

PLANNING JURISDICTIONAL AREA

The previous chapters of this growth policy help to guide growth in the Town Limits. Manhattan has review authority in County lands adjacent to Town Limits. These areas are unzoned but the Town provides staff and board reviews for subdivision and subdivision exemptions in this area.

PLANNING JURISDICTIONAL AREA REVIEW PROCESS AND GOVERNING DOCUMENTS

The Manhattan City-County Planning Board has authority over three boundaries. The preceding chapter refers to the extraterritorial areas that are governed by the City-County Planning Board, Manhattan Town Council, and the Gallatin County Commissioners. A Memorandum of Understanding between Gallatin County and the Town of Manhattan established these authorities. This document will refer to the Planning Area, this is defined as the area outside of Town limits (orange boundary) but within the Planning Jurisdictional Area (purple boundary). Within the Planning Area there are two boundaries that have different review processes. The first is the Urban Growth Area (UGA) that extends approximately one mile from Town limits. The UGA is the yellow boundary on Figure 14. The second boundary is the Planning Jurisdictional Area (PJA) that is the purple boundary on Figure 14.

Jurisdictional Boundaries Manhattan City-County Planning Board

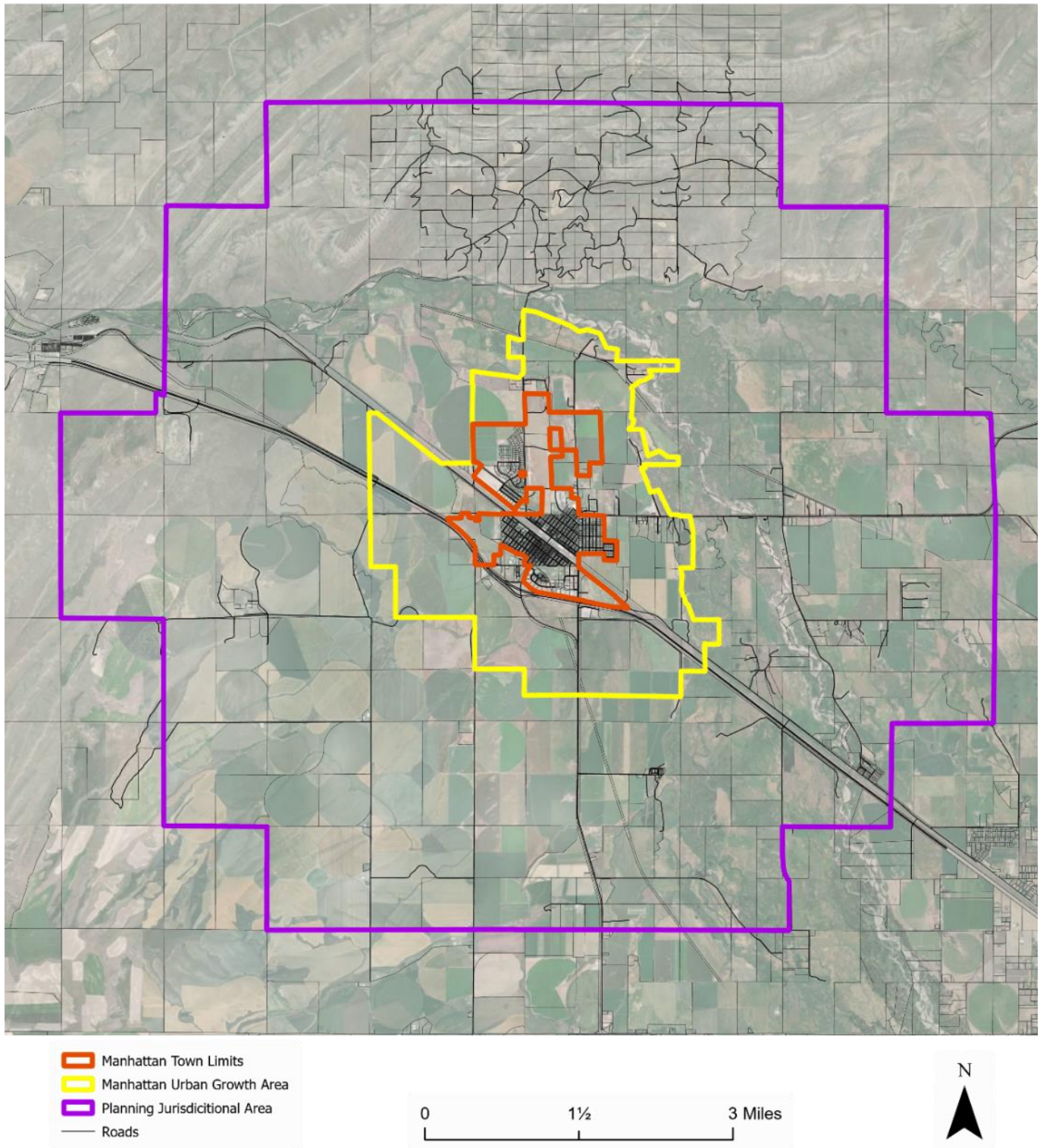


Figure 1: Manhattan Planning Jurisdictional Area Boundaries

Various documents apply to the different boundaries and are used to review projects in these areas. The following list describes which document applies where based on the Manhattan-Gallatin County Memorandum of Understanding.

- Town Limits (Orange Boundary): Manhattan Town Code, Manhattan Town Subdivision Regulations, Manhattan City-County Growth Policy
- Urban Growth Area: Manhattan Town Subdivision Regulations, Manhattan City-County Growth Policy
- Planning Jurisdictional Area: Gallatin County Subdivision Regulations, Manhattan City-County Growth Policy

The Town of Manhattan will conduct initial review of projects. Various boards have initial review within these areas. The following list describes the location and review process for projects.

- Projects within Town Limits:
 - Initial Review: Manhattan City-County Planning Board
 - Final Decision: Manhattan Town Council
- Subdivisions within the Urban Growth Area:
 - Initial Review: Manhattan City-County Planning Board
 - Final Decision: Gallatin County Commissioners
- Subdivision Exemptions defined in MCA 76-3-201 and 76-3-207 within the Urban Growth Area
 - Initial Review: Manhattan Town Planner
 - Final Decision: Gallatin County Commissioners
- Subdivisions within the Planning Jurisdiction Area
 - Initial Review: Manhattan City-County Planning Board
 - Final Decision: Gallatin County Commissioners
- Subdivision Exemptions defined in MCA 76-3-201 and 76-3-207 within the Planning Jurisdictional Area
 - Initial Review: Manhattan Town Planner
 - Final Decision: Gallatin County Commissioners

Projects that are not subdivision exemption requests nor subdivisions do not require Town review. All applicable state and county regulations apply in these areas. The UGA and PJA are unzoned lands in Gallatin County.

