



**AGENDA  
CITY OF LAUREL  
CITY COUNCIL WORKSHOP  
TUESDAY, MAY 21, 2024  
6:30 PM  
COUNCIL CHAMBERS**

**Public Input:** *Citizens may address the Council regarding any item of City business that is not on tonight's agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda. Because of the Rules that govern public meetings, Council is not permitted to speak in response to any issue raised that is a non-Agenda item. The Mayor may provide factual information in response, with the intention that the matter may be addressed at a later meeting. In addition, City Council may request that a particular non-Agenda item be placed on an upcoming Agenda, for consideration. Citizens should not construe Council's "silence" on an issue as an opinion, one way or the other, regarding that non-Agenda matter. Council simply cannot debate an item that is not on the Agenda, and therefore, they must simply listen to the feedback given during public input. If a citizen would like to speak or comment regarding an item that is on tonight's agenda, we ask that you wait until the agenda item is presented to the Council by the Mayor and the public is asked to comment by the Mayor.*

*Be advised, if a discussion item has an upcoming public hearing, we would request members of the public to reserve your comments until the public hearing. At the public hearing, the City Council will establish an official record that will include all of your comments, testimony, and written evidence.*

### **General Items**

1. Appointment of John Collins and Killian Mayo to the Laurel Police Department.

### **Executive Review**

2. Resolution - A Resolution Of The City Council Authorizing The Mayor To Execute The Agreement For Provision Of Fire Services By And Between The City Of Laurel And Fire District 5.
3. Resolution - A Resolution Of The City Council To Adopt Updated Growth Management Policy For The City Of Laurel-Yellowstone County Joint Planning Jurisdiction.
4. Resolution - Prosecutor Contract
5. Ordinance O24-02: An Ordinance Repealing And Replacing Certain Sections Of Title 17 Of The Laurel Municipal Code Related To Zoning.

### **Council Issues**

### **Other Items**

### **Attendance at Upcoming Council Meeting**

### **Announcements**

*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:**

2. Resolution - A Resolution Of The City Council Authorizing The Mayor To Execute The Agreement For Provision Of Fire Services By And Between The City Of Laurel And Fire District 5.

**RESOLUTION NO. R24-\_\_**

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT FOR PROVISION OF FIRE SERVICES BY AND BETWEEN THE CITY OF LAUREL AND FIRE DISTRICT 5.**

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

Section 1: Approval. The Agreement for Provision of Fire Services for the Laurel Airport Authority, by and between the City of Laurel and the Fire District 5 (hereinafter “the Agreement for Provision of Fire Services”), a copy attached hereto and incorporated herein, is hereby approved.

Section 2: Execution. The Mayor is hereby given authority to execute the Agreement for Provision of Fire Services for the Fire District 5 on behalf of the City.

Introduced at a regular meeting of the City Council on the \_\_ day of \_\_\_\_, 2024, by Council Member \_\_\_\_\_.

PASSED and APPROVED by the City Council of the City of Laurel the \_\_ day of \_\_\_\_, 2024.

APPROVED by the Mayor the \_\_ day of \_\_\_\_, 2024.

CITY OF LAUREL

\_\_\_\_\_  
Dave Waggoner, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

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Michele L. Braukmann, Civil City Attorney

**AGREEMENT FOR PROVISION OF FIRE SERVICES  
FOR  
THE RURAL FIRE DISTRICT 5**

THIS AGREEMENT is made and entered into this 1<sup>st</sup> day of July, 2024, by and between the City of Laurel, Montana, a municipal corporation (hereinafter “the City”) and the Rural Fire District 5 (hereinafter “the Fire District”).

**WITNESSETH**

WHEREAS, the City maintains the Laurel Volunteer Fire Department (hereinafter “the LVFD”) and is willing to provide fire protection, prevention, and investigation services to properties within the Fire District at the same level as such services are provided to properties within the limits of the City, upon the terms and conditions hereinafter provided;

WHEREAS, attached hereto and by this reference made a part hereof, is the Fire District boundary description and map;

WHEREAS, the Fire District desires to obtain the said fire services from the City by entering into a contract with the City for such services.

NOW, THEREFORE, it is agreed by and between the parties hereto as follows:

1. SERVICES

The City will furnish the following services to properties and residents within the Fire District at the same level as such services are provided to properties and residents within the limits of the Fire Districts served by the City:

- a. fire protection and suppression;
- b. fire prevention; and
- c. fire investigations.

The City further agrees to provide grassland, rangeland, and timberland fire protection services to properties located within the Fire District, at the same level as such services are provided to properties and residents within the limits of the Fire Districts served by the City.

It is mutually covenanted, agreed, and understood that the amount of equipment, the type of equipment, the number of personnel dispatched, the manner of fighting the fire or explosion, etc., shall be in the sole discretion of the City and its personnel.

It is further mutually covenanted, agreed, and understood that, in the event fire, explosion, or emergency calls shall occur simultaneously in the Fire District and within the City’s municipal boundaries, the City shall have priority in using its equipment and manpower to protect the City property first, and that protection of City inhabitants and property shall have preference and priority over any call or demand of the Fire District.

It is further mutually covenanted, agreed, and understood that the Chief of the LVFD shall conduct the investigation of all fires and/or explosions within the organized fire district and be independently responsible for determining the cause, origin, and circumstances of the same.

The Fire District agrees to cooperate with the City and the LVFD in the inspection of the property to be protected and to cooperate in reducing fire risks as may be suggested from time to time by LVFD personnel and/or the City and/or State Fire Inspector.

2. SERVICE AREA

Fire services will be provided to all properties located within the boundaries of the Fire District as specified in the Agreement, and as amended from time to time by agreement of the parties. Any enlargement of the Fire District will not receive fire service unless approved in writing by the City. The hydrants and water system used for fire suppression by the City will be the sole responsibility for maintenance, care, and upkeep of the Fire District.

3. EFFECTIVE

This Agreement shall be effective on July 1, 2024, and shall terminate on June 30, 2025, subject to the provisions of Section 4.

4. RENEWAL AND EXTENSION

This Agreement may be renewed, with the terms and conditions of the renewal Agreement to be as mutually agreed upon by the parties or, prior to expiration, this agreement may be extended for one or more thirty-day period(s) to provide the parties the opportunity to negotiate a new agreement. The parties may extend the agreement in writing, accepted, and signed by both the City's Mayor and an authorized official/agent of the Fire District.

5. CHARGES AND PAYMENTS

The fees for providing services for this Agreement shall be:

July 1, 2024 - June 30, 2025: \$21,127.96.

One-half of the said fees shall be paid on or before December 31, 2024. The remaining one-half shall be paid on or before June 30, 2025.

6. ANNUAL REPORT

The City will furnish an annual written report to the Fire District, which will include the number and type of incidents responded to within the Fire District by City personnel.

7. MODIFICATION

This Agreement cannot be modified or amended except in writing executed by the parties.

8. TERMINATION

Termination of this Agreement occurs either 1) upon mutual agreement of the parties or 2) upon the termination date contemplated herein. If either party wishes to terminate this Agreement before the termination date, such party shall give written notice to the other party to respond, with the other party's consent or objection, no less than thirty (30) days before the proposed termination.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

CITY OF LAUREL

FIRE DISTRICT

\_\_\_\_\_  
Dave Waggoner, Mayor

By  \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Kelly Strecker, Clerk-Treasurer

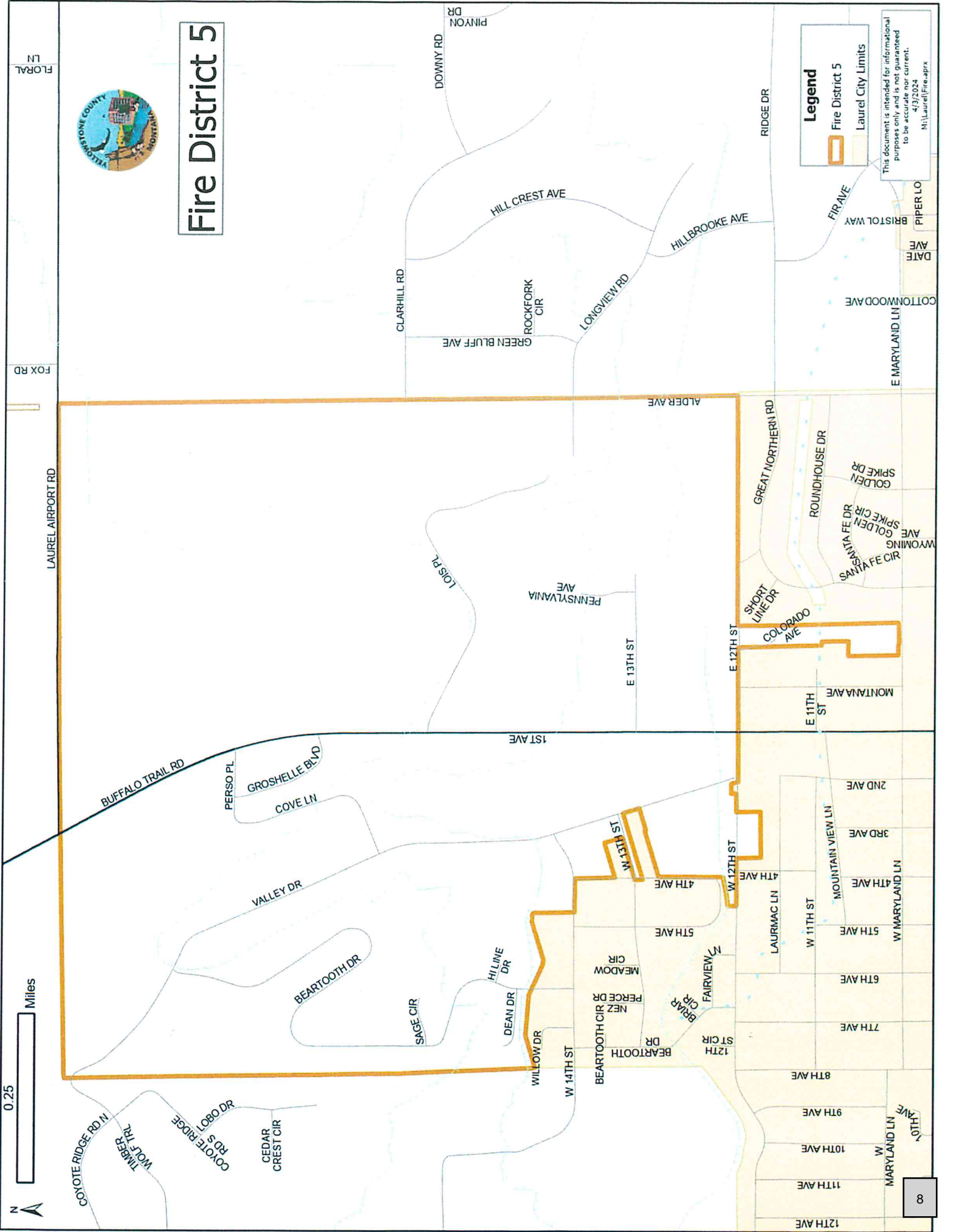
# Fire District 5



**Legend**

- Fire District 5
- Laurel City Limits

This document is intended for informational purposes only and is not guaranteed to be accurate nor current.  
4/3/2024  
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**File Attachments for Item:**

3. Resolution - A Resolution Of The City Council To Adopt Updated Growth Management Policy For The City Of Laurel-Yellowstone County Joint Planning Jurisdiction.

**RESOLUTION NO. R24-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL TO ADOPT UPDATED GROWTH  
MANAGEMENT POLICY FOR THE CITY OF LAUREL-YELLOWSTONE  
COUNTY JOINT PLANNING JURISDICTION.**

WHEREAS, the City of Laurel City Council tasked the City of Laurel-Yellowstone County Joint Planning Board (hereinafter “the Planning Board”) with the preparation of an Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction;

WHEREAS, the Planning Board approved an Action Plan incorporating public input and an approximate time-frame for the adoption of an Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction;

WHEREAS, the Planning Board conducted a series of public meetings and invited extensive public participation in the preparation of the Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction;

WHEREAS, the Planning Board considered various factual and legal issues in relationship to the Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction;

WHEREAS, the Planning Board heard both written and verbal testimony on issues and items of interest and concern related to the future growth and development expected to occur during the pendency of the Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction;

WHEREAS, the proposed Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction addresses all statutory components of a Growth Policy, as set forth in Mont. Code Ann. § 76-1-601, to the extent considered and deemed acceptable, within the full discretion of City Council, as the governing body, consistent with Mont. Code Ann. § 76-1-601(2);

WHEREAS, the Planning Board conducted Public Hearings on the Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction on December 20, 2023 and February 21, 2024, and the Planning Board has recommended adoption of the Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction;

WHEREAS, the City of Laurel continues to work cooperatively with Yellowstone County through the Planning Board on various planning, subdivision, and land use related issues;

WHEREAS, the City desires to establish updated growth management standards that relate to the continued growth of the City of Laurel-Yellowstone County Joint Planning Jurisdiction;

WHEREAS, Mont. Code Ann. § 76-1-604 provides the process for the adoption, revision, or rejection of a Growth Policy by the City Council;

WHEREAS, the City conducted a public hearing on May 28, 2024 at 6:30 p.m., in City Council Chambers, regarding the Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction;

WHEREAS, the City desired to provide persons who may be affected by the adoption of the Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction ample opportunity for involvement in the adoption process, and as such, the City passed Resolution No. 24-32, affirming the City's intent to adopt an Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction and allowing for a thirty (30) time period for public comment; and

WHEREAS, the thirty (30) day time period for public comment has passed, the City has considered the public comments provided, and the City now desires to adopt an Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, that the City Council hereby adopts the Updated Growth Management Policy for the City of Laurel-Yellowstone County Joint Planning Jurisdiction.

Introduced at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2024, by Council Member \_\_\_\_\_.

PASSED and APPROVED by the City Council of the City of Laurel the \_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED by the Mayor the \_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF LAUREL

\_\_\_\_\_  
Dave Waggoner, Mayor

ATTEST:

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Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

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Michele L. Braukmann, Civil City Attorney

## 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.

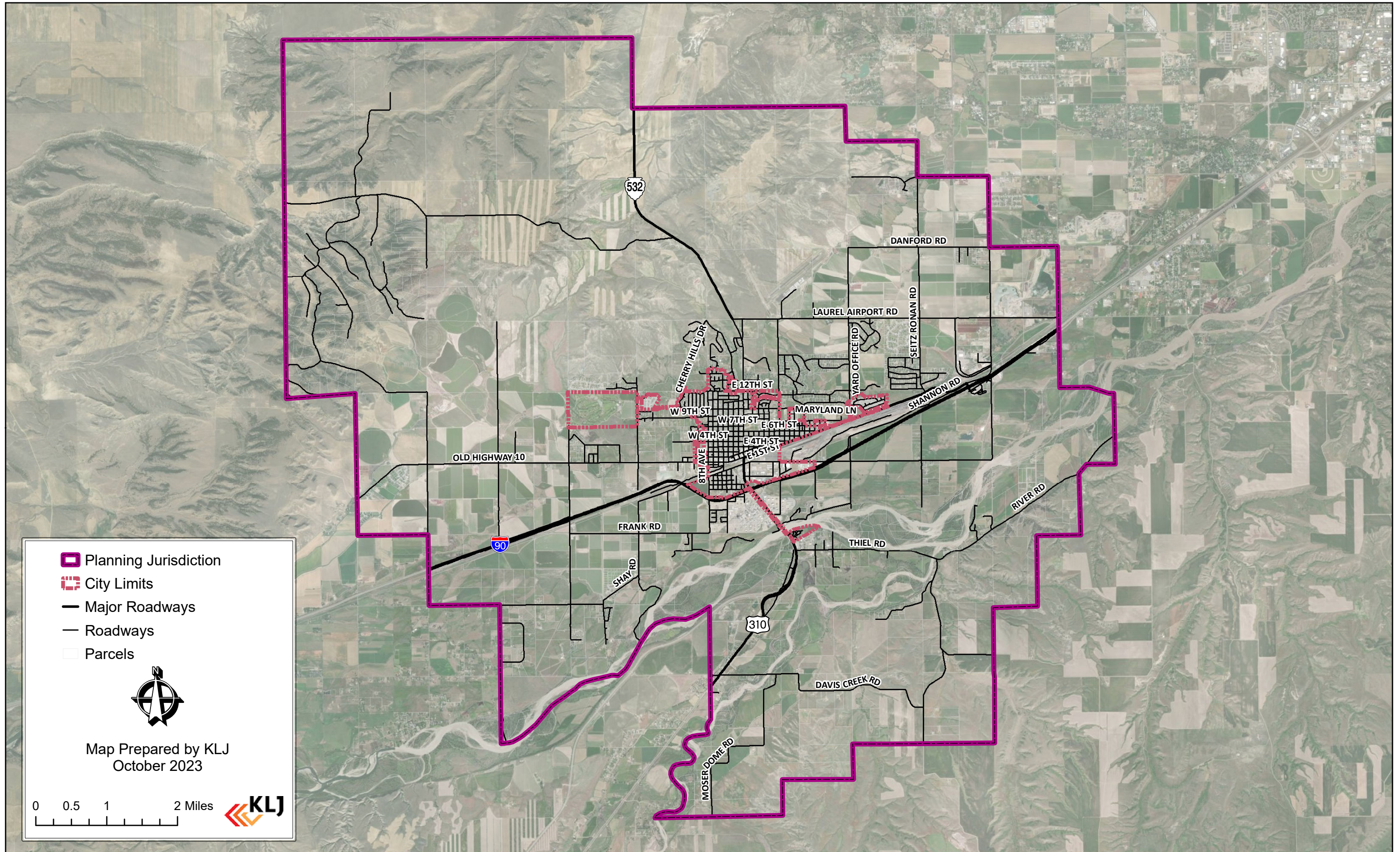
Dated this 21th day of February 2024.

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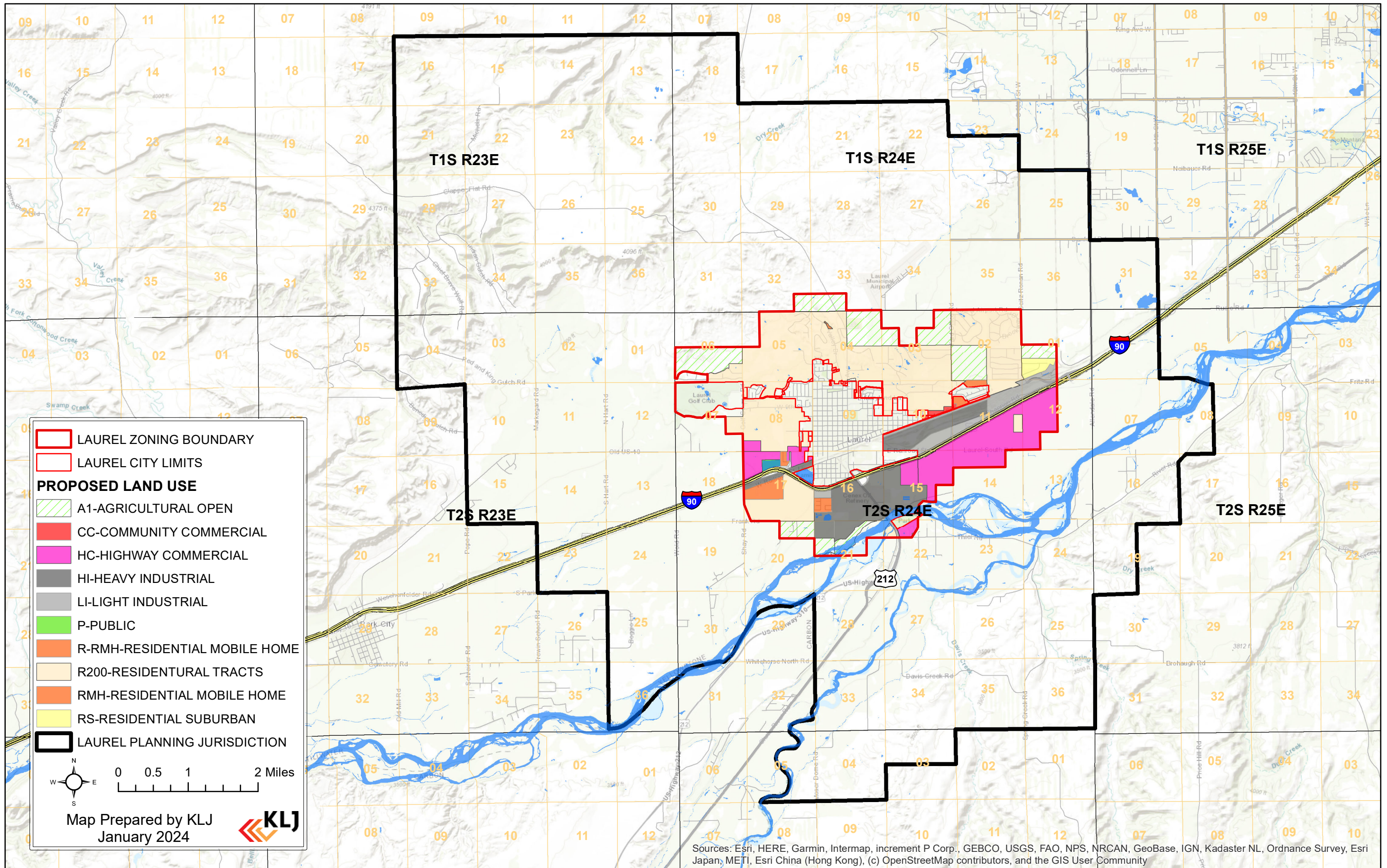
Laurel - Yellowstone City County Planning Board  
Judy Goldsby, President

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Kurt Markegard, Executive Secretary



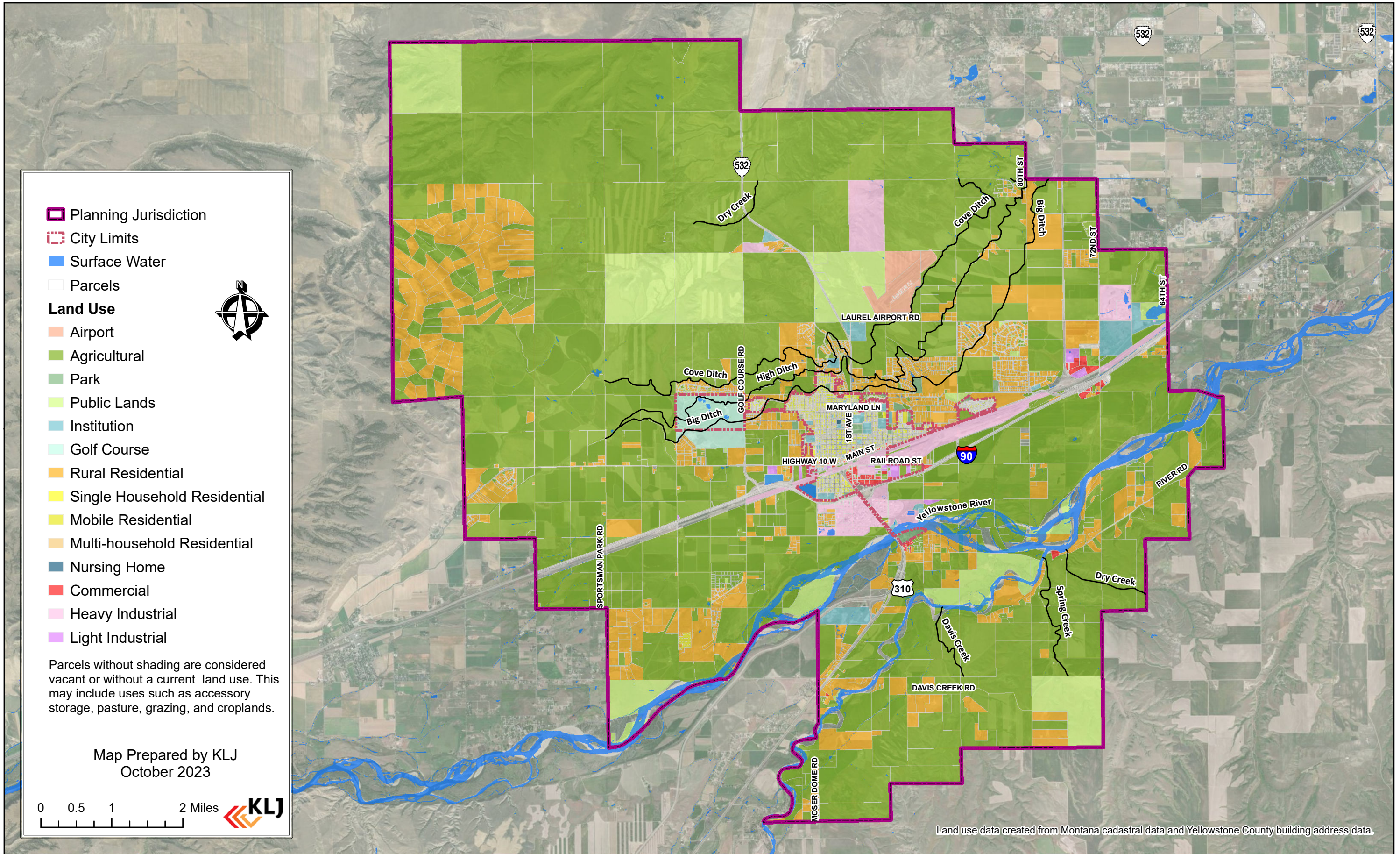
MAJOR TRANSPORTATION INFRASTRUCTURE



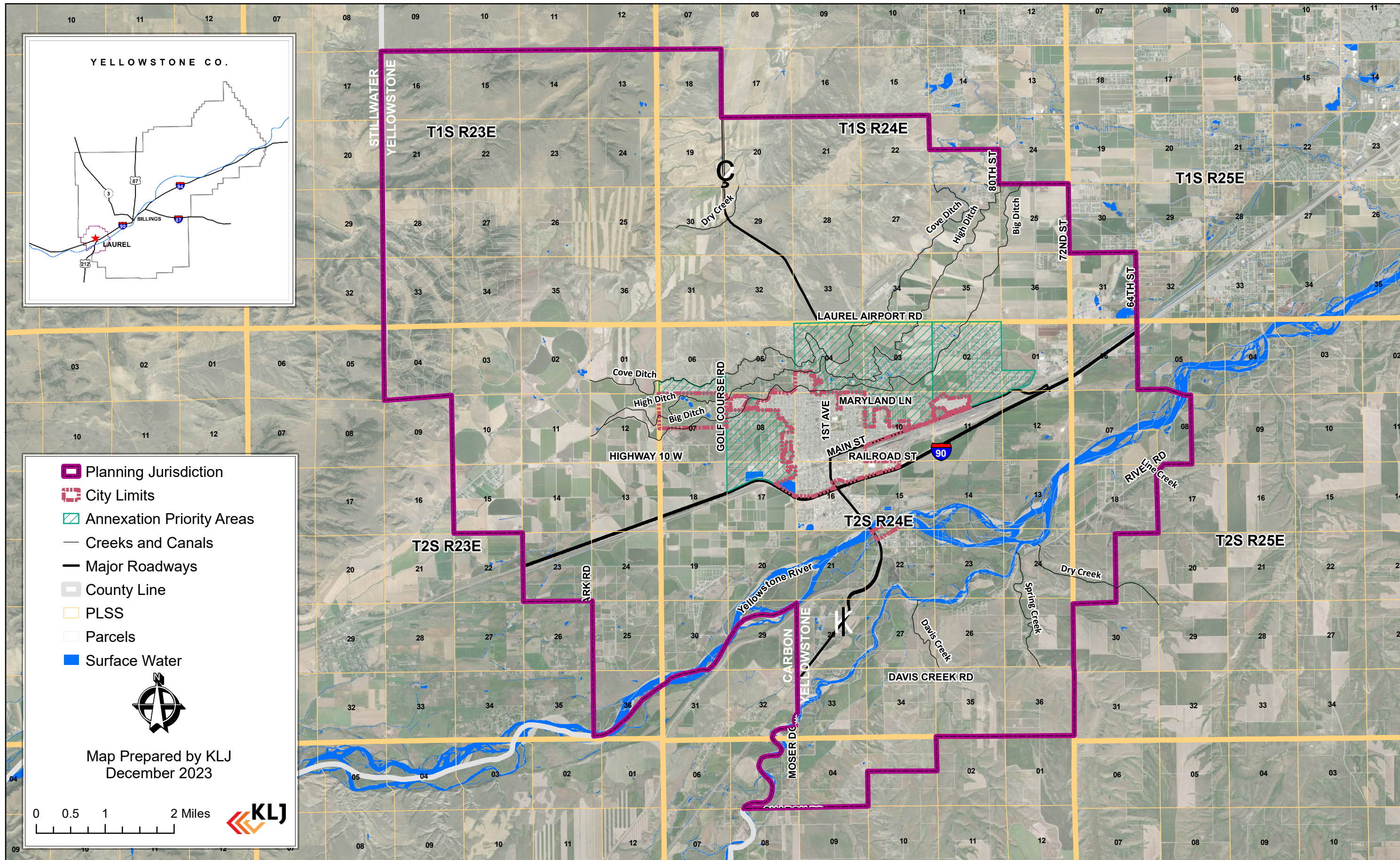
FUTURE LAND USE

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EXISTING LAND USE



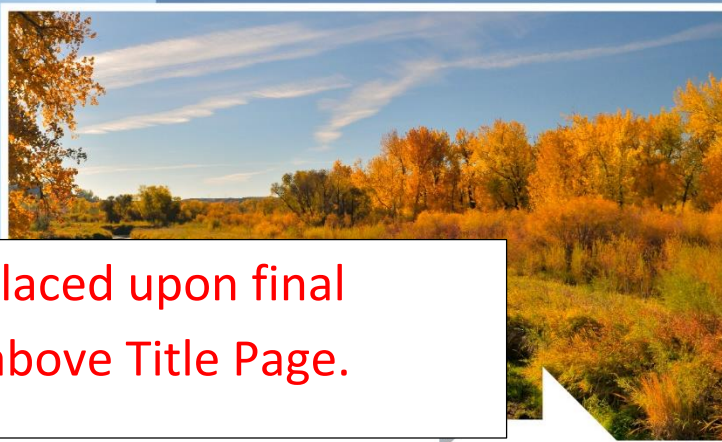
PLANNING JURISDICTION



## 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

<b>Laurel Growth Management Policy Update 2023 - Development Schedule</b>			
<b>Date</b>	<b>Purpose</b>	<b>Task</b>	<b>Outcome</b>
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 <sup>th</sup> , 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 <sup>nd</sup> Notice	Public Notice
December 15, 2023	Legal Advertisement Published in Yellowstone County News	Community Public 3 <sup>rd</sup> 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 <sup>st</sup> Notice - City	Public Notice

TBD	Legal Advertisement Published in Yellowstone County News	Community Public 1 <sup>st</sup> Notice - County	Public Notice
TBD	Legal Advertisement Published in Yellowstone County News	Community Public 2 <sup>nd</sup> Notice - City	Public Notice
TBD	Legal Advertisement Published in Yellowstone County News	Community Public 2 <sup>nd</sup> 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 4<sup>th</sup> St. Commercial district, the 1<sup>st</sup> 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

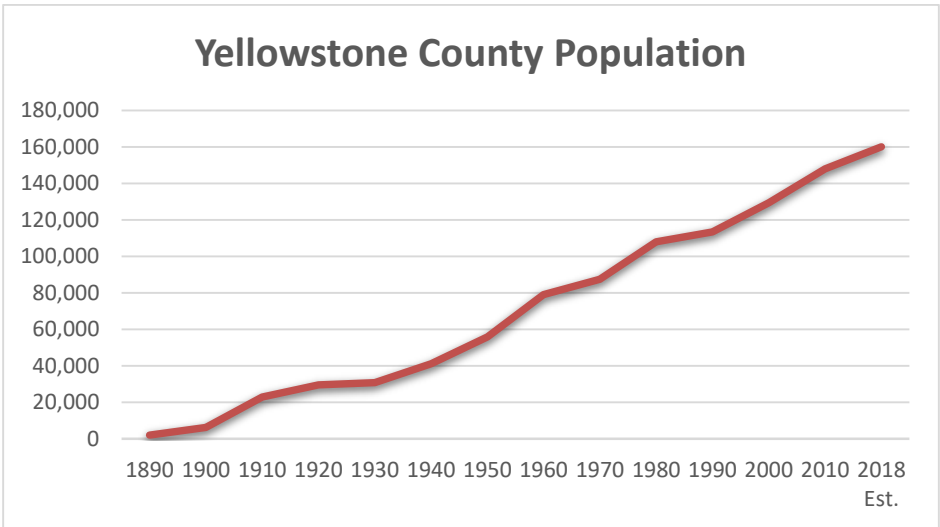
#### Goal 2: Coordinate with local and regional institutions to support and grow the Laurel community

- ❖ 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

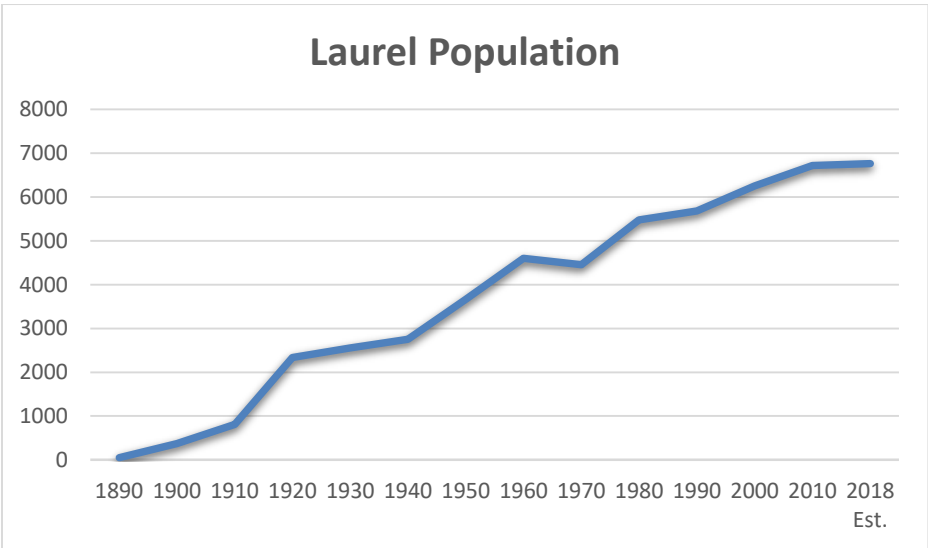
## Population Trends

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.



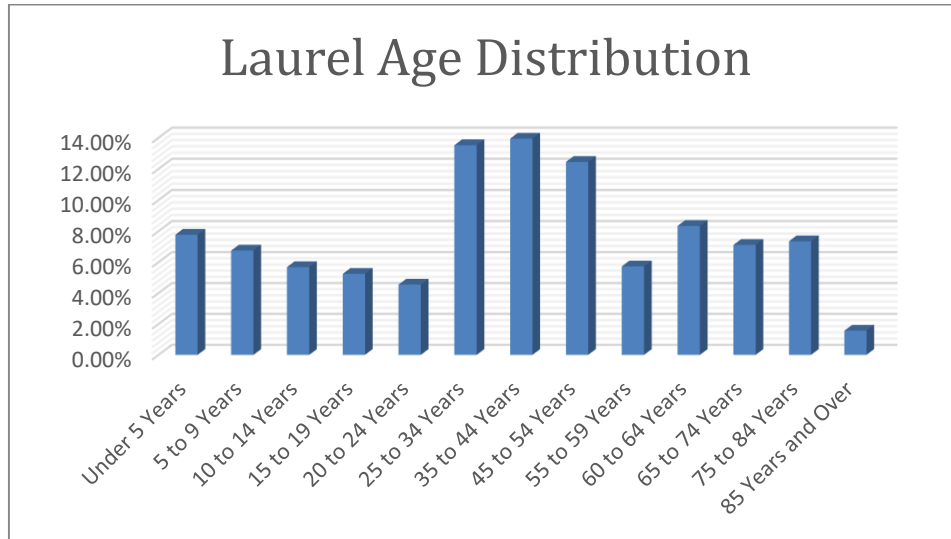
U.S. Decennial Census, 2013-2017 American Community Survey 5-Year Estimates

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.

