



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, FEBRUARY 21, 2024
6:00 PM
COUNCIL CHAMBERS**

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

Disclosure of Ex Parte Communication

Public Hearing

1. [School](#) District Annexation and Zoning.
2. [Growth](#) Management Policy Public Hearing

General Items

New Business

3. Recommendation - School Annexation and Zoning Request
4. Court Ruling

Old Business

5. Resolution - Adopt Growth Management Policy (Tabled from 1/17/2024)
6. Recommendation - County Zoning

Other Items

Announcements

7. Next Planning Board Meeting is March 20, 2024.

The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 5100, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.

File Attachments for Item:

School District Annexation and Zoning.

Return to:
Laurel Public Schools
410 Colorado Ave.
Laurel, Montana 59044

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT is made this ____ day of _____, 2024, by and between the **LAUREL PUBLIC SCHOOLS**, with a mailing address at 410 Colorado Avenue, Laurel, Montana 59044, (the “Developer”), and the **CITY OF LAUREL, MONTANA**, a municipal corporation, with a mailing address at 115 West 1st Street, Laurel, Montana, 59044 (the “City”).

WHEREAS, the Developer is the owner of certain real property situated in Yellowstone County, Montana, more particularly described as follows:

Nutting Brothers Subdivision, Second Filing, Lots 1 and 2; according to the official plat on file and of record in the office of the Clerk and Recorder of said County, hereinafter referred to as “Developer Tract” as well as all adjacent public right-of-way.

WHEREAS, the Developer has submitted to the City a Petition for Annexation to the City for Developer Tract; and

WHEREAS, the Developer desires to annex Developer Tract to the City; and

WHEREAS, the City has approved the Petition for Annexation by Resolution No. _____ for the Developer Tract contingent that a Development Agreement, be executed between the City and the Developer to identify required off-site infrastructure improvements and guarantees of those improvements.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties do hereby agree as follows:

- 1. Roads and Access.** The Developer Tract shall be accessible by Alder Avenue and East 8th Street. East Maryland Lane also fronts the north boundary of the Developer Tract. No surface improvements to Alder Avenue, East 8th Street, or East Maryland Lane will be constructed upon annexation beyond pavement restoration for utility extensions. The City shall rely on the attached Waiver filed concurrently herewith, to ensure the installation of any or all future public road improvements.
- 2. Sanitary Sewer.** Developer Tract shall be served by the City wastewater system. The Developer shall extend a new sanitary sewer service from the existing 15-inch sanitary

sewer main in Alder Avenue to provide service to the school. No sanitary sewer mains are present in East Maryland Lane or East 8th Street. No sanitary sewer main extensions are to be constructed as part of this agreement. Plans and specifications shall be approved by the Public Works Department.

3. **Water.** Developer Tract shall be served by the City water system. The Developer shall extend a new water main from the existing 12-inch dead end water main in Alder Avenue north approximately 260 feet and terminating with a fire hydrant. New 4-inch domestic and fire water services are to be extended to the building. Plans and specifications shall be approved by the Public Works Department.

4. **Storm Drain.** The Developer shall extend a 12-inch storm drain in East 8th Street from an existing manhole at the intersection with Cottonwood Avenue to the Developer Tract. The City shall allow connection to the new storm drain to manage stormwater runoff from the developed site.

5. **Right-of-Way.** A 30-foot-wide right-of-way dedication for East Maryland Lane shall be granted by the Developer to the City upon annexation.

6. **Sidewalks.** The Developer shall construct new public sidewalks along Alder Avenue and East 8th Street. A future sidewalk shall be constructed along East Maryland Lane at the time of road construction. The existing 6-foot-tall chain link fence, located in the proposed right-of-way dedication, shall also be removed. Future sidewalk construction and fence removal shall be completed by the Developer or by participation in a Special Improvement District at the time of road construction.

7. **Other Public Improvements.** For any other improvements not specifically listed in this Agreement, the City shall rely on the attached Waiver filed concurrently herewith, to ensure the installation of any or all remaining public improvements. Said improvements shall include, but not be limited to, street construction and paving, curb, gutter, sidewalks, driveways, storm drainage, and street lighting. The attached Waiver, waiving the right to protest the creation of one or more Special Improvement Districts, by this reference is expressly incorporated herein and part hereof. All of the Developer properties can be included in a Special Improvements District for improvements identified in Annexation Agreement regardless of location of individual properties in relation to the improvements.

8. **Future Intersection Contributions.** No intersection contributions are required upon annexation.

9. **Late Comers Agreement.** No Late Comers Agreement is made with this annexation.

10. **Zoning.** The Property is to be zoned as Public.

11. Compliance. Nothing herein shall be deemed to exempt the Developer Tract from compliance with any current or future City laws, rules, regulations, or policies that are applicable to the development, redevelopment, or use of the subject property.

12. Runs with Land. The covenants, agreements, and all statements in this Agreement and in the incorporated and attached Waiver shall run with the land and shall be binding on the heirs, personal representatives, successors, and assigns of the respective parties.

13. Attorney's Fees. In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs, including those fees and costs of in-house counsel.

14. Amendments and Modifications. Any amendments or modifications of this Agreement shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

This Agreement is hereby approved and accepted by the City of Laurel, this ____ day of _____, 20____.

CITY OF LAUREL, MONTANA

By: _____
Mayor

Attest: _____
City Clerk

“City”

STATE OF MONTANA)
 :ss
County of Yellowstone)

On this ____ day of _____, 20____, before me, a Notary Public for the State of Montana, personally appeared _____, and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Laurel, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Laurel, Montana.

Notary Public in and for the State of Montana
Printed name: _____
Residing at: _____
My commission expires: _____

Approved as to Form:

City Attorney



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Kurt Markegard, Planning Director
RE: Laurel School District Annexation and Zoning Designation
DATE: February 16, 2024

DESCRIPTION OF REQUEST

Laurel School District has submitted a request for annexation into Laurel city limits of lands currently used as recreation fields on Alder Avenue to be used for the construction of a new elementary school. The Zoning designation they are seeking is “Public” (P).

Owner: Laurel School District
Current Legal Description: NUTTING BROS 2ND FILING, S10, T02 S, R24 E, Lot 1 - 2
Address: 410 Colorado Avenue
Parcel Size: 8 acres
Existing Land Use: Recreational Fields
Proposed Land Use: Elementary School Building
Existing Zoning: No Zoning
Proposed Zoning: Public (P)

STAFF FINDINGS

- The applicant is requesting annexation and zoning for an 8-acre tract located along Alder Avenue Road between East Maryland Lane and East 8th Street.
- The applicant has provided an annexation application, waiver of right to protest SID and a draft annexation agreement.
- The applicant seeks annexation to connect the property to municipal water and sewer services.
- The applicant has provided estimates for the extension of water and sewer services to the property.
- The applicant is intending to construct a new elementary school on lots 1 -2 of Nutting Bros 2nd filing subdivision.

The following findings were developed from the text of the City of Laurel Annexation Policy (2008).

- A. The property must be located within an area identified by city staff as a location for future city annexation or annexation of the property will promote orderly growth of the city to protect the health, safety, and welfare in areas intensely utilized for residential, commercial, institutional, and governmental purposes.

The 2020 Laurel Growth Management Policy specifically states the area adjacent to Alder Avenue as a priority area for growth and development.

- B. The city must be able to provide adequate city services within a time period mutually agreed to by the property owner requesting annexation and the city;

The property seeking annexation is located closely with existing Water and Sewer services on the East 8th Street, Alder Avenue, and East Maryland Lane.

- C. Existing or proposed public improvements within the area to be annexed must meet all city standards. If the public improvements are not constructed at the time of annexation, the property owner shall provide the city with a bond or letter of credit that equals 125% of the estimated engineering costs for the construction of improvements. If the property owner fails to construct the improvements or to obtain the agreed upon engineering, the city shall utilize the bond or letter of credit to pay for the construction, including engineering; in accordance with GASB-34, the Developer or Landowner shall provide the city the total cost and/or value of the improvements including, but not limited to, parks, sidewalks, curb and gutter, lift stations, and sewer and water lines, that are conveyed to the city.

The Applicant has prepared an annexation agreement and waiver of right to protest detailing what public improvements shall be made and the timeline for the installation of public improvements. The Public Works Department may recommend changes to the annexation agreement for the installation of the public improvements needed to comply with City Standards.

- D. All property owners within the area to be annexed must sign a waiver of right to protest the creation of Special Improvement Districts for engineering and construction of improvements including but not limited to, streets, sidewalks, curb and gutter, and the creation of a Park Maintenance District, in a form acceptable and approved by the city.

A Waiver of right to protest the creation of special improvement districts has been prepared and provided to the City of Laurel for filing with the annexation agreement.

- E. Residential densities within the area to be annexed must be rezoned at a minimum density of R-7500 or greater, and Public (P) meets this requirement.

The Applicant has requested a zoning of Public (P) for the area to be annexed. The applicant is a public agency and thus the zone of Public is appropriate for the zoning.

- F. The proposed land use within the area to be annexed must conform to the goals of the Laurel-Yellowstone City-County Planning Board Growth Policy.

The 2020 Laurel Growth Management Policy indicates that the existing land use for these parcels is institutional and the building of a new elementary school creates vital infrastructure for the growth of the City of Laurel and the educational needs of the community.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

Annexation Criteria and Requirements as presented in the Laurel Annexation Policy (2008)

Requests for annexations are referred to the City-County Planning Board for recommendation to the City Council. Within 30 days after receiving the properly filled out application with all required accompaniments and after conducting a duly advertised public hearing, the City-County Planning Board shall make recommendation to the City Council as to this Request for Annexation. If more information is needed from the applicant during the review of the application, such application shall be deemed incomplete and the timeframe for reporting to the City Council extended accordingly, if needed.

- A. The City Council shall consider the following criteria when it receives a written petition for annexation:
 - a. The property must be located within an area identified by city staff as a location for future city annexation or annexation of the property will promote orderly growth of the city to protect the health, safety, and welfare in areas intensely utilized for residential, commercial, institutional, and governmental purposes.
 - b. The city must be able to provide adequate city services within a time period mutually agreed to by the property owner requesting annexation and the city;
 - c. Existing or proposed public improvements within the area to be annexed must meet all city standards. If the public improvements are not constructed at the time of annexation, the property owner shall provide the city with a bond or letter of credit that equals 125% of the estimated engineering costs for the construction of improvements. If the property owner fails to construct the improvements or to obtain the agreed upon engineering, the city shall utilize the bond or letter of credit to pay for the construction, including engineering; in accordance with GASB-34, the Developer or Landowner shall provide the city the total cost and/or value of the improvements including, but not limited to, parks, sidewalks, curb and gutter, lift stations, and sewer and water lines, that are conveyed to the city.
 - d. All property owners within the area to be annexed must sign a waiver of right to protest the creation of Special Improvement Districts for engineering and construction of improvements including but not limited to, streets, sidewalks, curb and gutter, and the creation of a Park Maintenance District, in a form acceptable and approved by the city.
 - e. All residential property owners must execute a Waiver of Right-to-Protest the creation of Special Improvement districts for engineering and construction of improvements including but not limited to, streets, sidewalks, curb and gutter, and the creation of a Park Maintenance District, in a form acceptable and approved by the city.
 - f. Residential densities within the area to be annexed must be rezoned at a minimum density of R-7500 or greater, and
 - g. The proposed land use within the area to be annexed must conform to the goals of the Laurel-Yellowstone City-County Planning Board Growth Policy.

RECOMMENDATIONS

The Planning Director recommends that the Planning Board approve the annexation and zone assignment of Public (P). The Planning Director has prepared drafted conditions of approval which are presented below.

1. Water and Sewer designs shall be approved by the City of Laurel prior to annexation approval.
2. Stormwater designs shall be approved by the City of Laurel and the Department of Environmental Quality, where applicable, prior to annexation approval.
3. An Annexation Agreement shall be executed with the City of Laurel and filed with the Yellowstone County Clerk & Recorder at the time of annexation approval.
4. A Waiver of Right to Protest the creation of a Special Improvement District(s) shall be executed and filed with the Yellowstone County Clerk & Recorder at the time of annexation approval.
5. If related public improvements are not constructed within twelve (12) months of annexation, the property owner shall provide the city a bond or letter of credit that equals 125% of the estimated engineering costs for the construction of improvements. If the property owner fails to construct the improvements or to obtain the agreed upon engineering, the city shall utilize the bond or letter of credit to pay for the construction, including engineering; In accordance with GASB-34, the Developer of Landowner shall provide the city the total cost and/or value of the improvements including, but not limited to, parks, sidewalks, curb and gutter, lift stations, and sewer and water lines, that are conveyed to the city.
6. In the event that public improvements have not been completed at the time a building permit is applied for, the applicant shall submit a development agreement to be approved by the City of Laurel.

ATTACHMENTS

1. Project Narrative
2. Annexation Application
3. Annexation Agreement
4. Waiver of Right to Protest
5. Adjacent property Owners within 300ft
6. Laurel Annexation Policy (2008)

LETTER OF TRANSMITTAL

| | |
|---------------------------|--|
| To: Kurt Markegard | Date: December 18, 2023 |
| Planning Division | Project No: 23103 |
| P.O. Box 10 | Project: Mogan Elementary |
| Laurel, MT 59044 | Reference: Annexation Agreement |

By Mail
 Next Day Air
 Delivered By Hand
 To Pick Up

Attachments:

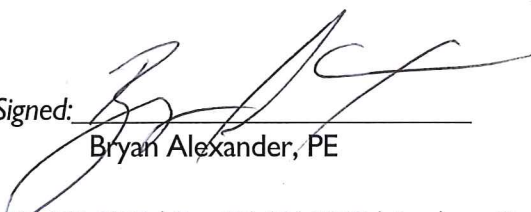
- | | | |
|--|---|---|
| <input type="checkbox"/> SID Pre-Creation Exhibits | <input type="checkbox"/> Contract Documents | <input type="checkbox"/> Prints |
| <input type="checkbox"/> Plans/Specifications | <input type="checkbox"/> Change Order | <input type="checkbox"/> Plat Submittal |
| <input type="checkbox"/> Shop Drawings | <input type="checkbox"/> Estimate | <input checked="" type="checkbox"/> Other |

MESSAGES:

Attached is a revised portion of the annexation petition application that includes additional information for the water main extension information proposed. Also included is the proposed annexation agreement, narrative, annexation exhibit, and opinion of probable cost for the proposed public improvements that were presented to the School Board on December 11, 2023. Please let us know if you need any further information and when the next steps will occur to continue the annexation process.

Thanks,

Bryan

Signed: 
 Bryan Alexander, PE

PROJECT NARRATIVE

Overview

The Laurel Public School District is requesting annexation of approximately 8 acres into the City of Laurel, Montana as shown on the attached Exhibit A. The school district property looking to be annexed is located just outside the northeast boundary of the Laurel city limits, along the east side of Alder Avenue in Yellowstone County, Montana. Additional annexed properties are located further east of the island in which the proposed annexation tract is located. The property is legally described as: **Lots 1 and 2, Nutting Brothers Subdivision, Second Filing.**

The property lies adjacent to Alder Avenue that defines the eastern-most boundary of Laurel's city limits, and within the boundary of the City of Laurel's Annexation Priority Area that is defined in Laurel's 2020 Growth Policy. The property is currently zoned as R200 - Residential Tracts within Laurel's zoning jurisdiction and is proposed to change to Public when annexation occurs.

Utility Extensions

Upon annexation of the property, City of Laurel public water and sanitary sewer services will be extended to the proposed elementary school building. The intent is that a new public water main will be extended from the existing 12-inch dead end water main in Alder Avenue north approximately 260 feet and terminating with a new fire hydrant. From there, new service lines will be extended on the property to the building. Extension of a new 12-inch storm drain main will be constructed in East 8th Street from Cottonwood Avenue to the property. The new public water and storm drain mains will become part of the City of Laurel system and will be located within public rights-of-way.

Right-of-way Dedication

Upon annexation of the property, the school district will dedicate a strip of land 30 feet wide along the north boundary of the property to the City of Laurel for right-of-way for East Maryland Lane.

EXHIBIT A

ANNEXATION EXHIBIT

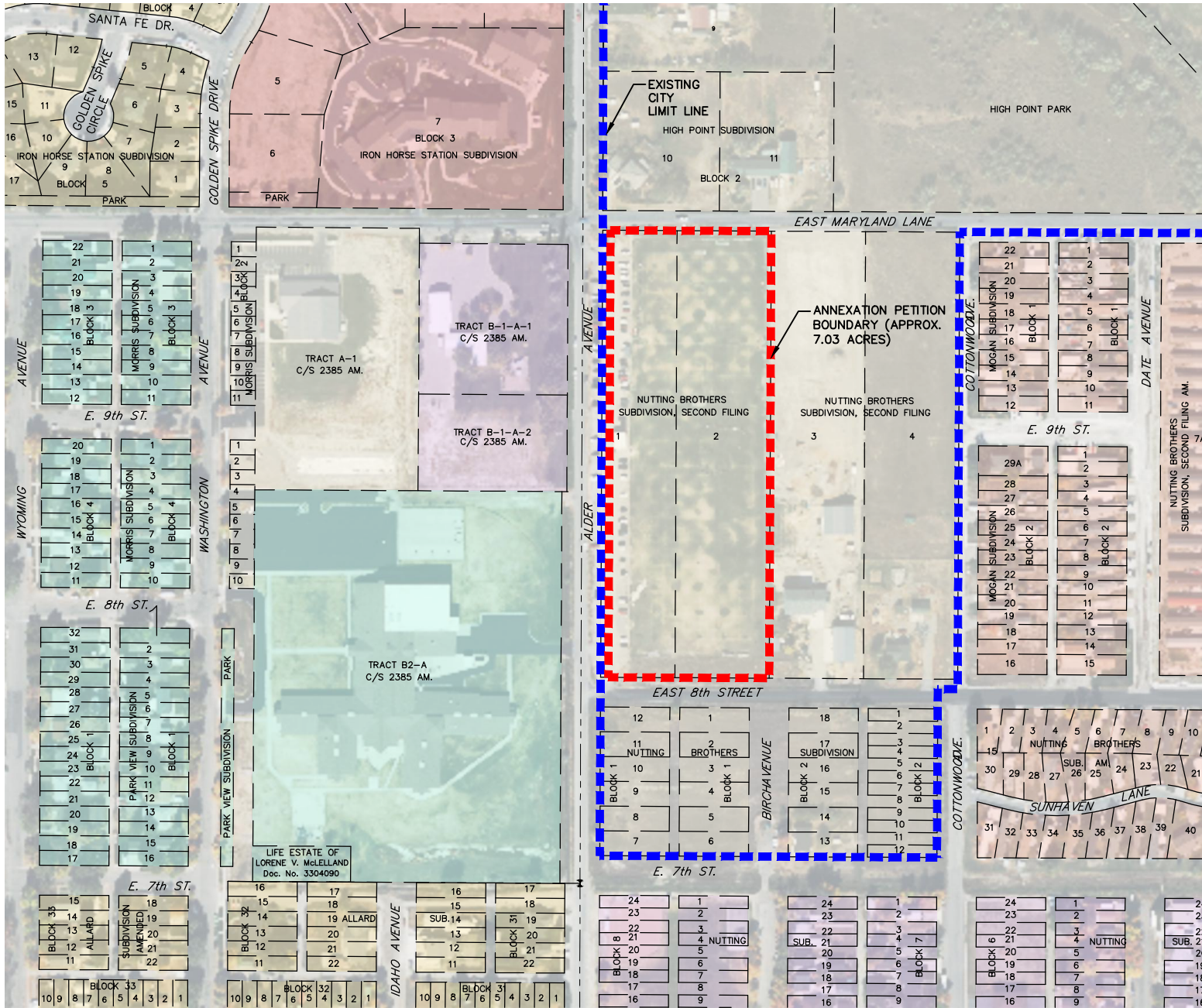
WITHIN NUTTING BROTHERS SUBDIVISION

PREPARED FOR : LAUREL PUBLIC SCHOOLS

AUGUST, 2023

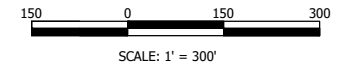
PREPARED BY : **SANDERSON STEWART**

BILLINGS, MONTANA



LEGEND

- RESIDENTIAL 200
- RESIDENTIAL LIMITED MULTI-FAMILY
- COMMUNITY COMMERCIAL
- RMH-RESIDENTIAL MOBILE HOME
- RESIDENTIAL 6000
- RESIDENTIAL 7500



23103.00

15

Date: December 12, 2023
 Project No.: 23103

Engineer's Opinion of Probable Cost for Mogan Elementary School Offsite Infrastructure Improvements

Schedule I: Utilities

| Item No. | Quantity | Unit | Description | Unit Price | Subtotal |
|------------------------|----------|--------|------------------------------------|---------------|--------------|
| 101 | | 1 L.S. | Mobilization and Insurance | \$15,623.78 = | \$15,623.78 |
| 102 | | 1 L.S. | Payment and Performance Bonds | \$5,514.27 = | \$5,514.27 |
| 103 | | 1 L.S. | Traffic Control | \$2,500.00 = | \$2,500.00 |
| 104 | | 1 L.S. | Dewatering | \$20,000.00 = | \$20,000.00 |
| E. Maryland Ln. | | | | | |
| | | | N/A | | \$0.00 |
| Alder Ave. | | | | | |
| 105 | | 1 E.A. | 6-inch Sanitary Sewer Service | \$700.00 = | \$700.00 |
| 106 | 42 | L.F. | 6-inch Sanitary Sewer Service Pipe | \$45.00 = | \$1,890.00 |
| 107 | 116 | C.Y. | Type II Bedding | \$40.00 = | \$4,640.00 |
| 108 | | 1 E.A. | Bentonite Trench Plug | \$1,500.00 = | \$1,500.00 |
| 109 | | 1 E.A. | Connect to 12-inch Water Main | \$2,500.00 = | \$2,500.00 |
| 110 | | 1 E.A. | 12-inch Gate Valve | \$6,000.00 = | \$6,000.00 |
| 111 | 260 | L.F. | 12-inch Water Main | \$95.00 = | \$24,700.00 |
| 112 | 2 | E.A. | 12-inch Bend | \$1,200.00 = | \$2,400.00 |
| 113 | | 1 E.A. | 12X12X6 Hydrant Tee | \$1,250.00 = | \$1,250.00 |
| 114 | | 1 E.A. | Fire Hydrant and Assembly | \$7,500.00 = | \$7,500.00 |
| 115 | 2 | E.A. | 4-inch Water Service | \$5,500.00 = | \$11,000.00 |
| E. 8th Street | | | | | |
| 116 | 218 | C.Y. | Type II Bedding | \$40.00 = | \$8,711.11 |
| 117 | | 1 E.A. | Bentonite Trench Plug | \$1,500.00 = | \$1,500.00 |
| 118 | | 1 E.A. | 8X8X6 Tapping Tee | \$900.00 = | \$900.00 |
| 119 | | 1 E.A. | Fire Hydrant and Assembly | \$7,500.00 = | \$7,500.00 |
| 120 | 490 | L.F. | 12-inch Storm Drain Main | \$92.00 = | \$45,080.00 |
| 121 | 2 | E.A. | Storm Drain 48" Manhole | \$4,500.00 = | \$9,000.00 |
| 122 | | 1 E.A. | 6-inch Storm Sewer Service | \$700.00 = | \$700.00 |
| 123 | 60 | L.F. | 6-inch Storm Sewer Service Pipe | \$45.00 = | \$2,700.00 |
| Schedule I Subtotal = | | | | | \$183,809.17 |

Schedule II: Streets

| Item No. | Quantity | Unit | Description | Unit Price | Subtotal |
|---|----------|--------|---------------------------------|---------------|---------------------|
| 201 | | 1 L.S. | Mobilization and Insurance | \$11,402.56 = | \$11,402.56 |
| 202 | | 1 L.S. | Payment and Performance Bonds | \$4,024.43 = | \$4,024.43 |
| 203 | | 1 L.S. | Traffic Control | \$2,500.00 = | \$2,500.00 |
| 204 | | 1 L.S. | Stormwater and Erosion Control | \$3,000.00 = | \$3,000.00 |
| E. Maryland Ln. | | | | | |
| 205 | | 2 E.A. | ADA Ramp with Truncated Domes | \$1,250.00 = | \$2,500.00 |
| 206 | | 1 L.S. | Striping | \$1,500.00 = | \$1,500.00 |
| Alder Ave. | | | | | |
| 207 | 3,034 | S.F. | Asphalt Demo | \$1.15 = | \$3,489.10 |
| 208 | 135 | C.Y. | Unclassified Excavation | \$17.00 = | \$2,291.60 |
| 209 | 112 | C.Y. | 1.5" Crushed Base Course | \$42.00 = | \$4,718.00 |
| 210 | 337 | S.Y. | 3-inch Thick Asphalt | \$20.00 = | \$6,740.00 |
| 211 | 4,619 | S.F. | 4-inch Thick Sidewalk | \$9.00 = | \$41,571.00 |
| 212 | | 2 E.A. | ADA Ramp with Truncated Domes | \$1,250.00 = | \$2,500.00 |
| 213 | | 1 E.A. | Street Name Sign with Stop Sign | \$900.00 = | \$900.00 |
| 214 | | 2 E.A. | Crosswalk Ahead Signs | \$700.00 = | \$1,400.00 |
| 215 | | 2 E.A. | Rapid Flash Beacon Crosswalk | \$2,500.00 = | \$5,000.00 |
| 216 | | 1 E.A. | Adjust Ex. Water Valve | \$400.00 = | \$400.00 |
| 217 | | 1 L.S. | Striping | \$1,000.00 = | \$1,000.00 |
| E. 8th Street | | | | | |
| 218 | 3,724 | S.F. | Asphalt Demo | \$1.15 = | \$4,282.60 |
| 219 | 166 | C.Y. | Unclassified Excavation | \$17.00 = | \$2,822.00 |
| 220 | 138 | C.Y. | 1.5" Crushed Base Course | \$42.00 = | \$5,810.00 |
| 221 | 415 | S.Y. | 3-inch Thick Asphalt | \$20.00 = | \$8,300.00 |
| 222 | 1,439 | S.F. | 4-inch Thick Sidewalk | \$9.00 = | \$12,946.50 |
| 223 | | 1 E.A. | ADA Ramp with Truncated Domes | \$1,250.00 = | \$1,250.00 |
| 224 | | 1 E.A. | Street Name Sign with Stop Sign | \$900.00 = | \$900.00 |
| 225 | | 2 E.A. | Other traffic sign | \$700.00 = | \$1,400.00 |
| 226 | | 1 L.S. | Striping | \$1,500.00 = | \$1,500.00 |
| Schedule II Subtotal = | | | | | \$134,147.80 |
| Construction Subtotal = | | | | | \$317,956.96 |
| Construction Subtotal Plus Contingency = | | | | | \$365,650.51 |
| Administrative Fees | | | | | |
| Geotechnical Services and Materials Testing | | | | 1.25% = | \$4,570.63 |
| Subtotal of Administrative Fees = | | | | | \$4,570.63 |
| Construction Total and Administrative Fees = | | | | | \$370,221.14 |

Notes:

Costs based on Sanderson Stewart off site sketch

Mobilization and Insurance based on percentage of total schedule cost 8.5 %

Construction contingency 15 %

All items are complete and in place.

Sanderson Stewart cannot warrant that any opinions of probable cost provided by Sanderson Stewart will not vary from actual costs incurred by the client. Sanderson Stewart has no control over the cost or availability of labor, equipment, materials, or over market conditions or the Contractor's method of pricing. Sanderson Stewart makes no warranty, express or implied, that the bids or the negotiated cost of the work will not vary from Sanderson Stewart's opinion of probable cost.

**CITY OF LAUREL, MONTANA
REQUEST FOR ANNEXATION
AND PLAN OF ANNEXATION**

Applicant is required to meet with the City Planner prior to filling out this application. All blanks of this application are to be filled in with explanation by the applicant. Incomplete applications will not be accepted.

1. Only parcels of land adjacent to the City of Laurel municipal limits will be considered for annexation. "Adjacent to" also includes being across a public right of way. If the parcel to be annexed is smaller than one city block in size (2.06 acres), the city council must approve consideration of the request; the applicant must make a separate written request to the city council stating their wish to annex a parcel of land less than one city block in. Once the council approves the request, the applicant can apply for annexation.

2. Applicant landowner's name: Laurel Public Schools
Address: 410 Colorado Ave., Laurel, MT 59044
Phone: 406.628.3360

3. Parcel to be annexed: (If it is not surveyed or of public record, it must be of public record PRIOR to applying for annexation.)
Legal description: Lots 1 and 2 Nutting Brothers Subdivision, 2nd Filing
Lot size: ~7 acres
Present use: Grass sports fields
Planned use: Public Elementary School
Present zoning: R200 - Residential Tracts
(Land which is being annexed automatically becomes zoned R-7500 when it is officially annexed [City ordinance 17.12.220])

4. City services: The extension of needed city services shall be at the cost of the applicant after annexation by the city has been approved. As part of the application process, each of the following city services must be addressed with an explanation:

Water Service:

Location of existing main: ex. main along frontage of E. 8th St. & the south 50' of Alde
Cost of extension of approved service: \$115,000.00
How cost determined: Engineer's Opinion of Cost
Timeframe for installation: Summer 2024

Sewer Service:

Location of existing main: Alder Ave.
Cost of extension of approved service: \$0.00
How cost determined: Main currently exists

Timeframe for installation: Installed
How financed: n/a

Streets:

Is there any adjoining County ROW to the proposed annexation: Yes, E. Maryland Ln. and E. 8th St.
Location of existing paved access: E. Maryland Ln., Alder Ave., and E. 8th St.
Cost of paving: n/a
How cost determined: n/a
Timeframe for construction: n/a

Other required improvements: Provide above information on attached pages.

5. A map suitable for review of this application of the proposed area to be annexed must be submitted with this application.
6. A written Waive of Protest must accompany this application, suitable for recording and containing a covenant to run with the land to be annexed, waiving all right of protest to the creation by the city of any needed improvement district for construction or maintenance of municipal services. This Waiver of Protest must be signed by the applicant **prior** to annexation by the city.
7. Requests for annexations are referred to the City-County Planning Board for recommendation to the City Council. Within 30 days after receiving the properly filled out application with all required accompaniments and after conducting a duly advertised public hearing, the City-County Planning Board shall make recommendation to the City Council as to this Request for Annexation. If more information is needed from the applicant during the review of the application, such application shall be deemed incomplete and the timeframe for reporting to the City Council extended accordingly, in needed.
8. A **non-refundable** application fee of \$300 + \$25.00 per acre (80 acres or less); \$300 + \$35.00 per acres (81 acres or more) must accompany the submission of this application.

The City Council of the City of Laurel, Montana, after review and consideration of this Application for Annexation, found such to be in the best interest of the City, that it complied with state code, and approved this request at its City Council meeting of _____.

PUBLIC HEARING NOTICE to lands adjacent to subject property

The Laurel-Yellowstone City-County Planning Board and Laurel's Zoning Commission will conduct a public hearing on February 21, 2024.

Public Hearing for the annexation into the City of Laurel and assignment of zoning "Public" for the property described as Nutting Bros 2nd Filing -Lots 1 and 2 by the Laurel School District. The property is located southeast of the intersection of East Maryland Lane and Alder Ave and is owned by the Laurel School District.

- **17.12.200 - Public (P) zone.**

The public zone is intended to reserve land exclusively for public and semipublic uses in order to preserve and provide adequate land for a variety of community facilities which serve the public health, safety and general welfare.

The hearing is scheduled for 6 P.M., in the Laurel City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, February 21, 2024.

Public comment is encouraged and can be provided in person at the public hearing on February 21, 2024. Public comments can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. Emails or letters of comments should be received by 2pm MST February 15, 2024 so they can be transmitted to the Planning Board members prior to the meeting. Copies of the documentation are available for review upon request at the Planning Department office. Questions regarding these public hearings may be directed to the Planning Director at 406-628-4796 ext. 5305, or via email at cityplanner@laurel.mt.gov.

MCLELLAND, LEONARD C
PO BOX 164
LAUREL, MT 59044-0164

LAUREL SCHOOL DISTRICT 7
410 COLORADO AVE
LAUREL, MT 59044-2714

MCLELLAND, LEONARD C
708 E MARYLAND LN
LAUREL, MT 59044-2165

CITY OF LAUREL
PO BOX 10
LAUREL, MT 59044-0010

ST JOHN'S LUTHERAN MINISTRIES INC
3940 RIMROCK RD
BILLINGS, MT 59102-0141

PENNY, ARTHUR W & CAROL P
1503 E RAILROAD ST
LAUREL, MT 59044-3341

PENNY, ARTHUR W & CAROL P
1503 E RAILROAD ST
LAUREL, MT 59044-3341

PENNY, ARTHUR W & CAROL P
1503 E RAILROAD ST
LAUREL, MT 59044-3341

PENNY, ARTHUR W & CAROL P
1503 E RAILROAD ST
LAUREL, MT 59044-3341

LAUREL PUBLIC SCHOOLS
410 COLORADO AVE
LAUREL, MT 59044-2714

GUTHRIDGE, PERRY
2110 RIDGEVIEW DR
BILLINGS, MT 59105-3635

DUPEA JR, PAUL & DEREKA
915 E 8TH ST
LAUREL, MT 59044-2219

SCHEELER, LYNN R & JANALYN K
1011 ALDER AVE
LAUREL, MT 59044-2252

BRANDT, KENNETH R JR
901 E MARYLAND LN
LAUREL, MT 59044-2227

YELLOWSTONE COUNTY (PARKS)
PO BOX 35000
BILLINGS, MT 59107-5000

EXHIBIT A

ANNEXATION EXHIBIT

WITHIN NUTTING BROTHERS SUBDIVISION

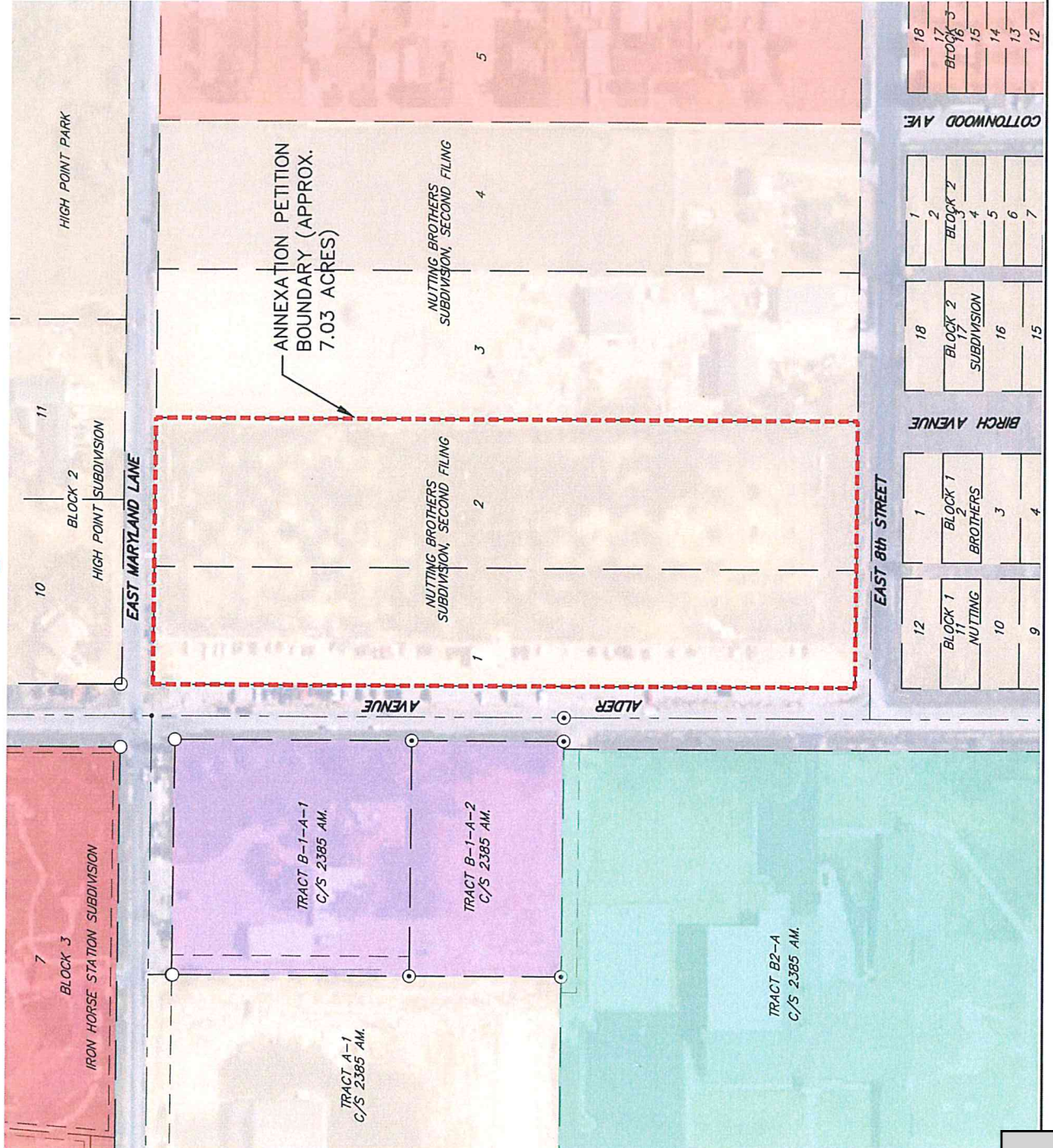
PREPARED FOR : LAUREL PUBLIC SCHOOLS

PREPARED BY : **SANDERSON STEWART**

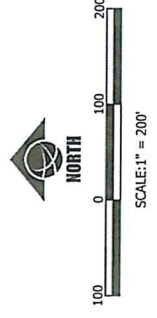


AUGUST, 2023

BILLINGS, MONTANA



- RESIDENTIAL TRACTS
- RESIDENTIAL LIMITED MULTI-FAMILY
- COMMUNITY COMMERCIAL
- RMH-RESIDENTIAL MOBILE HOME
- RESIDENTIAL 6000
- RESIDENTIAL 7500

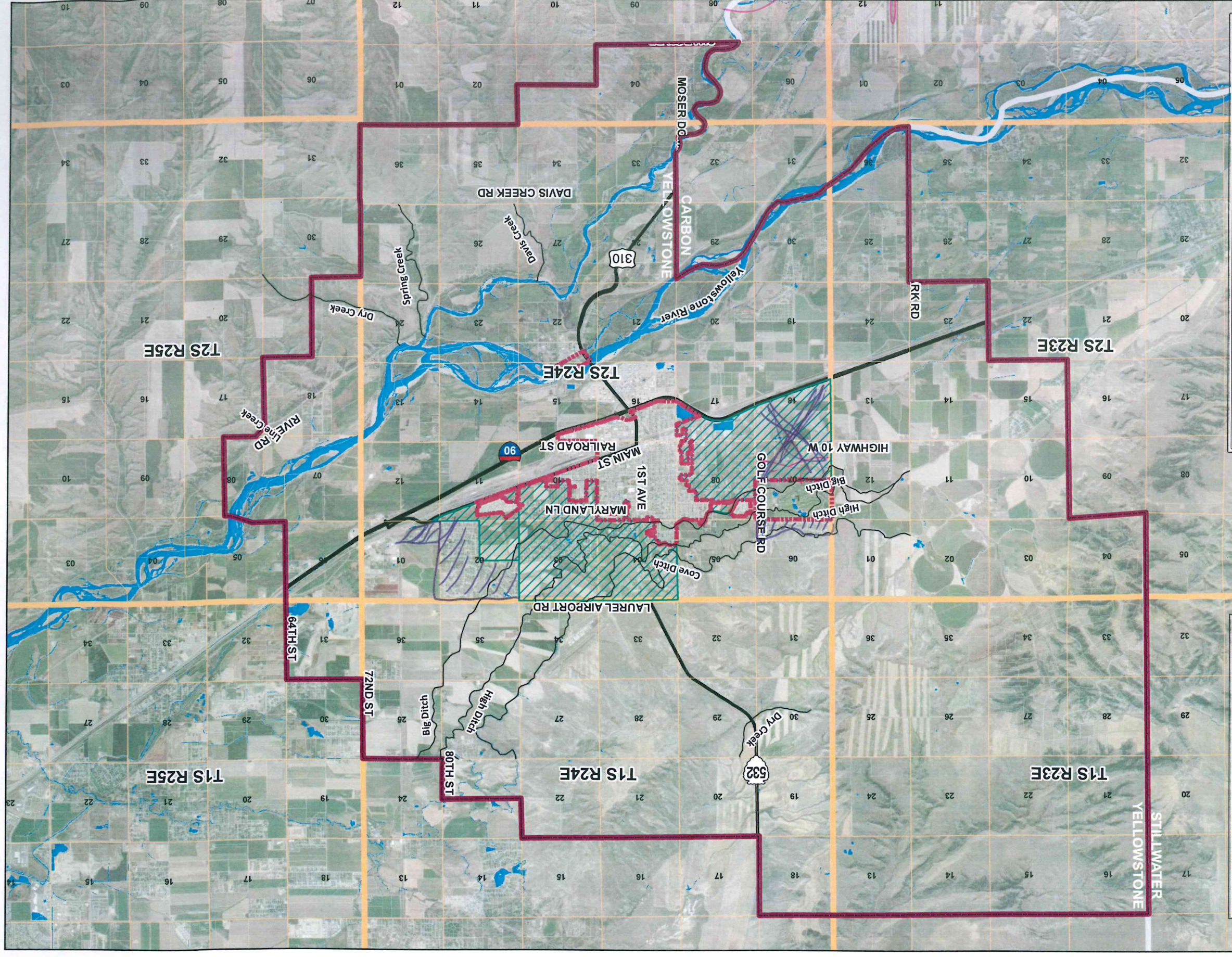


File Attachments for Item:

Growth Management Policy Public Hearing

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LAUREL - YELLOWSTONE CITY - COUNTY GROWTH POLICY 2023



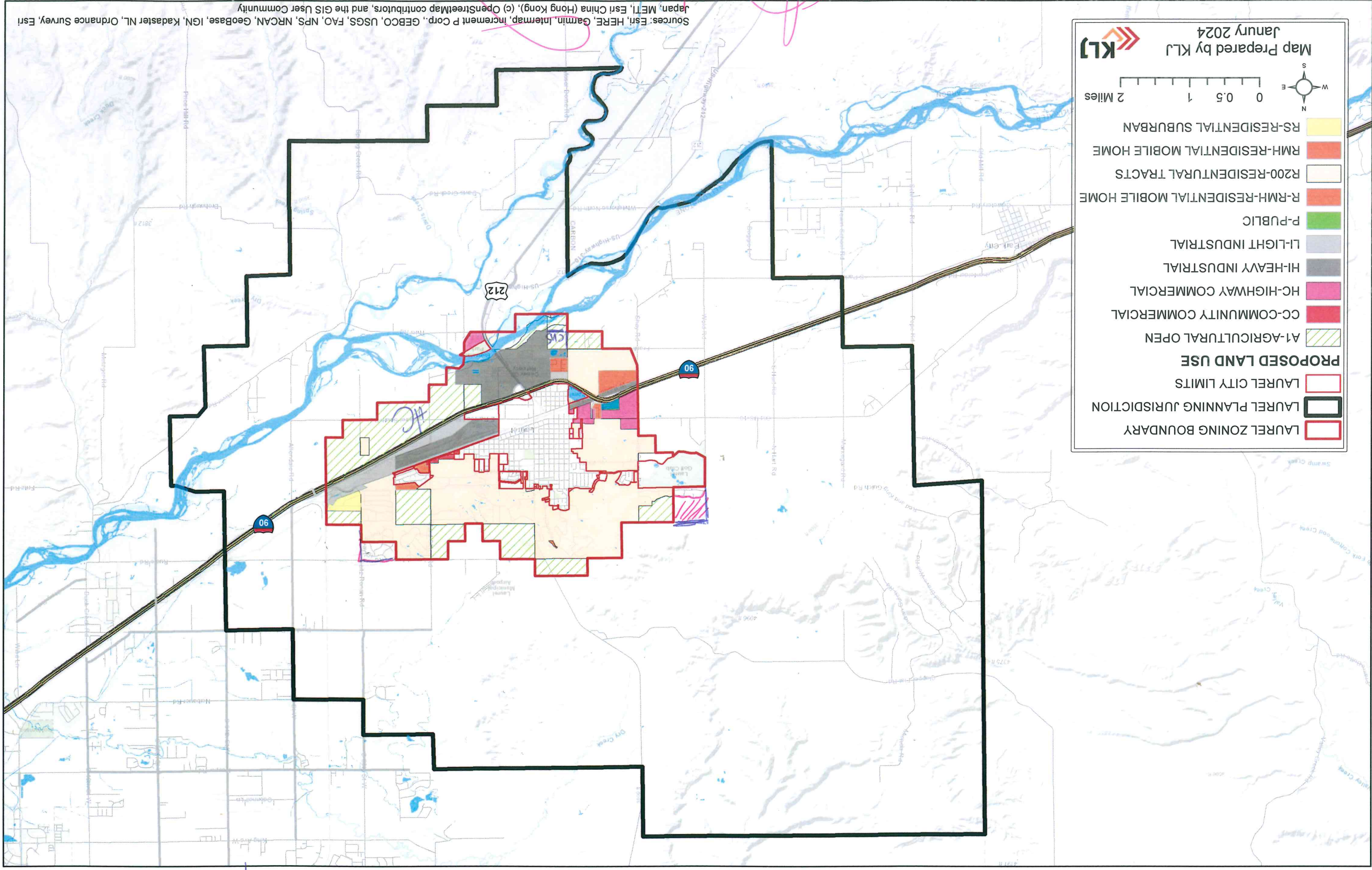
Map Prepared by KLJ
December 2023

KLJ

- Planning Jurisdiction
- City Limits
- Annexation Priority Areas
- Creeks and Canals
- Major Roadways
- County Line
- PLSS
- Parcels
- Surface Water



LAUREL - YELLOWSTONE CITY - COUNTY GROWTH POLICY 2023



FUTURE LAND USE

Map Prepared by KLJ
January 2024

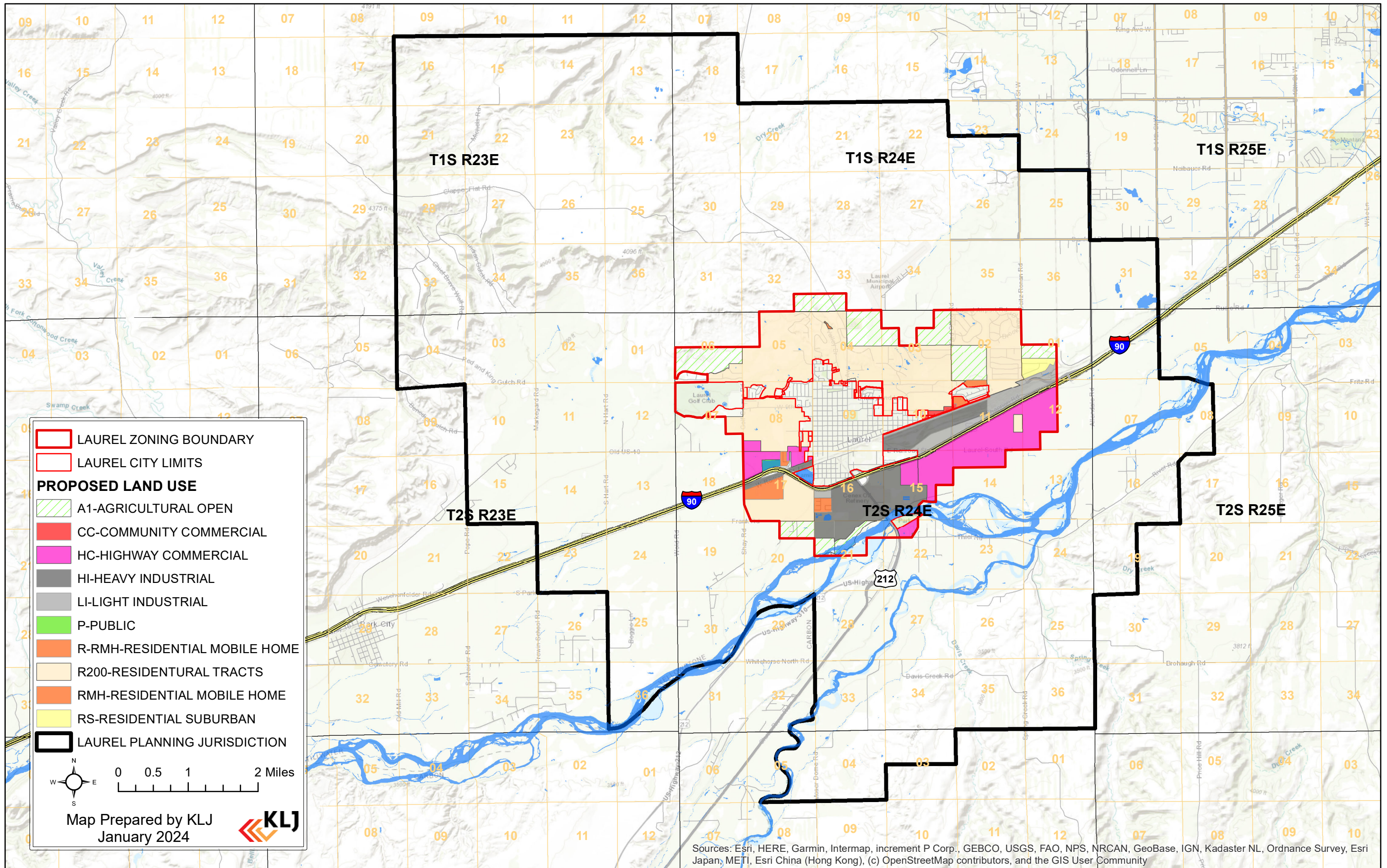
2 Miles
0 0.5 1

Legend:

- LAUREL ZONING BOUNDARY
- LAUREL CITY LIMITS
- LAUREL PLANNING JURISDICTION
- PROPOSED LAND USE
- A1-AGRICULTURAL OPEN
- CC-COMMUNITY COMMERCIAL
- HC-HIGHWAY COMMERCIAL
- HI-HEAVY INDUSTRIAL
- L-LIGHT INDUSTRIAL
- P-PUBLIC
- R-RMH-RESIDENTIAL MOBILE HOME
- R200-RESIDENTIAL TRACTS
- RMH-RESIDENTIAL MOBILE HOME
- RS-RESIDENTIAL SUBURBAN

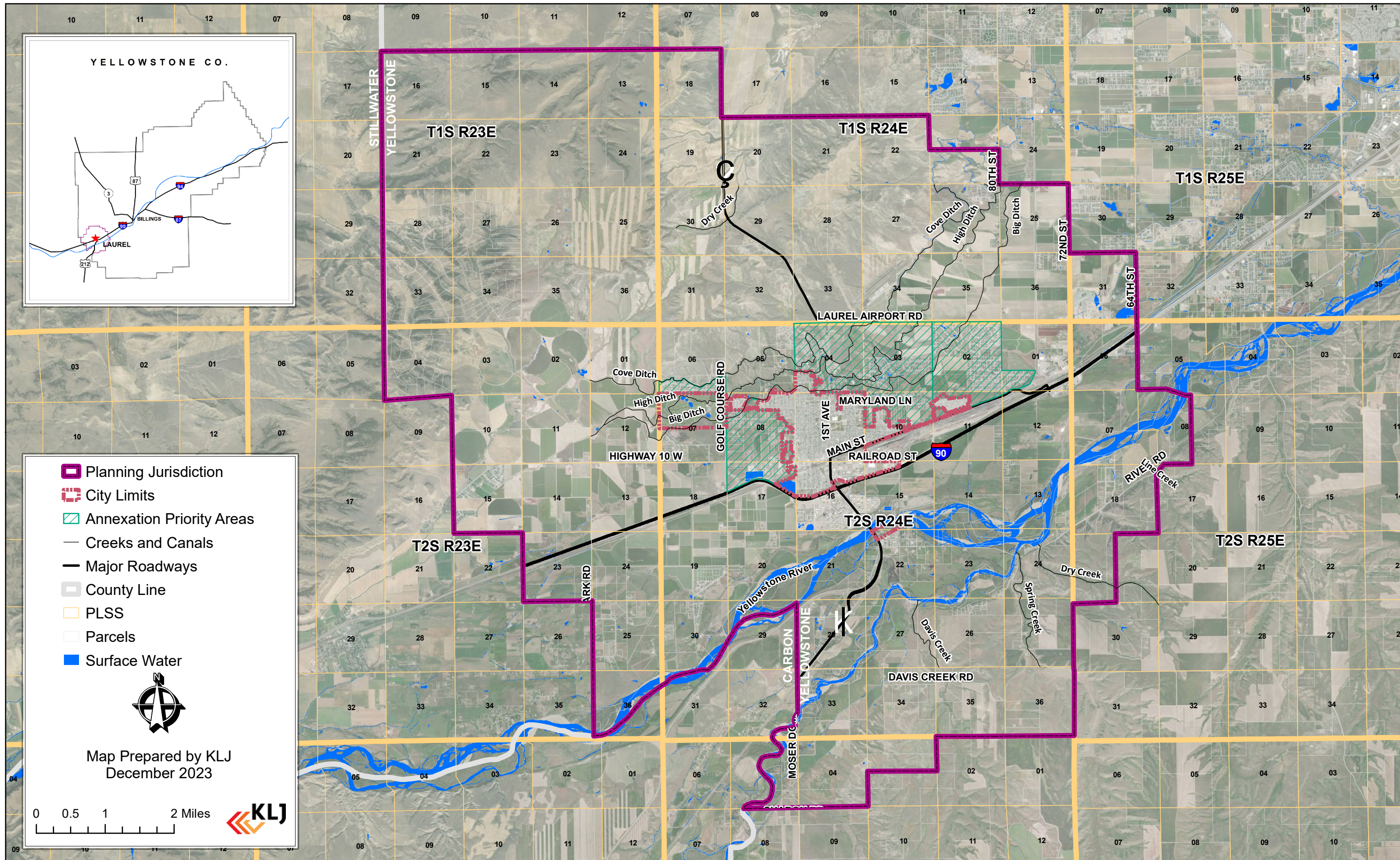
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri, Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

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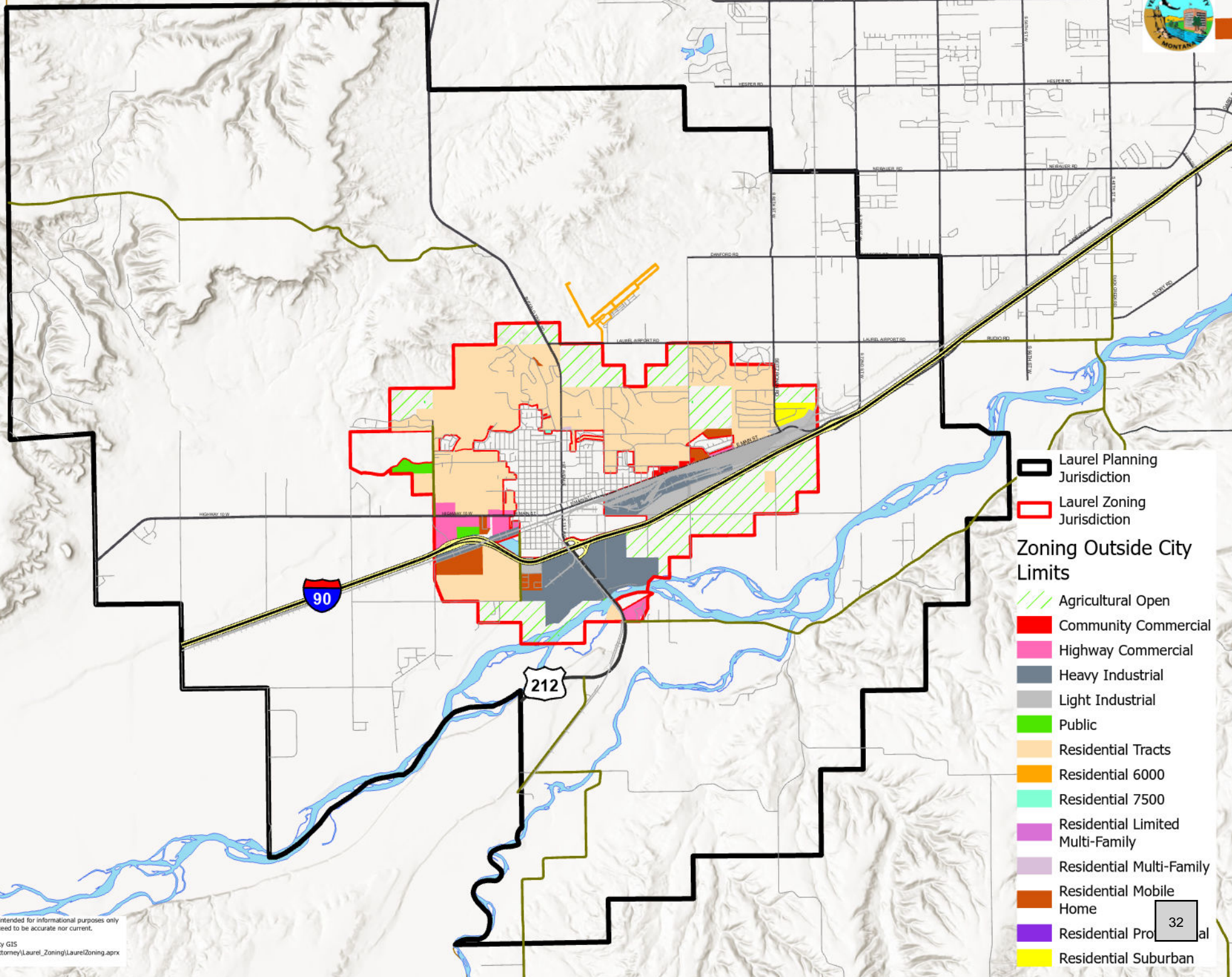


FUTURE LAND USE

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PLANNING JURISDICTION



- Laurel Planning Jurisdiction
- Laurel Zoning Jurisdiction

Zoning Outside City Limits

- Agricultural Open
- Community Commercial
- Highway Commercial
- Heavy Industrial
- Light Industrial
- Public
- Residential Tracts
- Residential 6000
- Residential 7500
- Residential Limited Multi-Family
- Residential Multi-Family
- Residential Mobile Home
- Residential Professional
- Residential Suburban

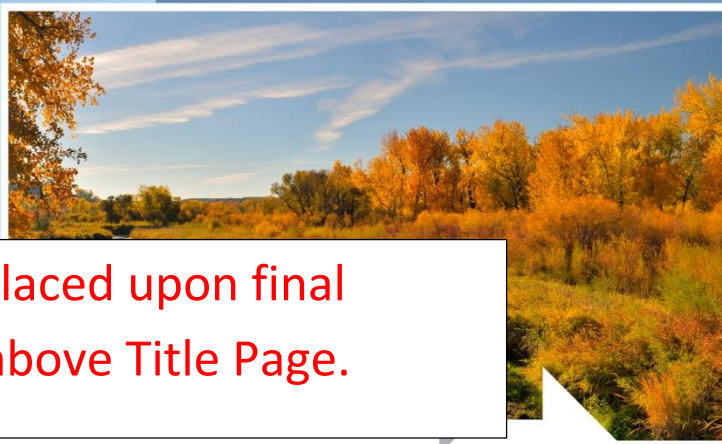
This document is intended for informational purposes only and is not guaranteed to be accurate nor current.
 Date 11/17/2023
 Yellowstone County GIS
 \\yco-gs\jdpdk\Attorney\Laurel_Zoning\LaurelZoning.aprx



REQUESTED UPDATE

To the 2020 Growth Management
Policy for the City of Laurel/
Yellowstone County Joint Planning
Jurisdiction

Prepared by the City of Laurel/Yellowstone
County Planning Board 2023



This page to be replaced upon final approval with the above Title Page.



November 2020

GROWTH MANAGEMENT POLICY

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CHAPTER 1: INTRODUCTION AND PURPOSE

Introduction

The Growth Management Policy is a guide for the development of the **City of Laurel Laurel Planning jurisdiction area** over the next five years. The purpose of this plan is to provide general guidelines to develop and maintain Laurel as a safe, livable, and economically viable community that residents, institutions, and businesses are proud to call home. This document presents information about the **planning jurisdiction**, **City** its residents, and the goals and objectives the **City planning board** will work towards in the long term.

This document is focused on the City of Laurel and its **surrounding** zoning and planning jurisdictions. Laurel is at a crossroads both in place and time. It is located at a vital junction for agriculture, transportation, and industry that helped develop the area over the past 130 years. The timing of this policy update is also essential given a growing population, changing demographics, a fast-growing municipality nearby (Billings), and the need for updated regulations and policies to face 21st century technological, economic, and land-use challenges.



Historical Context

The Crow was the principle Tribe in the Yellowstone Basin when European explorers first arrived. In July of 1806, Captain William Clark and his expedition floated down the Yellowstone River from current-day Livingston in crude canoes on their return journey. Clark and his expedition camped at the mouth of the Clark's Fork of the Yellowstone River near Laurel's present site and noted it as a possible location for a trading post. Chief Joseph later led the Nez Perce over the Yellowstone River near Laurel during their retreat to Canada in 1877. Colonel Sam Sturgis and his cavalry caught up and battled the Tribe at Canyon Creek approximately six miles north of present-day Laurel. The Nez Perce escaped the cavalry and continued their flight to Canada after the battle. Laurel is located on both the Lewis & Clark and Nez Perce National Historic Trails that commemorate these events.

European settlement of the area began in 1879. The railroad reached Billings by 1882 and reached current-day Laurel by that fall. The City of Laurel, initially called Carlton, was established in 1882 along the newly laid railroad tracks. The western legend of "Calamity Jane" Canary was associated with Laurel in its early years after she came to Laurel in 1882 and had her dugout near the Canyon Creek Battleground.

Laurel's population and its economy boomed during the early years. By 1920, the population had reached 2,338 residents. The rail yards were a permanent fixture of the local economy and became a dependable employer due to the consistent demand for agricultural products nationwide. The three major industries which have played a significant role in the growth of the City have been agriculture, the

railroad, and oil. Local farms near current-day Laurel were settled before any official town being established. Popular crops for area farmers and ranchers included alfalfa, grains, and sugar beets. This agricultural production was a significant draw for the region outside of the rail yard's ability to ship goods. These farms were an essential driver of the local economy despite the railyard's outsized role as a shipping center.

The Northern Pacific, Great Northern, and Chicago, Burlington, and Quincy Railroads all made their junction in Laurel by 1906. The Northern Pacific was building terminal yards in 1907, which would eventually lead to Laurel being the largest terminal and classification station between St. Paul, Minnesota, Seattle, and Washington. The yards would eventually have a fifty-five-stall roundhouse, machine shop, ice-making plant, loading docks, water tank, and disinfecting plant. **The yard is currently operated by Montana Rail Link, which is leased from the Burling Northern/Santa Fe Railroad.** Laurel remains the largest rail yard between Minneapolis and Seattle.

The area was repeatedly drilled for oil exploration in the early 1920s. The Northwest Refining Company bought a site for a proposed 2,000-barrel refinery in 1922. In 1927, productive oil fields were discovered in the nearby Oregon Basin of Wyoming. The existing regional rail infrastructure made Laurel an ideal location for the refining and exporting of crude oil from Wyoming and other regions. The refinery in Laurel has been operated by many companies, including the Independent Refining Company, Farmers Union Central Exchange, and now CHS Inc.

Purpose

The Growth Management Policy is a statement of the community goals and objectives that will guide the **City's planning jurisdiction's** development. The policy is a comprehensive document covering many different study areas, including demographics, land use, infrastructure, public services, transportation, and housing. The purpose of this Growth Management Policy is to:

- ❖ Establish Community Goals and Objectives
- ❖ Present an updated profile of the community
- ❖ Provide projections for housing, natural resources, population, land use, and other subjects
- ❖ Ensure an orderly set of policy priorities for the expansion of the City
- ❖ Put forward an implementation guide for the established Goals and Objectives
- ❖ Act as a guide and resource for city **and county** staff and other local stakeholders

Community Vision

The Growth Management Policy allows local stakeholders to create a future vision for the Laurel community. A well-thought-out vision is important because it informs the structure and form of the document and influences the City's work long after it is published. This vision can involve where the City wants to grow, what types of business residents would like to see, priorities for project funding, and the quality of life residents would like to have. The Growth Management Policy's goals,



objectives, and recommendations for implementation are developed from this community vision. City staff worked with Planning Board members to develop a community vision for the **planning jurisdiction. Laurel.**

In the future, **the Laurel area** will have:

- ❖ A diverse array of residents, businesses, and institutions,
- ❖ Greater employment opportunities,
- ❖ Connected and accessible neighborhoods,
- ❖ A variety of housing options and levels of affordability,
- ❖ A thriving downtown and commercial district,
- ❖ Well-functioning public services and amenities,
- ❖ Clear and consistent regulations for development, and
- ❖ An engaged community.

Regulatory Requirements

The Growth Management Policy is a statutory necessity for local governments. Montana Code Annotated Title 76, Chapter 1, Part 6 provides the foundation for establishing a municipal growth policy. These statutes require certain general items to be included, but the direction, focus, and contents of the policy are the local governing body's responsibility. These statutes were established to enable local governments to proactively envision their future and implement change in a coordinated way.

CHAPTER 2: PUBLIC INVOLVEMENT

Overview

The update process for the 2020 Growth Management Policy began in November 2019 and continued through October of 2020. Much of the plan was developed in the spring and early summer of 2020. The Planning Department convened multiple meetings of the Planning Board to discuss and review draft chapters and information and reached out to local, county, and state officials for input.

The onset of the COVID-19 pandemic and subsequent shelter-in-place directives disrupted the Laurel City-County Planning Board's in-person meetings. The Planning Department continued to draft sections of the plan, met with stakeholders virtually, and compiled chapters despite this disruption.

Prior Efforts

Before this update, the most recently approved Growth Management Policy was completed and approved by Laurel City Council in December of 2013. Before adopting the 2013 Growth Management Policy, The City of Laurel had prepared and adopted a Growth Management Policy in 2004.

Outreach

Outreach efforts were made during the late winter and early spring of 2020. The City reached out to many local, regional, and state groups. These groups and organizations were identified as essential stakeholders in the development of the plan. Many groups were unable to comment due to the COVID-19 pandemic, which caused significant scheduling and contact issues. The chart below shows the groups that the City met with and those contacted but who did not follow-up or could not provide direct information due to the pandemic.

| Laurel Growth Management Policy Update Outreach | |
|--|--|
| Groups with which Meetings were held | Groups Contacted |
| Laurel Urban Renewal Agency | Laurel Chamber of Commerce |
| Laurel School District | Big Sky Economic Development Authority |
| City of Laurel Public Works | Montana Department of Commerce |
| City of Laurel Fire Department | Yellowstone County Disaster & Emergency Services |
| City of Laurel Police Department | Yellowstone County GIS |
| Laurel Rotary Club | Montana Department of Justice |
| Yellowstone County Board of County Commissioners | |
| Yellowstone County Sheriff's Department | |
| Department of Natural Resources and Conservation | |
| Montana Department of Transportation (Billings District) | |
| Beartooth Resource Conservation & Development | |
| Montana Department of Environmental Quality | |

Timeline of Meetings for the Growth Management Policy Update

The onset of the COVID-19 pandemic curtailed meetings of the Planning Board between March and June of 2020. Compiling the policy components and preparation of narrative portions continued during this time under the previously established schedule. The chart below shows the Planning Board and City Council meetings in which the Growth Management Policy Update was presented.

| Laurel Growth Management Policy Update 2020 - Meeting Schedule | | | |
|--|---------------------------------|--|--------------------------------------|
| Date | Purpose | Task | Outcome |
| December 11, 2019 | Approve Schedule and Contacts | Initial Visioning Discussion | Invites to Agencies |
| January 8, 2020 | Disc: Chapters 1&3 | Introduction, Purpose and Common Goals | Work Session |
| February 12, 2020 | Disc: Chapters 4&5 | Community Profile, Employment Forecast | Work Session |
| February 26, 2020 | Disc: Chapter 6 | Land Use | Work Session |
| March 11, 2020 | Disc: Chapter 7 | Future Land use | Work Session |
| March 25, 2020 | Disc: Chapter 8 | Housing | Work Session |
| April 8, 2020 | Disc: Chapter 9 | Infrastructure | Work Session |
| April 22, 2020 | Disc: Chapter 10 | Transportation | Work Session |
| May 13, 2020 | Disc: Chapter 11 | Economic Development | Work Session |
| May 27, 2020 | Disc: Chapters 12&13 | Public Services, Facilities & Recreation Plan | Work Session |
| June 10, 2020 | Disc: Chapters 3, 14, 15 | Community Goals, Natl Resources & Implementation | Work Session |
| June 24, 2020 | Review Document | Review Completed Chapters | Work Session |
| July 22, 2020 | Planning Board Review | Chapters 3, 7, 7.5, 8, 9, 10, 11, 13 | Work Session |
| August 19, 2020 | Planning Board Review | Review Draft Document | Schedule Public Hearing |
| October 21, 2020 | Planning Board Public Hearing | Full Document Review and Approval | Resolution of Adoption |
| November 3, 2020 | City Council Discussion Session | Full Document (PB Approved) | Preliminary Presentation |
| November 17, 2020 | City Council Workshop | Full Document (PB Approved) | City Council Review and Comments |
| November 24, 2020 | City Council Public Hearing | Receive Public Comment, Approve Resolution of Adoption | Resolution of Adoption |
| December 24, 2020 | Final Adoption | 30 Day Comment Period | Adoption of Growth Management Policy |

| Laurel Growth Management Policy Update 2023 - Development Schedule | | | |
|---|--|--|---|
| Date | Purpose | Task | Outcome |
| January 24, 2023 | County Commissioners Meeting Approving Resolution No. 23-03 | County Commissioners request to update 2020 Growth Management Policy with changes to the City of Laurel/ Yellowstone County Planning Board | Planning Board to take up the task |
| February 15, 2023 | Planning Board Meeting | Report to the Planning Board of the County's request | Started the review |
| March 15, 2023 | Planning Board Meeting | | Work Session |
| April 19, 2023 | Planning Board Meeting | | |
| May 2, 2023 | City Council Workshop | Staff recommendation asking City Council to request Growth Management Policy update with changes to The City of Laurel/Yellowstone County Planning Board | Discussion |
| May 9, 2023 | City Council Meeting Approving Resolution R23-29 | City Council's request to update 2020 Growth Management Policy with changes to the City of Laurel/ Yellowstone County Planning Board | Planning Board to continue updates |
| May 17, 2023 | Planning Board Meeting | Inform Planning Board of City Council Resolution R23-29 | Review changes |
| June 21, 2023 | Planning Board Meeting | Review 2020 growth management policy | Review changes |
| July 26, 2023 | Planning Board Meeting | Review 2020 growth management policy | Review changes |
| September 20, 2023 | Planning Board Meeting | Set work sessions for planning board and to send legal notice to the community | Work Session Set |
| September 29, 2023 | Legal Advertisement Published in Yellowstone County News | Work Session Public Notice for every Wednesday in October | Public Notice |
| October 4, 2023 | Planning Board Review | Review 2020 growth management policy draft changes | Work Session |
| October 6, 2023 | Legal Advertisement Published in Yellowstone County News | Work Session Public Notice for every Wednesday in October | Public Notice |
| October 11, 2023 | Planning Board Review | Review 2020 growth management policy draft changes | Work Session |
| October 18, 2023 | Planning Board Review | Review 2020 growth management policy draft changes | Regular Meeting |
| October 18, 2023 | Planning Board Meeting | Review 2020 growth management policy draft changes | Work Session |
| November 15, 2023 | Planning Board Meeting | Review draft changes and to set a public hearing for December 20 th , 2023 | Advertise Public Hearing for Planning Board |
| December 1, 2023 | Legal Advertisement Published in Yellowstone County News | Community Public Notice | Public Notice |
| December 1, 2023 | Send out draft document and maps to City and County Offices for Comments | City and County Staff Notice | |

| | | | |
|-------------------|--|--|--|
| December 8, 2023 | Legal Advertisement Published in Yellowstone County News | Community Public 2 nd Notice | Public Notice |
| December 15, 2023 | Legal Advertisement Published in Yellowstone County News | Community Public 3 rd Notice | Public Notice |
| December 20, 2023 | Planning Board Public Hearing | Full Document Review and Approval | |
| December 20, 2023 | Planning Board | Tabled – Resolution to approve Growth Management Policy | |
| January 17, 2024 | Planning Board | Tabled and set Workshop for January 31,2024 and additional Public Hearing for February 21, 2024. | |
| January 25, 2024 | Legal Advertisement Published in Laurel Outlook | Community Public Notice for Workshop Session | Public Notice |
| January 31, 2024 | Planning Board Workshop | Amended Maps for Annexation Priority Area and Future Land Use Maps | |
| February 1, 2024 | Legal Advertisement in Laurel Outlook | Community Public Notice for 2/21/2024 Public Hearing | Public Notice |
| February 8, 2024 | Legal Advertisement in Laurel Outlook | Community Public Notice for 2/21/2024 Public Hearing | Public Notice |
| February 9, 2024 | Legal Advertisement Published in Yellowstone County News | Community Public Notice for 2/21/2024 Public Hearing | Public Notice |
| February 15, 2024 | Legal Advertisement in Laurel Outlook | Community Public Notice for 2/21/2024 Public Hearing | Public Notice |
| February 16, 2024 | Legal Advertisement Published in Yellowstone County News | Community Public Notice for 2/21/2024 Public Hearing | Public Notice |
| February 21, 2024 | Planning Board Public Hearing | Full Document Review and Approval | |
| TBD | City Council discussion Session | Full Document | Preliminary Presentation |
| TBD | City Council Workshop | Full Document | City Council Review and Comments |
| TBD | County Commissioners Discussion Session | Full Document | Preliminary Presentation |
| TBD | County Commission Discussion Session | Full Document | City Council Review and Comments |
| TBD | Legal Advertisement Published in Yellowstone County News | Community Public 1 st Notice - City | Public Notice |

| | | | |
|-----|--|---|---|
| TBD | Legal Advertisement Published in Yellowstone County News | Community Public 1 st Notice - County | Public Notice |
| TBD | Legal Advertisement Published in Yellowstone County News | Community Public 2 nd Notice - City | Public Notice |
| TBD | Legal Advertisement Published in Yellowstone County News | Community Public 2 nd Notice - County | Public Notice |
| TBD | City Council Public Hearing | Receive Public comment, Approve Resolution of Adoption | Resolution of Adoption |
| TBD | County Commissioners Public Hearing | Receive Public Comment, Approve Resolution of Adoption | Resolution of Adoption |
| TBD | Final Adoption | 30 Day Comment Period | Adoption of Growth Management Policy |

CHAPTER 3: GOALS, OBJECTIVES, AND STRATEGIES

Overview

The community goals and objectives presented in this chapter were established to transform the community vision into a concrete reality. These goals, objectives, and strategies were developed through research, data collection, interviews, and public meetings that the City and the planning board conducted throughout the planning process.

These goals cover a wide range of topics, including Land Use, Transportation, Housing, Economic Development, Infrastructure, and more. This collection of community goals and objectives is meant to be exhaustive to provide the City, developers, residents, and business owners with comprehensive guidance to inform local efforts across different sectors, topics, and areas of influence.

Land Use Goals and Objectives

Land use policy is one of the most potent tools a city has. Zoning and subdivision codes influence growth patterns, infrastructure placement, road connectivity, and much more. The **City of Laurel planning board** is focused on the effective use of land in and around the City. The **City-planning board** also plans to conserve open space and traditional land uses by focusing on smarter, denser development clustered along significant routes and commercial areas.

This plan's overall goals are to conserve open space while maximizing the areas currently in and directly adjacent to the City. Laurel's downtown and Southeast 4th Street rehabilitation are possible through a mix of infill development, mixed-use buildings, improved infrastructure, and updated façade and signage standards.

Goal 1: Conserve open space and traditional land uses

- ❖ Encourage cluster developments to incorporate open space into new developments
- ❖ Provide options for landowners for conserving portions of their land
- ❖ Study and Implement strategies to create an interconnected system of parks and greenways and open space that are accessible to area residents

Goal 2: Develop downtown Laurel into a vibrant place to live, work, and play

- ❖ Encourage mixed uses for living, working, and shopping local
- ❖ Identify priority parcels for infill development
- ❖ Implement Placemaking projects to create a more livable and enjoyable downtown
- ❖ Partner with local groups to support community businesses, events, and gatherings
- ❖ Connect with regional agencies to access project funding, receive technical support, and boost the visibility of Laurel development opportunities

Goal 3: Update Subdivision Code to meet the needs of Laurel and the surrounding area

- ❖ Provide clear and consistent standards
- ❖ Ensure the proper scale and scope of regulations
- ❖ Include trails, open space, and greenway considerations in parkland subdivision review
- ❖ Regularly review and update the Subdivision Code as needed to remain current

Goal 4: Update the Zoning Code to provide for greater flexibility of allowable uses, clearer requirements, and more efficient land use

- ❖ Study the inclusion of different types of housing within residential districts
- ❖ Update Overlay Districts, Parking Requirements, and the Sign Code to better fit the City's needs and character
- ❖ Allow mixed-use live/work opportunities in commercial areas
- ❖ Enable property owners to use their land more effectively and efficiently

Goal 5: Use long term planning documents to identify funding and address priority needs for infrastructure and development

- ❖ Establish an Annexation Plan to develop priority growth areas and strategies
- ❖ Develop a Capital Improvement Plan for vital infrastructure to support the City as it grows
- ❖ Prepare a Commercial and Industrial Development Study for land adjacent to major transportation routes in the Laurel area

Annexation Goals and Objectives

Municipalities need to seize growth opportunities. Having strategies to address challenges for developing a community and preparing priorities for expansion are vital activities. Two overarching goals have been designated to help the City of Laurel grow through annexation.

Goal 1: Adopt a long-range view for the growth of the City

- ❖ Establish a growth-conscious set of policies to expand the City and its services
- ❖ Create priority growth areas for extension of services
- ❖ Develop and approve an Annexation Plan for the Laurel Planning Jurisdiction
- ❖ Support the creation of a long-term Capital Improvement Plan for the extension of essential infrastructure

Goal 2: Manage fiscal responsibility with established and proposed annexation standards

- ❖ Ensure that the established standards are right and proper for the City of Laurel
- ❖ Ease the burden for developers to annex into the City while meeting established standards
- ❖ Allow greater flexibility in development patterns
- ❖ Determine the cost and benefits of annexation

Housing Goals and Objectives

Housing is a necessity in any community. The goals presented below are a means to ensure that people can find affordable, accessible, comfortable, and attractive housing in the community. To date, Laurel has not struggled with significant housing affordability issues. One housing trend that Laurel might consider is the growing demand for closer-knit, denser, and connected neighborhoods near commercial areas. Many younger Americans have abandoned the traditional single-family home for other housing, including rowhouses, tiny homes, condominiums, and apartments. Many older Americans are also focusing on downsizing to housing that is more accessible to local services, including restaurants, medical services, and grocery stores.

Housing is closely connected with transportation and economic development. Updating the zoning code to allow a more comprehensive array of housing options such as tiny homes, accessory dwelling units, and multi-family housing is an important goal. This update will ensure that currently developed parcels and vacant parcels within the City can be developed with more options for prospective buyers or renters. It is also crucial for Laurel to have standards and code that allow for the efficient use of space already within the City while enabling the effective use of land in the surrounding area.

Goal 1: Encourage a mixture of housing types to meet the demand of all market sectors

- ❖ Maintain a diverse array of housing and affordability levels
- ❖ Promote higher density housing types in the downtown area and adjacent to major transportation corridors
- ❖ Study mixed-use housing and other alternative housing types and styles
- ❖ Provide options for a full spectrum of housing from rentals to retirement housing

Goal 2: Provide information on housing-related grants, loans, and ownership programs

- ❖ Develop a list of resources for renters and homeowners
- ❖ Collect information on federal, state, local, and philanthropic rental and homeownership programs
- ❖ Advise Laurel area residents as to available support for housing, rent, and homeownership

Infrastructure Goals and Objectives

Infrastructure is the foundation of the community. It will be vital for the City to utilize long-range planning to establish infrastructure standards, map current infrastructure facilities, and identify infrastructure development costs for necessary and prospective projects.

The drafting of planning documents, including master plans and preliminary engineering reports (PERs) relating to the Laurel water system, wastewater system, and stormwater system, is critical to ensure orderly and effective growth of the City. A Capital Improvement Plan (CIP) is another vital infrastructure planning document that should be completed. Plans and engineering reports should provide useable data, allow for inclusion in grant applications, and present direct insight into necessary current and future projects.

Goal 1: Maintain an Effective and Efficient Public Infrastructure System that Adequately Serves the Needs of the City

- ❖ Develop a data-driven infrastructure maintenance schedule
- ❖ Determine any existing gaps in services and other infrastructure deficiencies within the City
- ❖ Adopt up-to-date infrastructure standards that are appropriate for the needs of the City
- ❖ Study using public spaces within floodplains, watercourses, and wetlands to be used as passive recreation areas such as parks and greenways
- ❖ Study the feasibility of recycling programs and other means to reduce solid waste
- ❖ Incorporate stormwater system planning into roadway and other infrastructure planning processes

Goal 2: Establish the Long-Term Capital and Infrastructure Needs for the City

- ❖ Develop a Capital Improvement Plan for the improvement and expansion of infrastructure
- ❖ Prepare a Water System Master Plan
- ❖ Create a Wastewater System Master Plan
- ❖ Complete a Stormwater Management Plan
- ❖ Ensure infrastructure planning documents are routinely updated.
- ❖ Confirm that the established infrastructure priorities are adequate

Goal 3: Seek out Possible Funding Sources for the Expansion and Improvement of Infrastructure and Essential Community Services

- ❖ Study the physical and financial needs for the extension of infrastructure to priority growth areas.
- ❖ Collaborate with Montana agencies on major projects and studies
- ❖ Explore federal, state, and philanthropic infrastructure grant opportunities
- ❖ Determine positive impacts from the expansion and improvement of infrastructure
- ❖ Apply for funding opportunities that are appropriate for city priorities and projects and assist in keeping user fees reasonable

Transportation Goals and Objectives

The transportation network brings people together. This network is a patchwork of streets, roads, sidewalks, bike paths, trails, and rail. It is crucial to couple transportation development with land use. To this end, a goal is the development of a more multi-modal approach to streets and pathways. Implementing bicycle and pedestrian improvements such as bike lanes, greenways, improved signage, and sidewalk improvements is critical. Furthermore, traffic and speed data should be studied on significant routes to determine street safety and determine possible resolutions to improve motorized and non-motorized traveler safety. Laurel seeks to make neighborhoods and commercial areas more accessible and connected by improving pedestrian facilities, including sidewalks, accessible curb cuts, signage, and road markings. Establishing a road network master plan is also vital to create a concrete plan for street expansion and continuity to support orderly and consistent growth patterns.

These transportation goals are a way to increase the quality of life, connect people to their community, increase safety, and plan for current trends and future growth. There are three overarching transportation goals, including objectives and strategies.

Goal 1: Preserve, Maintain, and Improve the Existing Transportation System

- ❖ Update the Long-Range Transportation Plan (LRTP)
- ❖ Establish a systematic approach for the maintenance and repair of the road network.
- ❖ Develop a Capital Improvement Plan to identify and prioritize significant transportation projects
- ❖ Establish a Road Network Master Plan to ensure street continuity, traffic flow, and neighborhood connectivity,
- ❖ Promote fiscal responsibility and high return on investment
- ❖ Coordinate roadway improvement projects to coincide with underground infrastructure improvements

Goal 2: Improve the Mobility, Safety, and Accessibility for all users and modes of travel

- ❖ Implement bicycle and pedestrian improvements and traffic calming measures to transform the downtown area into a pedestrian-friendly place
- ❖ Create a looping bicycle/pedestrian trail and street system that connects different areas of Laurel
- ❖ Adopt pedestrian and multi-modal friendly transportation standards and safety measures
- ❖ Explore options to improve and expand the Laurel Transit program and strategies to create other multi-modal transportation connections.
- ❖ Partner with local, regional, and statewide groups to further integrate Laurel into the more comprehensive passenger transportation network

Goal 3: Connect Transportation Decisions with Land-Use Decisions

- ❖ Integrate land-use planning and transportation planning to manage better and develop the transportation network.
- ❖ Utilize transportation projects to encourage intensive development patterns along significant routes and existing areas of the City.
- ❖ Adopt and implement consistent system policies and maintenance standards
- ❖ Ensure the development of a sustainable transportation system that minimizes environmental impacts

Economic Development Goals and Objectives

The Laurel economy has changed dramatically in the past few decades. The emergence of online retail has shifted the focus away from traditional brick and mortar downtowns businesses to easy to use and seemingly more convenient online or delivery options. Recently, small towns and cities across the country are finding that thoughtful economic development and land use planning can rehabilitate their downtowns and neighborhoods to reverse some of the losses related to the emergence of online retail.

The City has established focus areas for economic development. These areas include Laurel's traditional downtown core, the Southeast 4th St. Commercial district, the 1st Avenue Corridor, and Old Route 10 running west from the City. This chapter's primary focus is to establish a smarter, more sustainable development that adds character and connectivity to commercial areas. Commercial areas of Laurel should be attractive places to visit. Placemaking and beautification projects are useful to encourage residents and visitors to explore different areas of the City. Increasing walkability and mixed-use development can also create better housing and commercial opportunities.

The goals presented below are an effort to increase the attractiveness, usefulness, and quality of the community's commercial and economic sectors. The expansion brings new opportunities, and the area near the West Laurel Interchange has significant growth potential. This area could become a central area for the Laurel community's growth and development through the effective use of placemaking strategies, smart growth concepts, and cohesive zoning and development standards. Four main goals with related objectives have been established related to Economic Development as follows:

Goal 1: Develop downtown Laurel as a destination to live, work, and play

- ❖ Institute placemaking projects to further enhance district character
- ❖ Increase live-work opportunities for current and future residents and businesses
- ❖ Apply TIF funding to beautification, blight removal, and public improvement projects
- ❖ Identify and find solutions for unused or underused parcels as candidates for development

Goal 2: Create a resilient local economy

- ❖ Strengthen core businesses and industries through communication and connections with technical support
- ❖ Ensure that local economic activities are inclusive and accessible to all stakeholders
- ❖ Implement policies that create stable and sustainable economic growth
- ❖ Work to highlight the shared benefits of working together as a community with local businesses stakeholders, and developers
- ❖ Provide an economic ecosystem that allows for a wide array of businesses, industries, and developments to thrive
- ❖ Study and implement policies to enhance local business demand and alternative strategies for value creation for the community

Goal 3: Collaborate with area organizations to support economic growth and local employment and training opportunities

- ❖ Communicate with local groups to determine any needs and assistance
- ❖ Create partnerships with local and regional groups to fill local service gaps and create needed programming
- ❖ Take part in events and workshops to support local business initiatives and activities
- ❖ Establish common ground with local and regional groups to provide resources and assistance
- ❖ Connect residents and businesses with like-minded economic, financial, and entrepreneurship resources and opportunities

Goal 4: Study options for new commercial and industrial properties in anticipated high-growth areas

- ❖ Create a Corridor Master Plan for growth in and around the intersection with Old Route 10 and the West Laurel Interchange
- ❖ Study options and determine priorities for the possible establishment of Tax Increment Financing Districts (TIFs) and Targeted Economic Development Districts (TEDDs)
- ❖ Review and pursue opportunities for clustered commercial or industrial parks
- ❖ Develop funding strategies to provide services for priority growth areas.

Public Facilities and Services Objectives, Policies and Strategies

Effective and efficient public services are a significant draw for prospective residents, developers, and businesses. Above all, public facilities and services must be accessible, useful, and dependable for everyone residing, working, and visiting the City. Laurel should identify current gaps and determine the projected needs of public facilities as the City grows. It is crucial to work with public stakeholders and departments to include the whole population. Providing consistent and stable service delivery is essential.

Goal 1: Provide consistent and high-quality public services to the community

- ❖ Develop standard operating procedures to ensure consistency for city departments
- ❖ Develop maintenance procedures for parks, facilities, and public areas.
- ❖ Study current facilities and services to identify gaps and determine projected needs in services

Goal 2: Respond to the changing nature of the community

- ❖ Plan for the expansion of public facilities in priority growth areas
- ❖ Invest in public facilities that are accessible to everyone in the community
- ❖ Study how to improve city services to boost the quality of life for residents, businesses, and institutions

Goal 3: Work with city departments and local stakeholders to determine the priority expansion of public facilities and services

- ❖ Open lines of communication between city departments and local stakeholders to gather input on major projects
- ❖ Consider the public service requirements of large-scale projects before their approval and implementation
- ❖ Develop plans for the expansion of Fire, Police, and EMS facilities

Recreation Goals and Objectives

The wide array of Laurel city parks is a great asset to residents. It is the goal to ensure that current and future city parkland is an essential amenity. Parks should be developed and improved to act as neighborhood focal points. Many of Laurel's parks are very small, with some located in less than optimal locations. It is a goal to ensure that parkland is a useable and enjoyable amenity for residents. The City should study underutilized or burdensome parkland parcels and consider re-use scenarios.

Historical Riverside Park has been a staple of the community for almost one hundred years. The Riverside Park Master Plan was developed in 2018 to provide a blueprint for improvements and the park's use. It will be essential to continue the ongoing improvement efforts and develop policies to attract visitors. Riverside Park should be maintained as a historical, recreational, and economic asset in the future.

Goal 1: Develop parkland as an essential and enjoyable amenity for residents

- ❖ Ensure new developments have appropriate park space for recreation and general use
- ❖ Study how existing parks can be improved through new facilities, changed layouts, or additions
- ❖ Review current park infrastructure and determine if improvements are necessary to serve the needs of the surrounding area better

Goal 2: Promote Riverside Park as a vital historic, civic, and recreation resource for residents and visitors

- ❖ Adhere to the projects and strategies presented in the 2018 Riverside Park Master Plan
- ❖ Seek grant funding for structural and site improvements
- ❖ Develop historic markers for Riverside Park and its historic structures
- ❖ Study options for connecting Riverside Park to the city proper through infrastructure improvements, civic engagement, or other means
- ❖ Establish signage and marketing for the assets and resources of Riverside Park to area residents and visitors

Goal 3: Create an interconnected system of parks, greenspace, and trails that are accessible to all

- ❖ Create a city-wide Park System Master Plan to develop project priorities
- ❖ Consider the creation of a City Parks Department to oversee park operations and maintenance
- ❖ Identify unused land that can be transformed into green space or trails for use by the public
- ❖ Update the zoning and development codes to encourage the creation of bicycle and pedestrian trail corridors

Natural Resource Goals and Objectives

The Laurel planning jurisdiction contains a variety of terrain types and environments. The natural environment should be preserved and enhanced to balance environmental sustainability with economic growth, recreational opportunities, and development. Natural resources and the natural environment can be managed with growth activities to provide social, economic, and community benefits to people over time while continuing their natural functions. The natural resource goals and objectives have been developed with this balance of activities in mind.

Goal 1: Protect Laurel's natural resources and traditional environment

- ❖ Provide options for landowners for conserving portions of their land while developing others
- ❖ Achieve a balanced pattern of growth to ensure environmental concerns are considered during the development
- ❖ Manage the local water resources as a healthy, integrated system that provides long-term benefits from enhanced environmental quality

Goal 2: Incorporate sustainable development patterns in the Laurel subdivision and land use codes

- ❖ Review and update existing zoning and subdivision regulations to ensure environmental preservation and conservation are addressed
- ❖ Review and update landscaping ordinances as needed to best suit Laurel's natural environment
- ❖ Manage rivers, floodplains, wetlands, and other water resources for multiple uses, including flood and erosion protection, wildlife habitat, recreational use, open space, and water supply

Goal 3: Connect with local, regional, and state agencies and stakeholders to improve the natural environment in and around Laurel

- ❖ Sponsor environmental cleanup and rehabilitation programs that include the City, school district, community organizations, and residents
- ❖ Participate in regional watershed studies to achieve adequate long-term flood protection
- ❖ Explore the possibility of creating a conservation corridor along the Yellowstone River

Intergovernmental Coordination Goals and Objectives

Intergovernmental coordination and collaboration are essential to ensure that the City of Laurel can sustainably develop, seize growth opportunities, and improve residents, visitors, and businesses' quality of life. Consistent intergovernmental coordination will allow Laurel to be a partner and participant rather than a bystander in regional growth.

It will be necessary for the City to regularly communicate with local, county, and state partners to seize grant and development opportunities, provide the Laurel perspective, and connect local groups to those in the broader region. It is envisioned that the City will help direct residents, businesses, developers, and groups to helpful county, state, federal and institutional resources and supports.

Goal 1: Establish lines of communication with local, county, and state partners

- ❖ Create an accurate directory of government representatives and staff
- ❖ Update governmental stakeholders regarding ongoing projects and work in the Laurel area
- ❖ Develop working relationships with legislators, staff, and stakeholders at different levels of government

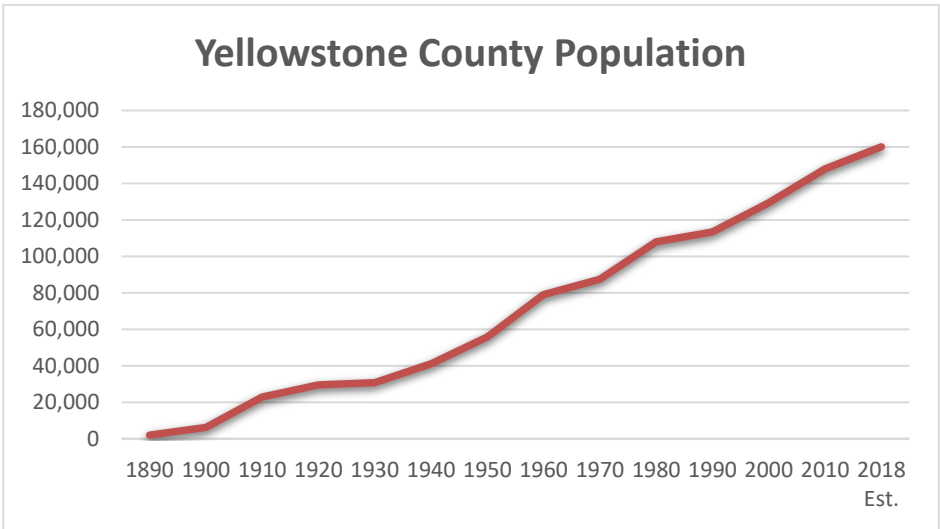
Goal 2: Coordinate with local and regional institutions to support and grow the Laurel community

- ❖ Work with economic development groups to seize opportunities for business growth
- ❖ Connect area businesses with institutions and governmental groups that can support their mission
- ❖ Communicate with area legislators to provide information on growth patterns and development in the Laurel area.
- ❖ Maintain open communications with state agencies and the Board of County Commissioners to confirm compliance with statewide codes and operational needs.

CHAPTER 4: COMMUNITY PROFILE

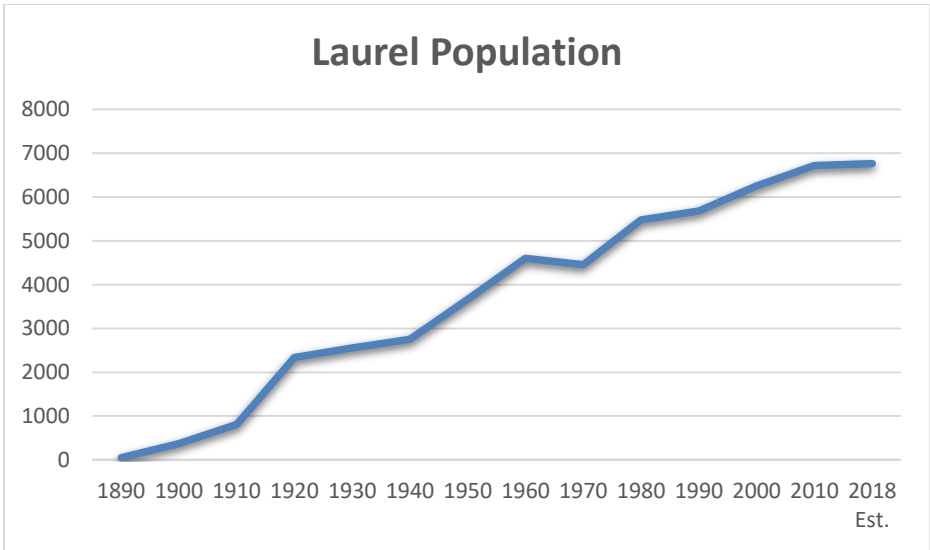
Population Trends

The City of Laurel was incorporated in 1908. The population of Laurel grew steadily after the early boom years of railroad and oil development. The nearby City of Billings has also contributed to the overall growth and development in Yellowstone County in the past few decades, with Laurel playing a somewhat lesser role. City staff anticipates a continuation of steady growth despite certain developments that may impact this, such as establishing the West Laurel Interchange for interstate I-90.



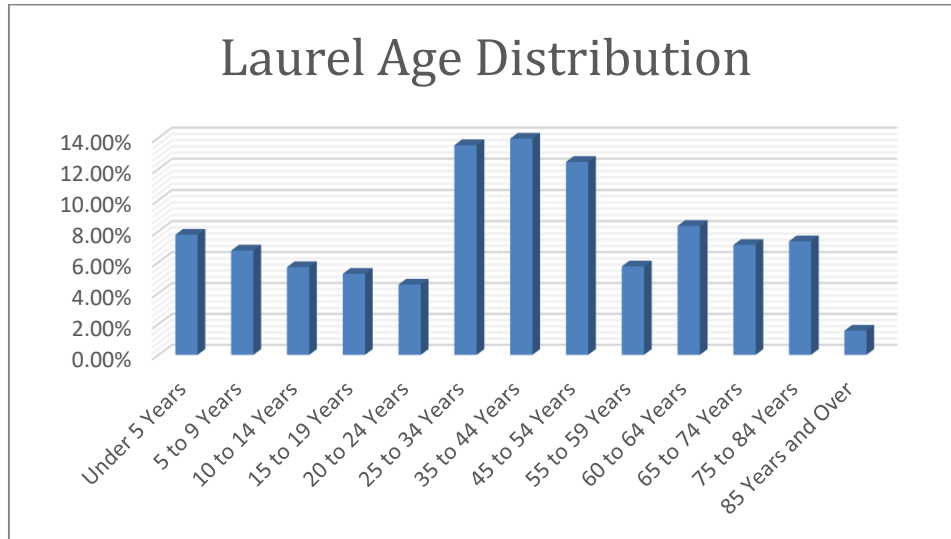
U.S. Decennial Census, 2013-2017 American Community Survey 5-Year Estimates

Laurel has grown slowly over the past forty years. It is anticipated that Laurel will reach a population of 7,000 after the 2020 U.S. Census is completed. **Laurel's current population is 7,203.**



U.S. Decennial Census, 2013-2017 American Community Survey 5-Year Estimates

Residents of Laurel tend to be older. The chart below shows that most residents are above 25, with almost 40 percent of the population between the ages of twenty-five and fifty-nine.



2013-2017 American Community Survey 5-Year Estimates

Ethnic Characteristics

The charts below provide a summary of the ethnic makeup of the City of Laurel. The current Census estimates indicate that Laurel is not a very diverse community. The lowest estimate for white/Caucasian residents is 95.11 percent, which is displayed in the “Hispanic or Latino and Race” Chart below.

| Race | Estimate | Percent |
|--|----------|---------|
| Total Population | 6,885 | 100.00% |
| White | 6,775 | 98.40% |
| Black or African American | 11 | 0.16% |
| American Indian and Alaska Naïve | 192 | 2.79% |
| Asian | 0 | 0.00% |
| Native Hawaiian and Other Pacific Islander | 0 | 0.00% |
| Some Other Race | 16 | 0.23% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

| Hispanic or Latino and Race | Estimate | Percent |
|--|----------|---------|
| Total Population | 6,885 | 100.00% |
| Hispanic or Latino (of any race) | 178 | 2.59% |
| Mexican | 101 | 1.47% |
| Other Hispanic or Latino | 77 | 1.12% |
| Not Hispanic or Latino | 6,707 | 97.41% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

Households and Families

There are an estimated 2,882 households and 1,907 families in the City of Laurel. Households in Laurel have a median household income of \$50,778, while Laurel families have an estimated median income of \$68,575. An estimated 9 percent of Laurel residents are below the poverty level compared with 5.5 percent of families. It is forecasted that Laurel’s overall population will increase by 1.3 percent between 2019 and 2024, with an increase in total households of 1.1 percent and families of 8.6 percent.

Education

Laurel is a well-educated community. 94.07 percent of the population over the age of 25 has attained a high school diploma, with 51.21 percent having at least completed some college or an associate degree program. Laurel spends less per student than the United States average but maintains a more positive student per librarian and student per counselor ratio.

| Education | Laurel, MT | United States |
|--|------------|---------------|
| Expenditures Per Student | 8,629.00 | 12,383.00 |
| Educational Expenditures Per Student | 7,897.00 | 10,574.00 |
| Instructional Expenditures per Student | 5,080.00 | 6,428.00 |
| Pupil/Student Ratio | 15.87* | 16.80 |
| Students per Librarian | 464.70 | 538.10 |
| Students per Counselor | 348.50 | 403.20 |

Education in Laurel, Montana. Bestplaces.net. Accessed 2/3/2020.

*Figure 25: Student to Teacher Ratios (2013), Towncharts.com

Work Commute

Seventy-nine percent of Laurel residents commute to work alone in a car, truck, or van. This percentage is slightly higher than the national average of 76.4 percent. Laurel does have a higher than average carpool rate, with 13.66 percent versus the national average of 9.2 percent, according to the American Community Survey. Laurel residents travel an average of 21.5 minutes to work, which can be partially attributed to the fact that several Laurel residents travel to the nearby city of Billings for employment purposes. (Billings is approximately 17 miles away).

| Commuting to Work | Estimate | Percent |
|--|----------|---------|
| Workers 16 Years and Over | 3,528 | 100.00% |
| Car, Truck, or Van - Drove Alone | 2,787 | 79.00% |
| Car, Truck, or Van - Carpooled | 482 | 13.66% |
| Public Transportation (excluding Taxicab) | 22 | 0.62% |
| Walked | 82 | 2.32% |
| Other Means | 15 | 0.43% |
| Worked at home | 140 | 3.97% |
| | | |
| Mean travel time to work (minutes) | 21.50 | |
| 2013-2017 American Community Survey 5-Year Estimates | | |

CHAPTER 5: EMPLOYMENT AND POPULATION FORECASTS

A diverse mix of businesses helps a city thrive and allows residents to live, work, and play in their communities. A diverse array of businesses also keeps a community more resilient in the case of economic downturns. The Laurel community has ~~been blessed with~~ two long-term stable employers; the Montana Rail Link -BSNF railyard and the CHS Refinery. These two institutions are well established and are not anticipated to disappear. The City of Laurel hopes to diversify the local economy further and attract various businesses and related employment. The growth policy focuses on revitalizing Laurel’s downtown businesses, assessing how zoning can be updated to meet the needs of businesses and employees better, and connecting Laurel neighborhoods with the existing business communities to help increase traffic to existing establishments.

Employment Forecasts

66.92 percent of the estimated 5,362 residents of Laurel aged 16 years and over are in the labor force. Only 2.69 percent are unemployed, and 30.40 percent are not in the labor force, according to the 2017 U.S. Census estimates. The unemployment rate has remained steady, with the current rate at approximately 2.5 percent. Laurel also has a balanced split of occupations, with no general sector having more than 16 percent of the total labor pool. This type of mix of industries and employment is suitable for a community as it helps to insulate it from major economic shifts.

| Industry | Estimate | Percent |
|--|----------|---------|
| Total Civilian Employed Population 16 years and over | 3,588 | 100.00% |
| Agriculture, Forestry, Fishing and Hunting, and Mining | 153 | 4.26% |
| Construction | 262 | 7.30% |
| Manufacturing | 315 | 8.78% |
| Wholesale Trade | 157 | 4.38% |
| Retail Trade | 603 | 16.81% |
| Transportation and Warehousing, and Utilities | 206 | 5.74% |
| Information | 66 | 1.84% |
| Finance and Insurance, and Real estate and rental and leasing | 208 | 5.80% |
| Professional, Scientific, and Management, and Administrative and waste management services | 299 | 8.33% |
| Education Services, and Healthcare and Social Assistance | 533 | 14.86% |
| Arts, Entertainment, and Recreation, and Accommodation and Food Services | 493 | 13.74% |
| Other Services, except public administration | 233 | 6.49% |
| Public Administration | 60 | 1.67% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

Housing

Housing is a critical asset to a community. Maintaining a mix of affordable housing is essential to attracting a diverse array of people to the community. Housing provides shelter and provides character to a community by way of how it is designed, situated, and utilized. The charts below provide an overview of housing in Laurel. Laurel has a low housing vacancy rate and many owner-occupied units.

| Housing Occupancy | Estimate | Percent |
|--|----------|---------|
| Total housing units | 2,992 | 100% |
| Occupied housing units | 2,882 | 96.30% |
| Vacant housing units | 110 | 3.70% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

Sixty-seven percent of all houses in Laurel are owner-occupied. This information means that people have invested their time, money, and effort into the Laurel community because they live here full-time.

| Housing Tenure | Estimate | Percent |
|--|----------|---------|
| Occupied Housing Units | 2,882 | 100.00% |
| Owner-Occupied | 1,931 | 67.00% |
| Renter-Occupied | 951 | 33.00% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

Affordable rents enable a wide array of people to live in the community. Seventy percent of renters in Laurel pay 35 percent or less of their income toward their monthly rent. This percentage is positive because it allows more money to be utilized for other consumer purposes, such as restaurants, shopping, and other services.

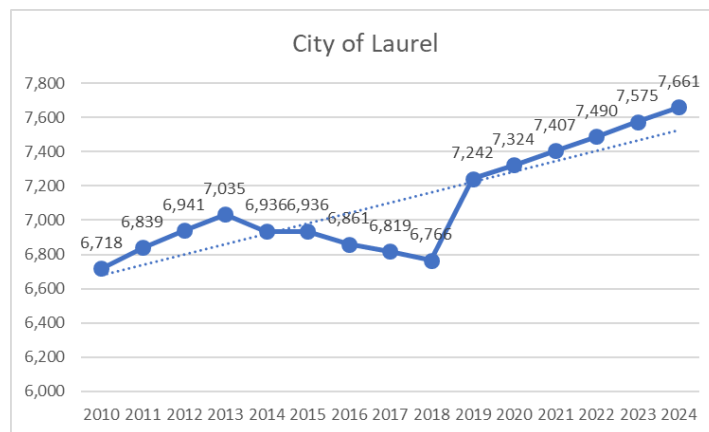
| Gross Rent as a Percentage of Household Income | Estimate | Percent |
|--|----------|---------|
| Occupied units paying rent | 898 | 100.00% |
| Less than 15.0 percent | 115 | 12.81% |
| 15.0 to 19.9 percent | 183 | 20.38% |
| 20.0 to 24.9 percent | 52 | 5.79% |
| 25.0 to 29.9 percent | 161 | 17.93% |
| 30.0 to 34.9 percent | 121 | 13.47% |
| 35.0 percent or more | 266 | 29.62% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

Seventy-eight percent of houses in Laurel are worth between \$100,000 and \$300,000. The median household value is \$169,900. This data is very positive as affordable houses and rents allow a more diverse array of people to become homeowners and put long-term roots into the community.

| Housing Value | Estimate | Percent |
|--|------------|---------|
| Owner-Occupied Units | 1,931 | 100.00% |
| Less than \$50,000 | 203 | 10.51% |
| \$50,000 to \$99,999 | 155 | 8.03% |
| \$100,000 to 149,999 | 377 | 19.52% |
| \$150,000 to \$199,999 | 592 | 30.66% |
| \$200,000 to \$299,999 | 554 | 28.69% |
| \$300,000 to \$499,999 | 50 | 2.59% |
| \$500,000 to \$999,999 | 0 | 0.00% |
| \$1,000,000 or More | 0 | 0.00% |
| Median (In Dollars) | \$ 165,900 | |
| 2013-2017 American Community Survey 5-Year Estimates | | |

Population Forecasts

Laurel saw a dip in population between 2013 and 2018 (from 7,035 to 6,766). This trend was reversed in 2019, with an increase in population to 7,242 residents. It is anticipated that Laurel will grow at a steady rate over at least the next five years. This assumption considers the community’s proximity to the City of Billings and the ability to attract businesses, residents, and commuters that support the Billings and Yellowstone County economy.



| Growth Rate | 2010-2019 | 2019-2024 |
|-------------------------|-----------|-----------|
| Population | 0.880% | 1.30% |
| Households | 0.840% | 1.10% |
| Families | 0.580% | 8.60% |
| Median Household Income | X | 1.68% |
| Per Capita Income | X | 2.44% |

CHAPTER 6: Land Use

Overview

Laurel is in South Central Montana, 16 miles west of Billings, the largest City in Montana. Laurel is located along major transportation routes, including Interstate I-90, Route 212, and Old Route 10. Laurel is located 223 miles east of Helena, the state capital, seventy miles from the northeast entrance of Yellowstone National Park, 80 miles from the Little Big Horn Battlefield National Monument, and 137 miles from Bozeman.

Laurel is located on the western boundary of Yellowstone County. This area has seen significant development with the City of Billings' continued growth, but the surrounding region remains sparsely populated and remains mostly prairie, rangeland, and farmland.

Trends

The City of Laurel has developed slowly in the past few decades. The development has focused itself north and west of the City. There are also many vacant and underused parcels within the City itself. The area adjacent to Interstate I-90 is mostly commercial and industrial. This similar land use is seen along Old Route 10 to the west of the City.

