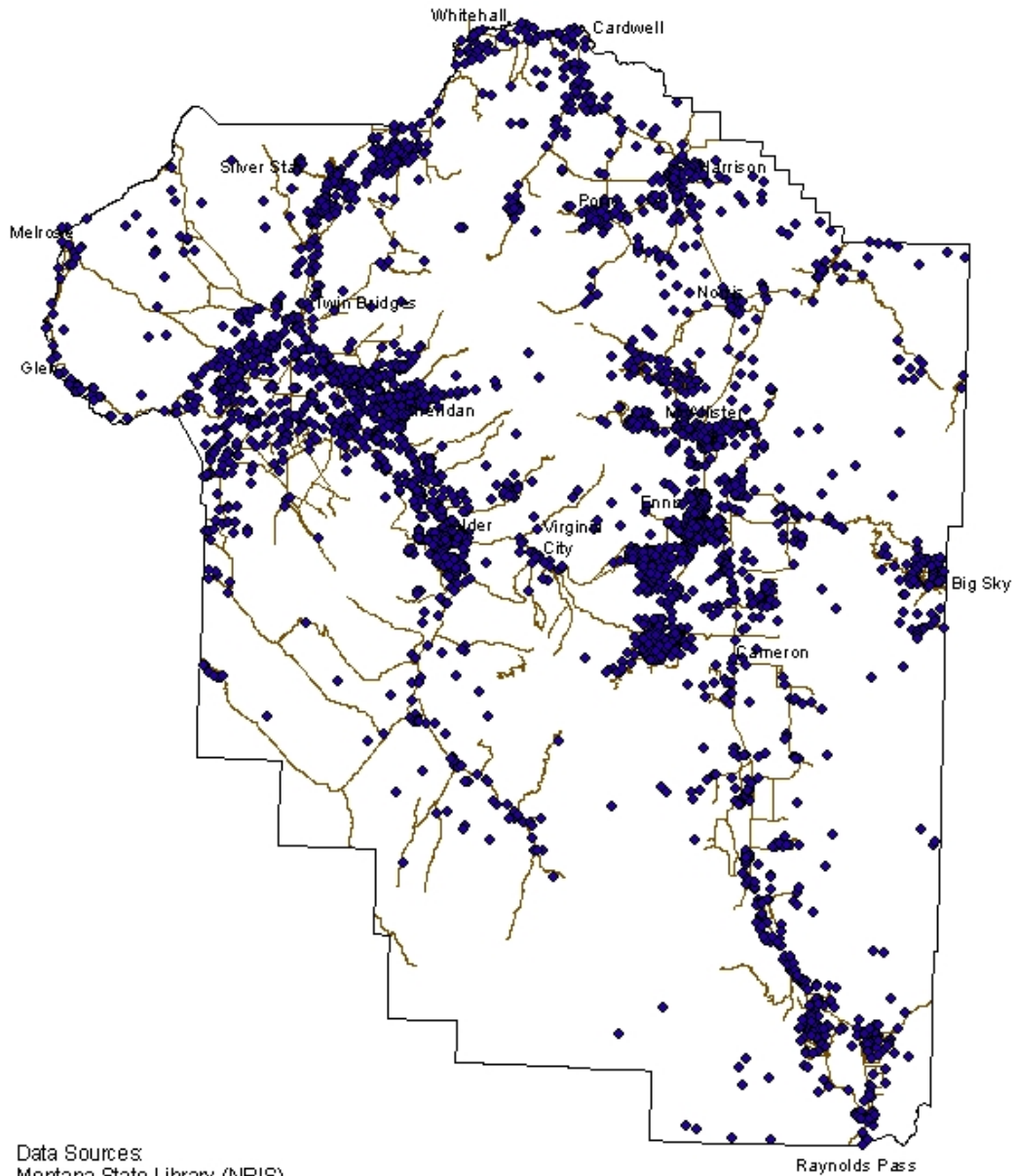
**Figure 4. Madison County Structures**



Data Sources:  
Montana State Library (NRIS)  
Global Positions, LLC

Map prepared by Madison County GIS Office, 07/06

**Figure 5. Madison County  
Wells**



Data Sources:  
Montana State Library (NRIS)  
Global Positions, LLC

Map prepared by Madison County GIS Office, 07/06

## **Local Services and Public Facilities**

Madison County residents and visitors depend upon local services provided by both public and private entities. Key service providers include:

- County Commissioners office
- County road department
- County law enforcement (includes 911, search and rescue)
- County sanitation/floodplain administration/solid waste management office
- County weed office
- County planning office
- County office of emergency management
- County GIS/IT office
- County grant writing office
- Two County nursing homes
- County public health program
- County fair board office
- County extension office
- County library (and three town libraries)
- County airport board
- County superintendent of schools and local school districts
- County clerk & recorder's office
- County treasurer's office
- County attorney, justice of peace, and clerk of court
- District court
- County juvenile probation and other social services programs
- County office of public assistance
- County appraisal/assessment office
- Local Emergency Planning Committee
- Other County personnel and citizen advisory boards
- Local fire districts and quick response units
- Two hospital districts
- Two ambulance service organizations
- Local conservation districts
- Utility companies
- Local municipalities
- Local sewer and water districts
- Local post offices
- Local chambers of commerce
- Big Sky Owners Association
- Various state and federal agencies

The public service providers listed above utilize and maintain a wide spectrum of public facilities in order to fulfill their respective duties. Public facilities are those buildings and grounds (e.g., courthouse, fairgrounds, nursing homes, solid waste

disposal sites), public works (e.g., roads and bridges, sewer and water systems), vehicles and equipment (e.g., patrol cars, road maintenance vehicles, weed spraying rigs, computers) that are publicly owned and operated to serve the citizens of Madison County.

## **IV. Projected Trends for the Life of the Growth Policy**

### **Population**

Growth rates in recent decades have ranged from 9% during the 1970s, to 10% in the 1980s, to 14.4% in the 1990s. Projections of population growth prepared at the time of the 2000 Census anticipated that Madison County would grow at a rate of 9% per decade, between 2000 and 2020. However, the County's estimated population growth between 2000 and 2005 is already 6.2%. The Town of Ennis has grown nearly 16% during the past five years, making it the 10<sup>th</sup> fastest growing town in the state. There is no indication that Madison County's rate of year-round population growth will slow down.

A variety of data sources suggest that seasonal residents will continue to play a significant role in Madison County's growth and development pattern. The 2000 Census described 67% of the vacant housing stock in Madison County as seasonal or recreational. The Sonoran Institute recently reported that, as an indicator of high seasonal population, 54% of Madison County's residential property owners list a permanent address outside of Madison County. And, new developments in the Big Sky resort community and the Madison Valley area remain tailored to buyers who are unlikely to make Madison County their primary residence. All such information suggests a continued influx of seasonal residents to Madison County.

Over the past decade, the local communities of Twin Bridges, Sheridan, Virginia City, Ennis, and Big Sky have stepped up their efforts to market the area for tourism and outdoor recreation opportunities. It is likely that the number of visitors to Madison County each year will also rise.

### **Housing**

The lack of affordable housing for Madison County's low and moderate income households has been consistently identified as a problem in recent need assessments conducted by local municipalities (in preparing their own growth policies) and the Headwaters Resource Conservation and Development District (in preparing a regional CEDS --Community Economic Development Strategy -- document). Only a limited amount of rental housing has been constructed, and home ownership has become unattainable for most young singles or couples. The demand for affordable housing is expected to grow more pressing in the next five years. In response, a Madison County Housing Needs Assessment and Five-Year Plan has been prepared and is hereby incorporated by reference into this growth policy, as **APPENDIX B**. The Plan aims at addressing current and

future needs for senior housing, rental housing, and expanded homeownership opportunities.

### **Income and Employment**

Like much of the Rocky Mountain West, Madison County is experiencing a transition from traditional resource-based industries to an increasing number and variety of services, including tourism and outdoor recreation. Expansion of the ski resort and golf course sectors at Big Sky will generate significant employment growth in the regional outdoor recreation industry for the foreseeable future. In addition, the construction industry has grown substantially, in light of the demand for new housing. Expansion of these industries has translated into more jobs and higher incomes for local residents. These economic trends are expected to continue into the next decade.

### **Land Use and Natural Resources**

A growth projection model recently developed by the Sonoran Institute depicts the trend in residential development for Madison County (See Figure 6). From 1995 to 2005, the number of homes increased by 41%. The projected growth rate between 2005 and 2015 is 27%. Projected growth between 2015 and 2025 is 22%.<sup>6</sup> The geographical distribution of this new growth is depicted in Figure 7.

These figures suggest a slow-down in overall development in the County. However, other data sources point to the likelihood that the 1995 to 2005 pace will continue, and even increase. An alternative forecast of 2005-2010 residential development by fire district is provided in Table 3. This forecast estimates an annual residential growth rate of 4%, which translates into a five-year residential growth rate of 23%.

For the past three decades, the Big Sky area has been a growth center in Madison County. Based on the County-approved master plans for four major developments (Boyne USA, Moonlight Basin Ranch, Spanish Peaks Resort, and Yellowstone Club), this resort community is clearly slated for continued growth.

Concerted efforts to both conserve and efficiently utilize natural resources will continue through this decade. Local watershed groups will finetune and implement their drought management plans, in an effort to maintain the health of both agriculture and fisheries. Monitoring water quality and addressing problem areas will remain a focus of local conservation districts. Madison County is on the priority list with the Montana Bureau of Mines and Geology, for a groundwater characterization study scheduled to begin in 2007. This study should help

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<sup>6</sup> Patty Gude, researcher who prepared the growth model for the Sonoran Institute, has indicated that the model offers a conservative prediction of growth for Madison County.

Figure 6.

COUNTY	1905	1915	1925	1935	1945	1955	1965	1975	1985	1995	2005	2015	2025
Madison	389	637	943	1074	1187	1386	1567	2075	2706	3527	4979	6320	7696