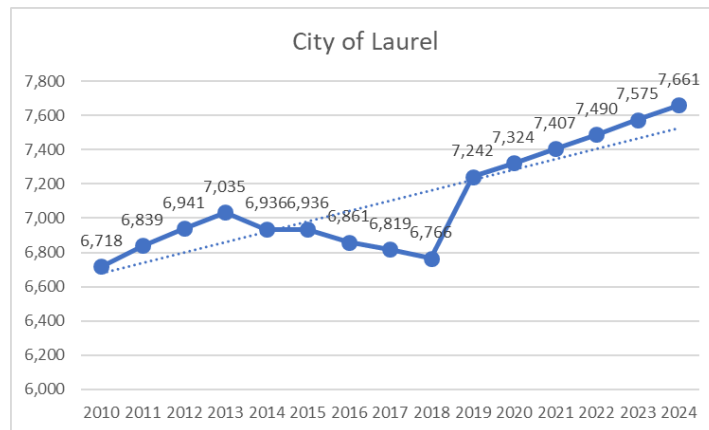
Gross Rent as a Percentage of Household Income	Estimate	Percent
Occupied units paying rent	898	100.00%
Less than 15.0 percent	115	12.81%
15.0 to 19.9 percent	183	20.38%
20.0 to 24.9 percent	52	5.79%
25.0 to 29.9 percent	161	17.93%
30.0 to 34.9 percent	121	13.47%
35.0 percent or more	266	29.62%
2013-2017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

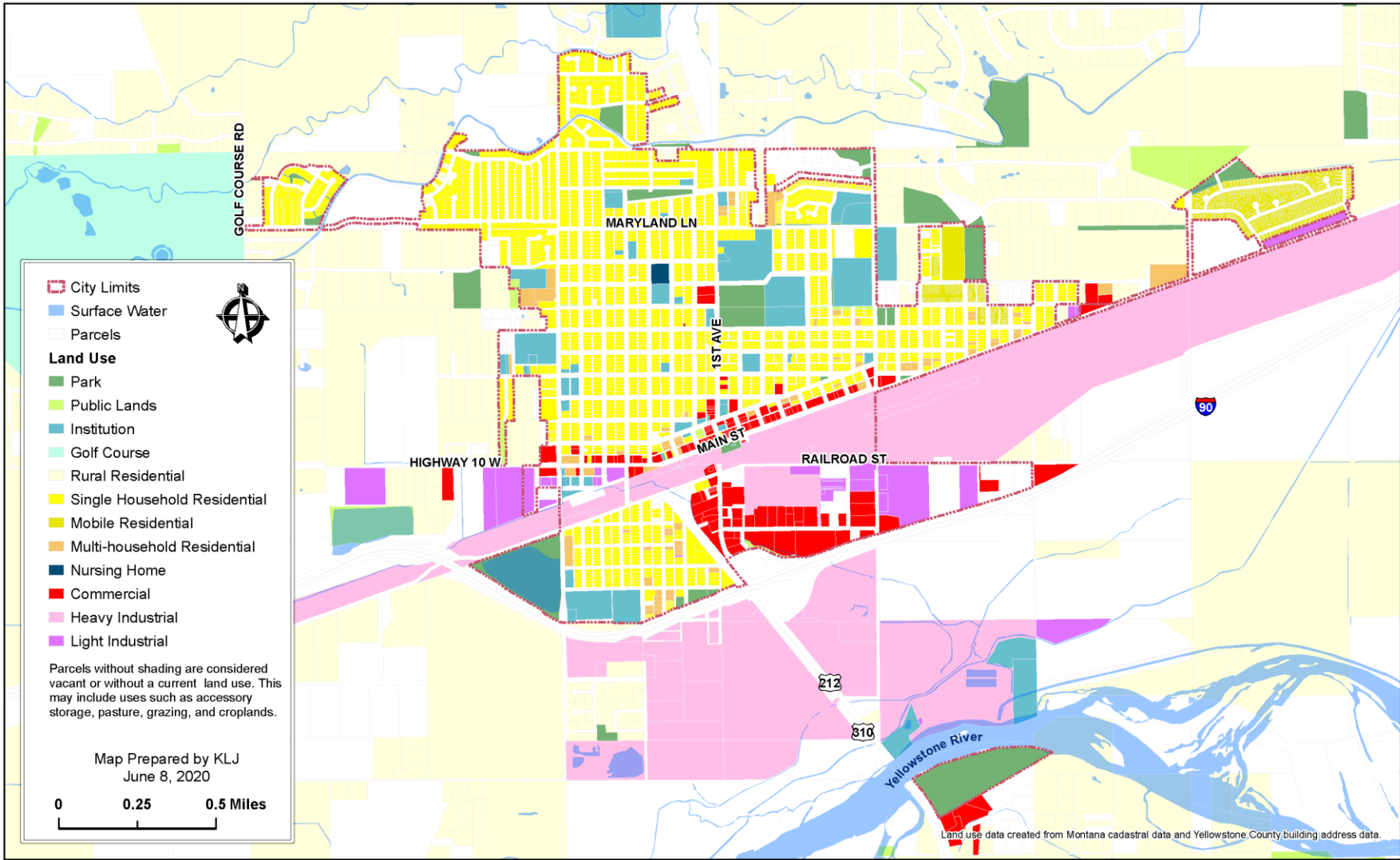
- ~~❖ Agricultural open space (AO) zone – The agricultural open space zone is intended to preserve land for agricultural and related use. Land within this zone is usually un-subdivided and contains a minimum of roads, streets, and other utilities. It may be cultivated acreage or land less suitable for 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 1<sup>st</sup> Avenue S. by E. Railroad St. and SE 4<sup>th</sup> 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 4<sup>th</sup> 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 4<sup>th</sup> 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 4<sup>th</sup> 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

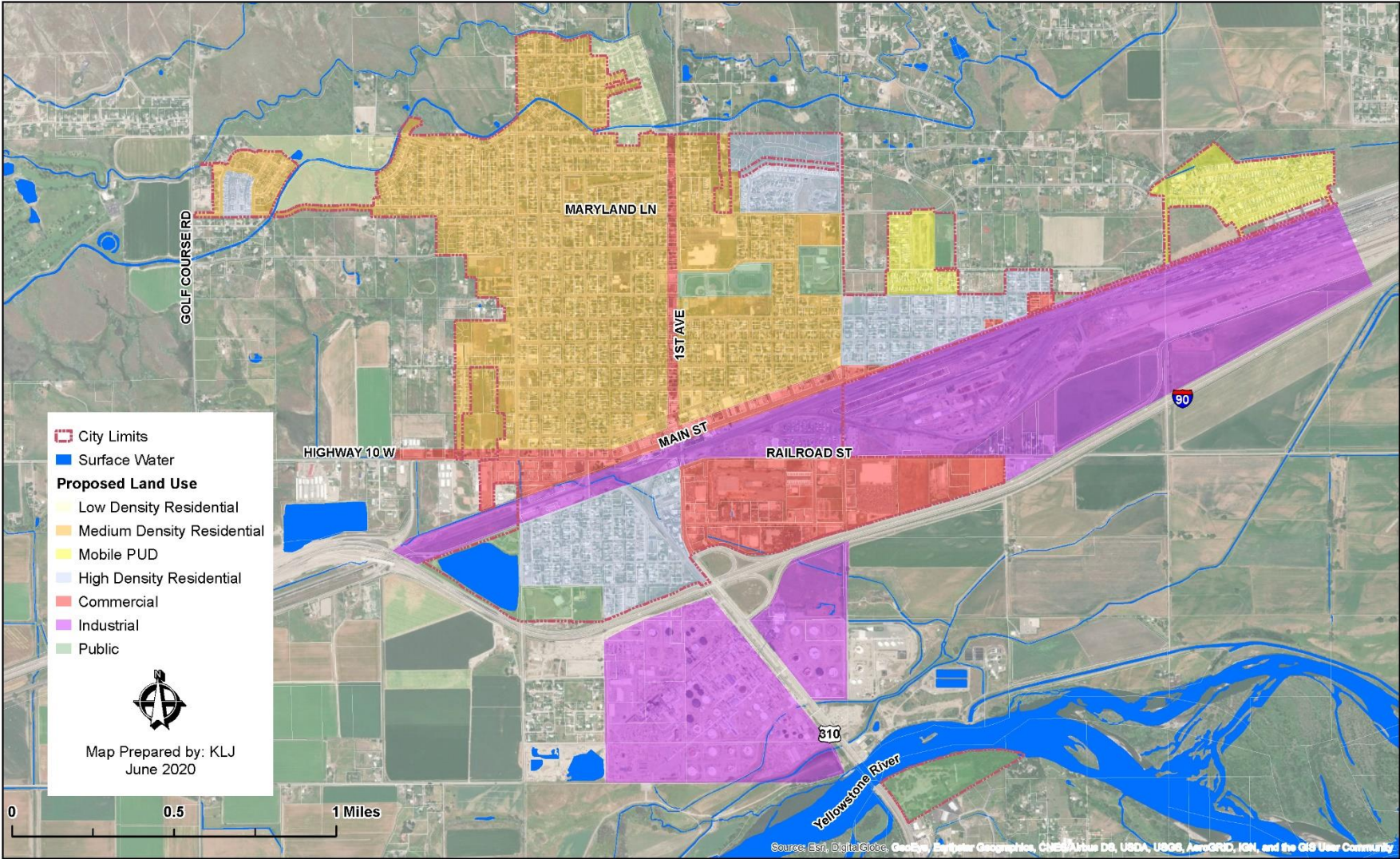
Planning for the expansion of city services and infrastructure is vital in bringing new growth to a community. The City did not address long-term infrastructure and growth for many years. Installing new infrastructure is expensive, but it is more costly to lose development opportunities that allow the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

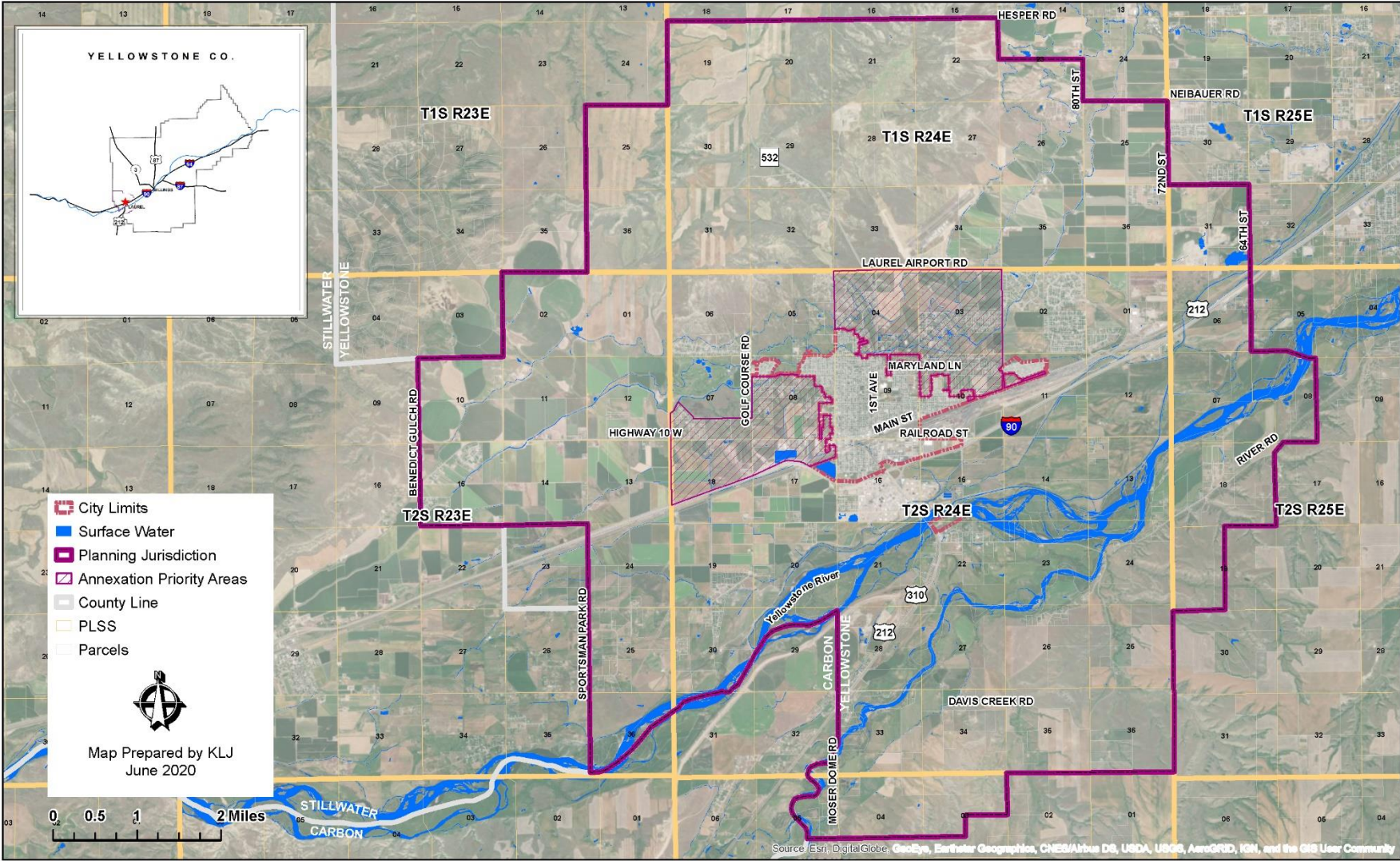
Establishing priority areas is essential for setting a plan for growth, starting discussions with property owners and developers, and preparing projects. A map of the Laurel Planning Jurisdiction and priority growth areas are presented on the next page.

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 8<sup>th</sup> 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 8<sup>th</sup> 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 12<sup>th</sup> Street that straddle the big ditch, areas between Montana Avenue and Great Northern Road, and the land neighboring 1<sup>st</sup> 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

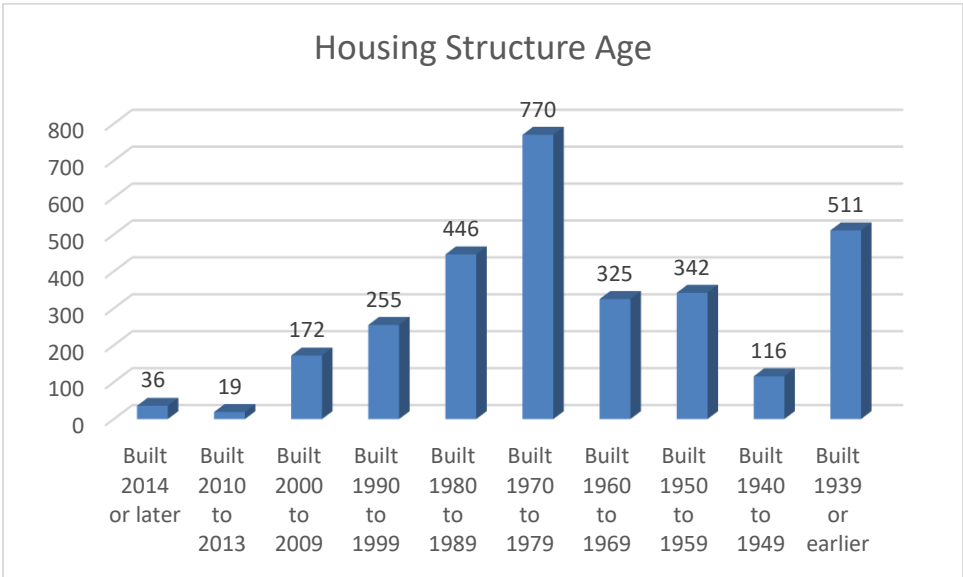
## Overview

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.

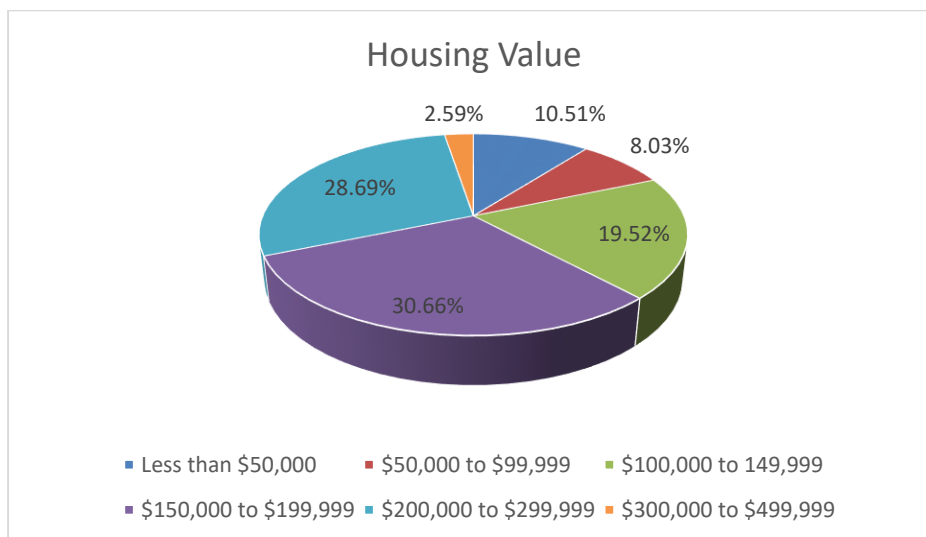
It is important to think about current and emerging housing trends to embrace growth opportunities, whether in a traditional residential neighborhood or more urban or downtown environments.

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

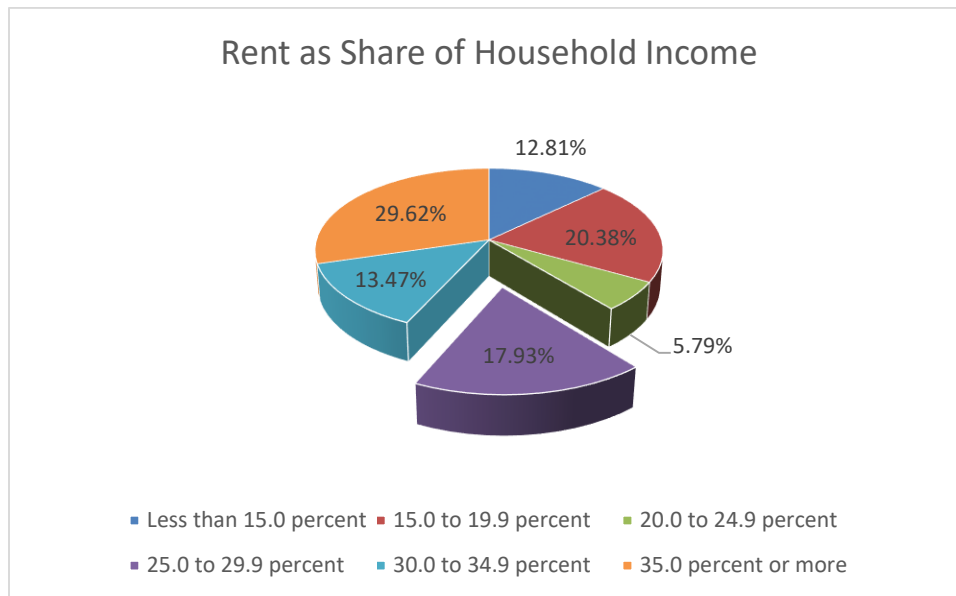
Many parts of the United States are facing issues with housing affordability. This affordability issue has included some communities in Montana, such as Bozeman and Whitefish. Housing in Laurel has generally remained affordable despite being located within twenty miles of the state's largest city. The 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 4<sup>th</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> Avenue underpass, and the 5<sup>th</sup> 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 8<sup>th</sup> 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 1<sup>st</sup> Avenue underpass and 5<sup>th</sup> 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 1<sup>st</sup> 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

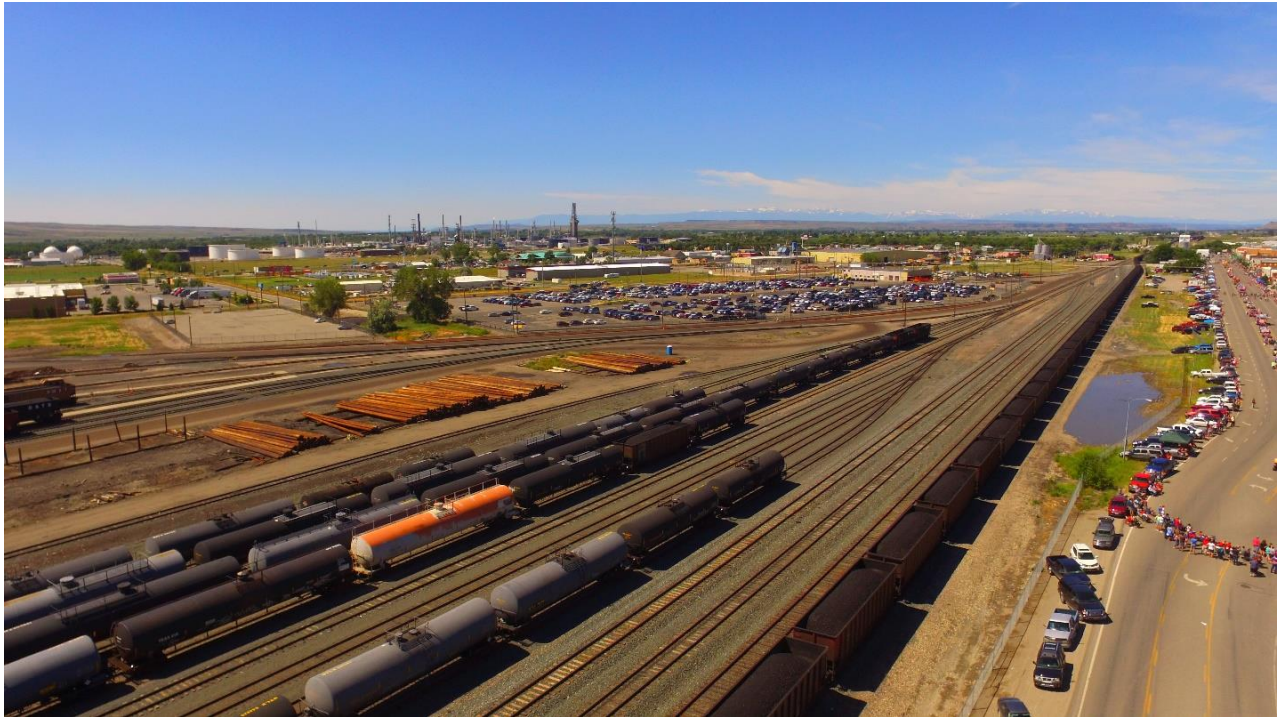
Interstate-90 passes directly through Laurel. There are currently three off-ramps to access the highway, the most recent of these just completed in 2020 on the city's west end. The interstate has been a source of growth for the city, with many businesses locating in the SE 4<sup>th</sup> Street District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

The Montana Department of Transportation recently completed a north-facing on/off-ramp west of Laurel to connect to 19<sup>th</sup> 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



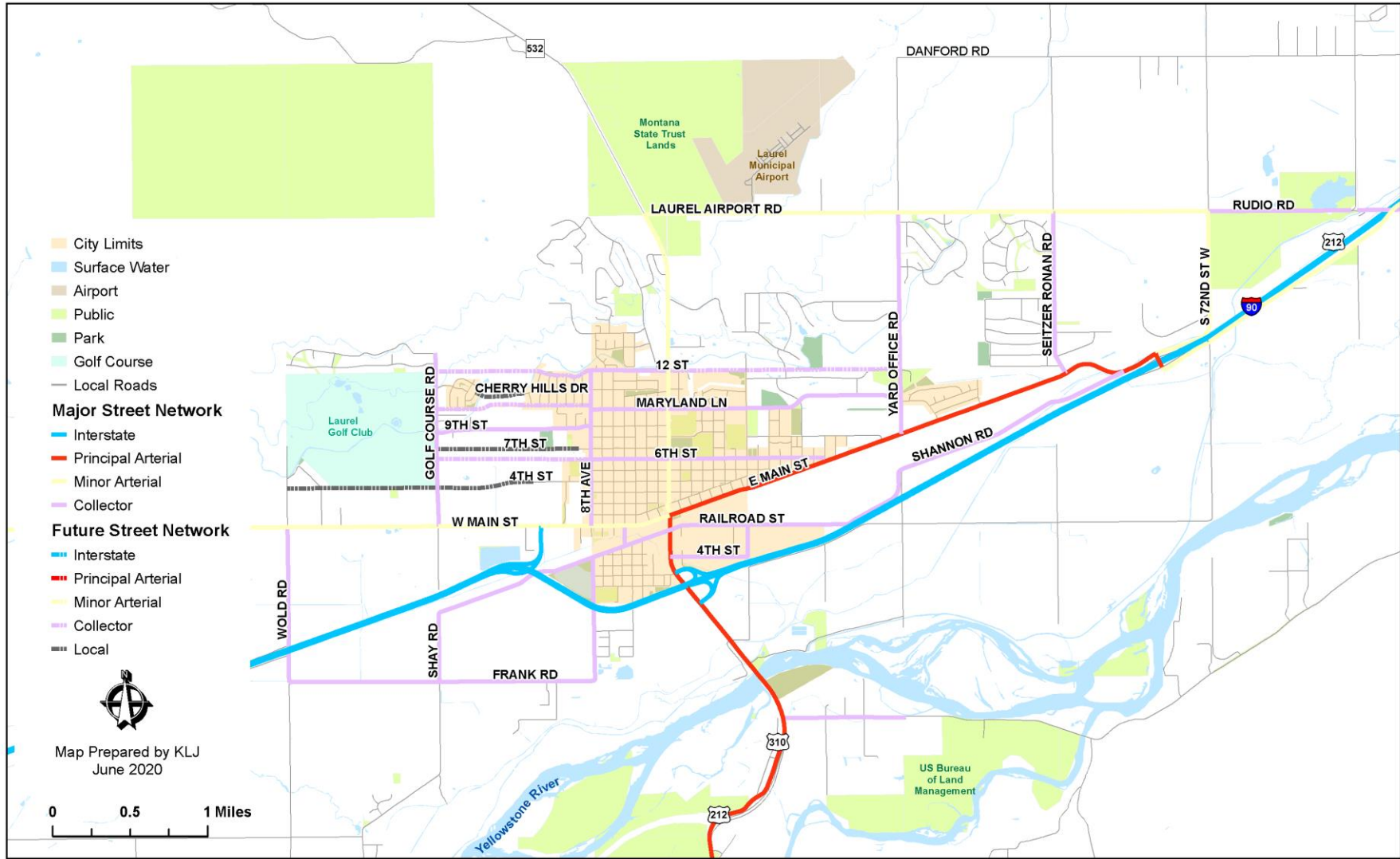
## Railroad

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 1<sup>st</sup> Avenue underpass, and the 5<sup>th</sup> 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.

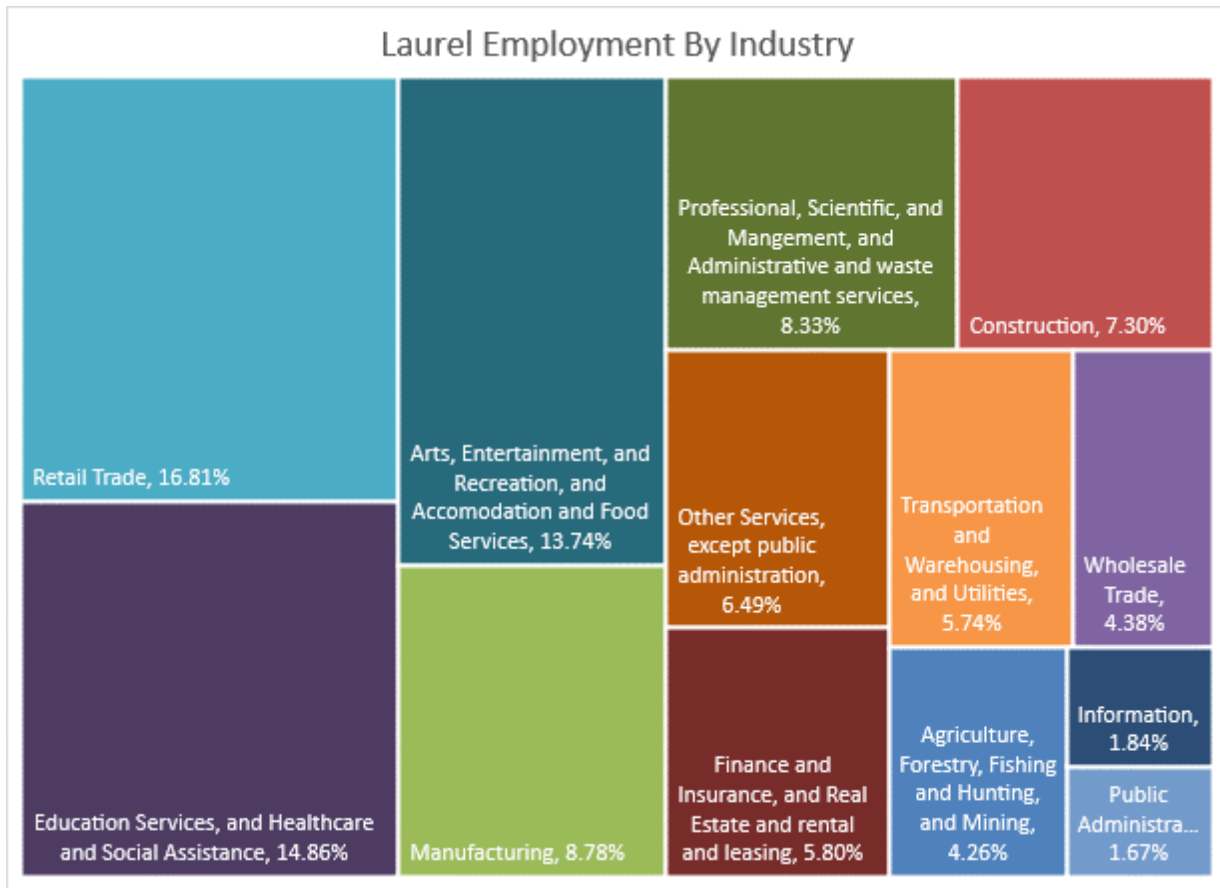
Laurel can still become a community where small businesses thrive, the downtown is healthy, and entrepreneurs take the risk to open a business even with its proximity to Billings. Creating a more attractive and active business community is not an impossible task. Goals have been established to help develop 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 4<sup>th</sup> 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 4<sup>th</sup> of July celebration. The Laurel 4<sup>th</sup> 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 1<sup>st</sup> Street, the site of the current City Hall. The Library relocated to its current facility at 720 West 3<sup>rd</sup> 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 4<sup>th</sup> 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

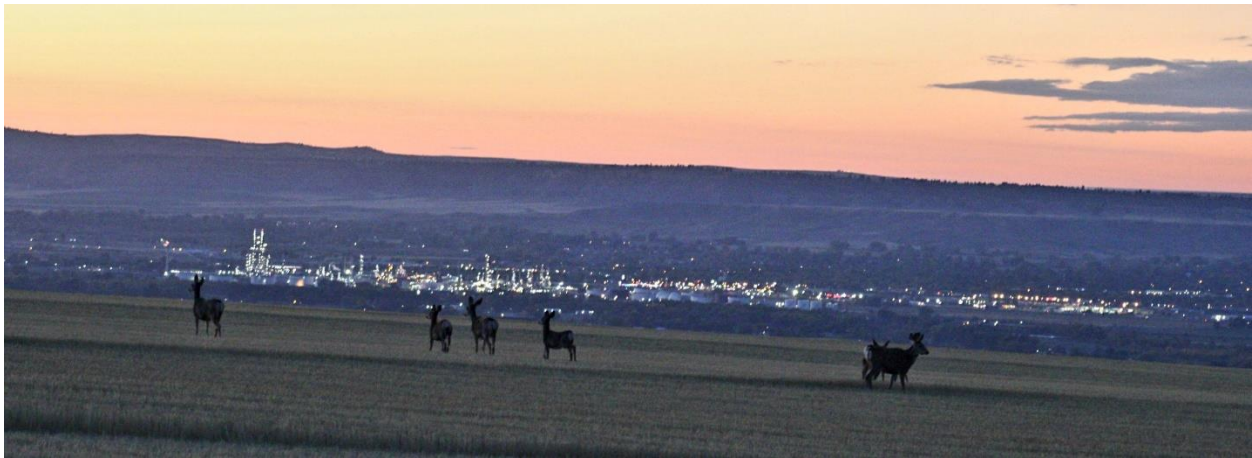
- ❖ Create a city-wide Park System Master Plan to develop project priorities
- ❖ Consider the creation of a City Parks Department to oversee park operations and maintenance
- ❖ Identify unused land that can be transformed into green space or trails for use by the public
- ❖ Update the zoning and development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

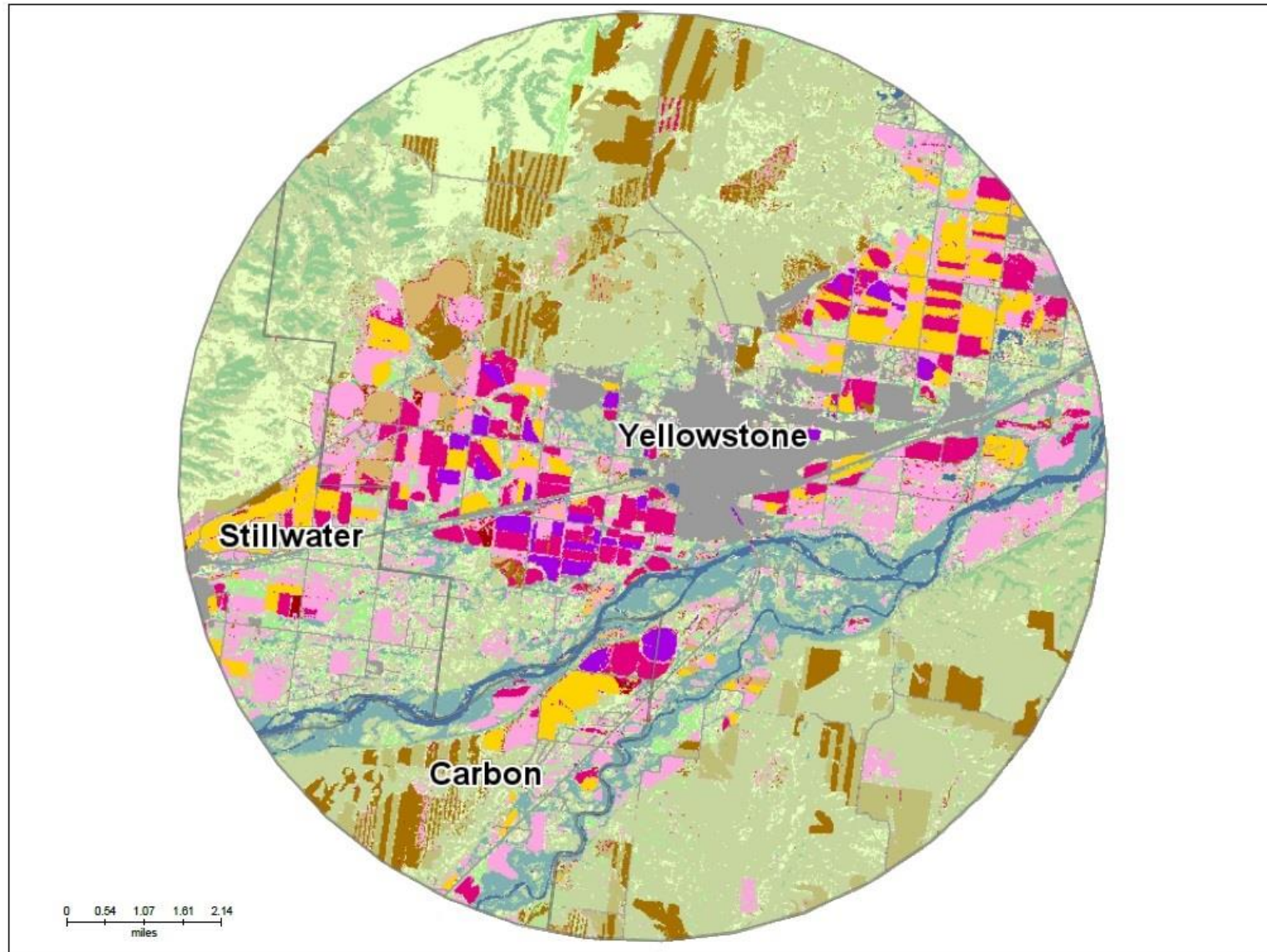
## Agricultural Land

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\*\***

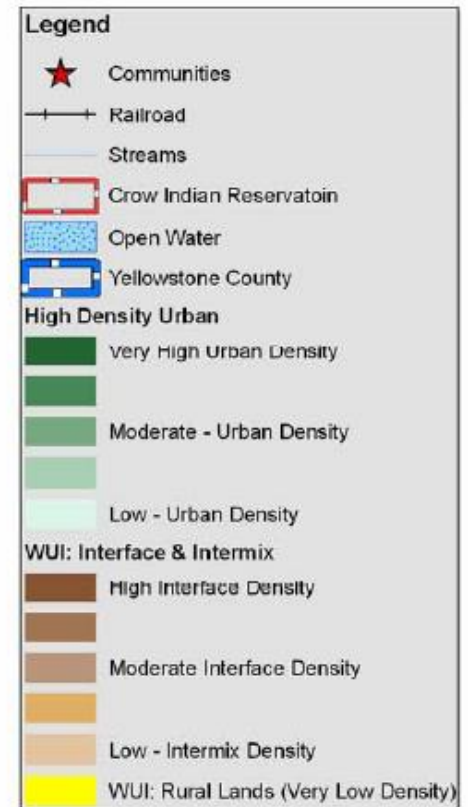
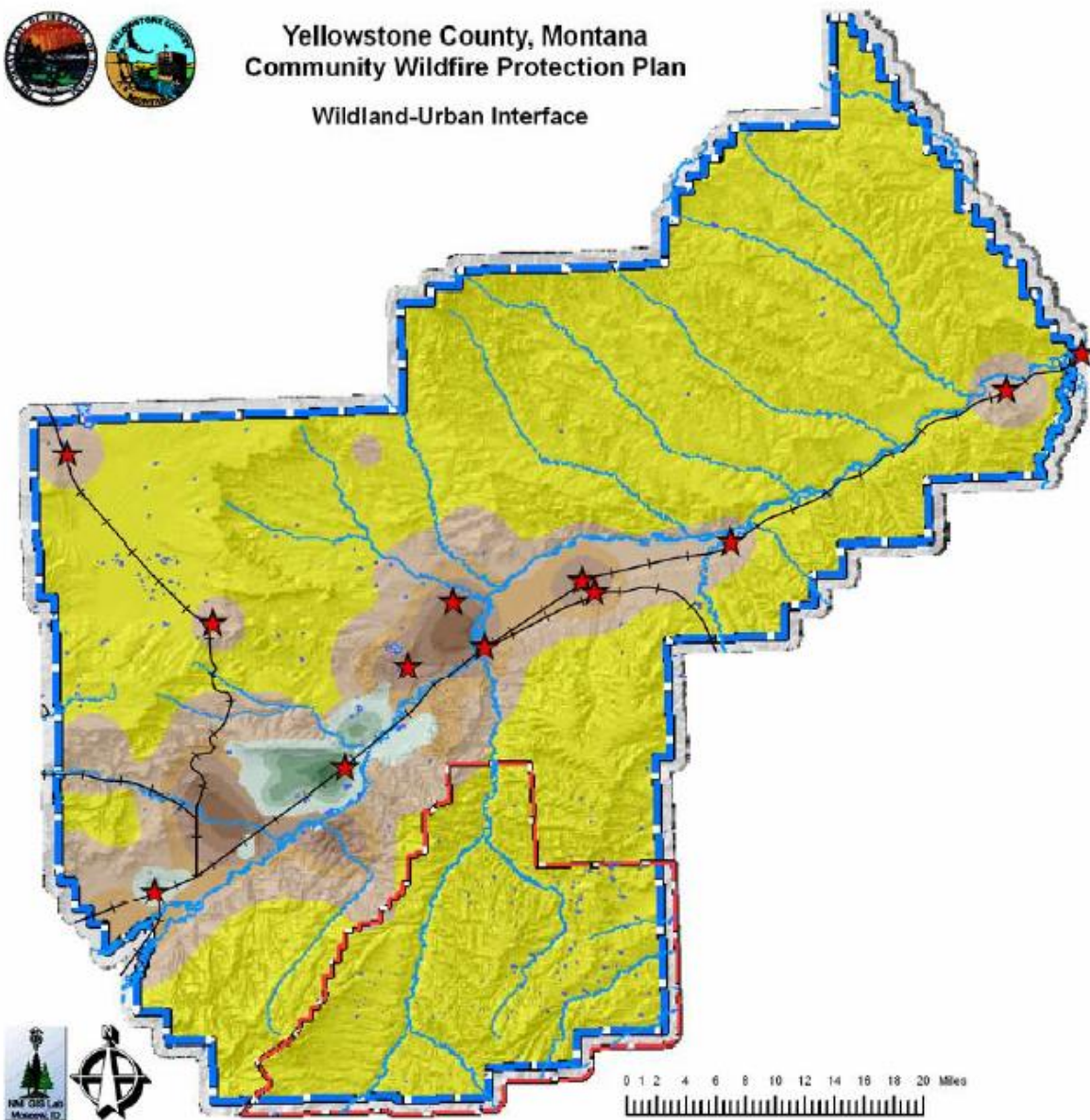
- Shrubland
- Woody Wetlands
- Evergreen Forest
- Developed/Low Intensity
- Developed/Open Space
- Herbaceous Wetlands

# 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

<b>Goal 1: Conserve Open Space and Traditional Land Uses</b>		
OBJECTIVES	RESPONSIBLE ENTITY	TIME FRAME
Encourage cluster developments to incorporate open space into new developments	Planning Dept City Council <b>County Commission</b>	Mid-term
Provide options for landowners for conserving portions of their land	Planning Dept City Council <b>County Commission</b>	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 <b>County Commission</b>	Mid-term Long-term

<b>Goal 2: Develop downtown Laurel into a vibrant place to live, work, and play</b>		
OBJECTIVES	RESPONSIBLE ENTITY	TIME FRAME
Encourage mixed uses for living, working, and shopping local	Planning Board <b>County Commission</b> <b>City Council</b>	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



<b>Goal 3: Update Subdivision Code to meet the needs of Laurel and the surrounding area</b>		
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 <del>Zoning Commission</del>	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 <del>County Commission</del>	Long-term

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

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

<b>Goal 5: Use long term planning documents to identify funding and address priority needs for infrastructure and development</b>		
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 <b>County Commission</b>	Mid-term

**Annexation Goals and Objectives**

<b>Goal 1: Adopt a long-range view for the growth of the City</b>		
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 <del>Board</del> 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

<b>Goal 2: Mangle fiscal responsibility with established and proposed annexation standards</b>		
OBJECTIVES	RESPONSIBLE ENTITY	TIME FRAME
Ensure that the established standards are right and proper for the City of Laurel	Planning Board <del>County Commission</del> <b>City Council</b>	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

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

<b>Goal 2: Provide information on housing-related grants, loans, and ownership programs</b>		
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

<b>Goal 1: Maintain an effective and efficient public infrastructure system that adequately serves the needs of the City and County</b>		
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

<b>Goal 2: Establish the long-term capital and infrastructure needs for the City and County</b>		
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

<b>Goal 3: Seek out possible funding sources for the expansion and improvement of infrastructure and essential community services</b>		
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

<b>Goal 1: Preserve, maintain, and improve the existing transportation system</b>		
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

<b>Goal 2: Improve the mobility, safety, and accessibility of all users and modes of travel</b>		
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

<b>Goal 3: Connect transportation decisions to land-use decisions</b>		
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

<b>Goal 1: Develop downtown Laurel as a destination to live, work, and play</b>		
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

<b>Goal 2: Create a resilient local economy</b>		
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 <b>County Commission</b>	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 <b>County Commission</b>	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
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**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 <b>and county</b> departments	City Council County Commission City/County Public Works Planning Dept EMS Fire Dept <del>Police Dept</del> 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

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

<b>Goal 1: Develop parkland as an essential and enjoyable amenity for residents</b>		
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

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

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

<b>Goal 1: Protect Laurel's planning jurisdiction and natural resources and traditional environment</b>		
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

<b>Goal 2: Incorporate sustainable development patterns in the Laurel subdivision and land use codes</b>		
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



<b>Goal 3: Connect with local, regional, and state agencies and stakeholders to improve the natural environment in and around Laurel</b>		
OBJECTIVES	RESPONSIBLE ENTITY	TIME FRAME
Sponsor environmental cleanup and rehabilitation programs that include the City, <b>County</b> , school district, community organizations, and residents	City Council <b>County Commission</b>	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 <b>County</b> Park Board County Commission	Long-term

## Intergovernmental Coordination Goals and Objectives

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

<b>Goal 2: Coordinate with local and regional institutions to support and grow the Laurel community</b>		
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.

**File Attachments for Item:**

4. Resolution - Prosecutor Contract

**RESOLUTION NO. R24-\_\_\_\_(A)**

**A RESOLUTION OF THE CITY COUNCIL NON-RENEWING THE CITY PROSECUTOR CONTRACT WITH LORE LAW FIRM, PLLC.**

WHEREAS, the City Council (hereinafter “City Council”) of the City of Laurel (hereinafter “the City”) previously authorized a contract for the City Prosecutor position with Lore Law Firm, PLLC, effective until June 30, 2024;

WHEREAS, in and around April 2024, the City submitted a Request for Proposal for commencement of a new Prosecutor Contract effective July 1, 2024;

WHEREAS, no qualified and fully-responsive submissions were provided to the City in response to the Request for Proposal;

WHEREAS, the Prosecutor Contract provides that the Parties “may extend or renew” the Contract “upon written agreement”;

WHEREAS, the Prosecutor Contract further provides that the Contract “may be terminated at any time by either party without cause”;

WHEREAS, the City believes it is in the best interests of the City to non-renew the existing Prosecutor Contract with Lore Law Firm, PLLC and seek different prosecutorial services, moving forward, after June 30, 2024.

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

Section 1: Non-Renewal of Contract with Lore Law Firm, PLLC. The City hereby elects to non-renew the Prosecutor Contract with Lore Law Firm, PLLC. The Prosecutor Contract with Lore Law Firm, PLLC is considered terminated as of June 30, 2024.

