

RESOLUTION NO. 2009 - 033

**A FINAL RESOLUTION ADOPTING THE
GALLATIN GATEWAY COMMUNITY PLAN AND FUTURE LAND USE MAP
AS A REVISION TO THE GALLATIN COUNTY GROWTH POLICY**

This Resolution was introduced by the Gallatin County Planning Department, moved by Commissioner Skinner, and seconded by Commissioner Murdock. The Resolution was adopted unanimously.

WHEREAS, in April 2003, the Gallatin County Commission adopted the Gallatin County Growth Policy pursuant to §76-1-6, MCA as a comprehensive plan to guide land use and development outside of the County's existing citizen petitioned "Part 1 zoning districts"; and

WHEREAS, The Gallatin County Commission's Growth Policy Implementation Program recognizes neighborhood plans are one of the most important methods to implement the Gallatin County Growth Policy; and

WHEREAS, pursuant to §76-1-6(4)(a) MCA, the Growth Policy may include neighborhood plans; and

WHEREAS, in January 2007, landowners in the Gallatin Gateway area approached the Planning Department and County Commission with the request to initiate a process develop a specific community plan for the area (the Gallatin Gateway Community Plan) as an amendment to the Growth Policy pursuant to §76-1-602 MCA through §76-1-604 MCA; and

WHEREAS, the Gallatin Gateway Community Plan has been drafted as a result of significant public participation over the course of two years, specifically nine community events, a community survey, and bi-monthly committee events held over the course of nineteen months; and

WHEREAS, the jurisdictional area of the Gallatin Gateway Community Plan Plan includes:

T2S R4E

Section 27 = Land south of High Flat Road in S ½ of SW ¼ consisting of Tract B of COS 384A

Section 33 = Tracts 1 and 2 in COS 2561 in SE ¼

Section 34 = All except tracts 4A-1 and 4A-2 in COS 1121B and Tract B of COS 1121A

Section 36 = S ½

T2S R5E

Section 31 = S ½ and the portion of Tract 1 of COS 2291 lying within the NE ¼ of said section

Section 32 = Tract 1 of COS 2198

T3S R4E

Sections 1-3 = All

Section 4 = All land east of Cottontail Road, except Tract 2B in COS 375A

Section 9 = Tract C-1 of COS 140B and Tract 1 of COS 140G in N ½ of NE ¼; all land south of Cottontail Road and east of Shadoan Ditch Road except for Lot 5 of COS 525B and COS 335

Section 10 = All land except tracts 2C-1, 2C-2, and 2C-3 in COS 140C in NW ¼ and a 2-acre parcel located in the SW ¼ of the SW ¼ described in Deed 5FM879

Sections 11-13 = All

Section 14 = All except the SW ¼

Section 15 = All of the N ½ except COS 234 and 20 acres located in the SW ¼ of the NW ¼ deeded as 73FM2136

Section 16 = All except land north of Gateway Foothills Road

Section 22 = All land in the Bearcreek Properties Subdivision (Plat #J-105)

Section 23 = All

Section 24 = All in West ½ except for 80 acres located in the S ½ of W ½ and described in Deed 158FM1993

Sections 25 = All land in the Little Bear Subdivision (Plat #J-71) and Tracts A and B of COS 425

Section 26 = All

Sections 35 = The E ½ and that portion of Amended Lot 14A of COS 1487B lying in the NW ¼ and that portion of Tract 13A of COS 1487A lying in the NW ¼

Section 36 = N ½

T3S R5E

Section 5 = Tract 1 of COS 2198 located in the NW ¼

Section 6 - 7 = All

Section 18 = All of N ½ and the land in the S ½ lying north of Yonder road and west of Portnell Road; and

WHEREAS, Section 9.2 of the Gallatin County Growth Policy establishes specific criteria to be weighed in consideration of proposed amendments to the Growth Policy; and

WHEREAS, §76-1-604 MCA requires revisions and amendments to an adopted Growth Policy to follow the same process as adoption of a Growth Policy; and

WHEREAS §76-1-603 MCA requires the Planning Board to forward a resolution recommending the proposed growth policy to the County Commission; and

WHEREAS, the Gallatin County Planning Board held a public hearing on January 13th, 2009 and approved a resolution (6:2) recommending the Gallatin County Commissioners approve the Gallatin Gateway Community Plan and Future Land Use Map as an amendment to the Growth Policy; and

WHEREAS, on February 3rd, 2009, the Gallatin County Commission approved Resolution of Intent 2009-018 to adopt the Gallatin Gateway Community Plan and Future Land Use Map as an amendment to the Growth Policy; and

WHEREAS, notice of passage of the Resolution of Intent was given on February 8 and March 1 and 8, 2009 in the Bozeman Daily Chronicle, and on February 13 and 20 and March 6 and 13, 2009 in the Belgrade News.

NOW THEREFORE BE IT RESOLVED:

1. The Gallatin County Commission approves the recommended amendment in the southeastern boundary of the planning jurisdiction according to Staff Finding #6 on the February 27th, 2009 Staff Report for better compliance with the Growth Policy;
2. The Gallatin County Commission approves the following recommended text amendments:

- a. Policy 3.1.2 is struck in its entirety;
- b. Policy 3.3.2 is amended to read:

To protect the rural character of the area, dense development shall only be allowed in the Town Core area, as shown in the adopted Land Use Map. The development standards and map adopted to implement this plan will provide standards assigning densities in the Gallatin Gateway Town Core area and rural Gallatin Gateway.

