

Draft #6
Draft Comprehensive Plan
Sanders County, Montana

INTRODUCTION

This Growth Policy has been produced by the people of Sanders County, recognizing that growth and development in the county will occur and that such growth can and should be guided and controlled to the best of our ability. The intent of this policy is to promote the following principles:

- Maintain and protect the unique and scenic character of the county,
- Maintain and protect rural lifestyles,
- Protect property rights and values, and
- Protect health and safety of the people of Sanders County.

These principles, as well as the goals and policies which support them on the following pages, are not prioritized by the order of their appearance. Many elements of this plan have been borrowed from the plans of neighboring counties and municipalities, but all have been researched, debated and modified to fit the unique character and landscape which constitute Sanders County. The many residents of Sanders County who participated in this process recognize that change is a certainty and, therefore, this document must be changed and updated over time as well.

NATURAL RESOURCES

General Sanders County Natural Resources Goals

The purpose of this section is to outline general natural resources goals with respect to growth and development throughout the county.

Natural Resource Goals

1. Conserve and maintain a high standard of water quality in our lakes, rivers and aquifers. Restore, maintain, protect and enhance overall water quality within the county. Ensure development policies do not cause a decline in water quality.
2. Protect and maintain a high standard of air quality in the county. Ensure development policies do not cause a decline in air quality.
3. Conserve and protect the natural scenic character of the county.
4. Protect and maintain the natural character and function of flood plains by limiting development in an established floodplain area.

5. Develop policies to protect life and property from hazards associated with characteristics of geology, soils, topography, and groundwater based on measurable technical parameters; maintain the natural characteristics of these areas to the extent of avoiding such hazards.
6. Inventory and conserve wildlife, fish and vegetation special resources and habitat. Maintain the natural characteristics of Sanders County and consider habitat requirements of wildlife, fish and vegetation resources in all development proposals.
7. Conserve agricultural and other renewable resources land; encourage continued use of these lands for agricultural and renewable resources production.
8. Protect watersheds from activities which may degrade surface and/or groundwater resources; encourage the use of Best Management Practices (BMPs).
9. Coordinate with Federal, State, Tribal and private entities which monitor natural resource conditions in the county to insure that a high standard of environmental quality is maintained. Promote the use of Memoranda of Understanding and Memoranda of Agreement (MOUs and MOAs) with tribes and other units of government and industry.
10. Promote conservation easements, agricultural preservation programs, and watershed councils.
11. Ensure implementation of a weed management plan required by the developer, as outlined in #9 above utilize MOUs/MOAs to encourage other major landowners in the county to comply with state statute. A weed management plan will be prepared by the developer and completed prior to final plat approval.
12. Identify and protect unique non-renewable resources, such as mineral hot springs.

Natural Resource Policies

Agriculture / Renewable Resources

Policy 1: Foster the continued viability of agriculture in Sanders County by helping to protect agricultural land and irrigation systems and supporting agricultural practices.

Agricultural land is an irreplaceable and limited resource that sustains the rural lifestyle. Agriculture is vital to our local economy and culture. Farm and ranch families in the county produce what we all need - food and fiber. They also manage and protect much of the open space and rural landscape that defines our lifestyle and character.

To help protect agriculture, we shall:

- Work with landowners to design and/or modify new subdivisions that will conserve farm and forest lands;
- Support economically viable alternatives to subdivision;
- New development should not negatively affect or encroach on farms and ranches;
- Promote and endorse conservation strategies for agricultural and forest lands.

Surface Water

Policy 2: It is the policy of Sanders County to protect surface waters, groundwaters and watersheds from degradation. As its standard for water quality the county accepts current state standards (at this time, that standard is published as the Montana Department of Water Quality Circular *WQB-7, Montana Numeric Water Quality Standards*, attached as Appendix A).

Clean, natural waters contributes to all aspects of a healthy productive life, including agriculture, human health, power productions, industry, peace of mind and recreation. Surface water quality is largely dependent on land use practices adjacent to streams. Along streams and rivers are corridors or "riparian areas" that hold flood waters, filter degraded runoff, provide wildlife habitat, and serve in other ways that benefit our communities. Development near stream corridors and wetlands can diminish their beneficial functions. Riparian areas shall be protected through establishment of appropriate setbacks from rivers, streams, and wetlands. Developments which may impact water quality and/or riparian areas shall provide engineered plans to the county specifying the steps which will be taken by the developer(s) to minimize impacts to water quality and riparian areas. To reduce the risk of flood damage and to protect our streams and wetlands, new development should be situated away from surface water and flood plains.

Surface water recreation should be compatible with water quality goals and standards.

