

Concerns Outline – Staff Rebuttal

- “FLUM is *de facto* Zoning”
- “FLUM density recommendations don’t align with all existing zoning”
- “FLUM does not replicate existing development patterns”
- “FLUM not consistent with some approvals since 2021 Growth Policy”
- “FLUM didn’t consider transportation network”
- “Public Outreach Not Sufficient”
- “Basis for Density Recommendations”
- “Water & Sewer Not Considered”
- “Water and Sewer Not Considered, Rae Water & Sewer”
- “Amendment Criteria Unclear.”
- “Moratorium/Permanent Limitations”
- “Spot Zoning Criteria for Amendments unreasonable standard for developers to meet.”

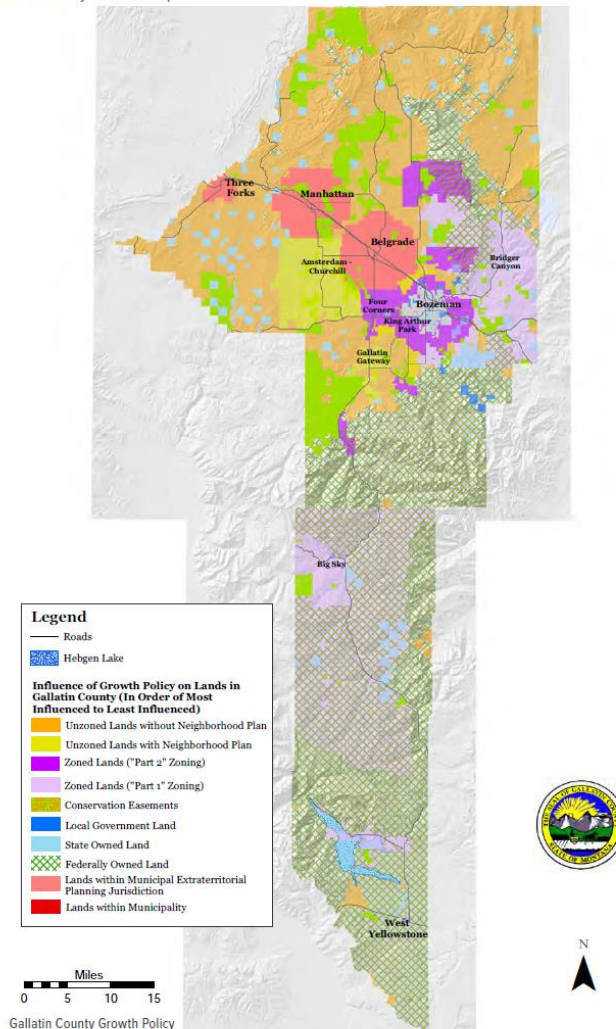


Concern: “FLUM is *de facto* Zoning”

Chapter 5: Growth Policy Influence Map and Matrix

- “The Gallatin County Growth Policy Influence Map and Matrix provide a bridge between existing conditions in the county and the Growth Policy’s vision for the future.”
- “The Growth Policy will exert the greatest influence and provide the most guidance in areas of the County with minimal planning and land use documents...”
- “Areas that have existing zoning or neighborhood plans will require less of the Growth Policy’s direct guidance ...”
- Per law Growth Policy is not regulatory §76-1-605 MCA

Figure 5-2. Growth Policy Influence Map.



Concern: “FLUM is *de facto* Zoning”

- Dependent on location in the County, the Growth Policy has a different degree of influence (see Chapter 5), but unlike zoning, is never regulatory.
- FLUM translates the adopted goals and policies from the 2021 Growth Policy into a map.
- Density recommendations in FLUM are not density regulations
- Standard of review is “substantial compliance”
- Adoption of zoning involves legal requirements and public process distinct and separate from Growth Policy
- Like zoning, Growth Policy can be amended



Concern: “FLUM density recommendations don’t align with all existing zoning”

- County scale vs. zoning district scale
- FLUM translates the adopted goals and policies from the 2021 Growth Policy into a map covering County-jurisdictional areas
- For Zoning to remain effective, periodic review and adjustment may be necessary to ensure continued alignment with community vision and needs
- Reverse engineering FLUM to match existing zoning would be inappropriate
- Recommended densities do align with existing zoning in many instances
- FLUM does not mandate changes to existing zoning or supersede existing zoning
- Growth Policy compliance standard of review is “substantial compliance”



Concern: “FLUM does not replicate existing development patterns”

- FLUM translates the adopted goals and policies from the 2021 Growth Policy into a map covering County-jurisdictional areas
- Numerous factors contribute to existing development patterns
- Reverse engineering FLUM to match existing patterns would be inappropriate
- Learn from past mistakes, make more informed and better decisions going forward
- Existing pattern doesn't necessarily reflect County's or community's preference going forward



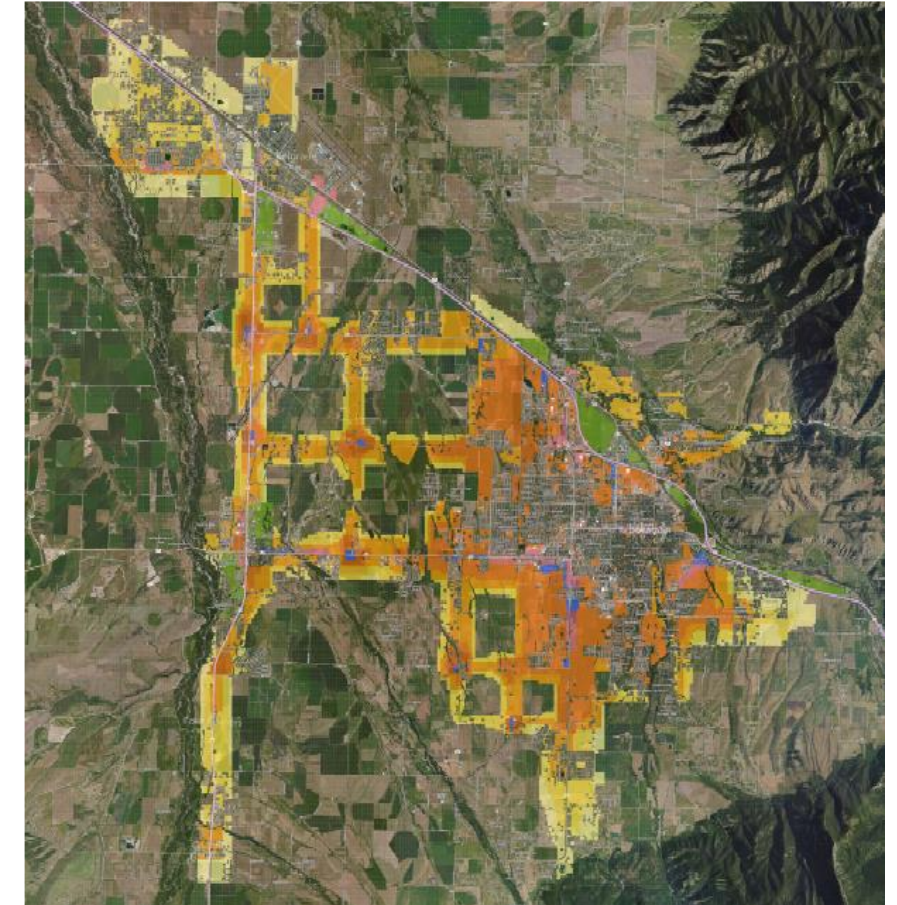
Concern: “FLUM not consistent with some approvals since 2021 Growth Policy”

- Growth Policy isn’t regulatory with or without the FLUM
- A subdivision is reviewed for “substantial compliance” with the Growth Policy
- County cannot deny a subdivision solely because of non-compliance with the Growth Policy
- Projects are often approved due to limitations under law on County’s authority
- Past approval doesn’t necessarily reflect County’s or community’s preference going forward
- FLUM is one more way the County can proactively communicate its and community’s stated preferences for development



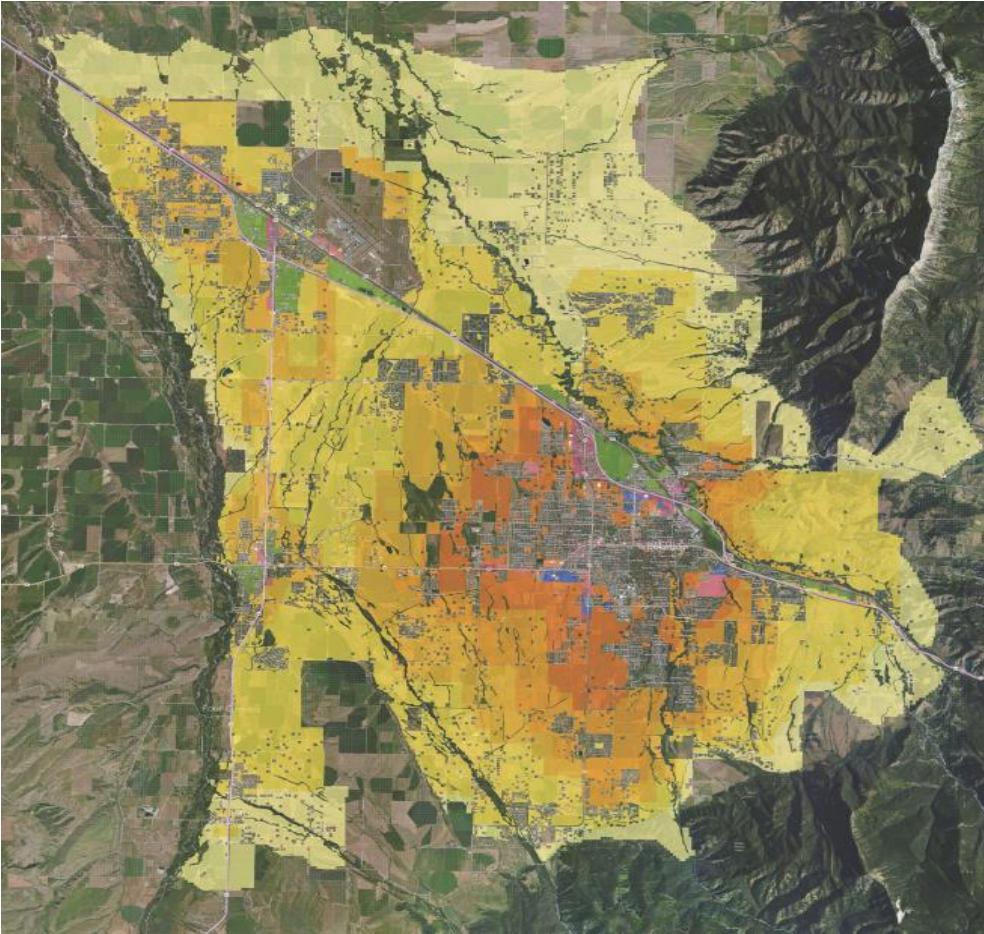
Concern: “FLUM didn’t consider transportation network”

