

Date: November 28, 2022

To: Libby City Council and Mayor Williams

From: Joel Nelson, Land Solutions, LLC

RE: City of Libby Growth Policy Update and December 5, 2022 City Council meeting

This memo is in reference to the City Council review of the draft City of Libby Growth Policy Update document at the public meeting scheduled for the regular 6:00 p.m. City Council meeting on December 5, 2022.

On October 24, 2022 the Libby City Planning Board held a public hearing to accept public comment and elicit recommendations and suggestions on the [City of Libby 2022 Growth Policy, Draft 2](#). At the conclusion of the October 24th public hearing, the Planning Board adopted Draft 2 of the City of Libby 2022 Growth Policy, subject to several changes to be considered by the City Council to address the public comments and Planning Board concerns as listed in the attached Planning Board Resolution (signed version pending).

The written comments submitted to date are attached, including those received prior to the release of Draft 2 (including Land Solutions' notes and submitted comments from the June focus group meetings), those received at the October hearing, and comments received since the hearing. It is my hope that the draft Planning Board meeting minutes will be provided to City Council once available.

Regarding the public comments from October 24th, several members of the public expressed concern that the City's plans associated with the Growth Policy update project include annexation of land outside the current City Limits. That is not the intent of the updates; the draft does not substantially address specific plans for annexation. The Planning Board is recommending the City Council consider taking on the addition of identifying areas of potential annexation and what infrastructure would be necessary to provide services to the potential areas of annexation. Please note that such an endeavor in full would likely be beyond the scope of the growth policy update project, and Land Solutions would instead recommend the City Council address the topic of annexation by including a goal and an action to address the Planning Board's recommendation, such as through pursuing a plan for annexation and extension of services as a separate document.

At the December 5, 2022 meeting, the City Council should accept public comments, address the comments, and may consider adopting a Resolution of Intention to adopt the draft document subject to incorporating changes into a final Growth Policy document for final adoption at a subsequent City Council meeting. Attached is a draft City Council Resolution of Intention.

If the City Council passes a Resolution of Intention on December 5th, the Council could set the final adoption date, which could be scheduled for December 19th. Then, once the final resolution to adopt the Growth Policy updates is passed by Council, an effective date may be set, which would need to be a minimum of 30 days after its passage per Section [2.52.050](#) of the Libby municipal code, which states, *“No ordinance **or resolution** passed by the city council shall become effective until thirty (30) days after its passage, except general appropriation ordinances providing for the ordinary and current expenses of the city and, excepting also emergency measures.”*

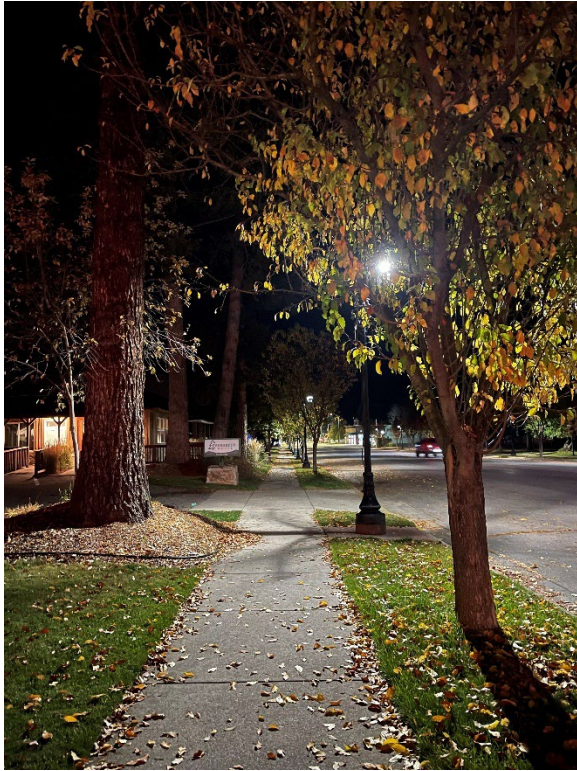
Please also be aware that on October 13, 2022, I sent information regarding Draft 2 to the Lincoln County Commissioners, Lincoln County Planner, and the Montana Department of Commerce, Community Development Block Grant (CDBG) Program and Main Street Program to provide the opportunity for review and comment, and have not received comments from these agencies. Per the existing 2010 Libby Growth Policy and the draft, opportunities for County review and comment on Growth Policy revisions shall be of at least 30 days duration, so the minimum timeframe for County comments passed on November 12th. However, I am contacting these agencies again to provide for additional opportunity for comment leading up to the December 5th City Council meeting.

Finally, when I was in Libby for the October Planning Board hearing, I obtained the first three of the following photographs that could be added or used to replace photographs currently in Draft 2, if preferred by City Council.

One or both of the following could be used to replace the archway photo on the cover page:



The following photo could be added, such as to the Downtown section, or it could replace an existing photograph:



The following photo by Planning Board member Mark Andreasen could replace the older photo of the welcome sign on page 7 – this was apparently intended to be a change by the Planning Board:



I look forward to meeting with the City Council and finalizing the Growth Policy Updates. If you have any questions or would like to discuss anything, please feel free to contact me at 406.261.3021 or joel@landsolutionsmt.com.