



EST
ALLEY

NEIGHBORHOOD PLAN -- NOVEMBER 1, 1996



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BACKGROUND

The West Valley Neighborhood Planning process really began during the mid 1970s when the community adopted zoning regulations and established a West Valley Land Owners Association. However, over the years the role and identity of the "Owners Association" has become less defined and the legal stability of the zoning district has increasingly been in question. The need to update the West Valley Planning And Zoning Regulations to reflect the more traditional zoning statutes of 76-2-201 et seq., MCA, has been a long standing objective of the County Commissioners.

The original intent of the West Valley Planning and Zoning District was to minimize conflict with agricultural and timber practices in the area. With this as an objective, minimum lot sizes were set at 40 acres. But over the past 20 years, the liberal use of "occasional sale" and "family transfer" exemptions and the granting of variances has transformed many areas of West Valley into rural residential neighborhoods.

The preparation of Neighborhood Plans has been gaining increased interest amongst local communities in recent years. Example plans includes those prepared for Bigfork, Lakeside, Little Bitterroot Lake, and the Canyon. The Flathead Regional Development Office (FRDO) has offered to assist any "neighborhoods" wishing to pursue a planning process and the County Commissioners reserved funding to hire a planning consultant to help facilitate the neighborhood planning process.

The impetus to pursue a formal review of the West Valley Planning and Zoning District evolved from a proposal to establish a neighborhood convenience store in the area of the West Valley School. Reaction to this proposal lead to a series of citizen-initiated meetings during the fall of 1995 to discuss this and other issues pertaining to the West Valley Planning and Zoning District. A citizen steering committee formally requested assistance from the County Commissioners to help prepare a neighborhood plan for West Valley.

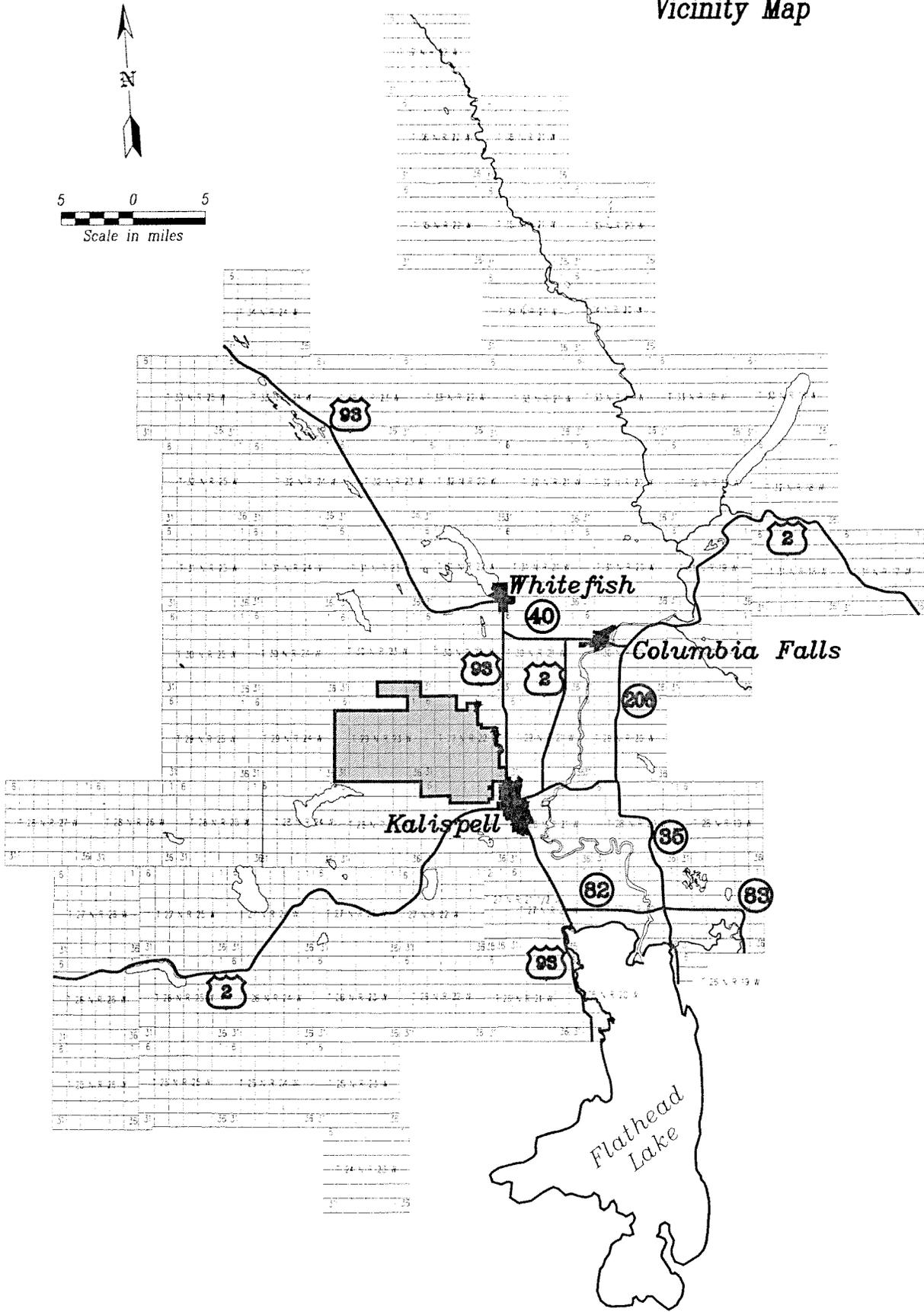
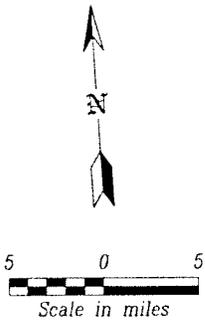
A vicinity map of the West Valley area is included on the following page.

PROCESS

The planning process was designed to be flexible and to pace the interests of the community. Every effort was made to invite all landowners to participate in the process. Mailings of a survey and newsletter to all landowners in the planning area were utilized to enhance public awareness and to give everyone an opportunity to express ideas and concerns. Monthly meetings were held to solicit input from community members and to provide routine updates on progress. A steering committee of local land owners offered overall guidance to the process.

West Valley Neighborhood Plan

Vicinity Map



WEST VALLEY STEERING COMMITTEE

The decision to develop a neighborhood plan for West Valley emerged over a period of several months following discussions at the neighborhood level with technical advise from the Flathead Regional Development Office. Following the initial meeting of "interested" citizens on August 14, 1995, Bonny Ogle commented in a follow-up letter to all attendees that it may be time to update the existing plan.

"After you are brought into the world, there is a need for at least an occasional check-up even if you feel just fine. Otherwise, you may end up going to a doctor when you don't feel well only to find out you have an incurable disease which could have been dealt with at an early stage. Our land and community are facing these same problems now."

Bonny Ogle (9/1/95)

It was agreed by those attending the meeting in September 1995 to formally organize as a "Steering Committee" to help define and guide a planning process for West Valley. Judy Hepper was approved as "Chairperson" of the Steering Committee. A monthly meeting schedule was approved and membership and/or participation on the Committee was determined to be open to anyone owning land or living in the community.

The initial meetings held by the Steering Committee between September 1995 and January 1996 largely focused on efforts of "education" and community awareness. Various speakers were invited to address such topics as "schools", "police protection", "roads", and "taxes". An important product of those early meetings included a preliminary listing of those aspects of the community that are "positive" and "negative" and a listing of "concerns" relative to regulations. The school district boundary was selected as the planning boundary.

TECHNICAL ASSISTANCE

The FRDO advised the Committee in October 1995 that the County may hire a planning consultant to assist the planning efforts of two "neighborhoods" in the coming year and that it might be appropriate to request this type of assistance. The Steering Committee determined that some technical advise and/or facilitation may be appropriate to the process and made the request to the County Commissioners. The request was granted and Montana Planning Consultants of Kalispell was assigned by the County Commissioners to assist with the preparation of a West Valley Neighborhood Plan.

The primary role of the Planner was that of a facilitator and information gatherer. The collected information was presented in mapped and written formats for consideration by the Steering Committee, who had the ultimate responsibility for approving the final language of the Plan.

PUBLIC PARTICIPATION

Public participation and involvement was encouraged throughout the process. The Steering Committee evolved out of a small group of interested citizens and expanded to anyone interested in the process. Meeting sign-up sheets were used to establish a meeting notification list.

Other efforts to involve citizen involvement included the mailing of a newsletter and land use surveys to all land owners in the planning area. The newsletter helped to explain the intentions of the planning process and invited public participation. The survey offered every landowner an opportunity to express personal viewpoints and to "vote" on various issues. Both of these documents and the survey results are included in the Appendix.

Monthly meetings were held at the West Valley School in an effort to actively encourage citizen participation. Hands-on exercises were conducted to identify and rank community issues. Major agenda topics for each public meeting are listed below:

SEPTEMBER 14, 1995	
▶	Formalize a Steering Committee
▶	Agree on Study Area
▶	Planning Process and ID Community Concerns
▶	Establish meeting Dates
▶	Public Notification
OCTOBER 18, 1995	
▶	Presentation by School District
▶	Presentation by Sheriff's Office
NOVEMBER 15, 1995	
▶	Strengths & Weaknesses of Present West Valley Plan & Regulations
DECEMBER 6, 1995	
▶	Discussion/review of issues identified in November

▶ Community outreach ideas
▶ Representation/membership of Steering Committee
▶ Designation as a county Neighborhood Plan area
JANUARY 24, 1996
▶ Presentation by Flathead County Road Superintendent
▶ Presentation by FRDO staff on Consolidated Mill Levy
▶ Introduction of planning consultant
FEBRUARY 7, 1996
▶ Presentation of Draft Maps
▶ Meeting Schedule
▶ Draft Survey
▶ Draft Newsletter
MARCH 20, 1996
▶ Recap of Past Meetings & General Overview of Planning Process
▶ Progress Report on Mapping Efforts & Technical Reports
▶ Survey Results
▶ Sub-Neighborhood Identification Exercise
APRIL 17, 1996
▶ Recap of Last Meeting
▶ Break-out Groups to List Community Issues
MAY 15, 1996
▶ Recap of Last Meeting
▶ Ranking of Community Goals & Objectives
JUNE 19, 1996
▶ Review of Draft Goals & Policies Plan
JULY 17, 1996
▶ Final Plan -- Approval of Amendments
▶ Regulatory Concepts — Clustering, Convenience Store
JULY 31, 1996

▶ Committee Discussions on Clustering & Home Occupations
AUGUST 21, 1996
▶ Discussion of Home Occupations & Clustering Performance Standards
▶ Discussion of Performance Standards for Convenience Store
AUGUST 29, 1996
▶ Release and Mailing of Draft Regulations Together with Survey
SEPTEMBER 18, 1996
▶ Overview of Draft Zoning Regulations
▶ Results from Zoning Survey
SEPTEMBER 25, 1996
▶ Zoning Subcommittee Meeting on Citizen Advisory Group Provisions & Home Occupations
OCTOBER 2, 1996
▶ Zoning Subcommittee Meeting on Density Provisions (Part I)
OCTOBER 14, 1996
▶ Zoning Subcommittee Meeting on Density Provisions (Part II)
OCTOBER 21, 1996
▶ Zoning Subcommittee Meeting on Convenience Store Criteria
OCTOBER 23, 1996
▶ Zoning Subcommittee Meeting on List of Permitted Uses
OCTOBER 30, 1996
▶ Zoning Subcommittee Meeting on Expansion Provisions for Existing Subdivisions
OCTOBER 30, 1996
▶ Presentation by Zoning Committee on Recommended Changes to Proposed Zoning Regulations
▶ Recommendation by Community to Forward Regulations to Planning Board

PLANNING AREA

The boundaries of the planning area coincide to the boundaries of the West Valley School District. Said boundaries overlap into the planning jurisdiction of the Kalispell City-County Master Plan. Approval of the West Valley Neighborhood Plan will require an amendment to both the Flathead County Master Plan and Kalispell City County Master Plan. Refer to the **Basemap** of the planning area on the following page.

