

GROWTH POLICY

MILES CITY- CUSTER COUNTY

Adopted 04/22/2008
Resolution No. 3208
Effective immediately

Prologue

The planning effort for the Miles City community was formalized in 1957 with the formation of a City-County Planning Board. This Board was established to consider issues surrounding the residential, commercial and industrial growth, and the demands for public services of the greater community and to make recommendations to the City and County elected officials in regard to these growth issues and demand for services.

In 1971, the first comprehensive plan was completed by the Ken R. White Company of Denver, Colorado. This document, known as the 1990 Development Plan, was an exhaustive compilation of data which was intended to guide the growth of the community for the next 20 years.

The Montana Subdivision and Platting Act (MSPA) was instituted by the Montana Legislature in 1973, and divisions of land came under the review of planning boards. This act placed the burden on local governments to devise regulations and procedures compliant with state code. Through the crafting and design of these local regulations and procedures, local government can be either a strict regulation enforcer or an encourager of community growth.

A Comprehensive Plan Update was adopted in 1980. This document was also an exhaustive compilation of data. A separate appendix addressed Rapid Growth Management which reflected the mind set of the time and the perceived potential for unprecedented growth in this community. Floodplain delineation was an important feature of this Plan.

The Comprehensive Plan 1996 Update was lean in comparison to earlier documents. This Plan contained some historical data, but the focus of the document shifted toward practical growth management practices. Compliance with the 1996 Update was difficult to determine, however, due to the vagueness of critical components.

During the years of 2000 and 2006, the Montana Legislature vacillated between the opposing views of the Growth Policy being policy or regulation. The terms Comprehensive Plan and Growth Management Policy were first synonymous, then not synonymous, and now Growth Policy is the only accepted term and includes new requirements. This 2006 Growth Policy is public policy and is not regulatory. This document does, however, provide guidance for the development of growth regulations, such as the subdivision regulations and zoning ordinances. The emphasis of the legislature appears to favor county-wide land use controls such as zoning.

This document uses trend analysis as a tool to catalogue the past and offer a prediction of the future. While the indicators tend to show slow growth, the Miles City community has recently appeared to be a vibrant, bustling community ready for growth. The intent of the 2006 Growth Policy is to provide avenues of action for the local governments to adopt policies, regulations and ordinances that will spur potential growth for the benefit of the whole community.

Staff Planner

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Introduction

State statute has long authorized local governments to prepare and adopt regulations to guide the growth and development of the communities they serve. Miles City and Custer County established a planning district in 1957 that includes the City of Miles City plus 4.5 miles beyond the corporate city limits. A Master Plan also known as a Comprehensive Plan was adopted in 1970 with the most recent update being adopted in 1996. In 1999, the Montana Legislature revised this community development and planning tool and renamed it the Growth Management Policy. The requirements of a Growth Management Policy are detailed in 76-1-601, Montana Code Annotated. In brief, a growth policy provides guidance for local governments to develop land use policies. Special attention is given to specific land uses and the need for infrastructure to support those identified uses. Preparing a growth policy includes describing the historical base, establishing key indicators, monitoring growth trends, and developing policies to accommodate the potential growth and changes in this community. An important part of this process is public input that injects a broad range of ideas held by the members of the community itself.

The Miles City-Custer County community is unique in many ways. This factor becomes very apparent when compiling a comprehensive description of the community. Many features are important elements of the community and yet do not fit nicely together for a simple overall view.

This community is a conglomerate of jurisdictions. Many different governmental units, private interests and agencies have statutory authority over specific parts of the community and must be consulted when considering different activities. The City of Miles City has authority within the corporate city limits. Custer County has authority outside the city limits. The city-county planning board's jurisdiction covers the city plus 4.5 miles beyond the city limits. The zoning commission's jurisdiction covers the city plus two miles beyond the city limits. Airport Hazard Zoning is a special zoning area surrounding and protecting the Miles City Airport. Building inspection is carried out under the auspices of the City, and its jurisdiction coincides with the corporate city limits. The state has building inspection jurisdiction outside the City. Both the city and county participate in the federal flood plan program, though under different ordinances. The flood control dike along the Tongue and Yellowstone Rivers is under both the City and the County respective jurisdictions.

When considering transportation elements, the city has authority over city streets and the county has authority over county streets and roads. The Montana Department of Transportation has authority over South Haynes Avenue, Main Street, North 7th Street, and Valley Drive East as well as state secondaries and Interstate 94. The Federal Department of Transportation is also a stakeholder on issues involving Interstate 94 and all funding issues with federal dollars. Burlington Northern Santa Fe Railway and the Trinity Railroad own railroad rights-of-way that slice through the community. These authorities must be consulted where community activities intersect the railroad, such as at grade street crossings, the underpass on Main Street, and utility lines of all types. The City and County participate in an Urban Street Program in a cooperative effort with Montana Department of

Transportation. The Airport Commission is a joint city-county board that administers Frank Wiley Field, which is situated on city-owned land.

Private utility companies have established services and easements for infrastructure throughout the area. Natural gas, electricity, combined communications, telephone, cell phone, and cable TV services are available through different private utility companies. Fiber optic lines are becoming more numerous, and easements require special attention when working around these lines.

Custer County Water and Sewer District #2 (a special improvement district not affiliated with Custer County), provides water and sanitary sewer to a district that is generally located to the south and east of the city limits. A small area, locally known as RID # 1, receives sanitary sewer services under the authority of the County. The City provides storm sewer, sanitary sewer, and water for the majority of the community. In addition, some areas receive water and sanitary sewer services from individual private systems. There are also instances of water and sanitary sewer services that are provided by a combination of individual private, multiple private and public systems.

State, city, and county governments provide typical local services, including law enforcement,

prisoner detention, court services, fire protection, emergency medical, water, sanitary sewer, storm drainage and other services. Many of these services are provided through contractual agreements. Many public services are funded from a variety of sources, which adds to the complexity of determining jurisdiction.

This community is considered a regional hub for medical, post-secondary education, cultural, retail, governmental, agricultural markets, and recreational services. Miles City is the largest urban area in southeast Montana. Residents of other communities are attracted to Miles City for services offered by Holy Rosary Hospital, Miles City Health Care Clinic, and many private medical offices. Miles Community College offers distance learning and vocational training in addition to traditional postsecondary education. Cultural activities include museums, art center, art shows, live theater, and regional high school music and drama events. Retail outlets, specialty contractors, financial, and professional services are offered to the greater southeast Montana area. Several federal and state agencies located in Miles City provide services throughout the region. The local livestock market and grain terminal serve a large agricultural community. Miles City provides facilities for area high school sports events and local recreational activities. The Bucking Horse Sale, Winter Bull Show, Legion Baseball, softball leagues, Eastern Montana Fair and other sporting events attract participants and spectators from a multi-state area.

The Miles City community has a vast historical heritage with roots that extend from the days of the fur traders and the Lewis and Clark expedition through the military establishment at Fort Keogh and the Native American presence, river boat traffic on the Yellowstone, and the rail head brought by the Northern Pacific Rail way. Miles City was the destination for many trail drives of cattle between Texas and the grasslands of the northern plains. Miles City was, for a time, the second-largest banking center in Montana. Currently Miles City has a historic district centered in the downtown commercial area and two

residential historic districts. A strong community interest in this heritage led to the reestablishment of the Miles City Historic Preservation Commission which pursues historic preservation through education, financial assistance, and other activities.

The maps on the following pages show the Miles City-Custer County Planning Board jurisdiction and land ownership of the area.

**MILES CITY, MONTANA
CITY-COUNTY PLANNING
BOARD DISTRICT**

The map displays the Miles City, Montana City-County Planning Board District. The district is bounded by a 4.5-mile boundary, which is shown as a thick black line. The map includes a grid of townships (T 06 N to T 09 N) and ranges (R 46 E to R 48 E). Key features include the Miles City Airport, Old Fort Keogh, and the U.S. Livestock and Range Research Station. The map also shows the Yellowstone River, Snake River, and various creeks. The map is overlaid with a red grid representing the planning board district boundaries.

U.S. Livestock and Range Research Station

4.5 MILE BOUNDARY

YELLOWSTONE RIVER

Snake River

Deadman Creek

Sunday Creek

Noble Reservoir

T 09 N R 46 E

T 09 N R 47 E

T 09 N R 48 E

T 08 N R 46 E

T 08 N R 47 E

T 08 N R 48 E

T 07 N R 46 E

T 07 N R 47 E

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T 06 N R 46 E

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**MILES CITY, MONTANA
AREA LAND OWNERSHIP**

Map showing land ownership (Federal, State, Local) in the Miles City, Montana area, overlaid on a grid of Townships (T06N to T09N) and Ranges (R46E to R48E). The map includes the Yellowstone River, major roads (e.g., US-12, US-59), and the U.S. Livestock and Range Research Station. A 4.5-mile boundary is indicated around the city area.