Air and Groundwater

Policy 3: Sanders County will maintain a healthy environment by protecting air quality and the quantity and quality of existing waters.

Existing water quality means the quality of the receiving water, including chemical, physical, and biological conditions immediately prior to commencement of the proposed activity.

Groundwater protection, at minimum, shall follow the regulations promulgated by the State of Montana (currently referenced in *Water Quality Circulars 3 & 4*, and the Department of Environmental Quality, *Water Quality Standards*). Sanders County supports the intent of non degradation of all waters within it's jurisdiction. All major subdivisions and commercial development projects shall include as part of the application and review process water quality background data and plans prepared by qualified environmental or engineering firms.

Sanders County recognizes the importance and value of high quality water. Sanders County residents are fortunate to have excellent quality water supplies, especially in the valley bottoms. This water quality allows the residents fine domestic wells and supports irrigated agriculture. Easy to access, excellent quality groundwater has been emphasized by citizens as important to all facets of planning and future development within the county. New development shall not compromise existing water users.

ECONOMICS AND SOCIETY

The purpose of these policies is to assure the promotion of the public health, safety and welfare and to promote the economic and social well-being of Sanders County.

Economic and Social Goals

1. Increase public awareness and participation in the county planning process.
2. Open avenues for citizens to express their concerns and desires for growth and development, and incorporate these into a land use plan which is reasonable, flexible, and balanced.
3. Maintain the values that characterize the rural lifestyles of area residents.
4. Protect and enhance property values by encouraging compatible development.
5. Protect the individual's right to develop property, but balance that right with the community's interest in orderly, cooperative growth and development, as expressed throughout this plan.
6. Encourage economic development that is compatible with the area and provides employment opportunities and historical occupations.
7. Encourage development that will provide adequate housing for residents on low or moderate incomes.
8. Develop standards for urban, suburban, rural and commercial lot sizes based on health and safety, natural resource constraints, and adjacent uses. Develop policies which define where the different standards are applicable based on the same criteria. Develop mechanisms which allow potential developers and adjacent property owners or renters to protest and change land use decisions and standards in a fair and open manner.
9. Recognize and protect historical and cultural resources and diversity in the county.

Economic and Social Policies

Property Rights

Policy 4: Sanders County will protect individual property rights in accord with the Constitutions of the United States and the State of Montana.

Individual property owners maintain any and all rights to sell or to manage their own property as long as their actions do not adversely impact the life, liberty or legally protected rights of others. Private property shall not be taken or managed for public use without just compensation to the owner. Sanders County has the responsibility to protect the public health, safety and welfare of its citizens.

High Impact Land Use

Policy 5: Ensure that new high-impact development is compatible with the surrounding area by adopting development standards that address issues such as appropriateness of location, traffic access and safety, impact on natural resources, and other goals and policies expressed in this plan.

Local economic growth should be balanced with the needs of neighborhoods and citizens' quality of life. New development must be compatible with surrounding properties and with the community.

Residential and Commercial Lot Sizes

Policy 6: Residential and commercial lots will be sized appropriately for their neighborhoods; with consideration of the natural environment; and allowing insuring access for health and safety.

This policy is intended to provide guidance to property owners and developers in creating new lots in Sanders County. Individual and multi-unit structures should be sized and situated to protect water quality, wildlife habitat and human safety, while preserving or enhancing the character of the neighborhood. The goal is to be compatible with the environment of the neighborhood; create new lots comparable in size to existing lots in the neighborhood; and/or comparable to new developments in progress in the area.

Neighborhood Character

Policy 7: Maintain or enhance community character by encouraging citizen advisory committees to develop community plans.

Thoughtful, community-based planning, can guide growth so that it enhances the character of neighborhoods. To address growth in unincorporated communities or neighborhoods, residents are encouraged to create "community plans," developed through public process.

Government and Infrastructure

This section of the Sanders County Plan addresses government services (i.e. health and safety, law enforcement), infrastructure and implementation of this plan.

Government Services and Infrastructure Goals

1. Promote cooperation and coordination between county and tribal government to minimize duplication of public programs, services, and facilities, and to provide better services to all residents.
2. Promote attractive and well planned commercial, residential and industrial development which will benefit the community and not place an undue burden on local public services.
3. Develop fair and economically sound methods to assess the costs of new development so developers can be required to pay the full cost of their projects and taxpayers can be protected from subsidizing private development. Hold developers responsible for impacts of their projects on government services and infrastructure.
4. Develop growth policies and guidelines in accordance with the needs and desires of residents within various local areas of the county.
5. Encourage towns, communities and neighborhoods to develop their own growth management and land use plans as allowed by state law, using public process. Coordinate local plans with the county plan through memoranda of understanding (MOUs).