EXISTING REGULATIONS

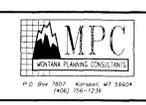
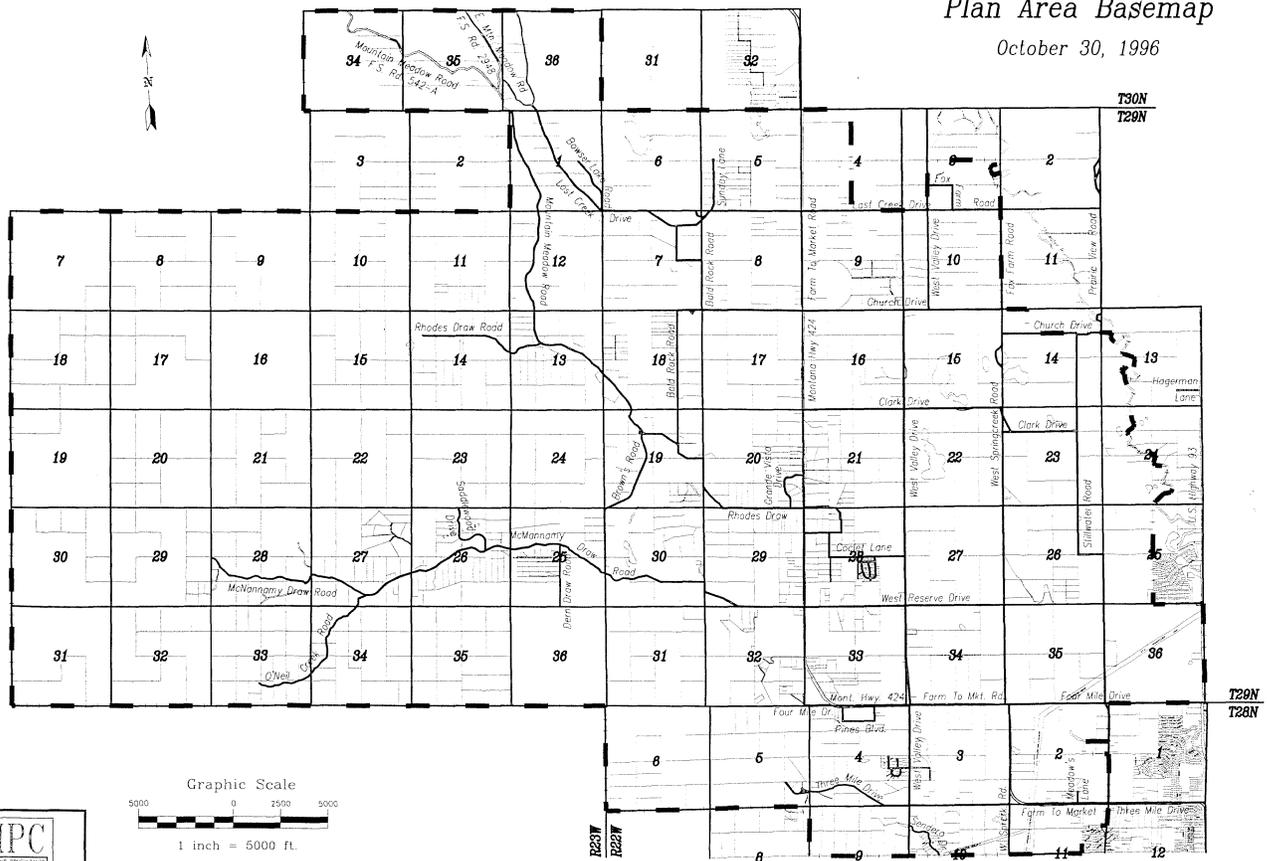
State law requires zoning to be in conformance with an adopted Master Plan or "Development Plan". The West Valley Zoning District is considered to be an "Agricultural and Timber" district that requires large minimum lot sizes. An amendment to the 1978 West Valley Planning & Zoning District would be necessary to recognize "other" land use opportunities in the area. The purpose of the West Valley Neighborhood Plan is to identify land use options based on the various physical, biological, social, and public services features of the area. The findings of the Plan establish the framework and justification for updating the regulations.

The purpose statement of the West Valley Planning & Zoning District is: "all lands both timber & farm land to be classified and maintained as food and fiber agriculture." The accompanying regulations generally apply to all lands in the area of School District 1, with a few exceptions. Portions of the original district have been abandoned and replaced with more traditional zoning classifications, including all that area lying within the planning jurisdiction of the Kalispell City-County Master Plan. A change of zoning to Suburban Agriculture SAG-10 has also been approved in the area of Saddlewood Subdivision. Refer to the **Zoning Map** at the end of this Section.

The uniform application of a single zoning district to such a large area fails to recognize the variability of land features throughout the district. Not all the land can easily be classified as either "timber" or "agriculture", especially when considering how the land use character of the area has changed dramatically, even with zoning in place. The liberal use of subdivision exemptions (family transfers, occasional sales) over the past 17+ years has created a suburban development pattern in many locations. Other changes occurring in the area and vicinity, including changing public attitudes, combine to create the rationale for amending the West Valley Planning & Zoning District.

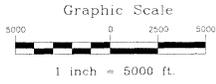
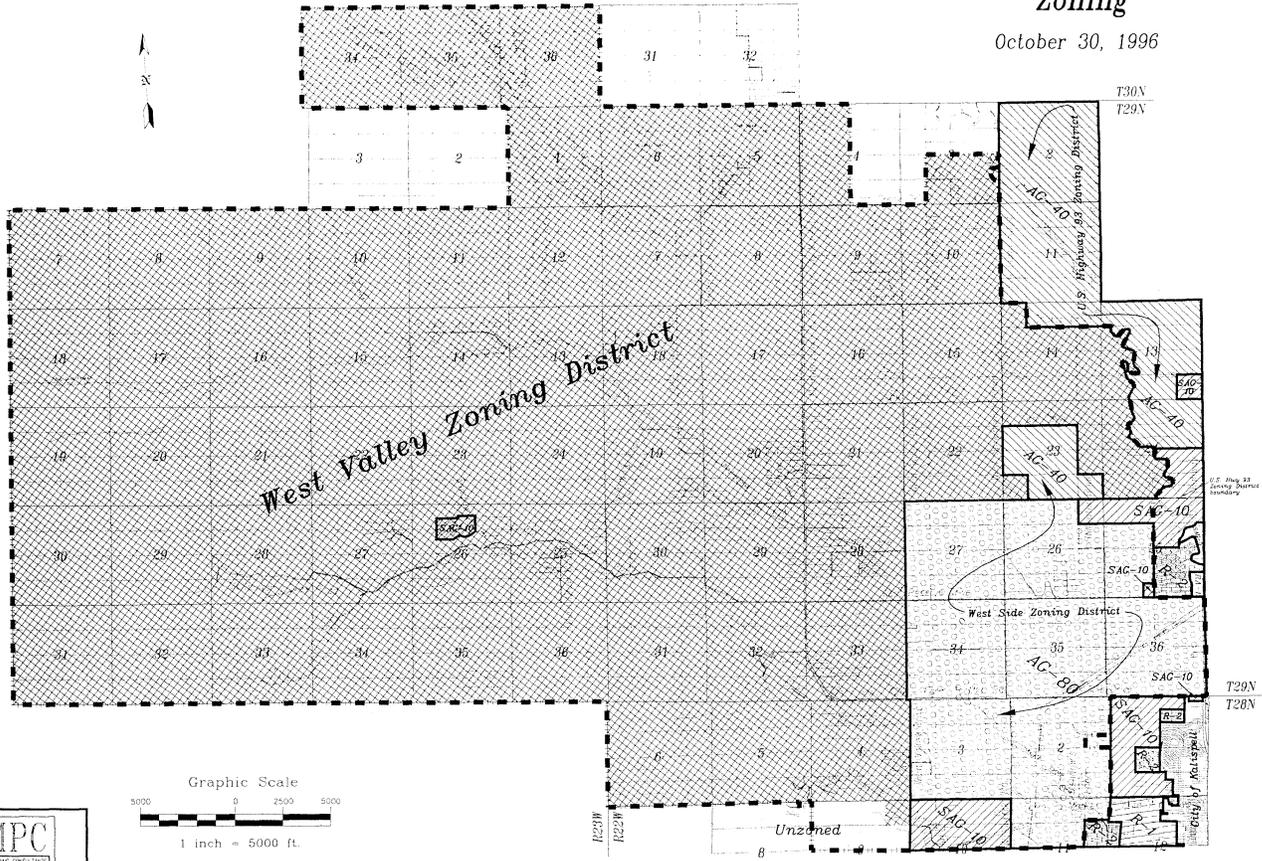
West Valley Neighborhood Plan Plan Area Basemap

October 30, 1996



West Valley Neighborhood Plan Zoning

October 30, 1996



PLAN ELEMENTS

Information was collected on a variety of topics and presented to the steering committee and general public as part of the planning process. The mapped and written information helped to present a factual framework when discussing topics of land use and public services.

Elements of the plan are organized as follows:

ELEMENTS		
LAND USE	PUBLIC SERVICES	IMPLEMENTATION
↓	↓	↓
Agriculture & Forestry	Emergency Services	Zoning Regs
Residential	Transportation	Subdivision Regs
Commercial & Industrial	Schools	
Open Space		

Each of the Plan Elements is introduced by lead-in discussions on related topics followed by a listing of community *Goals & Policies*.

LAND USE

The land use character of West Valley is primarily a mixture of "Residential", "Agriculture", and "Forest". Agricultural lands are generally located to the east, forest to the west, and residential in between.

AGRICULTURE

It is difficult to determine the actual amount of agricultural lands in the planning area since even casual agricultural practices, such as the keeping of livestock, is occurring on small acreages throughout the area. However, in simplified terms, most of the prime agricultural soils and actual farming practices occur in an area extending from West Valley Drive on the west to the Whitefish River and Highway 93 on the east. (Refer to the **Soils Map** on the following page.) The total land area within that general boundary is nearly 9,000 acres.

Agricultural pursuits in West Valley are extremely diverse. Important crops include cereal grains (wheat, barley), hay, potatoes, and peppermint. One of the largest dairies in Montana is also located within the planning area.

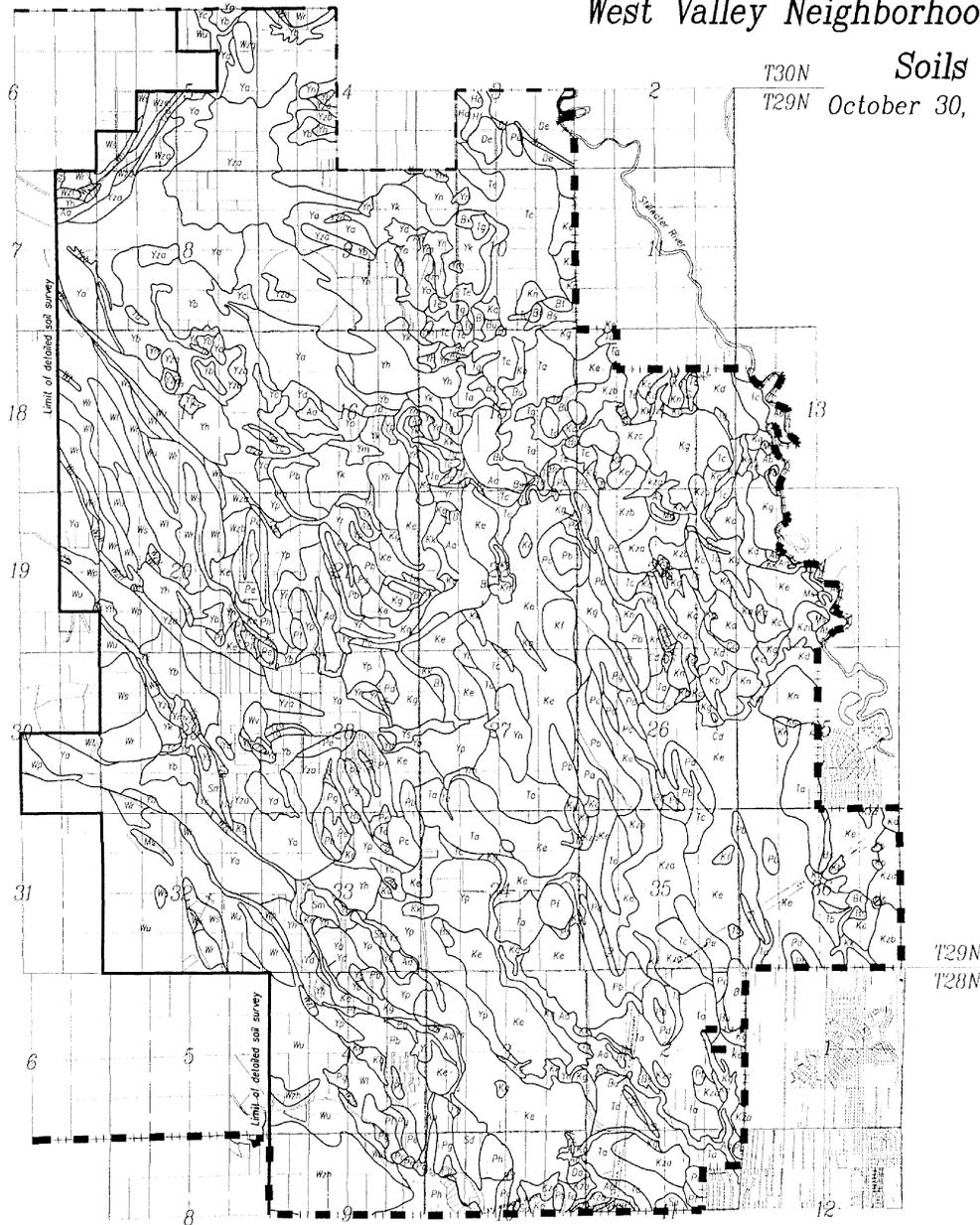
ISSUES: The general issues facing all agriculture in the county was extensively discussed during the recent Flathead County Master Plan Update. Although the voters of Flathead County chose not to support the Plan Update in a recent election, the Agriculture White Paper prepared during that process still has relevance and value to the West Valley Neighborhood Planning Process. The White Paper clearly describes the dilemma faced by farmers as a result of increasing real estate values, rural development pressures, increasing nuisance complaints, high tax burdens, and general absence of flexibility in zoning regulations. Suggested solutions to resolve some of the agricultural issues include:

- ▶ passage of a "Right to Farm Ordinance";
- ▶ enable the formation of Agricultural Districts;
- ▶ establish an Agricultural Lands Protection Committee;
- ▶ rural cluster incentive;
- ▶ transfer development rights (TDR);
- ▶ encourage conservation easements and limited development; and
- ▶ purchase of development rights program (PDR)

West Valley Neighborhood Plan

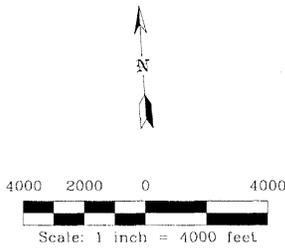
Soils

T30N
T29N October 30, 1996



Source: Soil Survey Upper Flathead Valley Area, Montana, USDA Soil Conservation Service 1960

