

Appendix A: Extra-Territorial Jurisdiction Plan



LIVINGSTON GROWTH POLICY EXTRA-TERRITORIAL JURISDICTION PLAN

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1 | Introduction

Introduction

The 2020 Update of the Livingston Growth Policy will serve as an integral land use planning guidance tool as the community grows and develops. The Growth Policy includes consideration of the adjacent unincorporated area around the City which is located in Park County and defined by a 2-mile buffer from the Livingston municipal boundary. The Extra-Territorial Jurisdiction – or ETJ - is where future growth is likely to occur because of proximity to Livingston, and the services and opportunities that Livingston, Park County, and their partners offer in the area. As such, the Extra-Territorial Jurisdiction Plan (Report) seeks to outline actions that the City of Livingston can take to ensure that the community is prepared for any growth in the ETJ.

This Report summarizes existing conditions and expected growth trends in the ETJ. It also includes specific goals, objectives, and strategies that may be used to help implement the Growth Policy. The ETJ Plan is intended to assist in the effective coordination between local, county, and state governments to plan for the infrastructure and services necessary to support any new growth in the ETJ.

The Report is a supplement to the Growth Policy for the City of Livingston. It was developed as part of the planning process described in **Chapter 1: Introduction** and **Appendix B: Public Participation** of the 2020 Livingston Growth Policy.

2 | Existing Conditions and Needs Assessment

Context

This chapter of the Report summarizes the existing conditions of the Extra-Territorial Jurisdiction (ETJ) and includes a description of the area's unique characteristics that impact and will be affected by future growth within and adjacent to the City of Livingston. The chapter also includes interpretations of that information and opinions of the community on future growth within the ETJ.

The information in the following sections comes from a wide variety of sources and formats: federal, state, county, and city datasets, studies, and planning documents, as well as additional data collection as part of the Growth Policy update process. Since the ETJ is not an official place, data is not readily available for it specifically. Where independent data was not available for the ETJ alone, a consolidated analysis has been conducted. This combined area, that is the City of Livingston and the surrounding 2-mile area, is referred to as the 'Combined Study Area' in the Report. It is also important to note that, given the proximity of the ETJ to the City, several characteristics of this area are similar to that of the City. As such, references to the Livingston Growth Policy are made where applicable.

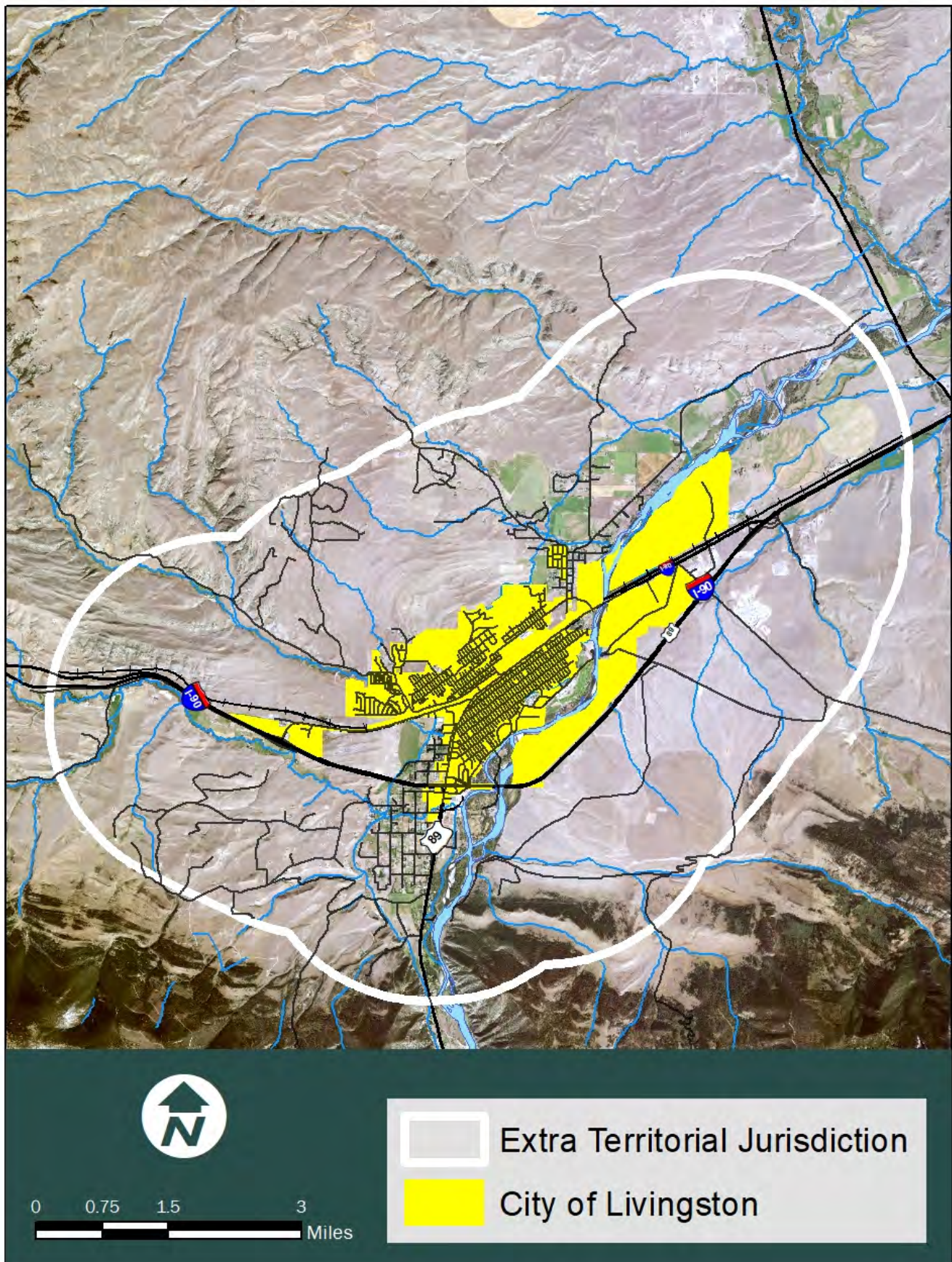
The ETJ boundary is defined as a 2-mile radius around the City of Livingston's municipal boundary. The total Combined Study Area (the ETJ and the City of Livingston, combined) is about 51.3 square miles. Establishing this boundary that extends beyond the City limits allows for a clearly defined area within which the City, Park County, and their partnering entities can plan for the infrastructure and services necessary to support any new growth in the area. **Exhibit 2.1** identifies the Combined Study Area boundary.

This section establishes a baseline upon which the areas for future development can be planned in an efficient, fiscally responsible, and environmentally sustainable manner without burdening current resources. Furthermore, new development will likely affect other services such as fire and police provisions, utilities, traffic management, maintenance of parks and open spaces, as well as natural resources required for providing quality of life for the ETJ's and Livingston's residents. Viewsheds, scenic vistas, and the overall rural character may also be impacted by development in this area. Hence, careful planning is critical for the health and vitality of the City and the Extra-Territorial Jurisdiction. **Figure 2.1** shows the predominant rural character of the Extra-Territorial Jurisdiction.

Figure 2.1: Rural Character of the Extra-Territorial Jurisdiction



Exhibit 2.1: Extra-Territorial Jurisdiction Study Area Boundary



Population

A. Introduction

The Population section outlines the growth and aging trends of people living in the Extra-Territorial Jurisdiction (ETJ). It also describes the estimated levels of education attained by residents of the area compared with the City of Livingston. This section also explains migration within the area using the Housing Starts indicator, and family household characteristics.

B. Growth Trends

The ETJ's population has witnessed fluctuation over the last couple of decades. The population dropped between 2000 and 2010 by approximately 503 people (19.22 percent) and in the following decade it increased by 231 people (10.92 percent). Possible reasons for population decrease in the 2000s may have been annexations and the 2008 national economic crash. However, since 2010, the population of the ETJ, City, and County have grown uniformly (Table 2.1). Spatially, the population density is higher in the northern and eastern parts of the ETJ.

Table 2.1: Extra-Territorial Jurisdiction Population Estimates

Area	2000	2010	2020	Percent Change 2000-2010	Percent Change 2010-2020
Extra-Territorial Jurisdiction	2,617	2,114	2,345	-19.22%	10.92%
City of Livingston	6,851	7,044	7,764	2.81%	10.22%
Combined Study Area	9,468	9,158	10,109	-3.27%	10.38%
Park County	15,694	15,636	17,287	-0.35%	10.56%

Source: ACS; ESRI, 2020

Given the growing interrelationships between the City of Livingston and the ETJ, projections for the individual areas as well as the Combined Study Area are increasingly important for a big-picture view and for coordinated planning of transportation and other infrastructure.

According to local estimates, the increase in population from 2000 to 2010 and from 2010 to 2020 indicate that the annual growth rate has not been consistent and has ranged from -2.11 percent to 1.04 percent for the ETJ. Furthermore, the annual growth rate for the ETJ from 2010 to 2020 was 1.04 percent and for the Combined Study Area was 0.99 percent reflecting a shift to more rural residential living. Assuming that the future growth will follow the previous decade's uniform growth trends, the population projections for the next 20-year timeframe is demonstrated in Table 2.2.

The growth rate can fluctuate greatly from year to year depending on annexations, life expectancy, the magnitude of Livingston's and other nearby communities' economies, increased incidences of telecommuting, and interest in living close to an established community like Livingston would likely determine population growth rates. Changes in population may also be affected by unforeseen and unprecedented circumstances such as the COVID-19 pandemic.

Table 2.2: Population Projections in the Extra-Territorial Jurisdiction and Combined Study Area

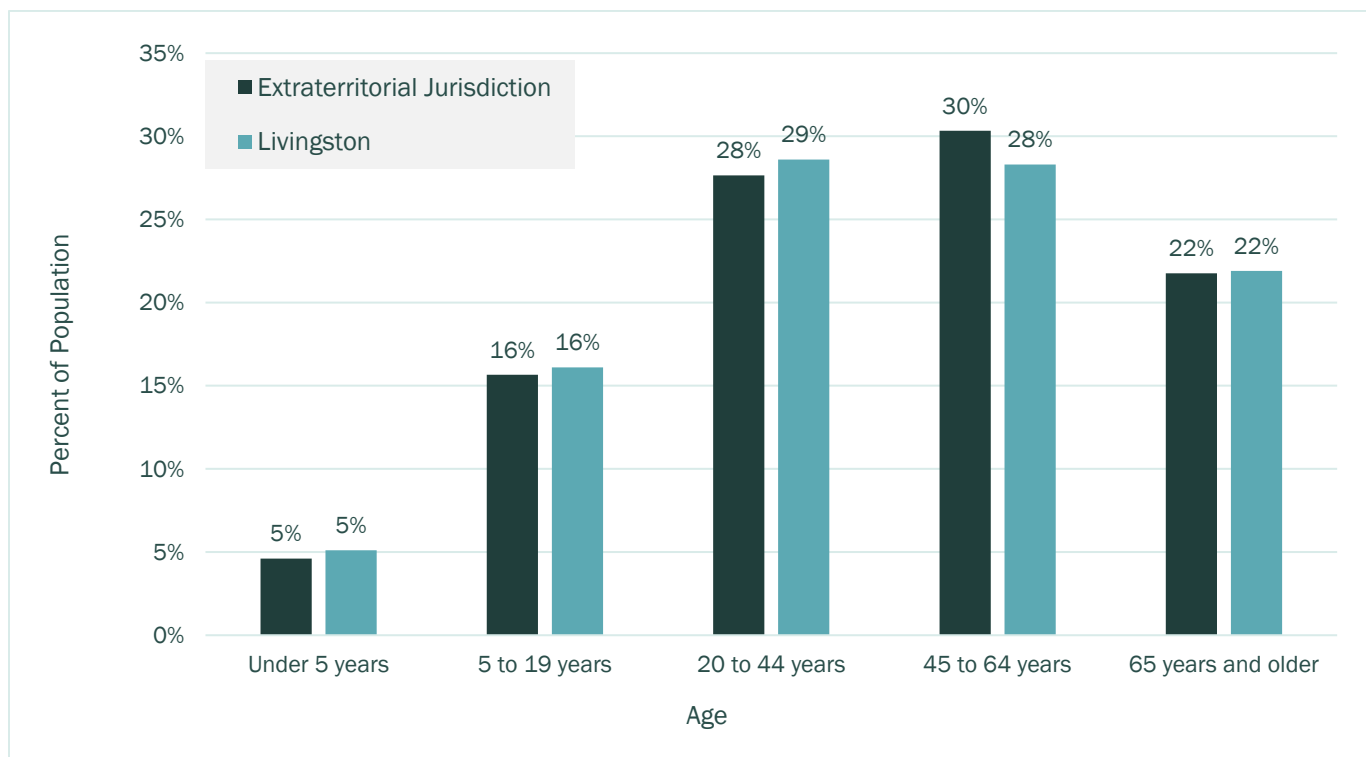
Year	Extra-Territorial Jurisdiction Annual Growth Rate of 1.04%	Combined Study Area Annual Growth Rate of 0.99%
2010	2,114	9,158
2020	2,345	10,109
2030	2,600	11,303
2040	2,884	14,707

Source: ESRI, 2020

C. Aging Trends

The ETJ has an older population relative to the City of Livingston. The 2020 estimated median age in the ETJ is 46.4 years, while the City's median age is 41. **Figure 2.2** compares the breakdown by age of residents in the ETJ and the City. As the figure shows, the age of both regions is nearly the same with the ETJ showing a greater percent (30 percent) in the 45 to 64 years old age group.

Figure 2.2: Age Trends in the Extra-Territorial Jurisdiction and the City of Livingston



Source: ESRI, 2020

D. Educational Attainment

The Combined Study Area and the City of Livingston have similar levels of educational attainment, meaning there is not a significant educational difference between people living within City limits and those located in the ETJ. While the Combined Study Area has a greater rate of some college with no degree compared to Livingston alone, Livingston has a higher rate of individuals with a bachelor's or graduate/professional degree. The educational breakdown can be seen in **Table 2.3**.

