



# COMMUNITY PLANNING ASSISTANCE TEAMS

## HELENA URBAN STANDARDS BOUNDARY WORKSHOP: ENGAGE, FACILITATE, & PLAN

City of Helena and  
Lewis & Clark County, Montana  
**Final Report**  
June 17, 2015



**American Planning Association**

*Making Great Communities Happen*

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#### **CPAT Project Webpage**

[www.planning.org/communityassistance/teams/helena](http://www.planning.org/communityassistance/teams/helena)

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## INTRODUCTION

The American Planning Association (APA), through its professional institute, the American Institute of Certified Planners (AICP), organized a Community Planning Assistance Teams (CPAT) project in coordination with Lewis and Clark County, Montana and the City of Helena.

The project was selected from proposals submitted during CPAT's December 2013 community application review cycle. George Theborge AICP, Director of Community Development and Planning for Lewis and Clark County submitted the application. Theborge, along with City of Helena's Community Development Director Sharon Haugen served as APA's primary community liaisons throughout the effort. City and County staff including Lucy Gengler, Eric Bryson, and Laura Erikson also served as important contacts and valuable resources for the team throughout the project.

This report presents the Team's findings, observations, and recommendations for the residents and stakeholders of the Helena Valley region.

## THE PURPOSE OF THE CPAT INITIATIVE

The purpose of the Community Planning Assistance Team (CPAT) program is to serve communities facing limited resources by helping them address planning issues such as social equity and affordability, economic development, sustainability, consensus building, and urban design, among others. By pairing expert urban planning professionals from around the country with residents and other stakeholders from local communities, the initiative seeks to foster education, engagement, and empowerment. As part of each team's goals, a community develops a vision that promotes a safe, ecologically sustainable, economically vibrant, and healthy environment.

APA staff works with the community, key stakeholders, and the host organization(s) to assemble a team of planners with the specific expertise needed for the project. The team meets on-site for three to five days, during which time a series of site visits, focused discussions, and analysis are performed. On the final day, the team reports their results back to the community. A more detailed report is issued to the community at a later date.

## GUIDING VALUES

APA's professional institute, the American Institute of Certified Planners (AICP), is responsible for the CPAT initiative. It is a part of APA's broader Community Assistance Program. Addressing issues of social equity in planning and development is a priority of APA and AICP. The Community Assistance Program, including the CPAT initiative, was created to express this value through service to communities in need across the United States.

Community assistance is built into the professional role of a planner. One principle of the *AICP Code of Ethics and Professional Conduct* states that certified planners shall aspire to "seek social justice by working to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of the disadvantaged and to promote racial and economic integration. Another principle is that certified planners should aspire to "contribute time and effort to groups lacking in adequate planning resources and to voluntary professional activities."

## PROGRAM BACKGROUND

In recognition of the key role urban and regional planners play in shaping vibrant, sustainable, and equitable communities, the APA Board of Directors established the "Community Planning Team" initiative in 1995. This initiative resulted in a pro bono effort to assist an economically struggling African American community in Greensboro, North Carolina. APA has continued to develop a pro bono planning program that provides assistance to communities in need.

Another Community Assistance Program initiative is the Community Planning Workshop, which is held in the host city of APA's National Planning Conference every year. The workshop is a one-day event that engages community leaders, citizens, and guest planners from around the country (and abroad) in discussing and proposing specific solutions to urban planning challenges. Workshops typically begin with an introduction of individuals involved and a tour of the community, neighborhood, or site. Participants form breakout groups that begin by discussing existing issues, then participants brainstorm new ideas based on community needs and sound planning techniques. Each breakout group "reports out" on its results to the entire group. Facilitators then lead a discussion to form consensus around future goals and ways to achieve these goals. Upon the conclusion of the workshop, the local community composes a final report that incorporates workshop results and specific actions that local officials could take to turn the project vision into reality.

In 2005, program efforts were notably increased after the devastating effects of Hurricane Katrina in the Gulf Coast region. APA immediately embarked on a number of initiatives and projects including Planning Assistance Teams in the affected cities of Henderson Point, Mississippi, and Mandeville and Slidell in Louisiana. Another Gulf Coast recovery project included the Dutch Dialogues, which brought American planners together with Dutch experts to transform the way that Louisiana relates to and manages its water resources.

AICP broadened the scope of the CPAT program with its 2009 project in Buzzard Point, a neighborhood in Southwest Washington, D.C. Over the course of the site visit, the team met with more than 40 neighborhood groups, government agencies, residents, and other stakeholders. The team advised community leaders on long-range strategies to strengthen existing and proposed transit links and increase accessibility, improve affordable housing developments, position the area as a major gateway to the city, and to deal with dominant industrial areas within the neighborhood.

The last several years of completed projects in Matthews, North Carolina; Story County, Iowa; Maricopa, Arizona; Wakulla County, Florida; Dubuque County, Iowa; La Feria, Texas; Franklin, Tennessee; Unalaska, Alaska; South Hartsville, South Carolina; and Lyons, Colorado among others are important landmarks in the development of the CPAT program. CPAT is now an ongoing programmatic effort and an integrated part of APA's service, outreach, and professional development activities.

More information about APA's Community Assistance Program and the Community Planning Assistance Teams initiative, including full downloadable reports, is available at:

[www.planning.org/communityassistance/teams](http://www.planning.org/communityassistance/teams)



## EXECUTIVE SUMMARY

Lewis and Clark County, in association with the City of Helena, submitted an application to the American Planning Association to obtain the services of a Community Planning Assistance Team (CPAT), a pro bono program that matches professional planners with locations in need of planning support to resolve local issues. The request for assistance centered on the 2009 Memorandum of Understanding (MOU) between the County and the City which was adopted in order to better manage growth in the City, the Urban Standards Boundary (USB), and the Helena Valley. The City and County have implemented a number of the tasks outlined in the MOU while several other important tasks remain incomplete..

A key component of the team's role included facilitating a workshop of stakeholders to learn what those individuals viewed as the issues, goals, and tools that can be used to achieve more cost-effective and pro-active forms of development within the USB. The workshop was held on February 3, 2015 and produced many valuable and insightful observations and recommendations regarding planning issues, goals for the future, and ideas for achieving the goals. A full discussion of the stakeholder meeting results is presented in the body of this report.

## CPAT RECOMMENDATIONS

Upon completion of the workshop and after reflecting on the results of the week-long activities, the CPAT developed a set of recommended actions for consideration by Lewis and Clark County and the City of Helena (see pages 18-21 for complete discussions about each recommendation). Some of the recommendations build upon the feedback received at the stakeholder workshop, and others are based on the team's professional expertise and experience in working with local governments on growth management. The team's recommendations focus on these topics:

- Joint Planning Efforts: The City and County should collaborate in preparing and adopting their respective Growth Policies to establish a common vision and plan for the USB. They have already collaborated on many items, including discussing a shared vision for the area. This provides another opportunity to do so in the future.
- Don't Let Perfection be the Enemy of the Good: Planning for the USB should recognize the broader context within which the USB exists and not be stymied by a desire to recapture all financial costs from infrastructure extensions. This is particularly the case when there will be a long-term benefit to the community, when it can be shown to mitigate negative impacts, or when it does not impact other important functions or uses of those tax dollars.
- System of Incentives and Disincentives to Implement a Vision: The City and County need to create a system of incentives and disincentives that cause the majority of the growth projected for the community to occur in the USB and the City.
- Seamless Infrastructure Standards: For those areas that likely can be annexed by the City, design standards for water, wastewater, roads, storm water systems, sidewalks, and lot/block design should be adopted by the County that mirror the City's standards.
- Infrastructure Funding: The City and County need to both take some financial risk to fund the infrastructure necessary for development in the USB.
- Affordable Housing: The broader planning context may also anticipate the need for affordable housing opportunities to offset higher land costs that will be created by infrastructure extensions.
- Public Education and Outreach: A plan to steer growth to the USB will require a more robust public education and marketing program.
- Act Now: The issues that result from unmanaged growth are growing, and action is needed immediately to manage growth in the HVPA and the overall community.

- Complete the Memorandum of Understanding: Many of the actions called for in the MOU have been accomplished. Now, it is imperative to complete the unfinished components of the MOU:
  - o The City-County jointly drawing/redrawing the USB.
  - o The City-County jointly creating a land use plan for the USB.
  - o The County creating an appropriate plan, establishing density controls, and revising land development regulations for the HVPA.
  - o The City-County jointly developing zoning regulations for the USB.

The CPAT's core recommendations parallel the 2009 MOU, in that the four remaining tasks of the MOU must be the top planning priorities of the City and County. The MOU remains a solid, thoughtful plan of action for the area's growth management, and now is the time for the City and County to see it through to its final completion.

## PROJECT OVERVIEW

Lewis and Clark County submitted an application to APA's CPAT program in December 2013. Following review and selection of the project, APA began discussions with the County's Director of Community Development and Planning George Theborge, AICP to coordinate a timeline for the project. APA staff and the CPAT Task Force reviewed candidates for the Team Leader position. Joanne Garnett, FAICP was selected and began working on the project with APA staff member Ryan Scherzinger.

