

**FLATHEAD COUNTY PLANNING AND ZONING
ADDENDUM TO
ZONING TEXT AMENDMENT REPORT #FZTA-15-01
FLATHEAD COUNTY PLANNING BOARD
SEPTEMBER 24, 2015**

On September 9, 2015 the Flathead County Planning Board held a public hearing to consider the requested text amendments to the Flathead County Zoning Regulations. After Public comment was closed the Planning Board decided to postpone board discussion and their recommendation until September 23, 2015 to adequately consider public comment.

Nine Planning Board members were present for the both the public hearing on September 9, 2015 and the meeting on September 23, 2015: Tim Calaway, Jim Heim, Marie Hickey-AuClaire, Mike Horn, Kevin Lake, Jeff Larsen, Ron Schlegel, Dean Sirucek, and Greg Stevens.

Staff presented the staff report to the Planning Board, including its Finding of Facts.

APPLICANT PRESENTATION:

- There was no applicant for the proposed text amendment.

At this time the Board opened it up to public comment.

COMMENTS:

Public agency:

- Dave Taylor (City of Whitefish) – Wanted to make note of the comment received about gift and card sales and convenience store, also noted that vendors are allowed use in Whitefish but only allows mobile food vendors not trinkets, Elvis blankets, etc. Furniture and floor covering store are not listed in the proposed B-2A. Wondered why County wasn't creating a 15 acre agriculture zone. City would like to see an increased setback on streams on Big Mountain. 20 Ft. would not suffice to protect public water supply, he also mentioned signage. City has issue with Karrow Ave smaller zoning as it is not consistent with the City's Growth Policy also concerned with Houston tracts.
 - The Planning Board followed up his comment with questions and a discussion about the possible setbacks from streams on Big Mountain.

Public comment period: (Public comments were limited to 3 minutes).

- Rebecca Norton - 530 Scott Ave Whitefish – Stated she appreciate how much the board kept similar. Asked board to please use their microphones. Her main concern is about the water protection. Mentioned the Whitefish Pilot watershed drainage article. She was also concerned with anything that could impact the lake and drinking water for City. She was also against the proposed density on Karrow, called it spot zoning.
- Don K - 230 JP Road Whitefish - Property across highway from his car dealership. Reiterated his email that he sent prior to the hearing.
- Marye Flowers – 35 4th St West - Summarized written comments she submitted on behalf of Citizens for a Better Flathead. Stated it was difficult to separate the comments (referencing both this file and FZD-15-01). She appreciated attempting to adopt similar zoning to Whitefish zoning and asked to make the

uses the same as in the City of Whitefish (B-2A Antiques, and convenience store). Continues to read through letter she submitted at the Planning Board hearing. Talked about water quality issue Whitefish went for 2 years to guide water quality regulations and urged the Board to consider in adoption.

- Ed Boot - has lived on Karrow Ave for 52 years – 15 acres only pertains to about four of the lots (reference to previous WA zoning under Whitefish). If he wants to sell anything it has to be 15 acres. Why do we have to listen to Whitefish out there for what we wanted to do? Stated we are sick of it.

The Planning Board closed Public Comments.

After close of public comment Larsen asked the Board if they could take a week or more to look over public comments. Stevens stated he would like to look at slopes and setbacks, Hickey - AuClaire wanted to be fair to public and not rush over comments.

- Larsen made a motion to continue the file until September 23rd. The motion was seconded by Schlegel.
 - ✓ **On a roll call vote the motion passed 9-0.**

BOARD DISCUSSION (September 23, 2015):

- Schlegel called for a roll call vote and was seconded by Horn to determine if everyone had ample time to review public comments.
 - ✓ **On a roll call vote the Board voted 9-0.**

BOARD ACTION:

- A motion was made by Larsen and seconded by Stevens to accept staff report FZTA-15-01 as findings of fact.
 - Stevens had procedural question about what topics to discuss under text amendment. Larsen stated they were only talking about the text amendment stuff now, we can amend it if see something that isn't right.
 - The Planning Board had a discussion on comments regarding the B-2A list of permitted uses, including what to do about vendor, furniture/flooring, convenience store, auction barn, etc. The board discussed vendor, adding definition or deleting vendor and possible CUP for vendor.
 - There was a discussion on how the County attempted to make the zoning regulations compatible as nearly as possible with Whitefish zoning.
 - The Planning Board decided to submit revised text to the Commissioners.
 - The Board then had a discussion regarding sign regulations. Stevens said messing with sign regulations would impact a lot of people. Sirucek agreed saying it would be like opening Pandora's Box. Board seemed to be in agreement regarding signage.

