



## GALLATIN COUNTY

To: Amsterdam/Churchill Steering Committee  
From: Warren Vaughan, County Planning   
Re: Tools for implementing planning policy

### **The Bottom Line: Getting Things Done in Amsterdam/Churchill**

The bottom line in planning is to use knowledge and good information as a foundation for getting things done. We have gotten basic guidance from the AC community as to the issues that concern and interest them. Over the next few months, we will continue to refine that direction for those issues.

Policies play a central role in the process by providing a statement of intent or direction for the community. As we discuss policy development over the next several months with the community, remember the big picture concerns and conclusions that came from the kickoff. It will be our job to both explore the details of what the community means, to provide information which can inform future decisions, and to provide alternative courses of action for the AC community to choose. The point of all of this is to design quality policies, and then to put those policies into action.

#### *Concerns*

1. Planned growth (49 votes)
2. Agricultural lifestyle (45 votes)
3. Traffic and pedestrian issues (40 votes)
4. Land use compatibility (31 votes)
5. Community values (25 votes)
6. Emergency services (17 votes)
7. Sewer and water (14 votes)
8. School issues (9 votes)

#### *Values*

- Small Town Values, Rural Character, and Quality of Life
- Agriculture Heritage and Wide-Open Views

#### *Major Goals*

- Infrastructure

- Increased Local Control.
- Agriculture and Rural Lifestyle
- Community Values

## Tools for Managing Growth and Change

There are three primary tools communities use to implement their policies:

**Partnerships.** A partnership is just what it says: an agreement to a specified course of action between two groups. In this case, partnerships can be made between Gallatin County and, for example, Montana Department of Transportation. Other examples could be between Gallatin County and the Amsterdam Fire District, or the County and the Amsterdam School District (unless AC is incorporated, the County will need to be the active agent).

**Investments/Commitments.** Investments, or commitments, require the residents of Amsterdam/Churchill, the County, or perhaps outside agencies (such as MDT or federal grant programs) to invest time, energy, or money toward a specified action. Often, investments deal with infrastructure. Investments could include adding a public water component to the public sewer system, construction of sidewalks along specific roads, or road improvements.

**Requirements.** Requirements include a handful of tools that require NEW development to meet certain standards. Requirements are the most immediately applicable tool a community can use, but are also the most controversial, and it is necessary to understand the consequences. Much of what we will talk about this evening is linking *knowledge* to *policy* to *requirements*.

**Zoning.** The most common type of policy requirement is a set of development standards which new development or land use change would have to meet (also known as zoning). Zoning is required by state statute to develop standards in two categories: *use* and *density*. Density standards set the maximum density which can occur in a particular area. Use standards set standards for how property will be used.

Common development standards, given the results from the kickoff, that could apply to A/C include setbacks from canals or ditches, landscape buffers between commercial and residential uses to help compatibility, lighting standards for new commercial buildings, density requirements for new subdivisions, requirements for central sewer/water, etc.

Other requirements could include new road connections, new trail connections, identifying areas where new fire fill sites are necessary, etc.

## **Policy Example #1: Protecting Agriculture**

*Protect existing farm operations and direct development away from productive agricultural lands.*

It shall be the policy of the AC community to recognize the economic and cultural importance of agriculture in the planning jurisdiction by discouraging development that may conflict with existing farm operations. This policy will be implemented using the following strategies:

1. The AC community recognizes that one of the most important elements of protecting agriculture is the continued function of canals and ditches. The AC community will explore development standards requiring new development to demonstrate compatibility with existing canals and ditches. (See Development Standard Example #1).
2. The AC community recognizes that agriculture requires significant amounts of contiguous open space in which to operate as an efficient and viable economic unit. In addition, the AC community recognizes that residential development in an agricultural area may cause land use conflicts from noise, dust, pesticides, odors, etc. To mitigate any potential conflicts and to ensure that the land base remains large enough to support continued agricultural operations, the AC community will explore development standards directing growth into the core of the AC community by requiring a low average density outside of the AC growth area. The development standards will require an open-space development strategy for new development outside of this core, designed to leave substantial land for agricultural production and to provide a buffer between new development and existing agricultural operations (See Example Map).
3. The AC community recognizes that low-impact development is often a necessary reality in order for agricultural operations to continue operating. At the same time, much of the rural character of the surrounding area is a function of the open space and views provided by agricultural land. In order to allow low-impact residential development while also preserving the rural nature of the area, the AC community will explore development standards allowing greater residential development in return for preserved open space (see slides).
4. The AC community recognizes that maintaining a functioning agricultural community and landscape requires an understanding of rural realities. To that end, the AC community will explore development standards allowing family transfers and other subdivision exemptions to continue unchanged, and to allow low-impact home occupations and businesses (see development standard example #2).