Existing Land Uses

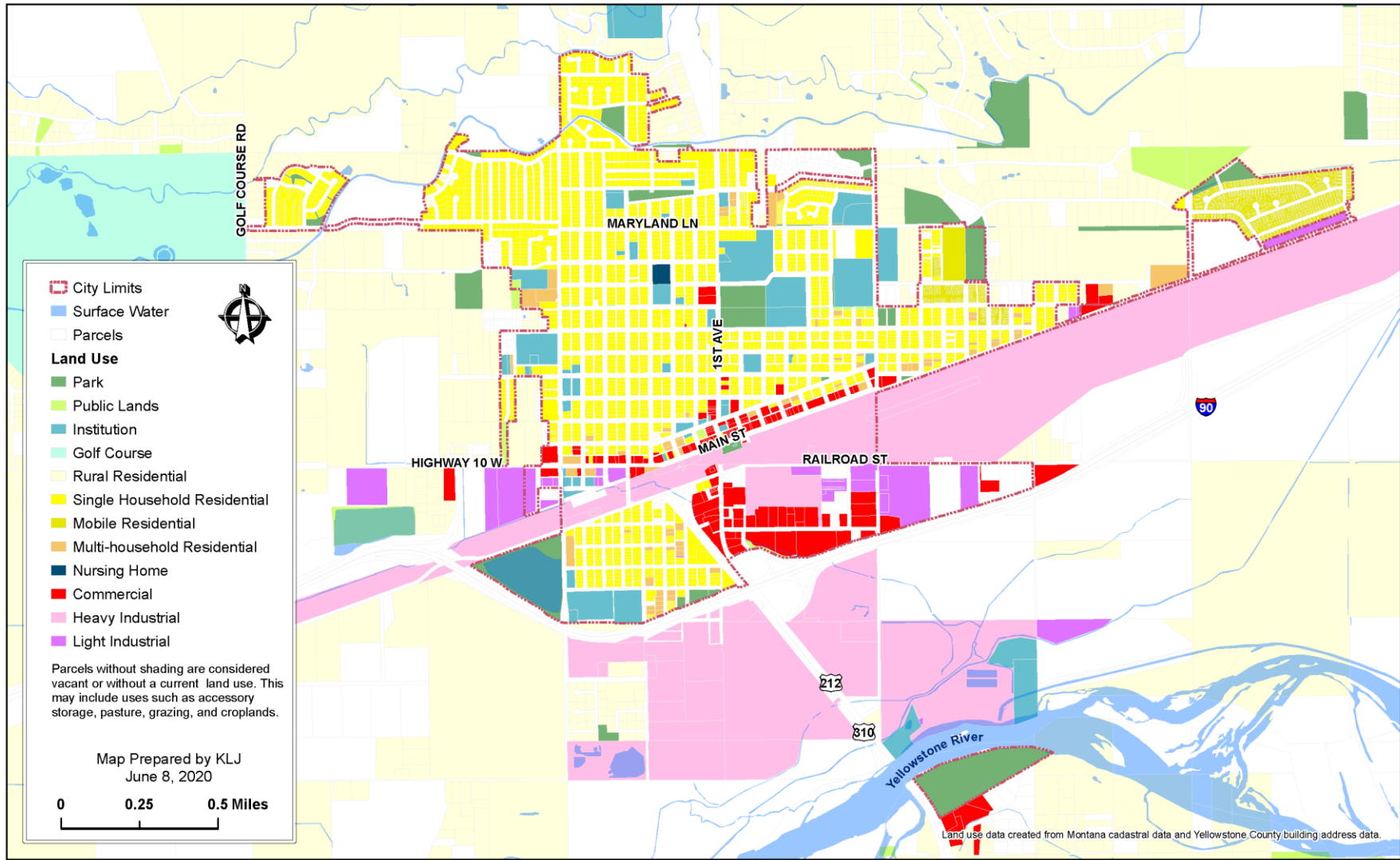
The City of Laurel has a variety of established zoning districts. These districts cover a wide range of uses and purposes. The districts and their official definitions can be found below.

- ~~❖ Agricultural open space (AO) zone – The agricultural open space zone is intended to preserve land for agricultural and related use. Land within this zone is usually un-subdivided and contains a minimum of roads, streets, and other utilities. It may be cultivated acreage or land less suitable for cultivation, yet suitable for various agricultural enterprises using the broadest scope of the agricultural definition. Land within this zone may be located adjacent to highways and arterial streets. The AO zone is further intended to discourage the scattered intrusion of uses not compatible with an agricultural rural environment.~~
- ~~❖ Suburban residential (SR) zone – This zone is limited to single-family residential tracts on a minimum of five acres of land and on which agricultural uses may be conducted with the exception that animal units shall not exceed ten per five acres.~~
- ~~❖ Residential tracts (RT) zone – This zone is designed for single-family residential homes on a minimum of one acre of land. Livestock is limited to two livestock units per acre with additional units allowed per additional half-acre increments in conformance with Section 17.08.651 of this code. No livestock is allowed in the city limits, and all livestock must be removed if/when annexation occurs.~~
- ~~❖ Residential estates-22,000 (RE-22,000) zone – This zone is intended to provide of low-density, single-family, residential development in areas near or adjacent to the City that are served by either central water or sewer systems.~~

- ❖ Residential-7500 (R-7500) zone – This zone is intended to provide an area for medium, urban-density, single-family, residential environment on lots that are served by a public sewer and sewer system.
- ❖ Residential-6000 (R-6000) zone – This zone is intended to promote an area for a high, urban-density, duplex residential environment on lots that are usually served by a public water and sewer system.
- ❖ Residential light multifamily (RLMF) zone – This zone is intended to provide a suitable residential environment for medium density (up to a fourplex) residential dwellings. The area is usually served by a public water and sewer system.
- ❖ Residential multifamily (RMF) zone - The RMF zone is intended to provide a suitable residential environment for medium to high density residential dwellings; and to establish, where possible, a buffer between residential and commercial zones.
- ❖ Residential manufactured home (RMH) zone - The RMH zone is intended to provide a suitable residential environment for individual manufactured homes, manufactured home parks, and competitive accessory uses.
- ❖ Planned unit development (PUD) zone – This zone is intended to provide a district in which the use of the land is for the development of residential and commercial purposes, as an integrated unit.
- ❖ Residential professional (RP) zone - This zone is intended to permit professional and semiprofessional uses compatible with surrounding residential development.
- ❖ Neighborhood commercial (NC) zone - The NC zone is intended to accommodate shopping facilities consisting of convenience retail and personal service establishments which secure their principal trade by supplying the daily needs of the population residing within a one-half mile radius of such neighborhood facilities. The location and quantity of land within the NC zone should be a business island not more than four acres in size and that no business frontage should extend more than six hundred feet along any street.
- ❖ Central business district (CBD) classification - The CBD classification is intended to primarily accommodate stores, hotels, governmental and cultural centers and service establishments at the central focal point of the City's transportation system.
- ❖ Community commercial (CC) classification - The CC classification is primarily to accommodate community retail, service and office facilities offering a greater variety than would normally be found in a neighborhood or convenience retail development. Facilities within the classification will generally serve an area within a one and one-half mile radius and is commensurate with the purchasing power and needs of the present and potential population within the trade area. It is intended that these business facilities be provided in business corridors or islands rather than a strip development along arterials.

- ❖ Highway commercial (HC) district - The purpose of this district is to provide areas for commercial and service enterprises which are intended primarily to serve the needs of the tourist, traveler, recreationist, or the general traveling public. Areas designated as highway commercial should be located in the vicinity of, and accessible from freeway interchanges, intersections in limited access highways, or adjacent to primary or secondary highways. The manner in which the services and commercial activities are offered should be carefully planned in order to minimize the hazard to the safety of the surrounding community and those who use such services; and to prevent long strips of commercially zoned property.
- ❖ Light industrial (LI) classification - A LI classification is intended to accommodate a variety of business warehouse and light industrial uses related to wholesale plus other business and light industries not compatible with other commercial zones, but which need not be restricted in industrial or general commercial zones, and to provide locations directly accessible to arterial and other transportation systems where they can conveniently serve the business and industrial center of the City and surrounding area.
- ❖ Heavy industrial (HI) district – This district accommodates manufacturing, processing, fabrication, and assembly of materials and products. Areas designated as heavy industry should have access to two or more major transportation routes, and such sites should have adjacent space for parking and loading facilities.
- ~~❖ Airport (AP) zone – The AP zone is designated to preserve existing and establish new compatible land uses around the Laurel airport.~~
- ❖ Floodplain (FP) zone - This zone is designed to restrict the types of uses allowed within the areas designated as the floodplain and floodways as officially adopted by the Montana Board of Natural Resources and Conservation, Helena, Montana.
- ❖ Public (P) zone – This zone is intended to reserve land exclusively for public and semipublic uses in order to preserve and provide adequate land for a variety of community facilities which serve the public health, safety and general welfare.
- ❖ Zoning District Number 18- County Zoning – The regulations and development pattern adopted in the zone are for the purpose of protecting and furthering the health, safety, and general welfare of the people living in the district and in Yellowstone County, Montana. This zoning district comprises of an agriculture zone, a suburban zone, a residential zone, a recreational zone, and a commercial zone. Zoning District Number 18 was adopted in July of 1997.

The planning board is currently reviewing the zoning designations inside Laurel city limits and may be tasked with county zoning recommendations and after future discussions with the County Commissioners. A new interlocal agreement between the City of Laurel and the Yellowstone County may be necessary to facilitate zoning regulations for the City of Laurel and an area to be determined around the City of Laurel.



EXISTING LAND USE

Laurel Area Existing Land Use Zoning, 2020-Updated maps are attached to this document for the 2023 update.

Residential and Rural Residential

Laurel's many residential districts provide a variety of housing densities, volumes, and types. Laurel has a joint city-county planning board and has regulations that accommodate these two different modes of living. The older areas of the City, such as the south side and neighborhoods adjacent to downtown, have higher density zoning as is appropriate for those originally platted parcels and smaller-scale residential buildings. Newer developments and additions to the City generally have lower density zoning than the original Laurel townsite and are more suburban. It is important to provide a mix of residential styles and types to provide residents and prospective residents a housing choice.

Commercial

Laurel is a full-service community with supermarkets, gas stations, bars, and restaurants accessible to the public. There are a variety of different commercial areas as well. The traditional central business district remains heavily commercial, with some buildings containing apartments on the upper floors. The area adjacent to I-90 accessible from 1st Avenue S. by E. Railroad St. and SE 4th St. contains commercial and industrial properties that serve residents and highway travelers. The parcels along Old Rt. 10 contain a mix of zoning, including highway-focused commercial properties. Many properties located along E. Main Street are zoned Community Commercial and contain a variety of establishments.

Public

The City of Laurel maintains a full array of public facilities to serve the residents, businesses, and institutions within the city limits. The City maintains a fully staffed city hall, public library, public works shops, a water treatment plant, and a sewer treatment plant. The Laurel School District maintains the Laurel High School and Middle School along with Graff Elementary School, South Elementary School, and West Elementary School.

Parks

Laurel is home to many parks of all shapes and sizes. The most important of these parks are Thompson Park and Riverside Park. Thompson Park is in the City center and has many athletic fields, a public pool, and public facilities. Riverside Park is a historic park that has been used by residents and travelers to the area since before the City of Laurel officially existed. Throughout Laurel's history, this park has been used by private, civic, and government groups. Many other smaller parks are established as land has been annexed into the City and further developed.

Industrial

There is a large amount of industrial property in and around the City of Laurel. The City of Laurel was initially built around the commercial rail yard currently operated by Montana Rail Link, the most massive switching yard between Minneapolis and Seattle. The second major industrial property is the large refinery complex owned and operated by CHS Inc. The other crucial industrial property in and around the City is the Fox Lumber operation, located along East Railroad Street.

Urban Renewal

The City of Laurel established a Tax Increment Finance District (TIF) in 2007 that encompasses the traditional downtown area and the SE 4th Street commercial area. This District has provided financing for infrastructure projects and grant funding to local property owners and residents for façade, structural, signage improvements, and technical assistance within the district. The grant program is managed by the volunteer board that makes up the laurel Urban Renewal Agency.

CHAPTER 7: FUTURE LAND USE

Overview

Laurel has struggled to grow over the past two decades due to a lack of long-term planning capacity, lack of funding, and a lack of focus on larger goals. Laurel's somewhat stagnant growth happened during a time of consistent growth for the neighboring City of Billings and other areas throughout Yellowstone County. Laurel must be forward-thinking if it wants to thrive as a separate entity outside of Billings. This change of thinking involves planning for commercial and industrial expansion, seizing growth opportunities, and adopting zoning and development standards that meet the city needs and attract developers and new residents.

Residents of Laurel pride themselves on the small-town character of the community. The City needs to properly plan for growth and have the appropriate regulations to grow and maintain the classic community character that residents enjoy. This balance includes establishing appropriate building design standards, zoning requirements, and signage standards to maintain community character.

Residential Districts

Residential areas within Laurel's **planning jurisdiction** come in many shapes and sizes. Some are more densely built and more urban looking, while others are the traditional, modern American suburb with single-family homes. Many American cities continue to maintain a more restrictive style code that limits specific residential uses, types, and sizes while others have begun moving toward a more inclusive model of allowing different styles, sizes, and housing types in residential areas.

Some different housing types compared to the traditional single-family home include accessory dwelling units (ADU's), townhomes, and rowhouses. Expanding housing options can be as simple as adjusting the number of allowable units and setbacks for lots. Development in residential neighborhoods can be increased through small changes. Studying the existing districts and updating setbacks and other restrictions can significantly impact helping our neighborhoods evolve and grow over time.

Vacant Land

The City currently has numerous unused or vacant parcels that could be brought into productive use. Adaptive reuse of vacant structures is a strategy many cities use to revitalize downtowns. Prioritizing infill development for the downtown area and the SE 4th Street District can help bring new businesses, jobs, and residents. The City can also utilize Tax Incremental Financing (TIF) funding to support vacant properties' acquisition and rehabilitation within the downtown and SE 4th Street commercial areas. Partnering with local institutions and organizations to better utilize unused land as gathering spaces or as a home for community projects and other efforts can help people see new land uses that may have been unused/vacant for many years.

Development Standards

The City of Laurel currently has multiple development standards that include the Public Works Standards, rules governing utilities, and subdivision development requirements. Adopting a consistent and understandable set of development standards for areas within the **City and its zoning jurisdiction planning jurisdiction** will ease the development process for residents, landowners, and developers.

Extraterritorial Zoning

The extraterritorial zoning of Laurel extends approximately one mile outside the municipal city limits. This current zoning district is classified as "Residential Tracts" and is focused on low-density residential. The City needs to ensure that this zoning designation and its requirements still adequately cover county residents' needs within the zoning jurisdiction. It is recommended that City staff ensure this extraterritorial zoning can easily allow county residents to join the City if they so choose.

Infrastructure Extension

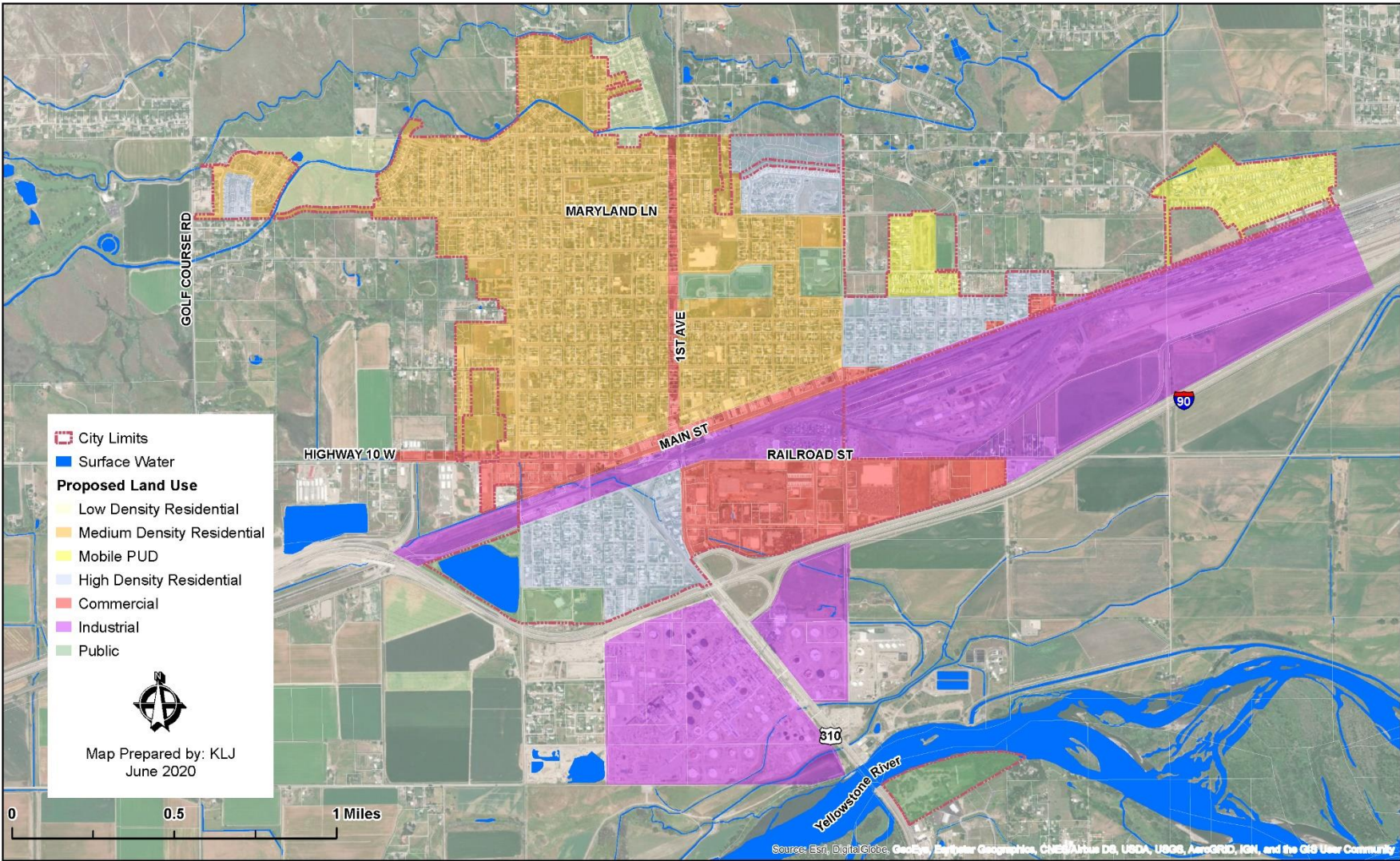
Planning for the expansion of city services and infrastructure is vital in bringing new growth to a community. The City did not address long-term infrastructure and growth for many years. Installing new infrastructure is expensive, but it is more costly to lose development opportunities that allow the community to grow and develop.



Identifying and installing critical infrastructure along major routes needs to be a priority for city staff. There are many opportunities to support these infrastructure efforts through public and private grants and loan programs. Many grant programs exist to extend infrastructure to support job creation and economic growth. Grants such as these can be used to expand infrastructure to the recently completed West Laurel Interchange.

New development and growth require adequate infrastructure to support it. Development of an Annexation Plan and a Capital Improvement Plan can

establish the priority areas for growth and establish project costs for identified infrastructure needs. Laurel has not previously prepared either of these types of plans. It would be wise for city staff, partners, and stakeholders to study the possibilities for significant commercial and industrial development in the area and plan infrastructure to accommodate these new land uses.



PROPOSED LAND USE MAP

~~Laurel Future Land Use, 2020~~ Updated maps are attached to this document for the 2023 update and shall be inserted upon final approval.

Future Land Use Goals and Objectives

This plan's overall goal is to conserve open space while maximizing areas currently in and directly adjacent to the City. Parks and greenways will be essential amenities for residential developments and commercial corridors and should be considered in initial planning rather than as an afterthought. Zoning will be updated to provide a more diverse array of housing types and density. Priority areas and parcels for annexation and development will be determined, and infrastructure extension costs will be discussed. Codes will be updated to maintain community character while simultaneously enabling the development of new neighborhoods. Work in the central business district will focus on infill and mixed-use development to create the most effective use of Laurel's traditional downtown.

Goal 1: Conserve open space and traditional land uses

- ❖ Encourage cluster developments to incorporate open space into new developments
- ❖ Provide options for landowners for conserving portions of their land
- ❖ Study and Implement strategies to create an interconnected system of parks and greenways and open space that are accessible to area residents

Goal 2: Develop downtown Laurel into a vibrant place to live, work, and play

- ❖ Encourage mixed uses for living, working, and shopping local
- ❖ Identify priority parcels for infill development
- ❖ Implement Placemaking projects to create a more livable and enjoyable downtown
- ❖ Partner with local groups to support community businesses, events, and gatherings
- ❖ Connect with regional agencies to access project funding, receive technical support, and boost the visibility of Laurel development opportunities

Goal 3: Update Subdivision Code to meet the needs of Laurel and the surrounding area

- ❖ Provide clear and consistent standards
- ❖ Ensure the proper scale and scope of regulations
- ❖ Include trails, open space, and greenway considerations in parkland subdivision review
- ❖ Regularly review and update the Subdivision Code as needed to remain current

Goal 4: Update the Zoning Codes to provide for greater flexibility of allowable uses, clearer requirements, and more efficient land use of the planning jurisdiction

- ❖ Study the inclusion of different types of housing within residential districts
- ❖ Update Overlay Districts, Parking Requirements, and the Sign Code to better fit the City's needs and character
- ❖ Allow mixed-use live/work opportunities in commercial areas
- ❖ Enable property owners to use their land more effectively and efficiently
- ❖ Work with Yellowstone County Commissioner's to enact previous believed zoning regulations for the area around the City of Laurel

Goal 5: Use long term planning documents to identify funding and address priority needs for infrastructure and development

- ❖ Establish an Annexation Plan to develop priority growth areas and strategies
- ❖ Develop a Capital Improvement Plan for vital infrastructure to support the City as it grows

- ❖ Prepare a Commercial and Industrial Development Study for land adjacent to major transportation routes in the Laurel area

CHAPTER 7.5: ANNEXATION

Overview

The annexation of properties outside the current city limits must have Laurel remain a viable, independent community. Annexing territory into a municipality helps a city grow geographically, economically, and socially. Laurel's actual City has grown slowly over the past few decades, with very few new subdivisions and parcels annexing into the City despite many developments in the surrounding area. The City of Laurel and its residents seek to maintain their longstanding identity and character while supporting steady growth. Due to the City's proximity to the fast-growing City of Billings, annexation is now necessary to ensure Laurel's long-term viability, character, and independence.

Annexation planning is a long-term process in both scope and scale. Targets and goals are usually set for a timeline of five and ten years, with performance measures in place to track progress. Implementing successful annexation and growth activities involves thoughtful updates to local development and annexation codes, addressing infrastructure gaps, and outreach to nearby county property owners and developers to showcase the City's benefits.

Purpose

Annexation is presented in Title 7, Chapter 2. in the Montana Code Annotated that establishes the Creation, Alteration, and Abandonment of Local Governments. Parts of this chapter sets the conditions and rules for annexation and addition of territory into a municipality, establishes the ways areas can be annexed and provides specific limitations to these processes for both municipalities and property owners.

Annexation is a process that brings new territory into a municipality and extends public services to that territory. Annexation is a necessary process to continue the growth and development of communities in Montana. Adding new territory to a community adds new business opportunities, industry, recreation, and residential developments. Annexation also provides an opportunity for new resources and amenities to be added.

Importance

Laurel is currently at a crossroads in development. The City has not grown or expanded significantly in the past few decades, while the nearby city of Billings has been steadily expanding westward toward Laurel. Billings has established and implemented a long-term annexation and expansion plan while Laurel has had piecemeal annexations and additions to the City. Laurel could find itself hobbled financially if it does not address annexing new territory that can create growth opportunities as Billings steadily expands into western Yellowstone County.

Proper annexation planning and implementation can lead to increased economic activity, new residential development, and increased revenues for the local government to provide services. Growth and expansion need to be an official part of Laurel's conversation to remain a viable, livable, and autonomous community in the future. It will be necessary to update the current annexation policy to ensure it provides reasonable restrictions, clear guidelines, and options and incentives to developers and property owners who want to annex the City.

Priority Areas

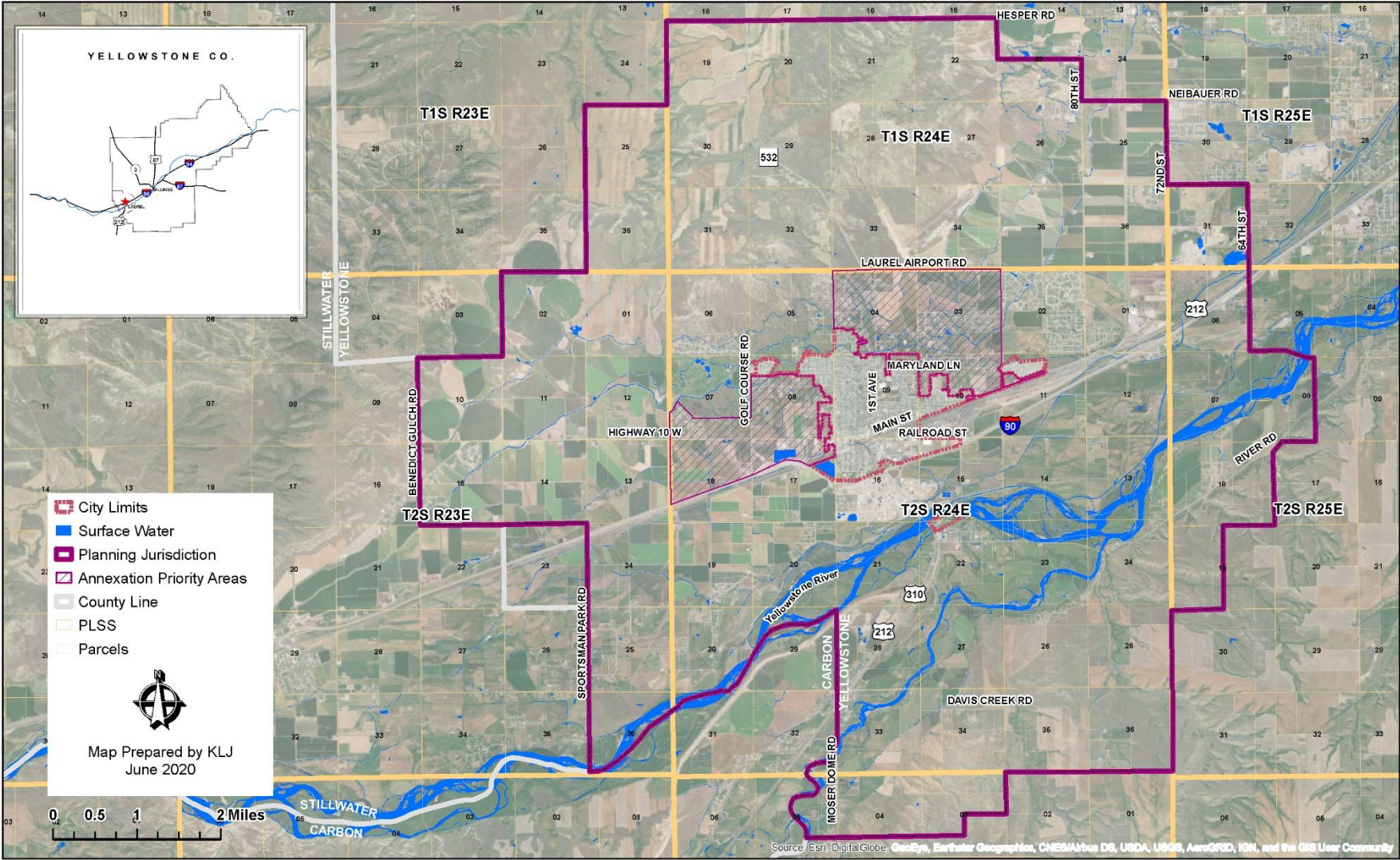
Establishing priority areas is essential for setting a plan for growth, starting discussions with property owners and developers, and preparing projects. A map of the Laurel Planning Jurisdiction and priority growth areas are presented on the next page.

Areas to the west of Laurel are a high priority for development due to their proximity to the City and established transportation corridors. The annexation of territory to the west presents the most viable options for growth. Roadways already serve this area, and there are adjacent services nearby. A high priority should be placed on parcels between 8th Avenue and Golf Course Road, parcels neighboring the intersection of Old Rt. 10, and the West Laurel Interchange.

There are many areas directly adjacent to the east of the City that would be prime candidates for annexation in addition to the previously mentioned westward expansion. The parcels between Alder Avenue and Yard Office Road, especially those along East 8th Street, should be considered and the lands adjacent to the Village Subdivision. These areas are already closely linked to the City with roads and services, and their inclusion would fill gaps in the Laurel City Map.

A few specific areas should be looked at for annexation north of the City as well. These include lands off West 12th Street that straddle the big ditch, areas between Montana Avenue and Great Northern Road, and the land neighboring 1st Ave North to Lois Place.

Growing the City of Laurel to the south is not a viable option because the CHS refinery makes up the bulk of the land between Interstate-90 and the Yellowstone River. The costs associated with the extension and construction of city services to those parcels adjacent to and south of the Yellowstone River would be prohibitive due to the distances needed to extend infrastructure and the fact that floodplain makes up much of the land adjacent to the Yellowstone River.



PLANNING JURISDICTION

~~Laurel Planning Jurisdiction and Priority Growth Areas, 2020~~ Updated maps are attached to this document for the 2023 update and shall be inserted upon final approval.

Annexation Policies

~~Laurel has not annexed many territories in recent years. This lack of annexation can be attributed to the 2008 annexation policy, which many prospective developers consider draconian. Many property owners and developers have remarked that the policy's strict requirements and its lack of alternatives and options for infrastructure financing and build-out place too high a price on annexation to make it feasible. Discussions should take place as to if this approved policy still serves the City's needs and what policies and requirements would enable growth activities and annexation more fully. A future annexation policy should also establish priority areas and specific goals over the next five to ten years. The City of Laurel may want to update its annexation policy as it was last adopted in 2008 and changes may be necessary to provide the best opportunities for land inclusion into the City of Laurel.~~

Infrastructure Extension

Connection to improved utilities and services is the main driver behind annexing into a municipality. Laurel has not developed a long-term plan around extending services that can enable property owners to annex into the City more quickly. Developing a CIP will help Laurel prioritize growth areas and build out public services to position Laurel for growth and attract new properties and development to the City.

Annexation Goals

The following two goals were prepared to help the City of Laurel grow through annexation.

Goal 1: Adopt a long-range view for the growth of the City

- ❖ Establish a growth-conscious set of policies to expand the City and its services
- ❖ Create priority growth areas for extension of services
- ❖ Develop and approve an Annexation Plan for the Laurel Planning Jurisdiction
- ❖ Support the creation of a long-term Capital Improvement Plan for the extension of essential infrastructure

Goal 2: Manage fiscal responsibility with established and proposed annexation standards

- ❖ Ensure that the established standards are right and proper for the City of Laurel
- ❖ Ease the burden for developers to annex into the City while meeting established standards
- ❖ Allow greater flexibility in development patterns
- ❖ Determine the cost and benefits of annexation

CHAPTER 8: HOUSING

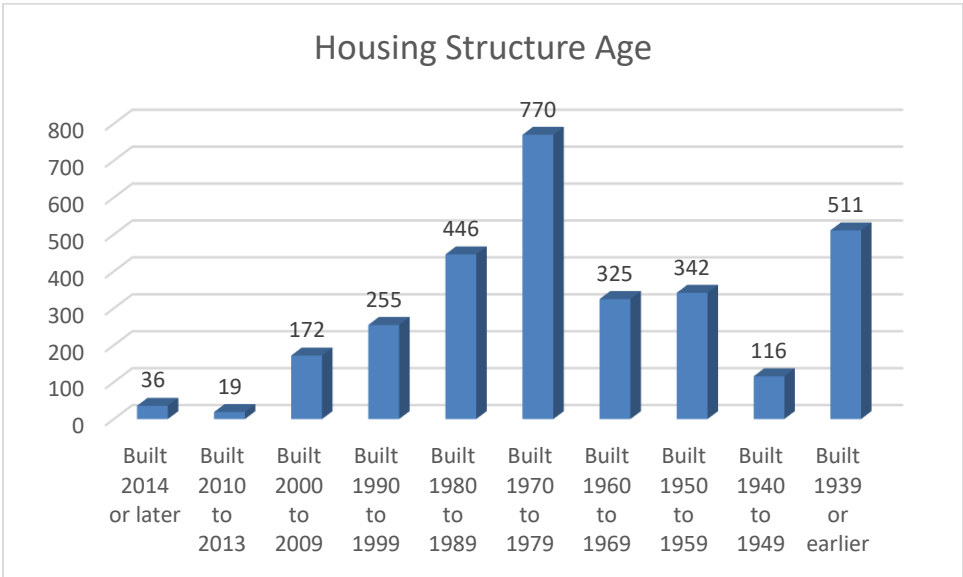
Overview

Housing is an essential element of any community. This chapter summarizes housing in Laurel and discusses some housing support programs to help renters and current and prospective homeowners. Having adequate, accessible, and affordable housing is an essential piece of what attracts people to a community. The City of Laurel has a variety of housing options and housing types that provide options for residents. It is crucial to maintain a wide array of housing that meets the market's different demands, including rental properties, multifamily units, single-family homes, and retirement homes.

Laurel's location has made it an attractive bedroom community to Billings. This strategic location opens opportunities for traditional neighborhood residential housing and embraces the growing trends of building closer-knit, dense, connected neighborhoods for more urban and in-town development. It will be necessary for the city to think about housing and real estate trends as it grows. This will ensure that the current population's housing needs are met while creating housing that will interest prospective residents and homeowners.

Households and Housing Units

Approximately 68 percent of Laurel's housing stock dates to before 1979. Aging housing stock can pose issues for maintenance, safety, and accessibility. These issues can lead to the need for code enforcement to step in to ensure the local ordinances are followed and that the situation has not become hazardous or dangerous. Ensuring that new housing is built will provide new homeownership opportunities and help raise the standard of housing available for residents.



2013-2017 American Community Survey 5-Year Estimates

Sixty-five percent of Laurel's housing stock is made up of detached single-family homes. Mobile homes make up the next most significant share of housing at 15 percent of units.

This proportion of detached single-family homes has been the norm for Laurel and many other cities and towns throughout the United States.

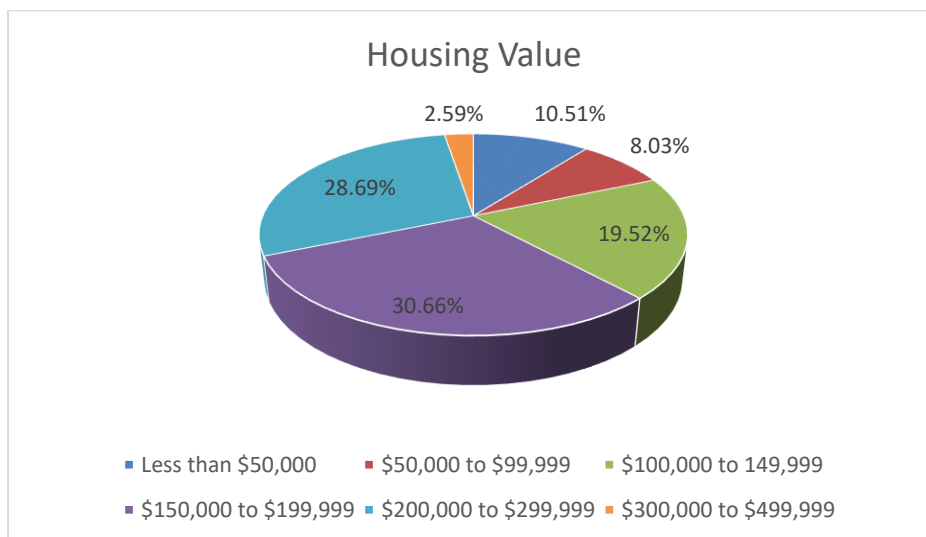
It is important to think about current and emerging housing trends to embrace growth opportunities, whether in a traditional residential neighborhood or more urban or downtown environments.

| Units in Structure | Estimate | Percent |
|--|----------|---------|
| Total housing units | 2,992 | 2,992 |
| 1-unit, detached | 1,952 | 65.20% |
| 1-unit, attached | 87 | 2.90% |
| 2 units | 92 | 3.10% |
| 3 or 4 units | 103 | 3.40% |
| 5 to 9 units | 119 | 4.00% |
| 10 to 19 units | 48 | 1.60% |
| 20 or more units | 130 | 4.30% |
| Mobile home | 461 | 15.40% |
| Boat, RV, van, etc. | 0 | 0.00% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

A move back towards traditional downtowns has also been seen across the United States. This trend presents various opportunities for diversifying the type and size of housing options to include rowhouses, townhomes, live-work (mixed-use) buildings, and more.

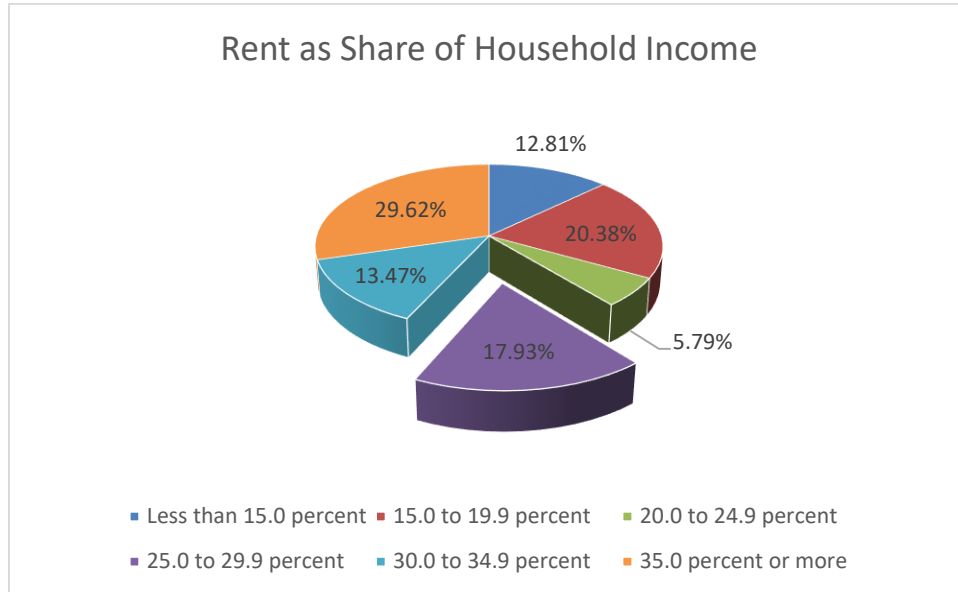
Housing Affordability

Many parts of the United States are facing issues with housing affordability. This affordability issue has included some communities in Montana, such as Bozeman and Whitefish. Housing in Laurel has generally remained affordable despite being located within twenty miles of the state's largest city. The charts below provide an overview of both current housing value and rental expenditures.



2013-2017 American Community Survey 5-Year Estimates

Rental affordability is an essential factor in retaining residents, especially those who may work in the service and retail industries. Overall, 57 percent of Laurel residents spend less than 30 percent of their income on rent. These statistics is a positive figure that allows a diverse array of residents to afford to live in Laurel.



2013-2017 American Community Survey 5-Year Estimates

Housing Programs and Incentives

Many housing support and incentive programs exist that are sponsored by non-profits, institutions, and state and federal agencies, including the following:

Montana Housing Support Programs

- ❖ Bond Advantage Down Payment Assistance program
- ❖ MBOH Plus 0% Deferred Down Payment Assistance Program
- ❖ Multi-Family Coal Trust Homes Program
- ❖ Housing Choice Voucher Program
- ❖ Veterans Affairs Supportive Housing (HUD-VASH)
- ❖ Project-Based Section 8
- ❖ Section 811 Supporting Housing for Persons with Disabilities

The Federal Government also has several First Time Homebuyer Loans and Programs, including the following:

- ❖ FHA Loan Program
- ❖ HUD - Good Neighbor Next Door Buyer Aid Program
- ❖ Homepath ReadyBuyer Program
- ❖ Energy Efficient Mortgage Program
- ❖ HOME Investment Partnerships Program

Community Land Trust

Community Land Trusts (CLTs) are non-profits that hold land permanently in trust for communities to make it available for housing, farming, ranching, commercial space, historic preservation, or open space. These organizations separate the land price from the improvements made to it, investing subsidy, and enforcing resale restrictions on properties to ensure permanent affordability. Trust Montana is a statewide organization that assists rural cities and towns with managing community land trusts to ensure they can maintain affordable and traditional land uses. CLTs serve an essential role in setting aside land as a community asset for generations to use and enjoy.

Inclusionary Zoning

Inclusionary zoning is a land-use policy that incentivizes dense housing development through tax relief, abatements, and bonuses. These zoning policies enable developers to maintain regular profits while capturing a share of excess profits for public benefit. Inclusionary zoning utilizes feasibility studies to analyze the impact of density and infill development on specific areas. Communities must carefully weigh each incentive's costs and benefits and evaluate them relative to the affordable housing requirements or goals. Incentives include:

- ❖ Density Bonuses
- ❖ Expedited Processing
- ❖ Fee waivers
- ❖ Parking reductions
- ❖ Tax abatements

Housing Goals and Objectives

Goal 1: Encourage a mixture of housing types to meet the demand of all market sectors

- ❖ Maintain a diverse array of housing and affordability levels
- ❖ Promote higher density housing types in the downtown area and adjacent to major transportation corridors
- ❖ Study mixed-use housing and other alternative housing types and styles
- ❖ Provide options for a full spectrum of housing from rentals to retirement housing

Goal 2: Provide information on housing-related grants, loans, and ownership programs

- ❖ Develop a list of resources for renters and homeowners
- ❖ Collect information on federal, state, local, and philanthropic rental and homeownership programs
- ❖ Advise Laurel area residents as to available support for housing, rent, and homeownership

CHAPTER 9: INFRASTRUCTURE

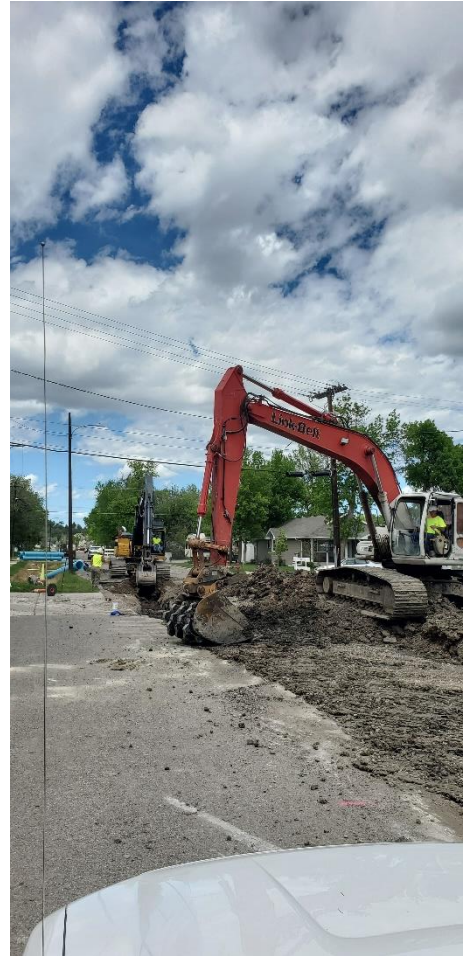
Overview

The City of Laurel Department of Public Works operates the municipal water treatment and distribution system, the wastewater collection and treatment system. It conducts maintenance and improvement work on roads, streets, sidewalks, and parks. The City of Laurel has recently completed several major infrastructure upgrades. These include an upgrade to the Wastewater Treatment Plant, an overhaul of the Water Treatment Plant, installation of a new water Intake, and improvement of the sedimentation basins at the Wastewater Treatment Plant.

There are still primary infrastructure needs that need to be addressed. The City's water and sewer lines are aging, and in many places are still the original lines installed around the time of incorporation. A major priority is to study how to provide services to the West Laurel Interchange area, which has significant growth potential.

Opportunities also include expanding services to nearby county residents to the north, west, and east of the current city limits. There is a total of 2,858 water connections in the city system. Exploring funding for the extension and improvement of water and wastewater services to enable more annexation and development is worthwhile. Additionally, funding the expansion of the capacity of the City to handle stormwater runoff is of vital importance in increasing the longevity of streets, roads, and pedestrian areas.

The goals and objectives presented in this chapter are focused on just a few critical areas. It is hoped that the City can maintain an efficient and effective system of infrastructure and services that meets the City's needs while establishing long-term capital infrastructure goals to expand and improve services. The City should seek federal, state, and philanthropic grant and loan programs to support these goals and priorities.



Wastewater System

The City of Laurel's Wastewater Treatment Plant is located at 5310 Sewer Plant Road. It is staffed with three operators and one relief. The facility was first constructed in 1908 and underwent substantial upgrades in the 1930s and 1986. The Plant most recently underwent a significant upgrade that was completed in 2016. The reclamation system is a Biological Nutrient Removal system (BNR). The facility now conducts sludge dewatering as well. The new system has reduced nitrogen levels and phosphorus being discharged into the Yellowstone River. Improvement of the Sedimentation Basins was completed in 2019. The wastewater system has a capacity of 1,120,000 gallons per day. City staff should monitor the current wastewater and sewer system to ensure that it can meet the growing demands of the City.

Water System

The Laurel Water Treatment Plant is located at 802 Highway 212 South. An upgrade of the Water Treatment Plant was completed in 2019. The Plant operates 24 hours per day and is staffed with six employees plus management. The Water Treatment Plant has a treatment capacity of 5,000,000 gallons per day. The Plant provides water service to more than 6,700 people and has a total of 2,858 metered connections.

The Yellowstone River is the raw water source for the City of Laurel. A water right was filed in 1908, giving the City access to 12,600,000 gallons per day. A water reserve was granted in 1978 that allowed for the anticipation of future growth and added 6,380,000 gallons per day.

The original water distribution system was installed in 1908. There is currently one ground storage tank built in 1967 with a capacity of 4,000,000 gallons, with 2,000,000 of them being usable and the other 2,000,000 creating pressure for distribution. Additionally, the City has two booster pump stations. Pipe sizes in the system range from 2 to 18 inches in diameter. The 301 fire hydrants scattered throughout the system are tested routinely to ensure they are working correctly.

The City provides water to all areas within the City Limits; however, 82 residential connections and one industrial connection are outside the City boundary. Property owners in the county who are interested in connecting to the City system must make all the necessary excavations and pay for all materials necessary for connections. The current standards and regulations for public works and utilities require developers to extend to utilities.



The Yellowstone River has provided adequate water for the City, but in recent years concerns have been raised regarding enough flow due to erosion from flooding and droughts. The City has taken steps to counteract these concerns through significant upgrades to the Water Treatment System. Upgrades and improvements were completed on the sedimentation basins and the Water Treatment Plant in 2019.

Additionally, a new water intake in the Yellowstone River was completed in 2017 to ensure a stable water supply despite the changing nature of the river's course and level. One additional project that has been identified is the need for a second water reservoir to create extra storage capacity as the City grows. The City should include this in any future public works planning documents.

Stormwater System

Stormwater is collected and managed to prevent flooding, erosion, and contamination of water sources. Water can carry pollutants such as oil, fertilizer, pesticides, soils, and trash as it runs off rooftops, paved streets, highways, and parking lots after a rain event or during snowmelt. Stormwater can flow directly into the Yellowstone River from a property or into a storm drain and through the city infrastructure until it is released into the Yellowstone River. The three significant concerns of stormwater management are the volume of runoff water, the timing of runoff water, and the potential contaminants the water is carrying.

The City of Laurel has historically experienced problems with flooding in the downtown area. Flooding activities are generally from heavy rain runoff and not directly due to the nearby Yellowstone River. The City of Laurel has a limited stormwater infrastructure to handle stormwater runoff. The majority of stormwater infrastructure is in the central business district and the South East 4th Street area. Stormwater management has also been established for the Elena, Iron Horse, and Foundation Subdivisions.

The City needs to address stormwater infrastructure within its current limits and as it expands. Creating an adequate stormwater management system helps keep roadways in good condition and lessens drivers' hazards in inclement weather. Stormwater system extensions should be considered during any roadway planning procedure to ensure roadway improvements do not have to be recreated.

Solid Waste Services

The City of Laurel Public Works Department provides exclusive solid waste collection services within the city limits. The City does not provide any solid waste collection services outside of the city limits. Garbage services are not exclusive to parcels that choose to annex into the City as per Montana state regulations. The City of Laurel operates the City's transfer station, which is located at 175 Buffalo Trail Road. The transfer station provides added services such as taking in large or bulky items, tree branches, and other unusual materials and pieces. Laurel utilizes the Billings Regional Landfill located nearby.

Infrastructure Goals and Objectives

Goal 1: Maintain an Effective and Efficient Public Infrastructure System that Adequately Serves the Needs of the City

- ❖ Develop a data-driven infrastructure maintenance schedule
- ❖ Determine any existing gaps in services and other infrastructure deficiencies within the City
- ❖ Adopt up-to-date infrastructure standards that are appropriate for the needs of the City
- ❖ Study using public spaces within floodplains, watercourses, and wetlands to be used as passive recreation areas such as parks and greenways
- ❖ Study the feasibility of recycling programs and other means to reduce solid waste
- ❖ Incorporate stormwater system planning into roadway and other infrastructure planning processes

Goal 2: Establish the Long-Term Capital and Infrastructure Needs for the City

- ❖ Develop a Capital Improvement Plan for the improvement and expansion of infrastructure
- ❖ Prepare a Water System Master Plan
- ❖ Create a Wastewater System Master Plan
- ❖ Complete a Stormwater Management Plan
- ❖ Ensure infrastructure planning documents are routinely updated.
- ❖ Confirm that the established infrastructure priorities are adequate

Goal 3: Seek out Possible Funding Sources for the Expansion and Improvement of Infrastructure and Essential Community Services

- ❖ Study the physical and financial needs for the extension of infrastructure to priority growth areas.
- ❖ Collaborate with Montana agencies on major projects and studies
- ❖ Explore federal, state, and philanthropic infrastructure grant opportunities
- ❖ Determine positive impacts from the expansion and improvement of infrastructure
- ❖ Apply for funding opportunities that are appropriate for city priorities and projects and assist in keeping user fees reasonable

CHAPTER 10: TRANSPORTATION

Overview

Laurel is at the center of a major transportation network that includes local streets and sidewalks, state arterials, railroad lines, and an interstate highway. The city itself was surveyed and built on a gridded road network that provided orderly development for residential and commercial properties close to the railroad, Old Route 10, and 1st Avenue, which run through Laurel's downtown. The establishment of Interstate-90 near Laurel led to commercial development on the south side of the city. Subsequent developments of residential subdivisions and commercial areas have not continued the original ordered network, causing problems for road continuity, provision of services, and orderly and consistent city growth at its boundaries. The railyard and numerous railroad lines bisect the city, separating neighborhoods from each other and creating only two north-south access points, the 1st Avenue underpass, and the 5th Avenue railroad crossing.

Connecting transportation decisions with land use policy is a crucial city goal. A priority for the city is to develop a multi-modal approach to streets and pathways. The City will encourage intensive land use within and adjacent to the city and along major transportation routes while ensuring residential developments provide adequate and accessible pedestrian improvements to allow everyone to access their community. Establishing a consistent maintenance plan to preserve, improve, and expand the transportation network will provide current and future residents with an easy and effective way to move around the city regardless of travel mode. The orderly growth of the transportation network will also be essential to ensure neighborhoods and commercial areas are easily accessible to all. These transportation goals help increase quality of life, connect people to their community, increase safety, and plan for current trends and future growth.

Local Routes & Maintenance

Laurel's downtown core and original neighborhoods were developed on a gridded network of streets and alleyways. Subsequent developments have strayed from this system and have not followed any set guidelines for road connections or continuity. This lack of orderly roads and pedestrian systems outside Laurel's traditional core has created future growth issues.



Very few existing streets allow for unbroken travel from the east to the west side of Laurel. New development has taken place without considering roadway connections and traffic planning.

Subsequent subdivisions and construction have not provided easements or right of way to continue city thoroughfares, and structures were constructed within the path of right of ways. This lack of forethought is especially apparent west of 8th Avenue, which has many roads that seemingly go nowhere. It will be necessary for Laurel to establish specific guidelines to ensure adequate road connectivity for traffic flow, safety, wayfinding, and the extension of future services.

Laurel has only two north-south road connections between its northern and southern neighborhoods. The two connections are the 1st Avenue underpass and 5th Avenue railroad crossing. The nearest other connections are Exit 437 for East Laurel and Exit 426 to Park City. Investigating other means of north-south access and finding other connection points will improve emergency service response, ease traffic along major routes, and improve accessibility to and from different city areas.

Many of Laurel's roads are also in dire need of repair. Many of the city's older local roads were built with deficiencies and antiquated design methods, which now compound annual maintenance problems. The city recently completed a study of its municipal road network that included an inventory and provide solutions to the system's infrastructure deficits. Utilizing this study and updated development and service standards will lead to improved road conditions and connectivity for Laurel residents, businesses, and visitors.

State Highways

Two major state routes pass through Laurel. These are 1st Avenue, which forms the major north-south route, and Old Route 10, which runs east-west and acts as Laurel's Main Street. These routes support significant commercial and industrial traffic, resulting in congestion during peak hours at intersections.

Seeking mobility and safety improvements along these two routes is encouraged to create more livable, accessible, and safer streets as the city updates its zoning code, subdivision code, and roadway standards. A map of road classifications has also been provided to show further details of the Laurel road network and other major streets and roadways in the city.

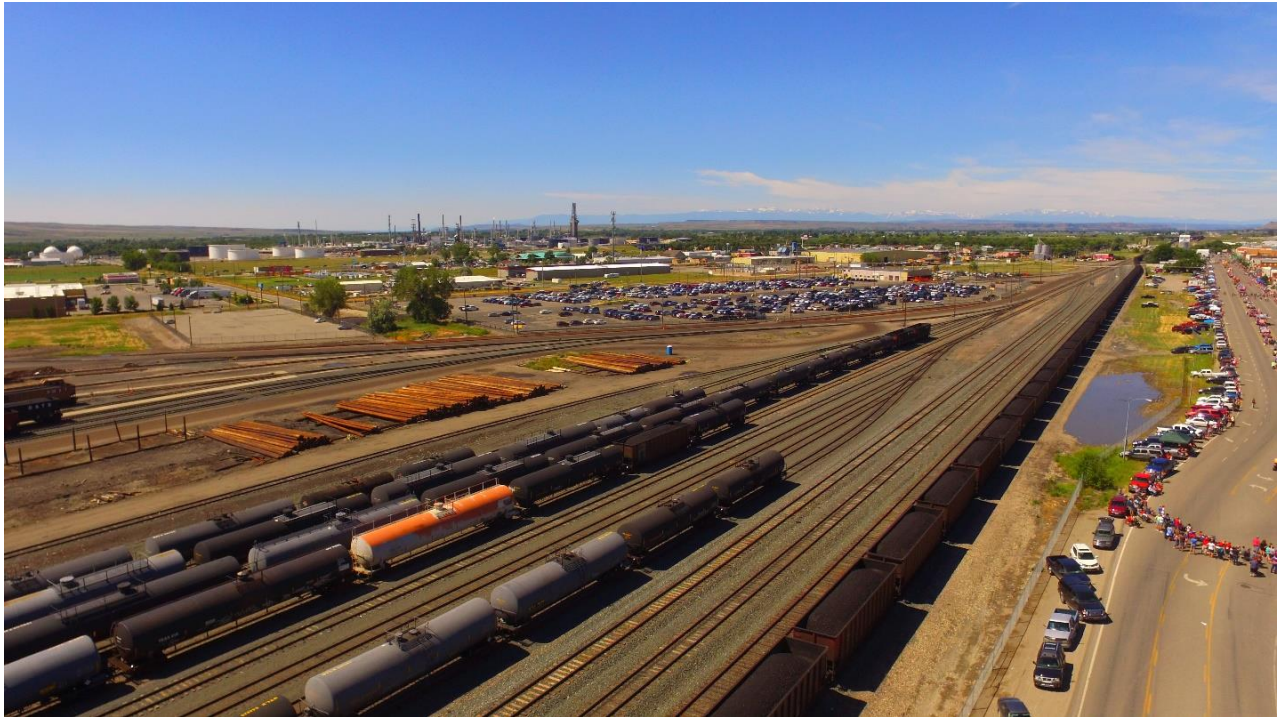
Federal Highways

Interstate-90 passes directly through Laurel. There are currently three off-ramps to access the highway, the most recent of these just completed in 2020 on the city's west end. The interstate has been a source of growth for the city, with many businesses locating in the SE 4th Street District adjacent to the highway.

The Montana Department of Transportation recently completed a north-facing on/off-ramp west of Laurel to connect to 19th Avenue West. This additional on/off-ramp is expected to alleviate some access issues and provide new development opportunities. This additional access point is also anticipated to bring new growth opportunities for the area. Planning for this growth and seeking out possible funding sources to extend city services to this area is vital

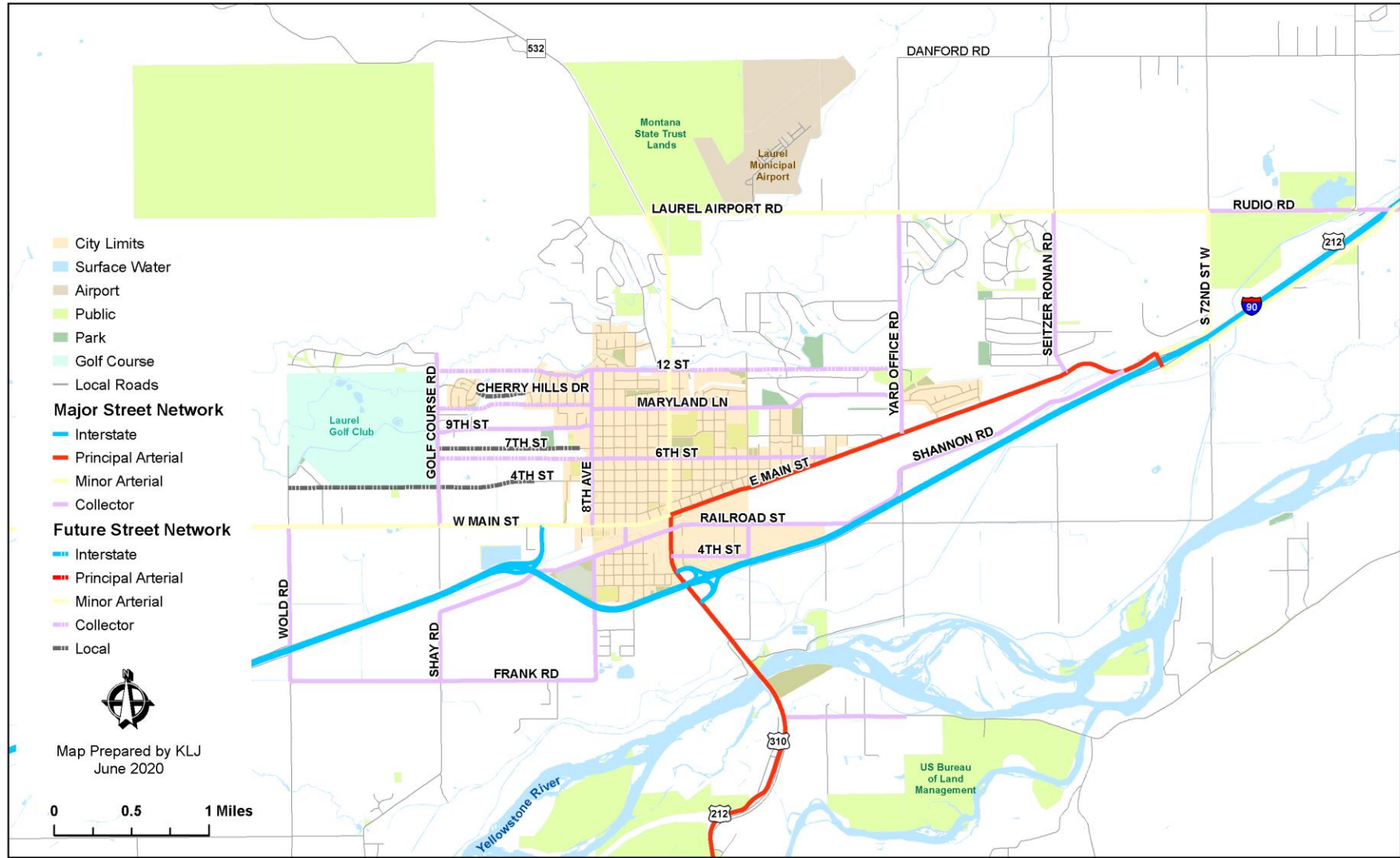
Railroad

Montana Rail Link **has operated** the rail yard in Laurel. **MRL has decided to terminate its lease with BNSF and BNSF is transitioning to once again assuming operations.** This yard has been active since the late 1800s and is a historic asset to the transportation and economic sectors. The rail yard is a hub for freight and raw materials heading through the area. Despite not being within the city limits, the railroad, CHS refinery, and other industrial properties provide many benefits to the area by providing a healthy



job base, revenue to the school district, and lower tax rates for residential and commercial properties.

The railroad is a major asset to the area and hinders transportation in and around the Laurel area. The railroad is not within the Laurel city limits, and as such, the city has little oversight of the activities taking place. The rail yard and its lines split the city into a north and south side with only two north-south connections, the 1st Avenue underpass, and the 5th Avenue crossing. The only other north-south connections are the East Laurel Exit and West Laurel Exit on Intersate-90.



MAJOR STREET NETWORK

~~Laurel Road Classifications, 2020~~ Updated maps are attached to this document for the 2023 update and shall be inserted upon final approval.

Roadway Classifications

- ❖ Interstate Highway (Principal Arterial)
 - Primary through travel route
 - Longest trip length
 - Highest trip speed
- ❖ Principal Arterial
 - Serves major activity centers and includes corridors with the highest traffic volumes and the city's longest trip length.
 - Provides the highest level of mobility, at the highest speed, for long uninterrupted travel.
- ❖ Minor Arterial
 - Interconnects principal urban arterials
 - Provides continuity for rural arterials that intercept urban boundaries
- ❖ Collector
 - Designed for travel at lower speeds and shorter distances.
 - Collectors are typically two-lane roads that collect and distribute traffic from the arterial system.
 - Collector roads penetrate residential communities, distributing traffic from the arterials
 - Urban collectors also channel traffic from local roads onto the arterial system.
 - Serves both land access and traffic circulation in higher density residential and commercial/industrial areas
- ❖ Local
 - Largest element in the American public road network in terms of mileage.
 - Local roads provide basic access between residential and commercial properties, connecting with higher-order roadways.
 - Provides access to adjacent land
 - Short distance trips

Public Transportation

Laurel Transit was established in 2010 through grant funding from the State of Montana to provide transportation services to the elderly and disabled population in the Laurel area. Laurel Transit currently provides on-demand transportation services within Laurel, its surrounding area, and scheduled service to Billings. Laurel Transit operates Monday-Friday, 10:00 am – 4:00 pm. The Billings scheduled service route begins at 7:30 am. Laurel Transit has connected with local and regional agencies whenever possible to expand its services.



Discussions have previously taken place around the viability of a fixed route system for the city of Laurel. These services are currently not feasible but future growth and development in Laurel could also necessitate better in-town transit connections or a commuter route to Billings.

Funding Sources

Many state and federal funding sources exist for transportation projects that impact:

- ❖ Road Safety
- ❖ Alternative Transportation
- ❖ Improved Mobility
- ❖ Economic Development
- ❖ Job Creation and Retention

Federal Agencies with available grants include:

- ❖ Federal Highways Administration
- ❖ U.S. Department of Transportation
- ❖ Federal Transit Administration
- ❖ U.S. Department of Agriculture
- ❖ U.S. Environmental Protection Agency

Transportation Goals and Objectives

The three overarching transportation goals with objectives and strategies are as follows:

Goal 1: Preserve, Maintain, and Improve the Existing Transportation System

- ❖ Update the Long-Range Transportation Plan (LRTP)
- ❖ Establish a systematic approach for the maintenance and repair of the road network.
- ❖ Develop a Capital Improvement Plan to identify and prioritize significant transportation projects
- ❖ Establish a Road Network Master Plan to ensure street continuity, traffic flow, and neighborhood connectivity,
- ❖ Promote fiscal responsibility and high return on investment
- ❖ Coordinate roadway improvement projects to coincide with underground infrastructure improvements

Goal 2: Improve the Mobility, Safety, and Accessibility for all users and modes of travel

- ❖ Implement bicycle and pedestrian improvements and traffic calming measures to transform the downtown area into a pedestrian-friendly place
- ❖ Create a looping bicycle/pedestrian trail and street system that connects different areas of Laurel
- ❖ Adopt pedestrian and multi-modal friendly transportation standards and safety measures
- ❖ Explore options to improve and expand the Laurel Transit program and strategies to create other multi-modal transportation connections.
- ❖ Partner with local, regional, and statewide groups to further integrate Laurel into the more comprehensive passenger transportation network

Goal 3: Connect Transportation Decisions with Land-Use Decisions

- ❖ Integrate land-use planning and transportation planning to manage better and develop the transportation network.
- ❖ Utilize transportation projects to encourage intensive development patterns along significant routes and existing areas of the City.
- ❖ Adopt and implement consistent system policies and maintenance standards
- ❖ Ensure the development of a sustainable transportation system that minimizes environmental impacts

CHAPTER 11: ECONOMIC DEVELOPMENT



Overview

Laurel has two traditional industries that have been the community economic pillars; the railroad and oil refining. These two economic sectors play a significant role in the economy. Still, they have been joined by many other services and businesses that diversify economic opportunity to include retail, education, healthcare, and finance. Laurel has seen a decline in downtown and local businesses as Billings has become more accessible, and online shopping and delivery become more readily used. Large and small communities have been forced to compete more and more for businesses, workers, and growth opportunities in an increasingly connected global economy. It will take significant effort to develop Laurel as a community with a self-contained business ecosystem where local businesses and entrepreneurs and larger statewide and national establishments can thrive.

Laurel's proximity to Billings is a smaller scale example of how different factors impact the local community economy. Laurel has been considered a bedroom community to Billings due to its proximity and number of Laurel residents who commute into Billings. It has also become easier for Laurel residents to travel to Billings for food, shopping, and other services. If it were in any other county in Montana, Laurel would be the center of economic development and business activities.

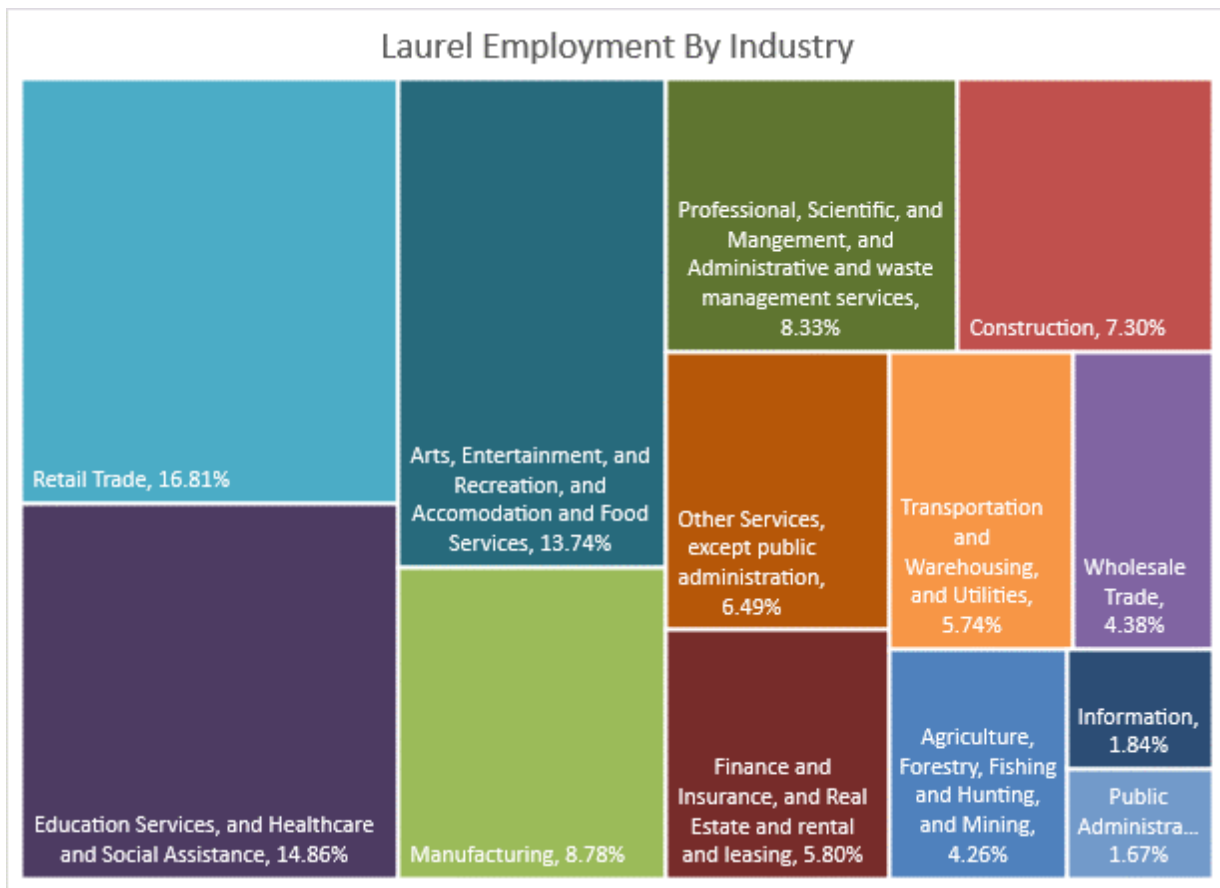
Laurel can still become a community where small businesses thrive, the downtown is healthy, and entrepreneurs take the risk to open a business even with its proximity to Billings. Creating a more attractive and active business community is not an impossible task. Goals have been established to help develop Laurel independently while keeping it connected with Yellowstone County and the Billings area.

Studying and adopting policies to develop downtown Laurel into a destination to live, work, and play can help breathe new life into the community. Focusing on resilient economic growth activities will create both new activity and sustainable, long term economic stability. Increasing Laurel's collaboration and communication with area groups can help connect stakeholders to business funding supports, employment, and training opportunities that would otherwise not be available. Growth is anticipated on the west side of Laurel. It is essential to plan for this growth by studying options for new commercial and industrial properties in priority areas.

The Local Economy

Workers in Laurel are employed in a wide array of industries. The following chart presents a visual representation of the different industries and their percentage in those workforces. A diverse employment base helps to ensure a stable and resilient economy. Improving the City's core sectors while opening up new growth opportunities is an important objective to help keep the local economy healthy.

Several major industries are located directly outside the city limits that have a large impact on the community. These include the MRL railyard and the CHS refinery. These two industries provide many jobs to Laurel residents and those residing within the Laurel planning jurisdiction. These anchor industries provide livelihoods to many Laurel area residents and support other industries and businesses in the Laurel planning area. It will be essential to maintain good relationships with MRL and CHS to coordinate growth efforts and adequately develop the Laurel area.



(2013-2017 American Community Survey 5-Year Estimates)

Economic Development Organizations

Various groups are active in the economic development field in the Laurel and Yellowstone County area. Big Sky Economic Development and Beartooth Resource Conservation & Development serve the Laurel community and have services available for businesses and residents.

These agencies can help leverage funding and access to different state and federal programs to support local economic development efforts.

Laurel Chamber of Commerce

The Laurel Chamber of Commerce provides services to foster a healthy business climate in the Laurel area for business owners, employees, and customers. The Chamber supports and hosts many community events, including farmer's markets, the July 4th Celebration, and the Christmas Stroll. The Chamber has also developed relationships with local organizations and businesses to create a better business climate, a thriving downtown, and improve the community.



Big Sky Economic Development Agency

The official mission statement of Big Sky Economic Development is "... to sustain and grow our region's vibrant economy and outstanding quality of life, by providing leadership and resources for business creation, expansion, retention, new business recruitment, and community development."

Big Sky Economic Development Agency (BSEDA) is the South-Central Montana region's certified economic development authority. BSEDA directly serves a nine-county region, including Petroleum, Wheatland, Golden Valley, Musselshell, Sweetgrass, Stillwater, Yellowstone, Carbon, and Big Horn counties. BSEDA provides services and support for small business development, community development initiatives, federal procurement assistance, tax increment financing assistance, workforce development, veterans business assistance, and business financing.

The City of Laurel Planning Director is currently the Ex-Officio representative for the City of Laurel on BSEDA's Board of directors. The Ex-Officio member represents the interests of the City on the Board and communicates the position of the City to BSEDA's staff and partners.

Beartooth Resource Conservation & Development

Beartooth Resource Conservation & Development, or Beartooth RC&D, began in 1969 as a partnership between the USDA Natural Resource Conservation Service and Carbon and Stillwater Counties to serve that area. Beartooth is now an officially designated Economic Development District and has expanded its support to Sweet Grass, Yellowstone, and Big Horn Counties. Beartooth RC&D provides technical assistance and community development services to groups in the South-Central Montana region.

The overall mission of Beartooth RC&D is to improve local economic and social conditions by focusing on the conservation, utilization, and development of the natural and human resources of the region. The City has begun regular conversations with Beartooth RC&D to coordinate local economic development efforts and be notified of ongoing work in the region. Keeping communication channels open and collaborating on projects will help support Laurel's economic development and the surrounding area.

Economic Development Objectives and Policies and Strategies

Four main goals and related objectives have been established that focus on Economic Development and are as follows:

Goal 1: Develop downtown Laurel as a destination to live, work, and play

- ❖ Institute placemaking projects to further enhance district character
- ❖ Increase live-work opportunities for current and future residents and businesses
- ❖ Apply TIF funding to beautification, blight removal, and public improvement projects
- ❖ Identify and find solutions for unused or underused parcels as candidates for development

Goal 2: Create a resilient local economy

- ❖ Strengthen core businesses and industries through communication and connections with technical support
- ❖ Ensure that local economic activities are inclusive and accessible to all stakeholders
- ❖ Implement policies that create stable and sustainable economic growth
- ❖ Work to highlight the shared benefits of working together as a community with local businesses stakeholders, and developers
- ❖ Provide an economic ecosystem that allows for a wide array of businesses, industries, and developments to thrive
- ❖ Study and implement policies to enhance local business demand and alternative strategies for value creation for the community

Goal 3: Collaborate with area organizations to support economic growth and local employment and training opportunities

- ❖ Communicate with local groups to determine any needs and assistance
- ❖ Create partnerships with local and regional groups to fill local service gaps and create needed programming
- ❖ Take part in events and workshops to support local business initiatives and activities
- ❖ Establish common ground with local and regional groups to provide resources and assistance
- ❖ Connect residents and businesses with like-minded economic, financial, and entrepreneurship resources and opportunities

Goal 4: Study options for new commercial and industrial properties in anticipated high-growth areas

- ❖ Create a Corridor Master Plan for growth in and around the intersection with Old Route 10 and the West Laurel Interchange
- ❖ Study options and determine priorities for the possible establishment of Tax Increment Financing Districts (TIFs) and Targeted Economic Development Districts (TEDDs)
- ❖ Review and pursue opportunities for clustered commercial or industrial parks
- ❖ Develop funding strategies to provide services for priority growth areas.

CHAPTER 12: PUBLIC SERVICES AND FACILITIES

Overview

Municipalities and County Governments provide numerous public services to their residents, businesses, and institutions. Effective public services are vital for a community to thrive. Public services include fire departments, police and sheriff departments, parks and recreation programs, libraries, emergency medical services, public works departments and water and sewer utility systems. Public officials need to take a lead role by planning and implementing expansions and improvements of public services that maintain and improve their community's quality of life.

This chapter presents the array of public services operated by the City of Laurel and Yellowstone County and provides goals and objectives to improve and expand those services to help the community better. A proactive approach to public services can also lead to many benefits as newly established or upgraded services can incentivize new development and growth. Effective public services show prospective residents, business owners, and developers that the municipality and the county is working to provide stable services while addressing future service needs.



City Administration

Laurel City Hall is located at 110 West 1st Street. The City Hall contains offices for the City Clerk-Treasurer, Water Department, Planning Department, and the Public Works Department. The City Hall also contains the City Council Chambers, the Office of the Mayor, City Court, and related administrative archives.

Laurel Police Department

The Laurel Police Department is a full-service department serving the community twenty-four hours a day, seven days a week. The City of Laurel currently has 14 sworn officers employed by the City. Services include patrolling for criminal activities and traffic violations, accident investigation, and misdemeanor and felony crime investigation. The Department's service area is within Laurel's municipal boundaries unless responding as backup to another law enforcement agency in the surrounding area. The Laurel

Police Department works with the Eastern Montana Drug Task Force, (EMDTF) assists the Yellowstone County Sherriff on calls near Laurel, and works closely with the Montana Highway Patrol.

The City of Laurel ensures that its officers are appropriately certified and trained above and beyond the state requirements. Officers must pass a twelve-week introductory police officer course at the Montana Law Enforcement Academy in the state capital of Helena. Furthermore, communication officers must also attend and pass a one-week course for their additional responsibilities. The Laurel Police Department also hosts its introductory reserve course annually for reserve officers.

The Laurel Police Department is currently located in the Fire-Ambulance-Police Building (FAP building). The facility is shared with the Fire Department and Ambulance service. The facility was built in 1976 and has seen several additions and renovations over time. The FAP Building is aging and lacks many facilities that the departments require. The Police Station lacks sufficient office space for its officers, a breakroom, separate locker room facilities for male and female officers, and the radio room lacks adequate fire control due to the space required for department servers. This space also lacks secure vehicle and equipment storage areas. It is essential that the city seek out funding options to improve, expand, and construct new facilities for the Police Department.



The Department is in need of a new facility. Planning should focus on construction of a new Police Station to the West of the City to follow anticipated growth trends. This location is also a security requirement for the Department. A westward location would be upwind from the Railroad lines and Refinery complex which would be secure in the face of any major ecological, chemical, or radiological crisis that might originate at these industrial and shipment points. Major elements for a future Police Station include:

- ❖ DUI Processing Rooms (secure with camera system)
- ❖ Video Security system (specifically for animal storage, inventory, and evidence)
- ❖ Separate Locker Rooms with bathing facilities and adequate locker space
- ❖ Full kitchen/breakroom area
- ❖ Secure and reinforced lobby area and front desk with audio system
- ❖ Evidence storage rooms with processing rooms and secure lockers
- ❖ Storage bays for larger amounts of evidence and vehicles
- ❖ Secure weapons room for ammunition, weaponry, and cleaning supplies
- ❖ Vehicle Storage area for Police vehicles and equipment under cover and secured.
- ❖ Conference room for meetings, presentations, press conferences, and trainings

Department leadership has identified certain staffing needs for the department as Laurel grows. The department needs a second Lieutenant position and a possible Captain position. These command positions would provide more effective leadership for the patrol officers. The Department also plans to add a Parking & Animal Control position in the near future. The department also needs additional civilian positions filled including an additional dispatcher, and an evidence technician and executive assistant to help with day to day duties.

The current policies and procedures for the Department date to 2014 and have not been updated due to a lack of manpower and lack of time. Department leadership has identified the program Lexipol as a vital digital resource that will help to keep the department's policies and procedures up to date. The Department plans to contract with Lexipol to assist with updating policies, training, and overall helping to keep law enforcement agencies current.

Fire Protection and Emergency Medical Services

Laurel Volunteer Fire Department

The Laurel Volunteer Fire Department (LVFD) has served the City of Laurel and the surrounding area since its inception in 1909. The Mission statement of the Laurel Volunteer Fire Department is:

"Laurel Fire Department is committed to serving the City of Laurel, its residents, the surrounding fire districts, and the visitors to our City for any of their emergency fire rescue needs. We will do this through strong dedication and commitment to our community with a long tradition guiding us to what is important."



The LVFD provides full-service fire response service to the City of Laurel, Laurel Airport Authority, Yellowstone Treatment Center, Laurel Urban Fire Service Area, and Fire Districts 5, 7, and 8. These services include structure fires, wildland fires, vehicle fires, industrial hazards, water, ice rescue, vehicle extractions, Hazmat situations, rope rescue, and public service calls.

It has been recognized that the LVFD needs to adapt to the changing nature of fire services. It will be essential to improve the delivery of high-quality services to the community by planning and implementing new policies. The LVFD has begun the development of a "Fire Services Business and Work Plan" that presents information about the Department as well as goals and objectives to improve and expand fire services. Goals presented in the Draft Work Plan include:

- ❖ Finance – Develop avenues of revenue to offset costs for manpower, operations, and equipment replacement
- ❖ Equipment replacement – Develop a schedule for equipment replacement
- ❖ Education – Communicate with city officials on the beneficial aspects of the current LVFD structure
- ❖ Training – Continue and expand training to evolve with ever-changing fire services
- ❖ Communications – Develop communication lines between various groups at Department, local, county, and state levels.
- ❖ Performance Management – Evaluate Department on skills and abilities for career advancement and adjustments to training needs
- ❖ Construction of a New Fire Station – A new station will be necessary to meet a growing community's needs.

Firefighters in Montana are required to complete a minimum of thirty training hours per year. Many of the members of the LVFD regularly complete over 100 hours of training hours per year. Members of the LVFD are allowed to travel to specialized schools and training sessions to learn new information and share it with their fellow firefighters in the Department.

The LVFD is actively involved in the community through events and has held annual events such as Fire Prevention Weeks and Safety Days. The LVFD also manages the fireworks display for the 4th of July celebration. The Laurel 4th of July celebration is well-known throughout the state and brings awareness of the work of the LVFD.

The LVFD is currently set at 45 members to meet current community needs. The Department undertook a reorganization in 2010 to better coordinate efforts. This reorganization allowed the Department to meet any partially paid staff requirements for a department if the City of Laurel met the requirements for a Second-Class city of 7,500 residents or more. The Laurel Volunteer Fire Department has a mutual aid agreement with Yellowstone County Fire Services.

As previously noted, the Department is in the Fire-Ambulance-Police Building (FAP building). This facility has three full bays and an extra half bay for equipment. The LVFD also has access to equipment bays at the Laurel City shops as necessary. It is anticipated that an expansion of the FAP building or the construction of a new facility will be necessary to cover the Laurel community's fire service needs long-term adequately.

Ambulance Service

The primary mission of the City of Laurel Ambulance Service (LAS) is to provide quality pre-hospital emergency medical services and transportation to medical facilities promptly and safely to those residing, visiting, or traveling through the Laurel service area. The Department is a hybrid model, with certain full-time positions and additional volunteers. The Department has a full-time director and five full-time Emergency Medical Technicians (EMTs). LAS staff are trained to provide at least a minimum of Basic Life Support (BLS) assistance. They also have the necessary endorsements from the state to provide other advanced services.

As previously noted, the LAS is located at the Fire-Ambulance-Police building. The FAP building has space for three ambulances, restrooms, a crew lounge, offices, a small kitchen, and storage rooms. The building also has a community meeting room attached. The City needs to consider options for upgrades, expansions, or new facility locations to improve emergency services.

School District

The Laurel School District serves the City of Laurel and the surrounding area. The District instructs 2,100 students in total. The District maintains instructional levels from Kindergarten through twelfth grade (K-12). The grades are grouped as follows:

- ❖ Kindergarten through 4th grade – Elementary School
- ❖ Grades 5 through 8 – Middle School
- ❖ Grades 9 through 12 – High School

The Laurel School District currently operates five school buildings that include:

- ❖ Laurel High School
- ❖ Laurel Middle School
- ❖ Fred W. Graff Elementary
- ❖ South Elementary
- ❖ West Elementary

The Laurel School District's Mission is: "Dedicated to the individual development of each student, every day, without exception." Students are assigned to a classroom or group depending on what will best serve that student. Considerations are made for class size, peer relations, student/teacher relations, and teaching instructional style. The School District also has administrative offices located at the old Laurel Middle School at 410 Colorado Avenue.

The Goals of the Laurel School District are:

- ❖ To deliver a quality educational program that promotes both academic success and the overall development of every student.
- ❖ To meet the needs and skill level of each student.
- ❖ To promote high student expectations, the importance of lifelong learning and creative/critical thinking.
- ❖ To provide the students with a strong desire to learn.
- ❖ To foster self-discovery, self-awareness, and self-discipline.
- ❖ To develop an awareness of and appreciation for cultural diversity.
- ❖ To stimulate intellectual curiosity and growth.
- ❖ To provide fundamental career concepts and skills.
- ❖ To help the student develop sensitivity to others' needs and values and respect for individual and group differences.
- ❖ To be free of any sexual, cultural, ethnic, or religious bias.

The District previously established goals for District growth in a 10-15 Year Master Facility Plan. This plan included developing a new facility for grades 3 through 5 and a transportation facility, the remodeling of existing schools, relocating administrative offices, selling aging district-owned structures, and addressing inadequate learning environments in certain facilities. The District developed these goals to grow with the community and adapt when necessary and will be updating their Master Facility Plan in 2021.

Public Library

The Laurel Public Library was created in 1916 via ordinance and opened to the public on July 18, 1918. The Library was first established at 115 West 1st Street, the site of the current City Hall. The Library relocated to its current facility at 720 West 3rd Street in 1989 after fundraising by volunteers, and the Library Board allowed for the move. The Laurel Public Library serves the citizens that reside within the city limits. Yellowstone County residents are served without cost. Stillwater and Carbon County residents can also apply for and receive a library card. The Library's mission is to provide a "place where community members can grow, teach, and interact in mutual benefit with others."

The current library facility is approximately 6,000 square feet and contains four wings. The Library's clients' general needs are met by the current building, but improvements have been discussed. The Library could be improved by expanding the building to include a storage room, meeting rooms, and small study rooms. The needs of library clients have been growing, and the Library will need to grow with them.

The Library does not have any specific sharing agreements with the ~~Parmlly~~ Library in Billings or other regional libraries. The Library is currently part of the Montana Shared Library Catalog Consortia by agreeing with the Montana State Library. This consortium comprises more than 140 libraries across the state consisting of public, academic, and particular library types.

Yellowstone County Sheriff's Office

The mission of the Yellowstone County Sheriff's Office is to maintain and improve the quality-of-life within the community by working with all people to preserve life, maintain human rights, protect property, and promote individual responsibility and community commitment.

The Sheriff's department covers the entire county and is the sole operator of the county's only detention facility. The sheriff's department provides law enforcement within the planning jurisdiction around Laurel and coordinates law enforcement activities with the Laurel Police Department.

The Yellowstone County detention facility is in Billings Montana and serves as the only detention facility for inmates from the local community as well as a detention facility for state and federal inmates while they are being processed through the court system. The detention facility is overcapacity most of the time and the county is currently focused on ways to improve the detention facility and plan for expansion as the population in Yellowstone County continues to increase.

Yellowstone County Public Works Department

This department is comprised of four divisions: The Administration Division, the Road and Bridge Division, the Junk Vehicle Division, and the Noxious Weed Division.

The mission of the Yellowstone County Public Works Department is to manage the county's transportation infrastructure, junk vehicle disposal, and noxious weed control in the most cost-effective manner possible.

The Public Works Department is managed by a director who is appointed by and reports to the Yellowstone County Board of Commissioners. The Director is responsible for all operations, programs, and services provided by the department.

Yellowstone County GIS Department

This department maintains a computer system designed for storing, manipulating, analyzing, and displaying data in a geographic context. The GIS department provides the ability to assist in the decision-making process by providing an additional tool to analyze and compare numerous geographic data layers along with traditional databases.

The GIS department provides an interactive way to find information about Yellowstone County. Information about Floodplain, Public Works, School, Sheriff, Zoning, Elections, Levy Districts, and Emergency and Cemeteries are displayed as layers that can be turned on/off, queried, and identified by using a click of your mouse on the map.

Yellowstone County Disaster and Emergency Services Department

The DES department or emergency management is an integrated effort to prevent- or minimize the seriousness of emergencies and disasters and to plan and coordinate the community's response to them should they occur. It requires establishing partnerships among professional emergency management

personnel to prevent, respond to, and recover from disasters. This department is responsible for an emergency management program, and continual improvement saves lives and reduces losses from disasters.

Yellowstone County Clerk and Recorders Office

The Clerk and Recorder is an elected county official established by the Constitution of Montana. Statutory authority establishes the duties as providing the primary administrative function for recording and maintaining the majority of all the legal documents relating to real estate records, land descriptions, county birth and death records and the records of the Board of County Commissioners. The first Yellowstone County Clerk and Recorder took office on February 2, 1883. Currently the office records an average of about 200 documents per day.

The types of documents that are maintained in the Clerk's office include:

- Deeds
- Mortgages
- Liens
- Powers of Attorney
- Homestead Declarations
- Subdivision Plats
- Certificate of Survey
- Military Discharge
- Federal Income Tax Liens

Yellowstone County Elections Office

The Election Department administers the maintenance of the voter registration files, candidate filings and all aspects of the election process. Additionally, information is available concerning upcoming election dates, polling places and the results of current elections. Of primary emphasis and concern is making voter registration and the process of voting as simple and accessible as possible.

Voter registration cards will be mailed out if requested, can be downloaded from this the Yellowstone County website, or completed in the office. Cards are also available in the telephone book, Montana tax booklets and state agencies. Absentee ballot requests can also be mailed out upon request or downloaded and upon our receipt of this signed document a ballot will be mailed to the elector.

Public Services and Facilities Goals and Objectives

Effective and efficient public services are a necessity for existing and prospective residents, developers, and businesses. Above all, public facilities and services must be accessible, helpful, and dependable for everyone residing, working, and visiting the City and County. City Departmental staff should identify the current gaps and projected needs of public facilities as the City and County experiences growth. It is vital to work with public stakeholders and departments to ensure input and projects positively impact the whole population. Providing consistent and stable service delivery is paramount.

Goal 1: Provide consistent and high-quality public services to the community

- ❖ Develop standard operating procedures to ensure consistency for city and county departments
- ❖ Develop maintenance procedures for parks, facilities, and public areas.
- ❖ Study current facilities and services to identify gaps and determine projected needs in services

Goal 2: Respond to the changing nature of the community

- ❖ Plan for the expansion of public facilities in priority growth areas
- ❖ Invest in public facilities that are accessible to everyone in the community
- ❖ Study how to improve city services to boost the quality of life for residents, businesses, and institutions

Goal 3: Work with city /county departments and local stakeholders to determine the priority expansion of public facilities and services

- ❖ Open lines of communication between city/county departments and local stakeholders to gather input on major projects
- ❖ Consider the public service requirements of large-scale projects before their approval and implementation
- ❖ Develop plans for the expansion of Fire, Police Law Enforcement, and EMS facilities

CHAPTER 13: RECREATION PLAN

Overview

Access to recreational opportunities and parkland is a critical component of quality of life for communities, especially Montana communities. The parks and public areas owned and maintained by the City of Laurel are assets to local and area residents. Access to walking, biking, hiking, and other local amenities help boost residents' and visitors' quality of life. Many cities and towns have begun establishing greenways and trails to connect parks and open spaces with local neighborhoods. Incorporating these into Laurel planning and development strategies can help enhance livability and help residents be healthier and more active.

The City should consider developing a vision for the Laurel parks system that would establish priorities for park funding and placement of parks that would be most useful for residents. Creating a connected park and trail system would enable residents to enjoy more parts of Laurel and the surrounding area.



Many of Laurel's parks are very small, with some located at less than ideal or fully accessible locations. Parkland must be a fully useable amenity for residents. Parks should be developed and improved to act as neighborhood focal points. The City should also study underutilized or burdensome parkland parcels and consider reuse scenarios.

Repurposing vacant or underused land as parks and trails can create many added benefits for a community. Downtown Laurel currently has large areas of vacant land owned by the BNSF Railroad and leased by MRL. Studying options for low impact reuse of this land as parkland or greenways could enliven downtown by activating the south side of Main Street, creating more opportunities for residents to spend time downtown, and creating more public space for events or gatherings.

Riverside Park has been a staple of the community for almost one hundred years. The Riverside Park Master Plan was developed in 2018 to provide a blueprint for improvements and the park's use. It will be essential to continue the ongoing improvement efforts detailed in that plan and develop policies to attract Yellowstone County and beyond. Riverside Park should be maintained as a historical, recreational, and economic asset in the future.

City Parks

There are many public parks throughout the City of Laurel. Some of the larger, more established parks are listed below. There are also many smaller unnamed parks throughout the city.

- ❖ Thomson Park
- ❖ Russell Park
- ❖ Nutting Park
- ❖ Kiwanis Park
- ❖ Murray Park
- ❖ South Pond
- ❖ Riverside Park
- ❖ Lions Park
- ❖ MT State Firefighters Memorial Park

Yellowstone County Parks

The County has many parks in the Laurel Yellowstone City County Planning jurisdiction. Most of these parks are the result of subdivisions of land that required parkland dedication as part of the subdivision process. Many of these parks are not developed or are underdeveloped. Yellowstone County has a parks board that advises the County Board of Commissioners on park planning and implementation of park improvements.

Parks Funding, Governance, and Operations

The City of Laurel Public Works Department is responsible for maintaining and improving park facilities. Public Works provides staff time and funding toward the upkeep of park facilities. The City of Laurel Park Board comprises volunteers who provide oversight and input on park operations, maintenance, and activities.

Riverside Park is an essential historic asset for the city, the region, and Montana. Many private and public groups are active in this park's historic preservation, including the Yellowstone Historic Preservation Board that helps to support preservation and improvement efforts in Riverside Park.

Community Sponsored Events

Community sponsored events are an effective way to get residents outside, engaged with nature, and connected to their community. Laurel has a history of hosting popular events that get people outside and active. City staff and local stakeholders should continue to work together to promote outdoor events to encourage people to be more active in the community.

Laurel hosts several events throughout the year. The July 4th festivities include the Chief Joseph Run, pancake breakfast, parade, and fireworks celebration. Laurel also hosts an annual Christmas tree lighting event downtown, farmer's markets, and other seasonal events throughout the year.

The city's parks are a focal point for residents and visitors. They represent an important asset that makes Laurel a better place to live. City staff should partner with local groups to support community

events and create more opportunities for recreational activities and outdoor enjoyment in the city's neighborhood parks.

Recreation Objectives and Policies and Strategies

Goal 1: Develop parkland as an essential and enjoyable amenity for residents

- ❖ Ensure new developments have appropriate park space for recreation and general use
- ❖ Study how existing parks can be improved through new facilities, changed layouts, or additions
- ❖ Review current park infrastructure and determine if improvements are necessary to serve the needs of the surrounding area better

Goal 2: Promote Riverside Park as a vital historic, civic, and recreation resource for residents and visitors

- ❖ Adhere to the projects and strategies presented in the 2018 Riverside Park Master Plan
- ❖ Seek grant funding for structural and site improvements
- ❖ Develop historic markers for Riverside Park and its historic structures
- ❖ Study options for connecting Riverside Park to the city proper through infrastructure improvements, civic engagement, or other means
- ❖ Establish signage and marketing for the assets and resources of Riverside Park to area residents and visitors

Goal 3: Create an interconnected system of parks, greenspace, and trails that are accessible to all

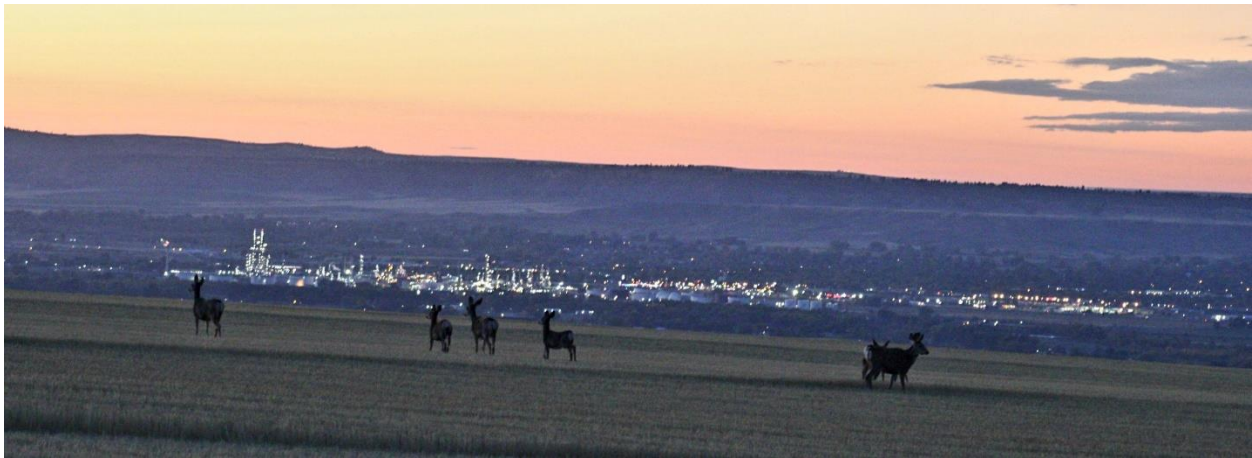
- ❖ Create a city-wide Park System Master Plan to develop project priorities
- ❖ Consider the creation of a City Parks Department to oversee park operations and maintenance
- ❖ Identify unused land that can be transformed into green space or trails for use by the public
- ❖ Update the zoning and development codes to encourage the creation of bicycle and pedestrian trail corridors

CHAPTER 14: NATURAL RESOURCES

Overview

The Laurel planning jurisdiction contains a variety of terrains and environments. The city itself is urbanized and is surrounded by several residential subdivisions. A variety of farmland, grazing land, riverine areas, and wetlands surround the city and make up much of the planning area. Laurel's natural features pose unique opportunities and challenges that should be considered when planning for growth.

The natural environment should be preserved and enhanced to balance environmental sustainability with economic growth, recreational opportunities, and development. Natural resources and the natural environment can be balanced with growth activities to provide social, economic, and community benefits to people over time while continuing their natural functions. The proximity to natural areas such as parks, trails, and other open spaces is an essential variable for many people as they choose where to live and work.



The Laurel area is an interconnected network of land and water resources that contribute to the community's health, economic well-being, and quality of life. This network of natural resources requires investment and maintenance, just like roads and utility systems. Creating a balance of conservation, management, and growth can reward a community with excellent benefits, including increased quality of life, longer-lasting infrastructure, and improved property values.

Groundwater Resources

Groundwater quality and quantity will become a growing concern as Laurel and the surrounding area develops. Traditional modes of living will shift because of groundwater issues. The direct impact of development in the area will be a reduction of groundwater recharge capacity. Groundwater recharge has averaged 8.2 inches per year but depends on the specific land use and soil type. The planning area contains relatively thin alluvial gravel deposits of groundwater. The average saturated thickness of local aquifers is fifteen feet, with the thinnest saturated zones occurring along cliffs and bluffs and the Yellowstone River's channel.

Wildlife Habitat

Rivers, Streams, and Lakes

It is important to recognize the Yellowstone River as a critical asset to Laurel. The Yellowstone River provides a stable water source for the city and recreational opportunities and riverine wildlife habitat. Maintaining the Yellowstone River as a resource is a complex job that includes managing the river ecosystem, monitoring historic water rights, and considering the local community's needs for economic and residential uses.

There are also many year-round and seasonal drainage and irrigation ditches that carry water through the city. These ditches include the Nutting Drain Ditch, Big Ditch, High Ditch, and Cove Ditch. Flooding is known to occur intermittently near the ditches. High water levels on properties near the ditches are a concern for property owners seeking to develop their property.



Floodplains

A floodplain is an area of land adjacent to a stream, river, or other water sources that stretches from the banks or boundaries of its channel to the base of higher elevation terrain that experiences flooding during high discharge rainfall periods. Floodplains are natural drainage basins for the discharge of heavy precipitation. The Yellowstone River exhibits vast floodplains and variations in flow due to terrain. Flow rates are dependent upon the season and the amount of rain and snowmelt. Flows are usually at their highest during the spring months and into early summer.

The Federal Emergency Management Agency (FEMA) utilizes the 100-year floodplain boundaries as the standard measurement for floodplain regulation. The 100-year floodplain is the area that has a one percent chance of flooding each year from a specific water source. The federal government expects municipalities and counties to take a proactive approach to flood damage prevention. Laurel has had an established Flood Insurance Rate Map (FIRM) since 1982. This map was most recently updated in November of 2013.

Most of the Laurel planning area is outside the 100-year floodplain. The areas within the 100-year floodplain include many properties directly abutting the Yellowstone River and its tributaries, some irrigation and stormwater ditches running through the city, and portions of downtown Laurel along Main Street as well as directly adjacent side streets. Laurel's Riverside Park is also within the floodplain.

Wetlands

Wetlands are ecosystems that are flooded by water permanently or seasonally. Wetlands have unique vegetation, wildlife, and hydric soils.

Wetlands near Laurel include riparian areas along the Yellowstone and Clark's Fork Rivers, marshes, spring seeps, and prairie potholes. Wetlands have historically been obstacles and have been removed whenever possible. Much of Laurel and the surrounding area suffers from high groundwater. Close attention must be paid to high groundwater and its impacts on public utilities such as water lines, sewer lines, and stormwater drainage systems. It is vital to understand wetlands and their traditional role in the environment to better plan for growth and development.

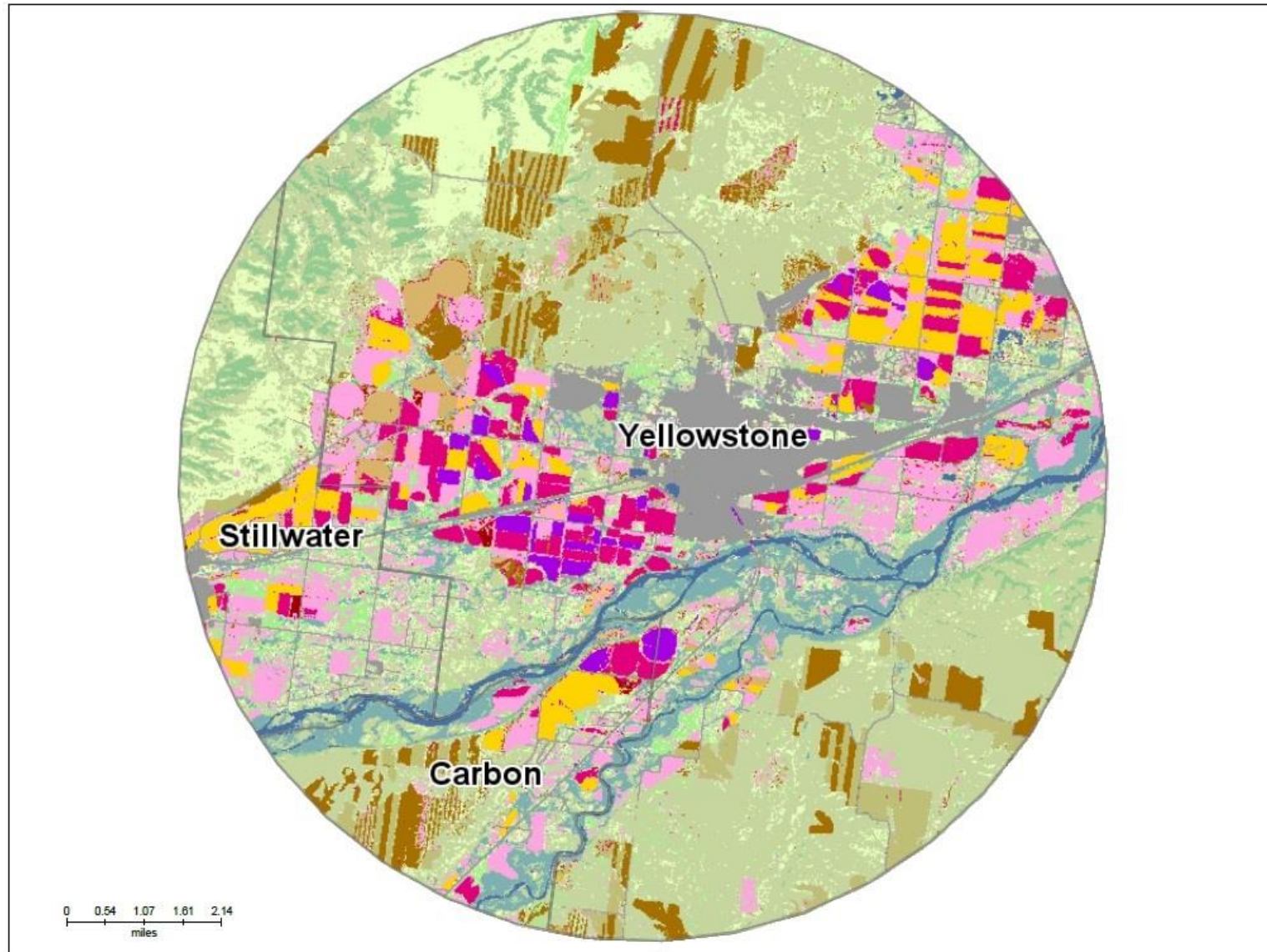
Agricultural Land

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) defines prime farmland as land with the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops. These crops also have the soil quality, growing season, and moisture supply needed to produce economically sustained high crop yields when managed appropriately.



Laurel and Yellowstone County have been home to agricultural farms and ranches since the beginning of European settlement in the area. There a vast amount of agricultural farmland within the Laurel planning jurisdiction itself. The map below presents the varieties of crops in the Laurel planning area.

Laurel - Crop Data



Land Cover Categories
(by decreasing acreage)

AGRICULTURE*

- Grass/Pasture
- Alfalfa
- Fallow/Idle Cropland
- Other Hay/Non Alfalfa
- Winter Wheat
- Barley
- Corn
- Spring Wheat
- Sugarbeets
- Dry Beans
- Triticale
- Peas
- Safflower
- Oats
- Flaxseed
- Canola

NON-AGRICULTURE**

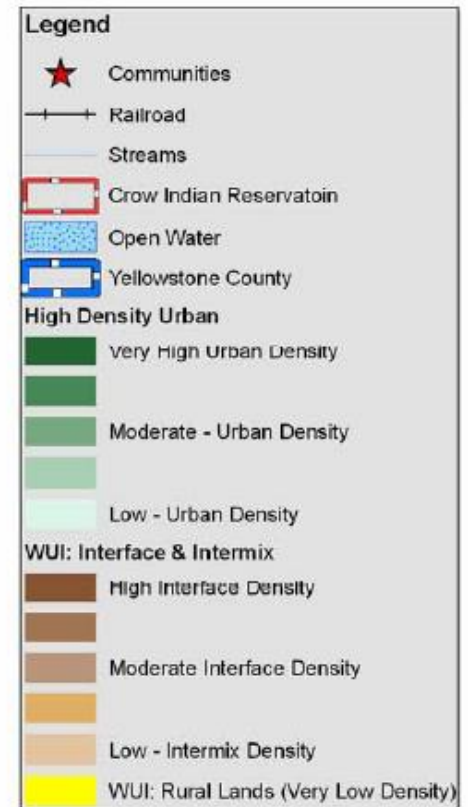
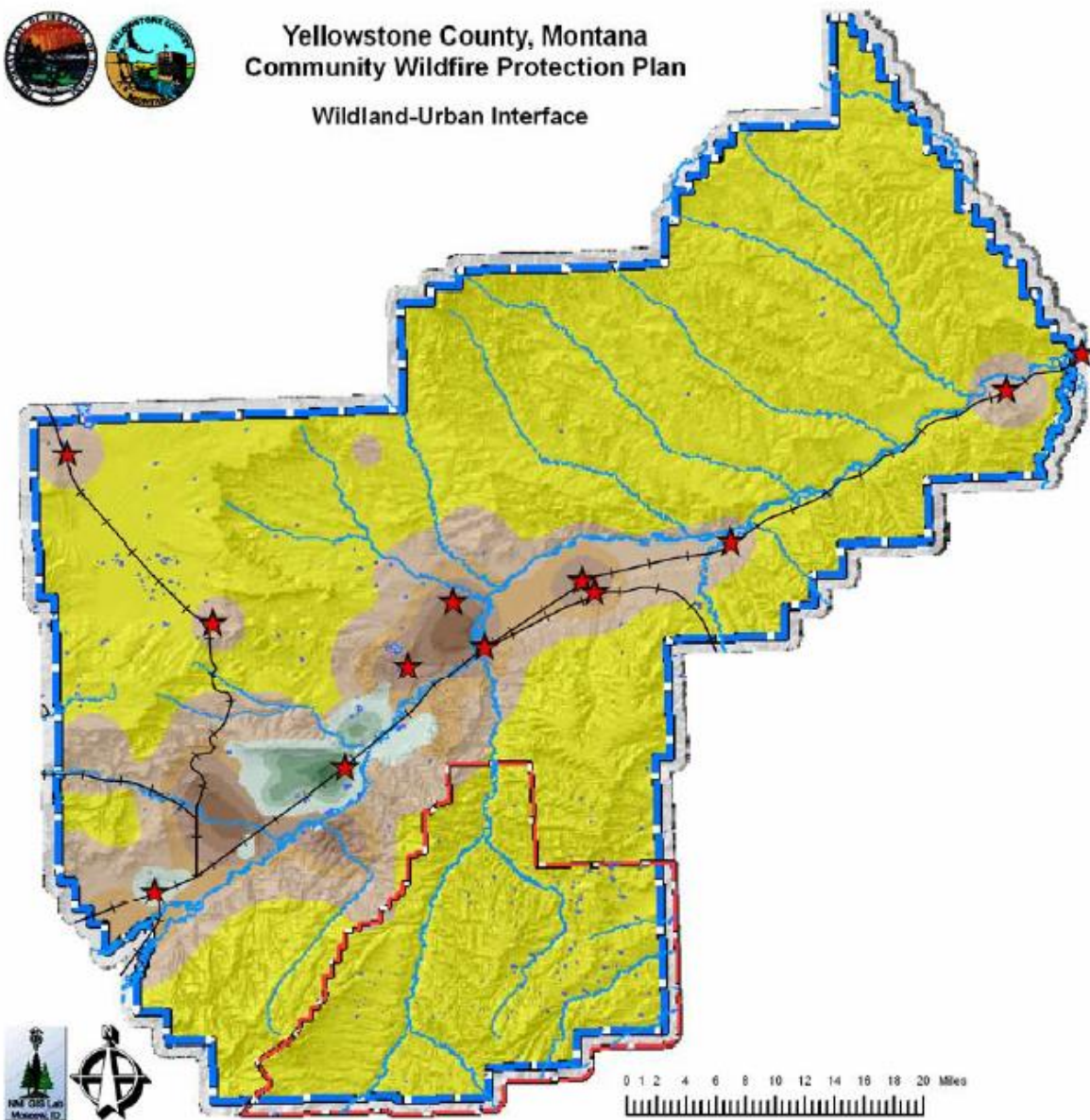
- Shrubland
- Woody Wetlands
- Evergreen Forest
- Developed/Low Intensity
- Developed/Open Space
- Herbaceous Wetlands

Wildland-Urban Interface and Significant Infrastructure



Yellowstone County, Montana
Community Wildfire Protection Plan

Wildland-Urban Interface



Wildland-Urban Interface

Laurel was part of the planning process for the Community Wildfire Protection Plan in 2006. A Wildland-Urban Interface (WUI) map was prepared as a part of this process. The planning process's goal was to improve fire prevention, reduce hazardous fuels, restore, fire-adapted ecosystems, and promote community assistance.