Areas within the UGA and PJA do have an anticipated future zoning designation based on this Manhattan City-County Growth Policy. These zones have no authority until such time that a parcel is annexed into the Town or if the County zones the area themselves. The map of these proposed zones can be found in the LAND PLANNING MAP section.

RELEVANT REGULATIONS

The other important regulatory document for any projects in the PJA is the Gallatin County Floodplain Regulations. Gallatin County enforces the floodplain regulations for any projects within a Special Flood Hazard Area as designated by the Federal Emergency Management Agency. Applicants will need to contact the Gallatin County Floodplain Administrator for more information.

There should also be a general compliance with the Gallatin Valley Sensitive Lands document. This document seeks to protect the important lands within the Gallatin Valley. The plan looks at the entirety of the Planning Area and should be reviewed during any application review. The plan was adopted by Gallatin County on December 12th, 2023.

VISION

The Manhattan City-County Growth Policy upholds and advances values that protect the beauty of its landscape, honor its rich history rooted in agriculture, and promote the development of healthy, welcoming communities that offer opportunities to all residents in the PJA. The themes were developed through ongoing communication with the public. This included a survey, Open House on February 21st, 2024, and opportunities to comment on the draft document.

HERITAGE AND AGRICULTURAL PRODUCTION

Heritage and agricultural production are a critical aspect of the Planning Areas is its cultural and historical significance, which is represented by the tradition, charm, and western community character. This fundamental characteristic is based on the history and continued prevalence of the agriculturally productive lands, open space, and small-town charm.

COMMUNITY VALUES:

- Working agricultural lands that remain a viable long-term Gallatin County industry and defining feature of the landscape;
- The environmental legacy of Gallatin Valley
- Productive soil, minimal impacts to agricultural land from development, and access to local food;
- Balancing property rights while maintaining rural character;
- Healthy native plant and wildlife habitat and protection of areas important for wildlife movement and natural migration;
- An abundance of healthy wildlife.

CONTINUED OPPORTUNITIES

While the Town is rooted in its agricultural heritage with a strong emphasis on preserving open space there is the understanding growth and opportunities will continue to flourish in the Planning Area. This reflects the development of healthy and welcoming communities that offer a variety of cultural, recreational, and educational amenities while not impacting existing agriculture and open space.

COMMUNITY VALUES:

- Proactive and thoughtful planning of infrastructure, transportation networks, and community services that ensures limited impacts to systems and surrounding agricultural activities;

- Land use that follows logical settlement patterns, concentrating development in areas where a full range of services are available and resulting in the fiscally-efficient delivery of public services;
- Land use and development patterns that ensure and prioritize public health and safety from identified hazards;
- Developer responsibility for adequate provision of infrastructure including trail networks and connections;
- Development that includes sustainable best practices and technologies;
- Development regulations that are clear and consistent to the greatest degree possible;
- Educational excellence and abundant, accessible cultural opportunities;

OPEN SPACE

Open Space crosses the other two value categories used to emphasize the community direction gathered through the engagement process. It recognizes the importance of protecting our world-renowned natural environment and open space networks and their profound influence on our social, economic, and recreational activities.

COMMUNITY VALUES:

- Protection of the natural environment;
- Fish and wildlife resources;
- Land use that is suitable for and compatible with natural features and environmental characteristics;
- Social, economic, and recreational activities that take place within the open space network, public lands, and waterways;
- Stewardship of public lands;
- Supporting enhanced stewardship of private lands with a specific focus on agriculture;
- Key viewshed protection;

EXISTING CONDITIONS

The Planning Jurisdictional Area is a large area including agriculture, residential, and open space uses. This area is cherished by the Manhattan Community and due to their commitment to agriculture the Town wants to critically review any projects in this area.

POPULATION PROJECTIONS

Gallatin County is currently the fastest-growing county in Montana and the 36th fastest-growing county in the nation. If growth continues at a rate of 2.75% annually, the County would reach a population of approximately 200,000 by 2040. Due to the nature of available data, it is difficult to give an accurate estimate in this area. However, it can be inferred that there will be some growth in the Planning Area.

LOCAL SERVICES AND PUBLIC FACILITIES

There are limited local services in the Planning Area. The Town of Manhattan provides sewer and water services to properties within Town limits. There is not the expectation that services will be provided to non-annexed parcels. Properties in the PJA rely on on-site systems, such as a septic system and residential wells. These systems will need review by the Gallatin County Health Department, Montana Department of Environmental Quality, and Montana Department of Natural Resources and Conservation.

ROADWAYS

The Gallatin County Road Department is responsible for maintaining roadway and bridges in the Planning Area. The Montana Department of Transportation (MDT) is responsible for maintenance of federal highways, as well as primary and secondary state highways. City roads are maintained at the municipal level. The responsibility of maintaining internal subdivision roads lies with private landowners within the subdivision, usually in the form of a property owners' association.

NATURAL RESOURCES CONSERVATION AND LAND COVER

The Planning Area, excluding Town Limits is made up of approximately 38,827 acres. This is a large portion of land that includes agricultural production, residential uses, and open space for the enjoyment of all. These grounds are identified in multiple planning documents and any and all

regulations should be enforced to protect these lands for proper use. Approximately 6,466 acres of lands within the PJA are currently protected through conservation easement

In the Planning Area there is approximately 3,806 acres of public lands. Development adjacent to these properties should be limited to effectively managed and allow access to these properties.

RIVERS AND STREAMS

A critical source of water in the Planning Area is the Gallatin River. The Gallatin River Watershed stretches across approximately 1,800 square miles (about 68%) of Gallatin County as it flows north from Yellowstone National Park to join the Jefferson and Madison Rivers in the Gallatin Valley. The river crosses the Planning Area and is the source of regulatory special flood hazards areas in the Planning Area.

Mountain snowpack provides most of the water that feeds the streams, springs, groundwater, and wetlands throughout the Valley.

WILDLAND-URBAN INTERFACE

The Wildland-Urban Interface (WUI) is defined as “any area where the combination of human development and vegetation have a potential to result in negative impacts from wildfire on the community.” The Gallatin County WUI map shows the PJA as including areas of Wildland Intermix and Wildland Interface.

The Gallatin County Community Wildlife Protection Plan (CWPP) is the guiding document for these areas. For more information regarding WUI and its impact on development please contact the Gallatin County Emergency Management Department.

WILDLIFE AND WILDLIFE HABITAT

The Planning Area has an abundance and variety of fish and wildlife species. Animals use native habitats and developed areas, navigating the patchwork of public and private lands. Water bodies including rivers, streams, wetlands, and riparian areas provide important habitat for fish and wildlife. Riparian areas, wetlands, and cottonwood galleries provide habitat for a suite of other game and non- game species, such as insects, nesting songbirds, upland game birds, waterfowl, and webless migratory birds (e.g., staging areas for sandhill cranes).