## **Policy Example #2: Promoting Land Use Compatibility**

### *Assure Land Use Compatibility as Development Proceeds.*

Preserving the small-town atmosphere and quiet, rural nature of the AC area is a primary goal of the AC community. One of the primary ways this shall be accomplished is by preventing the creation of nuisances and requiring that new development blend compatibly with its surroundings. Land use compatibility will be ensured using the following strategies:

- 1.The AC community will explore standards establishing residential, commercial, and industrial areas within the core of the community (See example map).
- 2.The AC community will explore development standards requiring mitigation of potential nuisances, including noise, light, and glare, the improper handling of solid waste or hazardous substances (see development standard #3)
3. Home occupations will be permitted anywhere in the AC planning area, subject to conditions ensuring compatibility with neighboring residences (see development standard #3).
- 4.The AC community will explore standards requiring installation of landscaped buffers between potentially incompatible uses (see development standard #3).
5. The AC community will explore standards requiring cooperative site planning, including shared access drives and parking, and shared buffers and open space (see development standard #3).

### **Policy Example #3: Increased Local Control**

*It shall be the policy of the AC community to actively engage citizens in the long-range planning process. The AC community's commitment to active citizen participation is demonstrated by the extensive program of involvement used in developing this plan. The strategies for continuing implementation of this policy are:*

1. The AC community will explore the idea of forming a non-profit dedicated to serving as a forum for exploring community issues. The organization will ensure that the investment strategies named throughout the plan are implemented, will address any substantial changes or updates to the community plan and/or development standards, and will advise the Gallatin County Commission on issues that would affect the AC community.

***\*\*\*\*\*This is not a requirement, but rather both a partnership (between the County and the AC community) and an investment.***

**Development Standard Example #1: Protection of agricultural water user facilities, ditches, and water rights** (implements policy example #1)

A. All developments including or adjoining irrigated lands, or including or adjoining any irrigation works (diversions, headgates, canals, pumps, drains, etc.) shall be reviewed by the responsible irrigation entity. No development shall be permitted to adversely impact the operation of any irrigation system and all developments shall comply with the specific standards below.

1. Any new subdivision or use requiring a site plan shall identify all irrigation ditches/canals located on the property or which might be affected by the development (including primary and secondary, or lateral ditches, canals, and pipelines).
2. No development shall channel stormwater or snowmelt runoff into any irrigation system without written consent of the responsible irrigation entity. Any new development shall be designed so that there is no interference in the transmission of water.
3. All new residential and commercial construction shall maintain at least a 50-foot setback from the centerline of any ditches, canals, or pipelines. This setback shall be identified on the face of the plat as a maintenance easement and dedicated to the canal or ditch company. Modifications to this base setback may be allowed or required if specified by the applicable canal or ditch company in writing. The required setback shall be identified on the face of the plat with an appropriate easement.
4. Any proposed subdivision or use adjacent to an irrigation canal or ditch shall submit with their application acknowledgment of contact the applicable irrigation company. A model acknowledgment form is included in Appendix \_\_\_\_.
5. Any new subdivision with parcels smaller than \_\_\_\_ acres shall design the layout of the subdivision so that no irrigation ditch or canal (or its easement) shall be located within any lots.
6. Any new subdivision with parcels smaller than \_\_\_\_ acres shall return all water rights to the applicable canal or ditch company, or shall consolidate water rights to be held by the property owner's association.