Garnett and Scherzinger conducted a preliminary visit to Helena on July 30, 2014. During the visit, they met with City and County staff who provided further background and context for the project. After discussion with the group, members of City and County staff led Garnett and Scherzinger on a tour of Helena and the surrounding area, focusing on the boundaries of the Urban Standards Boundary (USB). Following the tour, Theborge and the City of Helena's Community Development Director Sharon Haugen sat with Garnett and Scherzinger to discuss the details of the project ahead.

Upon returning from Helena, Garnett and Scherzinger began the recruitment process for additional team members with the background and expertise needed for the project. Three other planners were selected: Bill Collins, AICP; Ken Markert, AICP; and Neal Starkebaum, AICP. More information on each team member is located in the "Meet the Team" section on page 25. The volunteer planners committed to the project and began familiarizing themselves with the project. Dates for the project (February 2-6, 2015) were selected based on the availability of the team members and City and County staff.

In the months leading up to the full team's visit, APA set up a file-sharing site to facilitate documents, maps, current plans and policies, and other materials the City and County provided as background for the team. The team reviewed information and met via conference calls to discuss the project. Garnett and Scherzinger kept regular communication with Theborge and Haugen regarding logistics, the schedule, and other arrangements for the team's visit.

The full team arrived in Helena the evening of Sunday, February 1, 2015. The team met with City and County staff at the City and County Building Monday morning. The team members met with City and County staff who provided background information followed by discussion with the whole group. Staff then led the team on a tour of Helena and the Valley area with a focus on the perimeter of the Urban Standards Boundary. After the tour, the team and staff met again to make final arrangements for the stakeholder event, including a defined set of questions to engage participants with during the workshop.

The stakeholder workshop was held from 9:00am to 2:30pm on Tuesday, February 3. Over 40 stakeholders representing various interests attended the event held at the Helena Great Northern Hotel. Upon arrival, each stakeholder was assigned to one of four tables. County Director Theborge and City Director Haugen each presented background material on the Valley's growth issues to the group. Team leader Garnett then briefly explained the CPAT program, details about the day's workshop, and introduced each of the team members. Each team member facilitated one of the four tables as a City or County staff person recorded each group's input. Three sessions with a specific set of questions were held. Following each session, one person from each group then reported out to the whole group a summary of their group's conversation. Afterwards, the team members met to discuss each their groups' discussions and the emerging themes from the workshop.

On Wednesday, February 4, the team met to organize and analyze the stakeholder data recorded during Tuesday's workshop. The team worked throughout the day to develop an outline of the issues and connect them to the goals of the 2009 Memorandum of Understanding between the City and County. Theborge and Haugen remained in close contact throughout the day to answer additional questions that surfaced from the team. The team also began to develop initial ideas regarding implementation strategies and recommendations.



**City of Helena / Lewis & Clark County Community Planning Assistance Team**

Schedule: February 2 - 6, 2015

TIME	ACTIVITY	WHO	LOCATION
<b>MONDAY, FEBRUARY 2</b>			
9:00 AM - 12:00 PM	-Introductions and background presentations -Discussion	-CPAT -City/County staff	-City and County Building
12:00 - 1:00 PM	-Lunch	--	-City and County Building
1:00 - 3:30 PM	-Guided tour of Helena Valley region	-CPAT -City/County staff	-Driving tour
3:30 - 5:00 PM	-Discussion -Preparation for stakeholder workshop	-CPAT -City/County staff	-City and County Building
5:00 - 6:30 PM	-Break	-CPAT	-Great Northern Hotel
6:30 - 8:00 PM	-Team dinner meeting	-CPAT	-Local restaurant
<b>TUESDAY, FEBRUARY 3</b>			
8:00 - 9:00 AM	-Preparation for stakeholder event	-CPAT -City/County staff	-Great Northern Hotel
9:00 - 3:30 PM	-Stakeholder workshop (with lunch)	-CPAT -City/County staff -Stakeholders	-Great Northern Hotel
3:30 - 5:30 PM	-Debrief and analysis	-CPAT	-Great Northern Hotel
5:30 - 6:30 PM	-Break	-CPAT	-Great Northern Hotel
6:30 - 8:00 PM	-Team dinner meeting	-CPAT	-Local restaurant
<b>WEDNESDAY FEBRUARY 4</b>			
9:00 AM - 12:00 PM	-Review of stakeholder workshop -Discussion of themes and analysis	-CPAT -City/County staff	-City and County Building
12:00 - 1:00 PM	-Lunch	-CPAT	-Local restaurant
1:00 - 5:30 PM	-Discussion: analysis, concepts, strategy -Preparation of public presentations	-CPAT	-City and County Building
5:30 - 6:30 PM	-Break	-CPAT	-Great Northern Hotel
6:30 - 8:00 PM	-Team dinner meeting	-CPAT	-Local restaurant
<b>THURSDAY, FEBRUARY 5</b>			
7:00 -8:00 AM	-"Hometown Helena" presentation	-CPAT	-Montana Club
8:00 - 9:00 AM	-Presentation preparation	-CPAT	-City and County Building
9:00 - 11:00 AM	-County Commissioners Meeting	-CPAT -City/County staff	-City and County Building
11:00 AM - 1:00 PM	-Lunch and Debrief	-CPAT -City/County staff	-City and County Building
1:00 - 4:00 PM	-Final report drafting	-CPAT	-City and County Building
4:00 PM	-Joint City/County Commissioners Meeting	-CPAT -City/County staff	-City and County Building
5:00 - 6:00 PM	-Wrap-up with City/County staff	-CPAT -City/County staff	-City and County Building
6:30 - 8:00 PM	-Team dinner	-CPAT	-Local restaurant
<b>FRIDAY, FEBRUARY 6</b>			
6:20 AM....	-Team members depart	-CPAT	-Airport, vehicles

Team leader Garnett presented three times on Thursday, February 5, the final day of the CPAT's visit. At 7:00am, Garnett provided an overview of the project and a brief summary of many of the stakeholders' views to a crowded room during "Hometown Helena" at the Montana Club. At 9:00 am, Garnett presented to the County Board of Commissioners, and at 4:00 pm presented to the Joint City and County Board of Commissioners. In between presentations, the team continued to analyze the data, discussed specific recommendations, and began outlining the contents of the final report.

Following the team's visit to Helena, the CPAT collaborated remotely to complete all work on the final report. The final report underwent a series of edits and revisions, which included a review by both the City and County. Upon completion, a digital version of the report was sent to the City and County for distribution. The final report concludes the work of the pro bono CPAT.

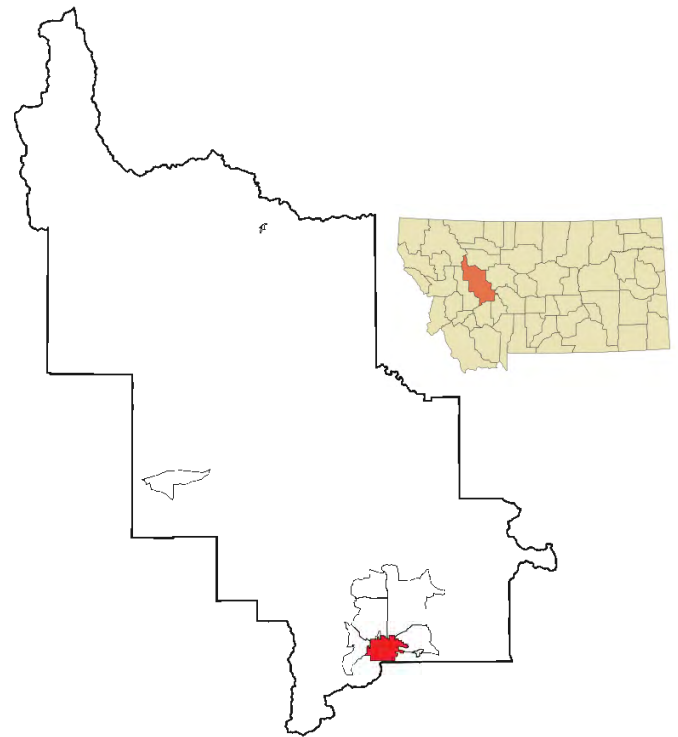
## BACKGROUND

Helena is the capital city of Montana and county seat of Lewis and Clark County. Population in the county grew 10 percent over the last decade, with 65 percent of that increase occurring in unincorporated areas.

Some 8,000 residential lots were added to the Helena Valley region, a majority of them outside city limits. Suburbanization produced scattered housing developments on individual wells and septic systems. Valley groundwater aquifers are threatened. Road infrastructure is under increasing strain with a growing number of vehicle trips.

Local government is challenged to provide fire and police protection, particularly to homes located in high fire hazard hills surrounding the valley. The school district is struggling to keep up with higher enrollment and increased transportation costs to bus students from the valley to schools in the city.

The city has designated an "Urban Standards Boundary" (USB) covering adjacent county properties suitable for future connection to city utility systems and for annexation, but they lack a plan to guide the annexation processes and development methods to promote a new pattern of compact development.



Map 1: Lewis and Clark County shown in relation to all other counties in the state of Montana and the City of Helena shown within Lewis and Clark County.