Table 2.3: Educational Attainment

Education Level	City of Livingston	Combined Study Area
Less than High School	3.9%	4.0%
High School or GED	32.3%	32.1%
Some College, no degree	26%	28.3%
Associate's Degree or equivalent	7.5%	6.6%
Bachelor's Degree	20.9%	20.4%
Graduate or Professional Degree	9.4%	8.6%

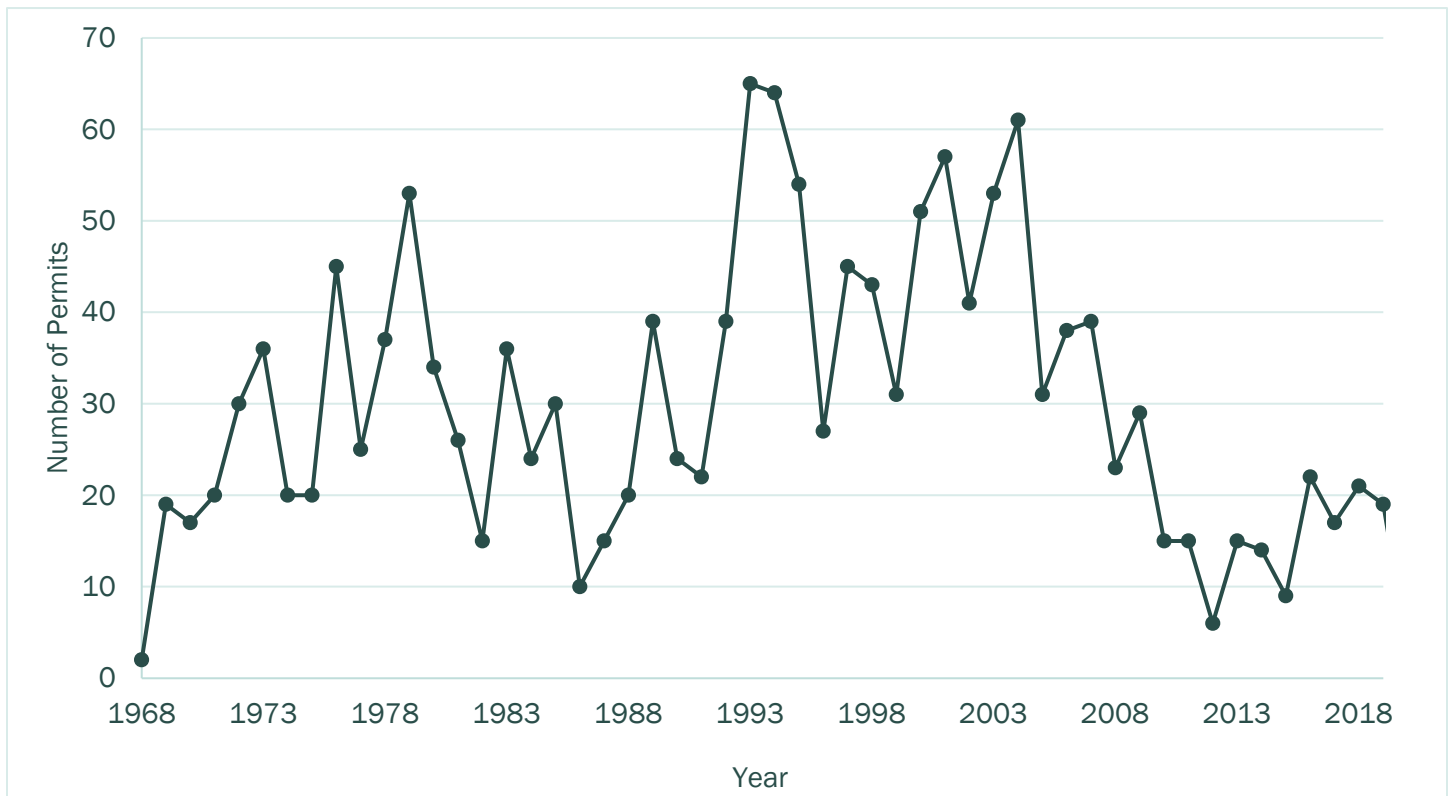
Source: ESRI, 2020

E. Housing Starts

Septic permits for new construction issued over the past several decades provide an indicator on development activity and general migration trends in the unincorporated area. Accordingly, 1,566 permits have been issued in total since 1968 that include both residential and non-residential properties. Construction activity peaked in 1993 and then again in 2004. However, after 2004, growth slowed significantly in the area possibly due to the recession. After the drop in 2012, construction activity has been recovering over the last few years.

Figure 2.3 shows the number of septic permits for new construction issued in the Extra-Territorial Jurisdiction since 1968.

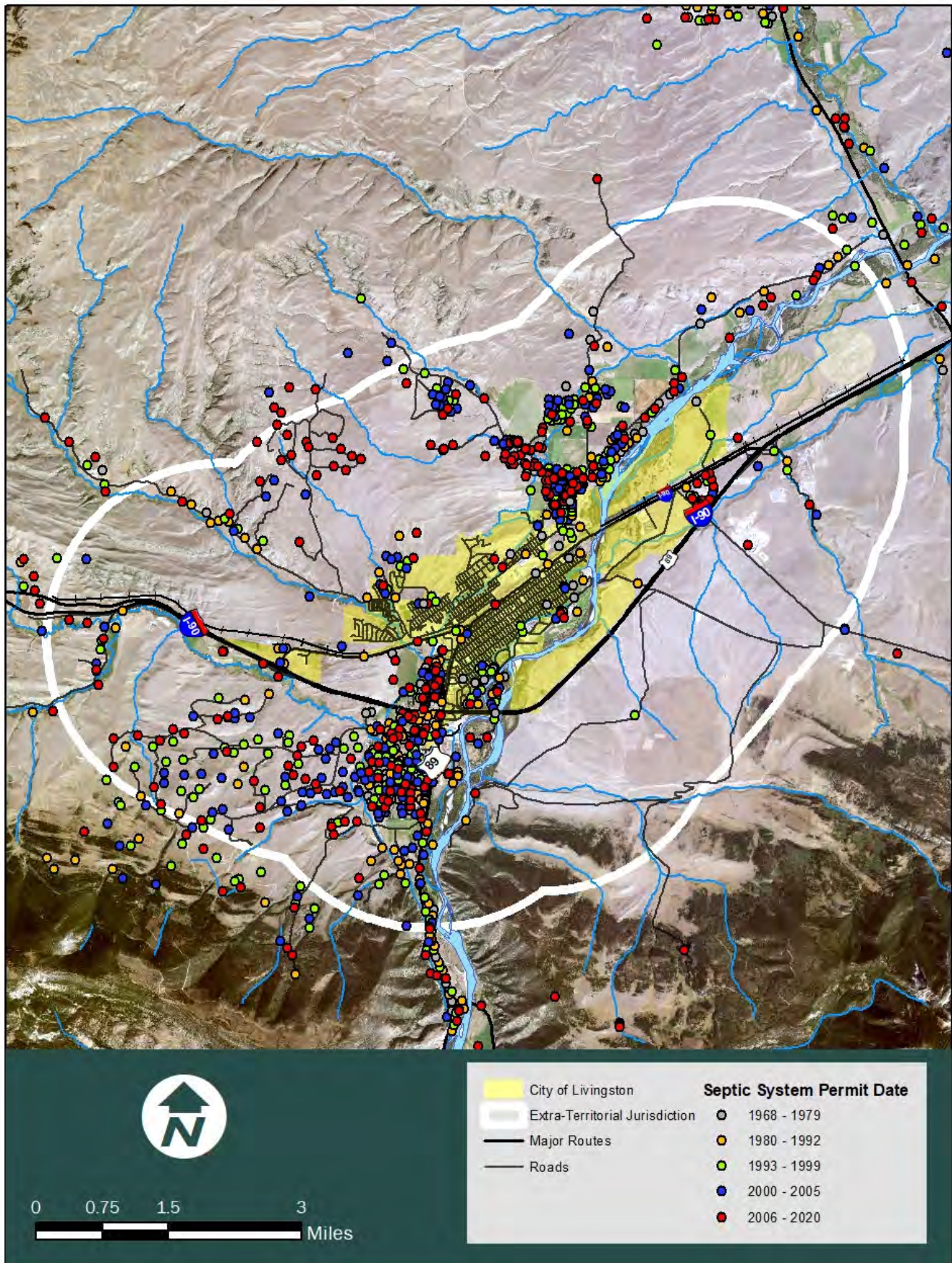
Figure 2.3: Number of Septic Permits Issued in the Extra-Territorial Jurisdiction



Over the decades, growth has occurred in areas close to the City limits. New construction was mainly concentrated along the Yellowstone River and Dry Creek in the north and northeast sides of the ETJ, and along US-89 in the southwest side. South of Livingston, with the exception of a few industrial facilities, had the least activity. The remaining new development was scattered.

Until the year 1992, construction away from the City limits was negligible. Since 1993, new development clusters were seen along Meigs Road and Buckskin Trail, along Kindsfather Drive, and in the southeast side near Wineglass. More recently since 2006, growth is seen in the area around Pronghorn Trail and Haven Meadow Loop, as well as in the already developing southwest region of the ETJ. **Exhibit 2.2** shows the location of construction activity over the years in the ETJ.

Exhibit 2.2: Septic Permits Issued in the Extra-Territorial Jurisdiction



Land Use

A. Introduction

The Land Use chapter presents the unique geographic context of the Extra-Territorial Jurisdiction (ETJ), describes the existing land use and cover (zoning and otherwise), the nature of its largely un-zoned area, and an analysis of anticipated future land uses. The section also presents the locations of public lands and important farmlands in the jurisdiction.

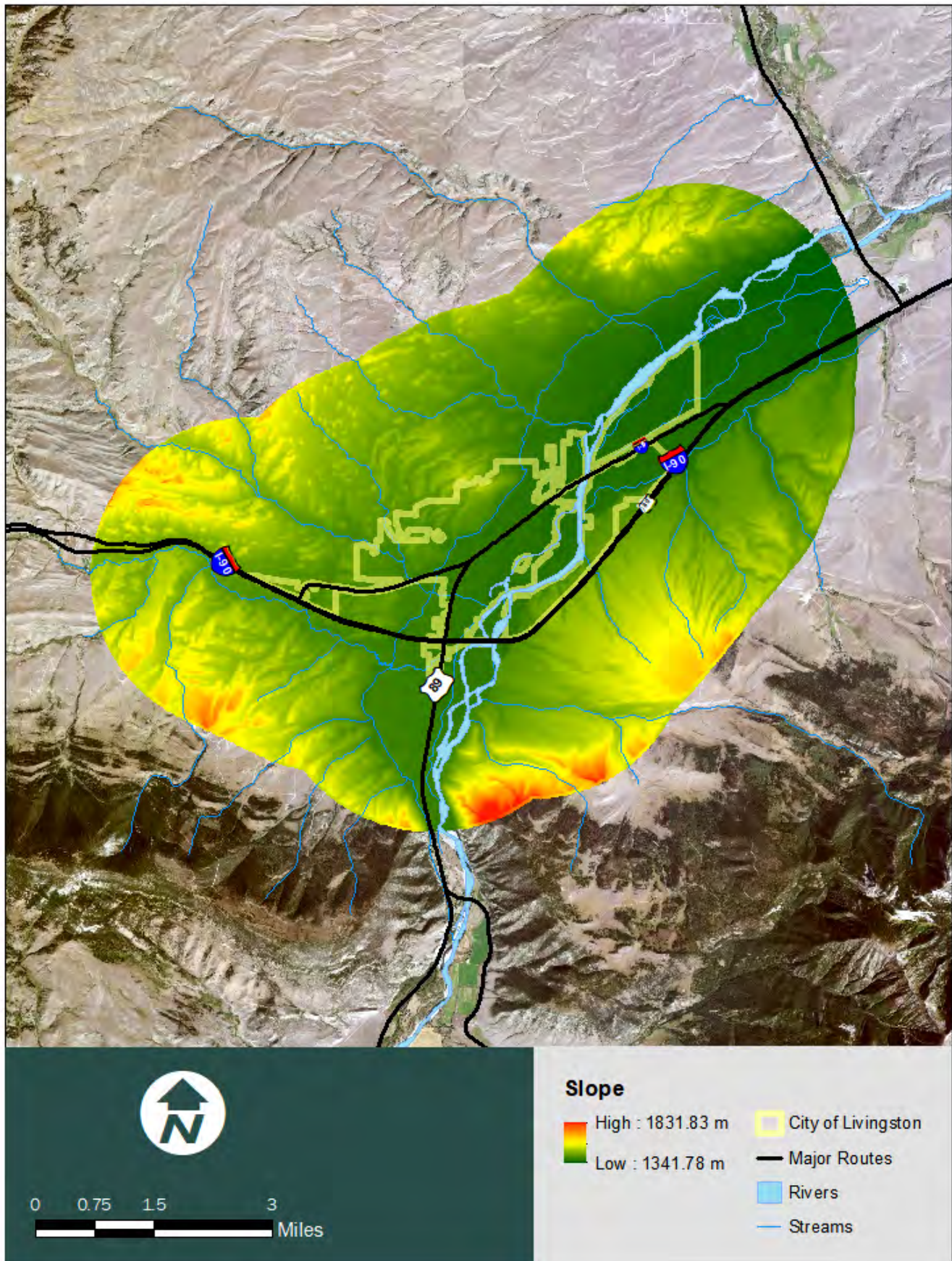
B. Geography

The ETJ surrounds the City of Livingston, located along I-90 and the Yellowstone River, approximately 25 miles east of Bozeman and 115 miles west of Billings. Livingston is nestled in the Yellowstone River valley, surrounded mostly by mountainous terrain that makes up most of the ETJ.

Outside of the current City limits, in the ETJ, elevation increases and ranges between 4,402 ft. to 6,010 ft. (1,341.78 meters to 1831.83 meters), with steep slopes in the south and gradual slopes in the north. The Yellowstone River and streams are located at the lowest elevation levels (**Exhibit 2.3**). Given this terrain, land that is relatively easier to develop is limited mainly to the north and northeast areas of the ETJ. Currently, the area has very low housing density accessible by unpaved local roads.

Most of the ETJ is undeveloped and characterized by open natural spaces. The open space is predominantly made up of grasslands except some areas north of Livingston and along the River that are cultivated for crops. The area also provides opportunity for many different recreational activities including fishing, hunting, hiking, rafting, and hot springs.

Exhibit 2.3: Elevation Change in the Extra-Territorial Jurisdiction



C. Land Use Patterns

Existing Zoning

The ETJ is not currently zoned.

