

STAFF REPORT #FZD-08-02
ATTACHMENT A
REVIEW OF BIG MOUNTAIN OVERALL DEVELOPMENT PLAN (ODP)

This report is an attachment to Staff Report #FZD-08-02 and reviews the Big Mountain Neighborhood Plan/Overall Development Plan (ODP) that is the prerequisite for utilization of the “BR-4 Resort Business” zone. Under the BR-4 zoning, once an ODP is adopted, “it shall be considered zoning and shall serve as the guidelines for development¹.”

Background

The Whitefish City/County Master Plan and accompanying future land use map were adopted by Flathead County Resolution #677-G on February 6, 1996 and designate a large area north of Whitefish as “Resort Commercial.” This plan was subsequently amended with neighborhood plans in 1996 (Iron Horse Neighborhood Plan), 1998 (South Whitefish Neighborhood Plan), 1999 (Riverside at Whitefish Neighborhood Plan) and 2003 (Big Mountain West Neighborhood Plan). On February 1, 2005 Flathead County ceded planning authority to Whitefish for an area delineated in an interlocal agreement. That agreement gave Whitefish the right to plan for areas outside of the City limits.

On July 17, 2006 Whitefish City Council approved the Big Mountain Neighborhood Plan as an amendment to the 1996 Whitefish City/County Master Plan. This plan was a comprehensive update of all existing plans for the Big Mountain Ski Area². This plan also added approximately 103 acres of land formerly owned by Montana Forest Products to the west of the ski area and approximately 280 acres of land formerly owned by F.H. Stoltze Land and Lumber Company to the east of the ski area that had both been acquired by Winter Sports Inc.

On March 19, 2007 Flathead County adopted the Flathead County Growth Policy. In Chapter 10 of the Growth Policy, the Whitefish City/County Master Plan was “incorporated into the growth policy as addenda³.” It can be reasonably assumed that the Whitefish City/County Master Plan was incorporated into the Growth Policy as amended at that time.

It is therefore logical that as the county adopts a Whitefish Area Zoning District, the area referenced by the Big Mountain Neighborhood Plan should be zoned in accordance with that plan. Flathead County has a “BR-4 Resort Business” zoning designation that is appropriate for implementing “medium and high density resort uses⁴.” However, the use of the BR-4 zone is contingent on the submittal and approval of an Overall Development Plan (ODP) by the resort developer(s). Since the Big Mountain Neighborhood Plan was adopted as both a Neighborhood Plan and an update of the existing ODP⁵, the document can reasonably be utilized as the foundation for the BR-4 zone. What follows is a review of the 9 criteria by which ODPs must be reviewed prior to adoption of a BR-4 zone.

¹ Flathead County Zoning Regulations, Section 3.20.017(1)

² Big Mountain Neighborhood Plan, Section 1.1

³ Flathead County Growth Policy, Chapter 10, Part 4

⁴ Flathead County Zoning Regulations, Section 3.20.010

⁵ Big Mountain Neighborhood Plan, Sections 1.1 and 2.2

BR-4 Overall Development Plan (ODP) Criteria

1. All such districts shall be served by community water and sewer systems.

According to Section 6.4 of the plan, there are currently 670 units developed and/or platted at Big Mountain. This number is updated in the Environmental Assessment (EA) as currently being 832 equivalent dwelling units (EDU). These dwelling units are served by both community water and sewer. Sewer service is provided by the Big Mountain Sewer District, with conveyance to City of Whitefish wastewater treatment facility. Water service is provided by the Big Mountain Water Company, a WSI-owned public water system.

Future development plans outlined in the plan call for a range of 780-1043 additional dwelling units at full build out. The existing agreement with the City of Whitefish for sewage treatment accommodates up to 2000 equivalent dwelling units, or enough to serve the high range of build out plus the existing units. According to the EA, existing water service is adequate to support those units that are existing and approved, but will likely need upgrades to accommodate future development. The provision of this water service is administered and reviewed by the State of Montana and will also be reviewed by local authorities for adequacy when land is subdivided.