The Montana Natural Heritage Program provides a complete listing of Montana Species of Concern for the county and the U.S. Fish and Wildlife Service maintains the current list of threatened and endangered species under the Endangered Species Act.

LAND PLANNING MAP

The Planning Area is unzoned currently but thought has been given to what the future uses might be. Figure 2 shows the use and its location.

All possible efforts should be made to preserve agriculture and agriculture water conveyance facilities. Agriculture plays the most prominent role in the Planning Area's history, character, and future. This use is of paramount importance to the people who live in the Planning Area. All efforts should be made to concentrate new residential, commercial, and industrial uses adjacent to the Manhattan Town Limits. Subdivisions that propose development at a density greater than 1 unit per half an acre should be discouraged in all lands, unless annexed into the Town Limits. While ultimate direction of any individual parcel remains the right of the landowner to propose, each instance of development needs to be strictly scrutinized to the impacts to adjacent landowners and specifically the impacts to agriculture.

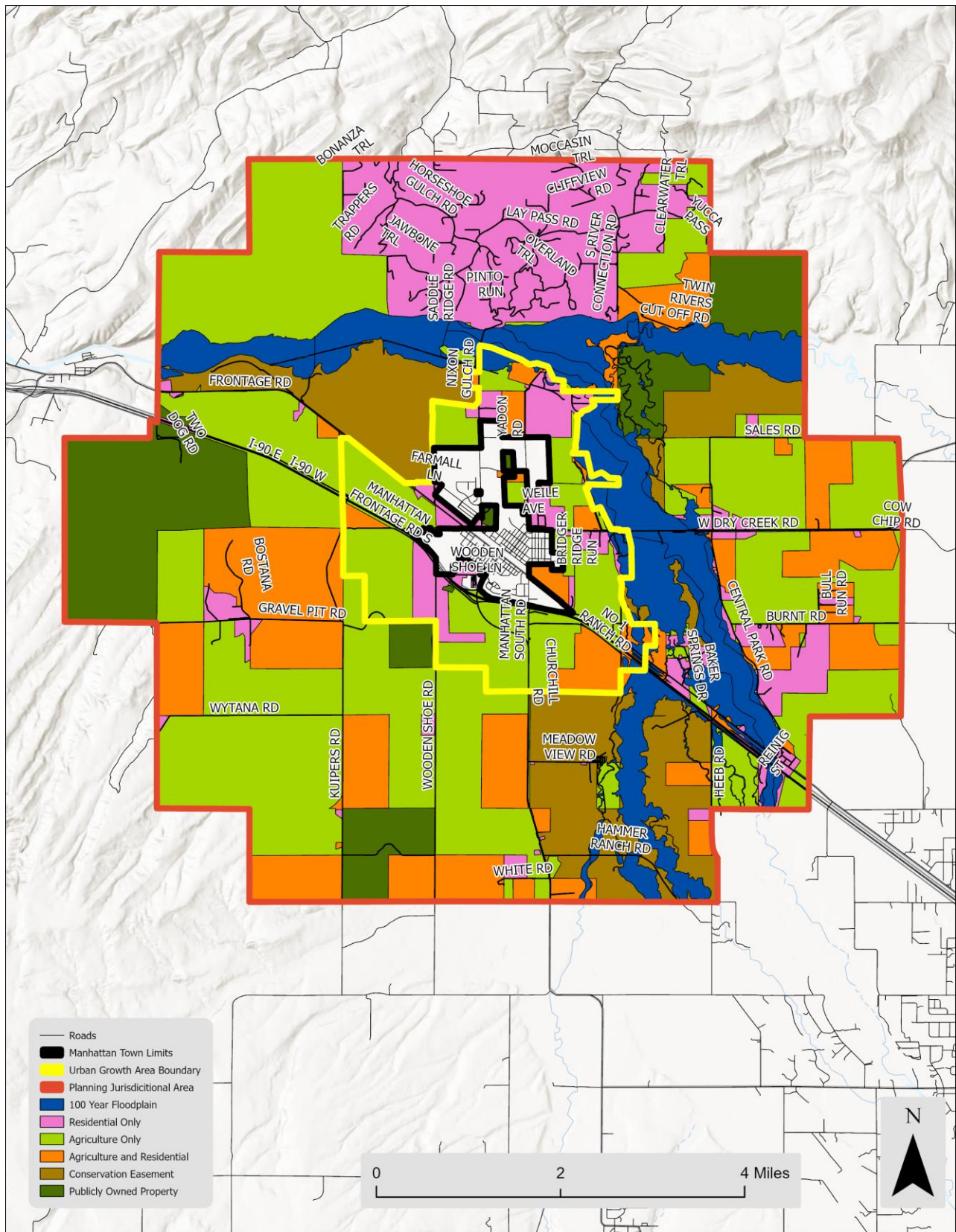


Figure 2: Future Land Use Map for Manhattan Planning Jurisdictional Area

PRIMARY CRITERIA AND SUBDIVISION REVIEW

The Montana Subdivision and Platting Act (Title 76, Chapter 3, Montana Code Annotated) requires all local governments to adopt and enforce subdivision regulations. For every subdivision proposal, there are seven Primary Criteria listed in Section 76-3-608(3)(A) MCA that must be reviewed:

- Agriculture
- Agricultural water user facilities
- Local services
- Natural environment
- Wildlife
- Wildlife habitat
- Public health and safety

Each local government in Montana is given the responsibility to define these criteria and determine how subdivisions will be evaluated for their impact on these criteria, which is done via the Growth Policy. All proposed subdivisions in the Planning Area must follow the appropriate Subdivision Regulations and are evaluated for their impact on these seven criteria. The purpose of these criteria is to determine if there are significant, unmitigated, or adverse impacts to these seven items. In all cases, avoiding the impact is more desirable than mitigating the impact. The governing body may deny a subdivision if adverse impacts associated with the development are not appropriately avoided or cannot be mitigated.

DEFINITIONS, IMPACTS, MAPS

The following section is a list of Primary Criteria definitions that the Manhattan City-County Planning Board and Gallatin County adheres to, a list of potential impacts on each Criteria, and maps that are intended to provide spatial and visual context when considering impacts from subdivision.

The impacts on the criteria do not reflect all potential impacts, but they do include a preponderance of the items under consideration. It is the subdivider's responsibility to document proposed mitigation of any adverse impacts in these critical areas.

AGRICULTURE

Agriculture and local food production are vital parts of Gallatin County's heritage and economic future, and contribute to the County's overarching sustainability goals. Protecting agriculture and supporting the right to farm and ranch were key values identified by community members.