Land Cover

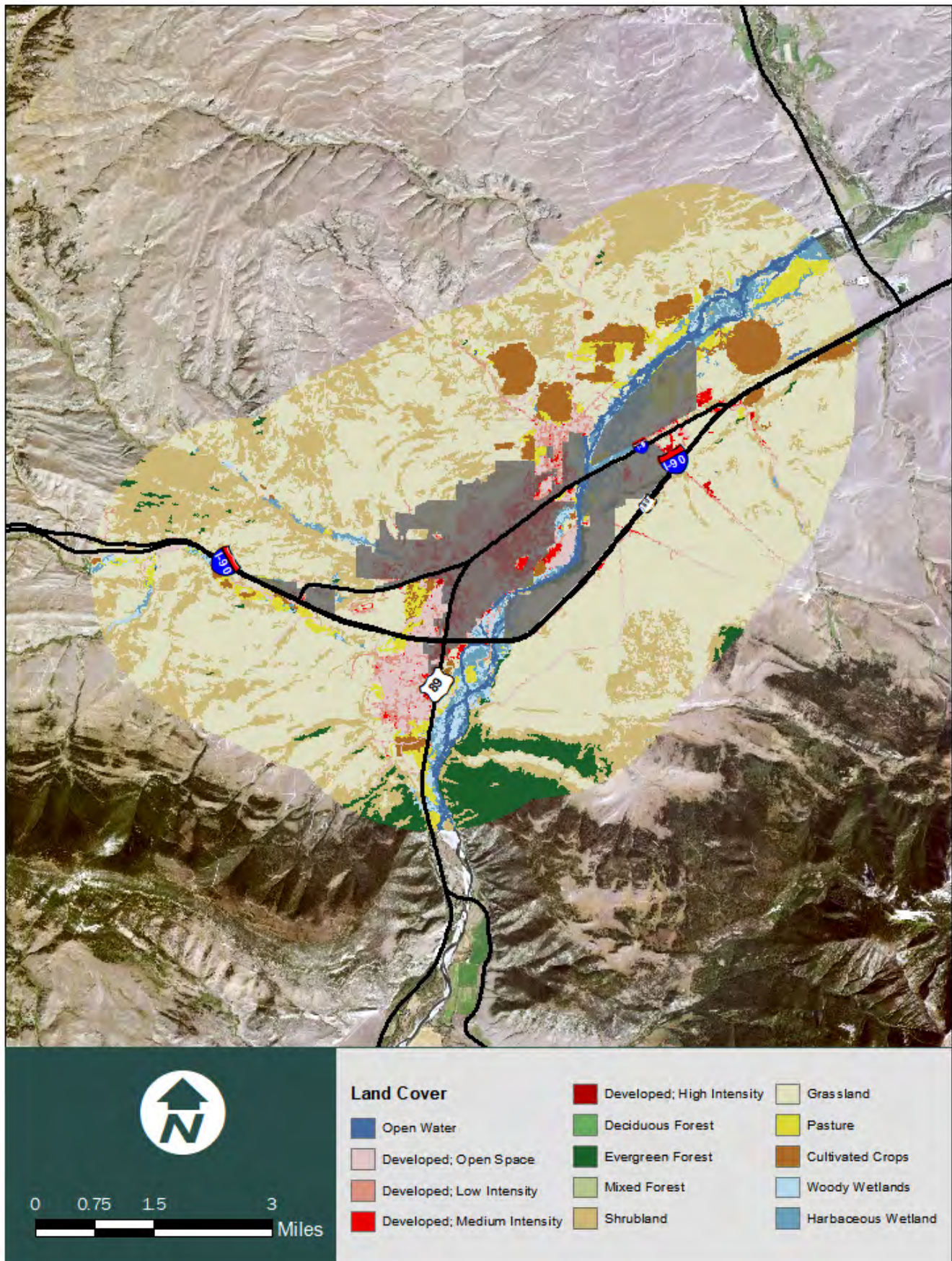
The ETJ has eleven (11) categories of land cover defined by the National Land Cover Database (NLCD): Developed Open Space, Developed Low Intensity, Developed Medium Intensity, Developed High Intensity, Open Water, Wetlands, Cultivated Crops, Pasture/Hay land, Grassland, Scrub/Shrub, and Evergreen Forest Land (**Table 2.4**). The 2016 land cover map is also shown in **Exhibit 2.4**.

Table 2.4: Land Cover Categories in the Extra-Territorial Jurisdiction

Land Cover Category	Description
Developed, Open Space	Developed, Open Space include areas with a mix of some structures, but mostly vegetation in the form of lawn grasses. Impervious surfaces account for less than 20 percent of total cover. These areas commonly include large-lot single-family units, parks, golf courses, and vegetation planted in developed settings for recreation, erosion control, or aesthetic purposes. These areas are found along the River, north and southwest of the City. Developed open spaces are located within the first 1-mile radius of the Extra-Territorial Jurisdiction.
Developed, Low Intensity	Developed, Low Intensity include areas with a mixture of constructed materials and vegetation. Impervious surfaces account for 20-49 percent of total cover. These areas most commonly include single-family housing units (about 9,600 square feet). These areas are found scattered within the larger developed, open space region.
Developed, Medium Intensity	These lands include areas with a mixture of constructed materials and vegetation. Impervious surfaces account for 50-79 percent of the total cover. The area is primarily single-family residential with plats larger than 3,500 square feet. Developed, Medium Intensity areas are found scattered along the major highways.
Developed, High Intensity	Developed, High Intensity include areas where people reside or work in high numbers, such as apartment buildings, condominiums, and commercial/industrial establishments. There are very few, sparsely distributed high intensity areas located along the major highways.
Open Water	Open Water habitat includes primary river channels and portions of lakes, ponds, and backwaters that remain permanently flooded all year with less than 25 percent vegetation or soil. Open Water in the planning area comprises of the River, creeks, and other water bodies.
Wetlands	Wetlands provide flood and erosion control, wildlife and fish habitat, and enhancement of water quality. Wetlands and riparian areas are mainly located around the Open Water bodies.
Cultivated Crops	Cropland includes areas used to produce crops for harvest. These lands comprise of row crops or close-grown crops and other cultivated cropland, for example, hay land or pastureland that is in a rotation with row or close-grown crops. All farms/cropland are located north and northeast of Livingston on both sides of the Yellowstone River.
Pasture/Hay Land	Pasture lands are diverse types of land managed primarily to produce forage plants for livestock grazing, cover for wildlife habitat, and conservation practices for soil protection. These areas are found mainly along the wetlands and waterbodies near Cultivated cropland.
Grassland	Grasslands have vegetation dominated by grasses, grass-like plants, shrubs, and forbs. Most of the lower lying areas in the ETJ are made up of grasslands. This is the most dominant land cover in the area.

Land Cover Category	Description
Shrub/Scrub	Scrub/shrub areas have at least 30 percent canopy cover of woody plants that grow to a height of less than four meters at maturity. Less than 20 percent canopy cover of trees grow to a height of more than four meters at maturity. In the ETJ, shrubs are found closer to the boundaries where the elevation is higher.
Evergreen Forest Land	Forestlands are composed of at least 10 percent single-stemmed woody species of any size that will be at least four meters tall at maturity. They function as wildlife habitat, modulators of hydrologic flow, and protectors of soil. Forests provide a diverse range of resources including storing carbon, regulating climate, purifying water, and preventing hazards such as floods. South of the ETJ has evergreen forests that further extends towards the Yellowstone National Park.

Exhibit 2.4: 2016 Land Cover Map



D. Open Space

Open space is any open piece of land that is undeveloped (has no buildings or other built structures) and is accessible to the public. The ETJ is mostly undeveloped open and green space comprising of grassland, cropland, pasture/hay, and shrubs/scrubs.

About 4,890 acres of land in the ETJ is under public ownership. Public lands include parks, national forests, national wildlife refuges, Bureau of Land Management lands, National Park Service lands and state lands. It is important to protect and promote public access to lands and waters as they provide high quality of life and economic impact. **Exhibit 2.5** indicates location of public lands in the Combined Study Area.

The State of Montana has enacted the Open-Space Land and Voluntary Conservation Easement Act that provide adequate remedies for the protection of the environmental life support system from degradation and provide adequate remedies to prevent unreasonable depletion and degradation of natural resources (Source: Montana Legislative Services). The area also comprises of a significant 1,816 acres of “Farmland of Statewide Importance”.

Conservation Easement

A conservation easement is a negotiated agreement between a landowner and government agency or land trusts or other conservation organizations. that essentially establishes the landowner's commitment for retaining his or her property as open lands. In essence, a conservation agreement is a voluntary legal agreement that limits the landowner's ability to develop the land and calls for conservation of the property's agricultural and natural values. Easements usually restrict in certain types of land uses but allow activities such as farming, cattle grazing, or hunting and fishing that help with the preservation of land in a relatively undeveloped state.

MCA Sections 76-6-201 through 76-6-212 contains provisions for establishing such easements. Private landowners can either sell their easement for cash or donate it in exchange for reductions in taxes. Easements can be made in perpetuity and binding upon future landowners, or they can be temporary (a minimum of 15 years). This strategy has been applied in Montana through the Mt. Ascension Ridge Land Acquisition and the Montana Association of Land Trust, a coalition of 12 nonprofit land trusts including two in the Bozeman area - Gallatin Valley Land Trust and The Trust for Public Land (Source: Montana Department of Transportation).

While Park County has a total of 91,798 easement acres, no conservation easements are located within the 2-mile ETJ. Surrounding the ETJ there are some easement parcels - Rocky Mountain Elk Foundation conservation easement located north of the ETJ and Montana Land Reliance located south of the area. **Exhibit 2.6** indicates location of conservation easements in close proximity to the Extra-Territorial Jurisdiction.

Farm and Agriculture

North and northeast parts of the ETJ have about 1,816 acres of area classified as “Prime Farmland” or “Farmland of Statewide Importance” by the U.S. Department of Agriculture – National Resources Conservation Services. **Exhibit 2.7** shows areas in the ETJ where farmlands are available.

Prime Farmland or Farmland of statewide importance is land that meets specific criteria based on the physical and chemical properties of the soils, and the climatic environment of soil occurrence. This is land that is of statewide importance for the production of food, feed, fiber, forage, and oilseed crops. It has the soil quality, growing season, and moisture supply needed to economically produce sustained yields of crops when treated and managed, including water management (irrigation and drainage), according to acceptable farming methods. In general, farmland of statewide importance has an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and a few or no rocks. It is permeable to water and air. It is not excessively erodible or saturated with water for a long period of time, and either does not flood frequently or is protected from flooding. Farmland of statewide importance is land that is available for farming, but could currently be cropland, pastureland, rangeland, forestland, or other land, but not urban built-up land or water. (Source: Natural Resources Conservation Service).