Map Class Symbol/No.	Description	Map Class Symbol/No.	Description
Aa 5	Alluvial land, poorly drained	Pr 6	Prospect stony loam, 7-12% slopes
Ab 6	Alluvial land, well drained	Pg 6	Prospect stony loam, 12-20% slopes
Bs 2	Blanchard very fine sandy loam, 0-7% slopes	Ph 6	Prospect stony loam, 20-45% slopes
B1 4	Blanchard very fine sandy loam, 7-12% slopes	Sd 1	Somers silt loam, 0-3% slopes
Bu 6	Blanchard very fine sandy loam, 12-20% slopes	Sm 3	Slyker silt loam, sandy subsoil, 0-43% slopes
Bv 6	Blanchard very fine sandy loam, 20-45% slopes	Ta 2	Tally, Blanchard, & Flathead soils, 0-3% slopes
Cd 2	Corvallis silty clay loam, 0-3% slopes	Ta 2	Tally, Blanchard, & Flathead soils, wind eroded, 0-3% slopes
Da 6	Demers-Kaispell silt loam, 0-3% slopes	Tc 2	Tally, Blanchard, & Flathead soils, 3-7% slopes
De 3	Depew silty clay loam, 0-3% slopes	Te 3	Tally, Blanchard, & Flathead soils, 7-12% slopes
Df 3	Depew silty clay loam, 3-7% slopes	Tf 4	Tally, Blanchard, & Flathead soils, 12-20% slopes
Ha 2	Half Moon silt loam, 0-3% slopes	Wa 2	Walters very fine sandy loam, 0-7% slopes
Hb 3	Half Moon silt loam, 3-8% slopes	Wr 5	Whitefish cobbly silt loam, 0-7% slopes
Hc 2	Half Moon very fine sandy loam, 0-3% slopes	Ws 5	Whitefish cobbly silt loam, 7-12% slopes
Hd 3	Half Moon very fine sandy loam, 3-7% slopes	Wt 6	Whitefish cobbly silt loam, 12-20% slopes
Hf 6	Half Moon soils, 12-43% slopes	Wu 6	Whitefish cobbly silt loam, 20-45% slopes
Kb 4	Kaispell gravelly loam, mod deep over gravel, 3-7% slopes	Wv 3	Whitefish gravelly silt loam, 7-12% slopes
Kc 4	Kaispell gravelly loam, mod deep over gravel, 7-12% slopes	Wza 2	Whitefish silt loam, 0-3% slopes
Kd 6	Kaispell gravelly loam, mod deep over gravel, 12-40% slopes	Wzb 3	Whitefish silt loam, 3-7% slopes
Ke 2	Kaispell loam, 0-3% slopes	Wze 5	Whitefish stoney silt loam, 0-7% slopes
Kf 2	Kaispell loam, wind eroded, 0-3% slopes	Wzf 6	Whitefish stoney silt loam, 7-12% slopes
Kg 2	Kaispell loam, 3-7% slopes	Wzg 6	Whitefish stoney silt loam, 12-20% slopes
Kk 3	Kaispell loam, 7-12% slopes	Wzh 6	Whitefish stoney silt loam, 20-45% slopes
Km 4	Kaispell loam, 12-25% slopes	Yb 3	Yeoman cobbly loam, mod deep over sand, 0-3% slopes
Kn 3	Kaispell loam, mod deep over gravel, 0-7% slopes	Yc 6	Yeoman cobbly loam, mod deep over sand, 7-12% slopes
Ko 6	Kaispell loam, mod deep over gravel, 7-12% slopes	Yd 6	Yeoman cobbly loam, mod deep over sand, 12-20% slopes
Kza 3	Kaispell-Tuffit silt loams, 0-3% slopes	Yk 3	Yeoman cobbly loam, mod deep over sand, 0-3% slopes
Kzb 3	Kaispell-Tuffit silt loams, 3-7% slopes	Yn 3	Yeoman gravelly loam, mod deep over sand, 3-7% slopes
Kzc 6	Kaispell-Tuffit silt loams, 7-20% slopes	Ym 6	Yeoman gravelly loam, mod deep over sand, 7-12% slopes
Mg 4	Mires gravelly loam, 0-3% slopes	Yo 6	Yeoman gravelly loam, mod deep over sand, 12-20% slopes
Mf 7	Mausonous land	Yp 6	Yeoman gravelly loam, mod deep over sand, 20-40% slopes
Ms 5	Muck and peat	Yq 2	Yeoman loam, mod deep over sand, 0-3% slopes
Pa 2	Prospect loam, 0-3% slopes	Yr 2	Yeoman loam, mod deep over sand, 3-7% slopes
Pb 2	Prospect loam, 3-7% slopes	Ys 3	Yeoman loam, mod deep over sand, 7-12% slopes
Pc 3	Prospect loam, 7-12% slopes	Yza 5	Yeoman stoney loam, mod deep over sand, 0-7% slopes
Pd 4	Prospect loam, 12-20% slopes	Yzb 6	Yeoman stoney loam, mod deep over sand, 7-20% slopes
Pe 5	Prospect stony loam, 3-7% slopes	Yzc 6	Yeoman stoney loam, mod deep over sand, 20-35% slopes



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FOREST

A substantial portion of the West Valley Planning area is forest covered and exhibits variable to mountainous terrain. (Refer to the **Topography Map** at the end of this Section.) Forestry practices are routinely pursued on many of these lands. The ownership pattern of the lands lying west of Farm-to-Market Road is dominated by large tract ownership (see attached **Ownership Map**) as outlined below.

OWNERSHIP	TOTAL ACRES
Montana Forest Products	2,223 acres
Stoltze Lumber Co	7,397 acres
USDA Forest Service	3,705 acres
State	1,887 acres

ISSUES: The timber industry shares many of the same concerns as identified for "agriculture". Many people view corporate timber lands as being "public" so trespassing is a major concern. Nuisance complaints concerning dust and logging traffic are increasing as people move deeper into the woods. The forest landowners worry about the high cost of taxes that could result with the creation of Rural Special Improvement Districts to pay for road improvements in rural areas. A substantial portion of the forested areas are located on steep topography. Steep slopes, remote access, together with dense forest vegetation combine to create high fire hazard situations in some locations.

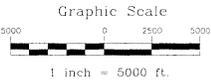
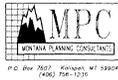
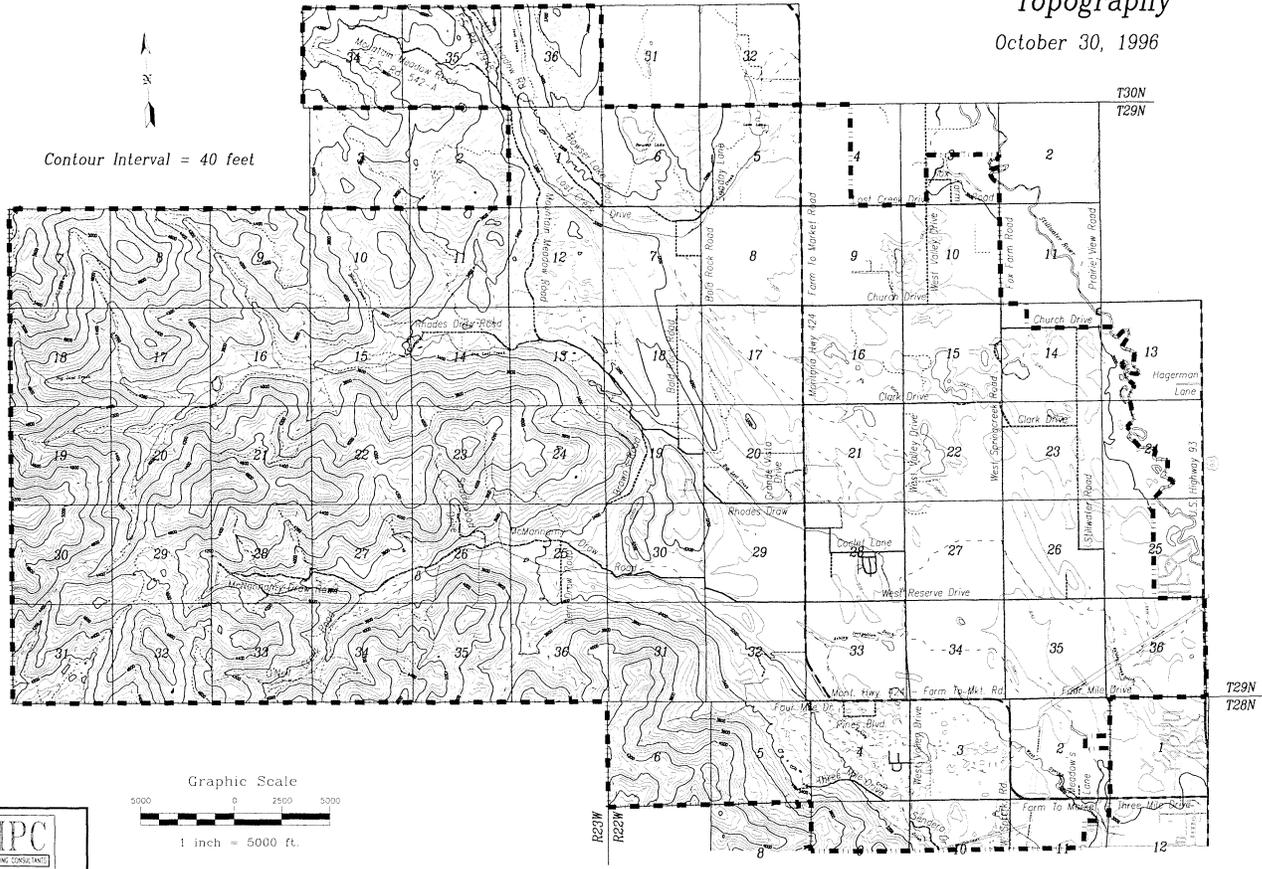
A Forestry White Paper prepared during the Flathead County Master Plan Update helped to identify recommendations to address forest-related issues and include the following:

- ▶ Flathead County should pass a "right to Forestry" ordinance;
- ▶ Flathead County should encourage forestry through tax incentives and land trades that result in consolidated forest ownership;
- ▶ Flathead County should work with cities, other public agencies, and private landowners to encourage continued productive resource management;
- ▶ As a matter of policy, Flathead County should recognize the multiple use opportunities on private and public forests, while affirming the primary economic function of private forests;
- ▶ Resource industries should use management practices that protect the environment and maintain the long-term productivity of the resource base.
- ▶ As a matter of equity, forest owners should be allowed to realize other, non-forest related land values through well-planned, environmentally sensitive development.

West Valley Neighborhood Plan Topography

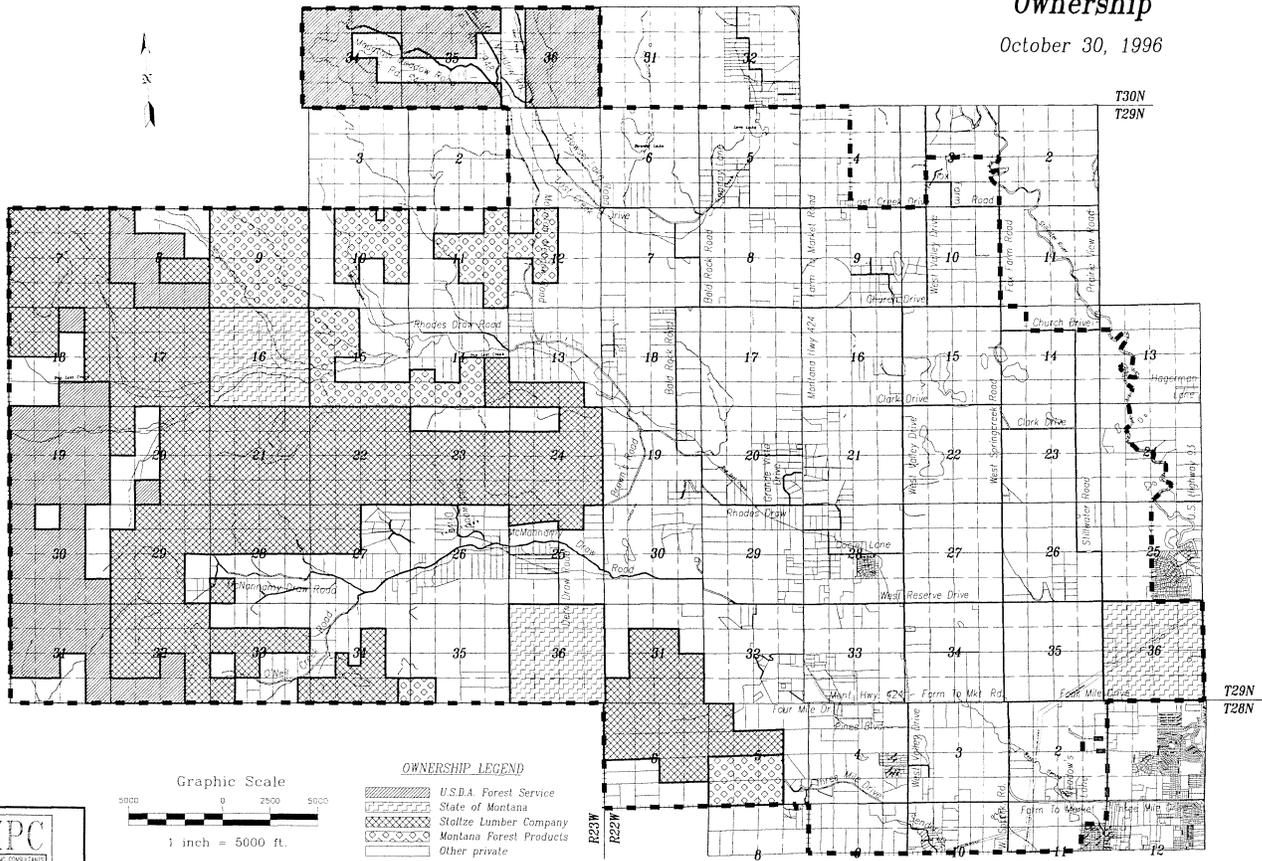
October 30, 1996

Contour Interval = 40 feet



West Valley Neighborhood Plan Ownership

October 30, 1996



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RESIDENTIAL

Residential dwellings and small lots comprise a third major land use component of the West Valley area. Although not calculated, the number of dwellings and residential lots has increased significantly over the past 17 years, despite the 40 acre minimum lot size requirements of the West Valley Planning & Zoning District. Lot numbers have increased via the liberal use of subdivision exemptions, such as the occasional sale and family transfer exemptions. It is estimated that approximately 1,420 separate tracts of land now occur in the West Valley planning area. A windshield survey indicates up to 700 dwelling units. (Refer to the **Land Use Map** on the following page.) The 1990 Census for the area of School District 1 estimated 828 dwelling units and a total population of 2,135 persons. Major population clusters in the planning area include:

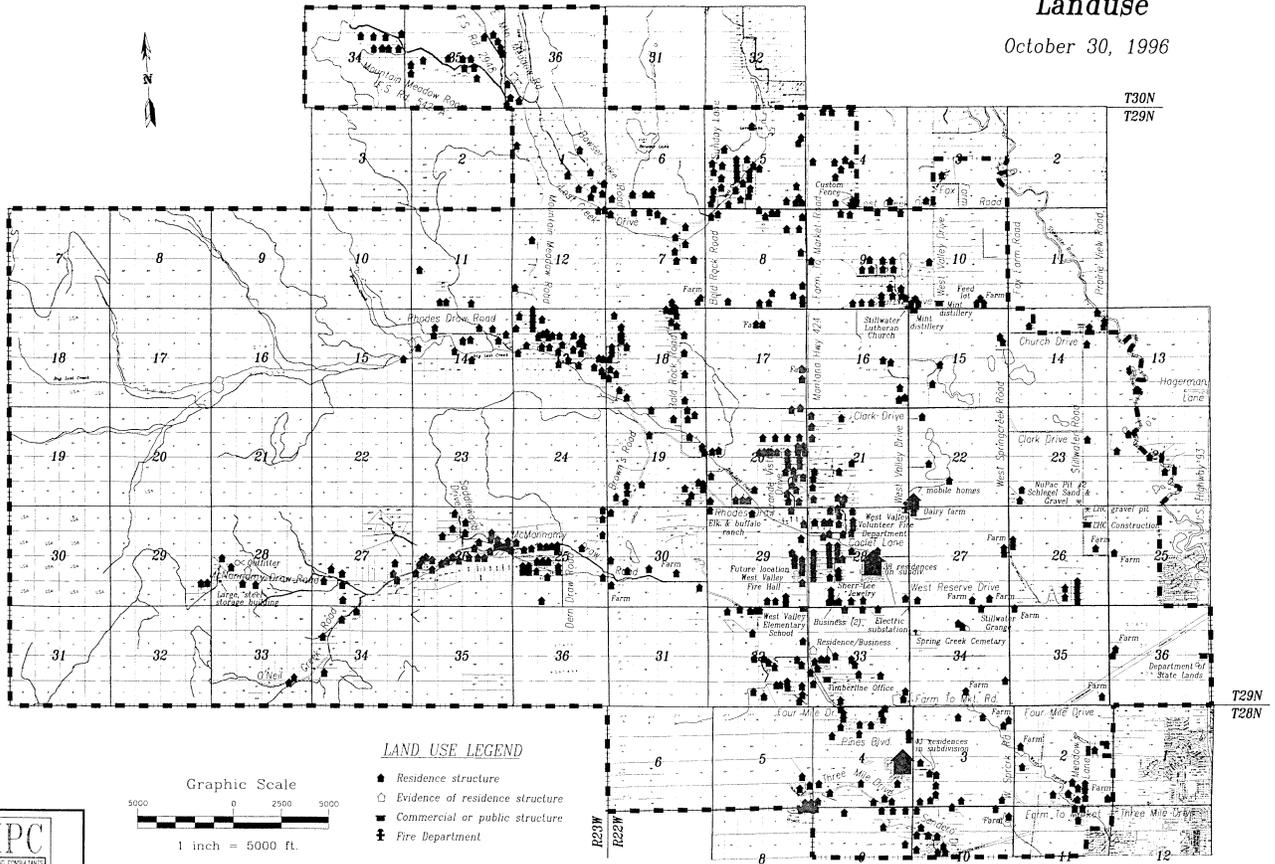
- McMannamy Draw
- Rhodes Draw
- West Valley Pines
- Pleasant Hills
- Coclet Lane
- Grand Vista Drive
- Sunday Lane
- Church Drive by Stillwater Lutheran Church

ISSUES: Residential land use issues were determined from survey results and group work sessions. Residential densities are expected to remain sparse while recognizing opportunities to divide lands where justified based on criteria related to the availability of services, topography, soil type, etc. Generalized conclusions are listed below.

- ▶ "Sub-neighborhoods" exist within the larger West Valley area;
- ▶ Land use densities in the 5-20 acre range are appropriate in some areas;
- ▶ Clustering is an important tool to minimize sprawl and the loss of farmland;
- ▶ Opportunities probably exist for expansion of existing subdivisions;
- ▶ Control the spread of noxious weeds;
- ▶ The residential character should be single family -- multi-family dwelling units and mobile home parks are to be discouraged; and
- ▶ Target new residential subdivisions away from prime agricultural soils and forest lands.

West Valley Neighborhood Plan Landuse

October 30, 1996



LAND USE LEGEND

- Residence structure
- Evidence of residence structure
- Commercial or public structure
- Fire Department

Graphic Scale



1 inch = 5000 ft.



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COMMERCIAL/INDUSTRIAL

Few freestanding commercial or industrial uses are located within the planning area. Although the existing regulations for West Valley have considerable flexibility for the creation of residential lots, few allowances are permitted for commercial or industrial uses. "Cottage Industries" are permitted by the existing regulations and many of these home based businesses do exist in the planning area. Existing Industrial uses include a saw mill, gravel operations, and various agricultural-dependent uses, such as mint stills.

ISSUES: Public opinion on this subject appears to oppose any dramatic change from the philosophy of the existing regulations pertaining to these uses. In general, new industrial uses are not to be encouraged but some allowance for limited retail commercial may be OK, with restrictions. Issue statements concerning industrial uses and commercial uses are listed below.

- ▶ Prevent strip commercial development;
- ▶ Permit home occupations;
- ▶ Continue to prohibit commercial uses but allow consideration of a neighborhood convenience store (mini-mart);
- ▶ Allow opportunities for gravel extraction; and
- ▶ Industrial uses should not be permitted except those accessory to normal farm operations.

OPEN SPACE

Open space is a description of land that is either natural or "open" in the sense that it is undeveloped. General perceptions of open space include forest land and farm land. The traditional use of the phrase, "open space", is normally associated with public lands or protected natural resources. In West Valley, the ratio of public lands to private lands is (1:8). The general landscape of West Valley appears to be very open due to the abundance of farm and forest land. However, the owners of the farm land and private forest lands are quick to point out the distinctions between public versus private lands. Permanent open space on private lands cannot be guaranteed without purchase or easement agreements. Large minimum lot size requirements is not the long term or best solution to the preservation of large contiguous areas of open space.

Significant natural features can be identified for special consideration when development is proposed. Important local natural features include the Stillwater River corridor, small lakes & streams, and wetlands. Slopes in excess of 25% often pose as limitations to development and should be protected to the extent possible.

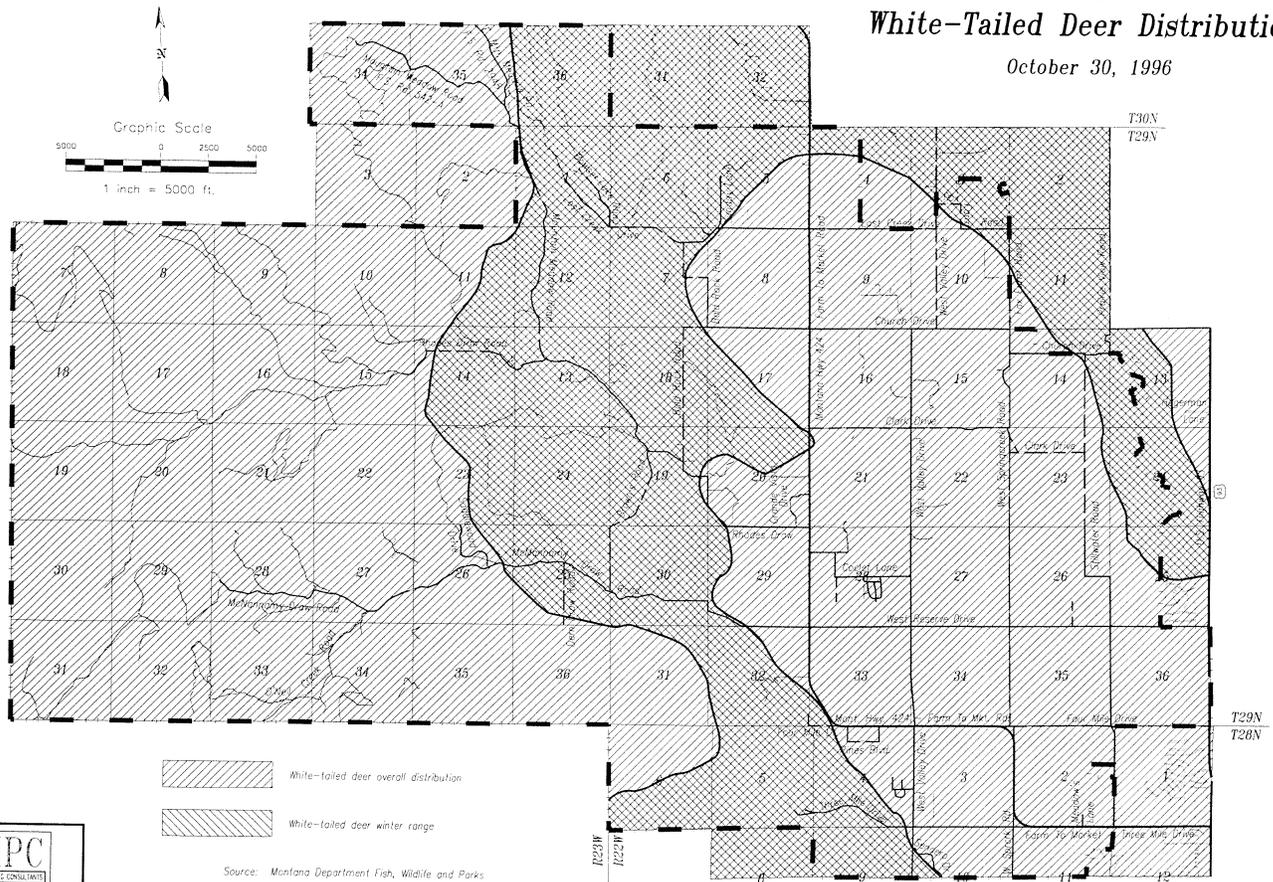
Prime agricultural soils are also considered to be a significant local resource. A "school" section of State land (Section 36, Twn 29N, Rng 22) is located just north of Kalispell along U.S. Hwy 93. Historically, the land has been farmed with a small area reserved for a DNRC office. In recent months, the city of Kalispell has been pursuing a lease option for the southerly 160 acres of the 640 acre section to establish a large recreation complex, consisting of ball fields and other similar uses. Accordingly, a "public designation" is being suggested for the affected area of land.

West Valley also provides suitable habitat for elk and deer (refer to the **Elk & White-tailed Deer Distribution Maps**). Some of the more significant habitat features, such as riparian habitat, should also be protected to the extent possible (refer to the **Water Features & Floodplain Map**). "Incentives" was cited as an important philosophy to help maintain open space in West Valley. Other stated issues are as follows.

- ▶ Protect water quality;
- ▶ Protect air quality;
- ▶ Sustainable use of forests;
- ▶ Preserve agricultural areas;
- ▶ Discourage clearcuts except in extraordinary circumstances deemed appropriate and necessary by accepted silvicultural practices;
- ▶ Maintain recreation access to public forest lands and seek to maintain an open lands policy on private forest lands in cooperation with the affected landowners; and
- ▶ Better enforcement of game laws.