Section 2: Authority. The Mayor is hereby given authority to move ahead with seeking different prosecutorial services, commencing July 1, 2024, based upon determining factors that the Mayor believes are in the best interests of the City.

Introduced at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2024 by Council Member \_\_\_\_\_.

PASSED and APPROVED by the City Council of the City of Laurel, Montana on the \_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED by the Mayor on the \_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF LAUREL

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Dave Waggoner, Mayor

ATTEST:

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Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

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Michele L. Braukmann, Civil City Attorney

**RESOLUTION NO. R24-\_\_\_\_(B)**

**A RESOLUTION OF THE CITY COUNCIL RENEWING THE CITY PROSECUTOR CONTRACT WITH LORE LAW FIRM, PLLC.**

WHEREAS, the City Council (hereinafter “City Council”) of the City of Laurel (hereinafter “the City”) previously authorized a contract for the City Prosecutor position with Lore Law Firm, PLLC, effective until June 30, 2024;

WHEREAS, in and around April 2024, the City submitted a Request for Proposal for commencement of a new Prosecutor Contract effective July 1, 2024;

WHEREAS, no qualified and fully-responsive submissions were provided to the City in response to the Request for Proposal;

WHEREAS, the Prosecutor Contract provides that the Parties “may extend or renew” the Contract “upon written agreement”;

WHEREAS, the Prosecutor Contract further provides that the Contract “may be terminated at any time by either party without cause”;

WHEREAS, the City believes it is in the best interests of the City to renew the existing Prosecutor Contract with Lore Law Firm, PLLC for a period of one (1) year, terminable at will by either party upon thirty (30) days’ written notice, without any cause stated for such termination by either party.

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

Section 1: Renewal of Contract with Lore Law Firm, PLLC. The City hereby elects to renew the Prosecutor Contract with Lore Law Firm, PLLC. The Prosecutor Contract with Lore Law Firm, PLLC is considered renewed as of July 1, 2024, terminable at will by either party upon thirty (30) days’ written notice, without cause stated for such termination by either party. The existing Prosecutor Contract shall be revised to incorporate the aforementioned length of term and terms of termination.

Section 2: Authority. The Mayor is hereby given authority to execute a Revised and Amended Prosecutor Contract, reflecting the aforementioned length of term and terms of termination.

Introduced at a regular meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2024 by Council Member \_\_\_\_\_.

PASSED and APPROVED by the City Council of the City of Laurel, Montana on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED by the Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF LAUREL

\_\_\_\_\_  
Dave Waggoner, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
Michele L. Braukmann, Civil City Attorney

**CITY HALL**  
115 W. 1st. St.  
**PUB WORKS: 628-4796**  
PWD FAX: 628-2241  
**WATER OFFICE: 628-7431**  
WTR FAX: 628-2289  
**MAYOR: 628-8456**

# City of Laurel

P.O. Box 10  
Laurel, Montana 59044



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DEPARTMENT

## REQUEST FOR PROPOSAL

### **Part-Time City Prosecutor for the City of Laurel (Estimated Half-Time Position)**

This request is intended to gather pertinent information concerning the ability of an individual attorney or law firm to meet the needs of the City.

The City is interested in establishing an ongoing contractual relationship with an attorney or law firm to ensure high quality, necessary, timely, and cost-effective legal services. The expectation is that the selected firm/individual will be experienced in legal issues associated with prosecuting cases for Cities. Additionally, the attorney or firm should have experience in a court setting to act as the prosecuting attorney on behalf of the City, and working with the City's Law Enforcement Officers, the City Court Clerk's Office, and the City Court Judge. The City is seeking an attorney or law firm that can establish successful communication and coordination on an ongoing basis.

The City Prosecutor is appointed by the City Mayor and City Council and supervised by the City Mayor.

#### ***Requirements for Submission of City Proposal:***

1. Time of Filing: No later than April 26, 2024, at 5:00 p.m., addressed to the City of Laurel, Kelly Strecker, Clerk/Treasurer, PO Box 10, Laurel, MT 59044; or hand-delivered to the Clerk/Treasurer at Laurel City Hall, 115 W. 1<sup>st</sup> Street, Laurel, MT 59044.
2. Sealed Envelope: Outer envelope containing proposal should be marked: "Proposal for City Prosecutor". If contained in a mailed envelope, the mailing envelope should be marked to indicate that it is an outer, sealed envelope.
3. Three copies of the proposal are requested.
4. The City will open and review all proposals after the above deadline of April 26, 2024 expires.



***Scope of Services:***

1. Prosecutes cases in City of Laurel City Court, which includes communicating with Defendants and their attorneys; communicating with police officers, code enforcement/animal control officials, witnesses and victims; working closely with the City Court Clerks regarding administrative matters, responding to motions of Defendants; processing and preparing cases for trial; representing the City in arraignments, jury trials and trials before the City Court; researching the law; and representing the City in appeals to District Court.
2. Performs professional legal work carrying the highest levels of volume, complexity, consequence, autonomy, and responsibility.
3. Regularly responds to discovery requests, and drafts subpoenas, motions, notices, and proposed orders.
4. Tries all necessary trials on City prosecutorial matters for the City of Laurel.
5. Is able to engage effectively and in a collaborative manner with the Laurel Police Department, the City Court Clerks, and the City Court Judge.
6. Performs such other duties as are required by the City.

***Experience Required/Preferred for Position:***

1. A law degree from an ABA-accredited U.S. law school is required.
2. Must be licensed to actively practice law in the State of Montana and be in good standing with the Montana Supreme Court.
3. Must possess a valid driver's license.
4. Must have the ability to communicate effectively and diplomatically with City personnel and officials, including the City Judge, City Court Clerks, Law Enforcement Personnel, Code Enforcement/Animal Control Personnel, Defendants and their Attorneys, and the general public.
7. Must have or be able to develop a good working knowledge of the Laurel Municipal Code, Montana City Court Rules, Laurel City Court Rules, and the Montana Rules of Evidence.
8. Skilled in legal writing and research.
9. Ability to use word processing and presentation software and to do online legal research.

10. Ability to perform with integrity; demonstrate honesty and sensitivity to ethical issues; and avoid actual or apparent impropriety and/or conflicts of interest.
11. Exercise appropriate judgment, often under pressure, consistent with the highest levels of volume, complexity, consequence, autonomy, and responsibility attending the position.

***Minimum Information Required for Proposal:***

1. Letter of Interest and Resume.
2. Background of you and/or your firm, including size, date established, and office location, or individual qualifications, if not associated with a firm.
3. Identify the lead attorney who would be primarily responsible for work on behalf of the City and other attorneys, if any, you would anticipate utilizing on this account along with resumes for each attorney (specifically work relating to municipalities).
6. Please specify your firm's availability to attend City Court dates, as well as general availability for other projects, as needed. This requires multiple times and dates of appearances in City Court, on a weekly basis.
7. Discuss any conflicts of interest your firm may have in representing the City of Laurel.
8. Please answer the following questions:
  - a. Give an example/description of the working relationship you envision with the City Mayor, City Court Staff, the Laurel Police Department and other staff.
  - b. What steps would you take to learn the City of Laurel Court system and processes?
  - c. Are you agreeable to abiding by the Rules and Procedures of the City of Laurel Court system and processes?

***Proposal Evaluation:***

It shall be agreed and understood that the proposals are considered public documents and are subject to official inspection. Any firm may request in writing that the information be kept proprietary.

***Rejection of Proposal:***

The City may reject any or all proposals if the proposals do not include the documents required for submission, as noted above, or for any other reason. City officials may, at their sole and absolute discretion, postpone or cancel this solicitation process, waive any irregularities or technicalities, and/or determine the criteria and process whereby proposals are evaluated.

***Submission of Proposal:***

All proposals must be submitted no later than April 26, 2024 at 5:00 p.m., addressed to the City of Laurel, Kelly Strecker, Clerk/Treasurer, PO Box 10, Laurel, MT 59044; or hand-delivered to the Clerk/Treasurer at Laurel City Hall, 115 W. 1<sup>st</sup> Street, Laurel, MT 59044.

A short list of attorneys or firms will be selected for interview by May 10, 2024. The City Mayor intends to recommend an attorney or firm on or by June 4, 2024, with the selected attorney or firm to commence service with the City Court by June 30, 2024.

DATED this 28<sup>th</sup> day of March 2024.

Kelly Strecker Clerk/Treasurer

## Kelly Strecker

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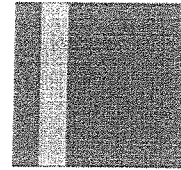
**From:** Juliane Lore <juliane@lorelaw.us>  
**Sent:** Friday, April 26, 2024 2:08 PM  
**To:** Kelly Strecker; City Mayor  
**Subject:** RFP Response, Attached -  
**Attachments:** LAUREL RFP 4-26-24.pdf

Hello, I've attached my Letter and CV in response to the RFP posted for the City Prosecutor position. I hope to be considered for further service, with renewal of the same contractual terms.

Thanks for your time and review.

Juliane Lore.

Juliane E. Lore  
709 Roundhouse Drive  
Billings, Montana 59044  
Telephone: (406) 591-7568



April 26, 2024

Laurel City Clerk  
PO Box 10  
Laurel, MT 59044

Re: RFP, Prosecuting City Attorney Position

Dear City Clerk/Treasurer, Mayor, and Reviewing Committee;

I am submitting this proposal in order to continue prosecuting in my current position serving the City of Laurel, and hope this summary, responses, and my enclosed CV will support my selection. I believe that it is important to have continuity in representation for the City. The structure I propose is the current compensation, \$5600.00/monthly, with contract review and renewal yearly.

I have included my CV with this renewed RFP providing the specifics of my agricultural bachelor's degree, Juris Doctorate degree, and prior experience including public defender employment, law firm employment, and more than a decade operating a successful small firm. Before attending law school I started a landscaping business, managed and invested in commercial and residential properties, and was employed in the financial software industry, in both coding and implementation positions.

In addition to the fulfilment of these basic requirements and additional qualifications, I hope the knowledge, connections and experience I have added in the past four years of my current service as the prosecuting attorney for Laurel may continue to make me ever more effective, and an even stronger candidate for renewal.



I have successfully advocated for the City in hundreds of criminal prosecutions during my tenure, one in which the public defender assigned to our Court has changed many times, and been able to guide constantly changing staff while managing the scheduled docket through these transitions. I am proud of the many cases in which I have been able to achieve justice for Laurel residents and obtain restitution for Laurel businesses. Effective law enforcement and prosecution enhances trust and opportunities for our businesses and residents.

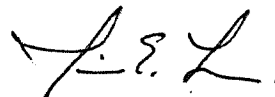
I am local resident of the Laurel community, which I believe is helpful in this role due to my close proximity to the Court, the Police Department, and the people who may be charged or victims or witnesses in matters I prosecute. I am personally invested in this community, having lived in the Laurel area six years, and I enjoy volunteering for many local causes and events.

The Request for Proposal for this position references experience in other areas of City law as desirable, and I currently serve as City Attorney for two smaller municipalities in Carbon County, contracted work I have enjoyed for the past four years in addition to my work here. I have also worked hard to continue my education in municipal and prosecutorial current applications and developments, attending seminars and conferences and municipal CLE's each year.

If I am selected as the best candidate to continue in my position, I will continue to strive to improve in order to meet the challenges of constant developments in criminal law and local trends, and the defense attorneys who challenge our prosecutions. I place a high value on continual professional improvement in my position. It is an honor to serve the City of Laurel, supporting Chief Langve and his courageous staff, and I hope to continue to do so.

Thank you for your time and review.

Respectfully,



Juliane E. Lore

**Juliane E. Lore – Attorney**  
709 Roundhouse Drive Laurel, Montana 59044  
Phone: (406) 591-7568 Email: [juliane@lorelaw.us](mailto:juliane@lorelaw.us)

- *Admitted:* Montana State Bar Association, District of Montana, Ninth Circuit US Court of Appeals

### Experience

2020 – *Current:* Prosecuting Attorney – City of Laurel, Yellowstone  
2020 – *Current:* Town of Joliet Attorney, Carbon County  
2021 – *Current:* Town of Bearcreek Attorney, Carbon County

2010 – *Current*

Lore Law Firm PLLC

**Attorney**

*Billings, Montana*

Consumer, small business bankruptcy. Farm/ranch civil litigation.  
Municipal contracts, civil and criminal.

2009 - 2010

Patten, Peterman, Bekkedahl & Green

**Associate**

*Billings, Montana*

Complex personal and business bankruptcy filings, financial restructuring.

2008 – 2009

Montana Office of Public Defender

**Attorney**

*Glendive/Miles City, Montana*

Indigent criminal defense counsel, rural tri-county area.

### Education

2007 **Juris Doctorate** – International Law Diplomate  
University of the Pacific - McGeorge School of Law - Sacramento, California

1994 **Bachelor of Science** - Major in Botany  
Colorado State University - Fort Collins, Colorado

### Volunteer

2022-2023: Gilluly Clinic for Homeless Services – St. Vincent De Paul, Billings – General Counsel

2021- *Present:* American Legion Auxiliary – Laurel, Montana #123 – Service member

2016 – 2017: Fergus County Council on Aging – Lewistown, Central Montana - Board Member

2014 – 2015: State of Montana / Richland County Council on Aging – Project, Eastern Montana

2010 – 2011: Montana State Bar Association, Continuing Legal Education (CLE) Committee



**File Attachments for Item:**

5. Ordinance O24-02: An Ordinance Repealing And Replacing Certain Sections Of Title 17 Of The Laurel Municipal Code Related To Zoning.

**ORDINANCE NO. 024-02**

**AN ORDINANCE REPEALING AND REPLACING CERTAIN SECTIONS OF  
TITLE 17 OF THE LAUREL MUNICIPAL CODE RELATED TO ZONING.**

WHEREAS, the City Council desires to keep the Laurel Municipal Code current by modifying and updating Chapters, Sections, and Subsections to address situations and problems within the City and to remain in accordance with Montana law;

WHEREAS, City Staff prepared, reviewed, and approved the following amendments to the existing LMC Title 17, as noted herein and on the attached, and hereby recommends the same to the City Council for its full approval;

WHEREAS, the attached LMC Title 17 changes fully replace, amend, and supersede the existing Title 17 of the Laurel Municipal Code, except to the extent that certain Sections of Title 17 are not addressed in the attachment hereto;

WHEREAS, the proposed changes to the existing LMC Title 17 are attached hereto and hereby fully incorporated herein (*see* attached revised LMC Title 17 changes, which repeal and replace certain Sections of Title 17 of the LMC); and

WHEREAS, to the extent that the attachment hereto does not repeal and replace certain Sections of Title 17, those Sections not addressed in the attachment hereto remain in full force of law as presently codified.

This Ordinance shall become effective thirty (30) days after final passage by the City Council and approved by the Mayor.

Introduced and passed on first reading at a regular meeting of the City Council on the 14<sup>th</sup> day of May 2024, upon Motion by Council Member \_\_\_\_\_.

PASSED and ADOPTED by the Laurel City Council on second reading on the \_\_\_\_ day of \_\_\_\_\_, 2024, upon Motion by Council Member \_\_\_\_\_.

APPROVED BY THE MAYOR on the \_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF LAUREL

\_\_\_\_\_  
Dave Waggoner, Mayor

ATTEST:

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Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

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Michele L. Braukmann, Civil City Attorney

**ZONING COMMISSION RECOMMENDATION ZC-24-01**  
**2024 Laurel Zoning Regulations**  
**March 4, 2024**

**BACKGROUND:**

The City of Laurel is an incorporated City within the State of Montana with powers established under the Constitution of Montana XI.4. The power and processes for the City to establish zoning regulations are found in §76-2-301 et. seq. M.C.A.

Starting in early 2023 the City Council charged its Zoning Commission to update the existing zoning regulations to reflect changes to the City Growth Policy and the community in general.

After extensive discussion and consideration, the Zoning Commission drafted revised Zoning Regulations but there were a number of technical issues in need of resolution. To resolve these issues the City applied for and was awarded a Planning Grant to hire a consultant to help the Zoning Commission refine the document resolve the technical issues and prepare the draft regulations and a new zoning map that would implement the Growth Policy. The Zoning Commission will conduct a public hearing on the draft Zoning Regulations and Zoning Map, which is scheduled for Wednesday, December 20, 2023. Following the hearing it is expected that the Zoning Commission will recommend the Zoning Regulations and Map as the prevailing zoning for the City of Laurel.

The draft regulations incorporated the changes made during the 2023 Legislative session, several of which were not viewed favorably by the Zoning Commission but were incorporated as they were passed during the session. On December 29, 2023, Judge Salvagni of the 18<sup>th</sup> Judicial District (Gallatin County) issued a preliminary injunction on the implementation of Senate Bill 323 and 528 with a provision that communities could unless they were otherwise inclined to implement the changes they could be repealed. SB 245 and 382 were part of the litigation but were not set aside by the injunction but are still subject to potential repeal.

At the January 17, 2024, Zoning Commission meeting, the Zoning Commission recommended that those section of the draft Regulations that were included but had been enjoined, be removed from the document. It was also noted that the revised Growth Policy was nearing completion and a decision on the Northwestern Energy site and zoning authority was approaching. Given this, it was decided to slow down the Zoning adoption until some additional answers were available.

**LEGAL DESCRIPTION:**

The City of Laurel, Montana, an incorporated City located in Yellowstone County, Montana.

EXISTING CONDITION:

Currently, all property within the City of Laurel is covered by the Laurel Zoning Regulations which date back to the late 1970's with minor revisions and updates over roughly 40 years. The Zoning Regulations were updated and recodified in 1996 via Ordinance 96-5. The zoning code is lacking in several aspects related to compliance with the Growth Policy, statutory changes, and administrative processes. When coupled with the fact that the conditions have radically changed over the past 30 to 40 years, it is time to consider new zoning regulations that are easier to administer, clearly define roles and responsibilities and address new/expanded uses in the city. While State Law speaks to implementation of the Growth Policy via Subdivision Regulations, the city recognizes that the major tool necessary to implement large sections of the Growth Policy is a zoning ordinance.

As discussed in the following sections and in the answers to the Lowe Test, the City Council will see the sections of the Growth Policy that are slated for implementation via the proposed Zoning Regulations and Zoning Map for the City of Laurel.

PROCESS:

- The Zoning Commission with the assistance of City Staff and a Consultant has prepared draft zoning regulations and a zoning map.
- The Zoning Commission conducts a duly noticed Public Hearing on the proposed regulations and map on December 20, 2023.
- The Zoning Commission following the Public Hearing may make changes to both the regulations and map to reflect the comments received on the draft.
- Those changes coupled with findings of fact to support the adoption of the draft regulations and map will need to be submitted to the City Council for consideration.
- The City Council will conduct a duly noticed Public Hearing on the Zoning Commission recommendation and an Ordinance of the City Council on First Reading.
- Should the recommendation or the recommendation with amendments pass on First Reading, another public hearing and Second Reading and adoption will be scheduled.
- If passed on Second Reading, the regulations and map would become effective 30-days post Second Reading.

RECOMMENDED ZONES:

The Zoning Commission is recommending the creation of the following zones:

- R-7500 - Residential 7500 District.
  - The residential-7500 zone is intended to provide an area for low to medium urban-density, single-family residential environment on lots that are served by a public sewer and sewer system.
- R-6000 - Residential 6000 District.

- The residential-6000 zone is intended to promote an area for medium urban-density, duplex residential environment on lots that are usually served by a public water and sewer system.
- RLMF - Residential Light Multifamily District.
  - The residential light multifamily zone is intended to provide a suitable residential environment for medium to high density (up to a fourplex) residential dwellings. The area is usually served by a public water and sewer system.
- RMF – Residential Multifamily District.
  - The residential multifamily zone is intended to provide a suitable residential environment for high density residential dwellings; and to establish, where possible, a buffer between residential and commercial zones.
- RMH - Residential Manufactured Home District
  - The residential manufactured home zone is intended to provide a suitable residential environment for individual manufactured homes, manufactured home parks, and competitive accessory uses.
- RP – Residential Professional District
  - The residential professional zone is intended to permit professional, and semiprofessional uses compatible with surrounding residential development.
- NC – Neighborhood Commercial District.
  - 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.
- CBD – Central Business District.
  - 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.
- CC – Community Commercial District.
  - 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.

- HC – Highway Commercial 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.
  
- LI - Light Industrial District.
  - 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.
  
- HI – Heavy Industrial 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.
  
- P - Public District.
  - 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.
  
- PUD Planned Unit Development.
  - 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.

#### RATIONAL BASIS OF ZONING:

In the State of Montana, all jurisdictions proposing to zone or rezone property or to adopt or revise their zoning regulations must issue findings of fact on a twelve-point test that constitute the rational nexus/legal basis for the adoption of a zoning district, zoning

regulations, or changes to zoning or zoning regulations. This rational nexus is called the “Low Test”.

I. Is the zoning in accordance with the growth policy;

- The proposed zoning regulations and map are based on the Growth Policy. A simple look at the Growth Policy and future land use map will verify that the zone assignments with few exceptions will verify that the proposed zoning assignments are consistent with the text and mapping components of the Growth Policy.
- Several strategies from the Growth Policy pertaining to the commercial and Business development are met with the new zoning. Most notably, the regulations are designed to provide easier conversion, reuse and restoration of existing structures; The sign code has not been modified in terms of advertising up to the permitted maximum limits but the entryway overlay, multiple categories and tables that existed in previous regulations have been eliminated. Opportunities for internally illuminated signs and signs incorporating neon elements are contemplated in some commercial districts; and the regulations encourage infill development and expanded use opportunities.
- Several strategies from the Growth Policy are implemented in the administrative sections and individual District Standards. The items include but are not limited to walkability, pedestrian sidewalks are required for all new development and major renovations; concerns centered on nuisances and noise, the regulations impose limits on noise and potentially offensive activity in the standards of general applicability; and the regulations address concerns about the pace and quality of development that the citizens of Laurel expect to see as we move forward.
- Several residential neighborhood goals and strategies are implemented. Diversity of Neighborhoods, historic to modern; accommodation of a diverse population both age and economic condition; Creation of zones where manufactured homes and manufactured home parks are contemplated; expansion of non-motorized routes and access to the core of the community. and Residential districts protected from excessive noise and commercial impacts the conversion of structures to new uses is encouraged.
- The concept of residential Planned Unit Developments with increased density, lot coverage and modified use regimens is contemplated in all Zoning Districts.

Finding: The recommended zoning regulations and zoning map is in accordance with the Growth Policy and other adopted rules and regulations of the City of Laurel.

II. Is the zoning designed to lessen congestion in the streets;

- The regulations encourage compact walkable development in most every district as well as expand opportunities for new uses beyond the 1996 code. By following this line of logic residents would be able to walk or bicycle to essential services which would by default reduce the vehicular traffic on the streets.



- The regulations encourage compact urban development as such the need for vehicular travel is limited.
- The expanded use opportunities in many of the commercial and residential districts will encourage compatible higher density residential development near the city core. Implementation of these regulations will further reduce the dependency or need for vehicular travel.
- The zoning regulations in conjunction with the development standards adopted with the Subdivision Regulations will provide for flow through development, logical extension of the gridded infrastructure network, and encourage pedestrian- friendly growth.

Finding: The recommended zone will lessen congestion in the streets by ensuring orderly growth and development of the property that is consistent with the proposed zoning and other regulations adopted by the City of Laurel.

III. Is the zoning designed to secure safety from fire, panic, and other dangers;

- The recommended zoning regulations and zoning map will provide for consistency in development along with provision of police and fire protection.
- The recommended zoning regulations and zoning map will incorporate enforcement of development standards, setbacks and compliance with the other development standards adopted by the City of Laurel.
- The recommended zoning regulations and zoning map have restrictions on lot coverage, grading and development on steep slopes and other areas that are potentially hazardous.

Finding: The recommended zoning will provide safety to residents and visitors to the city from fire, panic and other dangers.

IV. Is the zoning designed to promote health and the general welfare;

- The recommended zoning imposes setbacks, height limits and building restrictions.
- The recommended zoning groups together like and consistent uses within existing neighborhoods.
- The recommended regulations restrict development in hazardous areas.

Finding: The grouping together of like and consistent uses promotes the health and general welfare of all citizens of the City of Laurel. Further, the recommended zoning is substantially consistent with the land use in our existing neighborhoods.

V. Is the zoning designed to provide adequate light and air;

- The recommended zoning imposes building setbacks, height limits, limits on the number of buildings on a single parcel, and reasonable area limits on new development.
- The regulations implement the concept that the City of Laurel was developed historically on a gridded network. The draft zoning requires the perpetuation of this pattern. In doing so as the City plans for growth, the spacing and layout of new development will facilitate provision of light and air to new development.

Finding: The recommended zoning will insure the provision of adequate light and air to residents of the City through various development limitations.

VI. Is the zoning designed to prevent the overcrowding of land;

- The zoning regulations impose minimum lot size, use regulations and other limitations on development.
- While the minimum lot sizes proposed with these regulations remains substantially consistent with the historic pattern of development within the City of Laurel.
  - The major change is in the clarification of additional permitted residential uses in the R-7500 and commercial districts mandated in the 2023 legislative session. These proposed new standards are easy to interpret and by default administer.
  - The range of allowable lot sizes provides for ease of transition from rural to urban development. These standards encourage annexation to the City and development at a scale that justifies the capital extension of water and sewer while spreading the costs out on an equitable basis.

Finding: The existing standards of the recommended zoning will prevent the overcrowding of land.

VII. Is the zoning designed to avoid undue concentration of population;

- The recommended zoning is a holistic approach to land use regulation for the entirety of the City of Laurel and is not focused on any single special interest.
- The recommended zoning establishes areas that are suitable for exclusive residential, commercial, and mixed uses.
- The recommended regulations create four residential zoning districts that provide a continuum of residential densities and manage development to create land use compatibility.
- The recommended zoning imposes minimum lot sizes, maximum number of residences on a single parcel and setback standards.

Finding: The existing standards of the recommended zoning will prevent the undue concentration of population by encouraging the most appropriate use and residential density at any given location within the jurisdiction.

VIII. Is the zoning designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;

- The recommended zoning establishes minimum standards for the provision of infrastructure such as roads, sidewalks, water sewer, wire utilities and storm water management.
- The recommended zoning encourages compact urban scale development and groups together similar uses that will not detract from the quality of life expected in Laurel while providing the economies of scale to extend water, sewer, streets, parks, quality schools and other public requirements.

Finding: The standards of the recommended zoning will insure the adequate provision of transportation, water, sewerage, school, parks, and other public requirements.

IX. Does the zoning give reasonable consideration to the character of the district and its peculiar suitability for particular uses;

- The recommended zoning creates four residential districts that provide a continuum of residential densities and uses that are compatible with existing neighborhoods and ensures proper transitions between districts. The recommended zoning also creates three commercial zoning districts that are designed to provide for various land uses that are compatible with existing uses and neighborhood characteristics.
- The recommended zones impose setbacks, height limits and building restrictions. These restrictions insure compatible development in the residential, commercial, and industrial zones.
- The recommended zoning creates a new mixed-use district that is specifically intended to ease the transition between residential and commercial uses.
- The recommended zoning groups together like and consistent uses and is consistent with the existing zoning in the neighborhoods.

- The regulations create eight zoning districts each with the opportunity to create overlays in the form of a Planned Unit Development that represent new opportunities for development and redevelopment within the City of Laurel.

Finding: The recommended zoning gives due consideration to the character of the existing neighborhoods, within the city as well as suitability for the particular uses.

X. Does the zoning give reasonable consideration to the peculiar suitability of the property for its particular uses;

- The recommended zoning groups together like and consistent uses and is consistent with the existing zoning in the neighborhood.
- The recommended zoning creates four residential districts that provide a continuum of residential densities and uses that are compatible with existing neighborhoods and ensures proper transitions between districts. The recommended zoning also creates three commercial and one industrial zoning districts that are designed to provide for various land uses that are compatible with existing uses and neighborhood characteristics.
- The recommended zoning creates a new mixed-use district that is specifically intended to ease the transition between residential and commercial uses.
- The recommended zoning implements all of the significant outstanding sections of the Growth Policy. While the Growth Policy ties directly to and values the City's history and existing use of property and structures, the tools used to encourage development of property needed to be designed to reflect this change in direction. The proposed zoning regulations and map reflect this change.

Finding: The recommended zone gives reasonable consideration to the peculiar suitability of the property for its particular uses.

XI. Will the zoning conserve the value of buildings;

- The recommended zone groups together like and consistent uses and is consistent with the existing zoning in the various neighborhoods of the City of Laurel.
- The proposed zoning reinforces that commercial buildings will continue to have commercial potential.
- The proposed zoning reinforces that residential buildings will continue to be used for equal or greater potential residential purposes.
- The proposed zoning recognizes that buildings that are located in transitional areas have options either to remain as they are or to be converted to uses that reflect the highest and best use, in the owner's opinion, for the subject property.

Finding: The recommended zoning will conserve or in many cases enhance the value of buildings.

XII. Will the zoning encourage the most appropriate use of land throughout the municipality?

- The proposed zoning and zoning map provide for use districts that group like and compatible uses.
- The proposed zoning and zoning map provide for transitional areas between uses that may be incompatible.
- The recommended zoning creates a new mixed-use district that is specifically intended to ease the transition between residential and commercial uses.
- The recommended zoning is consistent with the type of development that exists and is occurring in the neighborhoods within the City of Laurel.
- The proposed zoning recognizes that buildings that are located in transitional areas have options either to remain as they are or to be converted to uses that reflect the highest and best use, in the owner’s opinion, for the subject property.

Finding: The recommended zoning will encourage the most appropriate use of land throughout the municipality.

RECOMMENDATION:

The Zoning Commission find that the proposed 2024 Zoning Regulations and Proposed Official Zoning Map reflects the Growth Policy; that the rational nexus for the adoption of zoning has been met or exceeded by the proposed regulations; and that the citizens of Laurel have participated in the creation of the proposed Zoning Regulations and Zoning Map. Further, that the Zoning Commission recommends that the City Council adopt the 2024 Laurel Zoning Regulations and Official Zoning Map.

# Chapter 17.04 - Title, Purpose and Scope

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#### 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.*

### 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.*

### 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.*

# Chapter 17.08 – Definitions



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## 17.08.010 - Purpose of provisions

*For the purpose of this title, certain words and terms used herein are defined in this chapter.*

## 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 discretionary. 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.*

## 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."*

## 17.08.080 – Alley

*"Alley" means a public way which affords only secondary access to abutting property.*

## 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.*

## 17.08.100 - Auto wrecking

*See "junkyard".*

## 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.*

## 17.08.120 – Billboard

*See "Sign — Outdoor advertising."*



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## 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.*

## 17.08.131 - Bed and breakfast inn

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*"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.*

## 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 people. "Boarding or lodging house" shall not be construed to mean rest or convalescent homes nor "Bed and breakfast inns".*

## 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.*

## 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.*

## 17.08.160 - Building codes

*"Building codes" means the current building code adopted by the city.*

## 17.08.170 - Building inspector

*"Building inspector" means the official designated by the mayor to enforce this title and building codes.*

## 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.*

## 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.*

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## 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.*

## 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.*

## 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.*

## 17.08.230 - Child care facilities

*"Daycare home" means a private residence in which supplemental parental care is provided for up to fifteen children, including the operator's children, from separate families on a regular basis. Such daycare home shall be registered with the Montana Department of Public Health and Human Services.*

*"Daycare center" means a place in which supplemental parental care and/or adult supervision is provided to sixteen 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 daycare center shall be license as required by the state, city, or county and conducted in accordance with applicable state and local requirements.*

## 17.08.240 – City

*"City" means the city of Laurel, Montana.*

## 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.*

## 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.*



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## 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 buildings and places, excluding groups organized primarily to render a service which is normally considered a business.*

## 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.*

## 17.08.285 - College or university

*"College or university" means a post-secondary school as defined in this chapter.*

## 17.08.290 - Commercial district

*"Commercial district" means any NCL, NC, CBD, CC or HC district.*

## 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 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.*

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*"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.*



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## 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.*

## 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.*

## 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.*

## 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.*

## 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.*

## 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 rooming house, 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."*

## 17.08.370 - Dwelling, multifamily

*"Multifamily dwelling" means a building containing three or more dwelling units.*

## 17.08.380 - Dwelling, multifamily high rise

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*"Multifamily high-rise dwelling" means a building containing over three dwelling units with a height not over six stories or sixty feet.*

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## 17.08.390 - Dwelling, single-family

*"Single-family dwelling" means a building containing only one dwelling unit.*

## 17.08.400 - Dwelling, two family

*"Two family dwelling" means a building containing only two dwelling units.*

## 17.08.410 - Dwelling unit

*"Dwelling unit" means a building or portion thereof providing complete housekeeping facilities for one family.*

## 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.*

## 17.08.430 - Senior housing

*"Senior housing" means housing designed specifically for occupancy with at least one resident domiciled in each living unit therein with an age of sixty-two years or older.*

## 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.*

## 17.08.450 – Family

*"Family" means one or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit.*

## 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.*

## 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.*

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## 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.*

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## 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.*

## 17.08.500 - Fraternity, sorority, or student cooperative

*"Fraternity," "sorority," or "student cooperative" means a building occupied by and maintained exclusively by students.*

## 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.*

## 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.*

## 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.*

## 17.08.540 - Group dwelling

*See "Dwelling group."*

## 17.08.550 - Height of building

*"Height of building" means the vertical distance measured from the highest of the following three levels:*

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- A. *The street curb level; or*
  - B. *The established or mean street grade in case the curb has not been constructed; or*
  - 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.*

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## 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.*

## 17.08.570 - Hospital, animal

*"Animal hospital" means a place where livestock or pets are given medical or surgical treatment. Use of a kennel shall be limited to short time boarding and shall only be incidental to such hospital use.*

## 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.*

## 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.*

## 17.08.600 - Industrial district

*"Industrial district" means any LI or HI district.*

## 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.*

## 17.08.620 - Jurisdictional area

*"Jurisdictional area" means the area included within the incorporated areas of the City of Laurel.*

## 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.*





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## 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).*

## 17.08.670 – Lot

*"Lot" when used alone, means, unless the context clearly indicates otherwise, "zoning lot" as defined in this title.*

## 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."*

## 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.*

## 17.08.700 - Lot, interior

*"Interior lot" means a zoning lot other than a corner lot.*

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## 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.*

## 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.*

## 17.08.730 - Lot width

*"Lot width" means the average width of the lot.*

## 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, unobstructed 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.*

## 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.*

## 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, secondary, vocational or trade school, any childcare 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.*

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## 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 of 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 childcare 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.*

## 17.08.762 - Mobile home

*See "Manufactured home parks, travel trailer parks and individual manufactured homes.*

## 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 June 15, 1976, 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 roof is finished with a type of shingle that is commonly used in standard residential construction; and
  - b. 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; and
  - c. A continuous, permanent masonry foundation, unpierced except for required ventilation and access, is installed under the home; and
  - d. 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 June 15, 1976, 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.

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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.

## 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.

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## 17.08.780 - Motor vehicle parts salvage yard

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*"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.*

## 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.*

## 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.*

## 17.08.810 - Parking lot

*"Parking lot" means any land legally used for the parking of motor vehicles.*

## 17.08.820 - Residential district

*"Residential district" means any RE, R-7500, R-6000, RLMF, PUD, RMH, or RP district.*

## 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."*

## 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.*

## 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.*

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## 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.*

## 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.*

## 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 "Childcare facilities" of this chapter.*

## 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.*

## 17.08.890 - Public use zone

*"Public use zone" means a separate zone intended to reserve land for public and semipublic uses.*

## 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.*

## 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.*

## 17.08.920 - Recreational area, noncommercial

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*"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.*



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## 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.*

## 17.08.960 - Salvage yards

See *"motor vehicle parts salvage yards."*

## 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.*

## 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.*

## 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.*

## 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 exempt.*

## 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:*

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- 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 operations, 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.*

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## 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 when 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.*

## 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.*

## 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.*

## 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.*

## 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.*

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## 17.08.1080 – Street

*"Street" means a public thoroughfare which affords principal means of access to abutting property.*

## 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.*

## 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.*

## 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.*

## 17.08.1120 - Trailer or mobile home

*See "Manufactured home parks, travel trailer parks and individual manufactured homes."*

## 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.*

## 17.08.1160 – International Building Code

*"International 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.*

## 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. The name of a building, other structure or tract of land which indicates the purpose for which it is arranged, designed, intended, maintained, or occupied.

## 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.*

## 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.*

## 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.*

## 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.*

## 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.*

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## 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.*

## 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.*

# Chapter 17.12 – Zoning Districts Established

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# 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.*

# 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. R-7500 — Residential-7500.
- B. R-6000 — Residential-6000.
- C. RLMF — Residential Light Multifamily.
- D. RMF — Residential Multifamily.
- E. RMH — Residential Manufactured Home.
- F. PUD — Planned Unit Development.
- G. RP — Residential Professional.
- H. NC — Neighborhood Commercial.
- I. CBD — Central Business District.
- J. CC — Community Commercial.
- K. HC — Highway Commercial.
- L. LI — Light Industrial.
- M. HI — Heavy Industrial.
- N. FP — Floodplain.
- O. P — Public.



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## 17.12.050 - Residential-7500 District (R-7500)

*The residential-7500 zone is intended to provide an area for medium, urban-density, single-family, and duplex residential environment on lots that are served by a public sewer and sewer system.*

## 17.12.060 - Residential-6000 District (R-6000)

*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.*

## 17.12.070 - Residential Light Multifamily District (RLMF)

*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.*

## 17.12.080 - Residential Multifamily District (RMF)

*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.*

## 17.12.090 - Residential Manufactured Home District (RMH)

*The residential manufactured home zone is intended to provide a suitable residential environment for individual manufactured homes, manufactured home parks, and competitive accessory uses.*

## 17.12.100 - Planned Unit Development District (PUD)

*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.*

## 17.12.110 - Residential Professional District (RP)

*The residential professional zone is intended to permit professional, and semiprofessional uses compatible with surrounding residential development.*

## 17.12.120 - Neighborhood Commercial District (NC)

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*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.*

## 17.12.130 - Central Business District (CBD)

*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.*

## 17.12.140 - Community Commercial District (CC)

*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 are 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.*

## 17.12.150 - Highway Commercial District (HC)

*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.*

## 17.12.160 - Light industrial District (LI)

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.

## 17.12.170 - Heavy industrial District (HI)

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.

## 17.12.200 - Public District (P)

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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.

## 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.

### 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 re-subdivided 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.



# Chapter 17.16 – Residential Districts

## 17.12.050 - Residential-7500 District (R-7500)

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.

### 17.12.051 - List of uses

The following Tables designate the Permitted, Conditional, and Dimensional Standards in the R-7500 District.

<b>Allowed Uses R-7500</b>		
<b>Permitted</b>		
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	Parks, playgrounds, playfields, and golf courses community center buildings—operated by public agency, neighborhood, or homeowners' associations	Automobile parking in connection with a permitted residential use
Animals (see zoning district description for specifics)	Day care homes	Dwellings Single-family
Community residential facilities serving eight or fewer persons	Kennels (noncommercial)	
Greenhouses for domestic uses	Home occupations	Post-secondary school
	Schools, public elementary, junior, and senior high schools	
<b>Conditional</b>		
Churches and other places of worship including parish house and Sunday school buildings	Boarding and lodging houses	Cemetery
Orphanages and charitable institutions	Convents and rectories	
Schools, commercial	Public service installations	Community residential facilities serving nine or more persons
Bed and breakfast inn	Preschool	Parking, public

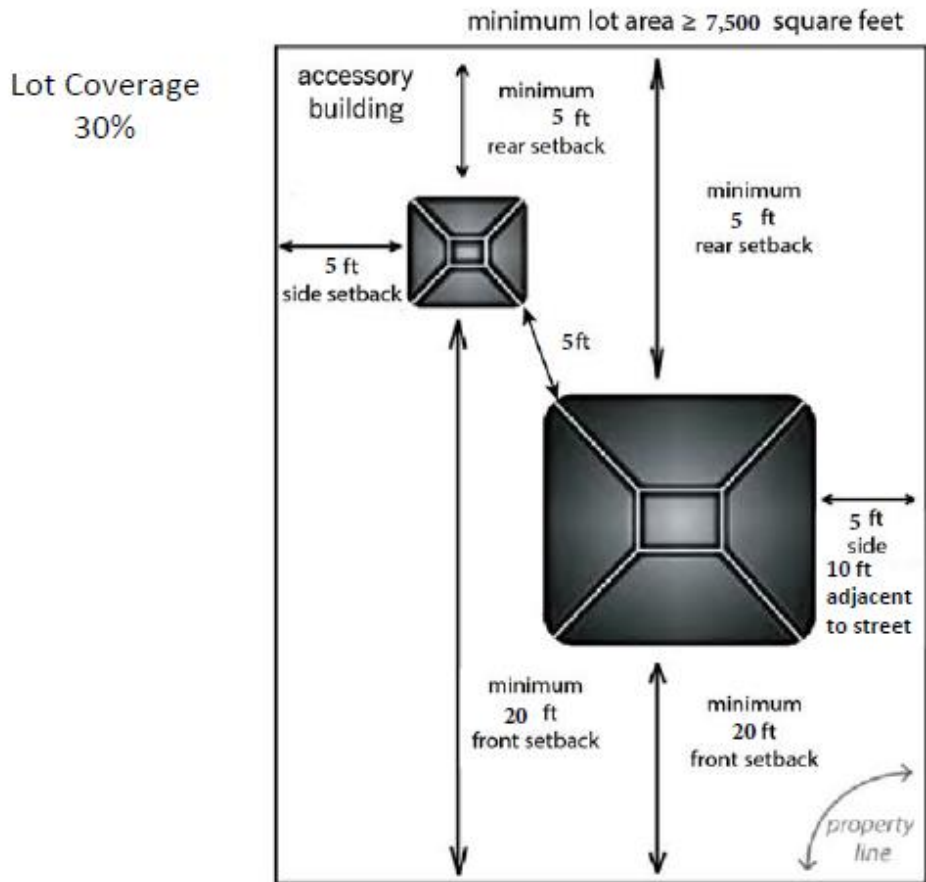
**Dimensional Standards R-7500****Minimum lot area per dwelling unit in square feet**

One unit	7,500
Two unit	N/A
Three unit	N/A
Four unit	N/A
Five unit	N/A
Six units and more	N/A

**Minimum yard—setback requirements (expressed in feet) and measured from public right-of-way**

Front	20
Side	5
Side adjacent to streets	20
Rear	5
Maximum height for all buildings	30
Maximum lot coverage (percentage)	30
Minimum district size (expressed in acres)	2.07

# Zoning Requirements - R 7,500





## 17.12.060 - Residential-6000 District (R-6000)

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.