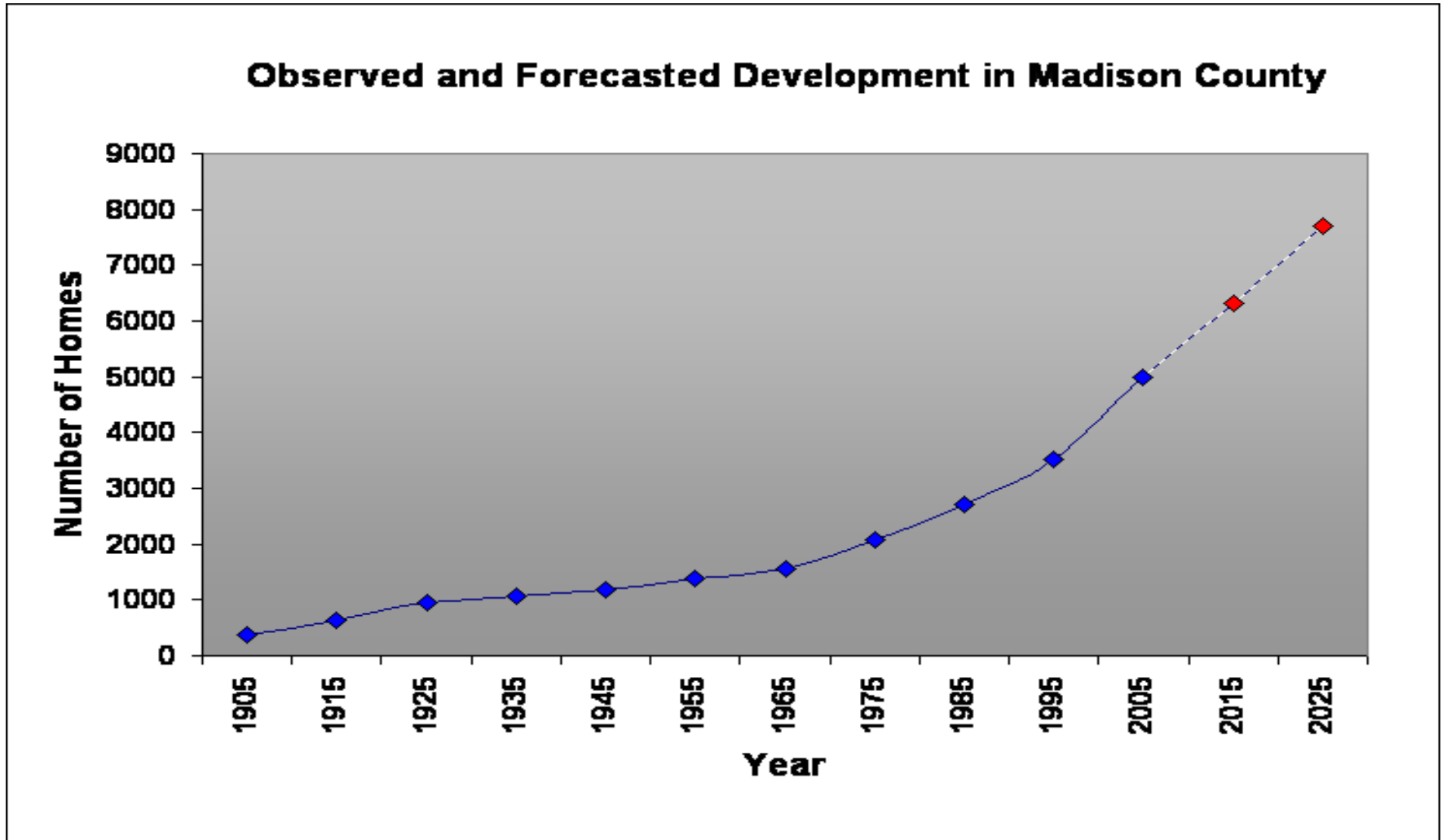
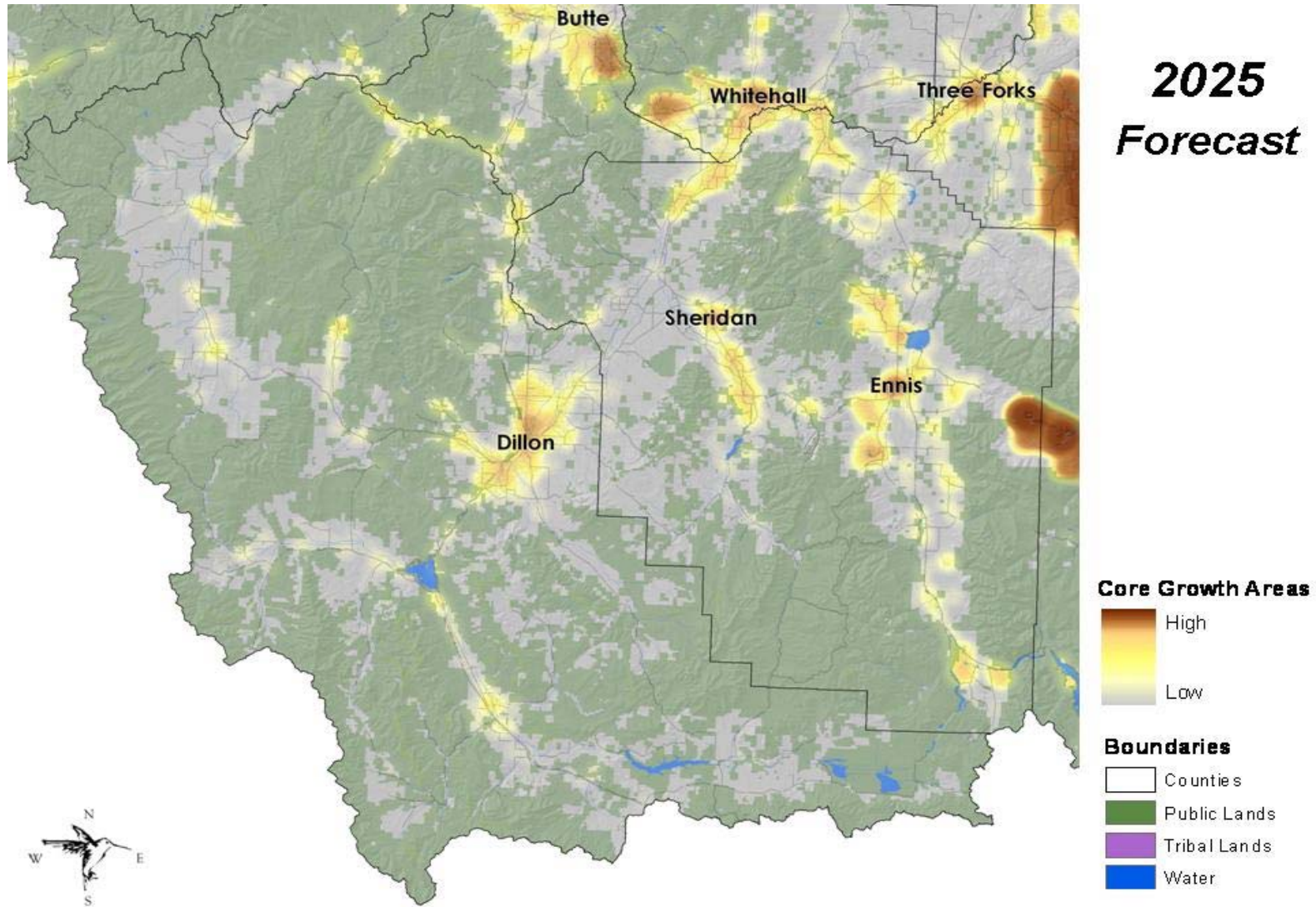


Figure 7.



**Table 3. Alternative Projection of Residential Growth**

<b>Fire District</b>	<b>2005</b>	<b>2010 Estimate</b>	<b>New Units</b>
<b>Alder</b>	208	248	40 – 3%
<b>Gallatin Canyon</b>	805	1155	350 – 29%
<b>Harrison</b>	405	455	50 – 4%
<b>Madison Valley</b>	1927	2382	455 – 37%
<b>Sheridan</b>	792	892	100 – 8%
<b>Twin Bridges</b>	667	742	75 – 6%
<b>Virginia City</b>	147	167	20 – 2%
<b>Whitehall</b>	100	125	25 – 2%
<b>Unassigned<sup>7</sup></b>	188	228	40 – 3%
<b>Unassigned<sup>8</sup></b>	25	100	75 – 6%
<b>TOTAL</b>	<b>5264</b>	<b>6494</b>	<b>1230 – 100%</b>

Data Sources: Madison County GIS databases (structures and fire district boundaries), Gallatin County GIS structures database (for Gallatin Canyon Consolidated Rural Fire District), and County Planning Office estimate of other Big Sky residential structures.

Projections were developed by the County Planning Office, based on: Annual septic permits issued by Madison County Sanitarian's Office, annual hookups to Big Sky Water and Sewer District, and County Planning Office estimate of Moonlight Basin Ranch/Yellowstone Club growth.

<sup>7</sup> Includes portions of upper South Boulder Valley, area around Virginia City FD, Glen/Melrose, and area east of Bear Trap Canyon.

<sup>8</sup> Other Big Sky residential structures.

County officials and landowners better understand the capacity of groundwater resources in different parts of the County to support growth.

In recent years, both public agencies and private citizens have become better informed about the environmental and economic threat posed by noxious weeds. Over the next 5-10 years, Madison County will continue to be an area where aggressive, cooperative actions by government and private landowners are taken to control spread and prevent new infestations.

While options for the purchase of conservation easements remain limited, a combination of PDR (purchase of development rights) and voluntary donations is expected to continue.

### **Local Services and Public Facilities**

Population growth generates greater demand for local services such as fire and police protection, ambulance and hospital services, utility connections, and education. As community cost-of-services studies have shown, growth does not always translate into sufficient tax revenue or user fees to meet the public service needs of the population. In Madison County, recent surveys of local emergency service providers have consistently identified a need for newer vehicles and equipment and, in some cases, additional personnel. Yet insufficient funds are available.

The demand for most local services comes not just from full-time permanent residents, but also from seasonal residents and visitors. Given the projections of continued population growth of all types, local service providers can expect to see greater demands for service. In many cases, lack of resources to meet the demands will continue to be a problem and offers the following challenges:

- A shortage of volunteers to fill out ambulance crews and firefighting teams may trigger the need for more paid emergency service personnel.
- Continued capital improvements planning by the County and other local service providers will promote cost-effective capital investments. Currently, the County is investigating the feasibility of establishing a development impact fee program, to cover the incremental capital costs of new development on specific local services (e.g., fire protection and law enforcement). A system of development impact fees could potentially assure that the required infrastructure is in place to support future growth.
- Local municipalities and the Big Sky community are steadily working on upgrading and/or expanding their sewer and water systems. Their aim is

threefold, to: (1) protect the environment; (2) provide adequate service to current users; and (3) be prepared to handle future growth within their service areas.

- Over the past few years, the Madison County Local Emergency Planning Committee has served effectively to channel both financial and technical assistance to local emergency service providers. LEPC efforts in the future will concentrate on communications, emergency preparedness, and public education and outreach.

## **V. Description of Policies, Regulations, and Other Plan Implementation Measures**

The policies outlined in Chapter IV. Land Development and Conservation/Utilization Policies remain unchanged. However, Chapter V., Special Planning Areas is updated to incorporate by reference the Growth Policies adopted by the towns of Ennis, Sheridan, Twin Bridges, and Virginia City. The Community Economic Development Strategy (CEDS) document for the Headwaters RC&D region is also incorporated by reference, as well as the more specific area plans, policy plans, and guideline documents that have been adopted as recent County Comprehensive Plan Amendments. These include:

- **APPENDIX C.** Madison County Capital Improvements Plan (plus amendments), 2001.
- **APPENDIX D.** Big Hole Watershed Land Use Plan, 2003.
- **APPENDIX E.** Madison County Pre-Disaster Mitigation Plan, 2003.
- **APPENDIX F.** Madison County Strategic Wildland Fire Plan, 2003.
- **APPENDIX G.** Madison County Resource Planning Guidance, 2004.
- **APPENDIX H.** Madison County Development Design Guidelines, 2005.

As mentioned earlier, the Madison County Housing Needs Assessment and Five-Year Plan is incorporated into the County Plan as **APPENDIX B**.

A status report of work completed, as per Chapter VI. Plan Implementation -- Recommended Actions, is provided as **APPENDIX I**.

Additional recommended actions are listed below. They include voluntary activities, regulations, and incentives. In some cases, the recommended efforts will be ongoing. For one-time projects, the estimated timeframe for completion is 5-10 years.