Exhibit 2.5: Public Lands in the Combined Study Area

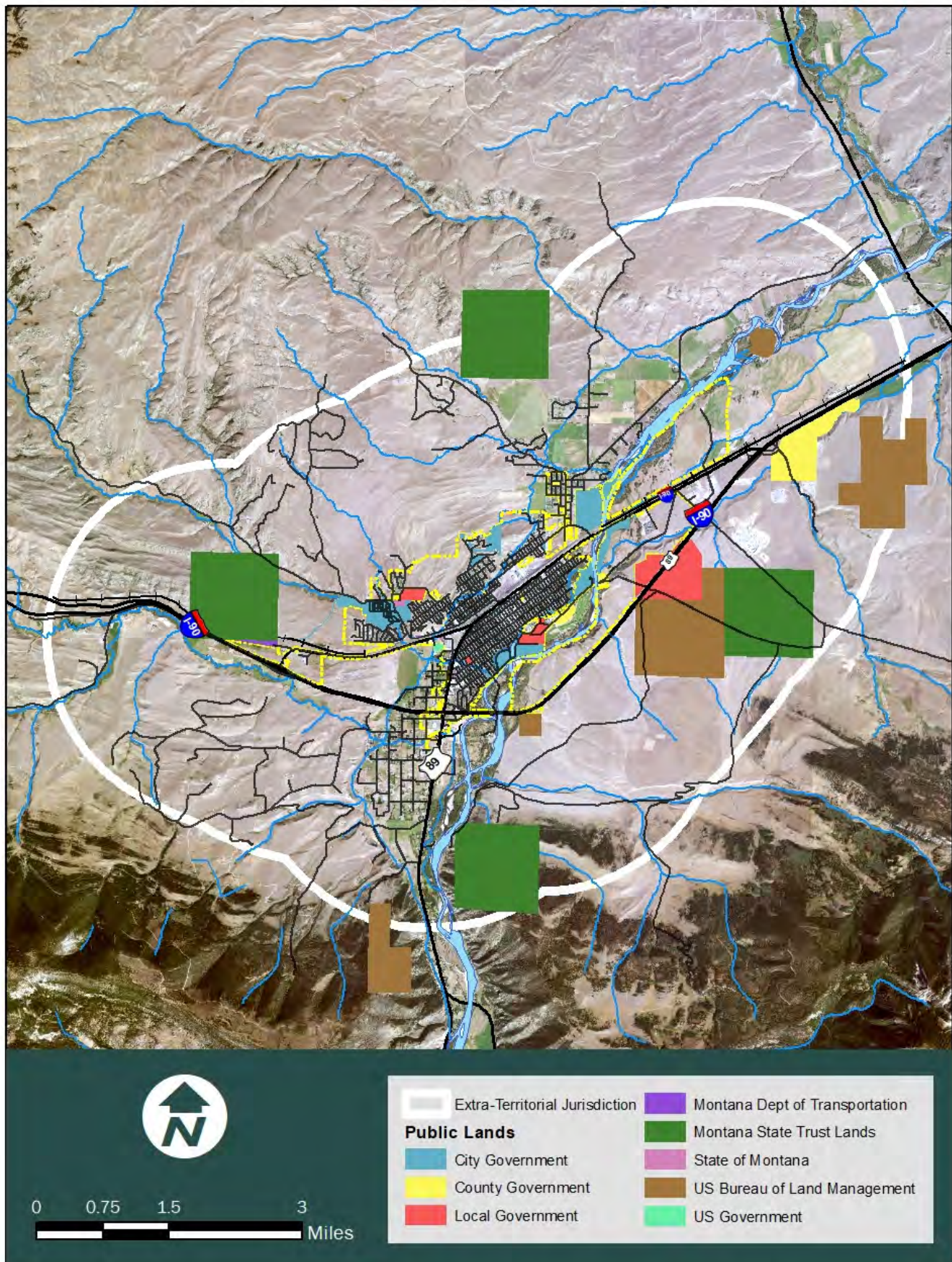


Exhibit 2.6: Conservation Easements around the Extra-Territorial Jurisdiction

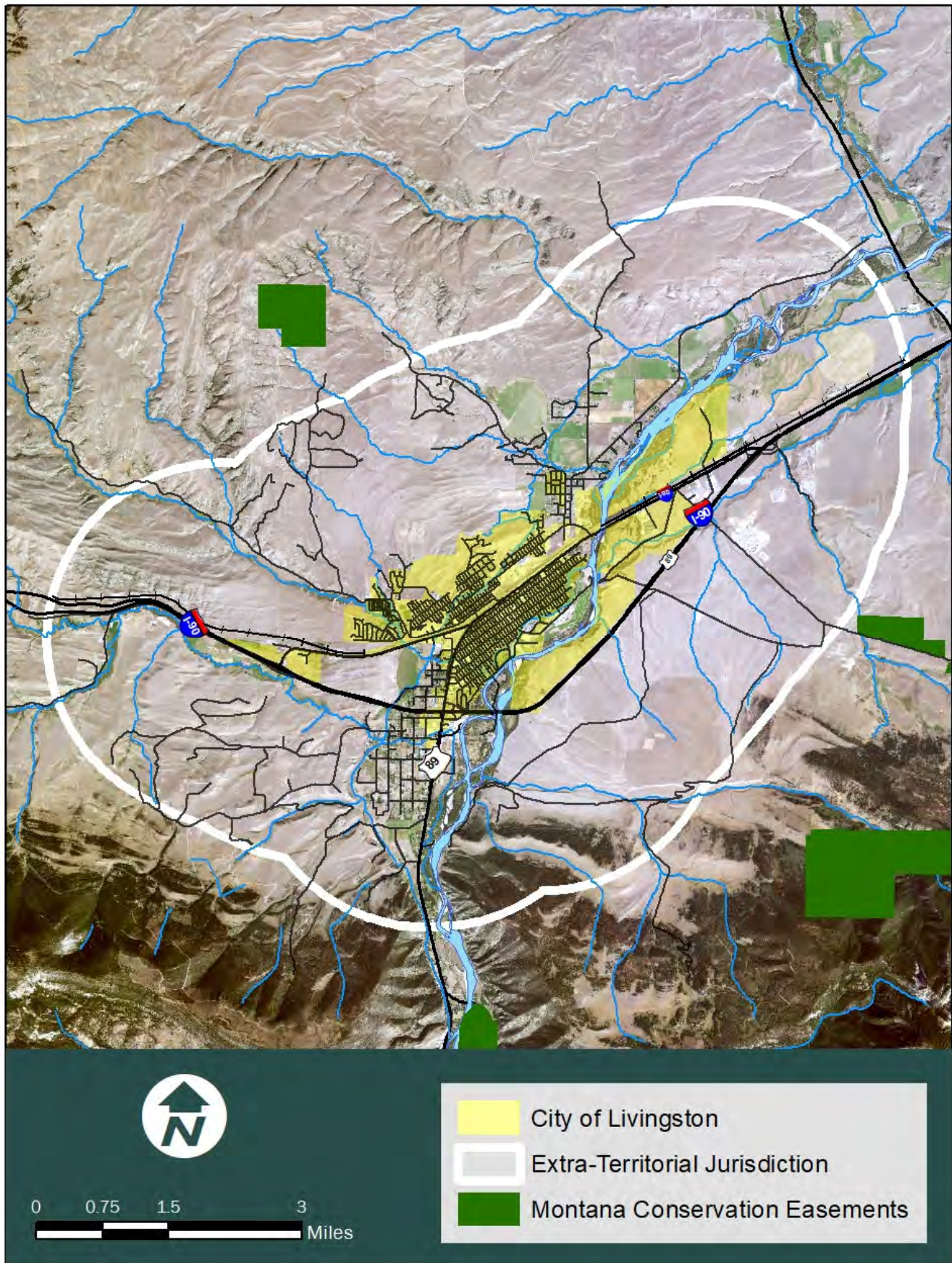
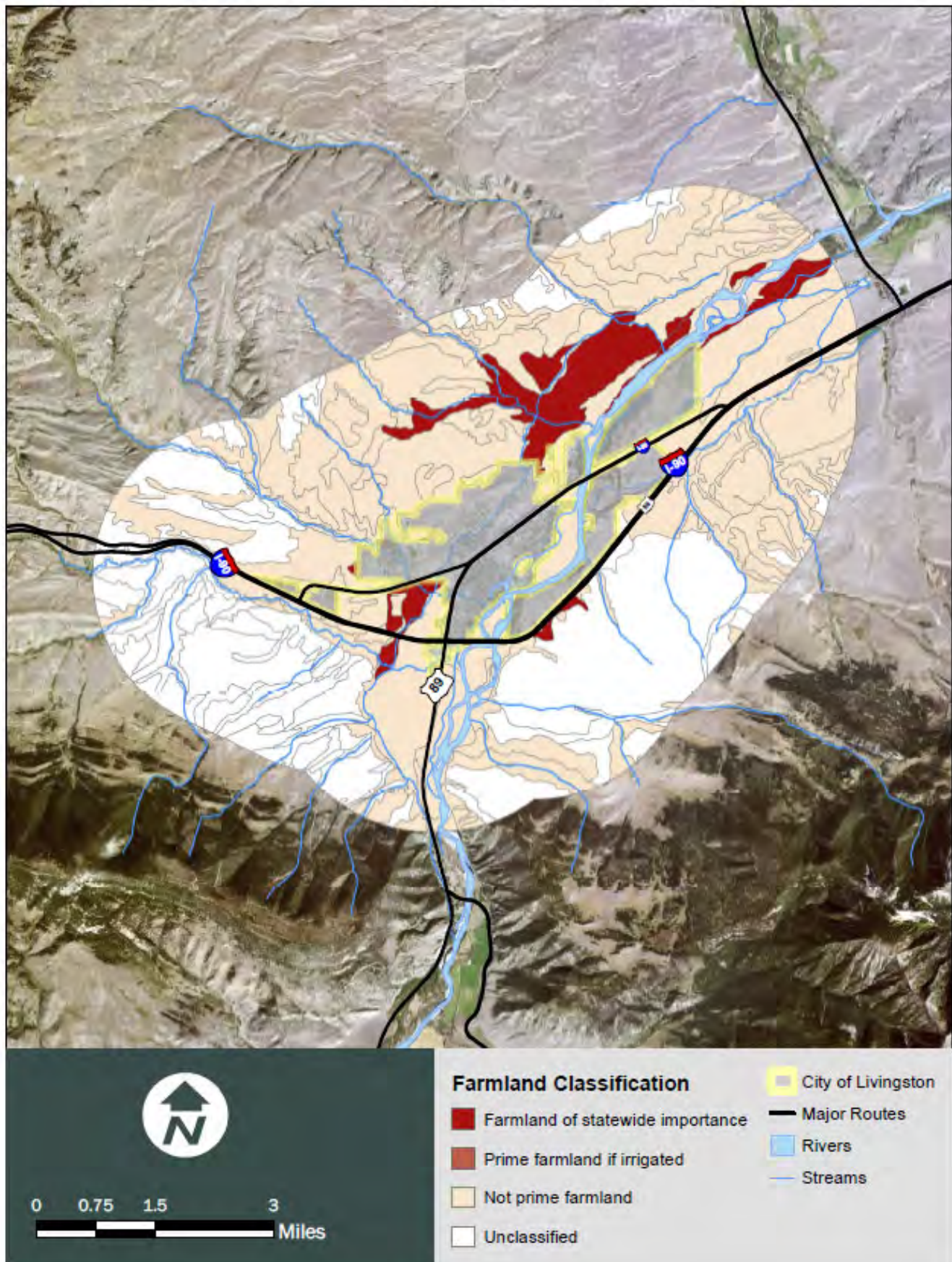


Exhibit 2.7: Farmland in the Extra-Territorial Jurisdiction



E. Health Hazards

While there are no brownfield sites in the ETJ, underground storage tanks are present. There are 131 sites in the Livingston area. Leaks in underground storage tanks pose human and environmental health risks.

F. Future Land Use Analysis

Park County regulates subdivisions outside of the City of Livingston. The latest Park County regulations, dated June 1, 2010, require that any subdivision requested within two miles of the City of Livingston must also be sent to the Planning division for review. Any subdivision partly within the City boundary must be sent to the City only. Park County's subdivision regulations provide guidance for landowners regarding preliminary plats and final plats, review and approval procedures, and exemptions from the regulations. The regulations also set design and improvement standards that include, but are not limited to, zoning regulations, floodplain regulations, building codes, development codes, and fire codes. The subdivision review process also identifies applicable growth policy provisions as stated in the Park County Growth Policy.

As development occurs in the ETJ, coordination between the County and City will be necessary to ensure provision of infrastructure and services to meet the community's needs. The City of Livingston and Park County Compact established as an Interlocal Agreement in 2017. This compact allows the City and County to cooperate with each other and "provide service and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities." See the Compact in **Appendix D** of the Livingston Growth Policy. Additionally, the City is prepared for new development, including areas outside the City limits, and has adopted an annexation policy with clear requirements and public engagement methods for any proposed annexation.

Using the 2017 Future Growth Map as starting point, a map of Extra-Jurisdictional Areas Facing Development Pressure was developed (**Exhibit 2.8**) to indicate the areas that are likely to see development pressure. These areas do not indicate the City wishes to expand through annexation, nor does it "pre-approve" future growth areas for annexation. The map does show areas that have been annexed for reference. Likewise, not being included in a future growth area does not preclude an area from being annexed. Annexation concerns should be addressed in the City's Annexation Policy and should reflect the community's desires in the future growth areas.

Through public input during the 2020 Growth Policy update process, the community provided their opinions of if, where, and how growth should occur in the ETJ, and maintained the areas identified on the Future Growth Map. See **Appendix B: Public Involvement** in the Growth Policy for more details on the public comments on the future growth areas.

Areas recommended for certain future land uses - residential, commercial, and industrial - on **Exhibit 2.9: Recommended Future Land Use Map** are described and explained below. Areas outside of the discussed "future growth areas" are included and reflect minimal change in the future.

Future Residential Land Use

The majority of the ETJ is expected to continue to remain Very Low Density Residential. In areas closer to the Livingston municipal boundary, Low Density Residential is more likely with continuation of development patterns seen at the edge of Livingston. Areas to the northwest and southwest of the I-90/US-89 interchange south are expected and suited to become mixed-use developments, continuing both the residential and retail patterns of the adjacent areas.

Future Commercial and Industrial Land Use

Commercial and industrial development in the ETJ will likely be concentrated to two clusters. Mixed-Use and Neighborhood Commercial land use is anticipated surrounding the I-90/US-89 Interchange South. A large manufacturing area is slated for south and southwest of the I-90/US-89 Interchange North.

See **Chapter 11: Land Use Recommendations** of the Livingston Growth Policy for all recommendations that resulted from review of the City's Zoning Ordinance and subdivision regulations, and for detailed recommendations on future land use in the Combined Study Area.

Exhibit 2.8: Recent Annexations and Extra-Jurisdictional Areas Facing Development Pressure Map

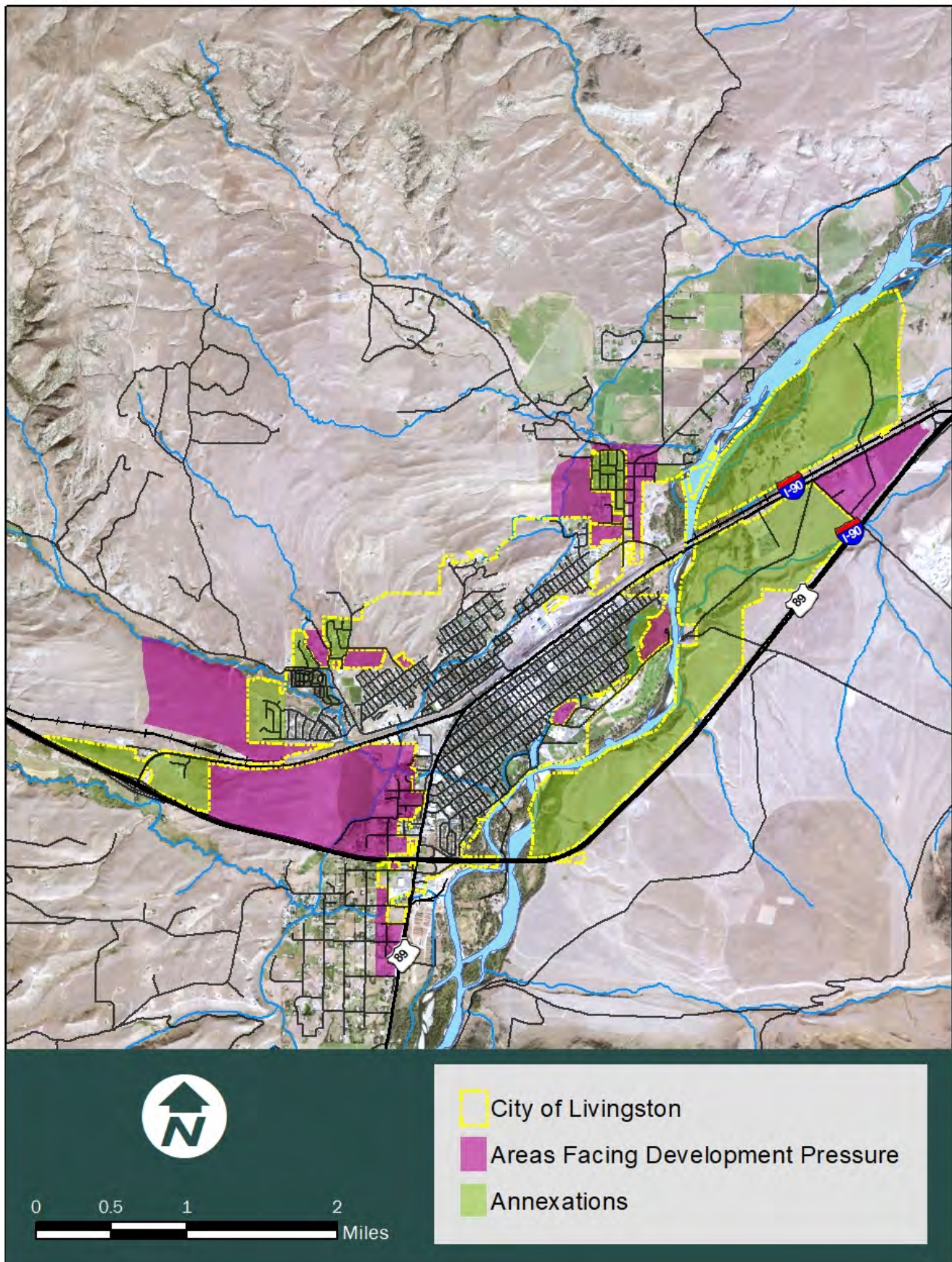
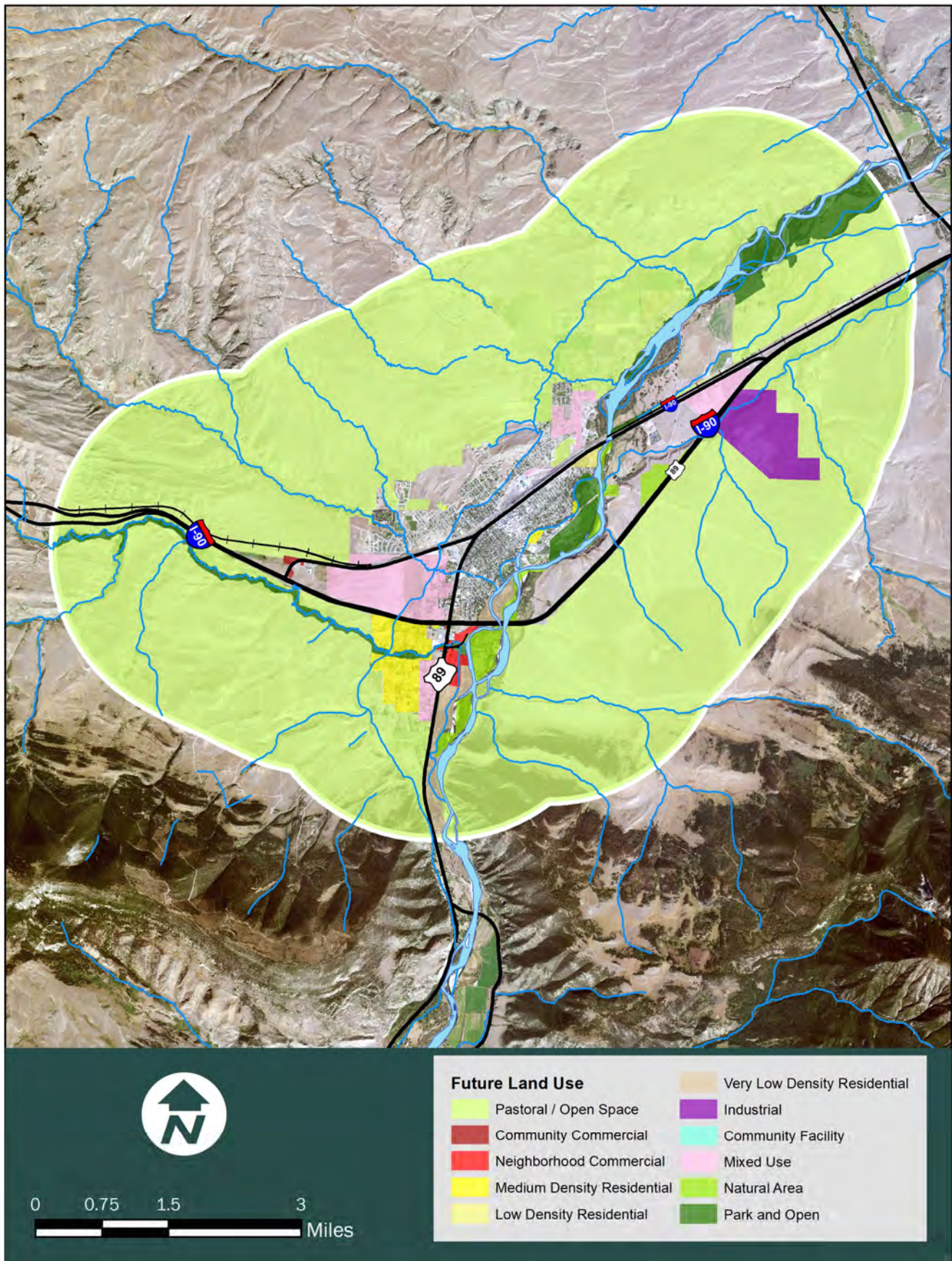