Yellowstone County has a diverse ecosystem with an array of vegetation that has developed with, and adapted to, fire as a natural disturbance. Decades of wildland fire suppression and long-standing land-use practices have altered the plant community. They have resulted in dramatic shifts in the types of fires and local species composition. Rangelands and farmland in Yellowstone County have become more susceptible to large-scale, high-intensity fires that threaten life, property, and natural resources because of these long-term practices.

Floodplain

Floodplain – The area of the Regulated Flood Hazard Area including and adjoining the watercourse or drainway that would be covered by the floodwater of a Base Flood. The area is partitioned into a Flood Fringe and Floodway where specifically designated. See Regulated Flood Hazard Area.

Floodway – The identified portion of the Floodplain of the Regulated Flood Hazard Area that is the channel and the area adjoining the channel that is reasonably required to carry the discharge of the Base Flood without cumulatively increasing the water surface by more than one half foot.

Regulated Flood Hazard Area – A Floodplain whose limits have been designated pursuant to Part 2, Chapter 5 of Title 76, MCA, and is determined to be the area adjoining the watercourse that would be covered by the floodwater of a Base Flood. The Regulated Flood Hazard Area consists of the Floodway and Flood Fringe where specifically designated.

The purpose of Floodplain Hazard Management Regulations is to promote public health, safety and general welfare of the residents and minimize public and private losses due to flood conditions in Regulated Flood Hazard Areas. These Regulations are intended to:

- Protect human life and health.
- Minimize expenditure of public money for costly flood control projects;
- Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- Minimize prolonged business and public service interruptions.
- Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges;
- Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood disruptions; and to

- Ensure compliance with the minimum standards for the continued participation in the National Flood Insurance Program for the benefit of the residents.

The Regulated Flood Hazard Area includes areas specifically identified, labeled and illustrated on maps such as Floodplain, Floodway, or Flood Fringe that have differing uses allowed and minimum building standards that apply. The Regulated Flood Hazard Area is the geographic area inundated by the Flood of 100-year Frequency illustrated and depicted in the referenced studies and maps.

The Regulated Flood Hazard Area supporting study and maps illustrating the regulatory area are based on studies and maps that have been specifically adopted pursuant to 76-5-201et.seq. The maps and accompanying study become the Regulated Flood Hazard Area only when formally adopted by DNRC and subsequently by the political subdivision by these regulations. The original source of studies and data may be from a Flood Insurance Study by FEMA, or other studies by Corps of Engineers, Soil Conservation, United States Geological Service or other federal or state agency.

Within the Regulated Flood Hazard Area, subdivisions including new or expansion of existing manufactured home parks, must be designed to meet the following criteria:

- The Base Flood Elevations and boundary of the Regulated Flood Hazard area must be determined and considered during lot layout and building location design;
- Locations for future structures and development must be reasonably safe from flooding;
- Adequate surface water drainage must be provided to reduce exposure to flood hazards;
- Public utilities and facilities such as sewer, gas, electrical and water systems must be located and constructed to minimize or eliminate flood damage; and
- Floodplain permits must be obtained according to these regulations before development occurs that is within the Regulated Flood Hazard Area.

Natural Resource Goals and Objectives

Goal 1: Protect Laurel's natural resources and traditional environment

- ❖ Provide options for landowners for conserving portions of their land while developing others
- ❖ Achieve a balanced pattern of growth to ensure environmental concerns are considered during the development
- ❖ Manage the local water resources as a healthy, integrated system that provides long-term benefits from enhanced environmental quality

Goal 2: Incorporate sustainable development patterns in the Laurel subdivision and land use codes

- ❖ Review and update existing zoning and subdivision regulations to ensure environmental preservation and conservation are addressed
- ❖ Review and update landscaping ordinances as needed to best suit Laurel's natural environment

- ❖ Manage rivers, floodplains, wetlands, and other water resources for multiple uses, including flood and erosion protection, wildlife habitat, recreational use, open space, and water supply

Goal 3: Connect with local, regional, and state agencies and stakeholders to improve the natural environment in and around Laurel

- ❖ Sponsor environmental cleanup and rehabilitation programs that include the City, school district, community organizations, and residents
- ❖ Participate in regional watershed studies to achieve adequate long-term flood protection
- ❖ Explore the possibility of creating a conservation corridor along the Yellowstone River

CHAPTER 15: GROWTH POLICY IMPLEMENTATION

Overview

The 2020 Laurel Growth Policy is a significant upgrade of the existing Growth Management Plan. The previous Growth Management Plan provided very useful information regarding existing community characteristics as well as trends that had future implications for the community, but it did not provide specific recommendations regarding how the community might best address existing and emerging issues.

The content of this chapter is critical to compliance with state law and provides necessary details for the Laurel community to be eligible for various funding programs and resources. The chapter is organized into two primary sections as follows:

1. Section 1: Identification of tools available to Montana cities to help implement the growth policy; and
2. Section 2: Fulfills a specific requirement in Montana State Law requiring growth policies to evaluate jurisdictional subdivision regulations in the following three ways:
 - a. Identification of how local government defines various impact assessments as specified in the law
 - b. Addressing how public hearings for proposed subdivisions will be conducted, and
 - c. Addressing how the local government will make decisions with respect to various impact assessments

In addition, the second section identifies specific objectives, policies, and strategies for six planning topic areas which are also outlined throughout the Growth Policy text:

- ❖ Land Use
- ❖ Housing
- ❖ Infrastructure
- ❖ Economic Development
- ❖ Public Facilities and Services
- ❖ Intergovernmental Coordination

In some cases, the topic areas identify specific resources and programs that are available to help implement strategies identified for each topic area. Objectives are also listed, and for each identified objective, there are recommended implementation measures. The implementation measures are either recommended policies or strategies. Recommended policies reflect the intent of how a governing body might address a planning topic or issue through policy. Strategies reflect a specific course of action that a governing body might utilize to address a specific planning topic or issue.

Implementation Tools

This section identifies several types of Growth Policy implementation tools. Generally, there are five types of tools at a local government's disposal to help implement a growth policy. They include:

- ❖ **Regulations:** Regulations are generally outlined and authorized by Montana Code Annotated (MCA) and adopted into law by local government.

- ❖ **Policies:** The Growth Policy and other adopted plans contain policies that express the community’s interest in pursuing a course of action on topics and issues. Unlike regulations, local government has discretion in the implementation of policies.
- ❖ **Government Finance:** Government finance tools represent the community’s financial commitment to fund the implementation of policies and strategies outlined in the Growth Policy.
- ❖ **Education:** Educational tools, such as the growth policy itself, include several activities that inform the public, appointed officials and elected officials that facilitate effective decision making.
- ❖ **Coordination:** Coordination tools are voluntary measures in the local government or between a local government and other local, state and federal government or agency that result in more efficient and effective delivery of services or a shared response to a common concern.

A discussion of each of the types of growth policy implementation tools is provided below. The tools described are not all inclusive but rather are intended to provide examples of tools that are commonly used by communities in Montana. Several of the tools are already being utilized by the City of Laurel. The tools not in use may be considered as additional means to advance the implementation of the Growth Policy.

Regulatory Tools

Subdivision Regulations

MCA requires counties to adopt subdivision regulations that comply with the Montana Subdivision and Platting Act. Subdivision regulations control the creation or modification of the division of land into new parcels or tracts. They also control the design of subdivisions and provide standards for adequate provision of infrastructure without adversely impacting public services and natural resources.

The City of Laurel has adopted subdivision regulations that are enforced in the City or on lands proposed for annexation into the City. Subdivision regulations will need to be updated to be consistent with this Growth Policy and must include any amendments made during the 2020 Montana Legislative session.

Zoning Regulations

Zoning regulations are a common regulatory tool to control land use. One of the primary purposes of zoning regulations is to minimize land use incompatibility. Zoning regulations also establish standards that limit the density or intensity of development as well as other characteristics of development such as off-street parking, signs, lighting, site layout, etc. Zoning regulations are supplements to a zoning map that establishes zoning districts in the jurisdiction. The zoning map provides the means to separate incompatible land uses and zoning regulations mitigate potential land use incompatibilities at the boundaries separating different zoning districts.

The City of Laurel adopted zoning regulations in 2001. Over the years, several amendments have been made. The city is in the process of reviewing a comprehensive update to the zoning regulations as prepared by their planning consultant. ~~Pursuant to MCA, the City of Laurel can establish extraterritorial zoning jurisdiction up to one mile beyond the city limits if Yellowstone County and the city create the extraterritorial area and provide for joint administration.~~

The area around the City of Laurel’s city limits was previously believed to an extra-territorial zoning jurisdiction up until recently when state statues were reviewed and it was discovered that MCA 76-2-310 does not give the City of Laurel the right to adopt extra-territorial zoning beyond municipal boundaries.

MCA 76-2-310 states “Extension of municipal zoning and subdivision regulations beyond municipal boundaries. (1) Except as provided in 76-2-312 and except in locations where a county has adopted zoning or subdivision regulations, a city or town council or other legislative body that has adopted a growth policy pursuant to chapter 1 for the area affected by the regulations may extend the application of its zoning or subdivision regulations beyond its limits in any direction subject to the following limits:

- (a) up to 3 miles beyond the limits of a city of the first class as defined in 7-1-4111;
- (b) up to 2 miles beyond the limits of a city of the second class; and
- (c) up to 1 mile beyond the limits of a city or town of the third class

Yellowstone County has adopted subdivision regulations for the planning jurisdiction around Laurel city limits and therefore the City cannot extend it’s zoning regulations beyond it’s municipal boundaries. Yellowstone County has enforced the adopted subdivision regulations for lands outside the City of Laurel limits and has historically approved or denied the subdivision of land in the area surrounding the City of Laurel.

Design Standards

Design standards are most often contained within zoning regulations but can also be established in subdivision regulations. The purpose of design standards is to enhance the appearance and functionality of a development. Overly restrictive design standards can impede development. If properly crafted, design standards can significantly enhance the built environment without placing undue burdens on a developer.

Floodplain Regulations

Floodplain regulations are intended to regulate the use of land located within an officially designated 100-year floodplain in order to protect buildings and occupants from the risks associated with flooding. Floodplain provisions are contained in the subdivision regulations. Some communities choose to participate in the National Flood Insurance Program Community Rating System (CRS). CRS is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. Any community in compliance with the minimum requirements of NFIP may participate. Participation in the CRS results in discounted premiums for flood insurance policy holders; between 5 to 45 percent depending on the rating of proposed floodplain management activities, reducing the likelihood or magnitude of damage resulting from a flood.

Zoning Compliance Permits

Zoning compliance permits ensure that development activities comply with zoning regulations. The City of Laurel requires the issuance of zoning compliance permits for most types of improvements to private property.

Building Permits

Building permits are utilized to ensure that construction of buildings follows the State of Montana Building Code. Building permits are required for all buildings over two hundred (200) square feet. Most

residential building permits are issued by the City Building Inspector but permits for commercial or residential buildings with five or more dwelling units are issued by the State.

Policy Tools

Neighborhood or Area Plans

The Growth Policy can be further implemented by more detailed neighborhood or area plans. With the adoption of the Growth Policy, plans may be prepared that provide a greater level of detail for specific areas or issues as the City finds need.

Annexation Policy

A city expands its boundaries and its jurisdictional authority through the process of annexation. There are six different methods for annexation authorized by state statute (Parts 42 through 46 of Title 7, Chapter 2, MCA). Part 46 authorizes an annexation resulting from a petition from private property owners.

Cities use two tools to facilitate and guide future annexations. The first is a “Limits of Annexation” map that delineates the areas surrounding the city that can be reasonably supported by urban services and infrastructure. The map is prepared in coordination with the preparation of a capital improvements plan. The second is the use of annexation agreements. Entering into an annexation agreement with a property owner prior to the submission of development plans gives a local jurisdiction the opportunity to assign infrastructure and other costs associated with development of the annexed property.

Urban Planning Area

Urban planning areas are different than Extra Territorial/City-County Planning areas. An Urban Planning Area focuses on extension of infrastructure over a portion of the City-County Planning Jurisdiction and typically for a shorter time horizon than the jurisdictional area associated with the City-County Planning Jurisdiction.

Designation of an urban planning area is utilized for the extension of urban services as a jurisdiction grows. It delineates the geographic extent of how far outside the city limits the jurisdiction is prepared to extend urban services within a 10-year planning horizon. This is often accomplished by establishing an urban service area boundary beyond the city limits. The urban service area boundary is established in coordination with planned growth areas identified in the Growth Policy as well as the city’s capital improvement plan. This tool helps a city plan for future growth outside the city limits and puts property owners outside the city limits on notice of what areas will and will not be supported by the extension of urban services.

Urban Renewal Districts

The establishment of urban renewal districts facilitates redevelopment of specifically selected areas in the city. Title 7, Chapter 15, Part 42 of the MCA gives municipalities authority to establish urban renewal districts in areas that meet the statutory definition of “blighted” areas and authorizes the municipality to expend funds in the area to stimulate private investment.

Tax increment finance (TIF) districts are often used to recapture the city’s expenditure of funds for public improvements in the redevelopment area. TIF districts use the incremental increase in tax collections as blighted areas are redeveloped or other improvements are made to properties within the district. It is this increment that is used to retire debt to install the additional or new capital infrastructure.

Municipalities are required to prepare and adopt an urban renewal plan prior to establishing an urban renewal district. For more information see the TIF Section under Government Finance Tools.

Government Finance Tools

Capital Improvement Programs

City and county governments often program capital improvements on an annual basis. This is a reasonable practice for communities experiencing minimal or no growth activity. However, the use of a multi-year capital improvement program is an important tool to plan for public expenditures when communities are experiencing or anticipating high levels of growth. In such cases, a local government may establish a five-year capital improvement program. As noted above, a multi-year capital improvement program can support the establishment of urban service areas and facilitate negotiation of an annexation agreement.

Fee Incentives

The reduction or full waiver of municipal fees can be utilized to support implementation of specific growth policy goals and objectives. Often the financial incentive is used to support affordable housing or redevelopment projects. The tool can also be used to support specific economic development policy.

Impact Fees

An impact fee is a charge on development assessed at the building permit or zoning compliance permit stage of a project to assist the funding of new or expanded facilities that are needed to accommodate the development. Impact fees are used by communities anticipating or experiencing high levels of growth and are intended to maintain existing or minimum levels of service with minimal costs to existing property owners.

Impact fees can be assessed for a wide range of community services including but not limited to public safety (EMS, police and fire), public works (sewer, water, transportation and drainage facilities), recreation, libraries, etc. Citizens who are assessed impact fees need to receive benefit from impact fee expenditures within a reasonable period, which most often is five years.

Local Government Owned Land

Land that is owned by local government, including school districts, is a valuable resource that can be used to implement growth policy goals and objectives. Undeveloped public land may be used to financially leverage private development that meets a community's high demand need. By reducing or eliminating land acquisition costs the jurisdiction provides a significant financial incentive to facilitate development that supports the implementation of land use, housing or economic development policy. When this implementation tool is used the local government should consider entering into a development agreement to ensure the developer provides the desired outcome.

Tax Increment Financing (TIF)

Tax Increment Financing (TIF) was first authorized by the Montana legislature in 1974. It is a locally-driven funding mechanism that allows cities and counties to direct property tax dollars that accrue from new development, within a specifically designed district, to community and economic development activities within that district. It is intended as a tool that can encourage and support investment in areas where growth has been hindered by a lack of infrastructure and/or the presence of blight.

TIF does not increase property taxes for individuals and businesses located within a designated district. It only affects the way that taxes are distributed after they have been collected. A base taxable value is determined upon the establishment of a TIF district, and any additional tax revenue that accrues due to new development over a specified time frame is used to finance a variety of district improvements.

Eligible improvement activities include:

- ❖ Land acquisition
- ❖ Rehabilitation and renovation
- ❖ Demolition and removal of structures
- ❖ Planning, marketing, and analysis
- ❖ General redevelopment activities
- ❖ Constructing, improving, and connecting to infrastructure

Education Tools

Planning Studies and Data Collection

The Growth Policy provides significant information and data on the community's various characteristics. It also provides an extensive list of policies and strategies to implement growth policy objectives. In most cases the information and data contained in the growth policy will be enough to justify and implement the policies and strategies.

However, there may be cases where the community will need to conduct more detailed follow-up planning studies and collect additional information to support an implementation activity. Establishing impact fees or urban renewal districts are examples of implementation measures requiring additional study. As discussed below, ongoing collection of data will support Growth Policy monitoring.

Growth Policy Monitoring

The recommended policies and strategies contained in the Growth Policy are based on an assessment of current information and data. Policies and strategies remain relevant so long as conditions in the community are aligned with current trends. However, unanticipated circumstances or opportunities are likely to arise that will warrant a re-evaluation of policies or strategies whether they have been implemented or not. To support a re-evaluation of policies or strategies, data that is applicable to planning topics should be collected and reported on an annual basis. This data will, in effect, provide community indicator information allowing the community to identify the emergence of new trends.

It is recommended that the City consider preparation of an annual community indicator report that can be used to support an evaluation of the level of success in achieving community goals and objectives, and an assessment of the need to implement or revise selected policies and strategies contained in the Growth Policy. Annual community Indicator reports also provide valuation information that can be used in the next update of the Growth Policy. The reports can also be used to justify need when requests for outside funding are made.

Community indicator reports should provide information that can be compared to information contained in the Growth Policy, so change can be measured. Annual community indicator reports should include, but are not limited to an assessment and review of the following information:

- ❖ Building permits for new housing
- ❖ Volume of sales of residential property (Laurel Real Estate MLS Service)
- ❖ Crime statistics (Laurel Police Department)
- ❖ Client caseloads for senior citizen programs (Yellowstone County Council on Aging)

- ❖ Number and type of new or expanded businesses
- ❖ Number and type of new jobs created (Montana Department of Labor and Industry)
- ❖ Tax revenue
- ❖ School enrollment
- ❖ Levels of participation in recreational programs
- ❖ Remaining capacity of sewer treatment facilities
- ❖ Remaining capacity of the landfill
- ❖ Updated population projections prepared by the Montana Department of Commerce
- ❖ Annual departmental budget reports/requests
- ❖ Medical Facility programming/services

Coordination Tools

Intra-Governmental Coordination

The functions of local government are logically divided into departments. The departmentalization of local government services tends to discourage the sharing of information and coordination between departments. Too often synthesizing information from the various departments to get a holistic view of the community is solely the responsibility of the elected officials and most often occurs during preparation of annual budgets. It is recommended that Laurel consider the timely sharing of department reports with staff members responsible for overseeing implementation of the Growth Policy.

In addition, the City might consider assigning individual departments the task of implementing or evaluating the need to implement recommended policies and strategies that most clearly impact those individual departments. This is an excellent way to spread ownership of the Growth Policy. Annual department reports can provide information on the status of recommended implementation activities. The City might consider including a Growth Policy Implementation section into each department budget, to institutionalize the community's commitment to Growth Policy implementation.

Intra-governmental coordination is also an effective tool to more efficiently deliver services. When leaders of each department meet periodically to share information and service delivery challenges, there is more opportunity to enhance coordination between departments and identify ways that staff, equipment and other departmental resources might be shared to mitigate service delivery challenges.

Inter-Governmental Coordination

The same principles discussed in the previous section apply to coordination between local governments and between local governments and regional, tribal, state and federal agencies. Inter-governmental coordination provides an opportunity to regularly share information about plans and programs and enhance working relationships.

The City might consider establishing a semi-annual meeting schedule with regional, state and federal agencies and a quarterly meeting schedule for local governments within the county. Individual County Commissioners and City Council members can be designated as the liaison for each agency and/or local government. The intangible benefits of this coordination are often the maintaining of open lines of communication and a greater mutual understanding of the perspectives and needs of the larger region and state.

Evaluation of Yellowstone County/Laurel Subdivision Regulations

An evaluation of the administration and standards contained in the Laurel Subdivision Regulations is required as part of the Growth Policy. There are three items that need to be evaluated per Title 76, Chapter 1, Part 6, 76-1-601(3)(h), MCA. 1).

1. How local government defines the various impacts assessments as specified in 76-3-608(3)(a),
2. How local government makes decisions with respect to the impact assessments as made, and
3. How public hearings for proposed subdivisions are conducted.

Impact Assessments: Definitions and Evaluation Factors

Local government subdivision regulations are required to review proposed subdivisions in accordance with the following criteria provided in 76-3-608(3)(a):

- ❖ The effect on agriculture
- ❖ The effect on agricultural water user's facilities
- ❖ The effect on local services
- ❖ The effect on the natural environment
- ❖ The effect on wildlife and wildlife habitat
- ❖ The effect on public health and safety

For each of the above criteria, applicable definitions and evaluative provisions contained in the subdivision regulations must be identified.

Effect on Agriculture

Agriculture is defined as all aspects of farming or ranching including the cultivation or tilling of soil; dairying; the production, cultivation, growing, harvesting of agricultural or horticultural commodities; raising of livestock, bees, fur-bearing animals or poultry; and any practices including forestry or lumbering operations, including preparation for market or delivery to storage, to market, or to carriers for transportation to market. The effect on agriculture is evaluated utilizing the following provisions:

1. Is the proposed subdivision or associated improvements located on or near prime farmland or farmland of statewide importance as defined by the Natural Resource Conservation Service? If so, identify each area on a copy of the preliminary plat.
2. Is the proposed subdivision going to result in removal of any agricultural or timber land from production? If so, describe.
3. Are there any possible conflicts with nearby agricultural operations (e.g., residential development creating problems for moving livestock, operating farm machinery, maintaining water supplies, controlling weeds or applying pesticides; agricultural operations suffering from vandalism, uncontrolled pets or damaged fences)? If so, describe.
4. Are there any possible nuisance problems which may arise from locating a subdivision near agricultural or timber lands? If so, describe.
5. What effects would the subdivision have on the value of nearby agricultural lands?

Effect on Agricultural Water User Facilities

Agricultural water user facilities are defined as those facilities which provide water for irrigation or stock watering to agricultural lands to produce agricultural products. These facilities include, but are not

limited to, ditches, head gates, pipes and other water conveying facilities. The effect on agricultural water user facilities is evaluated by the following provisions:

1. Are there any conflicts the subdivision would create with agricultural water user facilities (e.g. residential development creating problems for operating and maintaining irrigation systems) or would agricultural water user facilities be more subject to vandalism or damage because of the subdivision? Describe.
2. Are there any possible nuisance problems which the subdivision would generate regarding agricultural water user facilities (e.g. safety hazards to residents or water problems from irrigation ditches, head gates, siphons, sprinkler systems or other agricultural water user facilities)? Describe.

Effect on Local Services

Local services are defined as any and all services that local governments, public or private utilities are authorized to provide for the benefit of their citizens. The effect on local services is evaluated by the following provisions:

1. Are there any additional or expanded public services and facilities that would be demanded of local government or special districts to serve the subdivision? Describe.
2. Are there any additional costs which would result for services such as roads, bridges, law enforcement, parks and recreation, fire protection, water, sewer and solid waste systems, ambulance service, schools or busing, (including additional personnel, construction and maintenance costs)? Describe.
3. Who would bear these costs (e.g. all taxpayers within the jurisdiction, people within special taxing districts, or users of a service)?
4. Can service providers meet the additional costs given legal or other constraints (e.g. statutory ceilings on mill levies or bonded indebtedness)?
5. Are there off-site costs or costs to other jurisdictions that may be incurred (e.g. development of water sources or construction of a sewage treatment plant; costs borne by a nearby municipality)? Describe.
6. How does the subdivision allow existing services, through expanded use, to operate more efficiently, or makes the installation or improvement of services feasible (e.g. allow installation of a central water system or upgrading a country road)?
7. What are the present tax revenues received from the un-subdivided land?
 - a. By the County \$ _____
 - b. By the municipality, if applicable, \$ _____
 - c. By the school(s) \$ _____
8. What are the approximate revenues received by each above taxing authority if the lots are reclassified, and when the lots are all improved and built upon? Describe any other taxes that would be paid by the subdivision and into what funds (e.g. personal property taxes on mobile/manufactured homes are paid into the County general fund).
9. Would new taxes generated from the subdivision cover additional public costs?
10. How many special improvement districts would be created which would obligate local government fiscally or administratively? Are any bonding plans proposed which would affect the local government's bonded indebtedness?

Effect on Natural Environment

Natural environment is defined as the physical conditions which exist within a given area, including land, air, water, mineral, flora, fauna, sound, light and objects of historic and aesthetic significance. The effect on the natural environment is evaluated by the following provisions:

1. What are the known or possible historic, paleontological, archaeological or cultural sites, structures or objects which may be affected by the proposed subdivision? Describe and locate on a plat overlay or sketch map.
2. How would the subdivision affect surface and groundwater, soils, slopes, vegetation, historical or archaeological features within the subdivision or on adjacent land? Describe plans to protect these sites.
3. Would any stream banks or lake shorelines be altered, streams re-channeled or any surface water contaminated from sewage treatment systems, run-off carrying sedimentation, or concentration of pesticides or fertilizers?
4. Would groundwater supply likely be contaminated or depleted as a result of the subdivision?
5. Would construction of roads or building sites require cuts and fills on steep slopes or cause erosion on unstable, erodible soils? Would soils be contaminated by sewage treatment systems? Explain
6. What are the impacts that removal of vegetation would have on soil erosion, bank or shoreline instability?
7. Would the value of significant historical, visual or open space features be reduced or eliminated?
8. Are there any natural hazards the subdivision could be subject to (such as flooding, rock, snow or landslides, high winds, severe wildfires, or difficulties such as shallow bedrock, high water table, unstable or expansive soils, or excessive slopes)?
9. How would the subdivision affect visual features within the subdivision or on adjacent land? Describe efforts to visually blend the proposed development with the existing environment (e.g. use of appropriate building materials, colors, road design, underground utilities and re-vegetation of earthworks).

Effect on Wildlife and Wildlife Habitat

Wildlife is defined as those animals that are not domesticated or tamed, or as may be defined in a Growth Policy. Wildlife habitat is defined as the place or area where wildlife naturally lives or travels through. The effect on wildlife and wildlife habitat are evaluated by the following provisions:

1. What impacts would the subdivision or associated improvements have on wildlife areas such as big game wintering range, migration routes, nesting areas, wetlands or important habitat for rare or endangered species?
2. What effect would pet, or human activity have on wildlife?

Effect on Public Health and Safety

Public health and safety are defined as the prevailing healthful, sanitary condition of wellbeing for the community at large. Conditions relating to public health and safety include but are not limited to: disease control and prevention; emergency services; environmental health; flooding, fire or wildfire hazards, rock falls or landslides, unstable soils, steep slopes and other natural hazards; high voltage lines or high pressure gas lines; and air or vehicular traffic safety hazards. The effect on public health and safety is evaluated by the following provisions:

1. Are there any health or safety hazards on or near the subdivision, such as: natural hazards, lack of water, drainage problems, heavy traffic, dilapidated structures, high pressure gas lines, high voltage power lines or irrigation ditches? These conditions, proposed or existing, should be accurately described with their origin and location identified on a copy of the preliminary plat.
2. Would the subdivision be subject to hazardous conditions due to high voltage lines, airports, highways, railroads, dilapidated structures, high pressure gas lines, irrigation ditches and adjacent industrial or mining uses?
3. How will the subdivision affect the adjacent land use? Identify existing uses such as feed lots, processing plants, airports or industrial firms which could be subject to lawsuits or complaints from residents of the subdivision.
4. What public health or safety hazards, such as dangerous traffic, fire conditions or contamination of water supplies would be created by the subdivision?

In addition to the above factors, the subdivision regulations also require preparation of a community impact report on the following public services and facilities.

1. Education and busing
2. Roads and maintenance
3. Water, sewage, and solid waste facilities
4. Fire and police protection
5. Payment for extension of capital facilities

Public Hearing Requirements and Procedures

The subdivision regulations contain several sections that specify the procedural requirements for the following types of subdivision applications.

1. Divisions of land exempt from subdivision review
2. Review and approval procedures for minor subdivisions
3. Review and approval procedures for major subdivisions, including review and approval of preliminary and final plats
4. Expedited review of a first minor subdivision

The subdivision regulations apply to all jurisdictions within the county. The County is in the process of updating the subdivision regulations for consistency with all applicable enacted amendments to the MCA during the last three Montana legislative sessions. All procedural provisions, including those applicable to public hearings, are consistent with the current statutory provisions contained in the MCA.

Objectives, Policies and Strategies

A growth policy is a foundational document. It is intended to provide an overview of the community in terms of guidance for future planning. As a guiding document, the growth policy should encourage as many “finer point” studies and documents as possible to encourage refining of larger scope ideas.

Items outlined in the following tables are only options, and do not in any way obligate the governing body to pursue, fund or prioritize any given option or opportunity. Instead, the following are the recommended objectives and policies and strategies for each topic of the Growth Policy. For each policy and strategy, the entity responsible for implementation is identified and a recommended time frame for

implementation is provided. The entity listed first for each policy and strategy (in italicized type) is assigned the primary responsibility to initiate and follow-through with implementation measures. In a few cases, multiple entities are assigned the primary responsibility for implementation. Other listed entities for recommended policies and strategies are responsible for supporting the implementation measures. Four implementation time frames are provided:

1. Immediate (defined as within a year after adoption of the Growth Policy)
2. Short-term (defined as not later than two years after adoption of the Growth Policy)
3. Mid-term (defined as between two and four years after adoption of the Growth Policy)
4. Long-term (defined as prior to the future update of the Growth Policy in 5 years (2025))

Land Use Goals and Objectives

| Goal 1: Conserve Open Space and Traditional Land Uses | | |
|---|--|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Encourage cluster developments to incorporate open space into new developments | Planning Dept City Council County Commission | Mid-term |
| Provide options for landowners for conserving portions of their land | Planning Dept City Council County Commission | Immediate |
| Study and Implement strategies to create an interconnected system of parks and greenways and open space that are accessible to area residents | Public Works Planning City Council County Commission | Mid-term Long-term |

| Goal 2: Develop downtown Laurel into a vibrant place to live, work, and play | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Encourage mixed uses for living, working, and shopping local | Planning Board County Commission City Council | Short-term |
| Identify priority parcels for infill development | Planning Board LURA | Mid-term |
| Implement Placemaking projects to create a more livable and enjoyable downtown | Planning Dept Chamber of Commerce LURA Public Works | Short-term Mid-term |
| Partner with local groups to support community businesses, events, and gatherings | City Council Planning Chamber of Commerce | Immediate |
| Connect with regional agencies to access project funding, receive technical support, and boost the visibility of Laurel development opportunities | City Council County Commission Planning Dept BSEDA | Long-term |

| Goal 3: Update Subdivision Code to meet the needs of Laurel and the surrounding area | | |
|---|---|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Provide clear and consistent standards | Planning Dept Zoning Commission Public Works Dept | Short-term |
| Ensure the proper scale and scope of regulations | Planning Dept Planning Board Zoning Commission | Mid-term |
| Include trails, open space, and greenway considerations in parkland subdivision review | Planning Dept Planning Board | Mid-term Long-term |
| Regularly review and update the Subdivision Code as needed to remain current | Planning Board City Council County Commission | Long-term |

| Goal 4: Update Zoning Code to provide for greater flexibility of allowable uses, clearer requirements, and more efficient land use | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Study the inclusion of different types of housing within residential districts | Planning Dept Planning Board | Mid-term |
| Update Overlay Districts, Parking Requirements, and the Sign Code to better fit the City's needs and character | Planning Dept Planning Board Public Works LURA | Short-term Mid-term |
| Allow mixed-use live/work opportunities in commercial areas | Planning Dept Planning Board | Short-term |
| Enable property owners to use their land more effectively and efficiently | Planning Board Planning Dept | Mid-term |

| Goal 5: Use long term planning documents to identify funding and address priority needs for infrastructure and development | | |
|---|---|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Establish an Annexation Plan to develop priority growth areas and strategies | City Council Planning Dept Public Works | Mid-term |
| Develop a Capital Improvement Plan for vital infrastructure to support the City as it grows | Public Works Planning Dept | Short-term |

| Goal 5: Use long term planning documents to identify funding and address priority needs for infrastructure and development | | |
|---|---|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Prepare a Commercial and Industrial Development Study for land adjacent to major transportation routes in the Laurel area | Planning Dept City Council County Commission | Mid-term |

Annexation Goals and Objectives

| Goal 1: Adopt a long-range view for the growth of the City | | |
|--|--|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Establish a growth-conscious set of policies to expand the City and its services | Planning Board City Council | Mid-term Long-term |
| Create priority growth areas for extension of services | Planning Board City Council | Immediate |
| Develop and approve an Annexation Plan for the Laurel Planning Jurisdiction | Planning Dept City Council BSEDA Beartooth RC&D | Short-term Mid-term |

| Goal 2: Mangle fiscal responsibility with established and proposed annexation standards | | |
|--|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Ensure that the established standards are right and proper for the City of Laurel | Planning Board County Commission City Council | Short-term |
| Ease the burden for developers to annex into the City while meeting established standards | Planning Board City Council | Mid-term |
| Allow greater flexibility in development patterns | Planning Board Planning Dept | Short-term Mid-term |
| Determine the cost and benefits of annexation | Clerk-Treasurer City Council Planning Dept Public Works | Mid-term |

Housing Goals and Objectives

| Goal 1: Encourage a mixture of housing types to meet the demand of all market sectors | | |
|--|--------------------|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Maintain a diverse array of housing and affordability levels | Planning Dept | Immediate |
| Promote higher density housing types in the downtown area and adjacent to major transportation corridors | Planning Dept | Mid-term |
| Study mixed-use housing and other alternative housing types and styles | Planning Dept | Mid-term Long-term |
| Provide options for a full spectrum of housing from rentals to retirement housing | Planning Dept | Long-term |

| Goal 2: Provide information on housing-related grants, loans, and ownership programs | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Develop a list of resources for renters and homeowners | Planning Dept Montana Housing | Short-term |
| Collect information on federal, state, local, and philanthropic rental and homeownership programs | Planning Dept Montana Housing HUD | Short-term Mid-term |
| Advise Laurel area residents as to available support for housing, rent, and homeownership | Planning Dept | Immediate |

Infrastructure Goals and Objectives

| Goal 1: Maintain an effective and efficient public infrastructure system that adequately serves the needs of the City and County | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Develop a data-driven infrastructure maintenance schedule | City/County Public Works | Short-term |
| Determine any existing gaps in services and other infrastructure deficiencies within the City | City/County Public Works Planning | Short-term Mid-term |
| Adopt up-to-date infrastructure standards that are appropriate for the needs of the City | City/County Public Works | Short-term |
| Study using public spaces within floodplains, watercourses, and wetlands to be used as passive recreation areas such as parks and | Planning Dept Planning Board | Mid-term Long-term |
| Study the feasibility of recycling programs and other means to reduce solid waste | City/County Public Works Planning Dept | Mid-term |
| Incorporate stormwater system planning into roadway and other infrastructure planning processes | Planning Dept City/County Public Works | Mid-term Long-term |

| Goal 2: Establish the long-term capital and infrastructure needs for the City and County | | |
|---|---|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Develop a Capital Improvement Plan for the improvement and expansion of infrastructure | City/County Public Works City Council County Commission | Mid-term |
| Prepare a Water System Master Plan | Public Works Planning Dept | Mid-term Long-term |
| Create a Wastewater System Master Plan | Public Works Planning Dept | Mid-term Long-term |
| Complete a Stormwater Management Plan | City/County Public Works | Mid-term Long-term |
| Ensure infrastructure planning documents are routinely updated. | City/County Public Works | Long-term |
| Confirm that the established infrastructure priorities are adequate | City/County Public Works Planning City Council County Commission | Mid-term |

| Goal 3: Seek out possible funding sources for the expansion and improvement of infrastructure and essential community services | | |
|---|--|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Study the physical and financial needs for the extension of infrastructure to priority growth areas | Planning Dept Public Works | Mid-term |
| Collaborate with Montana agencies on major projects and studies | City Council County Commissioners | Immediate |
| Explore federal, state, and philanthropic infrastructure grant opportunities | City/County Public Works Planning Dept | Short-term |
| Determine positive impacts from the expansion and improvement of infrastructure | City/ County Public Works Planning Dept | Mid-term |
| Apply for funding opportunities that are appropriate for city and county priorities and projects and assist in keeping user fees reasonable | Public Works Planning Dept Clerk-Treasurer | Mid-term Long-term |

Infrastructure Funding Opportunities:

Montana Department of Environmental Quality, Drinking Water State Revolving Fund Loan Program

The Montana Legislature established the Drinking Water State Revolving Fund (DWSRF) Loan Program for Drinking Water projects. The program provides at or below market interest rate loans to eligible Montana entities. The Department of Environmental Quality (DEQ) is the administering agency and assures the technical, financial and programmatic requirements of the program are met.

Eligible water projects include acquisition of land that is integral to the project, consolidating water supplies, engineering, new sources, treatment, source water protection, storage and distribution.

Eligible applicants are municipalities, public or private community water systems and non-profit, non-community water systems. The current interest rate for loans is 3.75 percent with payment schedules not to exceed 20 years. Drinking Water Projects qualifying as disadvantaged may extend the term up to 30 years.

Applications are accepted year-round. Preliminary engineering analysis must be reviewed prior to submittal of application.

Montana Department of Environmental Quality, Water Pollution Control State Revolving Fund Loan Program

The Montana Legislature established the Water Pollution Control State Revolving Fund (WPCSRF) Loan Program for water pollution control projects. The program provides at or below market interest rate loans to eligible Montana entities. Cooperatively, DEQ and DNRC administer the Water Pollution Control State Revolving Fund Loan Program.

Eligible water quality projects include wastewater treatment plant improvements, interceptors, collectors and lift stations, lagoon construction and rehabilitation, engineering and project inspection, and land used for disposal purposes. All projects must be included in a project priority list and intended use plan for the fiscal year in which funding is anticipated, and the ability to repay loan funding must be demonstrated.

Eligible applicants are municipalities for wastewater projects as well as municipalities and private entities for nonpoint source projects. The current interest rate for loans is 3.75 percent with payment schedules not to exceed 20 years. Water Pollution Control projects qualifying as disadvantaged may extend the payment term up to 30 years. Applications are accepted year-round. Preliminary engineering analysis must be reviewed prior to submittal of application.

Montana Department of Commerce, Treasure State Endowment Program Construction Grants (TSEP)

The Treasure State Endowment Program (TSEP) awards matching grants to local governments for construction of local infrastructure projects. TSEP construction grants provide help in financing infrastructure projects throughout Montana. Eligible applicants include incorporated cities and towns, counties, consolidated governments, Tribal governments and county or multi-county water, sewer or solid waste districts.

A dollar-for-dollar match is required, but in cases of extreme financial hardship where the public's health and safety are seriously affected, grants up to 75 percent of the project costs may be awarded. Matching funds can be public or private funds. Construction grant applications are limited to a maximum of \$750,000. Applications are typically due the first week of May on even numbered years.

US Department of Agriculture, Water and Environmental Loan and Grant Program (WEP)

Water and Environmental Programs (WEP) loans and grants provide funding for drinking water, sanitary sewer, solid waste and storm drainage facility projects in rural areas and cities and towns of 10,000 or less. WEP also makes grants to nonprofit organizations to provide technical assistance and training to assist rural communities with their water, wastewater and solid waste problems. Eligible projects include construction, repair and expansion of water, wastewater, storm water and solid waste systems.

Public bodies, non-profit organizations and recognized Indian Tribes are all eligible applicants for the program. This funding opportunity is capped at 75 percent of total project costs. Applications are accepted on a continual basis.

Economic Development Administration, Public Works Grant Program

The Economic Development Administration (EDA) provides public works investments to support construction or rehabilitation of essential public infrastructure and facilities to help communities and regions leverage their resources and strengths to create new and better jobs, drive innovation, become centers of competition in the global economy and ensure resilient economies.

Eligible projects are those pertaining to water and wastewater systems that address national strategic priorities, assist economically distressed and underserved communities, demonstrate a good return on EDA's investment through job creation or retention, demonstrate or support regional collaboration and employ public-private partnerships to use both public and private resources and/or leverage complementary investments.

Eligible applicants include municipalities, counties, and Indian Tribes. The maximum award attainable is 75 percent of project cost. Application deadlines are variable and would need to be determined at the time of application.

US Department of Interior, Water Grant Program System Optimization Review Grant

The Water Program focuses on improving water conservation, sustainability and helping water resource managers make sound decisions about water use. It identifies strategies to ensure present and future generations will have enough clean water for drinking, economic activities, recreation and ecosystem health. The program also identifies adaptive measures to address climate change and its impact on future water demands.

Eligible projects include any plan of action that focuses on improving efficiency and operations on a regional or basin perspective. Eligible applicants include the state, Indian Tribes, irrigation districts, water districts or other organizations with water or power delivery authority.

A 50 percent match is required for this funding opportunity and the maximum award attainable is \$300,000.

Transportation Goals and Objectives

| Goal 1: Preserve, maintain, and improve the existing transportation system | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Update the Long-Range Transportation Plan (LRTP) | Planning Dept City Council County Commission | Mid-term |
| Establish a systematic approach for the maintenance and repair of the road network. | City/County Public Works City Council County Commission | Short-term |
| Develop a Capital Improvement Plan to identify and prioritize significant transportation projects | City Council County Commission City/County Public Works | Short-term Mid-term |
| Establish a road network master plan to ensure street continuity, traffic flow, and neighborhood connectivity | Planning Dept Planning Board City/ County Public | Mid-term Long-term |
| Promote fiscal responsibility and high return on investment | Clerk-Treasurer City-Council County Commission City/ County Public Works | Immediate |
| Coordinate roadway improvement projects to coincide with underground infrastructure improvements | Public Works Planning Dept MDT | Immediate |

| Goal 2: Improve the mobility, safety, and accessibility of all users and modes of travel | | |
|--|--|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Implement bicycle and pedestrian improvements and traffic calming measures to transform the downtown area into a pedestrian-friendly place | Planning Dept City/County Public Works MDT | Mid-term Long-term |
| Create a looping bicycle/pedestrian trail and street system that connects different areas of Laurel | Planning Dept Planning Board | Long-term |
| Adopt pedestrian and multi-modal friendly transportation standards and safety measures | Planning Board Public Works City Council | Short-term Mid-term |

| | | |
|---|---|-----------------------|
| Explore options to improve and expand the Laurel Transit program and strategies to create other multi-modal transportation | Planning Dept Clerk-Treasurer | Mid-term Long-term |
| Partner with local, regional, and statewide groups to further integrate Laurel into the more comprehensive passenger transportation network | Planning Dept Planning Board City Council | Long-term |

| Goal 3: Connect transportation decisions to land-use decisions | | |
|---|--|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Integrate land-use planning and transportation planning to manage better and develop the transportation network. | Planning Dept Public Works MDT City Council | Short-term |
| Utilize transportation projects to encourage intensive development patterns along significant routes and existing areas of the City | Planning Dept Public Works | Short-term |
| Adopt and implement consistent system policies and maintenance standards | Public Works City Council | Short-term |
| Ensure the development of a sustainable transportation system that minimizes environmental impacts | Planning Dept Planning Board City Council | Long-term |

Economic Development Goals and Objectives

| Goal 1: Develop downtown Laurel as a destination to live, work, and play | | |
|--|--|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Institute placemaking projects to further enhance district character | Planning Dept LURA Chamber of Commerce | Short-term |
| Increase live-work opportunities for current and future residents and businesses | Planning Dept | Long-term |
| Apply Tax Increment Financing (TIF) funding to beautification, blight removal, and public improvement projects | LURA Planning Dept City Council | Mid-term Long-term |
| Identify and find solutions for unused or underused parcels as candidates for development | Planning Dept LURA | Mid-term |

| Goal 2: Create a resilient local economy | | |
|---|---|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Strengthen core businesses and industries through communication and connections with technical support | Planning Dept Chamber of Commerce BSEDA | Immediate |
| Ensure that local economic activities are inclusive and accessible to all stakeholders | Chamber of Commerce BSEDA | Immediate |
| Implement policies that create stable and sustainable economic growth | Planning Dept City Council County Commission | Long-term |
| Work to highlight the shared benefits of working together as a community with local businesses stakeholders, and developers | Planning Dept Chamber of Commerce BSEDA | Immediate |
| Provide an economic ecosystem that allows for a wide array of businesses, industries, and developments to thrive | Planning Dept Chamber of Commerce Big Sky EDA Beartooth RC&D City Council County Commission | Mid-term Long-term |

| | | |
|---|--|-----------|
| Study and implement policies to enhance local business demand and alternative strategies for value creation for the community | Chamber of Commerce BSEDA Beartooth RC&D | Long-term |
|---|--|-----------|

Goal 3: Collaborate with area organizations to support economic growth and local employment and training opportunities

| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
|---|---|-------------------------|
| Communicate with local groups to determine any needs and assistance | Planning Dept BSEDA Beartooth RC&D | Immediate |
| Create partnerships with local and regional groups to fill local service gaps and create needed programming | City Council City/County Departments County Commission | Mid-term |
| Take part in events and workshops to support local business initiatives and activities | Planning Dept Chamber of Commerce City Council County Commission | Immediate Short-term |
| Establish common ground with local and regional groups to provide resources and assistance | BSEDA Planning Dept | Mid-term Long-term |
| Connect residents and businesses with like-minded economic, financial, and entrepreneurship resources and opportunities | Planning Dept BSEDA Chamber of Commerce | Mid-term Long-term |

Goal 4: Study options for new commercial and industrial properties in anticipated high-growth areas

| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
|---|---|------------------------|
| Create a Corridor Master Plan for growth in and around the intersection with Old Route 10 and the West Laurel Interchange | Planning Dept City Council County Commission | Mid-term |
| Study options and determine priorities for the possible establishment of Tax Increment Financing Districts (TIFs) and Targeted Economic Development Districts (TEDDs) | City Council County Commission Planning Dept BSEDA Beartooth RC&D | Short-term Mid-term |

| | | |
|--|--|------------------------|
| Review and pursue opportunities for clustered commercial or industrial parks | Planning Dept BSEDA Beartooth RC&D City Council County Commission Chamber of Commerce | Short-term Mid-term |
| Develop funding strategies to provide services for priority growth areas. | Planning Dept City/County Public Works Clerk-Treasurer | Short-term Mid-term |

Economic Development Funding Opportunities

Community Development Block Grant Program

Each year the US Entity of Housing and Urban Development (HUD) allocates grant funding to the Montana Department of Commerce for the Community Development Block Grant (CDBG) program. Funds are intended to benefit low or moderate-income persons, aid in prevention or elimination of slums or meet urgent community development needs. CDBG is broken into five different funding categories: Planning, Public Facilities, Housing and Neighborhood Renewal, Neighborhood Stabilization Program and Economic Development.

Eligible applicants include counties, incorporated cities and towns, and consolidated city-county governments. Deadlines are staggered throughout the year with planning grants being offered one year and construction grants the following year generally.

Montana Department of Commerce, Montana Main Street Program

The mission of the Montana Department of Commerce Main Street program is to be a coordinating resource for communities seeking to revitalize their historic downtown or core commercial districts and to provide technical assistance to communities of all sizes. The underlying premise of the Montana Main Street Program is to encourage economic development within the context of historic preservation.

In 2011, the project began gearing toward community development. The Montana Main Street Program was awarded a Preserve America sub grant from the Montana State Historic Preservation Office (SHPO) in 2011. The purpose of the grant was to focus on core and downtown planning and to build capacity under the Main Street program. It was this sub grant that focused the program toward community development.

Public Facilities and Services Goals and Objectives

| Goal 1: Provide consistent and high-quality public services to the community | | |
|--|---|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Develop standard operating procedures to ensure consistency for city and county departments | City Council County Commission City/County Public Works Planning Dept EMS Fire Dept Police Dept Law Enforcement | Mid-term Long-term |
| Develop maintenance procedures for parks, facilities, and public areas. | City/County Public Works | Mid-term |
| Study current facilities and services to identify gaps and determine projected needs in services | City Council County Commission City/County Public Works | Mid-term |

| Goal 2: Respond to the changing nature of the community | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Plan for the expansion of public facilities in priority growth areas | Planning Dept City Council County Commission City/County Departments | Short-term Mid-term |
| Invest in public facilities that are accessible to everyone in the community | City/County Public Works | Long-term |
| Study how to improve city services to boost the quality of life for residents, businesses, and institutions | Planning Dept Public Works | Long-term |

Goal 3: Work with city and county departments and local stakeholders to determine the priority expansion of public facilities and services

| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
|--|--|------------------------|
| Open lines of communication between city/county departments and local stakeholders to gather input on major projects | City/County Departments MDT County Commission City Council Chamber of Commerce | Immediate |
| Consider the public service requirements of large-scale projects before their approval and implementation | Planning Dept Public Works | Immediate |
| Develop plans for the expansion of Fire, Police Law Enforcement, and EMS facilities | Planning Dept City /County Public Works Fire Dept Police Dept Sheriff Dept EMS | Short-term Mid-term |

Recreation Goals and Objectives

Goal 1: Develop parkland as an essential and enjoyable amenity for residents

| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
|--|--|-------------------------|
| Ensure new developments have appropriate park space for recreation and general use | Planning Dept Public Works County Parks Board City Council County Commission | Immediate Short-term |
| Study how existing parks can be improved through new facilities, changed layouts, or additions | Public Works County Parks Board Planning Dept | Mid-term Long-term |
| Review current park infrastructure and determine if improvements are necessary to serve the needs of the surrounding area better | Public Works County Parks Board Planning Dept | Long-term |

Goal 2: Promote Riverside Park as a vital historic, civic, and recreation resource for residents and visitors

| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
|--|---|------------|
| Adhere to the projects and strategies presented in the 2018 Riverside Park Master Plan | Planning Dept Public Works City Council | Immediate |

| | | |
|--|---|-----------|
| Seek grant funding for structural and site improvements | Planning Dept City Council | Immediate |
| Develop historic markers for Riverside Park and its historic structures | Planning Dept YC Historic Pres. Board Western Heritage Center | Mid-term |
| Study options for connecting Riverside Park to the city proper through infrastructure improvements, civic engagement, or other means | Planning Department Public Works City Council | Long-term |
| Establish signage and marketing for the assets and resources of Riverside Park to area residents and visitors | Planning Dept YC Historic Pres. Board Western Heritage Center | Mid-term |

| Goal 3: Create an interconnected system of parks, greenspace, and trails that are accessible to all | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Create a city-wide Park System Master Plan to develop project priorities | Planning Dept Park Board | Mid-term |
| Consider the creation of a City Parks Department to oversee park operations and maintenance | Public Works Park Board City Council | Long-term |
| Identify unused land that can be transformed into green space or trails for use by the public | Park Board Public Works Planning Dept | Mid-term Long-term |
| Update the zoning and development codes to encourage the creation of bicycle and pedestrian trail corridors | Planning Dept | Short-term Mid-term |

Natural Resource Goals and Objectives

| Goal 1: Protect Laurel's planning jurisdiction and natural resources and traditional environment | | |
|---|---|-------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Provide options for landowners for conserving portions of their land while developing others | Planning Dept Planning Board City Council County Commission | Short-term Immediate |
| Achieve a balanced pattern of growth to ensure environmental concerns are considered during the development | Planning Dept | Long-term |
| Manage the local water resources as a healthy, integrated system that provides long-term benefits from enhanced environmental quality | Planning Dept Public Works Montana DEQ Montana DNRC | Immediate |

| Goal 2: Incorporate sustainable development patterns in the Laurel subdivision and land use codes | | |
|---|--|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Review and update existing zoning and subdivision regulations to ensure environmental preservation and conservation are addressed | Planning Board Planning Dept City Council County Commission | Short-term |
| Review and update landscaping ordinances as needed to best suit Laurel's natural environment | Planning Board | Mid-term |
| Manage rivers, floodplains, wetlands, and other water resources for multiple uses, including flood and erosion protection, wildlife habitat, recreational use, open space, and water supply | Planning Dept Planning Board City/County Departments | Immediate |

| Goal 3: Connect with local, regional, and state agencies and stakeholders to improve the natural environment in and around Laurel | | |
|--|--|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Sponsor environmental cleanup and rehabilitation programs that include the City, County , school district, community organizations, and residents | City Council County Commission | Mid-term |
| Participate in regional watershed studies to achieve adequate long-term flood protection | Planning Board City/County Departments | Long-term |
| Explore the possibility of creating a conservation corridor along the Yellowstone River | Planning Dept County Park Board County Commission | Long-term |

Intergovernmental Coordination Goals and Objectives

| Goal 1: Establish lines of communication with local, county, and state partners | | |
|---|---|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Create an accurate directory of government representatives and staff | Clerk-Treasurer City Planner | Immediate |
| Update governmental stakeholders regarding ongoing projects and work in the Laurel area | City Council County Commission Planning Dept | Short-term |
| Develop working relationships with legislators, staff, and stakeholders at different levels of government | City Council Department Heads | Immediate |

| Goal 2: Coordinate with local and regional institutions to support and grow the Laurel community | | |
|---|--|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Work with economic development groups to seize opportunities for business growth | Chamber of Commerce BSEDA Beartooth RC&D City Council | Immediate |

| | | |
|--|--|------------|
| Connect area businesses with institutions and governmental groups that can support their mission | Chamber of Commerce BSEDA Beartooth RC&D | Immediate |
| Communicate with area legislators to provide information on growth patterns and development in the Laurel area. | City Council Planning Dept | Short-term |
| Maintain open communications with state agencies and the Board of County Commissioners to confirm compliance with statewide codes and operational needs. | City Council Department Heads | Long-term |

Ongoing inter-governmental coordination efforts will be maintained. The City of Laurel has inter-local agreements with the School District on cooperative efforts, the shared use of facilities, and other areas of mutual interest. The City interacts with a number of agencies and organizations including but not limited to the Laurel School District, Eastern Montana Drug Task Force (EMDTF), Fish, ~~Wildlife~~ Wildlife & Parks (FWP), Department of Environmental Quality, (DEQ), Department of Natural Resources and Conservation (DNRC), and the many departments and shared Yellowstone County jurisdictions.

It will be important to maintain regular communications between City officials and the many local, county, regional, and state groups to discuss ongoing efforts and coordination activities. The County Commissioners have a direct impact on the Laurel area through the four members they appoint to the Laurel City-County Planning Board. This is done due to the mixed city-county make-up of the Laurel planning area that encompasses the city as well as areas within the County jurisdiction. A copy of the 2020 Laurel Growth Management Policy will be submitted to the Yellowstone County Commissioners for review and comment prior to the official adoption by the City Council.

The 2023 update to the Laurel Growth Management Policy is rewritten to rebrand the policy as the Laurel-Yellowstone City-County Planning Jurisdiction Growth Management Policy. Changes to the policy were needed to incorporate properties outside the City of Laurel but within the planning jurisdiction. County departments were added to include the public services that are reflective in the area adjacent to the City of Laurel. The Growth Management Policy 2023 update will serve as a guiding document for the City and County Governments but in no way obligates either entity to strict adherence to this document.

PUBLIC HEARING NOTICE

The Laurel-Yellowstone City-County Planning Board and Laurel's Zoning Commission will conduct two(2) public hearings on February 21, 2024.

Public Hearing for Laurel-Yellowstone City-County Growth Management Policy 2023 Update

Public Hearing for the annexation into the City of Laurel and assignment of zoning "Public" for the property described as Nutting Bros 2nd Filing -Lots 1 and 2 by the Laurel School District. The property is located southeast of the intersection of East Maryland Lane and Alder Ave and is owned by the Laurel School District.

The hearings are scheduled for 6 P.M., in the Laurel City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, February 21, 2024.

Public comment is encouraged and can be provided in person at the public hearing on February 21, 2024. Public comments can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. Emails or letters of comments should be received by 2pm MST February 15, 2024 so they can be transmitted to the Planning Board members prior to the meeting. Copies of the documentation and regulations are available for review upon request at the Planning Department office. Questions regarding these public hearings may be directed to the Planning Director at 406-628-4796 ext. 5305, or via email at cityplanner@laurel.mt.gov.

File Attachments for Item:

1. Recommendation - School Annexation and Zoning Request

Return to:
Laurel Public Schools
410 Colorado Ave.
Laurel, Montana 59044

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT is made this ____ day of _____, 2024, by and between the **LAUREL PUBLIC SCHOOLS**, with a mailing address at 410 Colorado Avenue, Laurel, Montana 59044, (the “Developer”), and the **CITY OF LAUREL, MONTANA**, a municipal corporation, with a mailing address at 115 West 1st Street, Laurel, Montana, 59044 (the “City”).

WHEREAS, the Developer is the owner of certain real property situated in Yellowstone County, Montana, more particularly described as follows:

Nutting Brothers Subdivision, Second Filing, Lots 1 and 2; according to the official plat on file and of record in the office of the Clerk and Recorder of said County, hereinafter referred to as “Developer Tract” as well as all adjacent public right-of-way.

WHEREAS, the Developer has submitted to the City a Petition for Annexation to the City for Developer Tract; and

WHEREAS, the Developer desires to annex Developer Tract to the City; and

WHEREAS, the City has approved the Petition for Annexation by Resolution No. _____ for the Developer Tract contingent that a Development Agreement, be executed between the City and the Developer to identify required off-site infrastructure improvements and guarantees of those improvements.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties do hereby agree as follows:

- 1. Roads and Access.** The Developer Tract shall be accessible by Alder Avenue and East 8th Street. East Maryland Lane also fronts the north boundary of the Developer Tract. No surface improvements to Alder Avenue, East 8th Street, or East Maryland Lane will be constructed upon annexation beyond pavement restoration for utility extensions. The City shall rely on the attached Waiver filed concurrently herewith, to ensure the installation of any or all future public road improvements.
- 2. Sanitary Sewer.** Developer Tract shall be served by the City wastewater system. The Developer shall extend a new sanitary sewer service from the existing 15-inch sanitary

sewer main in Alder Avenue to provide service to the school. No sanitary sewer mains are present in East Maryland Lane or East 8th Street. No sanitary sewer main extensions are to be constructed as part of this agreement. Plans and specifications shall be approved by the Public Works Department.

3. **Water.** Developer Tract shall be served by the City water system. The Developer shall extend a new water main from the existing 12-inch dead end water main in Alder Avenue north approximately 260 feet and terminating with a fire hydrant. New 4-inch domestic and fire water services are to be extended to the building. Plans and specifications shall be approved by the Public Works Department.

4. **Storm Drain.** The Developer shall extend a 12-inch storm drain in East 8th Street from an existing manhole at the intersection with Cottonwood Avenue to the Developer Tract. The City shall allow connection to the new storm drain to manage stormwater runoff from the developed site.

5. **Right-of-Way.** A 30-foot-wide right-of-way dedication for East Maryland Lane shall be granted by the Developer to the City upon annexation.

6. **Sidewalks.** The Developer shall construct new public sidewalks along Alder Avenue and East 8th Street. A future sidewalk shall be constructed along East Maryland Lane at the time of road construction. The existing 6-foot-tall chain link fence, located in the proposed right-of-way dedication, shall also be removed. Future sidewalk construction and fence removal shall be completed by the Developer or by participation in a Special Improvement District at the time of road construction.

7. **Other Public Improvements.** For any other improvements not specifically listed in this Agreement, the City shall rely on the attached Waiver filed concurrently herewith, to ensure the installation of any or all remaining public improvements. Said improvements shall include, but not be limited to, street construction and paving, curb, gutter, sidewalks, driveways, storm drainage, and street lighting. The attached Waiver, waiving the right to protest the creation of one or more Special Improvement Districts, by this reference is expressly incorporated herein and part hereof. All of the Developer properties can be included in a Special Improvements District for improvements identified in Annexation Agreement regardless of location of individual properties in relation to the improvements.

8. **Future Intersection Contributions.** No intersection contributions are required upon annexation.

9. **Late Comers Agreement.** No Late Comers Agreement is made with this annexation.

10. **Zoning.** The Property is to be zoned as Public.

11. **Compliance.** Nothing herein shall be deemed to exempt the Developer Tract from compliance with any current or future City laws, rules, regulations, or policies that are applicable to the development, redevelopment, or use of the subject property.

12. **Runs with Land.** The covenants, agreements, and all statements in this Agreement and in the incorporated and attached Waiver shall run with the land and shall be binding on the heirs, personal representatives, successors, and assigns of the respective parties.

13. **Attorney's Fees.** In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs, including those fees and costs of in-house counsel.

14. **Amendments and Modifications.** Any amendments or modifications of this Agreement shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

This Agreement is hereby approved and accepted by the City of Laurel, this ____ day of _____, 20____.

CITY OF LAUREL, MONTANA

By: _____
Mayor

Attest: _____
City Clerk

“City”

STATE OF MONTANA)
 :ss
County of Yellowstone)

On this ____ day of _____, 20____, before me, a Notary Public for the State of Montana, personally appeared _____, and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Laurel, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Laurel, Montana.

Notary Public in and for the State of Montana
Printed name: _____
Residing at: _____
My commission expires: _____

Approved as to Form:

City Attorney



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Kurt Markegard, Planning Director
RE: Laurel School District Annexation and Zoning Designation
DATE: February 16, 2024

DESCRIPTION OF REQUEST

Laurel School District has submitted a request for annexation into Laurel city limits of lands currently used as recreation fields on Alder Avenue to be used for the construction of a new elementary school. The Zoning designation they are seeking is “Public” (P).

Owner: Laurel School District
Current Legal Description: NUTTING BROS 2ND FILING, S10, T02 S, R24 E, Lot 1 - 2
Address: 410 Colorado Avenue
Parcel Size: 8 acres
Existing Land Use: Recreational Fields
Proposed Land Use: Elementary School Building
Existing Zoning: No Zoning
Proposed Zoning: Public (P)

STAFF FINDINGS

- The applicant is requesting annexation and zoning for an 8-acre tract located along Alder Avenue Road between East Maryland Lane and East 8th Street.
- The applicant has provided an annexation application, waiver of right to protest SID and a draft annexation agreement.
- The applicant seeks annexation to connect the property to municipal water and sewer services.
- The applicant has provided estimates for the extension of water and sewer services to the property.
- The applicant is intending to construct a new elementary school on lots 1 -2 of Nutting Bros 2nd filing subdivision.

The following findings were developed from the text of the City of Laurel Annexation Policy (2008).

- A. The property must be located within an area identified by city staff as a location for future city annexation or annexation of the property will promote orderly growth of the city to protect the health, safety, and welfare in areas intensely utilized for residential, commercial, institutional, and governmental purposes.

The 2020 Laurel Growth Management Policy specifically states the area adjacent to Alder Avenue as a priority area for growth and development.

- B. The city must be able to provide adequate city services within a time period mutually agreed to by the property owner requesting annexation and the city;

The property seeking annexation is located closely with existing Water and Sewer services on the East 8th Street, Alder Avenue, and East Maryland Lane.

- C. Existing or proposed public improvements within the area to be annexed must meet all city standards. If the public improvements are not constructed at the time of annexation, the property owner shall provide the city with a bond or letter of credit that equals 125% of the estimated engineering costs for the construction of improvements. If the property owner fails to construct the improvements or to obtain the agreed upon engineering, the city shall utilize the bond or letter of credit to pay for the construction, including engineering; in accordance with GASB-34, the Developer or Landowner shall provide the city the total cost and/or value of the improvements including, but not limited to, parks, sidewalks, curb and gutter, lift stations, and sewer and water lines, that are conveyed to the city.

The Applicant has prepared an annexation agreement and waiver of right to protest detailing what public improvements shall be made and the timeline for the installation of public improvements. The Public Works Department may recommend changes to the annexation agreement for the installation of the public improvements needed to comply with City Standards.

- D. All property owners within the area to be annexed must sign a waiver of right to protest the creation of Special Improvement Districts for engineering and construction of improvements including but not limited to, streets, sidewalks, curb and gutter, and the creation of a Park Maintenance District, in a form acceptable and approved by the city.

A Waiver of right to protest the creation of special improvement districts has been prepared and provided to the City of Laurel for filing with the annexation agreement.

- E. Residential densities within the area to be annexed must be rezoned at a minimum density of R-7500 or greater, and Public (P) meets this requirement.

The Applicant has requested a zoning of Public (P) for the area to be annexed. The applicant is a public agency and thus the zone of Public is appropriate for the zoning.

- F. The proposed land use within the area to be annexed must conform to the goals of the Laurel-Yellowstone City-County Planning Board Growth Policy.

The 2020 Laurel Growth Management Policy indicates that the existing land use for these parcels is institutional and the building of a new elementary school creates vital infrastructure for the growth of the City of Laurel and the educational needs of the community.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

Annexation Criteria and Requirements as presented in the Laurel Annexation Policy (2008)

Requests for annexations are referred to the City-County Planning Board for recommendation to the City Council. Within 30 days after receiving the properly filled out application with all required accompaniments and after conducting a duly advertised public hearing, the City-County Planning Board shall make recommendation to the City Council as to this Request for Annexation. If more information is needed from the applicant during the review of the application, such application shall be deemed incomplete and the timeframe for reporting to the City Council extended accordingly, if needed.

- A. The City Council shall consider the following criteria when it receives a written petition for annexation:
 - a. The property must be located within an area identified by city staff as a location for future city annexation or annexation of the property will promote orderly growth of the city to protect the health, safety, and welfare in areas intensely utilized for residential, commercial, institutional, and governmental purposes.
 - b. The city must be able to provide adequate city services within a time period mutually agreed to by the property owner requesting annexation and the city;
 - c. Existing or proposed public improvements within the area to be annexed must meet all city standards. If the public improvements are not constructed at the time of annexation, the property owner shall provide the city with a bond or letter of credit that equals 125% of the estimated engineering costs for the construction of improvements. If the property owner fails to construct the improvements or to obtain the agreed upon engineering, the city shall utilize the bond or letter of credit to pay for the construction, including engineering; in accordance with GASB-34, the Developer or Landowner shall provide the city the total cost and/or value of the improvements including, but not limited to, parks, sidewalks, curb and gutter, lift stations, and sewer and water lines, that are conveyed to the city.
 - d. All property owners within the area to be annexed must sign a waiver of right to protest the creation of Special Improvement Districts for engineering and construction of improvements including but not limited to, streets, sidewalks, curb and gutter, and the creation of a Park Maintenance District, in a form acceptable and approved by the city.
 - e. All residential property owners must execute a Waiver of Right-to-Protest the creation of Special Improvement districts for engineering and construction of improvements including but not limited to, streets, sidewalks, curb and gutter, and the creation of a Park Maintenance District, in a form acceptable and approved by the city.
 - f. Residential densities within the area to be annexed must be rezoned at a minimum density of R-7500 or greater, and
 - g. The proposed land use within the area to be annexed must conform to the goals of the Laurel-Yellowstone City-County Planning Board Growth Policy.

RECOMMENDATIONS

The Planning Director recommends that the Planning Board approve the annexation and zone assignment of Public (P). The Planning Director has prepared drafted conditions of approval which are presented below.

1. Water and Sewer designs shall be approved by the City of Laurel prior to annexation approval.
2. Stormwater designs shall be approved by the City of Laurel and the Department of Environmental Quality, where applicable, prior to annexation approval.
3. An Annexation Agreement shall be executed with the City of Laurel and filed with the Yellowstone County Clerk & Recorder at the time of annexation approval.
4. A Waiver of Right to Protest the creation of a Special Improvement District(s) shall be executed and filed with the Yellowstone County Clerk & Recorder at the time of annexation approval.
5. If related public improvements are not constructed within twelve (12) months of annexation, the property owner shall provide the city a bond or letter of credit that equals 125% of the estimated engineering costs for the construction of improvements. If the property owner fails to construct the improvements or to obtain the agreed upon engineering, the city shall utilize the bond or letter of credit to pay for the construction, including engineering; In accordance with GASB-34, the Developer of Landowner shall provide the city the total cost and/or value of the improvements including, but not limited to, parks, sidewalks, curb and gutter, lift stations, and sewer and water lines, that are conveyed to the city.
6. In the event that public improvements have not been completed at the time a building permit is applied for, the applicant shall submit a development agreement to be approved by the City of Laurel.

ATTACHMENTS

1. Project Narrative
2. Annexation Application
3. Annexation Agreement
4. Waiver of Right to Protest
5. Adjacent property Owners within 300ft
6. Laurel Annexation Policy (2008)

LETTER OF TRANSMITTAL

| | |
|---------------------------|--|
| To: Kurt Markegard | Date: December 18, 2023 |
| Planning Division | Project No: 23103 |
| P.O. Box 10 | Project: Mogan Elementary |
| Laurel, MT 59044 | Reference: Annexation Agreement |

By Mail
 Next Day Air
 Delivered By Hand
 To Pick Up

Attachments:

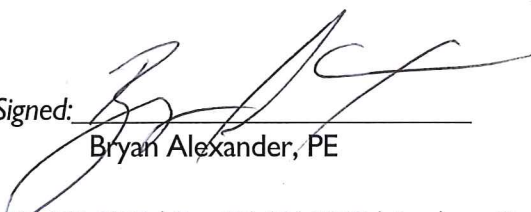
- | | | |
|--|---|---|
| <input type="checkbox"/> SID Pre-Creation Exhibits | <input type="checkbox"/> Contract Documents | <input type="checkbox"/> Prints |
| <input type="checkbox"/> Plans/Specifications | <input type="checkbox"/> Change Order | <input type="checkbox"/> Plat Submittal |
| <input type="checkbox"/> Shop Drawings | <input type="checkbox"/> Estimate | <input checked="" type="checkbox"/> Other |

MESSAGES:

Attached is a revised portion of the annexation petition application that includes additional information for the water main extension information proposed. Also included is the proposed annexation agreement, narrative, annexation exhibit, and opinion of probable cost for the proposed public improvements that were presented to the School Board on December 11, 2023. Please let us know if you need any further information and when the next steps will occur to continue the annexation process.

Thanks,

Bryan

Signed: 
 Bryan Alexander, PE

PROJECT NARRATIVE

Overview

The Laurel Public School District is requesting annexation of approximately 8 acres into the City of Laurel, Montana as shown on the attached Exhibit A. The school district property looking to be annexed is located just outside the northeast boundary of the Laurel city limits, along the east side of Alder Avenue in Yellowstone County, Montana. Additional annexed properties are located further east of the island in which the proposed annexation tract is located. The property is legally described as: **Lots 1 and 2, Nutting Brothers Subdivision, Second Filing.**

The property lies adjacent to Alder Avenue that defines the eastern-most boundary of Laurel's city limits, and within the boundary of the City of Laurel's Annexation Priority Area that is defined in Laurel's 2020 Growth Policy. The property is currently zoned as R200 - Residential Tracts within Laurel's zoning jurisdiction and is proposed to change to Public when annexation occurs.

Utility Extensions

Upon annexation of the property, City of Laurel public water and sanitary sewer services will be extended to the proposed elementary school building. The intent is that a new public water main will be extended from the existing 12-inch dead end water main in Alder Avenue north approximately 260 feet and terminating with a new fire hydrant. From there, new service lines will be extended on the property to the building. Extension of a new 12-inch storm drain main will be constructed in East 8th Street from Cottonwood Avenue to the property. The new public water and storm drain mains will become part of the City of Laurel system and will be located within public rights-of-way.

Right-of-way Dedication

Upon annexation of the property, the school district will dedicate a strip of land 30 feet wide along the north boundary of the property to the City of Laurel for right-of-way for East Maryland Lane.

EXHIBIT A

ANNEXATION EXHIBIT

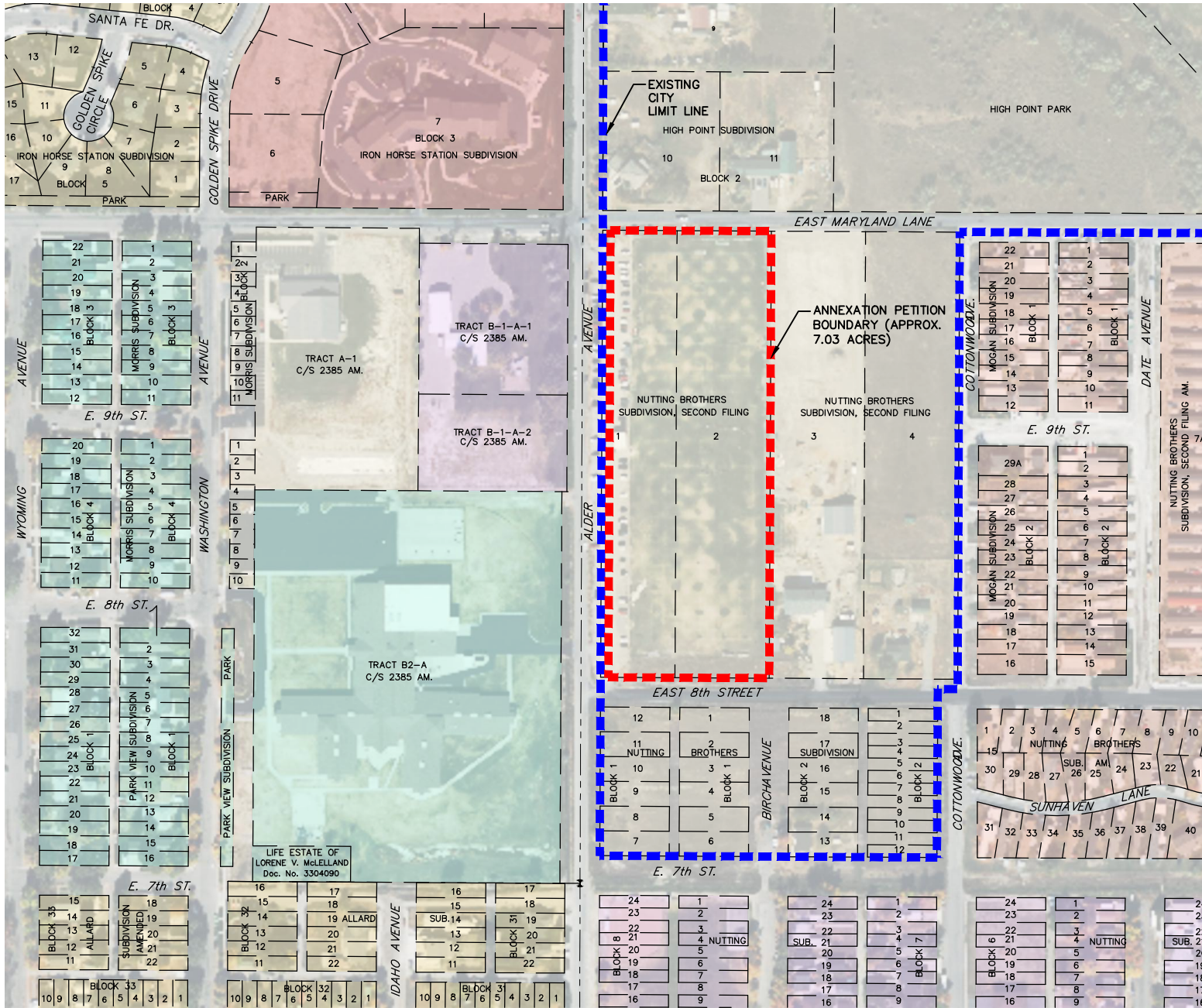
WITHIN NUTTING BROTHERS SUBDIVISION

PREPARED FOR : LAUREL PUBLIC SCHOOLS







AUGUST, 2023

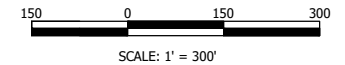
PREPARED BY : **SANDERSON STEWART**

BILLINGS, MONTANA



LEGEND

-  RESIDENTIAL 200
-  RESIDENTIAL LIMITED MULTI-FAMILY
-  COMMUNITY COMMERCIAL
-  RMH-RESIDENTIAL MOBILE HOME
-  RESIDENTIAL 6000
-  RESIDENTIAL 7500



23103.00 159

Date: December 12, 2023
 Project No.: 23103

**Engineer's Opinion of Probable Cost
 for
 Mogan Elementary School
 Offsite Infrastructure Improvements**

Schedule I: Utilities

| Item No. | Quantity | Unit | Description | Unit Price | Subtotal |
|------------------------|----------|--------|------------------------------------|---------------|--------------|
| 101 | | 1 L.S. | Mobilization and Insurance | \$15,623.78 = | \$15,623.78 |
| 102 | | 1 L.S. | Payment and Performance Bonds | \$5,514.27 = | \$5,514.27 |
| 103 | | 1 L.S. | Traffic Control | \$2,500.00 = | \$2,500.00 |
| 104 | | 1 L.S. | Dewatering | \$20,000.00 = | \$20,000.00 |
| E. Maryland Ln. | | | | | |
| | | | N/A | | \$0.00 |
| Alder Ave. | | | | | |
| 105 | | 1 E.A. | 6-inch Sanitary Sewer Service | \$700.00 = | \$700.00 |
| 106 | 42 | L.F. | 6-inch Sanitary Sewer Service Pipe | \$45.00 = | \$1,890.00 |
| 107 | 116 | C.Y. | Type II Bedding | \$40.00 = | \$4,640.00 |
| 108 | | 1 E.A. | Bentonite Trench Plug | \$1,500.00 = | \$1,500.00 |
| 109 | | 1 E.A. | Connect to 12-inch Water Main | \$2,500.00 = | \$2,500.00 |
| 110 | | 1 E.A. | 12-inch Gate Valve | \$6,000.00 = | \$6,000.00 |
| 111 | 260 | L.F. | 12-inch Water Main | \$95.00 = | \$24,700.00 |
| 112 | 2 | E.A. | 12-inch Bend | \$1,200.00 = | \$2,400.00 |
| 113 | | 1 E.A. | 12X12X6 Hydrant Tee | \$1,250.00 = | \$1,250.00 |
| 114 | | 1 E.A. | Fire Hydrant and Assembly | \$7,500.00 = | \$7,500.00 |
| 115 | 2 | E.A. | 4-inch Water Service | \$5,500.00 = | \$11,000.00 |
| E. 8th Street | | | | | |
| 116 | 218 | C.Y. | Type II Bedding | \$40.00 = | \$8,711.11 |
| 117 | | 1 E.A. | Bentonite Trench Plug | \$1,500.00 = | \$1,500.00 |
| 118 | | 1 E.A. | 8X8X6 Tapping Tee | \$900.00 = | \$900.00 |
| 119 | | 1 E.A. | Fire Hydrant and Assembly | \$7,500.00 = | \$7,500.00 |
| 120 | 490 | L.F. | 12-inch Storm Drain Main | \$92.00 = | \$45,080.00 |
| 121 | 2 | E.A. | Storm Drain 48" Manhole | \$4,500.00 = | \$9,000.00 |
| 122 | | 1 E.A. | 6-inch Storm Sewer Service | \$700.00 = | \$700.00 |
| 123 | 60 | L.F. | 6-inch Storm Sewer Service Pipe | \$45.00 = | \$2,700.00 |
| Schedule I Subtotal = | | | | | \$183,809.17 |

Schedule II: Streets

| Item No. | Quantity | Unit | Description | Unit Price | Subtotal |
|---|----------|--------|---------------------------------|---------------|---------------------|
| 201 | | 1 L.S. | Mobilization and Insurance | \$11,402.56 = | \$11,402.56 |
| 202 | | 1 L.S. | Payment and Performance Bonds | \$4,024.43 = | \$4,024.43 |
| 203 | | 1 L.S. | Traffic Control | \$2,500.00 = | \$2,500.00 |
| 204 | | 1 L.S. | Stormwater and Erosion Control | \$3,000.00 = | \$3,000.00 |
| E. Maryland Ln. | | | | | |
| 205 | | 2 E.A. | ADA Ramp with Truncated Domes | \$1,250.00 = | \$2,500.00 |
| 206 | | 1 L.S. | Striping | \$1,500.00 = | \$1,500.00 |
| Alder Ave. | | | | | |
| 207 | 3,034 | S.F. | Asphalt Demo | \$1.15 = | \$3,489.10 |
| 208 | 135 | C.Y. | Unclassified Excavation | \$17.00 = | \$2,291.60 |
| 209 | 112 | C.Y. | 1.5" Crushed Base Course | \$42.00 = | \$4,718.00 |
| 210 | 337 | S.Y. | 3-inch Thick Asphalt | \$20.00 = | \$6,740.00 |
| 211 | 4,619 | S.F. | 4-inch Thick Sidewalk | \$9.00 = | \$41,571.00 |
| 212 | | 2 E.A. | ADA Ramp with Truncated Domes | \$1,250.00 = | \$2,500.00 |
| 213 | | 1 E.A. | Street Name Sign with Stop Sign | \$900.00 = | \$900.00 |
| 214 | | 2 E.A. | Crosswalk Ahead Signs | \$700.00 = | \$1,400.00 |
| 215 | | 2 E.A. | Rapid Flash Beacon Crosswalk | \$2,500.00 = | \$5,000.00 |
| 216 | | 1 E.A. | Adjust Ex. Water Valve | \$400.00 = | \$400.00 |
| 217 | | 1 L.S. | Striping | \$1,000.00 = | \$1,000.00 |
| E. 8th Street | | | | | |
| 218 | 3,724 | S.F. | Asphalt Demo | \$1.15 = | \$4,282.60 |
| 219 | 166 | C.Y. | Unclassified Excavation | \$17.00 = | \$2,822.00 |
| 220 | 138 | C.Y. | 1.5" Crushed Base Course | \$42.00 = | \$5,810.00 |
| 221 | 415 | S.Y. | 3-inch Thick Asphalt | \$20.00 = | \$8,300.00 |
| 222 | 1,439 | S.F. | 4-inch Thick Sidewalk | \$9.00 = | \$12,946.50 |
| 223 | | 1 E.A. | ADA Ramp with Truncated Domes | \$1,250.00 = | \$1,250.00 |
| 224 | | 1 E.A. | Street Name Sign with Stop Sign | \$900.00 = | \$900.00 |
| 225 | | 2 E.A. | Other traffic sign | \$700.00 = | \$1,400.00 |
| 226 | | 1 L.S. | Striping | \$1,500.00 = | \$1,500.00 |
| Schedule II Subtotal = | | | | | \$134,147.80 |
| Construction Subtotal = | | | | | \$317,956.96 |
| Construction Subtotal Plus Contingency = | | | | | \$365,650.51 |
| Administrative Fees | | | | | |
| Geotechnical Services and Materials Testing | | | | 1.25% = | \$4,570.63 |
| Subtotal of Administrative Fees = | | | | | \$4,570.63 |
| Construction Total and Administrative Fees = | | | | | \$370,221.14 |

Notes:

Costs based on Sanderson Stewart off site sketch

Mobilization and Insurance based on percentage of total schedule cost 8.5 %

Construction contingency 15 %

All items are complete and in place.

Sanderson Stewart cannot warrant that any opinions of probable cost provided by Sanderson Stewart will not vary from actual costs incurred by the client. Sanderson Stewart has no control over the cost or availability of labor, equipment, materials, or over market conditions or the Contractor's method of pricing. Sanderson Stewart makes no warranty, express or implied, that the bids or the negotiated cost of the work will not vary from Sanderson Stewart's opinion of probable cost.

**CITY OF LAUREL, MONTANA
REQUEST FOR ANNEXATION
AND PLAN OF ANNEXATION**

Applicant is required to meet with the City Planner prior to filling out this application. All blanks of this application are to be filled in with explanation by the applicant. Incomplete applications will not be accepted.

1. Only parcels of land adjacent to the City of Laurel municipal limits will be considered for annexation. "Adjacent to" also includes being across a public right of way. If the parcel to be annexed is smaller than one city block in size (2.06 acres), the city council must approve consideration of the request; the applicant must make a separate written request to the city council stating their wish to annex a parcel of land less than one city block in. Once the council approves the request, the applicant can apply for annexation.

2. Applicant landowner's name: Laurel Public Schools
Address: 410 Colorado Ave., Laurel, MT 59044
Phone: 406.628.3360

3. Parcel to be annexed: (If it is not surveyed or of public record, it must be of public record PRIOR to applying for annexation.)
Legal description: Lots 1 and 2 Nutting Brothers Subdivision, 2nd Filing
Lot size: ~7 acres
Present use: Grass sports fields
Planned use: Public Elementary School
Present zoning: R200 - Residential Tracts
(Land which is being annexed automatically becomes zoned R-7500 when it is officially annexed [City ordinance 17.12.220])

4. City services: The extension of needed city services shall be at the cost of the applicant after annexation by the city has been approved. As part of the application process, each of the following city services must be addressed with an explanation:

Water Service:

Location of existing main: ex. main along frontage of E. 8th St. & the south 50' of Alde
Cost of extension of approved service: \$115,000.00
How cost determined: Engineer's Opinion of Cost
Timeframe for installation: Summer 2024

Sewer Service:

Location of existing main: Alder Ave.
Cost of extension of approved service: \$0.00
How cost determined: Main currently exists

Timeframe for installation: Installed
How financed: n/a

Streets:

Is there any adjoining County ROW to the proposed annexation: Yes, E. Maryland Ln. and E. 8th St.
Location of existing paved access: E. Maryland Ln., Alder Ave., and E. 8th St.
Cost of paving: n/a
How cost determined: n/a
Timeframe for construction: n/a

Other required improvements: Provide above information on attached pages.

5. A map suitable for review of this application of the proposed area to be annexed must be submitted with this application.
6. A written Waive of Protest must accompany this application, suitable for recording and containing a covenant to run with the land to be annexed, waiving all right of protest to the creation by the city of any needed improvement district for construction or maintenance of municipal services. This Waiver of Protest must be signed by the applicant **prior** to annexation by the city.
7. Requests for annexations are referred to the City-County Planning Board for recommendation to the City Council. Within 30 days after receiving the properly filled out application with all required accompaniments and after conducting a duly advertised public hearing, the City-County Planning Board shall make recommendation to the City Council as to this Request for Annexation. If more information is needed from the applicant during the review of the application, such application shall be deemed incomplete and the timeframe for reporting to the City Council extended accordingly, in needed.
8. A **non-refundable** application fee of \$300 + \$25.00 per acre (80 acres or less); \$300 + \$35.00 per acres (81 acres or more) must accompany the submission of this application.

The City Council of the City of Laurel, Montana, after review and consideration of this Application for Annexation, found such to be in the best interest of the City, that it complied with state code, and approved this request at its City Council meeting of _____.

PUBLIC HEARING NOTICE to lands adjacent to subject property

The Laurel-Yellowstone City-County Planning Board and Laurel's Zoning Commission will conduct a public hearing on February 21, 2024.

Public Hearing for the annexation into the City of Laurel and assignment of zoning "Public" for the property described as Nutting Bros 2nd Filing -Lots 1 and 2 by the Laurel School District. The property is located southeast of the intersection of East Maryland Lane and Alder Ave and is owned by the Laurel School District.

- **17.12.200 - Public (P) zone.**

The public zone is intended to reserve land exclusively for public and semipublic uses in order to preserve and provide adequate land for a variety of community facilities which serve the public health, safety and general welfare.

The hearing is scheduled for 6 P.M., in the Laurel City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, February 21, 2024.

Public comment is encouraged and can be provided in person at the public hearing on February 21, 2024. Public comments can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. Emails or letters of comments should be received by 2pm MST February 15, 2024 so they can be transmitted to the Planning Board members prior to the meeting. Copies of the documentation are available for review upon request at the Planning Department office. Questions regarding these public hearings may be directed to the Planning Director at 406-628-4796 ext. 5305, or via email at cityplanner@laurel.mt.gov.

MCLELLAND, LEONARD C
PO BOX 164
LAUREL, MT 59044-0164

LAUREL SCHOOL DISTRICT 7
410 COLORADO AVE
LAUREL, MT 59044-2714

MCLELLAND, LEONARD C
708 E MARYLAND LN
LAUREL, MT 59044-2165

CITY OF LAUREL
PO BOX 10
LAUREL, MT 59044-0010

ST JOHN'S LUTHERAN MINISTRIES INC
3940 RIMROCK RD
BILLINGS, MT 59102-0141

PENNY, ARTHUR W & CAROL P
1503 E RAILROAD ST
LAUREL, MT 59044-3341

PENNY, ARTHUR W & CAROL P
1503 E RAILROAD ST
LAUREL, MT 59044-3341

PENNY, ARTHUR W & CAROL P
1503 E RAILROAD ST
LAUREL, MT 59044-3341

PENNY, ARTHUR W & CAROL P
1503 E RAILROAD ST
LAUREL, MT 59044-3341

LAUREL PUBLIC SCHOOLS
410 COLORADO AVE
LAUREL, MT 59044-2714

GUTHRIDGE, PERRY
2110 RIDGEVIEW DR
BILLINGS, MT 59105-3635

DUPEA JR, PAUL & DEREKA
915 E 8TH ST
LAUREL, MT 59044-2219

SCHEELER, LYNN R & JANALYN K
1011 ALDER AVE
LAUREL, MT 59044-2252

BRANDT, KENNETH R JR
901 E MARYLAND LN
LAUREL, MT 59044-2227

YELLOWSTONE COUNTY (PARKS)
PO BOX 35000
BILLINGS, MT 59107-5000

RESOLUTION NO. R08-22

**A RESOLUTION TO ADOPT THE
CITY OF LAUREL ANNEXATION POLICY**

WHEREAS, it is necessary for the City of Laurel to properly guide and monitor growth that is in the best interests of the City and its citizens; and

WHEREAS, it is appropriate for the City Council to adopt an Annexation Policy that governs proposed annexations to the City in accordance with Ordinance No. O08-02 § 16.12.020; and

WHEREAS, the City Council has reviewed and accepted the attached Annexation Policy for the City of Laurel.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana,

The Council hereby adopts the City of Laurel Annexation Policy in its current form and content. All resolutions adopting any other annexation policies that conflict or are inconsistent with these policies are hereby repealed, voided and of no further effect.

BE IT FURTHER RESOLVED that this Resolution shall be enforceable on the effective date of Ordinance No. O08-02.

Introduced at a regular meeting of the City Council on March 4, 2008, by Council Member
Hart.


PASSED and APPROVED by the City Council of the City of Laurel this 4th day of March, 2008.

APPROVED by the Mayor this 4th day of March, 2008.

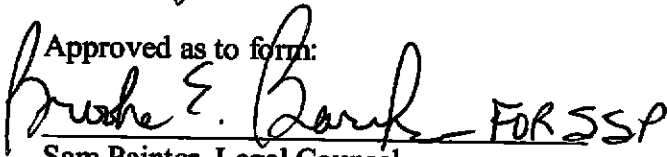
CITY OF LAUREL


Kenneth E. Olson, Jr., Mayor

ATTEST:


Mary K. Embleton, Clerk-Treasurer

Approved as to form:


Sam Painter, Legal Counsel
Elk River Law Office, P.L.L.P.

CITY OF LAUREL ANNEXATION POLICY

Service outside city limits—Conditions. No water or sewer services shall be extended outside of the incorporated city limits without meeting the following conditions:

- A. The property and improvements are in the same condition as is required for properties and improvements within the city's corporate limits;
- B. The city system is capable of serving the area;
- C. The extension is in the best interest of the city;
- D. The cost of the extension shall be at the expense of the requesting party;
- E. The city council has granted its approval. (Prior code § 18.76.010(A)); and
- F. The property is annexed.

Consent to Annexation and/or Waiver of Protest.

- A. Any property owner requesting or receiving city water or sewer service outside of the incorporated city limits shall, as a condition of initiating or continuing city services, consent to annexation of the property beneficially receiving services. The consent to annexation may be limited to the property that will benefit or is benefiting from the provision of city services.
- B. Whenever annexation is sought pursuant to a petition submitted to the city by a property owner requesting annexation, the property owner shall execute a written waiver of protest in a form approved by city staff for purposes of recording. The waiver of protest constitutes a covenant that will run with the land to be annexed and shall waive all right of protest and judicial review to the creation of any future special improvement district. (Prior code § 18.76.010(B))

Annexation Fee.

Property owner shall pay the city's applicable annexation fee prior to the city's consideration of the annexation request.

Annexation Criteria and Requirements.

- A. The City Council shall consider the following criteria when it receives a written petition for annexation:
 - The property must be located within an area identified by city staff as a location for future city annexation or annexation of the property will promote orderly growth of the city to protect the health, safety and welfare in areas intensely utilized for residential, commercial, institutional and governmental purposes;
 - The city must be able to provide adequate city services within a time period mutually agreed to by the property owner requesting annexation and the city;
 - Existing or proposed public improvements within the area to be annexed must meet all city standards. If the public improvements are not constructed at the time of annexation, the property owner shall provide the city a bond or letter of credit that equals 125% of the estimated engineering costs for the construction of improvements. If the property owner fails to construct the improvements or to obtain the agreed upon engineering, the city shall utilize the bond or letter of

credit to pay for the construction, including engineering; In accordance with GASB-34, the Developer or Landowner shall provide the city the total cost and/or value of the improvements including, but not limited to, parks, sidewalks, curb and gutter, lift stations, and sewer and water lines, that are conveyed to the city.

- All property owners within the area to be annexed must sign a Waiver of Right to Protest the creation of Special Improvement Districts for engineering and construction of improvements including, but not limited to, streets, sidewalks, curb and gutter and the creation of a Park Maintenance District, in a form acceptable and approved by the city;
- All residential property owners must execute a Waiver of Right-to-Protest the creation of Special Improvement Districts for engineering and construction of improvements including, but not limited to, streets, sidewalks, curb and gutter and the creation of a Park Maintenance District, in a form acceptable and approved by the city;
- Residential densities within the area to be annexed must be rezoned at a minimum density of R-7500 or greater; and
- The proposed land use within the area to be annexed must conform to the goals of the Laurel-Yellowstone City-County Planning Board Growth Policy.

B. The City Council may decide to either condition the approval of the annexation in order to meet the criteria listed in Section A herein or require an annexation agreement. The conditions of approval must be clearly stated in the resolution of annexation or if required, the annexation agreement. If the property to be annexed is not developed, the conditions of approval or annexation agreement shall include a requirement for:

1. A development agreement prior to the issuance of a building permit;
2. A subdivision improvements agreement at the time of final subdivision plat approval, if applicable and
3. An executed Waiver of Right-to-Protest creation of Special Improvement Districts for engineering and construction of improvements including, but not limited to, streets, sidewalks, curb and gutter and the creation of a Park Maintenance District, in a form acceptable and approved by the city.

If the property is developed and contains public improvements that are not constructed to city standards, the city shall require an annexation agreement. The annexation agreement shall specify that the public improvements must be upgraded and/or installed to city standards, as well as a time period and mechanism to finance the construction and installation of those improvements. All construction or installation of improvements must be completed within two years of annexation.

In any case, all public improvements, whether existing or proposed, shall meet city standards.

EXHIBIT A

ANNEXATION EXHIBIT

WITHIN NUTTING BROTHERS SUBDIVISION

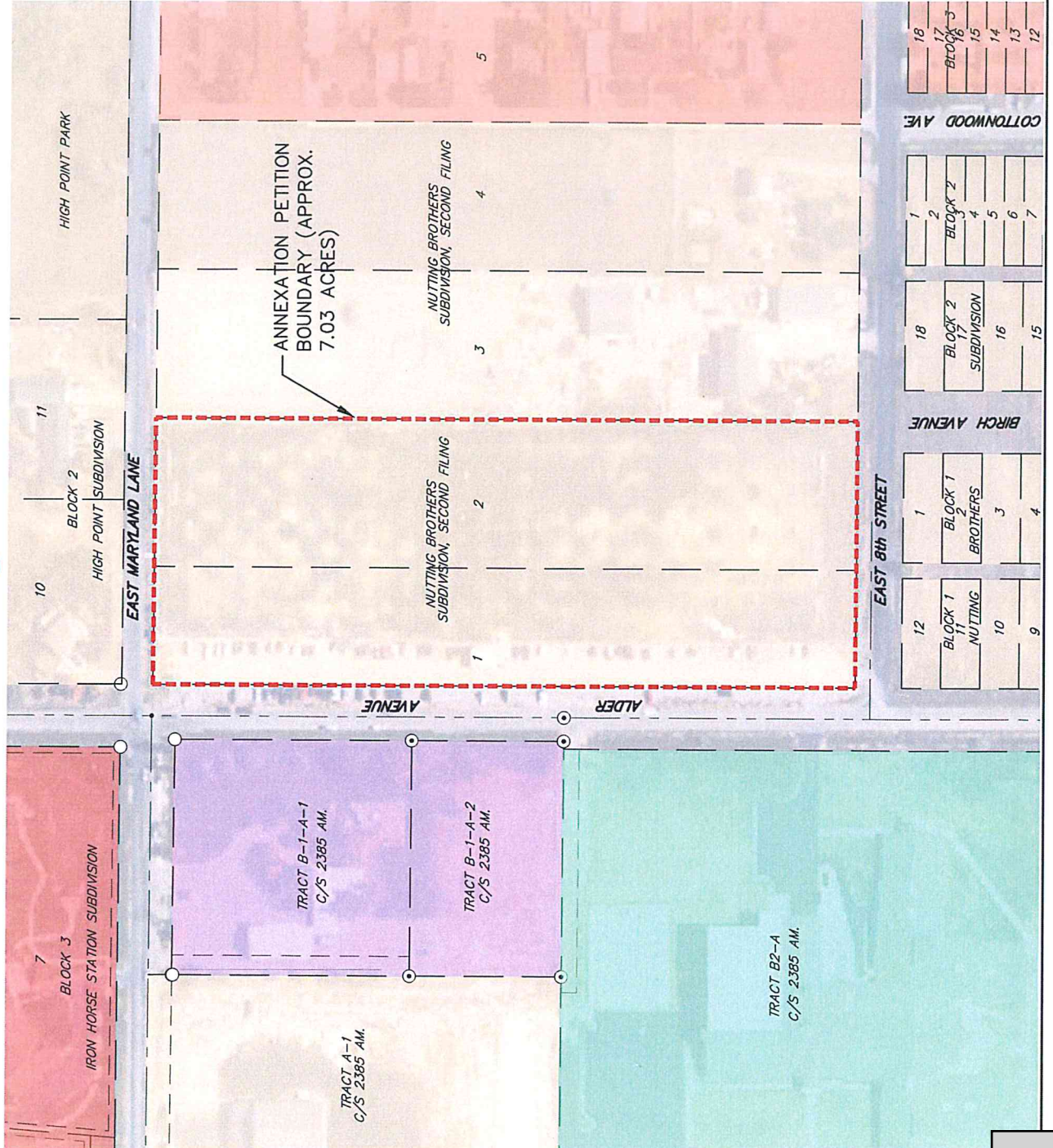
PREPARED FOR : LAUREL PUBLIC SCHOOLS

PREPARED BY : **SANDERSON STEWART**



AUGUST, 2023

BILLINGS, MONTANA



RESIDENTIAL TRACTS

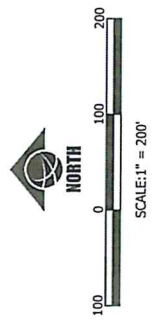
RESIDENTIAL LIMITED MULTI-FAMILY

COMMUNITY COMMERCIAL

RMH-RESIDENTIAL MOBILE HOME

RESIDENTIAL 6000

RESIDENTIAL 7500



File Attachments for Item:

2. Court Ruling

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT
YELLOWSTONE COUNTY

THIEL ROAD COALITION,
NORTHERN PLAINS RESOURCE
COUNCIL, and MONTANA
ENVIRONMENTAL INFORMATION
CENTER,

Plaintiffs,

vs.

CITY OF LAUREL, YELLOWSTONE
COUNTY, and NORTHWESTERN
ENERGY, INC.,

Defendants.

Cause No. DV-2022-1087

Honorable Judge Jessica T. Fehr

**ORDER DENYING PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT**

INTRODUCTION

This matter comes pursuant to Plaintiffs Thiel Road Coalition, Northern Plains Resource Council, and Montana Environmental Information Center (collectively hereinafter "Plaintiffs") Motion for Summary Judgment filed on February 16, 2023. Defendant Yellowstone County filed their Brief in Response to Motion for Summary Judgment on March 23, 2023. Defendant City of Laurel filed a Statement of Facts Opposing Plaintiffs' Motion for Summary Judgment on March 23, 2023. The City of Laurel also filed their Response Opposing Plaintiffs' Motion for Summary Judgment on March 23, 2023. Defendant Northwestern Energy, Inc., filed their Response to Plaintiffs' Motion for Summary Judgment on March 27, 2023. Plaintiff's filed their Reply Brief on April 10, 2023.

Plaintiffs seek summary judgment from this Court, asking for a legal determination that “the City of Laurel has zoning jurisdiction in the 1-mile extraterritorial area surrounding the City where NorthWestern Energy is building a power plant.” *Plaintiffs’ Motion for Summary Judgment*, at pg. 2. In their *Brief*, Plaintiffs discuss the confusion and conflicting actions regarding which party has jurisdiction. Plaintiffs state that NorthWestern initially acknowledged the City’s zoning authority of the property for the intended gas plant. *Plaintiffs’ Brief in Support of Motion for Summary Judgment*, at pg. 11. Additionally, Plaintiffs claim that at one point, “Yellowstone County’s City-County planner continued to represent that the County had no zoning jurisdiction on zoning matters outside of Laurel city limits, extending 4.5 miles into the County.” *Plaintiffs’ Brief in Support of Motion for Summary Judgment*, at pg. 12.

The City denies that it has zoning jurisdiction in the one (1) mile extraterritorial area surrounding the City where NW Energy is building a power plant (which is County property). *City of Laurel’s Response Opposing Plaintiffs’ Motion for Summary Judgment*, at pg. 2. The proposed construction site consists of two parcels: Parcel 2, COS 1677, S15, T02S, R24E; and Parcel 1 COS 1239, S15, T25, R24E. *Plaintiffs’ Brief in Support of Motion for Summary Judgment*, Galvan Decl., Ex. 7 at 66. Rather, the City respectfully submits that Yellowstone County has indicated an intent, pursuant to its Growth Policy, zoning regulations, and subdivision regulations to exercise jurisdictional control over County parcels and properties. *City of Laurel’s Response Opposing Plaintiffs’ Motion for Summary Judgment*, at pg. 2. Specifically, the County has enacted Subdivision Regulations for the unincorporated portions of the Laurel Planning Jurisdiction, and administration is performed via the City-County Interlocal Agreement, with a clear separation of power and authority between the City and the County. *Id.* To date, the County has not ceded its jurisdictional authority regarding zoning to the City, pursuant to an Interlocal Agreement. *Id.*

Moreover, Montana law contemplates a clear differentiation between a City-County planning jurisdiction, subdivision administration, and the lawful application of zoning regulations. *Id.* The fact that the City and County utilize a City-County Planning Board to analyze both City and County land use issues does not affect jurisdiction, nor does it remove the County’s legal right to exercise control and authority over its County residents and properties. *Id.*

This Court rules in favor of the Defendants in this matter, denying Plaintiffs’ Motion for Summary Judgment, and entering Judgment in favor of the Defendants. Specifically, this Court finds as follows:

1. Yellowstone County has stated its intent to exercise jurisdictional control over County parcels and properties, including the property at issue in this matter.
2. The City of Laurel has no jurisdictional authority over the property at issue in this matter.
3. Any disputes regarding land use issues for the property at issue in this matter are properly resolved within Yellowstone County and its jurisdictional authority, unless and until such time as Yellowstone County formally cedes its jurisdictional authority to the City of Laurel, through properly-noticed means and appropriate legal mechanisms.

LEGAL AUTHORITY

I. General Legal Framework Applicable to Justiciable Controversies

The judicial power of Montana’s courts is limited to justiciable controversies. *Plan Helena, Inc. v. Helena Reg’l Airport Auth. Bd.*, 2010 MT 26, ¶ 6, 355 Mont. 142, 226 P.3d 567. “A justiciable controversy is one upon which a court’s judgment will effectively operate, as distinguished from a dispute invoking a purely political, administrative, philosophical or academic

conclusion.” *Id.*, ¶ 8. Courts “have an independent obligation to determine whether jurisdiction exists and, thus, whether constitutional justiciability requirements . . . have been met.” *Id.*, ¶ 11.

The justiciable controversy test has three elements:

First, a justiciable controversy requires that parties have existing and genuine, as distinguished from theoretical, rights or interest. Second, the controversy must be one upon which the judgment of the court may effectively operate, as distinguished from a debate or argument invoking a purely political, administrative, philosophical or academic conclusion. Third, [it] must be a controversy the judicial determination of which will have the effect of a final judgment in law or decree in equity upon the rights, status or legal relationships of one or more of the real parties in interest, or lacking these qualities be of such overriding public moment as to constitute the legal equivalent of all of them.

Miller v. State Farm Mut. Auto. Ins. Co., 2007 MT 85, ¶ 8, 337 Mont. 67, 155 P.3d 1278; *Lee v. State*, 195 Mont 1, 6, 635 P.2d 1282 (1981); *see also Northfield*, ¶ 12; *Brisendine v. State, Dep’t of Commerce, Bd. of Dentistry*, 253 Mont. 361, 364-65, 833 P.2d 1019, 1020-21 (1992).

Montana courts “apply the justiciable controversy test to actions for declaratory judgment to prevent courts from determining purely speculative or academic matters, entering anticipatory judgments, providing for contingencies which may arise later, declaring social status, dealing with theoretical problems, answering moot questions, or giving abstract or advisory opinions.” *Northfield*, ¶ 12; *see also Broad Reach Power*, ¶ 10. “In contrast to a purely political, administrative, philosophical or academic issue, an issue is justiciable if within the constitutional power of a court to decide, an issue in which the asserting party has an actual, non-theoretical interest, and an issue upon which a judgment can effectively operate and provide meaningful relief.” *City of Missoula v. Fox*, 2019 MT 250, ¶ 11, 397 Mont. 288, 450 P.3d 898 (internal quotation marks and citation omitted).

II. General Legal Framework Applicable to Municipal Powers, Including Powers Exercised by a City that are Related to Land Use Issues.

In Montana, the extent of a municipality's authority to adopt land use regulations depends on whether it has adopted a self-governing charter or is a general government power. Self-governing powers may exercise any power, provide any services, or perform any functions not expressly prohibited by the constitution, law, or charter. Mont. Const., Art. XI, Section 6 and 7-1-101, MCA.

Municipalities also have self-governing powers. Where statutes provide the framework for specific actions, self-governing powers must strictly follow those requirements; where discretion is required, self-governing powers must substantially comply with the statute (*Gregg v. Whitefish City Council*, 2004 MT 262, ¶ 20 (Mont. 2004)). General governing powers have only those powers provided or implied by law (Mont. Const., Art. XI, Section 4(1); *D & F Sanitation Serv. v. Billings*, 219 Mont. 437, 444-445 (Mont. 1986)). Unless the state legislature specifically provides local governments with general government authority to take a particular action, provide a particular service, perform a particular function, *etc.*, a general government municipality has no authority to act and should not act. *Id.*

Montana law specifically provides municipalities with the authority to adopt a specific statutory framework for a variety of land use and planning regulations, but these are specifically limited by statute. These include: Growth policies (76-1-601, *et seq.*, MCA); Zoning ordinances for municipal zoning (Title 76-2-Part 3); and Subdivision regulations (Title 76, chapter 3) (in relevant part).

In 2003, Montana law was modified to make growth policies optional, non-regulatory documents. *See* Mont. Code Ann. § 76-1- 605(2). Under this language, local jurisdictions are not required to have a growth policy. *Id.* If a jurisdiction does adopt a growth policy, that document

does not confer any authority on a local jurisdiction to regulate “that is not otherwise specifically authorized by law or regulations adopted pursuant to the law.” *Id.* In particular, Montana law prohibits a governing body, like the City of Laurel, from imposing conditions on a land use approval based solely on the fact that the development proposal does not comply with the growth policy. *Id.* It also prohibits a governing body, like the City of Laurel, from regulating any land use issues that are not otherwise permitted by law. *Id.* It is a clear, from the statutory framework related to land use issues (and specifically, zoning matters), that a City may only act within the authority specifically granted it by law.

76-1-605. Use of adopted growth policy. (1) Subject to subsection (2), after adoption of a growth policy, the governing body within the area covered by the growth policy pursuant to 76-1-601 must be guided by and give consideration to the general policy and pattern of development set out in the growth policy in the:

- (a) authorization, construction, alteration, or abandonment of public ways, public places, public structures, or public utilities;
- (b) authorization, acceptance, or construction of water mains, sewers, connections, facilities, or utilities; and
- (c) adoption of zoning ordinances or resolutions.

(2) (a) A growth policy is not a regulatory document and does not confer any authority to regulate that is not otherwise specifically authorized by law or regulations adopted pursuant to the law.

(b) A governing body may not withhold, deny, or impose conditions on any land use approval or other authority to act based solely on compliance with a growth policy adopted pursuant to this chapter.

Mont. Code Ann. § 76-1-605(1)-(2).

As such, growth policies are non-regulatory, and they cannot be interpreted to require specific action by a municipality. *Id.*

III. Applicable Statutory Provisions of the Montana Code Annotated Related to Zoning Issues for Cities and Counties.

A. Statutory Provisions Specifically Related to Zoning Requirements for Cities:

Title 76, Chapter 2, Part 3 of the Montana Code addresses the requirements applicable to municipal zoning issues. Specifically, Mont. Code Ann. § 76-2-310 specifies as follows:

76-2-310. Extension of municipal zoning and subdivision regulations beyond municipal boundaries. (1) Except as provided in 76-2-312 and except in locations where a county has adopted zoning or subdivision regulations, a city or town council or other legislative body that has adopted a growth policy pursuant to chapter 1 for the area to be affected by the regulations may extend the application of its zoning or subdivision regulations beyond its limits in any direction subject to the following limits:

(a) up to 3 miles beyond the limits of a city of the first class as defined in 7-1-4111;

(b) up to 2 miles beyond the limits of a city of the second class; and

(c) up to 1 mile beyond the limits of a city or town of the third class.

(2) When two or more noncontiguous cities have boundaries so near to one another as to create an area of potential conflict in the event that all cities concerned should exercise the full powers conferred by 76-2-302, 76-2-311, and this section, then the extension of zoning or subdivision regulations, or both, by these cities must terminate at a boundary line agreed upon by the cities.

Mont. Code Ann. § 76-2-310(1) (emphasis added). Under Section 76-2-310(1), it is abundantly clear that any extension of zoning or subdivision regulations, into an extra-territorial area, is patently illegal, if “a county has adopted zoning or subdivision regulations ...”. *Id.*

B. Statutory Provisions Specifically Related to Zoning Requirements for Counties:

Title 76, Chapter 2, Part 2 of the Montana Code Annotated addresses planning and zoning within County boundaries. Specifically, Mont. Code Ann. § 76-2-201 specifies as follows:

76-2-201. County zoning authorized. (1) For the purpose of promoting the public health, safety, morals, and general welfare, a board of county commissioners that has adopted a growth policy pursuant to chapter 1 is authorized to adopt zoning

regulations for all or parts of the jurisdictional area in accordance with the provisions of this part.

(2) For the purpose of promoting the public health, safety, morals, and general welfare, a board of county commissioners that adopted a master plan pursuant to Title 76, chapter 1, before October 1, 1999, may, until October 1, 2006, adopt or revise zoning regulations that are consistent with the master plan.

Mont. Code Ann. § 76-2-201(1)-(2).