## 17.12.061 - List of uses

The following Tables designate the Permitted, Conditional, and Dimensional Standards in the R-6000 District.

<b>Allowed Uses R-6000</b>		
<b>Permitted</b>		
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	Parks, playgrounds, playfields, and golf courses community center buildings—operated by public agency, neighborhood, or homeowners' associations	Automobile parking in connection with a permitted residential use
Animals (see zoning district description for specifics)	Day care home	Community residential facilities serving eight or fewer persons
Dwellings Single-family	Kennels (noncommercial)	Dwellings Two-family
Home occupations	Greenhouses for domestic uses	Public service installations
Schools, public elementary, junior and senior high schools	Post-secondary school	
<b>Conditional</b>		
Churches and other places of worship including parish house and Sunday school buildings	Boarding and lodging houses	Cemetery
Orphanages and charitable institutions	Convents and rectories	
Bed and breakfast inn	Community residential facilities serving nine or more persons	Preschool
	Parking, public	Schools, commercial

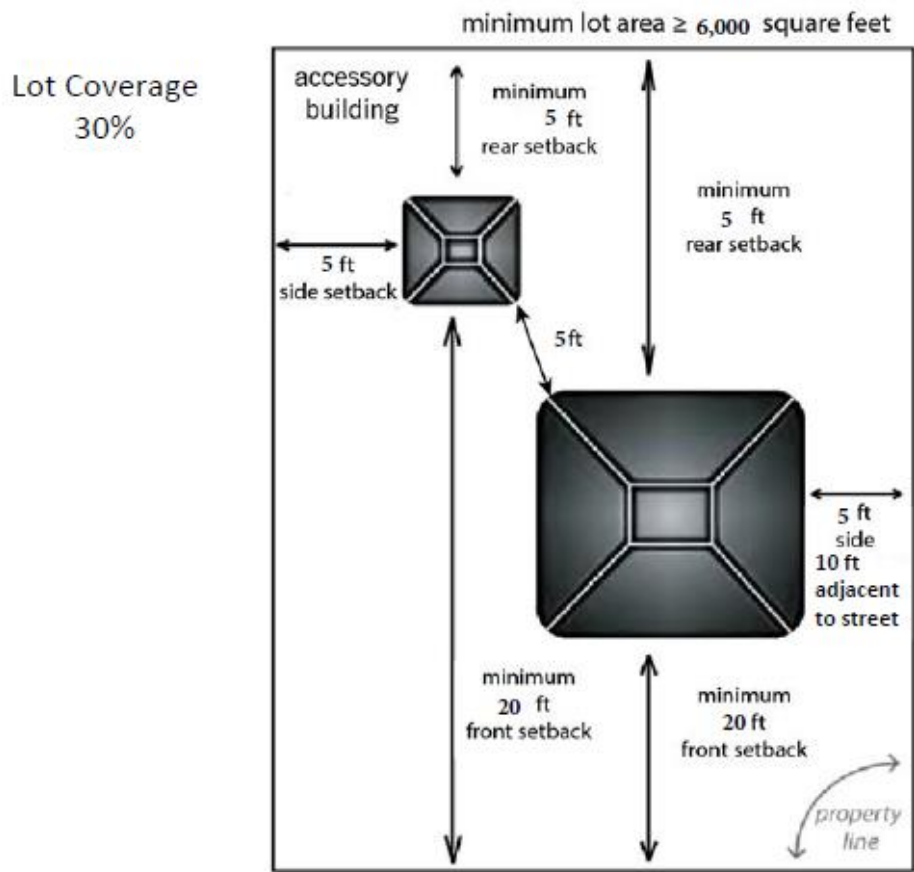
### **Dimensional Standards R-6000**

#### **Minimum lot area per dwelling unit in square feet**

One unit	6,000 <sup>1</sup>
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Two unit	7,500
Three unit	N/A
Four unit	N/A
Five unit	N/A
Six units and more	N/A
<b><i>Minimum yard—setback requirements (expressed in feet) and measured from public right-of-way</i></b>	
Front	20
Side	5
Side adjacent to streets	20
Rear	5
Maximum height for all buildings	35
Maximum lot coverage (percentage)	30
Minimum district size (expressed in acres)	2.07

# Zoning Requirements - R 6,000



# 17.12.070 - Residential Light Multifamily District (RLMF)

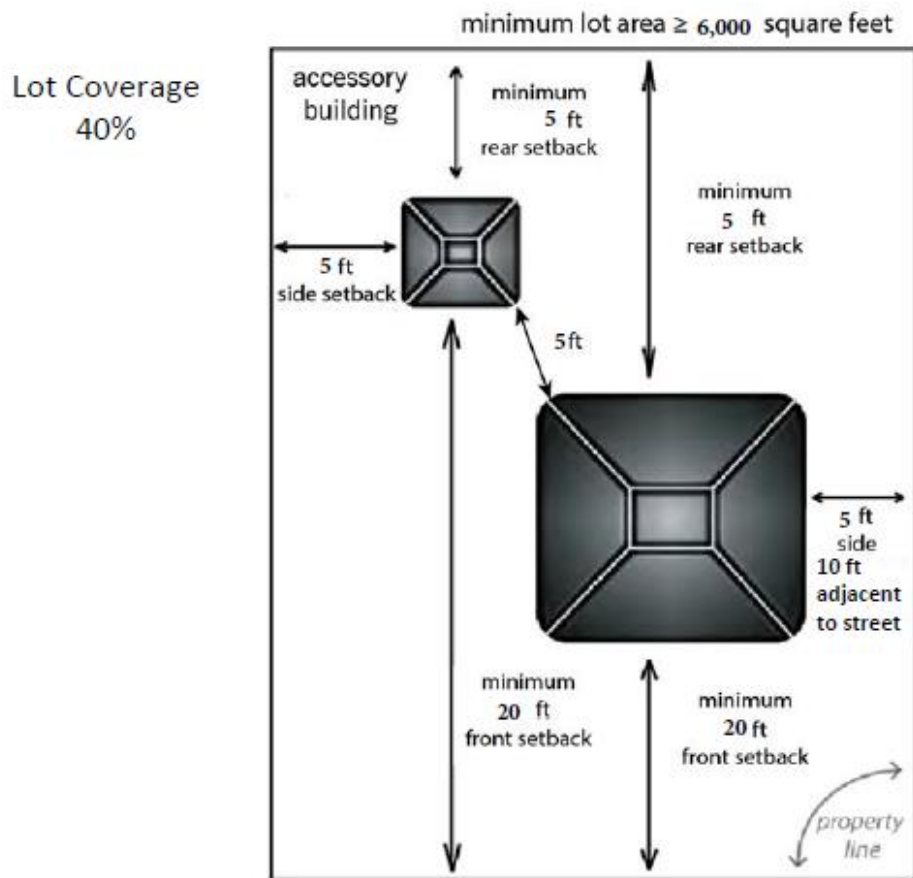
The residential light multifamily zone is intended to provide a suitable residential environment for medium density (up to a fourplex) residential dwellings. The area is usually served by a public water and sewer system.

## 17.12.071 - List of uses

Allowed Uses RLMF		
Permitted		
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	Parks, playgrounds, playfields, and golf courses community center buildings—operated by public agency, neighborhood, or homeowners' associations	Community residential facilities serving eight or fewer persons
Animals (see zoning district description for specifics)	Automobile parking in connection with a permitted residential use	Dwellings Single-family
Day care home	Kennels (noncommercial)	Two-family
Greenhouses for domestic uses	Multifamily (limit 4-Plex)	Home occupations
Schools, public elementary, junior and senior high schools		Post-secondary school
Conditional		
Bed and breakfast inn	Boarding and lodging houses	Cemetery
Orphanages and charitable institutions	Convents and rectories	
Post-secondary school	Preschool	Schools, commercial
Churches and other places of worship including parish house and Sunday school buildings	Community residential facilities serving nine or more persons	Parking, public
Public service installations	Day care center	Row Housing

<b>Dimensional Standards RLMF</b>	
<b>Minimum lot area per dwelling unit in square feet</b>	
One unit	6,000
Two unit	7,500
Three unit	8,500
Four unit	10,000
Five unit	N/A
Six units and more	N/A
<b>Minimum yard—setback requirements (expressed in feet) and measured from public right-of-way</b>	
Front	20
Side	5
Side adjacent to streets	20
Rear	5
Maximum height for all buildings	35
Maximum lot coverage (percentage)	40
Minimum district size (expressed in acres)	2.07

# Zoning Requirements - RLMF



# 17.12.080 - Residential Multifamily District (RMF)

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.

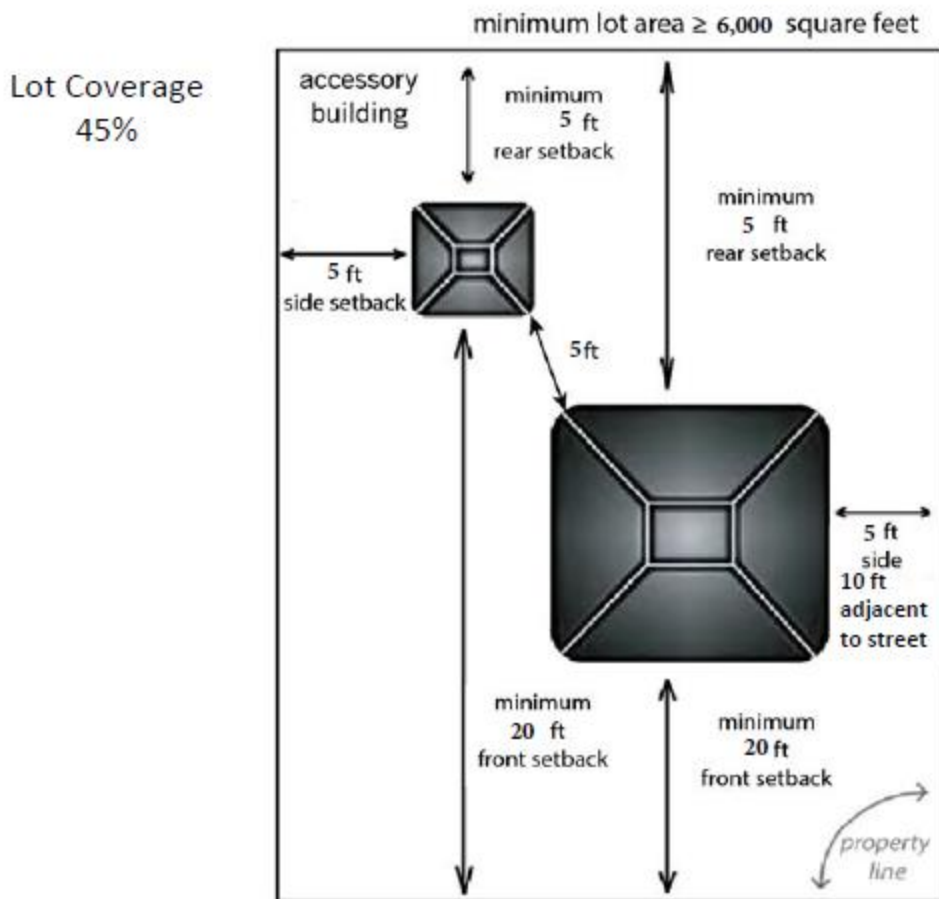
## 17.12.081 - List of uses

Allowed Uses RMF		
Permitted		
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	Parks, playgrounds, playfields, and golf courses community center buildings—operated by public agency, neighborhood, or homeowners' associations	Schools, public elementary, junior, and senior high schools
Animals (see zoning district description for specifics)	Automobile parking in connection with a permitted residential use	Family day care home
Community residential facilities serving eight or fewer persons	Kennels (noncommercial)	Dwellings Single-family
Greenhouses for domestic uses	Day care homes	Multifamily
Post-secondary school		
Two-family	Home occupations	
Conditional		
Bed and breakfast inn	Boarding and lodging houses	Cemetery
Orphanages and charitable institutions	Convents and rectories	Day care Center
Public service installations	Schools, commercial	Community residential facilities serving nine or more persons
	Churches and other places of worship including parish house and Sunday school buildings	Preschool
Row Housing	Parking, public	

<b><i>Minimum lot area per dwelling unit in square feet</i></b>	
One unit	6,000
Two unit	7,750
Three unit	9,500
Four unit	11,250
Five unit	13,000
Six units and more	Add 2,500 for each additional unit
<b><i>Minimum yard—setback requirements (expressed in feet) and measured from public right-of-way</i></b>	
Front	20
Side	5
Side adjacent to streets	20
Rear	5
Maximum height for all buildings	40
Maximum lot coverage (percentage)	45
Minimum district size (expressed in acres)	2.07



# Zoning Requirements - RMF



# 17.12.090 - Residential Manufactured Home District (RMH)

The residential manufactured home zone is intended to provide a suitable residential environment for individual manufactured homes, manufactured home parks, and competitive accessory uses.

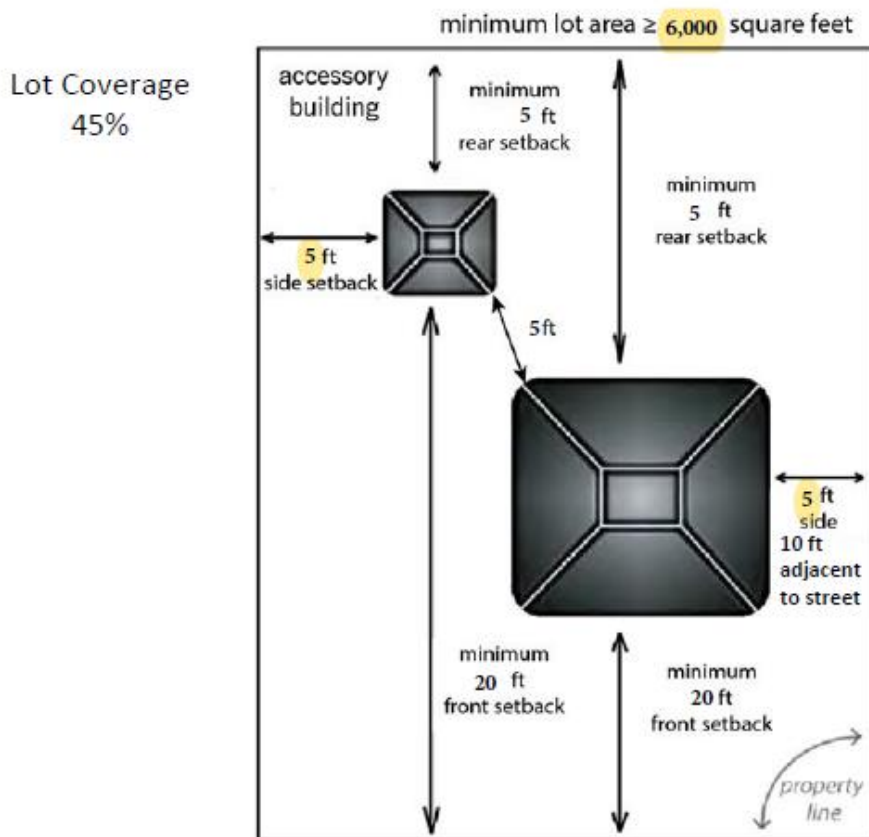
## 17.12.091 - List of uses

Allowed Uses RMH		
Permitted		
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	Parks, playgrounds, playfields, and golf courses community center buildings—operated by public agency, neighborhood, or homeowners' associations	Schools, public elementary, junior, and senior high schools
Animals (see zoning district description for specifics)	Automobile parking in connection with a permitted residential use	Day care home
	Home Occupations	Post-secondary school
Community residential facilities serving eight or fewer persons	Kennels (noncommercial)	Dwellings Single-family
	Greenhouses for domestic uses	
Class A	Class B	Class C
Conditional		
Bed and breakfast inn	Boarding and lodging houses	Day care center
Churches and other places of worship including parish house and Sunday school buildings	Community residential facilities serving nine or more persons	Schools, commercial
Orphanages and charitable institutions	Convents and rectories	
Cemetery	Public service installations	Parking, public
Preschool		

**Dimensional Standards RMH**

<b>Minimum lot area per dwelling unit in square feet</b>	
One unit	6,000
Two unit	6,000
Three unit	6,000
Four unit	6,000
Five unit	6,000
Six units and more	6,000
<b>Minimum yard—setback requirements (expressed in feet) and measured from public right-of-way</b>	
Front	10
Side	5
Side adjacent to streets	20
Rear	5
Maximum height for all buildings	30
Maximum lot coverage (percentage)	40
Minimum district size (expressed in acres)	2.07

# Zoning Requirements - RMH



# Chapter 17.20 – Commercial-Industrial Use Regulations

# 17.20.010 - Residential Professional District (RP)

The residential professional zone is intended to permit professional, and semiprofessional uses compatible with surrounding residential development.

## 17.20.011 - List of uses

The following Table designates the Permitted and Conditional uses as governed by commercial — industrial use regulations.

Allowed Uses Residential Professional RP		
Permitted		
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	Communication Towers	Dwelling single and two family
Class A, Class B Mobile Homes	Bed and breakfast inns	Hospital Animal
Home Occupation	Boarding and lodging houses	Day Care Home
Community residential facilities: Nursing, homes, convalescent homes, orphanages, and charitable institutions	Day Care Center	
Conditional		
Class C: Row housing	Preschool	Public utilities service installations
On premise signs.		
Ceramics Shop	Churches and other places of worship including parish houses and Sunday school building	Extractive Industries
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.	Parking Public.	Photographic studios

<b>Dimensional Standards RP*</b>	
<b>Zoning Requirements</b>	
Lot area requirements in square feet	NA
<b>Minimal Yard Requirements</b>	
Front (a)	20
Side (b)	0
Side adjacent to street	10
Rear (b)	0
Maximum height for all buildings (c)	25
Maximum lot coverage in percent	50
Minimum district size (expressed in acres)	2.07
The lot area and lot coverage requirements for residential development in commercial districts shall be the same as RLMF	

## 17.20.020 - Neighborhood Commercial District (NC)

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.

### 17.20.021 - List of uses

The following Table designates the Permitted and Conditional uses as governed by commercial — industrial use regulations.

Allowed Uses Neighborhood Commercial NC		
Permitted		
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	Banks, savings and loan, commercial credit unions	Camera supply stores
Ambulance service	Bed and breakfast inns	Ceramics shop
Appliance - (household) sales and service	Bicycle sales and repair	Day Care Home
Automobile service station	Blueprinting and Photostatting	Churches and other places of worship including parish houses and Sunday school building
Bakery shops and confectioneries	Boarding and lodging houses	Clinic, animal
Barber and beauty shops	Book and stationery store	Clinics, medical and dental
Clothing and apparel stores	Colleges or universities	Day Care Center
Communication towers (commercial)	Construction contractors: Office	Furniture and home furnishings, retail sales
Community residential facilities: Nursing, homes, convalescent homes, orphanages, and charitable institutions		
Drug stores	Dwellings: single-family Manufactured home	Florist, retail sales



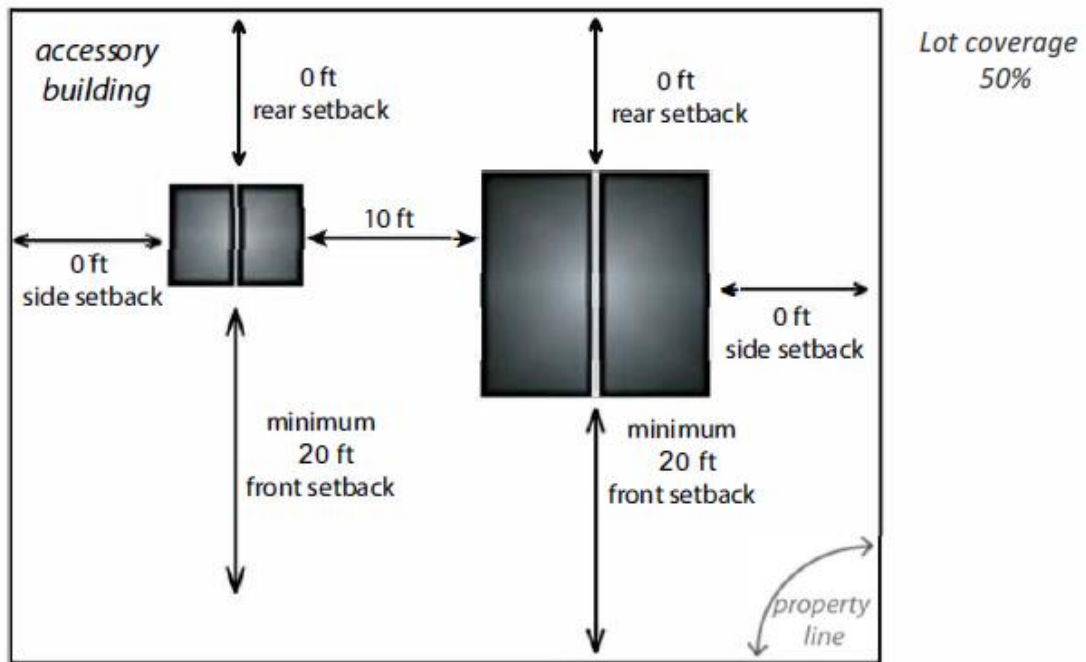
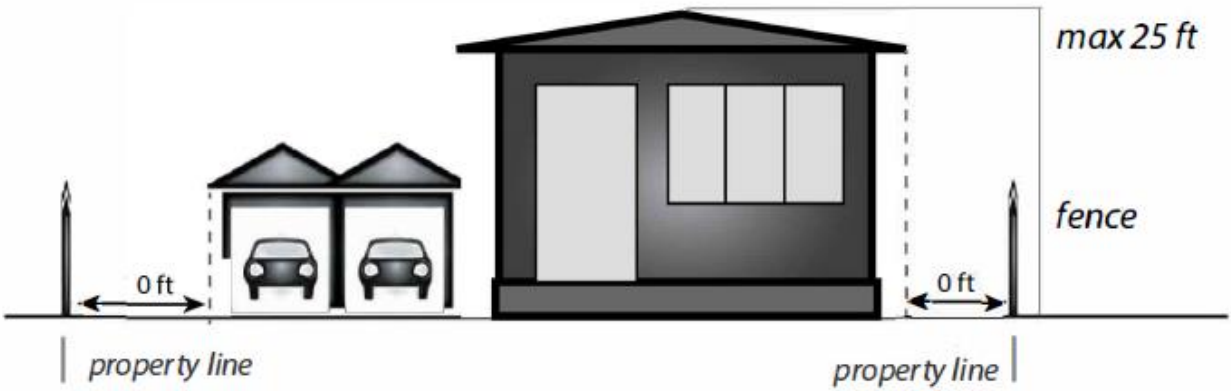
Two family	Multiple family	Food stores (retail only) - 3000 sq. ft.
Hobby and toy stores	Hospitals (for the care of human patients)	Hospital, animal
Jewelry and watch sales	Laundries, steam pressing, drycleaning and dyeing establishments in conjunction with a retail service counter under 2500 sq. ft. in size	Laundries, pick up stations
Laundries, self-service coin operated	Libraries, museums, and art galleries	Lock and gunsmiths
Mortuary	Music stores	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
Office equipment, supplies and service	Optician and optical supplies and sales	Paint and body shops
Paint and retail sales	Paint and retail sales	Pet shops
Photographic studios	Post-secondary school	Real estate office
School, commercial	Sign: On premises	Home Occupations
<b>Conditional</b>		
Class C: Row hosing	Preschool	Public utilities service installations
Commercial Recreation Area		

<b>Dimensional Standards NC*</b>	
<b>Zoning Requirements</b>	
Lot area requirements in square feet	NA
<b>Minimal Yard Requirements</b>	
Front (a)	20
Side (b)	0
Side adjacent to street	10
Rear (b)	0
Maximum height for all buildings (c)	25
Maximum lot coverage in percent	50

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Minimum district size (expressed in acres)	2.07
The lot area and lot coverage requirements for residential development in commercial districts shall be the same as RLMF	

# C-NC Dimensional Standards Illustration



# 17.20.030 - Central Business District (CBD)

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.

## 17.20.031 - List of uses

Allowed Uses Central Business District - CBD		
Permitted		
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	Alcoholic beverages manufacturing and bottling. Less than 1,500-gallon barrels per year	Banks, savings and loan, commercial credit unions
Ambulance service	Retail Sales and Services	Wholesale Sales and Services
Automobile sales (new and used)	Automobile service station	Bus passenger terminal buildings local and cross country
Automobile - commercial parking enterprise	Automobile and truck repair garage	Gambling establishments
Car wash - coin operated	Churches and other places of worship including parish houses and Sunday school building	Hospitals (for the care of human patients)
Clinic, animal	Commercial recreation areas	Libraries, museums, and art galleries
Colleges or universities	Two family; Multiple family	Motorcycle sales and repair
Construction contractors: Office	Furriers, retail sales and storage	Pet shops
Dwellings: single-family	Laundries, self-service coin operated	Communication towers (commercial)
Manufactured home Class A, Class B,	Lodges, clubs, fraternal and social organizations provided that any such club establishment shall not be conducted primarily for gain	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

Laundry, Dry Cleaners	Motels and motor courts	Radio and TV broadcasting stations
Laundries, pick up stations	Office equipment, supplies and service	Post-secondary school
Mortuary	Public utilities service installations	Processing of previously slaughtered meats, including cutting, wrapping, and freezing by freezer and locker provisioners
School, commercial	Storage associated with Existing Business in CBD.	Real estate office
<b>Conditional</b>		
Manufactured home Class C: Row hosing	Alcoholic beverages manufacturing and bottling. 1,500 to 5,000 31-gallon barrels per year	Cocktail lounge, restaurants, bars and taverns
Auction house	Restaurants (without the sale of alcoholic beverages)	Heliports
Preschool	Sign: Off premises	

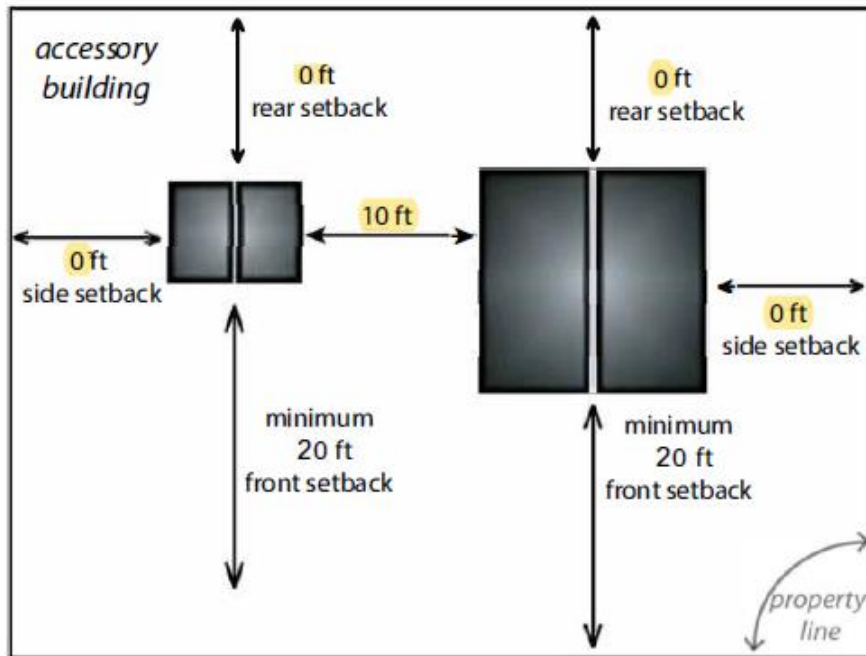
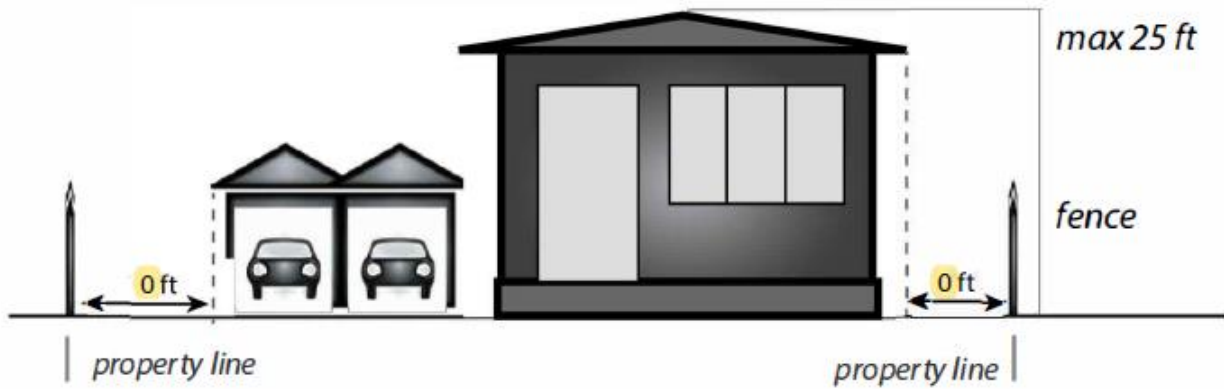
<b>Dimensional Standards CBD</b>	
<b>Zoning Requirements</b>	
Lot area requirements in square feet.	NA
<b>Minimal Yard Requirements</b>	
Front (a)	NA
Side (b)	NA
Side adjacent to street	NA
Rear (b)	NA
Maximum height for all buildings (c)	NA
Maximum lot coverage in percent	NA
Minimum district size (expressed in acres)	2.07
The lot area and lot coverage requirements for residential development in commercial districts shall be the same as RLMF	

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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 separate uses.
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-CBC Dimensional Standards Illustration



## 17.20.040 - Community Commercial District (CC)

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 are 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.

### 17.20.041 - List of uses

Allowed Uses Community Commercial - CC		
Permitted		
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	Alcoholic beverages manufacturing and bottling. Less than 1,500-gallon barrels per year	Banks, savings and loan, commercial credit unions
Ambulance service	Retail Sales and Services	Wholesale Sales and Services
Automobile sales (new and used)	Automobile service station	Bus passenger terminal buildings local and cross country
Automobile - commercial parking enterprise	Automobile and truck repair garage	Gambling establishments
Car wash - coin operated	Churches and other places of worship including parish houses and Sunday school building	Hospitals (for the care of human patients)
Clinic, animal	Commercial recreation areas	Libraries, museums, and art galleries
Colleges or universities	Two family; Multiple family	Motorcycle sales and repair
Construction contractors: Office	Furriers, retail sales and storage	Pet shops
Dwellings: single-family	Laundries, self-service coin operated	Communication towers (commercial)
Manufactured home Class A, Class B,	Lodges, clubs, fraternal and social organizations provided that any such club establishment shall not be conducted primarily for gain	Office building, professional government, and private office buildings in which no activity is carried on catering

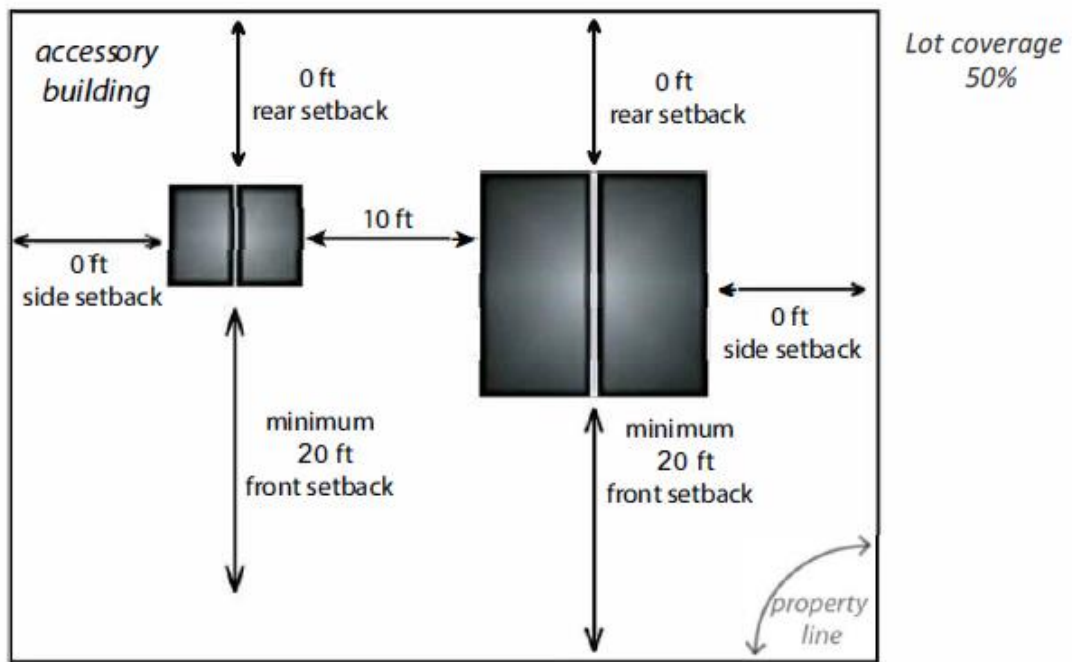
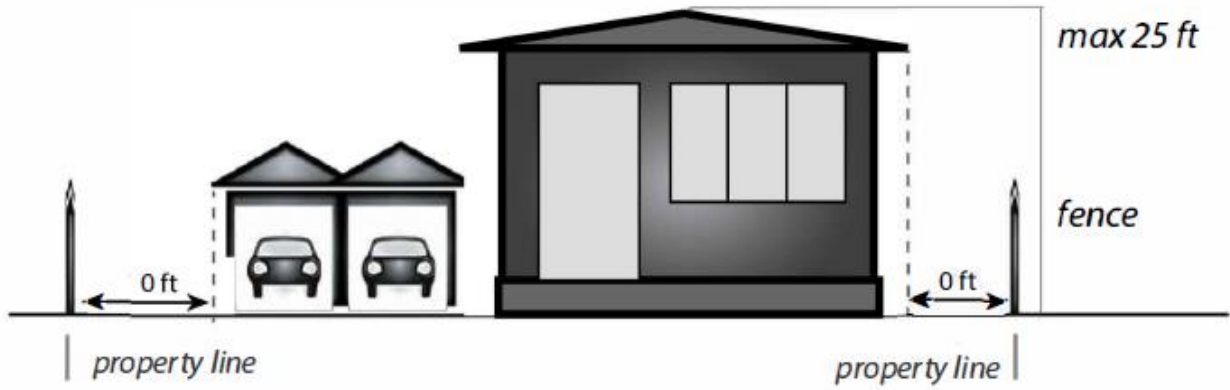


		to retail trade and no stock of goods is maintained for sale
Laundry, Dry Cleaners	Motels and motor courts	Radio and TV broadcasting stations
Laundries, pick up stations	Office equipment, supplies and service	Post-secondary school
Mortuary	Public utilities service installations	Processing of previously slaughtered meats, including cutting, wrapping, and freezing by freezer and locker provisioners
School, commercial	Storage associated with Existing Business.	Real estate office
<b>Conditional</b>		
Camps, public	Alcoholic beverages manufacturing and bottling. 1,500 to 5,000 31-gallon barrels per year	Cocktail lounge, restaurants, bars, and taverns
Assembly halls and stadium	Bakery products manufacturing	Drive-in restaurants
Auction house, excluding	Class A, Class B, Class C: Row hosing	Kennels - commercial
Hospital, animal	Sign: Off premises	

<b>Dimensional Standards CC</b>	
<b>Zoning Requirements</b>	
Lot area requirements in square feet, except as noted, 20 acres	NA
<b>Minimal Yard Requirements</b>	
Front (a)	20
Side (b)	0
Side adjacent to street	10
Rear (b)	0
Maximum height for all buildings (c)	25
Maximum lot coverage in percent	50
Minimum district size (expressed in acres)	2.07
The lot area and lot coverage requirements for residential	

development in commercial districts shall be the same as RLMF

### C-CC Dimensional Standards Illustration



# 17.20.050 - Highway Commercial District (HC)

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.