- Larsen felt that the County is meeting the City halfway with 5 new zoning districts, maybe more than half way. Noted for the record that a lot of the comments are cut and pasted comments and identical to Whitefish comments.
- Board held a discussion on how the proposed SAG-10 and R-2.5 is very compatible with WA zone. And discussed how the first criteria in M.C.A. is to be in accordance with Growth Policy (accordance with Flathead County Growth Policy not City of Whitefish).
- Larsen summarized that the Board received forty comments on both these items (FZTA-15-01 and FZD-15-01). Received comment from 1.4% of the people sent notice. Feel pretty good about what was done so far.
- The Board held a long discussion on setbacks on Big Mountain (proposed BMRR and BMV zones) after Sirucek stated he had a problem with the riparian setbacks and felt that Big Mountain is a different animal (did not believe that 20 feet was sufficient to be a buffer in the soils).
 - The Board discussed setbacks from First, Second and Third Creek, why First Creek was not use as a water supply, and state logging regulation setbacks.
 - Many members did not like a one size fits all setback and were nervous about a 150 to 200 foot setback as requested by FWP.
 - Discussion on how subdivision requirements would have a buffer zone, riparian boundary.
- ✓ **On a roll call vote the motion passed 9-0.**
- A primary motion was made by Larsen to forward a recommendation of approval to the County Commissioners for the zoning text amendment and was seconded by Stevens.
 - A secondary motion was made by Stevens and seconded by Larsen to add Auction barn to #1 on the list of permitted uses within B-2A.
 - ✓ **On a roll call vote the motion passed 8-1.**
 - A secondary motion was made by Stevens and seconded by Larsen to eliminate Vendor from the list of B-2A permitted uses.
 - ✓ **On a roll call vote the motion passed 9-0.**
 - A secondary motion was made by Stevens and seconded by Larsen and Sirucek to add Furniture and floor covering store to the list of B-2A permitted uses.
 - ✓ **On a roll call vote the motion passed 9-0.**
- ✓ **On a roll call vote the primary motion passed 9-0.**

SUMMARY OF FINDINGS:

Changes made by the Planning Board are highlighted. New language is shown in *italics*. Removed language is shown with a ~~strikethrough~~.

1. The proposed amendment appears to generally comply with the Goals and Policies of the Flathead County Growth Policy because the proposal would add new commercial and residential use districts, other County regulations would serve to protect lakes, streams, wildlife habitat and riparian boundaries, the new commercial zones would allow for different mixes of commercial and industrial uses and comment was sought from the City of Whitefish.
2. The proposed text amendment appears to not have a negative impact on safety from fire and other dangers because the use districts are intended for areas adjacent to Whitefish, in areas which are located within the Whitefish and Big Mountain Fire Districts, the fire districts would provide services in the event of a fire, not allowing a caretaker's facility on smaller lots than double the minimum lot size within RR-1 zone would eliminate the potential for doubling the density of the RR-1 zone and prohibited gravel pits would likely help secure future RR-1 zones from other dangers.
3. The proposed amendment to the Flathead County Zoning Regulations was found to have minimal impact on public health, public safety and general welfare because the zoning use districts are intended to be located near the City of Whitefish in areas which are located within the Whitefish and Big Mountain Fire Districts, many of the zoning use districts would require greater setbacks from county collectors and MDT maintained roads, a greater setback would be required from residential uses and a CUP would be required for uses that could be deleterious to the public health or safety.
4. The proposed amendment was found to have minimal impact on transportation, water, sewerage, schools, parks and other public requirements because the Flathead County Road and Bridge Department had no concerns with the proposal, no comment was received from MDT, similar uses and densities to what was previously allowed under Whitefish zoning would be allowed and there has been a decrease in school enrollment for Whitefish schools.
5. The proposed amendment was found to have minimal impact on the provision of light and air because bulk and dimensional requirements for the proposed zoning use districts would be applicable, additional setbacks are required for business zones adjacent to residential and sometimes agricultural zones and cross referencing will not impact the adequate provision of light and air.
6. The proposed text amendment is not anticipated to have a negative effect on motorized and non-motorized transportation because the Road and Bridge department does not have any concerns regarding this proposal, MDT did not provide comments and there is an already established road network.
7. This proposed text amendment would be compatible with the urban growth in the vicinity of the City of Whitefish because comment from Whitefish indicate support for the creation of all five new zoning districts as proposed, Whitefish believes this will make for a smooth transition and create the least amount of uncertainty for future development.

