

PLANNING & BUILDING DEPARTMENT
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September 9, 2015

RE: Rural Flathead Zoning District

Flathead County Planning Board,

The City of Whitefish applauds your efforts to make the interim zoning permanent, and to create permanent new zones in your code that closely mirror the development requirements and allowed land uses that those properties previously had under Whitefish's jurisdiction. There are a few minor tweaks in the zoning districts and boundaries that we would like you to consider before you send this on to the County Commissioners.

For the most part, the new zoning districts created as 'mirrors' of the former Whitefish zones are identical. However, there are a few minor differences that have raised some local concern. One is in the permitted uses of the proposed B-2A zone, where in the Whitefish WB-2 we list 'antique stores and auction barns' but the B-2A lists 'antique, gift, and card retail sales'. We ask that you make the language in the B-2A the same as the WB-2 for that use. Whitefish has unique zoning in that the code calls for the majority of small retail uses to remain downtown, while the in the secondary business district (the Highway 93 South strip) the primary retail is for larger items or businesses that need large amounts of parking. Gift and card sales is fairly open ended with regard to what that means, and goes contrary to Whitefish's zoning.

Another item on the list of permitted uses in the B-2A is 'convenience stores', which the draft shows as a stand-alone use. In the WB-2, 'convenience stores' are only allowed as an accessory use to 'automotive service stations'. We ask that you make the B-2A consistent with the WB-2 on that item.

The B-2A lists 'vendors' as an allowed use under number 37, and while the WB-2 lists that use the same, the Whitefish code refers to a special provision that only allows mobile food vendors with a special use permit, but prohibits vending retail goods such as trinkets and Elvis blankets. We would prefer if your text said 'Food vendors' or eliminated 'vendors' entirely.

Lastly, 'furniture and floor covering stores' are listed as a permitted use in the WB-2, but they seem to have been omitted from the County B-2A.

We also question why the proposed new zones don't include a 15-acre rural agricultural zone that mirrors the Whitefish WA (15 acre) zone that you are replacing with SAG-10. That change adds significant density to rural agricultural areas.

As far as the specifics of the new Rural Whitefish Zoning District and where the zoning is applied, for the most part Whitefish is satisfied with what is being proposed. The main concern we have is the application of 2.5 acre and 5 acre zoning to some 350 acres around Lost Coon Lake and Karrow Avenue that previously had 10 and 15 acre zoning. Density smaller than 10 acres/dwelling unit on the east side of Karrow from just south of Lund Lane to where Karrow would intersect with Highway 40 if Highway 40 were extended due west from its intersection with Highway 93 is contrary to Whitefish's 2007 City County Growth Policy Future Land Use Map, which calls for a Rural Future Land Use with a 10 acre minimum. The City strongly objects to any changes in zoning inconsistent with our Growth Policy. That is a significant density change, and we hope that the county reconsiders that.

We have also heard from many residents on Houston Drive that object to the density there being more than doubled from 1 acre minimums to 20,000 square foot minimums. That extra density would put significantly more septic systems that would naturally drain toward Whitefish Lake should people there choose not to annex into the city.

The City also concurs with comments you received from Montana Fish, Wildlife, and Parks with regard to increased vegetative buffers along streams and lakes. The county has a paltry twenty foot setback from water bodies in your zoning districts, whereas the state is recommending setbacks that exceed Whitefish's Water Quality Ordinance required setbacks. Maintaining our lake and stream water quality is critical as the valley grows. We ask that you look at amending your regulations to increase buffers around lakes and streams. All of your new zoning districts state a 20-foot setback. While none of these new zoning districts appear to border major lakes or streams with the exception of the Big Mountain Resort Residential zone, the Big Mountain Resort Residential is a big one. Whitefish's primary water source, First, Second, and Third Creeks, tributaries of Haskill Creek, all originate in the Big Mountain Resort Residential zone. Whitefish asks that you at the very least require a much bigger buffer than 20' in that zone, either what Fish, Wildlife, and Parks suggests, 150' or at least what the Whitefish Water Quality Ordinance requires, 100', to protect our municipalities drinking water.

Finally, the County's sign code allows for signage that is significantly different than Whitefish's code. We ask that you consider amending your sign regulations so that future signs in the B-2A or along Highways 93 or 40 are more consistent with Whitefish's sign regulations.

Thank you for the opportunity to comment.

A handwritten signature in blue ink, appearing to read "Dave Taylor".

Dave Taylor, AICP