DEFINITION

The use of the land for grazing and cropping to produce food, feed, and fiber commodities. Examples may include: cultivation and tillage of the soil; dairying; growing and harvesting of agricultural or horticultural commodities; timber production; and the raising of livestock, bees, fur-bearing animals, or poultry. Not including animal feeding operations, as defined. Agriculture does not include gardening for personal use, keeping of house pets, kenneling, medical marijuana, or landscaping for aesthetic purposes.

Integral to the term agriculture is agricultural land, which means: land having soils of agricultural importance, including prime farmland, prime farmland if irrigated, and farmland of statewide and local importance, as defined by the Natural Resources Conservation Service.

The following items may be considered when evaluating a proposed subdivision's potentially significant adverse impacts on agricultural activities and resources:

Productivity and operations of adjacent farms and ranches related to:

- Increased traffic and conflicts with movement of agricultural machinery including tractor trailer traffic to move agriculture products and equipment;
- Increased population and human activity leading to potential interference with the efficient operations of agriculture;
- Harassment and damage from domestic pets;
- Proliferation of noxious and nuisance weeds;
- Maintenance of fences;
- Water availability for irrigation or livestock.
- Historic and current agricultural productivity and profitability
- Prime farmland, prime farmland if irrigated, and farmland of statewide and local importance (as defined by the National Resource Conservation Service, NRCS)
- Prime rangeland (as defined by NRCS)
- Impact on community-wide agricultural operations and markets
- Amount of agricultural land removed from production

AGRICULTURAL WATER USER FACILITIES (I.E., WATER CONVEYANCE FACILITY)

Agricultural Water User Facilities are a vital component in the success of farming and ranching in the Planning Area and all of Gallatin County. In addition to being critical resources for agriculture, these facilities also provide important ecosystem services, such as maintaining valley water budgets and supporting groundwater recharge. It is critical to ensure that that these facilities, and those who use these facilities, are protected.

DEFINITION

Facilities that provide water to produce agricultural products on agricultural land including, but not limited to ditches, canals, pipes, and head gates. Any part of an irrigation system historically used to produce an Agricultural product on property used for Agricultural purposes as defined in Section 15-7-202, MCA.

It is the subdividers responsibility to respond to each of the following items. Further guidance is provided in the Manhattan Subdivision Regulations.

The following items may be considered when evaluating a proposed subdivision's potentially significant adverse impacts on agricultural water user facilities:

- Availability of irrigation water
- Changes to water quantity, including impervious surfaces and other components of development that can change the natural flow of water
- Changes to water quality
- Physical access for maintenance of water user facilities, including non-interference setbacks and appropriate easements
- Crossings (e.g., culverts, bridges) and other physical obstructions that either impede the flow of water or increase the cost of maintenance of the water user facilities
- Liability resulting from development's proximity to agricultural water user facilities (e.g., blowouts, flooding, artificially elevated high groundwater)
- Liability and risk of accidents involving trespassers
- Unintended uses, including recreation and landscaping
- Transfer or removal of water rights

As previously stated, agriculture is of paramount importance in the Planning Area. Agriculture in the Planning Area relies heavily on these water conveyance systems. It is required that any proposed development make no impacts to these systems. Where impacts cannot be entirely avoided it will be the applicant's responsibility to negotiate an acceptable solution with the facility users and/or managing company.

LOCAL SERVICES

The creation of new subdivisions requires the provision of local services. It is important that new subdivisions do not create unnecessary burdens on local services from a capacity, distance, or fiscal standpoint. The ability of providers to service those subdivisions should be carefully evaluated.

DEFINITION

Local government entities are authorized to provide services, both currently and in the future, for such things as water supply, sewage disposal, law enforcement, fire protection, motorized and non-motorized transportation facilities and systems, recreation, parks, libraries, and schools.

The following items may be considered when evaluating a proposed subdivision's potentially significant adverse impacts on local services:

- Current and planned level of service capacity to meet demand
- Law Enforcement
- Fire Protection Services
- Emergency Medical Services
- Roads, bridges, other transportation facilities
- Multi-modal transportation facilities, including pedestrian and bicycle safety measures and interconnectivity
- Schools
- Solid Waste Facilities
- Water and Wastewater Facilities
- Fiscal impacts of development on local services
- Provision of local services and public facilities adequate to serve the project, simultaneous to or prior to onset of development
- Fiscal impact relating to cost of local services and public facilities, for all states of development including projected future subdivision
- Whether the cost of providing services to the subdivision will be borne primarily by the subdivider and future owners or the community as a whole

NATURAL ENVIRONMENT

The Planning Area's natural resources and environment are highly valued for several reasons. From supporting wildlife and wildlife habitat through highly functioning natural systems, to attracting high quality businesses, to providing a backdrop for numerous recreational opportunities, protecting the environment from development impacts is a key way to conserve the County's diverse landscapes, protect the unique sense of place, maintain a high quality of life, and the continuation of agriculture in the Planning Area. The natural environment encompasses the ecosystems that maintain clean air and water, which support the six other primary criteria.

DEFINITION

Existing physical conditions relating to land, water, air, plant and animal life of an area and the interrelationship of those elements, such as soils, geology, topography, vegetation, surface water, groundwater, aquifers, drainage patterns, recharge areas, climate, floodplains, scenic resources, and objects or places of historic, cultural, or aesthetic significance.

The following items may be considered when evaluating a proposed subdivision's potentially significant adverse impacts on the natural environment:

- Runoff reaching surface waters (e.g., streams, rivers, or riparian areas)
- Channel migration zones as defined in the Gallatin County Floodplain Regulations
- Groundwater supply, recharge, quantity, and quality
- Air quality
- Noxious and nuisance weed management
- Vegetation cover and type
- Natural landforms
- Wetlands
- Wetlands not covered under nationwide permits
- Floodplains
- Floodplains not covered under FEMA
- Stream bank stability and erosion potential
- Clearing or other removal of riparian vegetation
- Light pollution on adjacent property
- Objects or places of historic, cultural, or aesthetic significance
- Amount of appropriate open space preserved for natural resource conservation
- Opportunity for active and passive recreation
- Impacts on the natural environment that might be detrimental to agriculture productivity

WILDLIFE

Wildlife in Gallatin County has intrinsic value. It is also an important part of the heritage and economy, and should be protected for future generations to enjoy. Wildlife and wildlife habitat are interdependent, and a loss of habitat will result in the loss of wildlife. Impacts to wildlife can also have impacts on agriculture specifically crop damage and communicable diseases to livestock.

DEFINITION

Animals (e.g., mammals, birds, reptiles, amphibians, fish, mollusks, crustaceans) that are neither human nor domesticated, existing in their natural environment. This list does not include feral animals, which are animals that have escaped captivity and become wild.