Suitability Model Criteria Table				
Category/Criterion - with weight %		Suitable	Moderately Suitable	Less suitable
40%	Proximity to Community Cores and Municipalities	Within Community core/municipal boundary	≤1/4 mile from Community core/municipal boundary	>1/4 mile from Community core/municipal boundary
30%	Within Established Water/Sewer District Service or Planning Area (including municipal)	Within service or planning area	Within, but only one service	Out of service or planning area
15%	Wildlife Resource Value on Private Land	Urban/Urbanizing Areas	Lower Value	Core Habitat & Higher Value
10%	Within Wildfire Risk Area	Very Low	Low	Moderate/High
5%	Slope (%)	<5%	>6% to <15%	>16% to ≤25%
Excluded Areas: - Public lands, Protected, & Constrained areas: Slopes over 25%, Watercourse Commons¹, Conservation Easements, Public Lands - Municipal Jurisdictions: Municipalities and Municipal Planning Areas				

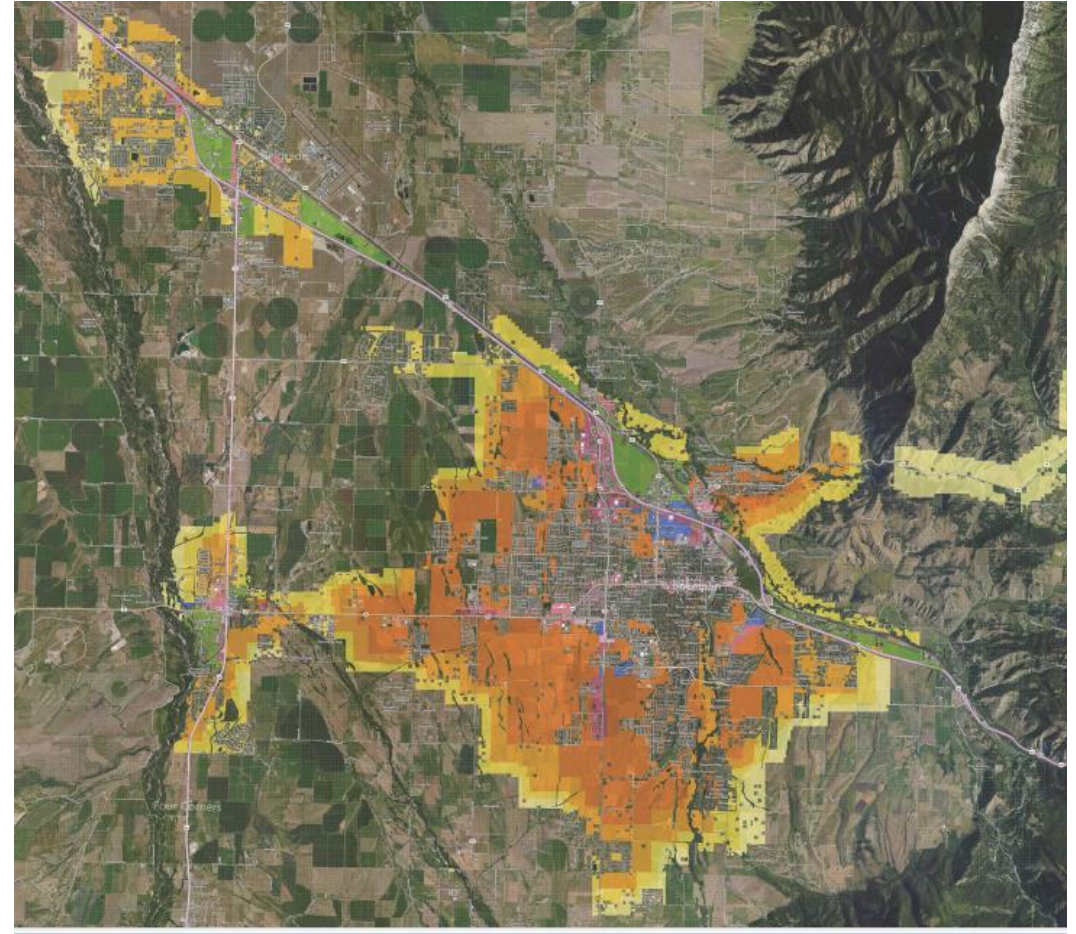


Why Create a FLUM?: Scenario Planning

Scenario 1: Under previous GP guidance,
“Status Quo”



Scenario 2: Fiscally efficient planning &
development, concentration of growth



Concern: “Public Outreach Not Sufficient”

- The approach to outreach was **developed by professionals** with experience in public outreach, **crafted to invite a variety of perspectives, consistent with best practices and legal requirements**, shaped by input from the **Steering Committee**, and **shared with the public**
- A request to change the framework and approach to gathering public feedback at the end of a year long process **undermines hours sacrificed by those who participated in the public process**



Concern: “Meeting request denied, emails ignored”

Note: Corrected an on record statement in made in public comment that the Planning Department did not respond to requests for a meeting. Name and contact information have been redacted for privacy.

[REDACTED]

From: HazerAlvarez, Meghan
Sent: Tuesday, September 10, 2024 11:34 AM
To: [REDACTED]
Subject: RE: Survey for FLUM

Hi [REDACTED]

Thanks for letting us know. We haven't been able to replicate the issue – but I'm wondering if it might be the fact that question 4 (and others) have a character limit so we can get focused responses. We increased it to 1500.

If you feel like what you want to share doesn't fit the survey, you can always send an email to envision@gallatin.mt.gov if you would like. That is the dedicated email for these projects – it goes to us – and all comments get logged for consideration.

I mentioned this yesterday, but if you would like to meet and go through the map together, let me know and we can set up a time.

Envision Gallatin

LAND USE & HOUSING STRATEGY



Concern: “Public Outreach Not Sufficient”

- **Request: Statistical significance**

- Sample size 95% CI and 5% Margin of error = **383**
- Requires detailed demographics, re-sampling, pre-determined questions
- Appropriate if required by law or if majority opinion was **sole basis** for the FLUM

- **Request: Majority participation**

- Not typical for any public process and not required by state law
- Paid participation likely required, would represent substantial taxpayer expense
- Appropriate if required by law or if majority opinion was **sole basis** for the FLUM

- **Request: Survey question specifically asking about density**

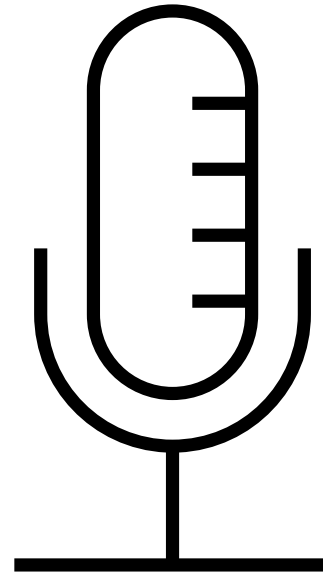
- Would not yield useful results without significant context about the role of the FLUM and potential outcomes

[Sample Size Calculator - SurveyMonkey](#)



Concern: “Public Outreach Not Sufficient”

- Research indicates data saturation (exhaustion of all unique perspectives that may exist) in qualitative research may occur with about 9-17 interviews or 4-8 focus groups ¹
- Round 1/Round 2 outreach materials show that these numbers were exceeded many times over
- Unlikely that the project team would encounter any brand-new perspectives if outreach were to continue



¹ Hennink, Monique & Kaiser, Bonnie N. Sample sizes for saturation in qualitative research: A systematic review of empirical tests, Social Science & Medicine, Volume 292, 2022,114523, ISSN 0277-9536, <https://doi.org/10.1016/j.socscimed.2021.114523>.



Concern: “Public Outreach Not Sufficient”

Public Outreach Approach for the FLUM was designed to:

- Reduce barriers to participation by providing multiple formats
- Use a variety of tools to offer opportunities to participate to invite different, unique perspectives
- Dedicate sufficient individualized time to support effective collaboration for participants
- Consider all perspectives, regardless of majority
- **Make recommendations based on a balanced consideration of:**
 - Perspectives raised in public outreach
 - State law
 - Adopted plans
 - Best available data



Concern: “Public Outreach Not Sufficient”

Group	Barrier to Participation	Example Recruitment Strategies Utilized
Rural residents	Dispersed Population Limited internet access	Dial in number for all meetings Flyers posted in rural areas, stop signs, mailboxes Sharing with friends/neighbors Hosting meetings in a variety of locations across County
Development Community and Property Owners	Varies	Banner on County Webpage & Social media Flyers in Courthouse (Doors, Planning Dept. Office, Community Room) Professional organizations MyGov and Growth Policy email list & Planning staff email signatures
Food service/Retail	Shift work/Time	Flyers in food service establishments Virtual meeting option Staff monitored email/phone for off hours concerns
Agricultural Producers	Dispersed Population Limited internet access	Professional organizations Sharing with friends/neighbors Staff monitored email/phone for off hours concerns

Concern: “Basis for Density Recommendations”

Reduce Sprawl: Growth Policy

Definition of Sprawl: *“A pattern of development generally characterized as the **opposite of compact development**.”*

Role of Plan: *“It is the **community’s hope**, and the **County’s commitment**, that growth occurs in a coordinated, logical, and cost-effective manner that **minimizes sprawl**”*

Land Use Goal 2: *“**Discourage costly, sprawling, leap-frog development** that puts a strain on commute times and the ability to provide adequate and equitable levels of service and infrastructure.”*

Basis for new neighborhood plans: *“Evidence that the neighborhood plan would further the intent, goals, policies and all other elements of the Growth Policy, including but not limited to **reducing sprawl and leapfrog development, and promoting cluster and compact development**”*

Glossary, Chapter 1; 1-8, Chapter 7; 7-15, Chapter 8; 8-3



Concern: “Basis for Density Recommendations”

Public Narrative Examples in Round One of Outreach

*“The county should restrict development in wildlife migration corridors and along floodplains. **Avoid the conversion of undeveloped land (ag, large private parcels) into housing.**”*

*“Any new major developments need to be **connected to a water and sewer district** instead of septic systems...”*

*“Centralized wastewater facilities provide a higher level of treatment than septic systems... **Incentivizing growth around existing public services** is important for maintaining water quality in our groundwater and surface waters.”*

*“County should allow **development near the towns, not on the rural outskirts.**”*



Concern: “Basis for Density recommendations”

Reduce Sprawl: Urban Lands Institute Report

Key policies from the Triangle Community Plan:

- Policy 4.1.1. Encourage and prioritize development to locate within the cities of Bozeman and Belgrade and areas of the county where infrastructure is already in place.
- Policy 4.1.2. Recognize the critical need for infrastructure and services to be in place before or concurrent with new development.