West Valley Neighborhood Plan White-Tailed Deer Distribution

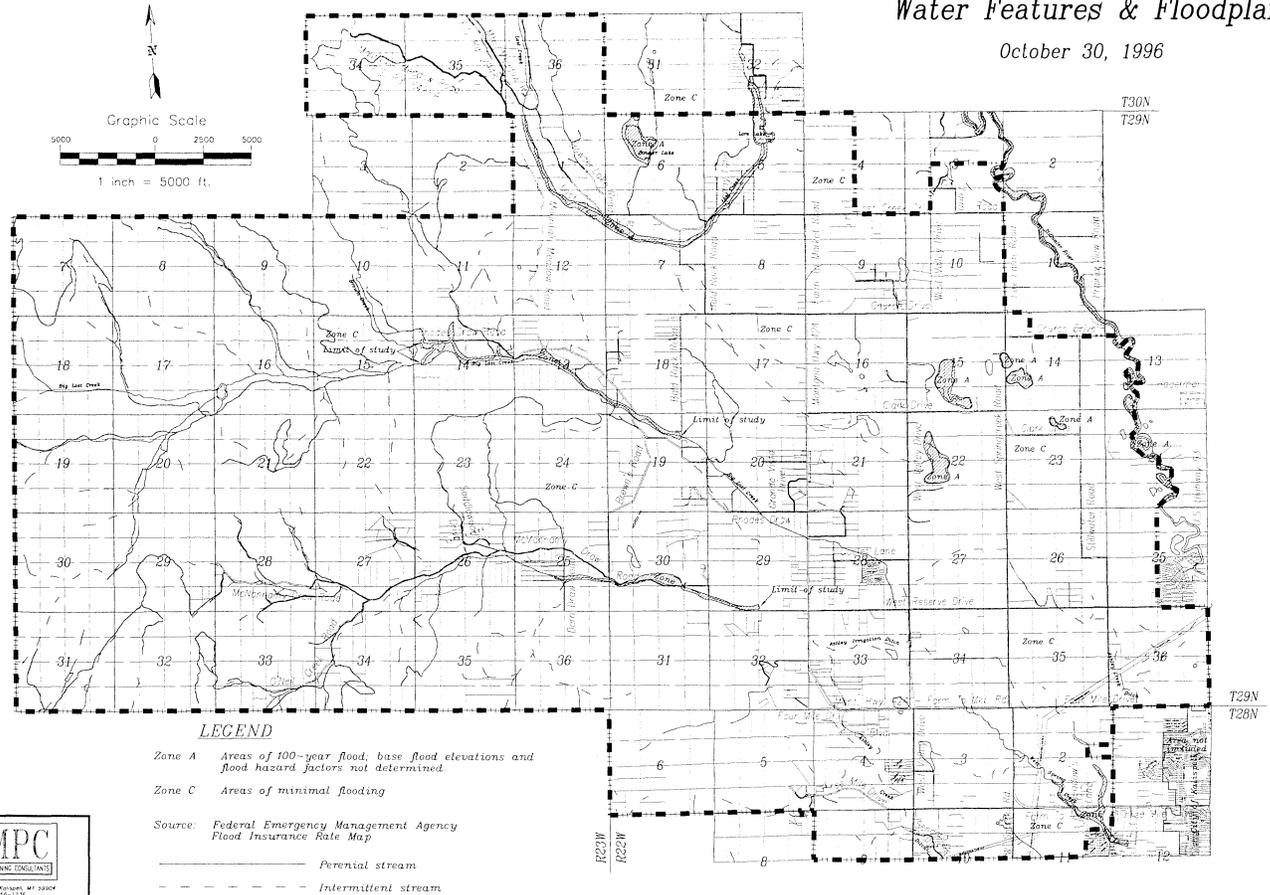
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West Valley Neighborhood Plan Water Features & Floodplain

October 30, 1996



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WEST VALLEY LAND USE GOALS

TO PLAN FOR THE WISE USE OF LAND IN WEST VALLEY

TO MAINTAIN THE RURAL AND SCENIC QUALITY OF WEST VALLEY

TO PROTECT AIR AND WATER QUALITY

TO PROTECT PRIVATE PROPERTY RIGHTS

AGRICULTURE/FORESTRY POLICIES

- ▶ Encourage the use of conservation easements, transfer of development rights, and other such tools to help maintain farm and forest land
- ▶ Provide incentives, such as density bonuses, in exchange for permanent open space
- ▶ Support right to farm and timber legislation
- ▶ Discourage conversion of prime agricultural soils to non-ag uses
- ▶ Recognize some opportunities to develop residential uses in forested lands and on inclusions of "poor soils" within a larger agricultural district or farm

RESIDENTIAL POLICIES

- ▶ Promote the use of clustering to offer flexible lot sizes and to maintain open space
- ▶ Establish residential land use densities based on such considerations as soil type, existing development patterns, fire hazards, distance to services, and topography
- ▶ Consider fiscal and service impacts of new development
- ▶ Development of new uses and subdivision of land should not conflict with normal and customary forest or agricultural practices occurring in the vicinity and covenants of new subdivisions should reference that such activities may be occurring in the vicinity

- ▶ Encourage control of noxious weeds
- ▶ Maintain an overall low density of development

COMMERCIAL/INDUSTRIAL POLICIES

- ▶ A neighborhood convenience store may be an acceptable use in West Valley
- ▶ Provide opportunities for home-based businesses in West Valley
- ▶ Legally existing commercial or industrial uses shall be "grandfathered"

OPEN SPACE

- ▶ Maintain/enhance opportunities to access State and Forest Service lands within the planning jurisdiction in cooperation with other intervening landowners, as appropriate
- ▶ Discourage alteration of river banks and wetlands
- ▶ Provide incentives, such as density bonuses, to establish large contiguous areas of permanent open space
- ▶ Steep slopes, wildlife habitat, water features, and other such criteria should be used to help identify and prioritize lands for long-term protection

PUBLIC SERVICES

Opportunities and/or constraints to development are often affected by the adequacy and type of available services. Public sewer and water systems are absent from West Valley. Treatment of sewage is generally provided by individual septic systems. Most residential dwellings are served by individual wells with the exception of several subdivisions that have community water systems. Other public services available to the West Valley area are described below.

UTILITIES

Four major utility companies service the West Valley area. The Montana Power Company supplies natural gas, PTI Communications supplies telephone service, and Pacific Power and Light Company and the Flathead Electric Cooperative provide electrical service. In addition, AT&T has a fiber optic cable which runs through the southeastern portion of the District along West Springcreek Road, Farm-to-Market Road, Stillwater Road and West Reserve Drive. Refer to the **Utilities Map** at the end of this Section.

Natural Gas: Natural gas service is supplied to only a few residences in the West Valley District. Gas pipelines run down Three Mile Drive as far as Meadow's Lane and to the end of Meadow's Lane. Lines also run along West Reserve to the western edge of Country Estates.

Montana Power Company's (MPC) general policy for extending new gas lines to an area is that there needs to be approximately 30 customers/mile. If the density is less than this, installation is not cost-effective. In certain situations, MPC will provide gas service to remotely located customers if the customer is willing to pay for installation of the pipe line.

Over the past five years MPC has assessed the possibility of bringing gas to the Pines Development and the West Valley School off Farm-to-Market Road, and to the Pleasant Hill development off West Valley Road. At the time, there were not enough customers to make installation of the lines cost-effective. Gas lines will be installed to a new subdivision planned for the intersection of Four Mile Drive and Highway 93, with service possibly extended further down Four Mile Drive. At this time, there are no other plans for extension of gas service into the West Valley District. If development continues to grow in this area, MPC will continue to reassess extension of their existing gas lines.

Telephone: Telephone service is provided throughout the West Valley District by PTI Communications. PTI does not report any particular service problem areas in the District nor do they anticipate problems with servicing additional developments or homes.

PTI has six wire centers located throughout West Valley at the following intersections: West Springcreek Road and Three Mile Drive (128 lines), Coclet Lane and Farm-to-Market Road (640 lines), Lost Creek Drive and Farm-to-Market Road (256 lines), McMannamy Draw Road and Saddlewood Drive (64 lines), Rhodes Draw Road and Mountain Meadow Road (481 lines), and up Mountain Meadow Road (128 lines). Transmission lines are located both underground and overhead, although over 90% of the new or replacement lines now going in are underground.

Presently, only voice service is provided in the area, but PTI hopes to upgrade the system over the next few years to also provide Broad Band Service. Broad Band Service has a wider signal and faster digital signaling which will enhance digital (computer) access through the phone lines. The Kalispell center is being upgraded in 1996 to access the Integrated Service Digital Network (ISDN), and plans are to upgrade outlying wire centers, such as those in West Valley, in 1997.

Electricity: Flathead Electric Cooperative, Inc. (FEC) provides electrical service to the majority of the West Valley District. Pacific Power and Light Company (PPL) provides service in the south-eastern corner of the District, generally in the area south of West Reserve Drive and east of West Valley Drive. PPL also has transmission lines running up Farm-to-Market Road, stopping just south of the West Valley School.

Electricity is provided to the West Valley District through a network of single, double and triple phased lines. Triple phase lines run primarily along well-traveled and populated routes, such as Farm-to-Market Road and Church Drive. These lines split into double and single phase lines as they move into less populated areas, such as up McMannamy Draw or Rhodes Draw. Neither FEC or PPL report any particular problems in the West Valley District nor do they anticipate any problems servicing additional developments. At most, a new development might require increasing the phasing of adjacent lines.

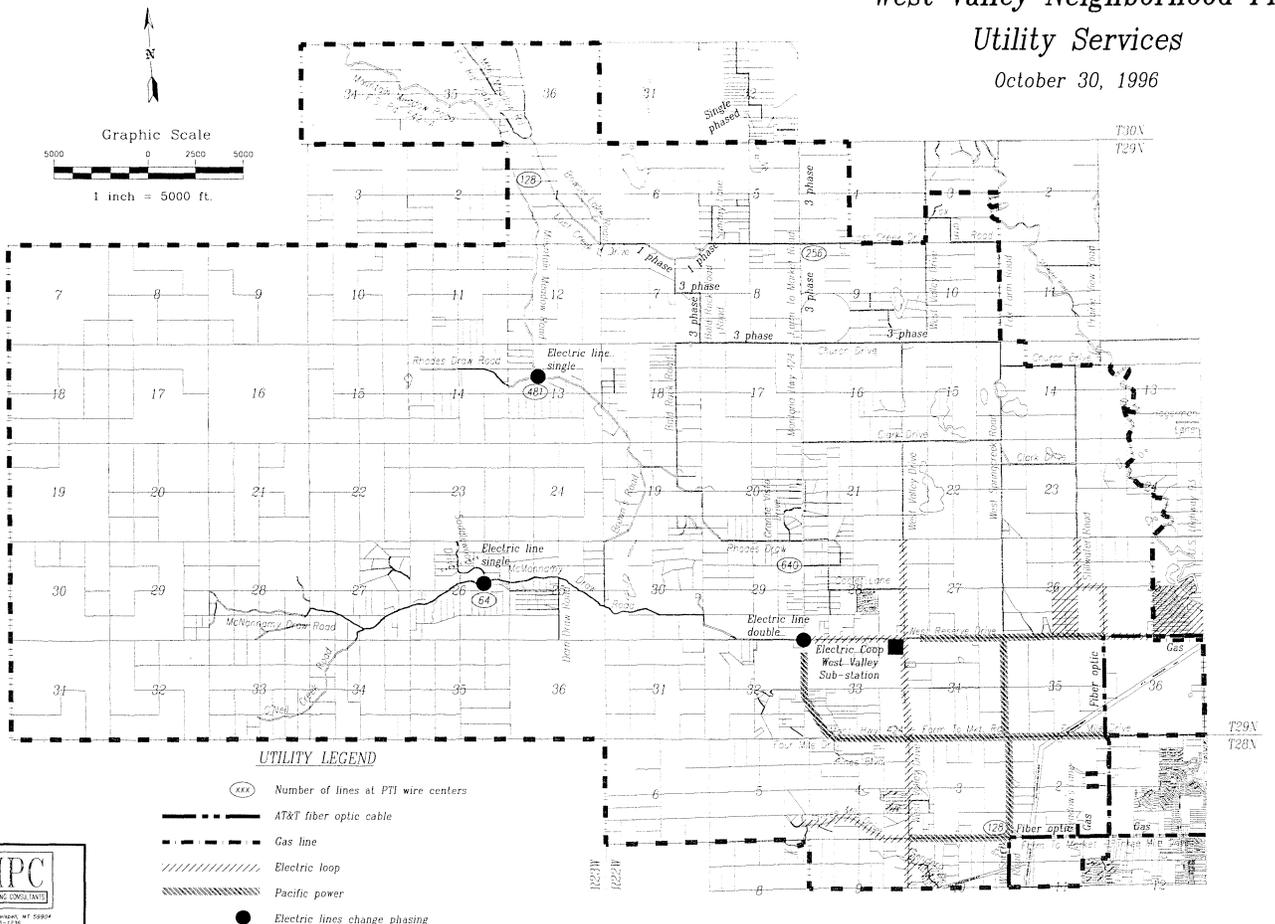
Over the next year, FEC is planning to do construction at their substation located at the intersection of West Valley Drive and West Reserve Road to increase visibility at the intersection. This substation services the West Valley area. FEC also indicated that general maintenance is needed throughout their distribution system, including West Valley.

PPL is planning to spend approximately \$40,000 over the next few years to replace transmission poles along Three Mile Drive and Farm-to-Market Road.

ISSUES: No particular issues were identified by the landowners in West Valley concerning these services.

West Valley Neighborhood Plan Utility Services

October 30, 1996



UTILITY LEGEND

- (xxx) Number of lines at PTI wire centers
- AT&T fiber optic cable
- - - Gas line
- //// Electric loop
- \\\\\\\\ Pacific power
- Electric lines change phasing



EMERGENCY SERVICES

Emergency services in the West Valley School District are provided by numerous organizations and are dispatched through the Flathead County Sheriff's Department (9-1-1). In most instances, the West Valley Volunteer Fire and Rescue Department is automatically dispatched in any emergency situation. Other organizations are dispatched as needed depending on the nature of the emergency.