The following items may be considered when evaluating a proposed subdivision's potentially significant adverse impacts on wildlife:

- Potential for population decline or displacement of one or more individual wildlife species, including Montana Species of Concern and threatened and endangered species under the Endangered Species Act
- Potential to result in species introductions (e.g., fish stocking) that could compromise nearby aquatic communities
- Potential to create or increase human-wildlife conflicts within the subdivision, including pets, fencing, and wildlife attractants such as chickens, garbage, and barbeque grills
- Impacts on wildlife management options and public hunting opportunities in the vicinity of the subdivision that may affect Montana Fish, Wildlife and Parks' ability to manage wildlife effectively as non-habituated herds and avoid problematic concentrations of big game
- Impacts to wildlife that have a negative impact on existing agricultural production

WILDLIFE HABITAT

Wildlife habitat in the Planning Area have intrinsic value. It is an important part of the heritage and economy, and should be protected for future generations to enjoy. Wildlife and wildlife habitat are interdependent, and a loss of habitat will result in the loss of wildlife.

DEFINITION

Geographic areas containing physical features (e.g., topography, geology, stream flow) and biological characteristics (e.g., vegetation cover and other species) needed to meet the food, shelter, and reproductive needs of wildlife species. Important wildlife habitat within Gallatin County includes but is not limited to rivers, streams, wetlands, and riparian areas; and areas that may have some native habitat and where there is higher wildlife use.

The following items may be considered when evaluating a proposed subdivision's potentially significant adverse impacts on wildlife habitat:

- Potential for fragmentation and loss of wildlife habitat, including but not limited to the important habitats described in the definition of wildlife habitat
- Potential for creating barriers to wildlife movement and migration on the landscape (e.g., non-wildlife friendly fencing, construction or widening of roads, and increased traffic volume, light pollution for migrating birds and bats) and aquatic organism passage in streams and rivers (e.g., road crossings of streams that prevent aquatic organism passage)
- Potential for human disturbance to predatory bird nests
- Impacts to water quality and quantity that affect area streams and riparian habitats
- Displacement of wildlife onto agriculturally productive lands

The foothills of the Bridger Mountains, Horseshoe Hills, and Gallatin Range south of Bozeman provide important winter range for elk and mule deer. This is supported by extensive FWP wildlife survey data from 1975 to present, including mule deer studies in the Bridgers. Winter range provides food and protection from harsh weather conditions.

Wildlife movement occurs at a variety of spatial and temporal scales facilitating access to food, breeding, and shelter resources within and across core habitats, and facilitating genetic exchange among populations or subpopulations of wildlife species. In addition, these areas classified as core wildlife habitat provide important habitat for a variety of other game and non-game species, including Montana Species of Concern.

- Minimize human-wildlife conflicts.
- Avoid creating impediments to wildlife movement and migration.

- Minimize the fragmentation and loss of habitat.
- Maintain FWP's ability to manage wildlife effectively and as non- habituated herds. Minimize the potential for subdivision to lead to problematic concentrations of big game.
- Provide education and outreach on living with wildlife principles. More information can be found at <https://fwp.mt.gov/conservation/living-with-wildlife>
- Apply a higher level of wildlife consideration in development design and review. Use the recommended approach and design standards, such as clustering homes and connecting open space, in the Fish and Wildlife Recommendations for Subdivision Development in Montana².
- Limit fencing or encourage wildlife friendly fencing.
- Ensure land use plans and regulations provide for building densities and connected open spaces that maintain core habitats and allow for wildlife movement and migration.
- Prioritize these areas for conservation easements, depending on willing landowners and available resources.
- Determine appropriate level of wildlife consideration in development design and review on a case-by-case basis. Use the recommended approach and design standards in the Fish and Wildlife Recommendations for Subdivision Development in Montana², as appropriate.

PUBLIC HEALTH AND SAFETY

The health, welfare, and safety of residents and visitors of the Planning Area is paramount. Subdivision development can include risks from both natural hazards and man-made hazards. Public health and safety considerations are not just about promoting public health and wellness and minimizing and mitigating risks, but also about designing and creating a built environment that is safe, healthy, and free from unnecessary risks and hazards.

DEFINITION

A condition of well-being, reasonably free from danger, risk, or injury for a community at large, or for all people, not merely for the welfare of a specific individual or a small class of persons.

The following items may be considered when evaluating a proposed subdivision's potentially significant adverse impacts on public health and safety:

- Existing potential man-made hazards
- High pressure gas lines
- High voltage power lines
- Toxic or hazardous industrial pollutants
- Railroads or railroad crossings
- Nearby industrial or mining activity
- Lack of fire protection
- Projected emergency and medical service response time
- Cumulative impacts of all potential existing man-made hazards in relative proximity to the proposed subdivision
- Creation of potential man-made hazards
- Unsafe road intersections, congestion, and other traffic safety hazards
- Reduced multimodal opportunities
- Development in the wildland urban interface or other areas that have been identified as having high wildfire risk
- Contamination or depletion of groundwater supplies
- Accelerated stormwater runoff
- Provision of emergency and medical services, including access and response time
- Cumulative impacts of all potential man-made hazards created by proposed subdivision
- Risks from natural hazards:
 - Wildfire
 - Flooding
 - High groundwater
 - Steep slopes and other geologic hazards, such as seismic risks
 - Cumulative risk from all natural hazards
 - Cumulative impacts on groundwater from individual sewage disposal systems or individual wells

GOALS AND POLICIES

These goals and policies represent the community's overall vision for the Planning Area, and balance a variety of interests and concerns. The Growth Policy is a living document, and as such, these goals and policies may be subject to future revision as necessary.

These policies will help influence updates to the relevant subdivision regulations and codes. These goals and policies relate to the primary review criteria established by State Law when making findings the Planning Board and Town Council should reference the relationships between the primary review criteria and the Growth Policies goals and policies.

Each Topic has a Goal, which is a statement of purpose that defines a significant intent of the Growth Policy, reflecting the long-term desires of the Planning Area's citizens. Under each Goal is a list of Policies. A Policy is a strategy or technique aimed to achieve the Goal.

TOPIC 1: AGRICULTURE

Primary Review Criteria: Agriculture

AGRICULTURE GOAL 1. PROTECT THE RIGHT TO FARM AND RANCH.

Policies:

1. Encourage the continuation of local farming and ranching and ensure that necessary services and infrastructure are maintained.
2. In adopting new regulations and managing existing regulations, the Manhattan City-County Planning Board will support the right to farm and ranch.
3. To preserve agricultural land, encourage the use of tools and incentives, such as clustering development or transfers of development rights, and support partnerships aimed at acquiring agricultural conservation easements.
4. Support agricultural land preservation programs that seek to preserve and enhance soil conditions and overall productivity.
5. Encourage retention of agricultural operations that are adjacent to other agricultural operations or permanent open space.
6. Require development to mitigate the external effects of development on agricultural production.
7. Implement development standards that protect agriculture activities from incompatible uses, such as development buffers between non-agricultural uses in agricultural areas.
8. Encourage development standards that protect the following agricultural activities including, but not limited to: spraying chemicals, burning fields, and use of machinery at any hour; control of domestic animals; maintenance of agricultural fencing; protection of agricultural water user facilities, ditches, and water rights.

