

INTRODUCTION

The previous Growth Policy for the City of Livingston was adopted in 2004. While it has been amended several times since, this update is undertaken to provide more current and relevant data as well as new goals and objective to replace many of the already-realized ones from the prior document.

The primary purpose of this update is to create a document that will be a useful tool that the City can rely upon as it reviews land use and development decisions. This update attempts to deal realistically with current issues and provide guidance for the development of the City. It is, however, recognized that this document should be replaced with a more comprehensive and modern document as soon as it becomes financially feasible.

The planning area consists of the City of Livingston proper and is approximately 5.3 square miles in size.

The following list of goals and objectives have been identified to guide local officials and community members in making decisions that will affect the future of our community.

Goal 1: Strengthen Livingston's economy by supporting industries and initiatives that increase employment opportunities and personal income.

Objectives:

1. Support existing local businesses and enhance the economic opportunity for new businesses by establishing policy to:
 - a. Support continuing education, to develop a more skilled workforce.
 - b. Continue efforts to increase safe access and accommodate growth to the north side of the railroad corridor.
 - c. Reassess needs of anchor businesses to accommodate their long-term needs and retention.
 - d. Increase efforts to partner with Montana Rail Link to rehabilitate railroad property and integrate it into the community.
 - e. Explore options to enhance the downtown district and support downtown businesses.
 - f. Support initiatives that help local producers and manufacturers connect with and engage in markets beyond Montana.
2. Develop tools to attract and retain economic development prospects.
3. Address affordable housing needs.

Goal 2: Preserve Livingston's quality of life and community character.

Objectives:

1. Review and update Livingston's roadway entrancements to maintain a vibrant community appearance.
2. Review, update, and enforce the policies, procedures, and building design guidelines in Livingston's gateways.
3. Develop and enforce policies and procedures to preserve Livingston's historic quality.

Goal 3: Develop infrastructure to enhance community services and improve public safety for Livingston residents.

Objectives:

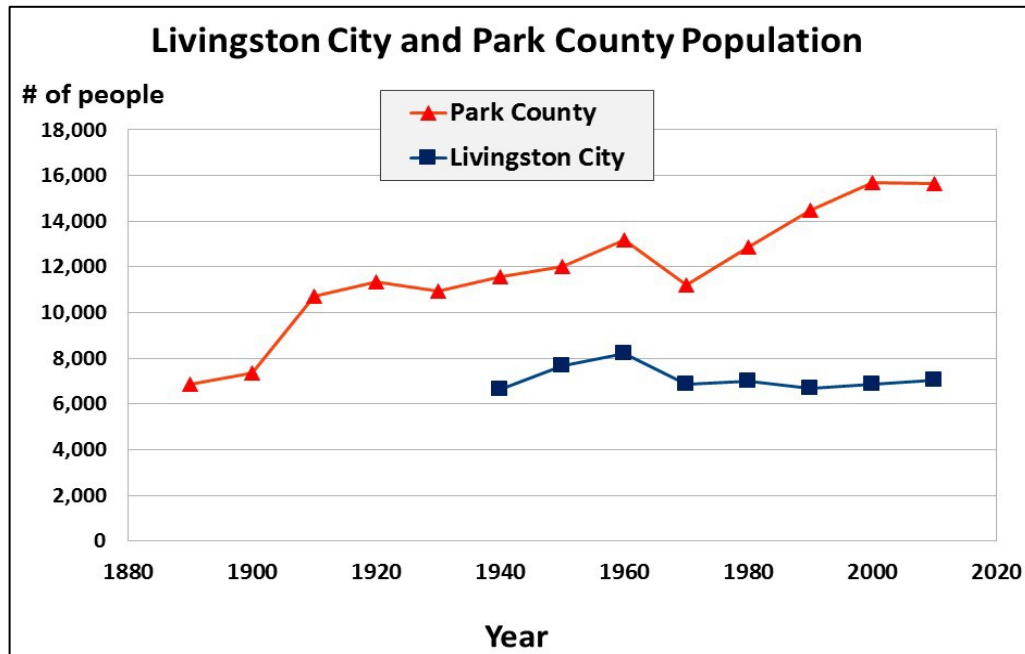
1. With the involvement of County Planning representatives, determine an envelope for logical growth of the City of Livingston and the areas most likely to be annexed by the City.
2. Continue maintaining and updating critical infrastructure including fiber optic connectivity.
3. Improve access to the north side to promote safety and accommodate growth.
4. Update and follow the annexation policy to maintain public safety, and ensure efficient use of public infrastructure.
5. Update and review land use regulations to fulfill the needs and desires of the community.
6. Review existing recycling programs and develop recommendations for enhancement.

CHAPTER 1 POPULATION & HOUSING

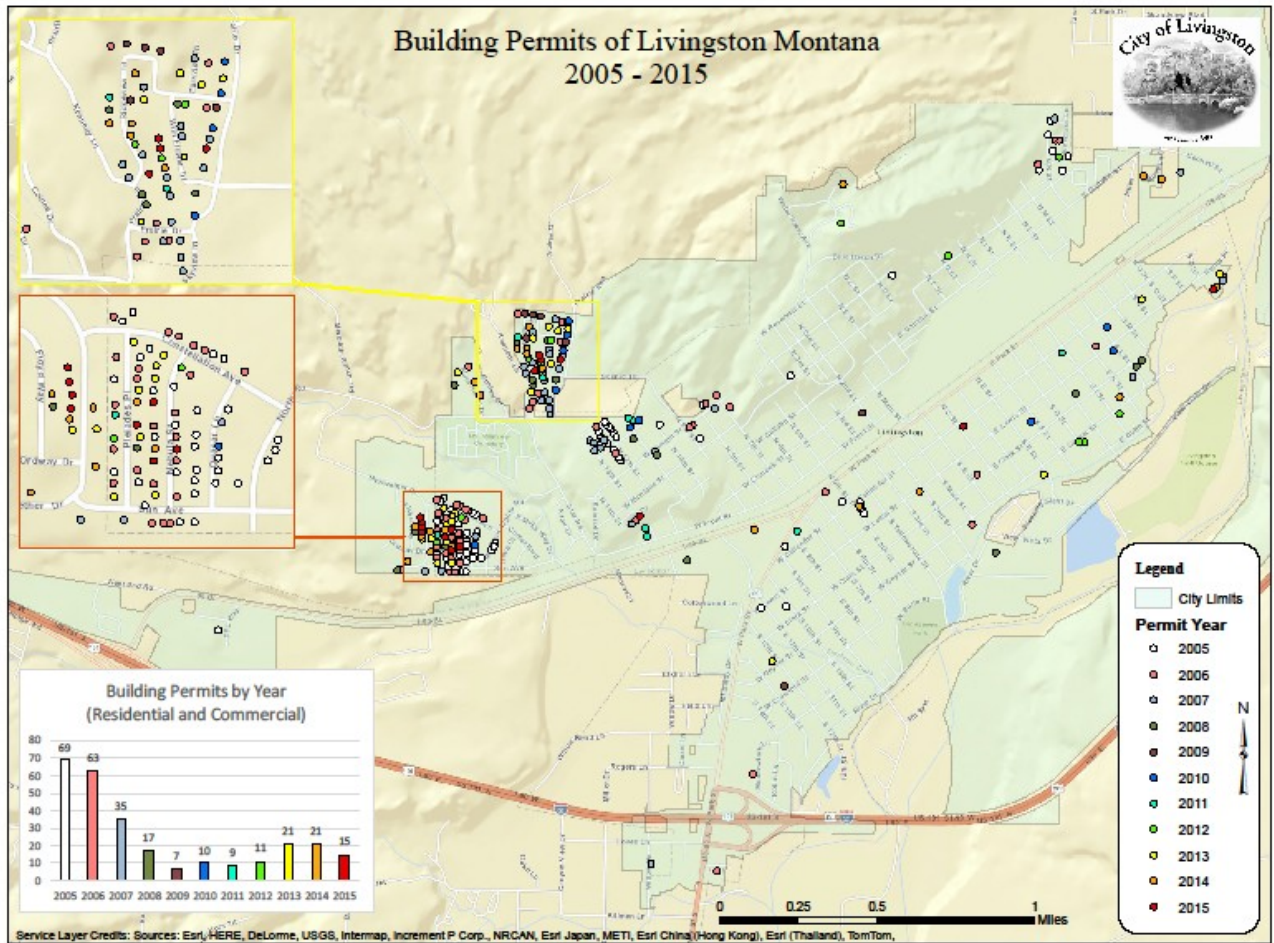
The population of the City of Livingston has been quite stable over the last 40 years. The 1970 population was 6,883 and the 2011 number issued by the Census Bureau was 6,969. Between 1980 and 1990 there was an approximate 300-person drop in population, which appears to be a result of the closure of the Burlington Northern shop facility in the mid-1980s.