*“The panel heard from **stakeholders** an acknowledgment that growth is already occurring, but that **sprawl is not acceptable...**”*

*“Extension of **infrastructure should be efficient and respect the economic investment** required by both the public sector and private development”*

ULI Report, Pages 10 & 15



Concern: “Basis for Density recommendations”

Existing Zoning Densities Aligned with AHA/OWL/MGA*

Bozeman Pass, (OWL)

- AR40, one unit per **40 acres**
- AR80, one unit per **80 acres**
- PL640, one unit per **640 acres**

Bridger Canyon, (OWL)

- AE, one unit per **40 acres**
- RF, one unit per **40 acres**

Gallatin Canyon/Big Sky, (OWL, MGA)

- RC-SF-20, one unit per **20 acres**
- RC-SF-40, one unit per **40 acres**

Middle Cottonwood (OWL)

- AR within deer winter range, one unit per **40 acres**
- NR, one unit per **160 acres**

Reese Creek (OWL)

- RR-40, one unit per **40 acres**
- AR-80, one unit per **80 acres**
- RW-160, one unit per **160 acres**
- PL, first consideration **RW-160**

South Cottonwood (OWL)

- AR, one unit per **20 acres**

Springhill (OWL)

- AR, one unit per **160 acres**
- PL, minimum lot size **160 acres**

South Gallatin (OWL)

- RF, one unit per **100 acres**

Trail Creek (OWL)

- AR-20, one unit per **20 acres**

Gallatin County/Bozeman Area (OWL, AHA)

- AS, one unit per **20 acres**

** Alignment with UGA and PIHA exists but is not highlighted here. Every District apart from Gallatin/Canyon Bozeman Area is a “Part 1” citizen-initiated zoning district*

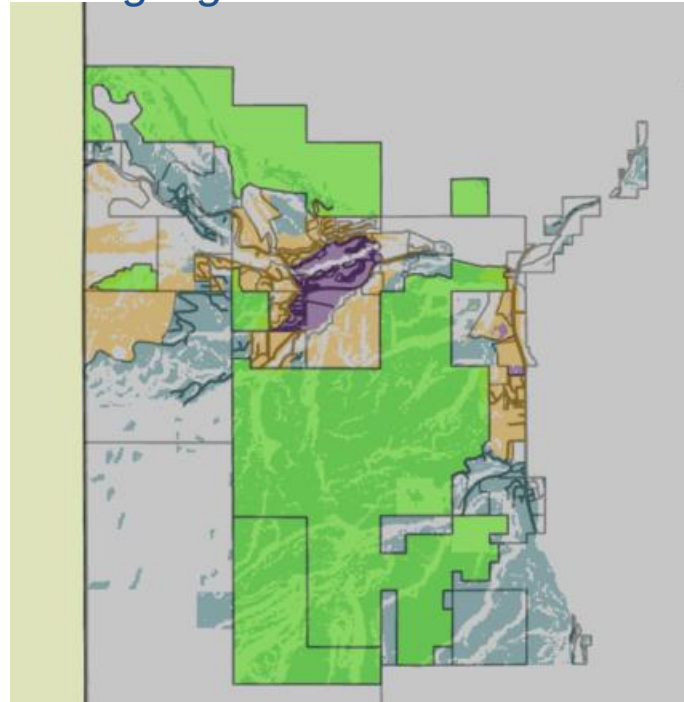
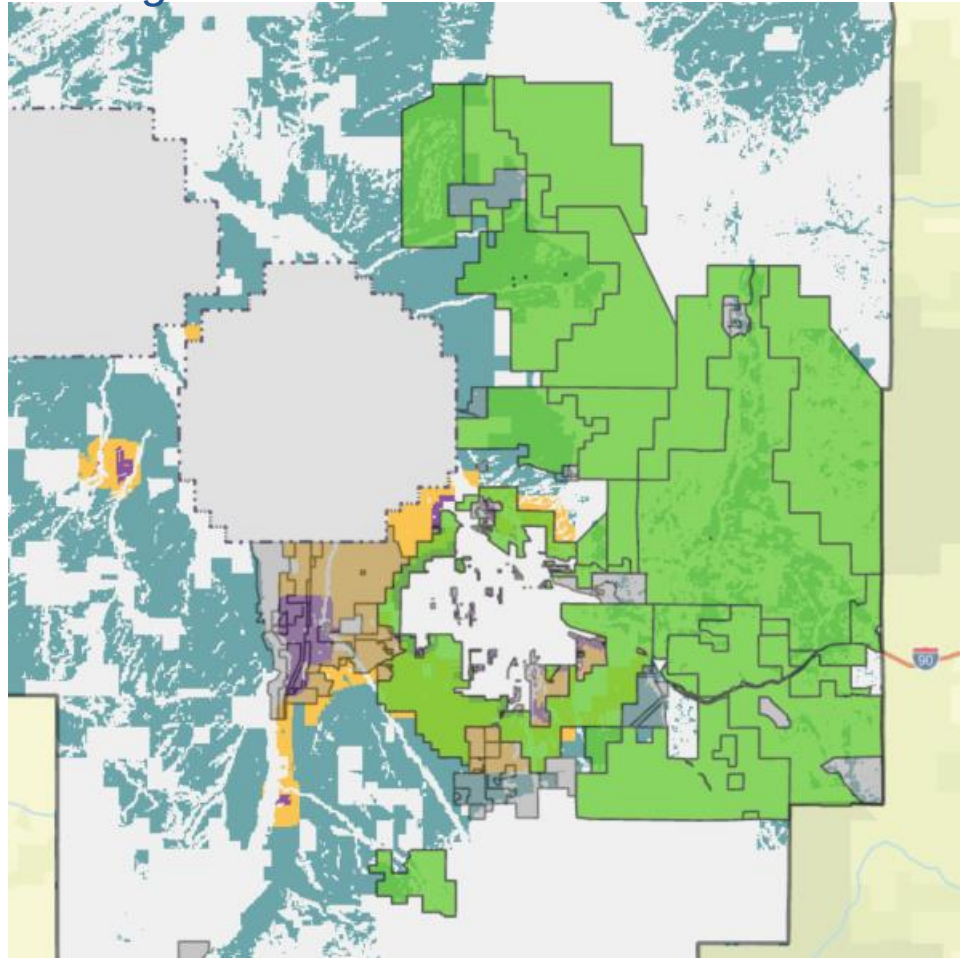
Envision Gallatin

LAND USE & HOUSING STRATEGY

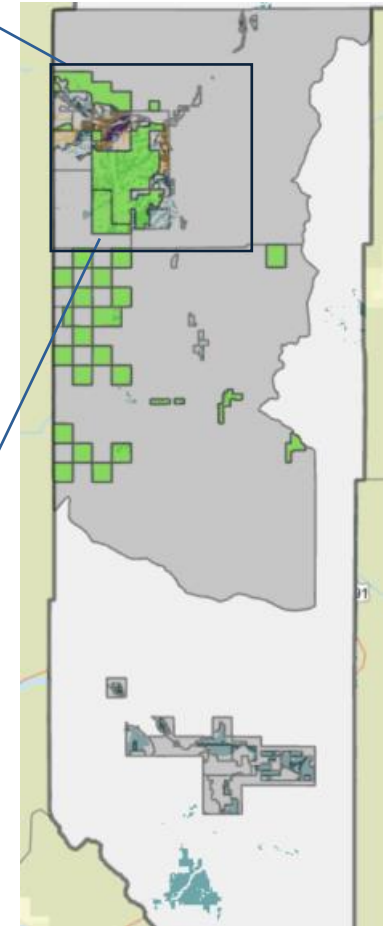


Concern: “Basis for Density recommendations” Existing Zoning Alignment (MGA/OWL/AHA)*

** Alignment with UGA and PIHA exists but is not highlighted here.*



-  Density exists and aligns
-  Density differs or no density defined (includes public land sub-districts)

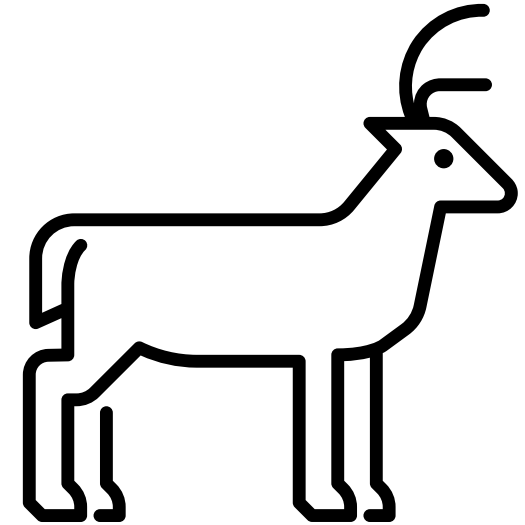


Concern: “Basis for Density recommendations”

Support for Low Density, Sensitive Lands

Sustainable Development Code¹:

- Large lots (low density) preserves habitat/sensitive lands, reduces sprawl & vehicle-wildlife collisions
 - Crook County, OR: minimum lot size **160-acres**
 - Clark County, WA: minimum lot size **80-acres**
 - Skagit City, WA: minimum lot size **40-acres**
 - Blaine City, ID: minimum lot size **50-acres**