Some of the key points from the "Key Issues Report" of the Lewis and Clark County Growth Policy Update (2014) include:

- Population growth has been focused in small areas of the Valley that have changed from rural to suburban and urban densities. Those areas will continue to grow and urbanize.
- A conservative estimate of growth over the next two decades is that about 10,000 people will move into Helena Valley and build 4,000 new housing units.
- The current Growth Policy for Helena Valley calls for the County to manage growth to establish Urban, Transitional, and Rural areas with development plans to guide orderly growth.
- There are parts of the Helena Valley Planning Area where there is simply not enough water in the aquifers to sustain the level of development that has been occurring.

- The system in place for review of new subdivisions is failing to ensure the residents of Lewis and Clark County have access to a reliable source of water.
- There is a clear need to consider additional growth management policies to address the shortcomings in the current planning programs.
- Aging individual septic systems and non-municipal wastewater systems and the proliferation of newer ones over drinking water supplies creates a need to provide active oversight and management of such systems.
- Much of the road network of the Helena Valley Planning Area was not designed to accommodate hundreds of new subdivisions with thousands of homes, and there are no resources to rebuild them.
- Areas of high and high-to-extreme fuel hazards represent a constraint to development in the wildland urban interface.
- Volunteer rural fire departments must protect a population the size of Helena scattered over nearly 400 hundred square miles with less than 200 fire hydrants or water pumping sources.
- Development in flood-prone areas is expensive, costing millions in damages during floods, and millions to mitigate in order to reduce damage.

A number of stakeholder outreach efforts that included informational presentations, a mail survey (that received 2,977 responses) with questions concerning roads, fire protection, and wastewater, and a series of public open houses were made leading up to the 2014 Growth Policy Update. The CPAT project continued the work of public engagement by conducting a day-long workshop with key stakeholder groups to determine how to best address the issues of growth that the Helena Valley faces.

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With a host of issues spurred by sprawling development, the City of Helena and Lewis and Clark County entered into a Memorandum of Understanding (MOU) to begin addressing them. Both governments are committed to pursuing smart growth solutions and came together to request a CPAT to further implement the 2009 MOU. The city has designated an “Urban Standards Boundary” (USB) covering adjacent county properties suitable for future connection to city utility systems and for annexation, and both the city and county are ready to move forward with promoting and implementing a more consistent pattern of compact development.

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# HELENA URBAN STANDARDS BOUNDARY WORKSHOP: ENGAGE, FACILITATE, & PLAN

One of the primary tasks of the CPAT was to organize and hold a workshop that brought together stakeholders to answer questions and discuss options that will lead to the complete implementation of the 2009 MOU. City and County staff were responsible for inviting stakeholders and logistical arrangements before the Team arrived. Staff and the CPAT finalized the event agenda after the Team's arrival in Helena, and on February 3, the CPAT facilitated group discussions at the event with assistance from City and County staff.

Prior to the event, the staff was asked what they hoped to obtain as a result of the workshop. Those hopes included:

- Legitimate options for moving forward on the implementation of the MOU;
- Legitimacy of the processes to be used in considering future development in the USB and Helena Valley;
- Feedback from stakeholders of what they like and do not like about land use development;
- Communication; and
- Action/direction to move ahead.

Nearly 40 stakeholders attended the workshop, and staff pre-assigned the participants to four tables in order to keep a balance of interests and backgrounds at each table. The attendance list for the stakeholder event can be found in Appendix E. One CPAT member, one County staff person, and one City staff person sat at each table, and one of the local government staff was responsible for being a scribe. Each table had a flip chart, pens, and a map with a draft build-out analysis that was used to illustrate the ability of the USB to absorb significant future growth.

The event started at 9:00 a.m. with a welcome by Lewis and Clark County Planning Director George Theborge and City of Helena Community Development Director Sharon Haugen, both of whom explained the background of the MOU, the City of Helena Growth Policy, Lewis and Clark County Growth Policy, and the USB. CPAT leader Joanne Garnett spoke about the project goals and the purpose of the stakeholder event, which was primarily to facilitate a conversation about land use within the USB and also the Helena Valley.

The workshop was broken into three sessions with a quick break for lunch. The broad topics for each session focused on issues, goals, and priorities. These topics were further refined to ask the following questions of each stakeholder:

## Session 1: Issues

- What is one important issue about the USB that should be discussed?
- Other challenges and opportunities?
- What is or is not working well?

## Session 2: Goals

- How do we improve what is working?
- How do we fix what is not working?
- What would you most like to see happen in the USB?
- What parts of the USB are well suited or not well suited for higher development densities?

## Session 3: Priorities/Recommendations

- What should be done to accomplish [each table's] goals for the USB?
- Are there clear priorities among the things that are needed?

At the conclusion of each session there was a “report-out” conducted by representatives for all of the tables. At that time, the key points discussed at the tables were shared with the rest of the stakeholders. Following the very energetic and thoughtful discussions at all four tables to talk about the session topics, the workshop concluded at approximately 2:30 p.m.

The overall consensus by the CPAT was that the workshop generated a lot of ideas and suggestions for consideration and that it was a very positive experience. More importantly, it was a beneficial one because it highlighted what stakeholders think about the potential for future development in the USB and ultimately the Helena Valley as well. It demonstrated that there is considerable support for pro-action on the part of the County to resolve issues and continue to work with the City of Helena to use the best practices for encouraging land development that is suitable to meet both City and County standards. This included zoning in the USB, taking advantage of joint ventures and partnerships on infrastructure projects, creating a vision for future development, and generally moving forward with growth management to take advantage of opportunities for cost-effective and thoughtful development.

On February 5, the preliminary results of the workshop were shared with Hometown Helena, local civic group. The meeting was held at the Montana Club. Next the team made a presentation before the Lewis and Clark Board of County Commissioners, and finally the team spoke about the event at the Joint City-County Work Session. Team members also were interviewed by the local newspaper on February 2 and 5 and with a local television station on February 5.

The final results of the workshop can be found in the next sections of this report and are organized by issues, goals, and implementation strategies. The team learned that there were common themes and threads that were discussed throughout the four tables and these are highlighted as the big picture topics in the sections that follow. There were also a number of other items that were discussed by stakeholders that are included in Appendix B. These tended to be single issue, vague, or they were already generally covered in the team’s big picture assessments.



Images 1-4: CPAT members facilitated each of the four groups of stakeholders during the workshop. Each stakeholder group participated in three different discussions organized as: Issues, Goals, and Priorities/Recommendations. Stakeholder views were recorded with the help of City and County planning staff. Photos by Ryan Scherzinger

## STAKEHOLDER ISSUES

The following issues are the highlights identified by the stakeholders at the Stakeholder Workshop on February 3, 2015:

- **No holistic vision or plan for developing within the USB**  
There is a lack of a coordinated, holistic vision or plan for development within the USB, including neighborhood density concerns, schools, affordable housing, infrastructure investment and transportation.
- **Lack of incentives for development within the USB**  
There is a lack of identifiable incentives for the private/development community to make the investment in development projects, including holding and carrying costs associated with significant infrastructure improvements. There are no incentives as an alternative to develop in the unincorporated County (HVPA).
- **Lack of disincentives for development outside of the USB in County**  
There is a lack of identifiable disincentives concerning land use in the unincorporated County (HVPA) to control suburban/rural sprawl and promote development within the USB regarding infrastructure/development costs and the review process.
- **Lack of communication and partnerships between City/County/Public**  
There is a lack of transparent planning or coordination between the City and County concerning establishing common goals, coordination of the review process, and establishing partnerships for funding and prioritizing future infrastructure delivery within the USB. There is also a lack of communication and education with the public regarding planning objectives.
- **Compatibility with existing development and future urban density considerations within the USB**  
There are concerns with impacts from urban density development adjacent to existing semi-rural neighborhoods in the USB. Impacts mentioned included: roads, traffic, schools, infrastructure, and rural lifestyle. The prioritization of areas suitable for development; i.e., not in a floodplain, and maintaining low density near Fort Harrison, were mentioned.
- **Affordability and funding mechanisms of infrastructure improvements**  
There is a high cost associated with infrastructure improvements to retrofit neighborhoods and a lack of funding mechanism options. There is a lack of County participation in providing options for funding.
- **No comprehensive zoning within the USB and lack of concurrent development and design standards**  
There is no comprehensive zoning or concurrent development and design standards and a lack of consistency and predictability in the development review process necessary for investment by the private sector.
- **Potential impacts to Fort Harrison**  
There are potential impacts to existing and future development at Ft. Harrison, including encroachment of development that will impact traffic, established flight paths/training exercises, and a loss of sewer capacity for future development.

## STAKEHOLDER GOALS

Below is a summary of the major goals listed by the four stakeholder groups.

### **Guide planning and development with a holistic perspective**

Planning for development in the USB should have a comprehensive perspective that considers numerous topics and viewpoints. For example, planning for the USB can consider:

- Perspectives of landowners, developers, and current residents;
- Overall goals and vision of the community;
- Costs of infrastructure, which includes water, sewer, roads, stormwater and sidewalks;
- Impacts of these costs on homeowners, developers and the overall community;
- Costs of inaction and the continuation of the current pattern of development;
- Impacts on natural resources such as the groundwater, surface water, floodplain, and agricultural land;
- Relationship of the USB with the City and HVPA; and,
- Impacts on the transportation network, schools and other public facilities.