6. Encourage conservation easements and land use covenants. Develop mechanisms for enforcement of easements and covenants which are fair and cost effective.

Government Services and Infrastructure Policies

Adequate Public Infrastructure

Policy 8: Require new development to pay its fair share of the costs to provide needed increases in public infrastructure and services resulting from such development. As part of the fair share the developer shall reimburse the county for the costs associated with a fair share analysis and calculation. The increased tax base will be included as a variable in such calculations.

Sanders County will minimize taxpayer subsidies of growth by requiring that public infrastructure and service needs generated by new development are paid by the new development. In this context, public infrastructure and services include but are not limited to, maintenance and improvements of roads, schools, water and sanitation services, law enforcement, fire protection, use and maintenance of public recreation facilities, costs of approving subdivisions and all other tax-funded services.

Highway Corridors

Policy 9: Ensure appropriate land development along highway corridors by adopting land use plans that consolidate new development at appropriate locations, minimize hazards to safety and ensure compatibility with the area. Off premise signage will be compatible with neighborhood land use and disallowed in designated residential areas. Billboards will be allowed only in commercial and industrial areas and may be further restricted by county or local regulations.

Highway Corridor Plans can enhance community character, stimulate economic activity, promote alternatives to "strip development", and maintain safe highways. Community character is enhanced by the proper location and design of commercial buildings, access and signage, and by appropriate pedestrian and bicycle facilities. Economic development can be stimulated by creating accessible commercial areas in a community. Good planning for highway corridors is community based and designed to attract and promote desirable economic development. Conversely, regional strip developments have been identified as examples of unsuitable economic development styles for Sanders County. Strip development detracts from the rural lifestyle specified as the guiding principle for Sanders County through its Growth Management Plan.

Implementation

Policy 10: Encourage and facilitate public participation to produce, enact and update the Sanders County Comprehensive Plan.

The goals and policies in the Sanders County Comprehensive Plan have evolved from extensive and continuous public involvement. Public input is vital to successful implementation of the Plan. Recognizing the important role that public input plays, the Board of County Commissioners encourages citizen participation in the drafting, review, and adoption of all proposed policies and amendments. Final decisions to adopt this policy plan will be made by the Board of County Commissioners following Planning Board review and recommendation.

Comprehensive Plan Amendments

Policy 11: Amend the Comprehensive Plan as needed to reflect changing circumstances.

From time to time, it will be necessary to review the Comprehensive Plan to ensure that it reflects the community's preferences and the changing needs of the County. Information that will form the basis for updates will be added to the Plan. While these policies are intended to provide long-term guidance and consistency, they can be amended.

Good Neighbor Policy

Policy 12: Sanders County will initiate a "good neighbor policy" with interested parties within the county.

The county will pursue a policy of cooperation and mutual support with the Confederated Salish and Kootenai Tribes; federal and state agencies with land holdings and management responsibilities; incorporated and unincorporated towns; organized neighborhood groups and other county stakeholders. The county will invite written testimony of the noted groups for all significant planning decisions, including comprehensive plan approval and updates. The planning board and staff will encourage stakeholder input.

Sanders County policy makers recognize the importance of open and transparent communication with constituents and neighbors of the county. In order to effectively plan for the future, individual citizens and groups must accept the responsibility of public participation in the planning process.

Wildlife

Policy 13: Wildlife resources should be enhanced, conserved, and perpetuated for this and future generations.

Land use/growth planning should preserve critical wildlife habitat and encourage the growth and utilization of our wildlife resources. They are recognized as valuable social, economic, recreational and aesthetic assets in support of the following goals:

1. Increasing recreational opportunity for the general public.
2. Achieving maximum economic benefit for local businesses.
3. Working cooperatively with Montana Department of Fish, Wildlife and Parks to mitigate losses to private landowners as a result of wildlife depredation.

DEFINITIONS

Best Management Practices (BMP's) – the identification and implementation of land use practices in rural areas that prevent or reduce non-point source pollution – many of these practices pertain to erosion and sedimentation from agricultural, forestry and road-building activities, and are detailed in publications available from state and federal land management agencies.

Compatible - harmonious (antonyms: conflicting, antagonistic)

Development - a residential area created by a property developer; growth; any change in use, scope or scale of a property which changes its character;

High Impact – proposed changes in constructed environment or land use which would affect neighboring uses visually, by sound, by smell, by vibration, by effect on hydrology, by increased motorized traffic, or by other means in a manner which may reduce the desirability of neighboring properties for their established uses.

Pollution - contamination; the introduction of any substance or condition in the air, water or land which makes it less pure or less suitable.

Stakeholder – an individual or group having an interest in a government process and/or decision.