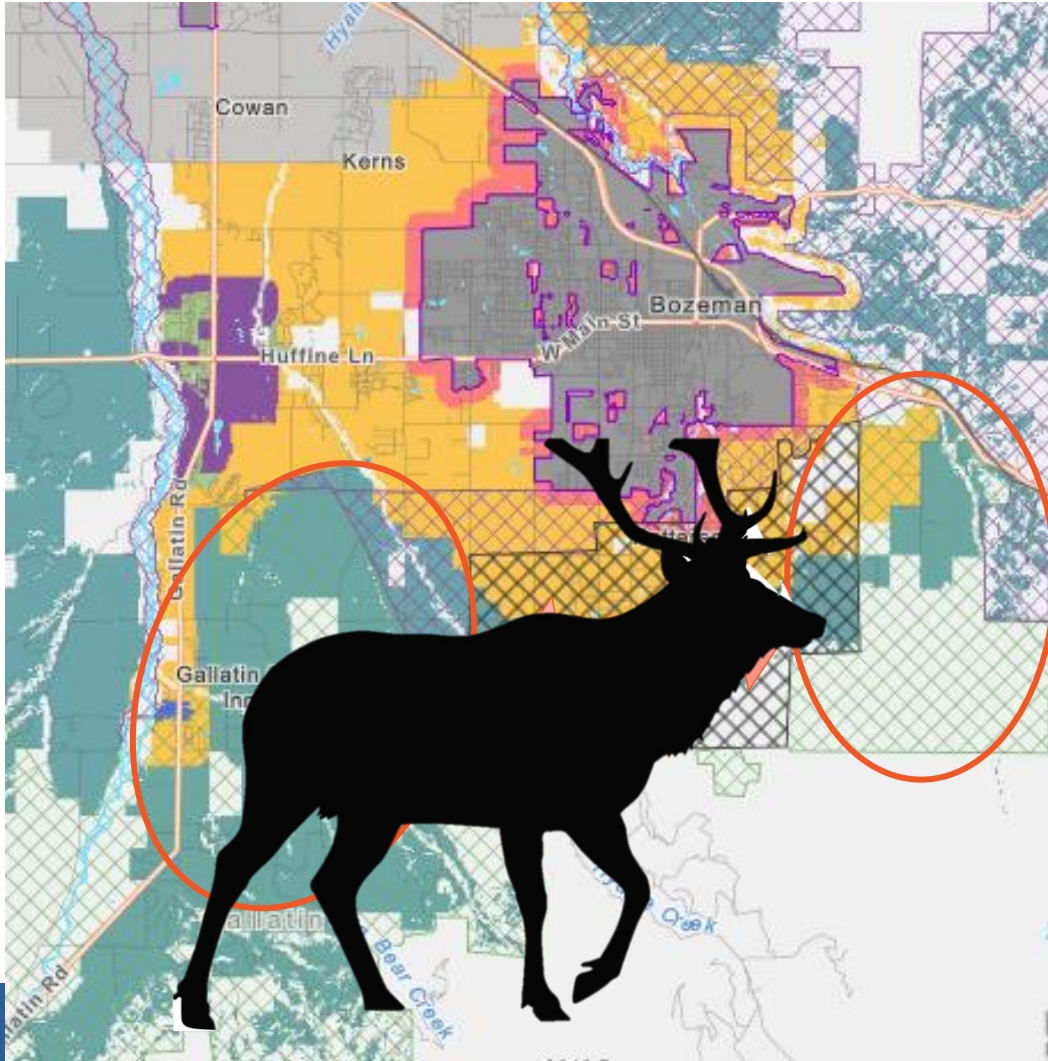


¹ LeSher, A., Rosenbloom, J., & Duerksen, C. (n.d.), Chapter 1.3 Sensitive Lands and Wildlife Habitat, Large-Lot and Preservation Zoning in Rural Areas
[Large-Lot and Preservation Zoning in Rural Areas – Sustainable Development Code](#)



Concern: “Basis for Density recommendations”

Elk Migration Corridor



- During Round 2, concern was that development at **densities of up to 1 unit per 20 acres could impact elk migration between seasonal ranges**
- **Detail was added to the “Wildlife Safe Movement Overlay”** to preserve large tracts of open space in this corridor through low-density development and cluster provisions
- Hansen, et al (2005) **low-density housing on large parcels (typically 5-40 acres)—leads to habitat fragmentation** and negatively impacts biodiversity and ecosystem health in rural areas.



Concern: “Basis for Density recommendations”

Agriculture and Urban Wildlife Management

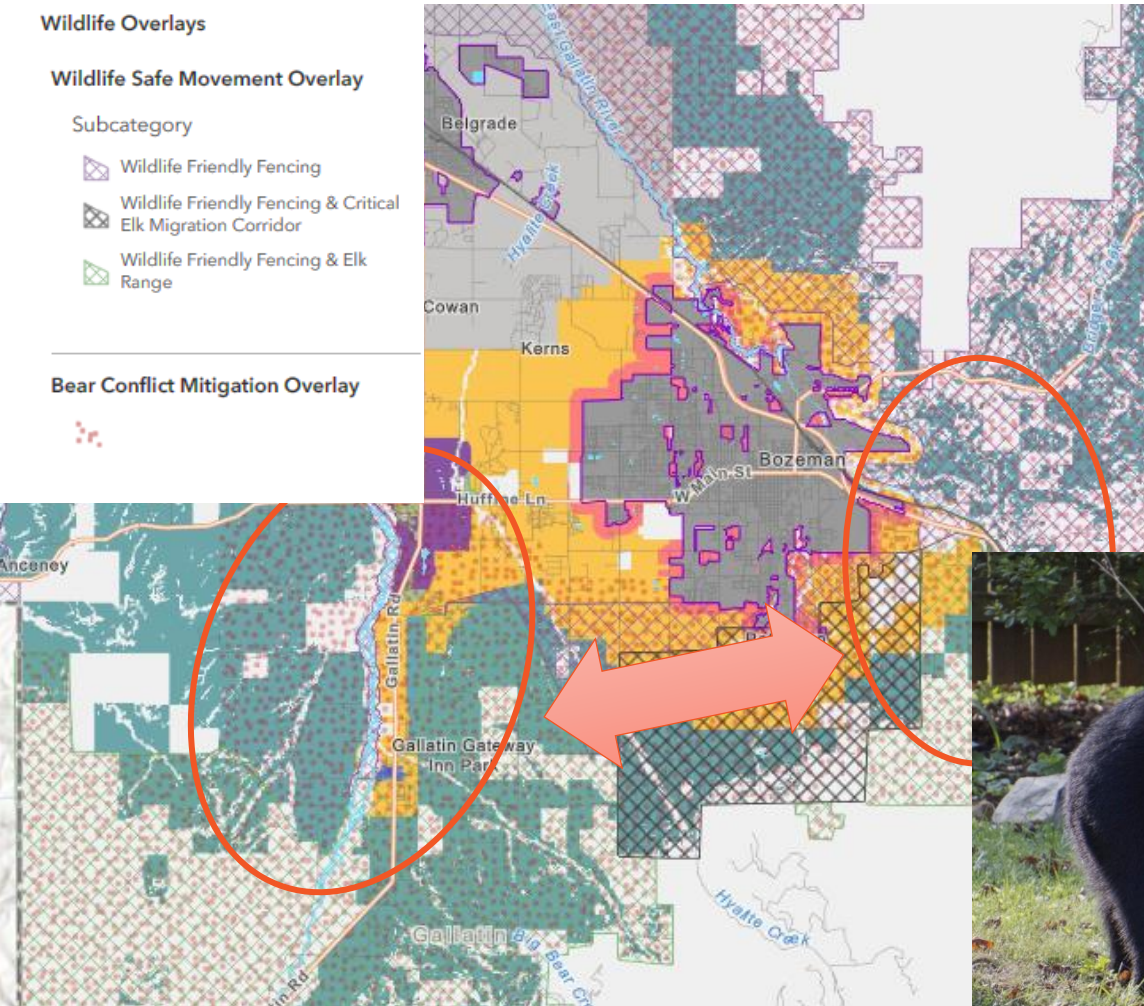
Wildlife Overlays

Wildlife Safe Movement Overlay

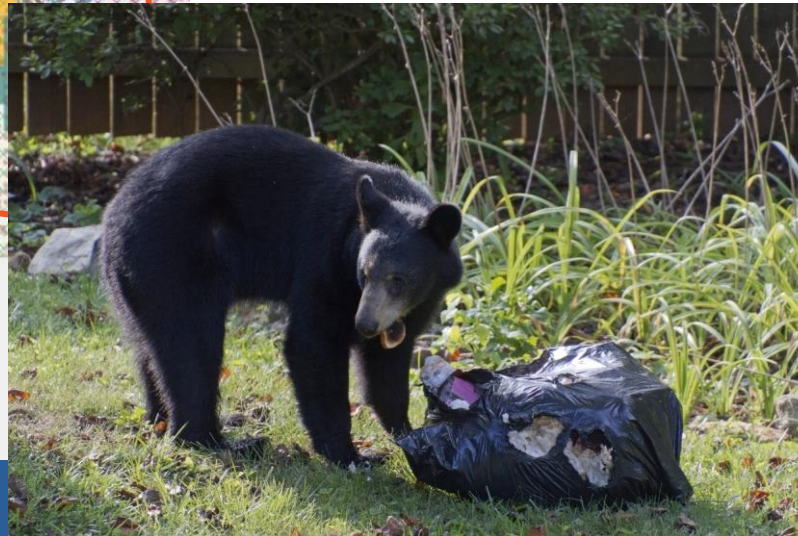
Subcategory

- Wildlife Friendly Fencing
- Wildlife Friendly Fencing & Critical Elk Migration Corridor
- Wildlife Friendly Fencing & Elk Range

Bear Conflict Mitigation Overlay



- Encroachment into habitat areas increases taxpayer expenditures responding to “urban wildlife”
- High density subdivisions are less compatible with working agricultural lands than other uses
- Elk can cause damage to crops by avoiding hunters in residential subdivisions



Concern: “Basis for Density recommendations”