**Development Standard Example #2: Home Occupations/Home-Based Businesses.**  
(implements policy example #1)

**1.1.1 Home-Based Business.**

A home-based business shall meet the following standards:

- a. A home-based business shall be operated by a person residing within the dwelling.
- b. No home based business shall have more than three employees residing off-premises if those employees work onsite. If work conducted by the home-based business takes place off-site (such as landscaping, etc) such business may be permitted up to ten employees.
- c. Examples of appropriate home-based businesses may include contracting businesses; service businesses; offices; music, art, or other schools instruction; individual artist studios and galleries.
- d. The home-based business shall not change the residential character of the lot or adversely affect adjacent properties or the uses permitted in the district.
- e. All vehicles, materials, and solid waste related to the home-based business must be located within structures or screened from view.
- f. All parking shall be provided on site

**Development Standard Example #3: Standards Concerning Neighborhood Compatibility**  
(implements policy example #2)

**1.1.2 Connections.**

All uses shall be designed to share functional connections with adjoining uses. Connections that should be considered include shared access from the street, shared parking and service access, and shared pedestrian circulation between uses.

**1.1.3 Hazards and Uses.**

No use shall create a hazard or nuisance for neighboring properties or on or along public streets. Agricultural uses shall be considered exempt from this section. Uses must comply with the specific standards below:

1. Such hazards and/or nuisances may include but are not limited to:

- a. Any use, including any sign that directs excessive or dangerous light, glare, or heat beyond the sign itself, or creates light or glare that constitutes a traffic or aircraft flight hazard, or directs or reflects light upward without shielding, is a public nuisance.
- a. The storage or handling of toxic, hazardous materials or waste, explosives, or flammable materials; or
- b. Inadequate access for emergency or public service vehicles and equipment.

1. Solid waste handling and storage areas serving commercial, industrial, and high density residential uses shall be effectively screened from public view by enclosure in a building, location on the site, or an opaque fence or wall.

- a. Solid waste shall be stored in an enclosed building or covered in containers and handled in a way that does not attract rodents, flies, or other animal, or generate liquid runoff or odors perceptible beyond the property line.

**1.1.4 Lighting.**

All sources of illumination shall be directed and, when necessary, shielded to avoid direct glare onto adjacent properties. Commercial lighting shall apply to the following standards:

**1.1.5 Storm Water Runoff.**

No use shall generate stormwater runoff that adversely impacts neighboring properties, public streets, or drainage systems. The Zoning Administrator may require an applicant to produce evidence that storm water flows will be handled on-site or through an existing or proposed stormwater system as a condition for issuing a permit.

### 1.1.6 **Additional Right-of-Way and Road Improvements.**

All uses generating XXXXX amount of traffic (as defined by either an individual Traffic Impact Study or by the International Traffic Engineers (ITE) Manual (current addition) may be required to provide additional street right-of-way as needed to ensure adequate access.

### 1.1.7 **Landscaping and Buffering.**

Landscaping is an essential element in mitigating proposed adverse impacts on surrounding properties, promoting compatibility, enhancing the visual appeal of the Amsterdam/Churchill area, promoting the preservation of property values, improving site drainage and erosion, and promoting the goals of the AC Community Plan. A landscaping plan is required for all new projects requiring a site plan, including redevelopment projects and expansion of existing structures by more than 1,000 square feet. No landscaping plan shall be required for single-family homes. Landscaping plan shall meet the following standards:

#### **1. Submittal Requirements.** A landscaping plan shall include the following features:

- a. Existing Features. These including existing natural features such as wetlands; riparian area;, streams; waterways or water bodies; floodplain areas as mapped by FEMA; trees with more than a twelve-inch caliper or more than 20 feet in height OR general forested areas; natural rock outcroppings or geological features; and pre-construction grade of the site using contour lines.
- b. Landscape Plan Elements. The plan shall clearly and accurately include the following:
  1. Scale. Shall be one that depicts the proposed landscaping in a legible manner.
  2. North Arrow.
  3. Plant symbols. The common names with plant sizes. A key code or legend may be used.
  4. Retaining walls and Berms. Including height, materials, and cross section of retaining walls and berms.
  5. Flatwork. Such as decorative paving, sidewalk, curb and gutter, showing materials, texture, and color.
  6. Buildings. Proposed and existing footprints, excluding proposed single-family detached residential structures.
  7. Handicap ramps.
  8. Easements. Also, above-grade utility structures, including fire hydrants, valve boxes, and utility boxes and poles.
  9. Trails and walkways.