LEGEND

- FEDERAL LANDS (Yellow)
- STATE LANDS (Blue)
- LOCAL LANDS (Red)

Current Conditions and Trends

Land Use

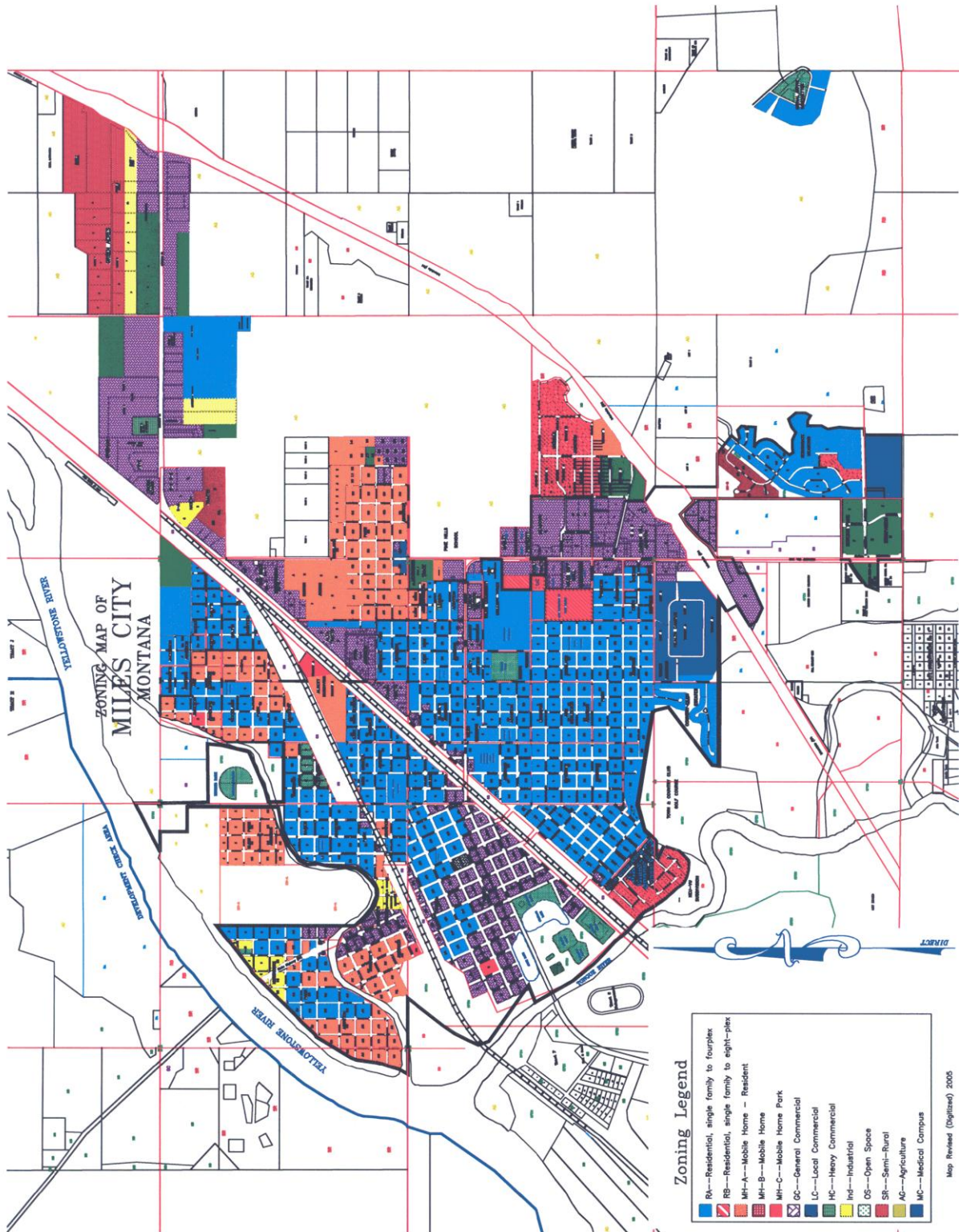
The Planning District is primarily centered in a river valley at the confluence of the Yellowstone and Tongue Rivers. Several smaller streams such as Sunday Creek cross the landscape. As one would expect, physical features impact the use of the land. High groundwater table, flood plains, steep slopes, high fire-hazard areas, and unstable and adverse soil conditions enter into the land use debate. Depth of water wells and water quantity and potability are also issues for both residential and commercial uses. Irrigation water user facilities are becoming more of an issue as development encroaches into traditionally irrigated farm land.

Ownership is another factor that directs land use. Federal ownership of Fort Keogh land in the western part of the planning district precludes development in that area. The interstate highway and the railroad can impact land use by limiting access. Federal and state lands are often restricted to agricultural or transportation uses. Lands owned by the local governments also are often restricted to special uses.

The Miles City Zoning Ordinance defines and regulates land use within the City of Miles City, its two- mile extraterritorial jurisdiction, and the Airport Hazard area. The City Zoning Ordinance is, by reference, included in this policy. The zoning code, modernized in the late 1970's, allows for a variety of uses including single, multiple, and mobile home residential; several types of commercial, industrial, and agricultural uses, and open space. At its inception, the zoning code followed the existing land uses. It has been occasionally amended to follow development patterns.

In general, high density residential uses are located in the city center. Farther from the city center, housing density decreases and transitions into larger residential acreage, mixed and agricultural uses. Commercial uses are typically grouped along major streets and highways. Historically, the community somewhat follows concentric circles of growth with the old town in the center and new growth in progressive rings around the city center. The Miles City community also exhibits considerable skipping or "leap frogging" due to physical limitations, land ownership issues, location, available services and the lack of effective land-use regulations and enforcement. The developing areas tend to present a mixed use due to the factors that affect land values. In the fringe areas it is common to see new homes intermixed with old homes and uses usually reserved for rural areas. Future growth in the Miles City community will most likely be located to the east and to the south of the established community.

The map on the following page shows the zoning districts within the zoning jurisdiction of the City of Miles City. The official zoning map is located in the City of Miles City Engineering & Operations Office. Areas outside the zoning jurisdiction and inside the planning jurisdiction are generally used for agricultural with trends towards rural residential use.



Housing Stock: (Figures from U.S. Census Bureau)

	1970	1980	1990	2000
Total Housing Units	3,403	3,683	4,006	3,890
Renter Occupied	1,112	700	1,221	1,095
Owner Occupied	1,980	2,983	2,285	2,433
Vacant	311	218	500	362
Vacant for Rent	191		214	2.4%
Vacant for Sale	40		108	12.4%

From the 2000 U.S. Census, there are a total of 3,528 occupied units with the following demographics:

Family Households:

With own children under 18 years	29.7%
Married couple family	47.7%
Female head of household, no husband present	10.8%

Non-family Households:

65 years and over	13.1%
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The average population per household size is 2.31 and the average population per family is 2.93.

Year Structures Built:

1999 to March 2000	21
1995 to 1998	71
1990 to 1994	73
1980 to 1989	253
1970 to 1979	844
1960 to 1969	375
1940 to 1959	863
1939 or earlier	1,380

The demand for housing in Miles City has caused pressure on available housing and escalated housing prices on existing dwellings. The demand for rent assistance continues. The Section 8 Rent Assistance Program, which is handled by Action for Eastern Montana for this seventeen-county area has a waiting list of one year to one and one-half years.

In 1982 a 16-unit housing complex, Custer Village, was constructed in Southgate Meadows with Rural Development (formerly FMHA) funds. The complex has project-based rent

subsidies for each unit. The complex is located nearly two miles from the main commercial area, including schools, and is inconvenient for the occupants.

The Miles City Housing Authority has been responsible for the majority of housing assistance to low/moderate income and elderly households in the last 23 years. The Housing Authority has rehabilitated more than 110 units of housing under the Community Development Block Grant program, 13 units under the Rural Rental Rehabilitation program, 10 units under Section 8 Moderate Rehabilitation (Mod-Rehab), and created 15 apartment units for low-income elderly.

The City, through the Housing Authority, has developed reasonable goals for increasing housing quality, increasing the availability of low-cost housing, expanding housing choices, and creating additional housing units for families and elderly.

The Miles City Housing Authority acquired the old Holy Rosary Hospital property and created 21 much-needed family-size units through rehabilitation of the nurses dormitory. The funding sources used for this were CDBG, HOME, MBOH Tax Credits, and Rural Development.

Economy

The Miles City community is becoming the retail business and service center for a large portion of the southeast corner of the state. A majority of the surrounding communities are, however, in serious decline. Loss of population and decreasing per capita income in the surrounding communities do not provide strong support for the economy of Miles City-Custer County. The retail community has followed the rest of the state as small, locally owned businesses make way for large box type corporate stores. Retail business by web sales is difficult to estimate, but the dollar amount appears to be increasing.

The services sector is the largest employer at 27.8%, and retail is second at 25.4%. Federal, state and local government account for nearly 22%. Agriculture contributes 2.5% to the total economy. Extractive industries, including coal mining and related activities, are dependent on encouragement from the state for increased contributions to the economy.

Rising utility costs, petroleum product prices and interest rates are currently adding to the cost of doing business.

Industries that have shown recent strength include medical services, oilfield services, construction, and telecommunications.

A Community Economic Development Strategy (CEDS) has been developed for this area and is incorporated into this document by reference. The CEDS is available at the offices of the South Eastern Montana Development Corporation.

Local Governmental Services

Custer County Sheriff

The Custer County Sheriff's Office provides a broad range of law enforcement services for the county. Staffing includes an elected sheriff, one undersheriff, three deputy patrol officers, one civil officer, one drug task force deputy, and one administrative officer. The Sheriff's Office is also responsible for the detention center operation. There are seven full time jailers and three part-time jailers. For special events requiring additional personnel, 15 reserve deputies are available.

Miles City Police

Police protective services are provided within the corporate limits by Miles City. Staffing includes the Police Chief, assistant chief, three administrative persons, ten patrolmen, one School Resource Officer, and one Animal Control Officer. The Police Department has recently used substantial grant dollars to upgrade patrol vehicles and equipment. The police also operate the dispatch center.