Growth Policy policies supporting limiting density to reduce impacts to wildlife

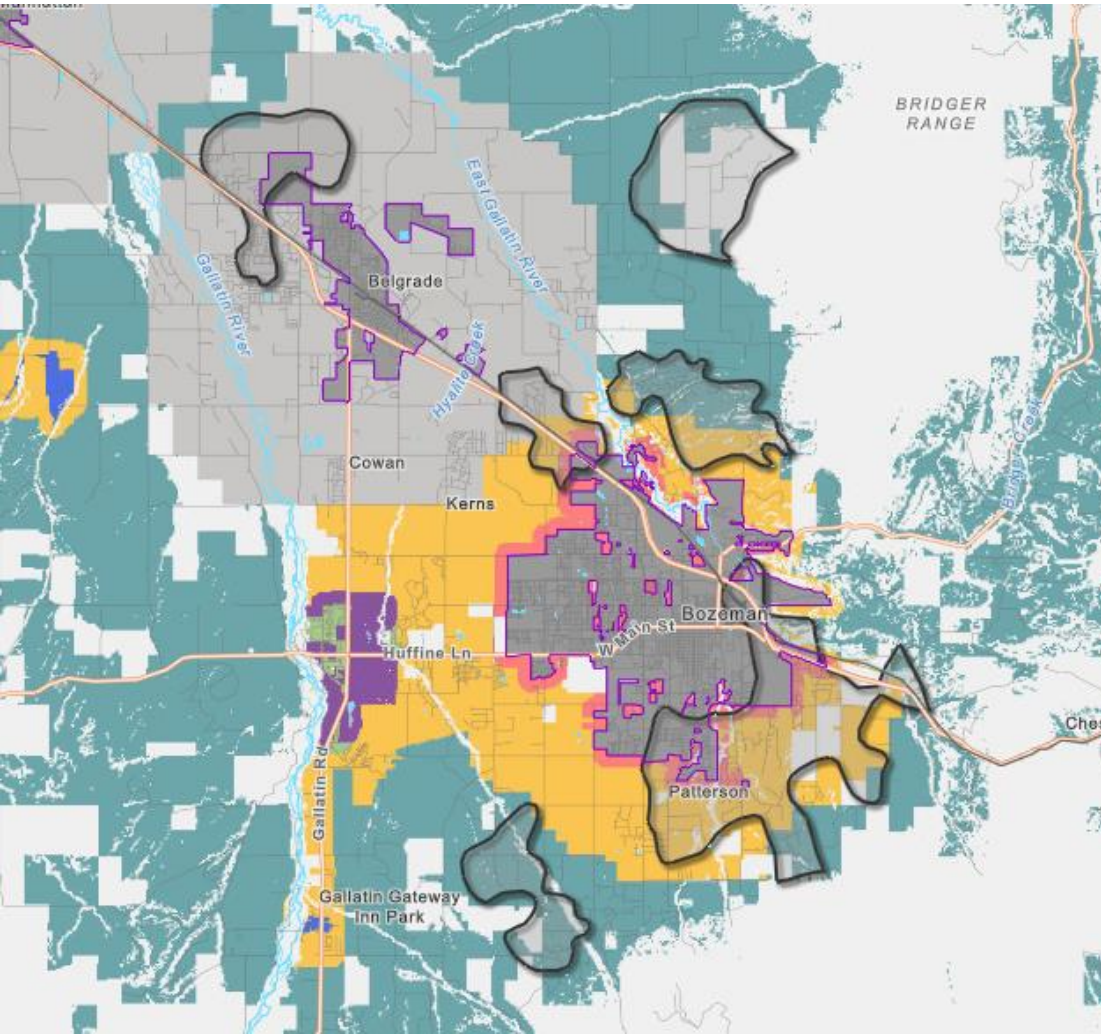
- **ENV-1-1.** *Limit or restrict intense development adjacent to environmentally sensitive areas. NE, WL, WH*
- **AB-2-4.** *Encourage partnerships with Fish Wildlife, and Parks, Montana Dept of Transportation, and other agencies to incorporate information on wildlife movement and migration into transportation planning and documents. LS, W, WH*
- **HAB-1-1.** *Maintain and develop key partnerships to identify important wildlife habitat, including areas important for wildlife movement and migration. NE, WL, WH*
- **HAB-1-4.** *Preserve identified big game winter range and areas important for wildlife movement and migration. WH*

Primary Criteria: Natural Environment (NE), Wildlife (WL), Wildlife Habitat (WH)



Concern: “Basis for Density recommendations”

Groundwater Nitrate

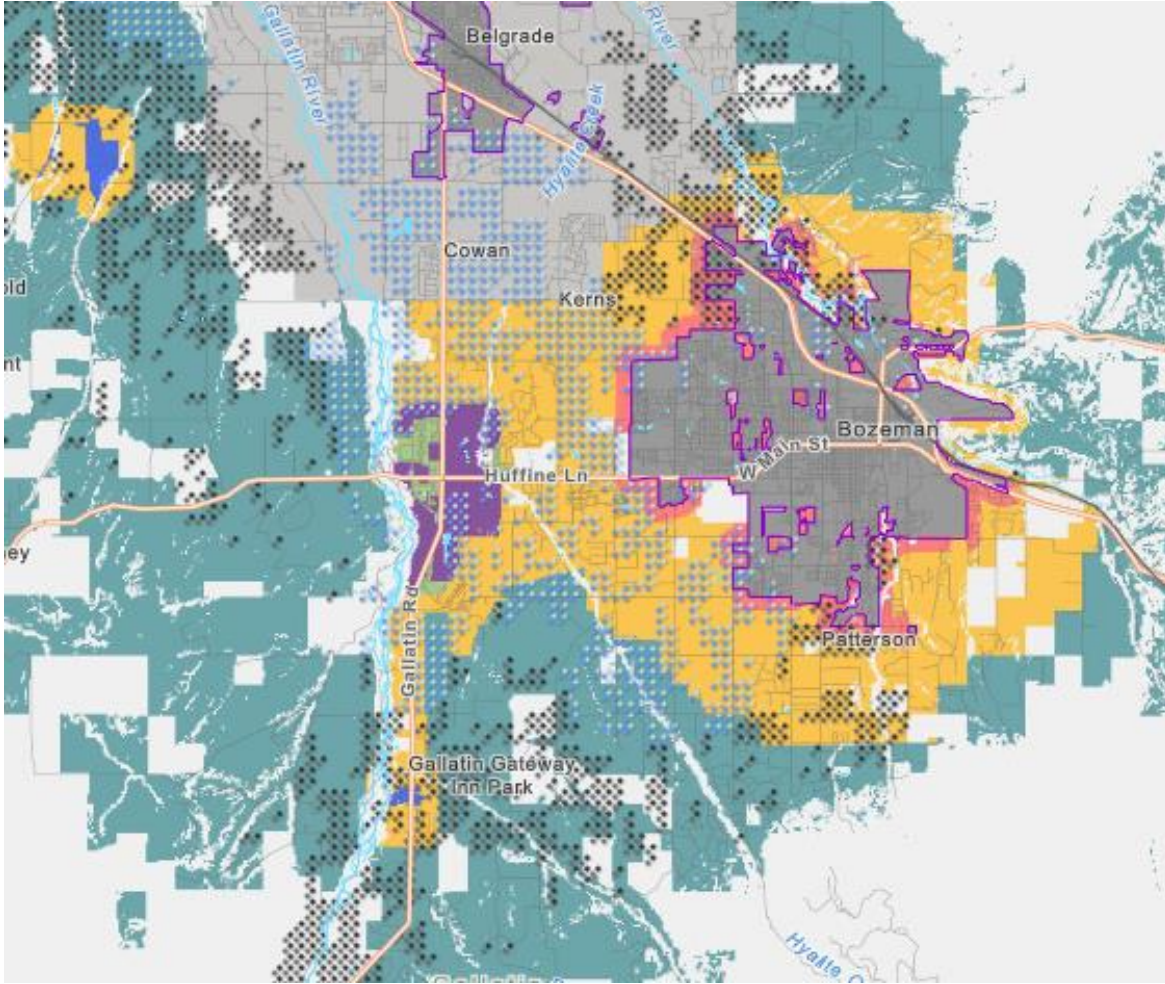


- Elevated Nitrate levels have been observed in samples from domestic wells, and some exceed safe drinking water standards.¹
- Nitrate in groundwater can affect surface water, impairing uses and transferring costs to municipalities long term
- FLUM contains **various recommendations to discourage proliferation of individual septic systems**, because:
 - Of study sites with statistically significant trends, 11 of 20 show wells with increasing GW Nitrate.¹
 - Individual septic systems are not monitored and often not maintained. Septic systems installed now will reach typical life span in 30 years.
- FLUM takes **conservative approach by not specifying limitations** in specific areas because:
 - Data does not yet provide sufficient detail for specific individualized area-based limitations
 - Health Department evaluates individual sites for impacts and safety considering a complex array of factors



Concern: “Basis for Density recommendations”

Water Availability



- FLUM contains **various recommendations to discourage proliferation of individual wells because:**
 - Gallatin Valley Aquifer is closed to new appropriations
 - A county-wide model showing both legal **and** physical availability does not exist
 - Upper Missouri Waterkeeper v. Broadwater County and DNRC has increased the County's responsibility to scrutinize the use of exempt wells for subdivision
- FLUM identifies areas where groundwater recharge mitigation practices (do not preclude development) may be feasible



Concern: “Basis for Density recommendations”

Growth Policy policies supporting limiting proliferation of individual well and septic

- **ENV-3-1.** *Encourage development to assess both the immediate and long-term cumulative impacts on water quantity.* AW, LS, NE, PH, WH
- **ENV-2-12.** *Encourage development to connect to public water and wastewater treatment systems and discourage reliance of new development on individual wells and septic systems.* LS, PH
- **ENV-2-15.** *Encourage developments to assess both the immediate and the long-term cumulative impacts on water quality.* LS, NE, PH, WL, WH
- **ENV-2-10.** *In areas of groundwater concern, require protective measures for development.* NE, PH
- **ENV-2-4.** *Minimize adverse impacts from development on rivers, streams, wetlands, and riparian areas.* NE, PH, WH

Primary Criteria: Natural Environment (NE), Wildlife (WL), Wildlife Habitat (WH), Agricultural Water User Facilities (AW), Agriculture (AG), Public Health & Safety (PH)



Concern: “Water & Sewer Not Considered”

Water and sewer considered throughout

Suitability Model Criteria Table

Category/Criterion - with weight %		Suitable	Moderately Suitable	Less suitable
40%	Proximity to Community Cores and Municipalities	Within Community core/municipal boundary	≤1/4 mile from Community core/municipal boundary	>1/4 mile from Community core/municipal boundary
30%	Within Established Water/Sewer District Service or Planning Area (including municipal)	Within service or planning area	Within, but only one service	Out of service or planning area
15%	Wildlife Resource Value on Private Land	Urban/Urbanizing Areas	Lower Value	Core Habitat & Higher Value
10%	Within Wildfire Risk Area	Very Low	Low	Moderate/High
5%	Slope (%)	<5%	>6% to <15%	>16% to ≤25%

Excluded Areas:

- Public lands, Protected, & Constrained areas: Slopes over 25%, Watercourse Commons, Conservation Easements, Public Lands
- Municipal Jurisdictions: Municipalities and Municipal Planning Areas

INTEGRATED SPECIAL TOPICS

WATER QUALITY AND QUANTITY

Foundation

Protecting water quality and availability is a critical theme in the Growth Policy and was identified as a key concern during outreach for the FLUM. Water is a critical resource necessary for all life and supports Wildlife, recreation, and industries of economic importance in the County, including Agriculture and tourism.

While regulatory measures to protect water quality, availability, and water rights exist at the federal and state level, County plans and policies still play an important role. Incorporating strategies to mitigate impacts on water quality associated with wastewater systems and impervious surfaces, improving sustainable use and management of water resources, implementing low water use landscaping standards, and other measures should be incorporated into land use policies, regulations, and the design of development proposals.