### **Ground water protection**

The current pattern of suburban development that creates thousands of individual lots served by septic systems and domestic wells is threatening groundwater resources. A goal for developing the USB as an alternative for continuing the current pattern of development is to avoid contaminating and over-drawing the County's water resources.

### **Incentives for development**

Incentives should be established to entice private developers to pursue projects in the USB. They should be a significant part of any plan to develop the USB and the easiest incentives should be identified first.

### **Similar or compatible development standards in the City and County; consistent rules, procedures and interpretations of the rules**

Development standards should be consistent for land in the City and land in the USB. Developments in the USB should build infrastructure to the same standards that are applied to developments in the City to create a balance between the two jurisdictions and to facilitate future annexations.

### **Promote partnerships between the City, County, and private parties**

The City and County should cooperate and enter into partnerships with private parties that fund infrastructure extensions.

### **Affordable extensions of City services for homeowners and developers**

While funding of infrastructure extensions is expensive, it is important to keep costs affordable for those who are expected to participate in paying for them. This may include deferring to a later time some portions of the infrastructure, such as sidewalks, and also spreading over time the payments homeowners and developers must make.

### **Equitable distribution and allocation of costs**

The distribution of infrastructure costs should be shared equitably among the landowners and developers who are directly served by the facilities, and the overall community.



### **Predictability of zoning options**

Any future zoning should be designed to provide predictability for developers and landowners. Predictability from zoning works in a several ways: **1)** it allows a developer and landowner to know in advance what development options are available to them; **2)** it provides a developer protection against inconsistent decision-making that can be caused by neighbor opposition to a development proposal; and, **3)** it gives homeowners certainty about what can be developed next door to their homes. The City may zone a portion of the unincorporated County, not already zoned by the County, through extraterritorial zoning powers, or the County can adopt zoning regulations. Any County-adopted zoning regulations should be compatible to the adjacent zoning in the City.

### **Guide development with the principles of “smart growth”**

Development in the USB should be guided by the principles of “smart growth.” Examples of smart growth are:

- Compact pattern of development;
- Connections to promote vehicular and pedestrian mobility;
- Efficient use of infrastructure;
- Compatible mix of land uses;
- Range of housing types and prices;
- Preserved open spaces and natural resources;
- Collaborative decision-making processes; and
- Predictable decisions from the development approval processes.

### **Conform developers’ vision and the regulations into viable projects**

Private investment can follow public initiative. Plans for developing the USB should create a vision that is informed by the insights and experiences of developers, and zoning regulations and development standards should execute the shared vision.

### **A streamline development review process; establish effective, clear and balanced development regulations**

State Statutes are very prescriptive about the procedures for reviewing development proposals, but the City and County planning departments should devise and administer the most streamlined and efficient review process possible. Also, zoning regulations and other development standards can create unintended consequences. A review of these regulations by a multi-disciplinary team consisting of developers, private engineers and designers, and governmental staff can minimize unintended consequences and increase effectiveness of the regulations.

### **An educated community on the real costs of development, the uses of taxes, and other costs**

A better understanding of the costs and impacts of the current pattern of sprawling development, and how taxes and fees are used, can help support the plans for developing the USB.

### **Revised State Statutes to better enable good planning and annexation initiatives**

The City and County must manage growth and pursue annexation within strict limitations that are established by State Statutes. Sometimes these limitations lead to decisions and actions that appear illogical. Amendments to the Statutes can permit local governments to make better plans and more clear decisions.

## STAKEHOLDER IMPLEMENTATION ACTIONS

The four stakeholder groups were asked to identify possible actions to implement the goals they identified earlier in the day. The groups identified about 70 different actions as reflected in each group's notes. The summary below discusses the implementation ideas of the stakeholders by categorizing them by the topics of infrastructure, planning, regulations, incentives, and communication.

### Infrastructure

Many of the ideas concerned the financing of infrastructure. Various ideas were proposed to fund the extension of utilities and other urban infrastructure in the USB. These ideas included public/private partnerships, grants and loans, special improvement districts, and mill levies. One of the stakeholder groups addressed the existing infrastructure capacity guidelines with the suggestion that revising the guidelines could facilitate more development in the USB. Another stakeholder group focused on a number of specific infrastructure ideas concerning the transportation network, the storm water drainage system, and area parks and trails.

### Planning

Ideas concerning planning included the suggestion that a broader area, such as the entire Helena Valley, should be the basis for planning. Such planning would involve not only the City and the County, but would potentially involve other jurisdictions include East Helena, Jefferson County, Broadwater County, and school districts.

### Regulation

The stakeholders offered many ideas for improving the local land development regulations. Some of the ideas were process-oriented, such as creating advisory groups and multi-disciplinary teams to review and troubleshoot regulations. Other ideas were aimed at making the City and County regulations more consistent and with more predictable outcomes. One stakeholder group offered a number of specific ideas for changing the City zoning regulations.

### Incentives

Most of the stakeholder groups offered ideas for creating incentives for developing in the USB. These various ideas addressed property tax issues, tax abatement, infrastructure cost sharing, and public investment.

### Communication

The stakeholder groups developed a variety of ideas that generally focused on improving communication and education about planning, development, and regulation. Some suggestions were more narrowly focused on specific topics, such as educating more about the availability of rebates. Others were more general, such as "Sell the Plan!" A common theme emerged – that making a greater effort to involve more people in the planning and regulatory process would yield better results.

## CPAT RECOMMENDATIONS

The CPAT immersed themselves for four days in the issues surrounding the USB. More specifically, the team:

- Reviewed extensive materials that were provided by the City and County planning departments;
- Spent a day meeting with City and County staff;
- Toured the USB and key locations related to the issues; and
- Facilitated a full-day public participation event with 40 community residents and professionals whose work relate to the USB.

Based on all that was reviewed and learned during this short week, the team makes the following recommendations. These often augment the feedback received from the stakeholders, and they also include our professional observations and assessments for the best way to move forward with the final implementation of the 2009 MOU.

### 1. Joint Planning Efforts

The City and County should collaborate in preparing and adopting their respective Growth Policies to establish a common vision and plan for the USB. Both the City and County are preparing Growth Policies with their expected completions about a year apart. These parallel planning efforts should be better aligned or merged to properly address the USB. The two Growth Policies could contain a common chapter with a plan for the USB that includes common vision, goals, and implementation strategies. This common chapter can take on a prominent profile and become a stand-alone plan to a large degree, separate from the balance of the Growth Policies. In fact the City's existing Growth Policy includes language that already supports this concept.

Given that the schedule for updating the next City and County Growth Policies is already set, an alternative recommendation is that the USB area can be the subject of a Neighborhood Plan that will become part of the City and hopefully also the County Growth Policies. This concept is supported by State Statute MCA 76-1-601 (4).

In any event, the two Growth Policies should reflect a common vision shared by the City and County that prepares the community for the projected population increase. The City and County governments must jointly decide what proportions of this increase will be directed among the USB, HVPA, and City.

For example, the vision and goals can seek a reversal of the current ratio of new housing starts in the HVPA versus the USB/City and direct two-thirds of the projected growth into the USB and the City. A more detailed set of tasks for both the County and City can be designed to accomplish this goal.

While the Growth Policies must address numerous topics prescribed by State Statute and be adopted separately by the County and City, they can include a common plan for the USB that demonstrates their combined commitment to thoughtful and directed growth. The CPAT strongly supports this recommendation.

Separate from the Growth Policies, but part of joint planning efforts, there is an opportunity to improve the development review process and communication between the local governments. For example, the County can request City review and comments on USB developments, and the City and County can review and revise or develop a protocol for development review of potential development in the USB.

### 2. Don't Let Perfection be the Enemy of the Good

Planning for the USB should recognize the broader context within which the USB exists and not be stymied by a desire to recapture all financial costs from infrastructure extensions. Extensions of infrastructure, develop-

ment regulations, and annexations should implement broad City and County goals, and advance the betterment of the overall community. While it is understandable to seek detailed strategies that allocate costs of infrastructure extensions to those who are directly served by the extensions, this desire for perfect financial allocation should not delay or impede a broader plan for managing the community's growth. Extending water and sewer lines and upgrading roads and storm water systems will incentivize growth and development in the USB, and this pattern of development will benefit the entire community. Long term benefits of more compact and cost efficient development will outweigh any imperfections that may occur in recapturing the cost of infrastructure extensions.

Lewis and Clark County experienced double-digit percentage increases in population during each of the last four decades, and most of this growth occurred in the outlying unincorporated County. This pattern of sprawl encroached onto land that is constrained by hazards (for example, the floodplain and the wildfire hazard areas), overloaded transportation facilities, created expenses for professional and volunteer safety services, and threatened water sources. Maximizing the opportunities for development in the USB and the City will preserve natural resources and produce a more cost-effective development pattern that will benefit the entire community. It is understood that the City must balance many demands for what are often limited resources, particularly when implementing its Growth Policy that also supports redevelopment and infill. In the opinion of the CPAT, however, addressing the development issues of the USB are very critical.