Pursuant to Section 76-2-201(1)-(2), a County is not required to adopt zoning regulations. A County “may” adopt zoning regulations, and those zoning regulations “may” be for “all or parts” of County properties. *Id.* (emphasis added).

Mont. Code Ann. § 76-2-311 continues:

76-2-311. Administration of regulations in extended area. (1) A city or town council or other legislative body may enforce regulations adopted pursuant to 76-2-310, as if the property were situated within its corporate limits, until the county board adopts a growth policy pursuant to chapter 1 and accompanying zoning or subdivision resolutions that include the area.

(2) As a prerequisite to the exercise of this power, a city-county planning board whose jurisdictional area includes the area to be regulated must be formed or an existing city planning board must be increased to include two representatives from the unincorporated area that is to be affected. These representatives must be appointed by the board of county commissioners. Representation must cease when the county board adopts a growth policy pursuant to chapter 1 and accompanying zoning or subdivision resolutions that include the area.

Mont. Code Ann. § 76-2-311(1)-(2) (emphasis added).

Again, the provisions of Section 76-2-311 are clear. First, the exercise of extra-territorial jurisdiction, by a City into County properties, is not mandatory. The statute specifically states that a City “may” – “may” being permissive, not mandatory (versus “must”). Second, where a County has adopted a growth policy and has adopted either zoning or subdivision regulations to include a proposed extra-territorial area, a City may no longer enforce regulations “as if the property were situated within its corporate limits ...”. *Id.*

IV. Applicable Legal Authority Within the City of Laurel, Related to Zoning and Subdivision Regulations.

A. Applicable City of Laurel Ordinances:

Ordinance No. 508 of the City of Laurel was passed in May 1957 to address zoning within the City of Laurel. *See* Ex. 1 to Braukmann Dec. Ordinance No. 613, passed on September 2, 1975, thereafter resolved, on the City’s behalf, as follows: “... the City of Laurel does hereby extend the jurisdiction of the zoning authority of the City to include all contiguous land within one (1) mile in any direction of the present city limits.” *Ordinance No. 613* at § 1 (1975). *Id.* at Ex. 2. The Ordinance, however, was only in effect for “a period of six months ...”. *Id.* at § 3.

The City of Laurel thereafter again adopted an applicable Ordinance, specifically Ordinance No. 617, defining the municipal jurisdictional area of the City. *Id.* at Ex. 3. Ordinance No. 617 specifies that “[z]oning and subdivision ordinances and regulations may be enforced within the corporate limits of the municipality and within one (1) mile beyond its corporate limits.” *City of Laurel Ordinance No. 617*, § 6. Ordinance No. 617 continues: “The enforcement in the area beyond the corporate limits may be to the same extent as if such property were situated within the corporate limit, until Yellowstone County adopts a master plan pursuant to Title XI, Chapter 38, R.C.M., Amended, and accompanying zoning or subdivision resolutions or both which include the area beyond the corporate limits.” *Id.* (emphasis added).

In 1976, the City of Laurel also passed Ordinance 619, which created the Laurel-Yellowstone City-County Planning Board. *Id.* at Ex. 4. Ordinance 619 provides: “... the City of Laurel shall join with Yellowstone County, Montana, in the creation of a joint planning board.” *City of Laurel Ordinance No. 619*, § 2. The City-County Planning Board was afforded jurisdictional authority “within the corporate limits of the City of Laurel and extend[ing] four and one-half miles (4 ½) beyond the limits of the City of Laurel.” *Id.* at § 4. The City-County Planning

Board was also designated to “function as the zoning commission ...”. *Id.* at § 5. Importantly, pursuant to Ordinance 619, the City of Laurel was not given jurisdictional authority over the extra-territorial 4 ½ mile radius surrounding the City, and including County properties. The Laurel-Yellowstone City-County Planning Board was given jurisdictional authority, as a combined City and County Planning Board, to hear, consider, and make recommendations on land use issues for the extra-territorial area – to their respective regulatory bodies – either the City or the County.

B. Applicable City of Laurel Resolutions and Related Interlocal Planning Agreement:

On November 4, 2014, the City of Laurel resolved to approve the execution of an Updated Interlocal Planning Agreement between the City and Yellowstone County. *See Resolution No. R14-80. Id.* at Ex. 6. The Interlocal Agreement entered into in 2014 has specific terms related to land use issues both within the City of Laurel and outside City limits. In relevant part, the City and the County agreed, pursuant to the terms of the Interlocal Agreement:

The County Planning Board has jurisdiction over all of Yellowstone County except the City of Laurel and an area around the City of Laurel that the Joint City/County Planning Board has jurisdiction over.

...

The jurisdictional area of the Board is the City of Laurel and the 4.5 mile area around the City.

Id.

The 2014 Interlocal Agreement does not specifically address zoning. It is expressly related to planning and “planning recommendations.” *Id.* In addition, the 2014 Interlocal Agreement does not confer zoning jurisdiction upon the City of Laurel. It contemplates that the Joint City/County Planning Board hear matters regarding land use issues, including properties within an area of 4.5 miles around the City of Laurel. It does not grant authority for the City, versus the County, to

exercise decision-making authority over County residents and their properties. It simply grants to the Joint City/County Planning Board the ability to hear and make recommendations to the proper regulatory body.

C. Applicable City of Laurel Municipal Code:

The Laurel Municipal Code (“LMC”), at Section 1.20.010(f) provides as follows:

Zoning and subdivision ordinances and regulations may be enforced within the corporate limits of the city and within one mile beyond its corporate limits. The enforcement in the area beyond the corporate limits may be to the same extent as if such property were situated within the corporate limit, until Yellowstone County adopts a master plan pursuant to Title 76, Chapters 1 and 3, MCA., 1978, amended, and accompanying zoning or subdivision resolutions or both which include the area beyond the corporate limits.

LMC § 1.20.010(f) (emphasis added).

Consistent with Montana law, the LMC only contemplates the exercise of extra-territorial jurisdiction, over County properties and residents, if the County has not adopted a Master Plan and has not effected *either* zoning or subdivision resolutions.” *Id.* (emphasis added).

D. Applicable City of Laurel Subdivision Regulations:

The City of Laurel, in conjunction with Yellowstone County, has also approved and adopted specific Subdivision Regulations that govern the “public health, safety and general welfare of the citizens of Laurel and its Planning Jurisdictional Area by regulating the subdivision of land ...”. (Ex. 7 to Braukmann Decl.) (*The Subdivision Regulations of the Laurel-Yellowstone County City-County Planning Board*, § 16.03.) These Subdivision Regulations were enacted in 2017, and they were approved by Yellowstone County on March 21, 2017. Yellowstone County has relied upon its Subdivision Regulations in approving multiple different Subdivisions surrounding the City of Laurel. All of these Subdivisions were approved by the Yellowstone County Commissioners, not the City of Laurel City Council. *See* Braukmann Decl. ¶¶ 17-19. The County has retained its jurisdictional control over subdivision approvals and regulation.

V. **Applicable Legal Authority Within Yellowstone County, Related to Zoning and Subdivision Regulations.**

A. **Yellowstone County Growth Policy:**

In 2003, Yellowstone County passed a Growth Policy that, in part, addresses the jurisdiction of the Yellowstone County Planning Board. *See Ex. 2 to Galvan Decl.* (*Yellowstone County Growth Policy*, § 5.4 (Interjurisdictional Coordination and Cooperation)). In 2008, Yellowstone County and the City of Billings updated their Growth Policy Plan by way of the *Yellowstone County and City of Billings 2008 Growth Policy Update*. *See Ex. 3 to Galvin Decl.*

B. **Applicable Yellowstone County Subdivision Regulations:**

As already noted above, Yellowstone County adopted specific Subdivision Regulations that govern the “public health, safety and general welfare of the citizens of Laurel and its Planning Jurisdictional Area by regulating the subdivision of land ...”. *See Ex. 7 to Braukmann Decl.* (*The Subdivision Regulations of the Laurel-Yellowstone County City-County Planning Board*, § 16.03). These Subdivision Regulations were enacted in 2017, and they were approved by Yellowstone County on March 21, 2017. They provide as follows:

These regulations will be known and may be cited as “The Subdivision Regulations of the Laurel-Yellowstone County City-County Planning Board ...

...

Authorization for these Regulations is contained in the Montana Subdivision and Platting Act (MSPA) (Title 76, Chapter 3, Mont. Code Ann.).

...

These Regulations govern the subdivision of land within the jurisdictional area of the Laurel-Yellowstone City-County Planning Board as shown on the map filed with the Yellowstone County Clerk and Recorder’s Office. The area is described as the lands lying within the City of Laurel and those lands extending four and one half miles beyond the City limits.

Id. at §§ 16.01-02, 16.04.

C. Applicable Yellowstone County Zoning Regulations:

In November 2020, Yellowstone County adopted the “Yellowstone County Unified Zoning Regulations” (hereinafter “the Zoning Code”). Section 27-102 of the Zoning Code states: “This Zoning Code has been established in accordance with the 2008 Yellowstone County Growth Policy and any updates thereto including the 2016 Lockwood Growth Policy and any County adopted plans and policies related to growth and development of County services ...”. The Zoning Code “applies to all lands within the Yellowstone County zoning jurisdiction boundary”. *Yellowstone County Unified Zoning Regulations*, § 27-103(A). The contemplated area with the County’s “zoning jurisdiction boundary” encompasses a “4 ½ mile jurisdictional area ...”. *Id.* at § 27-201(B). “The boundaries of the zone districts are shown on the Official Zoning Map ...”, referred to as “the Official Zoning Map of Yellowstone County, Montana 4½ Mile Jurisdictional Area.” *Id.* at § 27-202(A).

D. Applicable County Actions, as it Relates to Both Subdivision and Zoning Issues:

Not only has the County indicated an intent to enforce zoning and subdivision regulations in the extra-territorial area outside the City outskirts of Laurel, but it *actually has* done so. There are numerous examples, in the past, of how the County has exercised this control. For example, in 2009, the Figgins Subdivision, which is located within the County, but within the extra-territorial area of the City of Laurel, sought variances from the City-County Planning Board. (Ex. 9 to Braukmann Decl., Figgins Subdivision Approval). The City-County Planning Board heard the variance requests, and then, as reflected in the Minutes, referred the matter to the County for decision. *Id.* By way of further example, in 2016, the County considered a Zone Change application for the Allwin parcel, property also located within the extra-territorial area of the City of Laurel. (Ex. 10 to Braukmann Decl., Allwin Zoning Change Approval).

Yellowstone County has also specifically enacted Zoning Regulations for County properties in the extra-territorial area of the City of Laurel. By way of Resolution No. 97-36 (passed on May 15, 1997), the County created a special zoning district known as the Special Zoning District #18 for Thiel Road, Laurel, Montana, which external boundaries were thereafter amended by way of Resolution No. 97-56, passed by the County Commissioners. (Ex. 11 to Braukmann Decl., Resolution No. 97-36 (1997)). The County's Zoning District for Special Zoning District #18 is contained within the 4 ½ mile planning jurisdiction of the City of Laurel. *Id.* Importantly, this zoning, by the County, actually encompasses some of the particular Plaintiffs' properties, as County residents.

These are all clear examples of the County's intent to enact and enforce subdivision and zoning regulations for its County residents, even within the "donut area" of the City of Laurel.

VI. Applicable Montana Case Law Addressing Extra-Territorial Zoning.

The issues before this Court have been considered by the Montana Supreme Court. The two primary Montana Supreme Court cases that impact this Court's analysis are from 2014 and 2008 -- *City of Whitefish v. Board of County Commissioners of Flathead County*, 2008 MT 436 and *Phillips et al v. City of Whitefish and Board of Commissioners of Flathead County et al*, 2014 MT 186.

In *City of Whitefish v. Board of County Commissioners of Flathead County*, 2008 MT 436, the Montana Supreme Court was asked to consider various injunctive relief issues related to an extraterritorial zoning challenge, specifically involving the existence of an Interlocal Agreement. The City of Whitefish (hereinafter "Whitefish") and the Board of Commissioners for Flathead County (hereinafter "Flathead County") entered into an Interlocal Agreement in February 2005. *Id.* at ¶ 1. The Interlocal Agreement memorialized many cooperative planning practices in which

the parties had engaged for several decades. *Id.* In 2008, Flathead County issued a resolution that rescinded the County's consent to the Interlocal Agreement in violation of the express terms of the Agreement. *Id.* Whitefish filed a complaint against Flathead County seeking various forms of relief, including a preliminary injunction. *Id.* The Eleventh Judicial District Court denied the injunction and ruled that the Interlocal Agreement was invalid. *Id.* Whitefish appealed from the District Court's decision denying the injunction and ruling that the Interlocal Agreement was invalid. *Id.*

The specific facts and procedural background underlying *Whitefish v. Flathead County* are as follows:

In 1967, the City and County jointly created the Whitefish City-County Planning Board (Board). The Board enjoyed a planning jurisdictional area of four and one-half miles around the City. Additionally, from 1967 to 2005, the City of Whitefish, in accordance with applicable law and with the consent of Flathead County, zoned the perimeter of land circling the City and extending one mile outside of the City limits. This area was called the City's extra-territorial zoning jurisdiction.

...

In February 2005, after two years of negotiation, the City and County entered into a formal interlocal agreement. Among other things, the Agreement reduced the jurisdiction of the Board to two miles outside of the Whitefish city limits. The Agreement also provided that within these two miles, the City would have sole zoning authority and sole authority to establish and enforce subdivision, floodplain and lakeshore protection regulations, as well as complete authority to adopt and amend a growth policy.

Whitefish at ¶¶ 3-4.

In suing Flathead County, Whitefish argued that the County had breached the Agreement, and asserted that only the City of Whitefish had jurisdiction to enforce zoning within the two-mile area outside of the City limits. *Id.* The District Court ruled in favor of the County and determined that the Interlocal Agreement was invalid. *Id.* at ¶ 6. Whitefish then appealed the District Court's

determination, asking the Montana Supreme Court to find that the Interlocal Agreement was valid and enjoining the County from enforcing zoning in the two-mile extra-territorial area. *Id.*

The Montana Supreme Court found in favor of the City of Whitefish, although the holding of the Montana Supreme Court was related only to its determination that there were procedural errors by the District Court in not granting the preliminary injunction, and not as to the legal issues involved in extra-territorial zoning. *Id.* at ¶ 27. The Court stated:

... we conclude that in order to justify the entry of a preliminary injunction, the City of Whitefish was required at a minimum to make a prima facie showing of the existence of a duly executed contract between itself and the County, and a violation of its rights under that contract by virtue of the County's unilateral decision to breach the Agreement by withdrawing from it. This, the City has done. ... [Therefore] ... we vacate the District Court's order denying the City's application for preliminary injunction and remand this matter to the District Court for entry of a preliminary injunction preserving the status quo pending a trial on the merits."

Id. at ¶¶ 26-27.

The Court's opinion contains the relevant analysis utilized by the District Court, as it relates to extra-territorial zoning issues.

The District Court started its analysis by exploring the legal authority for interlocal agreements. The District Court observed that substantial constitutional and statutory authority existed allowing cities and counties to enter into interlocal agreements and share or delegate authority—specifically, Article XI, Section 7 of the Constitution, §§ 7-11-104, 76-1-112, 76-1-504, and 76-2-310, MCA. The court noted, however, that while § 7-11-104, MCA, expressly authorizes creation of interlocal agreements, §§ 76-2-310 and -311, MCA, provide that extending zoning and subdivision regulation jurisdiction to a city is authorized “except in locations where a county has adopted zoning or subdivision regulations” and “until the county board adopts a growth policy pursuant to chapter 1 and accompanying zoning or subdivision resolutions that include the area.”

Therefore, the District Court determined, an agreement may facilitate a city's exercise of extra-territorial jurisdiction for only so long as the county has not adopted a growth policy and zoning or subdivision regulations for the area.

Id. at ¶ 9.

This relevant analysis was not disputed or overturned by the Montana Supreme Court.

After remand, Whitefish and Flathead County requested an extension of time from the District Court to allow opportunity for settlement discussions. *Phillips* at ¶¶ 11. The parties then created a joint committee of elected officials and City and County residents, forming a resolution committee, to attempt to resolve the issues by negotiation. *Id.* Over eight months, the resolution committee held several public meetings and proposed amendments to the Interlocal Agreement to provide County oversight of the City's exercise of zoning jurisdiction in the area. *Id.* The proposed amendments, "would allow either party to terminate the Agreement after giving one year's notice and participating in alternative dispute resolution, and set a five-year duration term subject to renewal by the parties." *Id.* The proposed changes were further discussed at public meetings of the City Council and County Commissioners because both the City and County had to agree. *Id.*

On November 15, 2010, the City Council passed a resolution authorizing the Whitefish City Manager to sign a 2010 Interlocal Agreement on behalf of the City. *Id.* During that meeting, the City Council passed a second resolution authorizing the City to seek dismissal of the 2008 lawsuit. *Id.* Then, on November 30, 2010, the County Commissioners adopted a resolution identical to the City's resolution authorizing the County to enter the 2010 Interlocal Agreement. *Id.* The City and County filed a joint motion to dismiss the 2008 lawsuit, stating to the District Court that the litigation was moot because the 2010 IA was fully in effect and specifically replaced the 2005 IA. *Id.* There, intervenors in that case opposed dismissal. *Id.* The District Court dismissed the action on July 11, 2011, finding that the 2010 IA had rendered the 2005 IA void and resolved the issues between the parties. *Id.* In that case, both the City and the County participated in approving resolutions specifically identifying who was responsible for exercise of extra-territorial jurisdictional rights. *Id.* The proceedings involved public hearing and approval of a specific IA that clearly delineated jurisdictional rights. *Id.* By doing so, the City and the County were able to

jointly provide City and County residents the opportunity for appropriate public hearing, as well as ensure that the jurisdictional rights and obligations were clearly articulated in the Interlocal Agreement between the two governmental bodies. *Id.*

The Montana Supreme Court was later asked, in 2014, to again address extra-territorial zoning issues, in *Phillips et al v. City of Whitefish and Board of Commissioners of Flathead County et al*, 2014 MT 186 (Mont. 2014). *Phillips* assisted in clearing up some of the legal issues stemming from the *Whitefish* litigation. In its analysis in *Phillips*, the Montana Supreme Court stated:

A city may adopt a growth policy and implement zoning and subdivision regulation in an area beyond the city limits only if the county has not “adopted zoning or subdivision regulations” in that area. Section 76-2-310(1), MCA. Likewise, a city may enforce its zoning and subdivision regulations in the extended area only “until the county board adopts a growth policy . . . and accompanying zoning or subdivision resolutions that include the area.” Section 76-2-311(1), MCA. Thus, by statute, a city’s authority to zone and regulate outside its boundaries is limited to instances where the county has not exercised its authority, and only until the county does so.

State law also provides geographical limits for a city’s exercise of zoning and subdivision authority outside its boundaries. As a city designated by statute of the second class, according to its population, § 7-1-4111(2), MCA, Whitefish could extend its regulations for up to two miles beyond the city limits, § 76-2-310(1)(b), MCA. State law also allows local governments to create joint planning boards, § 76-1-112(1), MCA, and to enter into interlocal agreements concerning joint provision and maintenance of various services, § 7-11-104, MCA.

Phillips at ¶¶ 6-7 (emphasis added). In deciding the issues before it in *Phillips*, the Court further stated:

Although we are not deciding in this case whether zoning authority was the proper subject of an interlocal agreement, nonetheless the action here was simply an amendment to an interlocal agreement that had provided, at most, consensual authority from the County for the City to act. Not only did the IA amendments not actually zone, but they also did not alter the contractual designation of which local government had current authority to zone in the donut. Land-use authority in the donut under the 2010 IA remained with the City, while an unspecified power of oversight in the County was added.

...

Even without the IA in place, the City had the power under § 76-2-311, MCA, to zone in the donut up until the County determined to adopt its own regulations.

Id. at ¶ 42-43 (in relevant part).

What is clear from the *Phillips* decision is that 1) a City and County may certainly contract for designation of “powers,” as it relates to zoning issues and 2) if a County has taken specific steps to adopt its own regulations, a City is precluded from acting in relationship to extra-territorial zoning.

ANALYSIS

The Montana Supreme Court’s clear direction regarding extra-territorial zoning, contained in its statements interpreting Mont. Code Ann. § 76-2-310, is evaluated by this Court, in its analysis. “A city may adopt a growth policy and implement zoning and subdivision regulation in an area beyond the city limits only if the county has not “adopted zoning or subdivision regulations” in that area. *See* Mont. Code Ann. § 76-2-310(1). Likewise, a City may enforce its zoning and subdivision regulations in the extended area only “until the county board adopts a growth policy . . . and accompanying zoning or subdivision resolutions that include the area.” Mont. Code Ann. § 76-2-311(1). Thus, by statute, a City’s authority to zone and regulate outside its boundaries is limited to instances where the County has not exercised its authority, and only until the county does so. *Phillips* at ¶¶ 6-7.

I. The County has Exercised its Authority to Enact a Growth Policy, Pursuant to Mont. Code Ann. § 76-2-310.

Yellowstone County has a specific Growth Policy, which was first adopted in 2003. While the Growth Policy itself indicates that the City of Laurel is “outside the Yellowstone County Planning Board’s jurisdiction” and that the City is not specifically subject to the County’s Growth

Policy, the Policy is also silent on the issue of how extraterritorial zoning issues should be addressed. The County’s Growth Policy does not specifically speak to how zoning is actually enforced and, when enforced, by whom (the City or the County). It also does not address the procedural components of how these issues are meant to be handled, between the City and the County. There are no express provisions explaining whether a zoning application should, in fact, be presented to the Laurel City-County Planning Board, and then that Board in turn cedes the determination to either 1) the City of Laurel, or 2) Yellowstone County. What is clear is that – by not ceding jurisdiction to the City of Laurel – and by simply promulgating a Joint City/County Planning Board, the County has not effectively “given up its rights” over its residents. Had the County wished to do so, of course, it could have – and the appropriate mechanism would be an Interlocal Agreement between the City and the County, which clearly delineates that the County does not wish to exercise jurisdictional control over its residents. Therefore, on its face, the first “prong” of the statutory requirements is not met by the Plaintiffs in this case. A Growth Policy does exist. That Growth Policy does not cede zoning jurisdiction to the City of Laurel. It merely gives the City-County Planning Board the ability to hear and make “planning recommendations” to the appropriate governing body – in this case, for a County parcel and properties – to the County.

II. The County has Exercised its Authority to Enact Subdivision Regulations, Pursuant to Mont. Code Ann. § 76-2-311(1).

The other “prong” of analysis, applicable to this issue, is whether the County has adopted specific zoning or subdivision resolutions applicable to the extraterritorial area. Yellowstone County specifically adopted subdivision regulations within the County, first in 2006 and again in 2017. As explained above, these subdivision regulations clearly apply to the City of Laurel’s contiguous areas, including a four and a half (4 ½) mile radius of the City of Laurel city limits.

Immediately, the enactment of these subdivision regulations took the City outside the jurisdictional authority that it might have previously had to enact and enforce extra-territorial zoning.

In addition, practically speaking, the County has and continues to enforce zoning and subdivision regulations for its County residents. *See supra*. It has done that by regulating over forty different subdivisions, all within the extra-territorial purported “control” of the City of Laurel. It has done that by enacting zoning and other regulations for County residents, that are in the same purview as the NW Energy property. It has done that by, in fact, zoning the exact parcels of County property owned by some of the Plaintiffs in this litigation. It has done that by its clear intention to this Court to exercise control, moving forward. This is a clear exercise of the County’s control over these County properties, and a clear removal of any control that the City of Laurel may have over these properties.

III. The County has Not Ceded its Authority Over County Residents and Properties Pursuant to an Interlocal Agreement with the City of Laurel.

Considering the City and County’s Interlocal Agreement, it is likewise clear that the County did not intend, under the IA, to grant the City jurisdictional authority to enforce extra-territorial zoning. The City of Laurel’s Interlocal Agreement with the County is limited in scope. The Agreement very specifically only contemplates the creation and utilization of a joint City-County Planning Board. The City is tasked, under the Agreement, with administering funding and addressing planning matters, through the Board. The Agreement does not specify that the City has any jurisdictional authority outside the City of Laurel City limits. The Agreement also does not specify that the City has extra-territorial authority to address zoning or subdivision issues, outside of consideration of these issues by the Planning Board, and then appropriate referral to the governing body.

The City recognized and acknowledged, in its Briefing, that this authority could be ceded to it, if the County chose (or chooses) to do so. However, that has not happened. The County has not asked the City to enforce zoning and subdivision regulations beyond City limits. In fact, the County's actions have indicated that it has full exercise and control over its own residents, contrary to the Plaintiffs' arguments. That is evidenced by its actions, consistently throughout, in relationship to subdivisions in the extra-territorial area, as well as other zoning matters. If the City of Laurel is going to undertake control over these properties, that work has to be done by way of an Interlocal Agreement that clearly specifies how and to what extent this work will be done. It has to involve giving County residents the right to appear and protest at public hearings, the right to be heard, and the right to speak about whether they want the City to exercise this control. That right has never been given to County residents. To cede that right from County residents, where they have never been given an opportunity to participate and protest, would be a direct contravention of Montana law and the rights and obligations that these landowners hold, as County property owners.

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CONCLUSION

Here, Yellowstone County has asserted subdivision jurisdiction and advises the Court that it intends to acquire zoning jurisdiction. Yellowstone County's resolution demonstrates this case will be rendered moot. Based upon the foregoing, this Court denies Plaintiffs' Motion for Summary Judgment.

IT IS ORDERED that Plaintiffs' Motion for Summary Judgment is hereby DENIED.

Dated this 5th day of February, 2024.

/s/ Hon. Jessica T. Fehr

HON. JESSICA T. FEHR
DISTRICT COURT JUDGE

cc: Amanda Galvan, Esq., Marcy Chochenour, Esq., Emily Qiu, Esq.
Michelle Braukmann, Esq.
Melissa Williams, Esq.
Harlan Krogh, Esq., Ben Alke, Esq.

File Attachments for Item:

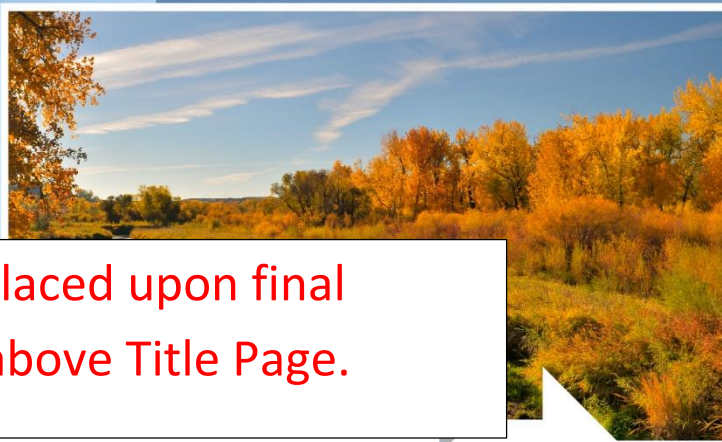
3. Resolution - Adopt Growth Management Policy (Tabled from 1/17/2024)



REQUESTED UPDATE

To the 2020 Growth Management
Policy for the City of Laurel/
Yellowstone County Joint Planning
Jurisdiction

Prepared by the City of Laurel/Yellowstone
County Planning Board 2023



This page to be replaced upon final approval with the above Title Page.



November 2020

GROWTH MANAGEMENT POLICY

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CHAPTER 1: INTRODUCTION AND PURPOSE

Introduction

The Growth Management Policy is a guide for the development of the **City of Laurel Laurel Planning jurisdiction area** over the next five years. The purpose of this plan is to provide general guidelines to develop and maintain Laurel as a safe, livable, and economically viable community that residents, institutions, and businesses are proud to call home. This document presents information about the **planning jurisdiction**, **City** its residents, and the goals and objectives the **City planning board** will work towards in the long term.

This document is focused on the City of Laurel and its **surrounding** zoning and planning jurisdictions. Laurel is at a crossroads both in place and time. It is located at a vital junction for agriculture, transportation, and industry that helped develop the area over the past 130 years. The timing of this policy update is also essential given a growing population, changing demographics, a fast-growing municipality nearby (Billings), and the need for updated regulations and policies to face 21st century technological, economic, and land-use challenges.



Historical Context

The Crow was the principle Tribe in the Yellowstone Basin when European explorers first arrived. In July of 1806, Captain William Clark and his expedition floated down the Yellowstone River from current-day Livingston in crude canoes on their return journey. Clark and his expedition camped at the mouth of the Clark's Fork of the Yellowstone River near Laurel's present site and noted it as a possible location for a trading post. Chief Joseph later led the Nez Perce over the Yellowstone River near Laurel during their retreat to Canada in 1877. Colonel Sam Sturgis and his cavalry caught up and battled the Tribe at Canyon Creek approximately six miles north of present-day Laurel. The Nez Perce escaped the cavalry and continued their flight to Canada after the battle. Laurel is located on both the Lewis & Clark and Nez Perce National Historic Trails that commemorate these events.

European settlement of the area began in 1879. The railroad reached Billings by 1882 and reached current-day Laurel by that fall. The City of Laurel, initially called Carlton, was established in 1882 along the newly laid railroad tracks. The western legend of "Calamity Jane" Canary was associated with Laurel in its early years after she came to Laurel in 1882 and had her dugout near the Canyon Creek Battleground.

Laurel's population and its economy boomed during the early years. By 1920, the population had reached 2,338 residents. The rail yards were a permanent fixture of the local economy and became a dependable employer due to the consistent demand for agricultural products nationwide. The three major industries which have played a significant role in the growth of the City have been agriculture, the

railroad, and oil. Local farms near current-day Laurel were settled before any official town being established. Popular crops for area farmers and ranchers included alfalfa, grains, and sugar beets. This agricultural production was a significant draw for the region outside of the rail yard's ability to ship goods. These farms were an essential driver of the local economy despite the railyard's outsized role as a shipping center.

The Northern Pacific, Great Northern, and Chicago, Burlington, and Quincy Railroads all made their junction in Laurel by 1906. The Northern Pacific was building terminal yards in 1907, which would eventually lead to Laurel being the largest terminal and classification station between St. Paul, Minnesota, Seattle, and Washington. The yards would eventually have a fifty-five-stall roundhouse, machine shop, ice-making plant, loading docks, water tank, and disinfecting plant. **The yard is currently operated by Montana Rail Link, which is leased from the Burling Northern/Santa Fe Railroad.** Laurel remains the largest rail yard between Minneapolis and Seattle.

The area was repeatedly drilled for oil exploration in the early 1920s. The Northwest Refining Company bought a site for a proposed 2,000-barrel refinery in 1922. In 1927, productive oil fields were discovered in the nearby Oregon Basin of Wyoming. The existing regional rail infrastructure made Laurel an ideal location for the refining and exporting of crude oil from Wyoming and other regions. The refinery in Laurel has been operated by many companies, including the Independent Refining Company, Farmers Union Central Exchange, and now CHS Inc.

Purpose

The Growth Management Policy is a statement of the community goals and objectives that will guide the **City's planning jurisdiction's** development. The policy is a comprehensive document covering many different study areas, including demographics, land use, infrastructure, public services, transportation, and housing. The purpose of this Growth Management Policy is to:

- ❖ Establish Community Goals and Objectives
- ❖ Present an updated profile of the community
- ❖ Provide projections for housing, natural resources, population, land use, and other subjects
- ❖ Ensure an orderly set of policy priorities for the expansion of the City
- ❖ Put forward an implementation guide for the established Goals and Objectives
- ❖ Act as a guide and resource for city **and county** staff and other local stakeholders

Community Vision

The Growth Management Policy allows local stakeholders to create a future vision for the Laurel community. A well-thought-out vision is important because it informs the structure and form of the document and influences the City's work long after it is published. This vision can involve where the City wants to grow, what types of business residents would like to see, priorities for project funding, and the quality of life residents would like to have. The Growth Management Policy's goals,



objectives, and recommendations for implementation are developed from this community vision. City staff worked with Planning Board members to develop a community vision for the **planning jurisdiction. Laurel.**

In the future, **the Laurel area** will have:

- ❖ A diverse array of residents, businesses, and institutions,
- ❖ Greater employment opportunities,
- ❖ Connected and accessible neighborhoods,
- ❖ A variety of housing options and levels of affordability,
- ❖ A thriving downtown and commercial district,
- ❖ Well-functioning public services and amenities,
- ❖ Clear and consistent regulations for development, and
- ❖ An engaged community.

Regulatory Requirements

The Growth Management Policy is a statutory necessity for local governments. Montana Code Annotated Title 76, Chapter 1, Part 6 provides the foundation for establishing a municipal growth policy. These statutes require certain general items to be included, but the direction, focus, and contents of the policy are the local governing body's responsibility. These statutes were established to enable local governments to proactively envision their future and implement change in a coordinated way.

CHAPTER 2: PUBLIC INVOLVEMENT

Overview

The update process for the 2020 Growth Management Policy began in November 2019 and continued through October of 2020. Much of the plan was developed in the spring and early summer of 2020. The Planning Department convened multiple meetings of the Planning Board to discuss and review draft chapters and information and reached out to local, county, and state officials for input.

The onset of the COVID-19 pandemic and subsequent shelter-in-place directives disrupted the Laurel City-County Planning Board's in-person meetings. The Planning Department continued to draft sections of the plan, met with stakeholders virtually, and compiled chapters despite this disruption.

Prior Efforts

Before this update, the most recently approved Growth Management Policy was completed and approved by Laurel City Council in December of 2013. Before adopting the 2013 Growth Management Policy, The City of Laurel had prepared and adopted a Growth Management Policy in 2004.

Outreach

Outreach efforts were made during the late winter and early spring of 2020. The City reached out to many local, regional, and state groups. These groups and organizations were identified as essential stakeholders in the development of the plan. Many groups were unable to comment due to the COVID-19 pandemic, which caused significant scheduling and contact issues. The chart below shows the groups that the City met with and those contacted but who did not follow-up or could not provide direct information due to the pandemic.

| Laurel Growth Management Policy Update Outreach | |
|--|--|
| Groups with which Meetings were held | Groups Contacted |
| Laurel Urban Renewal Agency | Laurel Chamber of Commerce |
| Laurel School District | Big Sky Economic Development Authority |
| City of Laurel Public Works | Montana Department of Commerce |
| City of Laurel Fire Department | Yellowstone County Disaster & Emergency Services |
| City of Laurel Police Department | Yellowstone County GIS |
| Laurel Rotary Club | Montana Department of Justice |
| Yellowstone County Board of County Commissioners | |
| Yellowstone County Sheriff's Department | |
| Department of Natural Resources and Conservation | |
| Montana Department of Transportation (Billings District) | |
| Beartooth Resource Conservation & Development | |
| Montana Department of Environmental Quality | |

Timeline of Meetings for the Growth Management Policy Update

The onset of the COVID-19 pandemic curtailed meetings of the Planning Board between March and June of 2020. Compiling the policy components and preparation of narrative portions continued during this time under the previously established schedule. The chart below shows the Planning Board and City Council meetings in which the Growth Management Policy Update was presented.

| Laurel Growth Management Policy Update 2020 - Meeting Schedule | | | |
|--|---------------------------------|--|--------------------------------------|
| Date | Purpose | Task | Outcome |
| December 11, 2019 | Approve Schedule and Contacts | Initial Visioning Discussion | Invites to Agencies |
| January 8, 2020 | Disc: Chapters 1&3 | Introduction, Purpose and Common Goals | Work Session |
| February 12, 2020 | Disc: Chapters 4&5 | Community Profile, Employment Forecast | Work Session |
| February 26, 2020 | Disc: Chapter 6 | Land Use | Work Session |
| March 11, 2020 | Disc: Chapter 7 | Future Land use | Work Session |
| March 25, 2020 | Disc: Chapter 8 | Housing | Work Session |
| April 8, 2020 | Disc: Chapter 9 | Infrastructure | Work Session |
| April 22, 2020 | Disc: Chapter 10 | Transportation | Work Session |
| May 13, 2020 | Disc: Chapter 11 | Economic Development | Work Session |
| May 27, 2020 | Disc: Chapters 12&13 | Public Services, Facilities & Recreation Plan | Work Session |
| June 10, 2020 | Disc: Chapters 3, 14, 15 | Community Goals, Natl Resources & Implementation | Work Session |
| June 24, 2020 | Review Document | Review Completed Chapters | Work Session |
| July 22, 2020 | Planning Board Review | Chapters 3, 7, 7.5, 8, 9, 10, 11, 13 | Work Session |
| August 19, 2020 | Planning Board Review | Review Draft Document | Schedule Public Hearing |
| October 21, 2020 | Planning Board Public Hearing | Full Document Review and Approval | Resolution of Adoption |
| November 3, 2020 | City Council Discussion Session | Full Document (PB Approved) | Preliminary Presentation |
| November 17, 2020 | City Council Workshop | Full Document (PB Approved) | City Council Review and Comments |
| November 24, 2020 | City Council Public Hearing | Receive Public Comment, Approve Resolution of Adoption | Resolution of Adoption |
| December 24, 2020 | Final Adoption | 30 Day Comment Period | Adoption of Growth Management Policy |

| Laurel Growth Management Policy Update 2023 - Development Schedule | | | |
|---|--|--|---|
| Date | Purpose | Task | Outcome |
| January 24, 2023 | County Commissioners Meeting Approving Resolution No. 23-03 | County Commissioners request to update 2020 Growth Management Policy with changes to the City of Laurel/ Yellowstone County Planning Board | Planning Board to take up the task |
| February 15, 2023 | Planning Board Meeting | Report to the Planning Board of the County's request | Started the review |
| March 15, 2023 | Planning Board Meeting | | Work Session |
| April 19, 2023 | Planning Board Meeting | | |
| May 2, 2023 | City Council Workshop | Staff recommendation asking City Council to request Growth Management Policy update with changes to The City of Laurel/Yellowstone County Planning Board | Discussion |
| May 9, 2023 | City Council Meeting Approving Resolution R23-29 | City Council's request to update 2020 Growth Management Policy with changes to the City of Laurel/ Yellowstone County Planning Board | Planning Board to continue updates |
| May 17, 2023 | Planning Board Meeting | Inform Planning Board of City Council Resolution R23-29 | Review changes |
| June 21, 2023 | Planning Board Meeting | Review 2020 growth management policy | Review changes |
| July 26, 2023 | Planning Board Meeting | Review 2020 growth management policy | Review changes |
| September 20, 2023 | Planning Board Meeting | Set work sessions for planning board and to send legal notice to the community | Work Session Set |
| September 29, 2023 | Legal Advertisement Published in Yellowstone County News | Work Session Public Notice for every Wednesday in October | Public Notice |
| October 4, 2023 | Planning Board Review | Review 2020 growth management policy draft changes | Work Session |
| October 6, 2023 | Legal Advertisement Published in Yellowstone County News | Work Session Public Notice for every Wednesday in October | Public Notice |
| October 11, 2023 | Planning Board Review | Review 2020 growth management policy draft changes | Work Session |
| October 18, 2023 | Planning Board Review | Review 2020 growth management policy draft changes | Regular Meeting |
| October 18, 2023 | Planning Board Meeting | Review 2020 growth management policy draft changes | Work Session |
| November 15, 2023 | Planning Board Meeting | Review draft changes and to set a public hearing for December 20 th , 2023 | Advertise Public Hearing for Planning Board |
| December 1, 2023 | Legal Advertisement Published in Yellowstone County News | Community Public Notice | Public Notice |
| December 1, 2023 | Send out draft document and maps to City and County Offices for Comments | City and County Staff Notice | |

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|-------------------|--|--|--|
| December 8, 2023 | Legal Advertisement Published in Yellowstone County News | Community Public 2 nd Notice | Public Notice |
| December 15, 2023 | Legal Advertisement Published in Yellowstone County News | Community Public 3 rd Notice | Public Notice |
| December 20, 2023 | Planning Board Public Hearing | Full Document Review and Approval | |
| December 20, 2023 | Planning Board | Tabled – Resolution to approve Growth Management Policy | |
| January 17, 2024 | Planning Board | Tabled and set Workshop for January 31,2024 and additional Public Hearing for February 21, 2024. | |
| January 25, 2024 | Legal Advertisement Published in Laurel Outlook | Community Public Notice for Workshop Session | Public Notice |
| January 31, 2024 | Planning Board Workshop | Amended Maps for Annexation Priority Area and Future Land Use Maps | |
| February 1, 2024 | Legal Advertisement in Laurel Outlook | Community Public Notice for 2/21/2024 Public Hearing | Public Notice |
| February 8, 2024 | Legal Advertisement in Laurel Outlook | Community Public Notice for 2/21/2024 Public Hearing | Public Notice |
| February 9, 2024 | Legal Advertisement Published in Yellowstone County News | Community Public Notice for 2/21/2024 Public Hearing | Public Notice |
| February 15, 2024 | Legal Advertisement in Laurel Outlook | Community Public Notice for 2/21/2024 Public Hearing | Public Notice |
| February 16, 2024 | Legal Advertisement Published in Yellowstone County News | Community Public Notice for 2/21/2024 Public Hearing | Public Notice |
| February 21, 2024 | Planning Board Public Hearing | Full Document Review and Approval | |
| TBD | City Council discussion Session | Full Document | Preliminary Presentation |
| TBD | City Council Workshop | Full Document | City Council Review and Comments |
| TBD | County Commissioners Discussion Session | Full Document | Preliminary Presentation |
| TBD | County Commission Discussion Session | Full Document | City Council Review and Comments |
| TBD | Legal Advertisement Published in Yellowstone County News | Community Public 1 st Notice - City | Public Notice |

| | | | |
|-----|--|---|--|
| TBD | Legal Advertisement Published in Yellowstone County News | Community Public 1 st Notice - County | Public Notice |
| TBD | Legal Advertisement Published in Yellowstone County News | Community Public 2 nd Notice - City | Public Notice |
| TBD | Legal Advertisement Published in Yellowstone County News | Community Public 2 nd Notice - County | Public Notice |
| TBD | City Council Public Hearing | Receive Public comment, Approve Resolution of Adoption | Resolution of Adoption |
| TBD | County Commissioners Public Hearing | Receive Public Comment, Approve Resolution of Adoption | Resolution of Adoption Adoption of Growth Management Policy |
| TBD | Final Adoption | 30 Day Comment Period | |

CHAPTER 3: GOALS, OBJECTIVES, AND STRATEGIES

Overview

The community goals and objectives presented in this chapter were established to transform the community vision into a concrete reality. These goals, objectives, and strategies were developed through research, data collection, interviews, and public meetings that the City and the planning board conducted throughout the planning process.

These goals cover a wide range of topics, including Land Use, Transportation, Housing, Economic Development, Infrastructure, and more. This collection of community goals and objectives is meant to be exhaustive to provide the City, developers, residents, and business owners with comprehensive guidance to inform local efforts across different sectors, topics, and areas of influence.

Land Use Goals and Objectives

Land use policy is one of the most potent tools a city has. Zoning and subdivision codes influence growth patterns, infrastructure placement, road connectivity, and much more. The **City of Laurel planning board** is focused on the effective use of land in and around the City. The **City-planning board** also plans to conserve open space and traditional land uses by focusing on smarter, denser development clustered along significant routes and commercial areas.

This plan's overall goals are to conserve open space while maximizing the areas currently in and directly adjacent to the City. Laurel's downtown and Southeast 4th Street rehabilitation are possible through a mix of infill development, mixed-use buildings, improved infrastructure, and updated façade and signage standards.

Goal 1: Conserve open space and traditional land uses

- ❖ Encourage cluster developments to incorporate open space into new developments
- ❖ Provide options for landowners for conserving portions of their land
- ❖ Study and Implement strategies to create an interconnected system of parks and greenways and open space that are accessible to area residents

Goal 2: Develop downtown Laurel into a vibrant place to live, work, and play

- ❖ Encourage mixed uses for living, working, and shopping local
- ❖ Identify priority parcels for infill development
- ❖ Implement Placemaking projects to create a more livable and enjoyable downtown
- ❖ Partner with local groups to support community businesses, events, and gatherings
- ❖ Connect with regional agencies to access project funding, receive technical support, and boost the visibility of Laurel development opportunities

Goal 3: Update Subdivision Code to meet the needs of Laurel and the surrounding area

- ❖ Provide clear and consistent standards
- ❖ Ensure the proper scale and scope of regulations
- ❖ Include trails, open space, and greenway considerations in parkland subdivision review
- ❖ Regularly review and update the Subdivision Code as needed to remain current

Goal 4: Update the Zoning Code to provide for greater flexibility of allowable uses, clearer requirements, and more efficient land use

- ❖ Study the inclusion of different types of housing within residential districts
- ❖ Update Overlay Districts, Parking Requirements, and the Sign Code to better fit the City's needs and character
- ❖ Allow mixed-use live/work opportunities in commercial areas
- ❖ Enable property owners to use their land more effectively and efficiently

Goal 5: Use long term planning documents to identify funding and address priority needs for infrastructure and development

- ❖ Establish an Annexation Plan to develop priority growth areas and strategies
- ❖ Develop a Capital Improvement Plan for vital infrastructure to support the City as it grows
- ❖ Prepare a Commercial and Industrial Development Study for land adjacent to major transportation routes in the Laurel area

Annexation Goals and Objectives

Municipalities need to seize growth opportunities. Having strategies to address challenges for developing a community and preparing priorities for expansion are vital activities. Two overarching goals have been designated to help the City of Laurel grow through annexation.

Goal 1: Adopt a long-range view for the growth of the City

- ❖ Establish a growth-conscious set of policies to expand the City and its services
- ❖ Create priority growth areas for extension of services
- ❖ Develop and approve an Annexation Plan for the Laurel Planning Jurisdiction
- ❖ Support the creation of a long-term Capital Improvement Plan for the extension of essential infrastructure

Goal 2: Manage fiscal responsibility with established and proposed annexation standards

- ❖ Ensure that the established standards are right and proper for the City of Laurel
- ❖ Ease the burden for developers to annex into the City while meeting established standards
- ❖ Allow greater flexibility in development patterns
- ❖ Determine the cost and benefits of annexation

Housing Goals and Objectives

Housing is a necessity in any community. The goals presented below are a means to ensure that people can find affordable, accessible, comfortable, and attractive housing in the community. To date, Laurel has not struggled with significant housing affordability issues. One housing trend that Laurel might consider is the growing demand for closer-knit, denser, and connected neighborhoods near commercial areas. Many younger Americans have abandoned the traditional single-family home for other housing, including rowhouses, tiny homes, condominiums, and apartments. Many older Americans are also focusing on downsizing to housing that is more accessible to local services, including restaurants, medical services, and grocery stores.

Housing is closely connected with transportation and economic development. Updating the zoning code to allow a more comprehensive array of housing options such as tiny homes, accessory dwelling units, and multi-family housing is an important goal. This update will ensure that currently developed parcels and vacant parcels within the City can be developed with more options for prospective buyers or renters. It is also crucial for Laurel to have standards and code that allow for the efficient use of space already within the City while enabling the effective use of land in the surrounding area.

Goal 1: Encourage a mixture of housing types to meet the demand of all market sectors

- ❖ Maintain a diverse array of housing and affordability levels
- ❖ Promote higher density housing types in the downtown area and adjacent to major transportation corridors
- ❖ Study mixed-use housing and other alternative housing types and styles
- ❖ Provide options for a full spectrum of housing from rentals to retirement housing

Goal 2: Provide information on housing-related grants, loans, and ownership programs

- ❖ Develop a list of resources for renters and homeowners
- ❖ Collect information on federal, state, local, and philanthropic rental and homeownership programs
- ❖ Advise Laurel area residents as to available support for housing, rent, and homeownership

Infrastructure Goals and Objectives

Infrastructure is the foundation of the community. It will be vital for the City to utilize long-range planning to establish infrastructure standards, map current infrastructure facilities, and identify infrastructure development costs for necessary and prospective projects.

The drafting of planning documents, including master plans and preliminary engineering reports (PERs) relating to the Laurel water system, wastewater system, and stormwater system, is critical to ensure orderly and effective growth of the City. A Capital Improvement Plan (CIP) is another vital infrastructure planning document that should be completed. Plans and engineering reports should provide useable data, allow for inclusion in grant applications, and present direct insight into necessary current and future projects.

Goal 1: Maintain an Effective and Efficient Public Infrastructure System that Adequately Serves the Needs of the City

- ❖ Develop a data-driven infrastructure maintenance schedule
- ❖ Determine any existing gaps in services and other infrastructure deficiencies within the City
- ❖ Adopt up-to-date infrastructure standards that are appropriate for the needs of the City
- ❖ Study using public spaces within floodplains, watercourses, and wetlands to be used as passive recreation areas such as parks and greenways
- ❖ Study the feasibility of recycling programs and other means to reduce solid waste
- ❖ Incorporate stormwater system planning into roadway and other infrastructure planning processes

Goal 2: Establish the Long-Term Capital and Infrastructure Needs for the City

- ❖ Develop a Capital Improvement Plan for the improvement and expansion of infrastructure
- ❖ Prepare a Water System Master Plan
- ❖ Create a Wastewater System Master Plan
- ❖ Complete a Stormwater Management Plan
- ❖ Ensure infrastructure planning documents are routinely updated.
- ❖ Confirm that the established infrastructure priorities are adequate

Goal 3: Seek out Possible Funding Sources for the Expansion and Improvement of Infrastructure and Essential Community Services

- ❖ Study the physical and financial needs for the extension of infrastructure to priority growth areas.
- ❖ Collaborate with Montana agencies on major projects and studies
- ❖ Explore federal, state, and philanthropic infrastructure grant opportunities
- ❖ Determine positive impacts from the expansion and improvement of infrastructure
- ❖ Apply for funding opportunities that are appropriate for city priorities and projects and assist in keeping user fees reasonable

Transportation Goals and Objectives

The transportation network brings people together. This network is a patchwork of streets, roads, sidewalks, bike paths, trails, and rail. It is crucial to couple transportation development with land use. To this end, a goal is the development of a more multi-modal approach to streets and pathways. Implementing bicycle and pedestrian improvements such as bike lanes, greenways, improved signage, and sidewalk improvements is critical. Furthermore, traffic and speed data should be studied on significant routes to determine street safety and determine possible resolutions to improve motorized and non-motorized traveler safety. Laurel seeks to make neighborhoods and commercial areas more accessible and connected by improving pedestrian facilities, including sidewalks, accessible curb cuts, signage, and road markings. Establishing a road network master plan is also vital to create a concrete plan for street expansion and continuity to support orderly and consistent growth patterns.

These transportation goals are a way to increase the quality of life, connect people to their community, increase safety, and plan for current trends and future growth. There are three overarching transportation goals, including objectives and strategies.

Goal 1: Preserve, Maintain, and Improve the Existing Transportation System

- ❖ Update the Long-Range Transportation Plan (LRTP)
- ❖ Establish a systematic approach for the maintenance and repair of the road network.
- ❖ Develop a Capital Improvement Plan to identify and prioritize significant transportation projects
- ❖ Establish a Road Network Master Plan to ensure street continuity, traffic flow, and neighborhood connectivity,
- ❖ Promote fiscal responsibility and high return on investment
- ❖ Coordinate roadway improvement projects to coincide with underground infrastructure improvements

Goal 2: Improve the Mobility, Safety, and Accessibility for all users and modes of travel

- ❖ Implement bicycle and pedestrian improvements and traffic calming measures to transform the downtown area into a pedestrian-friendly place
- ❖ Create a looping bicycle/pedestrian trail and street system that connects different areas of Laurel
- ❖ Adopt pedestrian and multi-modal friendly transportation standards and safety measures
- ❖ Explore options to improve and expand the Laurel Transit program and strategies to create other multi-modal transportation connections.
- ❖ Partner with local, regional, and statewide groups to further integrate Laurel into the more comprehensive passenger transportation network

Goal 3: Connect Transportation Decisions with Land-Use Decisions

- ❖ Integrate land-use planning and transportation planning to manage better and develop the transportation network.
- ❖ Utilize transportation projects to encourage intensive development patterns along significant routes and existing areas of the City.
- ❖ Adopt and implement consistent system policies and maintenance standards
- ❖ Ensure the development of a sustainable transportation system that minimizes environmental impacts

Economic Development Goals and Objectives

The Laurel economy has changed dramatically in the past few decades. The emergence of online retail has shifted the focus away from traditional brick and mortar downtowns businesses to easy to use and seemingly more convenient online or delivery options. Recently, small towns and cities across the country are finding that thoughtful economic development and land use planning can rehabilitate their downtowns and neighborhoods to reverse some of the losses related to the emergence of online retail.

The City has established focus areas for economic development. These areas include Laurel's traditional downtown core, the Southeast 4th St. Commercial district, the 1st Avenue Corridor, and Old Route 10 running west from the City. This chapter's primary focus is to establish a smarter, more sustainable development that adds character and connectivity to commercial areas. Commercial areas of Laurel should be attractive places to visit. Placemaking and beautification projects are useful to encourage residents and visitors to explore different areas of the City. Increasing walkability and mixed-use development can also create better housing and commercial opportunities.

The goals presented below are an effort to increase the attractiveness, usefulness, and quality of the community's commercial and economic sectors. The expansion brings new opportunities, and the area near the West Laurel Interchange has significant growth potential. This area could become a central area for the Laurel community's growth and development through the effective use of placemaking strategies, smart growth concepts, and cohesive zoning and development standards. Four main goals with related objectives have been established related to Economic Development as follows:

Goal 1: Develop downtown Laurel as a destination to live, work, and play

- ❖ Institute placemaking projects to further enhance district character
- ❖ Increase live-work opportunities for current and future residents and businesses
- ❖ Apply TIF funding to beautification, blight removal, and public improvement projects
- ❖ Identify and find solutions for unused or underused parcels as candidates for development

Goal 2: Create a resilient local economy

- ❖ Strengthen core businesses and industries through communication and connections with technical support
- ❖ Ensure that local economic activities are inclusive and accessible to all stakeholders
- ❖ Implement policies that create stable and sustainable economic growth
- ❖ Work to highlight the shared benefits of working together as a community with local businesses stakeholders, and developers
- ❖ Provide an economic ecosystem that allows for a wide array of businesses, industries, and developments to thrive
- ❖ Study and implement policies to enhance local business demand and alternative strategies for value creation for the community

Goal 3: Collaborate with area organizations to support economic growth and local employment and training opportunities

- ❖ Communicate with local groups to determine any needs and assistance
- ❖ Create partnerships with local and regional groups to fill local service gaps and create needed programming
- ❖ Take part in events and workshops to support local business initiatives and activities
- ❖ Establish common ground with local and regional groups to provide resources and assistance
- ❖ Connect residents and businesses with like-minded economic, financial, and entrepreneurship resources and opportunities

Goal 4: Study options for new commercial and industrial properties in anticipated high-growth areas

- ❖ Create a Corridor Master Plan for growth in and around the intersection with Old Route 10 and the West Laurel Interchange
- ❖ Study options and determine priorities for the possible establishment of Tax Increment Financing Districts (TIFs) and Targeted Economic Development Districts (TEDDs)
- ❖ Review and pursue opportunities for clustered commercial or industrial parks
- ❖ Develop funding strategies to provide services for priority growth areas.

Public Facilities and Services Objectives, Policies and Strategies

Effective and efficient public services are a significant draw for prospective residents, developers, and businesses. Above all, public facilities and services must be accessible, useful, and dependable for everyone residing, working, and visiting the City. Laurel should identify current gaps and determine the projected needs of public facilities as the City grows. It is crucial to work with public stakeholders and departments to include the whole population. Providing consistent and stable service delivery is essential.

Goal 1: Provide consistent and high-quality public services to the community

- ❖ Develop standard operating procedures to ensure consistency for city departments
- ❖ Develop maintenance procedures for parks, facilities, and public areas.
- ❖ Study current facilities and services to identify gaps and determine projected needs in services

Goal 2: Respond to the changing nature of the community

- ❖ Plan for the expansion of public facilities in priority growth areas
- ❖ Invest in public facilities that are accessible to everyone in the community
- ❖ Study how to improve city services to boost the quality of life for residents, businesses, and institutions

Goal 3: Work with city departments and local stakeholders to determine the priority expansion of public facilities and services

- ❖ Open lines of communication between city departments and local stakeholders to gather input on major projects
- ❖ Consider the public service requirements of large-scale projects before their approval and implementation
- ❖ Develop plans for the expansion of Fire, Police, and EMS facilities

Recreation Goals and Objectives

The wide array of Laurel city parks is a great asset to residents. It is the goal to ensure that current and future city parkland is an essential amenity. Parks should be developed and improved to act as neighborhood focal points. Many of Laurel's parks are very small, with some located in less than optimal locations. It is a goal to ensure that parkland is a useable and enjoyable amenity for residents. The City should study underutilized or burdensome parkland parcels and consider re-use scenarios.

Historical Riverside Park has been a staple of the community for almost one hundred years. The Riverside Park Master Plan was developed in 2018 to provide a blueprint for improvements and the park's use. It will be essential to continue the ongoing improvement efforts and develop policies to attract visitors. Riverside Park should be maintained as a historical, recreational, and economic asset in the future.

Goal 1: Develop parkland as an essential and enjoyable amenity for residents

- ❖ Ensure new developments have appropriate park space for recreation and general use
- ❖ Study how existing parks can be improved through new facilities, changed layouts, or additions
- ❖ Review current park infrastructure and determine if improvements are necessary to serve the needs of the surrounding area better

Goal 2: Promote Riverside Park as a vital historic, civic, and recreation resource for residents and visitors

- ❖ Adhere to the projects and strategies presented in the 2018 Riverside Park Master Plan
- ❖ Seek grant funding for structural and site improvements
- ❖ Develop historic markers for Riverside Park and its historic structures
- ❖ Study options for connecting Riverside Park to the city proper through infrastructure improvements, civic engagement, or other means
- ❖ Establish signage and marketing for the assets and resources of Riverside Park to area residents and visitors

Goal 3: Create an interconnected system of parks, greenspace, and trails that are accessible to all

- ❖ Create a city-wide Park System Master Plan to develop project priorities
- ❖ Consider the creation of a City Parks Department to oversee park operations and maintenance
- ❖ Identify unused land that can be transformed into green space or trails for use by the public
- ❖ Update the zoning and development codes to encourage the creation of bicycle and pedestrian trail corridors

Natural Resource Goals and Objectives

The Laurel planning jurisdiction contains a variety of terrain types and environments. The natural environment should be preserved and enhanced to balance environmental sustainability with economic growth, recreational opportunities, and development. Natural resources and the natural environment can be managed with growth activities to provide social, economic, and community benefits to people over time while continuing their natural functions. The natural resource goals and objectives have been developed with this balance of activities in mind.

Goal 1: Protect Laurel's natural resources and traditional environment

- ❖ Provide options for landowners for conserving portions of their land while developing others
- ❖ Achieve a balanced pattern of growth to ensure environmental concerns are considered during the development
- ❖ Manage the local water resources as a healthy, integrated system that provides long-term benefits from enhanced environmental quality

Goal 2: Incorporate sustainable development patterns in the Laurel subdivision and land use codes

- ❖ Review and update existing zoning and subdivision regulations to ensure environmental preservation and conservation are addressed
- ❖ Review and update landscaping ordinances as needed to best suit Laurel's natural environment
- ❖ Manage rivers, floodplains, wetlands, and other water resources for multiple uses, including flood and erosion protection, wildlife habitat, recreational use, open space, and water supply

Goal 3: Connect with local, regional, and state agencies and stakeholders to improve the natural environment in and around Laurel

- ❖ Sponsor environmental cleanup and rehabilitation programs that include the City, school district, community organizations, and residents
- ❖ Participate in regional watershed studies to achieve adequate long-term flood protection
- ❖ Explore the possibility of creating a conservation corridor along the Yellowstone River

Intergovernmental Coordination Goals and Objectives

Intergovernmental coordination and collaboration are essential to ensure that the City of Laurel can sustainably develop, seize growth opportunities, and improve residents, visitors, and businesses' quality of life. Consistent intergovernmental coordination will allow Laurel to be a partner and participant rather than a bystander in regional growth.

It will be necessary for the City to regularly communicate with local, county, and state partners to seize grant and development opportunities, provide the Laurel perspective, and connect local groups to those in the broader region. It is envisioned that the City will help direct residents, businesses, developers, and groups to helpful county, state, federal and institutional resources and supports.

Goal 1: Establish lines of communication with local, county, and state partners

- ❖ Create an accurate directory of government representatives and staff
- ❖ Update governmental stakeholders regarding ongoing projects and work in the Laurel area
- ❖ Develop working relationships with legislators, staff, and stakeholders at different levels of government

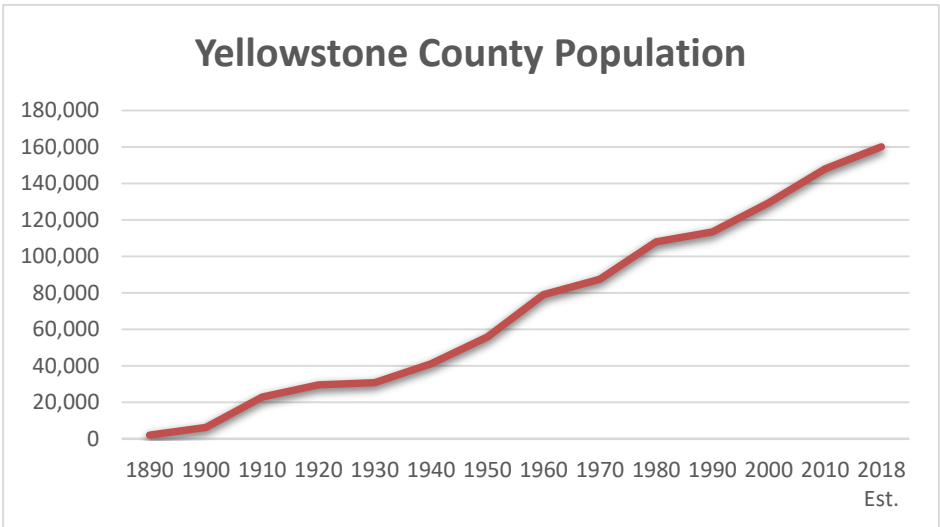
Goal 2: Coordinate with local and regional institutions to support and grow the Laurel community

- ❖ Work with economic development groups to seize opportunities for business growth
- ❖ Connect area businesses with institutions and governmental groups that can support their mission
- ❖ Communicate with area legislators to provide information on growth patterns and development in the Laurel area.
- ❖ Maintain open communications with state agencies and the Board of County Commissioners to confirm compliance with statewide codes and operational needs.

CHAPTER 4: COMMUNITY PROFILE

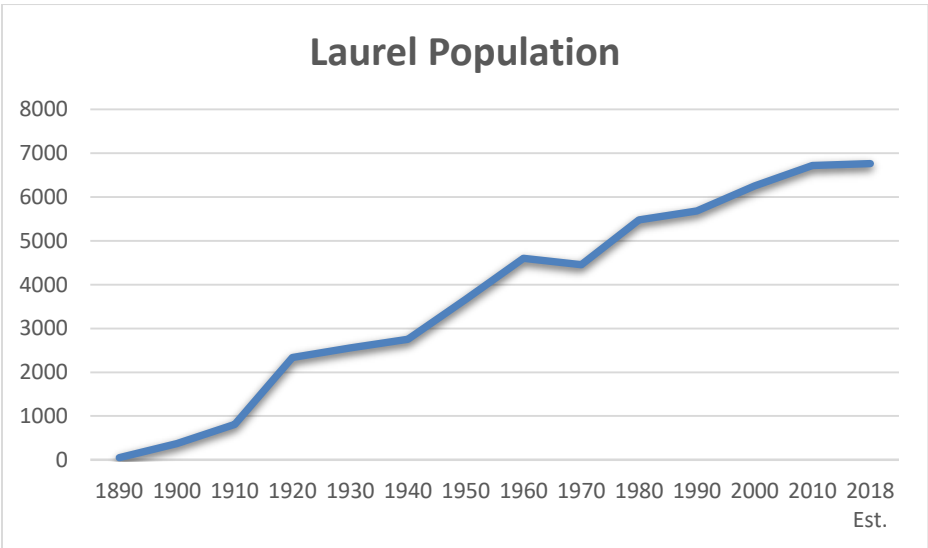
Population Trends

The City of Laurel was incorporated in 1908. The population of Laurel grew steadily after the early boom years of railroad and oil development. The nearby City of Billings has also contributed to the overall growth and development in Yellowstone County in the past few decades, with Laurel playing a somewhat lesser role. City staff anticipates a continuation of steady growth despite certain developments that may impact this, such as establishing the West Laurel Interchange for interstate I-90.



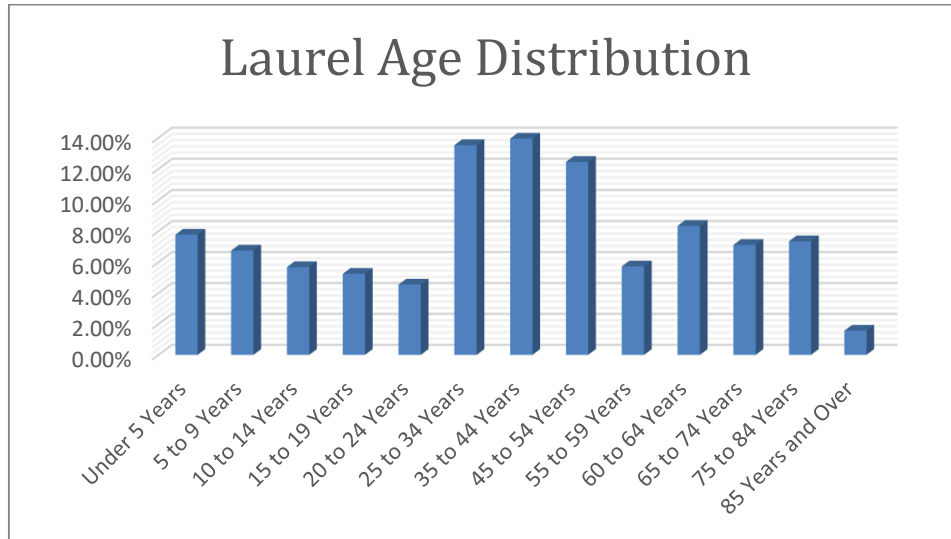
U.S. Decennial Census, 2013-2017 American Community Survey 5-Year Estimates

Laurel has grown slowly over the past forty years. It is anticipated that Laurel will reach a population of 7,000 after the 2020 U.S. Census is completed. **Laurel's current population is 7,203.**



U.S. Decennial Census, 2013-2017 American Community Survey 5-Year Estimates

Residents of Laurel tend to be older. The chart below shows that most residents are above 25, with almost 40 percent of the population between the ages of twenty-five and fifty-nine.



2013-2017 American Community Survey 5-Year Estimates

Ethnic Characteristics

The charts below provide a summary of the ethnic makeup of the City of Laurel. The current Census estimates indicate that Laurel is not a very diverse community. The lowest estimate for white/Caucasian residents is 95.11 percent, which is displayed in the “Hispanic or Latino and Race” Chart below.

| Race | Estimate | Percent |
|--|----------|---------|
| Total Population | 6,885 | 100.00% |
| White | 6,775 | 98.40% |
| Black or African American | 11 | 0.16% |
| American Indian and Alaska Naïve | 192 | 2.79% |
| Asian | 0 | 0.00% |
| Native Hawaiian and Other Pacific Islander | 0 | 0.00% |
| Some Other Race | 16 | 0.23% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

| Hispanic or Latino and Race | Estimate | Percent |
|--|----------|---------|
| Total Population | 6,885 | 100.00% |
| Hispanic or Latino (of any race) | 178 | 2.59% |
| Mexican | 101 | 1.47% |
| Other Hispanic or Latino | 77 | 1.12% |
| Not Hispanic or Latino | 6,707 | 97.41% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

Households and Families

There are an estimated 2,882 households and 1,907 families in the City of Laurel. Households in Laurel have a median household income of \$50,778, while Laurel families have an estimated median income of \$68,575. An estimated 9 percent of Laurel residents are below the poverty level compared with 5.5 percent of families. It is forecasted that Laurel’s overall population will increase by 1.3 percent between 2019 and 2024, with an increase in total households of 1.1 percent and families of 8.6 percent.

Education

Laurel is a well-educated community. 94.07 percent of the population over the age of 25 has attained a high school diploma, with 51.21 percent having at least completed some college or an associate degree program. Laurel spends less per student than the United States average but maintains a more positive student per librarian and student per counselor ratio.

| Education | Laurel, MT | United States |
|--|------------|---------------|
| Expenditures Per Student | 8,629.00 | 12,383.00 |
| Educational Expenditures Per Student | 7,897.00 | 10,574.00 |
| Instructional Expenditures per Student | 5,080.00 | 6,428.00 |
| Pupil/Student Ratio | 15.87* | 16.80 |
| Students per Librarian | 464.70 | 538.10 |
| Students per Counselor | 348.50 | 403.20 |

Education in Laurel, Montana. Bestplaces.net. Accessed 2/3/2020.

*Figure 25: Student to Teacher Ratios (2013), Towncharts.com

Work Commute

Seventy-nine percent of Laurel residents commute to work alone in a car, truck, or van. This percentage is slightly higher than the national average of 76.4 percent. Laurel does have a higher than average carpool rate, with 13.66 percent versus the national average of 9.2 percent, according to the American Community Survey. Laurel residents travel an average of 21.5 minutes to work, which can be partially attributed to the fact that several Laurel residents travel to the nearby city of Billings for employment purposes. (Billings is approximately 17 miles away).

| Commuting to Work | Estimate | Percent |
|--|----------|---------|
| Workers 16 Years and Over | 3,528 | 100.00% |
| Car, Truck, or Van - Drove Alone | 2,787 | 79.00% |
| Car, Truck, or Van - Carpooled | 482 | 13.66% |
| Public Transportation (excluding Taxicab) | 22 | 0.62% |
| Walked | 82 | 2.32% |
| Other Means | 15 | 0.43% |
| Worked at home | 140 | 3.97% |
| | | |
| Mean travel time to work (minutes) | 21.50 | |
| 2013-2017 American Community Survey 5-Year Estimates | | |

CHAPTER 5: EMPLOYMENT AND POPULATION FORECASTS

A diverse mix of businesses helps a city thrive and allows residents to live, work, and play in their communities. A diverse array of businesses also keeps a community more resilient in the case of economic downturns. The Laurel community has ~~been blessed with~~ two long-term stable employers; the Montana Rail Link -BSNF railyard and the CHS Refinery. These two institutions are well established and are not anticipated to disappear. The City of Laurel hopes to diversify the local economy further and attract various businesses and related employment. The growth policy focuses on revitalizing Laurel’s downtown businesses, assessing how zoning can be updated to meet the needs of businesses and employees better, and connecting Laurel neighborhoods with the existing business communities to help increase traffic to existing establishments.

Employment Forecasts

66.92 percent of the estimated 5,362 residents of Laurel aged 16 years and over are in the labor force. Only 2.69 percent are unemployed, and 30.40 percent are not in the labor force, according to the 2017 U.S. Census estimates. The unemployment rate has remained steady, with the current rate at approximately 2.5 percent. Laurel also has a balanced split of occupations, with no general sector having more than 16 percent of the total labor pool. This type of mix of industries and employment is suitable for a community as it helps to insulate it from major economic shifts.

| Industry | Estimate | Percent |
|--|----------|---------|
| Total Civilian Employed Population 16 years and over | 3,588 | 100.00% |
| Agriculture, Forestry, Fishing and Hunting, and Mining | 153 | 4.26% |
| Construction | 262 | 7.30% |
| Manufacturing | 315 | 8.78% |
| Wholesale Trade | 157 | 4.38% |
| Retail Trade | 603 | 16.81% |
| Transportation and Warehousing, and Utilities | 206 | 5.74% |
| Information | 66 | 1.84% |
| Finance and Insurance, and Real estate and rental and leasing | 208 | 5.80% |
| Professional, Scientific, and Management, and Administrative and waste management services | 299 | 8.33% |
| Education Services, and Healthcare and Social Assistance | 533 | 14.86% |
| Arts, Entertainment, and Recreation, and Accommodation and Food Services | 493 | 13.74% |
| Other Services, except public administration | 233 | 6.49% |
| Public Administration | 60 | 1.67% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

Housing

Housing is a critical asset to a community. Maintaining a mix of affordable housing is essential to attracting a diverse array of people to the community. Housing provides shelter and provides character to a community by way of how it is designed, situated, and utilized. The charts below provide an overview of housing in Laurel. Laurel has a low housing vacancy rate and many owner-occupied units.

| Housing Occupancy | Estimate | Percent |
|--|----------|---------|
| Total housing units | 2,992 | 100% |
| Occupied housing units | 2,882 | 96.30% |
| Vacant housing units | 110 | 3.70% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

Sixty-seven percent of all houses in Laurel are owner-occupied. This information means that people have invested their time, money, and effort into the Laurel community because they live here full-time.

| Housing Tenure | Estimate | Percent |
|--|----------|---------|
| Occupied Housing Units | 2,882 | 100.00% |
| Owner-Occupied | 1,931 | 67.00% |
| Renter-Occupied | 951 | 33.00% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

Affordable rents enable a wide array of people to live in the community. Seventy percent of renters in Laurel pay 35 percent or less of their income toward their monthly rent. This percentage is positive because it allows more money to be utilized for other consumer purposes, such as restaurants, shopping, and other services.

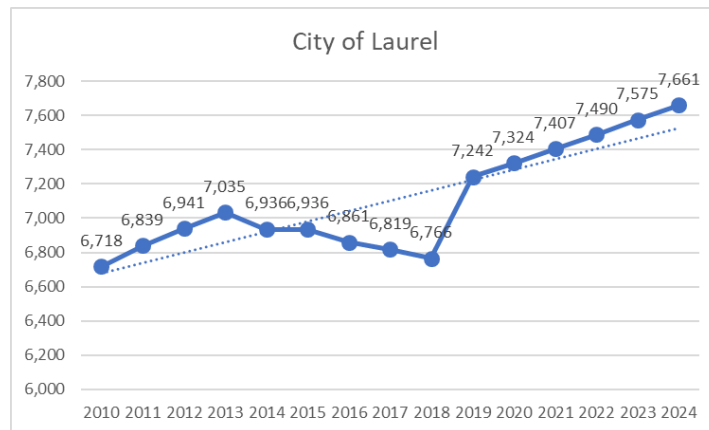
| Gross Rent as a Percentage of Household Income | Estimate | Percent |
|--|----------|---------|
| Occupied units paying rent | 898 | 100.00% |
| Less than 15.0 percent | 115 | 12.81% |
| 15.0 to 19.9 percent | 183 | 20.38% |
| 20.0 to 24.9 percent | 52 | 5.79% |
| 25.0 to 29.9 percent | 161 | 17.93% |
| 30.0 to 34.9 percent | 121 | 13.47% |
| 35.0 percent or more | 266 | 29.62% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

Seventy-eight percent of houses in Laurel are worth between \$100,000 and \$300,000. The median household value is \$169,900. This data is very positive as affordable houses and rents allow a more diverse array of people to become homeowners and put long-term roots into the community.

| Housing Value | Estimate | Percent |
|--|------------|---------|
| Owner-Occupied Units | 1,931 | 100.00% |
| Less than \$50,000 | 203 | 10.51% |
| \$50,000 to \$99,999 | 155 | 8.03% |
| \$100,000 to 149,999 | 377 | 19.52% |
| \$150,000 to \$199,999 | 592 | 30.66% |
| \$200,000 to \$299,999 | 554 | 28.69% |
| \$300,000 to \$499,999 | 50 | 2.59% |
| \$500,000 to \$999,999 | 0 | 0.00% |
| \$1,000,000 or More | 0 | 0.00% |
| Median (In Dollars) | \$ 165,900 | |
| 2013-2017 American Community Survey 5-Year Estimates | | |

Population Forecasts

Laurel saw a dip in population between 2013 and 2018 (from 7,035 to 6,766). This trend was reversed in 2019, with an increase in population to 7,242 residents. It is anticipated that Laurel will grow at a steady rate over at least the next five years. This assumption considers the community’s proximity to the City of Billings and the ability to attract businesses, residents, and commuters that support the Billings and Yellowstone County economy.



| Growth Rate | 2010-2019 | 2019-2024 |
|-------------------------|-----------|-----------|
| Population | 0.880% | 1.30% |
| Households | 0.840% | 1.10% |
| Families | 0.580% | 8.60% |
| Median Household Income | X | 1.68% |
| Per Capita Income | X | 2.44% |

CHAPTER 6: Land Use

Overview

Laurel is in South Central Montana, 16 miles west of Billings, the largest City in Montana. Laurel is located along major transportation routes, including Interstate I-90, Route 212, and Old Route 10. Laurel is located 223 miles east of Helena, the state capital, seventy miles from the northeast entrance of Yellowstone National Park, 80 miles from the Little Big Horn Battlefield National Monument, and 137 miles from Bozeman.

Laurel is located on the western boundary of Yellowstone County. This area has seen significant development with the City of Billings' continued growth, but the surrounding region remains sparsely populated and remains mostly prairie, rangeland, and farmland.

Trends

The City of Laurel has developed slowly in the past few decades. The development has focused itself north and west of the City. There are also many vacant and underused parcels within the City itself. The area adjacent to Interstate I-90 is mostly commercial and industrial. This similar land use is seen along Old Route 10 to the west of the City.

Existing Land Uses

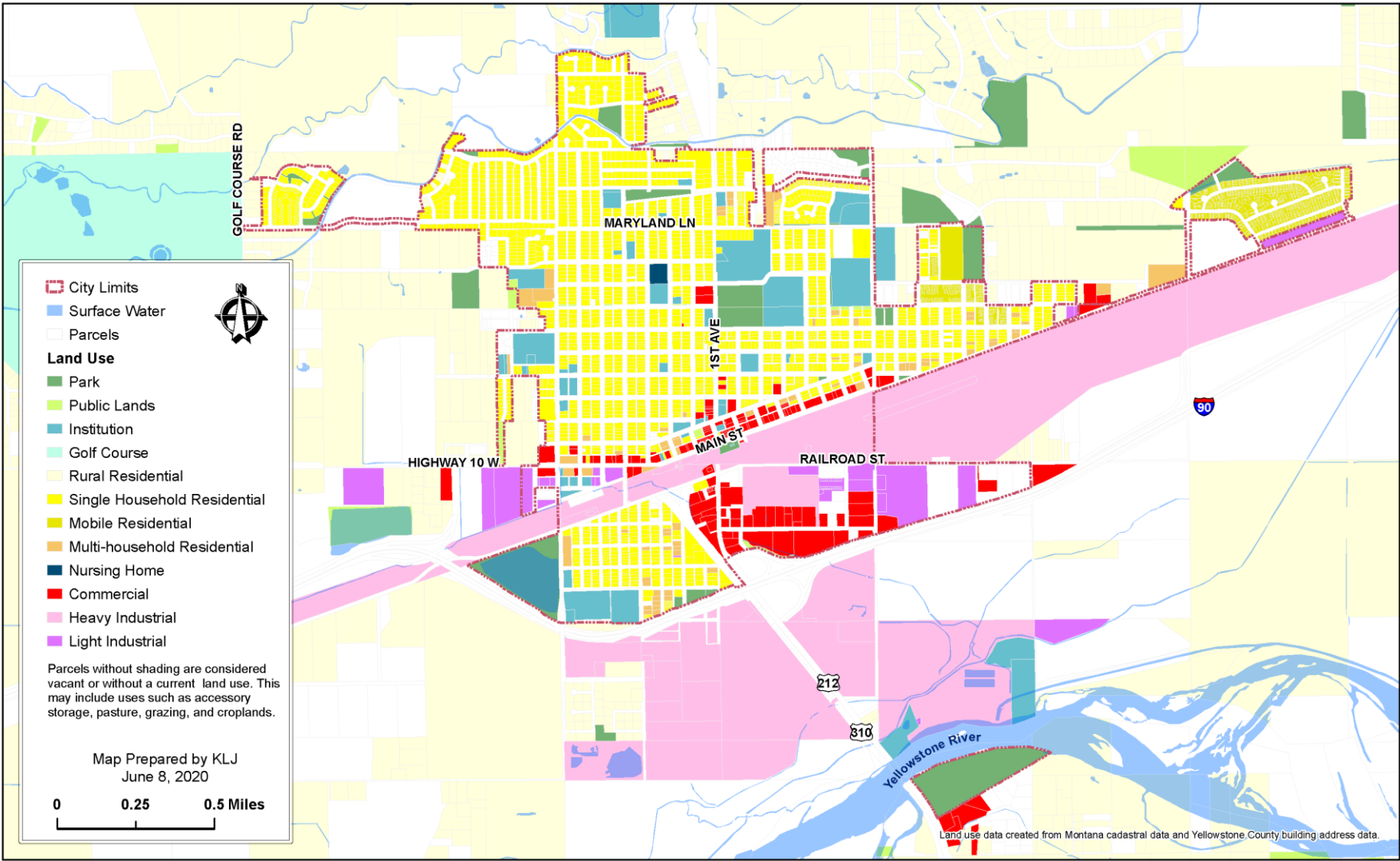
The City of Laurel has a variety of established zoning districts. These districts cover a wide range of uses and purposes. The districts and their official definitions can be found below.

- ~~❖ Agricultural open space (AO) zone – The agricultural open space zone is intended to preserve land for agricultural and related use. Land within this zone is usually un-subdivided and contains a minimum of roads, streets, and other utilities. It may be cultivated acreage or land less suitable for cultivation, yet suitable for various agricultural enterprises using the broadest scope of the agricultural definition. Land within this zone may be located adjacent to highways and arterial streets. The AO zone is further intended to discourage the scattered intrusion of uses not compatible with an agricultural rural environment.~~
- ~~❖ Suburban residential (SR) zone – This zone is limited to single-family residential tracts on a minimum of five acres of land and on which agricultural uses may be conducted with the exception that animal units shall not exceed ten per five acres.~~
- ~~❖ Residential tracts (RT) zone – This zone is designed for single-family residential homes on a minimum of one acre of land. Livestock is limited to two livestock units per acre with additional units allowed per additional half-acre increments in conformance with Section 17.08.651 of this code. No livestock is allowed in the city limits, and all livestock must be removed if/when annexation occurs.~~
- ~~❖ Residential estates-22,000 (RE-22,000) zone – This zone is intended to provide of low-density, single-family, residential development in areas near or adjacent to the City that are served by either central water or sewer systems.~~

- ❖ Residential-7500 (R-7500) zone – This zone is intended to provide an area for medium, urban-density, single-family, residential environment on lots that are served by a public sewer and sewer system.
- ❖ Residential-6000 (R-6000) zone – This zone is intended to promote an area for a high, urban-density, duplex residential environment on lots that are usually served by a public water and sewer system.
- ❖ Residential light multifamily (RLMF) zone – This zone is intended to provide a suitable residential environment for medium density (up to a fourplex) residential dwellings. The area is usually served by a public water and sewer system.
- ❖ Residential multifamily (RMF) zone - The RMF zone is intended to provide a suitable residential environment for medium to high density residential dwellings; and to establish, where possible, a buffer between residential and commercial zones.
- ❖ Residential manufactured home (RMH) zone - The RMH zone is intended to provide a suitable residential environment for individual manufactured homes, manufactured home parks, and competitive accessory uses.
- ❖ Planned unit development (PUD) zone – This zone is intended to provide a district in which the use of the land is for the development of residential and commercial purposes, as an integrated unit.
- ❖ Residential professional (RP) zone - This zone is intended to permit professional and semiprofessional uses compatible with surrounding residential development.
- ❖ Neighborhood commercial (NC) zone - The NC zone is intended to accommodate shopping facilities consisting of convenience retail and personal service establishments which secure their principal trade by supplying the daily needs of the population residing within a one-half mile radius of such neighborhood facilities. The location and quantity of land within the NC zone should be a business island not more than four acres in size and that no business frontage should extend more than six hundred feet along any street.
- ❖ Central business district (CBD) classification - The CBD classification is intended to primarily accommodate stores, hotels, governmental and cultural centers and service establishments at the central focal point of the City's transportation system.
- ❖ Community commercial (CC) classification - The CC classification is primarily to accommodate community retail, service and office facilities offering a greater variety than would normally be found in a neighborhood or convenience retail development. Facilities within the classification will generally serve an area within a one and one-half mile radius and is commensurate with the purchasing power and needs of the present and potential population within the trade area. It is intended that these business facilities be provided in business corridors or islands rather than a strip development along arterials.

- ❖ Highway commercial (HC) district - The purpose of this district is to provide areas for commercial and service enterprises which are intended primarily to serve the needs of the tourist, traveler, recreationist, or the general traveling public. Areas designated as highway commercial should be located in the vicinity of, and accessible from freeway interchanges, intersections in limited access highways, or adjacent to primary or secondary highways. The manner in which the services and commercial activities are offered should be carefully planned in order to minimize the hazard to the safety of the surrounding community and those who use such services; and to prevent long strips of commercially zoned property.
- ❖ Light industrial (LI) classification - A LI classification is intended to accommodate a variety of business warehouse and light industrial uses related to wholesale plus other business and light industries not compatible with other commercial zones, but which need not be restricted in industrial or general commercial zones, and to provide locations directly accessible to arterial and other transportation systems where they can conveniently serve the business and industrial center of the City and surrounding area.
- ❖ Heavy industrial (HI) district – This district accommodates manufacturing, processing, fabrication, and assembly of materials and products. Areas designated as heavy industry should have access to two or more major transportation routes, and such sites should have adjacent space for parking and loading facilities.
- ~~❖ Airport (AP) zone – The AP zone is designated to preserve existing and establish new compatible land uses around the Laurel airport.~~
- ❖ Floodplain (FP) zone - This zone is designed to restrict the types of uses allowed within the areas designated as the floodplain and floodways as officially adopted by the Montana Board of Natural Resources and Conservation, Helena, Montana.
- ❖ Public (P) zone – This zone is intended to reserve land exclusively for public and semipublic uses in order to preserve and provide adequate land for a variety of community facilities which serve the public health, safety and general welfare.
- ❖ Zoning District Number 18- County Zoning – The regulations and development pattern adopted in the zone are for the purpose of protecting and furthering the health, safety, and general welfare of the people living in the district and in Yellowstone County, Montana. This zoning district comprises of an agriculture zone, a suburban zone, a residential zone, a recreational zone, and a commercial zone. Zoning District Number 18 was adopted in July of 1997.

The planning board is currently reviewing the zoning designations inside Laurel city limits and may be tasked with county zoning recommendations and after future discussions with the County Commissioners. A new interlocal agreement between the City of Laurel and the Yellowstone County may be necessary to facilitate zoning regulations for the City of Laurel and an area to be determined around the City of Laurel.



EXISTING LAND USE

Laurel Area Existing Land Use Zoning, 2020-Updated maps are attached to this document for the 2023 update.

Residential and Rural Residential

Laurel's many residential districts provide a variety of housing densities, volumes, and types. Laurel has a joint city-county planning board and has regulations that accommodate these two different modes of living. The older areas of the City, such as the south side and neighborhoods adjacent to downtown, have higher density zoning as is appropriate for those originally platted parcels and smaller-scale residential buildings. Newer developments and additions to the City generally have lower density zoning than the original Laurel townsite and are more suburban. It is important to provide a mix of residential styles and types to provide residents and prospective residents a housing choice.

Commercial

Laurel is a full-service community with supermarkets, gas stations, bars, and restaurants accessible to the public. There are a variety of different commercial areas as well. The traditional central business district remains heavily commercial, with some buildings containing apartments on the upper floors. The area adjacent to I-90 accessible from 1st Avenue S. by E. Railroad St. and SE 4th St. contains commercial and industrial properties that serve residents and highway travelers. The parcels along Old Rt. 10 contain a mix of zoning, including highway-focused commercial properties. Many properties located along E. Main Street are zoned Community Commercial and contain a variety of establishments.

Public

The City of Laurel maintains a full array of public facilities to serve the residents, businesses, and institutions within the city limits. The City maintains a fully staffed city hall, public library, public works shops, a water treatment plant, and a sewer treatment plant. The Laurel School District maintains the Laurel High School and Middle School along with Graff Elementary School, South Elementary School, and West Elementary School.

Parks

Laurel is home to many parks of all shapes and sizes. The most important of these parks are Thompson Park and Riverside Park. Thompson Park is in the City center and has many athletic fields, a public pool, and public facilities. Riverside Park is a historic park that has been used by residents and travelers to the area since before the City of Laurel officially existed. Throughout Laurel's history, this park has been used by private, civic, and government groups. Many other smaller parks are established as land has been annexed into the City and further developed.

Industrial

There is a large amount of industrial property in and around the City of Laurel. The City of Laurel was initially built around the commercial rail yard currently operated by Montana Rail Link, the most massive switching yard between Minneapolis and Seattle. The second major industrial property is the large refinery complex owned and operated by CHS Inc. The other crucial industrial property in and around the City is the Fox Lumber operation, located along East Railroad Street.

Urban Renewal

The City of Laurel established a Tax Increment Finance District (TIF) in 2007 that encompasses the traditional downtown area and the SE 4th Street commercial area. This District has provided financing for infrastructure projects and grant funding to local property owners and residents for façade, structural, signage improvements, and technical assistance within the district. The grant program is managed by the volunteer board that makes up the laurel Urban Renewal Agency.

CHAPTER 7: FUTURE LAND USE

Overview

Laurel has struggled to grow over the past two decades due to a lack of long-term planning capacity, lack of funding, and a lack of focus on larger goals. Laurel's somewhat stagnant growth happened during a time of consistent growth for the neighboring City of Billings and other areas throughout Yellowstone County. Laurel must be forward-thinking if it wants to thrive as a separate entity outside of Billings. This change of thinking involves planning for commercial and industrial expansion, seizing growth opportunities, and adopting zoning and development standards that meet the city needs and attract developers and new residents.

Residents of Laurel pride themselves on the small-town character of the community. The City needs to properly plan for growth and have the appropriate regulations to grow and maintain the classic community character that residents enjoy. This balance includes establishing appropriate building design standards, zoning requirements, and signage standards to maintain community character.

Residential Districts

Residential areas within Laurel's **planning jurisdiction** come in many shapes and sizes. Some are more densely built and more urban looking, while others are the traditional, modern American suburb with single-family homes. Many American cities continue to maintain a more restrictive style code that limits specific residential uses, types, and sizes while others have begun moving toward a more inclusive model of allowing different styles, sizes, and housing types in residential areas.

Some different housing types compared to the traditional single-family home include accessory dwelling units (ADU's), townhomes, and rowhouses. Expanding housing options can be as simple as adjusting the number of allowable units and setbacks for lots. Development in residential neighborhoods can be increased through small changes. Studying the existing districts and updating setbacks and other restrictions can significantly impact helping our neighborhoods evolve and grow over time.

Vacant Land

The City currently has numerous unused or vacant parcels that could be brought into productive use. Adaptive reuse of vacant structures is a strategy many cities use to revitalize downtowns. Prioritizing infill development for the downtown area and the SE 4th Street District can help bring new businesses, jobs, and residents. The City can also utilize Tax Incremental Financing (TIF) funding to support vacant properties' acquisition and rehabilitation within the downtown and SE 4th Street commercial areas. Partnering with local institutions and organizations to better utilize unused land as gathering spaces or as a home for community projects and other efforts can help people see new land uses that may have been unused/vacant for many years.

Development Standards

The City of Laurel currently has multiple development standards that include the Public Works Standards, rules governing utilities, and subdivision development requirements. Adopting a consistent and understandable set of development standards for areas within the **City and its zoning jurisdiction planning jurisdiction** will ease the development process for residents, landowners, and developers.

Extraterritorial Zoning

The extraterritorial zoning of Laurel extends approximately one mile outside the municipal city limits. This current zoning district is classified as "Residential Tracts" and is focused on low-density residential. The City needs to ensure that this zoning designation and its requirements still adequately cover county residents' needs within the zoning jurisdiction. It is recommended that City staff ensure this extraterritorial zoning can easily allow county residents to join the City if they so choose.

Infrastructure Extension

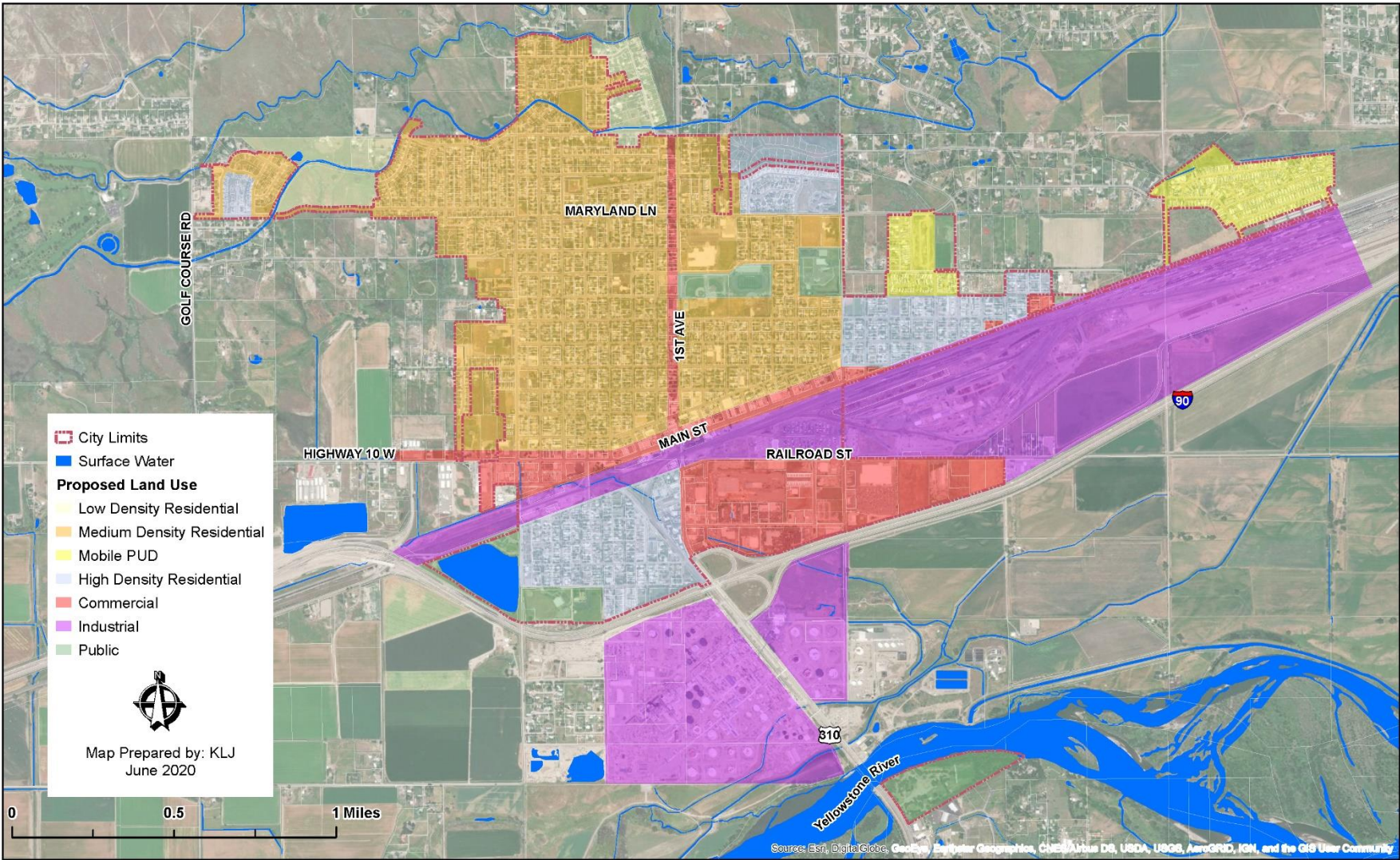
Planning for the expansion of city services and infrastructure is vital in bringing new growth to a community. The City did not address long-term infrastructure and growth for many years. Installing new infrastructure is expensive, but it is more costly to lose development opportunities that allow the community to grow and develop.



Identifying and installing critical infrastructure along major routes needs to be a priority for city staff. There are many opportunities to support these infrastructure efforts through public and private grants and loan programs. Many grant programs exist to extend infrastructure to support job creation and economic growth. Grants such as these can be used to expand infrastructure to the recently completed West Laurel Interchange.

New development and growth require adequate infrastructure to support it. Development of an Annexation Plan and a Capital Improvement Plan can

establish the priority areas for growth and establish project costs for identified infrastructure needs. Laurel has not previously prepared either of these types of plans. It would be wise for city staff, partners, and stakeholders to study the possibilities for significant commercial and industrial development in the area and plan infrastructure to accommodate these new land uses.



PROPOSED LAND USE MAP

~~Laurel Future Land Use, 2020~~ Updated maps are attached to this document for the 2023 update and shall be inserted upon final approval.

Future Land Use Goals and Objectives

This plan's overall goal is to conserve open space while maximizing areas currently in and directly adjacent to the City. Parks and greenways will be essential amenities for residential developments and commercial corridors and should be considered in initial planning rather than as an afterthought. Zoning will be updated to provide a more diverse array of housing types and density. Priority areas and parcels for annexation and development will be determined, and infrastructure extension costs will be discussed. Codes will be updated to maintain community character while simultaneously enabling the development of new neighborhoods. Work in the central business district will focus on infill and mixed-use development to create the most effective use of Laurel's traditional downtown.

Goal 1: Conserve open space and traditional land uses

- ❖ Encourage cluster developments to incorporate open space into new developments
- ❖ Provide options for landowners for conserving portions of their land
- ❖ Study and Implement strategies to create an interconnected system of parks and greenways and open space that are accessible to area residents

Goal 2: Develop downtown Laurel into a vibrant place to live, work, and play

- ❖ Encourage mixed uses for living, working, and shopping local
- ❖ Identify priority parcels for infill development
- ❖ Implement Placemaking projects to create a more livable and enjoyable downtown
- ❖ Partner with local groups to support community businesses, events, and gatherings
- ❖ Connect with regional agencies to access project funding, receive technical support, and boost the visibility of Laurel development opportunities

Goal 3: Update Subdivision Code to meet the needs of Laurel and the surrounding area

- ❖ Provide clear and consistent standards
- ❖ Ensure the proper scale and scope of regulations
- ❖ Include trails, open space, and greenway considerations in parkland subdivision review
- ❖ Regularly review and update the Subdivision Code as needed to remain current

Goal 4: Update the Zoning Codes to provide for greater flexibility of allowable uses, clearer requirements, and more efficient land use of the planning jurisdiction

- ❖ Study the inclusion of different types of housing within residential districts
- ❖ Update Overlay Districts, Parking Requirements, and the Sign Code to better fit the City's needs and character
- ❖ Allow mixed-use live/work opportunities in commercial areas
- ❖ Enable property owners to use their land more effectively and efficiently
- ❖ Work with Yellowstone County Commissioner's to enact previous believed zoning regulations for the area around the City of Laurel

Goal 5: Use long term planning documents to identify funding and address priority needs for infrastructure and development

- ❖ Establish an Annexation Plan to develop priority growth areas and strategies
- ❖ Develop a Capital Improvement Plan for vital infrastructure to support the City as it grows

- ❖ Prepare a Commercial and Industrial Development Study for land adjacent to major transportation routes in the Laurel area

CHAPTER 7.5: ANNEXATION

Overview

The annexation of properties outside the current city limits must have Laurel remain a viable, independent community. Annexing territory into a municipality helps a city grow geographically, economically, and socially. Laurel's actual City has grown slowly over the past few decades, with very few new subdivisions and parcels annexing into the City despite many developments in the surrounding area. The City of Laurel and its residents seek to maintain their longstanding identity and character while supporting steady growth. Due to the City's proximity to the fast-growing City of Billings, annexation is now necessary to ensure Laurel's long-term viability, character, and independence.

Annexation planning is a long-term process in both scope and scale. Targets and goals are usually set for a timeline of five and ten years, with performance measures in place to track progress. Implementing successful annexation and growth activities involves thoughtful updates to local development and annexation codes, addressing infrastructure gaps, and outreach to nearby county property owners and developers to showcase the City's benefits.

Purpose

Annexation is presented in Title 7, Chapter 2. in the Montana Code Annotated that establishes the Creation, Alteration, and Abandonment of Local Governments. Parts of this chapter sets the conditions and rules for annexation and addition of territory into a municipality, establishes the ways areas can be annexed and provides specific limitations to these processes for both municipalities and property owners.

Annexation is a process that brings new territory into a municipality and extends public services to that territory. Annexation is a necessary process to continue the growth and development of communities in Montana. Adding new territory to a community adds new business opportunities, industry, recreation, and residential developments. Annexation also provides an opportunity for new resources and amenities to be added.

Importance

Laurel is currently at a crossroads in development. The City has not grown or expanded significantly in the past few decades, while the nearby city of Billings has been steadily expanding westward toward Laurel. Billings has established and implemented a long-term annexation and expansion plan while Laurel has had piecemeal annexations and additions to the City. Laurel could find itself hobbled financially if it does not address annexing new territory that can create growth opportunities as Billings steadily expands into western Yellowstone County.

Proper annexation planning and implementation can lead to increased economic activity, new residential development, and increased revenues for the local government to provide services. Growth and expansion need to be an official part of Laurel's conversation to remain a viable, livable, and autonomous community in the future. It will be necessary to update the current annexation policy to ensure it provides reasonable restrictions, clear guidelines, and options and incentives to developers and property owners who want to annex the City.

Priority Areas

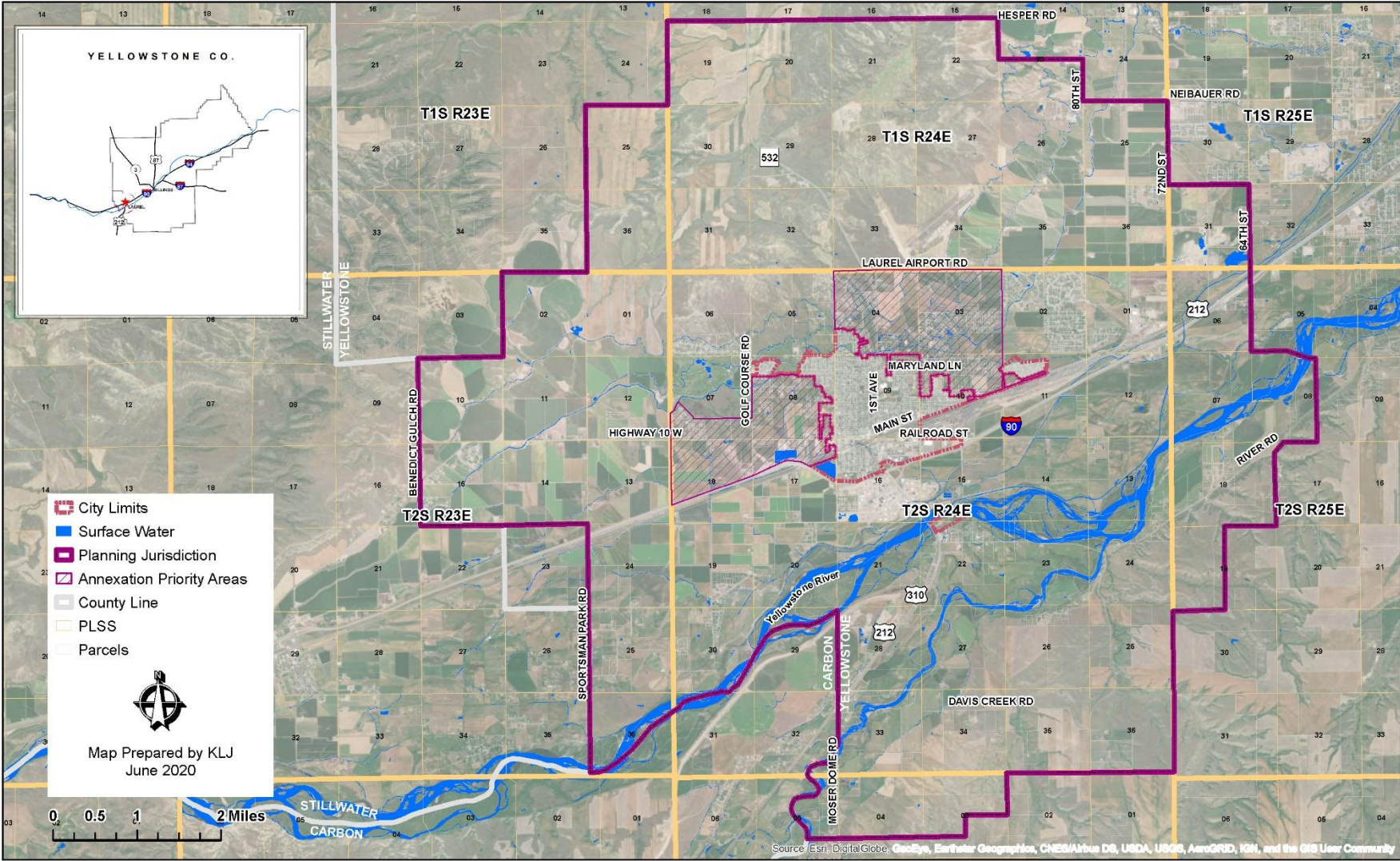
Establishing priority areas is essential for setting a plan for growth, starting discussions with property owners and developers, and preparing projects. A map of the Laurel Planning Jurisdiction and priority growth areas are presented on the next page.

Areas to the west of Laurel are a high priority for development due to their proximity to the City and established transportation corridors. The annexation of territory to the west presents the most viable options for growth. Roadways already serve this area, and there are adjacent services nearby. A high priority should be placed on parcels between 8th Avenue and Golf Course Road, parcels neighboring the intersection of Old Rt. 10, and the West Laurel Interchange.

There are many areas directly adjacent to the east of the City that would be prime candidates for annexation in addition to the previously mentioned westward expansion. The parcels between Alder Avenue and Yard Office Road, especially those along East 8th Street, should be considered and the lands adjacent to the Village Subdivision. These areas are already closely linked to the City with roads and services, and their inclusion would fill gaps in the Laurel City Map.

A few specific areas should be looked at for annexation north of the City as well. These include lands off West 12th Street that straddle the big ditch, areas between Montana Avenue and Great Northern Road, and the land neighboring 1st Ave North to Lois Place.

Growing the City of Laurel to the south is not a viable option because the CHS refinery makes up the bulk of the land between Interstate-90 and the Yellowstone River. The costs associated with the extension and construction of city services to those parcels adjacent to and south of the Yellowstone River would be prohibitive due to the distances needed to extend infrastructure and the fact that floodplain makes up much of the land adjacent to the Yellowstone River.



PLANNING JURISDICTION

~~Laurel Planning Jurisdiction and Priority Growth Areas, 2020~~ Updated maps are attached to this document for the 2023 update and shall be inserted upon final approval.

Annexation Policies

~~Laurel has not annexed many territories in recent years. This lack of annexation can be attributed to the 2008 annexation policy, which many prospective developers consider draconian. Many property owners and developers have remarked that the policy's strict requirements and its lack of alternatives and options for infrastructure financing and build-out place too high a price on annexation to make it feasible. Discussions should take place as to if this approved policy still serves the City's needs and what policies and requirements would enable growth activities and annexation more fully. A future annexation policy should also establish priority areas and specific goals over the next five to ten years. The City of Laurel may want to update its annexation policy as it was last adopted in 2008 and changes may be necessary to provide the best opportunities for land inclusion into the City of Laurel.~~

Infrastructure Extension

Connection to improved utilities and services is the main driver behind annexing into a municipality. Laurel has not developed a long-term plan around extending services that can enable property owners to annex into the City more quickly. Developing a CIP will help Laurel prioritize growth areas and build out public services to position Laurel for growth and attract new properties and development to the City.

Annexation Goals

The following two goals were prepared to help the City of Laurel grow through annexation.

Goal 1: Adopt a long-range view for the growth of the City

- ❖ Establish a growth-conscious set of policies to expand the City and its services
- ❖ Create priority growth areas for extension of services
- ❖ Develop and approve an Annexation Plan for the Laurel Planning Jurisdiction
- ❖ Support the creation of a long-term Capital Improvement Plan for the extension of essential infrastructure

Goal 2: Manage fiscal responsibility with established and proposed annexation standards

- ❖ Ensure that the established standards are right and proper for the City of Laurel
- ❖ Ease the burden for developers to annex into the City while meeting established standards
- ❖ Allow greater flexibility in development patterns
- ❖ Determine the cost and benefits of annexation

CHAPTER 8: HOUSING

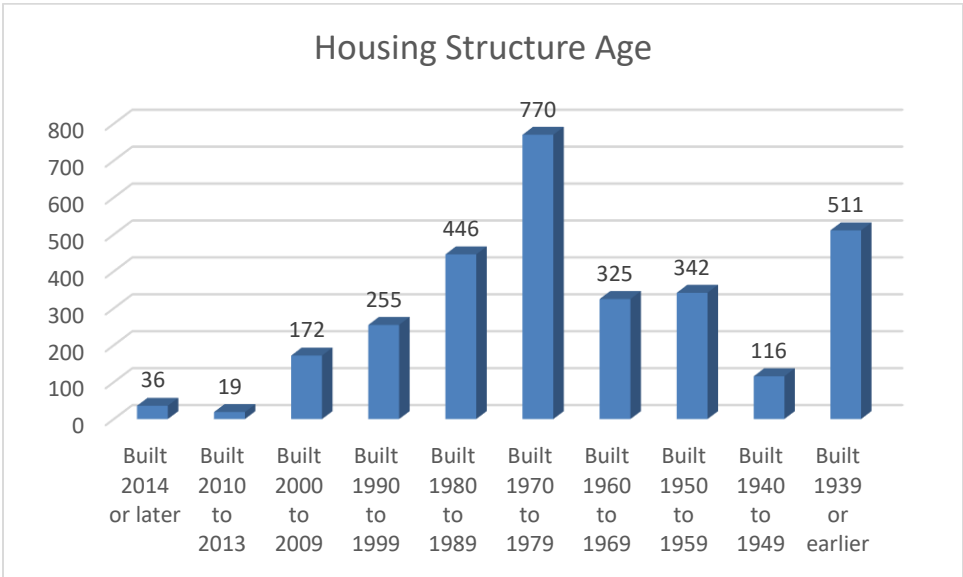
Overview

Housing is an essential element of any community. This chapter summarizes housing in Laurel and discusses some housing support programs to help renters and current and prospective homeowners. Having adequate, accessible, and affordable housing is an essential piece of what attracts people to a community. The City of Laurel has a variety of housing options and housing types that provide options for residents. It is crucial to maintain a wide array of housing that meets the market's different demands, including rental properties, multifamily units, single-family homes, and retirement homes.

Laurel's location has made it an attractive bedroom community to Billings. This strategic location opens opportunities for traditional neighborhood residential housing and embraces the growing trends of building closer-knit, dense, connected neighborhoods for more urban and in-town development. It will be necessary for the city to think about housing and real estate trends as it grows. This will ensure that the current population's housing needs are met while creating housing that will interest prospective residents and homeowners.