WHICH GP POLICIES INFORMED THIS TOPIC?

AGR-1-4; AGR-2-3; ENV-1-1; ENV-1-6; ENV-3-1; ENV-2-1; ENV-2-2

SPECIAL TOPIC OVERLAYS

GROUNDWATER RECHARGE OVERLAY

Foundation

Purpose: Groundwater recharge allows surface water to seep into the ground and replenish underground aquifers. The Groundwater Recharge Overlay identifies areas in Gallatin County with characteristics (underlying geology, depth to groundwater, etc.) that make them suitable for large-scale groundwater recharge infiltration practices. This serves to make such opportunities visible for property owners and those looking for sites for groundwater recharge mitigation sites, while highlighting the areas that

SPECIAL TOPIC OVERLAYS

GROUNDWATER NITRATE OVERLAY

Foundation

Purpose: The Groundwater Nitrate Overlay is informative and shows where groundwater Nitrate (NO3) levels are elevated and approaching the mixing zone limit established by Montana State law for domestic sewage (ARM 17.30.715(1)d) within the Gallatin Valley Aquifer.

The intent of this overlay is to inform those considering purchasing, developing, or building on land in areas where higher levels of treatment may be required for new septic,

Envision Gallatin

LAND USE & HOUSING STRATEGY

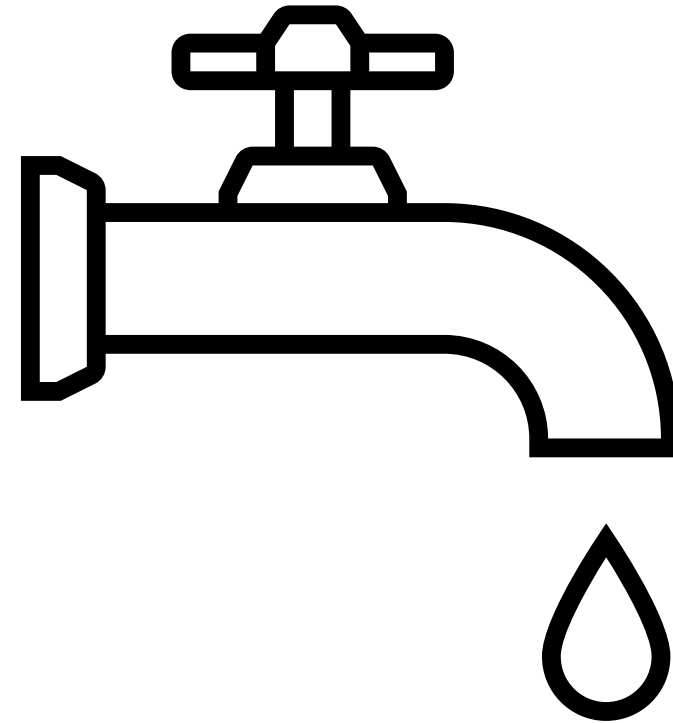
Concern: “Water & Sewer Not Considered”

Growth Policy Mentions of “Water”

Before FLUM integration: **224**

After FLUM integration: **508**

Total: **284 new instances** where
“water” is discussed

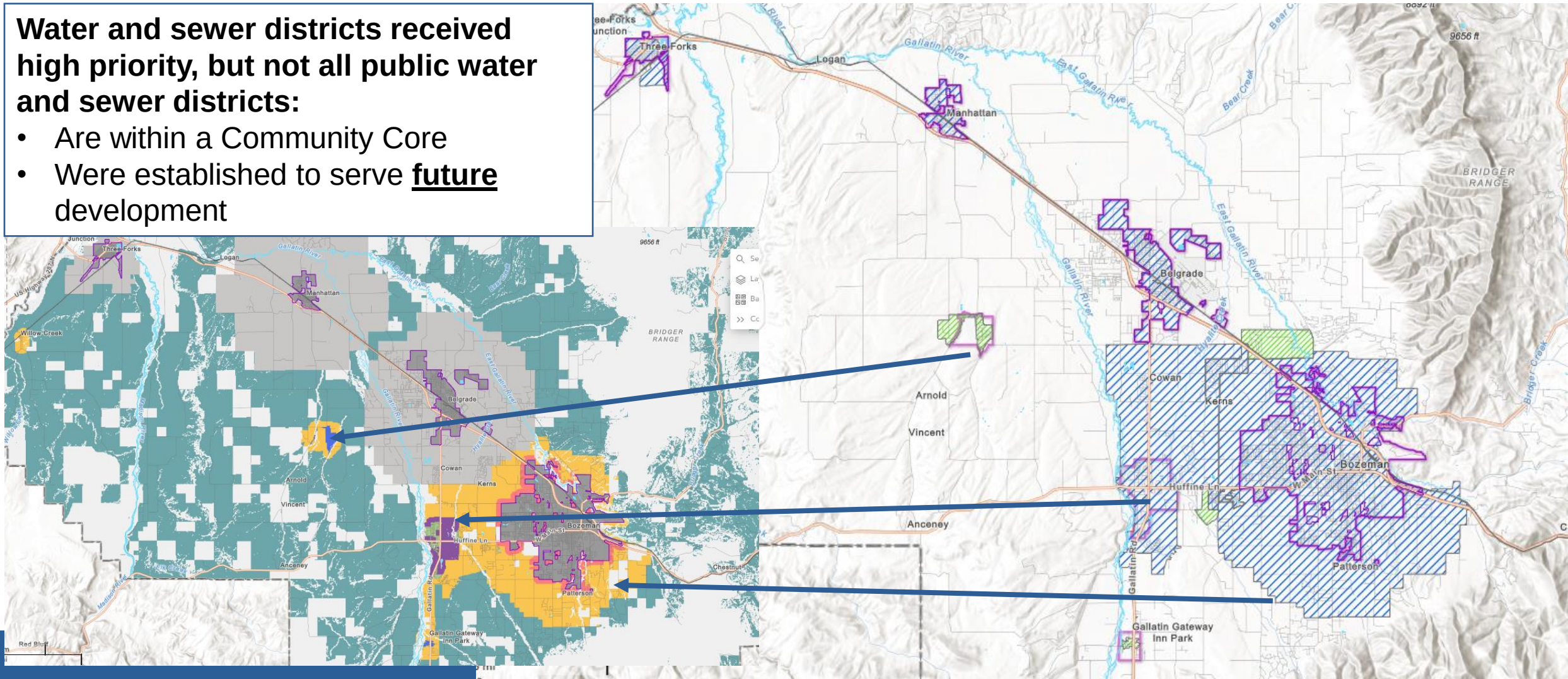


Concern: “Water & Sewer Not Considered”

Water and Sewer Districts in Suitability Analysis

Water and sewer districts received high priority, but not all public water and sewer districts:

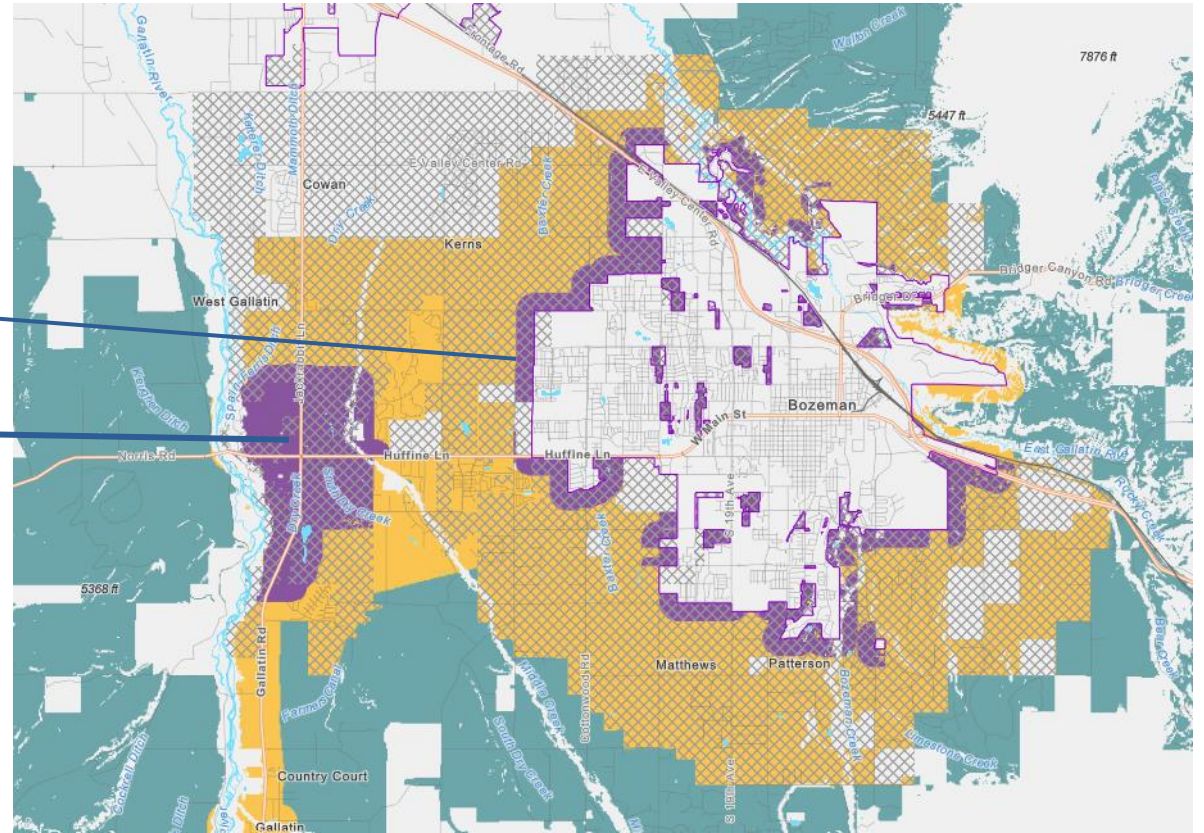
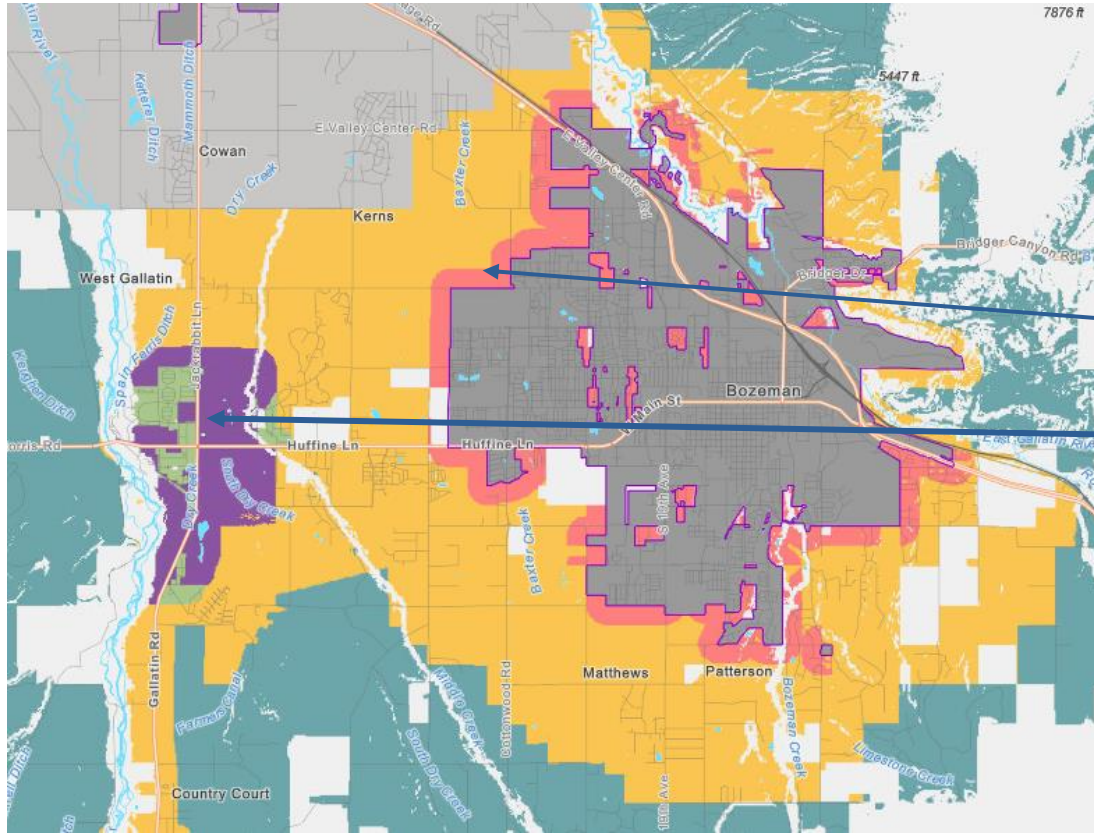
- Are within a Community Core
- Were established to serve **future** development