Exhibit 2.9: Recommended Future Land Use Map



Natural Resources

A. Introduction

The Natural Resources section summarizes the state of the abundant natural environment in the Extra-Territorial Jurisdiction (ETJ), for which the community feels it is important to control and care while planning future growth in the area.

B. Air Quality

Air quality data in the ETJ is not available independently from that of the City. Refer to **Chapter 4, Section A** of the Livingston Growth Policy for details on the area's air quality.

C. Water

Much of the information about water in the ETJ is similar to or not able to be discerned from that of Livingston. Unique information is called out below for each sub-topic. Refer to **Chapter 4, Section B** of the Livingston Growth Policy for other details on the areas water resources.

Surface Water

The ETJ's surface water is dominated by the Yellowstone River. Billman Creek and Fleshman Creek are the only two major tributaries to the Yellowstone in the Planning Area. The Planning Area is defined by the Upper Yellowstone Watershed that contains smaller watersheds (Billman Creek, Fleshman Creek, Dry Creek, Ferry Creek) that drain into the Yellowstone River. The Shields Valley Watershed is present north of the ETJ.

Cultivated cropland and septic drain fields at rural homes are a significant potential source of nitrate or microbial contaminants identified in the surface water buffer. Population density can be a key indicator in determining the severity of contamination.

Refer to the Livingston Growth Policy for information on surface water quality.

Floodplain/Floodway

The areas in the ETJ that are susceptible to one-percent annual chance flood (also referred to as the base flood or 100-year flood) are found mainly along the Yellowstone River and Billman Creek. These characteristics remain mostly the same as those for the City of Livingston. Refer to the Livingston Growth Policy for information on FEMA Flood Insurance Rate Maps (FIRM).

Ground Water

North of Livingston, the groundwater is limited and insufficient for irrigation purposes. There is, however, sufficient groundwater for private wells. There are over 1000 wells located in the area that range from 8 feet to 805 feet in depth and yield up to 95 gallons per minute (gpm). The south side of the ETJ has the least concentration of wells. Water from these wells are used for a variety of purposes including domestic, commercial, irrigation, industrial, fire protection, stock water, and for public water supply.

Groundwater contaminations caused due to industrial and other activities in the City may result in migration of pollutants to the rural areas.

Water Quality

Refer to the Livingston Growth Policy for information on water quality in the ETJ.

Wetlands

Refer to the Livingston Growth Policy for information on wetlands in the ETJ.

D. Wildlife and Conservation Lands

Given the development and growth of Livingston, wildlife, for which southwest Montana is renowned, is found in higher numbers in the ETJ than in the City. However, the fringes of the City are still home to plentiful wildlife. The ETJ is the home of a large year-round Canada goose population of several hundred birds. For details on other wildlife in the area, refer to **Chapter 4, Section C** of the Livingston Growth Policy.

The ETJ is surrounded by, but does contain, the Gallatin National Forest. A threatened species called Canada Lynx (*Lynx canadensis*) is found in the region (**Figure 2.4**). It has not been sighted in the ETJ but is found in the south closer to the Yellowstone National Park.

Figure 2.4: Canada Lynx (*Lynx canadensis*)



Source: Peggy Bauer, US Fish and Wildlife

The pools and riffles of the Yellowstone River are also home to a large population of native Cutthroat trout. Apart from the aquatic species found in streams within City limits other species found here are Brook trout, shorthead redhorse, mottled sculpin, and mountain sucker.

E. Climate

Given the close proximity of the ETJ to the City, the climate in this area is similar to the City of Livingston. Small variations in all climate parameters may be visible due to low intensity development and traffic in the area, as well as due to natural differences such as elevation and vegetation cover.

The U.S. Drought Monitor shows the location and intensity of drought across the country by using a five-category system, labeled Abnormally Dry or D0, (a precursor to drought, not actually drought), and Moderate (D1), Severe (D2), Extreme (D3), and Exceptional (D4) Drought. The Combined Study Area lies in the D0 zone. (Source: NIDIS).

Refer to the Livingston Growth Policy for information related to expected temperature changes.

F. Soils and Slopes

The soils surrounding the Livingston region range from thin, high mountain soils, to deep alluvial soils along the Yellowstone River. Slopes provides an indication of steepness or the degree of inclination of the terrain relative to the low-lying valley. The ETJ has gradual slopes closer to the City limits, rising and increasing towards the outer boundaries of the area.

Bordering the river valley are gently sloping high stream terraces and alluvial fans. Soils along the River are comprised of a Glendive-McCabe-Rivra complex and Riverwash-Rivra complex with 0 to 2 percent slopes and occasional flooding, constituting the riparian areas. Other riparian zones are along Fleshman creek, Billman creek, and Ferry creek. Soil productivity is moderate to good in these areas.

Cropland is found north of the Yellowstone River, comprised of various soil types, some with gentle slopes up to eight percent and some with higher slopes up to 15 percent. Soil in these areas have good to high productivity and include "Farmland of Statewide Importance".

The northwest region of the ETJ has some rangeland-open woodland characteristics comprised of Cabba-Vershal-Rock outcrop complex with 15 to 60 percent slopes. Generally, rangeland is dispersed throughout the ETJ with slopes ranging from zero to 70 percent. The steeper slopes are stony and rockier in nature. Rangelands that are not only made of rock have limited to restricted soil productivity.

The southwest side of the Extra-Territorial Jurisdiction, moving closer to the Yellowstone National Park, is mainly forestland with slopes ranging from 15 to 60 percent.

Site-specific uses such as subdivisions, dwellings, septic systems, etc., may require on-site inspection to determine the capability class of a particular soil.

Sand and gravel resources are generally, but not always, located along streams, rivers, or areas where certain kinds of geologic events have occurred. Sand and gravel are important construction materials which are intended to be utilized, particularly in areas where extraction and processing will not negatively impact nearby landowners and existing uses. There are two regions where a total of five open cut gravel permits have been issued in the ETJ. A third site is located close to the airport.

G. Vegetation

Topography and climate are the two main factors that influence the vegetation of an area. Croplands in Park County are usually used to grow Winter Wheat, Spring Wheat, Barley, Oats, Alfalfa Hay, and Other Hay. In the shrub and grassland regions, where the land is not cultivated, vegetation is dominated by grasses and forbs. Grasses and forbs commonly found in Montana are Idaho Fescue, Elk Sedge, Short Sedge, Pinegrass, Beargrass, Western Meadowrue, Twin Flower, and Arnica. Evergreen coniferous trees may be found south of the ETJ. Evergreen that have needle-like waxy leaves and are adapted for a cold, dry climate.

Housing

A. Introduction

The Housing section summarizes the type, occupancy, and affordability of housing units in the Extra-Territorial Jurisdiction (ETJ). This section also highlights the residential growth patterns in the area that are essential for coordinated and sustainable planning and development.

Housing Type and Residential Growth Patterns

Large lot rural residential units are scattered in the northern parts of the ETJ. Most homes in the area have large lot sizes ranging from two acres to some as large as 30 acres. This is significantly larger than the statewide average of 2,040 square feet per lot. Large properties also provide strong conservation easement opportunities. With abundance of privacy, scenery, and stunning views, residents of the ETJ have vast open spaces, recreational opportunities, access to state lands, and more while being only minutes away from Downtown Livingston. There are a wide variety of property types in the area, including farmstead, improved property, exempt property, and vacant land. Residential units are mostly single-family homes, ranch-style homes, mobile homes, and vacation cabins (**Figure 2.5**).

Detailed data on type, age, and condition for housing in the ETJ is limited and not readily available; however, the septic permits data issued over the past several decades (**Exhibit 2.2, p.9**) provide an understanding about growth patterns. New buildings are being constructed farther out into the countryside close to County- and State-provided facilities and services. Additionally, the Atlas of Park County states that while the population of the County grew only by 43 percent between 1970 and 2000, the amount of land developed increased by 293 percent. This reflects a shift to rural residential subdivisions.

Large lot sizes and single-unit structures have the potential to result in suburban sprawl. New development and growth should accommodate the needs of the community in a cost-effective manner while not burdening existing resources. The unique topography of the ETJ plays an important role in planning for new housing and other facilities. Coordinated planning and development is essential to ensure quality of life for residents, as well as fiscal well-being for the City of Livingston and Park County.

B. Occupancy and Use

Housing occupancy and use can indicate if the market is meeting the needs of the population. The residential vacancy rate for the ETJ is higher than that of Livingston at approximately 12.5 percent. Out of all housing units in the Extra-Territorial Jurisdiction, 62.1 percent of the units are owner-occupied and 25.4 percent are renter-occupied. More information is available in **Table 2.5**. Additionally, short-term rentals and vacation rentals have become more common in both the City and ETJ. Between January 2017 and April 2020, the number of short-term and vacation rentals in the Combined Study Area nearly doubled.

Table 2.5: 2020 Housing Occupancy

Housing units, 2020	Extra-Territorial Jurisdiction		City of Livingston	
	Number	Percent	Number	Percent
Total Housing Units	1,148	100%	4,147	100%
Owner Occupied	713	62.1%	2,250	54.3%
Renter Occupied	292	25.44%	1,494	36.0%
Vacant for Seasonal or Recreational Use	143	12.45%	402	9.7%

Source: ESRI, 2020

C. Affordability

The Housing Affordability Index for Livingston is 114, which is higher than the Combined Study Area's Index of 104 (Source: ESRI, 2020). This indicates that housing is relatively less affordable in the ETJ than in the City. Another way to look at housing affordability is by comparing an owner's monthly housing mortgage as a percent of income. For Livingston, this value is 21.5 percent whereas for the Combined Study Area it is 22.3 percent. Again, this indicates the lower affordability of the ETJ in comparison to the City of Livingston.

Figure 2.5: Housing in the Extra-Territorial Jurisdiction



Figure 2.6: Scattered Residential Development in the Extra-Territorial Jurisdiction



Economy

A. Introduction

The Economy section provides information on economic development, local economic indicators, business profiles, and the impact of tourism on the Extra-Territorial Jurisdiction (ETJ) and the surrounding communities. More specifically, this section compares the Combined Study Area's economy with that of the City of Livingston.

B. Context

The geographic setting of the ETJ (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.

C. Current Trends and Data

The Median Household Income (MHI) for the Combined Study Area is \$43,865, which is \$273 greater than the City of Livingston alone. This indicates that households residing in the ETJ have higher incomes relative to those within City limits. Additionally, the median home value in the Combined Study Area is \$9,435 greater than the City's median home value, indicating that the homes located in the ETJ are valued higher than those within the City.

The poverty rate data for the ETJ is not readily available. Using the Wealth Index as an indicator to understand poverty, we can interpret that the poverty rates in the ETJ are slightly lower than that of Livingston. **Table 2.6: Economic Indicators** compares the MHI and poverty rates for the Combined Study Area and Livingston.

Table 2.6: 2020 Economic Indicators

Economic Indicator	Livingston	Combined Study Area	Difference
Median Household Income (MHI)	\$43,592	\$43,865	\$273
Median Home Value	\$224,591	\$234,026	\$9,435
Wealth Index	55	58	3

Source: Montana Governor's Office of Economic Development, 2019; ESRI, 2020

D. Employment by Sector

Table 2.7, below, provides a comparison of the employment by sector in both the City of Livingston and the Combined Study Area. While the service industry is the most dominant industry in both areas, several differences exist in this employment data indicating different trends in employment. First, the Combined Study Area has a greater rate of employment in the Agriculture/Mining and Transportation/Utilities sectors compared to Livingston alone. Alternatively, Livingston has a higher employment rate in the Construction, Manufacturing, Retail Trade, and Finance/Insurance/Real Estate sectors. Employment rates in the Wholesale Trade, Information, Services, and Public Administration sectors were relatively consistent between both areas.