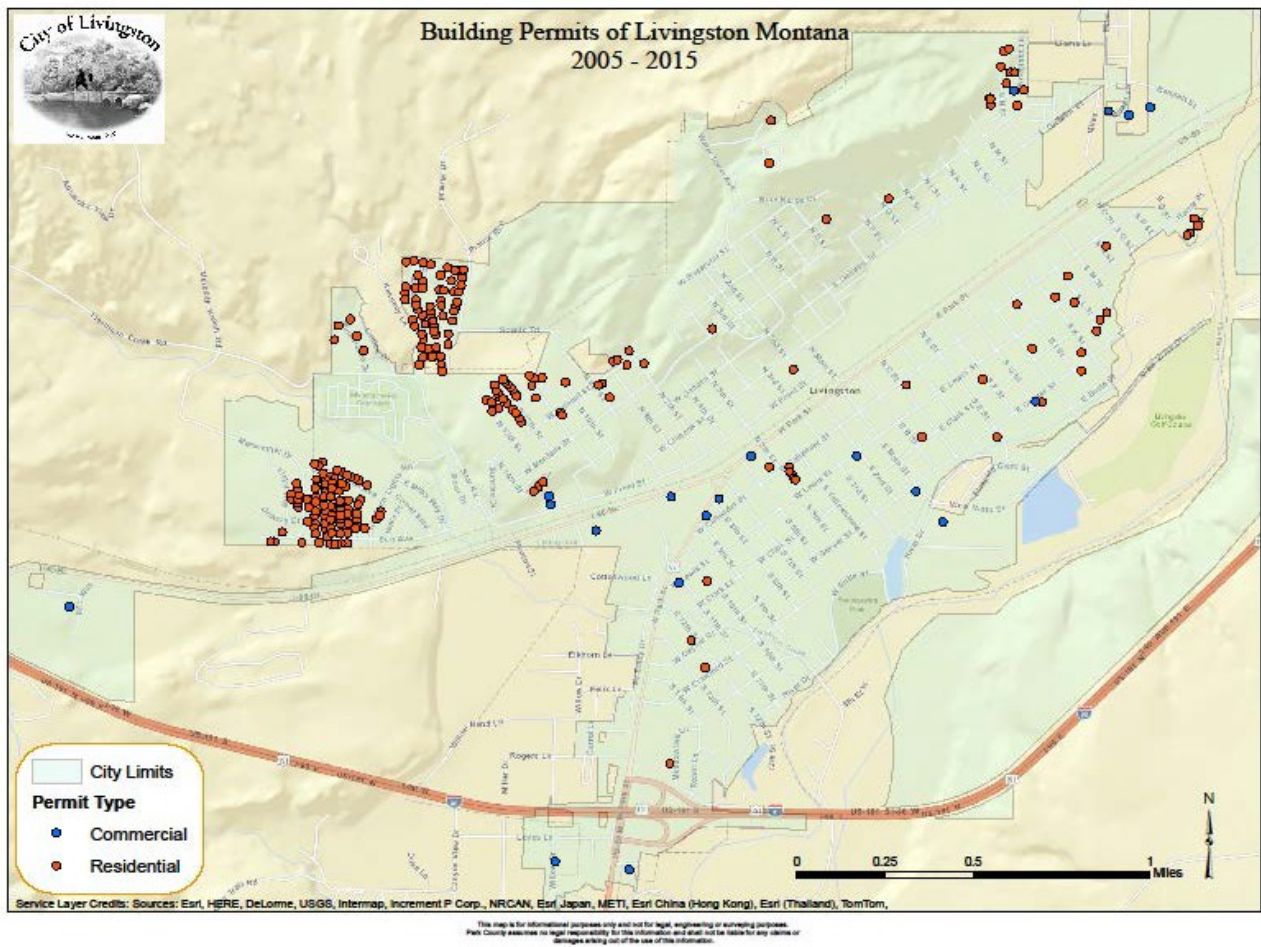
The age composition of Livingston's population shows the median age to be 41.1 years. This is up slightly from 40.3 years in 2000.

Given the relatively stable population the overall housing stock seems to be adequate. Some 276 housing units, or 8.2% of the housing stock, were vacant in 2000.



Population history of Livingston City and Park County.
source: 1930 – 2010: US Census, 1890 – 1920: Wikipedia





CHAPTER 2 ECONOMY

Introduction

The economy of Livingston and the surrounding area has historically depended upon timber, agriculture and the railroad. All three of these components are still important to the area's economy; however, the number of jobs supplied by these industries continues to decline as it has over the last 25 years. As local jobs decrease within these industries, they are generally being replaced by service-oriented positions.

The geographic setting of our area (near Yellowstone Park, abundant wilderness, National Forests and the Yellowstone River) has created a thriving tourism and recreation industry. This industry has continued to grow and is continually providing new employment opportunities in the area. As Livingston's economy moves away from its historical base, we are also seeing a shift toward the self-employed, often home-based, professional. This is possible through the use of the Internet and other global communication and high speed data transmission technologies.

Local government can encourage economic growth by recognizing what sectors are strong and directing economic development efforts toward weaker or non-existent sectors. Strategies that could be pursued include increasing the area zoned for light industrial use, modifying business regulations to encourage small professional businesses, and maintaining the needed infrastructure to encourage economic activity. The City should also seek to provide higher education, possibly in the form of vocational and/or community colleges and use the tools at our disposal to attract and retain businesses.

Current Trends and Data

The document attached to this Growth Policy as Appendix 1, entitled 2015 Economic Profile of Gallatin and Park Counties, Montana, represents a good picture of the current sector breakdown and demographic changes that are occurring in Park County and the City of Livingston.