8. The proposed amendment to the Flathead County Zoning Regulations was found to preserve the character of the district and its peculiar suitability for a particular use because the proposed zoning use districts would replicate, as nearly as possible previous Whitefish zoning and would likely be implemented on the same properties as the previous Whitefish zoning, by not permitting sand and gravel extraction in RR-1 zones and requiring greenbelts when commercial or industrial uses abut an RR-1 zone.
9. The proposed amendment to add new use districts and cross referencing to the Flathead County Zoning Regulations was found to encourage the most appropriate use of land throughout the area because the proposed zoning use districts would replicate, as nearly as possible previous Whitefish zoning and would likely be implemented on the same properties as the previous Whitefish zoning, by not permitting sand and gravel extraction in RR-1 zones and requiring greenbelts when commercial or industrial uses abut an RR-1 zone.
10. This proposed text amendment would be, as nearly as possible, compatible with the zoning ordinances of the City of Whitefish because comment from Whitefish indicate support for the creation of all five new zoning districts as proposed, Whitefish believes this will make for a smooth transition and create the least amount of uncertainty for future development.

PROPOSED AMENDMENT (as approved by the Planning Board):

Changes made by the Planning Board are highlighted. Changed language is shown in *italics*. Removed language is shown with a ~~strike through~~.

SECTION 3.45 B-2A SECONDARY BUSINESS

3.45.010 Definition:

The B-2A district is intended to be, as nearly as possible, compatible with the zoning ordinance of the City of Whitefish and to provide for those retail sales and services the operations of which are typically characterized by the need for large display or parking areas, large storage areas and by outdoor commercial amusement or recreational activities. This district depends on proximity to the City of Whitefish, highways or arterial streets and may be located in business corridors or islands.

3.45.020 Permitted Uses (B-2A):

1. Antique, gift and card retail sales *and auction barn*.
2. Automobile (new and used) and accessory sales.
3. Automobile repair shop.
4. Automobile service station.
5. Beauty Salon and Barbershop.
6. Bed and breakfast establishment.

7. Boat and RV sales, new and used.
8. Boat and RV repair shop
9. Bowling alley.
10. Bus depot.
11. Churches and other places of worship.
12. Clinic, medical and dental.
13. Commercial caretaker's facility in a detached accessory building in conjunction with a business.
14. Convenience store.
15. Daycare centers (13 or more individuals).
16. Dwelling, single family.
17. Feed, seed and farm supply.
18. Financial institution.
19. Food store, supermarket, and delicatessen.
20. Frozen food lockers, not including slaughtering.
21. Funeral Home and crematorium.
22. *Furniture and floor covering store.*
23. Heavy equipment sales, rental and service.
24. Hospitals, and associated related nursing homes, retirement homes, congregate housing and personal care facilities in a campus setting.
25. Hotel and motel (including restaurants, lounges or bars integral to the facilities).
26. Household appliance and electronics store.
27. Laundromat or dry cleaner.
28. Lumber yard, building supply.
29. Military surplus store.
30. Pack-n-ship.
31. Professional offices.
32. Public building.
33. Recreational facility, high impact.
34. Recreational facility, low impact.
35. Restaurant.
36. Small animal veterinarian clinic (no outside activity).
37. Theater.
38. ~~Vendor.~~
39. Wholesale trade and warehousing.

