PUBLIC PARTICIPATION PLAN

CITY OF KALISPELL – DEVELOPMENT SERVICES

Introduction

The Montana Land Use Planning Act (MLUPA), codified in Title 76, Chapter 25, M.C.A., creates a comprehensive update to Montana's land use regulations. Under Section 76-25-106, M.C.A., the City of Kalispell is to provide a Public Participation Plan that creates a framework for communication and engagement to ensure access to public information, and continuous and ongoing public involvement for adoption of a future Land Use Plan and associated regulations as well as any amendments or updates. As public involvement in the administrative decision-making process for site-specific development will be more limited after the adoption of the Land Use Plan and potential subsequent five-year updates, public involvement during this process is vital. This document serves as a starting point for MLUPA compliance and will be revised as needed to ensure communication objectives are being achieved.

MLUPA Requirements

The Public Participation Plan is the beginning of a process to replace the City's current Growth Policy, zoning regulations, and subdivision regulations to comply with the MLUPA. It will also guide public participation for future amendments and updates to those documents. MLUPA requires that the Public Participation Plan provide for the (1) dissemination of draft documents; (2) opportunities for written and verbal comments; (3) public meetings after effective notice; (4) electronic communication including online access; and (5) an analysis of and response to public comments.

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Public Participation Opportunity

The purpose of this plan is to define a set of strategies that can be employed to ensure that the public is not only informed but also provided ample opportunity to participate in the process of crafting the City's MLUPA compliant Land Use Plan. The strategies outlined in this document will provide a framework for continuous and extensive public engagement. Public engagement is critical because the final adopted plan, including any amendments or updates, comprises the basis for implementing zoning and subdivision regulations that must be in substantial compliance with the plan. Additionally, the scope of and opportunity for public participation and comment on site-specific development that is in substantial compliance with the Land Use Plan is limited only to impacts or significantly increased impacts not considered in the Land Use Plan, zoning regulations, or subdivision regulations. The opportunity to be engaged comes with the process establishing the plan and regulations, not with review of a site-specific project.

Public Participation Opportunity

Land Use Plan and Future Land Use Map
The creation of the Land Use Plan and Land Use Map will allow for the greatest opportunity for public involvement.

Zoning and Subdivision Regulations
The drafting of new zoning and subdivision regulations will allow for written and verbal public comment and analysis and response to public comments by City staff.

Public Notice of Administrative Decisions
The opportunity for public involvement in future developments conforming to the Land Use Plan, zoning, and subdivision regulations will be limited.

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Land Use Plan and Future Land Use Map

The intent of the Land Use Plan is to identify opportunities for the development of land within the City of Kalispell and its greater jurisdictional area for housing, businesses, agriculture, public lands, institutions, and the allocation of natural resources. The plan will acknowledge and address impacts of development on adjacent properties, the community, the natural environment, public services, facilities, and address potential natural hazards that may limit development in certain areas of the city. Accompanying the Land Use Plan will be the Future Land Use Map that establishes the City's expected jurisdictional area and future land use boundaries.

Zoning and Subdivision Regulations

The City will review its zoning and subdivision regulations to ensure their alignment with the Land Use Plan upon its adoption. The MLUPA requires that city zoning and subdivision regulations meet its specific statutory requirements. The zoning and subdivision regulations adopted by the City Council through recommendation of the Planning Commission will set forth the administrative and decision-making processes of the City of Kalispell Development Services Department.

What Should You Expect From Us?

At a minimum, the City and its consultants must allow the community access to:

- Draft planning documents and regulations;
- An opportunity to provide written and verbal comments;
- The chance to be heard at public meetings;
- A pathway for electronic communication to address any questions or concerns involving the planning and implementation processes, documents, comments, or any updates to the process; and

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- Analysis of and response to public comment.

The Public Participation Plan establishes the framework detailing our commitment to public involvement throughout the process of adoption, amendment, modification, or rejection of any future land use plans, zoning, or subdivision regulations.

Public Participation Principles

City staff and its consultants will be guided by the following principles:

1. **Thought and Purpose**
   Public participation helps to bring thought and meaning to our planning and decision-making process. The values imparted into planning and regulation documents through public participation will help preserve the City of Kalispell's culture, identity, and prosperity.

2. **Respect and Inclusion**
   Every member of our community has intrinsic value and adds to its ever enriching and endearing character. It is our goal to ensure that all members of the community feel welcome to participate in the planning process and have their voice heard.

3. **Transparency and Trust**
   Clear communication will be provided at each step of the planning process and the City will retain all material from public participation events as part of the public record in accordance with the retention schedule published by the Secretary of State.

4. **Open, Adaptable, and Evolving**
   It is important to maintain a continuous dialogue between community members

DRAFT

and the City, consultants, and contractors. Likewise, it is imperative that we continue to seek out new means and methods for improving communication and engagement activities through evaluation of participant feedback and public comment.

Goals and Objectives

City staff and its consultants will strive to achieve the following goals and objectives when engaging the public:

Goal 1: Create Consistency

Create a consistent approach to communication including clear expectations for where information can be found. Aim to improve current technology, create better processes, and continue to explore new methods of communication.

Objective A: Create Communication Expectations

Standardize how, when, and where information will be communicated to the public.

Objective B: Improve Customer Communication

Standardize publication of Development Services Planning Division projects to the City of Kalispell website. Periodically review communication processes and tools to evaluate their effectiveness.

Goal 2: Engage the Public

Receiving public involvement in planning and decision making is critical. We are committed to improving and increasing access to public participation opportunities and periodically refining engagement expectations.

