Chapter 7
USE OF THE GROWTH POLICY

The growth policy is a guidance document that asserts Missoula County's policies and approaches for addressing land use, conservation and community development issues in the coming years.

Growth policies are foundational community planning documents in the sense that both regulatory documents (subdivision and zoning) and advisory documents (area and issue plans) must be adopted in accordance with the growth policy. This chapter provides guidance to Missoula County planners, planning board members, county commissioners, the public and developers with regard to how these specific regulatory and planning documents, as well as proposals for subdivisions, zoning and plan amendments, will be evaluated for compliance with this growth policy.

How to Assess Consistency of an Area Plan or Issue Plan with this Growth Policy

Area and issue plans provide locally-driven guidance for land use planning (area plans) and for specific subjects (issue plans). Both types of plans should be developed to help implement this growth policy by providing more focused guidance on community conservation and development in specific locations. Land use designation maps developed with an area plan are incorporated into the overall land use designation map for the county. (Map 18)

Policy Guidance:

- MCA 76-1-605, Use of Adopted Growth Policy. A governing body must be guided by and give consideration to the general pattern of development set out in the growth policy in the:
  - Authorization, construction, alteration, or abandonment of public places, public structures and public utilities;
  - Authorization, acceptance, or construction of water mains, sewers, connections, facilities, or utilities; and
  - Adoption of zoning ordinance or resolutions.
  - MCA 76-1-606, Effect of Growth Policy on Subdivision Regulations. When a growth policy has been approved, the subdivision regulations must be made in accordance with the growth policy.

Policy Guidance:

- MCA 76-1-601(4)(a), Growth Policy – Contents. A growth policy may include one or more neighborhood plans. A neighborhood plan must be consistent with the growth policy.
- MCA 76-2-203(1)(a), Criteria and Guidelines for Zoning Regulations. Zoning regulations must be made in accordance with a growth policy.

Area and issue plans should follow the guidance provided in Chapter 4 and will be assessed for consistency with this growth policy using the goals and objectives provided in Chapter 2. Plans are not required to address all of the goals and objectives, but they must not contradict those that apply. Existing area plans will be reviewed periodically as provided in Chapter 4, when consistency with this growth policy will be evaluated.

How to Assess Accordance of the Missoula County Subdivision Regulations with this Growth Policy

The implementation plan in Chapter 2 recommends changes to the subdivision regulations to address specific issues. As these changes are completed, the Missoula County Subdivision Regulations will be evaluated to confirm that they are in accordance with the growth policy.

This growth policy includes definitions for the seven primary review criteria that are used to evaluate proposed subdivisions under state law. The criteria are: agriculture, agricultural water user facilities, local services, natural environment, wildlife, wildlife habitat, and public health and safety. The definitions of these criteria in the subdivision regulations must be consistent with the definitions in the growth policy.

How to Assess Compliance of Development Applications with the Growth Policy

Development applications, including subdivisions, are to be reviewed for compliance with this growth policy. Under current state law, a subdivision proposal cannot be denied and conditions cannot be imposed based solely on whether it complies with a growth policy. However, developers are strongly encouraged to adhere to the development pattern and policies stated in this document and the land use designation map (Map 18), or otherwise seek an amendment to this document.

Goals

A development application should generally comply with the growth policy goals that apply to it. A development proposal does not have to comply with all of the applicable goals, but on balance it should comply with most of them. When a proposal is found to contradict any of the goals, mitigation measures may be requested or required, depending on the legal authority, to limit or eliminate the

impacts the development creates. In development applications, developers must include a section detailing how a proposal either complies or does not comply with applicable goals. When a development does not comply, the developer is advised to propose mitigation measures.

Land Use Designation Maps

The Land Use Designation Map is an integral part of this growth policy and is intended to help achieve several goals, such as providing for the logical growth of communities, while protecting rural character (Goal 8) and reducing safety risks and costs associated with wildland fire and other hazards (Goal 11). The current County Land Use Designation Map incorporates designations from adopted area plans, as well as designations for portions of the county without area plans that were originally adopted in 1975 and re-adopted in 2002. (See Map 18)

Due to the number of goals that can be addressed through land use designation mapping, the County has identified updated mapping through the land use strategy as a high priority for growth policy implementation, particularly for those areas experiencing growth and development pressures, where the existing designations are outdated, and/or where there is significant community interest. Until revision occurs, the current map remains in effect. A detailed discussion of the county's approach to land use mapping is located at the end of Chapter 2.

The Land Use Designation Map is to be used to evaluate development proposals, which should substantially comply with the map. Developers whose proposals do not substantially comply with the map may seek to modify their proposal or amend the map through an application and the public review process.

In addition to assessment for compliance with the growth policy, development proposals are also assessed for compliance with area and issue plans using the same approach described above.

How to Assess Zoning Resolution Accordance with the Growth Policy and/or Area Plan

Zoning is used to help implement a growth policy or area plan. Zoning regulations include descriptions of zoning districts and the standards that apply within them. A zoning map that shows where these districts have been applied accompanies the regulations. Locations of the zoning districts and the standards that apply within them should reflect the pattern of development set forth on the Land Use Designation Map. (Maps 6 & 18) The map should include similar general land use designations such as residential or commercial, but it is not necessary for a zoning map to be a perfect replica of the Land Use Designation Map or have identical districts, densities or other designations. The zoning text should be designed to help carry out the applicable goals and policies of the plan, but zoning is not required to address all of the goals and policies.

When assessing accordance with the growth policy, reviewers should list the applicable goals and policies and evaluate whether and how the zoning regulations and map either comply with the plan or do not. In some instances, revisions to the zoning regulations and map may be necessary to help implement the growth policy.