Households and Housing Units

Approximately 68 percent of Laurel's housing stock dates to before 1979. Aging housing stock can pose issues for maintenance, safety, and accessibility. These issues can lead to the need for code enforcement to step in to ensure the local ordinances are followed and that the situation has not become hazardous or dangerous. Ensuring that new housing is built will provide new homeownership opportunities and help raise the standard of housing available for residents.



2013-2017 American Community Survey 5-Year Estimates

Sixty-five percent of Laurel's housing stock is made up of detached single-family homes. Mobile homes make up the next most significant share of housing at 15 percent of units.

This proportion of detached single-family homes has been the norm for Laurel and many other cities and towns throughout the United States.

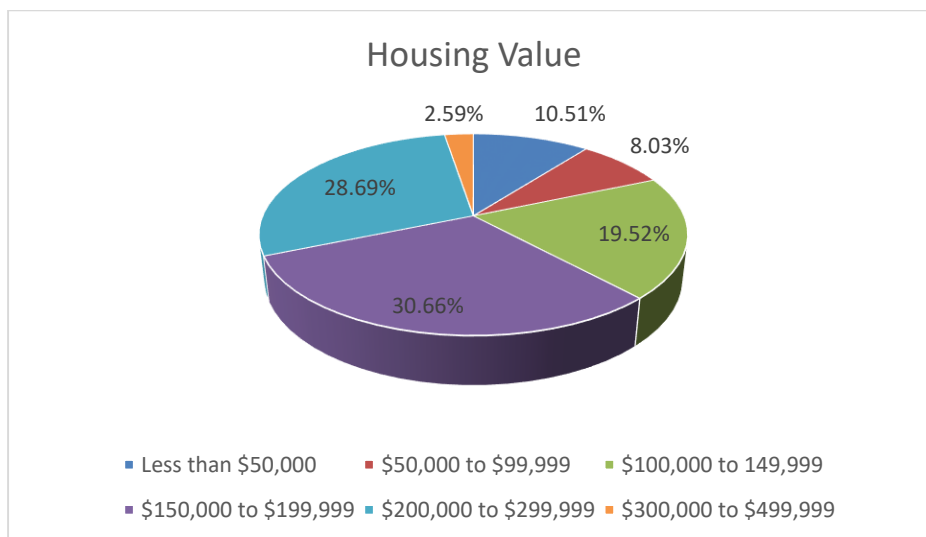
It is important to think about current and emerging housing trends to embrace growth opportunities, whether in a traditional residential neighborhood or more urban or downtown environments.

| Units in Structure | Estimate | Percent |
|--|----------|---------|
| Total housing units | 2,992 | 2,992 |
| 1-unit, detached | 1,952 | 65.20% |
| 1-unit, attached | 87 | 2.90% |
| 2 units | 92 | 3.10% |
| 3 or 4 units | 103 | 3.40% |
| 5 to 9 units | 119 | 4.00% |
| 10 to 19 units | 48 | 1.60% |
| 20 or more units | 130 | 4.30% |
| Mobile home | 461 | 15.40% |
| Boat, RV, van, etc. | 0 | 0.00% |
| 2013-2017 American Community Survey 5-Year Estimates | | |

A move back towards traditional downtowns has also been seen across the United States. This trend presents various opportunities for diversifying the type and size of housing options to include rowhouses, townhomes, live-work (mixed-use) buildings, and more.

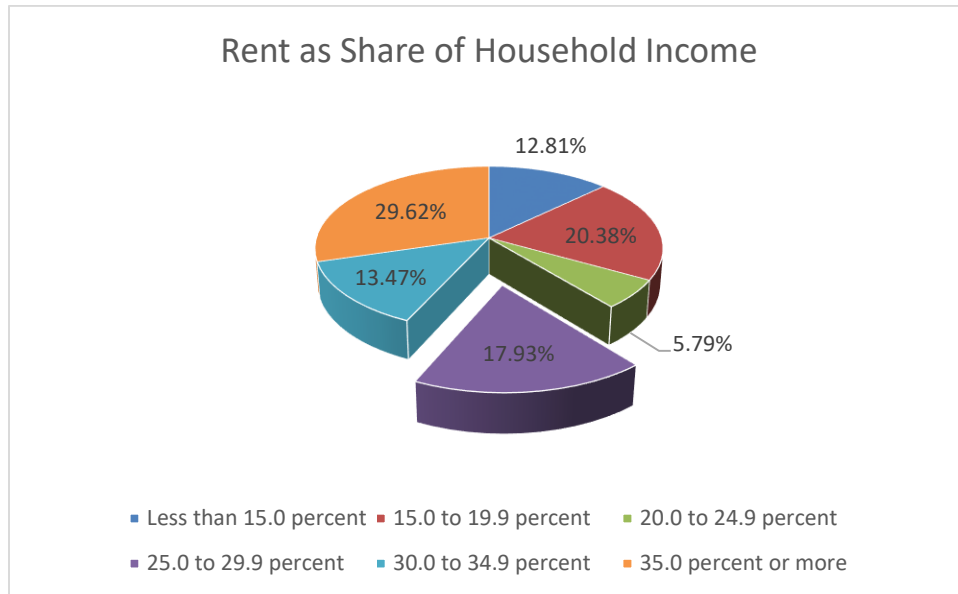
Housing Affordability

Many parts of the United States are facing issues with housing affordability. This affordability issue has included some communities in Montana, such as Bozeman and Whitefish. Housing in Laurel has generally remained affordable despite being located within twenty miles of the state's largest city. The charts below provide an overview of both current housing value and rental expenditures.



2013-2017 American Community Survey 5-Year Estimates

Rental affordability is an essential factor in retaining residents, especially those who may work in the service and retail industries. Overall, 57 percent of Laurel residents spend less than 30 percent of their income on rent. These statistics is a positive figure that allows a diverse array of residents to afford to live in Laurel.



2013-2017 American Community Survey 5-Year Estimates

Housing Programs and Incentives

Many housing support and incentive programs exist that are sponsored by non-profits, institutions, and state and federal agencies, including the following:

Montana Housing Support Programs

- ❖ Bond Advantage Down Payment Assistance program
- ❖ MBOH Plus 0% Deferred Down Payment Assistance Program
- ❖ Multi-Family Coal Trust Homes Program
- ❖ Housing Choice Voucher Program
- ❖ Veterans Affairs Supportive Housing (HUD-VASH)
- ❖ Project-Based Section 8
- ❖ Section 811 Supporting Housing for Persons with Disabilities

The Federal Government also has several First Time Homebuyer Loans and Programs, including the following:

- ❖ FHA Loan Program
- ❖ HUD - Good Neighbor Next Door Buyer Aid Program
- ❖ Homepath ReadyBuyer Program
- ❖ Energy Efficient Mortgage Program
- ❖ HOME Investment Partnerships Program

Community Land Trust

Community Land Trusts (CLTs) are non-profits that hold land permanently in trust for communities to make it available for housing, farming, ranching, commercial space, historic preservation, or open space. These organizations separate the land price from the improvements made to it, investing subsidy, and enforcing resale restrictions on properties to ensure permanent affordability. Trust Montana is a statewide organization that assists rural cities and towns with managing community land trusts to ensure they can maintain affordable and traditional land uses. CLTs serve an essential role in setting aside land as a community asset for generations to use and enjoy.

Inclusionary Zoning

Inclusionary zoning is a land-use policy that incentivizes dense housing development through tax relief, abatements, and bonuses. These zoning policies enable developers to maintain regular profits while capturing a share of excess profits for public benefit. Inclusionary zoning utilizes feasibility studies to analyze the impact of density and infill development on specific areas. Communities must carefully weigh each incentive's costs and benefits and evaluate them relative to the affordable housing requirements or goals. Incentives include:

- ❖ Density Bonuses
- ❖ Expedited Processing
- ❖ Fee waivers
- ❖ Parking reductions
- ❖ Tax abatements

Housing Goals and Objectives

Goal 1: Encourage a mixture of housing types to meet the demand of all market sectors

- ❖ Maintain a diverse array of housing and affordability levels
- ❖ Promote higher density housing types in the downtown area and adjacent to major transportation corridors
- ❖ Study mixed-use housing and other alternative housing types and styles
- ❖ Provide options for a full spectrum of housing from rentals to retirement housing

Goal 2: Provide information on housing-related grants, loans, and ownership programs

- ❖ Develop a list of resources for renters and homeowners
- ❖ Collect information on federal, state, local, and philanthropic rental and homeownership programs
- ❖ Advise Laurel area residents as to available support for housing, rent, and homeownership

CHAPTER 9: INFRASTRUCTURE

Overview

The City of Laurel Department of Public Works operates the municipal water treatment and distribution system, the wastewater collection and treatment system. It conducts maintenance and improvement work on roads, streets, sidewalks, and parks. The City of Laurel has recently completed several major infrastructure upgrades. These include an upgrade to the Wastewater Treatment Plant, an overhaul of the Water Treatment Plant, installation of a new water Intake, and improvement of the sedimentation basins at the Wastewater Treatment Plant.

There are still primary infrastructure needs that need to be addressed. The City's water and sewer lines are aging, and in many places are still the original lines installed around the time of incorporation. A major priority is to study how to provide services to the West Laurel Interchange area, which has significant growth potential.

Opportunities also include expanding services to nearby county residents to the north, west, and east of the current city limits. There is a total of 2,858 water connections in the city system. Exploring funding for the extension and improvement of water and wastewater services to enable more annexation and development is worthwhile. Additionally, funding the expansion of the capacity of the City to handle stormwater runoff is of vital importance in increasing the longevity of streets, roads, and pedestrian areas.

The goals and objectives presented in this chapter are focused on just a few critical areas. It is hoped that the City can maintain an efficient and effective system of infrastructure and services that meets the City's needs while establishing long-term capital infrastructure goals to expand and improve services. The City should seek federal, state, and philanthropic grant and loan programs to support these goals and priorities.



Wastewater System

The City of Laurel's Wastewater Treatment Plant is located at 5310 Sewer Plant Road. It is staffed with three operators and one relief. The facility was first constructed in 1908 and underwent substantial upgrades in the 1930s and 1986. The Plant most recently underwent a significant upgrade that was completed in 2016. The reclamation system is a Biological Nutrient Removal system (BNR). The facility now conducts sludge dewatering as well. The new system has reduced nitrogen levels and phosphorus being discharged into the Yellowstone River. Improvement of the Sedimentation Basins was completed in 2019. The wastewater system has a capacity of 1,120,000 gallons per day. City staff should monitor the current wastewater and sewer system to ensure that it can meet the growing demands of the City.

Water System

The Laurel Water Treatment Plant is located at 802 Highway 212 South. An upgrade of the Water Treatment Plant was completed in 2019. The Plant operates 24 hours per day and is staffed with six employees plus management. The Water Treatment Plant has a treatment capacity of 5,000,000 gallons per day. The Plant provides water service to more than 6,700 people and has a total of 2,858 metered connections.

The Yellowstone River is the raw water source for the City of Laurel. A water right was filed in 1908, giving the City access to 12,600,000 gallons per day. A water reserve was granted in 1978 that allowed for the anticipation of future growth and added 6,380,000 gallons per day.

The original water distribution system was installed in 1908. There is currently one ground storage tank built in 1967 with a capacity of 4,000,000 gallons, with 2,000,000 of them being usable and the other 2,000,000 creating pressure for distribution. Additionally, the City has two booster pump stations. Pipe sizes in the system range from 2 to 18 inches in diameter. The 301 fire hydrants scattered throughout the system are tested routinely to ensure they are working correctly.

The City provides water to all areas within the City Limits; however, 82 residential connections and one industrial connection are outside the City boundary. Property owners in the county who are interested in connecting to the City system must make all the necessary excavations and pay for all materials necessary for connections. The current standards and regulations for public works and utilities require developers to extend to utilities.



The Yellowstone River has provided adequate water for the City, but in recent years concerns have been raised regarding enough flow due to erosion from flooding and droughts. The City has taken steps to counteract these concerns through significant upgrades to the Water Treatment System. Upgrades and improvements were completed on the sedimentation basins and the Water Treatment Plant in 2019.

Additionally, a new water intake in the Yellowstone River was completed in 2017 to ensure a stable water supply despite the changing nature of the river's course and level. One additional project that has been identified is the need for a second water reservoir to create extra storage capacity as the City grows. The City should include this in any future public works planning documents.

Stormwater System

Stormwater is collected and managed to prevent flooding, erosion, and contamination of water sources. Water can carry pollutants such as oil, fertilizer, pesticides, soils, and trash as it runs off rooftops, paved streets, highways, and parking lots after a rain event or during snowmelt. Stormwater can flow directly into the Yellowstone River from a property or into a storm drain and through the city infrastructure until it is released into the Yellowstone River. The three significant concerns of stormwater management are the volume of runoff water, the timing of runoff water, and the potential contaminants the water is carrying.

The City of Laurel has historically experienced problems with flooding in the downtown area. Flooding activities are generally from heavy rain runoff and not directly due to the nearby Yellowstone River. The City of Laurel has a limited stormwater infrastructure to handle stormwater runoff. The majority of stormwater infrastructure is in the central business district and the South East 4th Street area. Stormwater management has also been established for the Elena, Iron Horse, and Foundation Subdivisions.

The City needs to address stormwater infrastructure within its current limits and as it expands. Creating an adequate stormwater management system helps keep roadways in good condition and lessens drivers' hazards in inclement weather. Stormwater system extensions should be considered during any roadway planning procedure to ensure roadway improvements do not have to be recreated.

Solid Waste Services

The City of Laurel Public Works Department provides exclusive solid waste collection services within the city limits. The City does not provide any solid waste collection services outside of the city limits. Garbage services are not exclusive to parcels that choose to annex into the City as per Montana state regulations. The City of Laurel operates the City's transfer station, which is located at 175 Buffalo Trail Road. The transfer station provides added services such as taking in large or bulky items, tree branches, and other unusual materials and pieces. Laurel utilizes the Billings Regional Landfill located nearby.

Infrastructure Goals and Objectives

Goal 1: Maintain an Effective and Efficient Public Infrastructure System that Adequately Serves the Needs of the City

- ❖ Develop a data-driven infrastructure maintenance schedule
- ❖ Determine any existing gaps in services and other infrastructure deficiencies within the City
- ❖ Adopt up-to-date infrastructure standards that are appropriate for the needs of the City
- ❖ Study using public spaces within floodplains, watercourses, and wetlands to be used as passive recreation areas such as parks and greenways
- ❖ Study the feasibility of recycling programs and other means to reduce solid waste
- ❖ Incorporate stormwater system planning into roadway and other infrastructure planning processes

Goal 2: Establish the Long-Term Capital and Infrastructure Needs for the City

- ❖ Develop a Capital Improvement Plan for the improvement and expansion of infrastructure
- ❖ Prepare a Water System Master Plan
- ❖ Create a Wastewater System Master Plan
- ❖ Complete a Stormwater Management Plan
- ❖ Ensure infrastructure planning documents are routinely updated.
- ❖ Confirm that the established infrastructure priorities are adequate

Goal 3: Seek out Possible Funding Sources for the Expansion and Improvement of Infrastructure and Essential Community Services

- ❖ Study the physical and financial needs for the extension of infrastructure to priority growth areas.
- ❖ Collaborate with Montana agencies on major projects and studies
- ❖ Explore federal, state, and philanthropic infrastructure grant opportunities
- ❖ Determine positive impacts from the expansion and improvement of infrastructure
- ❖ Apply for funding opportunities that are appropriate for city priorities and projects and assist in keeping user fees reasonable

CHAPTER 10: TRANSPORTATION

Overview

Laurel is at the center of a major transportation network that includes local streets and sidewalks, state arterials, railroad lines, and an interstate highway. The city itself was surveyed and built on a gridded road network that provided orderly development for residential and commercial properties close to the railroad, Old Route 10, and 1st Avenue, which run through Laurel's downtown. The establishment of Interstate-90 near Laurel led to commercial development on the south side of the city. Subsequent developments of residential subdivisions and commercial areas have not continued the original ordered network, causing problems for road continuity, provision of services, and orderly and consistent city growth at its boundaries. The railyard and numerous railroad lines bisect the city, separating neighborhoods from each other and creating only two north-south access points, the 1st Avenue underpass, and the 5th Avenue railroad crossing.

Connecting transportation decisions with land use policy is a crucial city goal. A priority for the city is to develop a multi-modal approach to streets and pathways. The City will encourage intensive land use within and adjacent to the city and along major transportation routes while ensuring residential developments provide adequate and accessible pedestrian improvements to allow everyone to access their community. Establishing a consistent maintenance plan to preserve, improve, and expand the transportation network will provide current and future residents with an easy and effective way to move around the city regardless of travel mode. The orderly growth of the transportation network will also be essential to ensure neighborhoods and commercial areas are easily accessible to all. These transportation goals help increase quality of life, connect people to their community, increase safety, and plan for current trends and future growth.

Local Routes & Maintenance

Laurel's downtown core and original neighborhoods were developed on a gridded network of streets and alleyways. Subsequent developments have strayed from this system and have not followed any set guidelines for road connections or continuity. This lack of orderly roads and pedestrian systems outside Laurel's traditional core has created future growth issues.



Very few existing streets allow for unbroken travel from the east to the west side of Laurel. New development has taken place without considering roadway connections and traffic planning.

Subsequent subdivisions and construction have not provided easements or right of way to continue city thoroughfares, and structures were constructed within the path of right of ways. This lack of forethought is especially apparent west of 8th Avenue, which has many roads that seemingly go nowhere. It will be necessary for Laurel to establish specific guidelines to ensure adequate road connectivity for traffic flow, safety, wayfinding, and the extension of future services.

Laurel has only two north-south road connections between its northern and southern neighborhoods. The two connections are the 1st Avenue underpass and 5th Avenue railroad crossing. The nearest other connections are Exit 437 for East Laurel and Exit 426 to Park City. Investigating other means of north-south access and finding other connection points will improve emergency service response, ease traffic along major routes, and improve accessibility to and from different city areas.

Many of Laurel's roads are also in dire need of repair. Many of the city's older local roads were built with deficiencies and antiquated design methods, which now compound annual maintenance problems. The city recently completed a study of its municipal road network that included an inventory and provide solutions to the system's infrastructure deficits. Utilizing this study and updated development and service standards will lead to improved road conditions and connectivity for Laurel residents, businesses, and visitors.

State Highways

Two major state routes pass through Laurel. These are 1st Avenue, which forms the major north-south route, and Old Route 10, which runs east-west and acts as Laurel's Main Street. These routes support significant commercial and industrial traffic, resulting in congestion during peak hours at intersections.

Seeking mobility and safety improvements along these two routes is encouraged to create more livable, accessible, and safer streets as the city updates its zoning code, subdivision code, and roadway standards. A map of road classifications has also been provided to show further details of the Laurel road network and other major streets and roadways in the city.

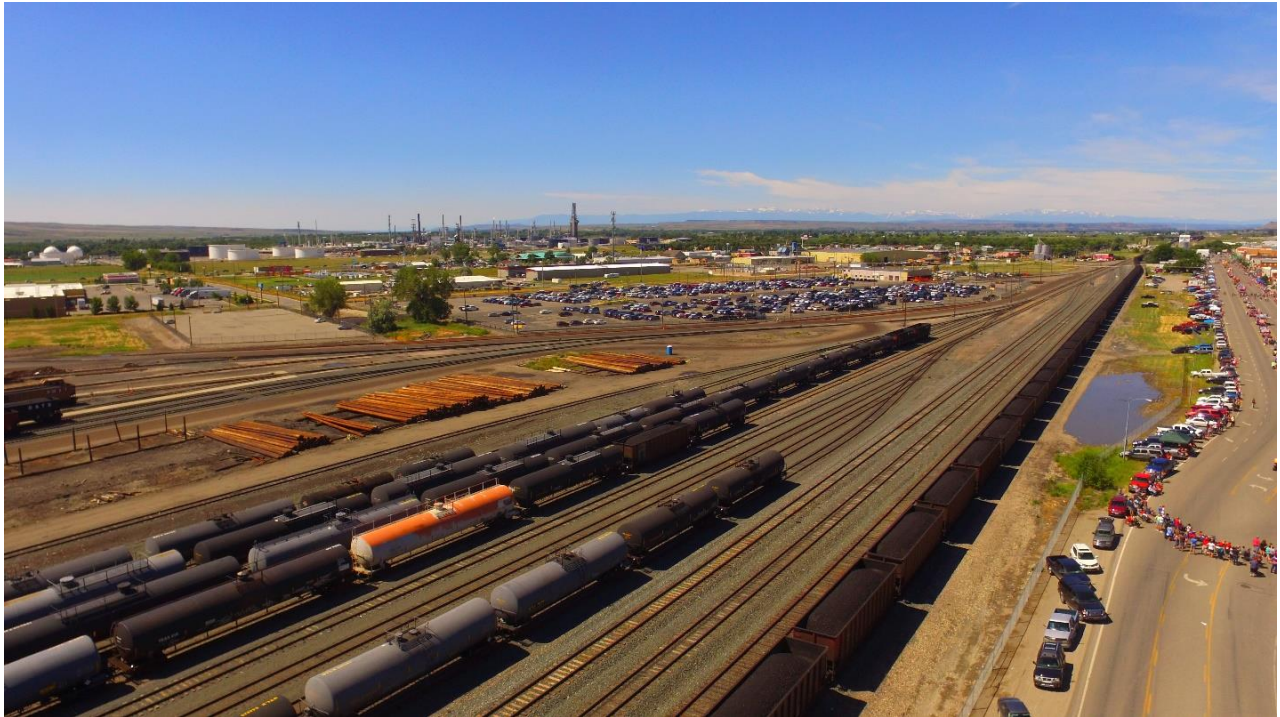
Federal Highways

Interstate-90 passes directly through Laurel. There are currently three off-ramps to access the highway, the most recent of these just completed in 2020 on the city's west end. The interstate has been a source of growth for the city, with many businesses locating in the SE 4th Street District adjacent to the highway.

The Montana Department of Transportation recently completed a north-facing on/off-ramp west of Laurel to connect to 19th Avenue West. This additional on/off-ramp is expected to alleviate some access issues and provide new development opportunities. This additional access point is also anticipated to bring new growth opportunities for the area. Planning for this growth and seeking out possible funding sources to extend city services to this area is vital

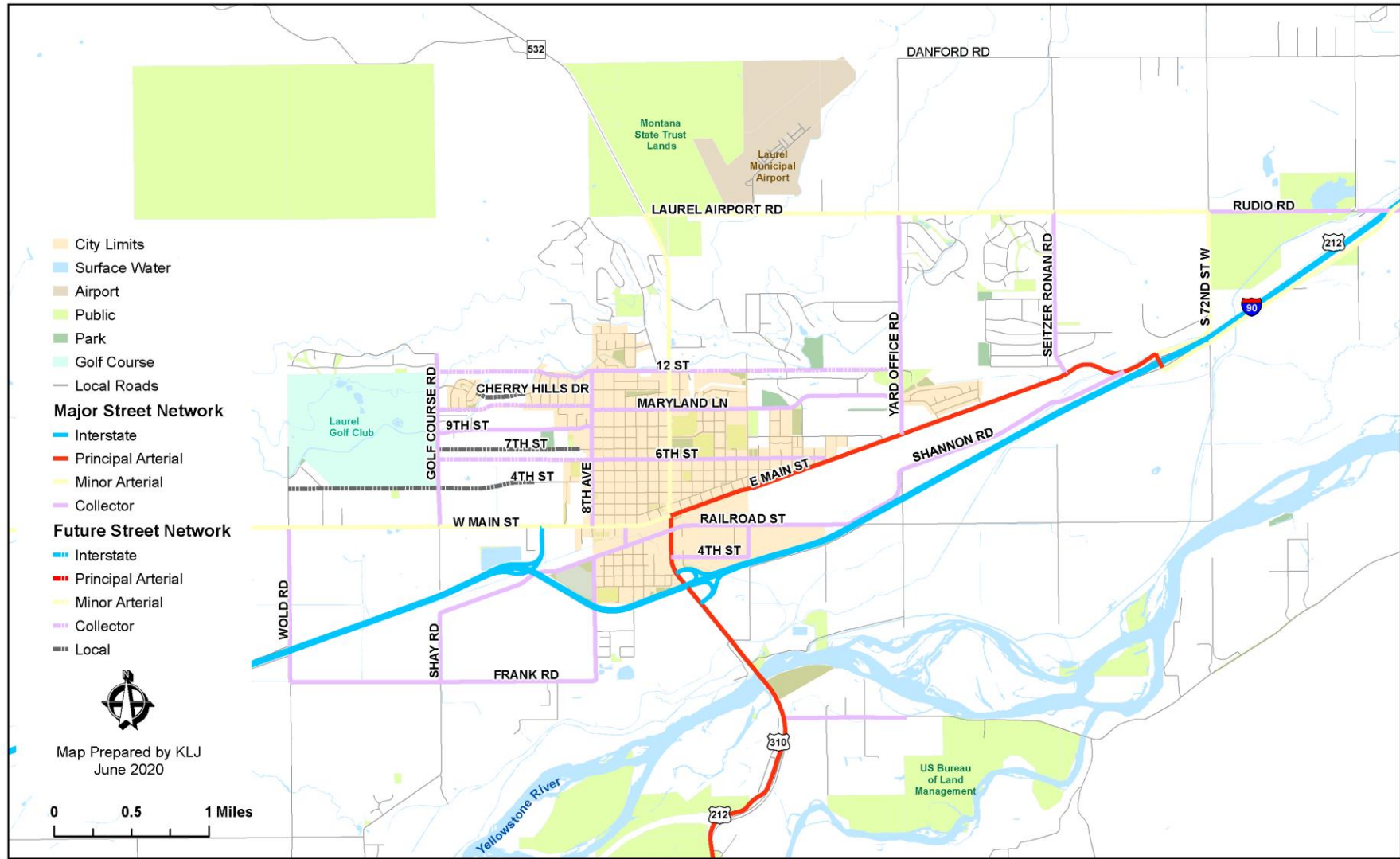
Railroad

Montana Rail Link **has operated** the rail yard in Laurel. **MRL has decided to terminate its lease with BNSF and BNSF is transitioning to once again assuming operations.** This yard has been active since the late 1800s and is a historic asset to the transportation and economic sectors. The rail yard is a hub for freight and raw materials heading through the area. Despite not being within the city limits, the railroad, CHS refinery, and other industrial properties provide many benefits to the area by providing a healthy



job base, revenue to the school district, and lower tax rates for residential and commercial properties.

The railroad is a major asset to the area and hinders transportation in and around the Laurel area. The railroad is not within the Laurel city limits, and as such, the city has little oversight of the activities taking place. The rail yard and its lines split the city into a north and south side with only two north-south connections, the 1st Avenue underpass, and the 5th Avenue crossing. The only other north-south connections are the East Laurel Exit and West Laurel Exit on Interstate-90.



MAJOR STREET NETWORK

~~Laurel Road Classifications, 2020~~ Updated maps are attached to this document for the 2023 update and shall be inserted upon final approval.

Roadway Classifications

- ❖ Interstate Highway (Principal Arterial)
 - Primary through travel route
 - Longest trip length
 - Highest trip speed
- ❖ Principal Arterial
 - Serves major activity centers and includes corridors with the highest traffic volumes and the city's longest trip length.
 - Provides the highest level of mobility, at the highest speed, for long uninterrupted travel.
- ❖ Minor Arterial
 - Interconnects principal urban arterials
 - Provides continuity for rural arterials that intercept urban boundaries
- ❖ Collector
 - Designed for travel at lower speeds and shorter distances.
 - Collectors are typically two-lane roads that collect and distribute traffic from the arterial system.
 - Collector roads penetrate residential communities, distributing traffic from the arterials
 - Urban collectors also channel traffic from local roads onto the arterial system.
 - Serves both land access and traffic circulation in higher density residential and commercial/industrial areas
- ❖ Local
 - Largest element in the American public road network in terms of mileage.
 - Local roads provide basic access between residential and commercial properties, connecting with higher-order roadways.
 - Provides access to adjacent land
 - Short distance trips

Public Transportation

Laurel Transit was established in 2010 through grant funding from the State of Montana to provide transportation services to the elderly and disabled population in the Laurel area. Laurel Transit currently provides on-demand transportation services within Laurel, its surrounding area, and scheduled service to Billings. Laurel Transit operates Monday-Friday, 10:00 am – 4:00 pm. The Billings scheduled service route begins at 7:30 am. Laurel Transit has connected with local and regional agencies whenever possible to expand its services.



Discussions have previously taken place around the viability of a fixed route system for the city of Laurel. These services are currently not feasible but future growth and development in Laurel could also necessitate better in-town transit connections or a commuter route to Billings.

Funding Sources

Many state and federal funding sources exist for transportation projects that impact:

- ❖ Road Safety
- ❖ Alternative Transportation
- ❖ Improved Mobility
- ❖ Economic Development
- ❖ Job Creation and Retention

Federal Agencies with available grants include:

- ❖ Federal Highways Administration
- ❖ U.S. Department of Transportation
- ❖ Federal Transit Administration
- ❖ U.S. Department of Agriculture
- ❖ U.S. Environmental Protection Agency

Transportation Goals and Objectives

The three overarching transportation goals with objectives and strategies are as follows:

Goal 1: Preserve, Maintain, and Improve the Existing Transportation System

- ❖ Update the Long-Range Transportation Plan (LRTP)
- ❖ Establish a systematic approach for the maintenance and repair of the road network.
- ❖ Develop a Capital Improvement Plan to identify and prioritize significant transportation projects
- ❖ Establish a Road Network Master Plan to ensure street continuity, traffic flow, and neighborhood connectivity,
- ❖ Promote fiscal responsibility and high return on investment
- ❖ Coordinate roadway improvement projects to coincide with underground infrastructure improvements

Goal 2: Improve the Mobility, Safety, and Accessibility for all users and modes of travel

- ❖ Implement bicycle and pedestrian improvements and traffic calming measures to transform the downtown area into a pedestrian-friendly place
- ❖ Create a looping bicycle/pedestrian trail and street system that connects different areas of Laurel
- ❖ Adopt pedestrian and multi-modal friendly transportation standards and safety measures
- ❖ Explore options to improve and expand the Laurel Transit program and strategies to create other multi-modal transportation connections.
- ❖ Partner with local, regional, and statewide groups to further integrate Laurel into the more comprehensive passenger transportation network

Goal 3: Connect Transportation Decisions with Land-Use Decisions

- ❖ Integrate land-use planning and transportation planning to manage better and develop the transportation network.
- ❖ Utilize transportation projects to encourage intensive development patterns along significant routes and existing areas of the City.
- ❖ Adopt and implement consistent system policies and maintenance standards
- ❖ Ensure the development of a sustainable transportation system that minimizes environmental impacts

CHAPTER 11: ECONOMIC DEVELOPMENT



Overview

Laurel has two traditional industries that have been the community economic pillars; the railroad and oil refining. These two economic sectors play a significant role in the economy. Still, they have been joined by many other services and businesses that diversify economic opportunity to include retail, education, healthcare, and finance. Laurel has seen a decline in downtown and local businesses as Billings has become more accessible, and online shopping and delivery become more readily used. Large and small communities have been forced to compete more and more for businesses, workers, and growth opportunities in an increasingly connected global economy. It will take significant effort to develop Laurel as a community with a self-contained business ecosystem where local businesses and entrepreneurs and larger statewide and national establishments can thrive.

Laurel's proximity to Billings is a smaller scale example of how different factors impact the local community economy. Laurel has been considered a bedroom community to Billings due to its proximity and number of Laurel residents who commute into Billings. It has also become easier for Laurel residents to travel to Billings for food, shopping, and other services. If it were in any other county in Montana, Laurel would be the center of economic development and business activities.

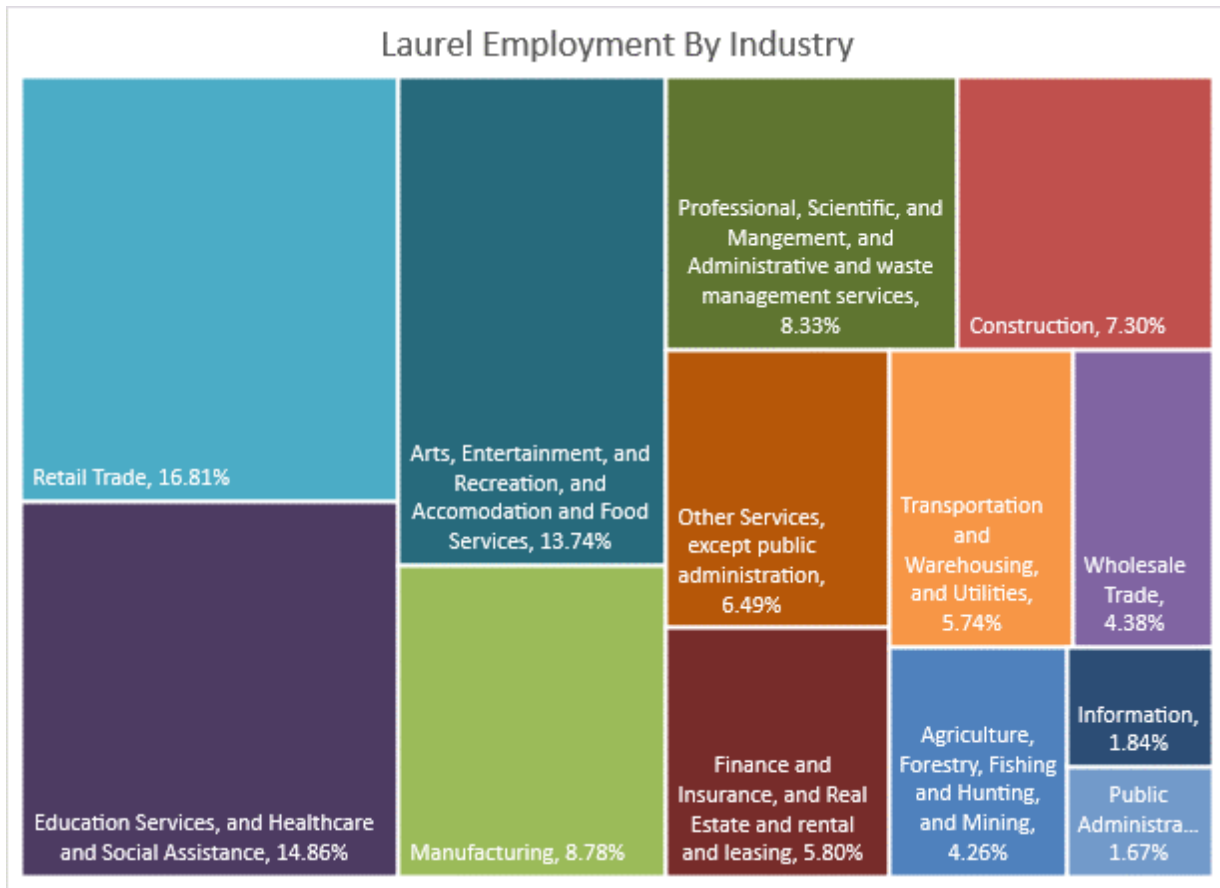
Laurel can still become a community where small businesses thrive, the downtown is healthy, and entrepreneurs take the risk to open a business even with its proximity to Billings. Creating a more attractive and active business community is not an impossible task. Goals have been established to help develop Laurel independently while keeping it connected with Yellowstone County and the Billings area.

Studying and adopting policies to develop downtown Laurel into a destination to live, work, and play can help breathe new life into the community. Focusing on resilient economic growth activities will create both new activity and sustainable, long term economic stability. Increasing Laurel's collaboration and communication with area groups can help connect stakeholders to business funding supports, employment, and training opportunities that would otherwise not be available. Growth is anticipated on the west side of Laurel. It is essential to plan for this growth by studying options for new commercial and industrial properties in priority areas.

The Local Economy

Workers in Laurel are employed in a wide array of industries. The following chart presents a visual representation of the different industries and their percentage in those workforces. A diverse employment base helps to ensure a stable and resilient economy. Improving the City's core sectors while opening up new growth opportunities is an important objective to help keep the local economy healthy.

Several major industries are located directly outside the city limits that have a large impact on the community. These include the MRL railyard and the CHS refinery. These two industries provide many jobs to Laurel residents and those residing within the Laurel planning jurisdiction. These anchor industries provide livelihoods to many Laurel area residents and support other industries and businesses in the Laurel planning area. It will be essential to maintain good relationships with MRL and CHS to coordinate growth efforts and adequately develop the Laurel area.



(2013-2017 American Community Survey 5-Year Estimates)

Economic Development Organizations

Various groups are active in the economic development field in the Laurel and Yellowstone County area. Big Sky Economic Development and Beartooth Resource Conservation & Development serve the Laurel community and have services available for businesses and residents.

These agencies can help leverage funding and access to different state and federal programs to support local economic development efforts.

Laurel Chamber of Commerce

The Laurel Chamber of Commerce provides services to foster a healthy business climate in the Laurel area for business owners, employees, and customers. The Chamber supports and hosts many community events, including farmer's markets, the July 4th Celebration, and the Christmas Stroll. The Chamber has also developed relationships with local organizations and businesses to create a better business climate, a thriving downtown, and improve the community.



Big Sky Economic Development Agency

The official mission statement of Big Sky Economic Development is "... to sustain and grow our region's vibrant economy and outstanding quality of life, by providing leadership and resources for business creation, expansion, retention, new business recruitment, and community development."

Big Sky Economic Development Agency (BSEDA) is the South-Central Montana region's certified economic development authority. BSEDA directly serves a nine-county region, including Petroleum, Wheatland, Golden Valley, Musselshell, Sweetgrass, Stillwater, Yellowstone, Carbon, and Big Horn counties. BSEDA provides services and support for small business development, community development initiatives, federal procurement assistance, tax increment financing assistance, workforce development, veterans business assistance, and business financing.

The City of Laurel Planning Director is currently the Ex-Officio representative for the City of Laurel on BSEDA's Board of directors. The Ex-Officio member represents the interests of the City on the Board and communicates the position of the City to BSEDA's staff and partners.

Beartooth Resource Conservation & Development

Beartooth Resource Conservation & Development, or Beartooth RC&D, began in 1969 as a partnership between the USDA Natural Resource Conservation Service and Carbon and Stillwater Counties to serve that area. Beartooth is now an officially designated Economic Development District and has expanded its support to Sweet Grass, Yellowstone, and Big Horn Counties. Beartooth RC&D provides technical assistance and community development services to groups in the South-Central Montana region.

The overall mission of Beartooth RC&D is to improve local economic and social conditions by focusing on the conservation, utilization, and development of the natural and human resources of the region. The City has begun regular conversations with Beartooth RC&D to coordinate local economic development efforts and be notified of ongoing work in the region. Keeping communication channels open and collaborating on projects will help support Laurel's economic development and the surrounding area.

Economic Development Objectives and Policies and Strategies

Four main goals and related objectives have been established that focus on Economic Development and are as follows:

Goal 1: Develop downtown Laurel as a destination to live, work, and play

- ❖ Institute placemaking projects to further enhance district character
- ❖ Increase live-work opportunities for current and future residents and businesses
- ❖ Apply TIF funding to beautification, blight removal, and public improvement projects
- ❖ Identify and find solutions for unused or underused parcels as candidates for development

Goal 2: Create a resilient local economy

- ❖ Strengthen core businesses and industries through communication and connections with technical support
- ❖ Ensure that local economic activities are inclusive and accessible to all stakeholders
- ❖ Implement policies that create stable and sustainable economic growth
- ❖ Work to highlight the shared benefits of working together as a community with local businesses stakeholders, and developers
- ❖ Provide an economic ecosystem that allows for a wide array of businesses, industries, and developments to thrive
- ❖ Study and implement policies to enhance local business demand and alternative strategies for value creation for the community

Goal 3: Collaborate with area organizations to support economic growth and local employment and training opportunities

- ❖ Communicate with local groups to determine any needs and assistance
- ❖ Create partnerships with local and regional groups to fill local service gaps and create needed programming
- ❖ Take part in events and workshops to support local business initiatives and activities
- ❖ Establish common ground with local and regional groups to provide resources and assistance
- ❖ Connect residents and businesses with like-minded economic, financial, and entrepreneurship resources and opportunities

Goal 4: Study options for new commercial and industrial properties in anticipated high-growth areas

- ❖ Create a Corridor Master Plan for growth in and around the intersection with Old Route 10 and the West Laurel Interchange
- ❖ Study options and determine priorities for the possible establishment of Tax Increment Financing Districts (TIFs) and Targeted Economic Development Districts (TEDDs)
- ❖ Review and pursue opportunities for clustered commercial or industrial parks
- ❖ Develop funding strategies to provide services for priority growth areas.

CHAPTER 12: PUBLIC SERVICES AND FACILITIES

Overview

Municipalities and County Governments provide numerous public services to their residents, businesses, and institutions. Effective public services are vital for a community to thrive. Public services include fire departments, police and sheriff departments, parks and recreation programs, libraries, emergency medical services, public works departments and water and sewer utility systems. Public officials need to take a lead role by planning and implementing expansions and improvements of public services that maintain and improve their community's quality of life.

This chapter presents the array of public services operated by the City of Laurel and Yellowstone County and provides goals and objectives to improve and expand those services to help the community better. A proactive approach to public services can also lead to many benefits as newly established or upgraded services can incentivize new development and growth. Effective public services show prospective residents, business owners, and developers that the municipality and the county is working to provide stable services while addressing future service needs.



City Administration

Laurel City Hall is located at 110 West 1st Street. The City Hall contains offices for the City Clerk-Treasurer, Water Department, Planning Department, and the Public Works Department. The City Hall also contains the City Council Chambers, the Office of the Mayor, City Court, and related administrative archives.

Laurel Police Department

The Laurel Police Department is a full-service department serving the community twenty-four hours a day, seven days a week. The City of Laurel currently has 14 sworn officers employed by the City. Services include patrolling for criminal activities and traffic violations, accident investigation, and misdemeanor and felony crime investigation. The Department's service area is within Laurel's municipal boundaries unless responding as backup to another law enforcement agency in the surrounding area. The Laurel

Police Department works with the Eastern Montana Drug Task Force, (EMDTF) assists the Yellowstone County Sherriff on calls near Laurel, and works closely with the Montana Highway Patrol.

The City of Laurel ensures that its officers are appropriately certified and trained above and beyond the state requirements. Officers must pass a twelve-week introductory police officer course at the Montana Law Enforcement Academy in the state capital of Helena. Furthermore, communication officers must also attend and pass a one-week course for their additional responsibilities. The Laurel Police Department also hosts its introductory reserve course annually for reserve officers.

The Laurel Police Department is currently located in the Fire-Ambulance-Police Building (FAP building). The facility is shared with the Fire Department and Ambulance service. The facility was built in 1976 and has seen several additions and renovations over time. The FAP Building is aging and lacks many facilities that the departments require. The Police Station lacks sufficient office space for its officers, a breakroom, separate locker room facilities for male and female officers, and the radio room lacks adequate fire control due to the space required for department servers. This space also lacks secure vehicle and equipment storage areas. It is essential that the city seek out funding options to improve, expand, and construct new facilities for the Police Department.



The Department is in need of a new facility. Planning should focus on construction of a new Police Station to the West of the City to follow anticipated growth trends. This location is also a security requirement for the Department. A westward location would be upwind from the Railroad lines and Refinery complex which would be secure in the face of any major ecological, chemical, or radiological crisis that might originate at these industrial and shipment points. Major elements for a future Police Station include:

- ❖ DUI Processing Rooms (secure with camera system)
- ❖ Video Security system (specifically for animal storage, inventory, and evidence)
- ❖ Separate Locker Rooms with bathing facilities and adequate locker space
- ❖ Full kitchen/breakroom area
- ❖ Secure and reinforced lobby area and front desk with audio system
- ❖ Evidence storage rooms with processing rooms and secure lockers
- ❖ Storage bays for larger amounts of evidence and vehicles
- ❖ Secure weapons room for ammunition, weaponry, and cleaning supplies
- ❖ Vehicle Storage area for Police vehicles and equipment under cover and secured.
- ❖ Conference room for meetings, presentations, press conferences, and trainings

Department leadership has identified certain staffing needs for the department as Laurel grows. The department needs a second Lieutenant position and a possible Captain position. These command positions would provide more effective leadership for the patrol officers. The Department also plans to add a Parking & Animal Control position in the near future. The department also needs additional civilian positions filled including an additional dispatcher, and an evidence technician and executive assistant to help with day to day duties.

The current policies and procedures for the Department date to 2014 and have not been updated due to a lack of manpower and lack of time. Department leadership has identified the program Lexipol as a vital digital resource that will help to keep the department's policies and procedures up to date. The Department plans to contract with Lexipol to assist with updating policies, training, and overall helping to keep law enforcement agencies current.

Fire Protection and Emergency Medical Services

Laurel Volunteer Fire Department

The Laurel Volunteer Fire Department (LVFD) has served the City of Laurel and the surrounding area since its inception in 1909. The Mission statement of the Laurel Volunteer Fire Department is:

"Laurel Fire Department is committed to serving the City of Laurel, its residents, the surrounding fire districts, and the visitors to our City for any of their emergency fire rescue needs. We will do this through strong dedication and commitment to our community with a long tradition guiding us to what is important."



The LVFD provides full-service fire response service to the City of Laurel, Laurel Airport Authority, Yellowstone Treatment Center, Laurel Urban Fire Service Area, and Fire Districts 5, 7, and 8. These services include structure fires, wildland fires, vehicle fires, industrial hazards, water, ice rescue, vehicle extractions, Hazmat situations, rope rescue, and public service calls.

It has been recognized that the LVFD needs to adapt to the changing nature of fire services. It will be essential to improve the delivery of high-quality services to the community by planning and implementing new policies. The LVFD has begun the development of a "Fire Services Business and Work Plan" that presents information about the Department as well as goals and objectives to improve and expand fire services. Goals presented in the Draft Work Plan include:

- ❖ Finance – Develop avenues of revenue to offset costs for manpower, operations, and equipment replacement
- ❖ Equipment replacement – Develop a schedule for equipment replacement
- ❖ Education – Communicate with city officials on the beneficial aspects of the current LVFD structure
- ❖ Training – Continue and expand training to evolve with ever-changing fire services
- ❖ Communications – Develop communication lines between various groups at Department, local, county, and state levels.
- ❖ Performance Management – Evaluate Department on skills and abilities for career advancement and adjustments to training needs
- ❖ Construction of a New Fire Station – A new station will be necessary to meet a growing community's needs.

Firefighters in Montana are required to complete a minimum of thirty training hours per year. Many of the members of the LVFD regularly complete over 100 hours of training hours per year. Members of the LVFD are allowed to travel to specialized schools and training sessions to learn new information and share it with their fellow firefighters in the Department.

The LVFD is actively involved in the community through events and has held annual events such as Fire Prevention Weeks and Safety Days. The LVFD also manages the fireworks display for the 4th of July celebration. The Laurel 4th of July celebration is well-known throughout the state and brings awareness of the work of the LVFD.

The LVFD is currently set at 45 members to meet current community needs. The Department undertook a reorganization in 2010 to better coordinate efforts. This reorganization allowed the Department to meet any partially paid staff requirements for a department if the City of Laurel met the requirements for a Second-Class city of 7,500 residents or more. The Laurel Volunteer Fire Department has a mutual aid agreement with Yellowstone County Fire Services.

As previously noted, the Department is in the Fire-Ambulance-Police Building (FAP building). This facility has three full bays and an extra half bay for equipment. The LVFD also has access to equipment bays at the Laurel City shops as necessary. It is anticipated that an expansion of the FAP building or the construction of a new facility will be necessary to cover the Laurel community's fire service needs long-term adequately.

Ambulance Service

The primary mission of the City of Laurel Ambulance Service (LAS) is to provide quality pre-hospital emergency medical services and transportation to medical facilities promptly and safely to those residing, visiting, or traveling through the Laurel service area. The Department is a hybrid model, with certain full-time positions and additional volunteers. The Department has a full-time director and five full-time Emergency Medical Technicians (EMTs). LAS staff are trained to provide at least a minimum of Basic Life Support (BLS) assistance. They also have the necessary endorsements from the state to provide other advanced services.

As previously noted, the LAS is located at the Fire-Ambulance-Police building. The FAP building has space for three ambulances, restrooms, a crew lounge, offices, a small kitchen, and storage rooms. The building also has a community meeting room attached. The City needs to consider options for upgrades, expansions, or new facility locations to improve emergency services.

School District

The Laurel School District serves the City of Laurel and the surrounding area. The District instructs 2,100 students in total. The District maintains instructional levels from Kindergarten through twelfth grade (K-12). The grades are grouped as follows:

- ❖ Kindergarten through 4th grade – Elementary School
- ❖ Grades 5 through 8 – Middle School
- ❖ Grades 9 through 12 – High School

The Laurel School District currently operates five school buildings that include:

- ❖ Laurel High School
- ❖ Laurel Middle School
- ❖ Fred W. Graff Elementary
- ❖ South Elementary
- ❖ West Elementary

The Laurel School District's Mission is: "Dedicated to the individual development of each student, every day, without exception." Students are assigned to a classroom or group depending on what will best serve that student. Considerations are made for class size, peer relations, student/teacher relations, and teaching instructional style. The School District also has administrative offices located at the old Laurel Middle School at 410 Colorado Avenue.

The Goals of the Laurel School District are:

- ❖ To deliver a quality educational program that promotes both academic success and the overall development of every student.
- ❖ To meet the needs and skill level of each student.
- ❖ To promote high student expectations, the importance of lifelong learning and creative/critical thinking.
- ❖ To provide the students with a strong desire to learn.
- ❖ To foster self-discovery, self-awareness, and self-discipline.
- ❖ To develop an awareness of and appreciation for cultural diversity.
- ❖ To stimulate intellectual curiosity and growth.
- ❖ To provide fundamental career concepts and skills.
- ❖ To help the student develop sensitivity to others' needs and values and respect for individual and group differences.
- ❖ To be free of any sexual, cultural, ethnic, or religious bias.

The District previously established goals for District growth in a 10-15 Year Master Facility Plan. This plan included developing a new facility for grades 3 through 5 and a transportation facility, the remodeling of existing schools, relocating administrative offices, selling aging district-owned structures, and addressing inadequate learning environments in certain facilities. The District developed these goals to grow with the community and adapt when necessary and will be updating their Master Facility Plan in 2021.

Public Library

The Laurel Public Library was created in 1916 via ordinance and opened to the public on July 18, 1918. The Library was first established at 115 West 1st Street, the site of the current City Hall. The Library relocated to its current facility at 720 West 3rd Street in 1989 after fundraising by volunteers, and the Library Board allowed for the move. The Laurel Public Library serves the citizens that reside within the city limits. Yellowstone County residents are served without cost. Stillwater and Carbon County residents can also apply for and receive a library card. The Library's mission is to provide a "place where community members can grow, teach, and interact in mutual benefit with others."

The current library facility is approximately 6,000 square feet and contains four wings. The Library's clients' general needs are met by the current building, but improvements have been discussed. The Library could be improved by expanding the building to include a storage room, meeting rooms, and small study rooms. The needs of library clients have been growing, and the Library will need to grow with them.

The Library does not have any specific sharing agreements with the ~~Parmlly~~ Library in Billings or other regional libraries. The Library is currently part of the Montana Shared Library Catalog Consortia by agreeing with the Montana State Library. This consortium comprises more than 140 libraries across the state consisting of public, academic, and particular library types.

Yellowstone County Sheriff's Office

The mission of the Yellowstone County Sheriff's Office is to maintain and improve the quality-of-life within the community by working with all people to preserve life, maintain human rights, protect property, and promote individual responsibility and community commitment.

The Sheriff's department covers the entire county and is the sole operator of the county's only detention facility. The sheriff's department provides law enforcement within the planning jurisdiction around Laurel and coordinates law enforcement activities with the Laurel Police Department.

The Yellowstone County detention facility is in Billings Montana and serves as the only detention facility for inmates from the local community as well as a detention facility for state and federal inmates while they are being processed through the court system. The detention facility is overcapacity most of the time and the county is currently focused on ways to improve the detention facility and plan for expansion as the population in Yellowstone County continues to increase.

Yellowstone County Public Works Department

This department is comprised of four divisions: The Administration Division, the Road and Bridge Division, the Junk Vehicle Division, and the Noxious Weed Division.

The mission of the Yellowstone County Public Works Department is to manage the county's transportation infrastructure, junk vehicle disposal, and noxious weed control in the most cost-effective manner possible.

The Public Works Department is managed by a director who is appointed by and reports to the Yellowstone County Board of Commissioners. The Director is responsible for all operations, programs, and services provided by the department.

Yellowstone County GIS Department

This department maintains a computer system designed for storing, manipulating, analyzing, and displaying data in a geographic context. The GIS department provides the ability to assist in the decision-making process by providing an additional tool to analyze and compare numerous geographic data layers along with traditional databases.

The GIS department provides an interactive way to find information about Yellowstone County. Information about Floodplain, Public Works, School, Sheriff, Zoning, Elections, Levy Districts, and Emergency and Cemeteries are displayed as layers that can be turned on/off, queried, and identified by using a click of your mouse on the map.

Yellowstone County Disaster and Emergency Services Department

The DES department or emergency management is an integrated effort to prevent- or minimize the seriousness of emergencies and disasters and to plan and coordinate the community's response to them should they occur. It requires establishing partnerships among professional emergency management

personnel to prevent, respond to, and recover from disasters. This department is responsible for an emergency management program, and continual improvement saves lives and reduces losses from disasters.

Yellowstone County Clerk and Recorders Office

The Clerk and Recorder is an elected county official established by the Constitution of Montana. Statutory authority establishes the duties as providing the primary administrative function for recording and maintaining the majority of all the legal documents relating to real estate records, land descriptions, county birth and death records and the records of the Board of County Commissioners. The first Yellowstone County Clerk and Recorder took office on February 2, 1883. Currently the office records an average of about 200 documents per day.

The types of documents that are maintained in the Clerk's office include:

- Deeds
- Mortgages
- Liens
- Powers of Attorney
- Homestead Declarations
- Subdivision Plats
- Certificate of Survey
- Military Discharge
- Federal Income Tax Liens

Yellowstone County Elections Office

The Election Department administers the maintenance of the voter registration files, candidate filings and all aspects of the election process. Additionally, information is available concerning upcoming election dates, polling places and the results of current elections. Of primary emphasis and concern is making voter registration and the process of voting as simple and accessible as possible.

Voter registration cards will be mailed out if requested, can be downloaded from this the Yellowstone County website, or completed in the office. Cards are also available in the telephone book, Montana tax booklets and state agencies. Absentee ballot requests can also be mailed out upon request or downloaded and upon our receipt of this signed document a ballot will be mailed to the elector.

Public Services and Facilities Goals and Objectives

Effective and efficient public services are a necessity for existing and prospective residents, developers, and businesses. Above all, public facilities and services must be accessible, helpful, and dependable for everyone residing, working, and visiting the City and County. City Departmental staff should identify the current gaps and projected needs of public facilities as the City and County experiences growth. It is vital to work with public stakeholders and departments to ensure input and projects positively impact the whole population. Providing consistent and stable service delivery is paramount.

Goal 1: Provide consistent and high-quality public services to the community

- ❖ Develop standard operating procedures to ensure consistency for city and county departments
- ❖ Develop maintenance procedures for parks, facilities, and public areas.
- ❖ Study current facilities and services to identify gaps and determine projected needs in services

Goal 2: Respond to the changing nature of the community

- ❖ Plan for the expansion of public facilities in priority growth areas
- ❖ Invest in public facilities that are accessible to everyone in the community
- ❖ Study how to improve city services to boost the quality of life for residents, businesses, and institutions

Goal 3: Work with city /county departments and local stakeholders to determine the priority expansion of public facilities and services

- ❖ Open lines of communication between city/county departments and local stakeholders to gather input on major projects
- ❖ Consider the public service requirements of large-scale projects before their approval and implementation
- ❖ Develop plans for the expansion of Fire, Police Law Enforcement, and EMS facilities

CHAPTER 13: RECREATION PLAN

Overview

Access to recreational opportunities and parkland is a critical component of quality of life for communities, especially Montana communities. The parks and public areas owned and maintained by the City of Laurel are assets to local and area residents. Access to walking, biking, hiking, and other local amenities help boost residents' and visitors' quality of life. Many cities and towns have begun establishing greenways and trails to connect parks and open spaces with local neighborhoods. Incorporating these into Laurel planning and development strategies can help enhance livability and help residents be healthier and more active.

The City should consider developing a vision for the Laurel parks system that would establish priorities for park funding and placement of parks that would be most useful for residents. Creating a connected park and trail system would enable residents to enjoy more parts of Laurel and the surrounding area.



Many of Laurel's parks are very small, with some located at less than ideal or fully accessible locations. Parkland must be a fully useable amenity for residents. Parks should be developed and improved to act as neighborhood focal points. The City should also study underutilized or burdensome parkland parcels and consider reuse scenarios.

Repurposing vacant or underused land as parks and trails can create many added benefits for a community. Downtown Laurel currently has large areas of vacant land owned by the BNSF Railroad and leased by MRL. Studying options for low impact reuse of this land as parkland or greenways could enliven downtown by activating the south side of Main Street, creating more opportunities for residents to spend time downtown, and creating more public space for events or gatherings.

Riverside Park has been a staple of the community for almost one hundred years. The Riverside Park Master Plan was developed in 2018 to provide a blueprint for improvements and the park's use. It will be essential to continue the ongoing improvement efforts detailed in that plan and develop policies to attract Yellowstone County and beyond. Riverside Park should be maintained as a historical, recreational, and economic asset in the future.

City Parks

There are many public parks throughout the City of Laurel. Some of the larger, more established parks are listed below. There are also many smaller unnamed parks throughout the city.

- ❖ Thomson Park
- ❖ Russell Park
- ❖ Nutting Park
- ❖ Kiwanis Park
- ❖ Murray Park
- ❖ South Pond
- ❖ Riverside Park
- ❖ Lions Park
- ❖ MT State Firefighters Memorial Park

Yellowstone County Parks

The County has many parks in the Laurel Yellowstone City County Planning jurisdiction. Most of these parks are the result of subdivisions of land that required parkland dedication as part of the subdivision process. Many of these parks are not developed or are underdeveloped. Yellowstone County has a parks board that advises the County Board of Commissioners on park planning and implementation of park improvements.

Parks Funding, Governance, and Operations

The City of Laurel Public Works Department is responsible for maintaining and improving park facilities. Public Works provides staff time and funding toward the upkeep of park facilities. The City of Laurel Park Board comprises volunteers who provide oversight and input on park operations, maintenance, and activities.

Riverside Park is an essential historic asset for the city, the region, and Montana. Many private and public groups are active in this park's historic preservation, including the Yellowstone Historic Preservation Board that helps to support preservation and improvement efforts in Riverside Park.

Community Sponsored Events

Community sponsored events are an effective way to get residents outside, engaged with nature, and connected to their community. Laurel has a history of hosting popular events that get people outside and active. City staff and local stakeholders should continue to work together to promote outdoor events to encourage people to be more active in the community.

Laurel hosts several events throughout the year. The July 4th festivities include the Chief Joseph Run, pancake breakfast, parade, and fireworks celebration. Laurel also hosts an annual Christmas tree lighting event downtown, farmer's markets, and other seasonal events throughout the year.

The city's parks are a focal point for residents and visitors. They represent an important asset that makes Laurel a better place to live. City staff should partner with local groups to support community

events and create more opportunities for recreational activities and outdoor enjoyment in the city's neighborhood parks.

Recreation Objectives and Policies and Strategies

Goal 1: Develop parkland as an essential and enjoyable amenity for residents

- ❖ Ensure new developments have appropriate park space for recreation and general use
- ❖ Study how existing parks can be improved through new facilities, changed layouts, or additions
- ❖ Review current park infrastructure and determine if improvements are necessary to serve the needs of the surrounding area better

Goal 2: Promote Riverside Park as a vital historic, civic, and recreation resource for residents and visitors

- ❖ Adhere to the projects and strategies presented in the 2018 Riverside Park Master Plan
- ❖ Seek grant funding for structural and site improvements
- ❖ Develop historic markers for Riverside Park and its historic structures
- ❖ Study options for connecting Riverside Park to the city proper through infrastructure improvements, civic engagement, or other means
- ❖ Establish signage and marketing for the assets and resources of Riverside Park to area residents and visitors

Goal 3: Create an interconnected system of parks, greenspace, and trails that are accessible to all

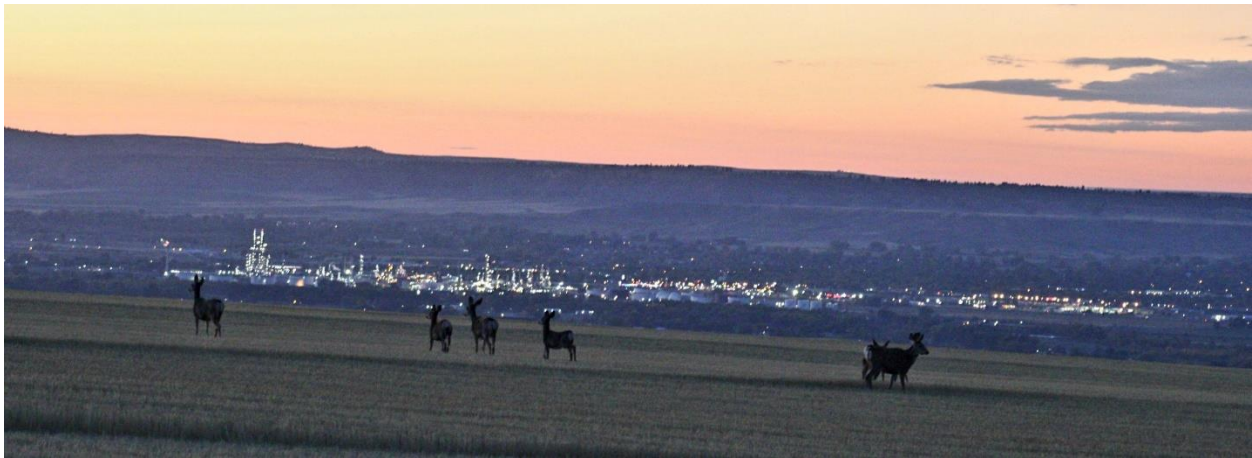
- ❖ Create a city-wide Park System Master Plan to develop project priorities
- ❖ Consider the creation of a City Parks Department to oversee park operations and maintenance
- ❖ Identify unused land that can be transformed into green space or trails for use by the public
- ❖ Update the zoning and development codes to encourage the creation of bicycle and pedestrian trail corridors

CHAPTER 14: NATURAL RESOURCES

Overview

The Laurel planning jurisdiction contains a variety of terrains and environments. The city itself is urbanized and is surrounded by several residential subdivisions. A variety of farmland, grazing land, riverine areas, and wetlands surround the city and make up much of the planning area. Laurel's natural features pose unique opportunities and challenges that should be considered when planning for growth.

The natural environment should be preserved and enhanced to balance environmental sustainability with economic growth, recreational opportunities, and development. Natural resources and the natural environment can be balanced with growth activities to provide social, economic, and community benefits to people over time while continuing their natural functions. The proximity to natural areas such as parks, trails, and other open spaces is an essential variable for many people as they choose where to live and work.



The Laurel area is an interconnected network of land and water resources that contribute to the community's health, economic well-being, and quality of life. This network of natural resources requires investment and maintenance, just like roads and utility systems. Creating a balance of conservation, management, and growth can reward a community with excellent benefits, including increased quality of life, longer-lasting infrastructure, and improved property values.

Groundwater Resources

Groundwater quality and quantity will become a growing concern as Laurel and the surrounding area develops. Traditional modes of living will shift because of groundwater issues. The direct impact of development in the area will be a reduction of groundwater recharge capacity. Groundwater recharge has averaged 8.2 inches per year but depends on the specific land use and soil type. The planning area contains relatively thin alluvial gravel deposits of groundwater. The average saturated thickness of local aquifers is fifteen feet, with the thinnest saturated zones occurring along cliffs and bluffs and the Yellowstone River's channel.

Wildlife Habitat

Rivers, Streams, and Lakes

It is important to recognize the Yellowstone River as a critical asset to Laurel. The Yellowstone River provides a stable water source for the city and recreational opportunities and riverine wildlife habitat. Maintaining the Yellowstone River as a resource is a complex job that includes managing the river ecosystem, monitoring historic water rights, and considering the local community's needs for economic and residential uses.

There are also many year-round and seasonal drainage and irrigation ditches that carry water through the city. These ditches include the Nutting Drain Ditch, Big Ditch, High Ditch, and Cove Ditch. Flooding is known to occur intermittently near the ditches. High water levels on properties near the ditches are a concern for property owners seeking to develop their property.



Floodplains

A floodplain is an area of land adjacent to a stream, river, or other water sources that stretches from the banks or boundaries of its channel to the base of higher elevation terrain that experiences flooding during high discharge rainfall periods. Floodplains are natural drainage basins for the discharge of heavy precipitation. The Yellowstone River exhibits vast floodplains and variations in flow due to terrain. Flow rates are dependent upon the season and the amount of rain and snowmelt. Flows are usually at their highest during the spring months and into early summer.

The Federal Emergency Management Agency (FEMA) utilizes the 100-year floodplain boundaries as the standard measurement for floodplain regulation. The 100-year floodplain is the area that has a one percent chance of flooding each year from a specific water source. The federal government expects municipalities and counties to take a proactive approach to flood damage prevention. Laurel has had an established Flood Insurance Rate Map (FIRM) since 1982. This map was most recently updated in November of 2013.

Most of the Laurel planning area is outside the 100-year floodplain. The areas within the 100-year floodplain include many properties directly abutting the Yellowstone River and its tributaries, some irrigation and stormwater ditches running through the city, and portions of downtown Laurel along Main Street as well as directly adjacent side streets. Laurel's Riverside Park is also within the floodplain.

Wetlands

Wetlands are ecosystems that are flooded by water permanently or seasonally. Wetlands have unique vegetation, wildlife, and hydric soils.

Wetlands near Laurel include riparian areas along the Yellowstone and Clark's Fork Rivers, marshes, spring seeps, and prairie potholes. Wetlands have historically been obstacles and have been removed whenever possible. Much of Laurel and the surrounding area suffers from high groundwater. Close attention must be paid to high groundwater and its impacts on public utilities such as water lines, sewer lines, and stormwater drainage systems. It is vital to understand wetlands and their traditional role in the environment to better plan for growth and development.

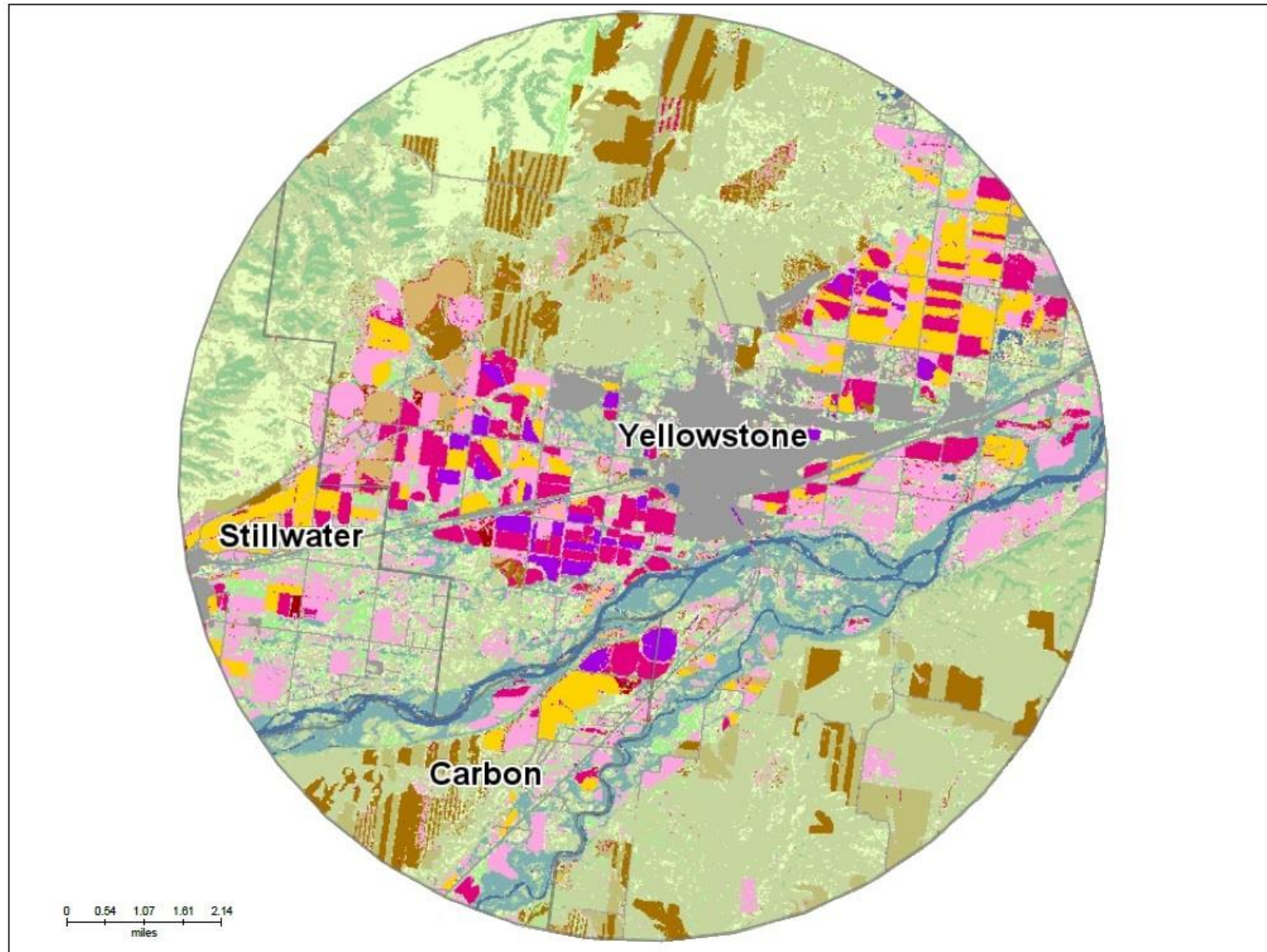
Agricultural Land

The U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) defines prime farmland as land with the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops. These crops also have the soil quality, growing season, and moisture supply needed to produce economically sustained high crop yields when managed appropriately.



Laurel and Yellowstone County have been home to agricultural farms and ranches since the beginning of European settlement in the area. There a vast amount of agricultural farmland within the Laurel planning jurisdiction itself. The map below presents the varieties of crops in the Laurel planning area.

Laurel - Crop Data



Land Cover Categories
(by decreasing acreage)

AGRICULTURE*

- Grass/Pasture
- Alfalfa
- Fallow/Idle Cropland
- Other Hay/Non Alfalfa
- Winter Wheat
- Barley
- Corn
- Spring Wheat
- Sugarbeets
- Dry Beans
- Triticale
- Peas
- Safflower
- Oats
- Flaxseed
- Canola

NON-AGRICULTURE**

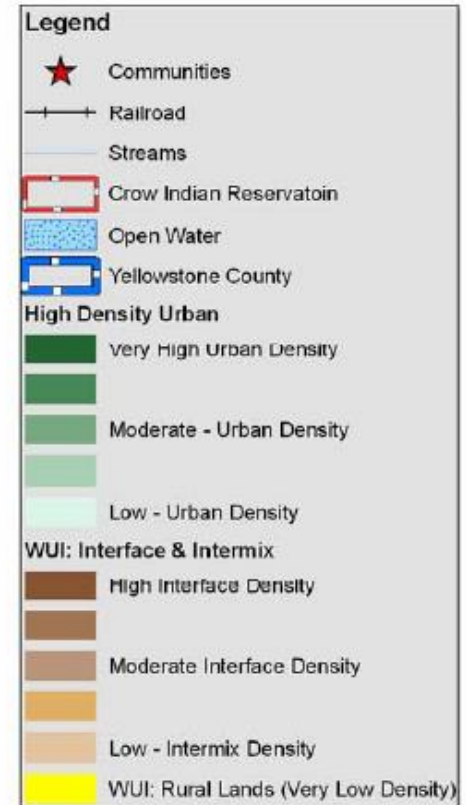
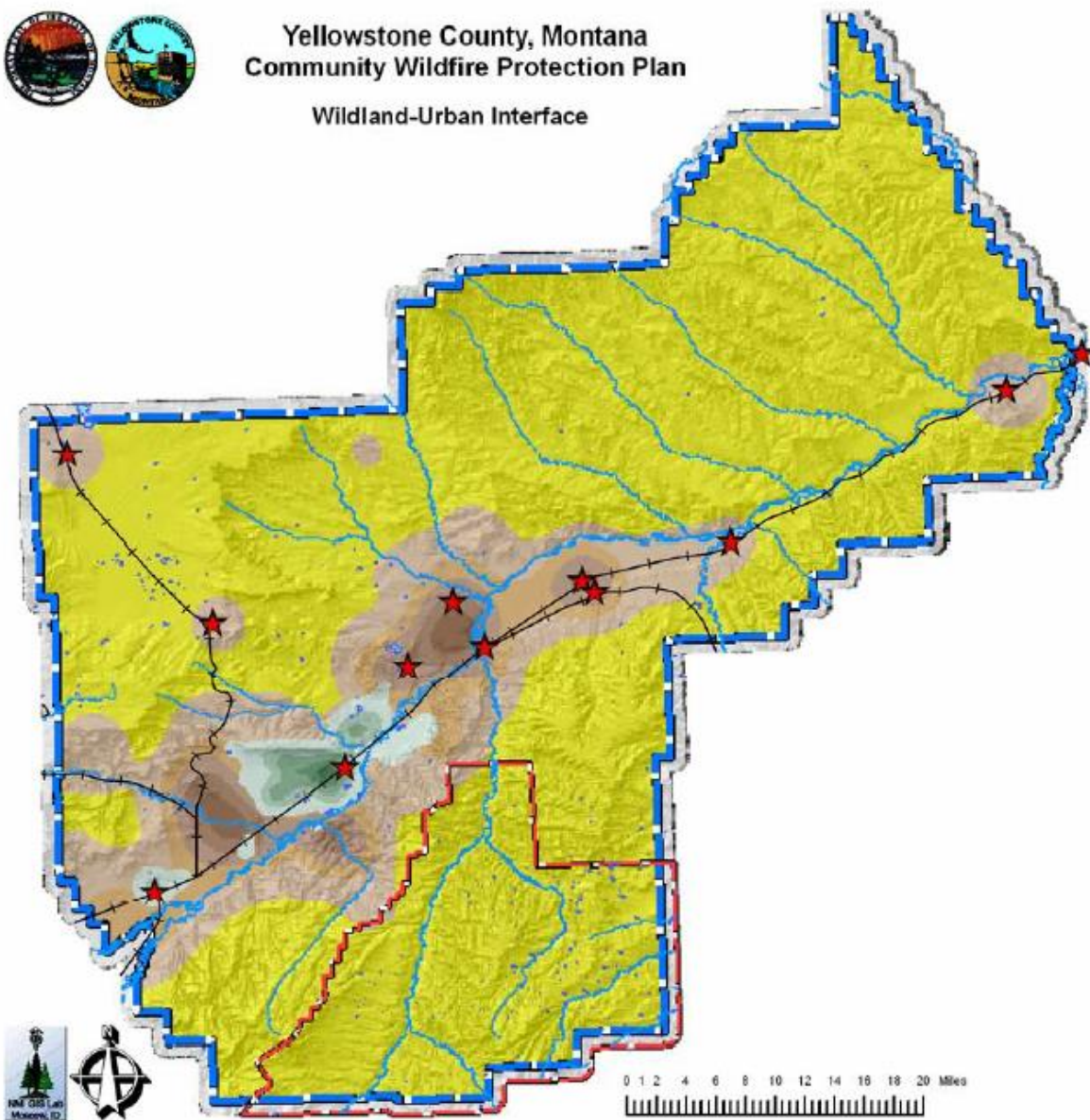
- Shrubland
- Woody Wetlands
- Evergreen Forest
- Developed/Low Intensity
- Developed/Open Space
- Herbaceous Wetlands

Wildland-Urban Interface and Significant Infrastructure



Yellowstone County, Montana
Community Wildfire Protection Plan

Wildland-Urban Interface



Wildland-Urban Interface

Laurel was part of the planning process for the Community Wildfire Protection Plan in 2006. A Wildland-Urban Interface (WUI) map was prepared as a part of this process. The planning process's goal was to improve fire prevention, reduce hazardous fuels, restore, fire-adapted ecosystems, and promote community assistance.

Yellowstone County has a diverse ecosystem with an array of vegetation that has developed with, and adapted to, fire as a natural disturbance. Decades of wildland fire suppression and long-standing land-use practices have altered the plant community. They have resulted in dramatic shifts in the types of fires and local species composition. Rangelands and farmland in Yellowstone County have become more susceptible to large-scale, high-intensity fires that threaten life, property, and natural resources because of these long-term practices.

Floodplain

Floodplain – The area of the Regulated Flood Hazard Area including and adjoining the watercourse or drainway that would be covered by the floodwater of a Base Flood. The area is partitioned into a Flood Fringe and Floodway where specifically designated. See Regulated Flood Hazard Area.

Floodway – The identified portion of the Floodplain of the Regulated Flood Hazard Area that is the channel and the area adjoining the channel that is reasonably required to carry the discharge of the Base Flood without cumulatively increasing the water surface by more than one half foot.

Regulated Flood Hazard Area – A Floodplain whose limits have been designated pursuant to Part 2, Chapter 5 of Title 76, MCA, and is determined to be the area adjoining the watercourse that would be covered by the floodwater of a Base Flood. The Regulated Flood Hazard Area consists of the Floodway and Flood Fringe where specifically designated.

The purpose of Floodplain Hazard Management Regulations is to promote public health, safety and general welfare of the residents and minimize public and private losses due to flood conditions in Regulated Flood Hazard Areas. These Regulations are intended to:

- Protect human life and health.
- Minimize expenditure of public money for costly flood control projects;
- Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- Minimize prolonged business and public service interruptions.
- Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges;
- Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood disruptions; and to

- Ensure compliance with the minimum standards for the continued participation in the National Flood Insurance Program for the benefit of the residents.

The Regulated Flood Hazard Area includes areas specifically identified, labeled and illustrated on maps such as Floodplain, Floodway, or Flood Fringe that have differing uses allowed and minimum building standards that apply. The Regulated Flood Hazard Area is the geographic area inundated by the Flood of 100-year Frequency illustrated and depicted in the referenced studies and maps.

The Regulated Flood Hazard Area supporting study and maps illustrating the regulatory area are based on studies and maps that have been specifically adopted pursuant to 76-5-201et.seq. The maps and accompanying study become the Regulated Flood Hazard Area only when formally adopted by DNRC and subsequently by the political subdivision by these regulations. The original source of studies and data may be from a Flood Insurance Study by FEMA, or other studies by Corps of Engineers, Soil Conservation, United States Geological Service or other federal or state agency.

Within the Regulated Flood Hazard Area, subdivisions including new or expansion of existing manufactured home parks, must be designed to meet the following criteria:

- The Base Flood Elevations and boundary of the Regulated Flood Hazard area must be determined and considered during lot layout and building location design;
- Locations for future structures and development must be reasonably safe from flooding;
- Adequate surface water drainage must be provided to reduce exposure to flood hazards;
- Public utilities and facilities such as sewer, gas, electrical and water systems must be located and constructed to minimize or eliminate flood damage; and
- Floodplain permits must be obtained according to these regulations before development occurs that is within the Regulated Flood Hazard Area.

Natural Resource Goals and Objectives

Goal 1: Protect Laurel's natural resources and traditional environment

- ❖ Provide options for landowners for conserving portions of their land while developing others
- ❖ Achieve a balanced pattern of growth to ensure environmental concerns are considered during the development
- ❖ Manage the local water resources as a healthy, integrated system that provides long-term benefits from enhanced environmental quality

Goal 2: Incorporate sustainable development patterns in the Laurel subdivision and land use codes

- ❖ Review and update existing zoning and subdivision regulations to ensure environmental preservation and conservation are addressed
- ❖ Review and update landscaping ordinances as needed to best suit Laurel's natural environment

- ❖ Manage rivers, floodplains, wetlands, and other water resources for multiple uses, including flood and erosion protection, wildlife habitat, recreational use, open space, and water supply

Goal 3: Connect with local, regional, and state agencies and stakeholders to improve the natural environment in and around Laurel

- ❖ Sponsor environmental cleanup and rehabilitation programs that include the City, school district, community organizations, and residents
- ❖ Participate in regional watershed studies to achieve adequate long-term flood protection
- ❖ Explore the possibility of creating a conservation corridor along the Yellowstone River

CHAPTER 15: GROWTH POLICY IMPLEMENTATION

Overview

The 2020 Laurel Growth Policy is a significant upgrade of the existing Growth Management Plan. The previous Growth Management Plan provided very useful information regarding existing community characteristics as well as trends that had future implications for the community, but it did not provide specific recommendations regarding how the community might best address existing and emerging issues.

The content of this chapter is critical to compliance with state law and provides necessary details for the Laurel community to be eligible for various funding programs and resources. The chapter is organized into two primary sections as follows:

1. Section 1: Identification of tools available to Montana cities to help implement the growth policy; and
2. Section 2: Fulfills a specific requirement in Montana State Law requiring growth policies to evaluate jurisdictional subdivision regulations in the following three ways:
 - a. Identification of how local government defines various impact assessments as specified in the law
 - b. Addressing how public hearings for proposed subdivisions will be conducted, and
 - c. Addressing how the local government will make decisions with respect to various impact assessments

In addition, the second section identifies specific objectives, policies, and strategies for six planning topic areas which are also outlined throughout the Growth Policy text:

- ❖ Land Use
- ❖ Housing
- ❖ Infrastructure
- ❖ Economic Development
- ❖ Public Facilities and Services
- ❖ Intergovernmental Coordination

In some cases, the topic areas identify specific resources and programs that are available to help implement strategies identified for each topic area. Objectives are also listed, and for each identified objective, there are recommended implementation measures. The implementation measures are either recommended policies or strategies. Recommended policies reflect the intent of how a governing body might address a planning topic or issue through policy. Strategies reflect a specific course of action that a governing body might utilize to address a specific planning topic or issue.

Implementation Tools

This section identifies several types of Growth Policy implementation tools. Generally, there are five types of tools at a local government's disposal to help implement a growth policy. They include:

- ❖ **Regulations:** Regulations are generally outlined and authorized by Montana Code Annotated (MCA) and adopted into law by local government.

- ❖ **Policies:** The Growth Policy and other adopted plans contain policies that express the community’s interest in pursuing a course of action on topics and issues. Unlike regulations, local government has discretion in the implementation of policies.
- ❖ **Government Finance:** Government finance tools represent the community’s financial commitment to fund the implementation of policies and strategies outlined in the Growth Policy.
- ❖ **Education:** Educational tools, such as the growth policy itself, include several activities that inform the public, appointed officials and elected officials that facilitate effective decision making.
- ❖ **Coordination:** Coordination tools are voluntary measures in the local government or between a local government and other local, state and federal government or agency that result in more efficient and effective delivery of services or a shared response to a common concern.

A discussion of each of the types of growth policy implementation tools is provided below. The tools described are not all inclusive but rather are intended to provide examples of tools that are commonly used by communities in Montana. Several of the tools are already being utilized by the City of Laurel. The tools not in use may be considered as additional means to advance the implementation of the Growth Policy.

Regulatory Tools

Subdivision Regulations

MCA requires counties to adopt subdivision regulations that comply with the Montana Subdivision and Platting Act. Subdivision regulations control the creation or modification of the division of land into new parcels or tracts. They also control the design of subdivisions and provide standards for adequate provision of infrastructure without adversely impacting public services and natural resources.

The City of Laurel has adopted subdivision regulations that are enforced in the City or on lands proposed for annexation into the City. Subdivision regulations will need to be updated to be consistent with this Growth Policy and must include any amendments made during the 2020 Montana Legislative session.

Zoning Regulations

Zoning regulations are a common regulatory tool to control land use. One of the primary purposes of zoning regulations is to minimize land use incompatibility. Zoning regulations also establish standards that limit the density or intensity of development as well as other characteristics of development such as off-street parking, signs, lighting, site layout, etc. Zoning regulations are supplements to a zoning map that establishes zoning districts in the jurisdiction. The zoning map provides the means to separate incompatible land uses and zoning regulations mitigate potential land use incompatibilities at the boundaries separating different zoning districts.

The City of Laurel adopted zoning regulations in 2001. Over the years, several amendments have been made. The city is in the process of reviewing a comprehensive update to the zoning regulations as prepared by their planning consultant. ~~Pursuant to MCA, the City of Laurel can establish extraterritorial zoning jurisdiction up to one mile beyond the city limits if Yellowstone County and the city create the extraterritorial area and provide for joint administration.~~

The area around the City of Laurel’s city limits was previously believed to an extra-territorial zoning jurisdiction up until recently when state statues were reviewed and it was discovered that MCA 76-2-310 does not give the City of Laurel the right to adopt extra-territorial zoning beyond municipal boundaries.

MCA 76-2-310 states “Extension of municipal zoning and subdivision regulations beyond municipal boundaries. (1) Except as provided in 76-2-312 and except in locations where a county has adopted zoning or subdivision regulations, a city or town council or other legislative body that has adopted a growth policy pursuant to chapter 1 for the area affected by the regulations may extend the application of its zoning or subdivision regulations beyond its limits in any direction subject to the following limits:

- (a) up to 3 miles beyond the limits of a city of the first class as defined in 7-1-4111;
- (b) up to 2 miles beyond the limits of a city of the second class; and
- (c) up to 1 mile beyond the limits of a city or town of the third class

Yellowstone County has adopted subdivision regulations for the planning jurisdiction around Laurel city limits and therefore the City cannot extend it’s zoning regulations beyond it’s municipal boundaries. Yellowstone County has enforced the adopted subdivision regulations for lands outside the City of Laurel limits and has historically approved or denied the subdivision of land in the area surrounding the City of Laurel.

Design Standards

Design standards are most often contained within zoning regulations but can also be established in subdivision regulations. The purpose of design standards is to enhance the appearance and functionality of a development. Overly restrictive design standards can impede development. If properly crafted, design standards can significantly enhance the built environment without placing undue burdens on a developer.

Floodplain Regulations

Floodplain regulations are intended to regulate the use of land located within an officially designated 100-year floodplain in order to protect buildings and occupants from the risks associated with flooding. Floodplain provisions are contained in the subdivision regulations. Some communities choose to participate in the National Flood Insurance Program Community Rating System (CRS). CRS is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. Any community in compliance with the minimum requirements of NFIP may participate. Participation in the CRS results in discounted premiums for flood insurance policy holders; between 5 to 45 percent depending on the rating of proposed floodplain management activities, reducing the likelihood or magnitude of damage resulting from a flood.

Zoning Compliance Permits

Zoning compliance permits ensure that development activities comply with zoning regulations. The City of Laurel requires the issuance of zoning compliance permits for most types of improvements to private property.

Building Permits

Building permits are utilized to ensure that construction of buildings follows the State of Montana Building Code. Building permits are required for all buildings over two hundred (200) square feet. Most

residential building permits are issued by the City Building Inspector but permits for commercial or residential buildings with five or more dwelling units are issued by the State.

Policy Tools

Neighborhood or Area Plans

The Growth Policy can be further implemented by more detailed neighborhood or area plans. With the adoption of the Growth Policy, plans may be prepared that provide a greater level of detail for specific areas or issues as the City finds need.

Annexation Policy

A city expands its boundaries and its jurisdictional authority through the process of annexation. There are six different methods for annexation authorized by state statute (Parts 42 through 46 of Title 7, Chapter 2, MCA). Part 46 authorizes an annexation resulting from a petition from private property owners.

Cities use two tools to facilitate and guide future annexations. The first is a “Limits of Annexation” map that delineates the areas surrounding the city that can be reasonably supported by urban services and infrastructure. The map is prepared in coordination with the preparation of a capital improvements plan. The second is the use of annexation agreements. Entering into an annexation agreement with a property owner prior to the submission of development plans gives a local jurisdiction the opportunity to assign infrastructure and other costs associated with development of the annexed property.

Urban Planning Area

Urban planning areas are different than Extra Territorial/City-County Planning areas. An Urban Planning Area focuses on extension of infrastructure over a portion of the City-County Planning Jurisdiction and typically for a shorter time horizon than the jurisdictional area associated with the City-County Planning Jurisdiction.

Designation of an urban planning area is utilized for the extension of urban services as a jurisdiction grows. It delineates the geographic extent of how far outside the city limits the jurisdiction is prepared to extend urban services within a 10-year planning horizon. This is often accomplished by establishing an urban service area boundary beyond the city limits. The urban service area boundary is established in coordination with planned growth areas identified in the Growth Policy as well as the city’s capital improvement plan. This tool helps a city plan for future growth outside the city limits and puts property owners outside the city limits on notice of what areas will and will not be supported by the extension of urban services.

Urban Renewal Districts

The establishment of urban renewal districts facilitates redevelopment of specifically selected areas in the city. Title 7, Chapter 15, Part 42 of the MCA gives municipalities authority to establish urban renewal districts in areas that meet the statutory definition of “blighted” areas and authorizes the municipality to expend funds in the area to stimulate private investment.

Tax increment finance (TIF) districts are often used to recapture the city’s expenditure of funds for public improvements in the redevelopment area. TIF districts use the incremental increase in tax collections as blighted areas are redeveloped or other improvements are made to properties within the district. It is this increment that is used to retire debt to install the additional or new capital infrastructure.

Municipalities are required to prepare and adopt an urban renewal plan prior to establishing an urban renewal district. For more information see the TIF Section under Government Finance Tools.

Government Finance Tools

Capital Improvement Programs

City and county governments often program capital improvements on an annual basis. This is a reasonable practice for communities experiencing minimal or no growth activity. However, the use of a multi-year capital improvement program is an important tool to plan for public expenditures when communities are experiencing or anticipating high levels of growth. In such cases, a local government may establish a five-year capital improvement program. As noted above, a multi-year capital improvement program can support the establishment of urban service areas and facilitate negotiation of an annexation agreement.

Fee Incentives

The reduction or full waiver of municipal fees can be utilized to support implementation of specific growth policy goals and objectives. Often the financial incentive is used to support affordable housing or redevelopment projects. The tool can also be used to support specific economic development policy.

Impact Fees

An impact fee is a charge on development assessed at the building permit or zoning compliance permit stage of a project to assist the funding of new or expanded facilities that are needed to accommodate the development. Impact fees are used by communities anticipating or experiencing high levels of growth and are intended to maintain existing or minimum levels of service with minimal costs to existing property owners.

Impact fees can be assessed for a wide range of community services including but not limited to public safety (EMS, police and fire), public works (sewer, water, transportation and drainage facilities), recreation, libraries, etc. Citizens who are assessed impact fees need to receive benefit from impact fee expenditures within a reasonable period, which most often is five years.

Local Government Owned Land

Land that is owned by local government, including school districts, is a valuable resource that can be used to implement growth policy goals and objectives. Undeveloped public land may be used to financially leverage private development that meets a community's high demand need. By reducing or eliminating land acquisition costs the jurisdiction provides a significant financial incentive to facilitate development that supports the implementation of land use, housing or economic development policy. When this implementation tool is used the local government should consider entering into a development agreement to ensure the developer provides the desired outcome.

Tax Increment Financing (TIF)

Tax Increment Financing (TIF) was first authorized by the Montana legislature in 1974. It is a locally-driven funding mechanism that allows cities and counties to direct property tax dollars that accrue from new development, within a specifically designed district, to community and economic development activities within that district. It is intended as a tool that can encourage and support investment in areas where growth has been hindered by a lack of infrastructure and/or the presence of blight.

TIF does not increase property taxes for individuals and businesses located within a designated district. It only affects the way that taxes are distributed after they have been collected. A base taxable value is determined upon the establishment of a TIF district, and any additional tax revenue that accrues due to new development over a specified time frame is used to finance a variety of district improvements.

Eligible improvement activities include:

- ❖ Land acquisition
- ❖ Rehabilitation and renovation
- ❖ Demolition and removal of structures
- ❖ Planning, marketing, and analysis
- ❖ General redevelopment activities
- ❖ Constructing, improving, and connecting to infrastructure

Education Tools

Planning Studies and Data Collection

The Growth Policy provides significant information and data on the community's various characteristics. It also provides an extensive list of policies and strategies to implement growth policy objectives. In most cases the information and data contained in the growth policy will be enough to justify and implement the policies and strategies.

However, there may be cases where the community will need to conduct more detailed follow-up planning studies and collect additional information to support an implementation activity. Establishing impact fees or urban renewal districts are examples of implementation measures requiring additional study. As discussed below, ongoing collection of data will support Growth Policy monitoring.

Growth Policy Monitoring

The recommended policies and strategies contained in the Growth Policy are based on an assessment of current information and data. Policies and strategies remain relevant so long as conditions in the community are aligned with current trends. However, unanticipated circumstances or opportunities are likely to arise that will warrant a re-evaluation of policies or strategies whether they have been implemented or not. To support a re-evaluation of policies or strategies, data that is applicable to planning topics should be collected and reported on an annual basis. This data will, in effect, provide community indicator information allowing the community to identify the emergence of new trends.

It is recommended that the City consider preparation of an annual community indicator report that can be used to support an evaluation of the level of success in achieving community goals and objectives, and an assessment of the need to implement or revise selected policies and strategies contained in the Growth Policy. Annual community Indicator reports also provide valuation information that can be used in the next update of the Growth Policy. The reports can also be used to justify need when requests for outside funding are made.

Community indicator reports should provide information that can be compared to information contained in the Growth Policy, so change can be measured. Annual community indicator reports should include, but are not limited to an assessment and review of the following information:

- ❖ Building permits for new housing
- ❖ Volume of sales of residential property (Laurel Real Estate MLS Service)
- ❖ Crime statistics (Laurel Police Department)
- ❖ Client caseloads for senior citizen programs (Yellowstone County Council on Aging)

- ❖ Number and type of new or expanded businesses
- ❖ Number and type of new jobs created (Montana Department of Labor and Industry)
- ❖ Tax revenue
- ❖ School enrollment
- ❖ Levels of participation in recreational programs
- ❖ Remaining capacity of sewer treatment facilities
- ❖ Remaining capacity of the landfill
- ❖ Updated population projections prepared by the Montana Department of Commerce
- ❖ Annual departmental budget reports/requests
- ❖ Medical Facility programming/services

Coordination Tools

Intra-Governmental Coordination

The functions of local government are logically divided into departments. The departmentalization of local government services tends to discourage the sharing of information and coordination between departments. Too often synthesizing information from the various departments to get a holistic view of the community is solely the responsibility of the elected officials and most often occurs during preparation of annual budgets. It is recommended that Laurel consider the timely sharing of department reports with staff members responsible for overseeing implementation of the Growth Policy.

In addition, the City might consider assigning individual departments the task of implementing or evaluating the need to implement recommended policies and strategies that most clearly impact those individual departments. This is an excellent way to spread ownership of the Growth Policy. Annual department reports can provide information on the status of recommended implementation activities. The City might consider including a Growth Policy Implementation section into each department budget, to institutionalize the community's commitment to Growth Policy implementation.

Intra-governmental coordination is also an effective tool to more efficiently deliver services. When leaders of each department meet periodically to share information and service delivery challenges, there is more opportunity to enhance coordination between departments and identify ways that staff, equipment and other departmental resources might be shared to mitigate service delivery challenges.

Inter-Governmental Coordination

The same principles discussed in the previous section apply to coordination between local governments and between local governments and regional, tribal, state and federal agencies. Inter-governmental coordination provides an opportunity to regularly share information about plans and programs and enhance working relationships.

The City might consider establishing a semi-annual meeting schedule with regional, state and federal agencies and a quarterly meeting schedule for local governments within the county. Individual County Commissioners and City Council members can be designated as the liaison for each agency and/or local government. The intangible benefits of this coordination are often the maintaining of open lines of communication and a greater mutual understanding of the perspectives and needs of the larger region and state.

Evaluation of Yellowstone County/Laurel Subdivision Regulations

An evaluation of the administration and standards contained in the Laurel Subdivision Regulations is required as part of the Growth Policy. There are three items that need to be evaluated per Title 76, Chapter 1, Part 6, 76-1-601(3)(h), MCA. 1).

1. How local government defines the various impacts assessments as specified in 76-3-608(3)(a),
2. How local government makes decisions with respect to the impact assessments as made, and
3. How public hearings for proposed subdivisions are conducted.

Impact Assessments: Definitions and Evaluation Factors

Local government subdivision regulations are required to review proposed subdivisions in accordance with the following criteria provided in 76-3-608(3)(a):

- ❖ The effect on agriculture
- ❖ The effect on agricultural water user's facilities
- ❖ The effect on local services
- ❖ The effect on the natural environment
- ❖ The effect on wildlife and wildlife habitat
- ❖ The effect on public health and safety

For each of the above criteria, applicable definitions and evaluative provisions contained in the subdivision regulations must be identified.

Effect on Agriculture

Agriculture is defined as all aspects of farming or ranching including the cultivation or tilling of soil; dairying; the production, cultivation, growing, harvesting of agricultural or horticultural commodities; raising of livestock, bees, fur-bearing animals or poultry; and any practices including forestry or lumbering operations, including preparation for market or delivery to storage, to market, or to carriers for transportation to market. The effect on agriculture is evaluated utilizing the following provisions:

1. Is the proposed subdivision or associated improvements located on or near prime farmland or farmland of statewide importance as defined by the Natural Resource Conservation Service? If so, identify each area on a copy of the preliminary plat.
2. Is the proposed subdivision going to result in removal of any agricultural or timber land from production? If so, describe.
3. Are there any possible conflicts with nearby agricultural operations (e.g., residential development creating problems for moving livestock, operating farm machinery, maintaining water supplies, controlling weeds or applying pesticides; agricultural operations suffering from vandalism, uncontrolled pets or damaged fences)? If so, describe.
4. Are there any possible nuisance problems which may arise from locating a subdivision near agricultural or timber lands? If so, describe.
5. What effects would the subdivision have on the value of nearby agricultural lands?

Effect on Agricultural Water User Facilities

Agricultural water user facilities are defined as those facilities which provide water for irrigation or stock watering to agricultural lands to produce agricultural products. These facilities include, but are not

limited to, ditches, head gates, pipes and other water conveying facilities. The effect on agricultural water user facilities is evaluated by the following provisions:

1. Are there any conflicts the subdivision would create with agricultural water user facilities (e.g. residential development creating problems for operating and maintaining irrigation systems) or would agricultural water user facilities be more subject to vandalism or damage because of the subdivision? Describe.
2. Are there any possible nuisance problems which the subdivision would generate regarding agricultural water user facilities (e.g. safety hazards to residents or water problems from irrigation ditches, head gates, siphons, sprinkler systems or other agricultural water user facilities)? Describe.

Effect on Local Services

Local services are defined as any and all services that local governments, public or private utilities are authorized to provide for the benefit of their citizens. The effect on local services is evaluated by the following provisions:

1. Are there any additional or expanded public services and facilities that would be demanded of local government or special districts to serve the subdivision? Describe.
2. Are there any additional costs which would result for services such as roads, bridges, law enforcement, parks and recreation, fire protection, water, sewer and solid waste systems, ambulance service, schools or busing, (including additional personnel, construction and maintenance costs)? Describe.
3. Who would bear these costs (e.g. all taxpayers within the jurisdiction, people within special taxing districts, or users of a service)?
4. Can service providers meet the additional costs given legal or other constraints (e.g. statutory ceilings on mill levies or bonded indebtedness)?
5. Are there off-site costs or costs to other jurisdictions that may be incurred (e.g. development of water sources or construction of a sewage treatment plant; costs borne by a nearby municipality)? Describe.
6. How does the subdivision allow existing services, through expanded use, to operate more efficiently, or makes the installation or improvement of services feasible (e.g. allow installation of a central water system or upgrading a country road)?
7. What are the present tax revenues received from the un-subdivided land?
 - a. By the County \$ _____
 - b. By the municipality, if applicable, \$ _____
 - c. By the school(s) \$ _____
8. What are the approximate revenues received by each above taxing authority if the lots are reclassified, and when the lots are all improved and built upon? Describe any other taxes that would be paid by the subdivision and into what funds (e.g. personal property taxes on mobile/manufactured homes are paid into the County general fund).
9. Would new taxes generated from the subdivision cover additional public costs?
10. How many special improvement districts would be created which would obligate local government fiscally or administratively? Are any bonding plans proposed which would affect the local government's bonded indebtedness?

Effect on Natural Environment

Natural environment is defined as the physical conditions which exist within a given area, including land, air, water, mineral, flora, fauna, sound, light and objects of historic and aesthetic significance. The effect on the natural environment is evaluated by the following provisions:

1. What are the known or possible historic, paleontological, archaeological or cultural sites, structures or objects which may be affected by the proposed subdivision? Describe and locate on a plat overlay or sketch map.
2. How would the subdivision affect surface and groundwater, soils, slopes, vegetation, historical or archaeological features within the subdivision or on adjacent land? Describe plans to protect these sites.
3. Would any stream banks or lake shorelines be altered, streams re-channeled or any surface water contaminated from sewage treatment systems, run-off carrying sedimentation, or concentration of pesticides or fertilizers?
4. Would groundwater supply likely be contaminated or depleted as a result of the subdivision?
5. Would construction of roads or building sites require cuts and fills on steep slopes or cause erosion on unstable, erodible soils? Would soils be contaminated by sewage treatment systems? Explain
6. What are the impacts that removal of vegetation would have on soil erosion, bank or shoreline instability?
7. Would the value of significant historical, visual or open space features be reduced or eliminated?
8. Are there any natural hazards the subdivision could be subject to (such as flooding, rock, snow or landslides, high winds, severe wildfires, or difficulties such as shallow bedrock, high water table, unstable or expansive soils, or excessive slopes)?
9. How would the subdivision affect visual features within the subdivision or on adjacent land? Describe efforts to visually blend the proposed development with the existing environment (e.g. use of appropriate building materials, colors, road design, underground utilities and re-vegetation of earthworks).

Effect on Wildlife and Wildlife Habitat

Wildlife is defined as those animals that are not domesticated or tamed, or as may be defined in a Growth Policy. Wildlife habitat is defined as the place or area where wildlife naturally lives or travels through. The effect on wildlife and wildlife habitat are evaluated by the following provisions:

1. What impacts would the subdivision or associated improvements have on wildlife areas such as big game wintering range, migration routes, nesting areas, wetlands or important habitat for rare or endangered species?
2. What effect would pet, or human activity have on wildlife?

Effect on Public Health and Safety

Public health and safety are defined as the prevailing healthful, sanitary condition of wellbeing for the community at large. Conditions relating to public health and safety include but are not limited to: disease control and prevention; emergency services; environmental health; flooding, fire or wildfire hazards, rock falls or landslides, unstable soils, steep slopes and other natural hazards; high voltage lines or high pressure gas lines; and air or vehicular traffic safety hazards. The effect on public health and safety is evaluated by the following provisions:

1. Are there any health or safety hazards on or near the subdivision, such as: natural hazards, lack of water, drainage problems, heavy traffic, dilapidated structures, high pressure gas lines, high voltage power lines or irrigation ditches? These conditions, proposed or existing, should be accurately described with their origin and location identified on a copy of the preliminary plat.
2. Would the subdivision be subject to hazardous conditions due to high voltage lines, airports, highways, railroads, dilapidated structures, high pressure gas lines, irrigation ditches and adjacent industrial or mining uses?
3. How will the subdivision affect the adjacent land use? Identify existing uses such as feed lots, processing plants, airports or industrial firms which could be subject to lawsuits or complaints from residents of the subdivision.
4. What public health or safety hazards, such as dangerous traffic, fire conditions or contamination of water supplies would be created by the subdivision?

In addition to the above factors, the subdivision regulations also require preparation of a community impact report on the following public services and facilities.

1. Education and busing
2. Roads and maintenance
3. Water, sewage, and solid waste facilities
4. Fire and police protection
5. Payment for extension of capital facilities

Public Hearing Requirements and Procedures

The subdivision regulations contain several sections that specify the procedural requirements for the following types of subdivision applications.

1. Divisions of land exempt from subdivision review
2. Review and approval procedures for minor subdivisions
3. Review and approval procedures for major subdivisions, including review and approval of preliminary and final plats
4. Expedited review of a first minor subdivision

The subdivision regulations apply to all jurisdictions within the county. The County is in the process of updating the subdivision regulations for consistency with all applicable enacted amendments to the MCA during the last three Montana legislative sessions. All procedural provisions, including those applicable to public hearings, are consistent with the current statutory provisions contained in the MCA.

Objectives, Policies and Strategies

A growth policy is a foundational document. It is intended to provide an overview of the community in terms of guidance for future planning. As a guiding document, the growth policy should encourage as many “finer point” studies and documents as possible to encourage refining of larger scope ideas.

Items outlined in the following tables are only options, and do not in any way obligate the governing body to pursue, fund or prioritize any given option or opportunity. Instead, the following are the recommended objectives and policies and strategies for each topic of the Growth Policy. For each policy and strategy, the entity responsible for implementation is identified and a recommended time frame for

implementation is provided. The entity listed first for each policy and strategy (in italicized type) is assigned the primary responsibility to initiate and follow-through with implementation measures. In a few cases, multiple entities are assigned the primary responsibility for implementation. Other listed entities for recommended policies and strategies are responsible for supporting the implementation measures. Four implementation time frames are provided:

1. Immediate (defined as within a year after adoption of the Growth Policy)
2. Short-term (defined as not later than two years after adoption of the Growth Policy)
3. Mid-term (defined as between two and four years after adoption of the Growth Policy)
4. Long-term (defined as prior to the future update of the Growth Policy in 5 years (2025))

Land Use Goals and Objectives

| Goal 1: Conserve Open Space and Traditional Land Uses | | |
|---|--|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Encourage cluster developments to incorporate open space into new developments | Planning Dept City Council County Commission | Mid-term |
| Provide options for landowners for conserving portions of their land | Planning Dept City Council County Commission | Immediate |
| Study and Implement strategies to create an interconnected system of parks and greenways and open space that are accessible to area residents | Public Works Planning City Council County Commission | Mid-term Long-term |

| Goal 2: Develop downtown Laurel into a vibrant place to live, work, and play | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Encourage mixed uses for living, working, and shopping local | Planning Board County Commission City Council | Short-term |
| Identify priority parcels for infill development | Planning Board LURA | Mid-term |
| Implement Placemaking projects to create a more livable and enjoyable downtown | Planning Dept Chamber of Commerce LURA Public Works | Short-term Mid-term |
| Partner with local groups to support community businesses, events, and gatherings | City Council Planning Chamber of Commerce | Immediate |
| Connect with regional agencies to access project funding, receive technical support, and boost the visibility of Laurel development opportunities | City Council County Commission Planning Dept BSEDA | Long-term |

| Goal 3: Update Subdivision Code to meet the needs of Laurel and the surrounding area | | |
|---|---|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Provide clear and consistent standards | Planning Dept Zoning Commission Public Works Dept | Short-term |
| Ensure the proper scale and scope of regulations | Planning Dept Planning Board Zoning Commission | Mid-term |
| Include trails, open space, and greenway considerations in parkland subdivision review | Planning Dept Planning Board | Mid-term Long-term |
| Regularly review and update the Subdivision Code as needed to remain current | Planning Board City Council County Commission | Long-term |

| Goal 4: Update Zoning Code to provide for greater flexibility of allowable uses, clearer requirements, and more efficient land use | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Study the inclusion of different types of housing within residential districts | Planning Dept Planning Board | Mid-term |
| Update Overlay Districts, Parking Requirements, and the Sign Code to better fit the City's needs and character | Planning Dept Planning Board Public Works LURA | Short-term Mid-term |
| Allow mixed-use live/work opportunities in commercial areas | Planning Dept Planning Board | Short-term |
| Enable property owners to use their land more effectively and efficiently | Planning Board Planning Dept | Mid-term |

| Goal 5: Use long term planning documents to identify funding and address priority needs for infrastructure and development | | |
|---|---|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Establish an Annexation Plan to develop priority growth areas and strategies | City Council Planning Dept Public Works | Mid-term |
| Develop a Capital Improvement Plan for vital infrastructure to support the City as it grows | Public Works Planning Dept | Short-term |

| Goal 5: Use long term planning documents to identify funding and address priority needs for infrastructure and development | | |
|---|---|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Prepare a Commercial and Industrial Development Study for land adjacent to major transportation routes in the Laurel area | Planning Dept City Council County Commission | Mid-term |

Annexation Goals and Objectives

| Goal 1: Adopt a long-range view for the growth of the City | | |
|--|--|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Establish a growth-conscious set of policies to expand the City and its services | Planning Board City Council | Mid-term Long-term |
| Create priority growth areas for extension of services | Planning Board City Council | Immediate |
| Develop and approve an Annexation Plan for the Laurel Planning Jurisdiction | Planning Dept City Council BSEDA Beartooth RC&D | Short-term Mid-term |

| Goal 2: Mangle fiscal responsibility with established and proposed annexation standards | | |
|--|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Ensure that the established standards are right and proper for the City of Laurel | Planning Board County Commission City Council | Short-term |
| Ease the burden for developers to annex into the City while meeting established standards | Planning Board City Council | Mid-term |
| Allow greater flexibility in development patterns | Planning Board Planning Dept | Short-term Mid-term |
| Determine the cost and benefits of annexation | Clerk-Treasurer City Council Planning Dept Public Works | Mid-term |

Housing Goals and Objectives

| Goal 1: Encourage a mixture of housing types to meet the demand of all market sectors | | |
|--|--------------------|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Maintain a diverse array of housing and affordability levels | Planning Dept | Immediate |
| Promote higher density housing types in the downtown area and adjacent to major transportation corridors | Planning Dept | Mid-term |
| Study mixed-use housing and other alternative housing types and styles | Planning Dept | Mid-term Long-term |
| Provide options for a full spectrum of housing from rentals to retirement housing | Planning Dept | Long-term |

| Goal 2: Provide information on housing-related grants, loans, and ownership programs | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Develop a list of resources for renters and homeowners | Planning Dept Montana Housing | Short-term |
| Collect information on federal, state, local, and philanthropic rental and homeownership programs | Planning Dept Montana Housing HUD | Short-term Mid-term |
| Advise Laurel area residents as to available support for housing, rent, and homeownership | Planning Dept | Immediate |

Infrastructure Goals and Objectives

| Goal 1: Maintain an effective and efficient public infrastructure system that adequately serves the needs of the City and County | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Develop a data-driven infrastructure maintenance schedule | City/County Public Works | Short-term |
| Determine any existing gaps in services and other infrastructure deficiencies within the City | City/County Public Works Planning | Short-term Mid-term |
| Adopt up-to-date infrastructure standards that are appropriate for the needs of the City | City/County Public Works | Short-term |
| Study using public spaces within floodplains, watercourses, and wetlands to be used as passive recreation areas such as parks and | Planning Dept Planning Board | Mid-term Long-term |
| Study the feasibility of recycling programs and other means to reduce solid waste | City/County Public Works Planning Dept | Mid-term |
| Incorporate stormwater system planning into roadway and other infrastructure planning processes | Planning Dept City/County Public Works | Mid-term Long-term |

| Goal 2: Establish the long-term capital and infrastructure needs for the City and County | | |
|---|---|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Develop a Capital Improvement Plan for the improvement and expansion of infrastructure | City/County Public Works City Council County Commission | Mid-term |
| Prepare a Water System Master Plan | Public Works Planning Dept | Mid-term Long-term |
| Create a Wastewater System Master Plan | Public Works Planning Dept | Mid-term Long-term |
| Complete a Stormwater Management Plan | City/County Public Works | Mid-term Long-term |
| Ensure infrastructure planning documents are routinely updated. | City/County Public Works | Long-term |
| Confirm that the established infrastructure priorities are adequate | City/County Public Works Planning City Council County Commission | Mid-term |

| Goal 3: Seek out possible funding sources for the expansion and improvement of infrastructure and essential community services | | |
|---|--|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Study the physical and financial needs for the extension of infrastructure to priority growth areas | Planning Dept Public Works | Mid-term |
| Collaborate with Montana agencies on major projects and studies | City Council County Commissioners | Immediate |
| Explore federal, state, and philanthropic infrastructure grant opportunities | City/County Public Works Planning Dept | Short-term |
| Determine positive impacts from the expansion and improvement of infrastructure | City/ County Public Works Planning Dept | Mid-term |
| Apply for funding opportunities that are appropriate for city and county priorities and projects and assist in keeping user fees reasonable | Public Works Planning Dept Clerk-Treasurer | Mid-term Long-term |

Infrastructure Funding Opportunities:

Montana Department of Environmental Quality, Drinking Water State Revolving Fund Loan Program

The Montana Legislature established the Drinking Water State Revolving Fund (DWSRF) Loan Program for Drinking Water projects. The program provides at or below market interest rate loans to eligible Montana entities. The Department of Environmental Quality (DEQ) is the administering agency and assures the technical, financial and programmatic requirements of the program are met.