## **ADDITIONAL RECOMMENDED ACTIONS, 2006-2011:**

1. Work collaboratively to implement the Madison County Housing Needs Assessment and Five-Year Plan.
2. Work collaboratively to revise, adopt, and implement a Madison Valley Growth Management Action Plan.
3. Implement development impact fees, based on feasibility study recommendations.
4. Work with Big Sky landowners to explore the need for zoning and/or a development permit program. Expand County planning services to Big Sky, including maintaining a more frequent and regular presence.
5. Explore the possibility of instituting a development permit/building inspection program, whether voluntary or mandatory, in all or parts of the County.
6. Develop a menu of potential zoning districts and development standards that could be converted into ordinance format for application in different areas of the County. Topics to address include: ridgetop development, dark skies preservation, building setbacks along streams, urban/wildland interface, geotechnical issues, density limitations and density bonuses, transfer of development rights, entryway corridors, and clustered development.
7. In cooperation with the GIS/IT Office, track new construction (by number and location) and purchase visualization software (e.g., CommunityViz) to support local area planning processes. Utilize the County website more fully, to expand information and planning services to the public.
8. Encourage local municipalities to adopt annexation policies, and coordinate with them on the establishment of adequate public facilities ordinances.
9. Support efforts to compile and analyze groundwater characterization studies throughout the County. Explore the feasibility of developing a set of science-based local standards for water supply in new subdivisions.
10. Work collaboratively with other counties to achieve legislative reform that would tighten up the use of the family transfer exemption and minimize the potential for landowners to evade the Montana Subdivision and Platting Act.

## **VI. A Strategy for the Development, Maintenance, and Replacement of Public Infrastructure**

As referenced above, a Capital Improvements Plan for Madison County was completed in 2001 and has been updated twice since then. The Plan outlines the County's capital improvement needs, projects the County's financial capacity to address these needs, identifies potential sources of funding, and offers a set of management policies and financial strategies for meeting the County's most important needs using available resources.

An underlying premise of the CIP is that County capital investments should support the guiding principles, goals and objectives, and development policies of the Madison County Comprehensive Plan. Accordingly, the CIP has been used extensively to support an aggressive County bridge repair and replacement program. The CIP has also served as documentation of the need for Courthouse restoration and Courthouse expansion, including a new Law and Justice Center.

The CIP has helped Madison County officials secure additional funding to meet pressing capital needs. The CIP is reviewed periodically and, over time, should become a more direct part of the County's budget process.

## **VII. Plan Implementation Strategy**

The timetable for Plan implementation is extended another 5-10 years, from the schedule outlined in Chapter VII., Plan Implementation -- Timetable, Responsible Parties, and Funding Requirements. The additional activities reflected in this Growth Policy, including the Madison County Housing Needs Assessment and Five-Year Plan, are slated for implementation over the next 5-10 years.

Funding for Plan implementation is also revised from the 1999 Plan Update, to reflect the increased staff of the County Planning Office, the creation of a GIS coordinator position, and added demands for planning and local land use regulation. The overall budget for Plan implementation will be paced to correspond with increased subdivision fees, taxable valuation, and grant opportunities.

Conditions that will lead to further Plan revision are: (1) passage of time; (2) changes in state law; (3) significant changes in citizen values, local economy or local landscape; and/or (4) Planning Board evaluation of Plan implementation measures and progress, and determination that modifications would enhance the effectiveness of the Plan and improve the County's planning program.

The original timetable for Plan review and potential revision is outlined in Chapter VII., p. 52. The Madison County Planning Board and Planning Office will review

the Plan, as amended by this Growth Policy, at least once every five years and revise it as necessary.

### **VIII. Statement of How Madison County Will Coordinate and Cooperate with Other Jurisdictions**

Following a recommendation contained in Chapter VI. of the Plan (p. 39), the County Commissioners have established the Interagency Coordinating Group, composed of county officials as well as state and federal land managers. The Group meets quarterly and exchanges information about current and upcoming projects of mutual interest.

Another recommendation contained in the Plan has not yet been implemented, namely, an annual meeting with municipal officials and local service district representatives in Madison County (p. 40). This Growth Policy Update reaffirms the value of this recommended action, with a target date for holding the first such meeting during the 2006-07 fiscal year.

### **IX. Statement of How Madison County Will:**

- **Define the subdivision review criteria in 76-3-608(3)(a):**

The November 2000 Madison County Subdivision Regulations (as amended in September 2006) contain a discussion of the six criteria: (1) effect on agriculture; (2) effect on agricultural water user facilities; (3) effect on the natural environment; (4) effect on wildlife and wildlife habitat; (5) effect on local services; and (6) effect on public health and safety. The discussion is incorporated by reference into this growth policy as **APPENDIX J.**, along with a basic definition of terms.

The discussion questions associated with each of the subdivision review criteria are designed to identify whether or not a proposed subdivision is likely to trigger significant changes, whether or not these changes are positive or negative or neutral, and whether or not any negative impacts can be mitigated. These questions, in combination with definitions provided in Appendix A. of the Subdivision Regulations, serve to define the criteria. As funds become available and opportunities arise, it would be helpful to expand upon these definitions in two ways: (1) compile baseline data pertinent to each review criterion; and (2), through a public planning process, establish acceptable thresholds of change in each case.

- **Evaluate and make decisions regarding proposed subdivisions with respect to these criteria:**

At the time of pre-application, subdivision applicants are informed that their projects will be evaluated against the six review criteria (and several others, in accordance with state law). All subdivision applications must address these criteria to some degree; those that include an environmental assessment must consider them in more detail.

As a part of their evaluation of each proposed subdivision, the Madison County Commissioners, Planning Board, and Planning staff consider these review criteria. The Planning staff's written report on each proposed subdivision includes a discussion of each review criterion, followed by a set of recommended Findings of Fact which provide a conclusive statement about each criterion. The Planning Board's written recommendations to the County Commissioners do likewise. And the County Commissioners' written decision on each plat outlines, criterion by criterion, both a discussion and a concluding Finding of Fact. In addition, the County Commissioners provide the subdivider with a written statutory and regulatory justification for their subdivision decision.

In cases where a proposed subdivision is deemed likely to generate negative effects, the County Commissioners' written decision on the project reflects whether or not the impacts can be mitigated and, if so, how. Methods of mitigation are expressed as preliminary plat approval conditions which must be met before final plat approval can be granted.

A subdivision application may be exempted from being evaluated against the six review criteria, as outlined in state law.

## **X. Statement of How Public Hearings on Proposed Subdivisions Will Be Conducted**

Public hearings on proposed subdivisions are conducted according to the following procedures:

- Planning Board President opens the public hearing.
- Planner provides a summary of the subdivision application and staff report.
- Subdivision applicant is given an opportunity to make comments.
- Planning Board members are given an opportunity to ask clarifying questions of the subdivision applicant and Planning staff.
- Members of the public have an opportunity to make comments.<sup>9</sup>

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<sup>9</sup>Public comments may be made either verbally or in writing. Written comments must be submitted to the Planning Board by the close of the public hearing.

- Planning Board discussion takes place.
- If Planning Board members feel prepared to make a decision on the project, they vote to recommend project approval, conditional approval, or denial.
- If Planning Board members feel they need more information or time to consider the project before voting, or if the subdivision applicant wishes to modify the project and bring a revised proposal back to the Planning Board, or if the public hearing has gone on more than two hours and there are still citizens who haven't had a chance to testify, the Planning Board may opt to extend the public hearing in accordance with the review time requirements outlined in state law.
- Once all public comments have been received within the allowable timeframe, and once the Planning Board has taken its vote, the Planning Board President closes the public hearing.

## APPENDICES<sup>10</sup>

- **APPENDIX A.** Summary of Public Meetings and Citizen Input, Spring-Summer 2006. [Attached]
- **APPENDIX B.** Madison County Housing Needs Assessment and Five-Year Plan.
- **APPENDIX C.** Madison County Capital Improvements Plan (plus amendments), 2001.
- **APPENDIX D.** Big Hole Watershed Land Use Plan, 2003.
- **APPENDIX E.** Madison County Pre-Disaster Mitigation Plan, 2003.
- **APPENDIX F.** Madison County Strategic Wildland Fire Plan, 2003.
- **APPENDIX G.** Madison County Resource Planning Guidance, 2004.
- **APPENDIX H.** Madison County Development Design Guidelines, 2005.
- **APPENDIX I.** Recommended Implementation Actions: A Status Report – April 2006. [Attached]
- **APPENDIX J.** Definition of Subdivision Review Criteria. [Attached]

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<sup>10</sup> Incorporated by reference. Non-attached appendices are available from the Madison County Planning Office.

## **APPENDIX A. Summary of Public Meetings and Citizen Input, Spring-Summer 2006**

In April-July 2006, the Madison County Planning Board and Planning Office conducted Community Conversations in Big Sky, Ennis, Harrison, Sheridan, Twin Bridges, and Virginia City. The discussions were co-sponsored in several cases by local community groups (e.g., Ruby Watershed Council, Twin Bridges Rotary Club).

Planning staff presented a PowerPoint overview of past, current, and future growth in Madison County and a 31-county region of Montana. The PowerPoint also highlighted progress made on implementing the Madison County Comprehensive Plan, 1999 Update.

Planning staff then facilitated discussions about citizen attitudes towards growth and change, as well as citizen opinions and suggestions about Madison County's growth management efforts. A "report card" was distributed, so that citizens could more privately provide feedback.

The compilation of citizen input is attached.

ATTACHMENTS: Citizen input from meetings held at...

- Big Sky
- Ennis<sup>11</sup>
- Harrison
- Sheridan
- Twin Bridges
- Virginia City

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<sup>11</sup> The Madison Growth Solutions citizens-based planning process included a year-long series of community discussions about growth in the Madison Valley. Extensive citizen input has been incorporated into a proposed Madison Valley Growth Management Action Plan. Included here in Appendix A. is simply the "report card" results from one particular MGS-sponsored Growth Forum.

## **Citizen Ideas and Recommendations: Growth Policy/Housing Meeting in Big Sky on June 29<sup>th</sup>, 2006**

### **What changes have you seen in the area in the past eight years? What role should the County play? Citizen Ideas and Comments**

- Scenic beauty has attracted development.
- Concerns about open space and viewshed.
- Maybe need more regulations, maybe zoning?
- Area is losing its natural character and charm.
- Need managed growth to retain character.
- Small town atmosphere is important.
- Concerns about helicopter traffic in Big Sky.
- Number of available SFE's determines densities to a certain degree.
- Concerns with 'Gated Communities.'
- What are the needs for zoning in Big Sky?
  - Need to hear this from the community.
- Densities in Big Sky are pretty well defined with Overall Development Plans.
- Concerns about large scale neon-lighted billboards and signs. Could limit this with zoning.
- Zoning could help define building and land use.
- DEQ approves water and sanitation on lots smaller than 20 acres.
- DEQ often approves applications without consulting with Big Sky Water and Sewer.
- County should notify DEQ about alerting Big Sky Water and Sewer of development.
- County can comment to DEQ about consulting with Big Sky Water and Sewer.
- Should there be a separate review fee for subdivisions by the Big Sky Water and Sewer District?

- Possibly, but some property is located outside of the district.
- Could institute a separate Big Sky Water and Sewer review.
- No building permits for residential condominiums.
- Larger projects should have building permit projects through the state.
- Is there a way for the County to help facilitate change?
  - Yes, there are two types of zoning and it can be specific to an area.
- Issues with buildings being left uncompleted.
- Need bond or cash deposit to ensure projects are completed.
- High cost of housing/living is an area of concern. This should be a top priority.
- Madison County is very diverse. How do we address specific area planning?

- Planning is encouraged on a site basis and County can assist with this.
- There are several avenues for area planning in Big Sky.
- Big Sky provides 37% of Madison County's tax base.
- About 59% of this revenue goes directly to education.
- The total tax base of Madison County is approximately \$17 million.
- About \$10 million is currently going to education.
- County Revenues allocated to Roads: \$539,000; Fire: \$200,000; Law Enforcement: Madison County pays Gallatin County \$187,000 for law enforcement in Big Sky.
- Big Sky provides lots of tax base perhaps without commensurate services.
- Madison County is planning to conduct a feasibility study for providing more County services in Big Sky.
- Madison County is perceived as fair and responsive.