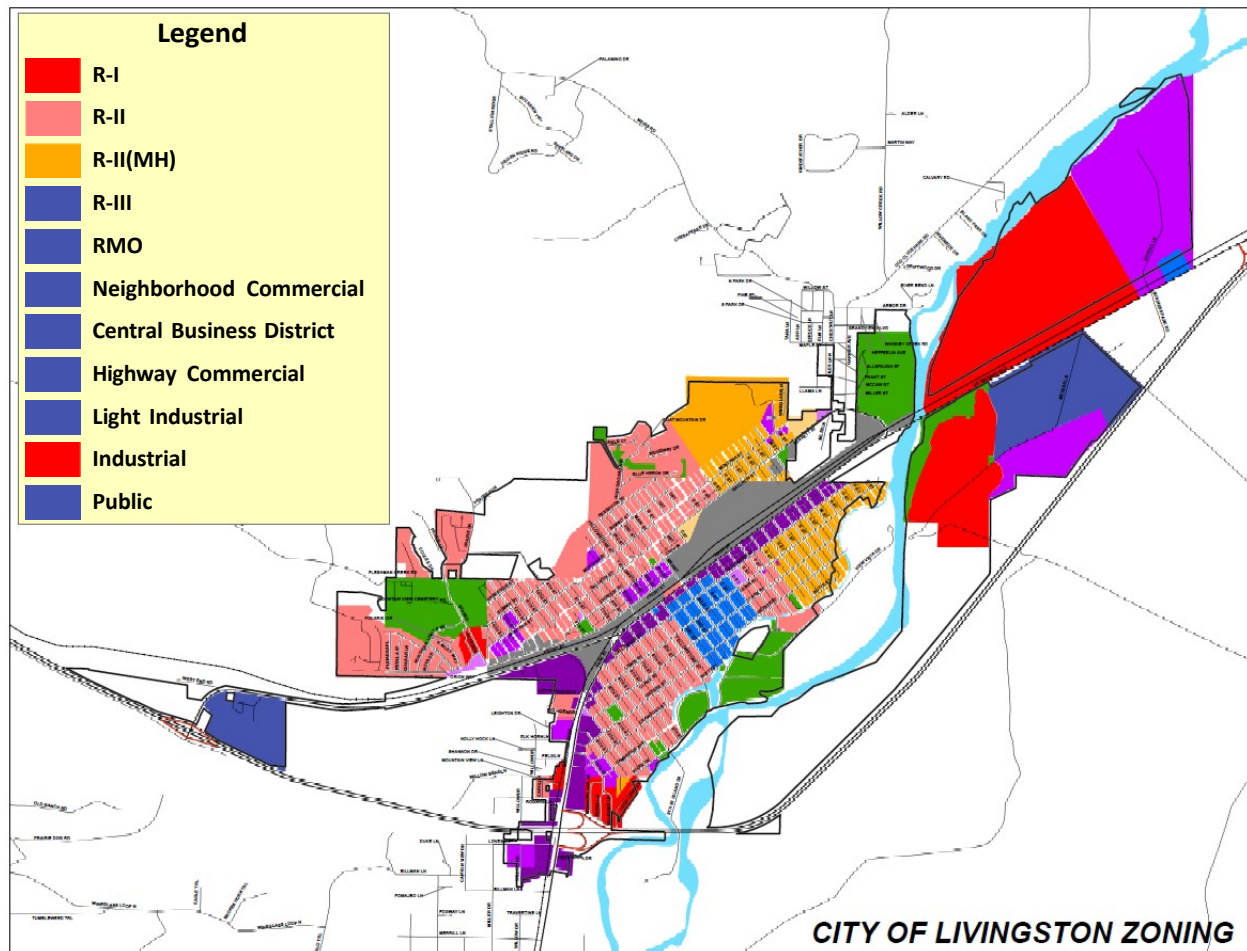
Since the last Growth Policy update, overall economic trends have taken a downward swing away from the boom of 2004 – 2006. While the data now shows that activity has decreased in many sectors as, nationally, we have seen a general economic slow-down, we are seeing some indications of a slow recovery.

In fiscal year 2005-2006 the City issued 75 permits for new residential construction. In contrast, by the end of the 2014-2015 fiscal year only 18 new residential permits were issued. This disparity provides a stark example of just how different the economic climate is since we last revised the Growth Policy. In 2004 our primary concern was centered on how to manage rapid growth and development. Today, we find ourselves in the opposite position – one in which land development has slowed significantly.

Moving forward, the City of Livingston will need to determine how it wishes to react to these conditions to help promote positive change in the region's economic situation.

CHAPTER 3 LAND-USE

The City of Livingston has the following twelve (12) categories of land-use defined by zoning districts: Low Density Residential (R-I), Medium Density Residential (R-II), Medium Density Residential: Mobile Home (R-II [MH]), High Density Residential (R-III), Mobile Home Residential (RMO), Public (P), Industrial (I), Light Industrial (LI), Highway Commercial (H.C.), Neighborhood Commercial (N.C.), Central Business District (C.B.D.), and Preservation Zoning District (PZD).



Current Land-Use

Low Density Residential (R-I): A single-family residential district that requires a large plat area (at least 9,600 square feet). The east side of the Star Addition, the Glenn Division, and the Werner Addition are all R-I.

Medium Density Residential (R-II): This is primarily a single-family residential district requiring plats larger than 3,500 square feet. However, duplexes and two-family dwellings may be accommodated on lots of 7,000 square feet or larger. R-II is the dominant land-use in Livingston and is found north and south of Park St.

Medium Density Residential, Mobile Home (R-II [MH]): This district has the same requirements as R-II, and is still used primarily for single and two-family dwellings. Unlike R-II, however, this district allows for the placement of mobile homes. R-II (MH) is found primarily in the Minnesota Addition on the north end of town, and in the Riverside Addition in the east part of town.

High Density Residential (R-III): R-III zones provide for multi-family developments such as apartment buildings and condominiums. There are R-III areas scattered throughout Livingston, but the majority are found in the northwest and southern parts of town.

Mobile Home Residential (RMO): This is a district that allows only mobile homes and accessory buildings. At this time, there are three mobile home courts that are zoned RMO.

Public (P): This is land reserved exclusively for public and semi-public uses. Public zones are set aside to provide for a variety of community facilities that serve the public health, safety, and general welfare. Places in Livingston used as (P) include the several parks, the cemetery, the City-County Complex, and the schools.

Industrial (I): A district intended to accommodate a variety of businesses, warehousing, transportation terminals, and light and heavy industries. (I) areas in Livingston are concentrated around the Montana Rail Link Railroad and the Livingston Rebuild Center.

Light Industrial (LI): Intended to accommodate a variety of light industry, including those defined as light manufacturing as well as business and professional offices.

Highway Commercial (H.C.): Highway Commercial zones provide for commercial and service enterprises, which serve the needs of the tourist, traveler, recreationist, or the general traveling public. H.C. areas are usually located near Interstate interchanges, intersections of limited access highways, or adjacent to primary and secondary highways. In Livingston, this is along the southern end of Park Street, along Highways 10 and 89, and near the I-90 interchange.

Neighborhood Commercial (N.C.): Neighborhood Commercial zones provide for community retail service, office facilities, or convenience retail development. Most places zoned N.C. are individual businesses in residential areas.

Central Business District (C.B.D.): The C.B.D. accommodates stores, hotels, government and cultural centers, professional offices, service establishments, and high-rise apartments. The emphasis in the C.B.D. is on large scale, dense buildings.

Preservation Zoning District (PZD): The Preservation Zoning District is designed to supplement land uses and development standards by recognizing the unique characteristics of existing structures which may be important to the community to preserve from either an historical or architectural design perspective or by recognizing the unique characteristics of a specific piece of property due to natural features, including topographic features, watercourses, woodlands and wildlife habitats. It is the intent of this zone that allowed uses act as an inducement to preservation of the historic or architectural design of the buildings and/or natural features. Allowed uses shall not be construed as creating a benefit for the owner of the property to the detriment of other property owners surrounding the PZD, i.e., this is not to be construed as creating special legislation for the benefit of the Preservation Zoning District property owner(s), but rather a method for the preservation of historic or architectural designs and/or natural features important to the community.

Future Land-use

In the past six to eight years, the City has annexed a significant amount of land (see map below). These areas include the Yellowstone Preserve property and the Watson Ranch both east of the river, the Discovery Vista subdivision to the northwest, the Jesson property at the west interchange, and the JAT property on Highway 89 South near Billman Lane. Combined, these areas nearly double the area of the incorporated City limits. Thus, it seems that there is more than adequate growth area for Livingston over the next few decades. It seems unlikely that growth pressures will fuel the need for further annexations in the near term, although safety and efficiency considerations can motivate annexation decisions as well.

Future Residential Land-use

As reflected on the Future Growth Map, the primary residential growth areas are seen as that north and west of the Palace Addition and northeast of town to include the Green Acres subdivision and the infill area between Green Acres and the current City Limits. These areas have been identified as prime residential areas due to both the adjacent, exiting residential uses as well as the relative ease with which the City can serve these locations with water and sewer. It is also reasonable to expect some residential growth to occur in the "Five-Acre Tract" area.