Eligible water projects include acquisition of land that is integral to the project, consolidating water supplies, engineering, new sources, treatment, source water protection, storage and distribution.

Eligible applicants are municipalities, public or private community water systems and non-profit, non-community water systems. The current interest rate for loans is 3.75 percent with payment schedules not to exceed 20 years. Drinking Water Projects qualifying as disadvantaged may extend the term up to 30 years.

Applications are accepted year-round. Preliminary engineering analysis must be reviewed prior to submittal of application.

Montana Department of Environmental Quality, Water Pollution Control State Revolving Fund Loan Program

The Montana Legislature established the Water Pollution Control State Revolving Fund (WPCSRF) Loan Program for water pollution control projects. The program provides at or below market interest rate loans to eligible Montana entities. Cooperatively, DEQ and DNRC administer the Water Pollution Control State Revolving Fund Loan Program.

Eligible water quality projects include wastewater treatment plant improvements, interceptors, collectors and lift stations, lagoon construction and rehabilitation, engineering and project inspection, and land used for disposal purposes. All projects must be included in a project priority list and intended use plan for the fiscal year in which funding is anticipated, and the ability to repay loan funding must be demonstrated.

Eligible applicants are municipalities for wastewater projects as well as municipalities and private entities for nonpoint source projects. The current interest rate for loans is 3.75 percent with payment schedules not to exceed 20 years. Water Pollution Control projects qualifying as disadvantaged may extend the payment term up to 30 years. Applications are accepted year-round. Preliminary engineering analysis must be reviewed prior to submittal of application.

Montana Department of Commerce, Treasure State Endowment Program Construction Grants (TSEP)

The Treasure State Endowment Program (TSEP) awards matching grants to local governments for construction of local infrastructure projects. TSEP construction grants provide help in financing infrastructure projects throughout Montana. Eligible applicants include incorporated cities and towns, counties, consolidated governments, Tribal governments and county or multi-county water, sewer or solid waste districts.

A dollar-for-dollar match is required, but in cases of extreme financial hardship where the public's health and safety are seriously affected, grants up to 75 percent of the project costs may be awarded. Matching funds can be public or private funds. Construction grant applications are limited to a maximum of \$750,000. Applications are typically due the first week of May on even numbered years.

US Department of Agriculture, Water and Environmental Loan and Grant Program (WEP)

Water and Environmental Programs (WEP) loans and grants provide funding for drinking water, sanitary sewer, solid waste and storm drainage facility projects in rural areas and cities and towns of 10,000 or less. WEP also makes grants to nonprofit organizations to provide technical assistance and training to assist rural communities with their water, wastewater and solid waste problems. Eligible projects include construction, repair and expansion of water, wastewater, storm water and solid waste systems.

Public bodies, non-profit organizations and recognized Indian Tribes are all eligible applicants for the program. This funding opportunity is capped at 75 percent of total project costs. Applications are accepted on a continual basis.

Economic Development Administration, Public Works Grant Program

The Economic Development Administration (EDA) provides public works investments to support construction or rehabilitation of essential public infrastructure and facilities to help communities and regions leverage their resources and strengths to create new and better jobs, drive innovation, become centers of competition in the global economy and ensure resilient economies.

Eligible projects are those pertaining to water and wastewater systems that address national strategic priorities, assist economically distressed and underserved communities, demonstrate a good return on EDA's investment through job creation or retention, demonstrate or support regional collaboration and employ public-private partnerships to use both public and private resources and/or leverage complementary investments.

Eligible applicants include municipalities, counties, and Indian Tribes. The maximum award attainable is 75 percent of project cost. Application deadlines are variable and would need to be determined at the time of application.

US Department of Interior, Water Grant Program System Optimization Review Grant

The Water Program focuses on improving water conservation, sustainability and helping water resource managers make sound decisions about water use. It identifies strategies to ensure present and future generations will have enough clean water for drinking, economic activities, recreation and ecosystem health. The program also identifies adaptive measures to address climate change and its impact on future water demands.

Eligible projects include any plan of action that focuses on improving efficiency and operations on a regional or basin perspective. Eligible applicants include the state, Indian Tribes, irrigation districts, water districts or other organizations with water or power delivery authority.

A 50 percent match is required for this funding opportunity and the maximum award attainable is \$300,000.

Transportation Goals and Objectives

| Goal 1: Preserve, maintain, and improve the existing transportation system | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Update the Long-Range Transportation Plan (LRTP) | Planning Dept City Council County Commission | Mid-term |
| Establish a systematic approach for the maintenance and repair of the road network. | City/County Public Works City Council County Commission | Short-term |
| Develop a Capital Improvement Plan to identify and prioritize significant transportation projects | City Council County Commission City/County Public Works | Short-term Mid-term |
| Establish a road network master plan to ensure street continuity, traffic flow, and neighborhood connectivity | Planning Dept Planning Board City/ County Public | Mid-term Long-term |
| Promote fiscal responsibility and high return on investment | Clerk-Treasurer City-Council County Commission City/ County Public Works | Immediate |
| Coordinate roadway improvement projects to coincide with underground infrastructure improvements | Public Works Planning Dept MDT | Immediate |

| Goal 2: Improve the mobility, safety, and accessibility of all users and modes of travel | | |
|--|--|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Implement bicycle and pedestrian improvements and traffic calming measures to transform the downtown area into a pedestrian-friendly place | Planning Dept City/County Public Works MDT | Mid-term Long-term |
| Create a looping bicycle/pedestrian trail and street system that connects different areas of Laurel | Planning Dept Planning Board | Long-term |
| Adopt pedestrian and multi-modal friendly transportation standards and safety measures | Planning Board Public Works City Council | Short-term Mid-term |

| | | |
|---|---|-----------------------|
| Explore options to improve and expand the Laurel Transit program and strategies to create other multi-modal transportation | Planning Dept Clerk-Treasurer | Mid-term Long-term |
| Partner with local, regional, and statewide groups to further integrate Laurel into the more comprehensive passenger transportation network | Planning Dept Planning Board City Council | Long-term |

| Goal 3: Connect transportation decisions to land-use decisions | | |
|---|--|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Integrate land-use planning and transportation planning to manage better and develop the transportation network. | Planning Dept Public Works MDT City Council | Short-term |
| Utilize transportation projects to encourage intensive development patterns along significant routes and existing areas of the City | Planning Dept Public Works | Short-term |
| Adopt and implement consistent system policies and maintenance standards | Public Works City Council | Short-term |
| Ensure the development of a sustainable transportation system that minimizes environmental impacts | Planning Dept Planning Board City Council | Long-term |

Economic Development Goals and Objectives

| Goal 1: Develop downtown Laurel as a destination to live, work, and play | | |
|--|--|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Institute placemaking projects to further enhance district character | Planning Dept LURA Chamber of Commerce | Short-term |
| Increase live-work opportunities for current and future residents and businesses | Planning Dept | Long-term |
| Apply Tax Increment Financing (TIF) funding to beautification, blight removal, and public improvement projects | LURA Planning Dept City Council | Mid-term Long-term |
| Identify and find solutions for unused or underused parcels as candidates for development | Planning Dept LURA | Mid-term |

| Goal 2: Create a resilient local economy | | |
|---|--|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Strengthen core businesses and industries through communication and connections with technical support | Planning Dept Chamber of Commerce BSEDA | Immediate |
| Ensure that local economic activities are inclusive and accessible to all stakeholders | Chamber of Commerce BSEDA | Immediate |
| Implement policies that create stable and sustainable economic growth | Planning Dept City Council County Commission | Long-term |
| Work to highlight the shared benefits of working together as a community with local businesses stakeholders, and developers | Planning Dept Chamber of Commerce BSEDA | Immediate |
| Provide an economic ecosystem that allows for a wide array of businesses, industries, and developments to thrive | Planning Dept Chamber of Commerce Big Sky EDA Beartooth RC&D City Council County Commission | Mid-term Long-term |

| | | |
|---|--|-----------|
| Study and implement policies to enhance local business demand and alternative strategies for value creation for the community | Chamber of Commerce BSEDA Beartooth RC&D | Long-term |
|---|--|-----------|

Goal 3: Collaborate with area organizations to support economic growth and local employment and training opportunities

| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
|---|---|-------------------------|
| Communicate with local groups to determine any needs and assistance | Planning Dept BSEDA Beartooth RC&D | Immediate |
| Create partnerships with local and regional groups to fill local service gaps and create needed programming | City Council City/County Departments County Commission | Mid-term |
| Take part in events and workshops to support local business initiatives and activities | Planning Dept Chamber of Commerce City Council County Commission | Immediate Short-term |
| Establish common ground with local and regional groups to provide resources and assistance | BSEDA Planning Dept | Mid-term Long-term |
| Connect residents and businesses with like-minded economic, financial, and entrepreneurship resources and opportunities | Planning Dept BSEDA Chamber of Commerce | Mid-term Long-term |

Goal 4: Study options for new commercial and industrial properties in anticipated high-growth areas

| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
|---|---|------------------------|
| Create a Corridor Master Plan for growth in and around the intersection with Old Route 10 and the West Laurel Interchange | Planning Dept City Council County Commission | Mid-term |
| Study options and determine priorities for the possible establishment of Tax Increment Financing Districts (TIFs) and Targeted Economic Development Districts (TEDDs) | City Council County Commission Planning Dept BSEDA Beartooth RC&D | Short-term Mid-term |

| | | |
|--|--|------------------------|
| Review and pursue opportunities for clustered commercial or industrial parks | Planning Dept BSEDA Beartooth RC&D City Council County Commission Chamber of Commerce | Short-term Mid-term |
| Develop funding strategies to provide services for priority growth areas. | Planning Dept City/County Public Works Clerk-Treasurer | Short-term Mid-term |

Economic Development Funding Opportunities

Community Development Block Grant Program

Each year the US Entity of Housing and Urban Development (HUD) allocates grant funding to the Montana Department of Commerce for the Community Development Block Grant (CDBG) program. Funds are intended to benefit low or moderate-income persons, aid in prevention or elimination of slums or meet urgent community development needs. CDBG is broken into five different funding categories: Planning, Public Facilities, Housing and Neighborhood Renewal, Neighborhood Stabilization Program and Economic Development.

Eligible applicants include counties, incorporated cities and towns, and consolidated city-county governments. Deadlines are staggered throughout the year with planning grants being offered one year and construction grants the following year generally.

Montana Department of Commerce, Montana Main Street Program

The mission of the Montana Department of Commerce Main Street program is to be a coordinating resource for communities seeking to revitalize their historic downtown or core commercial districts and to provide technical assistance to communities of all sizes. The underlying premise of the Montana Main Street Program is to encourage economic development within the context of historic preservation.

In 2011, the project began gearing toward community development. The Montana Main Street Program was awarded a Preserve America sub grant from the Montana State Historic Preservation Office (SHPO) in 2011. The purpose of the grant was to focus on core and downtown planning and to build capacity under the Main Street program. It was this sub grant that focused the program toward community development.

Public Facilities and Services Goals and Objectives

| Goal 1: Provide consistent and high-quality public services to the community | | |
|--|---|-----------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Develop standard operating procedures to ensure consistency for city and county departments | City Council County Commission City/County Public Works Planning Dept EMS Fire Dept Police Dept Law Enforcement | Mid-term Long-term |
| Develop maintenance procedures for parks, facilities, and public areas. | City/County Public Works | Mid-term |
| Study current facilities and services to identify gaps and determine projected needs in services | City Council County Commission City/County Public Works | Mid-term |

| Goal 2: Respond to the changing nature of the community | | |
|---|--|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Plan for the expansion of public facilities in priority growth areas | Planning Dept City Council County Commission City/County Departments | Short-term Mid-term |
| Invest in public facilities that are accessible to everyone in the community | City/County Public Works | Long-term |
| Study how to improve city services to boost the quality of life for residents, businesses, and institutions | Planning Dept Public Works | Long-term |

| Goal 3: Work with city and county departments and local stakeholders to determine the priority expansion of public facilities and services | | |
|---|--|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Open lines of communication between city/county departments and local stakeholders to gather input on major projects | City/County Departments MDT County Commission City Council Chamber of Commerce | Immediate |
| Consider the public service requirements of large-scale projects before their approval and implementation | Planning Dept Public Works | Immediate |
| Develop plans for the expansion of Fire, Police Law Enforcement, and EMS facilities | Planning Dept City /County Public Works Fire Dept Police Dept Sheriff Dept EMS | Short-term Mid-term |

Recreation Goals and Objectives

| Goal 1: Develop parkland as an essential and enjoyable amenity for residents | | |
|--|--|-------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Ensure new developments have appropriate park space for recreation and general use | Planning Dept Public Works County Parks Board City Council County Commission | Immediate Short-term |
| Study how existing parks can be improved through new facilities, changed layouts, or additions | Public Works County Parks Board Planning Dept | Mid-term Long-term |
| Review current park infrastructure and determine if improvements are necessary to serve the needs of the surrounding area better | Public Works County Parks Board Planning Dept | Long-term |

| Goal 2: Promote Riverside Park as a vital historic, civic, and recreation resource for residents and visitors | | |
|--|---|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Adhere to the projects and strategies presented in the 2018 Riverside Park Master Plan | Planning Dept Public Works City Council | Immediate |

| | | |
|--|---|-----------|
| Seek grant funding for structural and site improvements | Planning Dept City Council | Immediate |
| Develop historic markers for Riverside Park and its historic structures | Planning Dept YC Historic Pres. Board Western Heritage Center | Mid-term |
| Study options for connecting Riverside Park to the city proper through infrastructure improvements, civic engagement, or other means | Planning Department Public Works City Council | Long-term |
| Establish signage and marketing for the assets and resources of Riverside Park to area residents and visitors | Planning Dept YC Historic Pres. Board Western Heritage Center | Mid-term |

| Goal 3: Create an interconnected system of parks, greenspace, and trails that are accessible to all | | |
|---|---|------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Create a city-wide Park System Master Plan to develop project priorities | Planning Dept Park Board | Mid-term |
| Consider the creation of a City Parks Department to oversee park operations and maintenance | Public Works Park Board City Council | Long-term |
| Identify unused land that can be transformed into green space or trails for use by the public | Park Board Public Works Planning Dept | Mid-term Long-term |
| Update the zoning and development codes to encourage the creation of bicycle and pedestrian trail corridors | Planning Dept | Short-term Mid-term |

Natural Resource Goals and Objectives

| Goal 1: Protect Laurel's planning jurisdiction and natural resources and traditional environment | | |
|---|---|-------------------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Provide options for landowners for conserving portions of their land while developing others | Planning Dept Planning Board City Council County Commission | Short-term Immediate |
| Achieve a balanced pattern of growth to ensure environmental concerns are considered during the development | Planning Dept | Long-term |
| Manage the local water resources as a healthy, integrated system that provides long-term benefits from enhanced environmental quality | Planning Dept Public Works Montana DEQ Montana DNRC | Immediate |

| Goal 2: Incorporate sustainable development patterns in the Laurel subdivision and land use codes | | |
|---|--|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Review and update existing zoning and subdivision regulations to ensure environmental preservation and conservation are addressed | Planning Board Planning Dept City Council County Commission | Short-term |
| Review and update landscaping ordinances as needed to best suit Laurel's natural environment | Planning Board | Mid-term |
| Manage rivers, floodplains, wetlands, and other water resources for multiple uses, including flood and erosion protection, wildlife habitat, recreational use, open space, and water supply | Planning Dept Planning Board City/County Departments | Immediate |

| Goal 3: Connect with local, regional, and state agencies and stakeholders to improve the natural environment in and around Laurel | | |
|--|--|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Sponsor environmental cleanup and rehabilitation programs that include the City, County , school district, community organizations, and residents | City Council County Commission | Mid-term |
| Participate in regional watershed studies to achieve adequate long-term flood protection | Planning Board City/County Departments | Long-term |
| Explore the possibility of creating a conservation corridor along the Yellowstone River | Planning Dept County Park Board County Commission | Long-term |

Intergovernmental Coordination Goals and Objectives

| Goal 1: Establish lines of communication with local, county, and state partners | | |
|---|---|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Create an accurate directory of government representatives and staff | Clerk-Treasurer City Planner | Immediate |
| Update governmental stakeholders regarding ongoing projects and work in the Laurel area | City Council County Commission Planning Dept | Short-term |
| Develop working relationships with legislators, staff, and stakeholders at different levels of government | City Council Department Heads | Immediate |

| Goal 2: Coordinate with local and regional institutions to support and grow the Laurel community | | |
|---|--|------------|
| OBJECTIVES | RESPONSIBLE ENTITY | TIME FRAME |
| Work with economic development groups to seize opportunities for business growth | Chamber of Commerce BSEDA Beartooth RC&D City Council | Immediate |

| | | |
|--|--|------------|
| Connect area businesses with institutions and governmental groups that can support their mission | Chamber of Commerce BSEDA Beartooth RC&D | Immediate |
| Communicate with area legislators to provide information on growth patterns and development in the Laurel area. | City Council Planning Dept | Short-term |
| Maintain open communications with state agencies and the Board of County Commissioners to confirm compliance with statewide codes and operational needs. | City Council Department Heads | Long-term |

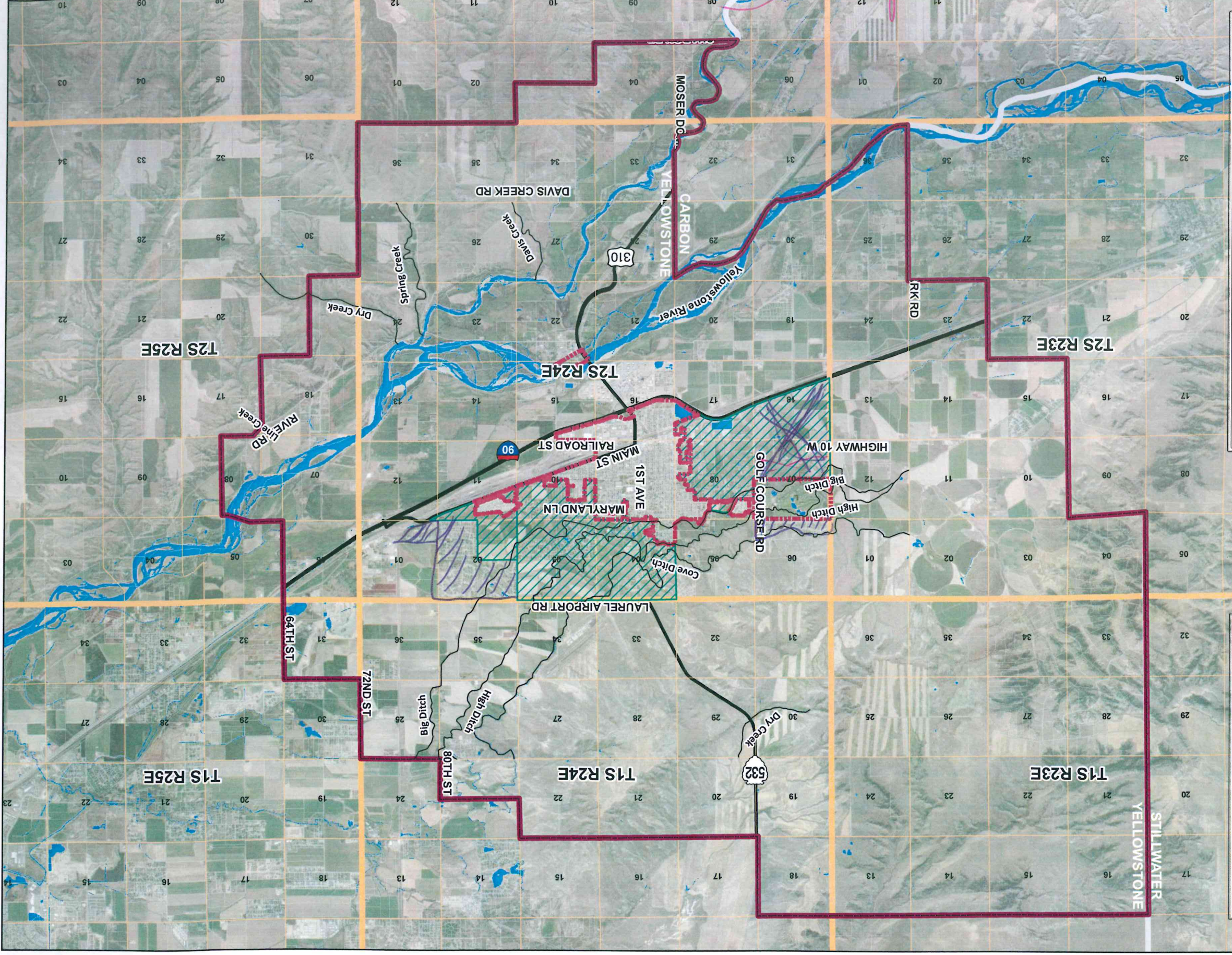
Ongoing inter-governmental coordination efforts will be maintained. The City of Laurel has inter-local agreements with the School District on cooperative efforts, the shared use of facilities, and other areas of mutual interest. The City interacts with a number of agencies and organizations including but not limited to the Laurel School District, Eastern Montana Drug Task Force (EMDTF), Fish, ~~Wildlife~~ Wildlife & Parks (FWP), Department of Environmental Quality, (DEQ), Department of Natural Resources and Conservation (DNRC), and the many departments and shared Yellowstone County jurisdictions.

It will be important to maintain regular communications between City officials and the many local, county, regional, and state groups to discuss ongoing efforts and coordination activities. The County Commissioners have a direct impact on the Laurel area through the four members they appoint to the Laurel City-County Planning Board. This is done due to the mixed city-county make-up of the Laurel planning area that encompasses the city as well as areas within the County jurisdiction. A copy of the 2020 Laurel Growth Management Policy will be submitted to the Yellowstone County Commissioners for review and comment prior to the official adoption by the City Council.

The 2023 update to the Laurel Growth Management Policy is rewritten to rebrand the policy as the Laurel-Yellowstone City-County Planning Jurisdiction Growth Management Policy. Changes to the policy were needed to incorporate properties outside the City of Laurel but within the planning jurisdiction. County departments were added to include the public services that are reflective in the area adjacent to the City of Laurel. The Growth Management Policy 2023 update will serve as a guiding document for the City and County Governments but in no way obligates either entity to strict adherence to this document.

Handwritten signature in pink ink.

LAUREL - YELLOWSTONE CITY - COUNTY GROWTH POLICY 2023

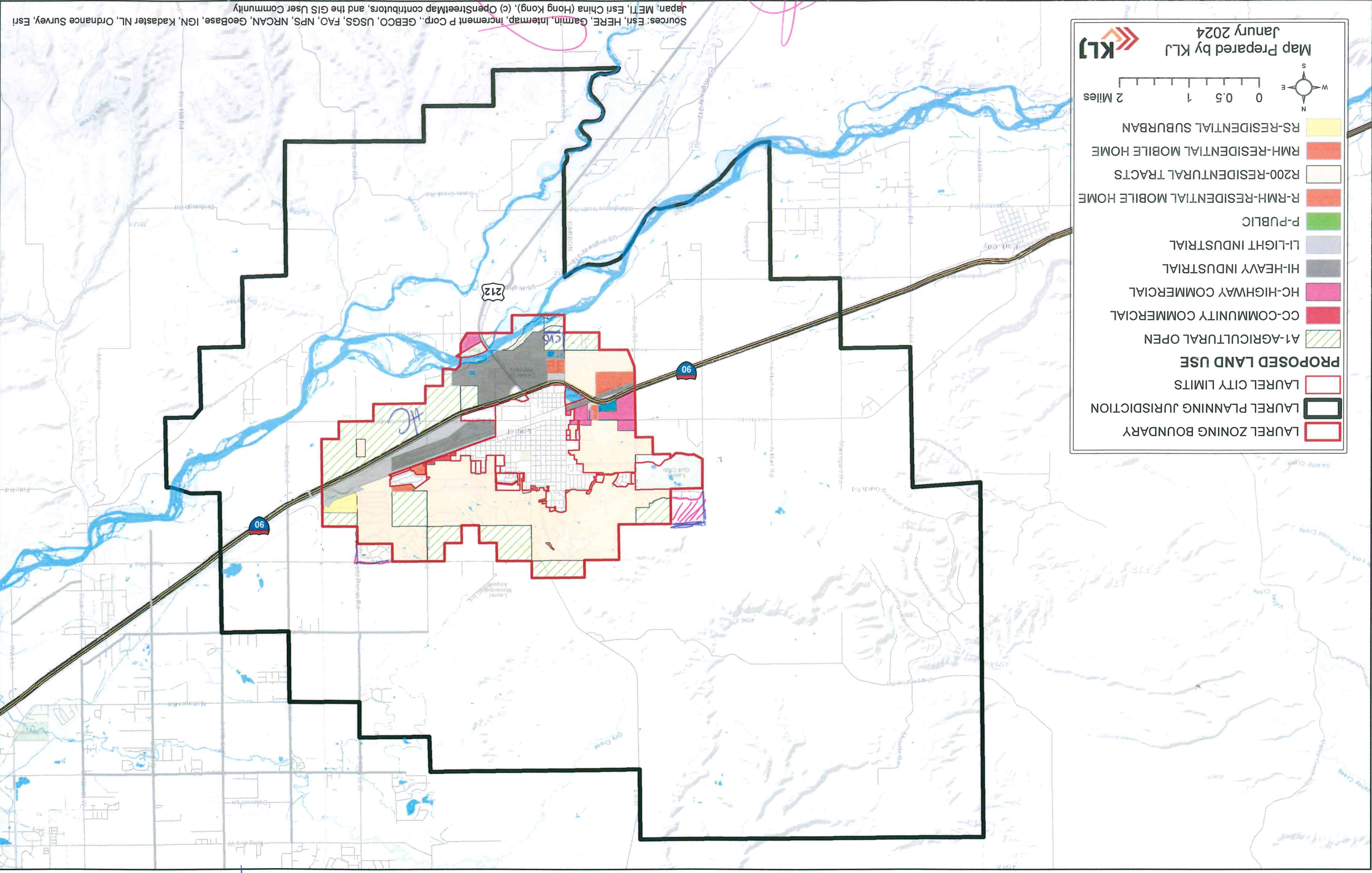


Map Prepared by KLJ
December 2023

KLJ

- Planning Jurisdiction
- City Limits
- Annexation Priority Areas
- Creeks and Canals
- Major Roadways
- County Line
- PLSS
- Parcels
- Surface Water





Map Prepared by KLJ
January 2024

2 Miles

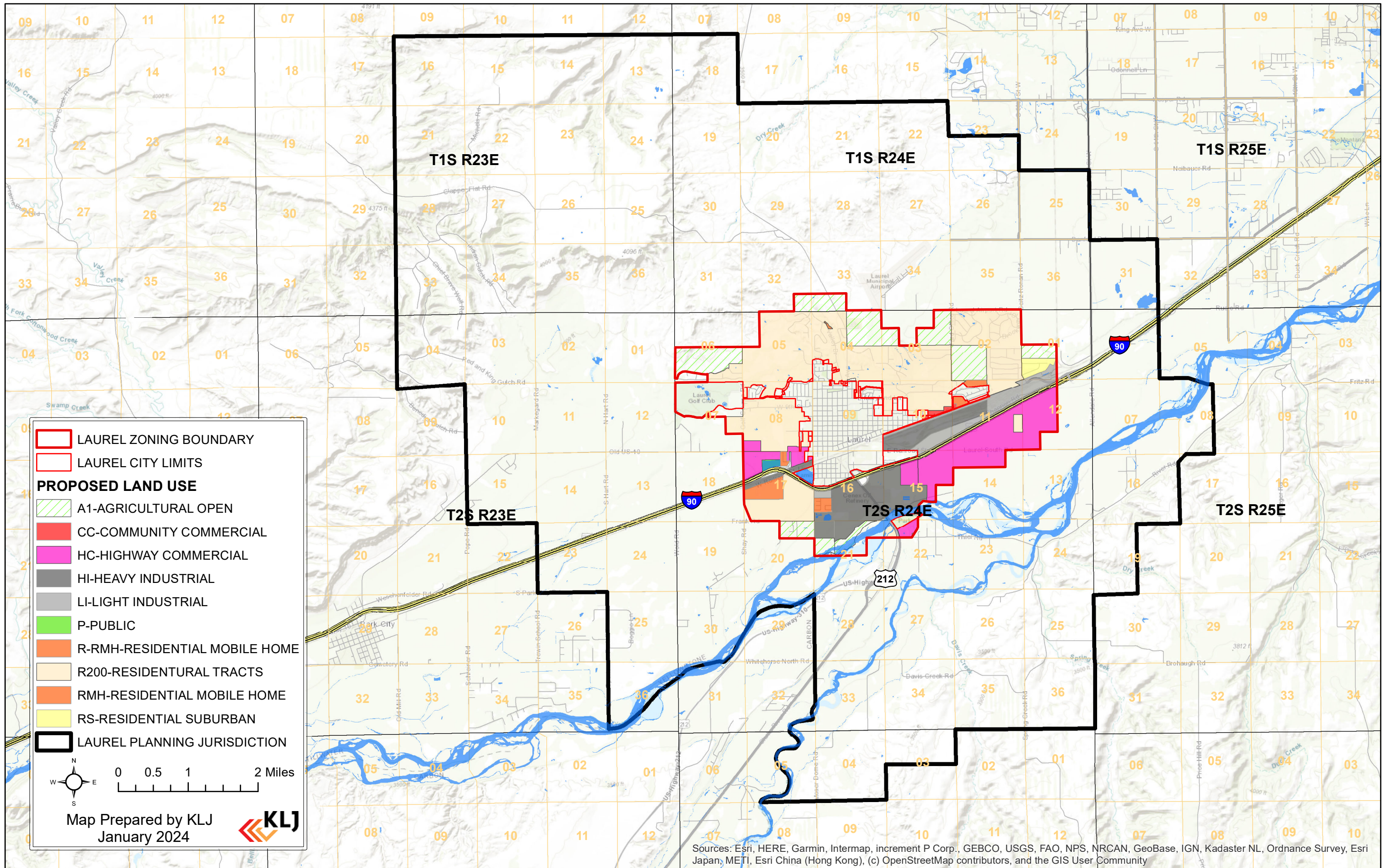
Legend:

- RS-RESIDENTIAL SUBURBAN
- RMH-RESIDENTIAL MOBILE HOME
- R200-RESIDENTIAL TRACTS
- R-RMH-RESIDENTIAL MOBILE HOME
- P-PUBLIC
- L-LIGHT INDUSTRIAL
- HI-HEAVY INDUSTRIAL
- HC-HIGHWAY COMMERCIAL
- CC-COMMUNITY COMMERCIAL
- A1-AGRICULTURAL OPEN
- PROPOSED LAND USE
- LAUREL CITY LIMITS
- LAUREL PLANNING JURISDICTION
- LAUREL ZONING BOUNDARY

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri, Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

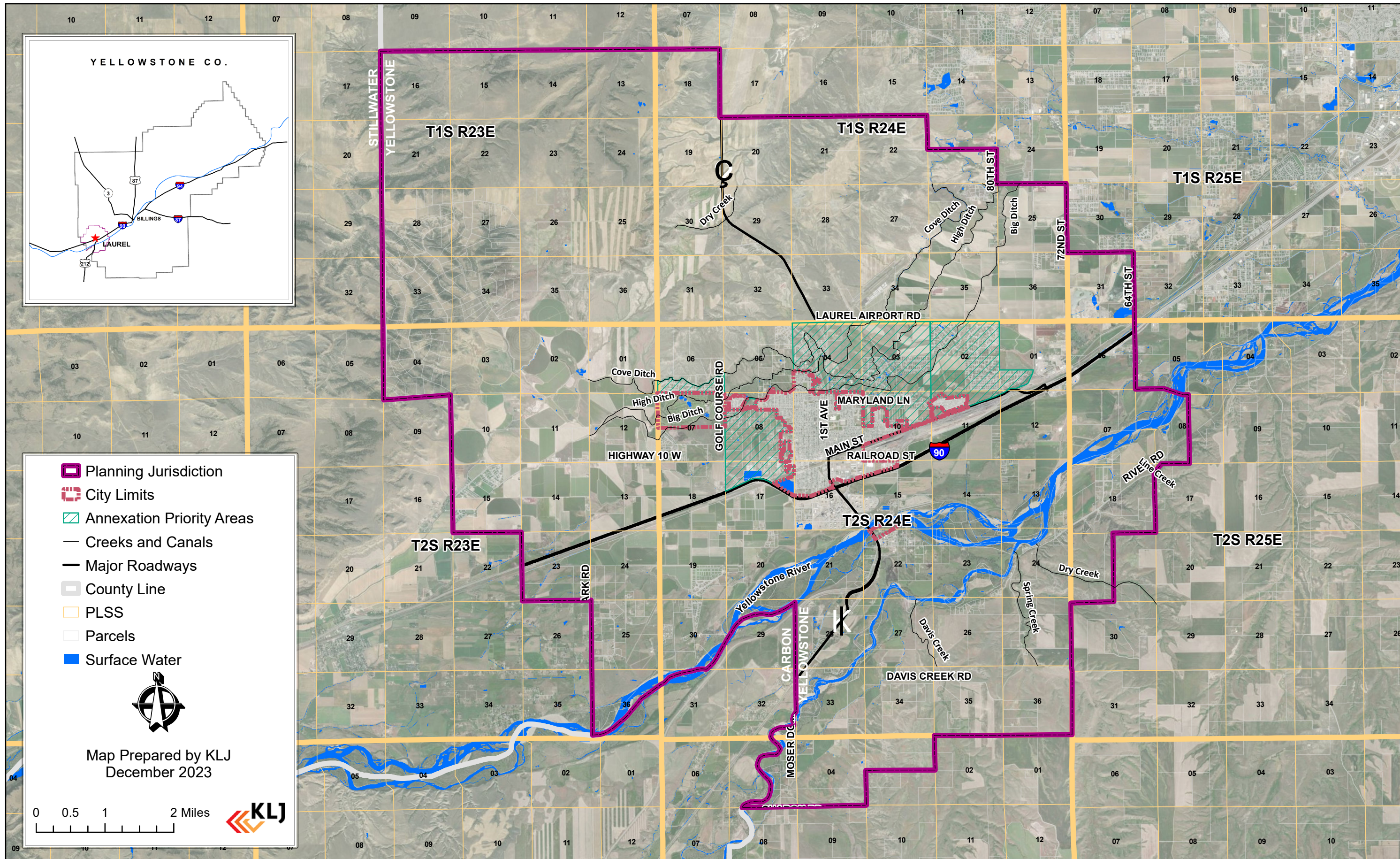
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LAUREL - YELLOWSTONE CITY - COUNTY GROWTH POLICY 2023



FUTURE LAND USE

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PLANNING JURISDICTION

PUBLIC HEARING NOTICE

The Laurel-Yellowstone City-County Planning Board and Laurel's Zoning Commission will conduct two(2) public hearings on February 21, 2024.

Public Hearing for Laurel-Yellowstone City-County Growth Management Policy 2023 Update

Public Hearing for the annexation into the City of Laurel and assignment of zoning "Public" for the property described as Nutting Bros 2nd Filing -Lots 1 and 2 by the Laurel School District. The property is located southeast of the intersection of East Maryland Lane and Alder Ave and is owned by the Laurel School District.

The hearings are scheduled for 6 P.M., in the Laurel City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, February 21, 2024.

Public comment is encouraged and can be provided in person at the public hearing on February 21, 2024. Public comments can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. Emails or letters of comments should be received by 2pm MST February 15, 2024 so they can be transmitted to the Planning Board members prior to the meeting. Copies of the documentation and regulations are available for review upon request at the Planning Department office. Questions regarding these public hearings may be directed to the Planning Director at 406-628-4796 ext. 5305, or via email at cityplanner@laurel.mt.gov.

RESOLUTION NO. 2024-01

LAUREL - YELLOWSTONE CITY COUNTY PLANNING BOARD

A resolution of the Laurel - Yellowstone City County Planning Board to recommend adoption of the 2023 Laurel - Yellowstone City County Growth Policy and implementation measures by the City of Laurel and the Yellowstone County Commissioners.

WHEREAS: The Yellowstone County Commission and the City of Laurel City Council tasked the Planning Board with the preparation of a Growth Policy for Laurel - Yellowstone City County Planning Jurisdiction, AND;

WHEREAS: The Planning Board approved an action plan incorporating public input and an approximate timeline for the adoption of an updated Growth Policy for Yellowstone - Laurel Planning Jurisdiction, AND;

WHEREAS: The Planning Board conducted a series of public meetings, surveys and outreach to encourage public participation in the preparation of the Growth Policy, AND;

WHEREAS: The Planning Board considered several strategies and policies that could be adopted by the County Commissioners to implement the Growth Policy, AND;

WHEREAS: The Planning Board encouraged both written and verbal testimony on issues and items of concern related to the future growth and development expected to occur during the life of the new Growth Policy. AND;

WHEREAS: The proposed Growth Policy addresses all of the statutory components of a Growth Policy found in §76-1-601 et. seq. MCA to the extent acceptable to the Planning Board, AND;

WHEREAS: The Planning Board did conduct a public hearings of the Growth Policy on December 20, 2023 and February 21, 2024. AND;

NOW THEREFORE BE IT RESOLVED, by the Laurel - Yellowstone City County Planning Board to recommend that the Governing Bodies of Yellowstone County and the City of Laurel, Montana Adopt the Laurel - Yellowstone City County Growth Policy in accordance with §76-1-604 MCA.

BE IT FURTHER RESOLVED, By the Laurel - Yellowstone City County Planning Board that the following regulations, policies, plans and strategies be considered by the County Commissioners to implement the Growth Policy:

- Subdivision Regulations;
- Design and Development Standards;
- Capital Improvements Planning;
- Economies of scale in the provision of local government services;
- Empower City/Town Governments;
- Comprehensive Economic Development Strategy.
- Zoning Regulations
- Floodplain Hazard Management Regulations.

Dated this 21th day of February 2024.

Laurel - Yellowstone City County Planning Board
Judy Goldsby, President

Kurt Markegard, Executive Secretary

File Attachments for Item:

4. Recommendation - County Zoning

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 23- (NUMBER)

**Resolution for the City of Laurel/Yellowstone County Planning Board
to make a Recommendation on Zoning Regulations for the Area around the City of Laurel**

WHEREAS, pursuant to Section 76-2-201 of the Montana Code Annotated, a board of county commissioners may adopt zoning regulations. Pursuant to Section 76-2-205 of the Montana Code Annotated, a board must receive a recommendation on the adoption of the zoning regulations from the planning board.

WHEREAS, the Yellowstone County Board of County Commissioners would like to exercise zoning jurisdiction around the City of Laurel. There has been a controversy as to whether the City of Laurel or the County has zoning jurisdiction around the City. To resolve the dispute, the County has decided to exercise zoning jurisdiction in the area and adopt the existing zoning regulations in the area. To adopt the existing zoning regulations, the Board needs a recommendation from the City of Laurel / Yellowstone County Planning Board on the adoption of the regulations.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners orders the City of Laurel/Yellowstone County Planning Board to make a recommendation to the Board on the adoption of the zoning regulations in the area around the City of Laurel by January 17, 2024. Attached is a map of the area and the zoning regulations for the area. After the Board receives the recommendation from the Planning Board, it intends to adopt the regulations.

Passed and Adopted on the 28th day of November 2023.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

John Ostlund, Chair

Donald W. Jones, Member

Mark Morse, Member

ATTEST:

Jeff Martin, Clerk and Recorder

Attachments

- Map 1
- Map 2
- Zoning Regulations



The Subdivision Regulations come from the City of Laurel's Municipal Code that can be found online.

Changes have been made to the Regulations.

The Regulations contemplated the City exercising jurisdiction in and outside of the City and the County exercising no jurisdiction

The changes to the Regulations indicate the City will exercise zoning jurisdiction in the City and the County will exercise zoning jurisdiction in the zoning jurisdiction around the City

The Regulations are still phrased as if the City only exercises jurisdiction. The reference to the City should only include the County

Title 17

ZONING

Chapters:

Chapter 17.04 TITLE, PURPOSE AND SCOPE

Sections:

17.04.010 Title cite.

This title and herein referred to maps shall be known and cited as the "Laurel Zoning Ordinance" for the incorporated limits of the city and any additional territory authorized by either state statute or county commissioners.

(Prior code § 17.16.010)

The City of Laurel through its council shall handle the zoning issues within the City. Yellowstone County through its Board of Commissioners shall handle the zoning issues outside of the City in the zoning jurisdictional area of the Laurel-Yellowstone County Planning Board. The zoning jurisdictional area is an area around the City that extends approximately one mile beyond the City limits. Attached as Appendix A is a map that indicates the zoning jurisdictional zoning area.

17.04.020 Purpose of provisions.

- A. The zoning regulations, classifications and districts as herein set forth are in accordance with Sections 76-2-301 to 76-2-328, 76-1-101 to 76-1-606, and 76-2-201 to 76-2-228, MCA, 1979.
- B. They have been made in accordance with the comprehensive planning process, and have been deemed necessary and developed with consideration among other things, to the character of each zoning district and its peculiar suitability for particular uses, to conserve the value of buildings, to stabilize property values, to preserve recreation and agricultural lands from conflict with urban development, to promote the interest of health, safety, and general welfare, to secure safety from fire, and to provide adequate open space for light and air, and to facilitate the economic provision of adequate transportation, water, sewer, schools, parks, and other public requirements.
- C. The Laurel city council further declares the zoning plan is adopted for the following specific purposes:

-
1. To promote and guide development consistent with the goals and objectives of the comprehensive planning process;
 2. To prevent waste and inefficiency in land use;
 3. To encourage innovations in residential development and renewal so that the needs of the community for housing may be met by greater variety in type and design of dwellings and by conservation of open space; to preserve and enhance housing values and maintain residential neighborhood aesthetics; and
 4. To provide adequate land and space for the development of commercial and industrial uses and to encourage such development in locations calculated to benefit the community at large and in a manner consistent with the goals and objectives of the city's comprehensive planning process.

(Ord. 96-5 (part), 1996; prior code § 17.16.020)

17.04.030 Scope.

- A. This title applies to all lands in the incorporated limits of the city; and any additional territory authorized by either state statutes or the county commissioners.
- B. In their interpretation and application, the provisions of this title may be regarded as the minimum requirements for the protection of the public health, safety, comfort, prosperity and welfare;
- C. This title is not intended to abrogate or annul any building permit, certificate of occupancy, variance or other lawful permit issued prior to the effective date of the ordinances codified in this title.

(Prior code § 17.16.030)

Chapter 17.08 DEFINITIONS

Sections:

17.08.010 Purpose of provisions.

For the purpose of this title, certain words and terms used herein are defined in this chapter.

(Prior code § 17.20.001)

17.08.020 Rules of construction.

All words used in the present tense include the future tense. All words used in the plural number include the singular number, and all words used in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "building" includes the word "structure." The word "shall" is mandatory and not directory. The word "used" shall be deemed to include "designed, intended or arranged to be used."

Unless otherwise specified, all distances shall be measured horizontally. The word "city" means the city of Laurel, Montana; the term "city council" means the city council of the city; the term "board of adjustment" means the board of adjustment of the city; the term "city zoning commission" means the zoning commission of the city.

(Prior code § 17.20.010)

17.08.030 Accessory living quarters.

"Accessory living quarters" means living quarters within an accessory building for the sole use of the family or of persons employed on the premises, or for the temporary use of guests of the occupants of the premises. Such quarters have no kitchen facilities and are not rented, leased, or otherwise used as a separate dwelling unit. The term "accessory living quarters" includes "guest house."

(Prior code § 17.20.015)

17.08.040 Airport or aircraft landing field.

"Airport" or "aircraft landing field" means any runway, landing area or facility whether publicly or privately owned and operated, and which is designed, used or intended to be used either by public carriers or by private aircraft for landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down, etc., hangars and other necessary buildings and open spaces.

(Prior code § 17.20.020)

17.08.050 Airport zone.

"Airport zone" means a separate and distinct portion of this title governing those lands affected by the Laurel airport, see Chapter 17.28.

(Prior code § 17.20.025)

17.08.060 Agricultural district.

"Agricultural district" means any A district.

(Prior code § 17.20.030)

17.08.070 Agricultural use.

A use of land for agricultural purposes including farming, dairying, pasturage, grazing land, animal and poultry husbandry, silviculture, floriculture, horticulture and other similar agricultural uses; agricultural use does not include farm equipment sales or display areas.

(Prior code § 17.20.035)

17.08.080 Alley.

"Alley" means a public way which affords only secondary access to abutting property.

(Prior code § 17.20.040)

17.08.090 Apartment.

"Apartment" means a room or suite of two or more rooms in a multiple dwelling or in any other building not a single-family dwelling or a two-family dwelling, occupied or suitable for occupancy as a dwelling unit for one family. A bachelor apartment or efficiency unit shall qualify under this definition.

(Prior code § 17.20.045)

17.08.100 Auto wrecking.

See "junkyard."

(Prior code § 17.20.050)

17.08.110 Basement.

"Basement" means that portion of a building below the first floor joists, the floor of which is more than one-half clear ceiling height below the adjacent ground.

(Prior code § 17.20.055)

17.08.120 Billboard.

See "Sign — Outdoor advertising."

(Prior code § 17.20.060)

17.08.130 Block.

"Block" means the property abutting one side of a street and lying between the two nearest intersecting streets, or between the nearest such street and railroad right-of-way, unsubdivided acreage, river or live stream; or between any of the foregoing and any other barrier to the continuity of development.

(Prior code § 17.20.065)

17.08.131 Bed and breakfast inn.

"Bed and breakfast inn" means a house or portion thereof that contains short-term guest rooms where lodging with or without meals is provided for compensation. The operator of the inn shall live on the same property upon which the term is located.

(Ord. 01-4 (part), 2001)

17.08.132 Boarding or lodging house.

"Boarding or lodging house" means a house where meals (with or without lodging) are provided for compensation and by pre-arrangement for a definite period for three or more persons. "Boarding or lodging house" shall not be construed to mean rest or convalescent homes nor "Bed and breakfast inns".

(Ord. 01-4 (part), 2001)

17.08.140 Building.

"Building" means a structure having a roof supported by walls or columns for the shelter, support, or enclosure of persons, animals or chattels. When, in a building all of which is used for nonresidential purposes, any portion of the building is completely separated from all other portions by a masonry division wall from the ground up to the roof, and no door or other opening directly communicating between the two portions of the building, such portions so separated shall be deemed separate buildings.

(Prior code § 17.20.070)

17.08.150 Building, accessory.

"Accessory building" means a subordinate building, the use of which is customarily incidental to that of a principal building on the same lot.

(Prior code § 17.20.075)

17.08.160 Building codes.

"Building codes" means the current building code adopted by the city.

(Prior code § 17.20.080)

17.08.170 Building inspector.

"Building inspector" means the official designated by the mayor to enforce this title and building codes.

(Prior code § 17.20.085)

17.08.180 Building line.

"Building line" means a line established in general, parallel to the front street line between which and the front street line no part of a building shall project, except as otherwise provided by this title.

(Prior code § 17.20.090)

17.08.190 Building—Principal.

"Principal building" means a building in which is conducted the principal use of the lot on which it is situated.

(Prior code § 17.20.095)

17.08.200 Business or commerce.

"Business" or "commerce" means the purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, substance or commodity for livelihood or profit; or the management or occupancy of the office buildings, offices, recreational or amusement enterprises; or the maintenance and use of buildings, offices, structures or premises by professions and trades or persons rendering services.

(Prior code § 17.20.100)

17.08.210 Camp, public.

"Public camp" means any area or tract or land used or designed to accommodate two or more camping parties, including cabins, tents, camping trailers or other camping outfits.

(Prior code § 17.20.105)

17.08.220 Carport.

"Carport" means a structure to house or to protect motor vehicles owned or operated by the occupants of the main building which is open to the weather for at least fifty percent of the total area of its sides; when attached to another building it shall comply with the yard requirements of that building.

(Prior code § 17.20.110)

17.08.230 Child care facilities.

"Family day care home" means a private residence in which supplemental parental care is provided for up to six children, including the operator's children, from separate families on a regular basis. Such day care home shall be licensed by the Montana Department of Social and Rehabilitative Services under MCA, Title 53, Chapter 4, Part 5.

"Group day care home" means a private residence in which supplemental parental care is provided for seven to twelve children, including the operator's children, on a regular basis and which is licensed by the Montana Department of Social and Rehabilitative Services under MCA, Title 53, Chapter 4, Part 5.

"Day care center" means a place in which supplemental parental care and/or adult supervision is provided to thirteen or more children, including the operator's children, on a regular basis, and which may include nursery schools, private kindergartens, or after school care and supervision. Such day care center shall be license as required by the state, city, or county and conducted in accordance with applicable state and local requirements.

(Ord. 01-4 (part), 2001: Prior code § 17.20.115)

17.08.240 City.

"City" means the city of Laurel, Montana.

(Prior code § 17.20.120)

17.08.250 Clinic.

"Clinic" means a building designed and used for the medical, dental, and surgical diagnosis and treatment of patients under the care of doctors and nurses.

(Prior code § 17.20.125)

17.08.260 Clinic, animal.

"Animal clinic" means a building or premises for the medical treatment of pets or customary household animals, including but not limited to cats and dogs, provided no overnight boarding occurs on the premises.

(Prior code § 17.20.130)

17.08.270 Club.

"Club" means an incorporated or unincorporated association of persons organized for a social, educational, literary or charitable purpose. Property occupied by a club shall be deemed to be semiprivate in character and shall be subject to the city regulations governing public building and places, excluding groups organized primarily to render a service which is normally considered a business.

(Prior code § 17.20.135)

17.08.280 Cluster.

"Cluster" means a pattern of residential development where dwelling units are grouped, with the remainder of the yard left in landscaped open space.

(Prior code § 17.20.140)

17.08.285 College or university.

"College or university" means a post-secondary school as defined in this chapter.

(Ord. 04-1 (part), 2004)

17.08.290 Commercial district.

"Commercial district" means any NCL, NC, CBD, CC or HC district.

(Prior code § 17.20.145)

17.08.291 Community residential facilities.

"Adult foster family care home" means a private home licensed by the Montana Department of Family Services owned by one or more persons eighteen years of age or older which offers light personal care or custodial care to disabled adults who are not related to the owner by blood or marriage or which offers light personal care or custodial care to aged persons. The number of aged persons or disabled adults in an adult foster family care home may total no more than four.

"Community group home" means a family oriented residence or home licensed by the appropriate state agency designed to provide residential services and facilities for developmentally, severely disabled or mentally disabled persons, but does not provide skilled or intermediate nursing care.

"Halfway house" means a place operated in accordance with the regulations of the Montana Department of Health and Environmental Sciences for the rehabilitation of alcohol or drug dependent persons.

"Nursing homes, convalescent homes, orphanages, and charitable institutions" means a home operated similarly to a boarding house but not restricted to any number of guest or guest rooms, and the operator of which is licensed by the state, city, or county to give special care and supervision to his/her patients. In such homes, nursing, dietary, and other personal services are furnished to convalescent, invalids, and aged persons, but within which homes are kept no persons suffering from a contagious or communicable disease, and within which are performed no surgery, maternity, or other primary treatments such as are customarily provided in sanitariums or

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hospitals, and within which no persons are kept to be served who normally would be admitted to a mental hospital. Adult foster care homes are not included in this definition.

"Youth foster home" means a youth care facility licensed by the Montana Department of Family Services in which substitute care is provided to one to six foster children or youths, other than the foster parent's own children, stepchildren, or wards.

"Youth group home" means a youth care facility licensed by the Montana Department of Family Services in which individual care is provided to seven to twelve children or youth.

(Ord. 01-4 (part), 2001)

17.08.300 Condominium.

"Condominium" means ownership in common with others of a parcel of land and certain parts of a building, together with individual ownership in fee of a particular unit or apartment in such building. Each individual has an absolute title to his apartment which he may sell, mortgage or devise as he could with a single-family dwelling that he owned.

(Prior code § 17.20.150)

17.08.310 Dairy.

"Dairy" means any premises where three or more cows, three or more goats, or any combination thereof are kept, milked or maintained.

(Prior code § 17.20.155)

17.08.330 Density.

"Density" means the number of families residing on, or dwelling units developed on, an acre of land. As used in this title, all densities are stated in families per net acre, that is, per acre of land devoted to residential use, exclusive of land in streets, alleys, parks, playgrounds, schoolyards, or other public lands and open spaces.

(Prior code § 17.20.160)

17.08.340 Drive-in restaurant.

"Drive-in restaurant" means a use whose retail character is dependent on a driveway approach and parking space for motor vehicles so as to either serve customers while in the vehicle or permit consumption of food or beverages obtained on the premises, in a vehicle.

(Prior code § 17.20.165)

17.08.350 Dwelling.

"Dwelling" means a building or portion thereof arranged or designed to provide living facilities for one or more families. The term "dwelling" shall not be deemed to include a motel, hotel or travel trailer. All dwellings except manufactured homes must conform to the Uniform Building Code.

(Ord. 96-5 (part), 1996; prior code § 17.20.170)

17.08.360 Dwelling, group.

In general, "group dwelling" means a building in which several unrelated individuals or families permanently reside, but in which individual cooking facilities are not provided for the individual persons or families. Specifically, "group dwelling" shall include a roominghouse, fraternity house, sorority house and private club in which one or more members have a permanent residence. "Group dwelling" shall not be deemed to include a hotel, motel, tourist home, mobile park, or any use included in the "health-medical group."

(Prior code § 17.20.175)

17.08.370 Dwelling, multifamily.

"Multifamily dwelling" means a building containing three or more dwelling units.

(Prior code § 17.20.180)

17.08.380 Dwelling, multifamily high rise.

"Multifamily high rise dwelling" means a building containing over three dwelling units with a height not over six stories or sixty feet.

(Prior code § 17.20.185)

17.08.390 Dwelling, single-family.

"Single-family dwelling" means a building containing only one dwelling unit.

(Ord. 96-5 (part), 1996; prior code § 17.20.190)

17.08.400 Dwelling, two family.

"Two family dwelling" means a building containing only two dwelling units.

(Prior code § 17.20.195)

17.08.410 Dwelling unit.

"Dwelling unit" means a building or portion thereof providing complete housekeeping facilities for one family.

(Prior code § 17.20.200)

17.08.420 Easement.

"Easement" means a grant by the property owner of the use of a strip of land by the public, or by one or more persons or corporations for a specific purpose or purposes.

(Prior code § 17.20.205)

17.08.430 Elderly housing.

"Elderly housing" means housing designed specifically for elderly occupancy with at least one resident domiciled in each living unit therein with an age of sixty-two years or older.

(Prior code § 17.20.210)

17.08.440 Fallout shelters.

"Fallout shelters" means a structure or portion of a structure intended to provide protection to human life during periods of danger from nuclear fallout, air raids, storms or other emergencies.

(Prior code § 17.20.215)

17.08.450 Family.

"Family" means one or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit.

(Prior code § 17.20.220)

17.08.460 Fence.

"Fence" means a barrier of posts connected by boards, rails, panels or wire constructed for purposes of enclosing space, for separating parcels of land or for landscaping and including masonry walls, ornamental structures, privacy screens and shrubs.

(Ord. 891, 1986; prior code § 17.20.225)

17.08.470 Filling station.

"Filling station" means a building or lot having pumps and storage tanks where fuels, oils, or accessories for motor vehicles are dispensed, sold or offered for sale at retail only; repair service is incidental; and no storage or parking space is offered for rent.

(Prior code § 17.20.230)

17.08.480 Floodplain or floodway.

"Floodplain" or "floodway" means in all cases of interpretation the regulations of the Montana Water Resources Board as provided in Sections 76-5-103 and 76-5-104, MCA, 1979.

(Prior code § 17.20.235)

17.08.490 Floodplain zone.

"Floodplain zone" means a separate and distinct portion of the Laurel Zoning Ordinance governing those lands affected by a one hundred year floodplain classification.

(Prior code § 17.20.240)

17.08.500 Fraternity, sorority, or student cooperative.

"Fraternity," "sorority," or "student cooperative" means a building occupied by and maintained exclusively by students.

(Prior code § 17.20.245)

17.08.510 Frontage.

"Frontage" means all of the property on one side of the street or highway between two intersecting streets or highways (crossing or terminating) measured along the line of the street or highway, or if the street or highway is dead ended, then all of the property abutting on one side between an intersecting street or highway and the dead end of the street or highway.

(Prior code § 17.20.250)

17.08.520 Garage, private.

"Private garage" means an accessory building or part of principal building used only for the storage of motor vehicles as an accessory use, when the storage space does not exceed that for the following number of vehicles:

- A. For any single-family dwelling — three passenger vehicles;
- B. For any two-family dwelling — four passenger vehicles;
- C. For any multifamily dwelling — passenger vehicles equal in number to two hundred fifty percent of the number of dwelling units in the principal building;
- D. For any other use — no limitation.

(Prior code § 17.20.255)

17.08.530 Garage, public.

"Public garage" means a building or premises which is operated for commercial purposes and used for the storage, care or repair of motor vehicles, but a "public garage" shall not be used for the storage of dismantled or wrecked motor vehicles, parts thereof, or junk.

(Prior code § 17.20.260)

17.08.540 Group dwelling.

See "Dwelling group."

(Prior code § 17.20.265)

17.08.550 Height of building.

"Height of building" means the vertical distance measured from the highest of the following three levels:

- A. The street curb level;
- B. The established or mean street grade in case the curb has not been constructed; or

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- C. The average finished ground level adjoining the building if it sets back from the street line to the level of the highest point at the roof beams to flat roofs, or roofs inclining not more than one inch to the foot, and to the mean height level of the top of the main plate and highest ridge for other roofs.

(Prior code § 17.20.270)

17.08.560 Hospital.

"Hospital" means an institution specializing in giving clinical, temporary and emergency services of a medical or surgical nature to human patients and licensed by state law to provide facilities and services in surgery, obstetrics and general medical practice, as distinguished from treatment of mental and nervous disorders, but not excluding surgical and post-surgical treatment of mental cases. Nursing homes and convalescent homes are not included.

(Prior code § 17.20.275)

17.08.570 Hospital, animal.

"Animal hospital" means a place where livestock or pets are given medical or surgical treatment. Use as a kennel shall be limited to short time boarding and shall only be incidental to such hospital use.

(Prior code § 17.20.280)

17.08.580 Hospital, mental.

"Mental hospital" means an institution licensed by state agencies under the provisions of law to offer facilities, care and treatment of cases of mental and nervous disorders.

(Prior code § 17.20.285)

17.08.590 Hotel.

"Hotel" means a building in which lodging, with or without meals, is provided and offered to the public for compensation, and which is open to transient guests. Hotels include motels and automobile courts, but do not include group dwellings as defined herein.

(Prior code § 17.20.290)

17.08.600 Industrial district.

"Industrial district" means any LI or HI district.

(Prior code § 17.20.295)

17.08.610 Junkyard.

"Junkyard" means the use of any premises whether inside or outside of a building for the storage, keeping or abandonment of junk, including scrap metals, rags, paper, or other scrap material and equipment for dismantling, demolition or storage of unlicensed or abandoned automobiles or other vehicles, or machinery or parts thereof.

(Prior code § 17.20.300)

17.08.620 Jurisdictional area.

"Jurisdictional area" means the area included within the unincorporated areas, a distance of four and one-half miles, in all directions, from the city's limits. Such jurisdictional area may be changed by joint resolution of the city council and board of county commissioners in accordance with Sections 76-1-501 to 76-1-508, MCA, 1979.

(Prior code § 17.20.305)

17.08.630 Kennel, commercial.

"Commercial kennel" means a place where dogs or cats other than those owned by the kennel owner are kept and boarded for any period in excess of twenty-four hours. Female dogs or cats bred for the sole purpose of the sale of puppies or kittens for profit and female dogs or cats numbering more than two constitute a commercial kennel.

(Prior code § 17.20.310)

17.08.640 Kennel, noncommercial.

"Noncommercial kennel" means a kennel at, in or adjoining a private residence where hunting dogs or other dogs or cats are kept for the hobby of the householder in using them in shows or field or obedience trials or for the guarding or protecting the householder's property. The occasional raising of a litter of puppies or kittens at the kennel should not change the character of residential property (no more than one litter of puppies or kittens shall be allowed in a calendar). In residential districts each household shall not possess more than two adult dogs or cats (an adult dog or cat is herein defined as any dog or cat over the age of twelve months).

(Prior code § 17.20.315)

17.08.650 Livestock.

"Livestock" means horses, bovine animals, sheep, goats, swine, reindeer, donkeys, mules, llamas, etc.

(Prior code § 17.20.320)

17.08.651 Livestock units.

"Livestock units," for the purposes of this title, shall be defined as follows:

| Livestock Class | Livestock Units |
|------------------------|-----------------|
| Cow, mature | 1.00 |
| Cow with calf | 1.00 |
| Bull, mature | 1.25 |
| Bull, yearling | .67 |
| Calf, weaned | .60 |
| Calf, under six months | .25 |
| Steer, one-year old | .70 |
| Steer, two-year old | .90 |
| Steer, three-year old | 1.00 |
| Heifer, one-year old | .67 |

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|---|------|
| Heifer, two-year old | .85 |
| Heifer, three-year old | 1.00 |
| Horse, mature | 1.00 |
| Horse with colt | 1.50 |
| Colt, weaned | .75 |
| Ewe, mature | .20 |
| Ewe, with lamb | .20 |
| Lamb, weaned | .10 |
| Lamb, under six months | .20 |
| Ram, mature | .50 |
| Goat, mature | .20 |
| Goat with kid | .20 |
| Kid, weaned | .05 |
| Kid, under six months | .10 |
| Hog, mature | .50 |
| Hog, weaned | .20 |
| Fowl: hens, roosters, or ducks or similar | .10 |
| Fowl: turkeys or geese or similar | .25 |

Livestock units for animals not listed herein shall be determined by the planning director.

(Ord. 04-5 (part), 2004; Ord. 96-5 (part), 1996)

17.08.670 Lot.

"Lot" when used alone, means, unless the context clearly indicates otherwise, "zoning lot" as defined in this title.

(Prior code § 17.20.330)

17.08.680 Lot, corner.

"Corner lot" means a zoning lot at the junction of and abutting on two or more intersecting streets when the interior angle of intersection does not exceed one hundred thirty-five degrees. Any zoning lot adjoining a curved street at a point where the street boundary described an arc subtended by an angle of one hundred thirty-five degrees or less, shall be considered a "corner lot."

(Prior code § 17.20.335)

17.08.690 Lot depth.

"Lot depth" means the mean horizontal distance between the front and rear lot lines, measured in the general direction of the side lot lines.

(Prior code § 17.20.340)

17.08.700 Lot, interior.

"Interior lot" means a zoning lot other than a corner lot.

(Prior code § 17.20.345)

17.08.710 Lot line, rear.

"Rear lot line" means the lot line generally opposite or parallel to the front street line. If a rear lot line is less than ten feet long, or the lot comes to a point at the rear, the rear lot line is assumed to be a line at least ten feet long, lying wholly within the lot, parallel to the front street line or, if the front street line is curbed, parallel to the chord of the arc of the front street line.

(Prior code § 17.20.350)

17.08.720 Lot, record.

"Record lot" means land designated as a separate and distinct parcel on a legally recorded subdivision plat or in a legally recorded deed filed in the records of Yellowstone County, Montana.

(Prior code § 17.20.355)

17.08.730 Lot width.

"Lot width" means the average width of the lot.

(Prior code § 17.20.360)

17.08.740 Lot, zoning.

"Zoning lot" means a tract of land occupied or to be occupied by a principal building and its accessory buildings, together with such open spaces and yards as are required under the provisions of this title, having not less than the minimum area required by this title for a zoning lot in the district in which such land is situated and having its principal frontage on a street or a permanent, exclusive, nonobstructed easement of access or right-of-way to a street, not less than twenty feet wide. A "zoning lot" need not necessarily coincide with a "record lot" as herein defined.

(Prior code § 17.20.365)

17.08.750 Marquee.

"Marquee" means a fixed shelter used only as a roof and extending beyond a building line and which is entirely supported by the building to which it is attached.

(Prior code § 17.20.370)

17.08.760 Medical marijuana cultivation facility or cultivation facility.

"Medical marijuana cultivation facility" or "cultivation facility" shall mean a building, structure or premises used for the cultivation or storage of medical marijuana that is physically separate and off site from any medical marijuana dispensary and that is designated as part of the premises of a medical marijuana dispensary licensed pursuant to Title 5, Chapter 5.70 of the Laurel Municipal Code. The city shall not license a medical marijuana cultivation facility or cultivation facility within one thousand feet of any private or public preschool, elementary,

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secondary, vocational or trade school, any child care center, place of worship or religious assembly, any public or private park, pool, playground or recreational facility, any juvenile or adult halfway house, correctional facility, or substance abuse rehabilitation or treatment center as provided in Title 5, Chapter 5.70.050.

(Ord. No. O11-01, 2-15-2011)

17.08.761 Medical marijuana dispensary or dispensary.

"Medical marijuana dispensary" or "dispensary" shall mean a property or structure used to sell, distribute, transmit, give, dispense or otherwise provide marijuana in any manner to patients or primary caregivers pursuant to the authority contained in MCA § 50-46-101 et. seq. and the implementing administrative regulations promulgated thereto. The city shall not license a medical marijuana dispensary facility or dispensary facility within one thousand feet of any private or public preschool, elementary, secondary, vocational or trade school, any child care center, place of worship or religious assembly, any public or private park, pool, playground or recreational facility, any juvenile or adult halfway house, correctional facility, or substance abuse rehabilitation or treatment center as provided in Title 5, Chapter 5.70.050.

(Ord. No. O11-01, 2-15-2011; Ord. No. O11-03, 3-1-2011)

17.08.762 Mobile home.

See "Manufactured home parks, travel trailer parks and individual manufactured homes.

(Ord. 96-5 (part), 1996: prior code § 17.20.375)

(Ord. No. O11-01, 2-15-2011)

17.08.763 Manufactured home parks, travel trailer parks and individual manufactured homes.

The following definitions shall be utilized in determining the appropriate classification of manufactured homes, modular homes and travel trailers:

1. "Manufactured home" means a dwelling unit that: (a) is not constructed in accordance with the standards set forth in the Uniform Building Code, applicable to site-built homes; and (b) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis; and (c) exceeds forty feet in length and eight feet in width.
2. Manufactured Home, Class A. "Class A manufactured home" means a manufactured home constructed after January 1, 1990, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies each of the following additional criteria:
 - a. The home has a length not exceeding four times its width;
 - b. The pitch of the unit's roof has a minimum vertical rise of one foot for each five feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction;

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- c. The standard siding consists of wood, hardboard or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction;
 - d. A continuous, permanent masonry foundation, unpierced except for required ventilation and access, is installed under the home; and
 - e. The tongue, axles, transporting lights and removable towing apparatus are removed after placement on the lot and before occupancy.
3. **Manufactured Home, Class B.** "Class B manufactured home" means a manufactured home constructed after January 1, 1990, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction but that does not satisfy the criteria necessary to qualify the house as a Class A manufactured home.
 4. **Manufactured Home, Class C.** "Class C manufactured home" means any manufactured home that does not meet the definitional criteria of a Class A or Class B manufactured home.
 5. "Manufactured home park" means a residential use in which more than one manufactured home is located on a single lot.
 6. "Modular home" means a dwelling unit constructed in accordance with the standards set forth in the Uniform Building Code, applicable to site-built homes, and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two sections transported to the site in a manner similar to a manufactured home (except that the modular home meets the Uniform Building Code Standards applicable to site-built homes), or a series of panels or room sections transported on a truck and erected or joined together on the site.

(Ord. 96-5 (part), 1996)

(Ord. No. O11-01, 2-15-2011)

17.08.770 Motel.

"Motel" means a group of attached or detached buildings containing individual sleeping units where a majority of such units open individually and directly to the outside, and where a garage is attached to or a parking space is conveniently located at each unit, all for the temporary use by automobile tourist or transient, and such word shall include tourist courts, motor courts, automobile courts and motor lodges.

(Prior code § 17.20.380)

17.08.780 Motor vehicle parts salvage yard.

"Motor vehicle parts salvage yard" means the use of not more than fifty percent of the premises of a motor vehicle repair garage or motor vehicle body repair shop for the storage of motor vehicles for dismantling and sale of used parts thereof.

(Prior code § 17.20.385)

17.08.790 Nonconforming use.

The use of a building or other structure or of a tract of land which does not conform to the use or regulations of this title for the district in which it is located, either at the effective date of the ordinance codified in this title, or as a result of subsequent amendments which may be incorporated into this title.

(Prior code § 17.20.390)

17.08.800 Off-street parking space.

"Off-street parking space" means an off-street area for parking of one motor vehicle having an all-weather surface, shall have a width of not less than twelve feet when directly connected to a driveway approach; in all other instances the width shall be not less than ten feet; in both instances the length shall be not less than twenty feet. Easy access to a street shall be provided by a driveway having an all-weather surface.

(Prior code § 17.20.395)

17.08.810 Parking lot.

"Parking lot" means any land legally used for the parking of motor vehicles.

(Prior code § 17.20.400)

17.08.820 Residential district.

"Residential district" means any RE, R-7500, R-6000, RLMF, PUD, RMH, or RP district.

(Prior code § 17.20.405)

17.08.830 Outdoor advertising display.

"Outdoor advertising display" means card, cloth, paper and metal painted signs, wooden, plaster, stone or other sign of any kind or character whatsoever placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. The term "placed" as used in the definition of "outdoor advertising sign" and "outdoor advertising structure" shall include erecting, construction, posting, painting, printing, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing or making visible in any manner whatsoever. See also definition for "sign."

(Prior code § 17.20.410)

17.08.840 Pasture.

"Pasture" means an area confined within a fence or other physical barrier and which area is used for grazing or roaming of livestock.

(Prior code § 17.20.415)

17.08.850 Planning board.

"Planning board" means the Laurel-Yellowstone city-county planning board as authorized under the provisions of 76-1-101 to 76-1-606, MCA 1979.

(Prior code § 17.20.425)

17.08.860 Planning director.

"Planning director" means the individual appointed by the chief executive in accordance with 76-1-306(1)(3), MCA, 1979, and whose duties and responsibilities shall include, directing the planning and administrative activities of the planning department serving as the technical adviser to the planning board, zoning commission, board of adjustment and city council.

(Prior code § 17.20.420)

17.08.870 Planned unit development.

"Planned unit development" means a land development project consisting of residential clusters, industrial parks, shopping centers, office building parks, or any combination thereof which compromises a planned mixture of land uses built in a prearranged relationship to each other and having open space and community facilities in common ownership or use.

(Prior code § 17.20.430)

17.08.875 Post-secondary school.

"Post-secondary school" means a community college, a unit of the Montana University System, or a private university or college.

(Ord. 04-1 (part), 2004)

17.08.877 Preschool.

"Preschool" means a place or facility that provides, on a regular basis and as its primary purpose, educational instruction designed for children five years of age or younger and that: (a) serves no child under five years of age for more than three hours a day; and (b) serves no child five years of age for more than six hours a day. See also "Child care facilities" of this chapter.

(Ord. 04-1 (part), 2004)

17.08.880 Principal use.

"Principal use" means the primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

(Prior code § 17.20.435)

17.08.890 Public use zone.

"Public use zone" means a separate zone intended to reserve land for public and semipublic uses.

(Prior code § 17.20.443)

17.08.900 Public utility.

"Public utility" means a private business, performing a public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either or which are paid for directly by the recipients thereof. Such services shall include but are not limited to, water supply, electric power, gas and transportation for persons and freight.

(Prior code § 17.20.445)

17.08.910 Recreational area, commercial.

"Commercial recreational area" means an area operated for profit and devoted to facilities and equipment for recreational purposes, including swimming pools, tennis courts, skiing, horseback riding, playgrounds and other similar uses, whether the use of such area is limited to private membership or whether open to the public upon the payment of a fee or service charge.

(Prior code § 17.20.450)

17.08.920 Recreational area, noncommercial.

"Noncommercial recreational area" means an area devoted to facilities and equipment for recreational purposes, swimming pools, tennis courts, playgrounds, community club houses and other similar uses maintained and operated by a nonprofit club, homeowner's association or other corporate structure and whose membership is limited to the residents within the area.

(Prior code § 17.20.455)

17.08.950 Row housing.

"Row housing" means a building which has not less than three one-family dwelling units erected in a row as a single building on adjoining lots, each being separated from the adjoining unit or units by an approved masonry party wall or walls extended from the basement or cellar floor to the roof along the dividing lot line; and each such building being separated from any other building by space on all sides.

(Prior code § 17.20.470)

17.08.960 Salvage yards.

See "motor vehicle parts salvage yards."

(Prior code § 17.20.475)

17.08.970 Sanitarium.

"Sanitarium" means a facility where resident patients are kept, and which specializes in giving clinical, temporary and emergency services of medical or surgical nature to human patients, and licensed by the state to provide facilities and services in surgery, obstetrics and general medical practice.

(Prior code § 17.20.480)

17.08.980 School.

"School" means a place or institution for the teaching of individuals, the curriculum of which is composed of the work of any combination of kindergarten through grade twelve, a post-secondary school or a preschool.

(Ord. 04-1 (part), 2004: prior code § 17.20.485)

17.08.990 School, commercial.

"Commercial school" means a building where instruction is given to pupils in arts, crafts or trades, and operated as a commercial enterprise as distinguished from schools endowed and/or supported by taxation.

(Ord. 04-1 (part), 2004: prior code § 17.20.490)

17.08.1010 Secondhand store.

"Secondhand store" means a retail establishment in which the principal portion of the articles, commodities, or merchandise handled, offered for sale, or sold on the premises is used or not new. Antique stores are exempted.

(Prior code § 17.20.500)

17.08.1020 Service station, automobile gasoline and motor fuels.

"Service station, automobile gasoline and motor fuels" means a use which provides for drive-in type business in which service can be provided without a customer leaving the vehicle. It may also include the following:

- A. The servicing of motor vehicles and operations incidental thereto but not necessarily limited to the retail sale of petroleum products and automotive accessories, automobile waxing and polishing, tire changing and repairing (excluding recapping), battery service, charging and replacement, excluding repair and rebuilding, radiator cleaning and flushing, excluding steam cleaning and repair, and installation of accessories;
- B. The following operation, if conducted within a building: Lubrication of motor vehicles, brake servicing limited to servicing and replacement of brake cylinders, lines and brake shoes, wheel balancing, the testing, adjustment, and replacement or servicing of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water and fuel pumps, water hoses and wiring, replacing mufflers and shock absorbers.

(Prior code § 17.20.505)

17.08.1030 Sign.

"Sign" means any device intended for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public; provided, however, that the following shall not be included in the application of the regulations herein:

- A. Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations;
- B. Flags and insignias of any government except where displayed in connection with commercial promotion;
- C. Legal notices, identification, information, or directional signs erected or required by governmental bodies;
- D. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights;
- E. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter;
- F. Real estate "For Sale" signs ten sq. feet or less in size;
- G. Package containers, designed for the purpose of holding letters, parcel post, packages and delivery service orders;
- H. Temporary political campaign signs.

(Prior code § 17.20.510)

17.08.1040 Stable, private.

"Private stable" means a detached accessory building in which animals are kept entirely for the use of the owner or members of the immediate family.

(Prior code § 17.20.515)

17.08.1050 Stable, nonprofit or commercial.

"Nonprofit or commercial stable" means a structure and customary accessory buildings owned and operated by a nonprofit association or club conducted for the exclusive use of its members or guests; or a structure and customary accessory buildings operated for the boarding, rental, or sale of horses and other animals, and otherwise used by the general public.

(Prior code § 17.20.520)

17.08.1060 Story.

"Story" means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it. A basement shall be counted as a story if its ceiling is more than five feet above the level from which the height of the building is measured.

(Prior code § 17.20.525)

17.08.1070 Story, half.

"Half story" means a story with at least two opposite exterior sides meeting at a sloping roof not more than two feet above the floor of such story.

(Prior code § 17.20.530)

17.08.1080 Street.

"Street" means a public thoroughfare which affords principal means of access to abutting property.

(Prior code § 17.20.535)

17.08.1090 Structural alteration.

"Structural alteration" means any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any structural change in the roof, or dimension of the rooms therein.

(Prior code § 17.20.540)

17.08.1100 Structure.

"Structure" means anything constructed or erected, which requires location on the ground or is attached to something having a location on the ground; including but not limited to buildings, advertising signs, billboards, and poster panels; but not including customary fences or boundary or retaining walls.

(Prior code § 17.20.545)

17.08.1110 Theater, drive-in.

"Drive-in theater" means an establishment to provide entertainment through projection of motion pictures on an outdoor screen for audiences whose seating accommodations are provided by their own motor vehicles parked in car spaces provided on the same site with the outdoor screen.

(Prior code § 17.20.550)

17.08.1120 Trailer or mobile home.

See "Manufactured home parks, travel trailer parks and individual manufactured homes."

(Ord. 96-5 (part), 1996: prior code § 17.20.555)

17.08.1130 Travel trailer.

"Travel trailer" means a portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation use. When factory- equipped for the road, it shall have a maximum dimension of eight by thirty-two feet.

(Prior code § 17.20.560)

17.08.1160 Uniform building codes.

"Uniform building codes" means the currently adopted set of regulations in effect concerning building in the city, as defined in Section 17.08.160 of this chapter, and as utilized in the zoning jurisdiction of the city and in that area around Laurel in which Laurel enforces the building code.

(Ord. 96-5 (part), 1996: prior code § 17.20.575)

17.08.1170 Use.

"Use" means the term referring to:

- A. Any purpose for which buildings, other structures or land may be arranged, designed, intended, maintained or occupied; and
- B. Any occupation, business, activity or operation carried on (or intended to be carried on) in a building or other structure or on land; or
- C. A name of a building, other structure or tract of land which indicates the purpose for which it is arranged, designed, intended, maintained or occupied.

(Prior code § 17.20.580)

17.08.1180 Usable open space.

"Usable open space" means space on the same lot and contiguous to the principal building or buildings and which is either landscaped or developed and maintained for recreational purposes and excludes that portion of the lot which is utilized for off-street parking or loading space or for front yard setback requirements.

(Prior code § 17.20.585)

17.08.1190 Uses permitted.

"Uses permitted" means any use permitted by the regulations of this title. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

(Prior code § 17.20.590)

17.08.1200 Variance.

"Variance" means an adjustment in the application of the specific regulations of this title to a particular piece of property which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity or zone.

(Prior code § 17.20.595)

17.08.1210 Yard, front.

"Front yard" means a yard extending across the full width of the lot and lying between the front line of the lot and the nearest line of the principal building.

(Prior code § 17.20.600)

17.08.1220 Yard, rear.

"Rear yard" means a yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the principal building.

(Prior code § 17.20.605)

17.08.1230 Yard, side.

"Side yard" means a yard between the sideline of the lot and the nearest line of the principal building and extending from the front yard to the rear yard, or, in the absence of either side yards, is a front or rear lot line, respectively, no case being closer than four feet. The first two feet of the overhang shall not be subtracted from the allowable side yard spacing; provided, that the overhang is not closer than four feet to the property line.

(Prior code § 17.20.610)

17.08.1240 Yard.

"Yard" means an open space of uniform width or depth on the same zoning lot with a building or group of buildings, which open space lies between the buildings or group of buildings and the nearest lot line and is unoccupied and unobstructed, from the ground upward except as may be specifically provided in this title. In measuring a yard, the line of a building shall be deemed to mean a line parallel to the nearest lot line drawn through the point of a building or group of buildings nearest to such lot line, exclusive of such features specified as not to be considered in measuring yard dimensions or as being permitted to extend into a yard, and the measurements shall be taken at right angles from the line to the building to the nearest lot line.

(Prior code § 17.20.615)

Chapter 17.12 ZONING DISTRICTS ESTABLISHED

Sections:

17.12.010 Intent.

It is the intent of this chapter to establish zones wherein compatible uses of land may be located to create, protect, and maintain a desirable living environment, to stabilize and protect residential harmony and to conduct a profitable business. It is also the intent of this chapter to make it possible to efficiently and economically design and install public facilities in terms of size and capacity to adequately meet the needs resulting from a defined intensity of land use.

(Prior code § 17.24.010)

17.12.020 Districts designated.

In order to carry out the provisions of this title, the city and other areas so authorized by the county commissioners or state statute, is divided into the following zoning districts in which the erection, construction, alteration, reconstruction, repair or use of buildings, structures, and land shall be regulated and restricted. The regulations in each district shall be uniform throughout each district but may differ from those in other districts. The districts are designated as follows:

-
- A. AO — Agricultural-Open Space;
 - B. R-7500 — Residential-7500;
 - C. R-6000 — Residential-6000;
 - D. RLMF — Residential Light Multifamily;
 - E. RMF — Residential Multifamily;
 - F. RMH — Residential Manufactured Home;
 - G. PUD — Planned Unit Development;
 - H. RP — Residential Professional;
 - I. NC — Neighborhood Commercial;
 - J. CBD — Central Business District;
 - K. CC — Community Commercial;
 - L. HC — Highway Commercial;
 - M. LI — Light Industrial;
 - N. HI — Heavy Industrial;
 - O. AP — Airport;
 - P. FP — Floodplain;
 - Q. P — Public;
 - R. SR — Suburban Residential Zone;
 - S. RT — Residential Tracts Zone;
 - T. RE-22,000 — Residential Estates 22,000.

(Ord. 01-4 (part), 2001; amended during 4-97 supplement; prior code § 17.24.020)

17.12.030 Agricultural-open space (AO) zone.

The agricultural-open space zone is intended to preserve land for agricultural and related use. Land within this zone is usually unsubdivided and with a minimum of roads, streets, and other utilities. It may be cultivated acreage or land less suitable for cultivation, yet suitable for various agricultural enterprises using the broadest scope of the agricultural definition. Land within this zone may be located adjacent to highways and arterial streets. The AO zone is further intended to discourage the scattered intrusion of uses not compatible with an agricultural rural environment.

(Prior code § 17.24.020(A))

17.12.031 Suburban residential (SR) zone.

This zone is limited to single-family residential tracts on a minimum of five acres of land and on which agricultural uses may be conducted with the exception that animal units shall not exceed ten per five acres (see "Livestock units" in Section 17.08.651).

(Ord. 04-5 (part), 2004; Ord. 96-5 (part), 1996)

17.12.034 Residential tracts (RT) zone.

This residential zone is designed for single-family residential homes on a minimum of one acre of land. Livestock is limited to two livestock units per acre with additional units allowed per additional half-acre increments in conformance with Section 17.08.651 of this code. No livestock is allowed in the city limits, and all livestock must be removed when annexation occurs.

(Ord. 04-5 (part), 2004; Ord. 96-5 (part), 1996)

17.12.040 Residential estates-22,000 (RE-22,000) zone.

This zone is intended to provide of low-density, single-family, residential development in areas near or adjacent to the city that are served by either central water or sewer systems.

(Ord. 01-4 (part), 2001)

17.12.050 Residential-7500 (R-7500) zone.

The residential-7500 zone is intended to provide an area for medium, urban-density, single-family, residential environment on lots that are served by a public sewer and sewer system.

(Prior code § 17.24.020(C))

17.12.060 Residential-6000 (R-6000) zone.

The residential-6000 zone is intended to promote an area for a high, urban-density, duplex residential environment on lots that are usually served by a public water and sewer system.

(Prior code § 17.24.020(D))

17.12.070 Residential light multifamily (RLMF) zone.

The residential light multifamily zone is intended to provide a suitable residential environment for medium density (up to a fourplex) residential dwellings. The area is usually served by a public water and sewer system.

(Prior code § 17.24.020(E))

17.12.080 Residential multifamily (RMF) zone.

The residential multifamily zone is intended to provide a suitable residential environment for medium to high density residential dwellings; and to establish, where possible, a buffer between residential and commercial zones.

(Prior code § 17.24.020(F))

17.12.090 Residential manufactured home (RMH) zone.

The residential manufactured home zone is intended to provide a suitable residential environment for individual manufactured homes, manufactured home parks, and competitive accessory uses.

(Ord. 96-5 (part), 1996; prior code § 17.24.020(G))

17.12.100 Planned unit development (PUD) zone.

The planned unit development zone is intended to provide a district in which the use of the land is for the development of residential and commercial purposes, as an integrated unit.

(Prior code § 17.24.020(H))

17.12.110 Residential professional (RP) zone.

The residential professional zone is intended to permit professional and semiprofessional uses compatible with surrounding residential development.

(Prior code § 17.24.020(I))

17.12.120 Neighborhood commercial (NC) zone.

The neighborhood commercial zone is intended to accommodate shopping facilities consisting of convenience retail and personal service establishments which secure their principal trade by supplying the daily needs of the population residing within a one-half mile radius of such neighborhood facilities. The location and quantity of land within the NC zone should be a business island not more than four acres in size and that no business frontage should extend more than six hundred feet along any street.

(Prior code § 17.24.020(J))

17.12.130 Central business district (CBD) classification.

The central business district classification is intended to primarily accommodate stores, hotels, governmental and cultural centers and service establishments at the central focal point of the city's transportation system.

(Prior code § 17.24.020(K))

17.12.140 Community commercial (CC) classification.

The community commercial classification is primarily to accommodate community retail, service and office facilities offering a greater variety than would normally be found in a neighborhood or convenience retail development. Facilities within the classification will generally serve an area within a one and one-half mile radius, and is commensurate with the purchasing power and needs of the present and potential population within the trade area. It is intended that these business facilities be provided in business corridors or islands rather than a strip development along arterials.

(Prior code § 17.24.020(L))

17.12.150 Highway commercial (HC) district.

The purpose of the highway commercial district is to provide areas for commercial and service enterprises which are intended primarily to serve the needs of the tourist, traveler, recreationist, or the general traveling public. Areas designated as highway commercial should be located in the vicinity of, and accessible from freeway interchanges, intersections in limited access highways, or adjacent to primary or secondary highways. The manner in which the services and commercial activities are offered should be carefully planned in order to minimize the

hazard to the safety of the surrounding community and those who use such services; and to prevent long strips of commercially zoned property.

(Prior code § 17.24.020(M))

17.12.160 Light industrial (LI) classification.

A light industrial classification is intended primarily to accommodate a variety of business warehouse and light industrial uses related to wholesale plus other business and light industries not compatible with other commercial zones, but which need not be restricted in industrial or general commercial zones, and to provide locations directly accessible to arterial and other transportation systems where they can conveniently serve the business and industrial center of the city and surrounding area.

(Prior code § 17.24.020(N))

17.12.170 Heavy industrial (HI) district.

A district intended to accommodate manufacturing, processing, fabrication, and assembly of materials and products. Areas designated as heavy industry should have access to two or more major transportation routes, and such sites should have adjacent space for parking and loading facilities.

(Prior code § 17.24.020(O))

17.12.180 Airport (AP) zone.

The airport zone is designated to preserve existing and establish new compatible land uses around the Laurel airport.

(Prior code § 17.24.020(P))

17.12.190 Floodplain (FP) zone.

The floodplain zone is designed to restrict the types of uses allowed within the areas designated as the floodplain and floodways as officially adopted by the Montana Board of Natural Resources and Conservation, Helena, Montana.

(Prior code § 17.24.020(Q))

17.12.200 Public (P) zone.

The public zone is intended to reserve land exclusively for public and semipublic uses in order to preserve and provide adequate land for a variety of community facilities which serve the public health, safety and general welfare.

(Prior code § 17.24.020(R))

17.12.210 District boundaries and zoning map.

The location and boundaries of districts established in the city are shown on the official zoning map of the city. This map is entitled "Zoning Map of the City of Laurel, Montana," and is on file in the office of the city clerk-

treasurer. This map is hereby made a part of this chapter. This map shall reflect the ordinances adopted prior to this date and all ordinances adopted after this date relating to the boundaries of zoning districts. The city engineer shall show changes upon the official zoning map of the city in accordance with such ordinances as they are from time to time enacted.

(Ord. 97-2 § 4 (part), 1997; prior code § 17.24.030)

(Ord. No. 008-03, 3-18-08)

17.12.220 Interpretation of district boundaries.

Where uncertainties exist as to the boundaries of the various districts as shown on the zoning map accompanying and made a part of this title, the following rules shall apply:

- A. District boundary lines are intended to follow street, alley or lot lines, or lines parallel to or perpendicular thereto, unless such district boundary lines are fixed by dimensions as shown on the zoning map;
- B. Where district boundaries are indicated as approximately following street or alley lines or proposed street or alley lines, such lines shall be construed to be such boundaries;
- C. Where district boundaries are so indicated that they approximately follow lot lines and are not more than ten feet distant therefrom, such lot lines shall be such boundaries;
- D. Where land within the city limits is not subdivided into lots and blocks or where district boundary lines are not approximately street, alley, or lot lines, the district boundary lines on the zoning map shall be determined by the scale shown on such map, and where uncertainty exists, the district boundary line shall be determined by the zoning commission by written decision. If land within the city limits has been or is subsequently subdivided into lots and blocks by a duly recorded subdivision map and the lot and block arrangement does not conform to that anticipated when the district boundaries were established, or property is resubdivided by a duly recorded subdivision map into a different arrangement of lots and blocks than shown on the zoning map, the zoning commission, after notice to the property affected thereby and a public hearing, may interpret the zoning map and make minor readjustments in the district boundaries in such a way as to carry out the intent and purpose of these regulations and conform to the street and lot layout of the ground. Such interpretations or adjustments shall be by written decision, and thereafter the copies of the zoning map in the office of the city building inspector shall be changed to conform thereto;
- E. Any street, alley or railroad right-of-way, watercourse, channel or body of water, included in the zoning map shall, unless otherwise indicated, be included in the zoning district of adjoining property on either side thereof. Where such a street, alley, right-of-way, watercourse, channel or body of water serves as a boundary between two or more different zoning districts, a line midway in such street, alley, right-of-way, watercourse, channel or body of water, and extending in the general direction of the long dimension thereof shall be considered the boundary between zones. If a dedicated street or alley shown on the zoning map is vacated by ordinance, the property formerly in the street or alley shall be included within the zone of the adjoining property on either side of the vacated street or alley. In the event the street or alley was a zone boundary between two or more different zones, the new zone boundary shall be the former center line of the vacated street or alley;
- F. All land or territory annexed to the city after the date of adoption of this section shall immediately become classified as an R-7500 residential district and the zoning map shall thereupon be amended to indicate such land or territory in the R-7500 residential district without additional procedure.
- G. The hearing for annexation and zone change may be held at the same time.

(Ord. 01-4 (part), 2001; prior code § 17.24.040)

Chapter 17.16 RESIDENTIAL DISTRICTS

Sections:

17.16.010 List of uses.

Table 17.16.010 designates the special review (SR) and allowed uses (A) in residential districts.

(Ord. 04-1 (part), 2004; Ord. 01-4 (part), 2001; Ord. 99-22, 1999; Ord. 96-5 (part), 1996; Ord. 1049, 1992; Ord. 1026, 1992; Ord. 997, 1991; prior code § 17.28.010)

17.16.020 Zoning classified in districts.

Zoning for residential districts is classified in and subject to the requirements of Table 17.16.020.

(Ord. 06-12 (part), 2006; Ord. 06-06 (part), 2006; Ord. 05-13, 2005; Ord. 99-23, 1999; Ord. 96-5 (part), 1996; Ord. 94-5, 1994; Ord. 1068, 1993; Ord. 1065, 1993; Ord. 820, 1985; prior code § 17.28.020)

Table 17.16.010

| | RE 22,000 | R 7,500 | R 6,000 | RLMF | RMF | RMH | PUD | SR | RT |
|--|--------------|------------|------------|------|-----|-----|-----|----|----|
| Accessory building or use incidental to any permitted residential use customarily in connection with the principal building and located on the same land parcel as the permitted use | | A | A | A | A | A | A | A | A |
| Animals (see zoning district description for specifics) | | | | | | | | A | |
| Automobile parking in connection with a permitted residential use | | A | A | A | A | A | A | A | A |
| Bed and breakfast inn | | SR | SR | SR | SR | SR | SR | SR | SR |
| Boarding and lodging houses | | SR | SR | SR | SR | SR | SR | SR | SR |
| Cell towers (see Sections 17.21.020—17.21.040) | | | | | | | | | |
| Cemetery | | SR | SR | SR | SR | SR | SR | SR | |
| Child care facilities | | | | | | | | | |
| Family day care home | | A | A | A | A | A | A | A | A |
| Group day care home | | A | A | A | A | A | A | A | A |
| Day care center | | SR | SR | SR | SR | SR | SR | SR | SR |
| Churches and other places of worship including parish house and Sunday school buildings | | SR | SR | SR | SR | SR | SR | A | SR |
| Communication towers (see Sections 17.21.020—17.21.040) | | | | | | | | | |

| | | | | | | | | | |
|---|--|----|----|----|----|----|----|----|----|
| Community residential facilities serving eight or fewer persons | | A | A | A | A | A | A | A | A |
| Community residential facilities serving nine or more persons | | SR | SR | SR | SR | SR | SR | SR | SR |
| Orphanages and charitable institutions | | SR | SR | SR | SR | SR | SR | A | SR |
| Convents and rectories | | SR | SR | SR | SR | SR | SR | A | SR |
| Crop and tree farming, greenhouses and truck gardening | | | | | | | | | |
| Day care facilities | | SR | SR | SR | SR | SR | SR | SR | SR |
| Kennels (noncommercial) | | A | A | A | A | A | A | A | A |
| Dwellings Single-family | | A | A | A | A | A | A | A | A |
| Two-family | | | A | A | A | | A | | |
| Multifamily | | | | A | A | | A | | |
| Manufactured homes | | | | | | | | | |
| Class A | | | | | | A | | | |
| Class B | | | | | | A | | | |
| Class C | | | | | | A | | | |
| Row Housing | | | | SR | SR | | A | | |
| Family day care homes | | A | A | A | A | A | A | A | A |
| Greenhouses for domestic uses | | A | A | A | A | A | A | A | A |
| Group day care homes | | A | A | A | A | A | A | A | A |
| Home occupations | | A | A | A | A | A | A | A | A |
| Parking, public | | SR | SR | SR | SR | SR | SR | SR | SR |
| Parks, playgrounds, playfields, and golf courses community center buildings—operated by public agency, neighborhood or homeowners' associations | | A | A | A | A | A | A | A | A |
| Planned developments | | | | | | | A | | |
| Post-secondary school | | A | A | A | A | A | A | A | A |
| Preschool | | SR | SR | SR | SR | SR | SR | SR | SR |
| Public service installations | | SR | SR | SR | SR | SR | SR | SR | SR |
| Schools, commercial | | SR | SR | SR | SR | SR | SR | SR | SR |
| Schools, public elementary, junior and senior high schools | | A | A | A | A | A | A | A | A |
| Towers (see Sections 17.21.020—17.21.040) | | | | | | | | | |

Table 17.16.020

| Zoning Requirements | R 7,500 | R 6,000 | RLMF | RMF | RMH | PUD | SR | RT |
|---|---------|---------|------|-----|-----|-----|----|----|
| Minimum lot area per dwelling unit in square feet | | | | | | | | |

| | | | | | | | | |
|---|-------|----------------|--------------------|--------------------------------|--------------------|---------|-----------------|--------|
| One unit | 7,500 | 6,000 | 6,000 ¹ | 6,000 ¹ | 6,000 ³ | See | 5 acres | 1 acre |
| Two units | | 7,500 | 7,500 | 7,750 | | Chapter | | |
| Three units | | 8,500 | 8,500 | 9,500 | | 17.32 | | |
| Four units | | | 10,000 | 11,250 | | | | |
| Five units | | | | 13,000 | | | | |
| Six units and more | | | | Add 2,500 each additional unit | | | | |
| Minimum yard—setback requirements (expressed in feet) and measured from public right-of-way | | | | | | | | |
| Front | 20 | 20 | 20 | 20 | 10 | | 25 ⁵ | 25 |
| Side | 5 | 5 ⁴ | 5 ⁴ | 5 ⁴ | 5 | | 5 ⁵ | 5 |
| Side adjacent to street | 20 | 20 | 20 | 20 | 20 | | 10 ⁵ | 10 |
| Rear | 5 | 5 | 5 | 5 | 5 | | 25 ⁵ | 25 |
| Maximum height for all buildings | 30 | 35 | 35 | 40 | 30 | | 30 | 30 |
| Maximum lot coverage (percentage) | 30 | 30 | 40 | 45 | 40 | | 15 | 30 |
| Minimum district size (expressed in acres) | 2.07 | 2.07 | 2.07 | 2.07 | 2.07 | | 20 | 5 |

¹ Row housing may be permitted to be constructed on 3,000 square foot lots if approved through the special review process.

² NA means not applicable.

³ The requirements for the mobile homes contained herein relate only to a mobile home subdivision; see Chapter 17.44 of this code for the requirements for a mobile home park.

⁴ Zero side setbacks may be permitted if approved through the special review process.

⁵ All pens, coops, barns, stables, or permanent corrals shall be set back not less than 50 feet from any residence, public road, or water course, and any property line.

(Ord. No. O-15-05, 7-21-2015)

Chapter 17.20 COMMERCIAL—INDUSTRIAL USE REGULATIONS

Sections:

17.20.010 List of uses.

Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

(Ord. 04-1 (part), 2004; Ord. 01-4 (part), 2001; Ord. 96-5 (part), 1996; Ord. 998, 1991; Ord. 923, 1987; Ord. 922, 1987; Ord. 917, 1987; prior code § 17.32.010)

17.20.020 Zoning classified in districts.

Zoning for commercial — industrial use is classified in and subject to the requirements of Table 17.20.020.

(Prior code § 17.32.020)

| Table 17.20.010 | | | | | | | | | |
|---|----|----|----|-----|----|----|----|----|----|
| | AG | RP | NC | CBD | CC | HC | LI | HI | P |
| Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use | A | A | A | A | A | A | A | A | A |
| Airports | A | | | | | | | | A |
| Alcoholic beverages manufacturing and bottling (except below): | | | | | | | A | A | |
| 1,500 to 5,000 31-gallon barrels per year | | | | SR | SR | SR | A | A | |
| Less than 1,500 gallon barrels per year | | | | A | A | A | A | A | |
| Ambulance service | | | A | A | A | A | A | A | |
| Antique store | | | | A | A | A | A | | |
| Appliance - (household) sales and service | | | A | A | A | A | A | | |
| Assembly halls and stadium | | | | | SR | SR | SR | | SR |
| Assembly of machines and appliances from previously prepared parts | | | | | SR | SR | SR | | SR |
| Auction house, excluding livestock | | | | SR | SR | A | A | A | |
| Auction, livestock | SR | | | | | | | | |
| Automobile sales (new and used) | | | | A | A | A | A | | |
| Automobile - commercial parking enterprise | | | | A | A | A | A | A | |
| Automobile and truck repair garage | | | | A | A | A | A | A | |
| Automobile service station | | | A | A | A | A | A | A | |
| Automobile wrecking yard | | | | | | | | SR | |
| Bakery products manufacturing | | | | | SR | A | A | A | |
| Bakery shops and confectioneries | | | A | A | A | A | A | | |
| Banks, savings and loan, commercial credit unions | | | A | A | A | A | A | | |

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|---|---|----|----|---|----|----|---|---|----|
| Barber and beauty shops | | | A | A | A | A | A | | |
| Bed and breakfast inns | A | | A | | A | A | | | |
| Bicycle sales and repair | | | A | A | A | A | A | | |
| Blueprinting and photostating | | | A | A | A | A | A | | |
| Boarding and lodging houses | A | | A | | A | A | | | |
| Boat building and repair | | | | | | A | A | A | |
| Boat sales new and used | | | | | A | A | A | A | |
| Boiler works (manufacturing servicing) | | | | | | | | A | |
| Boiler works (repair and servicing) | | | | | | | A | A | |
| Book and stationery store | | | A | A | A | A | A | | |
| Bottling works | | | | | | | A | A | |
| Bowling alleys | | | | A | A | A | A | | |
| Brick, tile or terra cotta manufacture | | | | | | | | A | |
| Bus passenger terminal buildings local and cross country | | | | A | A | A | A | | |
| Bus repair and storage terminals | | | | | | A | A | A | |
| Camera supply stores | | | A | A | A | A | A | | |
| Camps, public | | | | | SR | A | | | A |
| Car washing and waxing | | | | | A | A | A | | |
| Car wash - coin operated | | | A | A | A | A | A | | |
| Cement, lime and plastic manufacture | | | | | | | | A | |
| Ceramics shop | | SR | A | A | A | A | A | | |
| Chemical and allied products manufacture | | | | | | | | A | |
| Child care facilities | A | | A | | A | A | | | |
| Churches and other places of worship including parish houses and Sunday school building | A | SR | A | A | A | A | A | A | |
| Clinic, animal | A | | A | A | A | A | A | | |
| Clinics, medical and dental | | SR | A | A | A | A | A | | |
| Clothing and apparel stores | | | A | A | A | A | A | | |
| Coal or coke yard | | | | | | | | A | |
| Cold storage | | | | | A | A | A | | |
| Colleges or universities | | | A | A | A | A | | | A |
| Commercial recreation areas | | | SR | A | A | | | | A |
| Commercial food products, storage and packaging | | | | | | SR | A | A | |
| Communication towers (commercial) | A | A | A | A | A | A | A | A | SR |
| Concrete mixing plants and manufacturing of concrete products | | | | | | | A | A | |
| Construction contractors: | | | | | | | | | |
| Office | | | A | A | A | A | A | A | |
| Open storage of construction materials or equipment | | | | | | SR | A | A | |
| Community residential facilities: | | | | | | | | | |
| Adult foster family care home | A | | A | | A | A | | | |
| Community group home | A | | A | | A | A | | | |
| Halfway house | A | | A | | A | A | | | |
| Youth foster home | A | | A | | A | A | | | |

| | | | | | | | | | |
|---|----|----|----|----|----|----|----|----|----|
| Youth group home | A | | A | | A | A | | | |
| Nursing, homes, convalescent homes, orphanages, and charitable institutions | A | | A | | A | A | | | |
| Crematorium | | | | | | SR | A | A | SR |
| Creameries, dairy products manufacturing | | | | | | | A | A | |
| Creosote manufacturing or treatment plants | | | | | | | | A | |
| Department stores | | | | A | A | A | A | | |
| Drug stores | | | A | A | A | A | A | | |
| Dry kiln | | | | | | | | A | |
| Dwellings: single-family Manufactured home Class A, Class B, Class C | A | A | A | A | A | | | | |
| two family | | | A | A | A | | | | |
| multiple family | | | A | A | A | | | | |
| row housing | | | SR | SR | SR | | | | |
| Eating and drinking establishments: | | | | | | | | | |
| Cocktail lounge, restaurants, bars and taverns | | | | SR | SR | SR | SR | | |
| Restaurants (without the sale of alcoholic beverages) | | | | A | A | A | AA | | |
| Drive-in restaurants | | | | | SR | SR | SR | | |
| Extractive industries - excavations of sand and gravel | | SR | | | | | SR | | |
| Farm implements, sales and service | | | | | | A | A | A | |
| Fat rendering or production of fats and oils | | | | | | | | SR | |
| Feedlots - livestock | A | | | | | | | SR | |
| Feed and seed processing and cleaning for retail purposes | | | | | | | | | |
| Feed and seed - farm and garden retail sales | | | | | A | A | A | | |
| Fertilizer manufacturing | | | | | | | | SR | |
| Fertilizer wholesale sales | | | | | | SR | SR | A | |
| Fertilizer - retail sales | | | | | A | A | A | | |
| Florist, wholesale sales | SR | | | | A | A | A | | |
| Florist, retail sales | | | A | A | A | A | A | | |
| Flour mills | | | | | | | SR | SR | |
| Food products manufacturing, storage and processing | | | | | | SR | SR | A | |
| Food stores (retail only) | | | | A | A | A | A | | |
| Food stores (retail only) - 3000 sq. ft. | | | A | A | A | A | A | | |
| Foundry | | | | | | | | A | |
| Frozen food lockers | | | | | A | A | A | | |
| Fuel oil, gasoline and petroleum products bulk storage or sale | | | | | | A | A | A | |
| Furnace repair and cleaning | | | | | A | A | A | A | |
| Furniture and home furnishings, retail sales | | | A | A | A | A | A | | |
| Furriers, retail sales and storage | | | A | A | A | A | A | | |
| Gambling establishments | | | | A | A | A | A | | |
| Garbage, offal and animal reduction or processing | | | | | | | SR | | |

| | | | | | | | | | |
|--|---|---|---|----|----|----|----|----|----|
| Garbage and waste incineration | | | | | | | | SR | |
| Gas storage | | | | | | | | SR | |
| Gases or liquified petroleum gases in approved portable metal containers for storage or sale | | | | | | A | A | A | |
| Grain elevators | A | | | | | SR | SR | A | |
| Greenhouses | A | | | | A | A | A | A | |
| Hardware, appliance and electrical supplies, retail sales | | | | A | A | A | A | | |
| Hatcheries | A | | | | | | SR | SR | |
| Heliports | | | | SR | | SR | SR | SR | SR |
| Hobby and toy stores | | | A | A | A | A | A | | |
| Hospitals (for the care of human patients) | | | A | A | A | A | | A | |
| Hospital, animal | | A | | SR | SR | A | A | A | |
| Hotels | | | | A | A | A | | | |
| Industrial chemical manufacture except highly corrosive, flammable or toxic materials | | | | | | | | SR | |
| Irrigation equipment sales and service | | | | | | A | A | A | A |
| Jails and penal institutes | | | | | | | | | A |
| Janitor service | | | | A | A | A | A | | |
| Jewelry and watch sales | | | A | A | A | A | A | | |
| Kennels - commercial | A | | | | | SR | A | A | |
| Laboratories for research and testing | | | | | | | SR | A | A |
| Landfills - reclamation or sanitary | | | | | | | | | A |
| Laundries, steam and drycleaning plants | | | | | | | | A | A |
| Laundries, steam pressing, drycleaning and dyeing establishments in conjunction with a retail service counter under 2500 sq. ft. in size | | | A | A | A | A | A | | |
| Laundries, pick up stations | | | A | A | A | A | A | | |
| Laundries, self-service coin operated | | | A | A | A | A | A | | |
| Libraries, museums, and art galleries | | | A | A | A | A | A | | A |
| Lock and gunsmiths | | | A | A | A | A | A | | |
| Lodges, clubs, fraternal and social organizations provided that any such club establishment shall not be conducted primarily for gain | | | | A | A | A | | | |
| Lumber yards, building materials, storage and sales | | | | | | | A | A | A |
| Machine shops | | | | | | | SR | A | A |
| Manufacturing - light manufacturing not otherwise mentioned in which no excessive fumes, odors, smoke, noise or dust is created | | | | | | | SR | A | A |
| Heavy manufacturing not otherwise mentioned or blending or mixing plants | | | | | | | SR | SR | |
| Meat processing - excluding slaughter plants | | | | | | | SR | A | |
| Meat processing, packing and slaughter | | | | | | | | | SR |
| Medical marijuana cultivation facility or cultivation facility | | | | | | | | A | A |
| Medical marijuana dispensary or dispensary | | | | | | | | A | |

| | | | | | | | | | |
|--|----|----|----|----|---|----|----|---|----|
| Metal fabrication | | | | | | SR | SR | A | |
| Motorcycle sales and repair | | | | A | A | A | A | | |
| Mortuary | | | A | A | A | A | A | | |
| Motels and motor courts | | | | A | A | A | | | |
| Music stores | | | A | A | A | A | A | | |
| Office building, professional government and private office buildings in which no activity is carried on catering to retail trade and no stock of goods is maintained for sale | SR | SR | A | A | A | A | A | A | SR |
| Office equipment, supplies and service | | | A | A | A | A | A | | |
| Optician and optical supplies and sales | | | A | A | A | A | A | | |
| Oxygen manufacturing and/or storage | | | | | | | | A | |
| Paint and body shops | | | | A | A | A | A | A | |
| Paint and retail sales | | | A | A | A | A | A | | |
| Parking, public | | SR | A | A | A | A | A | A | A |
| Parks, playgrounds, playfields and golf courses, community center buildings - operated by public agency, neighborhood or homeowner's association | A | SR | | | | | | | A |
| Pawn shops | | | | A | A | A | A | | |
| Pet shops | | | A | A | A | A | A | | |
| Photographic studios | | SR | A | A | A | A | A | | |
| Planing or saw mills | | | | | | | | A | |
| Post-secondary school | A | A | A | A | A | A | | | A |
| Prefabricated building materials assembly and manufactures | | | | | | SR | A | A | |
| Preschool | A | SR | SR | SR | | | | | |
| Printing, publishing, reproduction and lithography | | | | A | A | A | A | A | |
| Processing of previously slaughtered meats, including cutting, wrapping, and freezing by freezer and locker provisioners | | | | | A | A | A | A | |
| Public utilities service installations | SR | SR | SR | A | A | A | A | A | SR |
| Public utilities storage yard | | | | | | A | A | A | SR |
| Radio and TV broadcasting stations | | | | A | A | A | A | A | |
| Radio and TV tower | | | | | | A | A | A | SR |
| Railroad yard | | | | | | | A | A | |
| Real estate office | | | A | A | A | A | A | | |
| Rental service store and yard | | | | | A | A | A | | |
| Repair and servicing of industrial equipment and machinery | | | | | | A | A | A | |
| School, commercial | | | A | A | A | A | | | A |
| Scrap yards - storage and processing | | | | | | | | A | |
| Secondhand stores and/or antique store | | | | A | A | A | A | | |
| Sheet metal shops and processing | | | | | | | A | A | |
| Shoe repair | | | | A | A | A | A | A | |
| Sign manufacturing, painting and maintenance | | | | | | A | A | A | |

| | | | | | | | | | |
|--|----|----|---|----|----|----|----|----|---|
| Sign | | | | | | | | | |
| Billboards | SR | | | | | SR | SR | SR | |
| On premises | A | SR | A | A | A | A | A | A | |
| Off premises | SR | | | SR | SR | SR | SR | SR | |
| Slaughterhouse | SR | | | | | | | SR | |
| Sporting goods sales | | | | A | A | A | A | | |
| Storage, compartmentalized storage for commercial rent | | | | | | | SR | SR | |
| Storage and warehouse and yards | | | | | | | SR | A | |
| Stone cutting, monuments manufacturing and sales | | | | | | | SR | A | |
| Sugar and sugar beet refining | | | | | | | | SR | |
| Swimming pools or beaches, public | | | | | | | | | A |
| Taxi stands | | | | A | A | A | A | | |
| Theaters, cinema, opera houses | | | | A | A | A | | | |
| Drive-in theaters | | | | | | SR | | | |
| Tire recapping and retreading | | | | | | A | A | A | |
| Trailer and recreational vehicle sales area | | | | | A | A | A | | |
| Travel trailer park (transient) | | | | | | SR | | | |
| Truck terminals, repair shops, hauling and storage yards | | | | | | A | A | A | |
| Water and sewage treatment plant | A | | | | | | | | A |
| Wholesale and jobbing establishments | | | | | | SR | A | A | |
| Woodworking shops, millwork | | | | | | SR | A | A | |
| Zoo, arboretum | SR | | | | | | | | A |

(Ord. No. 009-01, 3-17-09; Ord. No. 009-07, 7-7-09; Ord. No. 011-01, 2-15-2011; Ord. No. 0-14-03, 8-5-2014)

| Table 17.20.020 | | | | | | | | | |
|--|----------|------|------|------|------|------|------|------|----|
| Zoning Requirements | A | RP* | NC* | CBD* | CC* | HC | LI | HI | P |
| Lot area requirements in square feet, except as noted, 20 acres | 20 acres | NA | NA | NA | NA | NA | NA | NA | NA |
| Minimum yard requirements: | | | | | | | | | |
| Front ^(a) | NA | 20 | 20 | NA | 20 | 20 | 20 | 20 | 20 |
| Side ^(b) | | 0 | 0 | | 0 | 0 | 0 | 0 | 0 |
| Side adjacent to street | | 10 | 10 | | 10 | 10 | 10 | 10 | 10 |
| Rear ^(b) | | 0 | 0 | | 0 | 0 | 0 | 0 | 0 |
| Maximum height for all buildings ^(c) | NA | 25 | 25 | NA | 25 | 45 | 70 | NA | NA |
| Maximum lot coverage in percent | NA | 50 | 50 | NA | 50 | 75 | 75 | 75 | 50 |
| Minimum district size (expressed in acres) | 20 acres | 2.07 | 2.07 | 2.07 | 2.07 | 2.07 | 2.07 | 2.07 | NA |
| (NA means not applicable) | | | | | | | | | |
| *The lot area, yard and lot coverage requirements for 1 and 2 single family dwellings in commercial zoning districts shall be the same as those in the RLMF residential zoning district. | | | | | | | | | |
| (a) Arterial setbacks | | | | | | | | | |
| (b) Side and rear yards | | | | | | | | | |
| (c) Except as provided in the airport zone | | | | | | | | | |

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(Supp. No. 20)

(Ord. No. O-14-03,8-5-2014)

Chapter 17.21 TELECOMMUNICATIONS TOWERS AND ANTENNAE*

Sections:

17.21.010 Intent.

This chapter is established to regulate the placement of telecommunications towers and antennae within the Laurel zoning jurisdictional area (one mile outside the municipal limits).