# 17.20.051 - List of uses

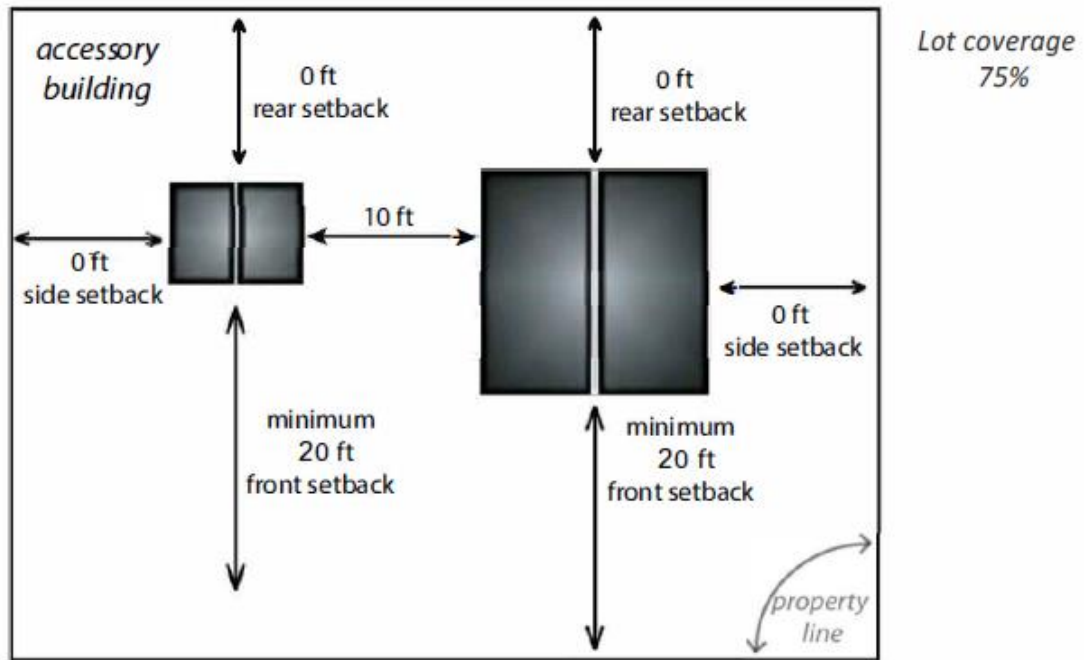
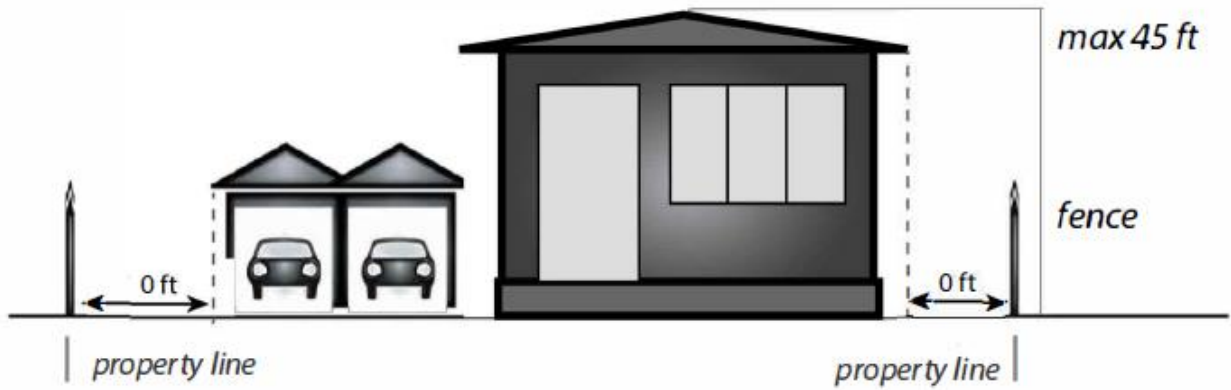
Allowed Uses Highway Commercial - HC		
Permitted		
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	Alcoholic beverages manufacturing and bottling. Less than 1,500-gallon barrels per year	Banks, savings and loan, commercial credit unions
Ambulance service	Retail Sales and Services	Wholesale Sales and Services
Automobile sales (new and used)	Automobile service station	Bus passenger terminal buildings local and cross country
Automobile - commercial parking enterprise	Automobile and truck repair garage	Gambling establishments
Car wash - coin operated	Churches and other places of worship including parish houses and Sunday school building	Hospitals (for the care of human patients)
Clinic, animal	Commercial recreation areas	Libraries, museums, and art galleries
Colleges or universities	Two family; Multiple family	Motorcycle sales and repair
Construction contractors: Office	Furriers, retail sales and storage	Pet shops
Dwellings: single-family	Laundries, self-service coin operated	Communication towers (commercial)

Manufactured home Class A, Class B,	Lodges, clubs, fraternal and social organizations provided that any such club establishment shall not be conducted primarily for gain	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
Laundry, Dry Cleaners	Motels and motor courts	Radio and TV broadcasting stations
Laundries, pick up stations	Office equipment, supplies, and service	Post-secondary school
Mortuary	Public utilities service installations	Processing of previously slaughtered meats, including cutting, wrapping, and freezing by freezer and locker provisioners
School, commercial	Storage associated with Existing Business.	Real estate office
Fuel oil, gasoline and petroleum products bulk storage or sale	Boat building and repair	Boat sales new and used
Paint and body shops	Truck terminals, repair shops, hauling and storage yards	Gases or liquified petroleum gases in approved portable metal containers for storage or sale
Tire recapping and retreading	Trailer and recreational vehicle sales area	
<b>Conditional</b>		
Commercial food products, storage, and packaging	Alcoholic beverages manufacturing and bottling. 1,500 to 5,000 31-gallon barrels per year	Construction contractors: Open storage of construction materials or equipment
Assembly halls and stadium	Crematorium	Drive-in restaurants
Assembly of machines and appliances from previously prepared parts	Cocktail lounge, restaurants, bars and taverns	Fertilizer wholesale sales
Food products manufacturing, storage and processing	Grain elevators	Heliports
Hospital, animal	Laboratories for research and testing	Machine shops
Manufacturing - light manufacturing not otherwise mentioned in which no excessive fumes, odors, smoke, noise, or dust is created	Heavy manufacturing not otherwise mentioned or blending or mixing plants	Meat processing - excluding slaughter plants

Meat processing - excluding slaughter plants	Metal fabrication	Prefabricated building materials assembly and manufactures
Billboards	Sign: Off premises	Drive-in theaters
Travel trailer park (transient)	Wholesale and jobbing establishments	Woodworking shops, millwork

<b>Dimensional Standards HC</b>	
<b>Zoning Requirements</b>	
Lot area requirements in square feet, except as noted, 20 acres	NA
<b>Minimal Yard Requirements</b>	
Front (a)	20
Side (b)	0
Side adjacent to street	10
Rear (b)	0
Maximum height for all buildings (c)	45
Maximum lot coverage in percent	75
Minimum district size (expressed in acres)	2.07

# C-HC Dimensional Standards Illustration



## 17.20.060 - Light Industrial District (LI)

*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.*

## 17.20.061 - List of uses

Allowed Uses Light-Industrial - LI		
Permitted		
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	Alcoholic beverages manufacturing and bottling. 1,500 to 5,000 31-gallon barrels per year.	Banks, savings and loan, commercial credit unions
Ambulance service	Auction house, excluding	Barber and beauty shops
Antique store	Bakery products manufacturing	Bicycle sales and repair
Appliance - (household) sales and service	Bakery shops and confectioneries	Blueprinting and photo stating
Automobile sales (new and used)	Automobile service station	Boat building and repair
Automobile - commercial parking enterprise	Automobile and truck repair garage	Boat sales new and used
Boiler works (repair and servicing)	Book and stationery store	Bottling works
Bowling alleys	Bus passenger terminal buildings local and cross country	Bus repair and storage terminals
Camera supply stores	Car washing and waxing	Car wash - coin operated
Ceramics shop	Churches and other places of worship including parish houses and Sunday school building	Clinic, animal
Clinics, medical and dental	Clothing and apparel stores	Cold storage
Commercial food products, storage, and packaging	Communication towers (commercial)	Concrete mixing plants and manufacturing of concrete products
Construction contractors: Office	Construction contractors: Open storage of construction materials or equipment	Crematorium

Creameries, dairy products manufacturing	Department stores	Drug stores
Restaurants (without the sale of alcoholic beverages)	Farm implements, sales and service	Feed and seed - farm and garden retail sales
Fertilizer retail sales	Florist, wholesale sales	Florist, retail sales
Food stores (retail only)	Food stores (retail only) - 3000 sq. ft.	Frozen food lockers
Fuel oil, gasoline and petroleum products bulk storage or sale	Furnace repair and cleaning	Furniture and home furnishings, retail sales
Furriers, retail sales and storage	Gambling establishments	Gases or liquified petroleum gases in approved portable metal containers for storage or sale
Greenhouses	Hardware, appliance and electrical supplies, retail sales	Hobby and toy stores
Hospital, animal	Hotels	Irrigation equipment sales and service
Janitor service	Jewelry and watch sales	Kennels - commercial
Laboratories for research and testing	Laundries, steam and drycleaning plants	Laundries, steam pressing, drycleaning and dyeing establishments in conjunction with a retail service counter under 2500 sq. ft. in size
Laundries, pick up stations	Laundries, self-service coin operated	Libraries, museums, and art galleries
Lock and gunsmiths	Machine shops	Manufacturing - light manufacturing not otherwise mentioned in which no excessive fumes, odors, smoke, noise or dust is created
Meat processing - excluding slaughter plants	Meat processing - excluding slaughter plants	Medical marijuana cultivation facility or cultivation facility
Medical marijuana dispensary or dispensary	Motorcycle sales and repair	Mortuary
Music stores	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	Office equipment, supplies and service

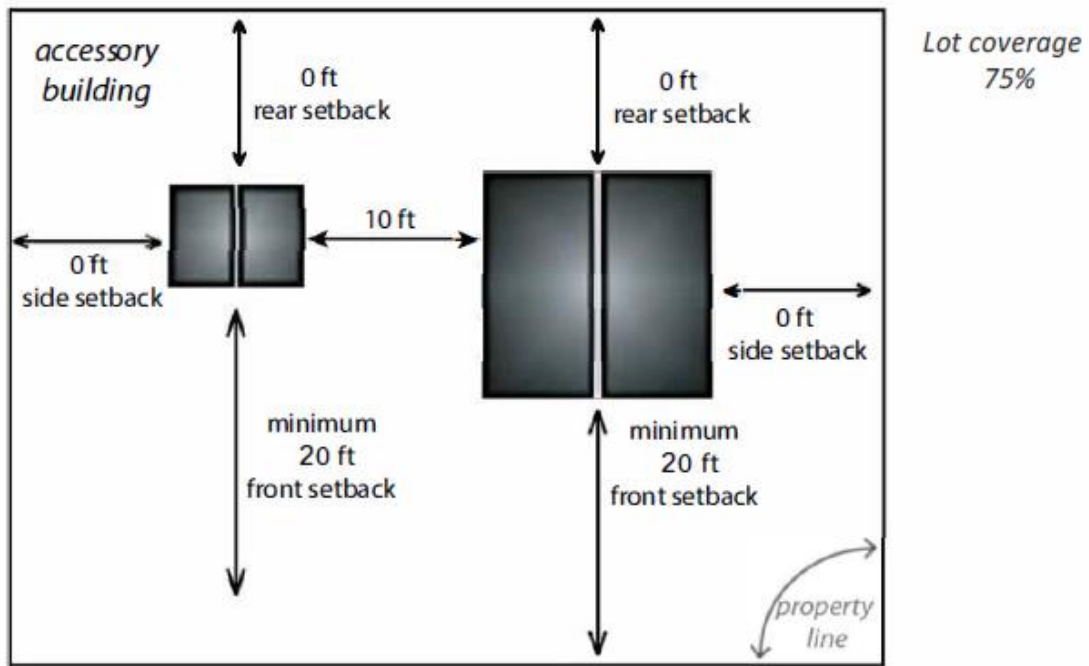
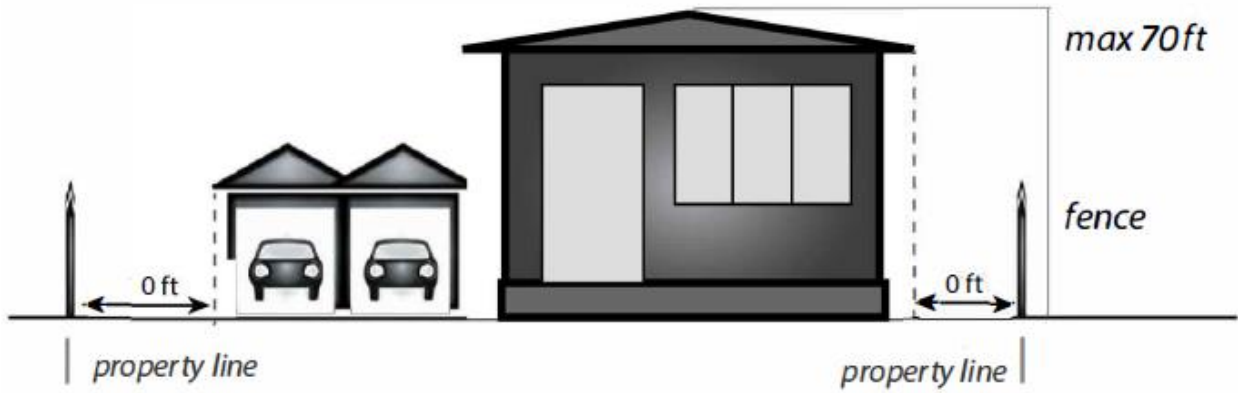


Optician and optical supplies and sales	Paint and body shops	Paint and retail sales
Paint and retail sales	Pawn shops	Pet shops
Photographic studios	Prefabricated building materials assembly and manufactures	Printing, publishing, reproduction and lithography
Processing of previously slaughtered meats, including cutting, wrapping, and freezing by freezer and locker provisioners	Public utilities service installations	Public utilities storage yard
Radio and TV broadcasting stations	Radio and TV tower	Railroad yard
Real estate office	Rental service store and yard	Repair and servicing of industrial equipment and machinery
Secondhand stores and/or antique store	Sheet metal shops and processing	Shoe repair
Sign manufacturing, painting and maintenance	Sign: On premises	Sporting goods sales
Taxi stands	Theaters, cinema, opera houses	Tire recapping and retreading
Trailer and recreational vehicle sales area	Truck terminals, repair shops, hauling and storage yards	Wholesale and jobbing establishments
Woodworking shops, millwork		
<b>Conditional</b>		
Assembly halls and stadium	Cocktail lounge, restaurants, bars, and taverns	Drive-in restaurants
Assembly of machines and appliances from previously prepared parts	Extractive industries - excavations of sand and gravel	Fertilizer wholesale sales
Flour mills	Food products manufacturing, storage, and processing	Garbage, offal and animal reduction or processing
Grain elevators	Hatcheries	Heliports
Heavy manufacturing otherwise mentioned or blending or mixing plants	Lumber yards, building materials, storage and sales	Metal fabrication
Billboards	Sign: Off premises	Storage, compartmentalized storage for commercial rent

Storage and warehouse and yards	Stone cutting, monuments manufacturing and sales	
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<b><i>Dimensional Standards LI</i></b>	
<b><i>Zoning Requirements</i></b>	
Lot area requirements in square feet, except as noted, 20 acres	NA
<b><i>Minimal Yard Requirements</i></b>	
Front (a)	20
Side (b)	0
Side adjacent to street	10
Rear (b)	0
Maximum height for all buildings (c)	70
Maximum lot coverage in percent	75
Minimum district size (expressed in acres)	2.07

# C-LI Dimensional Standards Illustration



## 17.20.070 - Heavy Industrial District (HI)

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.

## 17.20.071 - List of uses

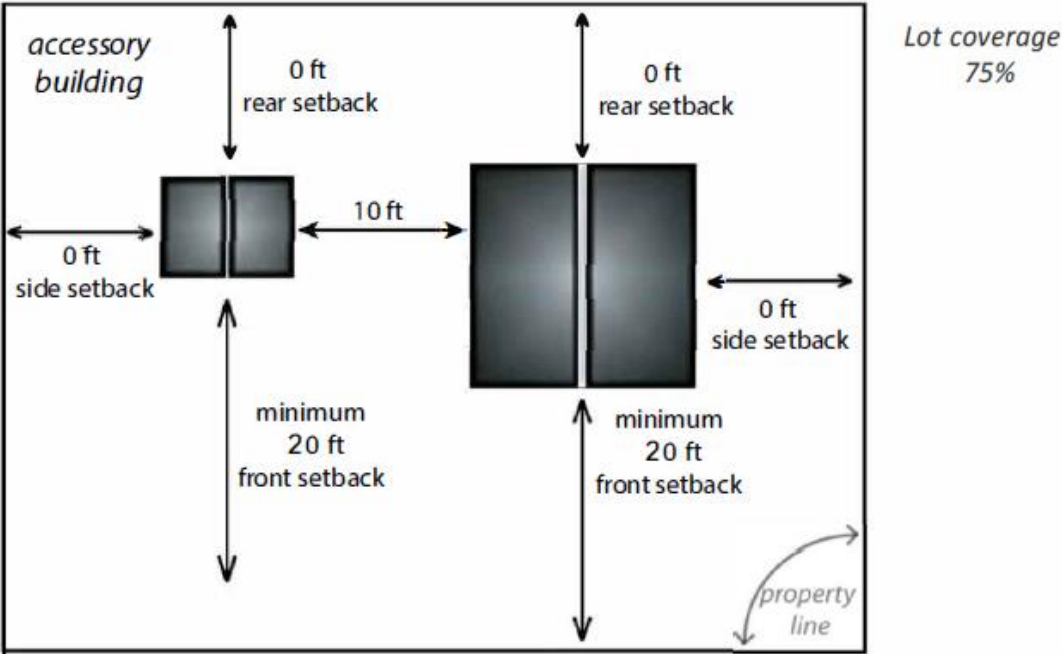
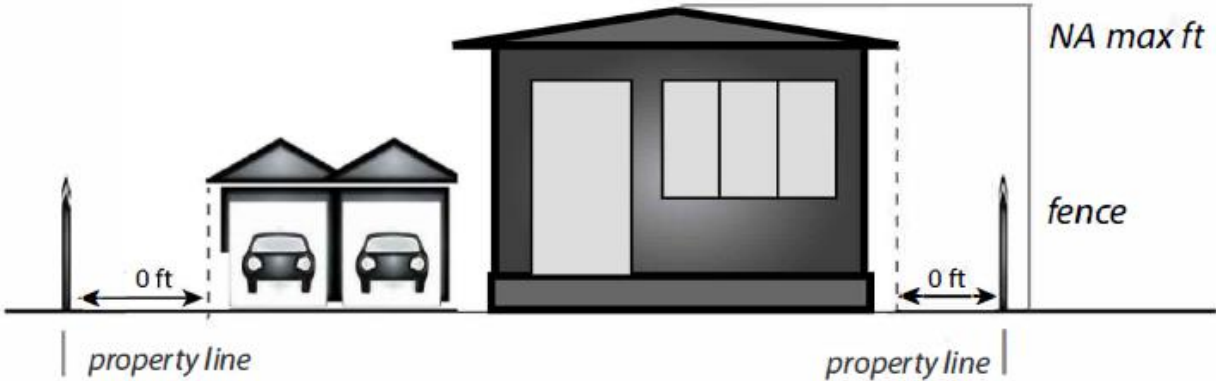
Heavy-Industrial Uses Regulations HI		
Permitted		
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	Alcoholic beverages manufacturing and bottling. 1,500 to 5,000 31-gallon barrels per year.	Boiler works (repair and servicing)
Ambulance service	Auction house, excluding	Bottling works
Automobile - commercial parking enterprise	Barber and beauty shops	Brick, tile or terra cotta manufacture
Automobile and truck repair garage	Boat building and repair	Bus repair and storage terminals
Automobile service station	Boat sales new and used	Cement, lime, and plastic manufacture
Bakery products manufacturing	Boiler works (manufacturing servicing)	Chemical and allied products manufacture
Churches and other places of worship including parish houses and Sunday school building	Coal or coke yard	Commercial food products, storage and packaging
Communication towers (commercial)	Concrete mixing plants and manufacturing of concrete products	Construction contractors: Office
Construction contractors: Open storage of construction materials or equipment	Crematorium	Creameries, dairy products manufacturing
Creosote manufacturing or treatment plants	Dry kiln	Farm implements, sales, and service
Fertilizer wholesale sales	Food products manufacturing, storage, and processing	Foundry
Fuel oil, gasoline and petroleum products bulk storage or sale	Furnace repair and cleaning	Gases or liquified petroleum gases in approved portable

		metal containers for storage or sale
Grain elevators	Greenhouses	Hospitals (for the care of human patients)
Hospital, animal	Irrigation equipment sales and service	Laboratories for research and testing
Laundries, steam and drycleaning plants	Lumber yards, building materials, storage and sales	Machine shops
Medical marijuana cultivation facility or cultivation facility	Metal fabrication	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
Optician and optical supplies and sales	Oxygen manufacturing and/or storage	Paint and body shops
Paint and retail sales	Sawmills, wood product milling	Prefabricated building materials assembly and manufacture
Printing, publishing, reproduction and lithography	Processing of previously slaughtered meats, including cutting, wrapping, and freezing by freezer and locker provisioners	Public utilities service installations
Public utilities storage yard	Radio and TV broadcasting stations	Radio and TV tower
Railroad yard	Repair and servicing of industrial equipment and machinery	Scrap yards - storage and processing
Sheet metal shops and processing	Shoe repair	Sign manufacturing, painting and maintenance
Sign: On premises	Storage and warehouse and yards	Stone cutting, monuments manufacturing and sales
Tire recapping and retreading	Truck terminals, repair shops, hauling and storage yards	Wholesale and jobbing establishments
Woodworking shops, millwork		
<b>Conditional</b>		
Automobile wrecking yard	Fat rendering or production of fats and oils	Feedlots
Fertilizer manufacturing	Flour mills	Garbage and waste incineration
Gas storage	Hatcheries	Heliports

Industrial chemical manufacture except highly corrosive, flammable or toxic materials	Manufacturing - light manufacturing not otherwise mentioned in which no excessive fumes, odors, smoke, noise or dust is created	Meat processing, packing and slaughter
Billboards	Sign: Off premises	Slaughterhouse
Storage, compartmentalized storage for commercial rent	Sugar and sugar beet refining	

<b>Dimensional Standards HI</b>	
<b>Zoning Requirements</b>	
Lot area requirements in square feet, except as noted, 20 acres	NA
<b>Minimal Yard Requirements</b>	
Front (a)	20
Side (b)	0
Side adjacent to street	10
Rear (b)	0
Maximum height for all buildings (c)	NA
Maximum lot coverage in percent	75
Minimum district size (expressed in acres)	2.07

# C-HI Dimensional Standards Illustration



# 17.20.080 - Public District (P)

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 public health, safety and general welfare.

## 17.20.081 - List of uses

<b>Allowed Uses Public - P</b>		
<b>Permitted</b>		
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	Swimming pools or beaches, public	Landfills - reclamation or sanitary
Camps, public	Libraries, museums, and art galleries	Paint and retail sales
Colleges or universities	Post-secondary school	Jails and penal institutes
Commercial recreation areas	School, commercial	Water and sewage treatment plant
Zoo, arboretum		
<b>Conditional</b>		
Assembly halls and stadium	Crematorium	Heliports
Assembly of machines and appliances from previously prepared parts	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	Paint and retail sales
Communication towers (commercial)	Public utilities service installations	Public utilities storage yard
Radio and TV tower		

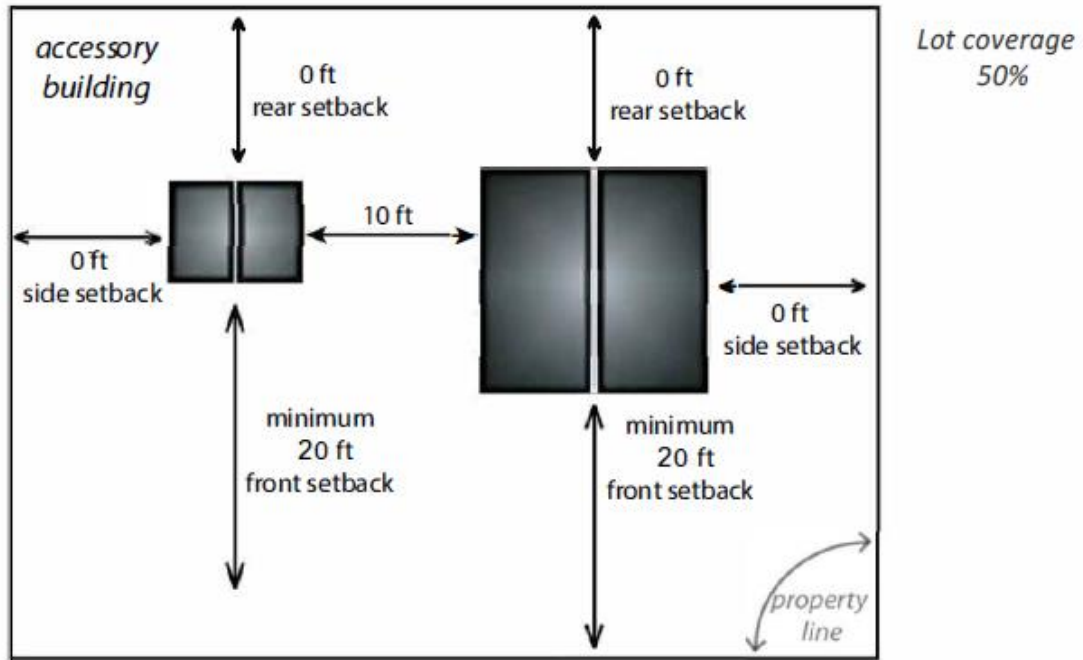
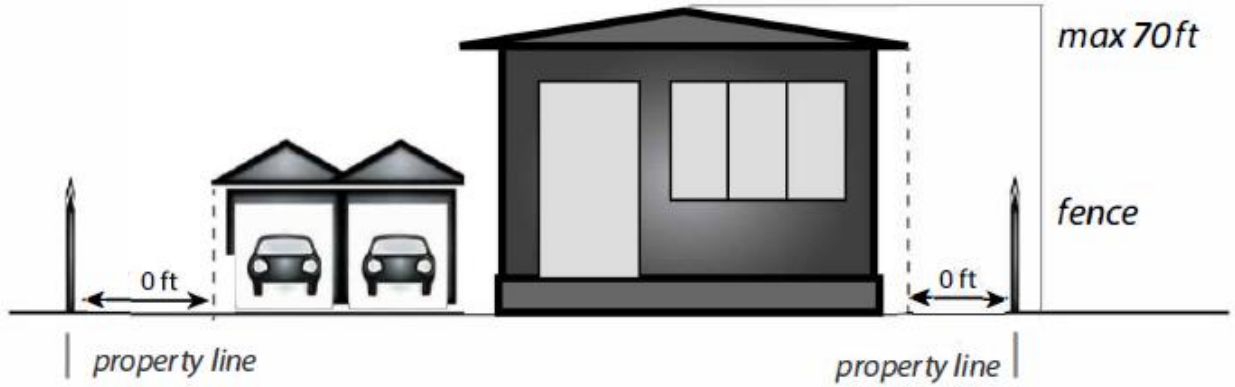
<b>Dimensional Standards P</b>	
<b>Zoning Requirements</b>	
Lot area requirements in square feet,	NA



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except as noted, 20 acres	
<b><i>Minimal Yard Requirements</i></b>	
Front (a)	20
Side (b)	0
Side adjacent to street	10
Rear (b)	0
Maximum height for all buildings (c)	NA
Maximum lot coverage in percent	50
Minimum district size (expressed in acres)	NA

# C-P Dimensional Standards Illustration



# Chapter 17.21 – Telecommunications Towers and Antennae\*

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## 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).*

### 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:*
- i. *"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).*
  - ii. *"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.*
  - iii. *"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.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.

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- 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.*

## 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.*
- a. "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.*
  - b. "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.*
  - c. "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.*
  - d. "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.*

- e. "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.
  - f. "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.
  - g. "Co-location" means the use of a wireless communications facility by more than one wireless communications provider.
  - h. "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.
  - i. "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.
  - j. "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.
  - k. "FAA" means the Federal Aviation Administration.
  - l. "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:*
    - 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 Conditional Use requirements of these zoning regulations. After the Conditional Use hearing and reaching its decision, the city-county planning board shall forward its recommendations to the city council for its decision.*



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- 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 Conditional Use.*
    - 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.*
      - 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.*



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- 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.*
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 antenna 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.*
9. *Maintenance.*
- 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, stairs, elevator towers, or other architectural elements. Only monopole antennae support structures with omnidirectional (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 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 Conditional Use 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.*
- 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.*

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2. *Major Modifications.* Major modifications to antenna support structures permitted under these regulations shall be approved through a Conditional Use. 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. *Conditional Use 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.
  - 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.
2. Area map showing the property boundaries of adjacent property and the location of existing buildings.
3. *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.

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4. *Documentation of minimum light requirements from the FAA or other local, state or federal agencies 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.*
  5. *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.*
  6. *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.*
    - 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 structure for sharing are unreasonable. Costs below new tower development is 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.*
  7. *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.*
  8. *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. *Conditional Use Uses.*
1. *A request for a Conditional Use shall be initiated by application to the city-county planning board and handled in accordance with the Conditional Use procedure provided in Section 17.68 of this code. The Laurel city council may issue Conditional Use 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 Conditional Use 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.*

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3. *Expiration of Conditional Use Approval.*
- a. *If located within the one-mile zoning jurisdictional area of Laurel, construction of the facility must be completed within one year of Conditional Use approval. If located within the city of Laurel, a building permit must be applied for within six months of Conditional Use approval and the project shall be completed within one year from the date the Conditional Use 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 Conditional Use establish the period of time such Conditional Use may remain in effect.*
- 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 the 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:*
- a. *"AM" means amplitude-modulated broadcasting in the frequency band 535-1,705 kilohertz.*
  - b. *"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.*

- c. *"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.*
- d. *"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.*
- e. *"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.*
- f. *"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.*
- g. *"FAA" means the Federal Aviation Administration.*
- h. *"FCC" means the Federal Communications Commission.*
- i. *"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.*
  - a. *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:*

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- b. *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 Conditional Use requirements of Laurel's Zoning Ordinance. After the Conditional Use hearing and reaching its decision, the city-county planning board shall forward its recommendations to the city council for its decision.*
  - c. *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 Conditional Use requirements of Laurel's Zoning Ordinance. After the Conditional Use 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.*
    - b. *Broadcast antenna support structures that are greater than fifty feet in height shall be required to obtain Conditional Use 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 Conditional Use.*
  - 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 Conditional Use.*
    - 3. *Broadcast antenna or tower farms are permitted by Conditional Use, 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.
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.
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.*
  - 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, stairs, 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, which 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.*

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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 Conditional Use. 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 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. *Conditional Use 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.*
    3. *Other pertinent features as determined by the city.*

4. *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.*
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 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.*
6. *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.*

**K. Conditional Use uses.**

1. *A request for a Conditional Use shall be initiated by application to the city-county planning board and handled in accordance with the Conditional Use procedure provided in Section 17.68 of this code. The city of Laurel may issue Conditional Use approval under these sections provided they have determined that the requirements of these regulations have been satisfied.*
  2. *In granting Conditional Use 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 Conditional Use Approval.*
    - a. *If located within the one-mile zoning jurisdictional area of Laurel, construction of the facility must be completed within one year of Conditional Use approval. Within the city limits, a building permit must be applied for within six months of a Conditional Use approval and the project shall be completed within one year from the date the Conditional Use 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 Conditional Use establish the period of time such Conditional Use may remain in effect.*
    - c. *Small increases in the height of existing antenna support structures approved by Conditional Use 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. *Conditional Use 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 the board of adjustment or to the city council pursuant to Section 17.64 of this code.*

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*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 Homes Districts

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## 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.*
- 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.*

## 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.*

## 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.*

## 17.24.040 - Allowable density

*The maximum allowable density for all mobile home parks shall be nine mobile homes per net acre.*

## 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.*

## 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 the 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.*

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*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 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.*

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## 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 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.*

## 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.*

## 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 homeowner'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.*



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# 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.*

Article 11.15.0 – Planned Unit  
Development (PUD)

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## 17.15.10 PURPOSE AND INTENT

*The purpose and intent of the Planned Unit Development (PUD) is to create a procedure that allows flexibility to design and develop a site in a creative and unified approach rather than a traditional lot-by-lot approach. The flexibility and unified approach is intended to promote high quality open spaces that are created by clustering development, create a diversity of housing types, permit a compatible mix of land uses, and achieve context sensitive design that conforms to topography and minimizes impacts on natural resources. The flexibility of the PUD also is intended to accomplish the goals of the Laurel Growth Policy.*

## 17.15.20 APPLICABILITY AND LOCATION

*A PUD is a development approved pursuant to the standard and procedures of this Section and can be located on any site within the city that contains the following characteristics:*

### 17.15.21 INFRASTRUCTURE

*Water, wastewater roadway and storm water facilities with sufficient capacity to accommodate the PUD, or these facilities can be reasonably extended to create the required capacity and that conform to City of Laurel Public Works standards.*

### 17.15.22 CONNECTIVITY

*The opportunity for a PUD with extensive connectivity to the existing roadway, sidewalk, and trail systems.*

### 17.15.23 NATURAL RESOURCES

*Natural resources that can be better protected by the flexible design of a PUD than by a traditional lot-by-lot development and avoid construction in hazardous areas such as floodplains, steep slopes, or poor soils.*

## 17.15.30 LAND USES

### 17.15.31 RESIDENTIAL UNDERLYING ZONING

*When the underlying zoning is residential, the PUD may contain all types of residential structures and commercial uses, provided the mix of uses complies with the findings of Section 11.15.70, Required Findings. Industrial uses are not allowed in PUD when underlying zoning is residential.*

### 17.15.32 NON-RESIDENTIAL UNDERLYING ZONING

*When the underlying zoning is commercial, industrial or another non-residential classification, the PUD may contain all types of residential structures, commercial and industrial uses, provided the mix of uses complies with the standards of Section 11.15.70 Required Findings.*

## 17.15.40 DIMENSIONAL STANDARDS

### 17.15.41 LOT SIZES, FRONTAGE, SETBACKS

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*Lot sizes, lot frontage and setbacks established for the underlying zoning district may be varied for the purpose of clustering buildings in a small footprint of development and setting aside open spaces or protecting natural resources.*

### **17.15.42 DENSITY, IMPERVIOUS COVERAGE**

*The number of residential units and the amount of impervious coverage may exceed the limits established for the underlying zoning in portions of the PUD provided the total property covered by the PUD complies with these two standards in an overall calculation.*

### **17.15.43 BUILDING HEIGHT**

*Building heights within the PUD may exceed the maximum height of the underlying zoning district for the purpose of clustering development in a small footprint of development and setting aside open spaces or protecting natural resources.*

## **17.15.50 SITE DESIGN STANDARDS**

*PUD shall comply with the following site design standards:*

### **17.15.51 BUILDING SITES**

*The configuration and arrangement of development shall provide each lot and building with a suitable site that minimizes disturbance of sloping hillsides, protects natural resources and is serviceable by adequate infrastructure.*

### **17.15.52 ACCESS**

*Safe and adequate vehicular access shall be provided to all lots and building sites to accommodate routine and emergency accessibility.*

### **17.15.53 NATURAL RESOURCES**

*Natural resources shall receive greater protection than is routinely provided by standards of the Ordinance or other state and federal regulations. Examples of compliance with this standard include but are not limited to:*

#### **A. SETBACKS**

*Providing greater setbacks from water bodies and wetlands than required by other sections of this Ordinance or by the state and federal regulations, or*

#### **B. HILLSIDES**

*Avoiding the disturbance of hillsides that is otherwise permitted by other sections of this Ordinance, or*

#### **C. WILDLIFE**

*Protecting wildlife habitats and migration corridors.*

### **17.15.54 CONNECTIVITY, CIRCULATION**

*The roadway system shall maximize connectivity to the adjoining streets and promote efficient circulation within the PUD.*

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### 17.15.55 PEDESTRIAN SYSTEM

*A safe and logical system of sidewalks, trails and pathways shall provide convenient pedestrian connections throughout the PUD and to adjoining neighborhoods.*

### 17.15.56 INTEGRATION, COMPATIBILITY

*Site design and the arrangement of land uses shall integrate the PUD with surrounding developments and maximize compatibility with neighboring properties. The PUD design shall blend with the existing development pattern and street network of the City.*

### 17.15.57 HUMAN INTERACTION

*Site design, arrangement of buildings and open spaces and the circulation system shall provide places for, and promote, interaction among the residents and workers occupying the PUD.*

### 17.15.58 GROWTH POLICY

*A PUD application shall demonstrate in a convincing and persuasive way that the proposed development will implement the goals and strategies of the Laurel Growth Policy.*

## 17.15.60 STATEMENTS OF STANDARDS

*Upon approval of a PUD, the owner shall prepare a Statement of Standards for review by the Zoning Administrator that describes the specific uses, development standards, deviations from the underlying zoning standards and conditions of approval. This Statement of Standards shall be approved as to form by the City Attorney and upon approval by the City Council, recorded in the land records of Yellowstone County.*

## 17.15.70 REQUIRED FINDINGS

*Approval of a PUD shall require the Planning Board/Planning Commission making the following findings of fact:*

### 17.15.71 GROWTH POLICY

*The PUD implements the goals and strategies of the Laurel Growth Policy.*

### 17.15.72 CONSISTENT WITH PURPOSE, INTENT

*The PUD is fully consistent with the stated purpose and intent of this Section and in no way contradicts the purpose and intent of this Section.*

### 17.15.73 COMPLIES WITH STANDARDS

*The PUD fully complies with all applicable standards of this Section and this Ordinance.*

### 17.15.74 NO ADVERSE IMPACT

*The PUD creates no significant adverse impact to neighboring property and does not negatively impact natural resources.*

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# 17.15.80 EXPIRATION

*Approval of a PUD shall expire and become null and void one (1) year after the date of final approval if development has not commenced. Development of the PUD shall proceed with reasonable diligence to completion or proceed consistent with an approved phasing schedule. If development does not proceed with reasonable diligence to completion or in accordance with an approved phasing schedule, the Planning Board/Planning Commission may initiate a review of the partially completed PUD and determine if a specific schedule of development should be established for completion or if the PUD approval should be deemed expired. To render the decision about a completion schedule or expiration of approval, the Planning Board/Zoning Commission shall consider the following criteria:*

## 17.15.81 FUNCTIONALITY

*Does the partially complete PUD contain functional infrastructure, including but not limited to water, wastewater, streets, storm water management and pedestrian facilities?*

## 17.15.82 VISUAL BLIGHT

*Does the partially complete PUD create visual blight that deteriorates the aesthetic quality of the neighborhood or the city?*

## 17.15.83 COMMUNITY CHANGES

*Has the City of Laurel enacted changes to the policies, goals, strategies or ordinances that would cause the PUD to be denied approval if it were newly submitted for applicable Zoning Conformance Permits?*

# Article 17.17.0 – Standards for specific uses

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## 17.17.10      CONDITIONAL USES

### 17.17.11 PURPOSE AND INTENT

*This section establishes standards and requires Findings of Fact for Conditional Uses. The purpose of Conditional Uses is to allow uses that may be suitable in some but not all locations in the zoning district in which they are allowed or require special consideration because of unusual operational or physical characteristics or must be designed and developed with conditions to assure compatibility with adjoining uses.*

*A Conditional Use Permit (CUP) may be granted to allow a Conditional Use only for a use listed as a “Conditional” use in an Allowed Uses table and only after the Planning Board/Zoning Commission has made Findings of Fact that the Conditional Use complies with the following standards. The following standards apply in addition to standards of general applicability.*

### 17.17.12 FINDINGS OF FACT

*The Planning Board/Zoning Commission shall make Findings of Fact that a Conditional Use complies with the following standards as a prerequisite to the City Council granting a CUP.*

#### A. CONSISTENT WITH GROWTH POLICY

*The Conditional Use is consistent with the policies, goals, objectives, and strategies of the Laurel Growth Policy.*

#### B. COMPATIBILITY

*The Conditional Use is compatible with the character of the immediate vicinity including the bulk, scale, and general appearance of neighboring buildings and uses.*

#### C. MINIMIZES ADVERSE IMPACT

*The design, development, and operation of the Conditional Use minimizes and mitigate adverse effects, including visual impact of the proposed use on adjacent lands.*

#### D. MINIMIZES ADVERSE ENVIRONMENTAL IMPACT

*The development and operation of the proposed Conditional Use minimizes adverse environmental impacts. Environmental resources to be assessed include, but are not limited to wetlands, riparian areas, steep slopes, mature vegetation, and the floodplain.*

#### E. IMPACT ON PUBLIC FACILITIES AND SERVICES

*The Conditional Use does not have a significant adverse impact on public facilities and services, including, but not limited to, transportation systems, potable water and wastewater facilities, storm drainage, solid waste and recycling, parks, trails, sidewalks, schools, police, fire, and EMT facilities.*

#### F. HAZARD, NUISANCE

*The proposed Conditional Use will not create a hazard to persons or property and will not create a nuisance arising from, but not limited to traffic, noise, smoke, odors, dust, vibration or illumination.*

#### G. OTHER CODES



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*The Conditional use complies with all applicable City codes and ordinances.*

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### 17.17.13 APPLICABILITY

*An approved CUP shall run with the land and may be transferred to another owner but only for the approved timeframe. The City Council may place the following conditions to mitigate any adverse impact from the project: Special yards.*

- A. OPEN SPACES; AND
- B. BUFFERS; AND
- C. FENCES; AND
- D. WALLS; AND
- E. REQUIRING INSTALLATION AND MAINTENANCE OF LANDSCAPING; AND
- F. REQUIRING STREET DEDICATIONS AND IMPROVEMENTS; AND
- G. REGULATING POINTS OF VEHICULAR INGRESS AND EGRESS; AND
- H. REGULATING TRAFFIC CIRCULATION; AND
- I. REGULATING SIGNS; AND
- J. REGULATING HOURS OF OPERATION AND METHODS OF OPERATIONS; AND
- K. CONTROLLING POTENTIAL NUISANCES; AND
- L. PRESCRIBING STANDARDS FOR MAINTENANCE OF BUILDINGS AND GROUNDS; AND
- M. PRESCRIBING DEVELOPMENT SCHEDULES AND DEVELOPMENT STANDARDS; AND
- N. SUCH OTHER CONDITIONS AS THE COUNCIL MAY DEEM NECESSARY TO ENSURE COMPATIBILITY OF THE USE WITH SURROUNDING DEVELOPMENTS AND USES AND TO PRESERVE THE PUBLIC HEALTH, SAFETY, AND WELFARE.