- c. Policy 3.3.3 is amended to read:

Residents of Gallatin Gateway also recognize that provision of central water and sewer could, with careful control, be provided in other ways. New development in the Town Core requiring centralized water and wastewater shall coordinate with the water and sewer district for eventual inclusion in the district. It is the general policy of the Gallatin Gateway Community Plan that new subdivisions in the Town Core connect to the water and sewer systems controlled and operated by the district. In the event that a new subdivision requiring central water and/or sewer precedes the district's construction of central water and/or sewer infrastructure, the subdivision should coordinate with the district to jointly provide service or infrastructure for existing development.

- d. The introductory paragraph of Policy 6.2 is amended to read:

The Gallatin Gateway School is one of the foundations of Historic Gateway. Constructed in 1914, the two-story brick school building was the fourth facility providing education for the community. There have been three additions to this building site since the early 1960's. Currently, grades K-8 attend the school, which sits on 3.7 acres.

School enrollment has increased over the past 20 years, and recent discussions have raised the following issues:

- Current enrollment is at 168 students with about 22 out-of-district students in attendance. The School Growth Committee determined that “the school could continue to operate under the current square footage up through an enrollment of 185 students with many bandaiding efforts to the building”. Any appreciable sustained increase in enrollment will result in the school being at or over capacity. Bonding capacity for the school is insufficient to fund any appreciable expansion in the near future.

e. Policy 4.3.1.a is amended to read:

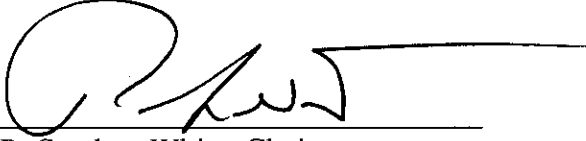
It is generally understood that the primary use of property in rural Gateway shall be agricultural and/or residential. Secondary uses may be commercial. Commercial operations will be limited to businesses which have a small number of employees on parcels where the primary use is agricultural or residential. This policy is not intended to restrict any home occupations or businesses conducted by agricultural users or other diverse uses compatible with rural property, nor gravel pit operations as described in Policy 4.3.3 below; and

3. The Gallatin County Commission finds the Gallatin Gateway Community Plan and Future Land Use Map substantially complies with the goals and objectives of the Gallatin County Growth Policy;
4. The Gallatin County Commission finds the Gallatin Gateway Community Plan and Future Land Use map substantially complies with the criteria of Section 9.2 of the Growth Policy, specifically:
 - The land use categories in the Gallatin Gateway Community Plan adequately provide for a variety of uses within the plan jurisdiction;
 - The amendment constitutes an overall improvement to the Growth Policy by comprehensively providing specific policies to guide growth in the Gallatin Gateway area;
 - The land use categories in the Gallatin Gateway Community Plan accurately reflect existing land use patterns within the plan jurisdiction;

- The Gallatin Gateway Community Plan provides for the efficient provision of infrastructure within or adjacent to areas which already have services available;
 - The Gallatin Gateway Community Plan encourages growth in areas which already have an existing traffic system, and provides policies for the improvement of necessary road and traffic infrastructure as the area grows;
 - The Gallatin Gateway Community Plan adequately addresses the livability of the area, as well as the health and safety of residents by providing policy for water and sewer infrastructure, protection of agricultural operations, the Fire District, and the Gallatin Gateway School;
 - The Gallatin Gateway Community Plan is compatible with future land uses and intensities contained in the Growth Policy by directing the majority of new growth adjacent to the existing town site of Gallatin Gateway, an identified unincorporated community by the Future Land Use Map of the Growth Policy, where more specific planning is encouraged by Section 10.1 of the Growth Policy, and by providing for infrastructure options to facilitate that growth;
 - The Gallatin Gateway Community Plan is consistent with the overall intent, goals, and strategies of the Growth Policy, specifically Section 1.2 and the goals and objectives contained in Chapter 3 of the Growth Policy;
 - The Gallatin Gateway Community Plan furthers the goals and strategies of the Growth Policy by providing more neighborhood-specific policies as called for in Section 10.1 of the Growth Policy; and
 - The Gallatin Gateway Community Plan specifically calls for infrastructure strategies to community facilities and public infrastructure, specifically related to water and sewer, road and transportation, and facilities for the school, and Fire District.
5. The Gallatin County Commission finds the procedural requirements of §76-1-602 through §76-1-604 MCA have been met;
 6. The Gallatin County Commission adopts the Staff Findings from the February 27th, 2009 Staff Report;
 7. The Gallatin County Commissioners finds public comment submitted to the Commission as part of this hearing was adequately addressed by the staff report and/or the Community Plan;
 8. The Gallatin County Commissioners finds the Gallatin Gateway Community Plan and Future Land Use Map Amendment to the Growth Policy is consistent with the goals, policies, and intent of the Gallatin County Growth Policy, and therefore approves the Final Resolution to approve the attached Gallatin Gateway Community Plan and Future Land Use Map as a revision to the Gallatin County Growth Policy.

Dated this 17th day of March 2009.

GALLATIN COUNTY COMMISSION

A handwritten signature in black ink, appearing to read 'R. Stephen White', written over a horizontal line.

R. Stephen White, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read 'Charlotte Mills', written over a horizontal line.
Charlotte Mills, Clerk and Recorder

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