Additional economic influences in the Combined Study Area, as well as Park County, include hunting and fishing. Hunting and fishing are economically important in the rural areas of the County. Based on the estimates derived from Park County from surveys conducted by the Montana Fish, Wildlife and Parks (MTFWP) in 2012, hunters in the County spent \$12.2 million and anglers spent \$14.7 million. Hunting Elk made up 50 percent of these expenditures followed by deer, upland game birds, moose, goat, sheep, and antelope. Angling was carried out primarily in the Yellowstone River, with some activity in other rivers and streams in the area.

Table 2.7: Employment by Sector

Sector	Livingston	Combined Study Area
Agriculture/Mining	7.9%	8.7%
Construction	9.0%	8.6%
Manufacturing	10.3%	9.8%
Wholesale Trade	0.4%	0.4%
Retail Trade	10.8%	10.3%
Transportation/Utilities	2.4%	4.0%
Information	4.0%	3.9%
Finance/Insurance/Real Estate	7.1%	6.5%
Services	45.4%	45.1%
Public Administration	2.7%	2.7%

Source: ESRI, 2020

E. Tourism

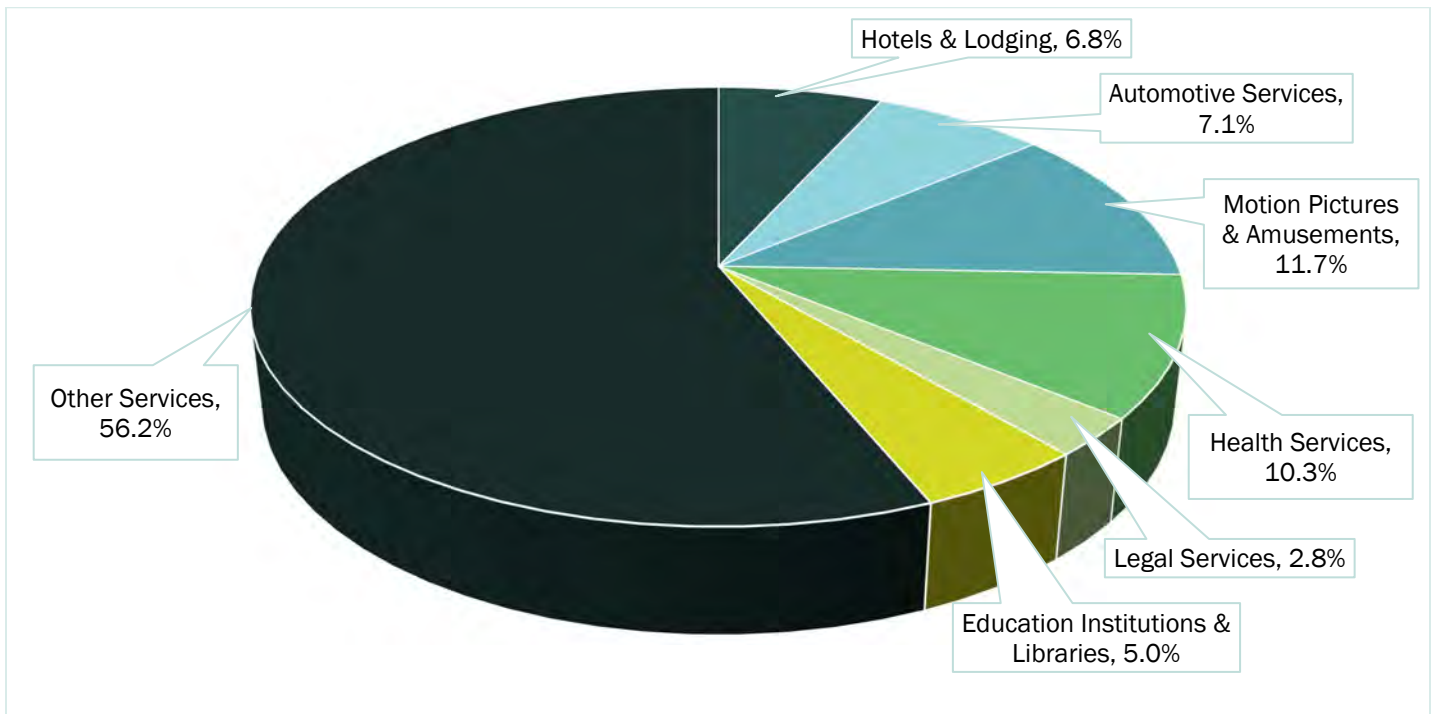
Like the City of Livingston, the ETJ Jurisdiction is influenced by tourism to the Yellowstone region. As mentioned in Livingston's Growth Policy, tourism (coupled with hospitality) is the largest single economic sector impacting Park County. The Combined Study Area is located along two major highways that bring visitors from across the nation through the area. US-89 is the main north-south route in Livingston and leads residents and visitors directly into Yellowstone. Functioning as a major northern gateway into the Park, the Combined Study Area is in a prime location to provide lodging and services to tourists which results in a large supply of job to residents of the City and County.

People are also drawn to Livingston and the surrounding areas for its unique character and stunning scenery. The Combined Study Area is nestled in a river valley and is surrounded by large mountain ridges and forests, offering scenic vistas and hiking trails to residents and visitors alike. The ETJ Jurisdiction delivers a more rural destination compared to Livingston proper, while maintaining relatively close proximity to the City's historic downtown and other attractions.

In 2018, tourists in the Yellowstone region, which includes the Combined Study Area, spent over \$1 billion on a range of services, including automotive/diesel fuel (18 percent of spending), restaurants and bars (20 percent of spending), and lodging (14 percent of spending). Over half of all spending in the region was centered on tourism and visitors to nearby Yellowstone National Park (Source: University of Montana, 2018).

As mentioned above, the services sector is the largest sector for employment in the Combined Study Area. **Figure 2.7** identifies the business types included in the services sector within the Combined Study Area. In this area, there are a total of 19 hotels or lodging options, which makes up 7.0 percent of the service sector businesses, and only 2.6 percent of all business in the Combined Study Area.

Figure 2.7: Service Sector Business Types in the Combined Study Area



Source: ESRI 2020

Local Services

A. Introduction

The Local Services section provides context on the organizational structure and the services currently existing in the Extra-Territorial Jurisdiction (ETJ) provided by Park County and other partners, such as law enforcement, healthcare, emergency services, education services, and cultural resources.

B. Context

Park County operates under a commissioner form of government. Three County Commissioners are elected at large and each represents the entire County. They serve a four-year term on a non-partisan basis. The Commissioners have designated legislative, executive, and administrative powers and duties, and appoint other department heads, advisory and decision-making boards, and employees. In addition, the County Commissioners exercise authority in providing law enforcement and correctional facilities in the County; administering personnel policies and union contracts; managing county roads and bridges, property, and annual budget; and providing disposal services and parks, playgrounds, and other recreational facilities.

Park County maintains a County Services section on the County website. This webpage hosts links to Parks and Fairgrounds, Health Resources, Public Works, Planning Services, Emergency Services, and many other resources. This site also has website links, addresses, and phone numbers for each agency, organization, and resource. Agencies and organizations listed may be run by the federal government, state or county government, city government, or non-profits (Source: Park County, 2020).

C. Law Enforcement

Law Enforcement in the ETJ is enforced by two agencies: The Park County Sheriff's Office (PCSO) and the Montana Highway Patrol (MHP). The Park County Sheriff's Office (PCSO) is primarily responsible for 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 (MHP) 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 four troopers located within Park County.

Since the actual number of crime incidents in the ETJ is not easy to determine, using the crime index provided by Applied Geographic Solutions (AGS) provides an understanding of the crime rate in the region. The following table (**Table 2.8**) provides a comparison of crime in Livingston and in the Combined Study Area. Smaller values in the Combined Study Area indicate fewer criminal cases in the ETJ.

Table 2.8: 2020 Crime Index

Crime Type	Combined Study Area	City of Livingston
Total Crime Index	85	91
Personal Crime Index	66	73
Murder Index	7	8
Rape Index	106	116
Robbery Index	5	5
Assault Index	87	95
Property Crime Index	88	94

Crime Type	Combined Study Area	City of Livingston
Burglary Index	48	46
Larceny Index	101	109
Motor Vehicle Theft Index	70	74

Source: ESRI, 2020; Applied Geographic Solutions (AGS)

D. Health Providers (Medical)

The Park County Public Health Department provides services countywide in health concerns related to Behavioral Health (Mental Health & Substance Abuse), Nutrition, Oral Health, Dementia/Alzheimer's Disease, Injury and Violence, Heart and Respiratory Diseases, Cancer, Access to Other Health Services, and Infant Health & Family Planning.

No health facilities are located in the ETJ. However, all facilities, including assisted living facilities, mental health centers, chemical dependency and rehabilitation centers, and other healthcare services, that are located within the City of Livingston are available to the residents of the ETJ.

E. Fire Protection and Emergency Medical 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. County Fire is the office of the Park County Fire Warden supports and coordinates the fire departments in Park County. The Fire Warden also manages burn permits and the open burning program as well as providing fire prevention and education services to the public.

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 that includes ETJ. 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 6.5 staff members and assists with capital purchases.

F. Emergency Management and Hazard Mitigation

Emergency Management

Refer to **Chapter 7, Section E** of the Livingston Growth Policy for information on emergency management in the ETJ.

Wildfire

Wildfire is a threat to communities across Montana, the ETJ included. The Park County Hazard Mitigation Plan updates information from the Park County Community Wildfire Protection Plan. The natural setting of the region makes it vulnerable to natural disasters with the probability of wildfires being high in the forested areas south of the ETJ. While no wildfire events have been recorded within the ETJ, the nearest recorded wildfires were Rough Draw fire in 2003, Pine Creek fire in 2012, and the O'Rea Creek fire in 2017 (Source: Bozeman Daily Chronicle; Park County Atlas).

G. School Facilities and Enrollment

The ETJ is served by the schools in the City of Livingston managed by the Livingston Public School District. The District operates five buildings: Park High School, Sleeping Giant Middle School, East Side Intermediate School (grades 3-5), Winans Elementary (grades K-2) and the Washington Early Learning Center.

The Park County Superintendent of Schools provides administrative support, information and organization for the schools and communities of Park County. The office must meet the requirements of federal, state, and local codes and policies while providing quality service to the children, families, schools, and taxpayers of Park County. (Source: Park County).

H. Historical and Cultural Sites

Four cultural sites are found just outside of the Livingston City limits, as listed on the National Register of Historic Places – National Park Services:

1. Urbach Cabin, located on 9th Street Island, was constructed in 1889. This log house stands in contrast to the early standardized blue-collar housing so prevalent in early Livingston. It is an artifact that demonstrates the divergent cultural patterns precipitated by the coming of the railroad.
2. Krohne Island House located on Krohne Island was constructed in 1910. This fine stone building with its attractive details, sits in what was once a large beautiful garden. It is important and unique in the history of Livingston and Park County.
3. KPRK Radio Station located on US 89, east of Livingston was designed by Architect William Pox of Missoula and was constructed in 1947. It was the first radio station in the Livingston area. The architecture of the building is unique and very well preserved (**Figure 2.8**).
4. Ebert Ranch located on Livingston – Shields Route was constructed in 1892 founded by Napoleon Ebert. Ebert was one of the first settlers in the region and active in agriculture and local politics. The house on the ranch depicts a unique and nationally popular style integrated with local construction techniques.

Figure 2.8: KPRK Radio Station



Transportation

A. Introduction

The Transportation section provides an assessment of transportation infrastructure in the Extra-Territorial Jurisdiction (ETJ). This section includes a review of the existing road network, traffic counts, vehicle trips and miles traveled, roadway safety, transportation trends, active transportation, rail, aviation, and the relationship between land use and transportation.

B. Road Network

Nestled in the Yellowstone River valley, Livingston is served by a well-connected transportation system. The ETJ surrounds the City of Livingston and is situated along Interstate Highway 90 (I-90). Outside of the City limits, I-90 is classified as rural interstate. U.S. Route 89 (US-89) intersects with I-90 south of the City and connects Glacier National Park to the north with Yellowstone National Park to the south.

No rural major collector or rural minor arterial roads are present in the ETJ. Approximately 22 miles of urban collector and approximately 43 miles of unpaved local road segments are present in the area that are commonly used for rural commute and for the transmission of broadband communications. The road network and the functional classifications of roadways are shown on **Exhibit 8.1** of the Livingston Growth Policy.

C. Traffic Counts

Over the last decade, the Livingston region has seen an overall increase of traffic on a majority of the highways and major city streets. According to Montana Department of Transportation (MDT) traffic data, highways crossing the ETJ experienced growth of over 15 percent. Similarly, traffic levels along major collector roads north of Livingston have experienced growth, however, in the south of the City, traffic has reduced over the past decade (**Table 2.9**). The rural characteristic of the ETJ is reflected through the reduction in traffic along the unpaved local roads as the distance from the City increases (**Table 2.10**).

Table 2.9: Traffic Counts along Major Roads 2015-2019

Location	2015 Count	2019 Count	Percent Change
I-90: East of E. Livingston Interchange	12,920	13,479	4.32%
US-89: South of Shamrock Ln.	4,720	5,453	15.5%
Guthrie Ln: West of US-89	460	270	-41.3%
Miller Drive: South of Billman Creek Rd.	20	18	-10.0%
Old Clyde Park Rd: West of Willow Creek Rd.	960	1,023	6.6%
Old Clyde Park Rd: East of Willow Creek Rd.	620	674	8.7%
Willow Creek Rd: North of Old Clyde Rd.	390	400	2.6%

Source: MDT, 2019

Table 2.10: Traffic Counts along unpaved local roads

Location	Year	Traffic Count
Lower Cokedale Rd: South of I-90	2011	344
Lower Swingley Road	2011	306
Mule Haven Drive: at Fleshman Creek Rd intersection	2012	221
Old Clyde Park Rd: at Ferry Creek intersection	2013	341
Meigs Rd: South of Haven Meadow Loop	2013	408
Billman Ln: South of I-90	2016	468

Source: MDT, 2019

D. Vehicle Trips/Miles Traveled

Daily Vehicle Miles Traveled (DVMT) is a simple mechanism to measure how much traffic is flowing along a roadway during an average 24-hour period. This simple formula multiplies Average Annual Daily Traffic (AADT) by the length of the roadway. For the ETJ, along roads with existing traffic counts, the total Daily Vehicle Miles Traveled was 22,542, based on available traffic data. Of this total, 1,476.3 DMVT, or 6.5 percent, were on local, unpaved roads (Source: MDT, 2019). This reflects the concentration of traffic on major roads within the ETJ Jurisdiction and the lack of development along unpaved roads.