### **3. System of Incentives and Disincentives to Implement a Vision**

Community goals and pro-active planning alone have not managed the substantial growth that has occurred in Lewis and Clark County. We find the Key Issues Report prepared by the County in December 2014 to be alarming and feel a sense of urgency for the community to take action.

It is the opinion of the CPAT that the majority of the growth projected for the community should be steered into the USB and the City. Managing growth entails a system of incentives and disincentives that is designed to steer development where it is wanted and away from areas where it can be harmful. This system can include, but is not necessarily limited to, the following elements:

- Density controls that promote density in the USB and avoid diverting development into the HVPA.
  - These density controls and zoning provisions should prohibit within the USB domestic wells, septic systems, and lots that are larger than typical city-sized lots.
  - The absence of zoning in the HVPA would steer growth outside of the USB and would contradict the very goal we are advocating. Density controls are needed in the HVPA and should be adopted concurrently with zoning within the USB.
  - The County planning staff should analyze the HVPA to determine the appropriate zoning density that would sustain and incentivize development in the USB instead of the HVPA and implement other goals of the Growth Policy, such as protecting ground water resources and other natural resources and minimize traffic impacts.
- Building permits and accompanying fees are needed in the USB and the HVPA that level the playing field between the City and the unincorporated County adjacent to the USB.
- Opponents to zoning frequently assume a worst case scenario in which a long list of topics are regulated by an extensive set of rules. However, that does not have to be the case. Future zoning in the USB and HVPA can be limited to only the elements that are essential to implement the USB plan, such as density, and do not have to include a full range of topics that are typically found in zoning regulations.
- Preparing zoning regulations or density controls should involve several key stakeholders, rather than be prepared solely by the planning staff or Planning Commission. It also should be kept in mind that while a consensus of support among these participants would be a tremendous benefit, the zoning initiative

should not rise or fall on the existence of a consensus. Involvement of the stakeholders will inform the proposed zoning rules and make them more effective, even if zoning is not approved by all of the participants.

#### **4. Seamless Infrastructure Standards**

For those areas that likely can be annexed by the City, design standards for water, wastewater, roads, storm water systems, sidewalks, and lot/block design should be adopted by the County that mirror the City's standards.

#### **5. Infrastructure Funding**

We recognize that the City has made considerable investments in water and sewer infrastructure, and we saw several successful examples of it during our tours of Helena. In our opinion these investments have been very beneficial to the community as they stimulated long term cost efficient land development. We believe the model for funding the west side infrastructure extension is a solid one, and it is an example of what can work as long as the right circumstances are in place. We understand this model uses State Revolving Funds to finance the extensions with connection fees recapturing most of the front loaded cost. However, the State Revolving Fund only works when 50 percent or more of the assisted properties are developed. This was the situation in the west side. It cannot be used on raw land or for new development which is what a lot of the development within the USB consists of. So the use of State Revolving Funds will be limited and the City and County are encouraged to find additional means for upfront infrastructure extensions for areas that consist of raw land or new development. The City incurs the risk of an uncertain level of recapture, but we consider this to be an appropriate level of risk for the reasons we discussed above about broader community goals. By taking this risk, the City will lay the groundwork for land development that benefits the entire community through cost efficiency, implementation of Smart Growth concepts, and encouragement of further residential and commercial growth within the USB.

We also believe the County should share equally in this risk by participating in the financing of water, sewer, roads, sidewalks, and stormwater systems in the USB. In addition to the City and County partnering, opportunities should be pursued to join with developers and owners of vacant land for funding infrastructure. We agree with the general sentiment that public-private partnerships should not simply improve a private developer's profit margin. But such partnerships are encouraged when they result in extending infrastructure into areas of desired development.

To prepare both local governments to act pro-actively and respond to fast-moving opportunities to partner with a developer, a line item could be established in each local government budget for an annual contribution into a reserve fund. This fund would receive annual budgetary contributions for water, sewer, roads, sidewalks, and storm water systems.

#### **6. Affordable Housing**

The broader planning context may also anticipate the need for affordable housing opportunities to offset higher land costs that will be created by infrastructure extensions. Assessing existing lots for proportionate shares of infrastructure costs will raise the cost of housing, particularly on the west side. Maximizing the opportunities for density on the limited number of vacant and redevelopment lots within the City can help provide affordable housing and offset these increased land costs.

#### **7. Public Education and Outreach**

Preparations of Growth Policies and other community plans typically include public outreach efforts, but we

believe a plan to steer growth to the USB calls for a more robust public education and marketing program. We recommend the City and County engage public relations or marketing professionals to prepare and implement a program to both educate the community and build public support for the USB plan. The program can address but not necessarily be limited to zoning or other types of density controls for the USB and the HVPA, funding for infrastructure extensions, and the threats and costs to the community of inaction. This public education and marketing program should include branding and an appropriate naming of the USB plan that would be used consistently over time, and skilled techniques for effectively communicating with the public.

## **8. Act Now**

Again, Lewis and Clark County has experienced double-digit percentage increases in population for each of the last four decades, and an additional 10,000 people (a conservative estimate) are projected to arrive over the next 20 years. Inefficient and sprawling development is occurring continuously, and opportunities for smart, cost-effective growth are passing every year. The issues that result from unmanaged growth are growing, and action is needed immediately to manage growth in the HVPA and the overall community.

The CPAT understands that local governments know that adopting zoning and funding infrastructure improvements will generate political opposition, but when problems arise from inaction, such as a contaminated water supply, the criticism will be much harsher. The public will not temper their criticism of a compromised water source or excessive traffic congestion because they failed to support a zoning initiative or a funding strategy. If water resources are lost or traffic congestion reaches a boiling point, the blame will be assigned to the decision-makers, and virtually no one will remember that the land owners and developers opposed growth management proposals.

The good news is that an informed and vocal group of community residents are more than ready for action. The momentum and encouragement of the participants at the stakeholder workshop provide a great opportunity for the City and County to take coordinated action to manage growth. In our opinion, continued inaction will soon translate the current encouragement into frustration. It is time to move forward.

## **9. Complete the Memorandum of Understanding**

In 2009, the City and County established a mutual agreement for better managing growth and development. This agreement was embodied in a MOU. The MOU specified an ambitious list of cooperative actions that the City and County would undertake to steer growth toward the City while addressing problematic development that had been occurring in the County.

Today, the MOU remains a good plan for improved growth management through City-County cooperation.

The MOU recognized that expanding the City to accommodate future growth is more economical and less environmentally damaging than the way the area had been developing. The agreement noted that the County and City have a long and successful history of working together to address shared concerns. Most importantly, the MOU identified a series of interrelated actions that the City and County would take to produce a more sustainable development pattern. Many of the actions called for in the MOU have been accomplished. Now, completing unfinished components of the MOU is imperative.

Completing the final MOU items essentially involves four tasks, with the first three being accomplished as part of the Growth Policy updates:

1. The City-County jointly drawing/redrawing the USB (MOU City task #4 and County task #2)
2. The City-County jointly creating a land use plan for the USB (MOU City-County joint task #1)

3. The County creating an appropriate plan, establishing density controls, and revising land development regulations for the HVPA (MOU City-County joint task #1 and County task #1)
4. The City-County jointly developing zoning and development standards for the USB (MOU City-County joint task #3, MOU City task #5, MOU County task #3)

These are substantial undertakings that will take resources, skill, and perseverance to complete. However, the CPAT firmly believes this is the opportune time to complete the tasks. There exists the great combination of dedicated City and County staff, supportive leaders on the City Commission and Board of County Commission, and perhaps most important of all, the presence of committed, intelligent, and eager citizen stakeholders that together can create significant momentum for effective planning. Also, the timing is perfect. Since the City and County are both now updating their respective Growth Policies, they can use their Growth Policies as the primary vehicle for completing the MOU's planning tasks. One approach toward accomplishing this in a timely manner is to develop a neighborhood plan for the USB as part of the City's current Growth Policy. Having a jointly accepted plan such as this will go a long way toward achieving the final MOU items and continuing a more thoughtful, cost effective method of land development within the USB.

In summary, after reflecting on the CPAT's week-long review of the planning situation in the City of Helena and Lewis and Clark County, we recommend a greater emphasis on infrastructure funding, education and outreach, and affordable housing. Most importantly, though, our core recommendations are essentially the same as the 2009 MOU, which is that the four remaining tasks of the MOU must be the top planning priorities of the City and County for the next few years. The MOU remains a good and thoughtful plan of action for the area's growth management, and it is time for the City and County to see it through to its final completion.

## CONCLUSIONS

The past and projected growth in the County, and particularly the Helena Valley Planning Area (HVPA), is one of the reasons for taking a critical look at the area's growth pattern and the USB. Most communities would be thrilled to have the growth Lewis and Clark County is experiencing. It brings many positives to the community such as economic stability, cultural advancement, social diversity, and vitality. But this growth also creates a challenge for the City of Helena and Lewis and Clark County: how best to manage the projected growth. The challenge may appear daunting to the City and County, but most communities that have shrinking populations would happily exchange places with Helena and Lewis and Clark County.