(Ord. 01-2 (part), 2001)

17.21.020 Standards for amateur radio antenna support structures.

A. Definitions. For the purposes of this chapter, the terms used shall be defined as follows:

"Amateur Radio Antenna" means a ground, building or tower-mounted antenna operated by a federally licensed amateur radio operator as part of the Amateur Radio Service, 49 CFR § 97 and as designed by the Federal Communications Commission (FCC).

"Amateur Radio Antenna Support Structure" means any structure or device specifically designed, constructed and/or erected for the purpose of attaching, mounting or otherwise affixing amateur radio antennae. The term includes the structure and any support thereto.

"Antenna Support Structure Height" means the vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure including any attached antennae. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

B. General Provisions. All amateur radio towers shall comply with the following requirements:

1. Amateur radio antenna support structures and antennae shall be located only within the rear yard and shall not be placed within any required setback and shall be located so as to minimize their impact on adjacent residential properties and adjacent rights-of-way while maintaining acceptable signal quality.
2. Amateur radio antenna structures and antennae exceeding six feet in height above grade (if ground-mounted) or above the roof or ridge of the building on which they are located (if building-mounted), shall require a building permit if located within the municipal limits of Laurel. If located within one mile of such municipal limits, applicants must provide evidence to the Laurel Code Enforcement Office that the device is adequately anchored, designed, and/or constructed so as to safeguard the general public and/or adjacent property from damaged in the event of failure of the device.
3. It is recommended that amateur radio antenna support structures be designed, installed, and maintained so as to blend into the surrounding environment through the use of color and alternative designs, except in instances where the color is dictated by the Federal Aviation Administration (FAA).
4. In accordance with the FCC's preemptive ruling PRB1, 101 FCC 2d 952 (1985), antenna support structures erected for the primary purpose of supporting amateur radio antennae may exceed height limitations of the underlying zoning.

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5. Attachments to amateur radio antenna support structures, such as guy wires, shall not cross any property line or any existing or proposed easement.
 6. No lighting shall be permitted on any amateur radio antenna support structures except as mandated by the FAA.
 7. No signage (other than required warning signs) or displays of any type shall be permitted on any amateur radio antenna support structure.
- C. Applicability. All amateur radio support structures and antennae located within the City of Laurel or its surrounding zoning jurisdictional area whether upon private or public lands shall be subject to this chapter. This chapter shall apply to amateur radio antenna support structures and antennae upon state and federal lands to the extent of the city's jurisdiction by way of law, pursuant to any memoranda of understanding or otherwise. Only the following facilities shall be exempted from the application of this chapter: Pre-existing amateur radio antenna support structures or antennae. Pre-existing amateur radio antenna support structures and pre-existing amateur radio antennae shall not be required to meet the requirements of this chapter, so long as said pre-existing antenna support structures and antennae have received all required approvals, permits, and exceptions prior to adoption of this chapter.

(Ord. 01-2 (part), 2001)

17.21.030 Standards for wireless communications facilities.

- A. Purpose. The purpose of this chapter is to establish regulations for the siting of antenna support structures and antennae on public and private property. The goals of this section are to:
1. Encourage the location of antenna support structures in non-residential areas and minimize the total number of antenna support structures throughout the community;
 2. Strongly encourage the joint use of new and existing antenna support structures;
 3. Require wireless communication facilities to be located, to the extent possible, in areas where the adverse impact on the community is minimal;
 4. Require wireless communication facilities to be configured in a way that minimizes the adverse visual impact of the towers and antennae; and
 5. Enhance the ability of the providers of wireless communication services to provide such services to the community, as quickly, effectively, and efficiently as possible.
- B. Definitions.

"Abandoned antenna support structures" means any antennae or antenna support structures that are not utilized for the provision of wireless communications services for a continuous period of six months shall be considered abandoned.

"Alternative antennae support structure" means an antenna support structure designed to shield, conceal, or disguise the presence of antennae or towers and blend with the surrounding setting. Alternative structures may include, but are not limited to, unobtrusive architectural features on new or existing structures, utility poles, clock towers, flagpoles, and church steeples.

"Antenna" means any structure or device used for the purpose of collecting or transmitting electromagnetic waves, including but not limited to directional antennae, such as panels, microwaves dishes, and satellite dishes, and omni-directional antennae, such as whip antennae but not including satellite earth stations.

"Antenna support structure" means any structure or device specifically designed, constructed and/or erected for the purpose of attaching, mounting, or otherwise affixing antennae. Antenna support structures may include,

but are not limited to, self-supporting lattice towers, guyed towers, or monopole towers. The term also includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative antenna support structures, and the like. The term includes the structure and any support thereto. Land mobile radio and radio and television antenna support structures are regulated under Section 17.21.040 of this chapter.

"Antenna support structure height" means the vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure including any attached antennae. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height. The height of roof-mounted antenna support structure height of building on which they are mounted.

"Antenna or Tower farm" means an antenna or tower farm is a tract of land that contains no more than three antenna support structures within seven hundred fifty linear feet of each other. No antenna support structures located in tower farms shall exceed one hundred ninety-nine feet in height. Legal tracts must be adjacent to each other to be included in this definition.

"Co-location" means the use of a wireless communications facility by more than one wireless communications provider.

"Commercial wireless communication services" means licensed commercial wireless telecommunication services including cellular, personal communications services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public.

"Equipment enclosure" means a structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communication signals. Associated equipment may include air conditioning, backup power supplies, and emergency generators.

"Wireless communication facility" means an unstaffed facility for the transmission and/or reception of radio frequency (RF), microwave or other signals for commercial communications purposes, typically consisting of an equipment enclosure, an antenna support structure and one or more antennae. Amateur radio, land mobile radio, and commercial radio and television facilities are excluded from this definition.

"FAA" means the Federal Aviation Administration.

"FCC" means the Federal Communication Commission.

C. Applicability. All wireless communication facilities located within the City of Laurel and its one-mile zoning jurisdictional area whether upon private or public lands shall be subject to this chapter. This chapter shall apply to wireless communication facilities upon state and federal lands to the extent of the city's jurisdiction by way of law, pursuant to any memoranda of understanding or otherwise. Only the following facilities shall be exempted from the application of this chapter.

1. Amateur radio stations and antenna support structures;
2. Antennae and antenna support structures for land mobile radio and radio and television;
3. Pre-existing antenna support structures or antennae. Pre-existing antenna support structures and pre-existing antennae shall not be required to meet the requirements of this chapter, so long as said pre-existing antenna support structures have received all required approvals, permits, exceptions prior to adoption of this chapter.

D. Commercial Antenna Support Structures and Antennae Located in Residential Zoning Districts.

1. Antenna support structures and antennae shall be permitted as an allowed use in all residential zoning districts provided they meet all of the following criteria:

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- a. Alternative antenna support structures conforming to all applicable provisions of this chapter and roof-mounted antennae that do not add more than twenty feet to the total height of the building on which they are mounted shall be permitted as an allowed use only when located on school, government-owned utility, and other government sites.

Proposed antennae or antenna support structures that are contrary to this section are subject to the special review requirements of these zoning regulations. After the special review hearing and reaching its decision, the city-county planning board shall forward its recommendations to the city council for its decision.

- b. Antennae co-located on existing or approved alternative antenna support structures or existing or approved antenna support structures that have previously received all required approvals and permits shall be permitted as an allowed use.
2. Antenna support structures and antennae shall be permitted in the Agricultural-Open Space (AO) zoning district provided the following conditions and all applicable setback, lot coverage, and building (commercial equipment enclosures) height requirements are met:
 - a. Antenna support structures conforming to all applicable provisions of this ordinance shall be permitted when:
 - (1) Located on school, government-owned utility, and government sites and alternative antenna support structures for roof-mounted antenna are used. Proposed antennae or antenna support structures that are contrary to this section are subject to the special review requirements of Laurel's Zoning Ordinance. After the special review hearing and reaching its decision, the city-county planning board shall forward its recommendations to the city council for its decision.
 - (2) Antenna support structures fifty feet or less in height.
 - b. Antenna support structures that are greater than fifty feet in height shall be required to obtain special review approval.
 - c. Antennae co-located on existing or approved alternative antenna support structures or existing or approved antenna support structures that have previously received all required approvals and permits shall be permitted as an allowed use.
 - d. Antennae or tower farms for antennae support structures fifty feet or less in height are permitted by special review.
- E. Commercial Antenna Support Structures and Antennae Located in Commercial Zoning Districts.
1. Alternative antenna support structures shall be permitted as an allowed use in all commercial zoning districts.
 2. Antenna support structures shall be permitted as an allowed use in all commercial zoning districts when located on school, government-owned utility, and other government sites. Proposed antennae or antenna support structures that are contrary to this section are subject to the special review requirements of Laurel's Zoning Ordinance. After the special review hearing and reaching its decision, city-county planning board shall forward its recommendations to the city council for its decision.
 3. Antennae co-located on existing alternative antenna support structures or existing antenna support structures which have previously received all required approvals and permits shall be permitted as an allowed use in all commercial zones.
 4. Antenna support structures and antennae located in Residential Professional (RP) that do not meet the requirements of preceding subsection E1, E2, and E3 shall be required to obtain special review approval.

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5. New antenna support structures shall not be erected in the Community Entryway Zone. Antennae may be placed on existing antenna support structures and alternative antenna support structures that have previously received all required approvals and permits and meet the provision and requirements of this ordinance without obtaining permit zoning approval.
 6. Antenna support structures and antennae located Neighborhood Commercial (NC), Highway Commercial (HC), Light Industrial (LI), Central Business District (CBD), Heavy Industrial (HI), and Public (P) zoning districts shall be permitted as an allowed use provided that the towers meet the requirements subsections E1, E2, and E3, or:
 - a. Roof-mounted antenna that do not add more than twenty feet to the total height of the building on which it is mounted shall be permitted as an allowed use. (See additional requirements for roof-mounted antenna in subsection (G)(10) of this section).
 - b. Antenna support structures fifty feet in height or less shall be permitted as an allowed use. Antennae or tower farms for antennae support structures fifty feet or less in height are permitted by special review.
 - c. Antenna support structures that are greater than fifty feet in height shall not be allowed in the CBD or HC Zones.
- F. Antenna Support Structures Located in Parks. The presence of certain wireless communication facilities may conflict with the purpose of some city and county-owned parks. Wireless communication facilities will be considered only following a recommendation by the city-county planning board, the city parks committee, or the county board of park commissioners and approved by the city council. Factors that will be considered include:
1. Public parks of a sufficient scale and character that are adjacent to an existing commercial or industrial use;
 2. Commercial recreation areas and major playfields; and,
 3. Park maintenance facilities.
- G. General Requirements. The requirements set forth in this section shall govern the location and construction of all wireless communications facilities governed by this ordinance.
1. Building Codes and Safety Standards. To ensure the structural integrity of wireless communication facilities, the owner of a facility shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for such wireless communication facilities, as amended from time to time.
 2. Regulatory Compliance. All wireless communication facilities must meet or exceed current standards and regulations of the FAA, the FCC, and other local, state or federal agencies with the authority to regulate facilities governed by this chapter. All wireless communication facilities must comply with all revised standards and regulations within the date established by the agency promulgating the standards or regulations.
 3. Setbacks:
 - a. Antenna support structures adjacent to residential uses or zoning. Antenna support structures must be set back from all property lines a distance equal to one-half the height of the structure from any off-site residential structure or residentially-zoned lot. Accessory structures must maintain a minimum of a fifteen foot setback from any lot line adjacent to a residential structure or residentially-zoned lot, or the required setback of the zoning district where the antenna support structure is located, whichever is greater.

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- b. Commercial and Industrial Zoning Setbacks. Antenna support structures and accessory facilities must meet the minimum yard setback requirements, including arterial setbacks, for the commercial or industrial zoning district in which they are located.
 4. Lot Coverage and Height. Antenna support structures and accessory structures shall not exceed lot coverage requirements for the zoning district in which they are located. Accessory structures shall not exceed the height restrictions for the zoning district in which they are located.
 5. Fencing and buffering.
 - a. Fencing. A chain link or solid wood fence, or masonry wall at least six feet in height (eight feet if razor or barbed wire is to be used) shall be constructed and maintained around the perimeter of the antenna support structure site. Climb-proof shields can be substituted for a fence or wall around the structure. Solid fences, at least six feet in height, are required adjacent to residential uses and residentially-zoned property.
 - b. Landscaping. For all facilities the following will be required: a continuous evergreen hedge at least four feet in height when planted, shall be planted and maintained around the perimeter of the antenna support structure outside of the required fencing and spaced close together to provide a continuous visual screen. Shrubs shall also be planted and maintained around the guy anchors for visual screening purposes. A performance bond or letter of credit for one hundred fifty percent of the landscaping and fencing materials and labor costs shall be posted with the Laurel Code Enforcement Office, prior to zoning approval or issuance of building permit, to ensure the placement of required landscaping and fencing.
 - c. Commercial Landscaping. Landscaping requirements shall not apply to antenna support structures located in the Heavy Industrial (HI) zoning district.
 - d. Exceptions for Laurel Airport. If federal safety and security standards at the airport prevent an antenna support structure from being fenced or landscaped, preceding items (5)(a) and (5)(b) will not apply. Documentation of these standards must be submitted with the application.
 6. Lighting. Antenna support structures shall not be artificially lighted unless required by the FAA or other local, state, or federal agency. If the FAA requires safety lighting, the use of red beacons is preferred to flashing strobe lights.

Security lighting on site may be mounted up to twenty feet high on the tower, and shall be directed towards the ground to reduce light pollution, prevent off-site light spillage, and avoid illuminating the tower. Cut-off security lighting must be used adjacent to residential uses or residentially zoned lots. When incorporated into the approved design of the facility, light fixtures used to illuminate sports fields, parking lots, or similar areas may be included in the facility.

7. Signage. Signage shall be limited to non-illuminated warning and equipment identification signs.
8. Co-location.
 - a. Antenna support structures should be designed in all respects to accommodate both the applicant's antennae and antennae for at least two additional comparable antennae if the antenna support structure is over one hundred feet in height or for at least one additional comparable antennae if the tower is between fifty feet and one hundred feet in height.
 - b. All new antennae must co-locate on existing or approved antenna support structures or alternative antenna support structures unless it can be demonstrated co-location is not feasible as provided for in subsection (K)(7) of this section.
9. Maintenance.

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- a. Equipment at a wireless communication facility shall be automated to the greatest extent possible to reduce traffic and congestion. Where the site abuts or has access to a collector or local street, access for maintenance vehicles shall be exclusively by means of the collector or local street.
 - b. All property used for the siting of an antenna support structure or antenna shall be maintained, without expense to the city so as to be safe, orderly, attractive, and in conformity with city codes including those regarding the removal of weeds, trash, and landscape maintenance.
10. Visual impact/aesthetics.
- a. Wireless communication facilities shall either maintain a galvanized steel finish or (subject to any applicable standards of the FAA or other applicable local, state, or federal agency) be painted a neutral color or painted and/or textured to match the existing structure so as to reduce visual obtrusiveness.
 - b. If an antenna is installed on a structure other than a tower, the antenna and associated electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. Antennae and antenna support structures may be mounted on existing buildings that are thirty feet or more in height above the street grade.
 - c. Roof-mounted antennae and antenna support structures shall not add more than twenty feet to the total height of the building on which they are mounted. Roof-mounted equipment shall be made visually unobtrusive to match existing air conditioning units, stair, elevator towers, or other architectural elements. Only monopole antennae support structures with omni-directional (whip) or low profile single-directional (panel) shall be installed on building roofs. Crow's nest antennae arrays are prohibited on rooftop structures.
 - d. Wireless communication facilities attached to new or existing structures shall be designed to blend with the structure's architecture and should be placed directly above, below, or incorporated with vertical design elements of a structure.
 - e. Wireless communication facilities shall be located as to minimize their visibility and not be placed within historic or scenic view corridors as designated by the Laurel city council or by any state or federal law or agency.
11. Antenna support structure separation. All antenna support structures over fifty feet in height, regardless of the zoning district in which the structure is located, shall be located at least one mile from any other antenna support structure that is over fifty feet. Up to three antenna support structures located within an approved wireless communication facility tower farm shall be located at least one mile from any other tower farm.

Exceptions to the terms of subsection (G)(11) of this section may be granted by the City of Laurel during the special review process when it is found that no existing or approved antenna support structure within the required separation distance of the proposed site can accommodate the applicant's proposed antenna; or a critical need exists for the proposed location, and it is technically infeasible to locate or co-locate structures at or beyond the required separation distance.

- H. Nonconforming Wireless Communication Facilities. Antenna support structures and/or facilities in existence on the date of the adoption of these regulations, that do not comply with the requirements of these regulations, (nonconforming antenna support structures) are subject to the following provisions:
1. Nonconforming antenna support structures may continue their present use, but may not be expanded or increased in height without complying with these regulations, except as further provided in this section.

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2. Nonconforming antenna support structures which are hereafter damaged and destroyed, by less than fifty percent of its replacement value, due to any reason or cause may be repaired and restored to their former use, location, and physical dimensions subject to obtaining a building permit and other necessary approvals thereof, but without otherwise complying with these regulations. If an antenna support structure is destroyed or damaged by more than fifty percent of its replacement, the antenna support structure must be brought into compliance with these regulations.
 3. The owner of any nonconforming antenna support structure may make minor modifications in order to improve the structural integrity of the facility, to allow the facility to accommodate co-located antennae or facilities, or to upgrade the facilities to current engineering, technological, or communications standards without having to conform to the provisions of these regulations.
- I. Modifications of Existing Wireless Communication Facilities That Meet the Requirements of These Regulations.
1. Minor Modifications. Minor modifications to facilities permitted under these regulations shall be approved by the city-county planning board so long as they comply with the original approved design. Minor modifications are as follows: the addition of more antenna arrays to any existing antenna support structure, so long as the addition of the antenna arrays add no more than twenty feet in height to the facility and the increase in height of the support structure is no greater than ten percent. Placement of additional antennae, up to the number the antenna support structure was originally designed to accommodate, shall be considered a minor modification.
 2. Major Modifications. Major modifications to antenna support structures permitted under these regulations shall be approved through a special review. Major modifications are any that exceed the definition of minor modifications.
- J. Abandonment. Wireless communications facilities will be considered abandoned if they are unused by all providers at the facility for a period of six months. Determination of abandonment shall be made by the city-county planning board which shall have the right to request documentation from the facility owner regarding support or antenna usage. Upon abandonment, the facility owner shall have ninety days to:
1. Re-use the facility or transfer it to another owner who will re-use it; or
 2. Dismantle the Facility. If the facility is not removed within ninety days of abandonment, the city may remove the facility at the facility and/or property owner's expense. If the facility is removed, city approval of the facility will expire.
- If the facility owner is unable to remove the facility within the ninety days due to unusual circumstances, the city-county planning board may grant the facility owner an additional ninety days in which to comply with the requirements of this section.
- K. Special Review Submittal Requirements. The applicant of new wireless communication facilities shall provide the following documentation for review by the city-county planning board:
1. A map to scale showing the service area of the proposed wireless communication facility and an explanation of the need for that facility;
 2. A site/landscaping plan showing the following items;
 - a. North arrow.
 - b. The location and dimensions of all vehicular points of ingress and egress, drives, alleys and streets.
 - c. Property boundaries and lot line dimensions.

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- d. The locations and dimensions of all existing and proposed buildings, structures, and improvements including those that will be removed. All information must be labeled.
 - e. Setbacks from all property boundaries for existing and proposed structures and buildings.
 - f. Centerline and names of major and minor arterial streets relevant to the application.
 - g. Elevation drawing of proposed wireless communication facility including the antenna support structure, antenna platforms and associated equipment enclosures. Also indicate the maximum number of antenna platforms that can be supported.
 - h. Detailed landscaping plan of the site.
 - i. Location of artificial light sources and the areas of illumination.
 - j. Applications for tower farms shall include subsections (a) through (i) of this section and an overall development plan showing the location of future structures and equipment enclosures.
 - k. Latitude, longitude, and height of proposed antenna support structures.
1. Other pertinent features as determined by the planning board or the city.
 3. Area map showing the property boundaries of adjacent property and the location of existing buildings.
 4. Inventory of existing and approved sites. Each applicant for one or more antenna support structure shall provide to the city-county planning board a map showing the locations and service area of existing and approved antenna support structures operated or utilized by the applicant, including specific information on the location, height, and design of each antenna support structure. The city-county planning board shall maintain an inventory of existing and approved antenna support structures, including specific information about the location, height, and design of each antenna support structure. The city may share such information with other persons, organizations, or governmental authorities.
 5. Documentation of minimum light requirements from the FAA or other local, state or federal agency for the antenna support structure and/or antennae. Where applicable, applicant will provide documentation of the FAA airspace review and a copy of comments from the FAA.
 6. When the applicant is a wireless service provider, proof that the applicant is licensed by the FCC to provide the wireless communication services that the proposed facility is designed to support.
 7. Availability of suitable existing or approved antenna support structures. No new antenna support structure shall be permitted unless the applicant clearly demonstrates, in writing, to the reasonable satisfaction of the city that no existing or approved antenna support structure within the required separation distance of the proposed site can accommodate the applicant's proposed antenna. Closer separation distances may be approved if the applicant clearly demonstrates a critical need for the alternative location and the infeasibility of locating or co-locating wireless communication facility at or beyond the required separation distance. Evidence submitted to demonstrate that no existing or approved structure can accommodate the applicant's proposed antenna must include a discussion of the following items, if relevant:
 - a. No existing or approved antenna support structures are located within the geographic area required to meet the applicant's engineering requirements;
 - b. Existing or approved antenna support structures are not of sufficient height to meet the applicant's engineering requirements;
 - c. Existing or approved antenna support structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment and cannot be reinforced to provide sufficient structural strength;

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- d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing or approved antenna support structures, or the antenna on the existing or approved antenna support structures would cause interference with the applicant's proposed antenna;
 - e. The fees or costs required to share an existing or approved antenna support structure or to adapt an existing or approved antenna support structures for sharing are unreasonable. Costs below new tower development are presumed reasonable;
 - f. Property owners or owners of existing or approved antenna support structures are unwilling to accommodate the applicant's needs;
 - g. The applicant demonstrates that there are other limiting factors that render existing or approved antenna support structures unsuitable;
8. Co-location Agreement. If co-location is feasible, the owner of the antenna support structure shall certify, prior to permit approval, that the owner will accept for co-location any FCC licensed wireless communication provider using compatible technology on commercially reasonable terms up to the antenna support structure's capacity to accommodate additional antennae. The applicant shall also include a statement on how requests for co-locators will be processed.
 9. Effect of surrounding property values. The applicant must submit information that substantiates there will be no adverse effects on surrounding property values resulting from the proposed facility.
- L. Special Review Uses.
1. A request for a special review shall be initiated by application to the city-county planning board and handled in accordance with the special review procedure provided in Section 17.68 of this code. The Laurel city council may issue special review approval under these sections provided it has determined that the requirements of this ordinance has been satisfied and, further, that the benefits of and need for the proposed wireless communication facilities are greater than possible depreciating effects and damage to neighboring properties.
 2. In granting special review approval, the city council may impose additional conditions to the extent determined necessary to buffer or otherwise minimize adverse effects of the proposed wireless communication facilities on surrounding properties.
 3. Expiration of Special Review Approval.
 - a. If located within the one-mile zoning jurisdictional area of Laurel, construction of the facility must be completed within one year of special review approval. If located within the city of Laurel, a building permit must be applied for within six months of special review approval and the project shall be completed within one year from the date the special review is granted by the city council. For the purpose of these regulations, the term standard of construction shall be defined as the installation of a permanent foundation for the antenna support structure. The city council may grant one six month extension of the period to start construction upon written request by the applicant.
 - b. The city council shall not approve an extension unless the development plan is brought into conformance with any relevant zoning regulations that have been amended subsequent to the original approval and unless the applicant provides adequate evidence that construction is able to begin within the time period sought. This evidence shall include, but not be limited to, the acquisition of any or all required government approvals and project financing, the city council may as a condition of approval of a special review establish the period of time such special review may remain in effect.

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- M. Appeals. Appeals from any decision of the city-county planning department, not requiring city council approval, may be taken by any person aggrieved by the decision to board of adjustment or to the city council pursuant to Section 17.64 of this code.
 - N. Nuisances. Wireless communication facilities, including without limitation, power source, ventilation, and cooling, shall not be maintained or operated in such a manner as to be a nuisance. (01-2 (part), 2001)

17.21.040 Standards for land mobile radio and radio and television broadcast antennae and antennae support structures.

- A. Purpose. The purpose of this section is to establish regulations for the siting of broadcast facilities, including land mobile radio services and radio and television broadcast antennae, antenna support structures, and associated equipment and buildings on public and private property. The goals of this section are to:
 - 1. Encourage the location of broadcast facilities in non-residential areas and minimize the total number of antenna support structures throughout the community;
 - 2. Strongly encourage the joint use of new and existing broadcast antenna support structures;
 - 3. Require broadcast facilities to be located, to the extent possible, in areas where the adverse impact on the community is minimal;
 - 4. Require broadcast facilities to be configured in a way that minimizes the adverse visual impact of antenna support structures and antennae; and
 - 5. Enhance the ability of the providers of land mobile radio services and radio and television broadcast services to provide such services to the community as quickly, effectively, and efficiently as possible.

- B. Definitions. For the purposes of this section, the terms used shall be defined as follows:

"AM" means amplitude-modulated broadcasting in the frequency band 535-1,705 kilohertz.

"Antenna/antenna support structure height" means the vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure including any attached antennae. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

"Broadcast antenna" means a ground, building or tower-mounted antenna operated as a land mobile radio service or as a broadcast radio and/or television service as defined by the Federal Communications Commission (FCC) under Code of Federal Regulations and subsequent title amendments:

- (a) Title 47, Part 90 (47 CFR § 90) - Private Land Mobile Radio Services,
- (b) Title 47, Part 73 (47 CFR § 73) - Radio Broadcast Services, which includes AM, FM, and Television Services, and
- (c) Title 47, part 74 (47 CFR § 74) - Experimental Radio, Auxiliary, and Special Broadcast and Other Program Distributional Services;

"Broadcast antenna support structure" means any structure or device specifically designed, constructed, and/or erected for the purpose of attaching, mounting, or otherwise affixing antennae. Antenna support structures may include, but are not limited to, self-supporting lattice towers, guyed towers, or monopole towers. In this section, the term applies to land mobile radio service and broadcast radio and television transmission antenna support structures. The term includes the structure and any support thereto.

"Broadcast antenna or tower farm" means a tract of land that contains three or more broadcast or land mobile radio service antenna support structures, any two are spaced no more than seven hundred fifty linear feet

of each other. Legal tracts must be adjacent to each other to be included in this definition. The term is inclusive of all antenna support structures, equipment enclosures, buildings, and any additions thereto.

"Broadcast facilities" means an unstaffed facility for the transmission and/or reception of radio signals for communications purposes, typically consisting of an equipment building or enclosure, an antenna support structure, and one or more antennae. This definition applies exclusively to land mobile radio fixed systems, and radio and television broadcast transmission facilities.

"FAA" means the Federal Aviation Administration.

"FCC" means the Federal Communications Commission.

"Land Mobile Radio Service (LMRS)" means a mobile service between base stations and land mobile stations or between land mobile stations as defined in Title 47, PART 90 (47 CFR § 90) - Private Land Mobile Radio Services.

C. Applicability. All land mobile radio service and radio and television broadcast antenna and antenna support structures located within the City of Laurel zoning jurisdiction whether upon private or public lands shall be subject to this chapter. This chapter shall apply to broadcast antenna and antenna support structures upon state and federal lands to the extent of the city's jurisdiction by way of law, pursuant to any memoranda of understanding or otherwise.

Pre-existing land mobile radio and radio and television broadcast antenna support structures and antennae shall not be required to meet the requirements of this chapter except as provided under Section 17.56 of this code, "Nonconforming broadcast facilities".

D. Broadcast antenna support structures and antennae located in residential zoning districts.

1. Land mobile radio and radio and television broadcast antenna support structures and antennae shall be permitted as an allowed use in all residential zoning districts provided they meet all of the following criteria:
 - a. Alternative broadcast antenna support structures conforming to all applicable provisions of this ordinance and roof-mounted antennae that do not add more than twenty feet to the total height of the building on which it is mounted shall be permitted as an allowed use only when located on school, government-owned utility, and other government sites. Proposed antennae or antenna support structures that are contrary to this section are subject to the special review requirements of Laurel's Zoning Ordinance. After the special review hearing and reaching its decision, the city-county planning board shall forward its recommendations to the city council for its decision.
 - b. Antennae co-located on existing or approved alternative broadcast antenna support structures or existing or approved broadcast antenna support structures, which have previously received all required approvals and permits shall be permitted as an allowed use.
2. Broadcast antenna support structures and antennae shall be permitted in the agricultural-open space (AO) zoning district provided the following conditions and all applicable setback, lot coverage, and building (commercial equipment enclosures) height requirements are met:
 - a. Broadcast antenna support structures conforming to all applicable provisions of this ordinance shall be permitted when:
 - (1) Located on school, government-owned utility, and government sites and alternative antenna support structures or roof-mounted antenna are used. Proposed antennae or antenna support structures that are contrary to this section are subject to the special review requirements of Laurel's Zoning Ordinance. After the special review hearing and reaching its decision, the city-county planning board shall forward its recommendations to the city council for its decision.
 - (2) Broadcast antenna support structures fifty feet or less in height.

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- b. Broadcast antenna support structures that are greater than fifty feet in height shall be required to obtain special review approval.
 - c. Broadcast antennae co-located on existing or approved alternative broadcast antenna support structures or existing or approved broadcast antenna support structures that have previously received all required approvals and permits shall be permitted as an allowed use.
 - d. Broadcast antenna or tower farms are permitted by special review.
- E. Broadcast Antenna Support Structures and Antennae Located in Commercial Zoning Districts.
- 1. Broadcast antenna support structures fifty feet in height or less shall be permitted as an allowed use.
 - 2. Broadcast antenna support structures that exceed fifty feet in height or the maximum height limitations in the underlying commercial and industrial zoning districts (whichever is greater) are permitted by special review.
 - 3. Broadcast antenna or tower farms are permitted by special review, except in Entryway Zone and the CBD and HC zoning districts.
 - 4. All broadcast antenna support structures located in heavy industrial (HI) shall be permitted as an allowed use, including broadcast antenna or tower farms.
 - 5. All broadcast facilities located within the boundaries of an approved or pre-existing broadcast antenna or tower farm shall be permitted as an allowed use.
- F. General requirements. The requirements set forth in this section shall govern the location and construction of all land mobile radio service and radio and television transmission facilities governed by this chapter.
- 1. Building Codes and Safety Standards. To ensure the structural integrity of broadcast facilities, the owner of a facility shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for such facilities.
 - 2. Regulatory Compliance. All broadcast facilities must meet current standards and regulations of the FAA, the FCC, and other local, state or federal agencies with the authority to regulate facilities governed by this chapter.
 - 3. Setbacks.
 - a. Broadcast antenna support structures adjacent to residential uses or zoning. Broadcast antenna support structures must be set back, from all property lines, a distance equal to one-half the height of the structure from any off-site residential structure or residentially zoned lot. Accessory structures, such as equipment enclosures or transmitter buildings, must maintain a minimum of a fifteen foot setback from any lot line adjacent to a residential structure or residentially zoned lot, or the required setback of the zoning district where the antenna support structure is located, whichever is greater.
 - b. Commercial and Industrial Zoning Setbacks. Broadcast antenna support structures and accessory facilities must meet the minimum yard setback requirements, including arterial setbacks, for the zoning district in which they are located.
 - c. Broadcast Facilities in Broadcast Antenna or Tower Farms. Antenna support structures and accessory facilities located in antenna or tower farms must meet the minimum yard setback requirements, including arterial setbacks, for the zoning district in which they are located.
 - 4. Lot Coverage and Height. Broadcast antenna support structures and accessory structures shall not exceed lot coverage requirements for the zoning district in which they are located. Building and equipment enclosures shall not exceed the height restrictions for the zoning district in which they are located.

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5. Fencing and Buffering.
 - a. Fencing. A chain link or solid wood fence, or masonry wall at least six feet in height (eight feet if razor or barbed wire is to be used) shall be constructed and maintained around the perimeter of the broadcast antenna support structure site. Climb-proof shields can be substituted for a fence or wall around the structure. Solid fences, at least six feet in height are required adjacent to residences and residentially zoned property. All AM broadcast antenna support structures must be surrounded by a suitable fence as required by FCC regulations.
 - b. Landscaping adjacent to residential uses and/or residential zoning. For broadcast facilities located in a residential zoning district, adjacent to a residential use, or adjacent to a residentially zoned parcel, the following will be required: a continuous evergreen hedge at least four feet in height when planted, shall be planted and maintained around the perimeter of the antenna support structure outside of the required fencing and spaced close together to provide a continuous visual screen. Shrubs shall also be planted and maintained around the guy anchors for visual screening purposes. AM Broadcast stations are exempt from this requirement due to overriding FCC regulations regarding vegetation in ground radial systems.

A performance bond or letter of credit for one hundred fifty percent of the landscaping and fencing materials and labor costs shall be posted with the city to ensure the placement of required landscaping and fencing.
 - c. Commercial Landscaping. Landscaping requirements shall not apply to broadcast antenna support structures located in Agricultural-Open Space or approved broadcast antenna or tower farms.
 - d. Exceptions for Laurel Airport. If federal safety and security standards prevent a broadcast antenna support structure from being fenced or landscaped, items (5)(a) and (5)(b) of this subsection will not apply. Documentation of these standards must be submitted with the special review applications.
 6. Lighting. Broadcast antenna support structures shall not be artificially lighted unless required by the FAA or other local, state, or federal agency. Security lighting may be placed on a support structure no higher than twenty feet above ground. Cut-off security lights must be used in or adjacent to residential areas to prevent light spillage onto adjacent property.
 7. Signage. Signage shall be limited to non-illuminated warning and equipment identification signs unless otherwise required by the FAA and/or FCC.
 8. Maintenance.
 - a. Equipment at a broadcast facility shall be automated to the greatest extent possible to reduce traffic and congestion. Where the site abuts or has access to a collector or local street, access for maintenance vehicles shall be exclusively by means of the collector or local street.
 - b. All property used for the siting of a broadcast antenna support structure or antenna shall be maintained, without expense to the city and/or county, so as to be safe, orderly, attractive, and in conformity with city and/or county codes including those regarding the removal of weeds, trash and landscape maintenance.
 9. Visual impact/aesthetics.
 - a. Broadcast antenna support structures shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA or other applicable local, state, or federal agency, be painted a neutral color or painted and/or textured to match the existing structure so as to reduce visual obtrusiveness.

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- b. If a broadcast antenna is installed on a structure other than a tower, the associated electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the related equipment as visually unobtrusive as possible. Broadcast antennae and antenna support structures may be mounted on existing buildings that are thirty feet or more in height above the street grade.
 - c. Roof-mounted antennae and antenna support structures shall not add more than twenty feet to the total height of the building on which they are mounted. Roof-mounted equipment shall be made visually unobtrusive to match existing air conditioning units, stair, elevator towers or other background. Crow's nest antennae arrays are prohibited on rooftop structures.
 - d. Broadcast antenna or antenna support structures attached to new or existing structures shall be designed to blend with the structure's architecture and should be placed directly above, below or incorporated with vertical design elements of a structure.

G. Nonconforming broadcast facilities.

Broadcast facilities in existence on the date of the adoption of this chapter, that do not comply with the requirements of this chapter, are subject to the following provisions:

- 1. Nonconforming broadcast facilities may continue their present use, but may not be expanded without complying with these regulations, except as further provided in this section.
- 2. Nonconforming broadcast antenna support structures which are hereafter damaged and destroyed, by less than fifty percent of its replacement value, due to any reason or cause may be repaired and restored to their former use, location, and physical dimensions subject to obtaining a building permit and other necessary approvals thereof, but without otherwise complying with these regulations. If a broadcast antenna support structure is destroyed or damaged by fifty percent or more of its replacement the broadcast antenna support structure must be brought into compliance with these regulations.
- 3. The owner of any nonconforming broadcast antenna support structure may make minor modifications in order to improve the structural integrity of the structure, to allow the structure to accommodate co-located antennae, or to upgrade the facilities to current engineering, technological or communications standards, without having to conform to the provisions of these regulations.

H. Modifications of Existing or Broadcast Facilities That Meet the Requirements of These Regulations.

- 1. Minor Modifications. Minor modifications to facilities permitted under these regulations shall be approved by the city-county planning board so long as they comply with the original approved design. Minor modifications are as follows:
 - a. The addition of one or more antenna arrays to any existing antenna support structure, so long as the addition of the antenna arrays add no more than twenty feet in height to the facility and the increase in height of the support structure is no greater than ten percent.
 - b. Placement of additional antennae, up to the number the antenna support structure was originally designed to accommodate, shall be considered a minor modification.
 - c. Repairs to or replacement of existing antennae or feedlines or support members (such as guy wires) are not considered modifications under this part.
- 2. Major Modifications. Major modifications to antenna support structures permitted under these regulations shall be approved through a special review. Major modifications are any that exceed the definition of minor modifications.

I. Abandonment. Broadcast facilities will be considered abandoned if they are unused by all providers at the facility for a period of six months. Determination of abandonment shall be made by the city-county planning

board which shall have the right to request documentation from the facility owner regarding support or antenna usage. Upon abandonment, the facility owner shall have ninety days to:

1. Re-use the facility or transfer it to another owner who will re-use it; or
2. Dismantle the facility. If the facility is not removed within ninety days of abandonment, the city and/or county may remove the facility at the facility and/or property owner's expense. If the facility is removed, city and/or county approval of the facility will expire. If the facility owner is unable to remove the facility within the ninety days due to unusual circumstances, the city-county planning board may grant the facility owner an additional ninety days in which to comply with the requirements of this section.

J. Special Review Submittal requirements. The applicant of new broadcast facilities shall provide the following documentation for review by the city-county planning board:

1. A map to scale showing the service area of the proposed broadcast facility;
2. A site/landscaping plan showing the following items:
 - a. North arrow.
 - b. The location and dimensions of all vehicular points of ingress and egress, drives, alleys and streets.
 - c. Property boundaries and lot line dimensions.
 - d. The locations and dimensions of all existing and proposed buildings, structures, and improvements including those that will be removed. All information must be labeled.
 - e. Setbacks from all property boundaries for existing and proposed structures and buildings.
 - f. Centerline and names of major and minor arterial streets relevant to the application.
 - g. Elevation drawing of proposed broadcast facility including the antenna support structure, antenna platforms and associated equipment enclosures.
 - h. Latitude, longitude and height of proposed antenna support structures.
 - i. Location of artificial light sources and the areas of illumination.
 - j. Applications for tower farms shall include items a through h and a general overall development plan showing the location of future structures and equipment enclosures.
 - k. Detailed landscaping plan of the site when applicable.
1. Other pertinent features as determined by the city.
3. Area map showing adjoining property boundaries and the location of existing buildings within a distance equal to the required setbacks as set forth in subsection (F)(3) of this section.
4. Documentation of minimum light requirements from the FAA or other local state or federal agency for the antenna support structure and/or antennae. Where applicable, applicant will provide documentation of the FAA airspace review and a copy of the comments provided by the FAA. Where an application has been filed with the FAA for the services proposed and decision on minimum light requirements by the FAA is still pending, submittal of a copy of the proposed application shall be sufficient to meet the requirements of the is paragraph.
5. When the applicant is a land mobile radio service provider, or a radio or television broadcaster, proof must be provided that the applicant is licensed by the FCC to provide the services that the proposed facility is designed to support or the applicant must prove the necessary application have been filed with the FCC and/or FAA for the services proposed, together with proof all filing fees have been paid.

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- K. Special review uses.
1. A request for a special review shall be initiated by application to the city-county planning board and handled in accordance with the special review procedure provided in Section 17.68 of this code. The city of Laurel may issue special review approval under these sections provided they have determined that the requirements of these regulations have been satisfied.
 2. In granting special review approval, the city council may impose additional conditions to the extent determined necessary to buffer or otherwise minimize adverse effects of the proposed broadcast facilities on surrounding properties.
 3. Expiration of Special Review Approval.
 - a. If located within the one-mile zoning jurisdictional area of Laurel, construction of the facility must be completed within one year of special review approval. Within the city limits, a building permit must be applied for within six months of a special review approval and the project shall be completed within one year from the date the special review is granted by the city council. For the purpose of these regulations, the term standard of construction shall be defined as the installation of a permanent foundation for the antenna support structure. The city council may grant one six month extensions of the period to start construction upon written request by the applicant.
 - b. The city council shall not approve an extension unless the development plan is brought into conformance with any relevant zoning regulations that have been amended subsequent to the original approval and unless the applicant provides adequate evidence that construction is able to begin within the time period sought. This evidence shall include, but not be limited to, the acquisition of any or all required government approvals and project financing, the city council may as a condition of approval of a special review establish the period of time such special review may remain in effect.
 - c. Small increases in the height of existing antenna support structures approved by special review may be approved by the city-county planning board on an administrative basis provided that the increase in the height of the antenna support structure is ten percent or less.
 - d. Special review approvals for broadcast antenna or tower farms shall not expire until such time as all facilities within the boundaries of the antenna or tower farm have been abandoned.
- L. Appeals. Appeals from any decision of the city-county planning department, not requiring city council approval, may be taken by any person aggrieved by the decision to board of adjustment or to the city council pursuant to Section 17.64 of this code.
- M. Nuisances. Wireless communication facilities, including without limitation, power source, ventilation, and cooling, shall not be maintained or operated in such a manner as to be a nuisance. (01-2 (part), 2001)

Chapter 17.24 RESIDENTIAL MOBILE HOME DISTRICTS

Sections:

17.24.010 Intent.

The RMH residential district is established as a district in which the principal use of land is for single-family mobile home dwellings. For the RMH residential district the specific intent of this section is:

- A. To encourage the placement of, and the continued use of the land for single-family mobile home dwellings located within mobile home parks or mobile home subdivisions;

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- B. To prohibit commercial and industrial uses of the land;
 - C. To encourage suitable and proper development of mobile home parks or mobile home subdivisions.

(Prior code § 17.52.010)

17.24.020 Definitions.

For the purposes of this section:

"Mobile home park" also means "mobile home court."

"Mobile home subdivision" means a surveyed, approved, and filled subdivision where the lots are primarily for sale rather than individual spaces for rent.

(Prior code § 17.52.020)

17.24.030 Permitted uses.

The following use is permitted:

Single-family mobile home dwellings when located within mobile home parks or on individual lots within a mobile home subdivision.

(Prior code § 17.52.030)

17.24.040 Allowable density.

The maximum allowable density for all mobile home parks shall be nine mobile homes per net acre.

(Prior code § 17.52.040)

17.24.050 Lot dimensions.

- A. For single-wide mobile home dwelling units, minimum site dimensions shall be forty feet wide and one hundred feet deep with a minimum site area of four thousand square feet.
- B. For double-wide mobile home dwelling units, minimum site dimension shall be fifty feet wide and one hundred feet deep with a minimum of five thousand square feet.

(Prior code § 17.52.050)

17.24.060 Lot coverage.

- A. The ground area occupied by a mobile home, attached storm shed, patio, storage building and off-street parking spaces shall not exceed fifty percent of the total area of the site. In computing the ground coverage, four hundred square feet shall be added to actual area of the mobile home and the accessory buildings for the two required off-street parking spaces. This provision limits to one storm shed, not over ten feet by twelve feet or one hundred twenty square feet in area per site and the utility building shall be placed on a proper foundation.
- B. No mobile home, storm shed or other legal attachments to the mobile home shall be located less than seven feet six inches from the side site line. Detached tool sheds shall be located not less than five feet from the

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side or rear site lines. The ends of the mobile homes shall be at least ten feet apart when opposing rear walls are staggered, otherwise fifteen feet apart. No portion of a mobile home, or attachment thereto, or tool shed, or any other structure shall be located less than fifteen feet away from any site or property line adjacent to a public right-of-way.

(Prior code § 17.52.060)

17.24.070 Mobile home park requirements.

- A. The minimum total area of a mobile home park shall be at least ninety thousand square feet, including alleys and/or roadways.
- B. The minimum street roadway shall conform to the requirements found in the city-county subdivision regulations.
- C. All entrances, exits, lanes and driveways between rows of mobile homes shall be lighted to provide an intensity of five footcandles. Mobile home parks shall be provided with, at minimum, two walkways at least three and one-half feet wide between the mobile home sites and each service building; roadways and sidewalks within the parks shall be hard-surfaced, either concrete or bituminized; and shall conform to the requirements found in the city-county subdivision regulations.
- D. All provisions of water supply, laundry, sewage and fire protection to be provided in any mobile home park shall have been approved by the appropriate city department.
- E. Off-street parking areas shall be provided in all mobile home parks at a ratio of at least two car spaces per mobile home site. At least two car spaces shall be provided on each mobile home site. The area per one car space shall be at least ten feet wide and twenty feet deep, plus ingress and egress.
- F. There shall be provided, unless previously provided by a park dedication as required by the subdivision regulations, within each mobile home park an adequate site or sites for recreation for the exclusive uses of the park occupants. Such recreation site or sites shall have a minimum area in aggregate of four thousand square feet plus one hundred square feet for each mobile home site in the park. The recreation sites shall be of appropriate design and provided with adequate equipment; and may be used to meet the one-ninth minimum area requirement of the subdivision regulations.
- G. All mobile home parks must provide a completely and permanently landscaped setback area of at least fifteen feet in width around those portions of the park perimeter which border public right-of-way. Such areas may contain trees, shrubbery, grass, benches, fences, landscaped water resources and the like. Setback areas not bordering public rights-of-way may be used to fulfill the recreation area requirements of the subsection F.
- H. All mobile home parks shall have near their main entrance, a marquee or sign on which there shall be an up-to-date list of the addresses and a diagram of the park layout.
- I. All mobile home parks shall provide one additional parking space for every five sites as a main parking area to be used by visitors or in the storage of recreational vehicles.

(Prior code § 17.52.070)

17.24.080 Mobile home park restrictions.

Existing mobile home parks shall not be enlarged or extensively altered unless such alteration complies with the provisions of this chapter.

(Prior code § 17.52.080)

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17.24.090 Mobile home subdivision requirements.

- A. All lots in a mobile home subdivision shall conform to the requirements set forth in Section 17.16.020.
- B. All lots shall be served by the city's water and sewer systems.
- C. All lots shall be provided with direct access to a public street unless a home owner's association has been set up to maintain a private street.
- D. All mobile home subdivisions shall be designed in accordance with the criteria established in Title 16 of this code.

(Prior code § 17.52.090)

17.24.100 Mobile home requirements.

- A. All mobile homes, whether located in a mobile home park or a mobile home subdivision, shall be set up and skirted in one of the following ways:
 - 1. Individual concrete pads with cinder blocks used for supports, coupled with coordinate skirting;
 - 2. Permanent concrete foundation;
 - 3. A dug-out style area with cinder blocks for support, designed to lower the unit to ground level:
 - a. The owner of a mobile home park shall be required to establish one of these methods for exclusive use throughout the park,
 - b. Individual lot owners in a mobile home subdivision will be required to indicate which of the three methods they will use prior to receiving a permit to move a mobile home onto the lot.
- B. Each mobile home, whether located in a mobile home park or a mobile home subdivision, shall be anchored to the ground for purposes of withstanding wind pressures specified for such mobile home by the city building inspection department prior to occupancy of the unit.

(Prior code § 17.52.100)

Chapter 17.25 DOWNTOWN OVERLAY DISTRICT

17.25.010 Intent.

The city of Laurel hereinafter ("city"), in collaboration with the Laurel Urban Renewal Agency, prepared the following set of regulations to preserve and protect the unique nature of the Downtown core of the city of Laurel. These regulations are intended to promote, preserve, and enhance the character of the built environment while encouraging a cohesive identity.

In addition to building construction, further elements include, but are not limited to parking and pedestrian connectivity requirements, landscaping, and signage.

This district's requirements are in addition to the existing zoning ordinances found in Title 17 of the Laurel Municipal Code (LMC). Single-family and two-family residential uses in the district are exempt from the provisions herein.

The intent of this section is to:

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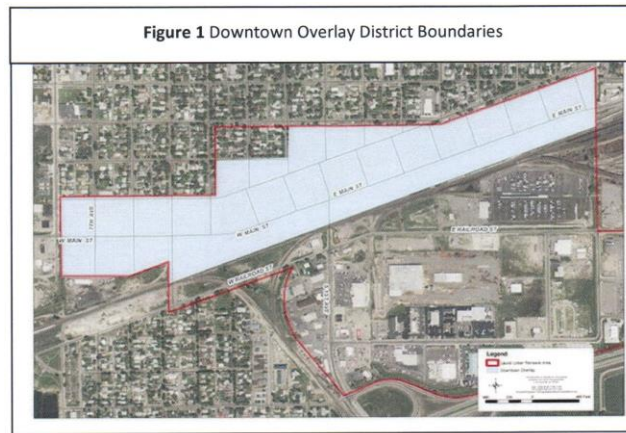
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- A. Promote a physical landscape to make the District an attractive place to live and work;
- B. Encourage creativity in design and quality site planning;
- C. Promote development patterns in coordination with the goals and objectives of the city's growth management plan;
- D. Provide consistency to land uses and design that will protect the investment of property owners in the district.

(Ord. No. O15-01, 3-17-2015)

17.25.020 District boundaries.

The boundaries of the district are identified in Figure 1.



(Ord. No. O15-01, 3-17-2015)

17.25.030 Application and Approval Process

- A. All building permit applications shall be submitted to the city's building official. All permit applications must be submitted and signed by the property owner or the authorized agent of the property owner. An approved building permit is required prior to any construction activity.
- B. Each building permit application must include, but not be limited to, the following information:
 - 1. The name and address of the property owner;
 - 2. The name and address of the applicant;
 - 3. The legal description of the parcel;
 - 4. A map drawn to scale showing the dimensions, acreage, location of the parcel, north arrow, streets and adjacent land uses;
 - 5. A complete site plan drawn to a scale of no less than 1"=40' showing the dimensions and height of the structure;
 - 6. A complete elevation drawings drawn to the scale 1"=40' including the dimensions and height of the structure;
 - 7. If applicable, signage plan specifications, location and ground lighting pattern; and

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8. Payment of application review fee.
- C. Within fifteen working days following the submittal of a complete application, the planning director, designee, or the public works department (in the case of signs) shall issue approval for development or a denial of the application, unless the applicant consents in writing to an extension of the review period. Should the application be denied, the applicant shall be notified in writing specifying the reasons for the denial. (Ord. No. 002-31, 2002)
- (Ord. No. O15-01, 3-17-2015)

17.25.040 Nonconformance.

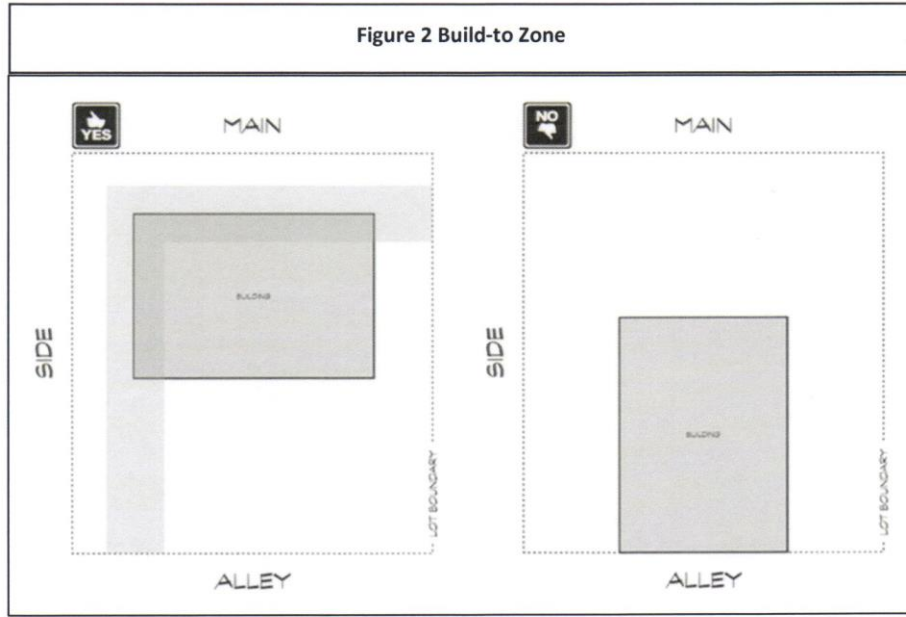
- A. Any lawful characteristic of the properties existing prior to the effective date of the ordinance that would not be a permitted characteristic under these regulations is declared to constitute a nonconforming characteristic.
- B. Nonconforming structures shall not be enlarged, extended, reconstructed, or structurally altered in an amount greater than fifty percent of its assessed valuation, unless the characteristics of the building are changed to comply with the appropriate regulations.
- C. If any nonconforming structure is damaged by an event including, but not limited to, fire, flood, explosion, wind, or war, in an amount equal to or greater than fifty percent of its assessed valuation, reconstruction must comply with the appropriate regulations. In addition, repair and maintenance may be carried out each year in an amount not to exceed twenty-five percent of the assessed valuation of the structure for that year.
- D. A nonconforming structure may continue pursuant to these regulations, but it shall not be changed in any way except to conform to the regulations herein.

(Ord. No. O15-01, 3-17-2015)

17.25.050 Definitions.

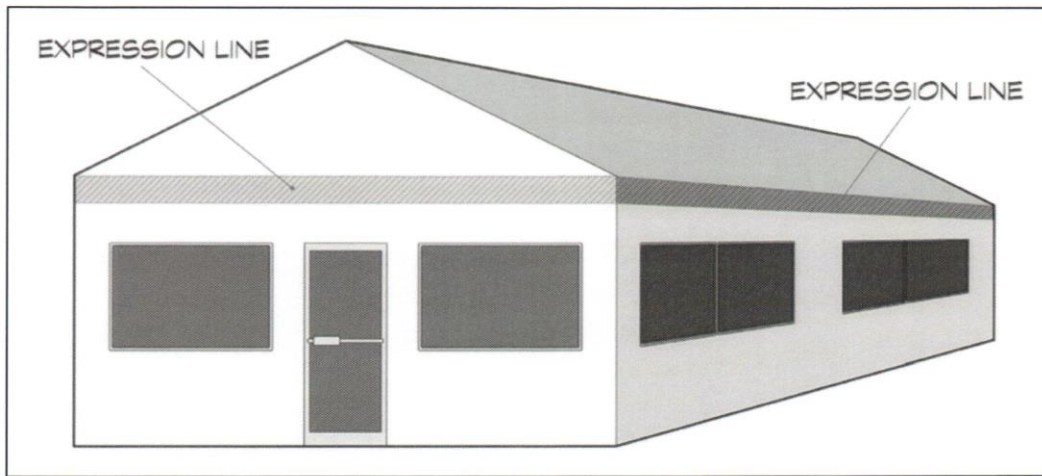
All terms shall have the same meanings as defined elsewhere in the city zoning ordinance or city signage regulations. For purposes of this title, certain words and terms used herein are defined in this chapter.

- A. "Architectural design elements" means an architectural feature consisting of a decorative, three dimensional element, horizontal or vertical, protruding or indented at least two inches from the exterior façade of a building typically utilized to provide additional aesthetic relief to a façade.
- B. "Build-to zone means" an area of a lot designated for placement of a building façade along a street, located parallel to a front property line or a front and side property line in the case of a corner lot. The build-to zone defines an area in which the locations of building fronts can vary within a specified range. See Figure 2.



- C. "Expression line" means an architectural feature consisting of a decorative, three dimensional, linear element, horizontal or vertical, protruding or indented at least two inches from the exterior façade of a building typically utilized to delineate the top or bottom of floors or stories of a building or provide additional aesthetic relief to a façade. See Figure 3.

Figure 2 Expression Line





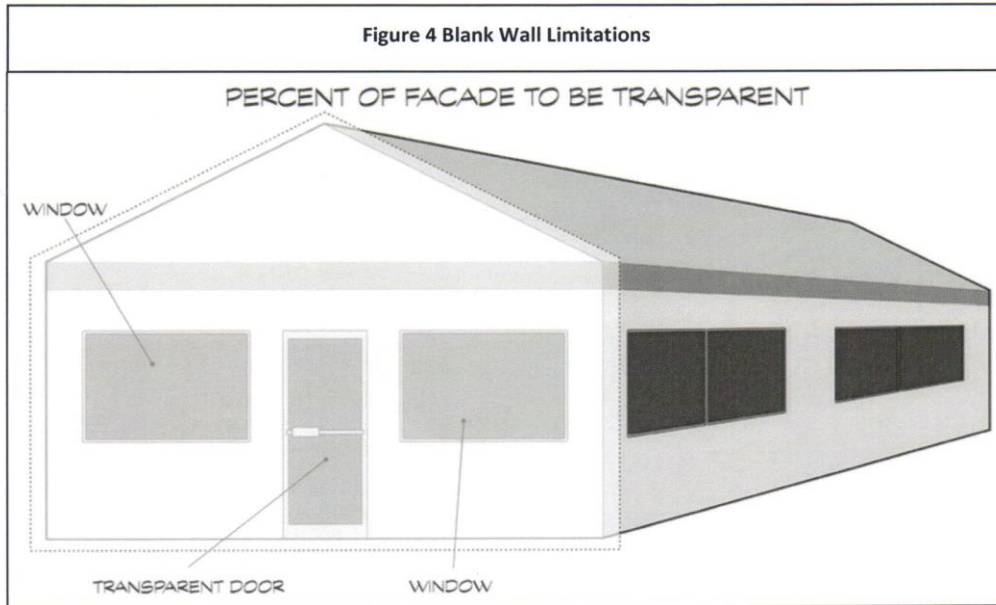
- D. "Façade" means the exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines.
- E. "Front façade" means any building face adjacent to the street. In the case of a corner lot, the front façade is the face that the building is addressed.
- F. "Lot line, front" means the boundary abutting a right-of-way, other than an alley, from which the required setback or build-to zone is measured. The front lot line shall be to the street to which the building is addressed.
- G. "Lot line, side" means the boundary line adjacent to the front lot line and may or may not abut a right-of-way depending on lot location from which the required setback or build-to zone is measured.

(Ord. No. O15-01, 3-17-2015)

17.25.060 Building design requirements.

- A. Exterior materials shall be sufficiently durable to ensure stability, maintainability, and long life. The use of natural and natural looking materials indigenous to the area signifying permanence, such as stone, stucco and masonry are encouraged.
 - 1. Buildings shall be finished with one or more of the following materials. Brick, fluted block, colored textured block, glass, stucco, or stone. Exposed seam metal buildings are prohibited unless covered with an acceptable finishing material.
 - 2. All front façades and sides adjacent to streets shall have a minimum of twenty-five percent masonry composed of natural materials such as stone, brick, brick veneer, or cast stone.
 - 3. Exterior cladding materials shall be of colors that compliment neighboring structures.
- B. Roof top mechanical equipment shall be screened from view with parapet walls, articulated roof designs or other architectural components.
- C. Expression lines are required on the front façade of all buildings.
- D. Blank walls on front facades or façades adjacent to street are not permitted. The amount of windowless or non-transparent area allowed on a front façade is measured per façade. No rectangular area greater than

fifty percent of a front façade may be windowless. All other façades are encouraged to have transparent elements. See Figure 4.

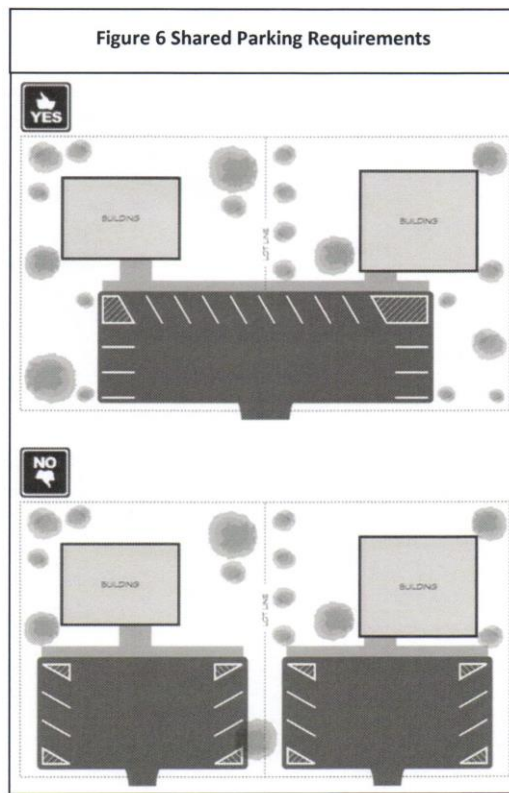
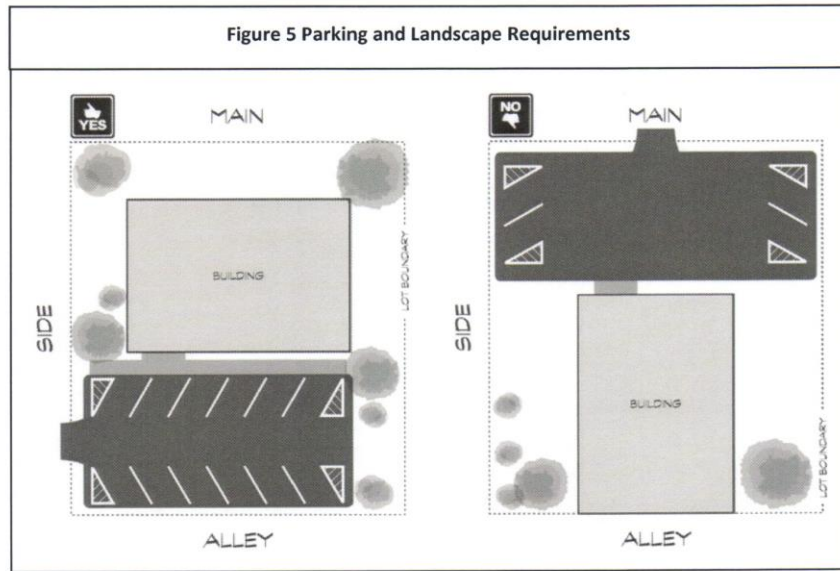


E. All front façades shall have a minimum of one entry door.

(Ord. No. O15-01, 3-17-2015)

17.25.070 Site design requirements.

- A. When a building does not have one hundred percent lot coverage a build-to zone of at least five feet is required at the front lot line or a side adjacent to street. Exceptions to this include properties in the district that are zoned light industrial, heavy industrial, and highway commercial.
- B. If off-street parking is proposed it shall be located at the rear of the building. When parking cannot be located in the rear, the planning board shall make a recommendation. See Figure 5. Shared parking is encouraged when property owners have a written agreement. This agreement is not subject to approval by the city but should be presented if it is applicable to meeting off-street parking requirements. See Figure 6.
- C. Landscape islands are required at the terminal ends of all parking rows.
- D. If a property is located in this district and the entry way zoning district, parking and landscape requirements of the downtown overlay district shall apply.



(Ord. No. O15-01, 3-17-2015; Ord. No. O-15-06, 11-3-2015)

17.25.080 Landscape requirements.

Landscaping in the form of trees, shrubs and groundcover serve several purposes: The softening of harsh building forms and paved areas, the absorption of groundwater, the reflection of seasonal color change, the

provision of sound barriers, and urban wildlife habitat. If a property is located in this district and the entryway zoning district, parking and landscape requirements of the downtown overlay district shall apply.

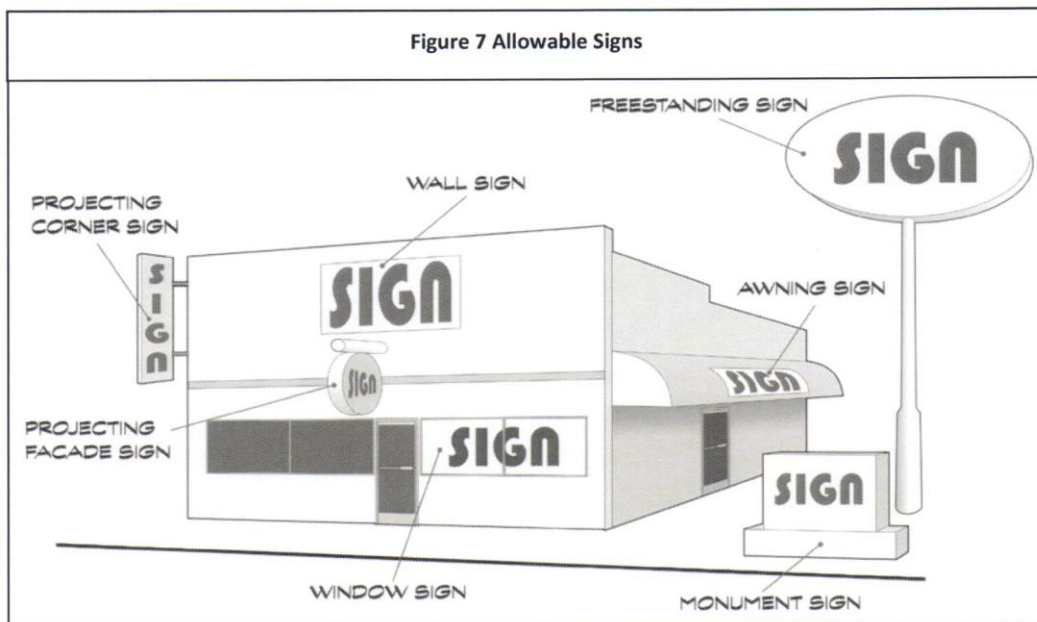
- A. Any site development where the building and parking area does not occupy one hundred percent of the parcel, the remaining property must be landscaped.
- B. Landscaping should be of an indigenous species or species that are acclimated to the city's climate.
- C. Landscaping shall include a mix of plants, shrubs, sod and trees. A minimum of fifty percent of the trees shall be at least 2.5 inch in caliper size.
- D. Landscaping shall not interfere with clear vision requirements.

(Ord. No. O15-01, 3-17-2015)

17.25.090 Signage requirements.

Laurel Municipal Code Chapter 17.42 governs signage within the city of Laurel. Exceptions to LMC 17.42 occur only when a property is located in a special zoning district. If a property is located in this district and the entryway zoning district, signage requirements of the entryway zoning district shall apply.

- A. Allowable sign types include wall signs, window signs, awning signs, corner projecting signs, and projecting signs. See Figure 7.



- B. Illumination is encouraged to be internal. When external illumination is used, it must be focused only upon the sign face and must have cut off shields to prevent light spillage.
- C. Any projecting or corner projecting sign shall not extend above the roofline of the attached building.
- D. Any wall sign shall not exceed 30 percent of the area of any building façade.
- E. Electronic message boards are not permitted in this district.



Corner Projecting signs are allowable in this district. These two photos show examples of corner projecting signs. Similar signs are also allowable on any portion of the façade.

(Ord. No. O15-01, 3-17-2015)

Chapter 17.26 COMMUNITY ENTRYWAY ZONING DISTRICT

Sections:

17.26.010 Intent.

The purpose of the Laurel Entryway Zoning District is to regulate outdoor advertising, outdoor advertising signs, and outdoor signs of all types, to provide fair and comprehensive regulations that will foster a good visual environment for Laurel, enhancing the area in which we live, and creating an aesthetic and enjoyable appearance for our visitors and our residents.

The natural landscape in the Yellowstone Valley is a major influence on the form and character of Laurel. Residents appreciate being able to see the Beartooth Range, the river's corridor of trees, and the large expanse of sky. The intent of the Community Entryway Zoning District (EZD) is to promote attractive, high quality development and to provide an appealing image of the city of Laurel to the traveling public and the people of the community and region. Further, it is the intent of this district to maintain a sensitivity toward existing development while preserving scenic vistas and the pastoral ambience and protecting environmentally sensitive areas. Creativity in meeting these requirements is encouraged with the overall intent of all development representing the image and economy of the Laurel area—and not just a reflection of the same commercial buildings, signage, and parking lots that are seen alongside the interstate across the nation.

Projects in the vicinity of large natural areas/corridors shall be designed to compliment the visual context of the natural area. Techniques include architectural design, site design, use of native landscaping, and choices of colors and building materials shall be utilized in such manner that scenic views across or through the site are protected and man-made facilities are screened from off-site observers and blend with the natural visual character of the area.

This overlay district provides requirements that are in addition to the existing, underlying zoning districts in the jurisdictional area of the city of Laurel and are in addition to the signage standards of the city of Laurel Municipal Sign Code. Except for signage applications, residential uses in the Entryway Zoning District are exempt from the provisions herein.

The intent of this section is to:

- A. Promote a physical landscape that will assist in making Laurel an attractive place to live and work and be inviting to new industries;
- B. Encourage creativity in design and quality in site planning and development;

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- C. Reduce the level of adverse impacts from the transportation system on adjoining lands;
 - D. Promote development patterns in harmony with the goals and objectives of Laurel's Growth Management Plan;
 - H. Promote compatible land use transitions with a sensitivity toward existing residential uses.

Non-commercial/industrial uses falling within the EZD are exempt from the requirements of the EZD except as such requirements pertain to signage.

(Ord. 02-31, 2002)

17.26.030 Location of district.

The Community Entryway Zoning District (EZD) shall extend three hundred feet on either side of Interstate 90 right-of way as it extends through the Laurel Zoning Jurisdiction Area, an area that extends outside the city municipal limits one mile. Specifically, along the interstate the EZD shall extend as described from the east limit of the extra-territorial zoning boundary west to the limit of the west extra-territorial boundary. The district shall also include that area three hundred feet on either side of the north extra-territorial boundary on Buffalo Trail Road south through Laurel on First Avenue to where First Avenue turns into US Highway 212-310

(Ord. 02-31, 2002)

(Ord. No. O15-03, 5-5-2015)

17.26.040 Application and approval process.

- A. All plans and applications for development shall be submitted to the city-county planning board. All applications involving signs shall be submitted to the public works department which shall provide a copy thereof to the planning board. All applications must be submitted and signed by the property owner, lessee, the contract purchaser, or the authorized agent of the property owner. Approval is required prior to any construction activity.
- B. Each application shall include, but not be limited to, the following information:
 - 1. The name and address of the property owner;
 - 2. The name and address of the applicant;
 - 3. The legal description of the parcel;
 - 4. A map drawn to scale showing the dimensions, acreage, location of the parcel, north arrow, streets and adjacent land uses;
 - 5. A complete site plan drawn to a scale of no less than 1" = 40' showing the dimensions and locations of all structures, streets, paving, parking, landscaping, signage, waterways or other significant features of the development;
 - 6. Complete elevation drawings drawn to scale including the dimensions and height of the structure;
 - 7. Signage Plan specifications, location, and ground lighting pattern (applications for signs only—see Section 17.26.050); and
 - 8. Application review fee.
- C. Within fifteen working days following the submittal of a complete application, the planning director, other city designee, or the public works department (in the case of signs) shall issue approval for development or

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sign or a denial of the application, unless the applicant consents in writing to an extension of the review period. Should the application be denied, the applicant shall be notified in writing specifying the reasons for the denial.

(Ord. 02-31, 2002)

17.26.050 Definitions.

All terms shall have the same meanings as defined elsewhere in the city zoning ordinance or city signage regulations. The standard dictionary meaning shall be applied to terms not otherwise defined.

(Ord. 02-31, 2002)

17.26.052 Development standards.

A. Signage.

1. Review Consideration. Signage in the EZD needs to recognize the relationship between adjacent land uses and the natural features of the location such as existing views and proximity to residences. Although signs perform a function in providing information concerning services, products, and business, a profusion of signs produces a cumulative effect that cancels out individual effectiveness and detracts from the appearance of the community as a whole. All signage shall be reviewed with the following considerations and criteria:
 - a. Use of subdued, low-key colors;
 - b. Location, size, and height that do not obstruct views of the community, the river corridor, traditional open spaces, or the mountains;
 - c. Sign is built of permanent, durable materials;
 - d. Size and location avoids or minimizes the sense of clutter with nearby signs;
 - e. The sign is professionally prepared and finished on both sides;
 - f. The location and placement of the sign will not endanger motorists or pedestrians and does not interfere with the clear vision triangle at street, railroad, or street driveway intersections;
 - g. The sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance;
 - h. The sign will not obstruct views of users of adjacent buildings to side yards, yards or to nearby open space;
 - i. The sign will not negatively impact the visual quality of a public open space such as a recreation facilities, square, plaza, court yard and the like;
 - j. The sign cannot be seen from the Yellowstone River or any city, county or state park or—if it can be seen—it must be located one thousand feet from the boundaries of such spaces.
2. Only one sign is allowed per parcel of record and there shall be at least one thousand feet between signs.
3. A construction permit is required whenever the sign copy is changed and any alterations to the sign are made.
4. Signs shall be limited to one hundred sixty square feet in copy area.

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5. Non-conforming signs are required to be brought into compliance with this section within six years from the date of adoption of this ordinance or upon the earliest occurrence of the following events.
 - a. The sign is relocated or replaced;
 - b. The structure or size of the sign is altered in any way;
 - c. The sign suffers more than fifty percent appraised damage or deterioration or the sign is taken out of service for any reason, such as being knocked down by weather or other means;
 - d. If any non-conforming sign is abandoned or voluntarily discontinued for a period of one hundred eighty days, any subsequent use must be in conformity with this ordinance. An abandoned sign is a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found. An abandoned sign is to be removed by the owner within fifteen days of notice from the public works department.
 6. No portable signs as described in the city signage ordinance are allowed in the EZD.
 7. Transit Bus Benches. Transit bus benches, with or without advertising, may be placed within the city right-of-way upon application and approval of the ADA coordinator, the transit administrator and in consultation with the public work director. All benches must comply with any applicable city, state, and or/federal standards or regulations. The city may approve a bench provider, with or without advertising, pursuant to its procurement policy, as amended.
 8. Lighting. All sign lighting must incorporate cut-off shields to direct light downward. Luminaries shall not be visible from adjacent streets or properties. A sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect, or spill onto adjacent business or residential areas.
- B. Building Design Standards.
1. All buildings shall be completed on all sides with one of the following finishing material: brick, fluted block, colored textured block, glass, stucco, architectural concealed fastener metal panels, exterior insulation and finishing systems (i.e., Dryvit, etc.), stone or wood. Exposed seam metal buildings shall be prohibited unless covered with an acceptable finishing material.
 2. Roofs shall be finished with a material that is architecturally compatible in color and design with the construction of the building. Metal roofs, fascia, and mansards shall be limited to the following: standing seam, metal shakes or shingles and architectural metal treatments. All mechanical equipment placed on top of any roof shall be screened by a parapet or other similar architectural apparatus being at least the height of the mechanical equipment. Pitched roofs are encouraged whenever possible.
 3. Long, flat facades that front on the interstate highway, First Avenue North or First Avenue South having more than one hundred lineal feet are prohibited. Buildings over one hundred feet in length shall incorporate one of the following: recesses, off-sets, angular forms, landscaping features or other architectural features such as bell towers, clock towers, to provide a visually interesting shape. The break in the facade shall be minimum of eight feet in length. A single uninterrupted length of a facade shall not exceed one hundred lineal feet. It is encouraged that each offset area contains landscaping or other similar amenities which will complement the offset area.
- C. Additional Provisions for Commercial Uses.
1. Storage of Merchandise. Any permitted storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence at least six feet in height that is architecturally compatible in color and design with the building. However, promotional displays, vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. In

addition, retail nurseries shall be exempt from the enclosure of plant materials, and displayed merchandise shall not include any used equipment. Bufferyards or required landscaping shall not be used for the displaying of merchandise.

2. Site Lighting. All outdoor lighting shall be designed, located and mounted at heights no greater than eighteen feet above grade for non-cutoff lights and thirty-five feet above grade for cutoff lights. All outdoor lighting shall be designed and located such that the maximum illumination measured in foot-candles at the property line shall not exceed three-tenths foot-candle for non-cutoff lights and three foot-candles for cutoff lights.
3. Storage of Junk. No person shall store junk, partially or completely dismantled vehicles, or salvaged materials in any commercial zone outside a building. In the case of automobile repair shops, such materials must be enclosed within a building or an area having a sight-obscuring fence at least six feet in height.
4. Solid Waste Area. All solid waste storage facilities shall be located within an area enclosed with a sight-obscuring fence or wall that is architecturally compatible in color and design with the building.

D. Cell Towers.

No wireless communication facilities are allowed in the entryway zone.

(Ord. 02-31, 2002)

(Ord. No. O11-07, 6-7-2011; Ord. No. O16-02, 2-2-2016)

17.26.054 Landscaping standards.

Landscaping in the form of trees, shrubs, and groundcover serve several purposes: The softening of harsh building forms and paved areas, the absorption of ground water, the reflection of seasonal color change, the provision of sound barriers (such as around utility substations or industrial yards), and urban wildlife habitat.

A. Landscaping Definitions.

Canopy Tree. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity. Minimum size of canopy trees shall be two and one half inches in caliper.

Evergreen Tree or Shrub. A tree or shrub of a species which normally retains leaves / needles throughout the year. Minimum size of evergreen trees shall be five feet in height.

B. Landscaping.

1. Bufferyard Requirements. All commercial/Industrial land uses are required to place a bufferyard (landscaping strip) adjacent to and along the length of I-90, First Avenue North, or First Avenue South on which the use fronts. Such landscaping buffer shall extend from the edge of the public right-of-way. Placement and landscaping design shall be at the discretion of the developer, and the required trees and shrubs may be clustered to enhance the view of the property from the public right-of-way as long as such uses conform with Section 17.26.052(C) of this code. A local design professional or local nursery must be consulted for assistance with the development of the landscape design. The use of native, drought-tolerant plant material is strongly encouraged. Evergreen trees are encouraged for bufferyards, and canopy trees are encouraged for parking areas. The planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site.
 - a. The developer shall have the option of one of the following three bufferyards. Bufferyard depth is measured from the property line adjacent to the public right-of-way inward. Any buffer area

which overlaps another buffer area shall be subtracted from the total to avoid double counting. The number of trees and shrubs required is per one hundred feet of frontage:

- (1) Twenty-five foot wide bufferyard: five Canopy or evergreen trees, ten Shrubs
 - (2) Twenty foot wide bufferyard: ten Canopy or evergreen trees, fifteen Shrubs
 - (3) Fifteen foot wide bufferyard: fifteen Canopy or evergreen trees, twenty Shrubs
- b. The following criteria shall also apply to the bufferyards.
- i. The landscape strip may be contoured. Berming shall be one foot of rise to four feet of run with a minimum of three feet in height. Depressions shall be no lower than the existing grade of the site.
 - ii. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds, or organic materials. No more than ten percent of the landscaped area shall contain rock, bark chips, stepping stones, or similar material.
 - iii. All landscaped areas shall be sub-irrigated, maintained, and kept free of weeds, debris, and litter. Failure to do so constitutes a zoning violation. Existing mature trees and shrubs should be preserved and will be credited toward landscaping requirements.
 - iv. Depth of bufferyard shall depend on density of vegetation.
 - v. All new utility lines shall be placed underground.
 - vi. New tree plantings shall not be constructed so as to grow into existing overhead utility lines.

C. Off-Street Parking Lot Landscaping.

Landscaping shall be provided within all parking areas as follows:

Parking lots containing more than ten spaces shall contain internal areas of landscaping totaling at least ten percent of the parking area. Each planting area shall contain at least three hundred square feet and at least one major tree and groundcover with irrigation. There must be a clearly designated pedestrian route from the parking lot to the street or main entrance.

1. A minimum of twenty square feet of landscaped area shall be provided for each parking space on parking lots containing more than ten spaces.
2. Two canopy and/or evergreen trees and five shrubs shall be required for every ten parking spaces or component thereof over ten parking spaces.
3. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds or organic materials. No more than twenty-five percent of the landscaped area shall contain rock, bark chips, stepping stones or similar material.
4. The minimum width and/or length of any parking lot landscaped area shall be five feet.
5. Internal parking lot landscaping provided shall be proportionately dispersed, at the developer's discretion, in order to define aisles and limit unbroken rows of parking. The maximum horizontal or vertical unbroken length shall be limited to one hundred feet. Landscaped areas provided shall be in a scale proportionate to parking lot.
6. Any development that has parking abutting a required bufferyard, may extend the width of parking landscaping plant material. The minimum bufferyard width and that bufferyard a minimum of five feet and include the additional required landscaping material is required in addition to the parking landscaping.

-
7. Protection of Landscaped Areas. Landscaped areas within parking lots or the along perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved permanent barriers.
 8. All new utility lines shall be placed underground.

D. Commercial Uses Abutting Residential Uses.

All commercial uses abutting residential uses shall install a bufferyard. The bufferyard shall be ten feet wide and shall contain ten evergreen and/or canopy trees and ten shrubs per one hundred lineal feet. A solid fence or wall that is architecturally compatible in color and design with the building shall be required on the property line. The fence height shall be a minimum of six feet. Chain link or other wire fencing material is prohibited.

E. Fractions in the Calculation of Number of Trees and Shrubs.

In the calculation of trees and shrubs for bufferyards or parking landscaping, all fractions shall be rounded to the nearest, highest whole number.

(Ord. 02-31, 2002)

Chapter 17.27 SE 4TH STREET OVERLAY DISTRICT

Sections:

17.27.010 Intent.

The city of Laurel hereinafter ("city"), in collaboration with the Laurel Urban Renewal Agency, prepared the following set of regulations to preserve and protect the unique nature of the SE 4th Street corridor of the city of Laurel. These regulations are intended to promote, preserve, and enhance the character of the built environment while encouraging a cohesive identity.

In addition to building construction, further elements include, but are not limited to parking and pedestrian connectivity requirements, landscaping, and signage.

This district's requirements are in addition to the existing zoning ordinances found in Title 17 of the Laurel Municipal Code (LMC). Single-family and two-family residential uses in the district are exempt from the provisions herein.

The intent of this section is to:

- A. Promote a physical landscape to make the district an attractive place to live and work;
- B. Encourage creativity in design and quality site planning;
- C. Promote development patterns in coordination with the goals and objectives of the city's growth management plan;
- D. Provide consistency to land uses and design that will protect the investment of property owners in the district.

(Ord. No. O15-04, 5-5-2015)

17.27.020 District boundaries.

The boundaries of the District are identified in Figure 1.

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(Ord. No. O15-04, 5-5-2015)

17.27.030 Application and approval process.

- A. All building permit applications shall be submitted to the city's building official. All permit applications must be submitted and signed by the property owner or the authorized agent of the property owner. An approved building permit is required prior to any construction activity.
- B. Each building permit application must include, but not be limited to, the following information:
 - 1. The name and address of the property owner;
 - 2. The name and address of the applicant;
 - 3. The legal description of the parcel;
 - 4. A map drawn to scale showing the dimensions, acreage, location of the parcel, north arrow, streets and adjacent land uses;
 - 5. A complete site plan drawn to a scale of no less than 1"=40' showing the dimensions and height of the structure;
 - 6. A Complete elevation drawing drawn to the scale 1"=40' including the dimensions and height of the structure;
 - 7. If applicable, signage plan specifications, location and ground lighting pattern; and
 - 8. Payment of application review fee.
- C. Within fifteen working days following the submittal of a complete application, the planning director, designee, or the public works department (in the case of signs) shall issue approval for development or a denial of the application, unless the applicant consents in writing to an extension of the review period. Should the application be denied, the applicant shall be notified in writing specifying the reasons for the denial. (Ord. No. 002-31,2002)

(Ord. No. O15-04, 5-5-2015)

17.27.040 Nonconformance.

- A. Any lawful characteristic of the properties existing prior to the effective date of the ordinance that would not be a permitted characteristic under these regulations is declared to constitute a nonconforming characteristic.
- B. Nonconforming structures shall not be enlarged, extended, reconstructed, or structurally altered in an amount greater than fifty percent of its assessed valuation, unless the characteristics of the building are changed to comply with the appropriate regulations.
- C. If any nonconforming structure is damaged by an event including, but not limited to, fire, flood, explosion, wind, or war, in an amount equal to or greater than fifty percent of its assessed valuation, reconstruction must comply with the appropriate regulations. In addition, repair and maintenance may be carried out each year in an amount not to exceed twenty-five percent of the assessed valuation of the structure for that year.
- D. A nonconforming structure may continue pursuant to these regulations, but it shall not be changed in any way except to conform to the regulations herein.

(Ord. No. O15-04, 5-5-2015)

17.27.050 Definitions.

All terms shall have the same meanings as defined elsewhere in the city zoning ordinance or city signage regulations. For purposes of this title, certain words and terms used herein are defined in this chapter.

- A. "Architectural design elements" means an architectural feature consisting of a decorative, three dimensional element, horizontal or vertical, protruding or indented at least two inches from the exterior façade of a building typically utilized to provide additional aesthetic relief to a façade.
- B. "Façade" means the exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines.
- C. "Front façade" means any building face adjacent to the street. In the case of a corner lot, the front façade is the face that the building is addressed.
- D. "Lot line, front" means the boundary abutting a right-of-way, other than an alley, from which the required setback or build-to zone is measured. The front lot line shall be to the street to which the building is addressed.
- E. "Lot line, side" means the boundary line adjacent to the front lot line and may or may not abut a right-of-way depending on lot location from which the required setback or build-to zone is measured.

(Ord. No. O15-04, 5-5-2015)

17.27.060 Building design requirements.

- A. Exterior materials shall be sufficiently durable to ensure stability, maintainability, and long life. The materials to achieve a rustic western appearance are required. Buildings shall be finished with a minimum 40 percent half log and/or rock accents on the front façade.
- B. Structures not located along SE 4th street are excluded from the forty percent threshold.
- C. Architectural design elements are required on the front façade. Permitted design element materials include any finish of wood, wood timbers or wooden logs.

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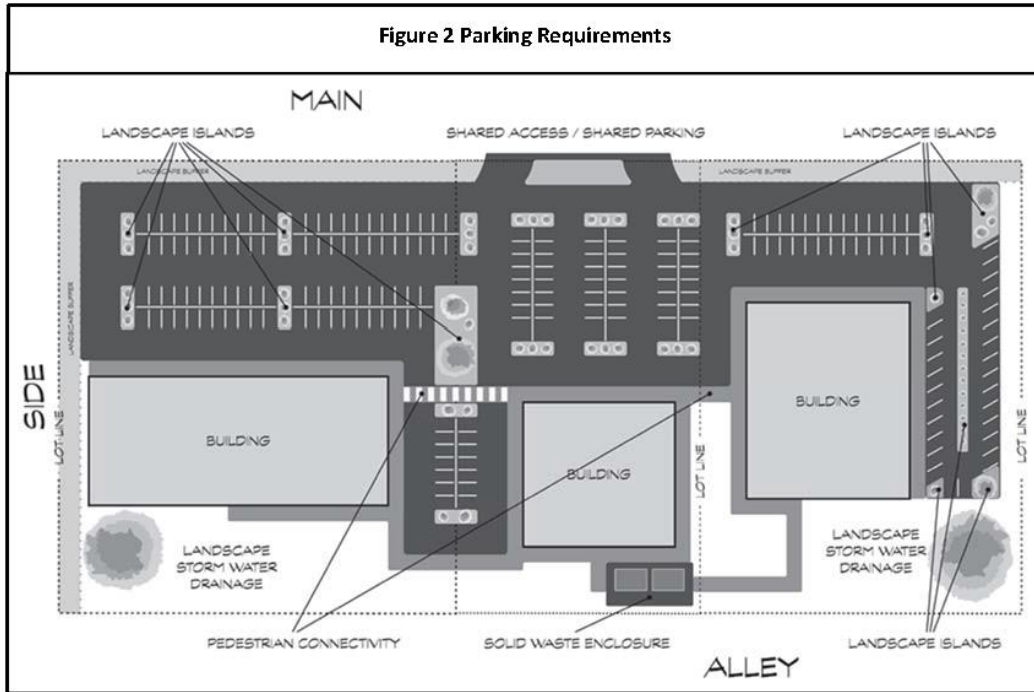


Architectural Design Element: The wooden timbers in front of the buildings are a prime *example of the required design element*.

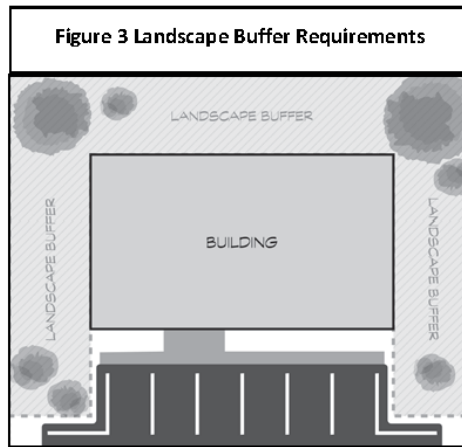
(Ord. No. O15-04, 5-5-2015)

17.27.070 Site design requirements.

- A. Inter-site circulation is required to provide for orderly and appropriate vehicular traffic between adjacent properties. This will also limit the number of necessary approaches on busy roadways.
- B. Parking exceeding the minimum requirement is discouraged.
- C. Landscape islands are required at the terminal ends of all parking rows.
- D. Pedestrian connectivity from parking areas to buildings shall be provided by interior sidewalks or designated, striped pedestrian crossings.
- E. Shared parking is encouraged when property owners have a written agreement as to the terms of the shared parking. The written agreement is not subject to approval by the city but should be presented if it is applicable to meeting off-street parking requirements. See Figure 2.



F. Landscaping must be an integral part of the site design. A landscape buffer is required as part of any site development. The buffer shall be designed to provide both screening and aesthetic effect. See Figure 3.



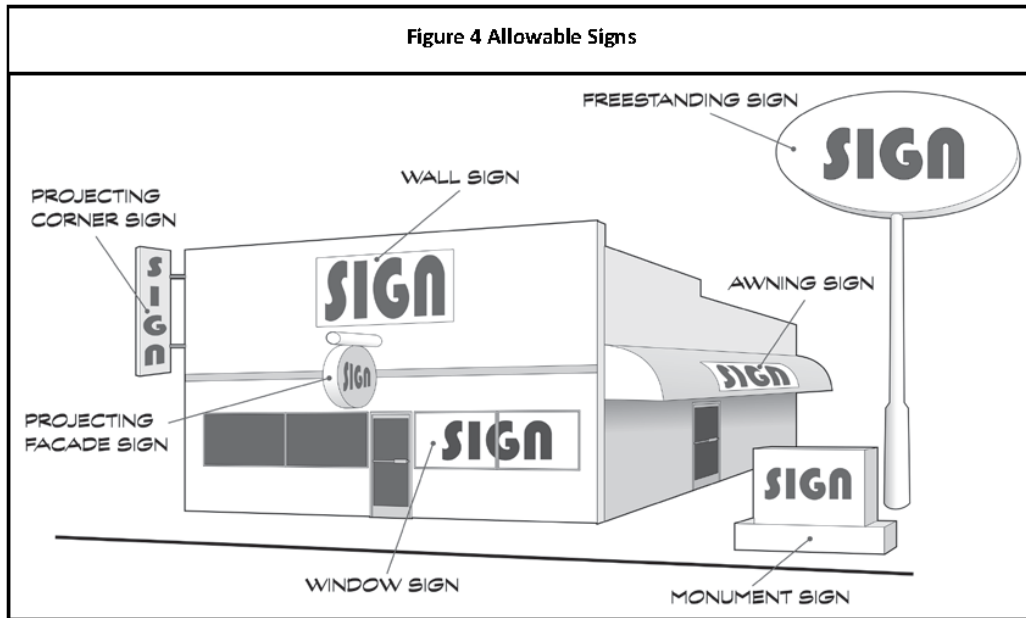
- G. Landscaping should be of an indigenous species or one that is acclimated to the city's climate.
- H. Landscaping shall include a mix of plants, shrubs, sod and trees. A minimum of fifty percent of the trees shall be at least 2.5 inch in caliper size.
- I. Landscaping shall not interfere with clear vision requirements.
- J. If a property is located in this district and the entryway zoning district, parking and landscape requirements of the entryway zoning district shall apply.

(Ord. No. O15-04, 5-5-2015)

17.27.080 Signage requirements.

Laurel Municipal Code Chapter 17.42 governs signage within the city of Laurel. Exceptions to LMC 17.42 occur only when a property is located in a special zoning district. If a property is located in this District and the Entryway Zoning District, signage requirements of the Entryway Zoning District shall apply.

- A. Allowable sign types include wall signs, window signs, awning signs, corner projecting signs, and projecting signs. See Figure 7.



- B. Illumination is encouraged to be internal. When external illumination is used, it must be focused only upon the sign face and must have cut off shields to prevent light spillage.
- C. Any projecting or corner projecting sign shall not extend above the roofline of the attached building.
- D. Any wall sign shall not exceed 30 percent of the area of any building façade.
- E. Electronic message boards are not permitted in this district.

(Ord. No. O15-04, 5-5-2015)

Chapter 17.28 AIRPORT ZONING

Sections:

17.28.010 Intent.

Specifically, these criteria and guidelines are designed to preserve existing and establish new compatible land uses around airports, to allow land use not associated with high population concentration, to minimize exposure of residential uses to critical aircraft noise areas, to avoid danger from aircraft crashes, and to regulate the area around the airport to minimize danger to public health, safety, or property from the operation of the airport; to prevent obstruction to air navigation, and to aid in realizing the goals and policies of the city's growth management plan and the Laurel airport master plan. These guidelines will consider among other things:

-
- A. The safety of the airport users and persons and property in the vicinity of the airport;
 - B. The character of the flying operations conducted or expected to be conducted at the airport;
 - C. The magnitude and duration of noise produced by aircraft and the number of aircraft flying;
 - D. The nature of the terrain;
 - E. The future development of the airport; and
 - F. The views and mandates of the federal agency charged with the fostering of civil aeronautics as to the aerial surfaces necessary for safe flying operations.

(Ord. 02-30 (part), 2002)

17.28.020 Definitions.

For the purpose of this chapter certain words and terms used herein are defined in this chapter.

Airport area of influence means an area encompassing the flight pattern of the Laurel Airport.

Airport elevation is recorded and accepted as three thousand five hundred fifteen feet above mean sea level (MSL).

Airport property boundary means the area presently owned or leased by the city for use in the daily operation of the airport. "Proposed airport property boundary" means the area presently owned or leased by the city for use in the daily operation of the airport. "Proposed airport property boundary" refers to any areas to be acquired by the city for future development and protection of the city for future development and protection of the facility.

Federal Aviation Regulation (FAR) 77 means those regulations which delineate imaginary surfaces as designated by the Federal Aviation Administration (FAA) to control the height of objects, both natural and manmade, which may affect navigable airspace around the airport.

Flight Pattern/Airport Hazard Area means an area extending out from the end of Runway 4/22 a distance of ten thousand feet and also an area parallel and extending out from both sides Runway 4/22 a distance of one mile as shown on the Laurel airport zoning map.

Primary surface and primary surface control zone means a surface located longitudinally on a runway and extending two hundred feet beyond each end of the runway. The primary surface control zone extends two hundred fifty feet southeast of the centerline of Runway 4/22; one thousand feet northwest of the centerline of Runway 4/22; two hundred fifty feet on each side of Runway 14/32 southeast of the intersection with Runway 4/22; and one thousand feet on either side of Runway 14/32 northwest of the intersection with Runway 4/22. The primary surface control zone includes the primary surface, a surface longitudinally centered on each runway and extending two hundred feet beyond each end of a runway. The primary surface is five hundred feet wide for Runway 4/22 and two hundred fifty feet for Runway 14/32. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Runway layout means the orientation of the runways based on magnetic north. Proposed runway layout includes future extensions on existing runways and new runways not yet constructed.

Structure means an object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formations, and overhead transmission lines.

Tree means any object of natural growth.

(Ord. 02-30 (part), 2002)

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17.28.030 Zoning commission—Duties.

The Laurel-Yellowstone city-county planning board shall act as the airport zoning commission whose duty it shall be to recommend the boundaries of the various original districts, propose appropriate regulations to be enforced therein, and to propose or review amendments or changes in either the boundaries or regulations as applicable.

(Ord. 02-30 (part), 2002)

17.28.040 Administration.

The regulations shall be administered by the city-county planning board, which shall have the authority, after consultation with the airport authority, to approve or disapprove proposed uses within the flight pattern/airport hazard area.

(Ord. 02-30 (part), 2002)

17.28.050 Applicability.

These regulations will affect the property which lies outside of the airport boundary but inside of the airport area of influence.

(Ord. 02-30 (part), 2002)

17.28.060 District created.

In order to carry out the intent of these regulations, the Laurel airport area of influence is hereby described as flight pattern/airport hazard area.

(Ord. 02-30 (part), 2002)

17.28.070 Airport zoning map.

The boundaries of the airport zones are shown on the Laurel airport zoning map which is filed with the city clerk-treasurer and county clerk and recorder. That map, along with all official amendments thereto, is hereby made a part of these regulations.

(Ord. 02-30 (part), 2002)

17.28.080 Use restrictions.

Notwithstanding any other provisions of these regulations, no use may be made of land or water within any district established by this regulation in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between the airport lights and other lights, result in glare in the eyes of the pilots using the airport, impair visibility in the vicinity of the airport or otherwise in any way create a hazard or endanger the landing, takeoff, or maneuvering of aircraft intended to use the airport.

(Ord. 02-30 (part), 2002)

17.28.090 Height limitations.

In order to carry out the intent of these regulations, there are established imaginary surfaces for the purpose of limiting height. An area located in more than one of the following zones is limited by the more restrictive zone. No structure or tree shall be erected, altered, allowed to grow, or be maintained above the following imaginary surfaces:

- A. Utility Runway Visual Approach Zone: slopes upward twenty feet horizontally for each foot vertically, beginning at the end of and at the same elevation and width as the primary surface and extending to a horizontal distance of five thousand feet along the extended runway centerline, with a lateral width of one thousand two hundred fifty feet.
- B. Utility Runway Nonprecision Instrument Approach Zone: slopes upward twenty feet horizontally for each foot vertically beginning at the end of and at the same elevation and width as the primary surface and extending to a horizontal distance of five thousand feet along the extended runway centerline, with a lateral width of two thousand feet.
- C. Transitional Zone: slopes upward seven feet horizontally for each foot vertically beginning at the sides of and at the same elevation and width as the primary surface and the approach zones, and extending to a height of one hundred and fifty feet above the airport elevation. In addition to the foregoing, there are established height limits sloping upward and outward seven feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the approach zones, and extending to where they intersect with the conical surface.
- D. Horizontal Zone: a horizontal plane one hundred fifty feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of five thousand feet from the center of each end of the primary surface of each runway and connecting the adjacent arcs by lines tangent to those arcs.
- E. Conical Zone: slopes upward and outward twenty feet horizontally for each foot vertically beginning at the periphery of the horizontal zone and extending to a height of three hundred fifty feet above the airport elevation.

(Ord. 02-30 (part), 2002)

17.28.100 Permit required.

- A. As shown on Table 17.28.190, new residential and any other non-agricultural land uses within the flight pattern/airport hazard area require a flight pattern/airport hazard use permit. No new, non-agricultural land use shall be created or erected without such permit. All existing land uses and structures in the flight pattern area at the time of adoption of the ordinance codified in this section shall be considered as grandfathered, nonconforming uses until such uses have been found in compliance with this section.
- B. Three copies of an application along with the required review fee shall be filed with the city and shall consist, at a minimum, of the following information:
 - 1. A legal and general description of the tract or tracts upon which the permit is sought.
 - 2. A map showing the dimensions, acreage and sites of the tract(s) and adjacent land uses;
 - 3. The names, addresses and telephone numbers of the owner(s) of the tract(s) and their agents, if any;
 - 4. A site plan showing major details of the proposed non-agricultural use including but not limited to: proposed and existing buildings and structures; heights of structures; means of ingress and egress; landscaping; and proposed construction materials;

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5. A time schedule for development;
 6. An executed perpetual air rights easement, in a form satisfactory to the city, granting to the city, for the benefit of the public, perpetual air rights-of-way for the free and unobstructed navigation and passage of all types of aircraft in and through the air space above the real property involved; and
 7. Any other information the applicant believes will support the request or that the city may require.
- C. Review of the Flight Pattern/Airport Hazard Area Use Permit by the Planning Director.
1. The application for flight pattern/airport hazard area use permit shall be reviewed by the planning director or other representative authorized by the city for appropriateness and effect on the ordinance codified in this section, existing and proposed airport plans, compatibility of surrounding land uses and relationship to the Laurel growth management plan and FAR Part 150, noise compatibility program.
 2. The planning director shall provide one copy of the application to the Laurel airport authority for review.
 3. If the application is properly prepared and complete as specified in subsection B of this section, the planning director shall have ten working days to review the application and, if in compliance with the intent of the ordinance codified in this section, issue a flight pattern/airport hazard area use permit which shall consist of returning a copy of the permit application signed by the city representative to the applicant.

(Ord. 02-30 (part), 2002)

17.28.110 Variances.

Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use his property not in accordance with these regulations may apply to the board of adjustment (hereby designated—when reviewing issues concerning the airport—the board of airport hazard adjustment). Such variance shall be allowed where a literal application or enforcement of these regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary the public interest but do substantial justice and be in accordance with the spirit of these regulations and of the enabling statute.

(Ord. 02-30 (part), 2002)

17.28.120 Nonconforming uses.

- A. Regulations Not Retroactive. These regulations shall not be construed to require the removal, lowering or other changes or alterations of any structure or tree not conforming to the regulations as of the effective date of the ordinance codified in this chapter. Nothing herein contained shall require any change in construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of these regulations, and is diligently prosecuted to completion.
- B. Nonconforming Uses Abandoned or Destroyed. Whenever the city determines that a nonconforming structure or tree has been abandoned or more than eighty percent torn down, destroyed, deteriorated or decayed, no approval shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from these regulations.
- C. Hazard Marking and Lighting. Notwithstanding subsection "A" above, the owner of any nonconforming structure or tree is required to permit the city; at its own expense, to install, operate, and maintain thereon such markers and lights as the Airport Authority may deem necessary to indicate to airmen the presence of

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airport hazards; provided, that the city does not by taking such action waive any right to exercise eminent domain or abate as a nuisance any such nonconforming structure.

(Ord. 02-30 (part), 2002)

| Table 17.28.190 | |
|--|-----------------|
| Land Use Category Within Flight Pattern / Airport Hazard Area | Condition |
| Residential uses inside the municipal boundaries of the City of Laurel | Permit Required |
| Residential uses outside the municipal boundaries of the City of Laurel | Permit Required |
| Commercial uses inside the Laurel Airport property boundary | Allowed |
| Commercial uses outside the Laurel Airport property boundary | Special Review |
| Public uses | Allowed |
| Agricultural uses | Allowed |
| Note: A location covered by more than one zoning district shall be limited to the more restrictive zone. | |

Chapter 17.32 PLANNED UNIT DEVELOPMENTS

Sections:

17.32.010 Intent.

It is the intent of this chapter to encourage flexibility in development of land in order to promote its most appropriate use; to improve the design, character, and quality of new development; to allow densities not otherwise possible under the prevailing zone regulations; to facilitate the adequate and economical provision of streets and utilities; and to preserve the natural and scenic features of open space.

(Prior code § 17.48.010)

17.32.020 Review and approval.

Planned unit development (PUD) review and approval shall be as follows:

- A. A minimum of thirty days prior to the date of formal submittal of a PUD the applicant shall meet with planning director to review the procedure, documentation and requirements necessary for full and complete processing. The procedure schedule is as follows:
 1. Submittal of a PUD zone change request;
 2. Public hearing and recommendation of city zoning commission;
 3. Public hearing before and decision to grant or deny PUD zone change request by city council.
- B. On the date established for submittal of preliminary plats, in accordance with Laurel's subdividing procedures, the applicant shall submit twenty copies of the PUD site plan and twenty copies of written statement, together with all fees to the planning office.

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- C. Within ten working days after the date of formal submittal, the planning director shall convene a design conference between the applicant and representatives from local governmental units having a substantial interest in the location, land use or other features of the proposed PUD. Within the same thirty days after the design conference and after receiving the recommendation of the city-county planning board the zoning commission shall hold a public hearing on the PUD and make recommendations to the city council.
 - D. Within thirty days after the design conference, the application shall be reviewed by the city-county planning board and recommendations based on the comments from the design conference and the criteria contained in the subdivision regulations shall be forwarded to the zoning commission. The comments from the design conference shall be forwarded to the planning board, zoning commission and developer within five working days after the conference.
 - E. The planning director shall prepare a written report on the conclusions, findings and recommendations of the zoning commission and planning board, and submit the same together with site plans, required documentation, and comments received from other governmental agencies or the public hearing before the planning board.

(Prior code § 17.48.020)

17.32.030 Site plan requirements.

A complete site plan showing the major details of the proposed planned unit development prepared at a scale of not less than 1"= 100' shall be submitted in sufficient detail to evaluate the proposed land utilization, building design, and other features of the planned unit development. The site plan must contain insofar as is possible as is applicable, the following minimum information:

- A. Names of the Proposed Development. Names and addresses of the owners and the designers of the site plan, his seal; and
- B. Vicinity Sketch Map. A vicinity sketch map showing names and locations of property lines, adjacent streets and roads and the approximate location of adjacent property within five hundred feet of the planned unit site; and
- C. Areas which are to be conveyed, dedicated or reserved as common park areas, including public parks and recreational areas, and as sites for schools and other public buildings; and
- D. The location and dimension of all vehicular points of ingress and egress, drives, channelizations and traffic circulation; and
- E. The location of pedestrian entrances, exits, walks and walkways; and
- F. A general landscape plan showing the spacing, sizes and specific types of landscaping material; and
- G. Utility and Drainage Plans. Utility and drainage plans shall be provided including all information required to determine that water, sewer, sanitary disposal and storm drainage improvements will be made and located in accordance with the city's requirements; and
- H. Contour intervals of five feet; and
- I. The location and size of all existing and proposed buildings, structures and improvements; and
- J. The maximum heights of all buildings, density or dwellings, and proposed land uses; and
- K. Any areas subject to over a one hundred year flood cycle; and
- L. Location of solid waste collection facilities.