AGRICULTURE GOAL 2. PROTECT SOIL QUALITY.

Policies:

1. Encourage conservation of high-quality soils as a first-step towards environmental stewardship and protecting soil quality.
2. Limit development in locations where soil characteristics are unsuitable for development (e.g., flood prone areas, hydric soils, etc.).
3. Encourage the preservation of natural watercourse banks to mitigate erosion.
4. Ensure development demonstrates compliance with local, state, and federal regulations and standards relating to soil erosion, dust, and soil sedimentation.
5. Require development to comply with re-vegetation and weed control plans as prescribed by the Gallatin County Weed Department through weed management plans and memorandums of understanding.
6. Encourage the use of landscape buffer zones to protect agriculturally significant soils.

AGRICULTURE GOAL 3. INCREASE PRODUCTION OF AND SUPPORT ACCESS TO LOCALLY-SOURCED FOOD.

Policies:

1. Define, encourage, and support different scales of agriculture throughout the Planning Area and integrate these community amenities into zoning regulations.
2. Encourage zoning regulations to allow such uses as produce stands, farmers markets, and food cooperatives, which can facilitate small-scale agriculture and direct sales near residential districts.
3. Support access to locally sourced food from producers in the Planning Area.

TOPIC 2: PROPERTY RIGHTS AND RURAL CHARACTER

Primary Review Criteria: Local Services, Natural Environment, and Public Health and Safety

PROPERTY RIGHTS GOAL 1. BALANCE PROPERTY RIGHTS WITH MAINTAINING RURAL CHARACTER.

Policies:

1. Encourage development to take place in areas of the Planning Area that are already developed or are prepared to receive development, minimizing impact on more rural and agricultural areas.
2. Work with property owners during the planning process to protect lands valuable for farming and ranching and identify rural/agricultural areas that are likely to transition to other uses and would be suitable for future growth.
3. Discourage rural subdivisions that are located away from infrastructure, services, and facilities.
4. If development far from services and facilities is proposed, encourage, and promote clustering and compact development to protect the characteristics of rural areas and minimize the impacts of development.

TOPIC 3: FISH, WILDLIFE, AND PLANT HABITAT

Primary Review Criteria: Wildlife and Wildlife Habitat

HABITAT GOAL 1. CONSERVE, AND WHEN POSSIBLE, ENHANCE IMPORTANT HABITAT FOR FISH, WILDLIFE, PLANTS, AND OTHER BIOLOGICAL COMMUNITIES.

Policies:

1. Maintain and develop key partnerships to identify important wildlife habitat, including areas important for wildlife movement and migration.
2. Utilize tools such as conservation easements, transferable development rights, and density bonuses to protect important habitat areas for fish, wildlife, and plants.
3. Investigate the development of regulations that prevent the net loss of wetlands in the Planning Area.
4. Preserve identified big game winter range and areas important for wildlife movement and migration.
5. Encourage the incorporation of wildlife buffers into developments in areas of increased animal activity.
6. Encourage the incorporation of vegetated buffers and infrastructure setbacks from water bodies and predatory bird nests, clustered homes, and connected open space into developments in areas of increased animal activity or important wildlife habitat.
7. Incorporate FWP recommendations for mitigating development impacts using the map of wildlife resource values and associated matrix in previous sections.
8. Encourage voluntary cooperation between property owners, community organizations, and public agencies to restore or re-create habitat on their property through native planting and invasive species removal.

HABITAT GOAL 2. EMBRACE LIVING WITH WILDLIFE PRINCIPLES TO REDUCE HUMAN-WILDLIFE CONFLICTS.

Policies:

1. Work with FWP, property owners, and other partners to develop and communicate principles for Living with Wildlife.
2. Utilize covenants and other tools to address the following:
 - a. Control of domestic animals
 - b. Prohibition of artificial feeding of wild animals
 - c. Construction of wildlife-friendly fencing or no fencing to avoid creating impediments to wildlife movement and migration
 - d. Provision of animal-proof refuse containers
 - e. Reduction and securing of attractants (prohibiting outdoor food storage, elevated bird feeders, surrounding potential attractants with electric fencing, etc.)
 - f. Facilitation of wildlife access to streams, wetlands, and other nearby wildlife habitat including areas important for wildlife movement and migration

- g. Limit pond and water features, and encourage xeriscaping and maintenance of native vegetation (in accordance with FWP's Fish and Wildlife Recommendations for Subdivision Development in Montana) to conserve water for fish and wildlife
3. Encourage partnerships with FWP, MDT, and other agencies to incorporate information on wildlife movement and migration into transportation planning and documents.

TOPIC 4: ENVIRONMENT

Primary Review Criteria: Natural Environment, Wildlife, Wildlife Habitat

ENVIRONMENT GOAL 1. PROTECT AND ENHANCE OUR NATURAL ENVIRONMENT THROUGH STEWARDSHIP, CONSERVATION, AND ACCOUNTABILITY.

Policies:

1. Restrict intense development adjacent to environmentally sensitive areas.
2. Utilize resources and information from regional agencies and organizations that focus on environmental stewardship to identify and inventory the location of important natural resources.
3. Develop and/or maintain strategic partnerships to monitor key environmental indicators that support air and water quality, biological integrity, ecological connectivity, etc.
4. Prevent or reduce the spread of invasive species and support efforts to mitigate their impacts through plans, investments, and education programs.

ENVIRONMENT GOAL 2. PROTECT WATER QUALITY.

Policies:

1. Discourage new development in flood prone areas.
2. Encourage the adoption of consistent watercourse setbacks in the Town's Subdivision Regulations.
3. Limit development to appropriate uses in identified source water protection areas.
4. Minimize adverse impacts from development on rivers, streams, wetlands, and riparian areas.
5. Require development to demonstrate compliance with local, state, and federal water quality and wetland protection regulations and standards.
6. Require developments to manage stormwater and runoff to mitigate adverse impacts to neighboring properties, rivers, streams, and riparian areas.
7. Encourage low-impact development approaches to retain and recharge stormwater on site.
8. Require erosion control plans for all development.
9. Require all development to document compliance with erosion control plans.
10. In areas of groundwater concern, require protective measures for development.

11. Require heavy industrial uses, including new animal feeding operations, to document mitigation of adverse impacts on surface and ground waters.
12. Encourage developments to assess both the immediate and the long-term cumulative impacts on water quality.
13. Review watercourse mitigation plans to ensure they protect water quality and other related resources from detrimental impacts of development.
14. Make channel migration zone information available to inform land management and development decisions.