*BIG SKY MEETING*  
HOW ARE WE DOING? SHOULD WE DO MORE? LESS?  
WHAT SHOULD WE DO DIFFERENTLY?

**This is YOUR chance to rate the Madison County Planning Program.**

**Primary Responsible Parties:**

- Madison County Planning Office (Director, Planner I, Planning Assistant)
- Madison County Planning Board (11 volunteers from around the County)
- Madison County Commissioners (3 elected officials)

**Major Activities:**

- Review and action on proposed subdivisions of land
- Enforcement of conditions of subdivision approval
- Review and action on subdivision exemptions (e.g., boundary adjustments, family conveyances, etc.)
- Implementation of the Madison County Comprehensive Plan (Growth Policy)
- Public information regarding growth and development in the County
- Distribution of Code of the New West and development design guidelines
- Review of voluntary conservation easements
- Technical support to citizens engaged in planning activities (e.g., Madison Growth Solutions process, local watershed committees, Madison County Housing Task Force, Local Emergency Planning Committee)
- Periodic technical support to incorporated towns on growth and development issues
- Exploration of tools for managing growth (e.g., development impact fees, zoning, incentives, capital improvements planning)

1. What part of Madison County do you live in? Spanish Peaks, Big Sky (Moonlight Basin Ranch), Big Sky (Gallatin County), Big Sky (Gallatin County), Big Sky (Gallatin County), Big Sky (Gallatin County), Four Corners (Bozeman area).

2. Is Madison County your primary residence?  Yes  No

3. How satisfied are you with the growth and changes in your local area, over the past ten years?

0 Very Satisfied  5 Satisfied  2 Not Satisfied  0 Very Unsatisfied

4. What do you like **the most** about the recent growth and changes?

- More people, life, vitality, and quality.
- My job depends on growth.
- Improved opportunities and exposure.
- It has created more opportunities for us.
- Bringing more business opportunities for year-round residents.
- Too much too fast.
- The community's effort to keep building in line with the environment- Ex. Down lighting for dark skies.

5. What do you like **the least** about the recent growth and changes?

- Lots of questionable and shabby development.
- We live in Madison County, but it takes 2+ hours to reach the county seat. Should develop a road directly to Ennis from Big Sky.
- Affordable housing has been swept under the carpet.
- High expectations/ uneducated new populous.
- I believe, without overbearing regulations, some developers have taken advantage of the situation in Madison County.
- Not enough regulation and zoning.
- Seemed unchecked too much of the time.
- Feel like most big changes are not made with voices of local residents- rather from the point of large corporations or developers.

6. What would you like to see happen in your local area, with respect to **future** growth and change?

- Develop road connecting Big Sky with Ennis and rest of county. It will be a significant growth factor for the county in total.
- More consideration for middle class affordability.
- Better planning- you're on the right track.
- More people take responsibility for their actions and at least consider the impact on the area.
- Future growth- more calculated with respect to employee housing and bigger picture planning.
- Affordable housing so this is not just a community of 'haves'.

7. How well do you feel Madison County officials have guided the growth?

1 Very Well  2 Well  4 So-So  0 Not Well  0 Poorly

8. What **3 suggestions** do you have for improving the Madison County Planning Program?

- (1) Look at transportation avenues- appears to be lacking in present planning.  
More public, online resources.  
Give Doris Fischer a raise- she is a real resource!  
It would be helpful if more information could be made available via the Internet (tax information, mapping, etc.--see Gallatin County website).  
Consider employee/attainable housing.  
Look at county-initiated zoning.  
Some sort of zoning requirements for high density areas of county.
- (2) Should make more use of sales tax for growth requiring revenue. Visitors and nonresidents are not paying their share compared to other states.  
Branch office closer than Virginia City.  
Hold big developers to a phased growth schedule.  
Someday, a presence in Big Sky through a satellite office.  
Consider zoning regulations.  
Permits process of some sort.  
Housing that is affordable for local workers.
- (3) Better communication within county.  
Keep Doris on board.  
Consider mapping- GIS.  
Temporary staff person in Big Sky one day per week.  
More attention to fire prevention.

*ENNIS MEETING*  
HOW ARE WE DOING? SHOULD WE DO MORE? LESS?  
WHAT SHOULD WE DO DIFFERENTLY?

**[31 responses returned]**

1. What part of Madison County do you live in?

- N. Meadow Creek (3)
- Shining Mountain Loop Road
- South end of Madison Valley
- Madison Valley
- 10 miles east, base of mountain
- Ennis (5)
- Property in Shining Mountains.
- Varney (2), Fish Hatchery
- Twin Bridges
- Sheridan
- West-Twin Bridges
- Ruby Valley
  
- Big Sky
- I have property in Shining Mountain. I live in Gallatin County
- Outside—Gallatin County (2)
- County
- VC Ranches
- McAllister (2)
- None
- Outside Madison County
- Harrison area
- Pony

2. How satisfied are you with the growth and changes in your local area, over the past ten years?

Very Satisfied      9 Satisfied      14 Not Satisfied      5 Very Unsatisfied

3. What do you like **the most** about the recent growth and changes?

- Nothing (2)
- Having a Planning Board to watch over growth
- Citizen input
- Increased support for school
- Better quality of roads in new subdivisions; better quality of homes
- We have not had growth in T.B.—we need some
- Support of economy
- Added employment
- Sale of large ranches which have remained intact as working ranches
- I like that we are taking the initiative to make positive changes and grow like Aspen, Boulder or Jackson. Bozeman has no growth pattern.
- Improved economy and services
- Better food (restaurants) not Madison Foods
- New people coming into the area
- Interesting people
- The \_\_\_\_\_? [hesitation/legitation?] and public forums
- It has stimulated the public to become involved in growth planning, witness Madison Growth Solutions & the public forums being held. Bring it on!
- Planner and planning board are sincere about maintaining shared values.
- Increased service demands = jobs.
- That Madison County is seeing the changes coming and doing something.
- The subdivision, Hollow Top seems to offer good homesites near highway and close to Harrison.
- There has been not change! That's the problem. (Pony)
- Good people moving here.

4. What do you like **the least** about the recent growth and changes?

- People wanting to change our way of life
- Not managed—no zoning/planning or at least not enough
- Changes that just ‘happen’
- Unregulated (2)
- Sprawl and growth in Jack Cr.
- The impact of the very wealthy on our wildlife and tradition
- Sprawl
- People wanting to change everything
- The potential negative impact to wildlife & the values of the people who live here year round
- Is water being fully considered? Also, once rules set, must stay the same.
- Price escalation—lack of affordable housing; Subdivision of ranches
- Loss of open space, loss of wildlife habitat, traffic con.
- More people, houses, river pressure.
- Sporadic development; unregulated density areas
- It has not led to economic growth or development other than the construction industry which is building homes for the newcomers.
- Clutter, congestion, traffic
- Lack of rules and regulations
- Outrageous property prices. Nearly impossible to own as a young family.
- Some growth is happening in areas where it should not happen. Presently growth follows guidelines & lacks enforceable regulations.
- Insufficient information for making planning decisions. Commission not responsive. Past growth has not been best for wildlife.
- The location and type of development (exurban/sprawl)
- Not enough regulations and guidance.
- Helter, skelter.
- Loss of open space.
- It would be nice to see some infrastructure developed, firehall, etc. (Pony)
- Too many people moving here.

5. What would you like to see happen in your local area, with respect to **future** growth and change?

- Zoning (3)
- Grass roots planning –from the community up
- Development of walk/bike trail. ‘Controlled’ growth.
- Develop infrastructure
- Some sort of zoning
- New developments are regulated=Jack Cr. As it moves down the canyon to the west
- Citizen involved planning
- Environmentally compatible buildings & landscape
- Consider affordability for folks
- It’s not bad as it is
- People new to the area understand how those living here feel about this place
- Rules –set, no changes for long periods, i.e. Gen. Plan
- Zoning to protect our shared values
- Future Research. Studies of areas that are similar.
- Education on alternative leading to thoughtful growth
- Criteria for building in sensitive areas
- Density driven zoning
- Affordable housing, community-driven action plans with all residents included
- Manage future growth
- Regulation, uniformity
- No large corporations or ‘chain’ businesses. Not fast food, drive thrus, etc.
- Establish enforceable regulations that follow the guiding principals developed by the residents.
- A conservation overlay district to require more criteria for development in high quality wildlife & conservation areas. Incentives to keep open space/habitat.
- Cluster away from critical habitat
- Maintain open space, wildlife habitat, agricultural land, cluster development in existing developed areas.
- Closer to town development concerned more with community services, i.e. sewer, water
- Creative zoning plan with sensitivity to ‘shared values.’

- Sewer system, fire truck in town, incorporation (Pony)
- More zoning, regulations

6. How well do you feel Madison County officials have guided the growth?

2 Very Well      9 Well      14 So-So      4 Not Well      1 Poorly

-Presently  
-Very well recently, well over-all.

-In the past  
-Maybe this will help them  
-Not sure they can control it very much

-More direction needed on part of Co. Commissioners to encourage zoning practices. The planning office has been great in its efforts to alert the public.

7. What **3 suggestions** do you have for improving the Madison County Planning Program?

(1)

- Give authority to implement rules
- Have backing from C.C.
- Continue with citizen input
- Promote those areas where development is desired, i.e. close to town
- Density regulations
- Zoning
- Planning is more than adequate—we are aware & ahead of most problems—Doris Fischer is invaluable.
- Develop rules& zoning; require services and paved roads
- Consider county initiated zoning
- Forget about zoning, especially county implemented

- Finish implementing the actions from 1999
- Set rules
- Complete the mapping of important resources—wildlife, viewsheds, productive ag. land
- Guest speakers from other growing communities just like Ennis
- Continue Growth Solutions Forum
- Teeth in the Comprehensive Plan
- Action phase of community forums
- Continue with the community forums and presentations
- Regulations and not just guidelines
- Continue doing what they are doing
- Something to encourage families to be/come/stay here
- Empower the people with enforceable regulations/authority.
- Better assessment to protect shared values.
- Don't be afraid to be specific—regulations.
- Stronger regulations—make some changes that made a difference to gain support and get things moving forward.
- Short moratorium on new developments until Madison County has a plan in place for zoning /other tools to deal with growth while preserving the 'county vision.'
- A fee to all new home owners to help pay for a building inspector for Madison County
- Empower Planning Board

(2)

- Try to not approve end of road subdivisions
- Call developers to task
- Keep the planning program going
- \$\$ support to rancher to maintain open space
- Higher tax on the desirable areas—wildlife/water ways
- Building Plan Review & Inspections
- Have wildlife corridors
- Form a land trust or housing authority to promote affordable housing
- People that work can't come to a meeting all day—so often
- Better communication with the public

- Don't change rules
- Make developers pay for development – impact fees
- Investigate & adopt tools to achieve thoughtful growth
- Limit building on river
- More empowerment of County Planning Board/Office
- Be more aggressive in getting differing viewpoints and econ/social types of people involved. I fear only newcomers and the relatively wealthy are attending.
- Keep subdivision from too much crowding. Houses 6 feet apart are anywhere. Let's avoid those cookie cutter homes.
- Ongoing or continuing Madison Growth Solutions to periodically evaluate where we are going, are we happy with the development occurring and if, questionable, make necessary recommendations and or changes.
- Less hesitation to regulating development (ridgetop/riparian)
- Seek all sources of info. and money possible.
- Make it known what you are doing—other counties across the state need to be doing this kind of thing.
- Institute an action plan for zoning of the Madison Valley with incentives for ranchers (Buy dev. Rights, better easement tax incentives, etc.)
- Empower Commissioners