However, double-digit percentage population growth during each of the last four decades has created the need for greater more effective planning. Growth changes the balance between individual decisions and planning decisions that the City and County must make. Growth creates costs and service demands that require greater consideration of the total community. If the pattern of unmanaged growth is allowed to continue, the cumulative impacts of thousands of individual decisions will create a growing impact on the public purse and natural resources of the City and County.

In the face of these challenges, the City and the County have chosen to work together to find common ground and solutions for encouraging future development within the USB where it is much more cost efficient and suitable. At the same time, the local governments recognize that the policies and regulations to guide growth within the USB could have the detrimental effect of pushing growth further out in the Valley if it is not done with sensitivity and inclusion. The stakeholder workshop created the opportunity to learn the community's ideas about a coordinated planning approach to manage growth that is projected for the City, USB, and the Valley: what the major issues are, what needs to occur for those issues to be resolved, and what are the realistic and politically feasible actions that can be taken to make better use of the vacant land found in the USB without sacrificing the individual right to live elsewhere in the county.

The stakeholder workshop provided encouragement for pro-action by the local governments to manage growth, particularly through incentives. The high level of discourse and informed participation at the workshop impressed our team. This group of citizens also represents a potential pool of supporters and technical experts who can help craft zoning regulations and advocate for cost-effective growth management. Cultivating these stakeholders, and other people like them, into a support network can provide expertise and political help.

The shared perspective among City and County officials and staff regarding the USB and growth management in general also impressed us. It is often said that, "the devil is in the details," but this shared viewpoint provides an excellent starting point to establish an effective growth management program for the City, USB, and HVPA.



## MEET THE TEAM



**Joanne Garnett, FAICP | Team Leader**

Joanne Garnett has over 30 years of professional planning experience in the public and private sectors. Among her many specialties is assisting local governments with their short-term and targeted planning needs. She is a past national president of both the American Institute of Certified Planners and the American Planning Association. Garnett routinely participates as a speaker at national, regional and state planning conferences and also provides planning commissioner training seminars. She is actively involved in her community as a board member of the Downtown Sheridan (Wyoming) Association, a Main Street-affiliated organization, and previously served on the Wyoming Humanities Council.



**Bill Collins, AICP**

Bill Collins served as planning and development director in the Southeast, Northern New England and the Rocky Mountain West, including more than a decade in Jackson Hole, Wyoming. As a planning consultant during the past decade, he has assisted dozens of public and private sector clients in Montana, Idaho, Arizona, and Wyoming. His career in planning and development spans over 30 years. His professional experiences have touched upon nearly every facet of the planning profession, including affordable housing, environmental protection, growth management, economic development, community character preservation, and transportation strategies. Preparing, administering, and defending regulations and comprehensive plans, as well as working with private land owners, have been the major elements of his work.



**Ken Markert, AICP**

A professional planner since 1984, Ken Markert is a rural and small town planning specialist with a wide-range of local government planning experience from across the U.S. Markert formed MMI Planning in 2003. He has extensive experience working on master plans for a number of towns, cities, and counties in Wyoming and Montana. He has produced county land use plans, town master plans, city neighborhood plans, city comprehensive plans, as well as zoning and subdivision regulations for clients in the region. Previously, Markert was the Park County planning coordinator. He directed the completion of the county's land use plan and prepared a new county zoning resolution, which included the county's first complete zoning map. Markert is the past-president of APA's Western Central Chapter and a member of the Small Town and Rural Planning Division.



### Neal Starkebaum, AICP

Neal Starkebaum is the Assistant Director of the Gunnison County, Colorado Community Development Department. He graduated from Colorado State University with a Bachelor of Science in Natural Resource Management and has more than 25 years of professional planning experience working on a wide-variety of land use in both urban and rural and resort community environments. He has extensive experience working on issues involving state and federal land management agencies, oil and gas development, protection of the Gunnison Sage-grouse, development review and community floodplain management.

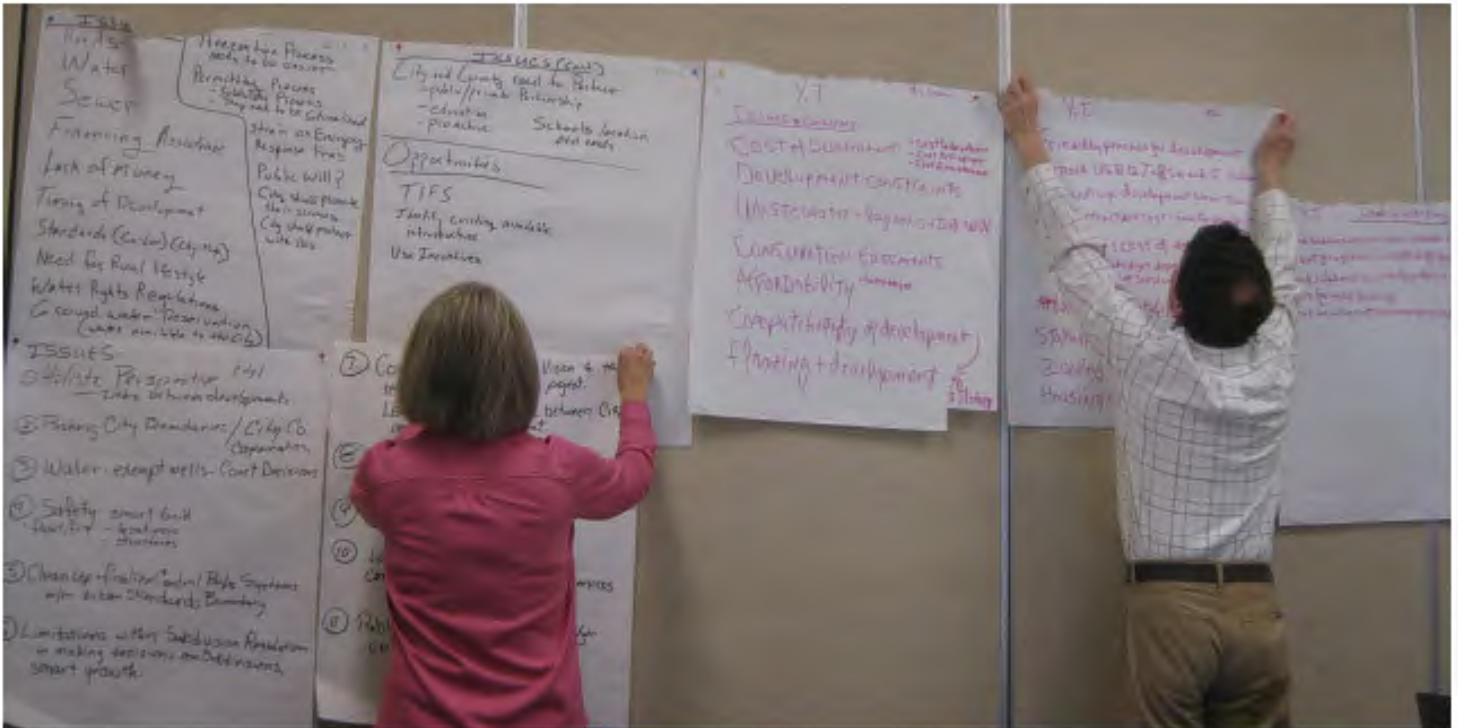


### Ryan Scherzinger | APA Staff

Ryan Scherzinger is Senior Outreach Associate for the American Planning Association. He's worked extensively on APA's Community Planning Assistance Teams (CPAT) program providing direct technical assistance to communities around the country with multi-disciplinary teams of experts. He's managed myriad programs and special projects for APA, including community workshops, case studies, federal grants, symposia and lecture series, study tours, international events, and interactive public exhibits.

## PICTURE GALLERY

The following are select photographs from the Helena/Lewis & Clark County, Montana CPAT project.



CPAT members Joanne Garnett, FAICP and Bill Collins, AICP arrange notes taken during the stakeholder workshop to analyze and seek out common themes. *Photo by Ryan Scherzinger*



All four CPAT members reviewing notes and discussing major themes of the stakeholder workshop. *Photo by Ryan Scherzinger*



On the final day of the CPAT's visit, Team leader Joanne Garnett, FAICP presented on the issues facing the Helena Valley area and the team's preliminary observations to the Lewis and Clark County Commissioners (shown above) as well as attendees of "Hometown Helena" at the Montana Club and a meeting of the Joint City and County Commissioners. *Photo by Ryan Scherzinger*



The State Capital Building in Helena. *Photo by Ryan Scherzinger*



The Helena/Lewis & Clark County CPAT members in front of the City-County Building in downtown Helena. From left: Ken Markert, AICP; Joanne Garnett, FAICP; Bill Collins, AICP; and Neal Starkebaum, AICP. *Photo by Ryan Scherzinger*



On the final day of the CPAT's visit, immediately following the Joint City-County Commission Meeting. From left: Sharon Haugen (City of Helena's Community Development Director) ; Joanne Garnett, FAICP; Neal Starkebaum, AICP; George Theborge, AICP (Lewis & Clark County's Director of Community Development & Planning); Bill Collins, AICP; and Ken Markert, AICP *Photo by Ryan Scherzinger*

# APPENDICES

**Appendix A: STAKEHOLDER WORKSHOP QUESTIONS (PAGE 31)**

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**Appendix C: WORD CLOUD DERIVED FROM STAKEHOLDER NOTES (PAGE 40)**

**Appendix D: 2009 MEMORANDUM OF UNDERSTANDING COMPONENTS  
REMAINING TO BE COMPLETED (PAGE 41)**

**Appendix E: CPAT SCOPE OF WORK (PAGE 42)**

# APPENDIX A: STAKEHOLDER WORKSHOP QUESTIONS

Community Planning Assistance Team (CPAT) members facilitated four discussion groups on Tuesday, February 3, 2015, from 9:00 AM to 2:30 PM. Each group's discussion was guided by the following questions.