### 17.17.14 EXPIRATION, DISCONTINUANCE OR ABANDONMENT

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*An approved CUP shall expire on the one (1) year anniversary date of approval if the permit is not put to use, unless an alternate timeline is established in the development approval. If a Conditional Use is operationally discontinued or abandoned for a period of more than twelve (12) consecutive months, regardless of the removal or non-removal of furniture/equipment or any intention to resume such activity in the future, the Conditional Use may not be reestablished or resumed. Any subsequent use of the site shall conform to this Ordinance. A timeframe shall be established at approval for use of the conditional use permit.*

## 17.17.20 USE SPECIFIC STANDARDS

### 17.17.21 PURPOSE AND INTENT

*The purpose and intent of this Section is to establish certain standards that apply to specific uses. Some uses listed in the Allowed Uses tables are required to comply with use-specific standards. The Allowed Uses tables contain references to sub-sections below that establish the use-specific standards.*

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## 17.17.22 SPECIFIC USES

### A. BED AND BREAKFAST

1. *Definition*  
*A Bed and Breakfast is a private residence occupied by the owner or manager that provides overnight lodging to paying guests.*
2. *Maximum Number of Rooms*  
*A Bed and Breakfast shall not exceed five (5) rooms that are rented to guests in addition to the rooms dedicated to the owner/manager. More than five (5) rooms in a structure is considered a motel.*
3. *Meals*  
*A Bed and Breakfast includes breakfast in the lodging rate. No other meals are served to guests and no meals are served to the general public.*
4. *Duration of Stays*  
*Bed and Breakfasts provide short-term lodging and guests shall not stay more than fourteen (14) days in a thirty (30) day period.*
5. *Residential, Historic Character*  
*Bed and Breakfast facilities shall be compatible to the bulk, scale, and appearance of the neighborhood in which it is located. When a Bed and Breakfast is located in an historic structure, the historically significant architectural elements of the structure shall be maintained.*
6. *Parking*  
*One (1) parking space for the owner/manager and one (1) space for each room rented to guests shall be provided on-site. The Zoning Administrator may approve tandem parking for two (2) spaces if it does not create an unsafe condition.*
7. *Signage*  
*Notwithstanding the standards of Article 11.19.0 Outdoor Advertising, a Bed and Breakfast shall be allowed one (1) sign, not to exceed twelve (12) square feet in sign area. This sign may be free-standing provided it is setback a minimum of ten (10) feet from the property line. A Bed and Breakfast located within a Commercial Zone falls entirely under Outdoor Advertising for sign requirements.*

### B. DAY CARE OR GROUP CARE CENTERS

1. *Definitions*
  - a. *Day Care Facility*  
*A commercial facility that provides care for more than two (2) children or adults on less than a 24-hour basis for someone other than a family member or a person who lives with the children or adult. Adult Day Care is the provision of services and assistance to help adults with daily living.*
  - b. *Day Care Group, Day Care Center*  
*An out-of-home place in which care is provided to thirteen (13) or more children or adults or provides adult day care in conjunction with a Long-Term Care Facility or Health Care Facility.*
  - c. *Day Care Family, Day Care Home*

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*A private residence or other structure in which day care services are provided to seven (7) to twelve (12) children or adults.*

2. *License, Registration Certificates*

*Day Care Centers shall be licensed, and day care home facilities shall be issued a registration certificate, by the Montana Department of Family Services.*

3. *Compatible Appearance*

*Day Care Centers in residential zoning districts shall maintain a residential appearance as viewed from the street.*

4. *Centers for Children*

a. *Outdoor Play Area*

*Day Care Centers for children shall provide at least seventy-five (75) square feet of outdoor play area per child.*

b. *Fence*

*Notwithstanding other standards of this Ordinance that regulate fences, Day Care Centers for children may be required to provide a six (6) foot high solid fence, or a minimum twenty (20) foot wide landscape buffer to separate outdoor play areas from adjoining residential dwellings.*

5. *Signs*

*Notwithstanding Article 11.19.0 Outdoor Advertising, a Day Care Center shall be permitted one (1) sign not to exceed twelve (12) square feet in sign area when in a residentially zoned district.*

## **C. HOME OCCUPATIONS**

1. *Purpose and Intent*

*The purpose and intent of these standards are to provide for limited commercial uses on the site of a residential dwelling unit. Home occupations provide for businesses that are carried out by residents of the dwelling and are incidental and subordinate to the residential use. Home occupations provide a place for businesses to start but do not permit their continued existence once the business has grown beyond the size that can maintain the residential character and scale of the residential property. It also is the purpose of these standards to provide peace, quiet and tranquility in residential neighborhoods and to guarantee all residents freedom from excessive noise, traffic, nuisance, fire hazard and other deleterious effects of commercial uses.*

2. *Standards*

*Home Occupations on single-household sites shall comply with the following standards:*

a. *One per Residence*

*Not more than one (1) Home Occupation can be located on a single-household lot or property as an Accessory Use.*

b. *Residents*

*A Home Occupation shall employ at least one (1) resident of the home with which the Home Occupation is associated and may include one (1) non-resident employee.*

c. *Character*

*Home Occupations shall not diminish the residential character of the property.*

d. *Inside Structure*

*Except for agricultural activities, Home Occupations shall be carried out within the dwelling unit or accessory structure.*

e. *Maximum Area*

*Home Occupations shall not occupy more than thirty-three (33) percent of the total floor area of all dwelling units, including accessory buildings.*

f. *Equipment*

*Mechanical equipment used in connection with the Home Occupations shall be limited to equipment normally found in a dwelling unit, including accessory buildings.*

g. *Outside Storage*

*Outside storage of equipment, materials, merchandise, inventory, or heavy equipment that is associated with the Home Occupation shall be prohibited.*

h. *Parking*

*Off-street parking shall be provided pursuant to Section 11.18.40, Parking and Loading Standards.*

i. *Signs*

*Notwithstanding Article 11.19.0 Outdoor Advertising, each Home Occupation shall be limited to one (1) wall sign containing the name, title and occupation of the Home Occupation not exceeding twelve (12) square feet in sign area. Window areas shall not be used to display or advertise merchandise to the exterior of the dwelling unit or accessory building and no free-standing business sign is permitted. Home occupations in commercial districts are permitted twelve (12) square feet of sign area.*

j. *Trucks Prohibited*

*No trucks, vehicles with a manufacturer-rated capacity of two (2) tons or equipment shall be parked overnight on the street or on the premise unless totally enclosed in a building.*

k. *Deliveries*

*Delivery trucks shall not operate from the residential property. This standard does not prohibit infrequent deliveries in a truck or vehicle to/from the occupants of the dwelling unit.*

l. *Nuisance Prohibited*

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*Home Occupations shall not create a fire hazard, adversely affect neighboring property values or constitute a nuisance or detrimental condition for neighboring property from excessive traffic, noise, odor, vibrations, electrical disturbance or other impact.*

*m. Hazardous Material Prohibited*

*The storage of flammable liquids in excess of ten (10) gallons or hazardous materials related to the Home Occupation is prohibited in the dwelling unit, accessory building or parked vehicles.*

3. *Single Household Standards*

*The residence containing the Home Occupation shall comply with all applicable standards for single-household dwellings in the zoning district in which it is located.*

## **D. MANUFACTURED HOME COMMUNITIES**

*Manufactured home communities are included in the state classification of land subdivisions by rent or lease. Lots can also be sold as individual units. Therefore, applicants for such developments shall apply for and be reviewed under both site plan and subdivision. When both review processes are required, they will be reviewed concurrently when appropriate. All standards of this chapter are applicable unless explicitly waived.*

1. *State requirements*

*All manufactured home communities developed under this section shall comply with the State Department of Public Health and Human Services, Department of Environmental Quality and any other applicable state regulations. Prior to final approval for a manufactured home community, copies of approval letters from relevant state agencies shall be submitted or compliance with all applicable regulations shall be certified by a professional civil engineer licensed by the State.*

2. *Lot improvements*

*The location of boundaries of each manufactured home lot for rent or lease shall be clearly and permanently marked on the ground with flush stakes, markers, or other suitable means. The location marked must be closely approximate to those depicted on the approved plans.*

3. *Utility Hookup*

*Every manufactured home shall be permanently connected to electric power, water supply, sewage disposal, and gas lines in compliance with applicable City codes, and all utility distribution and service lines shall be installed underground.*

4. *Permanent Foundations and Anchoring*

*All manufactured homes shall be required to be tied or otherwise physically anchored in accordance with HUD or the manufactured home builder's requirements. Building permits for foundations and anchoring, issued through the city building department in accordance with the adopted International Building Code, are required. The method of anchoring and foundations shall be specified as part of the required preliminary development review.*

5. *Skirting*

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*Each manufactured home shall be skirted within sixty (60) days and be of a type designed specifically for manufactured homes. Hay bales, foam insulation such as blue board, lattice and other similar building materials are prohibited. Stamped foam insulation specifically made for manufactured homes is allowed through the building permit process.*

6. *Curb, Gutter and Sidewalks*

*Concrete curb, gutters and sidewalks shall be placed along the front lot line of any lot which is occupied. All shall be installed according to plans and specifications of the city and approved by the director of public works or the utilities manager.*

7. *Setbacks*

*Each manufactured home shall be set back from all adjacent structures a minimum of ten feet (10') to protect against fires and combustible items.*

8. *Offensive Activity*

*No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be, or may become an annoyance or nuisance to the neighborhood.*

9. *Pre-1976 Units*

*Any manufactured home constructed prior to 1976 shall be prohibited in the district. Existing manufactured homes within manufactured home parks can remain but such structures cannot be moved into another park for use. Once removed, a pre-1976 unit cannot be placed within the park.*

10. *Sales*

11. *Manufactured home sales may occur within the park provided that the area used for sales is five (5) percent or less of the gross number of units within the park.*

12. *Maintenance*

a. *There shall be no exposed outdoor storage of furniture (except lawn furniture), household goods, tools, equipment, or building materials or supplies.*

b. *No manufactured home may be parked on a public or private street for more than 24 hours.*

c. *An abandoned, burned or wrecked manufactured home must be secured against entry as directed by the fire marshal and may not be kept on a lot for more than forty-five (45) days.*

d. *Each manufactured home must bear an insignia which attests that the construction of the manufactured home meets or be certified as meeting the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development.*



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- e. *Within sixty (60) days of placement, standard manufactured home skirting of fire-resistive material that meets fire resistance ratings in the City's building code and is of similar character to that of the manufactured home must be provided around the entire perimeter of the manufactured home between the bottom of the body of the manufactured home and the ground, except where the running gear has been removed and the manufactured home itself is attached directly to the permanent foundation.*
  - f. *All private, commonly owned recreation areas not devoted to buildings, structures, surfaced courts, sand boxes, etc., shall be landscaped.*

13. *Manufactured Home Lots for Rent or Lease*

*All units shall be arranged to permit the practical placement and removal of manufactured homes. Every lot for rent or lease must front on a public or private street.*

14. *Permits and Inspections*

a. *Owner's and Agent's Responsibility*

*It shall be the responsibility of the individual property owners or, in the case of a rental community, the managers of the rental community, to see that all sections of this article are complied with, including requirements relative to placement of manufactured homes, and all required permits.*

b. *Building Permit Required*

*All manufactured homes moved into the city must be issued a building permit, pursuant to this section, and be inspected by the City Building Official, prior to gas and electric service being turned on by the servicing utility.*

c. *City Inspection Required*

*The required inspections for manufactured homes shall include on-site utilities requirements including gas, electric, sewer and water; setback requirements; and off-street parking requirements. It is unlawful for any person, firm, corporation, or agency to turn on, or allow to be turned on, any gas or electric service without an inspection and clearance from the appropriate official.*

d. *Non-manufactured Home Improvements Subject to the adopted International Building Code*

*Permits must be obtained for additions, alterations, canopies, carports, sheds, fences and similar structures.*

15. *The Preliminary and Final Plans Shall Accurately Depict:*

a. *All Proposed and Required Landscaping*

b. *Storage Areas*

c. *A Layout of Typical Lots*

*All lots for rent or lease, showing the location and dimensions of the lot, manufactured home stand, driveway and parking spaces, and maximum size of home allowed on each lot.*

d. *Mail Delivery Area*

e. *Foundation and Anchoring Details.*

f. *Permanent Enclosure for Temporary Storage of Garbage*

*A permanent enclosure for temporary storage of garbage, refuse and other waste material shall be provided for every manufactured home space. If trash dumpsters are to be used, they shall be centrally and conveniently located, shall not be located in any front yard, and shall otherwise comply with the requirements of this chapter.*

g. *Landscaping Buffer*

*Landscaping may be required by the review authority to provide a buffer between manufactured home communities and adjacent uses, and to enhance the appearance of the development. The landscaping may be interspersed with a fence or wall. Specific perimeter landscape/buffering treatments shall be determined on a case-by-case basis, with the city considering appropriate factors such as the nature of adjacent uses, noise, and proximity to busy streets.*

## E. RECREATIONAL VEHICLE PARK

*Recreational vehicle parks are included in the state classification of land subdivisions by rent or lease. Therefore, applicants for such developments shall apply for and be reviewed under both site plan and subdivision. When both review processes are required, they will be reviewed concurrently when appropriate. All standards of this chapter are applicable unless explicitly waived.*

1. *State requirements*

*All recreational vehicle parks developed under this section shall comply with the State Department of Public Health and Human Services, Department of Environmental Quality, and any other applicable state regulations. Prior to final approval for a recreational vehicle park, copies of approval letters from relevant state agencies shall be submitted or compliance with all applicable regulations shall be certified by a professional civil engineer licensed by the State.*

2. *Lot improvements*

*The location of boundaries of each space for rent or lease shall be clearly and permanently marked on the ground with flush stakes, markers or other suitable means. The location marked must be closely approximate to those depicted on the approved plans.*

3. *Utility Hookup*

*Every space shall have connections to electric power, water supply, sewage disposal, and gas service lines in compliance with applicable City codes, and all utility distribution and service lines shall be installed underground. Once installed the utility lines must remain in place for the approved number of spaces.*

4. *Skirting*

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*Skirting is not required for RV units, travel trailers, campers, or similar structures. If the owner of an RV unit, travel trailer, camper or similar structure does skirt their respective unit, then skirting shall be of a type designed specifically for recreational vehicles. Hay bales, foam insulation such as blue board, lattice and other similar building materials are prohibited.*

5. *Curb, Gutter, and Sidewalks*

*Concrete curb, gutters and sidewalks shall be placed along the front lot line of the entire park. Concrete curb and gutter shall be placed along the entire perimeter to control for storm water discharge. Individual spaces are not required to have sidewalks or curb and gutter. All improvements shall be installed according to plans and specifications of the city and approved by the director of public works or the utilities manager.*

6. *Setbacks*

*Each space shall ensure that units are set back from all adjacent structures in accordance with State Regulations.*

7. *Propane Tanks*

*Unless otherwise provided as a central propane system for the entire park, each space shall be limited to factory equipment propane tanks.*

8. *Offensive Activity*

*No noxious or offensive activity shall be carried on upon any space, nor shall anything be done thereon which may be, or may become an annoyance or nuisance to the neighborhood.*

9. *Pre-1976 Units*

*Existing manufactured homes within recreational vehicle parks can remain but such structures cannot be moved into another park for use. Once removed, a pre-1976 unit cannot be placed within the park. New manufactured homes are prohibited from the Recreational Vehicle Park.*

10. *Maintenance*

- a. *There shall be no exposed outdoor storage of furniture (except lawn furniture), household goods, tools, equipment, or building materials or supplies.*
- b. *No recreational vehicle may be parked on a public or private street for more than 24 hours.*
- c. *An abandoned, burned or wrecked recreational vehicle must be secured against entry as directed by the fire marshal and may not be kept on a lot for more than forty-five (45) days.*
- d. *All required yards of the entire park including those spaces that front a public street shall be fully landscaped.*
- e. *All private, commonly owned recreation areas not devoted to buildings, structures, surfaced courts, sand boxes, etc., shall be landscaped.*

11. *Permits and Inspections*

a. *Owner's and Agent's Responsibility*

*It shall be the responsibility of the individual property owners or, in the case of a rental community, the managers of the rental community, to see that all sections of this article are complied with, including requirements relative to placement of recreational vehicles, and all required permits.*

b. *City Inspection Required*

*The required inspections for recreational vehicle parks shall include on-site utilities requirements including gas, electric, sewer and water; setback requirements; and off-street parking requirements. It is unlawful for any person, firm, corporation, or agency to turn on, or allow to be turned on, any gas or electric service without an inspection and clearance from the City Building Official prior to final plan approval.*

12. *The Preliminary and Final Plans Shall Accurately Depict:*

a. *All Proposed and Required Landscaping*

b. *Storage Areas*

c. *Recreational vehicles storage and other chattels of the residents.*

d. *A Layout of Typical Lots*

*All lots for rent or lease, showing the location and dimensions of the lot, driveway and parking spaces.*

e. *Mail Delivery Area*

f. *Permanent Enclosure for Temporary Storage of Garbage*

*A permanent enclosure for temporary storage of garbage, refuse and other waste material shall be provided. If trash dumpsters are to be used, they shall be centrally and conveniently located, shall not be located in any front yard, and shall otherwise comply with the requirements of this chapter.*

g. *Landscaping Buffer*

*Landscaping may be required by the review authority to provide a buffer between recreational vehicle parks and adjacent uses, and to enhance the appearance of the development. The landscaping may be interspersed with a fence or wall. Specific perimeter landscape/buffering treatments shall be determined on a case-by-case basis, with the city considering appropriate factors such as the nature of adjacent uses, noise and proximity to busy streets.*

## F. ACCESSORY DWELLING UNIT (GUEST HOUSE)

1. *Relationship to Principal Dwelling*

a. *Attached, Separate*

*The Accessory Dwelling Unit (Guest House) may be attached to the principal dwelling with an independent access or in a separate building on the same lot as the principal building.*

b. *Dimensional Standards*

*The Guest House shall comply with all dimensional standards that are applicable to the principal building.*

c. *Not Sold Separately*

*A Guest House cannot be sold separately from the principal dwelling or property containing the principal dwelling.*

d. *Permanent Structure*

*A Guest House shall be on a permanent foundation. A manufactured home, travel trailer, RV or similar temporary or transportable vehicle or structure shall not be approved as a Guest House.*

2. *Size*

*A Guest House shall not exceed 1,200 square feet in gross floor area.*

3. *One per Lot*

*No more than one (1) Guest House can be located on a single lot, tract or parcel.*

4. *No Home Occupation*

*A Guest House shall not contain a Home Occupation.*

5. *Parking*

*A minimum of one (1) off-street parking space shall be provided for the Guest House.*

## G. TEMPORARY USES, BUILDING

1. *Definition*

*Temporary Uses are allowed for a certain length of time that is determined by the Zoning Administrator and prescribed in the permit authorizing such use. The allowed duration of the use and any related structure shall reflect the purpose of the Temporary Use. Temporary Uses include Christmas tree sales, on-site construction office or construction equipment shed, community event, food and merchandise vendors, temporary real estate office, farm stand or a similar short-term activity.*

2. *Administrative Approval*

*The Zoning Administrator may approve a Temporary Use of a site or building provided the use complies with all applicable standards of this Ordinance.*

3. *Duration*

*An approval for a Temporary Use shall expire in six (6) months unless granted a one-time six (6) month extension by the Zoning Administrator for good cause. A Temporary Use must leave the City Jurisdiction for at least six (6) months in order to activate a new Temporary cycle.*

## H. SEXUALLY ORIENTED BUSINESS

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*Sexually Oriented Business shall comply with the following standards.*

1. *Definition*

*A Sexually Oriented Business is a commercial facility that includes but is not limited to adult bookstores, adult video centers, nude modeling studios, nude shows, adult motion picture theaters, sexual encounter businesses, or similar activities.*

2. *Separation from Other Uses*

*A building containing a Sexually Oriented Business shall be setback a minimum of 1,000 feet from the boundary of a lot or a parcel that contains a church, public or private school, Public Park, or a Medical Marijuana Dispensary.*

3. *Separation from another Sexually Oriented Business*

*A Sexually Oriented Business shall not be located, or an existing business expanded, within 1,000 feet from another Sexually Oriented Business.*

4. *One per Building*

*No more than one (1) Sexually Oriented Business can be located in the same structure or building.*

5. *Measurement*

*For the purpose of determining compliance with Subsection 11.17.22.H.2, Separation from Other Uses, above, measurement shall be made in a straight line measured from the lot line of the Sexually Oriented Business to the lot line containing a church, school, public park, Medical Marijuana Dispensary or another Sexually Oriented Business.*

6. *Signs*

*In addition to the standards of Article 11.19.0 Outdoor Advertising, signs visible from the exterior of the structure may state there is adult material inside, but no pictures or other advertising may be displayed that indicates a nude person is available for viewing.*

7. *No Alcohol*

*Alcohol sales, consumption and gambling are prohibited within a building containing or in conjunction with a Sexually Oriented Businesses.*

## **I. MARIJUANA DISPENSARY**

1. *Definition*

*A Marijuana Dispensary is any building, premises, facility, or part thereof where marijuana is made available to consumers in accordance with Montana Law and all applicable Federal Rules and Regulations.*

2. *Separation from Other Uses*

*A building containing a Marijuana Dispensary shall be setback a minimum of 1,000 feet from the boundary of a lot or parcel that contains a church, public or private school, Public Park, another Marijuana Dispensary, or a Sexually Oriented Business.*

3. *Separation from another Dispensary*

*A Marijuana Dispensary allowing on-site consumption shall not be located within 1,000 feet from another Marijuana Dispensary that allows on-site consumption.*

4. *Measurement*

*For the purpose of determining compliance with Subsection 11.17.22.1.2, Separation from Other Uses, above, measurement shall be made in a straight line measured from the lot line of the Marijuana Dispensary to the lot line containing a church, school, public park, Sexually Oriented Business or another Marijuana Dispensary.*

5. *Signs*

*In addition to the standards of Article 11.19.0 Outdoor Advertising, signs visible from the exterior of the structure may state there is marijuana inside.*

6. *Compliance with State and Federal Codes*

*The operation of a Marijuana Dispensary shall comply with all applicable provisions of the Marijuana Act of the Montana Code and all applicable Federal Laws and Regulations.*

## J. PROPANE BULK STORAGE

*Compliance with the applicable Fire Code as adopted by the City of Laurel and all subsequent referenced codes shall be required, such as the National Fire Protection Association standards titled 58 Liquefied Petroleum Gas Code. All proposed installations shall be reviewed by the Fire Department prior to and post Conditional Use public hearings.*

## 17.17.23 OUTSIDE STORAGE

*Commercial and industrial uses permitted to have outside storage of merchandise, material or equipment shall provide screening from neighboring properties and streets. Notwithstanding other standards of this Ordinance regulating fences and walls, stored material shall be screened by a sight obstructing fence or wall a minimum of eight (8) feet high that prevents visibility of the stored material from adjacent streets or properties. This requirement shall not apply to the storage of plant material associated with nurseries, the display for sale or rent of new and used automobiles in operational condition, recreational vehicles, boats, manufactured homes, or the use and sale of farm and construction equipment.*

## 17.17.24 STORAGE UNITS AND CONTAINERS

### A. NON-RESIDENTIAL DISTRICTS, SITES

*Secure Storage Units, Cargo, Freight, or Overseas Containers, Pole Barns and Quonset Huts are permitted as accessory structures on non-residential sites in non-residential zoning districts in accordance with the following standards.*

- 1. These units shall be located to the rear of the building they serve and screened from view from the street or match the architecture of the primary building.*
- 2. Meet setbacks of the prevailing zoning district.*
- 3. Units must comply with the most recent international building code adopted by the city*

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## B. RESIDENTIAL DISTRICTS, SITES

*Secure storage units or containers are prohibited in all residential zoning districts and on residential sites in non-residential zoning districts except as temporary storage units during active construction jobs.*

## 17.17.25 WIRELESS COMMUNICATION FACILITIES

### A. PURPOSE AND INTENT

*The purpose and intent of this Section is to provide for commercial Wireless Communication Facilities in a safe, efficient, and orderly manner, to encourage the co-location of facilities to reduce the number of new communication towers and to minimize the adverse visual effects of such towers.*

### B. DEFINITIONS

*For the purpose of this Section, certain words and terms are defined below:*

- 1. Antenna means the arrangement of wires, poles, rods or similar devices used in the commercial transmitting and/or receiving of electromagnetic waves, digital signals and other communication signals.*
- 2. Communication Tower means an antenna support structure designed and constructed for the primary purpose of supporting one (1) or more antennas, including a mast, pole, monopole, guyed or lattice tower, freestanding tower, or any similar structure.*
- 3. Camouflage means the integration of an antenna or communication tower with existing building, structure or natural surroundings to disguise it from the true purpose of the facility.*
- 4. Conceal means to place an antenna or tower out of sight by enclosing it in a structure.*
- 5. Co-locate means placing more than one (1) antenna or wireless communication provider on a single communication tower or antenna support structure.*
- 6. Wireless Communication Facility means a tower/antenna support structure and antenna(s) that transmits and/or receives electromagnetic signals for commercial wireless communications.*

### C. EXEMPTIONS

*Amateur radio antennas or similar non-commercial wireless facilities shall be exempt from this Section.*

### D. APPROVALS



1. *Antennas*

*Antennas that are co-located on existing buildings or communication towers, or are concealed or camouflaged, shall be approved by the Zoning Administrator pursuant to the terms of this Ordinance.*

2. *Communication Towers*

*Wireless Communication Towers may be approved with a Conditional Use Permit pursuant to Section 11.17.10, Conditional Uses and further provided they comply with the standards of this Section.*

## **E. STANDARDS FOR COMMUNICATION TOWERS**

1. *No Attempt to Exclude*

*No Wireless Communication Facility owner or lessee shall act to exclude or attempt to exclude any other wireless telecommunication provider from using the same building, structure or location. Wireless Communication Facility owners and lessees shall cooperate in good faith with other wireless providers to achieve co-location of antennas and Wireless Communication Facilities.*

2. *Excess Capacity*

*All new Communication Towers are encouraged to be constructed with excess capacity for co-location of future antennae or wireless facilities. Owners of Communication Towers shall work in good faith to reach mutually agreeable terms to allow co-location of Antennae and Wireless Communication Facilities.*

3. *Setbacks*

*Ground mounted facilities and buildings related to a Communications Tower shall comply with the setbacks of the zoning district in which they are located. A Communication Tower be setback from all property lines at least one (1) foot for every foot of height of the tower but in no case less than the setback of the zoning district in which it is located.*

4. *Equipment Location, Visual Mitigation*

- a. *Roof Mounted*

*Roof mounted wireless communications equipment shall be located as far from the edge of the roof as possible or screened by parapet walls.*

- b. *Wall Mounted*

*Wall mounted wireless communication equipment shall be mounted as flush to the wall as possible and shall not project above the wall on which it is mounted.*

5. *Signals, Lights Prohibited*

*Signals, lights, illumination and signs are prohibited on a Communication Tower or facility unless required by the FAA or other applicable regulatory authority.*

6. *No Hazard, No Interference*

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*Communications Towers shall be operated to avoid any health hazard to the general public and any interference with the operation of public safety/communication facilities and home appliances.*

7. *FAA Certification, FCC Standards*

*Certification shall be obtained from the Federal Aviation Administration that the Communications Tower poses no hazard to the operation of aircraft. Wireless Communication Facilities shall comply with the technical emissions standards of the Federal Communications Commission.*

## F. REMOVAL OF ABANDONED WIRELESS COMMUNICATION FACILITIES

*If due to changes in technology or other reasons, a Wireless Communication Facility, Communication Tower, antenna support structure or related equipment is not operated for a period of twelve (12) continuous months it shall be considered abandoned. The owner of such facility shall remove the facility, including antennae, attachments, related appurtenances and equipment building, within ninety (90) days of receipt of notice from the Zoning Administrator notifying the owner of such abandonment. If the abandoned Wireless Communication Facility is not removed within the ninety (90) day period, the City of Laurel shall have the authority to remove the facility and bill the owner for all costs associated with the removal.*

## 17.17.26 SHORT-TERM RENTAL

### A. PURPOSE AND INTENT

*The purpose and intent of this Section is to provide for the short-term rental of residential dwellings and avoid impact on neighboring residences.*

### B. DEFINITIONS

*Short-term rental is the rental of a dwelling and/or a guest house for less than thirty (30) days. The short-term rental pursuant to this Section does not include a Bed and Breakfast.*

### C. STANDARDS

1. *Comply with Single Household*

*Except as distinguished in this Subsection, the dwelling shall comply with all standards and requirements for single-Household dwelling units in the zoning district in which it is located.*

2. *Residential Character*

*The property shall retain the character and appearance of a single-Household dwelling. The design or operation of the short-term rented dwelling shall not create the appearance or operating characteristics of a commercial property.*

3. *Signage*

*Signage associated with a short-term rental unit shall comply with the terms of Article 11.19.0 Outdoor Advertising that apply to residential zoning districts.*

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## D. FIRE AND HEALTH DEPARTMENTS

*Owners of a short-term rental property shall comply with applicable rules and regulations of the Laurel Fire Department and Yellowstone County Health Department.*

# Article 17.18.0 – Standards of General Applicability

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## 17.18.10 PURPOSE AND INTENT

*The following general development standards are established to assure that property in all zoning districts of the City will be developed in a uniform and orderly manner which will promote the public health safety and general welfare and implement the Laurel Growth Policy. These general development standards shall apply to all development in addition to specific standards for certain uses and zoning districts set forth in other Articles of this Ordinance.*

## 17.18.20 HILLSIDE DEVELOPMENTS

### 17.18.21 PURPOSE AND INTENT

*This Section is intended to provide for the orderly and reasonable use of hillside areas while protecting the public health, safety and welfare by accomplishing the following.*

#### A. SOIL CONDITIONS

*Steer development to locations that have stable soil and utilize appropriate engineering techniques that accommodate the natural site conditions.*

#### B. MAINTAIN NATURAL CONDITIONS

*Minimize alterations to natural hillsides to maintain significant landforms and natural drainage patterns.*

#### C. INTENSITY

*Permit an intensity of development compatible with the natural characteristics of hillside terrain.*

#### D. PUBLIC SERVICES

*Promote cost effective public services by encouraging development in less steeply sloped areas and ensuring adequate access for emergency vehicles.*

#### E. SAFETY

*Protect the public from unsafe development and property damage by ensuring that hillside development is reasonably located and properly constructed. Minor and isolated slope variations occurring over a run of ten (10) feet or less are exempt.*

### 17.18.22 APPLICABILITY

*This Section shall apply to all development on slopes steeper eight (8) percent except development occurring on minor and isolated slope variations in which the slope may be steeper than eight (8) percent for a run of ten (10) feet or less.*

### 17.18.23 GRADING AND FILLING

#### A. AMOUNT OF GRADING PERMITTED

*The percentage of the site that can be graded and/or filled shall be determined by the slope of the site, with more grading allowed on less steep slopes. The amount of coverage and grading permitted is established below.*

**Percent Lot Coverage, Grading and Fill Allowed on Slopes**

<b>Percent Lot Coverage, Grading and Fill Allowed on Slopes</b>			
<b>Coverage</b>		<b>Fill/Grade</b>	
Slope	Percent Coverage Allowed	Slope	Percent Grading Allowed
0-15%	NA	0-15%	70
15.1-20%	15	15.1-20%	50
>25%	0	>25%	0

Minor and isolated slope variations occurring over a run of ten (10) feet or less are exempt.

**B. UNGRADED AREA**

The undeveloped portion of the site that is not graded or filled shall be maintained in an undisturbed state with natural grade and vegetation.

**17.18.24 LOT COVERAGE**

**A. AMOUNT OF COVERAGE PERMITTED**

The percentage of the site that can be covered with impermeable surfaces is determined by the slope of the site, with more lot coverage allowed on less steep slopes. The amount of lot coverage permitted is established in this code.

**B. UNCOVERED AREA**

The portion of the site that is not covered with impervious surfaces shall be revegetated with native landscaping materials to minimize erosion and stabilize slopes. At a minimum, the density of vegetation shall approximate the density of vegetation that existed in the pre-construction state.

**17.18.25 CUTS AND FILLS**

**A. MAXIMUM GRADE**

The slope of a cut or fill grade shall not exceed two to one (2:1) or fifty (50) percent to allow revegetation.

**B. SETBACK**

The toe of a fill slope, or top of a cut or fill slope shall be setback from the property line at least one-half (1/2) the height of the cut or fill slope.

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## C. TOE OF NATURAL SLOPE

Cutting the toe of a natural slope is prohibited.

### 17.18.26 DRAINAGE

Natural drainage channels shall be preserved.

### 17.18.27 SOILS

Development shall not be located on unstable soils. The Zoning Administrator may require a geotechnical study to determine the stability of soils.

### 17.18.28 RETAINING WALLS/FENCING

Retaining walls shall not exceed the height of eight (8) feet. Fences in Residential Zones shall not exceed six (6) feet in height above natural grade. More than one (1) retaining wall in a terraced arrangement shall be permitted. Retaining walls lower than three (3) feet designed and constructed to retain earth are exempt from other standards of this Ordinance that regulate walls. Walls taller than three (3) feet are required to be permitted and must include a stamp from a licensed Montana engineer.

*Fences in Residential Zones (R – Zones) shall not exceed six (6) feet in height above natural grade. The use of barbed wire or electric fences in residential zones is prohibited.*

*Fences in Business Zones (C Zones) shall not exceed six (6) feet in height above natural grade. The use of barbed wire or electric fences in Business Zones is prohibited.*

*Fences in Manufacturing Zones (LI and HI) shall not exceed eight (8) feet in height above natural grade. The use of barbed wire is allowed in Manufacturing Zones. The use of electric fences is prohibited in Manufacturing Zones.*

## 17.18.30 ENVIRONMENTAL REGULATIONS

### 17.18.31 WETLANDS

*Development shall comply with all applicable state and federal wetland regulations and standards. When a proposed development requires a state or federal wetland permit, the applicant shall include in the application for a City permit copies of the applicable permits to demonstrate compliance with the state or federal regulation. The Zoning Administrator may require verification that no such state or federal permit is required.*

### 17.18.32 WATER QUALITY

*Development shall comply with all applicable state and federal water quality regulations and standards. When a proposed development requires a state or federal water quality or discharge permit, the applicant shall include in the application for a City permit copies of the applicable permits to demonstrate compliance with the state or federal regulation.*

### 17.18.33 AIR QUALITY

*Development shall comply with all applicable state and federal air quality regulations and standards. When a proposed development requires a state or federal air quality permit, the*

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*applicant shall include in the application for a City Permit copies of the applicable permits to demonstrate compliance with the state or federal regulation.*

### **17.18.34 SUBSIDENCE**

When a development is proposed on areas mapped by the Montana Department of State Lands as having a potential for subsidence, the applicant shall include in the application for a City permit a written report by a professional engineer licensed in the State of Montana that details how the development will avoid further damage and loss of property.

### **17.18.35 FLOODPLAIN**

All development in the 100-year floodplain shall comply with the Flood Control Ordinance (Chapter 2, Title 11 of City codes) on file in the Office of the Laurel Floodplain Administrator.

## **17.18.40 PARKING AND LOADING STANDARDS**

### **17.18.41 PURPOSE AND INTENT**

*The purpose and intent of this Section is to establish off-street parking standards designed to lessen congestion on the streets and provide a reasonable amount of parking with developments.*

### **17.18.42 APPLICABILITY**

*Any building or structure erected or located, and any use of land established after the effective date of this Ordinance, including changes of use and additions to existing uses, shall provide off-street parking in accordance with the standards of this Section. Notwithstanding, development and uses located in the Central Business District may be exempt from the parking requirement as determined by the parking commission.*

#### **A. REQUIRED PARKING**

*All development shall provide the minimum number of off-street parking spaces as established in Section 11.18.43 Off Street Parking Required Spaces. If two (2) or more uses occupy the same building, lot or parcel of land, the total requirement for off-street parking spaces shall be the sum of the requirement of the individual uses.*

#### **B. USES NOT IDENTIFIED**

*The required off-street parking for any building, structure or use of land not listed in Section 11.18.43 Off Street Parking Required Spaces, shall be determined by the Zoning Administrator based on the required parking for similar uses listed in the Table and other reliable sources of data.*



### C. PARKING FOR PHYSICAL DISABILITIES

*Parking lots shall provide parking for persons with physical disabilities pursuant to the currently adopted International Construction Code.*

### D. CHANGE OF USE

*When an existing use of a structure or land is changed to another use, the number of off-street parking spaces shall be provided for the new use as established in Section 11.18.43 Off Street Parking Required Spaces.*

### E. EXPANSION

*When an existing use is expanded, off-street parking shall be provided for the expanded area in compliance with Section 11.18.43 Off Street Parking Required Spaces.*

**Off Street Parking Required Specs**

Off Street Parking Required Specs (Minimums)			
<b>Residential</b>		<b>Public &amp; Quasi Public</b>	
1 or 2 Dwelling	1/du	Day Care Home	2
3-6 Dwellings	1/du	Day Care Center	2/Staff Plus 5
>6 Dwellings	1/du	Government Buildings	3.3/1000 sf
Guest House	1/du	Health Care Facility; Long Term Care Facility	1/3 Employee & 1/3 Beds
Efficiency units	1/du	Library	1/300 sf
Senior Housing	1/du	School, Elementary or Jr. High	1/Staff & Faculty & 1/7 students
<b>Commercial</b>		School, Senior High	1/Staff & Faculty & 1/4 students
Auto, Vehicle Sales	2/sales associates	<b>Recreation &amp; Entertainment</b>	

Auto, Vehicle Service	4/service bay	Bowling Alley	5/Alley
Bank/Credit Union	1/400 sf	Golf Course	6/Hole
Bed & Breakfast	1/room + 1 for Owner/Manager	Indoor Entertainment	5.5/1,000 sf
Restaurants	1/3 seats	Miniature Golf Course	2/Hole
Fast Food Restaurants	1/4 seats	Private Health Club	4/Court & 1/200 Other sf
Alcohol Establishments	1/3 seats	Public Assembly	1/3 Seats
Hotel & Motel	1/room	Theater	1/3 Seats
Conference w/lodging	.5/seats	<b>Industrial</b>	
Restaurant w/lodging	1/4 seats	Freight, Distribution	2/3 Employees
Retail	5/1,000 sf	Manufacturing, Assembly	2/3 Employees
<b>Office</b>		Mini-Storage	1/10 Units
General Professional	3.3/1000 sf	Warehousing	2/3 Employees or 1/1000 sf whichever is less.
Medical & Dental	5/1000 sf		
<b>Miscellaneous</b>			
For any other use not specifically mentioned or provided for, the zoning administrator shall determine the standards to be applied for parking, using this as a guide for uses which most closely resembles the use provided.			
Notes: du = dwelling unit      sf = square feet			

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## 17.18.44 COMPUTATION OF REQUIRED SPACES

*For the purpose of computing off-street parking spaces required by this Section, the following rules shall apply.*

### A. GROSS FLOOR AREA

*Floor area shall mean gross floor area unless otherwise specified for a particular use.*

### B. BENCH SEATING

*Churches and other places of assembly in which benches or pews are used in place of seats, each twenty-four (24) inches in length of such benches or pews shall be counted as one (1) seat.*

### C. FRACTIONS

*When calculation of the number of off-street parking spaces results in a requirement of a fractional space, any fraction of less than one-half (1/2) may be discarded, while a fraction of one-half (1/2) or more shall be counted as one (1) required parking space.*

### D. ON-STREET PARKING

*On-street parking may be used to satisfy off-street parking requirements at a conversion rate of 2:1. No more than fifty (50) percent of the required parking can be used for calculating off street requirements. A maximum of twenty (20) feet extending beyond either side of the property boundary may be used to calculate on-street parking numbers.*

## 17.18.45 PARKING DESIGN

*All required parking spaces shall comply with the standards of this sub-section.*

### A. SIZE

*Parking spaces shall be at least nine (9) feet by twenty (20) feet in size and have a minimum head clearance of seven (7) feet.*

### B. SETBACKS

*Parking shall not be located in the required minimum front setback except for driveways to garages. Parking may encroach into the side setback but shall be setback a minimum of two (2) feet from a property line.*

### C. SURFACING, GRADING

*All off-street parking and access drives shall be paved with asphalt, concrete or an equivalent surface, and shall be graded and drained to shed all surface water.*

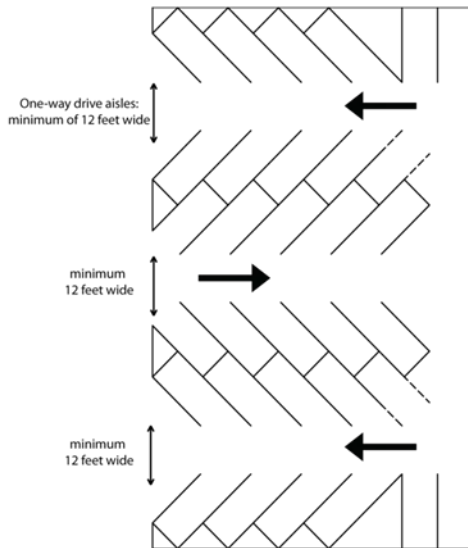
### D. DRIVE ISLES

*Two-way drives isles in parking lots shall be a minimum of twenty-four (24) feet wide except the Zoning Administrator may approve narrower drive isles for parking lots with angled parking spaces. One-way drive aisles with angled spaces shall be a minimum of twelve (12) feet wide except the Zoning Administrator may require wider drive aisles to ensure functional vehicle maneuverability. Parking Lots shall comply with Section 11.18.80 Storm Water Management and Erosion Control.*

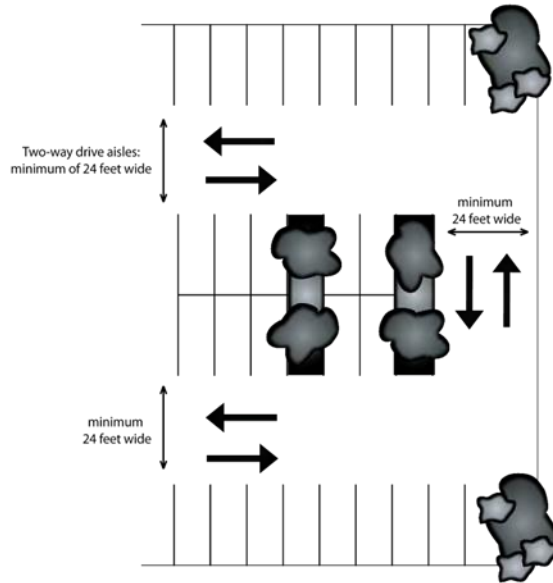
## E. DRIVEWAYS

*Driveways shall not be used to satisfy off-street parking requirements when a garage or carport is counted.*

Angled Parking Aisle Width Figure



Straight Parking Aisle Width Figure



## F. SNOW

A snow storage area at least two (2) percent of the size of the parking lot, drive aisles, and circulation shall be provided to avoid the loss of required parking spaces to snow storage.

## STORAGE

## G. TREE COVER

Parking lots containing more than twenty (20) parking spaces shall contain vegetative cover that provides shade for at least thirty-five (35) percent of the area of the parking lot as measured on August 15th at noon, after the vegetation has reached full maturity. The owner shall be responsible for maintaining the vegetation. The applicant proposing the parking lot shall submit for the review and approval of the Zoning Administrator the plan for vegetative cover designed to satisfy this standard.

## H. RESIDENTIAL GARAGES

Parking spaces in residential garages shall count toward residential parking requirements.

## 17.18.46 ACCESS, CURB CUTS

All parking lots shall have adequate and safe ingress and egress to and from a local alley or street. The access shall comply with Intersection Visibility unless a wider approach width is

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approved by the City Public Works Director. Curb cuts to a City Street shall be approved by the Public Works Director. Backing from a parking space into a street or alley is prohibited except for residential districts.