E. Roadway Safety

Park County provides priority winter maintenance of roads in the region with school bus routes, such as Old Clyde Park Road and part of Willow Creek Road. Swingley Road, Meigs Road, Fleshman Creek Road, and the remainder of Willow Creek Road receive regular maintenance on second priority. Old Boulder Road is not maintained for winter travel and other roads are not under County's responsibility.

According to the National Highway Traffic Safety Administration's Fatality Analysis Reporting System (FARS), fatality rate for crashes occurring in rural areas is more than the fatality rate in urban crashes. In 2014, fatality rate on Montana's non-interstate rural roads was three times more than other roads in the state (Source: TRIP, 2017). The primary reasons for the high fatality rate are the large distances between populated areas, the lack of quick emergency response, and the lack of well-maintained and safe roadway systems. Although, the ETJ is at most just two miles away from the City, the mountainous terrain and the lack of roadway infrastructure heightens the probability of fatality in case of a crash.

Montana's Department of Transportation has developed a statewide initiative to reduce traffic fatalities and serious injuries. Montana's Vision Zero is based on a national campaign and adapted to incorporate relevant policies to the traffic situations found in the largely rural state. This initiative was started in 2014, and focuses on education, enforcement, engineering, and emergency response (Source: MDT, 2014).

F. Transportation Choices

Transit services are not available in ETJ Livingston Public Schools Transportation Department provides transportation for students living in rural areas around Livingston. Due to the lack of advanced road network, transit facilities, and active transportation infrastructure, private vehicles are the default mode of transportation.

G. Active Transportation

Active transportation facilities in the ETJ are limited. The few paths that are in the area are mostly dirt roads with a few exceptions (Table 2.11).

Table 2.11: Active Transportation Routes in the Extra-Territorial Jurisdiction

Name	Type
Castle Mountain/Willow Creek Road	Dirt Road
Swingley Road & Myers Landing connector	Dirt Road
Swingley Road	Paved & Dirt Road
Livingston Peak Trail	Dirt Road
89 South Bikepath	Paved Road

Source: MDT, 2019; Park County

H. Rail

Refer to **Chapter 8, Section I** of the Livingston Growth Policy for information on rail in the ETJ.

I. Aviation

Refer to **Chapter 8, Section J** of the Livingston Growth Policy for information on emergency management in the ETJ.

J. Transportation & Land Use Relationship

Laid out in a mostly east-west configuration, the transportation network into and out of the City of Livingston directly affects the viability of developments in the ETJ. Interstate 90 and US 89 are the primary highways connecting Livingston to other cities within Montana and neighboring Wyoming and are the major freight and commuter corridors, due to the lack of other modal options. The south side of the City and the ETJ are restricted by the Yellowstone River and elevation changes on either side of the highway as US-89 heads south towards Yellowstone National Park.

The 2017 Northside Livingston Transportation Plan documented the need for improved traffic flow to the northside of Livingston, as proposed development would increase the amount of traffic needing to access highways to the south of the railroad tracks. Currently, there are two grade crossings and an underpass (Source: City of Livingston, 2018). New development is limited mostly to the north side of the railyard. Due to the lack of robust connectivity, future developments may create significant congestion issues, especially in the event of a blocked grade crossing or a flooding event. The addition of another grade-separated crossing to the west of the existing crossings would enable residents to bypass downtown and access I-90 more efficiently.

Future land uses near the Interstate interchanges are zoned as Highway Commercial, and the land is generally flat near these corridors, allowing for large, rapid development to occur. Outside of these interchanges, there is little land within the ETJ served by major highways. Existing transportation infrastructure is mostly municipal and county-maintained roads. Development along these routes would likely be low density, and primarily residential or light commercial in nature.

Public Facilities

A. Introduction

The Public Facilities section summarizes the utilities and public facilities available within the Extra-Territorial Jurisdiction (ETJ), reliance on the City of Livingston's infrastructure, as well as existing efforts to study their capacity and meet the needs of the community.

B. Public Wastewater Facilities

Montana Department of Environmental Quality (DEQ) facilitates a Subdivision Program that reviews subdivisions to ensure sanitation facilities including water supply, sewage disposal, solid waste disposal, and storm drainage systems can be made available. Any new construction would need to comply with Park County's onsite wastewater treatment regulations and obtain the necessary permits.

All areas outside of the City limits are unsewered. Therefore, in accordance to Park County regulations, properties in the ETJ utilize individual sewage treatment systems. Design and installation of these systems follow the requirements of 75-6-101, MCA et seq. DEQ. The Water & Waste Disposal Loan & Grant Program in Montana, by U.S. Department of Agriculture Rural Development, provides funding for clean and reliable drinking water systems, sanitary sewage disposal, sanitary solid waste disposal, and storm water drainage to households and businesses in eligible rural areas.

Installation of advanced septic treatment systems such as sand filter septic tanks can limit contamination from new rural residential development, however, annexation and extension of sewers is the only way to eliminate contamination from existing unsewered developments.

C. Water Supply

Public and Private Water Supply

The City of Livingston provides water services to residents within and outside the City limits. The original water supply source is surface water from the Yellowstone River distributed through water mains. However, distribution of surface water is limited outside the City. Currently, groundwater wells supply water across the area. There are over 1,000 wells located in the area, of which about 14 wells are used primarily for public water supply. The wells range from eight feet to 805 feet in depth and yield up to 95 gpm. The south side of the ETJ has the least concentration of wells due to topographical characteristics. Water from the wells are used for a variety of purposes including domestic, commercial, irrigation, industrial, fire protection, as stock water, and for public water supply.

Source Water Protection

Source water protection efforts aim to ensure quality drinking water. Park County Environmental Health and the Montana Department of Environmental Quality (DEQ) have focused efforts on assessing and managing water quality in order to protect source water.

Cultivated cropland and septic drain fields at rural homes are a significant potential source of nitrate or microbial contaminants identified in the surface water buffer that may potentially impact drinking water. Park County's onsite wastewater treatment regulations provides necessary information regarding the safe design and installation of septic systems.

In 2019, The Montana Department of Environmental Quality (DEQ) completed the 2018 Water Quality Integrated Report (WQIR) which describes the quality of surface water for safe drinking, protection and propagation of wildlife, and safe recreational/other uses. The WQIR targets waters that are suspected to be impaired; this includes the upper Yellowstone River from Bighorn River upstream to above Livingston. Analyses and recommendations within the WQIR can be useful for planning for the growth of ETJ.

D. Storm Water Management

Unlike the City, where storm water runoff is a concern and poses both flooding and pollution threats, the ETJ Jurisdiction is not adversely affected by this issue. Due to the vast open spaces and minimal impervious surfaces, there is currently little need for dedicated stormwater management facilities in the area. A few stormwater infrastructure projects can be found in the ETJ but closer to the City limits for new housing development or street construction projects.

E. Parks and Recreation

The ETJ has little to no developed open space. The area is predominantly marked by its rural and natural environment and unlike the City, lacks developed parks and recreational facilities. However, a number of outdoor recreational activities can be practiced in the vast open spaces, forests, mountains, and along the River and streams. Popular activities include hiking, biking, hunting, fishing, horseback riding, bird watching, and winter sports.

Hunting and fishing/angling are identified as culturally and economically important activities in the community. Several opportunities for hunting and angling exist in ETJ owing to the diverse fish and wildlife population found in the area. Additional information can be found in the wildlife section of this Report (p.24). Furthermore, ranches offer agri-tourism based activities to allow tourists and locals to experience the rural way of life.

F. Energy Sources & Renewable Energy

Refer to **Chapter 9, Section E** of the Livingston Growth Policy for information on energy sources and renewable energy in the ETJ.

G. Solid Waste and Recycling

Solid waste disposal for the ETJ consists of Green Box sites. Park County is responsible to deliver garbage from these sites to the City's transfer station located at Bennett Street. All garbage delivered to the transfer station is ultimately hauled by truck to a landfill in Great Falls. The Park County landfill has stopped accepting refuse since December 2014.

Like in Livingston, residents of the ETJ can recycle by bringing recyclable items to the City's Transfer Station. Currently, the accepted items include #1 & #2 plastics, glass, aluminum, paper, and cardboard. The 2017 City of Livingston Solid Waste System report makes recommendations for changes to recycling services and protocol.

H. Broadband Services

Wireless service in the ETJ is mainly provided by AT&T Mobility LLC. CenturyLink Inc. provides broadband internet in areas closer to the City limits, and Charter Spectrum has coverage in the north along Willow Creek Road, in the south along US-89, and intermittently in areas close to Wineglass, Bison Trail, and Buckskin Trail. Broadband in the unincorporated area is limited and the network is provided through unpaved local roads connecting the rural region to the City.

3 | Goals, Objectives, and Strategies for Growth

Introduction

Livingston and Park County historically coordinated through a City-County Planning Board. A County Zoning District had been established and was managed through the Board, but ultimately became invalid after the dissolution of the Board decades ago. The City of Livingston and Park County Compact, established as an Interlocal Agreement in 2017, pursuant to Montana Code, is a current example of intergovernmental coordination between the City and County. This compact allows the City and County to cooperate with each other and “provide service and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities.” The Compact can be found in **Appendix D** of the Livingston Growth Policy. Additional coordination will benefit the City, the County, and their residents. Similarly, coordination efforts that extend beyond the relationship between the City and County will offer additional benefits to the region and the communities and entities therein.

The coordination of planning activities may not be sufficient to achieve shared goals. Some issues may require a joint response from multiple agencies. Agencies may partner on capital construction projects, conduct joint planning processes, or enter intergovernmental agreements on a variety of issues. Intergovernmental agreements or compacts are recognized within Montana Planning statutes as a tool for the creation of joint planning boards and other issues. These documents explicitly delineate specific obligations, agreements, and cooperative efforts between entities.

The following goals, along with their associated objectives and strategies, will ensure that successful coordination will occur between the City of Livingston, Park County, and its other regional partners.

Goals, Objectives, and Strategies

Goal 1: Plan for future development within the urban/rural interface.

Objective 1.1: Coordinate with Park County.

- Strategy 1.1.1: Organize and facilitate regular communication with representatives from the County and other Jurisdictions to foster interdepartmental dialogue.
- Strategy 1.1.2: Incorporate relevant goals and objectives from the 2021 Livingston Growth Policy Update into planning decisions and discussions about the Extra-Territorial Jurisdiction (ETJ).
- Strategy 1.1.3: Identify the Wildland Urban Interface and support the ability of wildland fire fighters to manage incidents that put residents and firefighters at risk.

Goal 2: Ensure seamless provision of services and amenities to residents, businesses, and visitors within the region.

Objective 2.1: Coordinate with other entities on planning, funding, and implementation of projects and programs that affect quality of life in Livingston and the surrounding region.

- Strategy 2.1.1: Gauge interest from Park County and other local jurisdictions in developing and participating in a regional planning committee to regularly coordinate on regional opportunities.
- Strategy 2.1.2: Communicate with the National Park Service as needed.

- Strategy 2.1.3: Communicate with the Montana Department of Transportation as needed.
- Strategy 2.1.4: Communicate with entities responsible for providing services to people experiencing hunger and/or homelessness as needed.
- Strategy 2.1.5: Communicate with medical and emergency services providers as needed.
- Strategy 2.1.6: Communicate with local school districts as needed.
- Strategy 2.1.7: Communicate with residents and public stakeholders as needed.
- Strategy 2.1.8: Coordinate with other planning processes in the planning area to make sure goals and objectives are consistent and assumptions for growth and land use are similar.

Goal 3: Encourage development of compatible land uses in the Extra-Territorial Jurisdiction (ETJ).

Objective 3.1: Coordinate planning and development of the ETJ with Park County to address future zoning and annexation needs.

- Strategy 3.1.1: Encourage Park County to review and update their subdivision regulations.
- Strategy 3.1.2: Prioritize and encourage new development in areas that are already zoned or subdivided at urban densities in the planning area.
- Strategy 3.1.3: Highway Commercial near the Interstate interchanges should be compatible with land use plans and should minimize impacts on traffic and nearby properties.
- Strategy 3.1.4: Explore adopting City Zoning as allowed by State Statute.
- Strategy 3.1.5: Identify public projects and investments required for zoning and annexation in the ETJ.
- Strategy 3.1.6: Develop areas to be annexed to the City to comply with City public works and subdivision design standards.
- Strategy 3.1.7: Develop areas to be annexed to the City to have a higher density with a mix of housing types.
- Strategy 3.1.8: Evaluate and amend the zoning and subdivision ordinances to prohibiting the development of large lot subdivisions inconsistent with Livingston's historic development pattern within the City or ETJ.
- Strategy 3.1.9: Maintain existing agricultural uses within the ETJ.
- Strategy 3.1.10: Require annexation prior to subdivision of any parcel in the ETJ.

Objective 3.2: Promote sustainable housing development in the ETJ.

Strategy 3.2.1: Identify and study the characteristics of existing housing units in the planning area.

Strategy 3.2.2: Provide a grid system street network and avoid cul-de-sacs where possible.

Strategy 3.2.3: Coordinate to have new development in the planning area provide for parks and open space.

Objective 3.3: Ensure that the extraction of sand and gravel resources throughout the region will not negatively impact the surrounding ecosystem, nearby residents, or landowners.

Strategy 3.3.1: Coordinate with adjacent jurisdictions to ensure restrictions are in place on sand and gravel operations in areas that pose a threat to water quality.

Strategy 3.3.2: Coordinate with adjacent jurisdictions to ensure policies are in place to mitigate the impacts of gravel resource extraction.

Objective 3.4: Promote policy that facilitates the conservation of open space and limits low density development.

Strategy 3.4.1: New roads developed specifically for the development of residential use shall not be allowed.

Goal 4: Ensure new development in the Extra-Territorial Jurisdiction (ETJ) is sensitive to the environment and natural ecosystems.

Objective 4.1: Coordinate development that is compatible with the area's sensitive topography.

Strategy 4.1.1: Assess all new development to ensure there is least environmental impact, including floodway and floodplain guidelines where applicable.

Strategy 4.1.2: Coordinate to conserve the area's prime farmland or farmland of statewide importance.

Strategy 4.1.3: Promote development that is compatible with and allows access to public lands and waters.

Objective 4.2: Use conservation easements to preserve open spaces and environmentally and culturally important lands.