ENVIRONMENT GOAL 3. PROTECT WATER QUANTITY.

Policies:

1. Encourage development to assess both the immediate and long-term cumulative impacts on water quantity.
2. Require development to document adequate water quantity.
3. Encourage development to show how water rights belonging to a property will be allocated of and demonstrate a rational plan to maintain and protect flows for the existing water rights of others.
4. Require development to control post-development runoff volumes to not exceed pre-development runoff volumes.
5. Review and update development regulations to define and strengthen water usage standards.
6. Enforce water use limitations in subdivision development.

ENVIRONMENT GOAL 4. PROTECT AIR QUALITY.

Policies:

1. Require development to demonstrate compliance with local, state, and federal air quality regulations or standards.
2. Encourage development to protect air quality and reduce particulate matter.
3. Support dust control plans for unpaved roads, subject to review and approval of Road Department.
4. Encourage the paving of roads to reduce dust and promote air quality.

TOPIC 5: RECREATION

Primary Review Criteria: Natural Environment, Wildlife Habitat

RECREATION GOAL 1. SUPPORT CREATION OF A REGIONAL RECREATION NETWORK.

Policies:

1. Support the development and implementation of parks, open space, and trails planning documents.
2. Identify physical characteristics and areas that are appropriate for future County trails, parks, and open space in the Planning Area.
3. Require development to comply with plans for parks, recreation, open space, and trails.
4. Develop and implement trail standards based on type and density of development. Use the Gallatin County Trail Standards as a reference.
5. Promote design standards and development patterns that connect multimodal facilities, trails, and pathways to recreational open space corridors, parks, community amenities, and other meaningful destinations.
6. Support and encourage the dedication of recreation systems that are adjacent to, or continuations of, existing or planned parks, recreational areas, open space, trails, or public lands.
7. Encourage private ownership (such as homeowners' associations) and private maintenance of areas conserved or dedicated as parks, recreation, open space, and trail areas.
8. Encourage public access to areas conserved or dedicated as parks, recreation, open space, and trail areas.
9. Support and encourage access for all in parks, open space, and trails planning documents to serve the diverse population.
10. Encourage outdoor recreation that promotes stewardship, land ethics, Leave No Trace principles, and outdoor recreation-related skills.
11. Support and encourage a sustainable recreation network to protect and conserve parks, open space, and trail resources from overuse.

TOPIC 6: SCENIC RESOURCES

Primary Review Criteria: Natural Environment, Wildlife Habitat

SCENIC RESOURCES GOAL 1. LEVERAGE AVAILABLE PLANNING TOOLS AND INCENTIVES TO PRESERVE AND ENHANCE OUR OPEN SPACES AND SCENIC RESOURCES.

Policies:

1. Use tools and incentives, such as cluster development, bonus density, transfers of development rights, and conservation easements, to conserve scenic resources and views.
2. Work with public and private landowners to preserve our most significant scenic and agricultural resources.
3. Develop and implement a dark sky policy to address light pollution and preserve our night skies.

TOPIC 7: NATURAL HAZARDS

Primary Review Criteria: Natural Environment and Public Health and Safety

NATURAL HAZARDS GOAL 1. PROTECT HUMAN LIFE AND PROPERTY FROM NATURAL HAZARDS THROUGH A FOCUS ON RESILIENCY.

Policies:

1. Restrict development in areas considered to be at greater risk of environmental hazards.
2. Require mitigation of potential hazards when development takes place within identified areas of increased risk.
3. Restrict development in flood hazard areas to protect property and life from flooding.
4. Require compliance with the Gallatin County Floodplain Regulations.
5. Limit or restrict development on steep slopes, unstable grounds, and hydric soils.
6. Discourage development of geologically or seismically unstable areas to limit potential hazards.
7. Support the use of covenants that require developers to provide the appropriate engineering to mitigate safety concerns of development in areas with potential and demonstrated unstable slopes and soils.
8. Require mitigation of fire hazards, encourage the reduction of fire fuel loads, and encourage adherence to defensible space measures for each structure.

TOPIC 8: LAND USE

Primary Review Criteria: Natural Environment, Local Services, Agriculture, Public Health and Safety, and Wildlife Habitat

LAND USE GOAL 1. CONCENTRATE DEVELOPMENT IN AREAS WHERE A FULL RANGE OF SERVICES ARE AVAILABLE AND RESULTS IN THE FISCALLY EFFICIENT DELIVERY OF PUBLIC SERVICES.

Policies:

1. Identify appropriate locations for infrastructure by using modeling for the amount and location of future growth.
2. Align public investment in infrastructure and services with established land use goals and policies.
3. Recognize the critical need for infrastructure and services to be in place prior to or concurrent with new development.

LAND USE GOAL 2. ENCOURAGE RESIDENTIAL DEVELOPMENT IN AREAS PLANNED OR ZONED FOR RESIDENTIAL USE, RECOGNIZING, AND ADDRESSING THE LINK BETWEEN LOCATION OF HOUSING AND LOCATION OF INFRASTRUCTURE, COMMUNITY FACILITIES, AND SERVICES.

Policies:

1. Promote residential development adjacent to existing developed land.
2. Support land use patterns and density that are not consumptive of land and energy.
3. Restrict costly, sprawling, leap-frog development that puts a strain on commute times and the ability to provide adequate and equitable levels of service and infrastructure.
4. Use incentives to locate residential development in and around areas designated for urban growth.

TOPIC 9: REGULATIONS AND DEVELOPMENT STANDARDS

Primary Review Criteria: Local Services and Public Health and Safety

DEVELOPMENT STANDARDS GOAL 1. ENSURE DEVELOPER RESPONSIBILITY FOR IDENTIFYING, AVOIDING, AND IF NECESSARY, MITIGATING IMPACTS DUE TO DEVELOPMENT PROJECTS, AS WELL AS THE ADEQUATE PROVISION OF INFRASTRUCTURE AND SERVICES.

Policies:

Encourage, and where possible require, all development to:

1. Demonstrate consistency with the Growth Policy and applicable regulations.
2. Mitigate adverse impacts.
 - a. Illustrate compatibility with existing uses and natural environment.
 - b. Document availability of equitable and adequate local services and public facilities.
 - c. Document and provide solid waste disposal.
 - d. Demonstrate compatibility with the logical expansion of local services and public facilities.
3. Require development to demonstrate compliance with local, state, and federal regulations and standards for soil, water, and air contamination.
4. Ensure that the environmental standards in the Planning Area's development regulations meet the objective of protecting the natural environment.
5. Encourage development to conserve and emphasize scenic resources and views including preservation of ridge tops and hillsides and protection of dark skies.
6. Encourage tree plantings and low maintenance native vegetation along development rights-of-way.
7. Maintain and improve regulations that require mitigation of potential adverse impacts from new developments.
8. Consider the use and development of tools to mitigate development costs to the public, such as impact fees and traffic impact analyses.
9. Encourage development standards that protect water conveyance facilities (e.g., ditches, canals, headgates) and water rights.