10. Other Landscaping Elements. Including benches, fountains, boulders, and ponds or other water features.
2. Front Setback Landscaping. The front setback for all uses requiring a landscaping plan or any yards fronting arterial streets shall be landscaped, including screening or buffering of parking areas, through the use of berms, depressed parking, native landscape materials surrounding and within parking areas, or other means.  
EXCEPTION. Properties including both a single-family residence and a commercial use are exempt from this requirement if the single-family residence is located in the front yard and the commercial use is located in the side or rear yard. The landscaped yard shall contain one or more of the following groups of plant materials at a minimum average density of one group for each fifty linear feet:
  - a. One large canopy tree and one large non-canopy tree;
  - b. One large canopy tree and two small trees;
  - c. One large canopy tree and five evergreen shrubs;
  - d. One large canopy tree, one small tree, and two large evergreen shrubs;
  - e. Two large non-canopy trees and one small tree.
3. Commercial and industrial uses shall be effectively buffered and landscaped in order to screen adjoining streets or uses from sight, sound, or other adverse impacts. Such buffers shall be installed in compliance with the standards set forth below:
  - a. All commercial uses shall provide an effective buffer along arterial streets that includes streets trees in a seven (7) to ten (10) foot wide planting strip, and an effective landscaping or shrubbery buffer between all adjacent uses (See Section \_\_\_\_, Landscaping)..
  - b. Required buffers shall be planted with at least four trees per 100 lineal feet, a complementary ground cover, and at least 15 complementary shrubs per 100 lineal feet. Xeriscaped landscaping shall be considered an appropriate ground cover.
  - c. Required buffers may be crossed by access drives, utility lines, sidewalks, and pedestrian trails. A sidewalk may run along a buffer with its width, up to five feet, being included in the required buffer width. Permitted freestanding signs may be based in required buffers. Outdoor sales or storage shall not be permitted within a required buffer.
  - d. Retention of existing landscaping shall be maximized.
  - e. The buffer requirements of Table \_\_\_\_ shall be met:

**Table \_\_\_\_ - Landscaped Buffer Requirements**

When uses are mixed in the same structure, the lower minimum buffer width applies. For the purposes of this table, institutional uses are treated as commercial. Proposed uses adjacent to existing agricultural uses shall not be required to provide buffering.

<b><u>Proposed Use</u></b>	<b><u>Adjoining Use</u></b>	<b><u>Minimum Buffer Width</u></b>	<b><u>Fence or Wall?*</u></b>
Commercial, enclosed or with outdoor dining	Commercial with outdoor activity or storage	10 feet	Yes
Commercial, enclosed or with outdoor dining	High density residential	20 feet	No
Commercial, enclosed or with outdoor dining	Single family dwellings	20 feet	No
Commercial with outdoor activity or storage	Commercial with outdoor activity or storage	10 feet	Yes
Commercial with outdoor activity or storage	High density residential	30 feet	Yes
Commercial with outdoor activity or storage	Single family dwellings	40 feet	Yes
High density residential	Commercial, enclosed or with outdoor dining	20 feet	No
High density residential	Commercial with outdoor activity or storage	30 feet	Yes
High density residential	Single family dwellings	20 feet	No
Single family dwellings	Commercial, enclosed or with outdoor dining	20 feet	No
Single family dwellings	Commercial with outdoor activity or storage	40 feet	Yes
Single family dwellings	High density residential	20 feet	No

\* Fences/Walls. Where Table \_\_\_\_ requires a opaque fence or wall as part of a buffer, that fence or wall shall be at least six feet in height and constructed of materials that are compatible with those used in neighboring buildings. The fence or wall shall be on the interior side of the buffer, placing landscaped space nearest neighboring properties.

### 1.1.8 **Home-Based Business.**

A home-based business shall meet the following standards:

- a. A home-based business shall be operated by a person residing within the dwelling.
- b. No home based business shall have more than three employees residing off-premises if those employees work onsite. If work conducted by the home-based business takes place off-site (such as landscaping, etc) such business may be permitted up to ten employees.
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- e. All vehicles, materials, and solid waste related to the home-based business must be located within structures or screened from view.
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