2. A conceptual land use plan shall be developed showing the densities and uses assigned to each development pod; overall acreage; and the generalized location of the residential, commercial, recreational and other non-residential land uses. Such uses or categories of uses may include single-family, duplex, triplex, cluster housing, residential rentals, retail, food and beverage establishments, hotels and motels, mixed-use buildings, resort maintenance yards, parking facilities, open space and common areas, recreational areas for skiing, golfing, public and private beaches and other information that will establish the general pattern of development within the overall development plan.

The cornerstone of the Big Mountain Neighborhood Plan is the “Land Use Plan” shown on page 23. This map shows areas of future development, the type of development and the density ranges that can be anticipated. The map outlines 26 “parcels” in a “Development Summary” table. The map and table show a broad-spectrum of uses, including a range of residential densities, village areas for mixed commercial and residential, preserve areas, trails, lifts, parking and roads.

A collection of appendices that accompany the Neighborhood Plan also outline the general pattern of development in the Big Mountain area. “Zoning” is presented for two separate areas within the development, both of which provide permitted uses and conditional uses, as well as development standards (BMRR and BMV). Architectural guidelines for structures and signage are presented in the appendices. Under the Flathead County BR-4 zoning designation, the ODP becomes the zoning, to which future

development is held. Therefore all of these elements will be reviewed during future permitting processes.

3. The provision of utility services showing the general locations of the utilities and how service capacity will be addressed for water, sewer, gas, electric, and telephone utilities.

Part 3 of the Environmental Assessment that accompanies the ODP discusses the provision of water and sewer. Water will be provided by the Big Mountain Water Company and is expandable to meet future demand, and sewage will be conveyed to the City of Whitefish with an adequate agreement in place to serve future growth. Gas, electric and telephone utilities are in place and maps of these services have been provided with the ODP.

4. A map(s) showing the location of the project area and the existing and surrounding land uses; street systems, environmentally sensitive areas such as lakes, streams, rivers and wetlands, 100-year floodplain, steep slopes, topographical contours, and other significant physical features.

The Big Mountain Land Use Plan map on page 23 of the Neighborhood Plan shows existing lay layouts and adjacent public and private forest lands. Existing and proposed street systems are also shown on this map, as are ponds, streams and vegetated areas. Wetlands are mapped on a separate, full-size map submitted as part of the ODP review. A wetland delineation is also included in the Big Mountain Neighborhood Plan appendices. The project area is not mapped with any floodplain. Steep slopes are shown on page 47 of the Neighborhood Plan. Topographical contours are shown on both maps in the Neighborhood Plan, as are significant drainages, ski lifts, community focal points and forested/vegetated areas.

5. An environmental assessment shall be included, using the format required in the Flathead County Subdivision Regulations.

An Environmental Assessment (EA) in the format required by the current subdivision regulations was submitted by Winter Sports Inc. to the Flathead County Planning and Zoning Office on November 26, 2008. The EA required by the current subdivision regulations provides a variety of information typically utilized during preliminary plat review and is therefore not perfectly oriented towards reviewing a long-term conceptual ODP. Much of the information covered in the EA that was submitted by Winter Sports Inc. is taken from the existing Big Mountain Neighborhood Plan and/or the accompanying appendices that were prepared in 2005 and 2006. However, additional information regarding groundwater, recommended maximum slope cuts (w/o support), soils, tree species, solid waste collection information and emergency service provision information have been provided in the new EA submittal.

6. **Identify routes and general locations for all arterial and collector systems associated with the development. The major traffic routes will be identified throughout the development and general locations of the collectors adjacent to the proposed commercial, recreational and residential uses. The actual location of the local streets within the development will be designed for conceptual purposes only and to identify access and egress points from the project.**

A network of “Resort Roads” and “Neighborhood Roads” are shown on the Land Use Plan on page 23 of the plan. The “Resort Road” is shown as the primary internal circulation road, looping through the resort and providing access to Big Mountain Road. The map shows a number of “Neighborhood Roads” that create a network of secondary roads that feed into and from the individual development parcels. The neighborhood roads are shown as some existing roads, but are also used to designate future traffic flow patterns or intended connections between development parcels. This conceptual layout of road networks, connectivity and traffic flow is appropriate for an ODP and will be used as the foundation for future road development at the time of subdivision. According to Section 10.1.5 of the Big Mountain Neighborhood Plan, the internal road system will be built to Flathead County road standards.