Court Services

Municipal Court is located in City Hall and is staffed by an elected judge and two clerks. This court processes violations against city ordinances and violations against state law that take place within the city. The City contracts for the services of a prosecuting attorney. The Justice of the Peace Office is located in the County Courthouse and is staffed with an elected judge and two clerks. This court processes violations of county ordinances and state laws. District Court is also located in the County Courthouse. The county attorney and deputy county attorney advise county commission and staff and prosecute violations of local and state law.

Miles City Fire and Emergency Medical

Within the corporate city limits, fire suppression, fire inspection, and emergency medical services are provided by the Miles City Fire Department and Ambulance Service. The Department has 18 paid employees including two administrative, 15 firemen and one fire inspector. Extended structural fire suppression services and wildland fire services are available by contract and inter-local agreements.

Custer County Rural Volunteer Fire Department

The Custer County Rural Volunteer Fire Department (CCRVFD) continues on a path of upgrading equipment and training fire fighters. Exemplary leadership has produced an effective fire suppression service for the rural areas

Public Facilities

Water Treatment Plant

The water treatment plant was built in 1973 and has a design flow of 7 million gallons per day. The main source of water is the Yellowstone River. Pre-sedimentation basins were rebuilt in 1990 to remove 40% to 80% of the solids before water enters the plant for further treatment. The water treatment process is rapid flash mix, flocculation, and sedimentation, with rapid sand filtration. Chlorine gas is added for disinfection, and fluoride is added for dental protection. Winter time flows average 0.9 to 1 million gallons per day. Summer time flows average 3 to 3.5 million gallons per day.

Three storage tanks are located around the city. Riverside Storage Tank has a capacity of 125,000 gallons. A new elevated water storage tank in Riverside Park has a capacity of 450,000 gallons. Carbon Hill Storage Tank is being replaced with a steel tank with a capacity of 1,500,000 gallons. Southgate Storage Tank has a capacity of 250,000 gallons. The combined storage will last two to three days in the event of an emergency. The total available provides adequate water for fire suppression activities.

A capital improvement plan for the water treatment plant is included in this document by reference. Briefly, the soda well needs to be replaced at an estimated cost of \$300,000. A baffling system for the clear well is being designed to increase chlorine contact time. Soft-state units for the three high service pumps will reduce energy costs and extend the life of the motors at a cost of \$25,000 per pump. New meters for measuring chemicals are needed at a cost of \$19,000. Maintenance activities are scheduled as necessary. The most pressing concern facing the water treatment plant is regulatory compliance as the Environmental Protections Agency and the State Department of Environmental Quality continually increase water quality standards.

Water Distribution System

The water distribution system is made up of approximately 59 miles of water line serving 3,350 residential and 300 commercial customers. Water mains are sized from 20-inch diameter and under. The City implemented a rate increase in 2007 to generate additional revenue for improvements. A map of the system and the long-range plan for improvements is located in the City Engineer's Office and is incorporated into this document by reference.

Wastewater Treatment Plant

The wastewater treatment plant was built in 1980 and has an average design flow of 1.98 million gallons per day, but it can handle peak flows of 3.77 million gallons per day. Current flows are between 1.2 and 1.3 millions gallons per day. The plant is an extended aeration

oxidation ditch with brush aerators that treats both domestic sewage and industrial wastewater. The discharge is to the Yellowstone River. Treating industrial wastes is a concern, and the City is considering pretreatment for industrial wastes to maintain plant efficiency.

A capital improvement plan for the wastewater treatment plant is included in this document by reference. The preliminary estimate for upgrades is \$1,621,000. The discharge is regulated by the National Pollutant Discharge Elimination System. Regulatory compliance is a concern with the wastewater treatment plant as agencies require stricter standards for nutrient removal and allowable bio-solids. A facility upgrade study by Robert Peccia & Associates is nearing completion.

Wastewater Collection System

Sixteen lift stations are part of the sewage collection system. Thirteen of the lift stations are equipped with radio alarms in case of malfunction. Maintenance and replacement costs of the lift stations are currently estimated at \$227,000 per year. Approximately 57 miles of sewer line serve 3,500 metered customers and 230 un-metered customers. An improvement and maintenance plan is included in this document by reference.

RID # 1

A special sanitary sewer line serves a mostly-unincorporated area in the vicinity of North Sewell Street from Leighton Boulevard to the old Milwaukee tracks. This line serves approximately 100 customers. The system was originally installed in 1909 and is in poor condition. Cost estimates for a replacement system range up to \$1,300,000. The RID discharges into the city system at the Bollard Street lift station. A map of the district is located in the City-County Planning Office and is incorporated into this document by reference.

Custer County Water and Sewer District # 2

The Custer County Water and Sewer District # 2 (CCWSD2) is a district that provides water and sewer, water-only, and sewer-only services to customers in the Aye-Dent Additions, South Haynes area, Michels Addition, North Haynes area, Richland Addition, and Highway 12 area.

CCWSD2 receives its water from the city and discharges its sewage into the city collection system at the North Haynes lift station. The district contracts with the city for system maintenance and customer billing services. A map of the district is located at the Custer County Water 7 Sewer District # 2 Office and is incorporated into this document by reference.

Private Water and Sewer

A number of single-family wells and septic drain fields are scattered throughout the north side and the east side of the urban area. These private systems often must be replaced by connections to a central system. There are single-family and a few multi-family systems in the rural areas. The city is expanding to the east, and the private systems must be considered as the community grows. Areas of the planning district north of the Yellowstone River, the Yellowstone valley east of the City and developing areas along the Tongue River use private wells and septic systems.

Solid Waste

Solid waste disposal is provided by a joint city-county solid waste district. The district owns a landfill which is operated under contract with a private operator. Residential and commercial garbage collection is available through two private collection services and through self-collection. The district has recently increased rates and complied with state requirements for hazardous wastes.

Streets and Roads

Most of the city streets are paved with asphalt and some with concrete. The concrete streets were constructed during the 1930's, and their condition is starting to deteriorate. An annual maintenance program keeps most of the streets in moderate to good condition. Two city maintenance districts provide curb, gutter, and other drainage improvement. Maintenance District 204 also provides for snow removal, street sweeping, and flushing. Maintenance District 205 provides, in addition to these, gravel street maintenance.

Miles City and Custer County jointly cooperate with the Montana Department of Transportation (MDOT) in an Urban Street Program. This program brings funding for local streets improvements to the local governments. Recently completed projects include South Strevell from Wilson Street to the corporate limits, and Wilson Street from Haynes Avenue to Strevell Avenue. An urban street project for Stower Street has not been constructed.

Miles City's long-range plan for street improvements extends through the year 2027. This plan and the Urban Street Program are available at the City Engineer's Office and are incorporated into this document by reference.

As mentioned in the introduction, the MDOT owns and maintains South Haynes Avenue, Main Street, North 7th Street, Valley Drive East, and the Baker Highway (Montana 12 and 59). These roadways are important transportation arteries of the community.

Outside the corporate limits, most of the street rights-of-way are granted to the county. A peculiarity in state statute requires a two-step process in accepting roads for county governments. While the county receives ownership authority, it does not have responsibility to construct or maintain most of the streets. Some streets, as in the Michels Addition, remain in private ownership for construction and maintenance. Many road issues must be addressed as the community expands into the county-controlled areas.

The Tongue River Bridges Project was completed in 2007. This project replaced the county-owned bridge on Pacific Street/Garryowen Road and the MDOT bridge on Main Street. Both bridges have bike/pedestrian paths incorporated into the design. This project included improvements to Garryowen Road, Pacific Avenue and Seventh Street and Main Street.

The County Road Department, with a staff of 7 people, maintains about 900 miles of road. The road crew has authority over all the bridges within the county.

Storm Drainage

Miles City maintains a storm sewer for most of the city. The system generally drains west and north with five outfalls into the Tongue and Yellowstone Rivers. The city includes curb and gutter in their standard street design section. New streets in the developing areas must be constructed to these standards for a area drainage system to work properly.

The MDOT owns the existing storm drain beneath Haynes Avenue, and the graduated drain is currently at capacity. The Planning Board completed a drainage study for South Haynes Avenue. The study developed drainage alternatives for the area south of the Interstate Highway, including Southgate Meadows, with outfalls to the Tongue and Yellowstone (T & Y) Canal and the Tongue River. The alternative which drains Southgate Meadows into the T & Y Canal includes canal maintenance and a new spillway structure at Kircher Creek. The South Haynes Avenue Storm Drain Study is made a part of this policy by reference.

Miles City has completed a storm drain study that addresses flooding on Dickinson Street near Miles Community College. Several other areas within the City and the immediate surrounding donut area suffer from the lack of drainage facilities.

Frank Wiley Field

The airport facility is located a short distance north of Miles City on land owned by the City. A joint city-county Airport Commission administers the facility. Fueling, pilot services, and other services are offered. Hanger space is available at the airport. Maintenance activities and facility and equipment upgrades are ongoing with funding through federal aviation source.

The airport has two runways. One is 5,680 feet long, 100 feet wide, and rated at 24,000 pound Single Wheel Gear. The second is 5,602 feet long, 100 feet wide, and rated at 38,000 pounds Single Wheel Gear. The airport also has visual and radio navigational aids and lighting, detailed in the airport layout plan, which by reference is included in this document. Commercial air service is available, in part subsidized by the Federal Essential Air Service Program. The Airport Commission recently completed a \$1.2 million runway and taxiway improvement program. A zoning ordinance protects the airspace and surrounding lands from potential airport hazards.

Natural Resources

The natural resources in the area that provide potential development include coal, oil and natural gas reserves. Gravel beds provide opportunity for small gravel-mining operations. Water, which is important for many types of industrial development, is available in the rivers, though water rights may be an issue.