POLICE PROTECTION: Police protection in the West Valley School District is provided by the Flathead County Sheriff's Department, which is stationed in Kalispell. Five uniformed officers are scheduled to be on duty in the County at any given time. Two of these officers are assigned to cover the Kalispell area, which includes West Valley. Generally, one officer covers the northern part of the Kalispell area and the other covers the southern part, although their position and availability may vary depending on other County-wide needs.

The Sheriff's office indicates that there are no particular problems or concerns which are specific to the West Valley area. They do have a County-wide concern, however, about their ability to provide adequate services, particularly during the summer, due to the lack of personnel.

During the summer months, the office basically only has the resources to respond to emergency calls; routine preventative patrols are very limited. Because of the shortage of officers, the response-time to a call can vary considerably and is a factor of where the officers are located, where the call is coming from, and what else is going on in the County. During busy times, calls are prioritized and officers respond to calls as they are able. The Department has received some complaints from people living in remote locations who expect the same type of service as they might get living in a city.

FIRE PROTECTION: The West Valley Fire and Rescue Department, the Montana Department of Natural Resources and Conservation (DNRC, formerly the Department of State Lands), and the United States Forest Service (USFS) are all involved with fire suppression efforts in West Valley. The West Valley Fire and Rescue Department and the DNRC have overlapping jurisdictional areas within the West Valley School District (Refer to **Fire Protection Map** at the end of this Section).

In general, the West Valley Fire and Rescue Department responds to all fire calls within the West Valley School District, while the DNRC and the USFS only respond when there are wildland fires. DNRC crews are automatically dispatched to wildland

fires located within their Fire Protection Zone (Map 1). DNRC and USFS crews assist the West Valley Department if their assistance is requested, or if a structural fire shows signs of raging out of control. In the event of large structural fires, Fire Districts from around Flathead Valley would cooperate in fire suppression efforts.

- ▶ **West Valley Volunteer Fire and Rescue Department:** This Department has served the West Valley community since 1968. The Department considers its number one priority to be providing rescue to ensure human safety. Fighting fires and protecting property is the number two priority. The types and numbers of calls responded to over the past three years are shown below. The majority of fire calls received are brush or grass fires.

Calls Received at the West Valley Fire and Rescue Department

Year	Fire	Rescue	False Alarms
1993	25	5	8
1994	65	19	18
1995	40	38	10

The West Valley Fire District encompasses the majority of the School District and also extends further east and north roughly bounded by Whitefish Stage Road and Hodgson Road. The most western sections of the School District are not included in the Fire District (Map 1). For the most part, the lands in these areas are owned by the State of Montana, the United States Forest Service, or the Stoltze Lumber Company. There are also some privately-owned lands and homes outside of the Fire District, however, such as along O'Neil Creek Road. The West Valley Fire and Rescue Department will respond to an emergency in these areas, but the homeowner's insurance company would then be billed for the service.

There are 28 volunteer fire fighters in the Department. Most of the volunteers have in excess of 100 hours of training per year in addition to the 30 hours required by the state. Training may include training in fire fighting, wildland fire suppression, the handling of hazardous material incidents, vehicle extrications, helicopter safety, low level rope rescues, and medical treatment.

The Fire and Rescue Department operates out of two stations. Station #1 is located on West Valley Drive and Station #2 is located on Whitefish Stage Road. Station #1 houses three trucks: a four-wheel drive Brush Truck which holds 300 gallons of water and is used for fighting wildland fires; a Class One Engine which holds 1,000 gallons of water; and a Type Three Tender which holds 4,000 gallons of water. Station #2 houses three trucks: a Class One

Engine which holds 1,000 gallons of water; a Type Four Tender which holds 3,500 gallons of water; and a 1959 Tender. The department plans to sell the 1959 Tender in 1996.

Response time to an emergency situation varies depending on the type of call, the location of the call, and the time of day. In general, the farther the call is from the fire station, the longer the response time will be. Response time may also be slower during the work-day since many of the volunteers work in Kalispell or other areas away from West Valley. Many of the volunteers do carry emergency gear in their personal vehicles, however, so they can respond directly to a call if they don't need to report to the station. As one example of the Department's response time, it would take approximately 10 minutes for the first fire engine to be on the scene at a fire in Pleasant Hill Estates.

The West Valley Fire and Rescue Department receives funding from Flathead County, private fund-raising efforts, and private donations. For the 1995/1996 fiscal year, tax revenues from the County total \$67,000 and the total projected budget is \$188,000. The projected budget includes construction of a new fire station using \$80,000 in Reserve Funds set aside for capitol expenditures. Private fund-raising efforts in 1996 include a fund-raising dance held in March to raise money to purchase a semi-automatic defibrillator. The Department is also supported by the West Valley Volunteer Fire and Rescue Department Auxiliary which provides physical and emotional support to the fire fighters. The Auxiliary conducts its own fund-raising efforts.

The West Valley Volunteer Fire and Rescue Department is planning to build a new, larger station in 1996 which will replace Station #1. The department has purchased a three-acre piece of property on Farm-to-Market Road just north of the West Valley School and hopes to break ground on the new building in June or July, 1996. In addition to the Reserve Funds, the Department will probably also need to take out a loan to cover all building expenses. The Department is not sure what they will do with the existing Station #1. There has been talk of either selling the building to raise money for the Department or of using it in its existing location as a training facility. The land is under a lease agreement with Mr. Grosswiler.

- ▶ **DNRC and USFS:** These agencies are dispatched out of the Flathead Interagency Dispatch Center in Kalispell for wildland fire control. This Dispatch Center is primarily operational during the fire season, which runs from April to September. In the West Valley area, response would either be out of the DNRC's Kalispell Fire Unit based on Route 93 in Kalispell or out

of the USFS Tally Lake Ranger District. The two agencies operate under a "Closest Forces Concept", where the closest or most accessible units of either agency are dispatched to an emergency situation. These government agencies can provide fire suppression equipment above that provided by the West Valley Department, including two airplanes, two helicopters, two trucks from the Tally Lake District, eight trucks from the Kalispell Fire Unit, and access to a 20 person hotshot crew.

EMERGENCY MEDICAL: As mentioned above, the West Valley Volunteer Fire and Rescue Department provides emergency medical care within West Valley and is automatically dispatched on all calls. All of the Department's engines are equipped to provide Basic Life Support and all carry full trauma bags. Six of the volunteers are trained as Emergency Medical Technicians (EMT), five are First Responders, and five are trained to use defibrillators. A number of the volunteers carry personal medical emergency gear in their personal vehicles so they can respond more quickly to a call. The volunteers work in conjunction with medical personnel on the Kalispell Ambulance and the ALERT Air Ambulance if patient transport is required.

Transport of medical emergency victims is provided by the Kalispell Ambulance and the ALERT Air Ambulance. The Kalispell Ambulance is dispatched on all medical calls and is able to provide Basic Life Support and ground transport to Kalispell Regional Hospital. Based on the severity of the injury and the accessibility of the location, the ALERT Air Ambulance may also be dispatched. ALERT can be in the air generally within seven minutes of a call and can provide Advanced Life Support.

Flathead Search and Rescue is dispatched through the Flathead County Sheriff's Department and is primarily used in situations involving lost or missing individuals. Historically, search and rescue operations in the West Valley area have usually involved finding lost hunters or children. Present membership is 40-50 people and includes some with specialized training and/or experience in the operation or use of equipment for land and water searches. Equipment includes a response truck, boats, snowmobiles, search dogs, avalanche rescue equipment, ropes and technical equipment.

HAZARDOUS MATERIAL RESPONSE: Response to the spillage of hazardous materials is coordinated through the County Disaster and Emergency Services Office, working closely with the County Environmental Health Department. The majority of incidents requiring a response either involve spillage of fuels from cars and trucks or spillage of farming chemicals. These are usually small spills and can be cleaned up by the Disaster and Emergency Services Office and the West Valley Fire and Rescue Department. In the rare situations where the severity of the spill makes cleanup beyond the capability of the local response team, the Disaster and Emergency Services Office contracts with the Olympus Environmental Company out

of Helena and Spokane.

ISSUES: Presently the West Valley Rescue and Fire Department obtains water from local agricultural irrigation systems during the summer and from hydrants, such as in Country Estates, during the winter. This system is satisfactory in the summer, but is not very convenient during the winter. As a replacement for this current system, the Department is presently negotiating access to a private well near the Fox Farm Road/ West Valley Road intersection. The Department is helping to develop the pump system with hookups for their tanks already plumbed into the system so they can have easy, year-round access to a reliable water source. They are also hoping to develop a water storage system at the site.

Because of the large number of calls received that are brush or grass fires, there are some concerns about subdivision in the valley. As farmlands are subdivided and sold to homeowners in lots of 40 acres or less, grass fires seem to have become an increasing concern. Many of these newer homeowners do not cultivate or graze their land, and rather allow grasses and brush to grow to the point that they become a serious fire hazard.

TRANSPORTATION

West Valley has an abundance of roads -- both private and public. There are no rail facilities or air fields. Designated public bike paths are also absent from the area.

General access to West Valley is conveniently provided by major road systems. U.S. Highway 93 is located adjacent to West Valley on the east. Primary east/west routes include Three Mile Drive, West Reserve Drive, and Church Drive. Major north/south roads include Stillwater Road, West Springcreek Road, West Valley Drive, and Farm-to-Market Road. A "West-Side" by-pass to Kalispell is also being proposed, which could have a significant affect on local and regional traffic circulation patterns and land use in general. Other major road systems include Lost Creek Drive, Mountain Meadow Road, Bald Rock Road, Clark Drive, Coclet Lane, Brown's Road, Rhodes Draw Road, and McMannamy Draw Road. Those roads classified as Minor Arterials or Collectors are listed below. All other roads are considered to be "local" roads. Refer to the **Transportation Map** on the following page.

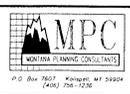
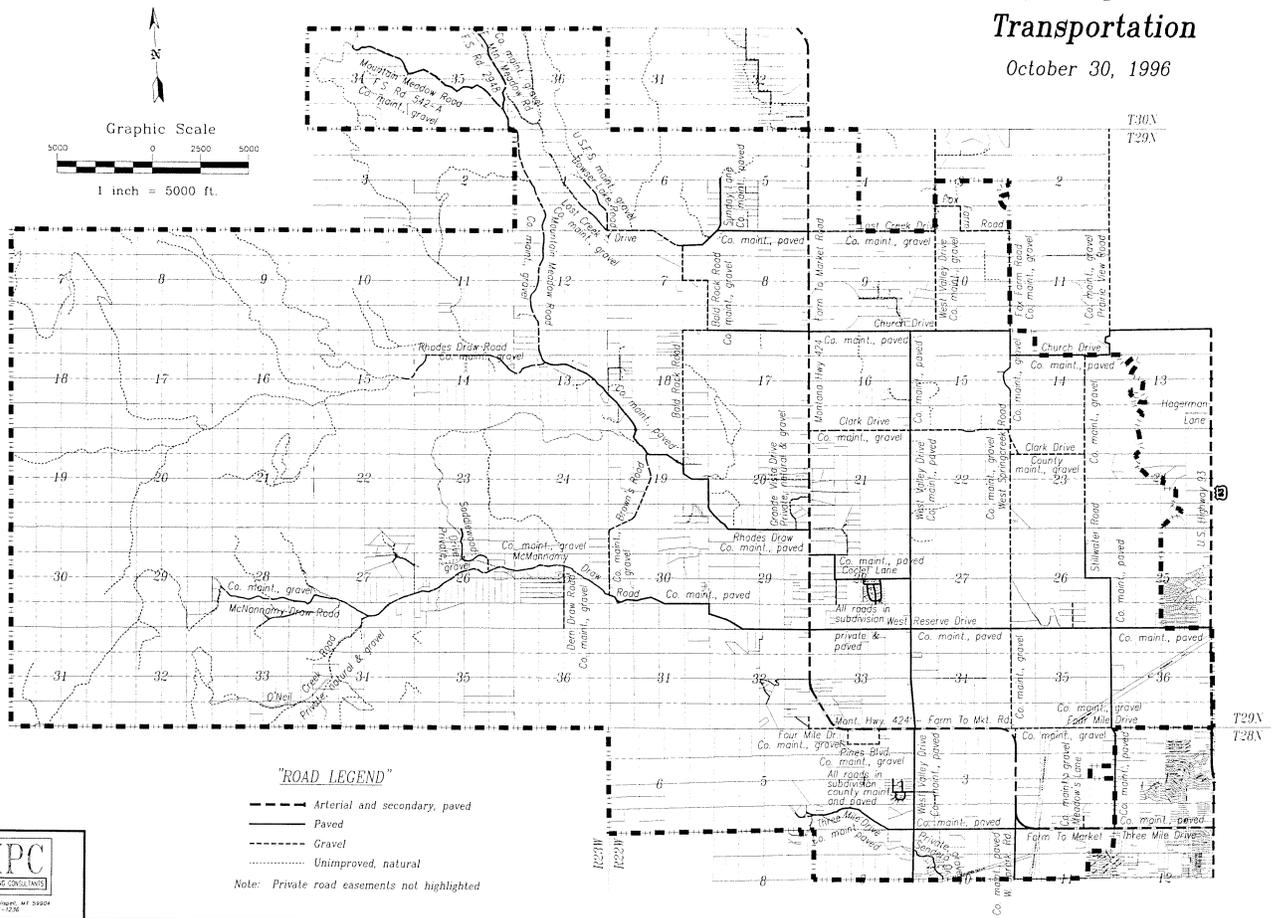
MINOR ARTERIAL	COLLECTOR
West Reserve Drive	McMannamy below Brown's Road
Three Mile Drive	Rhodes below Bald Rock Road
Farm-to-Market Road	

The classification of roads is mostly determined by traffic volume. In most cases, traffic counts are not routinely monitored in the area so these listings may not be current.