The plan also shows two potential accesses to the resort that would not rely solely on Big Mountain Road. These connections (one through Iron Horse and one further east) could be critical for secondary fire access, given the scope of future build-out and the wildfire risk associated with the Wildland Urban Interface. Policy 5.19 of the Plan supports this future secondary access.

A traffic study was submitted as an appendix to the Neighborhood Plan. This study was conducted prior to the safety improvements to Big Mountain Road that were completed in 2007. The study indicates a drop in Level of Service (LOS) at the intersection of Big Mountain Road and East Lakeshore Drive as a result of the proposed development densities, but few other negative impacts. The minimal traffic impact is attributable largely to traffic flow directions and rates for ski resorts occurring differently than for daily commuting trips.

7. **Identify policies for parking, architectural themes and design characteristics of structures and signage associated with development within the overall development plan.**

Chapter 5 of the Big Mountain Plan contains policies that address the required elements of design and parking (Policies 5.4 and 5.16). Detailed appendices are included specifically covering the topics of “Architectural Guidelines,” signage, and “Best Management Practices” for construction. It is the intent of the plan to create a pedestrian-friendly, turn of the century-themed village with central public spaces and a main street. The proposed form will likely have a significant positive impact on quality of life for future residents and visitors.

Parking standards for each of the proposed land use designations are found in Chapter 7 of the plan. Parking demand is split between seasonal and year-round residents and parking for skiers. The plan proposes significant departures from the parking requirements of the BR-4 zoning designation (and Chapter VI of the Zoning Regulations) and the original ODP based on experience at Big Mountain since the original ODP was approved in 1991. This departure is allowed and encouraged in the BR-4 zoning designation and is the intent of the ODP concept. The proposed parking for single family and townhouse/cabin residences is the same as the original ODP at 2.0 and 1.75 spaces per unit respectively. However the condominium spaces are reduced to 1 space per unit for 2 bedroom or greater, .8 space per unit for 1 bedroom condos and .5 spaces per unit for studio condominiums and hotel rooms.

Day-skier parking will be accommodated in lots to be constructed around the “Day Lodge” area, with existing parking lot land adjacent to the Village being used for expansion of the Village. Approximately 1500 spaces will be available at full build-out.

- 8. For developments whose build-out over a number of years is anticipated, the overall development plan will identify the proposed phasing of the project and provide a proposed schedule of phased development. This phasing plan for large- scale projects can be general and not necessarily time critical.**

Chapter 16 of the Neighborhood Plan addresses phasing, as well as updating of the document. The plan was “visioned,” researched and written with a 10-20 year planning horizon. Projects to be completed within the first few years of the plan are listed in Chapter 16 (such as construction of the “Day Lodge” and replacement of Chair #2) but subsequent development of parcels identified in the Land Use Plan will occur through subdivision review and review for conformance with the ODP.

The plan is to be updated every 5 years using a process outlined in Chapter 16. Big Mountain staff and representatives, key stakeholders, adjacent land owners, HOAs, and agencies will be consulted for input and it will be determined if an update is necessary. Due to the myriad changes that have occurred at Big Mountain and in the Whitefish area since the plan was originally written and adopted, an updating of the document will be strongly encouraged by Flathead County beginning in 2010.