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Objective A: Create Public Engagement Expectations

We will identify ways to engage the public through multiple platforms.

Objective B: Improve Public Written Comment and Feedback

We will identify and provide an easily accessible pathway to receive and retain written public comments and will provide analysis and feedback when necessary.

Participation Framework and Tools

There is a wide range of public engagement strategies that may be employed by the City. The strategies are provided to set consistent expectations for public communications and involvement opportunities. This is an adaptable framework. The following tools are not all-encompassing, but are instead intended to provide examples of types of public engagement which can be utilized in an effort to elicit robust public participation. Depending upon the specific platform, opportunities for written and verbal comments should typically be provided along with an analysis of and response to those comments.

Information Tools

The following methods may be used for sharing information, including dissemination of draft documents, about the adoption of or updates to the Land Use Plan, zoning regulations, and subdivision regulations.

- Legal Notice in Public Newspaper or other means (see Sec. 7-1-4127, MCA)
- Notification of adjacent properties when required
- In some situations, seeking input from individual impacted properties
- City of Kalispell Website (including access to information regarding the adoption process, documents, updates, and comments)
- Social Media
- News/Media/Advisory

DRAFT

Engagement Tools

The following methods may be used for gathering public input about the adoption of or updates to the Land Use Plan, zoning regulations, and subdivision regulations.

- Meetings with Community Groups
- Meetings with City Boards
- Surveys and Comment Forms
- Planning Commission work sessions (typically would occur after regular meetings, which are held at 6:00PM on the second Tuesday each month, or at other times with the appropriate notice)
- Charrettes
- Storefront and "Pop-up" Studios
- Open Houses
- Presence at Public Events

Continuous Information and Involvement

The drafting and adoption of the Land Use Plan and subsequent land use regulations will be an extensive process, providing opportunities for continous community engagement and feedback. Those who wish to remain involved throughout the planning process can stay up to date on current events by following activity on the City of Kalispell's website (www.kalispell.com), or by contacting the Development Services Department office (201 First Avenue East, Kalispell, MT 59901; (406-758-7940); planning@kalispell.com). All public engagement material will be retained as public record and be available upon request.

Participation Feedback

Feedback from community members on the adequacy of public involvement opportunities and feedback on lessons learned from participation events is essential to ensuring a healthy communication stream. Using this combination of feedback, staff and

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working partners will determine next steps to ensure continuous public engagement. Staff and consultants will also provide an analysis and response to public comments and engagement activities.

Subsequent Site-Specific Development

The MLUPA establishes a different process for land use decisions than what has previsously been used in Montana. The changes will front-load public input, with limited public involvement during land use permit and application reviews, including subdivisions. Any public notice or input for site-specific development will be governed by the applicable MLUPA section, ~~or~~ local zoning and subdivision regulations, or as specificied within this public participation plan.

~~The scope of and opportunity for public participation and comment on site-specific development that is in substantial compliance with the Land Use Plan is limited only to impacts or significantly increased impacts not considered in the Land Use Plan, zoning regulations, or subdivision regulations. The opportunity for the public to be engaged comes with the process establishing the plan and regulations, not with review of a site-specific project.~~

TYPE OF ACTION	NOTICE REQUIRED
Zoning: Text Amendments	Newspaper
Zoning: Map Amendments	Newspaper and mail
Zoning: Planned Unit Developments	Work session: Mail (not required; courtesy notice only) Hearing: Newspaper and mail
Zoning: Appeals	Per Sec 7-1-4127, MCA
Zoning: Variances	Newspaper and mail
Zoning: Conditional Use Permits	Newspaper and mail

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Subdivision: Preliminary Plat	Newspaper and mail (mail only for subsequent notices)
Subdivision: Variances	Newspaper and mail (typically in conjunction with preliminary plat)
Subdivision: Text Amendments	Newspaper
Subdivision: Appeals	Per Sec 7-1-4127, MCA

Publication in a newspaper would be in a newspaper of general circulation in the community. Mailings would be to all property owners within 150 feet of the subject property or proposed zoning district boundary.

Public Participation for Site-Specific Development when a Public Hearing is not Provided

A. City Website.

The City shall maintain a publicly accessible online planning page on the City's official website dedicated to applications which do not involve a public hearing (i.e. preliminary plats for subdivisions, conditional use permits, and variances). For each application, the website shall display the following information, organized by application and updated as necessary throughout the review process:

1. The complete application as submitted, including all supplemental materials;
2. The initial determination issued by staff with the date of issuance;
3. All staff reports and findings as they are issued;
4. All written public comments received;
5. Any additional data or analysis collected;
6. The written decision issued by staff, including all findings and any conditions of approval;
7. The appeal deadline stated as a specific calendar date; and
8. The current procedural status of the application and the next anticipated step in the review process.

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B. Online Comment Submission.

During any public comment period, the City shall accept written comments submitted electronically through the planning website. Electronically submitted comments shall be treated as written public comments and included in the administrative record on the same basis as comments submitted by mail.

C. Subscription Alert System.

The City shall provide a free email subscription service through which any member of the public may elect to receive automated notifications when:

1. A public comment period opens, including the specific deadline for submission of comments;
2. A staff report or written decision is issued and posted to the planning website.

D. Appeal Information Required in Every Decision.

Written decisions for applications listed in the table above that were not part of a public hearing shall include the following information:

1. The specific calendar date by which an appeal must be filed;
2. The procedure for appeal; and
3. Contact information for the Planning Department for appeal inquiries.

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