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## 17.18.47 LOADING AREA STANDARDS

*Each commercial or industrial building larger than 10,000 gross square feet shall provide at least one (1) off-street loading area. Businesses in the Central Business District are exempt from providing off-street loading areas.*

### A. CLEARANCE

*Contain a vertical clearance of at least fourteen (14) feet; and,*

### B. DIMENSION

*Be at least twelve (12) feet wide and thirty-five (35) deep.*

### C. LOCATION, DESIGN

*Loading areas shall be on the same lot as the building requiring the loading area and the loading area shall be designed to prevent vehicles parked in the loading area from extending into the public right-of-way.*

## 17.18.48 SHARED PARKING

### A. GENERAL

- 1. Shared parking is allowed among different categories of uses or among uses with different hours of operation, but not both.*
- 2. Up to ten (10) percent of required parking spaces for any use may be used jointly by a temporary commercial use.*
- 3. Applicants must provide a shared parking agreement executed by the parties establishing the shared parking spaces. The agreement must be filed with the Yellowstone County Clerk and Recorder. Shared parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. If the agreement is no longer in force, then parking must be provided as otherwise required by this chapter.*
- 4. Shared parking may be located off-site, subject to the regulations of Subsection 11.18.48.E Off-Site Parking.*
- 5. Required accessible parking spaces (for persons with disabilities) may not be shared and must be located on site.*

### B. SHARED PARKING FOR DIFFERENT CATEGORIES OF USES

*A use may share parking with a different category of use according to only one of the following subsections:*

- 1. If an office use and a retail sales-related use share parking, the parking requirement for the retail sales-related use may be reduced by up to twenty (20) percent, provided that the reduction does not exceed the minimum parking requirement for the office use.*

2. *If a residential use shares parking with a retail sales-related use (expressly excluding lodging uses, restaurants and entertainment-related uses, the parking requirement for the residential use may be reduced by up to thirty (30) percent, provided that the reduction does not exceed the minimum parking requirement for the retail sales-related use.*
3. *If an office and a residential use share off-street parking, the parking requirement for the residential use may be reduced by up to fifty (50) percent, provided that the reduction does not exceed the minimum parking requirement for the office use.*
4. *If office, retail sales and residential uses share off-street parking, the applicant may elect to use any one of the shared parking reductions listed in this section. The applicant may also elect to prepare a shared parking analysis using the Urban Land Institute's (ULI) shared parking analysis methodology. Parking reductions based on the ULI methodology require review and approval by the Zoning Administrator after consultation with the City Public Works Department.*

## C. SHARED PARKING FOR USES WITH DIFFERENT HOURS OF OPERATION

1. *For the purposes of this section, the following uses are considered daytime uses:*
  - a. *Customer service and administrative offices.*
  - b. *Retail sales uses, except restaurants, lodging uses, and entertainment-related uses.*
  - c. *Warehousing, wholesaling, and freight movement uses.*
  - d. *Manufacturing, production and industrial service uses; and*
  - e. *Other similar primarily daytime uses, as determined by the Zoning Administrator.*
2. *For the purposes of this section, the following uses are considered nighttime, or Sunday uses:*
  - a. *Auditoriums accessory to public or private schools.*
  - b. *Religious assembly uses.*
  - c. *Entertainment-related uses, such as theaters, bowling alleys, and dance halls; and*
  - d. *Other similar primarily nighttime or Sunday uses, as determined by the Zoning Administrator.*
3. *Up to ninety (90) percent of the parking required by this chapter for daytime use may be supplied by the off-street parking provided for a nighttime or Sunday use and vice-versa, when authorized by the Zoning Administrator.*
4. *The applicant must show that there is no substantial conflict in the principal operating hours of the uses for which shared parking is proposed.*

## D. GENERAL, LOCATION OF OFF-STREET PARKING

*Except as otherwise expressly stated, required off-street parking spaces must be located on the same parcel as the building or use they are required to serve.*

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## E. OFF-SITE PARKING

### 1. General

*All or a portion of required off-street parking may be provided off-site, in accordance with the provisions of this section. Off-site parking areas must comply with all applicable parking area design and accessibility standards. Required accessible parking spaces may not be located off site.*



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2. *Location*

*Off-site parking areas must be located within a 500-foot radius of the use served by such parking, measured between the entrance of the use to be served and the outer perimeter of the furthest parking space within the off-site parking lot.*

3. *Control of Off-site Parking Area*

*The property to be occupied by the off-site parking facilities must be under the same ownership as the parcel containing the use to be served by the parking. The off-site parking area may be under separate ownership only if an agreement is provided guaranteeing the long-term availability of the parking, commensurate with the use served by the parking. Off-site parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. If an off-site parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this chapter.*

## F. USE OF OFF-STREET PARKING AREAS

1. *Required off-street parking areas may be used solely for the temporary parking of licensed motor vehicles in operating condition.*
2. *Required off-street parking spaces may not be used for the display of goods for sale or lease or for storage of building materials.*
3. *Required off-street parking spaces are intended to serve residents, tenants, patrons, employees, or guests of the principal use. Off-street parking spaces that are required by this Zoning Ordinance must be maintained for the life of the principal use.*
4. *No commercial motor vehicle repair work of any kind is permitted in a required parking space.*

## G. DRIVEWAY PARKING AREA DESIGN

*Parking areas must be laid out and designed in accordance with Municipal Code requirements and City standards and specifications.*

1. *Driveways must be reviewed and approved by the City Public Works Department before the issuance of a zoning compliance permit. Driveways exceeding 150 feet in length require additional approval from the Fire Department.*
2. *Driveways may not exceed a grade of eight (8) percent, provided that a maximum grade of up to 10% may be allowed for short distances, not exceeding 50 feet, if approved by the Fire Department and the City Public Works Department.*

## 17.18.49 BICYCLE PARKING

*Bicycle parking is encouraged and when utilized by the property owner a minimum of 50% of required bicycle parking spaces shall be located within fifty (50) feet of the front door of the business or the resident's entrance when bicycle parking is required. An inverted U or other similar device, approved through Design Review, shall be required. Bicycle racks shall be made of solid construction, resistant to rust, corrosion, hammers and saws, and be located in a well illuminated location.*

### A. COMMERCIAL USES

A minimum of two (2) bicycle parking spaces are required for every twenty (20) automobile parking spaces required.

## B. INDUSTRIAL

None required.

## C. MULTI-HOUSEHOLD HOUSING

A minimum of one (1) bicycle parking space is required for every five (5) multi-housing residential units. A minimum of two (2) bicycle parking spaces are required for multi-Household housing units of at least five (5) units.

# 17.18.50 INTERSECTION VISIBILITY

## 17.18.51 PURPOSE AND INTENT

The purpose of this Section is to avoid traffic hazards that occur from obstructed visibility at intersections of streets, alleys and driveways.

## 17.18.52 APPLICABILITY

The standards of this Section apply to all developments not exempted below. The standards of this Section shall not apply to:

### A. EXISTING BUILDINGS

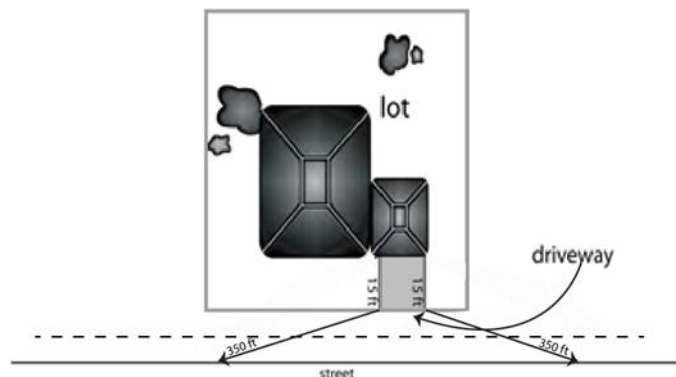
Permanent buildings existing on the effective date of this Ordinance.

### B. CONTROLLED INTERSECTIONS

Stop sign controlled or traffic signal-controlled intersections.

## 17.18.53 ESTABLISHMENT OF SIGHT TRIANGLE

For the purpose of this Section a sight triangle is defined and established at the intersection of all streets, streets and alleys, and streets and driveways. The sight triangle is measured from the center of the approaching traffic lane for each direction for a distance of 450 feet for 45 mph, 400 feet for 40 mph, and 350 feet for 35 mph, in no case shall the distance be reduced below 250 feet.



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Within the area of the sight triangle, the height of mature landscaping, walls and fences shall not exceed thirty-six inches (36") feet in height measured from the top of the existing curb grade or crown of abutting road, whichever is lower.

## A. TREES

*Within the sight triangle, existing trees shall be permitted as long as only the tree trunk (no leaves, limbs, etc.) is visible within eight (8) feet of the ground. No new trees are allowed in the sight triangle.*

# 17.18.60 LANDSCAPING

## 17.18.61 PURPOSE AND INTENT

*The purpose and intent of this Section is to establish landscaping requirements that promote attractive and high-quality development and preserve and enhance the natural beauty of the City. It is further the purpose of this Section to require landscaping that ensures compatibility among adjacent land uses, controls dust, glare and erosion, screens objectionable objects, visually softens the mass of buildings, promotes air quality and enhances property values. Safe and attractive landscaping is encouraged adjacent to public streets and throughout parking areas. It is not the intent of this Section to prescribe a certain style of landscaping except to include plants that are indigenous to the area and tolerant of Laurel weather conditions.*

## 17.18.62 APPLICABILITY

*The standards of this Section shall apply to the following types of development.*

### A. NEW DEVELOPMENT

*All new developments and expansions of existing developments that result in an increase of more than 1,000 square feet of gross floor area shall comply with this Section.*

### B. CHANGE OF USE

*The change of use of an existing development shall comply with this Section.*

### C. CONDITIONS

*Landscaping may be required as a condition of a Variance or the rezoning of a lot or parcel of land.*

# 17.18.63 LANDSCAPE PLAN

## A. PLAN REQUIRED

*A Landscape Plan is required for all developments and changes of use except for single-household and duplex/2-household residential units.*

## B. PLAN CONTENTS

*The Zoning Administrator shall establish a checklist of items required in a Landscape Plan.*

## C. PLAN REVIEW

*Review of the Landscape Plan shall be performed concurrently with the Development Plan it accompanies.*

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## 17.18.64 LANDSCAPE STANDARDS

### A. DESIGN ELEMENTS

*Landscape Plans shall be designed and installed to meet the following standards.*

1. *Landscape Area*

*The entire lot or parcel not occupied by impervious surface or left in natural vegetation shall be planted with trees, grass, ground cover, or other live ground cover plantings that are known to be tolerant to the climate of Laurel. Xeriscape landscaping is permitted and encouraged when appropriate, however, concrete is not an approved xeriscape material.*

2. *Use of Landscape Planting*

*Landscape plans shall be designed and installed to landscape required setbacks, screen parking lots, soften the mass of buildings and buffer neighboring property from new development.*

3. *Landscape Material*

*Landscape plans shall use plant material that minimizes attraction to wildlife other than songbirds, e.g. berries.*

4. *Ensure sight triangle is maintained.*

### B. STREET BOULEVARD

*Street boulevards shall comply with provisions set forth in this section.*

### C. MAINTENANCE

*The required landscaping shall be continually maintained by the owner after installation. Any landscaping or ground cover or other elements of the Landscape Plan that die or become damaged shall be replaced by the end of the growing season in which the plant material died or became damaged. Any required landscaping that dies or is damaged and is not replaced shall be considered a violation of this Ordinance.*

## 17.18.65 PURPOSE AND INTENT

*The purpose and intent of this Section is to establish outdoor lighting standards that ensure nighttime safety and productivity while conserving energy and encouraging “dark sky” initiatives.*

## 17.18.66 APPLICABILITY

*The standards of this Section shall apply to all outdoor lighting fixtures installed after the effective date of this Ordinance and the new development of multi-household, commercial and industrial buildings not exempted in Subsection 11.18.67 Exemptions. These standards shall also apply to the redevelopment, addition or remodeling of multi-Household, commercial or industrial property that increases the gross floor area of the building(s) or the area of developed land by fifty (50) percent or more, unless exempted.*

## 17.18.67 EXEMPTIONS

*The following types of lighting fixtures are exempt from the standards of this Section:*

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## A. EXISTING FIXTURES

*Outdoor lighting fixtures installed prior to and operable on the effective date of this Ordinance provided the fixtures are not a pre-existing nuisance and further provided there is no change or replacement in use or lamp type and no structural alteration to the outdoor lighting fixture.*

## B. STREETLIGHTS, TRAFFIC CONTROL

*Streetlights and traffic control lights.*

## C. RECREATION FACILITY

*Lighting related to a recreational facility up to 11:00 pm. Notwithstanding, said lighting may continue to allow the completion of a sporting event in the recreational facility that began earlier in the evening.*

## D. NAVIGATION LIGHTS

*Navigation lights at the airport or located on communication towers or similar lights providing a navigational function.*

## E. HOLIDAY DECORATIONS

*Lights installed as holiday decorations provided, they are not installed more than forty-five (45) days prior to the holiday and are removed within fifteen (15) days after the holiday.*

## F. UNITED STATES FLAG

*Up cast lights or other unshielded lights necessary to comply with United States Code, Title 4 Chapter 1 Section 6.*

# 17.18.68 LIGHTING STANDARDS

## A. SHIELDING

*All outdoor lighting fixtures shall be shielded to avoid direct view of the light source or bulb from the property line.*

## B. 75 DEGREE CUTOFF

*All outdoor lighting fixtures shall be installed at a 75-degree cutoff and aimed downward.*

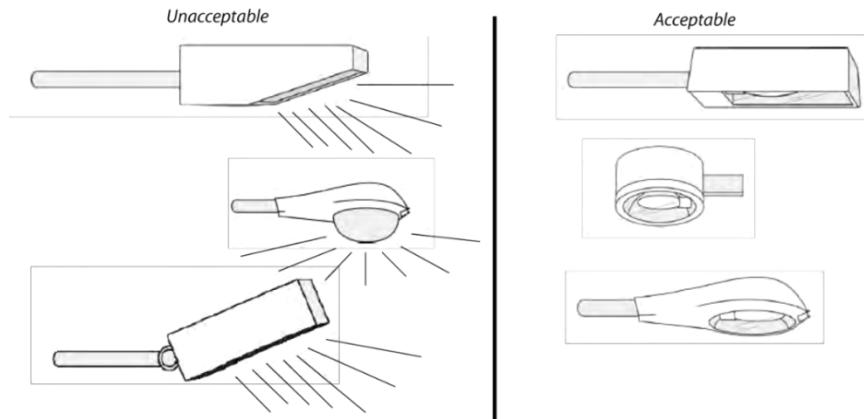
## C. OFF SITE GLARE

*Glare or light directed off-site or shining onto the adjacent property shall be prohibited.*

## D. FOOT CANDLES

*Parking lot lighting shall not exceed an average illumination level of one (1) foot candle. All other exterior lighting shall not exceed an illumination level of four/tenths (0.4) of a foot candle.*

Street Lighting Regulations



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## 17.18.69 PROHIBITIONS

*The following types of lighting shall be prohibited unless specifically exempted by Section 11.18.67 Exemptions:*

### A. SEARCHLIGHTS

*The operation of searchlights for advertising purposes is prohibited.*

## 17.18.70 INFRASTRUCTURE

### 17.18.71 PURPOSE AND INTENT

*The purpose and intent of this Section are to ensure required infrastructure and utilities are constructed and maintained to protect the health, safety, and welfare of the occupants of developments approved pursuant to this Ordinance and the general community. Required infrastructure and utilities include but are not limited to water distribution, wastewater collection, vehicular circulation, pedestrian and bicycle facilities, storm water runoff and erosion control and the private utilities of electricity, cable television, telephone, and where available natural gas.*

### 17.18.72 REQUIRED INFRASTRUCTURE AND UTILITY IMPROVEMENTS

*All development shall provide and maintain safe and orderly infrastructure and utilities that connect to the infrastructure systems of the City of Laurel and private utilities. All development shall provide access to water and wastewater systems, public streets or roads, pedestrian trails and/or sidewalks, and wire utilities such as electricity, cable television and telephone, and where available natural gas. All infrastructure and utility improvements shall be extended to the furthest extent of a property.*

### 17.18.73 PUBLIC WATER SUPPLY, PUBLIC WASTEWATER SYSTEM

#### A. CONNECTION TO MUNICIPAL SYSTEMS

*All development shall connect to municipal water and wastewater infrastructure systems which may require off-site and on-site facilities to provide the necessary mains, lift stations, and pump stations, service lines and other appurtenances necessary to connect the development to the City infrastructure.*

#### B. CONSTRUCTION STANDARDS

##### 1. City, DEQ

*All infrastructure systems shall be constructed and maintained to the applicable codes of the City of Laurel, the Montana Department of Environmental Quality standards and other federal and state codes that may be duly applicable.*

##### 2. Shared Use

*All infrastructure lines in new developments shall be located and constructed to allow adjoining properties to access the infrastructure mains at the common property lines.*



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## C. DEVELOPER'S EXPENSE

1. *Developer's Expense*

*Installation of the required infrastructure shall be the developer's expense except where shared expenses are approved by the City.*

2. *City Participation*

*At its sole discretion and subject to adopted ordinances controlling infrastructure, the City may participate in funding the construction of infrastructure related to any development when an infrastructure facility is oversized to accommodate the current or future needs of adjacent properties.*

## 17.18.74 PRIVATE UTILITIES

### A. UNDERGROUND INSTALLATION

*All wire and natural gas utilities shall be installed underground except as provided below.*

1. *Above Ground Appurtenant*

*Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts and other facilities that are necessary appurtenant to underground utilities may be placed above ground within utility easements or street right-of-way or easements with approval of the landowner or City Council, whichever is applicable.*

2. *Connections to Above Ground Facilities*

*Facilities reasonably necessary to connect underground utilities to existing or permitted overhead or above ground facilities shall be allowed above ground.*

3. *Existing Facilities*

*Existing above ground utility facilities may be allowed to remain. It shall not be required to remove or replace existing above ground utility facilities that are useful in serving the development.*

4. *Transmission, Distribution Feeder Lines*

*Overhead electric transmission and distribution feeder lines and overhead long-distance communication, trunk and feeder lines shall not be required to be underground.*

### B. CONSTRUCTION STANDARDS

*All utilities shall be installed and maintained pursuant to the applicable utility company standards.*

### C. STRUCTURES IN UTILITY EASEMENTS

*Structures shall not be located in public or private utility easements except fences.*

1. *Laurel Growth Policy*

*Legal and physical access to public streets shall be consistent with the Laurel Growth Policy.*

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2. *Natural Topography*

*Accesses, streets, and roads shall be designed and constructed to conform to the natural topography to the greatest extent practical and minimize ground disturbance.*

3. *Drainage*

*Accesses, streets, and roads shall not block natural drainage ways and shall be designed and constructed to provide positive storm water runoff.*

4. *Number of Accesses*

*The allowed number of accesses shall be determined by the Laurel Subdivision Regulations.*

5. *No Commercial Access through Residential*

*A commercial or industrial development shall not have a principal access through a residential zoning district. This prohibition does not prevent commercial or industrial access through a mixed-use district.*

6. *Emergency Access*

*All development shall provide safe and efficient access suitable for emergency vehicles.*

7. *Street Standards*

*Street extensions or construction shall be designed and constructed pursuant to the street standards in the Laurel Subdivision Regulations.*

8. *Arterial streets*

*Accesses to arterial streets shall be minimized and shall comply to any applicable access management plans in effect. A residential development that adjoins an arterial street shall use reverse frontage or side access to minimize access to arterial streets.*

## **D. DEVELOPER'S EXPENSE**

*The construction of the required accesses, streets or roads shall be the developer's expense except where shared expenses are approved by the City.*

1. *City Participation*

*At its sole discretion and subject to adopted ordinances controlling streets and roads the City may participate in funding the construction of an access, street, or road related to any development when the access facility is oversized or extended to accommodate the current or future needs of adjacent properties.*

## **17.18.75 PEDESTRIAN ACCESS**

*All development and construction, including single-household structures, and existing structures in all zones shall construct a sidewalk across the street frontages of the lot. The sidewalk(s) shall be within the public right-of-way at a location approved by the Laurel Public Works Director and extended to connect to existing sidewalks if present at the lot boundary. If sidewalks currently exist, they must remain in perpetuity and be replaced if damaged.*

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## A. EXEMPTIONS

*Expansion to existing structures that increase the gross floor area by less than fifty (50) percent shall be exempt from installing sidewalks. Subdivisions that have been annexed without curb and gutter shall be exempt from required sidewalks.*

## B. ADA

*All new sidewalks shall be constructed in compliance with the Americans with Disabilities Act (ADA).*

## C. COMMERCIAL/INDUSTRIAL DEVELOPMENT

*Commercial and industrial developments, not exempted above, shall provide a sidewalk from the entrance of the commercial development to the public right-of-way and across the frontage of the lot.*

## D. CONSTRUCTION STANDARDS

*Sidewalks shall be designed and constructed to comply with the construction specifications and widths as adopted in the Laurel Subdivision Regulations.*

## E. LANDOWNER'S EXPENSE

*Sidewalks shall be designed and constructed at the landowner's expense. Lots with three (3) or more street frontages or lots with an acute angle shall be reviewed by the city to determine appropriate locations and shall be required to provide at least two sidewalks.*

# 17.18.76 DEVELOPMENT AGREEMENT

## A. AGREEMENT REQUIRED

*Developments that require the construction of public infrastructure or other public improvements shall require a Development Agreement that establishes the detailed requirements, responsibilities, and timing of performance for both the developer and the City.*

## B. CONTENT OF AGREEMENT

*A Development Agreement shall contain, but not be limited to, the following items.*

### 1. Site Plan

*The Development Agreement shall incorporate or reference an approved development plan.*

### 2. Required Improvements

*Detailed description of infrastructure and other improvements required as part of the approved development including specifications.*

### 3. Costs

*Costs of the improvements required in the initial phase and projected costs of improvements of any future phases.*

### 4. Schedule for Completion

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*An established schedule of completion required in the initial phase and a projected completion schedule of any future phases.*

5. *City Completion*

*A process by which the City may, if necessary, complete the required improvements using the surety or financial guarantee provided by the developer.*

6. *Renegotiation*

*A process by which either the developer or the city may request a renegotiation of the agreement.*

7. *Transfer*

*A process by which the agreement may be transferred with the prior written approval of the City Council.*

8. *Guarantee*

*The form of the financial surety or guarantee shall be specified.*

9. *Warranty*

*A statement or warranty for the materials and workmanship pursuant to Subsection G, Warranty of Improvements, below.*

## **C. PHASING**

*The construction of public infrastructure or improvements may be phased in accordance with an approved phasing plan.*

## **D. EFFECT OF AGREEMENT**

*An approved Development Agreement shall create a legal contract binding the parties to the contract.*

## **E. GUARANTEE**

*Completion of the required improvements identified in the Development Agreement shall be guaranteed by a method in the Guarantee of Public Improvements Section of the Laurel Subdivision Regulations.*

## **F. INSPECTION AND ACCEPTANCE OF IMPROVEMENTS**

1. *Inspection Required*

*All infrastructure and improvements shall be inspected by the Zoning Administrator and/or Public Works Director for compliance with the approved development plan, construction plans and specifications.*

2. *Developer Request*

*Upon completion of the infrastructure or improvements, the Developer shall submit to the Zoning Administrator a written request for a Certificate of Compliance or acceptance.*

3. *Improvements Accepted*

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*Upon a written verification from the developer and a project engineer licensed in the state of Montana that the infrastructure or improvements have been completed pursuant to all approvals, plans and specifications, and upon further verification from the inspection described in Subsection F.1, Inspection Required, above, the Zoning Administrator or Public Works Director, whichever is designated by adopted City ordinances, shall issue a Certification of Compliance. Notwithstanding, some public infrastructure facilities or improvements may require City Council approval of acceptance based upon adopted City ordinances. In such instances, the Zoning Administrator shall place the developer's request on the City Council agenda following verification by the Administrator or Public Works Director that the infrastructure or improvements have been completed pursuant to all approvals, plans and specifications.*

4. Fees

*The City Council may establish fees to offset the administrative costs of inspecting public infrastructure or improvements. Any such fees shall be paid by the developer prior to the issuance of a Certificate of Compliance or acceptance.*

## G. WARRANTY OF IMPROVEMENTS

*The developer shall warrant the materials and workmanship of the public infrastructure or improvement for a period of one (1) year from issuance of the Certificate of Compliance or acceptance of the infrastructure or improvement by the Mayor and City Council, whichever is applicable.*

1. Warranty Enforcement

*The warranty shall be enforced or secured by one of the following methods.*

a. Escrow

*An escrow account containing funds equal to ten (10) percent of the construction costs pursuant to the Guarantee of Public Improvements Section of the Laurel Subdivision Regulations.*

b. Letter of Credit

*Continuing a Letter of Credit or opening a new Letter of Credit in an amount equal to ten (10) percent of the construction costs pursuant to the in the Guarantee of Public Improvements Section of the Laurel Subdivision Regulations.*

c. Use of Funds

*The City may use funds or draw upon the Letter of Credit to correct any deficiency in the materials or workmanship of the infrastructure or improvement. Notwithstanding, the developer may remedy the deficiency in lieu of the City drawing upon the funds.*

2. Release of Funds

*Warranty funds held in escrow, or the Letter of Credit shall be released upon expiration of the one (1) year warranty period provided the funds were not spent to remedy a deficiency in the infrastructure or improvement.*

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# 17.18.80 STORM WATER MANAGEMENT AND EROSION CONTROL

## 17.18.81 PURPOSE AND INTENT

*The purposes and intent of this Section are to ensure storm water runoff is sufficiently managed to avoid dangerous conditions, flooding, or property damage and to further minimize erosion from wind and water.*

## 17.18.82 APPLICABILITY

*All developments, not exempted below in Section 11.18.83 Exemptions, proposing to disturb a cumulative total of more than 20,000 square feet of contiguous impervious coverage shall comply with the standards of this Section, and meet Montana Department of Environmental Quality Regulations.*

## 17.18.83 EXEMPTIONS

*Development in the Central Business Zoning District shall be exempt from this section.*

## 17.18.84 STORM WATER RUNOFF AND EROSION CONTROL PLAN

*Any application for a development permit, including a building permit if no other development application is required, not exempted in Section 11.18.83 Exemptions, shall include a storm water runoff and erosion control plan. The plan shall contain plans, calculations and techniques that demonstrate compliance with the standards of this Section and shall be prepared by a professional engineer licensed in the State of Montana.*

## 17.18.85 STANDARDS

### A. PRE-DEVELOPMENT DISCHARGE

*The post-development runoff rate from the site shall not exceed the pre-development runoff rate. Storm water retention areas may be required to comply with this standard.*

### B. VELOCITIES MINIMIZED

*Runoff velocities shall be minimized, and the receiving drainage ways shall be designed and constructed to accommodate the runoff.*

### C. STORMWATER DETENTION

*On-site storm water facilities shall be designed and constructed to detain a 2-year storm event that is one (1) hour in duration, while meeting Section 11.18.85.A Pre-development Discharge.*

### D. MAINTENANCE

*Storm water facilities shall be continually maintained to ensure on-going compliance with this Section.*

### E. RETENTION OF VEGETATION

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*Existing natural vegetation shall be maintained as much as practical and disturbed areas that do not receive structures or impervious surfaces shall be revegetated.*

## F. DISTURBED AREAS MINIMIZED

*The amount of ground area disturbed at any one time shall be minimized as much as practical.*

## G. SILT FENCING

*Silt fencing, hay bales or comparable techniques shall be used to prevent sediment from leaving the site due to erosion during construction and until the site is fully vegetated.*

## H. WATER QUALITY

*Water quality of nearby streams, wetlands or other riparian areas shall be protected by the use of vegetative buffer or other techniques as identified in the Laurel Growth Policy or master plan for a subdivision.*

# 17.18.90 TEMPORARY USES

## 17.18.91 – 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 egress, and other applicable codes in existence at the time of the adoption of this chapter. This chapter shall not apply to sidewalk vendors.*

## 17.18.92 – 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.
    - i. 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.
    - ii. Clear sight vision for ingress and egress shall be provided as approved by the public works department.
    - iii. Access to any public right-of-way must be approved by the public works department.
    - iv. 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:
      - i. Uses, such as carryout espresso stands, less than one hundred sixty square feet in floor area and bearing a certification of a factory-built building from the state of Montana or a Building Permit issued by the City of Laurel as allowed in the appropriate zoning districts.
    2. Location and Time Restrictions.
      - i. 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.
      - ii. All Group 3 temporary use/structures shall be removed no later than one year unless reapplied for and approved.
    3. Supplemental Standards.
      - i. 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.
      - ii. The temporary use must provide sufficient space to accommodate the structure and off-street parking for customers 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.
      - iii. 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.
      - iv. Access to public right-of-way shall be approved by the public works department.
      - v. 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.

### 17.18.93 – Christmas tree sales in residential 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:



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- 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 customers 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.

### 17.18.94 – 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; and
- B. Any structure used must be portable and removed after the temporary use/structure ceases to operate; and
- 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; and
- 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.

### 17.18.95 – Fireworks stands.

The erection of temporary fireworks stands may be permitted if such meet the following standards:

- A. Located outside the city limits of Laurel and in nonresidential zones; and
- 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; and
- 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.

### 17.18.96 – 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. Such structures cannot be used for sleeping or living purposes and must be removed upon completion of the construction project.

### 17.18.97 – 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.

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### 17.18.98 –Action by Board of Adjustment.

After the planning director has reviewed an application for temporary use, he/she shall make a recommendation to the board of adjustment to approve, deny or approve with conditions. The board of adjustment 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.

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## 17.18.100 OPERATIONAL PERFORMANCE STANDARDS

### 17.18.101 PURPOSE AND INTENT

*The purposes and intent of this Section is to establish performance standards that ensure developments and land uses do not become dangerous or objectionable to neighbors or the general community. It is the purpose and intent of this Section that all land uses and related activities are maintained and operated to avoid detracting from the health, safety, and welfare of the citizens of Laurel.*

### 17.18.102 AIR QUALITY

*Dust, ash, vapors, fumes, gasses, or other forms of air pollution shall not be emitted from any development to an extent that can cause damage to the health of people, animals or vegetation or can degrade neighboring property.*

### 17.18.103 COMBUSTIBLES AND EXPLOSIVES

*The storage of combustible and explosive materials shall comply with applicable standards of the applicable Fire Code and the applicable building codes.*

### 17.18.104 HAZARDOUS MATERIALS STORAGE

#### A. STATE, FEDERAL REGULATIONS

*Development that proposes to generate, handle, or store hazardous materials shall comply with all applicable state and federal regulations and standards. When a proposed development requires a state or federal permit, the applicant shall include in the application for a City permit copies of the applicable permits to demonstrate compliance with the state or federal regulations.*

#### B. OTHER CITY CODES

*Development that proposes to generate, handle, or store hazardous materials shall comply with all applicable regulations and standards in the currently adopted building code and Fire Prevention and Safety Code. When a proposed development requires approval for such activities under these additional codes, the applicant shall include in the application for a City permit copies of the applicable permits or plans that demonstrate compliance with the codes.*

### 17.18.105 NOISE

#### A. NOISE LEVELS

*Developments and land uses shall not create noises that exceed the levels established below.*

#### Noise Levels

#### Noise Levels

Zoning District in which the Sound is Generated	Maximum Sound Level	Quiet Hours
R-7500, R-6000, RLMF	65 dBA	Reduce to 55 dBA from 10:00 pm to 6:00 am
RMF, RMH	70 dBA	Reduce to 65 dBA from 10:00 pm to 6:00 am
RP, NC2	80 dBA	Reduce to 70 dBA from 10:00 pm to 6:00 am
CBD, CC, HC, P	85 dBA	Reduce to 70 dBA from 10:00 pm to 6:00 am
LI, HI	95 dBA	Reduce to 75 dBA from 10:00 pm to 6:00 am

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## B. EXCEPTIONS

*Notwithstanding the noise limitations established, exceptions to the Subsection are:*

- 1. During all hours the following items are exempt: Emergency vehicle safety and warning signals, other safety and warning signals and devices, aircraft operations at the airport and hospital, vehicles with legal and properly functioning exhaust systems, those noise generators that in the opinion of the Zoning Administrator or law enforcement personnel meet the intent of this Section, and limited temporary noises that occur for fifteen (15) minutes or less.*
- 2. During non-quiet hours the following items are exempt: home appliances, chain saws, lawn mowers and snow blowers in private use, those noise generators that in the opinion of the Zoning Administrator or law enforcement personnel meet the intent of this Section, and limited temporary noises that occur for fifteen (15) minutes or less.*
- 3. The City Council may grant waivers for special events (parades, street dances, grand openings, 4th of July Celebrations, etc.) or via the Conditional Use Permit or Use of City Owned Lands approval process. All such waivers shall be in writing and on the property where the exemption is applicable.*
- 4. Construction activities are exempt from the maximum sound level for any given district from 7:00 am to 10:00 pm level for any given district.*

## C. MEASUREMENT

*Noise levels shall be measured at the property line of the development or land use generating the noise and shall be measured with a sound meter.*

# 17.18.106 JUNK VEHICLES

## A. CERTIFICATION

*The zoning administrator or designee may inspect and certify that a vehicle meets the requirements of a junk vehicle. Such certification shall be in writing and shall record the make of the vehicle, the vehicle identification number, or license plate number of the vehicle if available. The certifying individual shall also describe any vehicle damage, any missing equipment, or condition of the vehicle, and shall also verify that the value of the junk vehicle is equivalent only to the approximate value of the scrap in it.*

## B. VIOLATION

*It shall be unlawful to park or store junk vehicles on private property. Such a violation shall be deemed a nuisance subject to abatement including fines, fees and/or removal of vehicle from property.*

## C. EXCEPTIONS

*The provisions of this chapter relating to junk vehicles shall not apply to a vehicle or part thereof which: (1) is not visible from the street or other public or private property; or (2) is stored or parked in a lawful manner on fenced private property in connection with the business of a licensed bulk hauler, tow truck operator, dismantler, repair facility, or motor vehicle dealer and is fenced.*

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# 17.18.101 BUILDING DESIGN

## A. STREET WALL LENGTH AND SHAPE

*To avoid long and monotonous building facades, the building façade facing any street shall not be more than one hundred (100) feet without an offset in the wall plane or architectural features or indents designed to break up the apparent mass of the wall and prevents the building from being a rectangle or square. LI and HI districts are exempt from this provision.*

## B. USE CLARIFICATION

*Unless otherwise noted in the Central Business District or within sections of this code; the primary use of a structure within all districts shall be classified as that use which occupies 50.1 percent of the gross floor area of a structure. If multiple uses are within the structure, the simple majority of gross floor area of one use shall constitute the primary use for determining what is permitted in each district.*

# Article 17.19.0 – Outdoor Advertising

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## 17.19.10 PURPOSE AND INTENT

*The purpose of this Article is to govern outdoor advertising with standards designed to balance the Interests of businesses, organizations and individuals with the public interests of maintaining an attractive city where advertising contributes to community character and avoids undue visual clutter.*

## 17.19.20 APPLICABILITY

*The standards of this Section shall apply to the erection, construction, relocation, installation or alteration of any outdoor advertising sign, structure, markings, symbol or other advertising device unless exempted in Section 11.19.30 Exemptions.*

## 17.19.30 EXEMPTIONS

*The standards of this Section shall not apply to the following:*

### 17.19.31 OFFICIAL NOTICES, WARNING SIGNS, HISTORICAL INFORMATION

*Notices posted by an official of a public body or utility that provides legal notification or information or warning of a dangerous area, including signs communicating information about the history of a property or the community.*

### 17.19.32 WINDOW DISPLAYS, INDOOR SIGNS

*Indoor signs and displays that are not visible from the outside.*

### 17.19.33 BUILDING IDENTIFICATION, MINOR RESIDENTIAL

*Signs, plaques and similar features not to exceed four (4) square feet in area containing building names, dates of erection, commemorative information or similar content. Wall signs identifying occupants or owners of a residential property.*

### 17.19.34 HOLIDAY LIGHTS

*Holiday lights and displays containing no commercial message and erected no sooner than forty-five (45) days prior to the holiday and removed no later than fifteen (15) days following the holiday.*

### 17.19.35 REAL ESTATE

*Not more than one (1) real estate sign per lot, parcel or tract of land or a building "for sale" or "for rent" that does not exceed six (6) square feet in area.*

### 17.19.36 RELIGIOUS SYMBOLS, NON-COMMERCIAL

*Religious symbols, signs conveying a non-commercial message and temporary political signs.*

### 17.19.37 WAY FINDING, TRAFFIC CONTROL

*Signs that provide directional information, identify entrances/exits and control traffic that does not exceed six (6) square feet in area.*



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## 17.19.38 MURALS

*Murals depicted on sides of buildings that contain no advertising message connected to a business, service or product.*

## 17.19.40 DEFINITIONS

*For the purpose of this Section, certain words and terms shall have the meaning as established in this subsection.*

### 17.19.41 SIGN

*For purposes of this Ordinance the term sign shall mean any structure, marking, symbol, display, illustration or other advertising device designed or intended to announce, market or attract attention to a business, product or service.*

### 17.19.42 SIGN AREA

*Sign area means the surface of a sign designed to contain a message, logo, symbol, or other communication and excludes the structural support members. The sign area for free-standing signs or signs projecting from a building may display a message on two (2) sides that are back-to-back and the sum total of the area of each side shall not exceed the allowed sign area.*

### 17.19.43 NEON AND ILLUMINATED

*Signs lit with neon or exposed bulbs in an historic manner.*

### 17.19.44 INTERNALLY ILLUMINATED

*Illumination in which neon, fluorescent, incandescent, or other light sources are placed within a semi-transparent "can" and shine through sign panels, typically made of plastic.*

## 17.19.50 PERMIT REQUIRED

*The erection, construction, relocation or alteration of a sign or other advertising device not exempted in Section 11.19.30 Exemptions requires a Building Permit. Electrical permits pursuant to the currently adopted electrical codes may be required in addition to the Building Permit.*

### 17.19.51 DIGITAL ELECTRONIC GRAPHIC DISPLAY

*Signs that display moving, or electronic images shall require a conditional use permit and be consistent with all other applicable district regulations.*

## 17.19.60 GENERAL STANDARDS

### 17.19.61 SIZE

#### A. RESIDENTIAL DISTRICTS

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*The maximum amount of sign area allowed in a residential zoning district is six (6) square feet per lot, parcel or tract of land. Notwithstanding, the size of sign area announcing the name of a development is one (1) square foot of sign area per one (1) linear foot of street frontage of the lot containing the sign, not to exceed forty (40) square feet.*

## **B. NON-RESIDENTIAL DISTRICTS**

*The total amount of sign area allowed in non-residential zoning districts shall not exceed three hundred (300) total square feet. Total signage and sign area is calculated by measuring the surface area of one face of the sign.*

### **17.19.62 NUMBER, TYPE**

*There is no maximum number of signs permitted on a property and no restriction on the types of signs provided the total sign area of all signs does not exceed the amount permitted in Section 17.19.61 Size.*

### **17.19.63 HEIGHT**

*The maximum height of all freestanding signs, including all embellishments, shall not exceed the maximum height for primary buildings in the given zoning district.*

### **17.19.64 ON SITE/OFF SITE**

*Off-site signs are permitted however those signs count toward the overall sign area for that specific property and use.*

### **17.19.65 CONSTRUCTION, ELECTRICAL CODES**

*Signs and other advertising devices shall comply with applicable construction and electrical codes.*

## **17.19.70 PROHIBITED SIGNS**

*The following signs shall be prohibited:*

### **17.19.71 INTERNALLY ILLUMINATED**

*Internally illuminated signs are prohibited in all residential districts and are subject to 17.19.80 Internally Illuminated Signs.*

### **17.19.72 FLASHING AND BLINKING SIGNS**

*Flashing, blinking or, signs with rotating light beams, holograms, and similar devices.*

## **17.19.80 INTERNALLY ILLUMINATED SIGNS**

*Internally illuminated signs are only allowed inside Commercially and Industrially Zoned Districts.*

## **17.19.90 NONCONFORMING SIGNS**

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*Any sign legally existing on the effective date of this Ordinance which does not comply with the provisions of this Article shall be deemed a nonconforming sign. No nonconforming sign shall be moved, altered, re-erected, relocated or replaced unless it is brought into compliance with the standards of this Article. This shall not prevent the repair or restoration to a safe condition any part of a nonconforming sign or sign structure, or a change of message or normal maintenance on a sign or sign structure.*

## **17.19.100 ABANDONED SIGNS**

*Any sign that is not structurally sound or no longer serves to inform or attract the attention of the public, including illegible signs and signs advertising or identifying abandoned uses, shall be considered abandoned and its removal required. The owner of an abandoned sign shall be responsible for the removal of the sign within sixty (60) days of the adoption of this Ordinance or within sixty (60) days termination of the use advertised by the sign.*

## **17.19.110 TEMPORARY SIGNS**

*The Zoning Administrator may approve temporary signs to be erected for not more than thirty (30) days to advertise special events and similar short-term activities.*

# Article 17.21.0 – Administration

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## 17.21.10 ORGANIZATION OF ARTICLE

### 17.21.11 OVERVIEW OF DUTIES AND RESPONSIBILITIES

The [\*Summary Table of Review Procedures\*](#), presents an overview of the roles of the various decision makers in the review and approval processes of this ordinance.