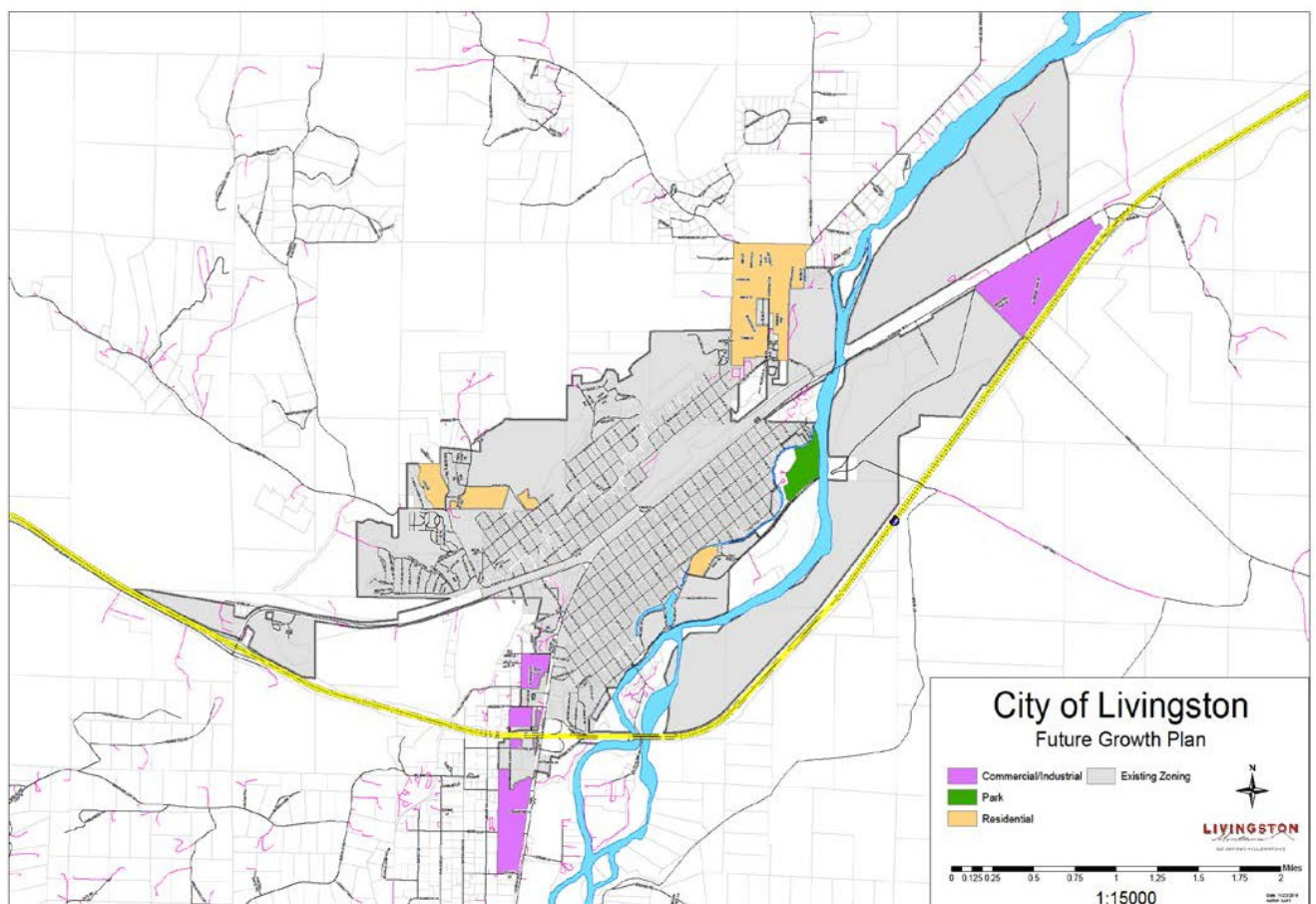
It is important to note that the primary residential growth areas are on the north side of the railroad corridor. This fact makes it essential that the City continue to pursue an additional off-grade rail crossing in order to facilitate future growth. It cannot be overemphasized that if we wish to pursue economic growth, we must provide for the physical growth of the City. Enhanced access to the north side of the railroad is a requirement for this to occur.

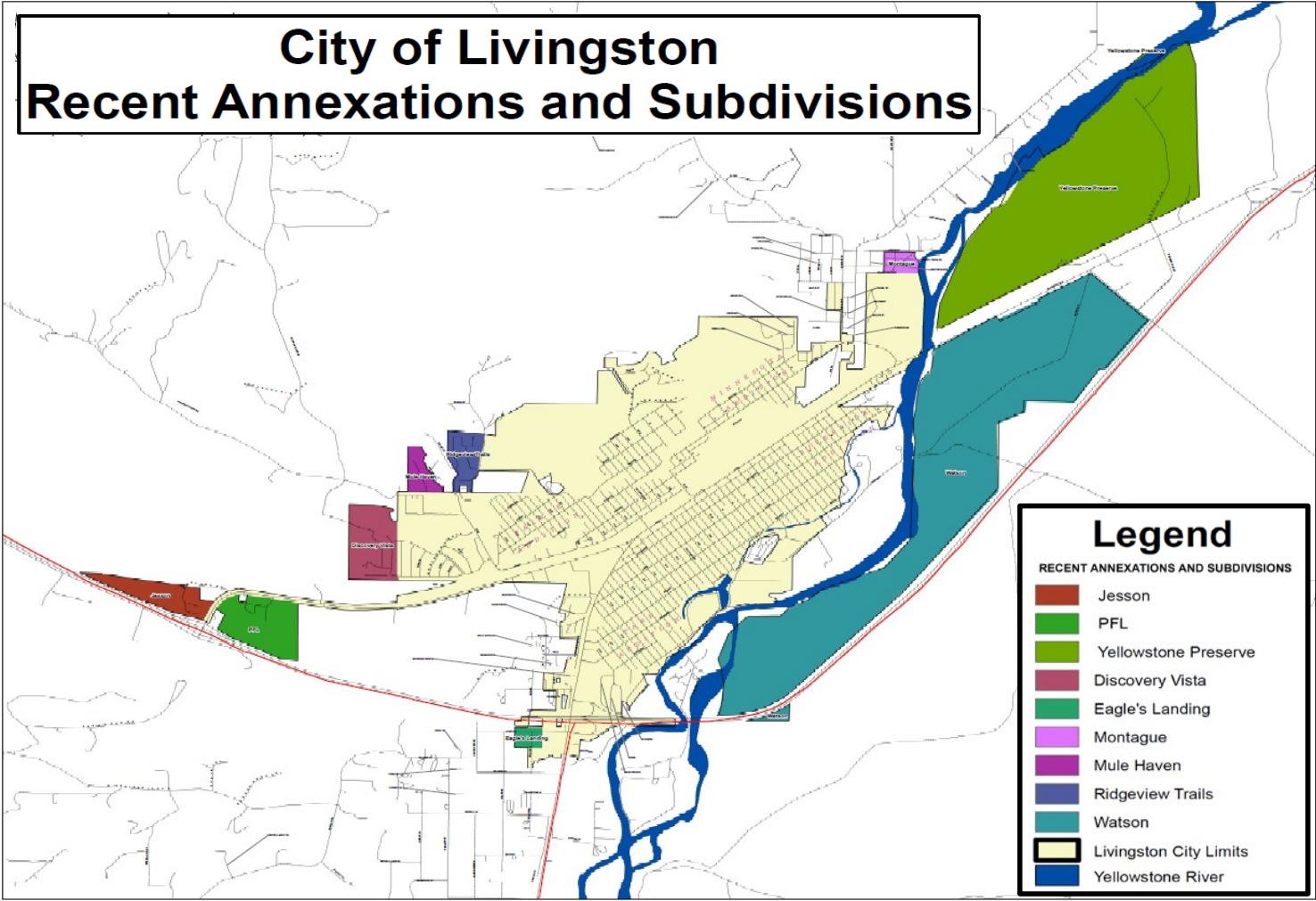
Future Commercial and Industrial Land-use

