



April 4, 2017

From: Jim Crews - Mayor  
206 Buck Street  
Stevensville, Montana  
59870

**RECEIVED**

APR 05 2017

Ravalli County Commissioners

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To: Joe Moore  
Planning and Zoning Board Chair  
206 Buck Street  
Stevensville, Montana 59870

Subject: Cody Omlid/John Anderson Petition for Annexation and Request for Rezoning  
comments and questions.


Dear Mr. Moore,

The Town's Department Heads and I, having had an opportunity to review the Petition for Annexation and Request for Rezoning we find that there are a few questions yet to be answered and/or addressed.

1. Planning and Zoning Board needs to specify recommended zoning requirements in accordance with the SMC § Section 10-152. Please make an official recommendation for the council to consider.
2. The Town's Water/Waste Water Supervisor recommends a Water/Sewer easement be extended from the present John Anderson property through the property under consideration for annexation. Reference § 7-2-4731 MCA. (I have spoken with Mr. Omlid, he is addressing this issue with his survey company and will supply the appropriate documentation.)
3. The Certificate of Survey No. 4166 is not included in the materials submitted for review. (I have spoken with Mr. Omlid, he is addressing this issue with his survey company and will supply the appropriate documentation.)
4. The area must be included within and the proposed annexation must conform to a growth policy adopted pursuant to Title 76, chapter 1. Has this annexation been analyzed by the Planning and Zoning Board for compliance with the Growth Policy?

If you could please address these issues, it would be greatly appreciated.

Thank you,

  
Jim Crews-Mayor

Routing List - Please review the attached document.

Initial that you have reviewed and commented as needed. Please forward this document to the next department. **Please Notify the Mayor when you have completed your review.**

Department	Initial	Date	Comment (attach additional sheets if necessary)
Police Department Chief Marble	<i>PM</i>	03-28-17	Impact fees assessment?
Fire Department Chief Motley	<i>AM</i>	4/4	
Streets Ed Sutherlin *	<i>E</i>	3-27-17	mid term assessment
Water/Waste Water George Thomas *	<i>G</i>	3-27-17	extended
Airport Chris Soto	NA	NA	NA
Planning and Zoning Board Chair			Annexation request has been forwarded from the board to the Mayor.
Building Official Dennis Monroe			
Zoning Administrator			
Mayor			
Town Attorney			
Finance Officer			

*please forward original  
to my office*

*J*

\* The mayor indicated for Sutherlin + Thomas review,  
Airport was made directly to the mayor  
*file 4-4-17*

## **Annexation By Municipalities Providing Services**

7-2-4705. Annexation by municipalities providing services. (1) The governing body of any municipality may extend the corporate limits of the municipality under the procedure set forth in this part upon the initiation of the procedure by the governing body itself.

(2) Whenever the owners of real property situated outside the corporate boundaries of any municipality, but contiguous to the municipality, desire to have real estate annexed to the municipality, they shall file with the governing body of the municipality a petition bearing the signatures of 51% of the real property owners of the area sought to be annexed and requesting a resolution stating that the municipality intends to consider annexation. Upon passage of the resolution, the governing body shall follow the procedure in 7-2-4707 through 7-2-4713 and 7-2-4731(3).

## **Resolution Of Intention To Annex**

7-2-4707. Resolution of intention to annex. The governing body of any municipality desiring to annex territory under the provisions of this part shall first pass a resolution stating the intent of the municipality to consider annexation. Such resolution shall describe the boundaries of the area under consideration and fix a date for a public hearing on the question of annexation, the date for such public hearing to be not less than 30 days and not more than 60 days following passage of the resolution.

## **Effective Date Of Annexation**

7-2-4713. Effective date of annexation. The effective date of annexation may be fixed for any date within 12 months from the date of passage of the ordinance.

7-2-4731. Plans and report on extension of services required -- consultation with county. (1) A municipality exercising authority under this part shall make plans for the extension of services to the area proposed to be annexed and shall, prior to the public hearing provided for in 7-2-4707 through 7-2-4709, prepare a report setting forth its plans to provide services to the area proposed to be annexed. The report must include:

- (a) a map or maps of the municipality and adjacent territory to show the following information:
  - (i) the present and proposed boundaries of the municipality;
  - (ii) the present streets, major trunk water mains, sewer interceptors and outfalls, and other utility lines and the proposed extension of the streets and utility lines as required in subsection (1)(c);  
and
  - (iii) the general land use pattern in the areas to be annexed;
- (b) a statement showing that the area to be annexed meets the requirements of 7-2-4734 and 7-2-4735;

(c) a statement setting forth the plans of the municipality for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation.

(2) Prior to making plans for the extension of services pursuant to subsection (1), the municipality shall provide notice of its decision to exercise its authority under this part to the county. If requested by the county, the municipality shall consult with the county governing body or its representatives to coordinate the orderly transfer of services.

(3) At least 14 days before the date of the public hearing provided for in 7-2-4707 through 7-2-4709, the governing body of the municipality shall approve the report and make the report available to the public at the office of the municipal official designated by the governing body. In addition, the municipality may prepare a summary of the full report for public distribution.

### **Plans And Report On Extension Of Services Required -- Consultation With County**

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and

(iii) the general land use pattern in the areas to be annexed;

(b) a statement showing that the area to be annexed meets the requirements of 7-2-4734 and 7-2-4735;

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### **Standards To Be Met Before Annexation Can Occur**

7-2-4734. Standards to be met before annexation can occur. A municipal governing body may extend the municipal corporate limits to include any area that meets the following standards:

- (1) The area must be contiguous to the municipality's boundaries at the time the annexation proceeding is begun.
- (2) No part of the area may be included within the boundary of another incorporated municipality.
- (3) The area must be included within and the proposed annexation must conform to a growth policy adopted pursuant to Title 76, chapter 1.
- (4) (a) If fire protection services in the area to be annexed have been provided by a fire district organized under Title 7, chapter 33, part 21, the plan must include provisions for coordinating the transfer of fire protection services to the municipality and compensating the district, if necessary, for equipment and district expenses.  
(b) Upon transfer of fire protection services, the existing boundaries of a rural fire district may be altered or the fire district may be dissolved as provided in 7-33-2401.

### **Guidelines For New Boundaries Of Municipality**

7-2-4735. Guidelines for new boundaries of municipality. In fixing new municipal boundaries, a municipal governing body shall:

- (1) wherever practical, use natural topographic features such as ridgelines, streams, and creeks as boundaries; and
- (2) if a street is used as a boundary, include within the municipality land on both sides of the street, with such outside boundary not extending more than 200 feet beyond the right-of-way of the street.