### 17.21.12 DECISION MAKING AND ADMINISTRATIVE BODIES

Section 11.21.30, *Duties and Responsibilities of Decision Making and Administrative Bodies*, sets out the detailed authority, duties and responsibilities of the various decision making and administrative bodies in the review processes of this Ordinance.

### 17.21.13 COMMON REVIEW PROCEDURES

Section 11.21.40 *Supplementary Review Procedures Common Procedures*, establishes the common review procedure that applies to all permits unless certain supplementary procedures are created in subsequent sections of this Ordinance.

### 17.21.14 PUBLIC HEARING, PUBLIC NOTICE

Section 11.21.80 *Supplementary Review Procedures*, establishes supplementary review procedures for certain permits that either supplement or replace a portion of the common review procedures.

### 17.21.15 SUPPLEMENTARY REVIEW PROCEDURES

Sections 11.21.80 *Supplementary Review Procedures*, establishes supplementary review procedures for certain permits that either supplement or replace a portion of the common review procedures.

# 17.21.20 OVERVIEW OF DUTIES AND RESPONSIBILITIES

## Summary Table of Review Procedures

Summary Tale of Review Procedures					
	Zoning Administrator	Building Official	Planning Board & Zoning Commission	Board of Adjustment	Mayor & City Council
Receive Applications	A				
Determine Completeness	A				
Residential Development of 1 to 3 units	A				
Residential Development of 3 or more Units	R				A
PUD	R		R		A
Design Review	R		R		A
Appeal				R	A
CUP	R		R		A
	Zoning Administrator	Building Official	Planning Board & Zoning Commission	Board of Adjustment	Mayor & City Council
Variance	R			R	A
Building Permit		A			
Certificate of Occupancy		A			
Zoning Map Amendment	R		R		A
Zoning Ordinance Amendment	R		R		A

Enforcement Action	A				
Annexation	R		R		A
Appoint Zoning Administrator					A
Appoint Building Official					A
Appoint Member of Board & Commissions					A

R = Review & Recommend; A = Authority for Final Action

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## 17.21.30 – Duties and Responsibilities of Decision Making and Administrative Bodies

*The following decision-making and administrative bodies shall have the duties and responsibilities in administering this Ordinance as established in this Section.*

### 17.21.31 MAYOR AND CITY COUNCIL

#### A. POWERS AND AUTHORITY

*In addition to all powers and authority granted to the Mayor and City Council by general or specific law, the Mayor and City Council shall have the following powers and authority under the provisions of this Ordinance.*

1. *Appoint Zoning Administrator and Building Official*

*The Mayor, with the consent of the City Council, shall appoint a Zoning Administrator and a Building Official. The Zoning Administrator and Building Official may be employees of the City of Laurel or contract consultants.*

2. *Appoint Planning Board/Zoning Commission and Board of Adjustment*

*The Mayor shall appoint and the City Council shall consent to appointing members of the Planning Board/Zoning Commission and Board of Adjustment.*

3. *Growth Policy*

*The Mayor and City Council shall have the authority to adopt the Laurel Growth Policy and, from time to time, approve or disapprove amendments to the Growth Policy.*

4. *Zoning Ordinance and Zoning Map*

*The Mayor and City Council shall have the authority to adopt the Laurel Zoning Ordinance and the Official Zoning Map of the City of Laurel, and from time to time, approve or disapprove amendments to the Ordinance and Map.*

5. *Planned Unit Development*

*The Mayor and City Council shall have the authority to hear, consider and approve, approve with conditions or disapprove applications for Planned Unit Developments.*

6. *Annexations*

*The Mayor and City Council shall have the authority to approve, approve with conditions or disapprove of applications for annexation of land to the City of Laurel.*

7. *Other Actions*

*The Mayor and City Council shall have the authority to take other action not delegated to another decision making or administrative body that the Mayor and City Council deem necessary and desirable to implement provisions of the Growth Policy or this Ordinance.*

### 17.21.32 PLANNING BOARD/ZONING COMMISSION



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## A. ESTABLISHMENT

*There is hereby reaffirmation of the creation and existence of the Laurel Planning Board and Laurel Zoning Commission to be known as the Planning Board/Zoning Commission.*

## B. DUTIES AND AUTHORITY

*The Planning Board/Zoning Commission shall have the following powers and authority under this Ordinance:*

1. *Growth Policy*

*To prepare and recommend to the Mayor and City Council the Laurel Growth Policy.*

2. *Amend Growth Policy*

*To initiate, hear, consider, and make recommendations to the Mayor and City Council on amendments to the Growth Policy.*

3. *Adopt Ordinances*

*To initiate, hear, consider, and make recommendations to the Mayor and City Council on the adoption of this Ordinance and other ordinances, regulations and codes authorized by general or specific law.*

4. *Amend Ordinances*

*To initiate, hear, consider, and make recommendations to the Mayor and City Council on amendments to this Ordinance and to other ordinances, regulations and codes authorized by general or specific law.*

5. *Adopt Zoning Map*

*To initiate, hear, consider, and make recommendations to the Mayor and City Council on the adoption of the Official Zoning Map of the City of Laurel.*

6. *Amend Zoning Map*

*To initiate, hear, consider, and make recommendations to the Mayor and City Council on amendments to the Official Zoning Map of the City of Laurel.*

7. *Conditional Uses*

*To hear, consider and make recommendations to the Mayor and City Council on whether to approve, approve with conditions or disapprove applications for Conditional Use Permits pursuant to the terms and procedures of this Ordinance.*

8. *Planned Unit Development*

*To initiate, hear, consider, and make recommendations to the Mayor and City Council on applications for Planned Unit Developments.*

9. *Annexation*

*To initiate, hear, consider, and make recommendations to the Mayor and City Council on approval, approval with conditions or disapproval of applications for annexation of land to the City of Laurel.*

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10. Other Actions

*To undertake and execute other duties the Mayor and City Council deem necessary and desirable to assign to the Planning Board/Zoning Commission.*

## 17.21.33 BOARD OF ADJUSTMENT

### A. ESTABLISHMENT

*There is hereby reaffirmation of the creation and existence of the Laurel Board of Adjustment.*

### B. POWERS AND AUTHORITY

*The Board of Adjustment shall have the following powers and authority under this Ordinance:*

1. Appeals

*To hear and consider appeals that an error was made in order, requirement or decision by the Zoning Administrator in the enforcement of this Ordinance and to recommend that the City Council uphold, modify or overturn the decision.*

2. Variances

*To hear, consider and recommend approval, approval with conditions or disapproval applications for variances from the terms of this Ordinance pursuant to Section 11.21.81 Variance.*

## 17.21.34 ZONING ADMINISTRATOR

*The Zoning Administrator shall have the following powers and authority and shall perform the following duties under this Ordinance.*

### A. INTERPRET ORDINANCE

*Interpret, make day-to-day decisions and administer this Ordinance.*

### B. RECEIVE APPLICATIONS, DETERMINE COMPLETENESS

*Receive applications for all permits required by this Ordinance, except applications for Building Permits that are received by the Building Official and make determinations of completeness of the submittal information.*

### C. APPROVE DEVELOPMENT PERMITS

*Review, consider and approve, approve with conditions, or disapprove applications for which the terms and procedures of this Ordinance assign Final Action to the Zoning Administrator. Applications for which the Zoning Administrator has authority to approve or disapprove include residential development containing up to three (3) residential units.*

### D. RECOMMENDATIONS

*Review, consider and make recommendations to the Planning Board/Zoning Commission, Board of Adjustment and the Mayor and City Council on applications for which these decision-making bodies have duties to review and/or make final decisions.*

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## E. MINOR DEVIATIONS

*Review, consider and approve or disapprove minor deviations to a development plan that has received final approval by a decision-making body.*

## F. ADMINISTRATIVE DUTIES

*Assist all decision-making bodies in setting agendas, providing proper legal notice and maintaining complete record of proceedings.*

## G. INSPECTIONS, ENFORCEMENT

*Perform all necessary inspections to enforce the provisions of this Ordinance, conditions of approved permits and approved Development Agreements, and to initiate enforcement actions to remedy violations of this Ordinance, permits or agreements.*

## H. LEGAL ACTION

*Investigate and pursue legal action pertaining to violations of this Ordinance or conditions of approved permits or the terms of approved Development Agreements.*

## I. OTHER DUTIES

*Perform all other duties assigned by the terms of this Ordinance, deemed necessary to assist all decision-making bodies, or determined necessary or desirable by the Mayor and City Council.*

## 17.21.35 BUILDING OFFICIAL

*In addition to all powers and authority granted to the Building Official by general or specific law or by other codes and ordinances, the Building Official shall have the following powers and authority and shall perform the following duties under this Ordinance.*

### A. BUILDING PERMITS

*Receive applications for Building Permits, determine completeness of submittal information, review and approve, approve with conditions, or disapprove applications for building permits pursuant to the terms and procedures of the currently adopted Building Codes and this Ordinance.*

### B. ZONING ORDINANCE

*Consult with the Zoning Administrator to ensure proper compliance with this Ordinance on all Building Permits.*

### C. CERTIFICATES OF OCCUPANCY

*Issue Certificates of Occupancy pursuant to the terms and procedures of the currently adopted Building Codes and this Ordinance.*

## 17.21.40 COMMON PROCEDURES

### 17.21.41 GENERAL

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*Unless otherwise stated in this Article, the submission of a development plan or application, and the subsequent steps for Determination of Completeness, staff review, notice and scheduling of public hearings, and decisions of approval or disapproval shall comply with the procedures established in this Section. The terms development application and development plan are used interchangeably in these procedures and refer to any submission made to the City for review and approval under this Ordinance.*

## **17.21.42APPLICATION FORMS**

*All development applications shall be on City forms prepared and made available by the Zoning Administrator. The Zoning Administrator shall develop application forms and a checklist of submission items to accompany an application. The application forms and checklists shall be distributed to the public indicating all information that must be presented in order for City officials and Boards to evaluate applications. No application shall be accepted for consideration unless the information required on the checklist is found by the Zoning Administrator to be in sufficient detail to evaluate the application and determine whether it complies with the substantive requirements of this Ordinance.*

## **17.21.43FEES**

*All applications shall be accompanied by the applicable fee required by the regularly adopted City fee schedule. The fee schedule shall be established and may be revised from time to time by the Mayor and City Council. Its purpose shall be to defray the costs of processing applications. The fee schedule shall be available for review in the City clerk's office during normal business hours.*

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## 17.21.44 PRE-APPLICATION CONFERENCE

### A. PRE-APPLICATION CONFERENCE

*A pre-application conference may be held with the Zoning Administrator prior to submission of an application for approval of residential development containing three (3) or more dwelling units, all developments containing commercial, industrial, and other non-residential land uses, a Conditional Use Permit, Design Review, a Planned Unit Development, and for amendments to the Zoning Map and text of this Ordinance.*

### B. INITIATION OF PRE-APPLICATION CONFERENCE

*An owner, developer or their authorized agent shall initiate a pre-application conference with the Zoning Administrator by submitting a written request. Along with the request for the pre-application conference, the applicant shall submit general information on the proposed land use, layout, existing features of the site including topography and other information necessary to describe the character, location, and magnitude of the proposed development.*

### C. SCHEDULING OF PRE-APPLICATION CONFERENCE

*Upon receipt of a request for a pre-application conference, the Zoning Administrator shall schedule the pre-application conference. The pre-application conference shall be held within thirty (30) calendar days of receipt of the request for such a conference.*

### D. PRE-APPLICATION CONFERENCE PURPOSES

*The purpose of the pre-application conference is to familiarize the city officials with the general location and character of the proposed development. At the pre-application conference, the applicant and the Zoning Administrator shall discuss the proposed development, and based upon the information provided by the applicant, identify the provisions of this Ordinance that apply to the proposed development. During the subsequent review of the development plan or upon submission of more detailed information about the proposed development, additional provisions of this Ordinance may be identified as being applicable.*

### E. WRITTEN SUMMARY

*The Zoning Administrator shall provide the applicant with a written summary of the pre-application conference within fifteen (15) calendar days of the completion of the pre-application conference.*

### F. EXPIRATION OF PRE-APPLICATION CONFERENCE

*A development plan shall be based on the written summary of a pre-application conference held no more than one (1) year previous to the plan submittal. A new pre-application conference is required before submission of a plan if more than a year has elapsed since the prior conference.*

## 17.21.45 SUBMISSION OF APPLICATION AND DETERMINATION OF COMPLETENESS

*The submission of an application and the Determination of its Completeness shall comply with the following standards:*

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## A. INITIATION

*The appropriate application and all required information for the requested permits and approvals shall be submitted to the Zoning Administrator by the owner, developer, or their authorized agent.*

## B. REQUIRED CONTENTS OF APPLICATION

*The submittal requirements established by the Zoning Administrator during the pre-application conference shall be submitted. Additional information may be required during review of the application if the Zoning Administrator finds the information necessary to determine compliance with this Ordinance.*

## C. DETERMINATION OF COMPLETENESS

*Within fifteen (15) calendar days of the submittal of an application, the Zoning Administrator shall determine if the application is Complete. An application is complete if it contains the submittal requirements identified during the pre-application conference in sufficient completeness and detail to commence review and evaluation of the application.*

### 1. *Determined Incomplete*

*If the Zoning Administrator determines that the application is not complete, a written notice shall be provided to the applicant specifying the deficiencies. No further action shall be taken on the application by the Zoning Administrator until the deficiencies are remedied. If the applicant fails to correct the deficiencies within sixty (60) calendar days, the application shall be considered withdrawn. If the Zoning Administrator fails to provide written notice of any deficiencies to the applicant within fifteen (15) calendar days of submission of the application, the application shall be deemed complete.*

### 2. *Determined Complete*

*When the application is determined complete, the Zoning Administrator shall notify the applicant of the determination and commence review and evaluation of the application to determine compliance with this Ordinance and other applicable ordinances and regulations.*

## 17.21.46 TECHNICAL REVIEW

### A. TECHNICAL REVIEW COMMITTEE

*The City may establish a Technical Review Committee (TRC) and host Committee meetings as needed to facilitate the technical review and evaluation of applications for permits. The Zoning Administrator may schedule a complete development application for a TRC meeting. Said meeting shall occur within thirty (30) calendar days of the Determination of Completeness. The applicant is provided an opportunity to meet with representatives of applicable utilities and governmental agencies in this meeting to receive comments on the technical elements of the application.*

#### 1. *Committee Members, Responsibilities*

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*The TRC consists of the representatives of the following core departments with their general responsibilities. After determining an application complete, the Zoning Administrator forwards the application materials to the TRC members for review.*

- a. The Planning office will review development applications for compliance with the existing zoning of the site, compliance with this Ordinance and other applicable ordinances, codes, and regulations, and to review the relationship of the proposed development to the neighboring property, characteristics of the site such as topography, floodplain and unstable soils, and the Laurel Growth Policy.*
- b. Public Works Department to review development applications for the relationship to streets and utility systems and to determine required street improvements, rights-of-way, extensions to water and wastewater systems and other related public improvements and dedications.*
- c. Building Official to review development applications for any building code provisions that may affect the general site plan. Review of construction drawings that are appropriate for building permit applications is not appropriate for a TRC meeting.*
- d. Fire Department to review development applications for adequacy of the water distribution system and firefighting capabilities in the vicinity, and for compliance with applicable Fire Prevention and Safety Codes.*
- e. School District to review development applications to project demand for school facilities and to identify needed land areas to reserve for development of schools and other related facilities.*
- f. Police Department to review the proposed development for appropriate safety considerations.*
- g. Ambulance and Emergency Response for appropriate access and other safety considerations.*

## **2. Additional Members**

*The Committee may expand to include the city engineer, City attorney, Yellowstone County Historic Preservation Officer, and representatives from utility companies and state and federal agencies when their review comments are applicable to a particular development application.*

## **B. WRITTEN SUMMARY**

*Within fifteen (15) calendar days following the TRC meeting the Zoning Administrator shall provide the applicant a written summary of the TRC comments and a description of any revisions to the plans that are necessary to comply with the technical requirements of the applicable ordinances and regulations.*

## **C. REVISED SUBMISSION**

*The applicant shall submit a revised application that incorporates the changes necessary to comply with the technical requirements of the applicable ordinances and regulations.*

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## D. ADDITIONAL TRC MEETINGS

*Extensive revisions resulting from TRC comments or by voluntary action of the applicant may require additional TRC meetings to review the subsequent submission, prior to the Zoning Administrator scheduling the application for a Planning Board/Zoning Commission meeting or rendering a decision for which the Zoning Administrator has authority for Final Action.*

## 17.21.47 PROCEDURES FOR ZONING ADMINISTRATOR DECISIONS

### A. AUTHORITY FOR FINAL ACTION

*The review and decisions on applications for which the Zoning Administrator has authority of Final Action shall occur pursuant to the standards of this Section.*

### B. RECLASSIFY APPLICATION

*If the Zoning Administrator determines that a proposed development, for which the Administrator has authority for Final Action, may have a significant impact on the surrounding neighborhood or the community, the Zoning Administrator may reclassify the application to require review and approval by the Planning Board/Zoning Commission. When an application is reclassified, the authority for Final Action is transferred to the Planning Board/Zoning Commission and the administrative procedures that are applicable to the Board/Zoning Commission's actions shall apply.*

### C. STAFF REVIEW, STAFF REPORT AND DECISION

*After determining an application is complete, the Zoning Administrator shall conduct the technical review pursuant to Section 11.21.46 Technical Review, above, review the application for compliance with this Ordinance and other applicable ordinances and regulations, and prepare a Staff Report that describes the conclusions of the review. Based upon the conclusions in the Staff Report the Zoning Administrator approves, approves with conditions or disapproves the application. A copy of the Staff Report shall be provided to the applicant.*

### D. TIMING OF DECISIONS

*Review and final decision by the Zoning Administrator shall be made within fifteen (15) calendar days of the TRC meeting, or within fifteen (15) calendar days of a plan resubmission that is based upon the TRC meeting. If additional TRC meetings are required, a decision shall be made within fifteen (15) calendar days of the final TRC meeting or plan resubmission that is based upon the final TRC meeting.*

### E. ISSUANCE OF PERMIT, CORRECTED APPLICATION



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*If the Zoning Administrator finds the application complies with the applicable standards of this Ordinance and all other applicable ordinances and regulations, the permit shall be issued. If it is determined that the application does not comply with the applicable standards of this Ordinance or other ordinances and regulations, the applicant shall be notified in writing of the deficiencies and be provided sixty (60) calendar days from the written notice to submit a corrected application. If a corrected application is received, the Zoning Administrator shall approve, approve with conditions, or disapprove the corrected application based on the applicable standards of this Ordinance and other applicable ordinances and regulations. If the application is not resubmitted within sixty (60) calendar days from said written notice, the application shall be considered withdrawn.*

## **F. PUBLIC NOTICE AFTER DECISION**

*The Zoning Administrator shall submit a Record of Decision on a City website or at City Hall following a final decision. Any aggrieved party may appeal the Zoning Administrator's decision within thirty (30) calendar days of the date the notice appeared in the official paper for the City of Laurel. Decisions on applications for single-Household houses, sign permits, and grading permits are exempt from this requirement.*

## **G. EXPIRATION OF PERMIT**

*A permit shall expire on the one (1) year anniversary date of the permit issuance, unless otherwise noted in the development approval if the next step in the normal development process is not commenced. The next step, normal development process includes obtaining a building permit, grading permit, or commencement of the use if no further permit is required.*

# **17.21.48 PROCEDURES FOR DECISIONS BY PLANNING BOARD/ZONING COMMISSION OR BOARD OF ADJUSTMENT**

## **A. AUTHORITY FOR FINAL ACTION**

*The review and decisions on applications for which the Planning Board/Zoning Commission or the Board of Adjustment have authority of Final Action shall occur pursuant to the standards of this Section, except appeals of prior decisions. See Section 11.21.82 Appeals for the applicable procedure to consider Appeals.*

## **B. ZONING ADMINISTRATOR RECOMMENDATION**

*After an application has been reviewed by the TRC the Zoning Administrator shall prepare a staff report that evaluates the application for compliance with this Ordinance. The Zoning Administrator shall present in the staff report a recommendation for approval, approval with conditions or denial, based upon the standards and procedures of this Ordinance. The staff report shall be made available to the applicant, the public and the Planning Board/Zoning Commission or Board of Adjustment at least seven (7) calendar days prior to the scheduled public meeting.*

## **C. SCHEDULING OF PUBLIC HEARING**

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*An application for which a public hearing is required shall be scheduled for meeting of the Planning Board/Zoning Commission or Board of Adjustment within 120 calendar days of an application being determined by the Zoning Administrator to be complete.*

#### **D. PUBLIC HEARINGS, PUBLIC NOTICE**

*The Planning Board/Zoning Commission or Board of Adjustment, whichever is applicable, shall conduct a public hearing on the application pursuant to the procedures of Section 11.21.60 Public Hearing Procedure, and a written notice of the public hearing shall be mailed by first class mail to owners of all land that is adjacent/adjoining to the site for which the application is submitted pursuant to Section 11.21.70 Public Notice.*

#### **E. DECISION**

*Within thirty (30) calendar days of the close of the public hearing, the Planning Board/Zoning Commission or Board of Adjustment, whichever is applicable, shall approve, approve with conditions, or deny the application based upon the standards and procedures of this Ordinance. Written notice of the decision containing the required findings of fact and conclusions reached by the Board shall be provided to the applicant within fifteen (15) calendar days of the decision. Written notice of a denial shall specify the reasons for denial.*

#### **F. ISSUANCE OF PERMIT**

*If the application is approved, the Zoning Administrator shall issue a permit at the first practical opportunity that describes any conditions of approval established by the Board and the expiration date if no action is pursued by the applicant.*

#### **G. EXPIRATION OF A PERMIT**

*A permit shall expire on the one (1) year anniversary date of the permit issuance, unless otherwise noted in the development approval if the next step in the normal development process is not commenced. The next step in the normal development process includes obtaining a building permit, grading permit, or commencement of the use if no further permit is required.*

### **17.21.50 PROCEDURES FOR DECISIONS BY MAYOR AND CITY COUNCIL**

#### **A. AUTHORITY FOR FINAL ACTION**

*The review and decisions on applications for which the Mayor and City Council have authority of Final Action shall occur pursuant to the standards of this Section.*

#### **B. ZONING ADMINISTRATOR RECOMMENDATION**

*After an application has been reviewed by the TRC the Zoning Administrator shall prepare a staff report that evaluates the application for compliance with this Ordinance. The Zoning Administrator shall present in the staff report a recommendation for approval, approval with conditions or denial, based upon the standards and procedures of this Ordinance. The staff report shall be made available to the applicant, the public and the Planning Board/Zoning Commission, and Mayor and City Council at least seven (7) calendar days prior to the first scheduled meeting.*

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## C. SCHEDULING OF PUBLIC HEARING

*An application for which a public hearing is required shall be scheduled for a meeting of the Planning Board/Zoning Commission within 120 calendar days of an application being determined by the Zoning Administrator to be Complete.*

## D. PUBLIC HEARINGS, PUBLIC NOTICE

*The Planning Board/Zoning Commission shall conduct a public hearing on the application pursuant to the procedures of Section 11.21.60 Public Hearing Procedure, and a written notice of the public hearing shall be mailed by first class mail to owners of all land that is adjacent/adjoining to the site for which the application is submitted pursuant to Section 11.21.70 Public Notice.*

## E. PLANNING BOARD/ZONING COMMISSION RECOMMENDATION

*Within thirty (30) calendar days of the close of the public hearing, the Planning Board/Zoning Commission shall determine a recommendation to approve, approve with conditions or deny the application based upon the standards and procedures of this Ordinance. Written notice of the recommendation of the Board shall be provided to the applicant within fifteen (15) calendar days of the decision. Written notice of a recommendation for denial shall specify the reasons for denial.*

## F. SCHEDULING OF PUBLIC MEETING

*Following the decision by the Planning Board/Zoning Commission, the application shall be scheduled for review and a final decision at a regularly scheduled meeting of the Mayor and City Council. This meeting shall occur within thirty (30) calendar days of the Planning Board/Zoning Commission decision.*

## G. DECISION

*Within thirty (30) calendar days of the close of their meeting, the Mayor and City Council shall approve, approve with conditions or deny the application based upon the standards and procedures of this Ordinance. Written notice of the decision containing the required findings of fact and conclusions reached by the Mayor and Council shall be provided to the applicant within fifteen (15) calendar days of the decision. Written notice of a denial shall specify the reasons for denial.*

## H. ISSUANCE OF PERMIT

*If the application is approved the Zoning Administrator shall issue a permit at the first practical opportunity that describes any conditions of approval established by the Mayor and Council and the expiration date if no action is pursued by the applicant.*

## I. EXPIRATION OF A PERMIT

*A permit shall expire on the one (1) year anniversary date of the permit issuance, unless otherwise noted in the development approval if the next step in the normal development process is not commenced. The next step in the normal development process includes obtaining a building permit, grading permit, or commencement of the use if no further permit is required.*

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## 17.21.60 PUBLIC HEARING PROCEDURE

*Public Hearings required by this Ordinance shall be conducted pursuant to the standards and procedures of this Section.*

### 17.21.61 NOTICE

*Written notice of the public hearing, pursuant to Section 11.21.70 Public Notice, shall be sent by first class mail to the owner of the property that is subject to the public hearing and to owners of land that is adjacent/adjoining to the property that is subject to the public hearing. In addition to the mailed notice, a Public Notice of the hearing shall be published in a newspaper of general local circulation that describes the application and provides the time, date and place of the public hearing. The Public Notices shall be mailed, and the published notice shall appear in a newspaper of general local circulation no later than fifteen (15) calendar days prior to the public hearing.*

### 17.21.62 ANNOUNCEMENT

*The presiding officer shall announce the purpose and subject of the public hearing, verify that proper public notice was given and provide the opportunity for any member of the Board to declare a conflict of interest. The presiding officer may excuse any member of the Board who has a conflict of interest.*

### 17.21.63 RIGHT TO SPEAK

*Any interested person may appear at the public hearing and submit evidence or make comments either as an individual or on behalf of an organization. Each person appearing at the public hearing shall be identified by name and address of residence and name of organization if applicable.*

### 17.21.64 STAFF REPORT PRESENTATION

*The Zoning Administrator shall present the Staff Report.*

### 17.21.65 APPLICANT PRESENTATION

*The applicant shall present any information the applicant deems appropriate.*

### 17.21.66 PUBLIC STATEMENTS

*Members of the public shall be provided with the opportunity to speak about the merits or shortcomings of the application. At the discretion of the presiding officer, reasonable time limits may be placed on all speakers in the interest of accommodating all people desiring to speak and to provide for an efficient meeting. Comments shall be directed only to the presiding officer.*

### 17.21.67 APPLICANT RESPONSE

*After the public comment the applicant shall be provided the opportunity to respond to any public comments made during the public hearing.*

### 17.21.68 STAFF RESPONSE

*After the public comment, the Zoning Administrator or any other City official shall be provided the opportunity to respond to public comments made during the public hearing.*

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## 17.21.69 DELIBERATION, DECISION

*The presiding officer shall declare the public comment period of the meeting to be closed and invite discussion, deliberation and a decision by the Board.*

## 17.21.610 RECORD OF PROCEEDINGS

*The public hearing and meeting shall be audio taped and the tape shall be retained by the City for a minimum of one (1) year. A recording secretary shall record written minutes of the public hearing. All exhibits, reports, evidence and written materials submitted during the public hearing shall be retained by the City as part of the record of the proceeding.*

## 17.21.611 CONTINUANCE

*The Board conducting the public hearing, on its own initiative, may continue the hearing to a future date. The applicant has the right to one (1) continuance to a future date. Notice of continuance shall be posted in a conspicuous and visible location at City Hall and other regular locations determined by the Zoning Administrator.*

## 17.21.70 PUBLIC NOTICE

*Public Notice required to be mailed or published in a newspaper of general local circulation shall contain the following information and comply with public notice requirements of state law.*

### 17.21.71 TYPE OF APPLICATION

*The type of application, such as Development Permit, Conditional Use Permit, Variance, Appeal, Amendment to the Zoning Map or Ordinance, Planned Unit Development, Zoning Conformance Permit.*

### 17.21.72 DESCRIPTION OF DECISION

*A brief description of the decision or action sought by the applicant.*

### 17.21.73 NAME OF OWNER, APPLICANT

*The name of the landowner and applicant.*

### 17.21.74 LOCATION OF LAND

*A legal description and a general description of the location of the subject land.*

### 17.21.75 LOCATION, DATE, TIME

*The location, date and time of the public hearing or public meeting.*

### 17.21.76 WHERE INFORMATION AVAILABLE

*The location where information about the application may be viewed and the general hours available.*

### 17.21.77 PROPOSED USE

*A description of the type of use being proposed.*

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# 17.21.80 SUPPLEMENTARY PROCEDURES

# REVIEW

## 17.21.81 VARIANCE

*Applications for Variances shall be reviewed and decided pursuant to the standards and procedures of this Section.*

### A. PROCEDURE

*The Board of Adjustment is assigned authority to hear, consider and make recommendations to the Mayor and City Council on whether to approve, approve with conditions or disapprove applications on Variance applications. These applications are reviewed and decided pursuant to procedures in Section 11.21.48 Procedures for Decisions by Planning Board/Zoning Commission or Board of Adjustment.*

### B. STANDARDS

*A recommendation for Approval or Conditional Approval of a Variance shall require the Board of Adjustment making each of the following Findings of Fact:*

1. *Special Conditions*

*There are special circumstances or conditions that are peculiar to the land or building for which the Variance is sought that do not apply generally to land or buildings in the neighborhood; and*

2. *Not Result of Applicant*

*The special circumstances or conditions have not resulted from an act of the applicant or been established to circumvent this Ordinance; and*

3. *Strict Application Unreasonable*

*Due to the special circumstances or conditions, the strict application of this Ordinance would deprive the applicant of reasonable use of the land or building or create an undue hardship on the landowner; and*

4. *Necessary to Provide Reasonable Use*

*Granting the Variance is necessary to provide a reasonable use of the land or building; and*

5. *Minimum Variance*

*The Variance is the minimum variance necessary to allow a reasonable use of the land or building; and*

6. *Not Injurious*

*Granting the Variance will not be injurious to the neighborhood or detrimental to the public welfare; and*

7. *Consistent with Ordinance*

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*Granting the Variance is consistent with the purposes and intent of this Ordinance.  
A variance to the Allowed Uses of a zoning district is prohibited.*

## **C. CONDITIONS**

*Conditions or restrictions may be placed on the approval of a Variance.*

## **D. EXPIRATION**

*A Variance shall expire one (1) year from the date of approval if the next logical step in the development process is not commenced. The next step in the development process includes but is not limited to applying for a building permit, commencing the use or applying for a Development Permit.*

# **17.21.82 APPEALS**

*Any person aggrieved by a decision of the Zoning Administrator, or the Planning Board/Zoning Commission may appeal the decision to the Board of Adjustment. For the purposes of this Section an aggrieved person shall be either a person who has submitted an application, received an interpretation or a person who is adversely affected by an action on an application or by an interpretation. Appeals shall be submitted, reviewed, and decided pursuant to the standards and procedures of this Section.*

## **A. INITIATION**

*An appeal is initiated by the aggrieved person filing a written appeal with the Zoning Administrator within thirty (30) calendar days of the decision being appealed or within thirty (30) calendar days of the date the notice appeared in the official paper of the City of Laurel, whichever is applicable.*

## **B. CONTENTS OF APPEAL**

*The appeal shall include a statement describing the decision prompting the appeal, the date of that decision, the basis for the appeal, and all supporting materials related to the appeal.*

## **C. SCHEDULING OF HEARING**

*The Board of Adjustment shall schedule a hearing on the appeal within thirty (30) calendar days of receipt of the written notice of appeal. This deadline may be extended by the Board of Adjustment if additional time is required to compile information that is needed to evaluate the appeal.*

## **D. PRODUCE RECORD**

*The Zoning Administrator shall organize and provide to the Board of Adjustment the record pertaining to the decision being appealed.*

## **E. HEARING**

*The appeal hearing shall be conducted in accordance with the Montana Administrative Procedure Act.*

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## F. DECISION

*Within thirty (30) calendar days of the close of the hearing on the appeal, the Board of Adjustment shall recommend to the Mayor and City Council to uphold, uphold with conditions, or overturn the decision being appealed. In rendering the decision on the appeal, the Mayor and City Council shall have the authority of the decision-maker whose decision is being appealed.*



# Article 17.22.60 - ENFORCEMENT

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## 17.22.10 PURPOSE AND INTENT

*The purpose and intent of this Article is to establish procedures for the City of Laurel to ensure compliance with this Ordinance and obtain corrections of violations that may occur. It also establishes remedies and penalties that apply to violations of this Ordinance.*

## 17.22.20 GENERAL

*The standards, guidelines and procedures of this Ordinance shall be enforced by the Mayor and City Council of the City of Laurel through its authority to abate any violations and enjoin and restrain any person violating this Ordinance pursuant to Montana law.*

## 17.22.30 VIOLATIONS

*Any of the following shall be a violation of this Ordinance and shall be subject to the remedies and penalties provided by this Ordinance.*

### A. ESTABLISH USE, STRUCTURE OR SIGN WITHOUT PERMIT OR APPROVAL

*To establish or place any use, structure or sign upon land that is subject to this Ordinance without all required approvals, permits and certificates.*

### B. DEVELOPMENT WITHOUT PERMIT OR APPROVAL

*To develop, construct, remodel, expand or any other activity of any nature that is subject to this Ordinance without all required approvals, permits and certificates.*

### C. ESTABLISH USE OR DEVELOPMENT INCONSISTENT WITH PERMIT

*To engage in a use or develop, construct, remodel or expand a structure or sign, or any other activity of any nature that is inconsistent with the terms and conditions of any permit, approval, certificate or any other form of authorization required for such activity.*

### D. ESTABLISH USE OR DEVELOPMENT INCONSISTENT WITH ORDINANCE

*To use, construct, erect, remodel, expand, maintain or move any building, structure or sign in violation of any provision of this Ordinance.*

### E. CREATE A NONCONFORMING CONDITION

*To reduce or diminish any lot area or structure setback, or to increase the intensity or density of any use of land or structure, except in accordance with the standards and procedures of this ordinance.*

## 17.22.40 CONTINUING VIOLATIONS

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*After the Zoning Administrator issues a written notice of violation to the owner of the land, building, structure, or sign that is the subject of a violation, each calendar day the violation remains uncorrected shall constitute a separate and additional violation of this Ordinance.*

## 17.22.50 RESPONSIBILITY OF ENFORCEMENT, COMPLIANCE

*The Zoning Administrator shall have the responsibility to enforce this Ordinance. The owner of the land, building, structure, or sign that is subject to a violation has the responsibility to eliminate the violation and achieve compliance with this Ordinance.*

## 17.22.60 ENFORCEMENT PROCEDURES

*In addition to any additional authorities and procedures provided to the City of Laurel by general or specific law, the following procedures shall apply to the enforcement of this Ordinance.*

### A. INSPECTION

*The Zoning Administrator or his designee shall have the authority to enter onto land within the boundaries of the City of Laurel to inspect for violations of this Ordinance.*

### B. WITHHOLD PERMIT

*The City may deny or withhold any permit, approval, certificate, or any other form of authorization required by the provisions of this Ordinance upon determining that an uncorrected violation of this Ordinance exists on the land, building, structure or sign for which a permit or authorization is sought.*

### C. CONDITION A PERMIT

*Instead of withholding or denying a permit or other authorization, the City may grant such authorization subject to the condition that a violation be corrected.*

### D. REVOCATION OR SUSPENSION OF PERMIT

*The Zoning Administrator may revoke or suspend a permit, approval, certificate, or other authorization upon determining any of the following actions has occurred:*

1. *Departure from Plans*

*The actions of the landowner, contractor, developer, or authorized agent of the owner have departed from the approved plans or specifications, or the conditions or terms of an approved permit or other authorization.*

2. *False Representation*

*The permit, approval, certificate, or other authorization was obtained by false representation or was issued in error.*

3. *Violation*

*A violation exists on the land, building, structure, or sign that is subject to the permit or other authorization.*

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## E. STOP WORK ORDER

*The Zoning Administrator may require that work stop on any land, building, structure, or sign that is subject to an uncorrected violation of this Ordinance or the terms or conditions of a permit or other authorization. This Stop Work Order may be issued in conjunction with or separate from a revocation or suspension of a permit.*

## F. INJUNCTIVE RELIEF

*The City may seek an injunction or other equitable relief in court to stop any violation of this Ordinance or the terms or conditions of a permit or other authorization.*

## G. ABATEMENT

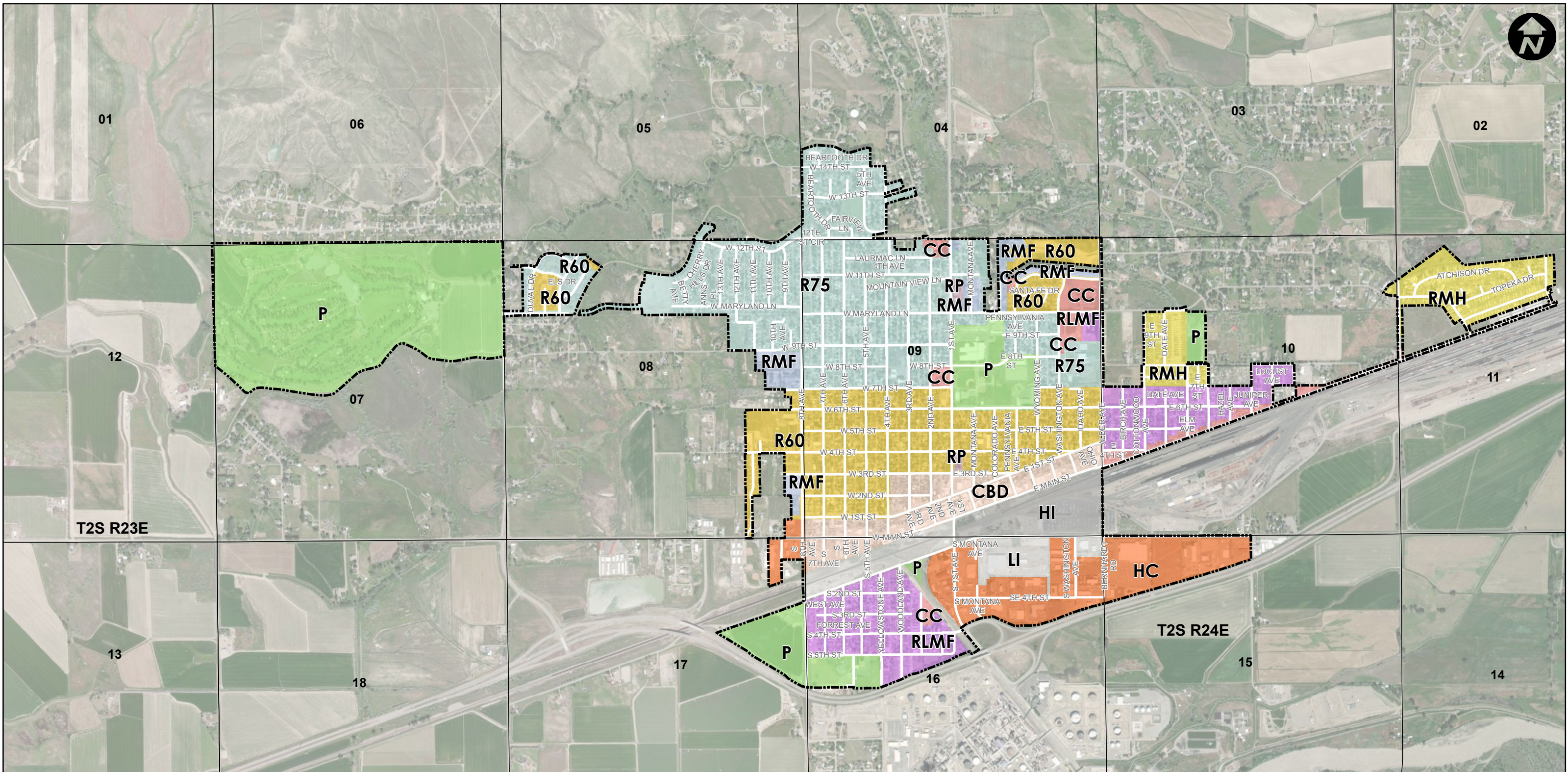
*The City may seek a court order in the nature of mandamus, injunction, or other action to abate or remove a violation and to restore the premises to the condition that existed prior to the violation.*

## H. CIVIL REMEDIES

*The city may seek civil penalties and other punishment provided by the law.*

## I. CUMULATIVE REMEDY

*The City shall have any and all other remedies provided by law to enforce this Ordinance and the terms and conditions or permits, approvals, certificates and other forms of authorization issued pursuant to this Ordinance.*



### Zoning Jurisdictions

Laurel City Limits 2023	Light Industrial - LI	Residential Manufactured Home - RMH
<b>City Zoning Classification</b>	Public - P	Residential Professional - RP
Central Business District - CBD	Residential 6,000 - R60	
Community Commercial - CC	Residential 7,500 - R75	
Highway Commercial - HC	Residential Light Multi-Family - RLMF	
Highway Industrial - HI	Residential Multi-Family - RMF	