3.45.030 Conditional Uses (B-2A):

1. Accessory Apartment.
2. Amusement park or zoo.
3. Animal hospital.
4. Any new building greater than 15,000 square feet, existing buildings where an addition would cause the total footprint to be 15,000 square feet or greater, and additions to

buildings where the footprint already is 15,000 square feet or greater.

5. Bar, lounge and tavern.
6. College, business school, trade school, music conservatory, dance school.
7. Community residential facility (See Chapter V- Performance Standards and Chapter VII- Definitions).**
8. Light assembly and manufacturing.
9. Manufactured home park.
10. Microbrewery.
11. Mini-storage, RV storage.
12. Recreational vehicle park.
13. Truck stop.

** Administrative Conditional Use Permit, 8 or fewer.

3.45.040

Bulk and Dimensional Requirements (B-2A):

1. Minimum Lot Area: Not Applicable.
2. Minimum Lot Width: Not Applicable.
3. Setbacks:
 - A. Minimum Yard Requirements for Structures:

Front:	20 feet.
Side:*	0 feet each.
Side Corner:	20 feet.
Rear:*	0 feet.

* 20 foot setback when abutting a residential district.
 - B. A 20-foot setback is required from streams, rivers and unprotected lakes, which do not serve as property boundaries.
 - C. Increase yard requirements as follows when property fronts:

MDT Maintained/County collector road:*	10 feet.
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4. Maximum Height: 35 feet.
5. Permitted Lot Coverage: Not Applicable.
6. Maximum Fence Height:

Front:	4 feet.
Side:	6 feet.

Rear: 6 feet.

7. Off-Street Parking: See Chapter VI-Parking and Loading.

SECTION 3.46 BMRR BIG MOUNTAIN RESORT RESIDENTIAL

3.46.010 Definition:

The BMRR district is intended to provide for lower urban densities with little or no commercial activity. Uses within the resort residential will include nightly rentals, timesharing, interval ownerships, vacation clubs, or other multiple ownership residential uses.

3.46.020 Permitted Uses (BMRR):

1. Bed and breakfast establishment.
2. Home occupation (See Chapter V – Performance Standards and Chapter VII - Definitions).
3. Dwelling, single family.
4. Dwelling, duplex.
5. Dwelling, multi-family.
6. Dwelling, resort: including resort and recreational condominiums, townhouses, time sharing and interval ownership residences or vacation units and other multiple ownership arrangement residential uses, allowing overnight accommodations and ancillary uses for the use of occupants and guests.
7. Public building.
8. Park and publicly owned recreational facility.
9. Recreational facility, high impact.
10. Recreational facility, low impact.
11. Ski area and support facilities.

3.46.030 Conditional Uses (BMRR):

1. Bar, lounge and tavern.
2. Churches and other places of worship.
3. Emergency medical clinic.
4. Information/reception center.
5. Lodge and fraternal and social organization, provided that any such establishments shall not be conducted primarily for gain.
6. Public utility service installation.
7. Resort area equipment maintenance facilities.
8. Restaurant.
9. School, primary and secondary.

3.46.040 Bulk and Dimensional Requirements (BMRR):

1. Minimum Designation Size: As prescribed by the Big Mountain Neighborhood Plan Land Use Plan.
2. Minimum Lot Area: As prescribed by the Big Mountain Neighborhood Plan Land Use Plan.
3. Minimum Lot Width: Not Applicable.
4. Setbacks:
 - A. Minimum Yard Requirements for Structures:

Front:	20 feet.
Side:	10 feet each.
Side Corner:	10 feet.
Rear:	20 feet.
 - B. Minimum Yard Requirements for Townhouses:

Side:	5 feet each.
Side Corner:	5 feet.
Rear:	15 feet.
 - C. A 20-foot setback is required from streams, rivers and unprotected lakes, which do not serve as property boundaries.
 - D. Increase yard requirements as follows when property fronts:

MDT Maintained/County collector road:*	10 feet.
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5. Maximum Height:

One through Fourplex:	28 feet (to eave).
Fiveplex or Greater:	35 feet (to eave).
6. Permitted Lot Coverage: 40%.
7. Off-Street Parking: See Chapter VI- Parking and Loading.