Recreation

Miles City historically has provided many excellent parks and recreational opportunities. More than 225 acres are devoted to recreation. Riverside, Wibaux, Bender, and other smaller parks provide space for swimming, playground, picnicking, and other outdoor activities. Miles City maintains a tree nursery to supply approved trees for the tree-replacement program in the parks. The City also maintains the trees planted through the Main Street Beautification program. Spotted Eagle Recreation Area is a popular local site that boasts a small lake, wetlands habitat, varied wildlife and tree and brush cover. Improvements are planned for this area to enhance recreation opportunities for the citizens. Potential redevelopment in the floodway is being considered as part of the flood control study.

Trend Analysis

Trend analysis is an effective planning tool that compares points of data over a period of time. The information is charted on a graph for presentation of the information. The Planning Board has selected five key indicators of growth based on several criteria:

- data is available
- data will be available in the future
- data is trackable over time
- data is indicative of some aspect of community growth
- data can be validated.

The key indicators selected were Population, Per Capita Income, Unemployment, Median Age, and Taxable Value. The base data may be found in the appendix.

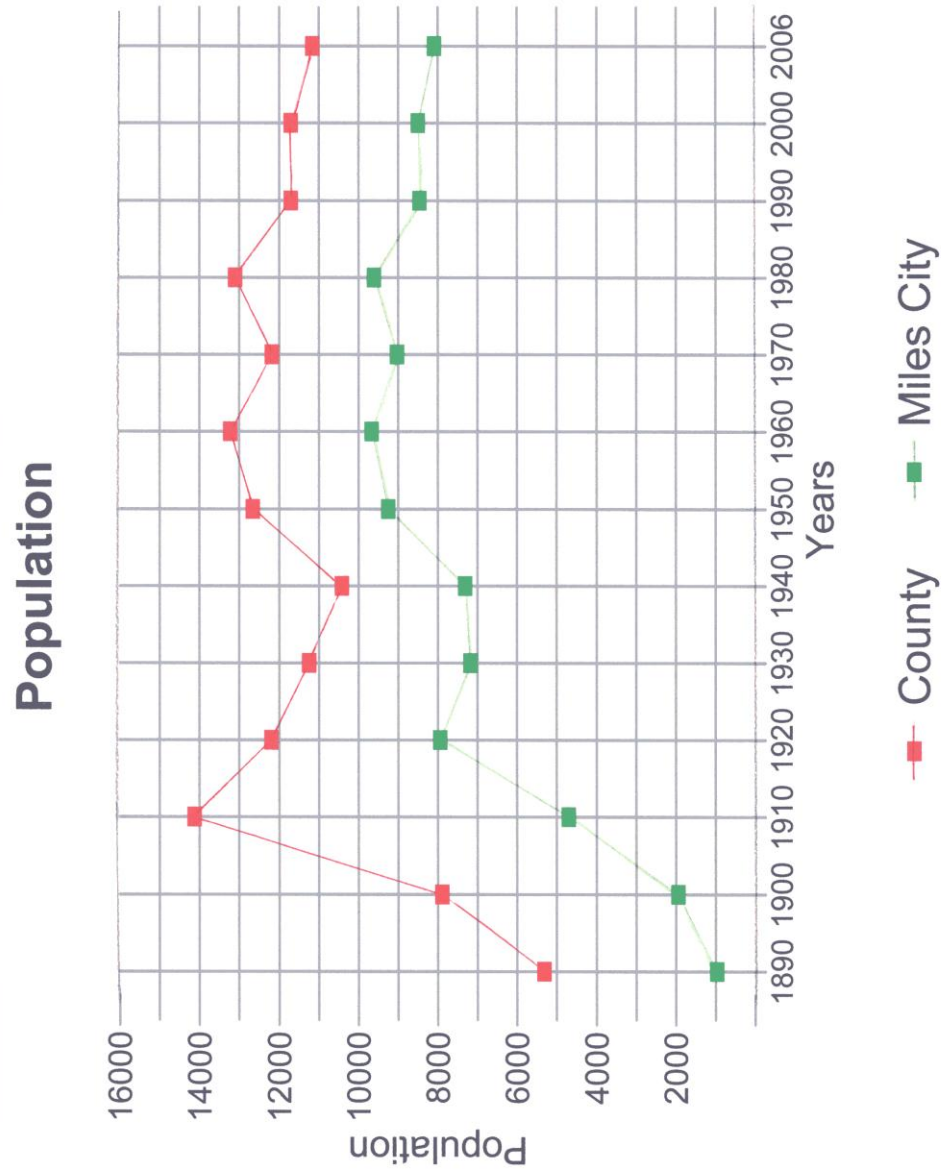
Population: Trend is flat to decreasing, indicating slow growth at best. A growing community will exhibit moderately increasing total population that does not place excessive demands upon housing and other services.

Per Capita Income: Trend is up, but trailing the State of Montana and the nation. While the income is rising, better-paying jobs are found outside of this community. Increasing incomes for all populations groups is a sign of a healthy community.

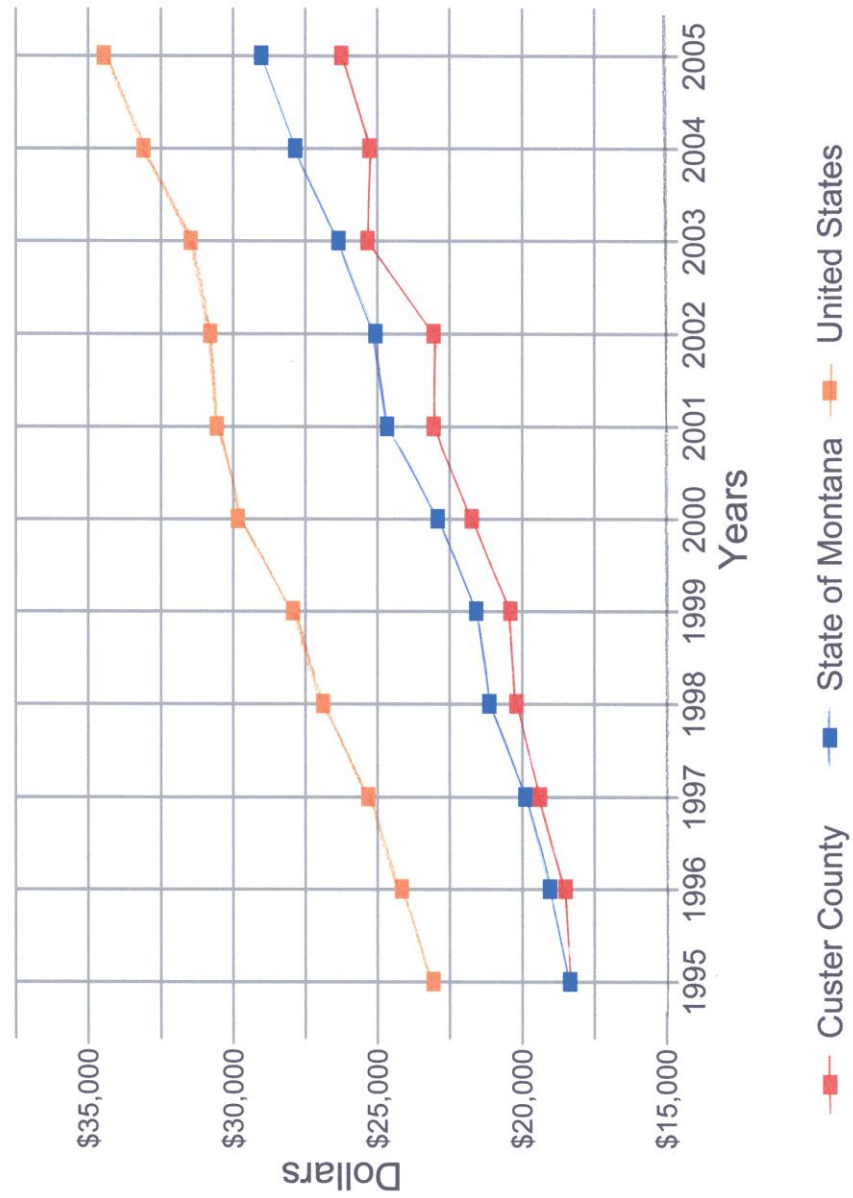
Unemployment: Trend is decreasing. This is generally good news as most people are employed, however unemployment below three percent can indicate difficulty in finding qualified employees for both existing and new businesses.

Median Age: Trend shows median age is increasing indicating a change in demand for services as population shifts from the work force to retirement. A growing community will exhibit a flat to decreasing trend.