ISSUES: Most of the issues related to "roads" pertain to maintenance and dust. However, it was noted in the January 1996 meeting of the West Valley Steering Committee that snow removal had been exceptional on the county roads for the current year. Road washouts on McMannamy Draw Road were particularly troublesome during the spring of 1996. Road reconstruction was cited as being necessary for most of the gravel surfaced roads in the hilly portion of the planning area. The Steering Committee was advised by the Road Superintendent that money was generally not available for road reconstruction or paving. Other issues noted by the farming community was the difficulty created by road weight limits during spring break-up.

West Valley Neighborhood Plan Transportation

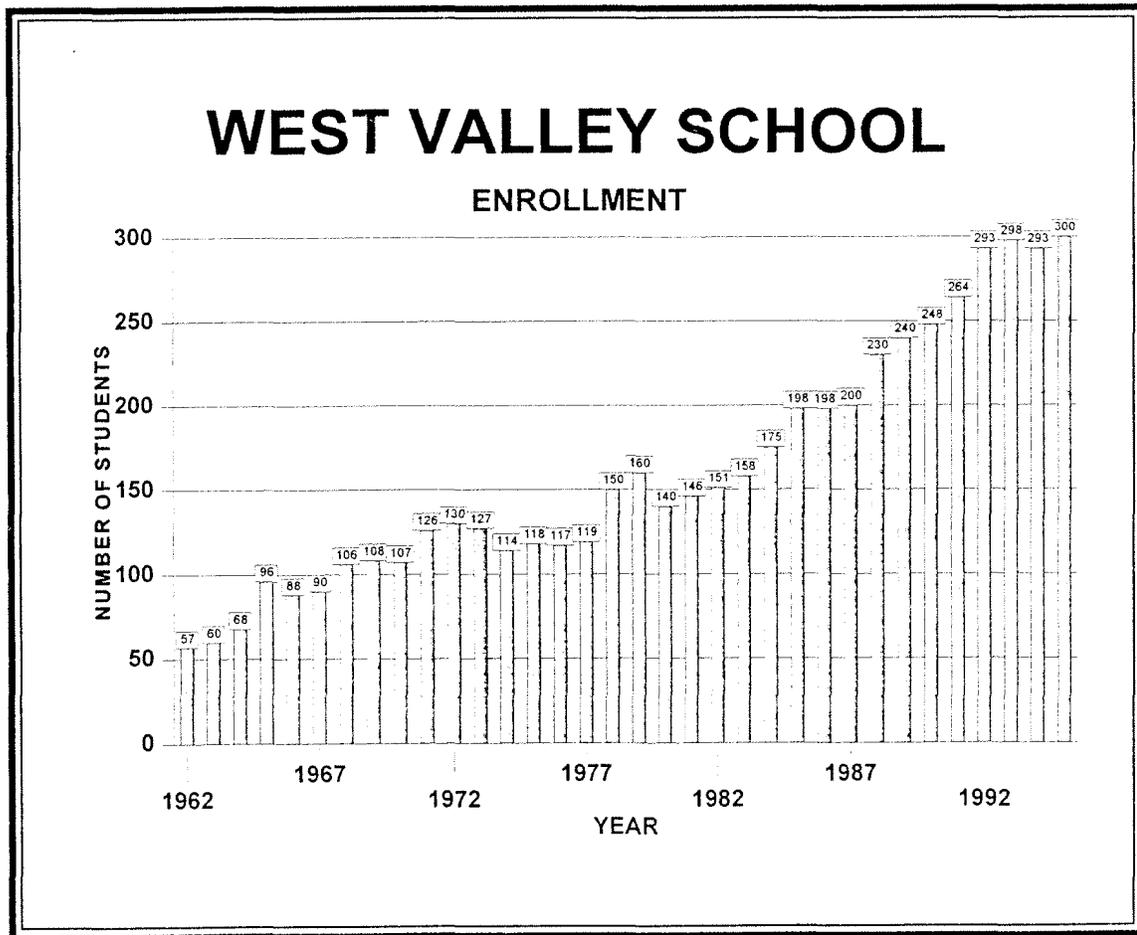
October 30, 1996



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SCHOOLS

The area to the west of Kalispell is one of the most rapidly growing parts of Flathead County. The area has a reputation for lower taxes, land values and rental costs, and has thus attracted many people, including many young families. School enrollment in the West Valley area has increased steadily since the creation of West Valley Elementary School District #1 in 1962 (See Figure). This School District was created from five pre-existing School Districts and serves grades K-8. The District is surrounded by the following other School Districts: Olney-Bissell District #58 to the west and north, Marion District #54 and Smith Valley District #89 to the south, Kalispell District #5 to the east, and Whitefish District #44 to the



northeast. After completing elementary school, West Valley students attend Junior

High and High School in Kalispell.

Between 1985 and 1994, enrollment in the West Valley School District increased 48%, as compared to 24% for the rest of the County K-8 School Districts combined. During this same time, the enrollment at Kalispell Regional High School only increased 2%. The tremendous increase in the number of students in West Valley has put serious pressures on the School District. It has struggled, and continues to struggle, with ways to come up with the resources necessary to support the growing number of students at a time when voters are not likely to support tax increases. The good news is that enrollment has appeared to stabilize to 300± children over the past 4 years.

The costs of operating the school since 1962 are shown below.

Year	General Fund Budget	Cost Per Pupil	Salaries of Staff	Number of Teachers
1962/1963	\$ 15,637	\$ 289	\$ 12,000	3
1969/1970	\$ 55,480	\$ 491	\$ 36,012	5
1974/1975	\$ 84,956	\$ 639	\$ 61,641	7
1979/1980	\$ 177,967	\$ 1,141	\$ 107,685	10
1984/1985	\$ 320,866	\$ 1,945	\$ 242,698	13
1989/1990	\$ 398,089	\$ 2,028	\$ 369,669	14
1994/1995	\$ 990,568	\$ 3,381	\$ 860,055	23

The voters have approved four more Building Bonds for improvements to the school building since 1962 (see below). Funds for smaller projects have come from the General Fund Budget.

Year	Retired	Amount	Purpose	Enrollment
1962	Yes	\$42,000	North 1	57
1966	Yes	\$20,000	North 2	88
1966	Yes	\$10,000	Gymnasium	88
1973	Yes	\$90,000	South	114
1980	Yes	\$304,000	Connects	140
1990	February, 2005	\$480,000	West	240

The design capacity of the existing 30,000 sq. ft. school is 275 students. As of February 1, 1996, there were 308 students enrolled in the school, with 23 members of the teaching staff. To accommodate these additional students, two rooms in the basement have been converted to temporary classrooms, but these rooms are not adequate. Including these basement rooms, the present building has: 18

classrooms, a library, a fine arts room, a gymnasium which also serves as the lunch room, boys and girls locker rooms, a counseling room, several offices, four sets of bathrooms, two support rooms, a work room, and a janitor's room. The school does not have a separate lunchroom or kitchen for preparing hot lunches.

ISSUES: As mentioned above, the population growth in West Valley and increased student enrollment is currently a major issue for the School District. The present school is already exceeding its design capacity and two make-shift classrooms have been set up in the basement to accommodate the increased number of students. Relaxed zoning regulations that permit higher densities of development could again accelerate school enrollment in the District.

- ▶ **Funding:** To raise money for enlarging the school, a bond Issue for \$760,000 and a Building Reserve for \$321,000 over five years were put to the voters in April, 1995 and June, 1995, respectively. In both cases, the voters were unwilling to accept the additional tax burden of expansion. The School Board is presently discussing alternative solutions, including putting another school bond before the voters, or using the nearby Grange building as a possible satellite site. The present bonding capacity is \$910,348, with a current outstanding bond balance of \$400,000. The bonding capacity is 45% of the taxable value.
- ▶ **Transportation:** The West Valley School District has never been able to afford to operate a bus system. The insurance costs and number of buses that would be needed to cover the large district make bussing cost-prohibitive. In addition, many students live up "draws" where the roads are too narrow and dangerous for buses to navigate safely. Instead, students are transported to school by their parents and individual transportation contracts are developed for those students who live greater than three miles from the school. Transportation contracts are calculated at a rate of 21.25 cents per mile for each mile over three for each day the parent drives a child to school. In the 1995/1996 school year, the parents of 88 students entered into transportation contracts with the School District.
- ▶ **Hot lunch program:** The West Valley School District does not provide hot lunches for its students because of spatial and cost constraints. At present, the school does not have a separate lunchroom or kitchen in which to prepare hot meals. Children eat lunch in the gymnasium, which means that both lunch time and gym classes are impacted. Back in the 1970's, hot lunches were shipped to West Valley from the Evergreen School District, but this program was dropped in the early 1980's because of the expense. A survey was sent to the parents asking for support of the Evergreen lunch program and the majority indicated they did not want to continue paying for

it. One of the existing classrooms is slated as the future kitchen, but that space is still needed as a classroom.

- ▶ **Septic system:** The West Valley School is presently operating using a gravity-fed septic system which was originally installed in 1962. When plans for a new addition to the school were developed in 1993, the Flathead County Environmental Health Department informed the School Board that the existing septic system would need to be replaced by a new pumped system because of the increased size of the school. At that time, cost estimates for the new septic system were over \$30,000.

- ▶ **Facility space:** The school site already exceeds the property boundaries and has limited opportunities for expansion without acquiring additional land.

PUBLIC SERVICES GOALS

TO EVALUATE THE PUBLIC COSTS OF NEW DEVELOPMENT

TO MAINTAIN THE CURRENT LEVEL OF PUBLIC SERVICES IN THE WEST VALLEY AREA

TO BALANCE GROWTH WITH THE PROVISION\AVAILABILITY OF PUBLIC SERVICES

EMERGENCY SERVICES

- ▶ New residential developments should be located within the jurisdictional boundaries of the West Valley Fire & Rescue Department
- ▶ State wildfire prevention guidelines should be implemented for all dwellings located within wooded areas
- ▶ Recognize the limitations of police, fire, and emergency medical services to remote locations and to West Valley, in general

TRANSPORTATION

- ▶ Coordinate with the County Road Department to help prioritize improvements to local roads
- ▶ Consider opportunities for bike paths along Farm-to-Market Road and West Reserve Drive to separate vehicles and bikes
- ▶ Consider the adequacy of existing roads when reviewing new development proposals

SCHOOLS

- ▶ Seek solutions to the existing building and classroom crowding at the School
- ▶ Secure additional land area for expansion of the existing school
- ▶ Evaluate new development proposals in consideration to impacts to the school

IMPLEMENTATION

The Neighborhood Plan is a compilation of useful information concerning all aspects of the West Valley Neighborhood. The Plan examines the various physical, biological, and social elements of the area to establish a benchmark from which all future land use proposals can be measured. More importantly, the Plan presents a future vision for West Valley.

The identified goal and policy statements compliment the findings of the land use survey. Based on the survey results, the top 4 reasons for choosing to live or own property in West Valley are:

- ▶ rural setting;
- ▶ lots of open space;
- ▶ low crime rate; and
- ▶ easy commute.

The most frequently listed problems with living in West Valley were:

- ▶ high property taxes;
- ▶ uncontrolled development; and
- ▶ poor quality of roads.

Implementation of the Plan is necessary to address the identified local issues and to achieve community goals. Subdivision and zoning regulations are the primary tools of plan implementation. Subdivision regulations can assess compliance of proposed land divisions with the Neighborhood Plan and zoning regulations and require mitigation measures as appropriate. Review of subdivision proposals also offers an opportunity for public review and comment. Zoning regulations offer the most efficient means for plan implementation. Land use regulations generally establish allowable uses, set minimum lot sizes, and identify performance standards for new development.

ISSUES: Feedback from the public participation process indicated that regulations are considered necessary to protect the quality of life in West Valley. General consensus was that the regulations should be simple to understand and offer flexibility in application. For example, the regulations should recognize opportunities for residential development in areas having "poor" soils when services are readily available. Lot sizes should not necessarily be "fixed" but, instead, be based on a density allocation that may vary from one location to the next. Protection of private property rights is also considered to be an important element of consideration when drafting the regulations. From this perspective, regulations must offer protection of existing uses and recognize differences in land use opportunities throughout the planning jurisdiction. A local citizen's review panel is necessary to provide local input into the decision-making process. Based on the land use composition of the planning area, it would be appropriate to include representatives of the timber industry and farming community as members of the panel.

IMPLEMENTATION GOALS

TO ESTABLISH A SET OF REGULATIONS THAT ADDRESS AND IMPLEMENT THE SPECIFIC GOALS AND OBJECTIVES OF THE WEST VALLEY AREA

TO INCORPORATE LOCAL PARTICIPATION IN THE REGULATORY REVIEW PROCESS

IMPLEMENTATION POLICIES

- ▶ Establish a flexible regulatory system to guide and review development proposals
- ▶ Provide regulatory incentives to promote the protection of ag land, forest land, and other significant natural resources
- ▶ Provide for a regulatory system that is easy to understand and administer
- ▶ Establish a citizen's review panel to advise the Planning Board and Board of County Commissioners on land use activities subject to review
- ▶ Freestanding commercial signage should be prohibited
- ▶ Coordinate the rate, amount, and location of new development with the available level of services.