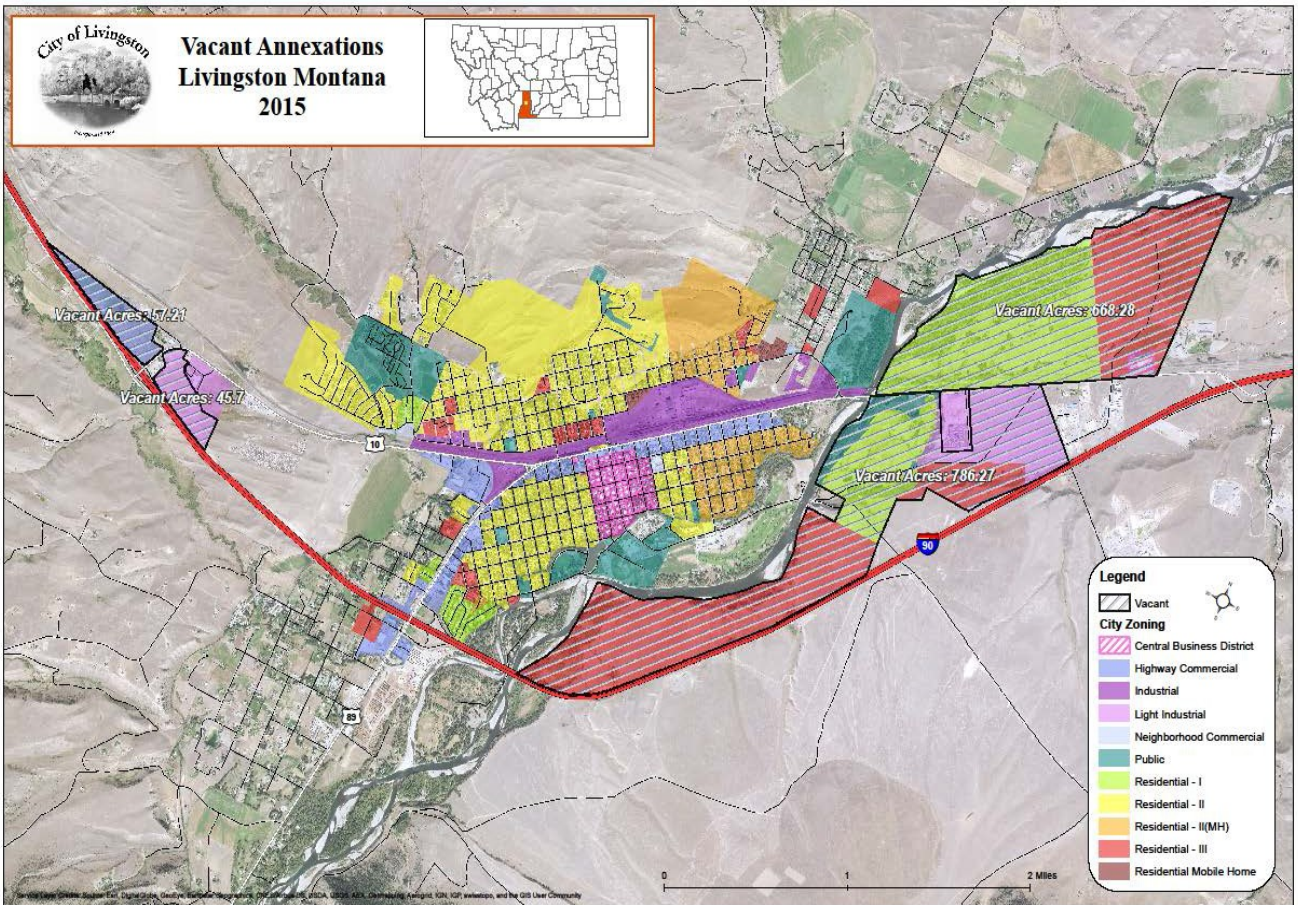
In the past, relatively few options have existed for the location of commercial land uses. Recent annexation of the Watson Property east of the river, the Jesson Property near the west interchange, and the JAT Property on Hwy 89 South, has added greatly to the stock of undeveloped commercial and light industrial land.

Other potential commercial areas include the railroad property between Gallatin Street and the tracks and the west side of Hwy 89 South as far as Guthrie Lane. These areas are, again, identified due to the relative ease of providing both utilities and general City services to these locations.

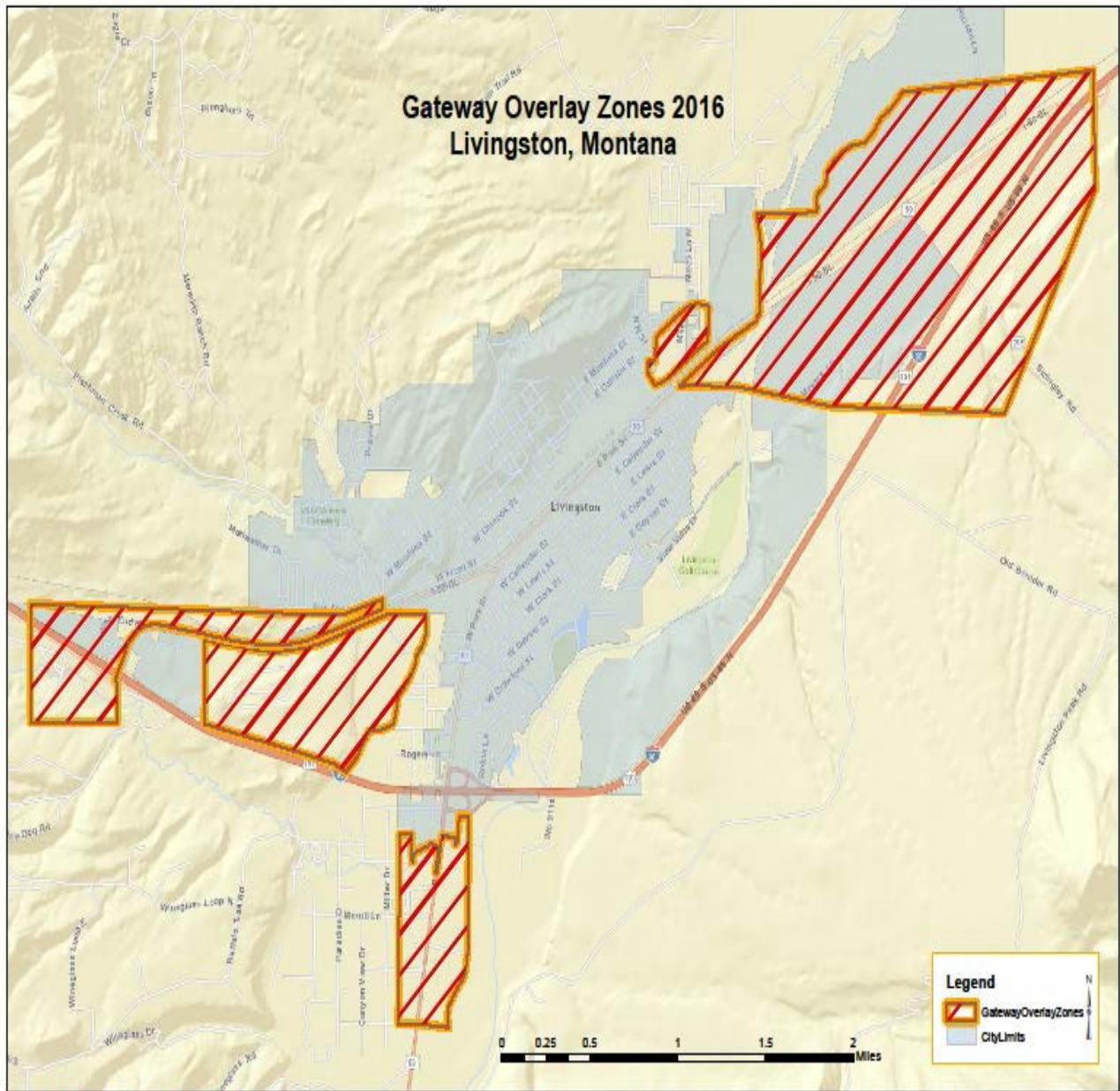
The re-use or redevelopment of the railroad shop area is seen as a key element in Livingston's continued economic growth. Its central location and potential for the use of its existing facilities is seen as a great opportunity to provide for additional commercial or industrial activity without requiring the geographical expansion of the City.







As part of its future land-use planning the City has identified key gateway areas to the City. The City created a Design Review Overlay Zone that applies to these particular areas if and when they are annexed into the City's jurisdiction. This overlay zoning will provide for some addition regulation over non-residential buildings in order to maintain aesthetically pleasing entrances into our community.



City use of Subdivision Review Criteria

The following explains how the city will define and apply the subdivision review criteria, which are outlined in state law:

Definitions:

- Agriculture – The production of food, feed, and fiber commodities, livestock and poultry, bees, fruits and vegetables, and sod, ornamental, nursery, and horticultural crops that are raised, grown, or produced for commercial purposes.
- Ag water user facilities – Any part of an irrigation system used to produce an agricultural product on property used for agricultural purposes.
- Local Services – All services provided by any local government unit having jurisdiction over the subdivision as well as those commonly provided by private entities to similar properties in the vicinity.
- Natural Environment – The physical conditions that exist within a given area.
- Wildlife and wildlife habitat – Living things that are neither human nor domesticated and the physical surroundings required for their existence.
- Public health and safety – A condition of well-being wherein risk of injury to the community at large is minimized.