(3)

- Make changes only with study & input
- Density Regulation
- Eliminate inheritance tax
- Impact fees—require info. re. health/safety; traffic study—school impact, etc.
- Adopt and enforce building codes
- Make uniform standards
- Need realtor representation on the Planning Board
- Use shared values to set rules (Protect Private Property rights; Market Rules)
- Start looking at zoning
- Implement & enforce when needed planned growth
- Educate ranchers on low impact development
- Density/use zoning to reflect comprehensive plan

- Better incentives to not sell or subdivide.
- Keep up the dedicated work.
- Empower county planning board and commissioners to regulate growth.
- Empower elected state official

## **Citizen Ideas and Recommendations: Growth Policy/Housing Meeting in Harrison on June 21, 2006**

### **What changes have you seen in the area in the past eight years? What role should the County play? Citizen Ideas and Comments**

- Haven't Clustered development- this poses a threat to rural areas.
- Effort to locate new development close to existing development has failed.
- Need incentives for developers to cluster.
- Influx of money allows people to buy several lots for one home.
- Need protection of wildlife areas.
- What can the county do about weed spraying?
  - County has a noxious weed management program.
- Problems with lawsuits and complaints with agriculture.
- How could 'teeth' be put into Code of The New West guidelines?
- Disappointing to see no enforcement of guidelines.
- Limited rules outside of subdivision process.
- Madison Growth Solutions is trying to facilitate change and encourage citizen input.
- Private Property Rights vs. Community Property Rights
- Disincentives for developers to do subdivisions near town due to high cost of town services.
- Need to encourage and provide incentives for developers to build close to town.
- We like our own space.
- Need more enforcement mechanisms to have developments hooked up to town services.
- Need a citizen group to help implement change.
- How are subdivisions taxed? (Does transition of ag land into residential land matter?)
  - Lots 20-160 acres are still taxed at the agricultural rate.
- Are adjacent landowners notified of subdivisions?
  - Yes
- Neighbors within five mile radius should be notified.
- Would like to see Madison County do a better job of protecting river corridors.
- County should look at preserving all ag lands, not just most productive ag lands.
- How can subdivisions be economically feasible to an area?
- Put subdivisions in areas with services.
- Conservation easements also have risks associated with them.
- Address posting compliance concerns. New emergency service providers need maps to locate homes.
- Need to assist moderate/fixed income folks so they can stay here and aren't taxed out.

### **What are the housing needs/concerns in the community?**

- People are living in substandard homes.
- Young people are having a difficult time buying homes/property.
- High cost of rentals.
- Difficult to get service workers because of housing situation.
- Middle-income people have a hard time financially due to high costs of real estate.
- Most seniors own their own homes and have family in the area.
- Rural areas need a certain amount of land for water and sewer services.

## ***HARRISON MEETING***

**HOW ARE WE DOING? SHOULD WE DO MORE? LESS?  
WHAT SHOULD WE DO DIFFERENTLY?**

**This is YOUR chance to rate the Madison County Planning Program.**

### **Primary Responsible Parties:**

- Madison County Planning Office (Director, Planner I, Planning Assistant)
- Madison County Planning Board (11 volunteers from around the County)
- Madison County Commissioners (3 elected officials)

### **Major Activities:**

- Review and action on proposed subdivisions of land
- Enforcement of conditions of subdivision approval
- Review and action on subdivision exemptions (e.g., boundary adjustments, family conveyances, etc.)
- Implementation of the Madison County Comprehensive Plan (Growth Policy)
- Public information regarding growth and development in the County
- Distribution of Code of the New West and development design guidelines
- Review of voluntary conservation easements
- Technical support to citizens engaged in planning activities (e.g., Madison Growth Solutions process, local watershed committees, Madison County Housing Task Force, Local Emergency Planning Committee)
- Periodic technical support to incorporated towns on growth and development issues
- Exploration of tools for managing growth (e.g., development impact fees, zoning, incentives, capital improvements planning)

2. What part of Madison County do you live in? North of Harrison, Cardwell area, Harrison, Twin Bridges, Harrison, Carwell area, South Boulder Rd.- near Cardwell, Harrison area, North of Harrison, North part of county, Harrison, North part of county, North part of county, North part of county, Twin Bridges, Harrison, South Boulder Rd.- Cardwell.

2. Is Madison County your primary residence?  17 Yes  0 No

3. How satisfied are you with the growth and changes in your local area, over the past ten years?  
 0 Very Satisfied  3 Satisfied  13 Not Satisfied  0 Very Unsatisfied

9. What do you like **the most** about the recent growth and changes?

- Nothing.
- Efforts of the Planning Board.
- Money.
- People.
- Subdivisions right next to town.
- Very little.
- Unsure.
- There is not much to trust in future changes if the county does not put a zoning (and all that entails: incentives, TDR's, etc.) plan in place before growth without-a-plan takes over.
- Not aware of any.
- The buildings in Twin Bridges are filled.
- None of it.
- Code of the New West booklet.
- Unsure.

10. What do you like **the least** about the recent growth and changes?

- Increased traffic. Difference in attitudes (city expectations in rural community.) Non-primary residents.
- Subdivisions, more people to cause problems against the rancher.
- Real estate prices rising (soaring), quality of life nosediving.
- It takes ag land out of production. Once a piece of property is subdivided, it will never produce agriculturally again.
- The lack of zoning regulations.
- Traffic, discord among neighbors.
- Lack of sighting near homes (hilltop, etc.) and zoning in general.
- Subdivision in agricultural and wildlife lands.
- I don't like to see agricultural land subdivided.
- People.
- No jobs to support poorer families.
- Lack of strict zoning.
- Growth not regulated.
- County Road around South Boulder is in poor shape. South Boulder Road 107 needs improvement now- not responding to usage.

11. What would you like to see happen in your local area, with respect to **future** growth and change?

- Respect existing community attitudes when developing new properties.
- Stay the same- a pleasant rural area.
- More regulations with Requirements (not shall, may, could...)
- Senior housing.
- Even though change is inevitable, we don't need to subdivide on rural areas. Keep subdivisions next to existing towns.
- A zoning plan that would be included in the new Madison County updated plan.
- Limit number of new subdivisions. Encourage subdivision adjacent to towns like Ennis and Whitehall.
- Lots of community impacts on how to preserve and make possible the 1999 Madison County Vision.
- Cluster development.
- Try to keep a "lid" on growth. I'm happy with small town life, though I know it won't stay that way.

- Enforceable regulations concerning roads and fire protection.
- Less urban sprawl.
- No subdivisions of less than 20 acres.

12. How well do you feel Madison County officials have guided the growth?

**1** Very Well       **2** Well       **6** So-So       **5** Not Well       **0** Poorly

13. What **3 suggestions** do you have for improving the Madison County Planning Program?

- (1) –Forget suggestions/encouragement- make laws.
- Remove junk cars
  - Zoning Laws.
  - Education on issues.
  - Give everyone a copy of Howdy, Stranger welcome to Madison County.
  - County work more with community zoning initiatives.
  - Citizen input for future zoning directions.
  - Find ways to enforce or encourage development with guiding principles of Madison County Comprehensive Plan.
  - Assist the public in developing zoning plans to protect their communities and shared values.
  - Concentrate more on town growth.
  - Protect all ag lands
  - Implement fees, regulations, and requirements to control growth, so growth does not control Madison County.
  - More restrictions and fees on subdivisions.
  - Consider building permits for revenue to hire inspectors to enforce laws.
- (2) –Consider emergency personnel needs to access households.
- Keep all subdivisions next to existing towns (cluster).
  - Put more serious bite in overgrowth in ranching areas.
  - Have County Commissioners put in place a demand for sewer/water hookups for new subdivisions next to townships.

- Limit development along rivers and in flood prone areas.
- Put “teeth” into excellent suggestions in the “Newcomers” booklet.
- We do need to put some teeth in more of our county suggestions.
- More participation.
- Less dogs running loose.
- Better protection of wildlife habitat.
- Protect Montana people first even if they don’t have money backing them.

**(3)** –Take proposals from the Madison Growth Solutions and incorporate them into the updated Madison County Comprehensive Plan.

- Continue efforts to educate communities on the need for planning before unbridled growth destroys open space, shared values, etc.
- Limit development in areas prone to wildfires.
- Protect senior citizens on fixed income from rising property taxes as a result of large homes being built in the area.
- Have commissioners take very seriously the initiatives and recommendations of the Madison Valley Ranchlands Group.

## **Citizen Ideas and Recommendations: Growth Policy Meeting in Sheridan on May 17, 2006**

### **What changes have you seen in the Ruby Valley during the past seven years?**

- Increase in real estate values
- Difficult to buy/afford new home
- Supply and Demand drives up prices
- Increasing values in all recreational areas
- Influx of money
- Many self-employed persons in Ruby Valley
- Limited employment opportunities
- No land available for development in Twin Bridges area
- Fully occupied Main Street in Sheridan—growth is helping businesses thrive
- Lack of rentals in the area
- Access to public resources changed with different perspectives
- Disenfranchisement of locals
- Demographics influencing supply and demand
- Not as many ag families/ ag operations (future generations either aren't interested or cannot afford to ranch)
- Only eight ag operators left in Madison Valley
- Loss of ag causing decline in school enrollment
- People are moving here to retire causing a loss of jobs and kids in the area
- Aging of our population
- Baby Boomers moving here for quality of life
- Little knowledge of local practices and concepts
- More and better paying jobs
- Preservation of agriculture and open space with conservation easements

### **Proposed Ideas/Challenges in the Ruby Valley**

- Look at what other communities have done to see what we can about affordable housing.
- How can we provide housing for worker
- Difficult to recruit teachers and service workers with the high housing costs
- Newcomers may leave when they find the landscape not as desirable
- Recommend working with Nature Conservancy to learn more about conservation easements
- Purchase of development rights/conservation easements

## **What role should the County play?**

- Purchase of development rights (Ex. Payment of \$300-400 per acre for conservation easement in Centennial Valley.)
- Identify areas worth protecting with a conservation easement based on a set of criteria (perhaps through the Ruby Watershed Council, using a land evaluation and site assessment process)
- Need land use and conservation easement education
- Need continued education (Woodson Ranch can be used as a model)
- Conservation easement organizations can provide assistance with land protection and improvements
- Ranch Resources can also help
- Traditional ranchers need money to stay in business
- Conservation easements don't help traditional ranchers
- Need to expand town services to accommodate growth
- Need additional planning office staff to help accommodate growth
- Sheridan lagoon maxed out- difficult to find land to expand facilities
- Unfortunate that crises drive community water and sewer updates.
- Concerns about affordable housing
- Need site specific river setbacks (minimum distance is arbitrary)
- Rules need teeth so rich can't buy a variance to the rules
- Litigation challenges are a problem with compliance issues
- Talk to Scott Payne about housing program ideas
- Affordable housing programs need to limit sale appreciation value and set time periods
- Need a County program to help with homeownership
- Working class population has a difficult time purchasing a home- but it is difficult to quality for assistance
- Consider more trailer parks
- Very difficult to find rentals in Sheridan
- Rent prices are high in Sheridan

*SHERIDAN MEETING*  
HOW ARE WE DOING? SHOULD WE DO MORE? LESS?  
WHAT SHOULD WE DO DIFFERENTLY?