SECTION 3.47 BMV BIG MOUNTAIN VILLAGE

3.47.010 Definition:

The BMV district is intended to provide a regulatory framework for primary resort residential land uses at mixed densities, and year round resort uses including hotels, resort condominiums and similar uses oriented towards tourism and resort businesses. Specific uses provided for include convention facilities, bars, lounges, restaurants, and limited resort oriented retail and commercial uses intended primarily for the convenience of guests of the Big Mountain Resort. The Big Mountain village is a densely compact resort core area characterized mainly by mixed and multiple use buildings and complexes. Retail, commercial services, and dining and drinking establishments will generally be located at street level, with hotel/residential uses above, and parking typically below street level.

3.47.020 Permitted Uses (BMV):

1. Bar, lounge and tavern.
2. Conference facilities.
3. Dwelling, single family.
4. Dwelling, duplex.
5. Dwelling, multi-family.
6. Dwelling, resort: including resort and recreational condominiums, townhouses, time sharing and interval ownership residences or vacation units and other multiple ownership arrangement residential uses, allowing overnight accommodations and ancillary uses for the use of occupants and guests.
7. Emergency medical clinic.
8. Financial institution.
9. Health studio and spa.
10. Hotel, motel.
11. Professional offices.
12. Public building.
13. Park and publicly owned recreational facility.
14. Recreational facility, high impact.
15. Recreational facility, low impact.
16. Restaurant.
17. Retail sales and service.
18. Ski area and support facilities.
19. Theater.

3.47.030 Conditional Uses (BMV):

1. Churches and other places of worship.
2. Public utility service installation.
3. Resort area equipment maintenance facilities.
4. School, primary and secondary.

3.47.040 Bulk and Dimensional Requirements (BMV):

1. Minimum Lot Area: As prescribed by the Big Mountain Neighborhood Plan Land Use Plan.
2. Minimum Lot Width: Not Applicable.
3. Setbacks:
 - A. Minimum Yard Requirements for Structures:

Front:	0 feet.
Side:*	0 feet each.
Side Corner:	0 feet.
Rear:*	0 feet.

* 15 foot setback when abutting a residential district.
 - B. A 20-foot setback is required from streams, rivers and unprotected lakes, which do not serve as property boundaries.
 - C. Increase yard requirements as follows when property fronts:

MDT Maintained/County collector road:*	10 feet.
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4. Maximum Height: 39 feet (to eave).
5. Permitted Lot Coverage: Not Applicable.
6. Off-Street Parking: See Chapter VI-Parking and Loading.

SECTION 3.48 BSD BUSINESS SERVICE DISTRICT

3.48.010 Definition:

The business service district is intended to be, as nearly as possible, compatible with the zoning ordinance of the City of Whitefish and to create defined areas that are appropriate for nonretail limited commercial services and light industrial uses in

proximity to the City of Whitefish. Typical uses would be light manufacturing and component assembly, office/warehouse showrooms, contractors, wholesale trades, and other nonretail commercial services of a destination nature. The grouping of uses shall be incorporated in order to develop as an island rather than as a strip. Landscaping will be extensive with good quality and effective screening and buffering.

3.48.015 Acceptance of an application for BSD zoning will be contingent upon a site plan, vicinity map and building concepts for the area requested being submitted for review. The site plan, vicinity map and building concepts will address each of the following:

1. The site plan shall include all buildings, structures, parking, driveways, sidewalks, utilities, drainage, landscaping and signage.
2. The site plan shall demonstrate conformance with the zoning regulations and other applicable county regulations. All projects constructed in accordance with an approved site plan shall be permanently maintained as approved.
3. The vicinity map shall include surrounding parcels, buildings, structures, circulation systems and major physical features.
4. Shared driveway access or frontage roads (whether public or private) are required where possible to provide a cohesive internal circulation pattern and to limit access onto arterials and collectors when development contains multiple commercial uses.

3.48.017 Implementation of Site Plan and Vicinity Map:

1. Once the site plan and vicinity map have been adopted, they shall be considered zoning and shall serve as the guidelines for the development.

