

HOUSE BILL NO. 184

INTRODUCED BY M. JOPEK

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A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A GROWTH POLICY TO INCLUDE A STRATEGY FOR PRESERVING PUBLIC ACCESS TO LAKES, STREAMS, RIVERS, AND OTHER WATERWAYS; AND AMENDING SECTION 76-1-601, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 76-1-601, MCA, is amended to read:

**"76-1-601. Growth policy -- contents.** (1) A growth policy may cover all or part of the jurisdictional area.

(2) ~~A growth policy must include the elements listed in subsection (3) by October 1, 2006.~~ The extent to which a growth policy addresses the elements of a growth policy that are listed in subsection (3) is at the full discretion of the governing body.

(3) A growth policy must include:

- (a) community goals and objectives;
- (b) maps and text describing an inventory of the existing characteristics and features of the jurisdictional area, including:

- (i) land uses;
- (ii) population;
- (iii) housing needs;
- (iv) economic conditions;
- (v) local services;
- (vi) public facilities;
- (vii) natural resources, including all lakes, streams, rivers, and other waterways; and
- (viii) other characteristics and features proposed by the planning board and adopted by the governing

bodies;

(c) projected trends for the life of the growth policy for each of the following elements:

- (i) land use;
- (ii) population;



- 1 (iii) housing needs;
- 2 (iv) economic conditions;
- 3 (v) local services;
- 4 (vi) natural resources, including all lakes, streams, rivers, and other waterways; and
- 5 (vii) other elements proposed by the planning board and adopted by the governing bodies;
- 6 (d) a description of policies, regulations, and other measures to be implemented in order to achieve the
- 7 goals and objectives established pursuant to subsection (3)(a);
- 8 (e) a strategy for development, maintenance, and replacement of public infrastructure, including drinking
- 9 water systems, wastewater treatment facilities, sewer systems, solid waste facilities, fire protection facilities,
- 10 roads, and bridges;
- 11 (f) an implementation strategy that includes:
- 12 (i) a timetable for implementing the growth policy;
- 13 (ii) a list of conditions that will lead to a revision of the growth policy; and
- 14 (iii) a timetable for reviewing the growth policy at least once every 5 years and revising the policy if
- 15 necessary;
- 16 (g) a strategy for preserving public access to lakes, streams, rivers, and other waterways;
- 17 ~~(g)~~(h) a statement of how the governing bodies will coordinate and cooperate with other jurisdictions that
- 18 explains:
- 19 (i) if a governing body is a city or town, how the governing body will coordinate and cooperate with the
- 20 county in which the city or town is located on matters related to the growth policy;
- 21 (ii) if a governing body is a county, how the governing body will coordinate and cooperate with cities and
- 22 towns located within the county's boundaries on matters related to the growth policy;
- 23 ~~(h)~~(i) a statement explaining how the governing bodies will:
- 24 (i) define the criteria in 76-3-608(3)(a); and
- 25 (ii) evaluate and make decisions regarding proposed subdivisions with respect to the criteria in
- 26 76-3-608(3)(a); and
- 27 ~~(i)~~(j) a statement explaining how public hearings regarding proposed subdivisions will be conducted.
- 28 (4) A growth policy may:
- 29 (a) include one or more neighborhood plans. A neighborhood plan must be consistent with the growth
- 30 policy.

- 1 (b) establish minimum criteria defining the jurisdictional area for a neighborhood plan;
- 2 (c) address the criteria in 76-3-608(3)(a);
- 3 (d) evaluate the effect of subdivision on the criteria in 76-3-608(3)(a);
- 4 (e) describe zoning regulations that will be implemented to address the criteria in 76-3-608(3)(a); and
- 5 (f) identify geographic areas where the governing body intends to authorize an exemption from review
- 6 of the criteria in 76-3-608(3)(a) for proposed subdivisions pursuant to 76-3-608.
- 7 (5) The planning board may propose and the governing bodies may adopt additional elements of a
- 8 growth policy in order to fulfill the purpose of this chapter."

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