## Session 1 (Table Facilitator)

Please introduce yourself and tell us one important issue you think we should discuss about the Urban Standards Boundary area.

What are other challenges and opportunities?

What do you think is working well right now?

What isn't working?

## Session 2 (Table Facilitator)

Now let's talk about possible goals for the Urban Standards Boundary area.

How do we improve what is working?

How do we fix what isn't working?

What would you most like to see happen in this area?

Are there any parts of the Urban Standards Boundary area that are particularly well suited to higher development densities?

Any locations that are not appropriate for such development?

## Session 3 (Table Facilitator)

The Community Planning Assistance Team will be working with County and City staff to prepare a report with specific recommendations.

What do you think needs to be done to accomplish our goals for the Urban Standards Boundary area?

Are there any clear priorities among the things we see that are needed?

# APPENDIX B: STAKEHOLDER WORKSHOP NOTES

## TEAM #1 (Facilitated by Neal Starkebaum, AICP)

Patrick Johnson	Planning Board Member
Harold Begger	Valley Flood Committee
Ron Bartsch	Sussex Construction
Sean Logan	City of Helena Fire
Scott Cromwell	Slate Architecture
Debra LaFontaine	Fort Harrison
Mike Meredith	Stahly Engineering and Associates
Jerry Grebenc	FutureWest
Brian Beason	Helena Building Industry Association
Ryan Leland	City of Helena Engineering
Laura Erickson	Lewis & Clark County Grants Coordinator
Lucy Morell-Gengler	City of Helena Planning
Lindsay Morgan	Lewis & Clark County Planning

## ISSUES

1. Roads
2. Water
3. Sewer
4. Financing assistance
5. Lack of money
6. Timing of development
7. Standards (county – low, city – high)
8. Need for rural lifestyle
9. Water rights regulations
10. Groundwater reservation (water available to the city)
11. Annexation process (needs to be easier)
12. Permitting process
  - a. Subdivision process
  - b. They need to be easier
13. Strain on emergency response times
14. Public Will?
15. City should promote their services
16. City should partner with developers
17. City and County need to partner
  - a. Public/private partnership
  - b. Education
  - c. Proactive
  - d. Schools location and need
18. Opportunities
  - a. TIFs
  - b. Identify existing available infrastructure
  - c. Use incentives
19. Suitable for High Density
  - a. Existing infrastructure (pipes/lift stations)
  - b. No groundwater issues
  - c. Easy to connect at low cost
  - d. Utilize existing capacity/rebate program



## GOALS

1. Consistency inter-department and intra-department
2. Better guidelines for submissions
3. Consistent interpretation (Coty/County)
4. Planning for and support for emergency providers
5. Streamline state agency review (encourage)
6. Public/private partnership for funding infrastructure
7. Better utilization of existing infrastructure (ex , lift stations)
8. Need a lift station at Munger Lane
9. Capacity evaluation and update guidelines
10. Avoid duplicative fees
11. Incentives

## IMPLEMENTATION

1. Incentives
    - a. Do not tax undeveloped lot at full level until developed
    - b. Spread the cost of infrastructure over time
    - c. Rebate options - educate their availability
    - d. 50/50 sharing of costs
    - e. TIF
  2. Capacity, evaluation, and update capacity guidelines
    - a. City adjust capacity guidelines
    - b. Identify all existing capacity (City/Developer)
      - i. Develop a rebate plan for first installer
  3. Consistency/Predictability
    - a. Concurrent review
    - b. Pre-zoning
    - c. Concurrent zoning
    - d. Advisory group for all planning and regulatory documents
      - i. Focus on a small area
  4. Public/Private Infrastructure Partnerships
    - a. City invests / homeowner or developer pays hookup fees
    - b. Local government pursues grants
      - i. SRF Loans
      - ii. CDBG
      - iii. TSEP
    - c. SID
    - d. Mill Levy
-

## TEAM #2 (Facilitated by Joanne Garnett, FAICP)

Cathy Burwell	Helena Area Chamber of Commerce
Connie Cole	Open Lands/Prickly Pear Land Trustee
Jerry Hamlin	Hamlin Construction
Jeremy Fadness	WWC Engineering
Mark Runkle	Mountain View Meadows
Bryan Gartland	DNRC Water Resources Division
Ryan Casne	Casne & Associates
Brett Petty	City of Helena Police
Frank Preskar	Lewis & Clark County Environmental Health
Elroy Goleman	City of Helena Planning
Greg McNally	Lewis & Clark County Planning

## ISSUES

1. Pushback over water/sewer connection
  - a. Convincing people it is the right thing to do
2. Some people pay, others get it for free – “Free Ride ”
3. Costs too much to live in City, but work here
4. Piecemeal development
5. Investment in services – short term vs long term
6. Affordability – county vs city
7. Incentives
8. Providing services with existing resources
9. Less expensive to develop a subdivision just outside of city limits without annexing to city
  - a. How to overcome?
10. Bureaucracy/regulations
  - a. May encourage poor development
11. Return on investment for extending city services to Fort Harrison
  - a. Concerns about future capacity constraints
  - b. Will Fort then have to increase capacity when others are connecting?
12. Help developers by directing development otherwise developers will determine where growth will go
  - a. Some people have concerns with government dictating location of growth
13. Cost of converting county subdivisions to city subdivision with city services
14. Rebate programs for services provided
15. Ensuring a variety of housing choices – options with services that match
16. SIDs – Special Improvement Districts
17. Who benefits? – directly and indirectly
18. “Fees” for special districts
19. Bonds for extending services
  - a. Get paid back over time
  - b. Convincing politicians/voters
20. Time an issue for influencing growth
21. I have mine, why should I have to pay for someone else?
22. Developer shifting costs to homeowner concern
23. Sidewalks in subdivisions required upfront
24. Water/sewer – can quantify benefit, but difficult to do for streets

## WHAT IS WORKING

1. Incentivizing growth in specific areas
  - a. Make it easier to develop in these areas (faster process)
  - b. What are the barriers to develop in an area?

- c. Cost Share in areas we want to see development (between developer and city or county, etc.)
2. Cluster/ Interchange/ Lincoln Road Interchange

## GOALS

1. Incentives – identify easiest incentives first
  - a. Streamline process
    - i. Shorter building season
    - ii. City and County need to have similar standards
    - iii. Tiered standards depending on type of development
    - iv. Who takes on responsibility of paying for improvements not completed under tiered option?
  - b. Funding sources – partnerships
  - c. City providing sewer to areas example (rebate program)
  - d. Predictable zoning option
    - i. If zoning, need compatible zoning
    - ii. Extraterritorial zoning
  - e. Affordability
  - f. Subdivisions having services provided over time instead of upfront – other “players though
2. Areas appropriate/inappropriate for development in USB:
  - a. Inappropriate – floodplain
  - b. Low density near Fort
    - i. Wetlands/high groundwater/Fort activities
    - ii. Look at overlay zone
  - c. No high density near airport
  - d. Appropriate:
    - i. Immediately north of Helena
    - ii. East of Interstate and south of Highway 12

## IMPLEMENTATION

1. Zoning - city and county take an active role in zoning area in red (developable parcels in the USB) -- only a few property owners are involved -- start discussions
2. City/County stakeholder discussions about funding
  - a. Who would be involved?
  - b. Community’s priorities
  - c. How to change peoples’ opinions
3. Communications from City/County with stakeholders
  - a. Create open dialogue -- working group that meets periodically -- look at alternatives
  - b. Work to solve issues regarding streamlining process
  - c. Negotiating towards a “yes” vs “here are the rules” -- how do we get what we want
  - d. Tiered growth idea exploration
  - e. What are the tipping points under tiered growth idea?
  - f. Maintenance provisions
4. Education -- this is why we are doing something
  - a. What do people fear?
  - b. Unified voice from City/County/Stakeholders
5. Partnerships - - leveraging your investments
  - a. How are individuals benefitting? -- educate them
  - b. “Selling” opportunities to people
  - c. Dollar figure on why something will benefit people
  - d. Public television
6. Create systems of accountability
  - a. Checks/balances
  - b. Critiquing
7. Competition between three counties
8. SWOT analysis (Strengths, Weaknesses, Opportunities, Threats)

9. Look at example communities we like and model them
  10. Concessions on both sides -- affordable housing example
  11. Variability of lot sizes/options
  12. Enabling a culture of "Yes"
- 