The City of Livingston will apply these primary review criteria by answering the following, categorized questions:

- Effect on Agriculture –
 - 1) Would the subdivision remove agricultural or timberlands with significant existing or potential production capacity?
 - 2) Would the subdivision remove from production agricultural lands that are critical to the areas agricultural operations?
 - 3) Would the subdivision create significant conflict with nearby agricultural operations (e.g. creating problems for moving livestock, operating farm machinery, maintaining water supplies, controlling weeds, applying pesticides or would the subdivision generate nuisance complaints due to nearby agricultural operations)?
 - 4) How would the subdivision affect the value of nearby agricultural lands?

- Effect on Agricultural Water User Facilities –
 - 1) Would the subdivision create a significant conflict with agricultural water user facilities (e.g. creating problems for operating and maintaining irrigation systems or creating nuisance complaints due to safety concerns, noise, etc.)?

- Effect on Local Services –
 - 1) What additional or expanded public services and facilities would be demanded to serve this subdivision?
 - a) What additional costs would result for services such as streets, law enforcement, parks and recreation, fire protection, water, sewer and solid waste, schools and busing (including additional personnel, equipment, construction and maintenance costs)?
 - b) Who would bear these costs?
 - c) Can the service providers meet the additional costs given legal and other constraints?
 - 2) Would the subdivision allow existing services, through expanded use, to operate more efficiently or make the installation or improvement of services feasible?
 - 3) What are the present tax revenues received from the unsubdivided land by the County, City and Schools?
 - 4) What would be the approximate revenues received by each above taxing authority when the subdivision is improved and built upon?
 - 5) Would new taxes generated from the subdivision cover additional public costs?
 - 6) Would any special improvement districts be created which would obligate the City fiscally or administratively?

- Effect on the Natural Environment –
 - 1) How would the subdivision affect surface and groundwater, soils, slopes, vegetation, historical or archaeological features, and visual features within the subdivision or on adjacent lands?
 - a) Would any stream banks be altered, streams rechanneled or any surface water contaminated from run-off carrying sedimentation or other pollutants?
 - b) Would groundwater supplies likely be contaminated or depleted as a result of the subdivision?
 - c) Would construction of streets or building sites result in excessive cuts and fills on steep slopes or cause erosion on unstable soils?
 - d) Would significant vegetation be removed causing soil erosion or bank instability?

- e) Would significant historical or archaeological features be damaged or destroyed by the subdivision?
- f) Would the subdivision be subject to natural hazards such as flooding, rock, snow or land slides, high winds, severe wildfires or difficulties such as shallow bedrock, high water table, unstable or expansive soils, or excessive slopes?

- Effect on Wildlife and Wildlife Habitat –

- 1) How would the subdivision affect critical wildlife areas such as big game wintering range, migration routes, nesting areas, wetlands or other important habitat?
- 2) How would pets or human activity affect wildlife?

- Effect on Public Health and Safety –

- 1) Would the subdivision be subject to hazardous conditions due to high voltage lines, airports, highways, railroads, high-pressure gas lines, or adjacent industrial uses?
- 2) What existing uses may be subject to complaints from residents of the subdivision?
- 3) What public health or safety hazards, such as dangerous traffic or fire conditions, would be created by the subdivision?

Public Hearing Process for Subdivision Review

The Livingston City Planning Board shall conduct all required public hearings associated with the review of subdivisions within the City's jurisdiction. The hearings will be under the direction of the Chair of the Board or Acting Chair in the absence of the Chair. The Chair will announce the issue under consideration and public comment will be opened with the proponents of the subdivision being asked to speak first. Once the Chair has determined that no further proponents wish to speak, those opposed to the subdivision will be asked to speak. After those opposed to the subdivision have spoken, and after calling three (3) times for further comment on the issue, the Chair will close the public hearing and the Board will begin its deliberation. At the outset of the hearing, the Chair may set a uniform time limit on all speakers in order to ensure that the meeting is concluded at a reasonable hour. Such time limit shall not be less than three (3) minutes. If, in the interest of the public's right to participate, it is determined by the Chair that a public hearing has extended too late into the evening, the Chair may suspend the hearing and, with the consent of a majority of the Board, order the hearing to be continued at the time and place so stated.

CHAPTER 4

PUBLIC FACILITIES & LOCAL SERVICES

Local Government

The City of Livingston has a Commission-manager form of government. Five Commission-members are elected to four-year, staggered terms, and they in turn appoint a manager who becomes the chief administrative officer for the city. The manager is then responsible for the administration of all local government affairs placed in his charge (i.e., enforcement of laws and ordinances, direct and supervise all departments, etc.).

Solid Waste Management

Currently solid waste disposal for the city consists of the Livingston Transfer Station. The City of Livingston collects solid waste from approximately 3,600 homes and businesses using automated garbage trucks. Park County also delivers garbage from their green box sites to the City transfer station. All garbage delivered to the transfer station is ultimately hauled by truck to a landfill in Great Falls.

Current Operations

The Solid Waste Fund for Livingston is an enterprise fund with two major revenue sources: residential charges, and user fees for commercial stops. Residential garbage fees are set amounts paid each month. Commercial garbage fees are assessed by weight per stop, and also must be paid monthly.

Solid waste is collected weekly for residential users, and at least once a week for commercial users, with options for more pickups. The city collects garbage with two automated collection trucks (one commercial and one primarily residential with some commercial stops) and one backup truck. All trucks are equipped with on-board scales. Both trucks each have a one man crew. These trucks operated five days a week.

In 1993, the city purchased a wood chipper and started a compost pile. The compost pile consists of grass clippings, leaves, and some wood chips. Wood chips are used at the Waste Water Treatment Plant to create compost.

Future Operations

The City of Livingston will continue the compost pile, and continue to operate the transfer station to serve both City and County residents. All options are still being looked at for handling County-wide solid waste which includes reduction of waste, recycling, and transfer station.

Utilities

The City of Livingston provides water and sewer services inside and outside the city limits. Prior to receiving city water or sewer, owners must sign a waiver of annexation as the only requirement. It must be noted, however, that most of the water in the county area comes from private wells, and sewage is almost all septic.

Water System

Supply. The present water supply for Livingston consists of six wells located throughout the city. These wells have an output ranging from 480 gpm, to 1,100 gpm.

Distribution. The city has had substantial work done to the larger distribution lines in the last five years. These lines can withstand significant population increases before they will need to be replaced. There are approximately 25 miles of smaller lines in Livingston (4-8 inches), 40 percent of which were installed around 1915. These smaller lines need to be replaced at an estimated cost of \$25 million.

Three reservoirs store all of the city's water. Total capacity of these reservoirs is 3,090,000 gallons. With the planned addition of a Pressure Relief Valve connecting the 1 million and 2 million gallon reservoirs, our current storage capacity should be adequate for several more years.

Future Needs. The City of Livingston has adequate water supplies for current projected needs however, it is important to note that the recently constructed water extension that serves the

hospital needs to be looped or a supply well needs to be added to the system on the south/east side of the river. Currently this extension is a dead-end and no redundant water source exists.

Sewer System

Existing Facilities. The Livingston sanitary sewer system consists of pipes of various sizes and materials that terminate at the Waste Water Treatment Plant, on the northeast side of Livingston.

The Waste Water Treatment Plant has reached the end of its designed lifespan. A new plant is being designed and on schedule to be built in 2017. This new treatment facility will be constructed to meet new DEQ regulations pertaining to discharge and the protection of the Yellowstone River.

Storm Water System

Existing Facilities. The storm water system in Livingston consists of four different areas:

1. The southeast side of town.
2. The southwest side of town.
3. The underpass.
4. The northeast side of town.

Future Needs. The Livingston storm water system will need the following improvements:

1. Replacing the storm water system on the southeast end of town.
2. The extension of a storm drain line at Yellowstone and Park Streets to extend under the tracks will help take some of the water from the underpass and bring it to a different location and will help some of the underpass storm water problems.

