

PETITION FOR CREATION OF CITIZEN-INITIATED ZONING DISTRICT
WITH PLANNING & ZONING COMMISSION

October 29, 2014

Pursuant to § 76-2-101, M.C.A., the undersigned persons (“Petitioners”) hereby petition, as more fully described below, the Carbon County Board of County Commissioners for the (1) creation of a planning and zoning district and (2) appointment of a planning and zoning commission for the district consisting of seven members.

Consistent with Goals 1, 2, and 3 of the Carbon County Growth Policy 2009, this Petition seeks to maintain the rural residential and agricultural character of the proposed district. Carbon County enjoys a unique quality of life marked by rural lifestyle; farming and ranching traditions; pristine air, rivers, and streams; and this Petition asks that oil and gas activity including coal bed methane (collectively, “Oil and Gas Activity”) be conducted in a responsible manner within the proposed district to (1) preserve public health, (2) protect private property, (3) protect and improve public infrastructure and public services, (4) protect surface and ground water, (5) protect air quality, (6) protect soil quality, and (7) maintain the quality of life by preserving the rural residential and agricultural character of the area.

This Petition seeks action (1) in accordance with the Carbon County Growth Policy (adopted 2009) and to further the health, safety, and general welfare of the people of the District pursuant to § 76-2-104, M.C.A., and (2) to advance the right of the people in the proposed District to a clean and healthful environment under Article II, Section 3, and Article IX, Section 1 of the Montana Constitution 1972.

Proposed District

Name of District. Petitioners propose as the name of the District: the Silvertip Zoning District(“District”).

Area of District. Petitioners propose that the area of the District be composed of the properties listed in Appendix A and as depicted on the Maps constituting Appendix B.

Acreage of District. The proposed District is an area that consists of not less than 40 acres [include approximate area after collection of signatures].

Petitioners Represent at Least 60% of the Affected Real Property Owners. Petitioners represent at least 60% of the affected real property owners in the proposed District.

Proposed District Not Zoned by Incorporated City. No part of the proposed District has been zoned by an incorporated city pursuant to §§ 76-2-310 and 76-2-311, M.C.A.

Public Interest or Convenience. Creation of the proposed District is in the public interest or convenience because Oil and Gas Activity, without local regulation, threatens substantial adverse impacts within the proposed District to (1) the public health, safety, and welfare, (2) private

property, (3) public property such as County roads and bridges, (4) the quality and quantity of both surface and ground water, (5) air quality, (6) the quality and quantity of soil, and (7) the rural residential and agricultural character of the area.

Proposed Planning and Zoning Commission

Appointment of Planning and Zoning Commission. Pursuant to § 76-2-102, M.C.A., Petitioners petition the Carbon County Board County Commissioners to appoint a planning and zoning commission for the proposed District (“PAZ Commission”), with all those powers set forth in Title 76, Chapter 2, Part 1, M.C.A. Petitioners propose as the name of such PAZC Commission: the Silvertip Zoning District Planning and Zoning Commission.

Authority of PAZ Commission. Petitioners petition the Carbon County Board of County Commissioners to charge the PAZ Commission to (1) make and adopt a development pattern, with accompanying maps, plats, charts, and descriptive matter, that makes recommendations for the physical and economic development of the District under § 76-2-104, M.C.A., and (2) propose planning and zoning regulations that implement the development pattern for adoption by to the Carbon County Board of County Commissioners.

Respectfully submitted,

Signature

Signature

Printed Name

Date

Printed Name

Date

Mailing address

Tax ID _____

Legal Description of Property Parcel _____