Concern: “Water & Sewer Not Considered”

Water and Sewer in Suitability to FLUM

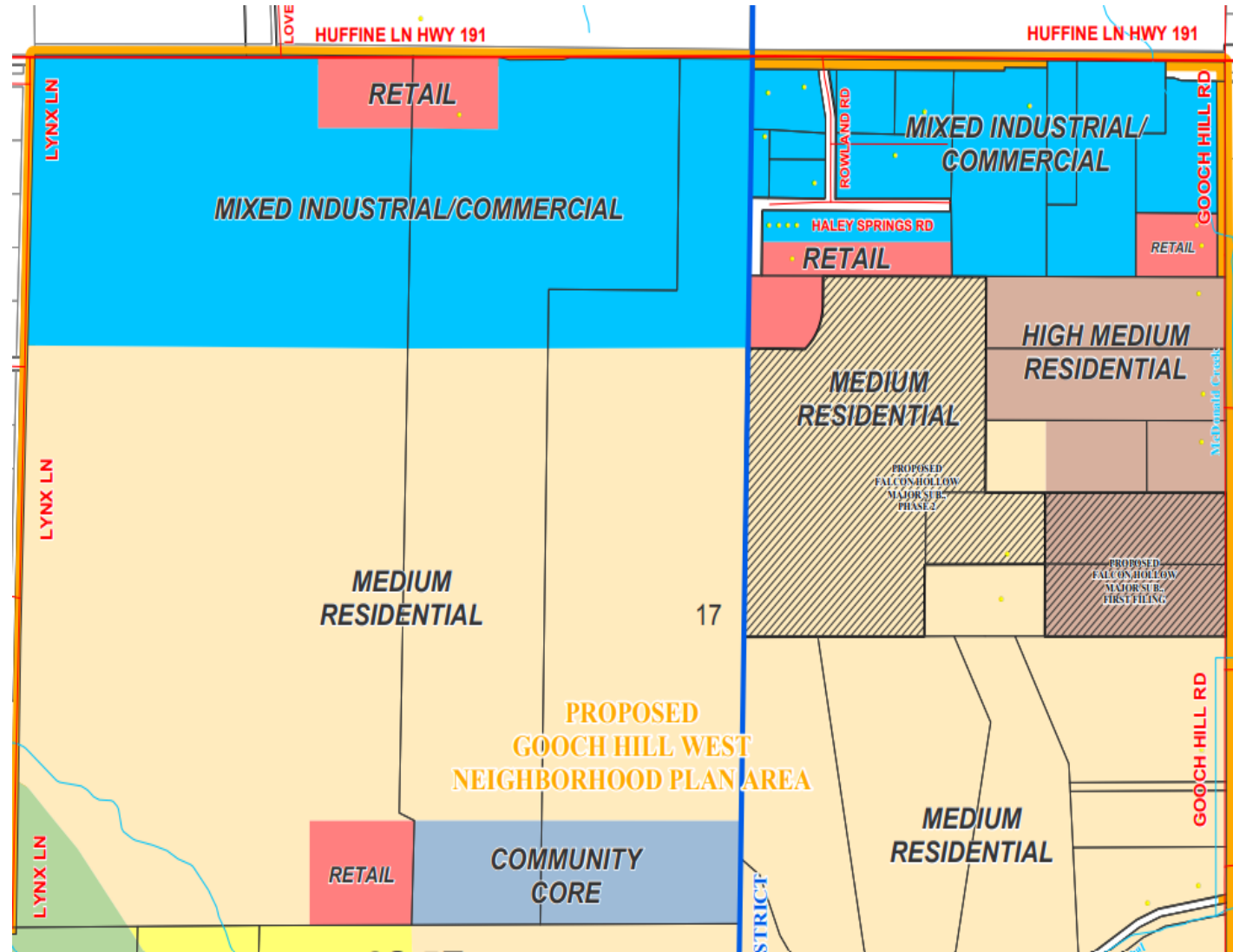
Holding areas acknowledge “Most Suitable” areas with high potential to be served by Water and Sewer district or municipal services development **has access to urban growth potential without a FLUM amendment.**



Concern: “Water and Sewer Not Considered, Rae Water & Sewer”

Gooch Hill Community Core

- Gooch Hill West Neighborhood Plan completed in 2007 does identify a Community Core
- Unlike other Community Cores, it has not yet been developed as envisioned in the Neighborhood Plan
- New residents since 2007 due to development post neighborhood plan



Concern: “Water and Sewer Not Considered, Rae Water & Sewer”

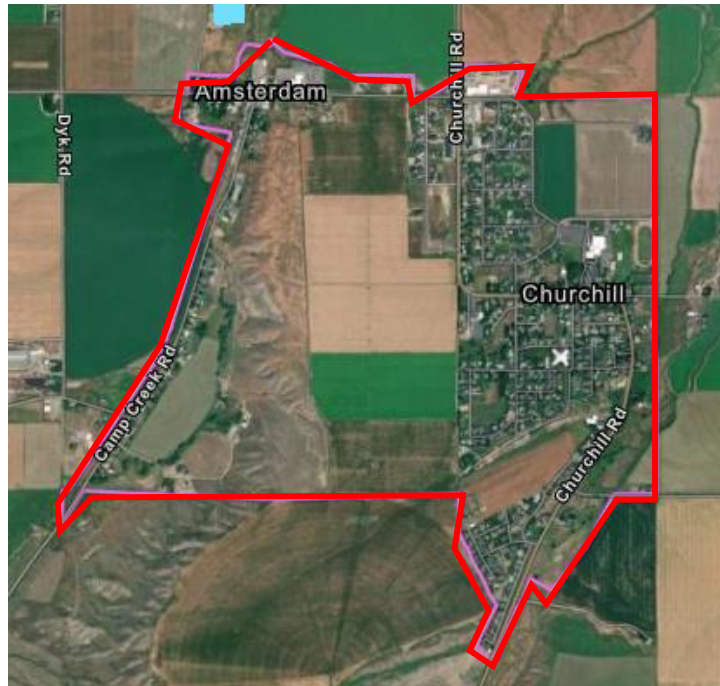
Gooch Hill Community Core

- **Community Core boundaries must:**
 - Be identified in **a Gallatin County-adopted plan or policy which clearly identifies a geographic area appropriate for community core development.** The plan or policy must identify that the community core area has, or is expected or envisioned to have, most or all of the features listed in the Community Core definition, or
 - Be part of a contiguous development pattern that meets the definition of Community Core. Community Core boundaries may follow subdivision boundaries, roads, natural features, or other boundaries, and must maintain physical connection with the established Community Core
- **Community Core.** An area of developed land with **established infrastructure services and a balanced, interconnected mix of land uses with walkable access to services or amenities** that are intended to serve neighborhood residents and to be a focal point for the community.