TOPIC 10: TRANSPORTATION

Primary Review Criteria: Local Services and Public Health and Safety

TRANSPORTATION GOAL 1. PLAN FOR A SAFE AND EFFICIENT TRANSPORTATION SYSTEM.

Policies:

1. Recognize the inherent link between transportation and land use, and strive for policies, plans, regulations, development standards, and other planning tools to achieve a high level of integration and coordination between the two topics.
2. Update and implement transportation plans in partnership with Gallatin County.
3. Encourage new development to incorporate walkability, pedestrian spaces, and pedestrian-friendly design elements.
4. Require development to be consistent with adopted trails plans.
5. Require development to document proposed access and road systems, and their relationship to existing and future arterial locations and proposed trail plans.
6. Require development to coordinate proposed new roads with both existing and planned roads, taking into consideration current, proposed, and future circulation and development patterns.
7. Encourage development to document mitigation of erosion, noxious weed infestation, and visual impacts associated with the construction of new roads.
8. Encourage development to document mitigation of dust, noise, and general safety.
9. Encourage partnerships with FWP, MDT, and other agencies to incorporate information on wildlife movement and migration into transportation planning and documents.

TOPIC 11: INFRASTRUCTURE AND EMERGENCY SERVICES

Primary Review Criteria: Local Services and Public Health and Safety

INFRASTRUCTURE GOAL 1. PRIORITIZE HIGH-QUALITY INFRASTRUCTURE THAT PROMOTES EFFICIENCIES AND REDUCES MAINTENANCE COSTS.

Policies:

1. Promote and practice increased coordination and communication with existing and proposed Water and Sewer Districts.
2. Consider long-term liabilities and maintenance costs as part of the decision to improve and expand infrastructure and services.

INFRASTRUCTURE GOAL 2. ENSURE DEVELOPMENT IS ADEQUATELY SERVED BY EMERGENCY SERVICES.

Policies

1. Require development to document access to emergency services.
2. Require development to document an estimated emergency response time.
3. Encourage use of covenants that address the maintenance of required fire protection measures (fire sprinkler systems, fire fill pond, etc.)
4. Ensure law enforcement can serve development and has adequate access.
5. Require development to address emergency services access and driveway standards.
6. Discourage development in places far from emergency services.

TOPIC 12: SUSTAINABILITY

Primary Review Criteria: Natural Environment, Public Health and Safety, and Local Services

SUSTAINABILITY GOAL 1. PROMOTE DEVELOPMENT THAT CONSERVES ENERGY AND NATURAL RESOURCES.

Policies:

1. Encourage the inclusion of landscaping standards into developments (e.g., water-wise, and drought-tolerant planting and maintenance of native vegetation where applicable, green roofs, greenspace, parks, watercourse mitigation, edible landscapes, community gardens).
2. Encourage subdivision design to follow sustainable best practices, such as access to open space and parks; inclusion of green technologies; inclusion of pedestrian and bike connections and pathways; access to integrated or adjacent commercial areas; integration of small-scale community agriculture, etc.

TOPIC 13: CULTURE AND EDUCATION

Primary Review Criteria: Public Health and Safety

CULTURE AND EDUCATION GOAL 1. INCREASE ACCESS TO A VARIETY OF EDUCATIONAL AND CULTURAL OPPORTUNITIES THROUGHOUT THE COUNTY.

Policies:

1. Invite school districts and private school systems to review and comment on potential impacts from development proposals/projects in their vicinity.
2. Encourage developers to document efforts to protect historic and cultural features.
3. Require development to demonstrate compliance with local, state, and federal historic preservation regulations.

TOPIC 14: INTERGOVERNMENTAL COORDINATION

Primary Review Criteria: Local Services

COORDINATION GOAL 1. COMMIT TO REGIONAL COORDINATION TO ACHIEVE SHARED GOALS AND PRIORITIES.

Policies:

1. Provide high levels of communication and coordination regarding growth.
2. Continue cross-jurisdictional coordination to align long-range community plans and efforts.
3. Work with representatives from local, state, and federal organizations to promote efficiency, cost-effectiveness, and high-quality services.
4. Commit to cooperating with local governments on establishing and striving towards mutually-beneficial conservation and sustainability goals.

TOPIC 15: PUBLIC SERVICE

Primary Review Criteria: Local Services

PUBLIC SERVICE GOAL 1. PROVIDE MEANINGFUL OPPORTUNITIES FOR PUBLIC ENGAGEMENT AND ESTABLISH A REGULATORY PROCESS THAT IS TRANSPARENT, FAIR, AND EFFICIENT.

Policies:

1. Explore the use of innovative and diverse engagement tools that help make the Planning Board and Town services accessible to all.
2. Develop and provide educational materials on zoning, land use, development standards, floodplains, and other topics as needed.
3. Utilize technology to provide the public and decision- makers with real-time and high integrity data with which to make decisions.
4. Strive for a fair and transparent process for the applicant and the public.
5. Strive for predictability, consistency, and clarity within development regulations to promote efficiency for developers and staff.
6. Continue to assist property owners and business interests throughout the Planning Area, clarifying limitations, identifying regulations, and stressing the value of site visits.
7. Continue efforts to refine development regulations and standardize administrative/procedural requirements.

TOPIC 16: SPRAWL

Primary Review Criteria: Agriculture, Local Services, Natural Environment, Wildlife, Wildlife Habitat, and Public Health and Safety

Sprawl is a major threat to the character and current function of the Planning Area. In conversation with the Gallatin County Commissioners and to further expand upon discussions that have been occurring at public meeting since 2022 the Town wishes to add additional criteria regarding the impacts of sprawl. Sprawl is a low intensity development that primarily develops large swathes of land. This type of land use has been known to create negative impacts to adjacent landowners and cause additional costs to end users of this type of development. To keep in concert with the other state required primary review criteria Manhattan feels that developments that can be described as sprawl pose serious threats to the other criteria.

Sprawl is development that is at a lower density than similar land uses. This creates larger tracts of land leading to increases in vehicle miles traveled, utility transmission lines, and expansion of services.

SPRAWL GOAL 1. ENCOURAGE DEVELOPMENT THAT DOES NOT LEAD TO SPRAWL INTO OR FROM THE PLANNING JURISDICTIONAL AREA.

Policies

1. Limit projects that increase vehicle miles traveled.
2. Limit or eliminate projects that require extension of services that is not contiguous to Town Limits.
3. Explore the density that is present in surrounding uses to the project and review if the proposed density or lot configuration uses more land than necessary to accomplish project goals.
4. Allow or promote projects that utilize clustering of uses to promote open space.