### TEAM #3 (Facilitated by Bill Collins, AICP)

Jenene Maas	Valley Flood Committee
Dave Cole	Former Planning Board Member
Debra Wolfe	Integrated Water, Inc
Steve Granzow	Lewis & Clark County Conservation District
Elaine Marcille	Helena Building Industry Association
Greg Wirth	Stahly Engineering and Associates
Joe Mueller	RE/MAX of Helena
James Hesterberg	Fort Harrison
Alan Nicholson	Project Management
Dustin Ramoie	City of Helena Planning
Frank Rives	Lewis & Clark County Planning

### ISSUES

1. Cost of development
  - a. Cost to developer
  - b. Cost to taxpayer
  - c. Cost of maintenance
2. Development constraints
3. Wastewater - lagoons and ind. ww.
4. Conservation easements
5. Affordability – homebuyer
6. Compatibility of development (ag and military)
7. Flooding and development
8. Friendly process for development
9. Extend USB to Jefferson County and East Helena
10. Incentivize development near town (USB)
11. Infrastructure costs – how to pay for it
12. Who bears the cost of development in County?
  - a. City subsidizes development in County through provision of services
13. Lack of predictability
14. Statutory limitations
15. Zoning – lack of in county
16. Housing choices

### WHAT IS WORKING

1. Some subdivisions care about wastewater systems
2. Grant programs/incentives for funding
3. Good relationships with legislators
4. More forward looking
5. Good development standards – predictability

### GOALS

1. Affordable extension of city services (to homeowners and developers)
2. Revise state statutes to improve way to have good planning and annexation
3. Educate people about real costs of taxes and costs
4. Spread costs over time to make it affordable to homeowners and providers
5. Equitable distributions /allocation of costs
6. Consistent regulations and procedures
7. Revise boundary of USB

## IMPLEMENTATION

1. Evaluate which regulations may be onerous but not effective for the purpose
  2. Multi-disciplinary approach (developer, engineer, government staff) to evaluate the rules, regulations and procedures for development projects
  3. Consistency/compatibility in county and city rules, regulations, and procedures
  4. Find out best practices that worked elsewhere and find out how they did it Invite them to come tell us about it
  5. Pursue available loans and programs
  6. Tax abatement in USB
  7. Buy-in from the city and county to go forward with the USB
  8. Work with school district to locate schools where development shall occur
  9. Sell the plan!
- 

## TEAM #4 (Facilitated by Ken Markert, AICP)

Archie Harper	Valley Flood Committee Chair
Sarah Nicolai	Planning Board Member
Mark Brooke	Morrison-Mairlee
Jack Walsh	Helena Building Industry Association
Rebecca Ryland	Mountain View Meadows
Tyler Emmert	Opportunity Bank
Chris Ries	Ries and Associates
Craig Trapp	City of Helena Fire
Grant Bronk	Prickly Pear Land Trust
Sharon Haugen	City of Helena Planning
Christal Ness	Lewis & Clark County Planning

## ISSUES

1. Holistic Perspective
2. Pushing City Boundaries/City-County Cooperation
3. Water – exempt wells – court decisions
4. Safety – flood, fire, locations, structures
5. Clean up and finalize Central Park Systems within USB
6. Limitations within Subdivision Regulations in making decisions on subdivisions and smart growth
7. Conforming developers vision to the regulations into a viable project (Level economic balance between city and county development)
8. Legacy Costs – roads, schools
9. Lack of County Regional Parks
10. Lack of complete infrastructure compatible with connections for city services, streets, sidewalks, parks
11. Public and private participation for costs of infrastructure
12. Flood Hazards – rapid snow melt, continuing development in flood areas (Flood Mitigation Master Plan )
13. Open Space

14. Roads/ safety issues/ traffic
  - a. Possible truck routes
  - b. Maintenance
15. Drainage within road system
16. Possible second incorporated city North Lincoln Road/North Montana

## WHAT IS WORKING

1. Commercial Development – insurance
2. Non-Motorized opportunities
  - a. Bikes
  - b. Trails
3. Region Irrespective of Boundaries
  - a. Jefferson County
4. Park System getting better
5. Re-development going well
6. City water and sewer capacity
7. Discussion opportunities being provided in development issues
8. Stable employment opportunities with State Capitol here
9. Flood mitigation plan as blue print

## GOALS

1. Better planning for infrastructure upgrades
2. Graphic representation of future growth
3. Move traffic easily through the Valley/City
4. Business recruitment (larger business sector)
5. Visually pleasing community
6. Promote higher education facilities
7. Encourage tech companies to locate here
8. Identified parcels with predictable costs for infrastructure and time frames to approvals to build
9. Lower taxes for created parcels with infrastructure
10. Retain and promote our natural and recreational amenities
11. Shape the development to fit the land
12. Public transportation system

## ISSUES

17. Holistic Perspective
18. Pushing City Boundaries/City-County Cooperation
19. Water – exempt wells – court decisions
20. Safety – flood, fire, locations, structures
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22. Limitations within Subdivision Regulations in making decisions on subdivisions and smart growth
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32. Possible second incorporated city North Lincoln Road/North Montana

## **WHAT IS WORKING**

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## **GOALS**

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## **IMPLEMENTATION**

1. Update Zoning:
  - a. Building heights
  - b. Lot coverage
  - c. Higher density single-family
2. Transfer station relocation (Complete Central Park)
3. Planning for Lake Helena Watershed
4. Draw in other jurisdictions
5. Enhance traffic movement (truck traffic particularly)
6. Make a schedule of when improvements are triggered and who is going to pay
7. Create incentives for developers to build in the USB
8. Montana Street overpass over railroad
9. Create a city/county parks plan for trails
10. Forestvale interchange
11. Completion of Central Park storm pond (execute the plan)

# APPENDIX C: WORDCLOUD DERIVED FROM STAKEHOLDER WORKSHOP NOTES





# APPENDIX D: 2009 MEOMORANDUM OF UNDERSTANDING COMPONENTS REMAINING TO BE COMPLETED

## A. Mutual Actions

- Item #1:** Cooperatively develop a plan for sustainable land development in the City of Helena and southern Lewis and Clark County.
- Item #3:** Continue to work together on the development and promulgation of the urban standards boundary and joint infrastructure standards.
- Item #6:** Make a joint appeal to the Montana Department of Environmental Quality to review the cumulative impacts of on-site and community septic systems on water quality.

## B. City Actions

- Item #4:** Assist and engage with the County to define an urban growth area outside City limits that encompasses:
  - (a) Properties that may potentially be suitable for future connection to the city utility systems and annexation into the City; and
  - (b) Properties with existing or projected land-uses that may impact the environment, city infrastructure, or other properties' land uses.
- Item #5:** Work with the County to establish joint development standards and comprehensive zoning for the USB that:
  - (a) Achieves an efficient and smooth transition for properties being annexed into the City; and
  - (b) Promotes environmental and land-use compatibility with the City and other properties within the urban growth area.

## C. County Actions

- Item #1:** Explore and implement more efficient ways to provide sustainable development growth, including the development and promulgation of subdivision regulations and infrastructure standards that prevent or mitigate degradation of the quality of groundwater and surface water, including cumulative impacts from multiple septic tank systems and impacts from proposed land use.
- Item #2:** Define an urban growth area outside the limits of the City that encompasses:
  - (a) Properties that may potentially be suitable for future connection to the city utility systems and annexation into the City; and
  - (b) Properties with existing or projected land-uses that may impact the environment, city infrastructure, or other properties' land uses.
- Item #3:** By July 1, 2011 establish and implement for the urban growth area joint development standards and comprehensive zoning that:
  - (a) Achieves an efficient and smooth transition for properties being annexed into the City; and
  - (b) Promotes environmental and land-use compatibility with the City and other properties within the urban growth area.

## APPENDIX E: CPAT SCOPE OF WORK

The following is an excerpt from the application submitted to the American Planning Association's Community Planning Assistance Teams (CPAT) program by Lewis and Clark County:

*What are the major objectives of your project?*

The workshop will bring together key stakeholders to further implement the 2009 MOU to help mitigate suburban development impacts while continuing to facilitate new development within the Urban Standards Boundary (USB) around Helena in a responsible manner. The workshop will look at opportunities and challenges in the extension and upgrades of public infrastructure and means of financing them. It will explore neighborhood character and use patterns to determine suitable zoning for the study area. Finally, it will look at existing and needed design standards to ensure that new development will meet the requirements of the city and be sustainable. A Development Standards Working Group was formed to look at joint development standards. In 2007, the county attempted interim zoning to address the issues of suburban sprawl to help mitigate the impacts of growth in the valley by requiring large lot sizes and special septic system designs. Both efforts failed due to political resistance and the Great Recession. The workshop will consider these efforts and previous public outreach and input to take a positive and inclusive approach for encouraging growth where there is broad agreement in both the city and county.

That positive approach to addressing these issues will hopefully build consensus on the need for facilitating compact development close to the city and will create momentum for moving forward with implementation.



# COMMUNITY PLANNING ASSISTANCE TEAMS

City of Helena and  
Lewis & Clark County, Montana  
**Final Report**  
June 17, 2015



**American Planning Association**  
*Making Great Communities Happen*