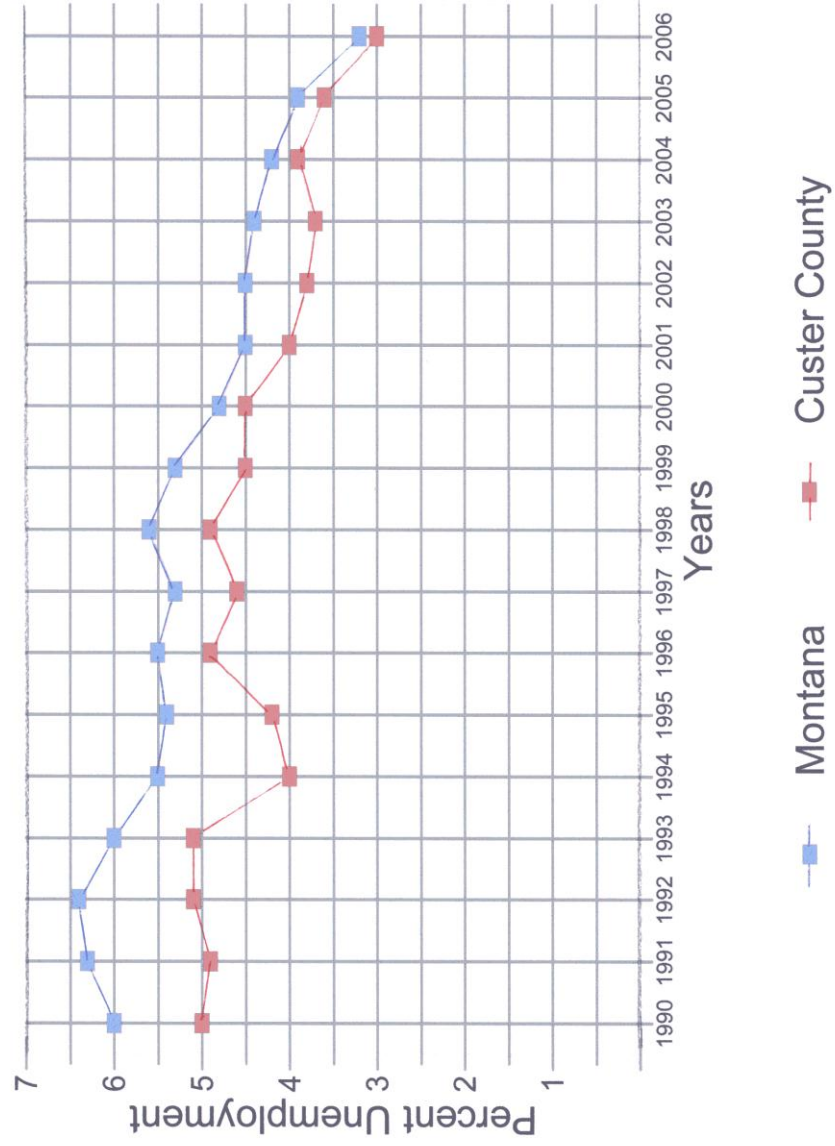
Taxable Value: The first chart is of the whole of Custer County including Miles City. The second chart shows Miles City as a separate taxing jurisdiction. Trends are decreasing. This is an indicator of local government's ability to provide tax based services. The trend in a growing community would be increasing. The dollar amounts of taxable valuation, adjusted for inflation, are also shown.