WEST VALLEY ZONING DISTRICT

SECTION I — GENERAL PROVISIONS

- PURPOSE:** The purpose of these regulations is to promote orderly growth and development in the West Valley area of Flathead County, Montana consistent with the community vision statements as expressed by the text and map exhibits of the West Valley Neighborhood Plan, County Resolution # ____.
- JURISDICTION:** These regulations shall have application to all lands lying within the boundaries of West Valley School District #1, which boundaries are on file and of record in the Clerk and Records Office, Flathead County, Montana.
- EFFECT:** These regulations shall supplant the West Valley Planning & Zoning District established in 1978 with adoption of County Resolution # 311. These regulations do not replace the regulations of the those lands lying within the West Side Zoning District, except the provisions pertaining to residential clustering and the role of the Land Use Advisory Committee shall have application to all lands lying within said District.
- RELATIONSHIP TO FLATHEAD COUNTY ZONING REGULATIONS:** The West Valley Zoning Regulations shall be incorporated by reference and by application into the Flathead County Zoning Regulations. In situations of conflicting language/provisions between the wording of the Flathead County Zoning Regulations and the regulations for the West Valley Zoning District, the latter shall prevail.
- LAND-USE ADVISORY COMMITTEE:** A citizen land use advisory committee of 7 individuals shall be established by the Board of County Commissioners to advise the Flathead County Planning Board, Kalispell City-County Planning Board, Flathead County Board of Adjustment, and Board of County Commissioners, as appropriate, on all subdivision and conditional use applications. Said Committee should include representation from both the timber and agricultural industries. All members must be land owners within the District.
- FORMAT:** These regulations are intended to regulate the type, size, density, bulk, height, and location of land uses. This is accomplished via the use of a performance-based approach, wherein allowable land use types and density are determined by defined criteria related to the availability and adequacy of public services, public health and safety, and the natural environment.
- PROCESS:** Permitted uses, expansion of existing uses, and subdivision of land shall be in accordance to the performance criteria as set forth in these regulations. Conformance to the regulations shall be determined by the Zoning Administrator.

SECTION 2 — GENERAL APPLICATION

GENERAL USE ALLOWANCES Single family residential dwellings, agricultural uses and activities, and forestry/logging practices are generally permitted throughout the District. Specific criteria address provisions for a Neighborhood Convenience Stores, Home Occupations, and Residential Clustering.

SECTION III -- MINIMUM STANDARDS OF COMPLIANCE

AGRICULTURE Agricultural uses are permitted throughout the District. When practiced on lots 10 acres or less in size, the keeping of fowl and livestock shall be as described by the Livestock Performance Standards of the Flathead County Zoning Regulations.

COMMERCIAL SIGNS Commercial signage is prohibited throughout the district, including billboards and other freestanding signs, except as provided for in the performance standards for home occupations and convenience stores.

STRUCTURE HEIGHT The maximum height of any new structure, with the exception of agricultural buildings, is 35 feet.

MINIMUM YARD REQUIREMENTS The minimum distance between any new structure and any property line, road easement, or intermittent stream shall be 20 feet, except a setback of 50 feet shall be required when adjacent to any perennial water body or when specifically stated otherwise in these regulations.

ACCESSORY USES The definition, general provisions, and restrictions for accessory uses shall be as set forth by the Flathead County Zoning Regulations as applicable to all agricultural and suburban agricultural districts.

MINIMUM LOT SIZE Residential densities shall be in accordance to the Density Performance Standards set forth by these regulations, but in no instance shall any lot have a total area of less than one acre.

SECTION IV — DENSITY PERFORMANCE STANDARDS

20 ACRE DENSITY All property within the District is eligible for a residential density of one dwelling per 20 acres. A bonus density of up to 1 dwelling unit per 5 acres on the average is permitted by clustering (refer to Cluster provisions).

15 ACRE DENSITY Maximum residential density shall be one dwelling per 15 acres if the following criterion is met:

- No more than 10% of the lot area shall have soils with Capability Classes I, II, III, or IV as identified by the 1960 Soil Survey for the Upper Flathead Valley Area.

10 ACRE DENSITY Maximum residential density shall be one dwelling per 10 acres if the following criteria are met:

- The average slope of any proposed lot shall be less than 25%.
- No more than 35% of the lot area shall have soils with Capability Classes I, II, III, or IV as identified by the 1960 Soil Survey for the Upper Flathead Valley Area.
- All lots shall be located within a rural fire district.
- A portion of each lot shall be located within 1,500 feet of a road maintained by the county and have access to and use of said road.

5 ACRE DENSITY Maximum residential density shall be one dwelling per 5 acres if the following criteria are met:

- The average slope of any proposed lot shall be less than 15%.
- All lots shall be located within a rural fire district.
- No more than 20% of the lot area shall have soils with Capability Classes I, II, III, or IV as identified by the 1960 Soil Survey for the Upper Flathead Valley Area.
- No more than 25% of the area of any lot shall be within the 100 year floodplain, wetlands, river, lake, or any combination thereof.
- A portion of each lot must be within 300 feet a road maintained by the county and have access to and use of said road.

EXPANSION OF EXISTING PLATTED SUBDIVISIONS Lands located within the perimeter of existing platted subdivisions where lots average 2 acres or less are eligible for additional subdivision. All new or amended lots must have access and use of the water and road systems of the existing subdivision and be subject to the covenant restrictions of the existing platted subdivision.

LOT AREA AND AVERAGE SLOPE DETERMINATION Compliance with lot area and average slope requirements shall be certified by a registered land surveyor on any certificate of survey or subdivision plat. To determine the area of lakes or rivers, use the average high water line as the perimeter of the water body. To determine the area of wetlands, the Zoning Administrator may require wetland delineation by a professional hydrologist.

**AVERAGE SLOPE
CALCULATION**

The average slope (S%) of a parcel shall be calculated as follows: $S\% = .0023 \times I \times L / A$. To use this formula, a contour map of the parcel is necessary, and the contour interval (vertical distance between adjacent contour lines on the map) must be no more than 10 feet for a subdivision and 40 feet for a certificate of survey. I is the contour interval in feet. L is the total length in feet of all contour lines within the parcel. A is the area in acres of the parcel.

SECTION V -- PERMITTED AND CONDITIONALLY PERMITTED USES

PERMITTED

Uses permitted throughout the district include:

- . Agricultural/horticultural uses, practices, and related accessory uses
- . Cemeteries
- . Churches
- . Class A or B manufactured homes (See definitions)
- . Community meeting centers, publicly owned and operated
- . Dairy products processing, bottling, and distribution
- . Day care
- . Dwelling, single family
- . Dwelling, family hardship
- . Farm/ranch/caretaker employee housing
- . Feed and seed processing and cleaning
- . Feed lots: cattle, swine, poultry
- . Grange
- . Home occupation (See related performance standards)
- . Livestock (See performance standards applicable on lots 10 acres or less in size)
- . Nurseries, landscaping materials
- . Parks
- . Post office
- . Produce stands
- . Public transportation shelter stations
- . Recreational facilities, publicly owned and operated
- . Schools
- . Silvicultural and related forest management practices
- . Temporary buildings or structures, occupied less than one year
- . Public utility installation, minor (limited to neighborhood service area)

**CONDITIONALLY
PERMITTED USES**

Uses which may be permitted pursuant to public comment and review by the Flathead County Board of Adjustment include:

- . Animal hospitals/veterinary clinics
- . RV parks with no tent camping
- . Camp and retreat center
- . Communication towers, masts
- . Golf course and related facilities (dwelling lots must be approved through the cluster provisions of these regulations)

- . Gravel extraction
- . Gun clubs, shooting ranges
- . Commercial hunting ranch for small game
- . Kennels
- . Neighborhood convenience store (See related performance standards)
- . Commercial stables/riding academies
- . Temporary buildings or structures, occupied one year or longer
- . Public utility installation, major (service area beyond neighborhood)

SECTION VI --HOME OCCUPATION PERFORMANCE STANDARDS

GENERAL

- . Home occupations are permitted throughout the District.
- . Within the West Valley district, a home occupation is defined as any occupation, profession, activity or use which is clearly a customary, incidental and secondary use of a residential lot and which does not affect the residential or agricultural character of the property or area.

SPECIFIC STANDARDS

- . Home occupations are permitted in accessory buildings as well as residential buildings.
- . A home occupation must be operated by the individual(s) who own and live on the property.
- . A home occupation shall be architecturally compatible with the buildings in the immediate vicinity.
- . All parking shall be maintained on site.
- . A conditional use permit must be obtained for a home occupation generating more than 10 daily vehicle trips.
- . Any outdoor storage of materials shall be shielded from public view.
- . Signs for business identification are permitted, not to exceed a total sign area of ten square feet and a height of eight feet. Signs shall not be lighted and shall not rotate, move, flash, change or blink.
- . A conditional use permit must be obtained for a home occupation having more than 5 employees.

SECTION VII — RESIDENTIAL CLUSTERING STANDARDS

GENERAL

- . The minimum size of the tract of land subject to the cluster development shall be 20 acres.
- . Clustering is not mandatory but may be used as an option to subdivide property.
- . All subdivided lots or multiple dwellings on a single tract of land shall be clustered so as to prevent a scattered development pattern.
- . A cluster development must obtain approval as a subdivision under the Flathead County Subdivision Regulations or as a conditional use if multiple dwellings are being placed on property without subdivision into lots.

- The required open space shall be exterior to the created lots and, if applicable, not be segregated from a larger remaining tract of land. The open space must remain as a single contiguous tract or a portion of a larger parent tract of land. Road and utility easements shall not be counted as open space.
- The property owner shall either grant in perpetuity an irrevocable conservation easement or file with the Flathead County Clerk and Recorder a deed restriction running with the land, which shall dedicate the land as permanent open space and require that it shall not be further divided.
- The preferred use of the required open space is agriculture or silviculture. Any open space 20 acres or larger in size is eligible for a single residential building site of no larger than 2 acres in size, but residential development is not permitted on smaller open space tracts. The open space and associated building site can be sold as a single tract of land but is not eligible for further subdivision.

10 ACRE CLUSTER PROVISION Maximum residential density in a cluster development shall be one dwelling per 10 acres, if the following criterion is met:

- A minimum of 50% of the eligible property shall be dedicated as permanent open space on the subdivision plat.

5 ACRE CLUSTER PROVISION Maximum residential density in a cluster development shall be one dwelling per 5 acres, if the following criteria are met:

- Individual lot sizes shall not exceed 1 net acre.
- A minimum of 76% of the eligible property shall be dedicated as permanent open space on the subdivision plat.

SECTION VIII — NEIGHBORHOOD CONVENIENCE STORE PERFORMANCE STANDARDS

GENERAL

- A neighborhood convenience store in the West Valley District may be permitted in accordance with strict architectural, size, use, and locational criteria.
- It is not the intent of these regulations to promote, encourage, or permit general retail commercial uses within the District.
- Within the West Valley district, neighborhood convenience store is defined as a retail establishment having a trade area that does not extend beyond the neighborhood and offering for sale a variety of convenience items, typically including prepackaged food and beverages, household items, and motor fuel.
- Building architecture shall be compatible to a rural residential setting by emphasizing log or wood exterior with a pitched roof line and asphalt composition, tile, or wood shingles in natural colors, and limited commercial signage.

SPECIFIC STANDARDS

- . The footprint of the commercial structure shall not exceed 2000 square feet.
- . Minimum lot size shall be 3 acres.
- . A maximum of 4 fueling pumps may be permitted.
- . The store dumpster site shall be provided to the rear of the building and be screened from public view. Any mechanical/refrigeration equipment or propane tanks located exterior to the building shall be appropriately screened from public view.
- . All structures shall be set back a minimum of 100 feet from any lot line adjoining a public road and 35 feet from all other lot lines. Parking and other paved surfaces shall not extend into the required landscape areas.
- . Fencing and weed control shall be provided on all commercial lot lines having frontage with a public road.
- . Signage shall be limited to a single-faced wall identification sign not to exceed 36 square feet, except that gas price signage having maximum letter height of 8 inches may be placed below the roof line of the gas island canopy. Outside security lighting is mandatory during hours of darkness. Lighting shall be directed downward and shielded to prevent light from shining onto adjacent roads or properties. Lighting shall not blink, flash, or rotate.
- . Parking shall be provided at a ratio of 1 space (9'X20') per 150 square feet of gross floor area.
- . All parking, circulation, and approaches shall be either be asphaltic or portland cement concrete and appropriately striped to designate traffic flow direction and parking spaces.
- . Landscaping consisting of grass, shrub, and tree species shall be provided along any lot line adjoining a public road. Said landscaping shall extend the entire length of the developed frontage, except for the driveway entrances, and have a depth of at least 35 feet as measured inward from the public road right-of-way. Said landscaping shall be irrigated with an underground sprinkling system and be maintained throughout the growing season.
- . No liquor shall be sold from the premises nor shall gaming (gambling) machines be permitted. A single upstairs apartment unit may be permitted if architecturally incorporated into the overall building design.
- . Exterior wall finishes shall emphasize natural wood features such as log or beveled cedar siding, stained to natural wood tones. Windows shall not have mirrored glazing. The roof shall have a minimum 6:12 pitch, utilizing Class 'A' roofing material. The fueling island canopy shall have a visual expression of log or timber framing (or as otherwise modified for reasons of fire safety) with a sloped roof of a 4:12 minimum pitch in a gable shape.
- . Fire protection measures shall be incorporated as recommended by the West Valley Volunteer Fire Department.

- . The store shall not be open for business between the hours of 10:00 PM and 6:00 AM.
- . Outside PA (public address) systems are prohibited.
- . The landowner shall submit, as part of the conditional use application, and implement a traffic mitigation study prepared by a professional transportation engineer.