**This is YOUR chance to rate the Madison County Planning Program.**

**Primary Responsible Parties:**

- Madison County Planning Office (Director, Planner I, Planning Assistant)
- Madison County Planning Board (11 volunteers from around the County)
- Madison County Commissioners (3 elected officials)

**Major Activities:**

- Review and action on proposed subdivisions of land
- Enforcement of conditions of subdivision approval
- Review and action on subdivision exemptions (e.g., boundary adjustments, family conveyances, etc.)
- Implementation of the Madison County Comprehensive Plan (Growth Policy)
- Public information regarding growth and development in the County
- Distribution of Code of the New West and development design guidelines
- Review of voluntary conservation easements
- Technical support to citizens engaged in planning activities (e.g., Madison Growth Solutions process, local watershed committees, Madison County Housing Task Force, Local Emergency Planning Committee)
- Periodic technical support to incorporated towns on growth and development issues
- Exploration of tools for managing growth (e.g., development impact fees, zoning, incentives, capital improvements planning)

3. What part of Madison County do you live in? Ruby Valley, West of Alder, North of Sheridan, Twin Bridges, Twin Bridges- along Big Hole River, Sheridan area, In town of Sheridan, Ruby Valley.

2. Is Madison County your primary residence?  **8** **Yes**  **0** **No**

3. How satisfied are you with the growth and changes in your local area, over the past ten years?

**1** Very Satisfied  **6** Satisfied  **1** Not Satisfied  **0** Very Unsatisfied

14. What do you like **the most** about the recent growth and changes?

- Families moving back which is good for schools and diversity in community.
- More people to support existing businesses.
- Improvements on existing properties- upgrading water and sewer.
- Subdivisions in Ruby Valley have been limited to date.
- Encouraging growth near existing populations (ex. Homestead Subdivision) and clustered development.
- Concern and awareness about groundwater and open space.
- Main Street has no empty buildings

15. What do you like **the least** about the recent growth and changes?

- Lack of affordable housing and only residential development not allowing young self-employed persons to make it here.
- New people have different ideas on how things should be done.
- Big money moving in: People trying turnover property fast.
- Concerned about infrastructure, water supply. Should put high density development close to town services.
- Increase in land values and scattered growth.
- Growth and change in general.
- Quiet “cow town” is changing.

16. What would you like to see happen in your local area, with respect to **future** growth and change?

- Assistance for the true AG producer to be economically successful.
- Try to keep it close to existing development.
- Limited.
- Rural areas staying rural. High densities around town including Twin Bridges and multifamily dwellings to ease costs. Consider emergency services and law enforcement. Need more deputies and better response times- should look at development impact fees to fund this.
- Efforts made to help ranchers stay in business- possibly with payment for conservation easements.
- Encourage growth around the current towns.
- Continuing on the “mission”, continuing the clustered development and development close to town. Not inflicting zoning.
- Water and sewer able to handle growth around and in Sheridan.

17. How well do you feel Madison County officials have guided the growth?

**2** Very Well       **4** Well       **2** So-So       **0** Not Well       **0** Poorly

18. What **3 suggestions** do you have for improving the Madison County Planning Program?

- (1)** –Consider our self-employed community members when advising developers about subdivision.

  - You are doing a great job.
  - Watch out for the people buying and selling land fast. If you buy, you have to hold for a period of time.
  - Develop a land use map short-term and long-term.
  - Do river corridor on a site by site basis
  - Encourage growth around existing towns.
  - Education is the key. Continue providing educational opportunities and community discussion sessions.
  
- (2)** –Address aesthetics of commercial subdivisions (Ex. Gravel yards along Hwy 287 without screening is ugly, and high cranes along roadways.

  - Make sure infrastructure can support growth.
  - Encourage cluster subdivisions.
  - Add additional planning staff.
  
- (3)** –Have planning board member focus more as a group on objectives. Also, I am concerned that some planning board members feel horse ranchettes are not ag and are detrimental. These operations help us stay close to our culture compared to other alternatives.

  - Encourage high density housing close to town limits.
  - Protect surface and ground water.
  - Have different fees and procedures for minor subdivisions v.s. major subdivisions.

## **Citizen Ideas and Recommendations: Growth Policy Meeting in Twin Bridges on May 24, 2006**

### **What changes have you seen in the area in the past eight years?**

- Increase in the number of absentee owners
- Large number of subdivisions between Sheridan and Twin Bridges
- Growth occurring outside city limits
- Ridgeline development- limits view of others
- Significant growth in Waterloo area (possibly 75% increase in home sites)
- Increase in large homes (over 4,000 sq. ft.)
- Increasing energy prices
- Less access to streams and public lands
- Reduction in agriculture
- Less access to hunting and increased deer populations
- People not as friendly (not everyone waves anymore)
- Higher mill levy
- Higher cost of services
- Decrease in school enrollment
- Population is getting older
- More street/yard lights
- Improvement in school building
- Influx of out of state capital
- More traffic
- More tourists in area
- More pheasants, wild turkeys, and sandhill cranes
- Fewer curlews
- Haphazard development with no plan
- Noise level has increased

### **What role should the County play? Citizen Ideas and Comments**

- Number of conservation easements has grown substantially
- Promote more conservation easements
- Encourage towns to preserve open land (possibly buy land between town and in-town)
- Address loss of property taxes as a result of conservation easements- reduces potential tax base in future by limiting development
- Taxes are based on land use, not value of land
- What is the county's role in water evaluation?
- County looks at water resources but defers to the state DEQ on parcels less than 20 acres
- Need legislative action
- County should assist local communities develop resources for growth
- County should establish finances for purchase of development rights
- Conservation easements limit development on land in the future
- Nice to keep agriculture in area- but cannot force producers to stay in business
- Need to buy local ag products (we aren't doing this)
- Ag is not always a viable industry- not economically feasible
- Need to better market ag products- Can the County help?

- People may pay more for better products
- Favor Country of origin labeling
- County Extension could be utilized- possibly a Farmers Market
- Favor stipulations on larger homes
- Like dark sky idea- covenants and power companies can assist with downward lighting
- Conservation easements can potentially promote development on adjacent lands
- Encourage cluster development and discourage ranchettes
- State legislation could help with this
- Conservation easements result in loss of ag producers, cattle, jobs, and reduce tax revenues
- Conservation easements can be individually negotiated and tailored
- County 'Right to Farm' policy is important
- Encourage ag diversification
- Need county support to help protect ag
- Woodson Ranch can be used as a model
- Land needs stewardship plan
- Continued education on county and citizen-initiated zoning  
(60% of landowners must represent 50% of landowners in area for zoning approval)
- Protect underground and surface water resources
- Watershed Council groundwater model- need to look at impacts on water

*TWIN BRIDGES MEETING*  
HOW ARE WE DOING? SHOULD WE DO MORE? LESS?  
WHAT SHOULD WE DO DIFFERENTLY?

**This is YOUR chance to rate the Madison County Planning Program.**

**Primary Responsible Parties:**

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- Madison County Planning Board (11 volunteers from around the County)
- Madison County Commissioners (3 elected officials)

**Major Activities:**

- Review and action on proposed subdivisions of land
  - Enforcement of conditions of subdivision approval
  - Review and action on subdivision exemptions (e.g., boundary adjustments, family conveyances, etc.)
  - Implementation of the Madison County Comprehensive Plan (Growth Policy)
  - Public information regarding growth and development in the County
  - Distribution of Code of the New West and development design guidelines
  - Review of voluntary conservation easements
  - Technical support to citizens engaged in planning activities (e.g., Madison Growth Solutions process, local watershed committees, Madison County Housing Task Force, Local Emergency Planning Committee)
  - Periodic technical support to incorporated towns on growth and development issues
  - Exploration of tools for managing growth (e.g., development impact fees, zoning, incentives, capital improvements planning)
4. What part of Madison County do you live in? Twin Bridges, Sundowner Subdivision near Laurin, Silver Star, Rural Twin Bridges, Twin Bridges area, Twin Bridges, Twin Bridges, Sheridan, Sheridan, Twin Bridges, Sheridan area (Wisconsin Creek), Sheridan area, Twin Bridges, Rural Sheridan, Twin Bridges, Ruby Valley area.

2. Is Madison County your primary residence?  16 Yes  0 No

3. How satisfied are you with the growth and changes in your local area, over the past ten years?

1 Very Satisfied  9 Satisfied  3 Not Satisfied  1 Very Unsatisfied

\*One response indicated neither satisfied or not satisfied.

19. What do you like **the most** about the recent growth and changes?

- New cultural opportunities.
- Open and inclusive meetings like these.
- Growth is relatively slow in Silver Star/Twin Bridges area, agriculture still exists.
- For the most part it is attractive.
- Improvements in the town.
- Ok.
- Most new landowners are cooperative and friendly.
- Slow.
- Dust abatement. Improvement to Children's Center and Main Street beautification.
- Remodeling old homes.
- Conservation easement increase.

20. What do you like **the least** about the recent growth and changes?

- Congestion- traffic, loss of small town atmosphere.
- Subdivision sprawl.
- “Increasingly out of state developers and subscribing to subdivide and take the money and run”.
- Loss of access to rivers and streams.
- Ridgeline construction.
- Random growth.
- Nothing.
- Seasonal landowners and absentee landowners.
- Absentee landowners.
- Increase in absentee ownership- some do not participate in volunteer activities and do not accept the local culture.
- Not planned- hap hazard (development)- not enough thought for open space with developments.
- Increase of population
- Subdivisions, loss of agriculture, homes on the bench.

21. What would you like to see happen in your local area, with respect to **future** growth and change?

- Protect open space, water quality, wildlife habitat; limit the spread of “ranchettes.”
- Assist landowners with conversion of existing lighting to “Dark Skies” appropriate.
- Planned development with input of existing/adjacent landowners.
- Something has to be done to assure that we don’t run out of water.
- Cluster future growth.
- Younger population
- Cumulative assessment for water resources.
- (Encourage development) in and near existing communities.
- Use some of the changes suggested this evening.
- Carefully controlled subdivision, emphasize cluster development tied in with conservation easements to protect viewshed.
- Cluster development, night protection.
- Cluster development, multiple home units.
- Cluster housing, senior housing, conservation easements.
- Improve town infrastructure- water, sewer systems to allow or encourage growth proximate to existing towns.

22. How well do you feel Madison County officials have guided the growth?

**3** Very Well       **7** Well       **4** So-So       **0** Not Well       **0** Poorly

23. What **3 suggestions** do you have for improving the Madison County Planning Program?

- (1) –Encourage zoning regulations.
- Add subdivision regulations to developments with lot sizes in excess of 160 acres.
  - More effective, specific limitations- dark skies, ridgeline development- maintain our viewshed.
  - I feel Madison County is fortunate to have the dedicated personnel on the planning committee and in the planning office. These people are very knowledgeable.
  - Zoning.
  - Town needs subdivisions so it can grow.
  - Keep up public meetings.
  - Meet with communities twice a year.
  - Responsibility of absentee landowners for upkeep/maintenance (i.e. weeds, fencing, roadways.)
  - Do the things noted in the slide show that you “haven’t been doing.”

-Stay away from non-voluntary land use regulations i.e. zoning.

**(2)** –Encourage recycling as much as possible (we do well now—we could do better.)

-Lack of rental housing in area.

-Let us know what we can do (how to zone- offer zoning workshop.)

-Work toward ways to purchase development rights.

**(3)** –Assist communities with service expansion (how can towns grow if water and sewer aren't available- Sheridan, Twin Bridges.)

-Land use needs to be available to public.

-Enforce stream access laws.

-Long range-a county park for picnicking and hiking, a big wild protected area.

-Stress views.