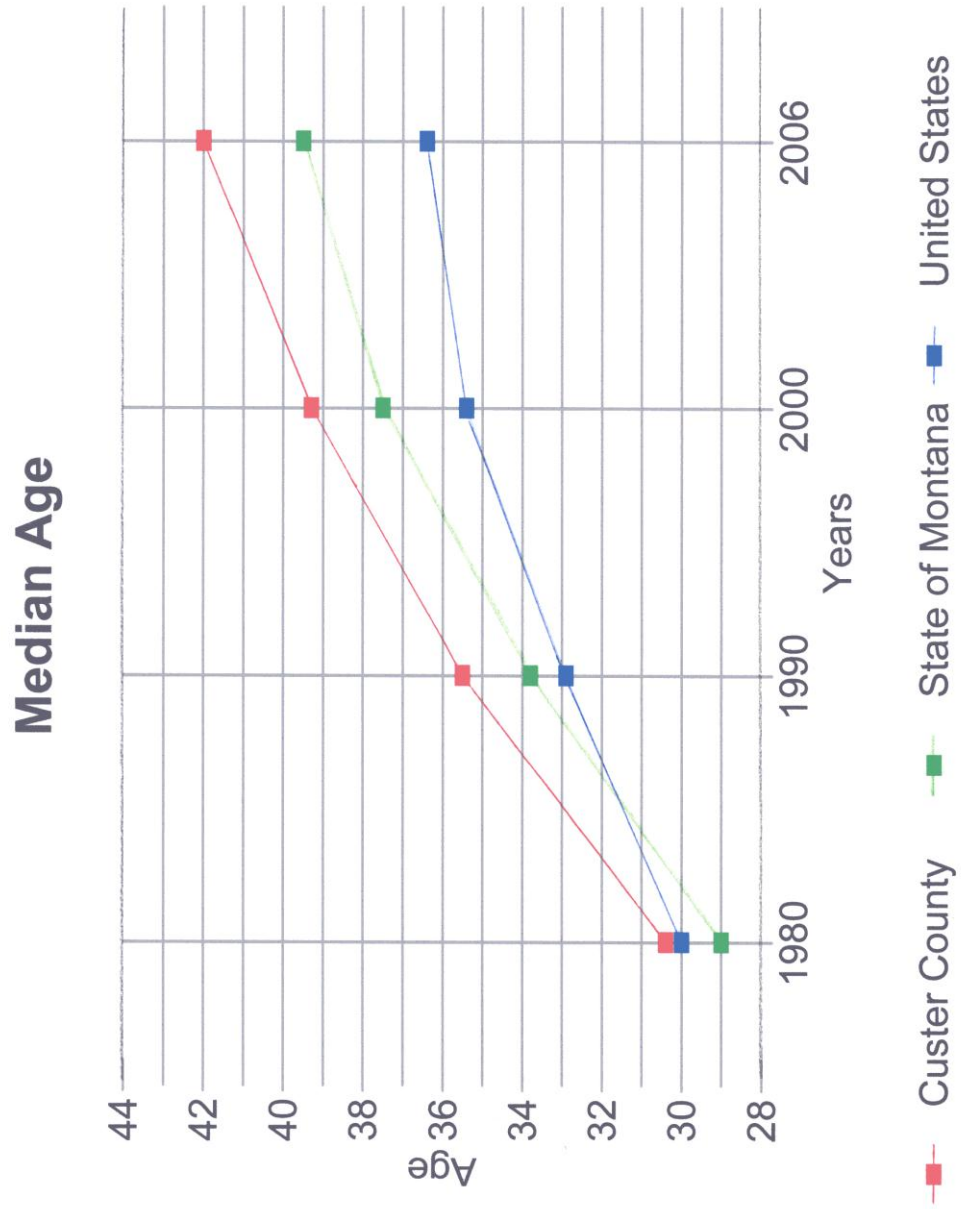


Per Capita Income

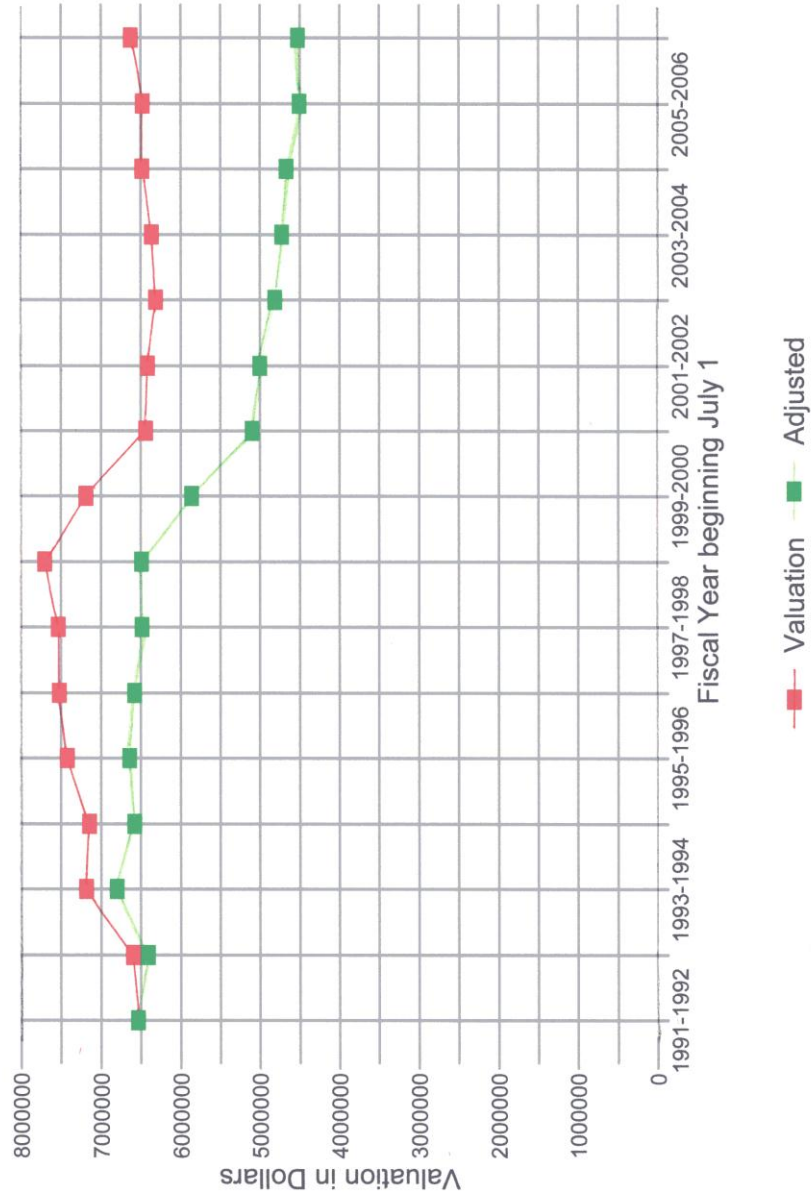


Unemployment

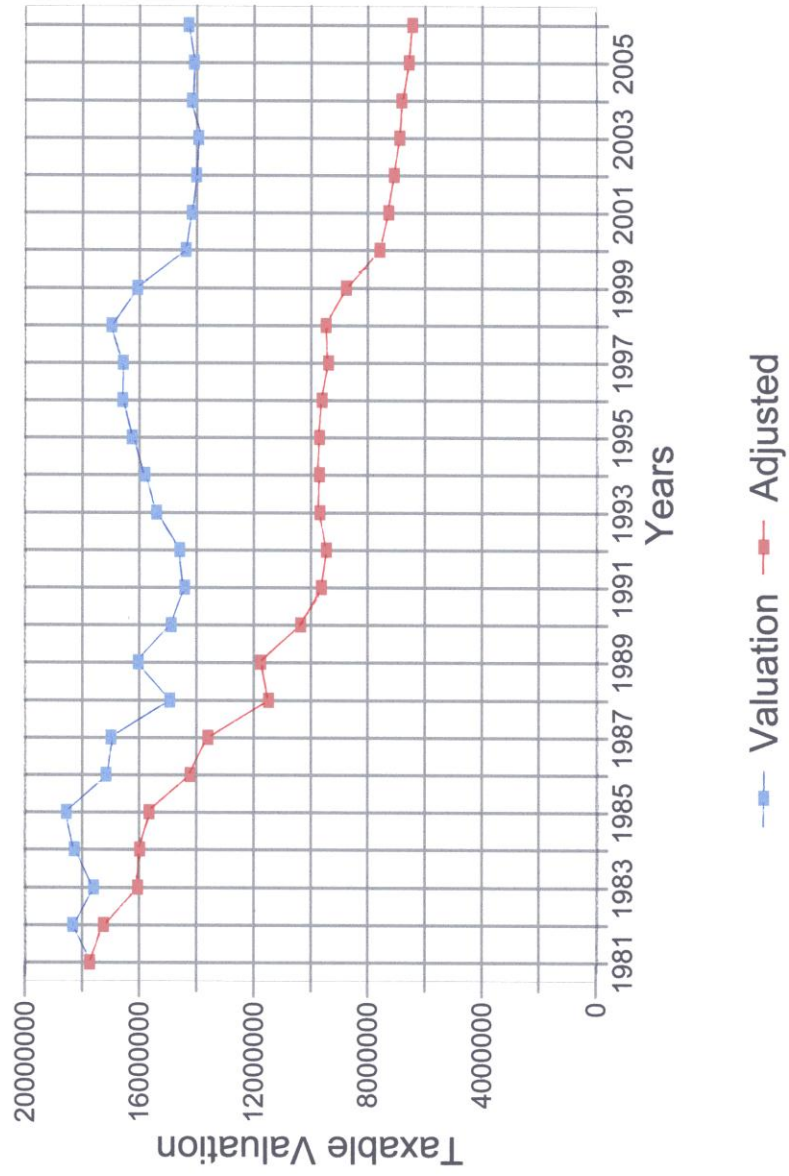




Taxable Valuation Miles City - Adjusted for Inflation



Taxable Valuation Custer County - Adjusted for Inflation



Community Goals and Objectives

After considering public input on the community survey, hearings, prior community needs assessment hearings, and personal communication, the Miles City-Custer County Planning Board defined the overall goals for this growth policy. These community goals are as follows:

1. To preserve and enhance the integrity and values of the heritage and sense of community in the Miles City area.
2. To provide and prepare for sustainable growth through a proactive approach.
3. To provide a broader economic base of agricultural, commercial, and industrial enterprises for increased job and retail opportunities, value-added products, and diversity in employment, retail trade, and tax base.

The Board considered the following specific areas: recreational, cultural/historic, infrastructure, housing/aesthetics, economic development, and educational institutions. The major issues, goals, and how to implement the goals and/or address the issues are noted for each area.

Area: Recreational

Issues

- Bike/walking pathways
- Swimming pool (past/current efforts)
- Youth facility, activities, and after-school programs, such as a skateboard area, Harmony Hangout type of place, Arcade, etc.
- Keeping viable parks
- Spotted Eagle, Riverside - develop master plans
- Provide area for ATV's
- Honda trails
- Lack of signage
- Funding Sources
- Volunteers

Goals

- Complete a system of bike and pedestrian paths throughout the community
- Develop and promote a swimming pool in Miles City
- Create positive choices for teens to lessen delinquency through youth programs and activities
- Continue to provide family areas within existing parks

- Develop master use plan for Spotted Eagle
- Develop a comprehensive plan for the Honda Trails
- Find local matches for available grants
- Identify and inventory all existing youth activities and facilities
- Approach Montana Department of Fish, Wildlife, and Parks (FWP) regarding operation of larger parks as State Parks
- Create and sustain recreational opportunities for 55-and-over age group

Implementation of goals

- Plan specific routes for paths; identify funding sources - CTEP, MDOT, county roads, Volkswalk coordination
- Identify site and type of pool facility; draft business plan
- Determine community interest
- Maintain funding for existing parks through park maintenance districts
- Create Park District with a manager responsible to park's board and community
- Develop uniform sign program for local and regional uses (Interstate and State highways)
- Encourage city and county governments to establish budgeted monies to be leveraged with grants.
- Establish Parks and Recreation Foundation to attract donations from various entities and individuals
- Complete master plans for each area and commit resources and dollars to follow through on each plan
- Encourage private businesses to provide youth facilities

Area: Infrastructure

Issues

- Flood control system does not meet standard for 100 year protection
- Aging water and sewer lines with several areas having frequent breaks, reduced flows and pressure
- Areas that have no water and/or sewer service, some of which are limited by floodplain
- Transportation - streets/roads
 - Areas of unregulated traffic flow
 - Need for more traffic control along higher ADT corridors
 - Enforcement of load limits
 - Lack of sidewalks, gutters, proper drainage in selected areas

- Snow removal
 - Essential air service
 - Truck routes
- Maintenance of gravel roads (county)
- Urban area in county - streets with less than 2 lanes, no curbs or gutters
- County needs to develop current street standard
 - Pedestrian safety
 - Drainage
- Areas without adequate drainage/Trunk lines too small in capacity
- Aging Detention facilities

Goals

- Cooperate with federal agencies to establish adequate flood-control system and redevelopment plans for the river side of the dike
- Systematic analysis and prioritization of upgrades, replacement, and extension of sewer and water lines and storage facilities
- Street surfaces should be on a 25-year total life cycle
- Define specifications of a flood-control dike, develop land-use plan for river side of dike and the dike itself
- Implement all or portions of South Haynes/Leighton-Sprandel drainage studies
- Continued improvement of airport and services with protection of essential service designation and funding
- Paving of Tongue River Road (work with Rosebud County)
- Reconstruction and paving of secondary roads in neighboring counties
- Continue to maintain existing dike - repair/replacement rip-rap
- Construct new detention facility

Implementation of goals

- Establish separate capital-asset reserve accounts to generate funds for capital infrastructure improvement
- County needs to develop typical urban/gravel road and gravel/paved street standards
- Requirements to put on the developer
 - Drainage
 - Water & sewer
 - Streets
 - Traffic control and flow
- Continue and maintain capital-improvement plans
- Garryowen Road designated as truck route, or other routes vs. main route - consider all routes for better traffic flow
- Establish a committee of local, county, and state entities to coordinate infrastructure replacement (roads, water, and sewer)

- Identify other roads that need paved and/or reconstructed (growth dependent)
- Identify bridges that may need upgraded, repaired or constructed
- Restructure administration of the Miles City Airport as an airport authority
- Initiate design work and funding package for detention facility

Area: Economic Development

Issues

- Location for new businesses
- Location availability
- Infrastructure available to support development such as school system, housing for workforce, water and sewer, recreation and facilities available, roads, airport, community college, and economic development assistance
- Appearance of town and existing business property
- Labor force available and training available
- Target type of businesses desired
- Energy development
- More diversification in retail businesses

Goals

- Businesses that provide salaries more in line with regional average
- Where possible, encourage businesses to reuse existing buildings
- Retain our younger workforce
- Recreational opportunities for 55-and-over age group
- Funding for impact of energy development to local law enforcement, water and sewer, etc.
- More diversity in industry and retail sector
- Continue to promote and assist in value-added agricultural enterprises in the region

Implementation

- Marketing program to promote Miles City and what the city has to offer
- Access to funding sources such as grants, venture capital, private funding
- Business tax relief through use of tax-incentive districts.
- Identify empty buildings, lots, industrial parks, and other sites that would provide locations for new businesses
- Inventory and maintain a list of city and county-owned lands
- Economic Development Council to promote and assist industry and government
- Use of grants to promote Southeastern Montana businesses

- Business recruitment program, concentrating on existing clusters such as medical community or energy business
- More regional cooperation and involvement among governmental entities
- General public, businesses, and governmental entities must attain a higher level of knowledge in regard to Federal, State, and local programs available for business recruitment, retention, expansion, and start-up (Examples: Regional Development
- Officers, SBDCs, local development agencies, etc.)
- Assist developers of projects to secure funding

Area: Educational Institutions

Issues

- Activities for school-age children after normal school hours
- Busing for school-age children
- Summer employment
- Updating mechanical items in schools (heating, air conditioning (AC) systems)
- Provide affordable education to college students
- More technical courses/degrees in secondary education

Goals

- Activities director to coordinate all programs
- Provide an in-school hot lunch program
- Cut down on juvenile delinquency
- Provide reliable heating and AC systems in schools and colleges
- Establish a local group of businesses and people to advise college of needs

Implementation

- Parks and recreation district for all of city and outlying areas
- Miles City businesses and federal/state agencies work together to develop a comprehensive work study program, funding, and internships
- Use of long-term USDA low-interest-rate loans to fund school improvements
- Consider other tax revenue measures, i.e. sales tax
- Increase law enforcement and volunteer presence to curb violence by juveniles

