

RESOLUTION NO. _____
**A Libby City Council Resolution of Intention to Adopt the
City of Libby 2022 Growth Policy Update,
a proposed growth policy to replace the
2010 City of Libby Growth Policy**

WHEREAS, the City of Libby adopted the 2010 City of Libby Growth Policy (2010 Growth Policy) on November 1, 2010 as a revision to the 1972 Comprehensive Plan; and

WHEREAS, the City of Libby determined in 2020 that it was necessary to update the 2010 Growth Policy and therefore sought and received a planning grant in 2021 from the Montana Community Development Block Grant Program (CDBG), which with additional funding sources such as from the Montana Main Street Program and a City match, resulted in the funding necessary to provide for updates to the 2010 Growth Policy; and

WHEREAS, Montana law, Title 76 (Land Resources and Use), Chapter 1 (Planning Boards), Part 6 (Growth Policy) of Montana Code Annotated (MCA) provides for the adoption of City growth policies and requirements for growth policies, with the applicable planning board guiding the development of a growth policy, adopting the growth policy, and recommending the proposed growth policy to the governing body, which is the City of Libby City Council; and

WHEREAS, the Libby City Planning Board has worked with a planning firm to develop the "City of Libby 2022 Growth Policy" (Draft 2) to meet the requirements of Montana law and to guide future growth and development within the City of Libby and surrounding planning area; and

WHEREAS, to date, the update process has followed the procedural requirements for growth policies as outlined by Montana law; and

WHEREAS, to date, the growth policy revision process has followed the revision process guided by the 2010 Growth Policy; and

WHEREAS, 76-1-602, MCA requires that prior to the submission of the proposed growth policy to the governing body, the Planning Board shall give notice and hold a public hearing on the growth policy, with notice of the time and place of the hearing published in a newspaper of general circulation in the jurisdictional area; and

WHEREAS, notices of the October 24, 2022 public hearing were published in October 11 & 14, 2022 editions of The Western News, a newspaper of general circulation in the jurisdictional area; and

WHEREAS, 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; the written comments and a summary of the comments received at the City Planning Board's public hearing are attached to this Resolution of Intention; and

WHEREAS, on October 24, 2022 after the public hearing, the Libby City Planning Board considered the recommendations and suggestions elicited at the public hearing, and the Planning Board adopted the City of Libby 2022 Growth Policy, Draft 2, subject to the following changes to be considered by the governing body to address the public comments and Planning Board concerns (underlined = additions; ~~striketrough~~ = delete):

1. On Page 51 (Public Facilities), change the last sentence of the second paragraph as follows: "In order to accommodate future growth, regular assessment and maintenance of the City's existing capital facilities is required. Necessary improvements to those facilities to maintain the level of service ~~when~~ before accommodating additional users is identified in the City's Capital Improvements Plan along with anticipated funding sources." (as suggested by Lere Busch, 10/24/2022).
2. Add an Action T-h to Table 10 on Page 79 that states "Pursue a transportation plan" to promote Goal T-4 to improve the *safety* of City streets. Importance of the action is to be "1", Timeframe "2", and Partners MDT and Lincoln County (LCo).
3. Add an action to Table 13 on Pages 83 and 84 to "Implement the City's Source Water Protection Plan". Importance of the action is to be "1" and Timeframe "1". (Note: Partners not identified, but addressed in the Source Water Protection Plan.)
4. Add an action to Table 13 on Pages 83 and 84 to "Implement the City's Wildlife Management Plan". Importance of the action is to be "1" and Timeframe "O" (on-going). (Note: Partners not identified, but addressed in the Wildlife Management Plan.)
5. Move Action P-i (As streetlights need replacing, replace with downward directional lights.) to the Natural Resources Goals and Actions Table 13 on Pages 83 and 84 and renumber the tables.
6. Modify Action L-e in Table 12 (Page 82) to state, "Provide for flexible building heights to allow for higher density development if effects on public health and safety, viewshed, and the natural environment are addressed while observing established building height limits."
7. Add an Action P-n to Table 14 on Page 86 to "Support active recruitment of veterinary services." Importance of the action is to be "1", Timeframe "1", and Partners JS, LCo, Ch, FVCC.
8. Add an Action to Table 12 on Page 82 to "Identify areas for higher density development and multi-family housing and consider updating the zoning code accordingly." Importance of the action is to be "1", Timeframe "1". Partners TBD. The action is to be placed as Action L-f, with the subsequent actions renumbered accordingly.

and

WHEREAS, the Libby City Planning Board further recommended 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; and

WHEREAS, the City of Libby 2022 Growth Policy, Draft 2, was submitted to the City of Libby City Council with a Planning Board Resolution to recommend adoption of the updates to the 2010 Growth Policy as described herein, subject to the above changes recommended by the Planning Board; and

WHEREAS, on December 5 & 19, 2022, the City Council held noticed public meetings to accept public comment and elicit recommendations and suggestions on the City of Libby 2022 Growth Policy, Draft 2; and

WHEREAS, the City Council has considered the public comments received to date and intends to adopt the City of Libby 2022 Growth Policy, Draft 2, subject to the above changes recommended by the Planning Board as well as the following changes to address the public comments and City Council concerns (underlined = additions; ~~strikethrough~~ = delete):