# County Planning/Growth Policy Discussion with Virginia City Planning Board July 18, 2006

- Glad the acreages are larger. It's tying up larger tracts of land and limiting the growth.
- But how long until this changes back (to smaller lots)?
- Need lower income/denser housing in areas where the jobs are (e.g., Butte and Bozeman, not Virginia City).
- Our problem is enforcing the rules that we have.
- Need to promote more "industry".
- Need more affordable housing, to avoid becoming just a retirement community.
- Tough to pay the services needed to support new housing. VC has a limited number of lots with available utilities.
- No school in VC, a big issue.
- More kids in VC than there were 15 years ago.
- Too much dispersed sprawl (e.g., Sphinx Mtn development).
- You need a variety of lot sizes.
- Price of small lots – so high, due to limited supply.
- Need more developments with smaller lots.
- Need to connect these new developments to City services.
- Provide incentive to developers to increase density if they do connect.
- Clustered development vs. people wanting space around them.
- Look at #s – Study market to see if there's a mismatch between people looking to buy, and whether or not they can find an existing home.
- Put in Code of the New West – Buy an existing home rather than build new.
- Look at existing housing stock lived in by elderly. Provide more opportunities for them. This would free up housing for others.
- It's not the locals buying real estate. New workers don't have many options.
- Quality of renters – has promoted transition to seasonal use.

## In Response to Question about Extraterritorial Zoning:

- Discussion of previous effort at extraterritorial zoning.
- Since then, City has new Growth Policy.
- Current effort to improve zoning.
- Concern about City's ability to implement.
- The simpler, the better.
- Building fees in town are low.
- Will get a gas station outside of town.
- Poor new development at edge of town.
- Right now you can't tell a gas station how to build – no rules in place. With extraterritorial zoning, you could have design review and design rules.
- Go for major issues: Is it density? Avoid willy-nilly development (e.g., Alder, Ennis north corridor)? Scale? Traffic? Visual impact?
- List the priority concerns. What's the Boogie Man?
- Anticipate realistically what you might get, and tailor rules to that.

- Do we want to take the Regulations approach, or the Code of the New West approach of celebration/encouragement?
- Need both.
- Write Manifesto of Values, write rules based on it.
- Can choose between performance guidelines/standards vs. zoning.
- Need maximum square footage.
- Coordinate values among different jurisdictions.
- Get everyone on common ground, including builders, realtors.
- Education

*VIRGINIA CITY MEETING*  
HOW ARE WE DOING? SHOULD WE DO MORE? LESS?  
WHAT SHOULD WE DO DIFFERENTLY?

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- Review of voluntary conservation easements
- Technical support to citizens engaged in planning activities (e.g., Madison Growth Solutions process, local watershed committees, Madison County Housing Task Force, Local Emergency Planning Committee)
- Periodic technical support to incorporated towns on growth and development issues
- Exploration of tools for managing growth (e.g., development impact fees, zoning, incentives, capital improvements planning)

5. What part of Madison County do you live in? Virginia City, South Central part of County

2. Is Madison County your primary residence?  **2** **Yes**  **0** **No**

3. How satisfied are you with the growth and changes in your local area, over the past ten years?  
 **0** **Very Satisfied**  **0** **Satisfied**  **1** **Not Satisfied**  **1** **Very Unsatisfied**

24. What do you like **the most** about the recent growth and changes?

- New people, new ideas, new energy, new investment in the community.
- Nothing.

25. What do you like **the least** about the recent growth and changes?

- Reliance on poorly platted townsite, and out-dated zoning regulations.
- Subdivisions.

26. What would you like to see happen in your local area, with respect to **future** growth and change?

- Comprehensive effort to re-plat certain areas of town in cooperation with landowners.
- Nothing except for respect for local culture and values.

27. How well do you feel Madison County officials have guided the growth?

**0** **Very Well**  **0** **Well**  **2** **So-So**  **0** **Not Well**  **0** **Poorly**

28. What **3 suggestions** do you have for improving the Madison County Planning Program?

- (1)** –More commissioners.  
-Improved communication with local government.
- (2)** –More respect for decisions of planning board.  
-Provide technical information- i.e. views of the future of your town- maps, trends, overviews of growth.
- (3)** –More enforcement of regulations.  
-Educational outreach to prospective new owners, i.e. expand the “code” approach.

# APPENDIX I. MADISON COUNTY COMPREHENSIVE PLAN, 1999 UPDATE

## RECOMMENDED IMPLEMENTATION ACTIONS

### A STATUS REPORT—April 2006

<b>Priority Actions</b> <ul style="list-style-type: none"> <li>● = Done</li> <li>❖ = Progress Made</li> <li>○ = Not Done</li> </ul>	<b>What's Been Accomplished? What Hasn't?</b>
<ul style="list-style-type: none"> <li>❖ Provide Information and Technical Assistance to Support Area Planning and/or Landowner-initiated Zoning.</li> </ul>	<p>County has supported development of Big Hole Land Use Plan, Sheridan Growth Policy, and Twin Bridges Growth Policy. All were adopted and are being implemented.</p> <p>County has also supported North Meadow Creek land use planning process and Ruby River Corridor planning process. Neither process produced a proposal for County adoption.</p> <p>County is currently assisting in the Madison Growth Solutions planning process.</p> <p>County has had initial planning discussions with Jefferson River Valley, Pony-Harrison-Norris, and Big Sky.</p>
<ul style="list-style-type: none"> <li>○ Conduct Land Evaluation Process, and Institute Site Assessment Process (emphasis on “productive” ag lands and “important” wildlife habitat).</li> </ul>	<p>County has made no progress here. However, the Wildlife Conservation Society and partnering organizations have been conducting wildlife habitat inventories of the Madison Valley.</p>

<b>Priority Actions</b> <ul style="list-style-type: none"> <li>● = Done</li> <li>❖ = Progress Made</li> <li>○ = Not Done</li> </ul>	<b>What's Been Accomplished? What Hasn't?</b>
❖ Support Watershed Planning and Conservation District Efforts to address Water Quality/Water Supply Issues.	County supported the Ruby Valley Groundwater Management Study. County has made plans with the Montana Bureau of Mines and Geology, for a Groundwater Characterization Study. County has had initial discussions about a water quality district for Big Sky.
● Adopt Capital Improvements Plan.	County prepared and adopted a CIP, which is being implemented and periodically updated.
❖ Identify Areas "Reasonably Accessible" to Emergency Services.	County identified subdivision standards and incorporated these into its subdivision regulations.
● Establish Ongoing County Comprehensive Planning Program.	County budgets annually, now, for the County Planning Office.
● Publish & Distribute <u>Code of the New West</u> .	County has published two editions of this publication. Distribution is ongoing.
● Publish & Distribute Subdivision Application Guide.	County has published this and distributes it regularly.
● Establish Interagency Steering Committee.	County established this committee, which meets quarterly.
○ Meet Annually with Municipal Officials and Local Service Providers.	County has not set up such annual meetings.
● Support State Legislation for Planning & Agriculture.	County has monitored these issues at each session of the Montana Legislature, and has provided input.

<b>Priority Actions</b> <ul style="list-style-type: none"> <li>● = Done</li> <li>❖ = Progress Made</li> <li>○ = Not Done</li> </ul>	<b>What's Been Accomplished? What Hasn't?</b>
○ Conduct County Economic Analysis.	County has made no progress here. However, the Madison County Economic Development Council has been collecting data, especially for the Madison Valley.
❖ Revise County Subdivision Regulations.	County revamped its regulations in 2000, based on the 1999 Comprehensive Plan. Since then, the County has amended the regulations three times. The County has not yet amended the regulations to incorporate inventories and local definitions of productive ag land, important wildlife habitat, adequate water supply, scenic views, and cultural/historic resources.
❖ Institute Enforcement Program for Subdivision and Zoning Compliance.	County has set up a subdivision compliance program, but not one for zoning.
○ Zone River Corridors.	County has not zoned any river corridors.
○ Zone Public Lands.	County "interim" zoned BLM exchange tracts, but this zoning has expired. County has not zoned any other public lands.
❖ Conduct Cost of Services Study, and Institute Development Payment Program.	County has established a practice of negotiating payments as a part of subdivision review. County has reservations about the validity of the cost-of-services study methodology. County waited until State law was changed to expressly allow development impact fees; since then, County has explored the possibility of impact fees. Commissioners have decided to fund an impact fee feasibility study.
● Adopt Right to Farm Ordinance.	County adopted a Right to Farm Policy.

<b>Additional Recommended Actions:</b> <ul style="list-style-type: none"> <li>● = Done</li> <li>❖ = Progress Made</li> <li>○ = Not Done</li> </ul>	<b>What's Been Accomplished? What Hasn't?</b>
<ul style="list-style-type: none"> <li>● Encourage Voluntary Land Conservation.</li> </ul>	County does this regularly.
<ul style="list-style-type: none"> <li>○ Establish a Program for Purchase of Development Rights.</li> </ul>	County has made no progress here.
<ul style="list-style-type: none"> <li>○ Inventory Scenic Views and Cultural/Historic Resources.</li> </ul>	County has made no progress here.
<ul style="list-style-type: none"> <li>○ Explore Possibilities for Re-aggregation of Lots, Subdivision Redesign, and Agricultural Uses of Idle Lands.</li> </ul>	County has made no progress here. However, the Madison Valley Ranchlands Group has made strides in promoting agricultural uses of idle lands.
<ul style="list-style-type: none"> <li>❖ Coordinate County Economic Development Activities with Existing State &amp; Local ED Groups.</li> </ul>	County provided start-up technical assistance to the Madison County Economic Development Council.
<ul style="list-style-type: none"> <li>○ Explore Property Tax and Other Incentives for Economic Development.</li> </ul>	County has made no progress here.
<ul style="list-style-type: none"> <li>❖ Map the 100-year Floodplain along Six Rivers.</li> </ul>	County has worked with other counties to accomplish a floodplain study of the Big Hole River. County has made no progress on the other five rivers.

<b>What Else Did We Do?</b>	
● Buildout Study – Portions of County.	
● County Strategic Wildland Fire Plan.	
● County Pre-Disaster Mitigation Plan.	
● County Rural Addressing System.	
● Started on a County Housing Plan.	
● Tall Structures/Tower Ordinance.	
● Airport Zoning Ordinance.	
● Big Hole River Setback Ordinance.	
● Development Design Guidelines.	

## APPENDIX J. DEFINITION OF SUBDIVISION REVIEW CRITERIA

Note: This discussion is adapted from the Madison County Subdivision Regulations (November 2000, as amended in September 2006). The following questions are intended to be used as a guide for addressing the public interest criteria.<sup>12</sup> The subdivider must demonstrate, through the environmental assessment, that the proposed subdivision has been designed with consideration of these criteria.

### **#1. *Effect of proposed subdivision on agriculture***

- Has the land historically been used for agriculture? How is the land currently used, and what are the proposed uses? If the land is not currently used for agriculture, does it have potential as highly productive agricultural ground?
- What percentage of this land is considered “prime or unique farmland” (according to Natural Resource Conservation Service definition), or “prime forestland” (according to U.S. Forest Service definition)?
- What percentage of this land can be described as “productive” agricultural land, taking into consideration factors such as: soil quality, topography, climate, vegetation, availability of water, existing land use patterns, technological and energy inputs required, suitability for crop-raising/livestock grazing/timber growth, and accepted agricultural practices?
- Is the proposed subdivision designed to keep a portion of the land in agricultural use? Is the proposed subdivision designed to avoid development of the most productive acreage? Is the proposed subdivision designed to avoid development of acreage that plays a vital role in an existing agricultural operation (e.g., spring pasture)?
- If the subdivision is approved, how much land will be taken out of agriculture?
- Is this proposed subdivision intended to provide an agricultural producer with funds that will help maintain or expand an existing agricultural operation in Madison County?
- Will irrigation water rights be conveyed with the proposed lots? If so, is there a plan for the distribution of water to the lots?