Area: Cultural/Historic

Issues

- Deserted buildings/abandoned sites and buildings
- Lack of appreciation for the economic value of our heritage
- Re-use of historic structures rather than "new" buildings
- No respect for historic design, use of modern improvements in historic districts
- No individual pride, need to clean up and make repairs throughout community
- Art Center and Range Riders Museum, others not appreciated or supported widely by local citizens
- Local people don't know local history

Goals

- Promote history, restoration, pride, tourism, and beautification of Miles City
- Unified image for Miles City based on our cultural heritage with use of local artists and artisans
- Educate the community on history and culture of the area along with the cultural and historic resources
- Create highway signs using a unified image to encourage travelers to stop
- Use the natural resources and geography to illustrate our unique history and to explain the growth of the community

Implementation

- Organize volunteers with a common purpose
- Have Miles City designate the existing official historic districts: Main Street, East Main, and Carriage House
- Create design guidelines for historic districts
- Foster appreciation of local cultural and historic resources by offering bus tours, ghost tours, narrative tours, and a free day at the museum
- Capitalize on popular images of Western American and cowboy themes, like Lonesome Dove, Bucking Horse Sale, and Lewis and Clark
- Develop the river fronts through use of interpretive signs along walking paths to illustrate history, culture, and natural history
- Emphasize enforcement of ordinances for blight areas, abandoned buildings, and other nuisances
- Create a tax-increment district encompassing the Main Street Historic District
- Use public art as an illustration of our heritage (murals and sculptures)
- Involvement in Super Host program
- Seek out grant money for implementation of goals
- Create a list of local most-endangered historic buildings and a list of best restorations

- Combine city and county in specific areas for more efficiency, better use of resources, and savings to taxpayers
- Property tax incentives for buildings on Historic Register or in Historic District (value of improvements not taxed for first 10 years)

Area: Housing/Aesthetics

Issues

- Old buildings need to be converted to a useful purpose or torn down
- Clean-up program
- Retention and renovation of historic buildings
- Flood zone area
- Housing for low- and moderate-income individuals and families
- Better apartment and condominium complexes
- V.A., vacant buildings along Valley Drive East, unsightly trailer courts
- Maintenance and upkeep of public areas
- Failure to hold property owners accountable
- Trash, weeds, dirty streets, junk vehicles
- Housing opportunities for elderly

Goals

- Provide adequate housing for low- and moderate-income individuals and families
- Increase enforcement of community decay ordinances and property-owner accountability
- Identify a process to find alternative use for vacant buildings
- Enhance and enforce zoning ordinances

Implementation

- Promote tax incentives for low- and moderate-income housing, tax credits (state) for available housing for elderly
- Promote "patio homes" for older citizens
- City and county must standardize, streamline, and enforce community-decay ordinances
- Encourage citizen-driven programs to reduce blight
- Address issues by updating city zoning ordinances

Intergovernmental Coordination

Many governmental agencies and utility companies have jurisdiction over land, infrastructure, and natural resources within the planning jurisdiction. The Miles City-Custer County Planning Board will notify potentially impacted agencies and encourage their participation when considering the impacts of proposed subdivisions and other growth-related issues.

Miles City and Custer County will continue to financially support and appoint representatives to the joint city-county planning board. Through these representatives each local government entity will remain informed of proposed subdivisions and growth issues. Agencies and utility companies not represented on the planning board will be contacted by mail, and the letter of notification shall include a site map of the proposed subdivision.

Local Government Statements of Coordination and Cooperation

The growth of a community is typically spread across local jurisdictional boundaries involving both the City and County governments. Such is the case with the Miles City community. The current growth patterns include in-fill within the City, but the major growth area is in the county. This pattern is particularly true of commercial development. Rural counties rarely have the resources to deal with the service demands of residential or commercial development. Incorporated cities, on the other hand, are typically organized to provide those specific services desired by a community. Recognizing this, the Montana Code Annotated requires statements from the involved governments regarding their intentions to coordinate and cooperate with each other [76-1-601 (3)(g) MCA.]

Custer County

Custer County officials did not offer a written response to this element. However, Custer County has historically exhibited substantial involvement in community planning and development. The County jointly sponsored the South Haynes Storm Drainage Study and the Leighton-Sprandel Storm Drainage Study. County road staff was instrumental in the development of road and street standards in cooperation with the City. Several other County departments participate in mutual-aid agreements for the benefit of the community.

City of Miles City

Both Custer County and the City of Miles City serve the broader community through shared boundaries, interests and services. While respecting the sovereign authorities of each, the two agencies maintain a long history of negotiating the exchange of interests through statutory compliance, joint resolution of intent, mutual-aid agreements, inter-local contracts, and a

generous spirit of cooperation where it serves the larger public good. Examples of intergovernmental cooperation are abundant.

- In matters of public safety, Custer County and Miles City traditionally share an Emergency Dispatch Operations Center, wildland fire protection, ambulance service, and a detention center.
- In matters of public welfare, the two entities enjoy the shared use of City parks and recreation facilities, the Miles City Public Library, mosquito abatement, animal control and public health services.
- In matters of public services, Custer County and Miles City share street and road maintenance interests, water delivery and wastewater collection, sand and gravel supply and Information Technology Systems.
- Shared authority is achieved through a joint City-County Planning Board, a joint City-County Health Board, a joint City-County Airport Commission, the Solid Waste Board, the 911 Committee and the Flood Control Task Force.

Given the current population, the historical pattern of growth, and the means by which the operations of both governmental bodies are financed, this cooperative method of problem-solving should be maintained and even encouraged, whenever it can be determined to be of long-term benefit to the community well-being.

In crafting the Growth Policy, the City of Miles City will coordinate and cooperate with Custer County in the following manner:

1. To abide, at all times, with current law set forth in the Montana Codes Annotated and the
2. Administrative Rules Of Montana.
3. To provide Custer County officials and staff an opportunity to engage, review and comment on amendments to the Growth Policy prior to adoption. Opportunities for proposals, review and comment will provide a reasonable time for the development and incorporation of strategies into the document.
4. To provide County officials and staff an opportunity to review and comment on the implementation tools for the Growth Policy. Such tools shall include subdivision regulations, design and improvement standards, and may include other documents identified as having a material impact on county land use and planning.
5. To jointly develop an annual City-County Interlocal Agreement outlining service delivered and exchanged between the two entities and compensation provided as consideration. The agreement will specify roles, responsibilities, appropriate development design and improvement standards, and mechanisms for infrastructure financing.
6. To coordinate and combine the efforts of the City-County Planning Board, the Miles City Zoning Commission and support staff in an attempt to maintain planning integrity and consistency between the City of Miles City and Custer County.
7. To collaborate with Custer County on identified areas of shared interest such as appropriate joint resolutions advancing the interests of public safety, public works financing, and grant administration in support.

8. To share staff whenever it is deemed appropriate by both parties in the areas of mutual need, such as emergency dispatching, information technology, planning and community development, historic preservation and law enforcement.
9. To provide reasonable notice and solicit advice and comment from the County with respect to any intent of the City to annex property outside of the City limits.
10. To provide review, advice and comment to the County with respect to development outside of the City limits but within the planning jurisdiction.

Specifically, where legal boundaries of the planning jurisdiction assigned to Miles City meet County jurisdiction, the City will regard the provisions of this Growth Policy as the parent document of record in determining appropriate land use policy, particularly with respect to subdivision review, subdivision design and improvement standards, water treatment and distribution, wastewater collection and treatment, law enforcement, fire protection, open-space requirements, and parks planning and management. This list is not exhaustive, yet provides illustrations of areas in which the City of Miles City expects to cooperate with Custer County. Other areas of joint effort must be encouraged and pursued as directed by opportunities and community growth needs.

Policy Implementation

Many resolutions and ordinances are in place and available to implement this growth policy. Some tools have been adopted by Miles City, some by Custer County, and some by both entities. Some tools may involve other governmental entities. These tools include:

- Growth Policy
- Subdivision review
- Zoning districts
- Airport Hazard Zone
- Floodplain permitting
- Recreation master plans
- Capital improvement plans
- Public education
- Capital facilities planning
- Public participation
- Public-private partnerships
- Grantsmanship and financial planning

Some of these tools have a long history of use in the planning board jurisdiction. Others may be available, but due to staffing, financial and time constraints, do not achieve full impact. Many of the planning tools are in need of updating, as they have been on the books for many years and the planning environment does change over time. Other implementation tools may emerge as legal requirements, technology and communications advance.

This Growth Policy is scheduled to be reviewed for continued applicability in the year 2011. Changes in the private sector, public sector or other issues may drive an earlier review. The planning jurisdiction has a history of slow change. Extraordinary and unpredictable changes

in the community may prompt the local governments to request modification of this document.

Subdivision Review Criteria

The basis for a decision to approve, conditionally approve, or deny a subdivision is whether the preliminary plat, applicable environmental assessment, public hearing comments, and other information demonstrate that the development of the subdivision meets the requirements of Title 76, Chapter 3, MCA. Review includes consideration of the impact on six main criteria. These criteria are effect on 1) agriculture, 2) agriculture water-user facilities, 3) local services, 4) natural environment, 5) wildlife and wildlife habitat, and 6) public health and safety. Proposed subdivisions must also be reviewed for compliance with survey requirements, compliance with local subdivision regulations, compliance with sanitation requirements, compliance with the subdivision review procedure, provision of legal and physical access, provision for easements for utilities, compliance with applicable zoning regulations, and compliance with this growth policy. These facts are not only considered for the parcel of and being proposed for subdivision, but for property in the vicinity. In order to make a reasoned assessment of the impacts, the broad criteria listed in 3-608(3)(a) MCA are further defined.