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(Prior code § 17.48.030)

17.32.040 Written statement required.

A written statement, ten copies of which must be submitted with the preliminary site plan, must contain the following information:

- A. Copies of any special agreement, conveyances, restrictions or covenants, which will govern the use, maintenance and continued protection of the planned unit and any of its common parks or open spaces; and
- B. A statement of the present ownership and legal description of all the land included in the planned unit; and
- C. An explanation of the objectives to be achieved by the planned unit, including building descriptions, sketches, or elevations as may be required to describe the objectives; and
- D. A development schedule indicating the approximate date when construction of the planned unit or stages of the planned unit can be expected to begin and be completed.

(Prior code § 17.48.040)

17.32.050 Standards and requirements.

All PUD applications shall implement the purposes of this chapter and in addition meet the following standards and requirements:

- A. In cases of conflict between standards of any other provisions of this title and standards of this chapter, the standards of this chapter shall apply;
- B. Demonstrate that the PUD is consistent with the purposes and objectives of the city comprehensive plan and any other officially adopted plan;
- C. The PUD's relationship to its surroundings shall be considered in order to avoid adverse effects caused by traffic circulation building bulk, insufficient screening, noise, dust or other common nuisances;
- D. If a PUD is proposed to be constructed or developed in phases, it must be demonstrated that each phase is independent of the other phases and contains sufficient parking, open space and other facilities to provide for the needs of the projected population of that phase;
- E. The minimum acreage for a PUD shall be five acres.

(Prior code § 17.48.050)

17.32.060 Residential use requirements.

The maximum allowable density in each planned unit development shall be as approved by the city council.

(Prior code § 17.48.060)

17.32.070 Minimum usable open space and common park areas defined—Required.

- A. Minimum useable open space and common park areas are lands used for scenic, recreational, landscaping or conservation purposes, and shall not include road easements, dedicated or private road right-of-ways,

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driveways, parking areas, or required screening or other buffering between residential and nonresidential land uses.

- B. Not less than twenty percent of the net land area shall be developed and maintained as common open space and shall be evenly distributed throughout the development.

(Prior code § 17.48.070)

17.32.080 Nonresidential land uses—Terms and conditions.

- A. Nonresidential land uses may be permitted in a PUD district but such land must be for the express service and convenience of the residents of the PUD. Commercial uses allowed in a PUD shall be limited to the uses permitted as a matter of right in the neighborhood commercial limited (NCL) zone.
- B. No building permit for a PUD district may be issued for any nonresidential uses except those permitted as a matter of right in a NCL zone, until at least twenty-five percent of the total number of approved dwelling units have been constructed. A minimum of twenty-five gross acres must be reserved for residential land uses before any commercial uses allowed outright in a NCL zone may be incorporated into a PUD.
- C. The planning board and zoning commission must be satisfied that the site plan for a PUD has met each of the following criteria or can demonstrate that one or more of them is not applicable, and that a practical solution consistent with the public interest has been achieved for each of these elements:
 - 1. That there is an appropriate relationship to the surrounding area. The buffer zone must be kept free of buildings, obstructions, and must be landscaped, screened or protected by natural features, so that adverse effects on surrounding areas are minimized;
 - 2. Circulation, in terms of an internal street circulation system designed for the type of traffic generated, is safely separated from living areas. Private internal streets may be permitted if they can be used by police, fire department vehicles for emergency purposes, and by other city and county departments to provide basic services. Bicycle traffic shall be considered and provided for when the site is used for an area for living purposes. Proper circulation in parking areas in terms of safety, convenience, separation and screening;
 - 3. Usable open space in terms of: preservation of natural features including trees, drainage areas, recreation, views, density, relief, convenience and function;
 - 4. Variety in terms of: housing type, densities, facilities, and open spaces;
 - 5. Privacy in terms of the needs of: individuals, families, and adjacent properties;
 - 6. Pedestrian traffic in terms of: safety, separation, convenience, access to points of destination and attractiveness;
 - 7. Building types in terms of: appropriateness of density, site relationship and bulk; and
 - 8. Building design in terms of: orientation, spacing, materials, color and texture, storage, signs and lighting.

(Prior code § 17.48.080)

17.32.090 Application approval or denial—Authority and procedure.

- A. The city council shall approve or deny all PUD applications referred to it by the planning board and zoning commission. The council may approve the application in whole or in part, with or without modifications and conditions, or deny the application.

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- B. All approved site plans, special agreements, restrictions, covenants, including any modifications, or conditions shall be endorsed by the city clerk-treasurer. The applicant shall file the approved PUD site plan and such other agreements with the county clerk and recorder. Thereafter, no building or structure shall be erected, and no land shall be used for any purpose other than shown on the officially recorded PUD site plan or in accordance with any conditions required thereon.
 - C. Once approved the planning director shall indicate on the official map that an amendment for a PUD has been granted for the tracts included in the site plan.

(Ord. 97-2 § 4 (part), 1997; prior code § 17.48.090)

17.32.100 Changes in development—Procedure.

- A. Major changes in the plan of development or other documents similarly approved and recorded shall be considered the same as a new petition and reapplication shall be made in accordance with the procedures for a new application.
- B. Minor changes in the development may be approved by the planning director; provided, that such changes: do not increase densities, heights of buildings, structural materials, other boundaries, land uses, or the location and/or amount of land devoted to open space, parks or other common facilities.

(Prior code § 17.48.100)

17.32.110 Development schedule—Requirements.

A PUD shall be started within twelve months following approval of the development of the city council, and must be substantially complete within five years from the starting date. A PUD shall be reviewed annually by the planning director and an oral report made to the city council.

(Prior code § 17.48.110)

Chapter 17.36 SOIL EROSION CONTROL

Sections:

17.36.010 Applicability of provisions.

In all zoning districts, the regulations set out in Sections 17.36.020 through 17.36.050 shall apply.

(Prior code § 17.72.010 (part))

17.36.020 Plan and permit prior to subdivision required.

Before any developer or other firm, person or agency changes or alters the contour of any land proposed to be subdivided, developed or changed in use by grading, excavating or the removal of the natural topsoil, trees, or other vegetative covering thereon for the purpose of development, construction or other purposes, he or his agent shall submit to the city engineer a plan to control erosion and sedimentation which can be expected to occur if appropriate precautions are not taken to arrest such waste and soil depletion. No such grading, excavating or removal of trees and related vegetation shall be undertaken until after a permit for such work shall have been issued by the city engineer, or his designated assistant.

(Prior code § 17.72.010 (A))

17.36.030 Approval and compliance required.

The city engineer, or his designated assistant shall review the erosion control plans as submitted, make suggestions and changes necessary to reasonably control soil erosion, and shall take the necessary steps to ensure compliance by the developer or other responsible person with the erosion control plans as finally approved. Erosion and sedimentation control shall be exercised throughout the time of excavation, landfill and/or construction. No such work shall be finally approved until after appropriate seeding, sodding, plantings, mulching or other appropriate erosion control measures have been taken. Approval of plans by the city engineer shall in no way make the city liable.

(Prior code § 17.72.010 (B))

17.36.040 City engineer authority.

The city engineer is hereby granted authority to require the posting of a performance bond by any such persons who desire to change the contour of the land. Such bond shall be in the amount he reasonably expects the cost would be to the city to enter upon the property for the purpose of taking corrective action where such developer or other person has failed to satisfactorily control either erosion or sedimentation.

(Prior code § 17.72.010 (C))

17.36.050 Control measures to be observed during development—Designated.

The following control measures shall be observed during the development of property or when changing the contour of the land:

- A. The smallest practical area of land will be exposed at any time during development;
- B. When land is exposed during development, the exposure will be kept to the shortest practical period of time;
- C. Where necessary, temporary vegetation and/or mulching will be used to protect areas exposed during development;
- D. Sediment basins will be installed and maintained to remove sediment from runoff waters from land undergoing development or substantial change of grade;
- E. Provisions are to be made to effectively accommodate the increased runoff caused by changes of soil and surface conditions during and after development;
- F. Permanent final vegetation and structural development are to be installed as soon as practical in the development;
- G. The development plan is to be adapted to the topography and soils so as to create the least erosion potential;
- H. Wherever feasible, trees, shrubs and natural vegetation are to be retained and protected to control erosion.

(Prior code § 17.72.010 (D))

Chapter 17.40 OFF-STREET PARKING REQUIREMENTS

Sections:

17.40.010 Applicability of provisions.

There shall be provided at the time of erection of any building or structure minimum off-street parking accommodations meeting the provisions of this chapter.

(Ord. 800 (part), 1985; prior code § 17.76.010 (part))

17.40.020 Location specified.

Off-street parking facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be in walking distance measured from the nearest point of parking facility to the nearest point of the lot that such facility is required to serve. All such off-street parking shall be improved as required by Sections 17.40.080 and 17.40.140.

- A. For one- and two-family dwellings, off-street parking is required on the same building site with the building it is required to serve.
- B. For multiple dwellings, retirement homes, lodging and boardinghouses, etc., off-street parking is required within the walking distance of one hundred feet.
- C. For hospitals, sanitariums, convalescent homes, nursing homes, rest homes, homes for the aged and asylums, off-street parking is required within six hundred feet for employees and three hundred feet for visitors.
- D. That portion of the city zoned central business district (CBD) shall not have any off-street parking requirements; provided, however, that the owners of expanded or new structures must consider the off-street parking needs of their projects.
- E. For uses other than those specified above, off-street parking within four hundred feet is required.

(Ord. 05-11, 2005; Ord. 927, 1987; Ord. 800 (part), 1985; prior code § 17.76.010(A))

17.40.030 Expansion and enlargement to be provided for.

Whenever any building is enlarged in height or in ground coverage, off-street parking shall be provided for the expansion or enlargement in accordance with the requirements of this chapter; provided, however, that no parking space be provided in the case of enlargement or expansion, where the number of parking spaces required for such expansion or enlargement is less than ten percent of the parking spaces required for the enlarged facility as specified in this chapter. Nothing in this provision shall be construed to require off-street parking spaces for the portion of such building existing at the time of passage of the ordinance codified in this chapter.

(Prior code § 17.76.010(B))

17.40.040 Nonconforming uses allowed.

Nothing in this chapter shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings even though nonconforming; provided, that all regulations herein governing the location, design, and operation of such facilities are adhered to.

(Prior code § 17.76.010(C))

17.40.050 Mixed occupancy requirements computed separately.

In the case of mixed uses, the total requirements for the various uses shall be computed separately. The total requirements to be the sum of the area computed. Off-street parking facilities for one use shall not be considered as a substitute for joint use.

(Prior code § 17.76.010(D))

17.40.060 Use not specified—Determination dependent on requirements.

In the case of a use not specifically mentioned in the Table of Minimum Standards, the requirements for off-street parking facilities shall be determined by the building official. Such determination shall be based upon the requirements for the most comparable use listed.

(Prior code § 17.76.010(E))

17.40.070 Joint use authorized when.

The building official may authorize the joint use of parking facilities for the following uses or activities under conditions specified.

- A. Up to fifty percent of the parking facilities required by this chapter for primarily nighttime uses such as theaters, bowling alleys, bars, restaurants, and related uses herein referred to as daytime uses such as banks, offices, retail, personal service shops, clothing, food, furniture, manufacturing or wholesale and related uses.
- B. Up to one hundred percent of the parking facilities required by this section for a church or for an auditorium incidental to a public or parochial school, may be supplied by the off-street parking facilities provided by uses primarily of a daytime nature.

(Prior code § 17.76.010(F))

17.40.080 Conditions required for joint use.

The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use, shall be located within five hundred feet of such parking facilities, in addition to which:

- A. The applicant shall show that there is no substantial conflict in the principal operating hours at the two buildings or uses for which joint use of off-street parking facilities is proposed;
- B. The applicant shall present to the building official a legal agreement executed by the parties concerned for joint use of off-street parking facilities.

(Prior code § 17.76.010(G))

17.40.090 Off-street parking requirements—Procedure—Specifications.

Except as provided elsewhere in this chapter, no application for a building permit or certificate of occupancy in any zone shall be approved unless there is included with the plan for such building, improvement or use, a site plan showing the required open space designated as being reserved for off-street parking incident to such building, improvement, or use, in accordance with this section. No certificate of occupancy shall be issued until the required off-street parking spaces have been provided. Each required off-street parking space should be of an area at least ten feet wide and twenty feet long, not including the required ingress and egress approaches and driveways also required by this code. However, at a minimum, each off-street parking space shall conform to the size and layout standards set forth in the Table of Parking Dimensions in Feet, attached to the ordinance codified in this chapter and on file in the office of the city clerk-treasurer and incorporated by reference as though set out in full. Off-street parking on the street side of properties shall be paved with an all-weatherproof surface of concrete or asphalt. Off-street parking on the alley side of properties shall also be paved with an all-weatherproof surface material unless the city street and alley committee and the building official gives approval in writing of a different surfacing material. The number of off-street parking spaces shall be provided according to the following minimum requirements:

- A. Dwellings.
 - 1. Single-family and two-family dwellings — Two spaces for each dwelling unit,
 - 2. Multiple-family dwellings — One and one-half spaces for each dwelling unit,
 - 3. Reserved.
- B. Roominghouses. One space for each two sleeping rooms rented, plus one additional space for the owner or operator of the roominghouse;
- C. Hotels, Including Clubs. One space for each two guest rooms; if, in addition to sleeping rooms, patrons or residents are provided with assembly halls, bars, restaurants, nightclubs, retail shops, service establishments or other businesses, additional off-street parking spaces will be required for such other uses in accordance with the regulations of this section for such uses;
- D. Tourist Homes, Motel. One space for each guest room or cabin; off-street parking for auxiliary uses in the same building or on the same lot shall be provided in accordance with the regulations set forth in this section for such uses. For tourist homes there must be provided in addition to off-street parking space for guests, one additional space for each family permanently residing in the building;
- E. Hospitals. One space for each two patient beds; plus one additional space for each two regular employees, including nurses;
- F. Restaurants, etc. Restaurants, including bars, taverns, nightclubs, lunch counters, diners and all other similar dining and drinking establishments — One space for each four seats provided for patron use, or one space for each one hundred square feet of floor area used for patron use whichever requirement is greater;
- G. Theaters. One space for each five seats provided for patron use;
- H. Places of Public Assembly. Places of public assembly, including private clubs, lodges and fraternal buildings not providing overnight accommodations, assembly halls, exhibition halls, convention halls, auditoriums, skating rinks, dancehalls, bowling alleys, sport arenas, stadiums, gymnasiums, amusement parks, racetracks, fairgrounds, circus grounds, churches, funeral homes, and mortuaries, community centers, libraries, museums, and all other similar places of relatively infrequent public assembly — One space for each ten seats provided for patron use, or one space for four hundred square feet of gross

floor area used or intended to be used for service to the public as customers, patrons or clients, whichever requires the greater number of parking spaces;

- I. Medical Facilities. Medical clinics, including the offices of doctors, dentists and drugless physicians — Three spaces for each doctor using the office or clinic, plus one additional space for each two regular employees, including nurses;
- J. Retail Establishments. Retail establishments including personal service shops, equipment or repair shops:
 - 1. In a NC, CBD and HC commercial district — One space for each two hundred square feet of floor area on the ground floor, plus one space for each four hundred square feet of floor area in the basement or any story above the ground floor,
 - 2. In a CC commercial district: One space for each two hundred square feet of floor area;
- K. Office Buildings. Office building, including commercial, governmental and professional building, except as otherwise provided for in this section: One space for each four hundred square feet of floor area;
- L. Wholesale, Manufacturing and Industrial Plants. Wholesale, manufacturing and industrial plants, including warehouses and storage buildings and yards, public utility buildings, contractor equipment and lumber yards, research laboratories, business service establishments such as blueprinting, printing and engraving, soft drink bottling establishments, fabricating plants and all other structures devoted to similar mercantile or industrial pursuits — One space for each employee plus sufficient space to park all company-owned or leased vehicles including passenger cars, trucks, tractors, trailers, and similar motor vehicles, but in no case less than one off-street parking space for each one thousand square feet of gross floor area;
- M. Terminal Facilities. Terminal facilities including airports, railroad, passenger and freight stations, bus depots, truck terminals and all other similar personal or material terminal facilities — Off-street parking space in an amount determined by the board of adjustment to be adequate to serve the public as customers, patrons and visitors, plus space to provide one off-street parking space for each two regular employees, plus space to provide off-street parking for all owned, leased or operated commercial vehicles, buses and similar motor vehicles;
- N. Schools. Schools, including colleges, elementary schools, junior and senior high schools, including public, private and parochial schools — One space for each two staff members or employees, plus one space for each classroom, plus additional space for any place of public assembly in accordance with the requirements set forth in this section for such use;
- O. Miscellaneous Institutions. Sanitariums, asylums, orphanages, convalescent homes, homes for the aged and infirm, and similar institutions — One space for each four patient beds, plus one additional space for each staff doctor, plus one additional space for each two regular employees including nurses.

(Ord. 06-12 (part), 2006; Ord. 06-06 (part), 2006; Ord. 97-2 § 4 (part), 1997; Ord. 96-5 (part), 1996; Ord. 918, 1987; prior code § 17.76.010(H))

(Ord. No. 009-02, 3-17-09)

17.40.100 Retail and commercial off-street loading.

In any district, any building or part thereof having a gross floor area of ten thousand square feet or more which is to be occupied by a use requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building at least one off-street loading space, plus one additional loading space for each twenty thousand feet or major fraction thereof of gross floor area. Each loading

space shall be not less than twenty feet in width, twenty-five feet in length, and fourteen feet in height. The loading space shall be located so as to preclude backing maneuvers on the public right-of-way.

(Prior code § 17.76.010(I))

17.40.110 Warehouse and wholesale off-street loading.

Off-street loading space for warehouse, wholesale shipping and similar facilities will be determined by the city engineer. The loading space shall be located so as to preclude backing maneuvers on the public right-of-way.

(Prior code § 17.76.010(J))

17.40.120 Screening around parking facility required when.

Screening in the form of walls, architectural fences or dense coniferous hedges shall be required where any parking facility has a common boundary with any residentially zoned property.

(Prior code § 17.76.010(K))

17.40.130 Landscaping requirements.

In the neighborhood commercial limited (NCL), neighborhood commercial (NC), community commercial (CC), and highway commercial (HC) zoning districts, landscaping shall be provided according to the following schedules:

A. New Site Development:

Percentage of Landscaping Required:

| | |
|---------------------------|-------------|
| Up to 22,000 sq. ft. | 10% minimum |
| 22,000 sq. ft. to 5 acres | 8% minimum |
| 5 acres to 10 acres | 6% minimum |
| over 10 acres | 4% minimum |

- B. Existing Site Development: Building additions in excess of fifty percent — Percentage of landscaping required one-half of new site development. Building additions less than twenty-five percent — No landscaping required.

The building official shall determine that existing site development does not substantially alter the use of the property before approving reduced landscaping requirements.

- C. Landscaping area shall be based on the square footage of the lot or lots less the square footage of the building or buildings on the site and may consist of outdoor plazas, deciduous plantings, aesthetic bufferings, benches, kiosks, public transit shelters, fountains, flower tubs or other environmental amenities approved by the building official.

(Prior code § 17.76.010(L))

17.40.140 Construction permit—Requirements—Procedure.

- A. Construction. Plans for parking lots shall be submitted to the building official. After approval by the city engineer, the building official may issue a construction permit. A permit shall be obtained before construction of any parking facility is started.

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- B. Surfacing. Surfacing is required for all off-street parking, loading, storage, sales, rental or service areas for vehicles including service stations and used car lots. Surfacing shall be designed by accepted engineering methods and subject to the approval of the city engineer.
 - C. Drainage. Drainage is required for all surfaced areas as approved by the city engineer. Surface water shall not be drained across public sidewalks or alleys.
 - D. Walkway. Walkways four feet in width shall be provided between any building and an adjacent parking lot.
 - E. Lighting. Lighting shall be directed away from residential areas and public streets.
 - F. Bumper Curb. A raised bumper curb of concrete six inches high is required for all parking stalls adjacent to the property line and where necessary to ensure pedestrian access.
 - G. Traffic Control Devices. Parking stalls shall be designated by pavement markings:
 - 1. All traffic control devices such as pavement markings, signs, rails, curbs, and other developments shall be installed and completed as shown on the approved plans.
 - H. Maintenance. Maintenance of all areas provided for off-street parking shall include removal and replacement of dead and dying trees, grass and shrubs, removal of dirt, trash, and weeds, repair and maintenance of drain and repair of traffic control devices, signs, lights, standards, fences, walls, surfacing materials, curbs, sidewalks and railings.

(Prior code § 17.76.010(M))

17.40.150 Cash in lieu of required parking spaces.

If property subject to the off-street parking requirements of this section is not large enough to include the number of required spaces specified hereunder, or if the proposed location of the parking spaces, whether on-site or off-site, is undesirable in the opinion of the governing body, the city may accept a cash payment in lieu of some or all of the required number of parking spaces. Such payment shall be set by the city council by annual resolution after a public hearing for each required space not being provided. The payment shall be made at the time of application for the building permit to construct the building or improvement, and shall be deposited to the Laurel parking fund, to be used by the city for future acquisition, construction, maintenance and improvement of city-owned parking spaces.

(Ord. 06-04 (part), 2006: Ord. 928, 1988: Ord. 893, 1986: prior code § 17.76.010(N))

Chapter 17.42 SIGN CODE

17.42.010 Adoption.

The Uniform Sign Code, 1997 Edition, published by the International Conference of Building Officials, together with any appendix or subsequent amendments or additions thereto, adopted or as may be adopted in the future by the city of Laurel, is [by this Section] 17.42.010 adopted by and declared to be the sign code of the City.

One full printed copy of the code shall be available in the offices of the city. The aforesaid, Uniform Sign Code is adopted by reference and made a part of this chapter as fully, and for all intents and purposes, as though set forth herein at length. It shall be known and designated as the "Uniform Sign Code" of the city.

(Ord. 99-10 (part), 1999; Ord. 96-11, 1996: Ord. 859, 1986: prior code § 15.52.010)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

(Supp. No. 20)

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17.42.020 Updated references.

The sign code described in Section 17.42.010 may be amended by resolution or administrative order of the mayor.

(Ord. 99-10 (part), 1999; Ord. 860, 1986; prior code § 15.52.020)

17.42.030 Intent.

This code shall not regulate official traffic or government signs; the copy and message of signs; signs not intended to be viewed from a public right-of-way; window displays; product dispensers and point of purchase displays; scoreboards on athletic fields; flags of any nation, government or fraternal organization; gravestones; barber poles; religious symbols; or any display or construction not defined in this chapter as a sign.

(Ord.02-32 (part), 2003)

17.42.040 Definitions.

"Animated sign." A sign depicting action, motion, light, or color change, or that change the sign displayed through electrical or mechanical means. Animated also includes signs that use blinking, flashing or scrolling or other special effects to depict motion.

"Area of sign" means the entire area of a sign including the area within a perimeter, which forms the outside shape including the frame, forming an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. The frame of a sign may be excluded from the area where such frame conveys no message and is constructed or affixed for aesthetic reasons beyond the necessary supports.

For computing the areas of any wall or canopy sign, which consists of letters mounted or painted on a wall or canopy, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all of the letters. (See below section calculation of sign area.)

"Bandit sign" means an illegal commercial sign posted on a utility pole, street sign, or other street furniture; or any other sign placed within a public right of way or public property or on private property. A bandit sign generally has less than six square feet or less of advertising area and are made of vinyl, paper, cloth or fabric, polyboard, corrugated plastic, poster board, plastic core, cardboard, wood, or plywood, including signs with wood or wire framing, posts or stakes.

"Banner sign" means any sign (other than an official flag) made of cloth, paper or fabric of any kind, which is used to attract attention, whether or not imprinted with words or characters.

"Beacon" means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

"Billboard, on-premises" is a sign intended to capture the attention of motorists along interstate highways and other roads located in the entryway zoning district, that also promotes an activity, product, commodity, service, entertainment or communication which is sold or offered at the premises on which the sign is located.

"Billboard, off-premises" is a sign intended to capture the attention of motorists along interstate highways and other roads located in the entryway zoning district, that also promotes an activity, product, commodity, service, entertainment or communication which is not sold or offered at the premises on which the sign is located.

"Building marker" means any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

"Canopy sign" means any sign that is a part of or attached to any awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area, and which does not extend horizontally beyond the limits of the canopy.

"Changeable copy sign" means a sign whose alphabetic and numeric content can be changed or altered by manual or electric, electromechanical or electronic means. Changeable copy signs are limited to time and temperature displays. For changeable copy signs displaying informational and other pictographic content see "pictographic changeable copy sign."

- a. Fixed Message Electronic Signs. Signs whose basic informational content has been preprogrammed to include only certain types of information projections, such as time and temperature.
- b. Computer Controlled Variable Message Electronic Signs. Signs whose alphabetic or numeric content can be changed or altered by means of computer-driven electronic impulses.

"Copy" means the content of a sign surface in either permanent or removable letter, alphabetic or numeric form.

"Directional/informational sign" means an on-premises sign giving directions, instructions or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs. The sign may contain a logo provided that the logo may not comprise more than twenty percent of the total sign.

"Director" means the director of planning of the city of Laurel or his or her designee.

"Flag" means any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other entity.

"Freestanding sign" means any sign supported by uprights or braces permanently placed upon the ground, and not attached to any building.

"Government sign" means any temporary or permanent sign erected and maintained by the city, county, state or federal government for traffic direction or for designation of or direction to any school, hospital, historical site or public service, property or facility.

"Height of sign" means the vertical distance measured from the highest point of the sign to the crown of the adjacent street, not including the interstate highway.

"Lot" means any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record that is recognized and intended as a unit for the purpose of transfer or ownership.

"Maintenance" means for the purposes of this code, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the structure of the sign.

"Monument sign" means a sign mounted directly to the ground with maximum height not to exceed ten feet.

"Nonconforming sign" means a sign, which was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations.

"On-premises sign" means a sign that advertises solely for the property on which it is located.

"Pictographic changeable copy sign" means a sign whose still framed pictographic or symbolic content can be changed or altered by manual or electric, electromechanical or electronic means. Still frame pictures may change but not sooner than every sixty seconds. No pictographic changeable copy sign can depict movement or motion, flashing, blinking or other special effects including scrolling text.

"Portable sign" means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of

wheels; signs converted to A or T frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

"Principal building" means a structure accommodating the principal use to which the property is devoted. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clearly accessory uses shall not be considered principal buildings.

"Projecting sign" means a sign, other than a wall sign, which is attached to and projects from a building no more than twelve inches. Supports shall be covered in a neat and orderly fashion. Guy wire support is prohibited.

"Roof sign, above-peak" means any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

"Roof sign, integral" means any sign erected or constructed as an integral or essentially integral pan of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

"Setback" means the distance from the property line to the nearest part of the applicable building, structure or sign, measured perpendicularly to the property line.

"Sign" means any identification, descriptions, illustration or device illuminated or nonilluminated which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information, with the exception of window displays and national flags. For the purpose of removal, signs shall also include all sign structures.

"Snipe sign" means a sign made of any material when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, fences or other objects and the advertising matter appearing thereon is not applicable to the present use of the premises upon which such sign is located.

"Street" means a public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place or however otherwise designated which has been dedicated to or acquired for public use, and which extends the full width between right-of-way lines.

"Street frontage" means the length of the property line of any one premises along each public right-of-way it borders excluding alleys, government easement accesses, and the interstate highway.

"Suspended sign" means a sign that is suspended from the underside of a horizontal place surface and is supported by such surface.

"Temporary sign" means a nonpermanent sign erected and maintained for a specific limited period of time.

"Wall sign" means any sign attached parallel to, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface. Wall signs shall not exceed twelve inches in depth measured from the face on the wall on which the sign is mounted.

"Wind-driven sign, allowable" means any sign consisting of one or two banners, flags, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

"Wind-driven sign, conditional" means any ribbons, spinners, streamers, pennants, balloons, inflatable or other wind driven signs subjected to pressure by wind, fan, or breeze.

"Window sign" means any sign, pictures, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.050 Signs prohibited.

All signs not expressly permitted under this section or exempt from regulation hereunder in accordance with the following section are prohibited. Such signs include, but are not limited to:

- A. Beacons;
- B. Strings of lights not permanently mounted to a rigid background, except those exempt under the following section;
- C. Animated signs;
- D. Above-peak roof signs;
- E. Abandoned signs;
- F. Pictographic changeable copy signs which depict motion of any kind, including flashing, blinking and scrolling text or other special effects;
- G. Snipe signs or bandit signs;
- H. Signs placed on vehicles or trailers, which are parked or located for the primary purpose of displaying, said signs (this does not apply to signs or lettering on buses, taxis, or vehicles operating during the normal course of business).

(Ord. 02-32 (part), 2003)

Table - Signs by Zoning District

| Type of Sign | AG | RP | NC | CBD | CC | HC | LI | HI | P | EZD | Overlay District | All Residential Districts |
|---|----|----|----|-----|----|----|----|----|---|-----|------------------|---------------------------|
| Animated Sign (Including Flashing, Blinking, Scrolling) | | | | | | | | | | | | |
| Bandit Sign | | | | | | | | | | | | |
| Banner Sign | | A | A | A | A | A | A | A | A | A | A | |
| Beacon | | | | | | | | | | | | |
| Billboard - On Premise | SR | | | | | SR | | | | | | |
| Billboard - Off Premise | SR | | | | | SR | | | | | | |
| Building Marker | A | A | A | A | A | A | A | A | A | A | A | |
| Canopy Sign | | A | A | A | A | A | A | A | | A | A | |
| Fixed Message Electronic Variable Message Sign | | | | SR | SR | SR | SR | SR | | SR | SR | |
| Computer Controlled Variable Message Sign | | | | SR | SR | SR | SR | SR | | SR | SR | |
| Pictographic Changeable Copy Signs which depict | | | | | | SR | SR | SR | | | | |

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| only still frames and change not less than 60 seconds | | | | | | | | | | | | |
| Pictographic Changeable Copy Signs which depict motion, flashing and blinking of any kind | | | | | | | | | | | | |
| Direction/Information Sign | A | A | A | A | A | A | A | A | A | A | A | |
| Flag | A | A | A | A | A | A | A | A | A | A | A | A |
| Freestanding Sign | | | | A | A | A | A | A | | A | A | |
| Government Sign | A | A | A | A | A | A | A | A | A | A | A | A |
| Monument Sign | | A | A | A | A | A | A | A | A | A | A | * |
| On Premise Sign | A | A | A | A | A | A | A | A | A | A | A | |
| Off Premise Sign | | | | | | | | | | | | |
| Portable Sign | | | | | | | | | | | | |
| Projecting Sign | | A | A | A | A | A | A | A | A | A | A | |
| Roof Sign, Integral | A | A | A | A | A | A | A | A | | A | A | |
| Roof Sign - Above Peak | | | | | | | | | | | | |
| Snipe Sign | | | | | | | | | | | | |
| Temporary Sign | A | A | A | A | A | A | A | A | A | A | A | |
| Wall Sign | A | | | A | | A | A | A | | A | A | |
| Wind-driven Sign, allowable | | | | | | A | A | A | | A | A | |
| Wind-driven Sign, conditional | | | | | | SR | SR | SR | | SR | SR | |
| Window Sign | | | | A | A | A | A | A | | A | A | |

*As allowable by subdivision regulations

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.060 Portable and banner signs.

Permits required. It shall be unlawful for any owner or person entitled to possession of any property or business, or their authorized representatives, to erect, construct, move, or display a temporary sign or cause the same to be done, without first obtaining a temporary sign permit from the sign administrator. A temporary sign permit may be issued.

- A. To new businesses or to existing businesses which are relocating and shall be limited in use to one time for no longer than sixty days; or

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- B. To existing businesses for the purpose of advertising and shall be limited to a maximum of thirty consecutive days per calendar year. Such thirty-day period may be split into no more than two separate periods of fifteen consecutive days each.

(Ord.02-32 (part), 2003) (Laurel Supp. No. 3, 12-04)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.070 Signs not requiring permits.

The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this section:

- A. Construction signs of sixteen square feet or less;
- B. Special event or holiday lights or decorations;
- C. Nameplates of two square feet or less;
- D. Public signs or notices, or any sign relating to an emergency;
- E. Real estate signs; (see signs permitted, Section 17.42.130(B));
- F. Political signs; (see signs permitted, Section 17.42.130(D));
- G. Interior signs not visible from the exterior of the building;
- H. Directional signs not to exceed twelve square feet in area or six feet in height.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.080 Overlay zoning districts.

The provisions of the Entryway Zoning district, SE 4th Overlay District, or Downtown Overlay District pertaining to signs shall apply to all signs in that district and are in addition to the provisions of this section.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.090 Calculation of sign area.

The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure, the sign area shall be computed by the measurement of one of the faces.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.100 Maintenance.

All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be re placed.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.110 Lighting.

Unless otherwise prohibited by this code, all signs may be illuminated provided they do not cause or contribute to a public nuisance. Lighting restricted to the sign face.

(Ord.02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.120 Changeable copy.

Unless otherwise specified by this section, any sign in this chapter allowed may use manual or fixed message electronic sign.

Computer controlled variable message electronic signs shall be permitted provided that the bottom of the reader board is ten feet above the crown of the adjacent road.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.130 Signs permitted (exceptions to this section are noted in the overlay zoning district).

- A. One non-illuminated sign for each street frontage of a construction project, not to exceed forty-eight square feet in sign area. Such signs may be erected thirty days prior to beginning of construction and shall be removed thirty days following completion of construction.
- B. One non-illuminated real estate sign per lot or premises not to exceed sixteen square feet in sign area for residential properties and thirty-two square feet for commercial properties. Such signs must be removed fifteen days following sale, rental, or lease of the real estate involved.
- C. One non-illuminated attached building nameplate per occupancy, not to exceed two square feet in sign area.
- D. Non-illuminated political signs not to exceed sixteen square feet in sign area each. Such signs shall not be erected more than forty-five days prior to the election or referendum concerned and shall be removed ten days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner.
- E. One subdivision sign per street frontage not to exceed forty-eight square feet in sign area in each location.
- F. One identification sign per entrance to an apartment or condominium complex, not to exceed thirty-six square feet in sign area.

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- G. The total square footage of all signs located on the property, including, but not limited to freestanding, wall, projecting, integrated roof, canopy, and directional signs, shall not exceed two square feet in sign area for each lineal foot of property frontage. This frontage shall be calculated using local streets (not the interstate highway).
 - H. One on-premise, freestanding sign may be installed to a height of forty feet and may be a maximum of three hundred fifty square feet if the principal purpose of such signs is to address interstate traffic as determined by the director. The sign must be oriented perpendicularly to the interstate so the sign is visible to the interstate traveler.
 - I. Freestanding signs which are not on-premise and which do not address interstate traffic as determined by the director may be installed to a maximum height of twenty-four feet and may have a maximum size of one hundred fifty square feet. Exceptions to this are noted in the entryway zoning district.
 - J. The setback for the leading edge of freestanding signs shall be a minimum of ten feet.
 - K. No sign may be placed or designed so as to simulate or interfere with traffic control devices or official highway directional/informational signs.
 - L. Wall signs shall not exceed twenty percent of the square footage of the wall area upon which they are installed. Electric awning and canopy signs shall not exceed twenty percent of the square footage of the wall area upon which they are installed. The combination of wall signs, electric awning, canopy signs and projecting signs shall not exceed twenty percent of the allowed wall sign area.
 - M. Integrated roof signs may be used instead of wall signs. The integrated roof sign size shall not exceed the allowable size for a wall sign. Integrated roof signs shall be constructed so as to conceal all structures and fastenings. The height of the sign shall not exceed the roof to which it is attached.
 - N. Projecting signs may be used instead of any wall or freestanding signs provided they do not project beyond the property line and maintain a clearance of ten feet over the sidewalk and fourteen feet over any parking lot, driveway or crown of the street, whichever is higher. Where zoning allows for one hundred percent lot coverage or zero setbacks, projecting signs shall never extend beyond the sidewalk and must be ten feet over the sidewalk. Projecting sign size shall not exceed the allowable size for a wall sign.
 - O. Window signs shall not cover more than thirty percent of the window area.
 - P. On-site directional signs as required.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.140 Shopping center signs (exceptions to this section may be noted in the Entryway Zoning, SE 4th Street or Downtown Overlay District).

- A. Shopping centers shall be allowed one freestanding sign directory sign per frontage. The sign shall not exceed one hundred fifty square feet plus five percent of the one hundred fifty square feet per tenant. Maximum sign size shall not exceed three hundred fifty square feet.
- B. Shopping centers signs shall not exceed the maximum allowable freestanding signage.
- C. Shopping center signs cannot be used if the common signage plan is used.

(Ord. 02-32 (part), 2003)

Table - Sign Requirements

| Type of Sign | Requires Permit** | Illumination | Maximum Height | Maximum Sign Area | Setbacks | Maximum Number of Signs* | Maximum Permitted Sign Use |
|--|---------------------------------|--------------|----------------------------------|-------------------|----------|--------------------------|---------------------------------------|
| Banner Sign | Y | | | | | | 60 days/30 days see 17.42.060 |
| Billboard - On Premises | Y | | | | | | |
| Billboard - Off Premises | Y | | | | | | |
| Building Marker | Y | | | | | | |
| Building Nameplate | | | | 2 sq. ft | | | |
| Canopy Sign | Y | | | 20% of wall area | | | |
| Changeable Copy Sign | Y | | | | | | |
| Construction sign | | N | | 48 sq. ft. | | | 30 days before and after construction |
| Fixed Message Electronic Variable Message Sign | Y | | | | | | |
| Computer Controlled Variable Message Sign | Y | | | | | | |
| Pictographic Changeable Copy Sign | Y | | | | | | |
| Directional/ Informational Sign | As required per Ordinance 02-32 | | | | | | |
| Flag | | | | | | | |
| Freestanding Sign | Y | | 40'/24' See LMC. 17.42.130.H, I. | | 10' | | |
| Government Sign | | | | | | | |
| Monument Sign | Y | | | | | | |

| | | | | | | | |
|--|---|---|------------------------|--|---|----------------------------------|--|
| On Premises Sign | Y | | | | | | |
| Political Signs | | N | | 16 sq. ft. | Prohibited in ROW | | No more than 45 days prior to election and removed immediately following |
| Portable Sign | Y | | | | In CBD may extend over sidewalk with 10' clearance. Prohibited encroachment into right of way in all other zoning districts | | 60 days/30 days see 17.42.060 |
| Real Estate Sign | | N | | 32 sq.ft. | Prohibited in ROW | 1 per lot | 15 days after the sale, rental or lease |
| Projecting Sign | Y | | | | | | |
| Roof Sign, Integral | Y | | Cannot exceed roofline | 20% of wall area | | | |
| Shopping Center Signs (cannot be used if common signage plan is used.) | Y | | | 150 sq.ft. plus 5% per tenant. Maximum sign not to exceed 350 sq.ft. | | 1 Freestanding Pole per frontage | |
| Temporary Sign | Y | | | | | | |
| Wall Sign | Y | | | 20% of wall area | | | |
| Window Sign | Y | | | Up to 30% of window area | | | |
| *The total square footage of all signs located on the property shall not exceed 2 square feet in sign area for each lineal foot of local street frontage (Does not include interstates). | | | | | | | |
| **See 17.42.040 | | | | | | | |

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.150 Common signage plan.

- A. If the owners of two or more contiguous or adjacent (disregarding intervening streets and alleys) lots or the owner of a single lot with more than one building (excluding accessory buildings) or multiple use buildings file with the director for such lot(s) a common signage plan conforming with the provisions of this section, a twenty-five percent increase in the maximum total sign area shall be allowed for each included lot. This bonus shall be allocated within each lot as the owner(s) elects.
- B. Provisions of Common Signage Plan. The common signage plan shall contain all of the following information:
1. An accurate plot plan of the lot, at such scale as the director may reasonably require;
 2. Location of buildings, parking lots, driveways, clear vision triangles and landscaped areas on such lot;
 3. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the lot(s) included in the plan under this chapter;
 4. An accurate indication on the plot plans of the proposed location of each present and future sign of any type, whether requiring a permit or not;
 5. Window signs may simply indicate the areas of the windows to be covered by window signs and the general type of the window signs (e.g., paper affixed to window, painted, etched on glass, or some other material hung inside the window) and need not specify the exact dimension or nature of every window sign.

The common signage plan shall also specify standards of consistency among all signs on the lots affected by the plan with regard to:

1. Color scheme;
 2. Letter or graphic style;
 3. Lighting;
 4. Location of each sign on the building(s);
 5. Material; and
 6. Sign proportions.
- C. Limit on Number of Freestanding Signs Under Common Signage Plan. The common signage plan, for all lots with multiple uses or multiple users, shall limit the number of freestanding signs to a total of one for each street on which the lots included in the plan have frontage and shall provide for shared or common usage of such signs. Where street frontage exceeds five hundred feet, one additional freestanding sign may be allowed per five hundred-foot increment.
- D. Other Provisions of the Common Signage Plan. The common signage plan may contain other restrictions as the owners of the lots may reasonably determine.
- E. Consent. Common signage plan shall be signed by all owners or their authorized agents in such form as the director shall require.

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- F. Procedures. Common signage plan shall be included in any development plan, site plan, planned development or other official plan required by the city for the proposed development and shall be processed simultaneously with such other plan.
 - G. Amendment. Common signage plan may be amended by filing a new common signage plan that conforms with all requirements of the code in effect.
 - H. Existing Signs Not Conforming to Common Signage Plan. If any new or amended common signage plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, all signs not conforming to the proposed amended plan or to the requirements of this section effective on the date of submission.
 - I. Binding Effect. After approval of a common signage plan, no sign shall be erected, placed, painted or maintained, except in conformance with such plan, and such may be enforced in the same way as any provision of this chapter. In case of any conflict between the provisions of this section and common signage plan, the section shall control.
 - J. Dissolution of Common Signage Plan. If the signatories of a common signage plan wish to dissolve the common signage plan, written notice must be submitted to the director. All signs on the property for which the common signage plan was dissolved must bring all signs into conformance with this section within thirty days of the date written notice was submitted to the director.

(Ord.02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.160 Nonconforming signs.

- A. Existing signs which do not conform to the specific provisions of this section may be eligible for the designation "legal nonconforming" provided that:
 - 1. The director determines such signs are properly maintained and do not in any way endanger the public;
 - 2. The sign was installed in conformance with a valid permit or variance or complied with all applicable laws on the date of adoption of this section.
- B. A legal nonconforming sign may lose this designation if:
 - 1. The sign is relocated or replaced; or
 - 2. The structure or size of this sign is altered in any way except toward compliance with this section. This does not refer to change of copy or normal maintenance.
- C. The legal nonconforming sign is subject to all requirements of this section regarding, safety, maintenance, and repair. However, if the sign suffers more than fifty percent damage or deterioration, as based on appraisal, it must be brought into conformance with this section or removed.

(Ord.02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.170 Construction specifications.

- A. Plans and specifications and the required review fee for all signs, including those in the entryway zoning district, must be submitted to the city of Laurel building department prior to the start of construction. The building department must grant a construction permit prior to any construction activity.
- B. All signs shall be installed in compliance with the International Building Code (IBC) and applicable electrical codes required, permitted and enforced by the State of Montana.
- C. All signs shall be inspected by the city of Laurel building department for compliance with all applicable codes. (including, but not limited to structure, wind load, and electrical hook-up).
- D. All electrical freestanding signs must have underground electrical service to such signs.
- E. Any change in sign construction or face, excluding changeable copy as defined in this chapter, shall require a new construction permit and fee.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.180 City fees and/or charges for signs.

The city council shall establish reasonable fees and/or charges for all signage within the jurisdiction of the city by annual resolution after a public hearing.

(Ord. 07-06 (part), 2007)

(Ord. No. O16-01, 2-2-2016)

Chapter 17.44 GENERAL REGULATIONS

Sections:

17.44.010 Authority of provisions.

In interpreting and applying the provisions contained in this chapter, the requirements contained herein are declared to be the minimum requirements necessary to carry out the purposes of this title. The provisions of this chapter shall not be deemed to interfere with, abrogate, annul or otherwise affect in any manner whatsoever any easements, covenants or other agreements between parties so long as those agreements are not contrary to any laws or ordinances of the United States, the state of Montana, and the city of Laurel; provided, however, that where this chapter imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or requires larger open spaces than are imposed or required by other articles, rules, regulations, or permits, or by easements, covenants or agreements, the provisions of this chapter shall prevail. Except as provided elsewhere in this title, the general regulations set out in Sections 17.44.020 through 17.44.050 shall apply.

(Prior code § 17.36.010 (part))

17.44.020 Permitted uses.

No building or structure shall be erected, and no existing building or structure shall be moved, altered, added to or enlarged; nor shall any land, building or structure be used, designed or arranged for use for any purpose or in any manner not included among the uses listed elsewhere in this title as permitted in the district in which such building, structure or land be located.

(Prior code § 17.36.010 (A))

17.44.030 Zoning lot.

Every building hereafter erected shall be located on a zoning lot as defined in this title; and, except as provided elsewhere in this title, there shall be no more than one principal building on one lot.

(Prior code § 17.36.010 (B))

17.44.040 Height limitations.

No building or structure shall be erected, reconstructed or structurally altered to exceed in height the limit designated in this title for the district in which such building or structure is located.

(Prior code § 17.36.010 (C))

17.44.050 Area and yards.

- A. No building or structure shall be erected; nor shall any existing building or structure be altered, enlarged or rebuilt; nor shall any open space surrounding any building be encroached upon or reduced in any manner except in conformity with the yard, lot, area, and building location regulations designated in this title for the district in which such building or open space is located.
- B. No yard or other open space provided about any building, for the purpose of complying with the provisions of these regulations, shall be considered as a yard or open space for any other building; and no yard or other open space on one lot shall be considered as a yard or open space for a building on any other lot.
- C. All other yards required by these regulations shall be open and unobstructed to the sky, except as provided in this title.

(Prior code § 17.36.010 (D))

Chapter 17.48 SUPPLEMENTARY REGULATIONS

Sections:

Article I. In General

17.48.010 Applicability.

The regulations specified in this title shall be subject to the supplementary provisions and regulations set out in Sections 17.48.020 through 17.48.080.

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(Prior code § 17.40.010 (part))

17.48.020 Structures exempt from height limits.

A building height limit set forth in this title shall not apply to belfries, chimneys, cupolas, domes, flagpoles, flues, monuments, radio towers, spires, tanks, water towers, or similar structures; nor to bulkheads, elevators, water tanks or similar roof structures and mechanical appurtenances. No such structure shall have a total area of greater than twenty-five percent of the roof area of the building; nor shall such structure be used for any residential purpose or any commercial or industrial purpose other than a use incidental to the main use of the building. Nothing in this section nor in this chapter shall be interpreted to permit the erection of any structure in violation of any applicable provisions of Chapter 17.28 of this code.

(Prior code § 17.40.010(A))

17.48.030 Allowed projection into yards.

Steps, terraces and uncovered porches may extend into the minimum front setback, but such feature shall not be less than five feet distant from any lot line; provided, the floor thereof is no higher than that of the first floor entrance to the building; and such feature on corner lots shall not impede the line of sight vision of traffic in the street. Fire escapes and outside open stairways may project not more than two feet into any minimum required yard. Chimneys may extend into any minimum yard not more than two feet. Civil defense shelters may extend into any required side yard to within two feet of the lot line; they may extend into a required front or rear yard not more than twelve feet. The roof of the shelter that extends into any required yard shall not extend over eight inches above outside grade or above existing basement height, whichever is the lesser.

(Ord. 06-12 (part), 2006: Ord. 06-06 (part), 2006: prior code § 17.40.010(B))

17.48.040 Front yard depths.

When the majority of lots in a block have been lawfully occupied with the buildings having different front yard depth than required by regulations, no building hereafter erected or altered shall have a less front yard depth than the average depth of the existing front yards. This regulation shall apply also to side yards, adjacent to a street, of a corner lot, but shall not be construed as to reduce the buildable width of a corner lot to less than twenty-four feet. No portion of any alley shall be considered a part of any yard.

(Ord. 1083, 1993: prior code § 17.40.010(C))

17.48.050 Fence heights.

- A. Fences, walls and hedges may be erected or maintained in any zoning district provided the height, setback, and material provisions outlined below are followed and a permit is secured as per Laurel Municipal Code Chapter 15.20. "Fence" for the purposes of this section means any fence, wall or hedge. No fence shall be erected or maintained in the public right-of-way, closer than one foot from a sidewalk. Fences shall be constructed on private property.
- B. Height. Height for the purposes of this section shall be defined as the vertical distance from the top rail, board or wire to the ground directly below.
- C. Setbacks Required. Fences, walls and hedges of up to four feet may be erected or maintained in the required front yard and side yard adjacent to street setback. Fences, walls and hedges up to six feet may be erected or

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maintained in rear yard and side yard not adjacent to street, except as noted in section D. None of the above setback requirements shall apply to lands located in AG, CBD, CC, HC, LI, and HI zones.

- D. Side Yard Adjacent to Street Fences. If the property abuts an alley, a fence may be erected along the side yard adjacent to the street and maintained up to six feet from the rear of the dwelling to the alley as well as along the alley. Clear vision at alley shall apply.
- E. Setbacks for Clear Vision Areas. No fence, wall or hedge greater than thirty inches may be erected or maintained in any zoning district within a clear vision zone as defined by City of Laurel Resolution No. R03-63. Fences of chain link, woven wire or other similar type fence which provide no more than ten percent obstruction to visibility through the fence when constructed can extend to four feet in height may be constructed in this area.
- F. Material Permitted. All fences in residential, agricultural and commercial zoning districts shall be constructed from materials which are commonly used for fencing. Commonly used fence materials include wood, brick, stone, split railing, wire, vinyl, chain link and ornamental iron work. In HI and LI zones fences may be constructed of finished or coated steel or aluminum building panels. Fences shall not be constructed from railroad ties, wooden pallets, tires, rubble or salvaged material. Materials not listed are subject to special review by the city planning group.
- G. Material Exception—Barbed Wire and Electric fence. In the city limits no barbed wire or electrical fencing shall be permitted in residential zoning districts. Barbed wire and electrical fencing shall be allowed in AG and RT zoning districts. Electrically charged fencing along any public way shall be posted with warning signs or fluorescent marking at intervals not to exceed one hundred fifty feet.
- H. Security Fences. In AG, CBD, CC, HC, LI, and HI zones security fences may maintain a barbed wire fence on top of a non-barbed wire fence as long as the lowest strand of barbed wire is eight feet above grade.
- I. Miscellaneous Exceptions. These provisions shall not apply to fences required to surround and enclose existing junk yards and public utility installations or to enclose school ground and public playgrounds.
- J. Penalties. Any person violating a provision of this chapter may, upon conviction thereof, be punished as set forth in Section 1.36.010 of this code.

(Ord. 892, 1986: prior code § 17.40.010(D))

(O14-01, 5-6-2014)

17.48.060 Accessory buildings.

- A. In any residential district all accessory buildings shall be located in the rear yard and shall be not less than two feet from the rear or side lot line nor less than two feet from the alley line. In the case of a corner lot in a residential district, with a side lot line parallel to a side street and a rear lot line abutting the side lot line of a lot having frontage on such side street, an accessory building shall be located in the rear yard of such corner lot maintaining a setback of not less than twenty feet from the side street. The side yard of the accessory building shall be the same minimum width required for the principal building located on the lot fronting the side street. If such accessory building is set back at least ten feet behind the rear of the principal building on the lot fronting such side street, such accessory building may be located not less than two feet from the rear and side lot lines of the corner lot.
- B. In a residential district a detached garage on an inside lot may be located with the same setback from the street as required for the principal building; providing, that such detached garage does not violate the side yard requirements for a principal building for the district in which it is located. If such detached garage is located at least ten feet behind the rear wall of the principal building on the adjacent lots, having the greater

setback from the front property line, such garage may be located not less than two feet from the side lot line. In all instances, the measurements shall be made from the eaves.

- C. An accessory building, or any enclosure, group or run, or any part thereof used for the housing, shelter, or sale of animals or fowl shall be located at least five feet from any rear or side lot line, and at least twenty feet from any building used for dwelling purposes on an adjoining lot.

(Prior code § 17.40.010(E))

17.48.070 Through lots.

Any building constructed on any interior lot having a frontage on two streets shall be located so as to comply with the regulations governing front yards on both streets.

(Prior code § 17.40.010(F))

17.48.080 Mixed uses.

Any building containing two or more dwelling units and space designed or used for commercial purposes shall comply with all requirements for multifamily dwellings in the district in which it is located. Provided, also, that no such building designed or used for mixed residential and other uses shall be permitted in any district in which a multifamily dwelling is not permitted.

(Prior code § 17.40.010(G))

Article II Specific Uses

17.48.090 Bars and taverns.

- A. Any person desiring to use any premises or to erect, construct or alter any new or existing building or structure for use as a bar, tavern, or any commercial establishment which serves alcoholic beverages as a primary or accessory use shall first make application for special review as regulated.
- B. No building, structure or premises shall be used for retail alcoholic beverage sales unless:
1. The lot or parcel of land so to be used has a street frontage of at least one hundred feet and an average depth of at least one hundred feet;
 2. A distance of six hundred feet between property lines measured in a straight line is maintained from any building that is primarily used as a church or school, or from a public park that contains a children's playground or playfield.
 - a. Properties or establishments which are located in the Central Business District zoning district are exempt from [sub]section 2.
 - b. Properties may be granted a waiver from the six-hundred-foot separation required in subsection 2. if the governing body finds that a physical barrier exists between the proposed use requiring the 600-foot separation. These barriers include, but are not limited to, the following:
 - i. An arterial street with no existing or proposed signalized pedestrian crossing;
 - ii. A building or buildings that entirely obstruct the view between the separated uses; and
 - iii. No direct physical access exists between the separated uses.

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3. The applicant must provide the governing body with proof that the proposed property or establishment meets one of the above described physical barriers or that other types of physical barriers exist that warrant the waiving of the six-hundred-foot separation.
- C. Exceptions to the terms of this section may be granted by the city council when upon recommendation by the zoning commission it is found that the strict application of the provisions of this section may result in undue hardship, and that granting of such exception shall be in the public interest.

(Prior code § 17.80.010)

(Ord. No. 009-06, 6-2-09)

17.48.100 Automobile service stations.

- A. Any person desiring to use any premises or to erect, construct or alter any new or existing building or structure for use as a service station shall first make application for special review as regulated in this chapter.
- B. No building, structure or premises shall be used for a service station unless:
1. The lot or parcel of land so to be used has a street frontage of at least one hundred feet and an average depth of at least one hundred feet;
 2. The walls of every building or structure are set back at least five feet from every adjoining property line and at least twenty-five feet from any street right-of-way line;
 3. There are adequate restroom facilities available in the premises;
 4. No portion of any new service station or any portion of the premises upon which the same is situated or any driveway entrance to or exit from the same, shall be located within twelve hundred feet in a straight line of any lot upon which there is located any other service station;
 5. On any premises upon which there is located a service station, all repairs to or for motor vehicles shall be conducted within the confines of a building. There is excepted from this provision the sale and supply of oil and gasoline, the inspection and filling of tires and batteries, and other services customarily incidental to the sale of gasoline, oil and automobile supplies and accessories, which do not include repairs, installations and replacements;
 6. Exceptions to the terms of this section may be granted by the city council when upon recommendation by the zoning commission it is found that the strict application of the provisions of this section may result in undue hardship, and that the granting of such exception shall be in the public interest.

(Prior code § 17.80.020)

Chapter 17.49 TEMPORARY USES AND STRUCTURES

Sections:

17.49.010 Intent.

The definitions found in this chapter for temporary uses and structures shall be used to regulate same, and all uses contained in temporary structures shall be considered temporary uses and must comply with this section. All temporary uses or structures must also comply with the Uniform Fire Code, Laurel requirements for ingress and

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egress, and other applicable codes in existence at the time of the adoption of this chapter. This chapter shall not apply to sidewalk vendors.

(Ord. 96-5 (part), 1996)

17.49.020 Temporary uses in nonresidential zoning districts.

- A. Group 1 Temporary Uses. This group consists of temporary uses of property continuing for less than forty-eight hours. Such uses are exempt from this chapter.
- B. Group 2 Temporary Uses. This group consists of temporary uses of property continuing for longer than forty-eight hours but less than thirty days.
 - 1. The following are examples of Group 2 temporary uses: carnivals, circuses, Christmas tree sales, etc.
 - 2. Supplemental Standards.
 - a. Two signs not to exceed thirty-two square feet in area and eight feet in height shall be allowed, excluding A-frame signs, and be removed along with the temporary use/structure when the approved time limit or temporary use/structure permit has expired.
 - b. Clear sight vision for ingress and egress shall be provided as approved by the public works department.
 - c. Access to any public right-of-way must be approved by the public works department.
 - d. Application for a temporary use/structure permit shall be made at the city public works department to the planning board at least one month ahead of the planning board's regularly scheduled meeting.
- C. Group 3 Temporary Uses. This group consists of temporary uses of property continuing for longer than thirty days but less than one year.
 - 1. The following temporary uses may be allowed in this group:
 - a. Uses, such as carryout espresso stands, less than one hundred twenty square feet in floor area and bearing a certification of a factory built building from the state of Montana as allowed in the appropriate zoning districts.
 - 2. Location and Time Restrictions.
 - a. Any Group 3 temporary use/structure existing upon adoption of this chapter shall be deemed a legal nonconforming use. All existing legal Group 3 nonconforming temporary uses/structures, as of the effective date of this chapter or any amendment hereto, shall be removed or become a permanent use by complying with the currently adopted Commercial Building Code, site development standards, and any other federal, state or local requirements within two years from the date of the enactment of this chapter or any amendment hereto.
 - b. All Group 3 temporary use/structures shall be removed no later than one year unless reapplied for and approved.
 - 3. Supplemental Standards.
 - a. Two signs not to exceed thirty-two square feet in area and eight feet in height shall be allowed, excluding A-frame signs, and shall be removed along with the temporary use when the approved time limit or temporary use/structure permit has expired.

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- b. The temporary use must provide sufficient space to accommodate the structure and off-street parking for customer and use-related vehicles. The parking area, driving lanes, and egress/ingress shall be paved, drained and the site shall be approved by the public works department.
 - c. Clear sight vision for site ingress and egress shall be provided as per currently adopted applicable codes and as approved by the public works department.
 - d. Access to public right-of-way shall be approved by the public works department.
 - e. Application for a temporary use/structure permit shall be made at the city public works department to the planning board at least one month ahead of the planning board's regularly scheduled meeting.

(Ord. 07-10 (part), 2007; Ord. 03-1 (part), 2003; Ord. 96-5 (part), 1996)

17.49.030 Christmas tree sales in residential and agricultural districts.

In any residential district and in the agricultural district, the temporary use of land for Christmas tree sales may be allowed for a period not to exceed thirty days when all of the following restrictions are met:

- A. The sale must be conducted on property owned by a nonprofit organization unless otherwise approved by city staff. The lot must provide sufficient space to accommodate the Christmas trees and off-street parking for customer and other sale-related vehicles.
- B. One sign not to exceed thirty-two square feet in area shall be allowed for this temporary use, and such sign shall be removed along with the temporary use and structure when the approved time limit or temporary use/structure permit has expired.
- C. A business license must be obtained by the operator if located within the Laurel city limits.

(Ord. 07-10 (part), 2007; Ord. 96-5 (part), 1996)

17.49.040 Roadside stands.

The sale of flowers or produce at temporary stands shall be allowed when all of the following restrictions are met:

- A. Only items produced on the premises may be sold on the premises;
- B. Any structure used must be portable and removed after the temporary use/structure ceases to operate;
- C. One sign not to exceed thirty-two square feet in area shall be allowed, and such sign shall be removed when the use ceases;
- D. The use must provide sufficient space to accommodate the stand and off-street parking for customer and other sale-related vehicles off the public right-of-way; and
- E. Clear vision ingress and egress to the area must be provided.

(Ord. 07-10 (part), 2007; Ord. 96-5 (part), 1996)

17.49.050 Fireworks stands.

The erection of temporary fireworks stands may be permitted if such meet the following standards:

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- A. Located outside the city limits of Laurel and in nonresidential zones;
 - B. Two signs not to exceed thirty-two square feet in area each are allowed, and such signs must be removed along with the temporary use and structure when the approved time limit expires;
 - C. The stand must provide sufficient space to accommodate the stand and off-street parking for customer and sale-related vehicles off the public right-of-way; and
 - D. The appropriate permits are secured from and fees are paid to county departments and the local jurisdictional fire department.

(Ord. 07-10 (part), 2007; Ord. 96-5 (part), 1996)

17.49.060 Construction or construction equipment sheds.

The temporary use of buildings or modular offices or equipment sheds during construction projects may be permitted in any zoning district. A temporary use/structure permit is not required if the structure is part of an approved construction project and used exclusively for the approved construction project it serves. Any such structure cannot be used for sleeping or living purposes and must be removed upon completion of the construction project.

(Ord. 07-10 (part), 2007; Ord. 96-5 (part), 1996)

17.49.070 Temporary use/structure permit required.

All Group 2 and Group 3 temporary uses must conform to the currently adopted Sign Code. Before any Group 2 or Group 3 temporary use or structure is established, the property owner shall obtain a temporary use/structure permit, as delineated in this chapter. In addition, the property owner shall post a three thousand dollar money order or cashier's check or an equivalent bond with the city to ensure timely removal of the use and/or structure.

(Ord. 07-10 (part), 2007; Ord. 03-1 (part), 2003; Ord. 96-5 (part), 1996)

17.49.080 Action by Laurel city council.

After the planning board has reviewed an application for temporary use, it shall make a recommendation to the city council to approve, deny or approve with conditions. The city council shall approve, deny or approve with conditions the application. If approved or if approved with conditions, the application shall then obtain a city business license prior to operating the business.

(Ord. 03-1 (part), 2003)

Chapter 17.52 INCIDENTAL USES

Sections:

17.52.010 Intent and purpose of provisions.

The uses of land and buildings permitted in the several districts established by this title are designated by listing the principal uses permitted. In addition to such principal uses, it is the intent of this title and this section to permit in each district those uses customarily incidental to any principal use permitted in the district. Such

permitted incidental uses are specifically listed as set out in Section 17.52.020, and any listed use is permitted on the same lot with the principal use to which it is incidental.

(Prior code § 17.44.010 (part))

17.52.020 Accessory uses.

A. Accessory uses for dwelling premises are as follows:

1. Private garages or off-street parking spaces incidental to a dwelling located in a residential district may not exceed the following capacity:
 - a. Single-family dwelling: Spaces or garages for four passenger vehicles,
 - b. Two-family dwelling: Spaces or garages for four passenger vehicles,
 - c. Multiple-family dwelling: Spaces or garages for three passenger vehicles per dwelling unit,
 - d. Group dwelling: Spaces or garages for one and one-half passenger vehicles per sleeping room;
2. Private greenhouse, vegetable, fruit, or flower garden from which no products are sold or offered for sale;
3. Children's playhouse, and playground equipment;
4. Shed, tool room for storage of equipment used in grounds or building maintenance but not including stable, chickenhouse, or other buildings to house agricultural livestock;
5. No more than two dogs or cats four months of age or older;
6. Private kennel;
7. Customary domestic use, but not including horses, poultry or agricultural livestock;
8. Private swimming pool and bathhouse;
9. Statuary, trellises, barbecue stove or similar ornamental or landscaping features;
10. Passenger vehicles as used herein shall mean and include automobiles, motorized campers, or pickup trucks licensed for a gross vehicle weight not to exceed ten thousand pounds;
11. Church:
 - a. Parish house, together with any use accessory to a dwelling as herein listed,
 - b. Religious education building,
 - c. Bulletin board not to exceed twenty square feet in area,
 - d. Off-street parking lot for the use without charge of members and visitors to the church.

(Prior code § 17.44.010(A))

17.52.030 Home occupation.

A. Home occupation is permitted in a dwelling customarily incidental to the principal use as a dwelling subject to the following limitations:

1. No person other than a member of the immediate family occupying a dwelling is employed, except domestic help;

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2. No stock in trade is displayed or sold upon the premises;17.52.030
 3. No alteration of the dwelling unit or accessory buildings that change the character thereof as residential. If the activity for which a home occupation is requested is conducted at the residence, it shall be conducted wholly within the dwelling or an accessory building.
 4. No illuminated sign is used, and no sign other than one giving the name and occupation, and not more than one square foot in area, is displayed;
 5. No more than twenty-five percent of the area of one story of the building is devoted to the home occupation;
 6. No equipment shall be used in such a home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises;
 7. The home occupation shall be deemed to be both site specific and owner specific; thus, the use of a portion of a structure as a home occupation will not permit a subsequent owner an automatic home occupation designation. The new owner will be required to meet all of the criteria contained in this section.
- B. The following activities are prohibited from home occupation under this section:
1. Motor and motorized vehicle or boat repair of any kind, to include body and engine work, upholstery and glass repair, and audio system work;
 2. Prefabrication of building construction components such as, but not limited to, cabinets and heating and cooling systems;
 3. Furniture, electronics, and appliance sales, repair, renovation, and storage;
- C. An applicant may apply for a home occupation permit by filling out the application available at the city's public works department at city hall. If the applicant's home is within the city limits, the applicant must additionally apply for a city business license. The city's planning department shall approve/disapprove the applications within seven business days or receipt of the application(s) and payment of the required fee(s). An applicant may appeal an adverse decision or denial of his/her application(s) to the city council by delivering a written appeal to the city clerk within ten business days of the adverse decision. The city council's decision on the appeal is final.
- D. The city council shall establish or set the application fees for this section by resolution.
- E. Violation of the conditions and terms of the City's permit or approval for the home occupation by the applicant shall be grounds for cancellation or revocation of the permit or approval and, if within the city limits, revocation or non-renewal of the previously issued business license. An applicant may appeal the cancellation or revocation decision of the planning department to the city council. The city council's decision is final.

(Ord. 00-2, 2000; Ord. 1064, 1993; Ord. 886, 1986; prior code § 17.44.010(B))

(Ord. No. O12-06, 11-6-12)

Chapter 17.56 NONCONFORMING USES

Sections:

17.56.010 Nonconforming use designated.

Any lawful use of the land or buildings existing at the date of passage of the ordinance codified in this chapter, and located in a district in which it would not be permitted as a new use under the regulations of this chapter, is declared to be a nonconforming use, and not in violation of this title at the date of adoption of the ordinance codified in this chapter; provided, however, a nonconforming use shall be subject to, and the owner shall comply with the regulations set out in Sections 17.56.020 through 17.56.070.

(Prior code § 17.64.010 (part))

17.56.020 Extension of.

The nonconforming use of a building may be extended throughout any part of a building clearly designated for such use but not so used at the date of the adoption of this chapter. No nonconforming use may be extended to occupy any land outside the building nor any additional building not used for such nonconforming use at the date of adoption of the ordinance codified in this chapter. The nonconforming use of land shall not be extended to any additional land not so used at the date of adoption of the ordinances codified in this title.

(Prior code § 17.64.010(A))

17.56.030 Additions, repairs and alteration allowed when.

- A. No building used for a nonconforming use shall be enlarged, extended, reconstructed, or structurally altered, unless the use is changed to one which complies with the provisions of this chapter; provided, however, permits may be issued for the reconstruction of an existing building to be continued as a nonconforming use if the following conditions are complied with:
1. If a single- or two-family dwelling is presently a nonconforming use, and is located in a residential area, and is destroyed, the dwelling may be rebuilt. However, qualifying dwelling units located on arterial streets or roads must conform to the applicable setback standard;
 2. New use would decrease the automobile parking congestion in the area;
 3. New use would not increase the cubical contents of the structure, floor area ratio, if such would violate provisions of this chapter;
 4. Such reconstruction would be one in accordance with the city building, plumbing, electrical codes and fire prevention code;
 5. The issuance of such permit would not violate the provisions of Section 17.56.040 of this chapter.

(Prior code § 17.64.010(B)(part))

(Ord. No. 008-05, 6-17-08)

17.56.040 Applicability when building damaged or destroyed.

- A. If any building in which there is a nonconforming use is damaged by fire, flood, explosion, wind, war or other catastrophe, in an amount equal to or greater than fifty percent of its assessed valuation, it shall not be again used or reconstructed to be used for any use except one complying with the provisions of this title in which it is located. This subsection specifically does not apply to nonconforming, one and two-family dwelling units.

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- B. In addition, repairs and maintenance work may be carried out each year in an amount not to exceed twenty-five percent of the assessed value of the building for that year. Such repairs and maintenance work shall not increase the cubical content of the building, nor the floor area devoted to the nonconforming use. Nor shall it increase the number of dwelling units provided in a building.
 - C. Nothing in this chapter shall be deemed to prevent the strengthening nor repair of a building which may be necessary to restore the building to a safe condition or to improve the sanitary conditions of the building; provided, that such strengthening and repair may not be used to restore a building to the provisions of Section 17.56.040 of this chapter.

(Ord. 06-12 (part), 2006; Ord. 06-06 (part), 2006; prior code § 17.64.010(B) (part), (C))

17.56.050 Restrictions on moving building.

Any building in which there is a nonconforming use shall not be moved unless it is moved to a district in which the use for which the building was designed is permitted by this title. If any building in which there is a nonconforming use is moved any distance whatsoever, the building shall thereafter be used only in compliance with the provisions of this title for the district in which it is located.

(Prior code § 17.64.010(D))

17.56.060 Continuance and change.

A nonconforming use may be continued in accordance with the provisions of this chapter, but it shall not be changed to any other use except the one which would be permitted as a new use in the district in which the building is located.

(Prior code § 17.64.010(E))

17.56.070 Discontinuance.

If for any reason a nonconforming use ceases for a period of six months any new use must conform to the provisions of this title for the district in which the use occurs, and the nonconforming use no longer allowed.

(Ord. 04-5 (part), 2004; prior code § 17.64.010(F))

Chapter 17.60 ZONING COMMISSION

Sections:

17.60.010 Powers and duties.

The city-county planning board shall act as a zoning commission whose duty it shall be to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein.

(Prior code § 17.08.010)

17.60.020 Land use variances issuance and denial—Determination procedure.

- A. It shall be the duty of the zoning commission to authorize, upon appeal in specific cases, such land use variances from the terms of the zoning ordinances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinances or regulations will result in unnecessary hardship, and so that the spirit of the ordinances shall be observed and substantial justice done. The zoning commission shall, after a public hearing, make a recommendation to the mayor and council concerning the land use variance application.
- B. The zoning commission shall not recommend that land use variances be granted:
 - 1. Unless the denial would constitute an unnecessary and unjust invasion of the right of property;
 - 2. Unless the grant relates to a condition or situation special and peculiar to the applicant;
 - 3. Unless the basis is something more than a mere financial loss to the owner;
 - 4. Unless the hardship was created by someone other than the owner;
 - 5. Unless the variance would be within the spirit, intent, purpose and general plan of this title;
 - 6. Unless the variance would not affect adversely or injure or result in injustice to others; and
 - 7. Ordinarily unless the applicant owned the property prior to the enactment of this title or amendment.

(Prior code § 17.08.015)

Chapter 17.62 CONDITIONAL LAND USES

Sections:

17.62.010 Purpose.

The purpose of conditional land uses is to provide for specific uses, other than those already allowed in each zoning district, which may be compatible uses in the district under certain safeguards or conditions. The conditional land use permitting process is intended to provide a detailed and comprehensive review of such proposed, compatible developments and to insure the interest of the public, the community, and the larger neighborhood area are protected. Conditional uses, once granted by the city, are sight specific and run with the land. Land use changes not specifically included in the approval of a conditional use are a violation of the city zoning ordinance.

(Ord. 03-4 (part), 2003)

17.62.020 Requirements.

No structure or land use may be used for any purpose other than those allowed within a zoning district as specified in the zoning ordinance unless either a variance has been granted (under Chapter 17.60 or 17.64 of this code) or a conditional land use permit therefor has been provided. The zoning commission may recommend and the city can require any information that will allow the decision makers to comprehensively evaluate and decide on applications for conditional uses brought before them. The zoning commission may recommend and the city can require, after consideration of the application for conditional use, those conditions under which such land use may be allowed to include but not be necessarily limited to the following:

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- A. Adequate ingress and egress with concern for vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access as reviewed and approved by the city public works director;
 - B. Adequate off-street parking and loading with attention to vehicular and pedestrian safety and traffic flow;
 - C. Conditions that control, specify, or plan for the generation of odors, noise, hours of operation, signage, or impact on the neighborhood of natural systems;
 - D. Adequate landscaping, screening, mitigation of impact on adjacent property and buffering; and
 - E. Compatibility with adjacent and neighborhood land uses and Laurel's GMP.

(Ord. 03-4 (part), 2003)

17.62.030 Application process.

Twelve copies of the conditional use application form and required review fee shall be submitted to the planning board secretary thirty working days prior to the regularly scheduled zoning commission/planning board meeting at which the application will be considered. The planning board secretary shall note the time of receipt, keep one copy, send one copy to the city planner, and forward the remainder to the members of the zoning commission.

- A. The zoning commission shall publish notice of public hearing in the local newspaper at least fifteen days prior to the zoning commission meeting at which the application will be considered; adjacent property owners of record within one hundred fifty feet of the application property shall also be notified by mail by the zoning commission. The applicant or the authorized agent must attend the public hearings before both the zoning commission and the city council.
- B. The conditional use application shall include twelve copies of:
 - 1. Conditional use application form;
 - 2. Legal description of the property;
 - 3. Address or general location of property;
 - 4. Existing zoning;
 - 5. Specific land use being requested;
 - 6. Reason for request;
 - 7. Scaled drawings of the subject property, proposed use, existing buildings and improvements, adjacent land use, fences, etc.;
 - 8. Other information as may be needed by the zoning commission;
 - 9. Name, address and telephone number of owner of record;
 - 10. Name, address and telephone number of agent of owner of record;
 - 11. List of current property owners adjacent to and within one hundred fifty feet of the parcel for which a conditional use permit is sought;
 - 12. Review fee.
- C. After the public hearing for the conditional use, the zoning commission shall delay its recommendation to city council no longer than thirty working days. The city council shall publish notice of and conduct a

second public hearing before the council, consider the recommendation of the zoning commission and make its decision.

(Ord. 03-4 (part), 2003)

Chapter 17.66 HISTORIC PRESERVATION

Sections:

17.66.010 Intent of chapter.

The intent of this is to promote the educational, cultural, economic and general welfare of the community by:

- A. Providing a mechanism to identify and preserve the distinctive historic architectural characteristics of the city that represent elements of the city's cultural, social, economic, political, military and architectural history;
- B. Fostering civic pride in the beauty and noble accomplishments of the past as represented in the city's prehistoric and historic sites and historic districts;
- C. Conserving and improving the value of property designated as historic sites or within historic districts;
- D. Protecting and enhancing the attractiveness of the city to home buyers, tourists, visitors and shoppers, and thereby supporting and promoting business, commerce and industry and providing economic benefit to they city;
- E. Fostering and encouraging preservation, restoration and rehabilitation of structures, areas and neighborhoods and thereby preventing future urban blight.

(Ord. 1071 (part), 1993)

17.66.020 Definitions.

As used in this chapter:

"Alteration" means any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction or removal of any structure.

"Area" means a specific geographic division of the city.

"Construction" means the act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

"Council" means the city council of the city.

"Demolition" means any act or process that destroys in part or in whole a historic site or a structure within a historic district.

"Exterior architectural appearance" means the architectural character and general composition of the exterior of a structure, including but not limited to the kind, color and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs and appurtenant elements.

"Historic district" means an area designated as a historic district by ordinance of the city council which may contain within definable geographic boundaries one or more historic sites and which may have within its boundaries other properties or structures that, while are not of such historic and/or architectural significance to be

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designated as historic sites, nevertheless contribute to the overall visual characteristics of the historic site or historic sites located within the historic district.

"Historic site" means a property or structure designated as a historic site by ordinance of the city council pursuant to procedures prescribed herein, that is worthy of rehabilitation, restoration, and preservation because of its historic and/or architectural significance to the city.

"National Register" means National Register of Historic Places. A list, maintained by the U.S. Department of Interior, of sites, properties, objects and districts having local, state or national historical, architectural or cultural significance.

"Preservation board" means The Yellowstone historic preservation board.

"Removal" means any relocation of a structure on its site or to another site.

"Repair" means any change not otherwise construed as an alteration, as herein defined, that constitutes replacing broken, worn or damaged materials with like, not necessarily identical, materials and is insignificant to the size and condition of the structure or property. Repainting and reroofing shall be included under this definition of repair.

"Structure" means anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting, the generality of the foregoing, building, fences, gazebos, advertising signs, billboards, backstops for tennis courts, radio and television antennae, including supporting towers, and swimming pools.

(Ord. 1071 (part), 1993)

17.66.030 Historic preservation board—Membership and authority.

A. Members.

1. The Yellowstone historic preservation board shall consist of nine members with a demonstrated interest, competence, and knowledge in historic preservation. The following five members shall be selected jointly by all signatories. In this selection process the simple majority vote will prevail. The board shall include at least three members with professional expertise in the disciplines of history, planning, archaeology, architecture, architectural history or other historic preservation-related disciplines such as cultural geography or cultural anthropology. The board shall also include two additional members from the following:
 - a. One member of the Yellowstone County board of planning;
 - b. One member of the Laurel board of planning;
 - c. Property owner either residing or owning a business in a historic district or who owns property listed on the National Register of Historic Places;
 - d. One member of a city/county preservation society.
2. The four remaining board members shall be considered at-large and shall consist of:
 - a. City of Billings resident appointed by the Billings city council;
 - b. County resident appointed by the Yellowstone County commissioners;
 - c. City of Laurel resident appointed by the Laurel city council;
 - d. Crow Tribal member who lives within the Yellowstone County portion of the Crow Reservation or elsewhere within Yellowstone County appointed by the Crow tribal council.

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- B. Appointment and Terms. Terms of office for the historic preservation board members shall be for two-year terms and shall be staggered. Upon enactment of the ordinance codified in this chapter, three members shall be appointed to one-year terms. The following year, all terms shall be for two years.
- C. Absences and Removal.
1. Each member shall inform the preservation officer at least one day before the meeting of the inability to attend a board or committee meeting. Such an absence shall be considered an excused absence.
 2. If any member accrues three or more consecutive unexcused absences from regular meetings, notice of which has been given at his/her usual place of work or residences, or by announcement at a meeting attended by him/her, the president may call such absences to the attention of the board which may then recommend to the appointing authority that such member be asked to resign and then another person be appointed to serve out the unexpired term.
- D. Vacancies. Vacancies occurring on the board shall be filled within sixty days by the governing body having appointed them for the unexpired term.
- E. Meetings. The historic preservation board shall conduct a minimum of one regularly scheduled meeting each month, except that the chairperson may cancel any meeting or schedule special meetings when such meetings are necessary to carry out the provisions of this chapter.
2. Special meetings of the board may be called by the chairperson or by two members, upon request to the preservation officer. The preservation officer shall notify all members at least two days in advance of the special meeting.
 3. Meetings shall be open to the public in accordance with the state of Montana Open Meeting Use Law, and all written or taped minutes, reports and case decisions shall be available to the public.
 4. The historic preservation board shall establish by-laws conforming to the guidelines set forth in the "Certified Local Government Program in Montana."
- F. Powers and Duties. Yellowstone historic preservation board shall:
1. Maintain a system for the survey and inventory of historic and prehistoric properties. The information shall be available to the public;
 2. Review and participate in all proposed National Register nominations within the city of Laurel, the city of Billings, the Crow Reservation and/or Yellowstone County;
 3. Encourage public participation while assisting with the enforcement of appropriate and local legislation concerning historic preservation;
 4. Submit an annual report to the State Historic Preservation Office describing projects, activities, recommendations and decisions made, projects reviewed, recommendations to the National Register of Historic Places, revised resumes historic preservation board members and member attendance records, and indexed copies of typewritten or tape recorded minutes of all historic preservation board meetings. Copies of the following will be attached to the annual report: inventory forms, survey reports, maps, photographs and other survey materials or planning documents generated during the preceding year;
 5. At least one member shall attend at least one training session each year and review any orientation materials provided by the State Historic Preservation Office;
 6. Review and comment on land use proposals and planning programs related to historic resources, such as municipal improvements, housing and other public programs;
 7. Consult with city, county, tribal, state, and federal agencies on all applications, environmental assessment, environmental impact statements, and other similar documents pertaining to historic

districts, historic sites and landmarks or neighboring properties within the city of Billings, the city of Laurel and/or Yellowstone County. Comments and recommendations by the historic preservation board will be sent to the Laurel city council and the Yellowstone commissioners;

8. Review the local zoning regulations for their applicability to the characteristics of the proposed historic districts, and make appropriate recommendations to the zoning commissions and the boards of adjustment concerning any changes or modifications to the zoning regulations, zoning boundaries, zone change applications, special review application or variance applications;
9. Make recommendations to the boards of adjustments regarding variance change applications within any historic district;
10. Assist with the preparation and adoption of a comprehensive historic preservation plan and assist with the annual updates of such plan;
11. Provide information, advice and guidance, upon request by property owners, as to the restoration, rehabilitation, landscaping or maintenance of potentially historic buildings or structures. The historic preservation board may recommend voluntary design guidelines which will be made available to the public for assistance in preservation projects;
12. Participate in, promote and conduct public information, education and interpretive programs pertaining to historic preservation, including potential tax incentives and federal and/or state grants that might be available;
13. The historic preservation board may provide quarterly reports to all governing bodies to discuss their activity for the past quarter. Minutes of board meetings and any other information deemed necessary may be appended to the quarterly reports. A copy of the annual report to the State Historic Preservation Office shall be provided to each of the governing bodies;
14. Undertake any actions necessary to assure compliance of the preservation board with certified local government requirements.

(Ord. 1071 (part), 1993)

17.66.040 Historic preservation officer—Duties.

Duties.

- A. The historic preservation officer shall serve as staff to the historic preservation board.
- B. The historic preservation officer must have demonstrated interest, competence or knowledge in historic preservation.
- C. The historic preservation officer will assist with coordinating the local historic preservation programs, help in the development of local surveys, projects and historic preservation planning documents, advise and provide assistance to the historic preservation board, government agencies and the public, and ensure, to the extent practicable, that the duties and responsibilities delegated by this chapter are carried out.
- D. The historic preservation officer shall be appointed by mutual agreement of the Laurel city council, the Billings city council, the Crow Tribal council and the Yellowstone County commissioners.

(Ord. 1071 (part), 1993)

(Supp. No. 20)

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17.66.050 Surveys and research of sites and districts.

- A. The preservation board shall assist in developing an ongoing survey and research effort in the city to identify neighborhoods, areas, sites, structures and objects that have historic, community, architectural or aesthetic importance, interest or value. As part of the survey, the historic preservation board shall review and evaluate any prior surveys and studies by any unit of government or private organization and compile appropriate descriptions, facts, and photographs. Before the preservation board shall on its own initiative nominate any landmark for historic designation, it shall first develop a plan and schedule for completion of a survey of the city to identify potential landmarks. The preservation board shall then systematically identify potential landmarks and adopt procedures to nominate based upon the following criteria.
- B. To qualify as a historic site or historic district, the individual properties, structures, sites or buildings or groups of properties, structures, sites or buildings must have significant character, interest or value as part of the historical, cultural, aesthetic and architectural heritage of the city, county, state or nation. To qualify as a historic site or district, the property or properties must fulfill one or more of the criteria set forth in subsection (B)(1) below and meet the criteria set forth in subsections (B)(2)(a) and (B)(2)(d) below.
 - 1. A building, structure, site, interior or district will be deemed to have historical or cultural significance if it meets one or more of the following criteria:
 - a. Is associated in a significant way with the life or activities of a major person important in city, county, state or national history (for example, the homestead of a local founding family);
 - b. Is the site of a historic event with significant effect upon the city, county, state or nation;
- C. Is associated in a significant way with a major historic event, whether cultural, economic, social, military or political;
 - d. Exemplifies the historical, political, cultural, economic or social trends of the community in history; or
 - e. Is associated in a significant way with a past or a continuing institution which has contributed substantially to the life of the city and/or county.
- 2. A building, structure, site or district is deemed to have architectural or aesthetic significance if it fulfills one or more of the following criteria; except that to qualify as a historic interior, the interior must meet the criteria contained within subsections (B)(2)(b) and (B)(2)(d):
 - a. Portrays the environment in an era of history characterized by one or more distinctive architectural styles;
 - b. Embodies those distinguishing characteristics of an architectural style, period or method of construction;
 - c. Is a historic or outstanding work of a prominent architect, designer, landscape architect or builder; or
 - d. Contains elements of design, detail, material, or craftsmanship of outstanding quality or which represented, in its time, a significant innovation or adoption to the environment.
- 3. A building, structure, site, interior or district will be deemed to have historic significance if, in addition to or in the place of the previously mentioned criteria, the building, structure, site or zone meets historic development standards as defined by and listed in the regulations of and criteria for the National Register of Historic Places as prepared by the United States Department of the Interior under the Historic Preservation Act of 1966, as amended. Said regulations, as amended from time to time, are made part of this chapter as if fully set forth herein.

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4. Classifications of Structures and Buildings. All historic buildings, structures, archaeological sites, districts, neighborhoods and the like, will be classified and designated on the city historic preservation survey, which will be approved by the city council and be made an overlay to the city and county zoning maps and land use plans. Such buildings, structures, districts, neighborhoods, and the like will be divided into two classes:
 - a. Contributing. Those buildings, structures, archaeological sites or districts classified as historic shall possess identified historical and architectural merit of a degree warranting their preservation. All buildings, structures, archaeological sites and the like, listed in the city historic survey, as adopted and approved by the city council and county commission, will be considered worthy of preservation and may be designated as a historic site or a historic district.
 - b. Noncontributing. Those buildings and structures within a historic district not listed in the city historic preservation survey, and those buildings and structures determined by the preservation board to be of no contributing value.

(Ord. 1071 (part), 1993)

17.66.060 National Register of Historic Places—Nomination review standards.

- A. The preservation board shall review proposed nominations to the National Register of Historic Places submitted by the State Historic Preservation Officer or other sponsor qualified pursuant to United States Department of the Interior regulations. The preservation board will develop or receive the documentation necessary to nominate properties to the National Register of Historic Places. The preservation board shall evaluate, in a timely manner, nomination proposals received for completeness. Should a nomination proposal not be technically complete, the preservation board shall notify the proposal's sponsor, identifying the technical deficiencies in writing, within thirty days of receipt of the nomination proposal. If the nomination proposal is technically complete, the preservation board shall place the item on its agenda for the earliest possible regular meeting after notification procedures are complete.
- B. The preservation board shall notify the following of its intention to consider a nomination proposal. In all cases, such notification shall occur at least thirty days but not more than seventy-five days prior to the preservation meeting at which the nomination proposal will be considered:
 1. Owner(s) of Record of the Property. The list of owners shall be obtained from official tax records and provided with the nomination application. Where there is more than one owner on the list, each separate owner shall be notified;
 2. The Mayor of the City of Laurel. Such officials shall have thirty days from receipt of notice within which to submit the preservation board a written recommendation supporting or opposing the nomination;
 3. The State Historic Preservation Officer.
- C. When the preservation board considers a nomination proposal that will impact properties which are normally evaluated by a professional in a specific discipline, and that discipline is not represented on the preservation board, the preservation board shall seek professional expertise in this area before rendering a decision, but failure to obtain such advice shall not invalidate its determination on the proposal.
- D. Nomination proposals shall be considered by the preservation board at a public meeting, and all votes on nomination proposals shall be recorded and made a part of the permanent record of the preservation board meeting. All nomination proposals shall be forwarded, with a record of official action taken by the preservation board and the recommendation of the appropriate local official(s), to the State Historic Preservation Officer within thirty days of the preservation board meeting at which they were consider.

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- E. Any person or organization supporting or opposing the nomination of a property to the national register shall be afforded the opportunity to make its views known in writing. Such comments shall be notarized where they contain factual assertions. All such correspondence regarding a nomination proposal shall become part of the permanent record concerning that proposal and shall be forwarded with approved proposals to the state historic preservation officer. In the case of disapproved nomination proposals, letters of support or comment shall be made a part of the permanent record concerning that proposal, and a list of such letters shall accompany the official copy of the disapproved nomination proposal when it is forwarded to the state historic preservation officer.
- F. Nomination proposals to be considered by the preservation board shall be on file at the Yellowstone County offices for at least thirty days but not more than seventy-five, prior to the meeting at which they will be considered. A copy shall be made available by mail when requested by the public and shall be made available at a location of reasonable local access, such as a local library, courthouse or other public place.
- G. Any person may appeal the decision of the preservation board regarding a proposed nomination to the state historic preservation officer in writing within thirty days of the preservation board decision.
- H. In reviewing national register of historic places nomination proposals, the preservation board shall follow the regulations found in 36 C.F.R. Part 60, and as amended from time to time, promulgated by the National Park Service, Department of the Interior under the Historic Preservation Act of 1966, as amended.
- I. Standards for Review: In considering an application for a building or demolition permit, the preservation board shall be guided by the following general standards:
1. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment, or to use a property for its originally intended purpose.
 2. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible.
 3. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged.
 4. Changes that may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
 5. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity.
 6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
 7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
 8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any project.
 9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material,

and such design is compatible with the size, scale, color, material and character of the property, neighborhood, or environment.

(Ord. 1071 (part), 1993)

17.66.070 Demolitions—Allowed when.

- A. The preservation board, upon a request for demolition by a property owner, shall consider the following guidelines in evaluating applications for demolition of designated historic sites, or buildings, structures, or appurtenances within designated historic districts:
 - 1. Whether the structure is of such interest or quality that it would reasonably fulfill criteria for designation for listing on the national register;
 - 2. Whether the structure is of such design, craftsmanship or material that it could be reproduced only with great difficulty or economically nonviable expense;
 - 3. Whether the structure is one of the last remaining examples of its kind in the designated historic district within the city;
 - 4. Whether retaining the structure would promote the general welfare of the city by providing an opportunity to study local history, architecture and design, or by developing an understanding of the importance and value of a particular culture and heritage;
 - 5. Whether there are definite plans for immediate reuse of the property if the proposed demolition is carried out, and what effect those plans will have on the character of the surrounding area.
- B. Photographs by the City of Laurel Public Works Department prior to demolition.
 - 1. Upon application to the Public Works Department of the City of Laurel by any person, entity, business, corporation or property owner for a permit to demolish any building located within the City limits of the City of Laurel, the City of Laurel Public Works Department has three business days to photograph the building(s) prior to demolition. The public works department shall forward, via email or by United States Mail, a copy of the photographs to a representative of the Yellowstone Historic Preservation Board.
 - 2. Nothing herein shall preclude, hinder or delay the issuance of a demolition permit in accordance with its regulations and/or policies after the three-business-day waiting period has expired.

(Ord. 1071 (part), 1993)

(Ord. No. 008-04, 6-17-08)

Chapter 17.68 SPECIAL REVIEW PROCEDURE

Sections:

17.68.010 Purpose of provisions.

Although each zoning district is primarily intended for a predominant type of use, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may indicate that the circumstances of the development should be individually reviewed. It is the intent of this section to provide a system of review of such

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uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this title and the objectives of the Laurel comprehensive planning process.

(Prior code § 17.88.010)

17.68.020 Application requirements.

An application for a special review may be filed by the property owner, contract purchaser, or his authorized agent. The application shall be filed with the zoning commission secretary and shall be submitted under the following conditions:

- A. The application shall include, but not be limited to the following information:
 - 1. A legal and general description of the tract(s) upon the special review use is sought;
 - 2. A map showing the dimensions, acreage and location of the tract(s);
 - 3. The name and addresses of the owner(s) of the tract(s) and their agents, if any and the names and addresses of property owners of record within three hundred feet of the property for which a special review has been requested; such list of property owners shall be so certified by the county clerk and recorder's office;
 - 4. A site plan showing major details of the proposed development including but not limited to, the location of proposed and existing buildings and structures; off-street parking and loading; service and refuse areas; means of ingress and egress; landscaping; screening; signs and open space areas;
 - 5. A time schedule for development;
 - 6. Any other information the applicant believes will support his request.
- B. An application for a special review shall be made on or before five p.m. of the first day of the month preceding the date of the public hearing before the zoning commission. When the date of submittal falls on a weekend or holiday, the submittal shall be on the following day before five p.m.

(Ord. 94-15, 1994; prior code § 17.88.020)

17.68.030 Evaluation responsibility—Consultation—Notification.

The planning director, upon receiving an application for a special review of an area or a particular place of property shall do the following:

- A. Consult with other departments of the city or county to fully evaluate the impact of any special review upon public facilities and services including, but not limited to schools, drainage, traffic and related facilities;
- B. Study each application with reference to its appropriateness and effect on existing and proposed land use, and references to the comprehensive plan;
- C. Advertise twice in a newspaper of general circulation in the jurisdictional of the Laurel-Yellowstone city-county planning board at least fifteen days in advance of the time and place of the public hearing;
- D. Notify, by mail, the applicant or his authorized agent at least five days prior to the date of the public hearing of the time and place of such hearing;
- E. Notify, by mail, all property owners within three hundred feet of the exterior boundaries of the property subject to the special review of the time, date, place of the public hearing and the existing

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and proposed classification. Further, he may notify property owners within a radius of more than three hundred feet if he determines that the proposed use of the property would have a substantial environmental impact on surrounding land uses;

- F. After the public hearing and as part of the public record, the planning director shall report his findings, conclusions and recommendations to the zoning commission.

(Ord. 94-16, 1994; prior code § 17.88.030)

17.68.040 Zoning commission action.

- A. After presentation to the zoning commission of the request for special review by the applicant, the zoning commission shall make a recommendation to the city council to:
 - 1. Grant the application for special review;
 - 2. Deny the application;
 - 3. Delay action on the application for a period not to exceed thirty days; or
 - 4. Grant the application subject to conditions and recommendations and give the reasons therefor.
- B. Before approving a special review use, the zoning commission shall find that the contemplated use(s):
 - 1. Complies with all requirements of this section;
 - 2. Is consistent with the objectives and purposes of this title and the Laurel comprehensive planning process;
 - 3. Is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects;
 - 4. Further the zoning commission shall consider and may impose modifications or conditions concerning, but not limited to the following:
 - a. Street and road capacity,
 - b. Ingress and egress to adjoining streets,
 - c. Off-street parking,
 - d. Fencing, screening and landscaping,
 - e. Building bulk and location,
 - f. Usable open space,
 - g. Signs and lighting,
 - h. Noise, vibration, air pollution and similar environmental influences.

(Ord. 94-17, 1994; Ord. 953, 1989; prior code § 17.88.040)

17.68.050 City council action.

- A. Before taking action on an application for special review, and after presentation of the zoning commission's report, the city council may hold a public hearing on the application.
- B. The zoning commission may recommend to the council whether to hold a public hearing or not. In the event the city council holds its own public hearing on the application, then the recommendations of the zoning

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commission and the notice of public hearing before the city council shall both be published twice in the newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board with the first publication being at least fifteen days prior to the hearing.

(Ord. 94-18, 1994; prior code § 17.88.050)

Chapter 17.72 AMENDMENTS

Sections:

17.72.010 Purpose of provisions.

Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the city council may amend, supplement, or change the regulations in this title, or the zoning boundaries or classification of property on the zoning map, as set forth in this chapter.

(Prior code § 17.84.010)

17.72.020 Amendment procedure.

Amendments to the text of the title and/or changes in the zoning boundaries or classification of properties shown on the zoning map may be initiated by the city council on their own motion, or upon recommendation of the planning board but no amendment shall become effective unless it shall have been submitted to the zoning commission for review and recommendation. Before enacting an amendment to this title, the city council shall give public notice and hold a public hearing thereon.

(Ord. 96-5 (part), 1996; prior code § 17.84.020 (part))

17.72.025 Amendment by private property owner.

Amendments to the zoning boundaries or classification of property shown on the zoning map may be initiated by property owners of the land proposed to be rezoned, by the filing with the zoning commission secretary of a zoning change application, which application shall be provided by the zoning commission secretary, and accompanied by all other materials and data required in the application.

(Ord. 01-4 (part), 2001; Ord 96-5 (part), 1996; prior code § 17.84.020 (part))

17.72.030 Preapplication conference required.

Persons or parties interested in submitting an application for a zoning change shall consult with the planning director and the building inspector, at a joint meeting, if possible, concerning a proposed zoning change, its relation to and effect upon the comprehensive plan, any applicable specific plans or any plans being prepared by the planning department, and whether the proposed change is in conformance with public necessity, convenience, general welfare and good zoning practice.

(Prior code § 17.84.030)

17.72.040 Application requirements.

- A. Unless initiated by the city council or planning board, all applications for official map amendments must be submitted by the owner of such property, the contract purchaser, or the authorized agent of the owner. An application for an amendment affecting the same property shall not be submitted more often than once every twelve months. The zoning change application shall contain the following information:
1. Name of applicant;
 2. Mailing address;
 3. Telephone number;
 4. Accurate legal description of location;
 5. Nature of zoning change requested;
 6. Description of present land uses;
 7. Description of adjacent land uses;
 8. Statement of intended land use;
 9. Statement concerning any expected effect upon the adjacent neighborhood;
 10. Date of preapplication conference;
 11. Names and addresses of adjacent property owners, within three hundred feet;
 12. Signature of applicant;
 13. Payment of all applicable fees.
- B. An application for amendment to the official map shall be made on or before five p.m. of the first day of the month preceding the date of the public hearing before the zoning commission. When the date of submittal falls on a weekend or holiday, the submittal shall be on the following day before five p.m.
- C. An application for a zone change may not be withdrawn or amended after the legal advertising, as required by this section, has appeared for final public hearing before the city council. An applicant may be allowed to withdraw at the time of the zoning commission hearing by a majority vote of the members present without requiring council approval of the withdrawal and without prejudice with respect to the twelve month waiting period providing, however, that no application be allowed to be withdrawn more than once within the twelve month period after application shall have first been submitted.

(Prior code § 17.84.040)

17.72.050 Planning department evaluation responsibility.

The planning director, upon receiving an application for rezoning of an area or a particular place of property shall do the following:

- A. Consult with other departments of the city or county to fully evaluate the impact of any zoning change upon public facilities and services including, but not limited to schools, drainage, traffic and related facilities;
- B. Study each application with reference to its appropriateness and effect on existing and proposed land use, and references to the comprehensive plan;

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- C. In the case of a protest petition filed in the matter of any application for rezoning determine the validity of such petition;
 - D. Advertise twice in a newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board at least fifteen days in advance of the time and place of the public hearing;
 - E. Notify, by mail, the applicant or his authorized agent five days prior to the date of the public hearing of the time and place of such hearing;
 - F. Notify, by mail, all property owners within three hundred feet of the exterior boundaries of the property subject to the rezoning; of the time, date, place of the public hearing and the existing and proposed classification. Further, he may notify property owners within a radius of more than three hundred feet if he determines that the proposed use of the property would have substantial environmental impact on surrounding land uses;
 - G. The planning director shall report his findings and conclusions in writing to the zoning commission, which report shall be a matter of public record.

(Ord. 01-4 (part), 2001; prior code § 17.84.050)

17.72.060 Zoning commission action.

- A. The zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application shall be presented to the zoning commission by the planning director together with his findings and conclusions on the matter. A report of the commission's recommendation and the planning director's findings and conclusions shall be submitted to the city council.
- B. The zoning commission shall make a recommendation to the city council to:
 - 1. Deny the application for amendment to the official map;
 - 2. Grant action on the application for a period not to exceed thirty days;
 - 3. Delay action on the application for a period not to exceed thirty days;
 - 4. Give reasons for the recommendation.
- C. The zoning commission shall adopt such rules and regulations for the conduct of public hearings and meetings, which shall be published and available to the public, as well as conflict of interest rules, to ensure that no member is entitled to vote on a matter in which he has an interest directly or indirectly.

(Prior code § 17.84.060)

17.72.070 Public hearing—Notice required.

- A. Before taking action on an application for an amendment to the official map, and after presentation of the zoning commission's recommendation, the city council shall hold a public hearing on the application.
- B. The recommendations of the zoning commission shall be published twice in a newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board, and not less than fifteen days after the first publication of such notice, a final hearing shall be held at the next regular meeting of the city council.

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- C. When such proposed amendment has been denied by the city council neither it nor one involving the same tract(s) shall be offered for adoption within one year after such denial.
 - D. In case, however, of a valid protest petition against such change signed by the owners of twenty per centum or more either of the lot included in such proposed change, or of those immediately adjacent in the rear of extending one hundred fifty feet therefrom or of those adjacent on either side thereof within the same block, or of those directly opposite thereof extending one hundred fifty feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the city council.

(Ord. 01-4 (part), 2001; prior code § 17.84.070)

Chapter 17.76 ENFORCEMENT

Sections:

17.76.010 Purpose of provisions.

The provisions of this title shall be enforced by the building inspector, subject to such variations or interpretations as may be made by the board of adjustment.

(Prior code § 17.92.010)

17.76.020 Building official—Powers and duties.

The building official shall:

- A. Issue building permits for all construction, alteration or movement of buildings or structures after first determining that all applicable provisions of this title are complied with.
- B. Conduct inspections as are necessary to ensure compliance with the provisions of this chapter.
- C. Institute appropriate action or proceedings to prevent or correct unlawful construction, alteration, or movement of buildings or structures or unlawful occupancy of buildings, structures or land.

(Prior code § 17.92.020)

17.76.030 Planning director—Powers and duties.

- A. The planning director shall supervise and facilitate the processing of applications for amendments to the official zoning map, special review applications, and requests for variances. Further, it shall be his responsibility to present any applications or requests to the appropriate board or commission.
- B. It shall further be the responsibility of the planning director to aid the various boards, commissions and departments in transmitting recommendations, records and reports to the city council and to otherwise promote procedural regularity in the administration of this title.
- C. The planning director shall not have authority to act in any final reviewing capacity and any question as to interpretation or enforcement shall be determined by the appropriate board, commission or department.

(Prior code § 17.92.030)

17.76.040 Abatement procedure.

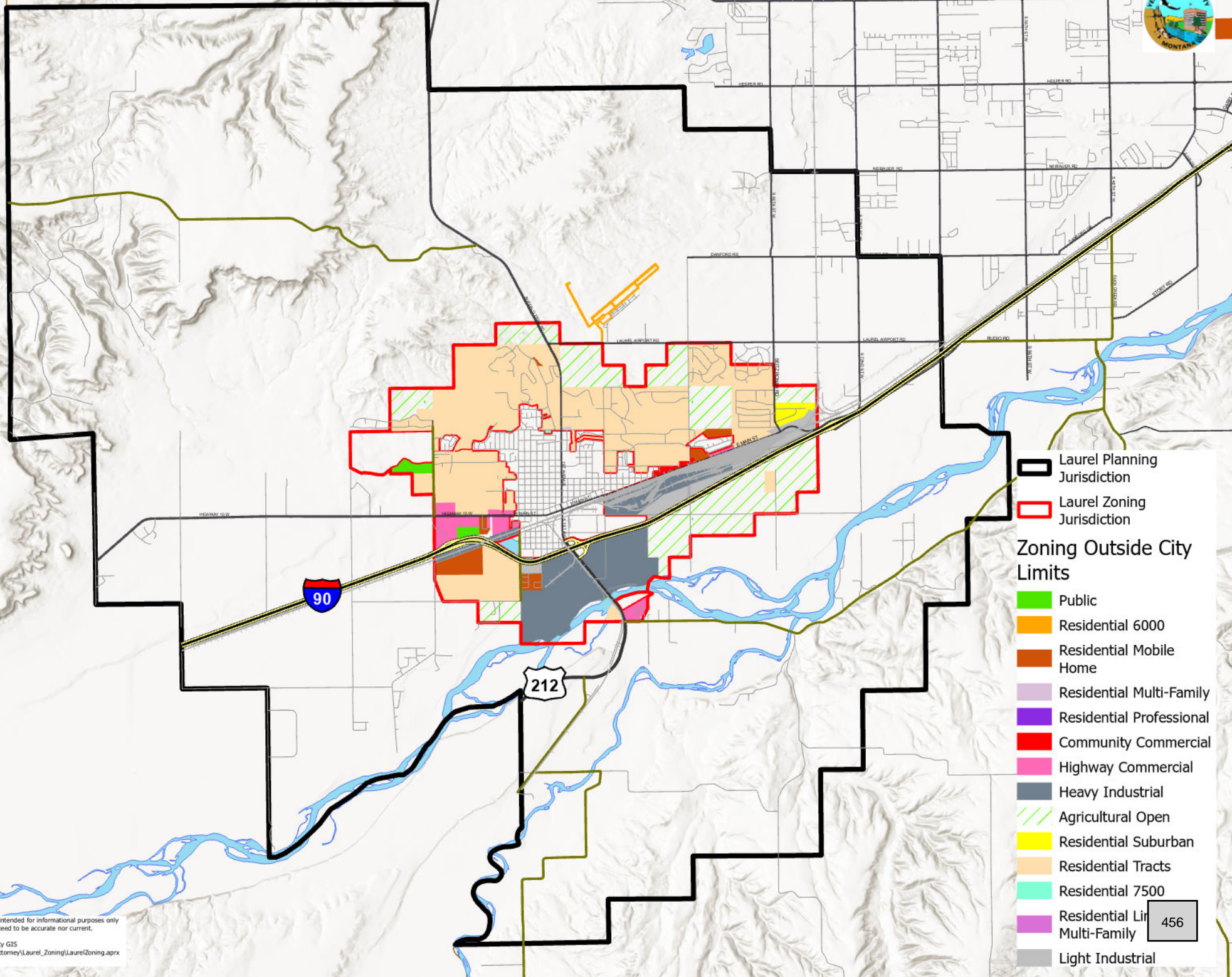
If on any inspection the condition of a building or premises, or its use or occupancy is found not to conform to the provisions of this title, the building inspector shall issue written notice to the owner or tenant, specifying the manner in which the building or premises, or its use or occupancy fails to conform, and the owner or tenant shall take steps and make it conform as directed by the building inspector.

(Ord. 01-4 (part), 2001; prior code § 17.92.040)

17.76.050 Violation—Penalty.

- A. Any person violating a provision of this chapter for which another penalty has not been provided shall, upon conviction thereof, be punished as set forth in Section 1.36.010 of this code.
- B. The owner or tenant of any building, structure, premises, or part thereof, and any architect, building, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.
- C. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation or to bring an action to enjoin any violation of this title.

(Prior code § 17.92.050)



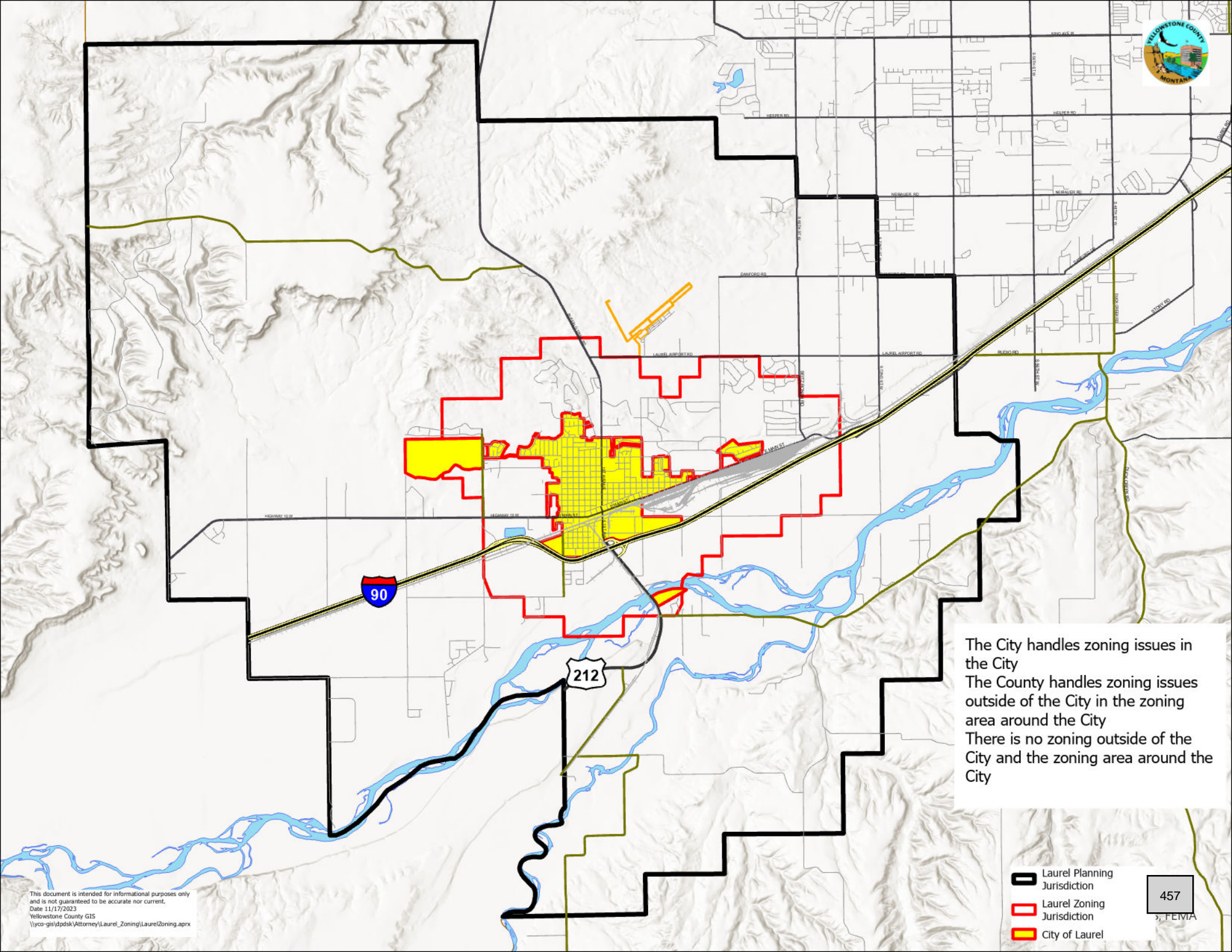
- Laurel Planning Jurisdiction
- Laurel Zoning Jurisdiction

Zoning Outside City Limits




- Public
- Residential 6000
- Residential Mobile Home
- Residential Multi-Family
- Residential Professional
- Community Commercial
- Highway Commercial
- Heavy Industrial
- Agricultural Open
- Residential Suburban
- Residential Tracts
- Residential 7500
- Residential Limited Multi-Family
- Light Industrial

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 Date 11/17/2023
 Yellowstone County GIS
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The City handles zoning issues in the City
 The County handles zoning issues outside of the City in the zoning area around the City
 There is no zoning outside of the City and the zoning area around the City

-  Laurel Planning Jurisdiction
-  Laurel Zoning Jurisdiction
-  City of Laurel

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