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<sup>12</sup> The Madison County Subdivision Regulations contain nine “public interest” criteria, rather than only six.

- Are upslope or downslope properties currently irrigated? If so, how will the proposed subdivision affect them? How will they affect the proposed subdivision?
- What are the adjacent land uses? Is the majority of adjacent land in agricultural use? Is the majority of adjacent land subdivided into lots less than 160 acres in size?
- What measures will be taken to ensure that the proposed subdivision will not conflict with nearby agricultural operations (e.g., perimeter fencing, strategies to control wildlife populations and prevent wildlife displacement or attraction, restrictive covenants pertaining to domestic pets, etc.)?

## **#2. Effect of proposed subdivision on agricultural water user facilities**

- Are there irrigation ditches, canal, and other water user facilities (and associated easements) on this land? If so, have affected water users been notified of the proposed subdivision, and have they expressed any concern about its effect on their facilities? Are the easements adequate to protect water user facilities and allow for routine maintenance?
- Will water rights stay with the land proposed for subdivision? If so, how will distribution of the subdivision water be managed?

## **#3. Effect of proposed subdivision on the natural environment**

- *Surface water quality.* Does the proposed subdivision contain or lie adjacent to a water body? If so, is it designed to prevent erosion or other potential surface water quality problems?
- *Groundwater quality.* Do soil characteristics indicate the land may be vulnerable to groundwater pollution from development? If so, how is the proposed subdivision designed to minimize the potential for groundwater pollution?
- *Soil erosion potential.* Are soils on the land considered erodible, according to the Madison County Soil Survey and on-site inspection? Is the proposed subdivision designed to avoid or minimize construction on the more erodible soils? If not, what measures are proposed to prevent erosion?
- *Surface water run-off.* Is the proposed subdivision designed to avoid or minimize drainage problems? Has a grading and drainage plan been prepared to prevent potential drainage problems?

- *Vegetative health.* Is the land located in an area where threatened and/or endangered plant species are known to exist? If so, what mitigation measures are proposed to protect the species? Is the proposed subdivision designed to protect natural vegetation and limit road length, so as to prevent the spread of noxious weeds? What is the noxious weed condition of the land? Has the subdivider begun the process of preparing a weed management plan for review and approval by the Madison County Weed Board?
- *Air quality.* Does this proposed subdivision have the potential to degrade neighborhood air quality? If so, what mitigation measures are proposed to protect air quality?
- *Riparian areas, wetlands, flood-prone areas.* Do soils, vegetation, and Madison County flood-prone area maps indicate that the land includes any of these types of areas? If so, is the proposed subdivision designed to avoid construction (buildings and/or roads) in these areas? If not, have the necessary permits been applied for?
- *Natural topography.* Does the contour map identify areas of steep slope (25% or greater)? If so, is the proposed subdivision designed to avoid these steep slopes? Will construction of the subdivision reasonably maintain the natural topographic features of the land?
- *Open landscape, scenic beauty.* Is the proposed subdivision designed to conserve land by clustering homesites and maintaining significant open space? Is it designed to avoid ridgetops and visual encroachment into river corridors? Is it designed to conserve any views and vistas which are identified in an adopted land use plan?

#### **#4. Effect of proposed subdivision on wildlife and wildlife habitat**

- What types of wildlife are found (or likely to be found) in the habitat where this proposed subdivision is located? Consider both game species and non-game species of animals, birds, reptiles, amphibians, and fish. Consider both permanent and seasonal wildlife populations.
- Is the proposed subdivision located in big game winter range, an area of elk calving, and/or a wildlife migration corridor?
- Is the proposed subdivision located in a wildlife breeding area?
- Is the proposed subdivision located in habitat which supports threatened and/or endangered species?

- Is the proposed subdivision located in or adjacent to an area considered by wildlife specialists to be rich in wildlife resources?
- If the proposed subdivision is located in an area considered rich in wildlife resources, is the subdivision designed to minimize negative impacts on the wildlife?

---- Development design measures could include clustering, reduced number of lots, buffer zones, access or use limitations, conservation easements, restrictive covenants, wildlife habitat enhancement projects, and wildlife habitat replacement areas.

---- Negative impacts could include wildlife harassment, displacement, endangerment, and either population loss or uncontrolled population increase.

- If the proposed subdivision is located adjacent to an area rich in wildlife resources, what measures are proposed to protect the adjacent habitat and wildlife population from being negatively impacted by the development?
- Is the proposed subdivision likely to put the immediate area close to, at, or over the limits of being able to sustain existing wildlife populations?
- Is the proposed subdivision likely to displace wildlife in a way that will create problems for adjacent landowners?

#### ***#5. Effect of proposed subdivision on local services***

- Will the proposed subdivision connect to existing community water and sewer systems? If so, can these existing systems handle the additional demand?
- How much additional traffic will the proposed subdivision generate? Can local roads/bridges handle the additional load on a year-round basis? If not, what capital improvements will be necessary?
- Is the proposed subdivision likely to put local services close to, at, or over their limits of service capability?
- At full build-out, what will the proposed subdivision require of local law enforcement, fire district, quick response unit, ambulance service, and school district (Estimate in terms of annual cost, increased demand, or

other measure)? How does this compare with the local services demanded of the current land uses?

- At full build-out, what will the proposed subdivision generate in annual property tax revenues (using current dollars)? How does this compare with the property tax revenues being paid currently?
- If the proposed subdivision appears likely to generate insufficient property taxes to cover the local services it will require, has the applicant agreed to make any payment towards bridging the gap?
- Will this proposed subdivision add to the County's affordable housing stock ("affordable", as defined by the U.S. Dept. of Housing and Urban Development)?
- Will this proposed subdivision have adequate utility service (power, telephone, solid waste disposal)?

#### **#6. *Effect of proposed subdivision on public health and safety***

- Do well logs from nearby wells demonstrate a clean and adequate water supply in the area (Well logs should pertain to nearby lands which are comparable in elevation, soil type, and topography to the land proposed for subdivision)? If there are no nearby well logs available, what information has been provided to indicate adequacy of the water supply? Have any test wells been drilled on-site and been found to produce water in accordance with state standards?
- Is the proposed subdivision located in an area of natural hazard (e.g., flooding, earthquake zone, steep slopes/unstable soils/slides, high water table, high fire hazard or designated wildland/urban interface area, habitat for potentially dangerous wildlife such as bears and mountain lions)? If so, is the subdivision designed to eliminate or overcome the hazard?
- Is the proposed subdivision located in an area of manmade hazard (e.g., high voltage line, high pressure gas line, shooting range or public hunting grounds, airport, heavy industrial activity, heavy traffic volume, unmaintained/seasonal public road, polluted air or water supply)? Will the proposed subdivision attract potentially dangerous wildlife such as bears and mountain lions? If so, is the subdivision designed to mitigate any such hazards?
- What is the proposed subdivision's fire risk rating? What is the fire district's Insurance Service Office rating? What fire protection measures will be taken as a part of the subdivision proposal, to maintain a low risk?

- What is the estimated response time (under good weather conditions) of various emergency services (fire protection, law enforcement, ambulance service, quick response unit) to the site? In the view of the emergency service providers, are these response times adequate to provide reasonable public health and safety protection?
- Does the proposed subdivision itself include any activity or facility which could potentially endanger the public (e.g., commercial fuel storage tank, airport activity, irrigation canal, ponds)? If so, what measures will be taken to reduce, eliminate, or overcome the hazard?

**#7. Effect of proposed subdivision on County resources** ["Resources" are those County land and water-based assets which support a significant portion of the local economy]. *Note: Effect on agricultural resources, including timber, is covered under Public Interest Criterion #1.*

- Will the proposed subdivision impact the utilization of the County's mineral resources? Does the subdivider propose mitigating measures to reduce any potential negative impacts?
- Will the proposed subdivision impact the outdoor recreation, tourism, scenic, cultural and historic resources of the County? Does the subdivider propose mitigating measures to reduce any potential negative impacts?
- Is the proposed subdivision located on land that was previously publicly owned and then purchased or traded from a public land management agency?
- Overall, how is the proposed subdivision likely to affect the County's resource base? Is it likely to cause conflicts between resource users? What are its long-run implications, in terms of cumulative impacts?

**#8. Effect of proposed subdivision on the County's economy**

- Will the proposed subdivision help to strengthen the major sectors of our local economy (e.g., agriculture, forestry, mining, recreation and tourism, retirement-related services, entrepreneurial enterprises, and construction activity)?
- Will the proposed subdivision help to diversify the economic base?

- Will the proposed subdivision utilize and protect the resources which support the major economic sectors? *Note: This question is closely tied to Public Interest Criterion #7.*
- Will the proposed subdivision support the economic viability of family farms and ranches? *Note: This question is closely tied to Public Interest Criterion #1.*
- Will the proposed subdivision promote new business and industry which are compatible with the major economic sectors and do not put a financial strain on public services?
- Will the proposed subdivision help to expand the opportunities for year-round employment?
- How will the proposed subdivision affect the land's contribution to the local economy? *Note: Answers to this question will be used to develop a database of countywide changes in the utilization and economic productivity of land in Madison County.*
- Overall, what economic impact is the proposed subdivision likely to have in the short-term? The long-term?

**#9. Effect of proposed subdivision on public services provided by other entities in the county.**

- Will the proposed subdivision raise the cost of services being provided by other entities (e.g., property owners association, road maintenance district)?
- Will the proposed subdivision have other impacts on the services being provided by other entities?

## PUBLIC INTEREST CRITERIA -- SUMMARY EVALUATION

*Note: A proposed subdivision may have both positive and negative effects on any one of these criteria.*

Potential Effects of Proposed Subdivision	Positive	Neutral	Negative	Comments
Public Interest Criteria				
#1. Effect on agriculture.				
#2. Effect on agricultural water user facilities.				
#3. Effect on local services.				
#4. Effect on natural environment.				
#5. Effect on wildlife and wildlife habitat.				
#6. Effect on public health and safety.				
#7. Effect on county resources.				
#8. Effect on local economy.				
#9. Effect on public services provided by other entities in the county.				

## **DEFINITION OF TERMS**

[Adapted from November 2000 Madison County Subdivision Regulations (Appendix A) and Montana Department of Commerce booklet entitled, Montana's Growth Policy Resource Book, April 2006]

**Agricultural water user facility:** Any part of an irrigation system used to produce an agricultural product on property used for agricultural purposes.

**Agriculture:** The practice of cultivating the ground, raising crops, and/or rearing animals.

**Local services:** Any and all services or facilities that local government entities are authorized to provide.

**Natural environment:** The physical conditions which exist within a given area, including land, air, water, mineral, flora, fauna, noise, and objects of historic or aesthetic considerations.

**Prime farmland:** As defined by the Natural Resource Conservation Service, those lands which are best suited to producing food, feed, forage, fiber, and oilseed crops. In Madison County, prime farmland has an adequate and dependable supply of irrigation water, favorable temperature and growing season, and acceptable acidity and alkalinity.

**Prime forestland:** As defined by the U.S. Forest Service, those timberlands which have soil capable of growing wood at the rate of 85 cubic feet or more per acre per year in natural stands and are not in urban or built-up land uses or water.

**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, not merely for the welfare of a specific individual or a small class of persons.

**Wildlife:** Living things which are neither human nor domesticated nor plant.

**Wildlife habitat:** Place or type of site where wildlife naturally lives and grows.