Fire Protection and Ambulance Services

Livingston Fire and Rescue (LFR) is a combination Fire and EMS transport agency that is led by the Fire Chief with 14 career Firefighter/Paramedics and 11 Reserve firefighters and EMT's. There are two members that work directly for the Fire Chief who perform predominately administrative duties and make up the command staff. They are the EMS Director and the Fire Inspector/Training Officer who each have a multitude of internal and external responsibilities. The EMS Director's primary responsibility is the management of all things EMS including training, billing, reporting, EMS supply requisitioning, budgetary concerns and acting as a liaison between Livingston Healthcare and the organization. The Fire Inspector/Training

Officer is responsible for fire training, fire reporting, fire/injury prevention to include code enforcement, and the management of the Reserve firefighter program.

There are four duty shifts labeled A, B, C and D comprised of a Captain and two firefighters who are responsible for day-to-day fire and emergency medical response, daily continuing education and company fire inspections. They work a rotating shift schedule of 24 hours on duty and 72 hours off and can choose to be available for emergency and non-emergency callback to the fire station on their off days. A portion of Livingston Fire and Rescue's call volume is derived from inter-facility transfers that are staffed voluntarily by both the career and reserve staff. The ability to recall members to the fire station to staff transfers and any additional emergency calls is integral to the success of the organization and service to the community. This illustrates the importance of a strong and well trained reserve corps to assist in the staffing of any additional calls for service.

Livingston Fire and Rescue has 4 ALS transport ambulances, a 75-foot quint aerial, a Type 1 engine, a DNRC type 5 brush truck and a Chevy suburban used as a technical rescue chase vehicle. The Fire Chief and each member of the command staff is also assigned a vehicle to be used for their daily duties and incident command responses. The City of Livingston currently has an Insurance Service Office (ISO) rating of 3 which has just been improved (2015) from a 4. The scale runs from 1 to 10 with a rating of a 1 being the best. Our community will be assessed every 3 to 5 years to assess any changes and re-evaluate the many areas assessed which include city wide water supply, dispatch capabilities and many areas of Livingston Fire and Rescue efficiency like staffing numbers, training, pumping capacity and the overall maintenance of the organization.

Fire and EMS responses outside of Livingston are dictated by mutual and automatic aid agreements with the outlying rural fire districts. There is an automatic aid agreement with Park County Rural Fire District #1 for fire responses where LFR responds to a pre-defined 5-mile "donut" surrounding the city. LFR is the primary transport agency to Park County North of Yankee Jim canyon on Highway 89 South stretching to both county lines to the East, West and to Meagher County in the North. The ambulance service functions as a fee-for-service operation generating revenue that directly pays the salaries of 6½ staff members and assists with capital purchases.

Law Enforcement

Law Enforcement in the City of Livingston and surrounding area is enforced by three agencies: the Livingston Police Department (LPD), the Park County Sheriff's Office (PCSO) and the Montana Highway Patrol (MHP).

Law enforcement, including routine patrolling and responding to calls, within the City of Livingston boundaries is the responsibility of the Livingston Police Department. The LPD has

14 full-time sworn law enforcement personnel, which includes the Chief of Police, the Assistant Chief of Police and 12 Officers.

The Park County Sheriff's Office is primarily responsible for the law enforcement, routine patrolling and responding to calls outside of the City of Livingston but within Park County. The PCSO has jurisdiction within all of Park County, including the City of Livingston. The PCSO consists of 16 full-time sworn law enforcement personnel, including the Sheriff, Under-Sheriff and 14 Deputies

The Montana Highway Patrol has jurisdiction in the entire State of Montana, including both Park County and the City of Livingston. The primary responsibility of the MHP is the highway system throughout Park County. The MHP has 4 troopers located within Park County.

Both the LPD and PCSO are located and work out of the City-County Complex in Livingston. Park County is required to provide all correctional detentions (i.e. jail/ detention facilities). The City of Livingston provides all the dispatchers, but the county reimburses a percentage of the operating costs for the 911 Communications Department.

Medical

Our primary hospital is Livingston Healthcare Hospital. This is a new facility located within the City limits and incorporates the Livingston Clinic and provides a 24/7 staffed emergency department. Livingston Healthcare provides surgical services and is a critical access trauma center. Patients requiring advanced care not available at LHC are transferred to larger facilities by ground or air ambulance.

Road Network

Interstate 90 provides a major east-west transportation route in the city-county area. U.S. Highway 89 intersects I-90 in Livingston, and provides a quality transportation route from north to south.

The City of Livingston is split by the railroad with only three crossings located within the city limits. Another rail crossing is needed and is being pursued. The City is pursuing a Federal TIGER Grant to for an underpass which would tie West Front Street to Highway 10 at Star Road.

Recreation

The City's Recreation Department provides area residents the opportunity to participate in a variety of educational and recreational activities. Available activities have included organized sports such as Youth Basketball, Adult Basketball, Adult Volleyball, Youth Soccer, Pickleball, Floor Hockey and various martial arts. Also provided are seasonal activities such as fly fishing camp, open gym, skate night, summer enrichment programs, garden club, art in the park and various flea markets. The Recreation Department has also provided enrichment arts activities such as beginner painting, drawing, holiday gift making and other arts and crafts. The Recreation facility is also a venue for parties, weddings and other large community events and provides a large, safe indoor space for walking and parent and tot play time. This department also organizes and oversees community events such as Summerfest and provides support for the weekly Farmers Market during the summer. The department has completed and implemented an interactive plan to provide consistent year round programming for all members of the community.

CHAPTER 5

NATURAL RESOURCES

Soils

The soils within the Livingston vicinity range from thin, high mountain soils, to deep alluvial soils along the Yellowstone River. Bordering the river valley are gently sloping high stream terraces and alluvial fans.

A soil survey of the area was published in 1975. Fifteen soils series and 31 mapping units were identified in the immediate area. The soils are rated for suitability for farming, irrigation, roads, streets, septic systems, and dwellings.

Several types of soils may exist within a mapping area. Therefore, site specific uses such as subdivisions, dwellings, septic systems, etc., may require on-site inspection to determine the

capability class of a particular soil. Detailed Soils information is available at the local Soil Conservation Service Office, U.S. Highway 89 South, Livingston, MT 59047.

Climate

The City has a cool semi-arid climate. The mean annual temperature is 45.8 degrees Fahrenheit with a mean January temperature of 25.7 degrees Fahrenheit, and a mean July temperature of 66.3 degrees Fahrenheit. The area receives about 14 inches of precipitation annually with May and June averaging 2.5 inches. The region experiences high winds, especially in the winter months, and has a high evapo-transpiration rate. The growing season ranges from 90 to 110 days.

Groundwater

The city is situated in the Yellowstone River valley, and is underlain by unconsolidated alluvial silt, clay, sand, and gravel deposited by the river. The alluvial material is between 25 and 65 feet thick, and represents the most economical and readily available source of groundwater for the area's water supply. All existing, and probably all future, municipal and private wells in the planning area will tap this shallow alluvial aquifer.

Groundwater flow direction is generally toward the east through the central part of the town. The flow direction shifts slightly to the southeast in the western part of the planning area.

The alluvial aquifer has the potential to yield large quantities of groundwater (it is estimated that each 1,000 lineal feet of valley contains approximately 300 million gallons of water); many of its characteristics make it susceptible to ground water contamination. The aquifer is shallow – between two (2) and twenty-five (25) feet – and relatively thin. Contaminants released on the ground surface are likely to reach the water table and affect a large percentage of the aquifer. It has been estimated that the groundwater flow under the planning area moves as much as twelve feet a day.

North of Livingston, the groundwater is limited and insufficient for irrigation purposes. There is, however, sufficient groundwater for private wells.

Groundwater underlying part of the southeast side of Livingston is contaminated with low concentrations of chlorinated ethane compounds. The contamination is the result of past industrial operations at the Burlington-Northern rail yard facility. Improper disposal practices and leakage from old wastewater drainage lines have allowed solvents to leach through soils at the rail yard and into the groundwater. The eastward flow of groundwater resulted in the migration of a plume of contaminated water extending to the Yellowstone River. Water samples from the river have shown no detectable concentrations of these contaminants.