- 9. Outline the extent to which the Overall Development Plan departs from zoning and subdivision regulations otherwise applicable to the subject property.**

The Big Mountain Neighborhood Plan addresses all the elements required by Section 3.20.015 of the Flathead County Zoning Regulations to be a conceptual ODP and allow adoption of the BR-4 zoning designation. Section 3.20.017 of the Flathead County Zoning Regulations states that once an ODP has been adopted (and the BR-4 zoning designation applied), “it shall be considered zoning and shall serve as the guidelines for the development.” The BR-4 zoning designation therefore will allow the plan to utilize a unique “WBMRR” and “WBMV” development standard for areas outlined by a map and legal description in the appendices of the plan.

There are fewer permitted and conditional uses in the “WBMRR” and “WBMV” development standards than are found in the BR-4 zone. This is primarily due to the more specific, resort focus of the ODP. The permitted uses in the “WBMV” are consistent with a village core in a ski resort where mixed use buildings are common and businesses tend to cater to skiers and/or summertime recreation. The “WMBRR” development standard is for residential areas of the resort and is likely to be found around the village core within convenient walking distance. Uses are consistent with primarily residential areas while accommodating low-impact uses such as home based businesses or bed and breakfast establishments.

Bulk and dimensional requirements are modified from the BR-4 for both the “WBMRR” and “WBMV” development standards. Minimum district sizes and lot areas are cross-referenced to the Land Use Plan map. There are no minimum lot widths, whereas in the BR-4 zone minimums are given set for single-family residential and townhouse lots (but not for condos or non-residential uses). Front and side setbacks are absent from the “WBMV” development standard and rear setbacks are also zero unless abutting the “WBMRR” areas when it is then 15 feet. The “WBMRR” area has a 25 foot front setback, 10 foot side setback for triplexes, 15 foot setback for greater than triplexes, and 20 foot rear setback. Both the “WBMRR” and “WBMV” development standards have additional setbacks from streams and creeks. All of these setbacks vary from the BR-4 zoning designation, but the departure is minimal. Height restrictions in the “WBMRR” and “WBMV” development standards vary from the BR-4 zoning designation where the standard maximum height is 40 feet or 45 feet for mixed use structures measured from the natural grade to the apex of the roof. Maximum heights are 39 feet in the “WBMV” and 35 feet in the “WBMRR” development standards and are measured from the natural grade to the underside of the eave, as presented in a cross-section diagram. The “WBMV” development standard has no restrictions on permitted lot coverage, while the “WBMRR” is limited to 40% and the BR-4 is 45% for single family residential structures, 80% for multi-unit structures and no restrictions for non-residential. Fence heights are not addressed in the “WBMRR” and “WBMV” development standards. Parking requirements for the “WBMRR” and “WBMV” development standards are inaccurately cross referenced to Chapter 6 of the Neighborhood Plan (they are actually contained in Chapter 7 of the plan) but they are addressed. Finally, landscaping requirements cross referenced to the “Big Mountain Resort Design Guidelines” found in the appendices of the plan. No landscaping requirements are found in the BR-4 zoning designation, other than those required per individual conditional use or performance standards.

Many of the “WBMRR” development parcels shown on the Land Use Plan map are within a 10 minute walk of the village cores or open space and are served by pedestrian trails and local roads, thereby creating a ski-resort version of a “transect.” This spatial arrangement will greatly enhance livability of the resort.

Findings

Finding #3: The Big Mountain Neighborhood Plan and accompanying appendices that were adopted by the City of Whitefish on July 17, 2006 as an amendment to the 1996 Whitefish City/County Master Plan and subsequently adopted by reference in Chapter 10 of the Flathead County Growth Policy adopted by the Flathead County Commissioners on March 19, 2007, along with supplemental Overall Development Plan (ODP) information submitted to Flathead County by Winter Sports Inc. in November of 2008 have been reviewed by Flathead County and are adequate to satisfy the criteria for adoption of the BR-4 zoning designation.

Finding #4: The BR-4 zoning designation (along with the requisite ODP) is an accurate and appropriate implementation of the “Resort Commercial” designation in the 1996 Whitefish City/County Master Plan and on the Whitefish City County Master Plan Map Year 2020 because they both meet the goals and policies of the Whitefish City/County Master Plan pertaining to resort commercial growth.

Planner: BG