Strategy 4.2.1: Partner with the County to explore creation of open space bonds to purchase land as conservation easements from willing landowners.

Strategy 4.2.2: Identify funding sources in addition to public funds, such as donations, state and federal grants, levies, and other funding from private organizations.

Objective 4.3: Manage and preserve natural resources.

Strategy 4.3.1: Include the ETJ Area in the Climate Action Plan.

Strategy 4.3.2: Coordinate to utilize best practices to protect groundwater and water quality in streams and rivers.

Strategy 4.3.3: Include the ETJ Area in efforts to promote native vegetation, reduce invasive species, and protect wetlands and wildlife habitat, including migration paths.

Goal 5: Provide infrastructure improvements and public facilities to support existing and future populations in conjunction with Park County.

Objective 5.1: Improve water and wastewater supply and treatment facilities in ETJ.

Strategy 5.1.1: Protect groundwater quality and enhance capacity to ensure water supply in the planning area.

Strategy 5.1.2: Plan for sewer and water mains extensions in areas with clustered residential development.

Strategy 5.1.3: In consultation with the County Health Department, explore development of gray water regulations for rural residential units.

Objective 5.2: Develop multi-modal transportation options in the ETJ.

Strategy 5.2.1: Extend City's transit to serve the residents of the ETJ.

Strategy 5.2.2: Develop a community-wide interconnected trail system between the City, the ETJ, and the County.

Strategy 5.2.3: Plan for pedestrian access in existing and new developments in the planning area.

Strategy 5.2.4: Ensure new development and subdivisions have dedicated right-of-way for future transportation infrastructure projects.

Strategy 5.2.5: Require sidewalk connectivity with all subdivision in the ETJ.

Objective 5.3: Make streets safe and promote efficient access for all users and modes of transportation..

Strategy 5.3.1: Coordinate with the Montana Department of Transportation to reduce fatalities and serious injuries on rural roads.

Strategy 5.3.2: Address traffic flow and congestion issues commensurate with growth in the ETJ.

Strategy 5.3.3: Provide safe and accessible crossings for pedestrians and bicyclists across railroad tracks.

Strategy 5.3.4: Consider integrating the area into any Active Transportation Plan of the City.

Objective 5.4: Identify and promote the unique recreational opportunities in the region to bolster tourism and diversify economy.

Strategy 5.4.1: Coordinate to monitor and manage public access to open spaces and waters for hunting, fishing, and other recreational activities.

Strategy 5.4.2: Support and promote the development of nature-based and agri-tourism industries to promote community identity and economy.

Objective 5.5: Development is supported by adequate facilities and digital connectivity.

Strategy 5.5.1: Explore the expansion of broadband utilities to the ETJ.

Strategy 5.5.2: Continue to support solid waste management in the ETJ.

Implementation

The following Implementation Matrix summarizes the goals, objectives, and strategies provided above, along with a recommended timeframe for implementing the strategies. These timeframes are categorized by the following:




- ▶ Immediate: 1-2 years
- ▶ Near-Term: 3-5 years
- ▶ Mid-Term: 6-10 years
- ▶ Long-Term: 10+ years

The implementation of some strategies is recommended to occur over the course of multiple timeframes because of the time it is expected to take to complete the necessary steps of that strategy, alignment with related processes, and/or because of its ongoing nature.


As the future land use and development of the ETJ is highly connected to the growth of the City of Livingston, many of the strategies developed for the ETJ are related to strategies developed within the main Growth Policy. These are indicated by a blue mountain symbol (▲). The Implementation Matrix for the City of Livingston's Growth Policy can be found in **Chapter 12: Implementation** of the Growth Policy.


Table 3.1: Implementation Matrix

Goal, Objective, or Strategy	Immediate (1-2 Years)	Near Term (3-5 Years)	Mid-Term (6-10 Years)	Long-Term (10+ Years)
Goal 1: Plan for future development within the urban/rural interface.				
Objective 1.1: Coordinate with Park County. ▲▲				
Strategy 1.1.1: Organize and facilitate regular communication with representatives from the County and other Jurisdictions to foster interdepartmental dialogue.				
Strategy 1.1.2: Incorporate relevant goals and objectives from the 2020 Livingston Growth Policy Update into planning decisions and discussions about the Extra-Territorial Jurisdiction (ETJ).				
Strategy 1.1.3: Identify the Wildland Urban Interface and support the ability of wildland fire fighters to manage incidents that put residents and firefighters at risk.				
Goal 2: Ensure seamless provision of services and amenities to residents, businesses, and visitors within the region.				
Objective 2.1: Coordinate with other entities on planning, funding, and implementation of projects and programs that affect quality of life in Livingston and the surrounding region. ▲▲				
Strategy 2.1.1: Gauge interest from Park County and other local jurisdictions in developing and participating in a regional planning committee to regularly coordinate on regional opportunities. ▲▲				
Strategy 2.1.2: Communicate with the National Park Service as needed. ▲▲				
Strategy 2.1.3: Communicate with the Montana Department of Transportation as needed. ▲▲				
Strategy 2.1.4: Communicate with entities responsible for providing services to people experiencing hunger and/or homelessness as needed. ▲▲				
Strategy 2.1.5: Communicate with medical and emergency services providers as needed. ▲▲				
Strategy 2.1.6: Communicate with local school districts as needed. ▲▲				
Strategy 2.1.7: Communicate with residents and public stakeholders as needed. ▲▲				

Goal, Objective, or Strategy	Immediate (1-2 Years)	Near Term (3-5 Years)	Mid-Term (6-10 Years)	Long-Term (10+ Years)
Strategy 2.1.8: Coordinate with other planning processes in the planning area to make sure goals and objectives are consistent and assumptions for growth and land use are similar.				
Goal 3: Encourage development of compatible land uses in the Extra-Territorial Jurisdiction (ETJ).				
Objective 3.1: Coordinate planning and development of the ETJ with Park County to address future zoning and annexation needs.				
Strategy 3.1.1: Encourage Park County to review and update their subdivision regulations.				
Strategy 3.1.2: Prioritize and encourage new development within planned future growth areas and in areas that are already zoned or subdivided at urban densities in the planning area.				
Strategy 3.1.3: Highway Commercial near the Interstate interchanges should be compatible with land use plans and should minimize impacts on traffic and nearby properties.				
Strategy 3.1.4: Explore adopting City Zoning as allowed by State Statute.				
Strategy 3.1.5: Identify public projects and investments required for zoning and annexation in the ETJ.				
Strategy 3.1.6: Develop areas to be annexed to the City to comply with City public works and subdivision design standards.				
Strategy 3.1.7: Develop areas to be annexed to the City to have a higher density with a mix of housing types.				
Strategy 3.1.8: Evaluate and amend the zoning and subdivision ordinances to prohibiting the development of large lot subdivisions inconsistent with Livingston's historic development pattern within the City or ETJ. 				
Strategy 3.1.9: Maintain existing agricultural uses within the ETJ. 				
Strategy 3.1.10: Require annexation prior to subdivision of any parcel in the ETJ. 				
Objective 3.2: Promote sustainable housing development in the ETJ.				
Strategy 3.2.1: Identify and study the characteristics of existing housing units in the planning area.				

Goal, Objective, or Strategy	Immediate (1-2 Years)	Near Term (3-5 Years)	Mid-Term (6-10 Years)	Long-Term (10+ Years)
Strategy 3.2.2: Provide a grid street network and avoid cul-de-sacs where possible.				
Strategy 3.2.3: Coordinate to have new development in the planning area provide for parks and open space.				
Objective 3.3: Ensure that the extraction of sand and gravel resources throughout the region will not negatively impact the surrounding ecosystem, nearby residents, or landowners.				
Strategy 3.3.1: Coordinate with adjacent jurisdictions to ensure restrictions are in place on sand and gravel operations in areas that pose a threat to water quality.				
Strategy 3.3.2: Coordinate with adjacent jurisdictions to ensure policies are in place to mitigate the impacts of gravel resource extraction.				
Objective 3.4: Promote policy that facilitates the conservation of open space and limits low density development.				
Strategy 3.4.1: New roads developed specifically for the development of residential use shall not be allowed.				
Goal 4: Ensure new development in the Extra-Territorial Jurisdiction (ETJ) is sensitive to the environment and natural ecosystems.				
Objective 4.1: Coordinate development that is compatible with the area's sensitive topography.				
Strategy 4.1.1: Assess all new development to ensure there is least environmental impact, including floodway and floodplain guidelines where applicable.				
Strategy 4.1.2: Coordinate to conserve the area's prime farmland or farmland of statewide importance.				
Strategy 4.1.3: Promote development that is compatible with and allows access to public lands and waters.				
Objective 4.2: Use conservation easements to preserve open spaces and environmentally and culturally important lands.				
Strategy 4.2.1: Partner with the County to explore creation of open space bonds to purchase land as conservation easements from willing landowners.				
Strategy 4.2.2: Identify funding sources in addition to public funds, such as donations, state and federal grants, levies, and other funding from private organizations.				

Goal, Objective, or Strategy	Immediate (1-2 Years)	Near Term (3-5 Years)	Mid-Term (6-10 Years)	Long-Term (10+ Years)
Objective 4.3: Manage and preserve natural resources.				
Strategy 4.3.1: Include the ETJ Planning Area in a Climate Action Plan if the City pursues one. 				
Strategy 4.3.2: Coordinate to utilize best practices to protect groundwater and water quality in streams and rivers.				
Strategy 4.3.3: Include the ETJ Planning Area in efforts to promote native vegetation, reduce invasive species, and protect wetlands and wildlife habitat, including migration paths.				
Goal 5: Provide infrastructure improvements and public facilities to support existing and future populations in conjunction with Park County.				
Objective 5.1: Improve water and wastewater supply and treatment facilities in the ETJ.				
Strategy 5.1.1: Protect groundwater quality and enhance capacity to ensure water supply in the planning area.				
Strategy 5.1.2: Plan for sewer and water mains extensions in areas with clustered residential development.				
Strategy 5.1.3: In consultation with the County Health Department, explore development of gray water regulations for rural residential units.				
Objective 5.2: Develop multi-modal transportation options in the ETJ.				
Strategy 5.2.1: Extend City's transit to serve the residents of the ETJ.				
Strategy 5.2.2: Develop a community-wide interconnected trail system between the City, the ETJ, and the County.				
Strategy 5.2.3: Plan for pedestrian access in existing and new developments in the planning area.				
Strategy 5.2.4: Ensure new development and subdivisions have dedicated right-of-way for future transportation infrastructure projects.				
Strategy 5.2.5: Require sidewalk connectivity with all subdivision in the ETJ.				

Goal, Objective, or Strategy	Immediate (1-2 Years)	Near Term (3-5 Years)	Mid-Term (6-10 Years)	Long-Term (10+ Years)
Objective 5.3: Make streets safe and promote efficient access for all users and modes of transportation.				
Strategy 5.3.1: Coordinate with the Montana Department of Transportation to reduce fatalities and serious injuries on rural roads.				
Strategy 5.3.2: Address traffic flow and congestion issues commensurate with growth in the ETJ.				
Strategy 5.3.3: Provide safe and accessible crossings for pedestrians and bicyclists across railroad tracks. 				
Strategy 5.3.4: Consider integrating the area into any Active Transportation Plan of the City.				
Objective 5.4: Identify and promote the unique recreational opportunities in the region to bolster tourism and diversify economy.				
Strategy 5.4.1: Coordinate to monitor and manage public access to open spaces and waters for hunting, fishing, and other recreational activities.				
Strategy 5.4.2: Support and promote the development of nature-based and agri-tourism industries to promote community identity and economy.				
Objective 5.5: Development is supported by adequate facilities and digital connectivity.				
Strategy 5.5.1: Explore the expansion of broadband utilities to the ETJ.				
Strategy 5.5.2: Continue to support solid waste management in the ETJ.				

4 | Conclusion

Summary

As the City of Livingston plans for growth and establishes the 2020 Growth Policy Update, assessing the existing conditions of the ETJ will encourage orderly development in the unincorporated areas surrounding the City. This Report – The Extra-Territorial Jurisdiction Plan - serves as a baseline to coordinate activities with other governmental agencies and planning processes to promote overall quality of life and fiscal health of the region.

This Report summarizes existing conditions for the ETJ, sets goals for the area's future, and recommends strategies for working toward those goals. Areas of focus include:

- ▶ Population
- ▶ Land Use
- ▶ Natural Resources
- ▶ Housing
- ▶ Economy
- ▶ Local Services
- ▶ Transportation
- ▶ Public Facilities

Assessment of the existing conditions highlight the area's unique rural and topographical characteristics that are important to the community and may have potential impacts to development policies applicable in the jurisdiction. Consequently, the report includes future growth trends and recommendations compatible with the area's unique and sensitive setting to guide the community's vision for growth without burdening public and natural resources. It also provides specific goals, objectives, and strategies that may be used to help implement the Growth Policy.

Ultimately, This Report will contribute to the successful application of Livingston's 2020 Growth Policy that takes into consideration the unincorporated areas beyond the City limits where future growth is expected and to investigate the prospect of annexing these areas into the City's jurisdiction.

Figure 4.1: The Extra-Territorial Jurisdiction Surrounding the City of Livingston



References

The following references were utilized in the creation of this Extra-Territorial Jurisdiction Plan. For a list of references utilized in the development of the City of Livingston's Growth Policy, see **Appendix C** of the Growth Policy.

- ▶ [Atlas of Park County, Montana](#)
- ▶ [Bozeman Daily Chronicle](#)
- ▶ ESRI Business Analyst, 2020
- ▶ [Headwaters Economics, "The Value of Montana's Outdoors", 2019](#)
- ▶ [Montana Department of Environmental Quality - Data](#)
- ▶ [Montana Department of Environmental Quality - Interactive Mapping Application](#)
- ▶ [Montana Department of Natural Resources & Conservation - Interactive Map](#)
- ▶ [Montana Department of Natural Resources & Conservation - GIS](#)
- ▶ [Montana State Library - GIS Map Gallery](#)
- ▶ [Park County - GIS](#)
- ▶ [Park County Onsite Water Treatment Regulations, 2012](#)
- ▶ [Park County Planning Department](#)
- ▶ [Park County Rural Improvement Districts Policies and Procedures, 2014](#)
- ▶ [Park County Subdivision Regulations, 2010](#)
- ▶ [State of Montana - Rural Land Conservation Easements](#)
- ▶ [State of Montana - Mapping Spatial Data](#)
- ▶ [Trip National Research Group, "Montana Transportation by The Numbers," 2017](#)
- ▶ [U.S. Department of Transportation Rural Safety Initiative, 2008](#)
- ▶ [Upper Missouri River Basin Drought Indicators Dashboard](#)