1. To address EPA comments submitted by Beth Archer, on Page 40, strike "~~The most effective and expedient remedy to continue cleanup was a more aggressive application of In-Situ Bioremediation. This plan was approved during a public meeting in 2019.~~", and replace with: "The most effective and expedient remedy to continue cleanup is a more aggressive application of in-situ bioremediation. The new in-situ bioremediation approach was presented to the public in 2019 and was formally approved in 2020." Cite Beth Archer's email as a source.
2. To address EPA comments submitted by Beth Archer, on Page 41, modify a statement as follows: "EPA has deleted ~~three~~ four Operable Units from EPA's National Priorities List as of 2022.". Cite Beth Archer's email as a source.
3. To address Gail Burger's comments on behalf of the Libby Area Business Association, on Page 31, modify the discussion about Action 6.10 of the 2005 Downtown Revitalization Plan and Mineral Avenue Streetscape Master Plan as follows: "Action 6.10 was to improve the Mineral Avenue cul-de-sac near Depot Park. This was completed in recent years by the Libby Area Business Association. Note: The former "Depot Park" is now known as Mineral Park." Further, modify Action D-m in Table 9 on Page 77 as follows: "Enhance ~~Depot Park~~ Mineral Park (formerly Depot Park) with landscaping, pavilion and plaza."
4. To address Gail Burger's comments on behalf of the Libby Area Business Association, on Page 31, modify the discussion about Action 6.11 of the 2005 Downtown Revitalization Plan and Mineral Avenue Streetscape Master Plan as follows: "Action 6.11 suggested enhancing Depot Park with landscaping, pavilion and plaza for the Farmers Market. Installation As a result of efforts by Achievement, Inc., landscaping and other improvements have been installed; however, ~~most~~ some of the landscaping, pavilion and

plaza remain; however, the Farmer's Market is held at the Chamber of Commerce site and Fireman's Park, so the action is being updated accordingly. In addition, the Farmer's Market is held at the Chamber of Commerce site and Fireman's Park, and the Libby Lofts Vendor Market is held at the old High School Amphitheatre Park, where the Libby Lofts vendors have taken significant efforts to clean up the property and hold the vendors market and make the site usable for other events. Therefore, the downtown actions are being updated to reflect these efforts and future uses envisioned for the sites.

5. To address Gail Burger's comments on behalf of the Libby Area Business Association, on Pages 31 & 32, modify the discussion about Action 6.12 of the 2005 Downtown Revitalization Plan and Mineral Avenue Streetscape Master Plan as follows: "Action 6.12 envisioned a renovated old High School Amphitheatre Park and create a "town green" for a public gathering place, entertainment and annual event venue and social center. The site has recently been used for summer activities, such as a weekly vendor's market by the Libby Lofts Vendor Market and limited other events, but the property is currently privately-owned. At this time, the City's and partners' abilities to install landscaping and pursue creation of a "town green" for public purposes are very limited. The action is therefore being updated for the City to encourage such uses and improvements. In addition, due to the historic character of the building and ideal central location of the of the site, the City seeks to partner with the private property owner to enhance the site and building and participate in potential improvements for public uses."
6. To address Gail Burger's verbal comments on December 5th, modify the photograph caption on Page 15 as follows: "*Eagle monument and community driven landscaping accomplished through the efforts of Libby Area Community Garden, Inc. at the intersection of US Highway 2 and Minnesota Avenue*"
7. On Pages 63 and/or 64, add the following discussion to address the comments of the Lincoln County Planning Board: The Northwest Community Health Center (NWCHC) provides medical, dental, behavioral health and pharmacy services to a large number of area residents. NWCHC also has staff that provide case management and WIC Supplemental Nutrition services.¹ The facility is a major employer in Libby, and there is also a satellite NWCHC clinic in Troy.
8. To address Libby Area Chamber of Commerce comments, modify Action C/R-h in Table 11 (Page 81) to state, "Collaborate with the Chamber of Commerce to support their website as a portal for "All Things Libby", including focus on the cultural and recreational facilities and opportunities, and provide a link to their website on the City website. Further, re-engage and partner with the Chamber of Commerce in the Chamber's community-wide rebranding efforts and initiative using social media with the goal of Search Engine Optimization so that internet users searching for information on the Libby community have relevant and accurate information in the first page of search engine hits." Importance of the action is to be "1" and Timeframe "1".

¹ Source: <https://northwestchc.org/>

9. To address Libby Area Chamber of Commerce comments, add the following after the first sentence of the last paragraph on Page 48: “The Libby Surround Stewardship Project will treat hazardous fuels on 4,605 acres of land surrounding the City of Libby.² This collaborative effort was noted when the Kootenai National Forest was chosen as one of ten forests in the nation to receive funding from the bi-partisan Infrastructure Bill in the first round of funding. The choice was driven by the high risk the community faces with wildland fire and the collaborative process that has formed to address that risk.”
10. Update cover page to remove references to “draft” and update the date of the document.
11. [insert any additional changes by City Council]

NOW, THEREFORE, BE IT RESOLVED by the Libby City Council as follows:

1. That the Libby City Council hereby adopts this Resolution of Intention to adopt the City of Libby 2022 Growth Policy, Draft 2, subject to the above changes recommended by the Planning Board and as modified by City Council as described above, as updates to the 2010 City of Libby Growth Policy to replace the 2010 Growth Policy.

AND

2. After the above changes are made to the draft document, the City Council will hold a meeting in January 2023 on the final City of Libby 2022 Growth Policy and at said meeting, may pass a resolution to finally adopt the document and pursue the policies, goals, and actions therein. The effective date of the City of Libby 2022 Growth Policy will be set upon passage of the final resolution adopting the Growth Policy, but the final resolution and Growth Policy passed by the City Council shall become effective no less than thirty (30) days after passage.

Passed and approved on December 19, 2022 by the Libby City Council.

Peggy Williams, Mayor

Date

Attest:

Leann Monigold, Libby City Clerk-Treasurer

Date

² Source: <https://www.nrcs.usda.gov/programs-initiatives/joint-chiefs-landscape-restoration-partnership/montana/libby-surround>