Agriculture means the direct use of land for grazing and cropping to produce food, feed, and fiber commodities. This includes crop cultivation and tillage of the soil; grazing for milk, egg, meat, and breeding animal production; and animal feed production. It does not include farm animal confinement facilities or structures associated with farming and ranching.

Agricultural water user facilities means those facilities which provide water for agricultural land or the production of agricultural crops or animals including, but not limited to, canals, ditches, pipes, water-control devices, springs, dams and dugouts with associated collection areas, and water-spreading systems.

Local services means any and all services and facilities that local government entities are authorized to provide.

Natural environment means the physical conditions which exist within a given area, including land, air, water, mineral, flora, fauna, sights, sound, and smells and objects of historic, aesthetic, or community significance.

Wildlife means living creatures (e.g. mammals, birds, reptiles, fish) which are neither human nor domesticated.

Wildlife habitat means geographic areas containing physical or biological features essential to wildlife for living, breeding, or nesting either permanently or seasonally, or essential to the conservation of listed endangered and threatened species under the Endangered Species Act.

Public health and safety means a condition of optimal well-being, free from danger, risk, or injury for the community at large or for all people, not merely for the welfare of a specific individual or a small class of persons.

Subdivision Evaluation

Subdivision review considers all of the above criteria. Each proposed subdivision may present an extensive difference in the factors encountered and the degree of impact. Some of these factors by themselves may not be a cause for concern, but a combination of factors together may present a substantial challenge. The Planning Board has the responsibility to investigate the broad situation, to consider the total impact of the proposed subdivision, and to recommend mitigation of the negative impacts to the governmental entity. It is the developer's responsibility to document proposed mitigation of any adverse impacts based on these six criteria.

Impacts on agriculture

- Number of acres that would be removed from the production of crops or livestock
- Acres of prime farmland (as defined by USDA) that would be removed from production
- Impact on the use of the remainder or adjacent properties as agricultural land
- Incompatible uses such as interference with movement of livestock or machinery, fence maintenance, weed proliferation, trespass or vandalism, and harassment of livestock by pets or humans

Impacts on agricultural water user facilities

- Location and proximity to agricultural water facilities
- Potential for property damage due to seeps, washouts, or flooding
- Obstructions or interference with facility maintenance activities or access
- Unauthorized use of irrigation water for purposes other than agriculture
- Water rights

Impacts on local services

- Ability of the government to provide services
- Increased demand on services or the need to expand services, including response times, traffic load, road and bridge design, fire protection levels, schools and school bus routes, landfill requirement
- Any special or rural improvement districts that would obligate the local government either administratively or financially
- Physical barriers

Impacts on the natural environment

- Effects on air quality
- Effects on natural stream channels, riparian areas, or wetlands
- Effects on storm water runoff
- Effects on groundwater supply, quantity, or quality

- Effects on scenic resources
- Effects on historic or cultural resources
- Proliferation of noxious weeds

Impacts on wildlife and wildlife habitat

- Loss of significant, important, or critical habitat, as defined
- Effects on protected or endangered species
- Effects on wildlife or habitat due to roads, increased traffic, increased access
- Effects of humans and pet on wildlife

Impacts on public health and safety

- Creation of unsafe roads or the lack of all-weather access
- Effects of development in high fire-hazard areas
- Effects from natural hazards, including slopes, soil conditions, flooding, wildlife
- Effects from man-made hazards, including high-tension lines, high-pressure pipelines
- Effects on traffic safety
- Effects on emergency access
- Effects from septic systems
- Effects on law enforcement
- Effects of development that endanger public health and safety

Annexation

Developments in rural areas are seldom willing to shoulder the true costs of development. Natural and environmental limitations such as potable water availability, ground water tables, primitive roads and low levels of road maintenance, seasonal flooding, isolation from law and fire protective services and obtainable medical services are often unavailable or are limited due to distance, weather or other conditions. Citizens locating in rural areas generally desire the rural lifestyle, but demand city-type services. Typically county government is unable or unwilling to provide these services.

Fringe developments adjacent to a city frequently use rate-based services and enjoy tax-based services without having to pay city taxes. Annexation allows a city to expand its boundaries and include developments into the city. Annexation requires the city to provide services, but also allows the city to tax for services provided. As a city grows, development becomes eligible for annexation.

This Growth Policy, in regard to annexation, shall provide that:

1. The City shall abide by state statute which details the requirements and procedures for annexation.
2. Residential properties adjacent to the corporate city boundary which are receiving a high level of city services shall be annexed into the city.
3. Commercial properties demanding city services shall be annexed into the City in conjunction with a waiver of no protest to annexation delivery of services.

4. The City of Miles City shall coordinate with Custer County in regard to county-provided services in areas proposed for annexation.
5. The County shall coordinate infrastructure design and improvement standards with the City in order to encourage seamless annexation.
6. Developments that have rural special improvement districts (RSID's) in place to finance improvements shall have those improvements continued by the City.

Zoning

Land use is controlled by ordinances known as zoning. Both County and City governments have the authority to enforce zoning, albeit by different state enabling statutes. Currently, Custer County does not have a zoning ordinance. The City of Miles City has a long history of zoning and currently extends its extraterritorial jurisdiction to two miles outside the corporate city limits as allowed by state statute.

Zoning allows a government to control private land use for the purposes of protecting life, protecting property, maintaining land values, providing for the different land uses pertinent to a community, and to encourage growth in certain manners and directions. Adjacent incompatible uses are discouraged. Incompatibility may be based upon sights, sounds, smells, environmental conditions, service demands and other issues of one form of land use relative to another.

This Growth Policy, in regard to zoning, shall provide that:

1. Zoning ordinances shall abide by the state enabling statutes in regards to procedures and requirements.
2. Zoning ordinances shall provide for a broad range of land use zones as needed by the community.
3. Zoning ordinances shall be enforced to the benefit and protection of the greater community.
4. Zoning ordinances shall include opportunities for open space and protection of rural areas for the benefit and enjoyment of the greater community.
5. Zoning ordinances shall reflect the existing development patterns to the extent that the needs of the greater community are served.
6. Zoning amendments shall consider the needs of the petitioner, neighboring property owners, and the greater community.

Public Hearing Statement

Public hearings are required for major subdivisions. For minor subdivisions that qualify as the first subdivision from a tract of record, the requirements for a public hearing may be waived by the Board. Minor subdivisions which are eligible for summary review are exempt from the public hearing requirements. Public hearings for subdivision review are governed by 76-3-605 MCA.

When required, the Board will conduct public hearings on the preliminary plat to consider all relevant evidence relating to public health, safety, and welfare; and compliance with statutes, local regulations, and this growth policy, to determine whether the plat should be approved, approved with conditions, or denied. These hearings may be held in conjunction with the regularly scheduled Planning Board meeting or may be set by the chairperson to a more reasonable time, date, or place.

Public hearings shall follow the following format:

1. A sign-in sheet shall be circulated to establish attendance.
2. Chairperson shall open the public hearing and introduce the preliminary plat.
3. The findings of fact or staff report shall be reviewed.
4. The hearing shall be opened for comments by the public.
 - a. Comments by the proponents
 - b. Comments by the opponents
 - c. Written comments will be publicly reviewed
 - d. Chairperson may allow limited rebuttals
5. Hearing shall be closed. The length of the hearing must, as nearly as possible, be held to no more than one hour.
6. The Board shall make a decision to approve, conditionally approve, or deny the plat. The
7. Board shall have the option of extending the date of decision if it is determined that additional information is needed. If the date of decision is extended, all stakeholders shall be notified of the new date.
8. The Board shall submit its recommendation to the governing body not later than 10 working days following the public hearing. The recommendation must list all conditions for a conditional approval or all the reasons for denial.

Wildland Fire/Urban Interface

Fire hazards are problematic regardless of where development occurs. Wildland fire-suppression services are particularly difficult for governments to deliver due to distance from resources, response time, lack of water sources, lack of access, complications of mixed ownership of rural lands, ability for fire crews and administrators to communicate and other issues common to rural areas. The planning jurisdiction enjoys a reasonable level of wildland fire protection due to the relatively close proximity of well-trained and well-equipped fire departments. The County Commission issues fire restrictions during high fire hazard seasons. The City enforces fireworks restrictions. Traditionally the County, City and state agencies have cooperated in fire suppression activities.

This Growth Policy, in regard to Wildland Fire/Urban Interface, shall provide:

1. Strategies for seasonal fire restrictions.
2. Rural developments shall provide for adequate fire access.
3. Design and Improvement Standards shall provide for fire-suppression improvements such as water sources, access, and development restrictions in high fire-hazard areas.

4. Ordinances for fireworks restrictions.

Flood Control System

The planning jurisdiction lies, in part, in the flood plains of the Tongue River and the Yellowstone River. An earth dike provides limited protection for most of the City, certain developed areas in the County and adjacent rural areas. The dike is not rated to provide 100-year flood protection as required by the Federal Emergency Management Agency (FEMA). A recent Army Corp survey has proposed an enlarged 100-year floodplain involving 3100 structures. The City has instituted a citizen Flood Control System Task Force and a City Council standing committee to address the issues, propose mitigation proposals, and to inform the public.

This Growth Policy, in regard to Flood Control System, shall provide:

1. A comprehensive reevaluation of the Army Corp proposal.
2. A public information campaign to educate the community regarding the flood-control issues and encourage citizen participation in determining outcomes.
3. For adequate maintenance levels on the existing dike.
4. For the development of alternative solutions for flood-control opportunities.
5. For the pursuit of funding for financing engineering, design and construction activities of flood control alternatives.
6. For joint efforts between City, County, various state agencies, FEMA and the Army Corps.

APPENDICES