Another major contaminate is an area of subsurface soils residually saturated with diesel fuel. An estimated 300,000 to 500,000 gallons of diesel fuel was spilled at the site and is now floating

on top of the water table beneath the railroad shops area. The plume is relatively stagnant, but is a contributor to solvents in the groundwater.

Surface Water/Drainage

The Livingston area is dominated by the Yellowstone River. The Yellowstone River originates in Wyoming, where it flows north through Yellowstone National Park and the Paradise Valley until reaching Livingston, where it makes a sharp turn to the east. Streams and groundwater in the area generally flow from the northwest to the southeast toward the river.

Billman Creek and Fleshman Creek are the only two major tributaries to the Yellowstone in the planning area. Water quality is generally excellent, although increased development along stream banks could have a long-term negative effect on water quality.

The Yellowstone is one of the premier blue ribbon trout streams in the United States. Protection of this resource has been a top concern throughout the area.

Floodplain/Floodway

The floodplain can be defined as the areas adjoining a stream that would be covered by floodwater. A floodway can be defined as the channel of a stream and the adjacent over bank areas that must be reserved in order to discharge a base flood without cumulatively increasing the water surface elevation more than one-half (1/2) foot.

The limits of the 100-year floodplain within the city-county planning area are shown on the FEMA Flood Insurance Rate Map (FIRM) Map developed to determine flood elevations within the city limits. Local government monitors floodplain development pursuant to regulations adopted from Title 76, Chapter 5 MCA.

In 2011 new FIRM maps for the City were issued by FEMA. These new maps show that much of the southeast part of the City, which was formerly considered to be within the 100-year floodplain, is in fact not in that regulated zone. This has, in effect, lessened the burden on owners of existing homes and rendered some vacant properties buildable.

Air Quality

Air quality within the planning area is generally excellent. Livingston and the surrounding area experience strong prevailing winds, which in turn help protect air quality.

Wildlife

Despite the development, the fringes of the city are still home to the plentiful wildlife for which southwest Montana is renowned. Game animals are surprisingly abundant around Livingston.

White-tailed deer are common along river and creek bottoms, and Mule deer are easily found in the fields and slopes. Even elk and antelope can be found occasionally in areas adjacent to the city. Pheasant and various species of waterfowl are always a possibility in the wetlands.

Non-game animals are even more plentiful than game animals. Fox, raccoon, badgers, coyotes, rabbits, and many other species may be seen throughout the area. Numerous species of birds also call the area home at least part of the year, including raptors such as Bald Eagles, hawks, and owls.

Finally, the pools and riffles of the Yellowstone River are home to a large population of native Cutthroat trout. These fish are a species of special concern in Montana, and are especially important to this area. The Yellowstone also contains populations of Rainbow trout, Brown trout, and Mountain Whitefish, making it one of the premier blue-ribbon trout streams in the nation.

CHAPTER 6 IMPLEMENTATION

The Growth Policy is an advisory document designed to assist the city commission in making land use decisions in the area. Local Government will continue to use the three primary methods to implement this plan: zoning ordinances, capital improvement plans, and subdivision regulations. It is important to realize however, that other policy decisions will also effect how the City develops over time.

The previous chapters of this document seem to indicate that the City of Livingston is beginning to emerge from the economic slowdown that accompanied the last nationwide housing crisis. This should lead to increased development activity and a more robust economic environment. As this trend continues it is important that the City put itself in a position to both accommodate new growth and insure that it is carried out in a way that is compatible with our existing

community. To this end, the City has updated and improved its primary land-use regulations, its zoning and subdivision regulations, as well as its annexation policy. The City has also implemented development impact fees as a means to help fund the City's expanding infrastructure. The City should seek to keep all of these regulations and tools up to date and relevant moving forward.

Zoning Recommendations

The City should pursue the idea of providing more area for high density residential zoning. This might include re-zoning, by private application or by the City's own initiative, vacant property already in the City.

The City should continue to promote the utilization of available, underdeveloped lots in, or bordering the city, to increase density and reduce infrastructure and public facilities costs.

Subdivision Recommendations

The City should amend its subdivision regulations to ensure that all future park land dedications are of a size and quality that makes them truly valuable and useful as public space. These changes should emphasize desired grade of the land, public accessibility and location as well as how cash-in-lieu value is determined.

Capital Improvement Recommendations

The City should strive to maintain its current infrastructure replacement plan. Keys to this include continued use of street and light maintenance districts and the continued use of development impact fees.

The City should continue to take advantage of opportunities to expand its service capability, especially where private funding is used to extend the City's utility systems.

The City should evaluate its annexation opportunities in relation to existing neighborhoods that are just beyond the City's boarder yet receive significant benefit from the City.

Growth Policy Revision and Review

The Growth Policy for the City of Livingston is to be reviewed at least every five (5) years. However, should the economic conditions change substantially, or the growth trends reverse, the growth policy should be amended immediately to reflect these new conditions.

Intergovernmental Cooperation

The City of Livingston intends to maintain a high level of cooperation with Park County. The City will be open and forthcoming as to its goals and vision of the future as well as how it intends to reach those goals. It is the intention of the City of Livingston to abide by a commonly established Interlocal Agreement for the benefit of all Park County residents.

This Interlocal Agreement will address the fringe areas outside of the City limits where the City and County Growth Policies may potentially overlap.

In particular, the Interlocal Agreement specifically requires Park County to submit to the City, for review and comment, all development proposals located within a two-mile radius of the City Limits. The Agreement also requires Park County to recognize the City's infrastructure and annexation plans by requiring City standards to be met by any subdivision or development located in our designated annexation areas. For the City's part, the City consents, under this Agreement, to pursue timely annexation of all eligible parcels and to keep the County informed as to any changes in annexation areas or infrastructure plans. Following is the text of the approved Intergovernmental Agreement:

INTER-GOVERNMENTAL AGREEMENT

Section 1: Policy Statements.

- 1.1 Both Park County and the City of Livingston recognize that it is in the public interest, generally, for urban development to occur in or near existing urban service areas.
- 1.2 Both the City of Livingston and Park County will continue to abide by the policy direction found in the Livingston Area Comprehensive Plan, in those geographical areas over which that plan originally had jurisdiction, until such time as each respective entity has adopted a compliant Growth Policy.
- 1.3 Current legislation requires that local Growth Policies address intergovernmental cooperation. Both the City of Livingston and Park County recognize the intent of this legislation and enter into this agreement in furtherance of intergovernmental cooperation in land use planning. This Interlocal Agreement will be referenced in both the City and County Growth Policies.

- 1.1 Both Park County and the City of Livingston realize that the existence of a current Growth Policy, which complies with the most recent Montana Statutes, is essential in carrying out any level of land use planning. It is therefore the policy of both the City and the County that the adoption of a compliant Growth Policy for their respective jurisdictions has, and will maintain, the highest priority.

Section 2: Agreement

- 2.1 Park County agrees as follows:

- A. The County will reflect the City's infrastructure and annexation plans in the Park County Growth Policy.
- B. The County will submit to the City, for review and comment, all development proposals within two (2) miles of the City limits at least twenty (20) days prior to formal review by the County. For the purposes of this agreement, development refers to any subdivision or site development with the exception of single-family homes on existing lots, accessory buildings on existing lots or agricultural buildings on existing lots.
- C. In the mapped areas identified by the City as potential annexation areas (attached), the County will require developments to be master planned for future incorporation into the City. Street rights-of-way, utility easements, SID waivers and other requirement will comply with the City standards found in the City Subdivision Regulations. In addition, lot and block layout will take into consideration the potential for future re-subdivision in order that densities can be increased upon annexation. Also, a mechanism will be initiated by which the County will require private roadways to be dedicated to the public upon annexation. It is understood that the City will update these annexation maps, periodically, as property is incorporated into the City.

- 2.2 The City of Livingston agrees as follows:

- A. The City will actively pursue annexation of all eligible properties that can be provided with City services.
- B. The City will annex, prior to development, any properties located within five-hundred (500) feet of the City's water or sewer systems.
- C. The City will continually update the County with regard to any changes in annexation areas or infrastructure planning.

The City plans to work with Park County to update this agreement in the near future. It is hoped that the City and County Planning Boards will meet and review the agreement and propose any necessary modifications. Any changes that result will be amended to this document.

APPENDIX 1.