Concern: “Water and Sewer Not Considered, Rae Water & Sewer”

Gooch Hill Community Core



Amsterdam Churchill
Community Core - 2009



Gallatin Gateway
Community Core - 2009



Gooch Hill
Community Core - 2007



Concern: “Water and Sewer Not Considered, Rae Water & Sewer”

Gooch Hill Community Core



Amsterdam Churchill
Community Core - 2009



Gallatin Gateway
Community Core - 2009



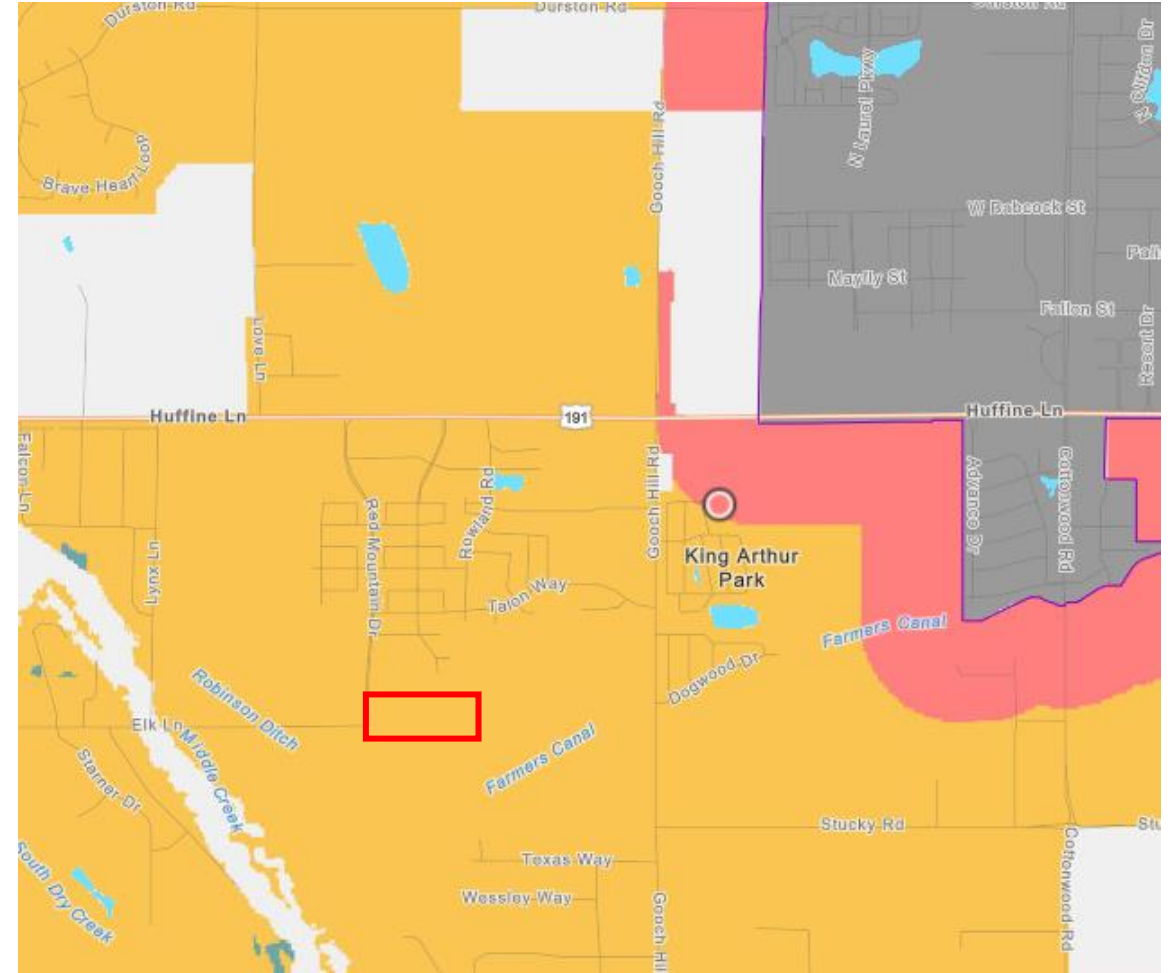
Gooch Hill
Community Core - 2007



Concern: “Water and Sewer Not Considered, Rae Water & Sewer”

Gooch Hill Community Core

- If this area becomes a community core, a new Urban Growth Area will be created
- Staff does not advise this approach due to proximity to City of Bozeman municipal boundary



Concern: “Spot Zoning Criteria for Amendments ~~unreasonable standard for developers to meet.”~~”

How the FLUM will change over time

Criteria for Amendments to the Growth Policy “*must be consistent with the Growth Policy and other county adopted plans, and **is not a targeted amendment designed to benefit only one or a few landowners at the expense of the surrounding landowners or the general public***;

} Spot zoning criteria for amendments

Three types of updates to the FLUM:

- Administrative (List identified)
- Updates to existing data (List identified)
- New data or topics (Criteria identified)



Concern: “Amendment Criteria Unclear.”

How the FLUM will change over time

Administrative updates:

- Conservation Easements, Open Space Parcels, and dedicated parkland.
- Municipal or planning jurisdiction boundaries.
- State and federally owned property.
- Water and sewer infrastructure planning areas or currently served areas (including for municipal and district services).
- Watercourse Commons (including the FEMA Floodplain, Channel Migration Zones, location of waterways, and riparian vegetation)



Concern: “Amendment Criteria Unclear.”

How the FLUM will change over time

The following types of data updates may be incorporated into the FLUM when the conditions listed below are met and require a public hearing:

1. Community Core Boundaries may be updated when:
 - a. A contiguous pattern of development consistent with the definition of Community Core has expanded beyond the previously identified Community Core Boundary to the extent that a new Community Core Boundary is justified based on the definition.
 - b. Conditions have changed in such a way that an area not previously meeting meet the definition of a community core now does.
2. Wildfire Risk data may be updated to:
 - a. Reflect updates to wildfire risk in the most recent Gallatin County Community Wildfire Protection Plan.
3. Slope data may be updated if:
 - a. New or improved County-wide data on slope is made available that has been either adopted, published, or produced in coordination with one or more public agencies.
4. The Wildlife Value on Private Land or Wildlife related Overlays may be updated to:
 - a. Address new information or recommendations from Montana Fish, Wildlife, & Parks related to wildlife value, movement / connectivity or migration, habitat, conflict mitigation, or other factors related to impacts on wildlife, wildlife habitat, or public health and safety.
5. The Soils of Agricultural Importance Overlay may be updated if:
 - a. Updates to Natural Resources Conservation Service (NRCS) soil data become available.
6. The Groundwater Recharge Overlay may be updated when:
 - a. Updates to data on potential groundwater recharge areas are necessary to reflect improved or updated information or changed conditions.
7. The Groundwater Nitrate Overlay may be updated when:
 - a. Data becomes available that provides improved information on groundwater nitrates or characterizes a larger area of the .
 - b. New data on septic risk or limitations becomes available that provides greater specificity or a broader geographic characterization of septic risk or groundwater quality.



Concern: “Amendment Criteria Unclear.”

How the FLUM will change over time

Criteria for introduction of new data or topics into the FLUM, not considered at the time of adoption and not identified in one of the above scenarios:

Review Criteria for Incorporation of New Data or Information in the FLUM:

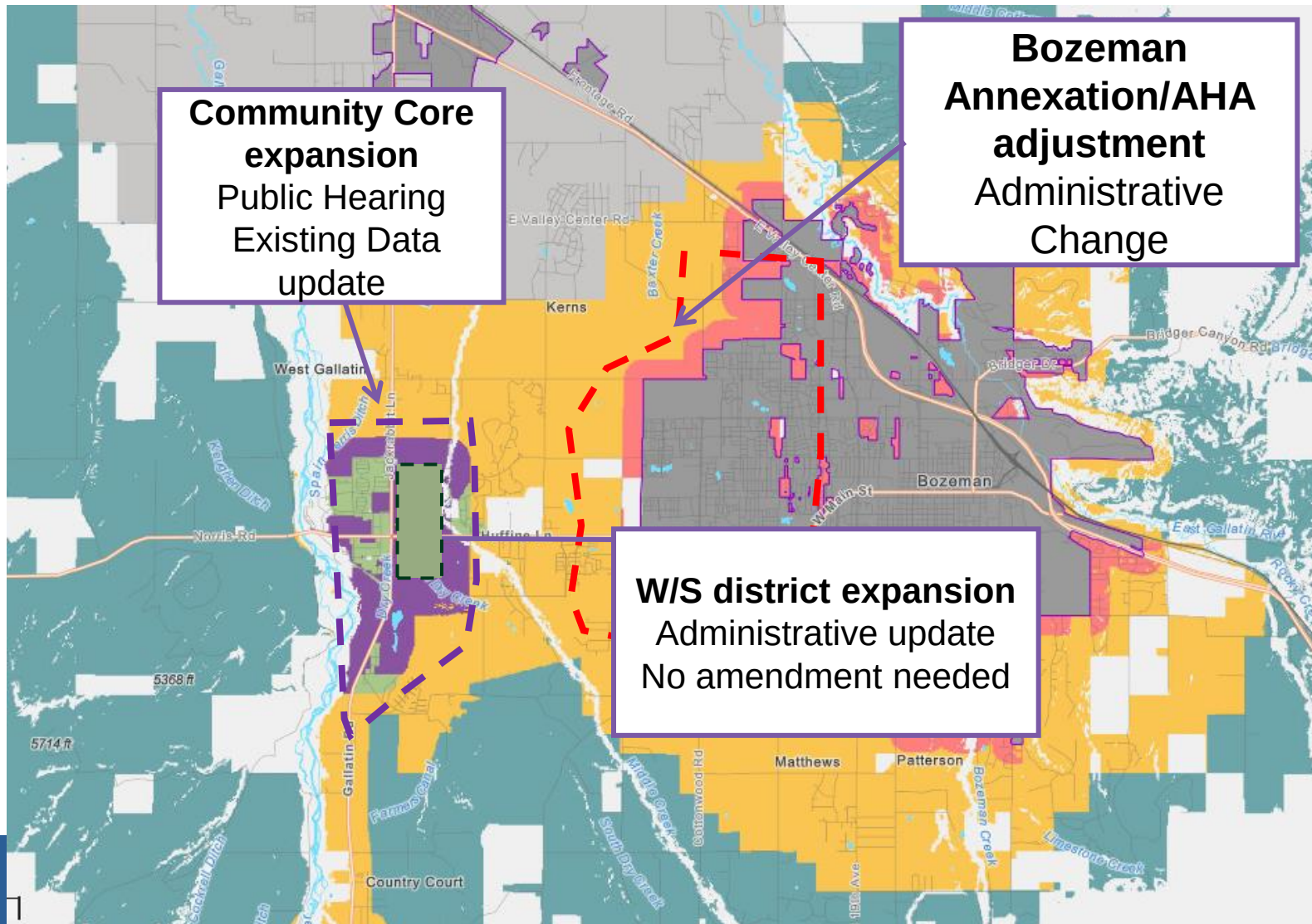
To approve the incorporation of new data into the FLUM, it shall be found that all of the following criteria are satisfied:

- » Inclusion of the data advances the goals and policies stated in the Growth Policy and other Gallatin County adopted plans.
- » The data is either adopted, published, or produced in coordination with one or more public agencies or has been published in a peer reviewed publication.
- » The data must meet the criteria for an amendment to the Growth Policy.
- » The data must have clearly defined limitations, and its use in the FLUM must be appropriate based on scientific principals and best practices, Montana law, and the goals and policies listed in the Growth Policy.
- » The procedural requirements for amendments to the Growth Policy as described in of §76-1-601 et seq., MCA have been followed.



Concern: “Moratorium / Permanent Limitations.”

How the FLUM will change over time?



- FLUM makes recommendations for the **next 5 years** and allows for **more frequent updates**
- Recommendations support **coordinated growth over time** and **provide guidance for developers that can be used to tailor projects** to be consistent with adopted plans
- **Will be updated** as infrastructure and development expands