2. Prior to any site development, a detailed site plan shall be submitted to the zoning administrator to demonstrate compliance with the approved site plan and vicinity map. Any desired subsequent changes shall be submitted for approval as an amendment to the site plan.
3. Minor deviations to the site plan shall be allowed which do not involve more than ten percent (10%) of the building site for a single building. This would include, but is not limited to, the location and/or expansion of the building, parking lot location, signage, number of parking spaces and landscaping. Minor deviations to the site plan shall be reviewed and approved by the zoning administrator.
4. Substantial modifications to the site plan will be required to be reviewed and approved by the County Commissioners. Substantial changes would include, but not be limited to, an increase in the number of buildings, major changes in access or circulation, an increase in building size by more than ten percent (10%), major changes to signage and major changes to landscaping design and location.

3.48.020 Permitted (BSD):

1. Agricultural/horticultural/silvicultural use.
2. Ancillary retail or showrooms, less than fifty (50%) percent of the gross floor area of each individual lease space or tenant
3. Animal hospital, veterinary clinic.
4. Contractors' storage yard and building supply outlet.
5. Dance, drama, and music school.
6. Dwelling, single family.
7. Farm equipment sales.

8. Feed, seed and farm supply, including grain elevators.
9. Home occupation (See Chapter V – Performance Standards and Chapter VII – Definitions).
10. Homeowners park.
11. Light assembly and manufacturing, fabrication, including light food manufacturing and processing, repairing, packing or storage facilities in enclosed buildings, provided that such uses do not produce objectionable impacts beyond the lot lines and do not involve materials that are explosive, hazardous or toxic.
12. Livestock.
13. Nursery, landscaping materials.
14. Parcel delivery service.
15. Park and publicly owned recreational facility.
16. Personal services with incidental retail sales.
17. Print and copy shop.
18. Produce stand.
19. Professional offices.
20. Public utility service installation (A minimum of five feet of landscaped area shall surround such building or structure).
21. Repair of equipment and consumer items such as appliances, clocks and watches, lawn and garden equipment, computers, televisions, shoes, furniture, and small engines, (no outdoor storage permitted).
22. Riding academy, rodeo arena.
23. Small equipment sales, rental and repair conducted indoors, (no outdoor storage permitted).
24. Stable, public and private.
25. Wholesale trade and warehousing, including offices and showrooms.

3.48.030 Conditional Uses (BSD):

1. Accessory apartments.
2. Ancillary retail or showrooms, more than fifty (50%) percent of the gross floor area of each individual lease space or tenant.
3. Churches and other place of worship.
4. College, business school, trade school.
5. Commercial caretaker's facility in a detached accessory building in conjunction with a business.*
6. Convention hall facility.
7. Day care center.
8. Kennel.
9. Mini-storage.

- 10. Research laboratory and institution.
- 11. When not shown on the initial site plan required for zoning or rezoning properties, all new structures with a gross floor area of ten thousand (10,000) square feet or greater, existing structures where an addition causes the total floor area to be ten thousand (10,000) square feet or greater, and additions to structures where the total floor area already is ten thousand (10,000) square feet or greater.

*Administrative Conditional Use Permit (See Section 2.06.045)

3.48.040 Bulk and Dimensional Requirements (BSD):

- 1. Minimum District Area: 5 acre.
- 2. Minimum Lot Area: 1 acre.
- 3. Minimum Lot Width: 125 feet.
- 4. Setbacks:
 - A. Minimum Yard Requirements for Structures:
 - Front: 30 feet.
 - Side: 10 feet each.
 - Side Corner: 30 feet.
 - Rear: 15 feet.
 - B. When a property abuts the following features, the abutting setback shall be increased to the following:
 - Agricultural – use or zone: 30 feet.
 - Residential – use or zone: 30 feet.
 - Stream – high water mark: 20 feet.
- 5. Maximum Height:
 - Principal Structures: 35 feet.
 - Accessory Structures: 24 feet.
- 6. Permitted Lot Coverage: 40%.
- 7. Maximum Fence Height:
 - Front: 4 feet.
 - Side: 6 feet.
 - Rear: 6 feet.
- 8. Off-Street Parking: See Chapter VI – Parking and Loading.

3.48.050 Additional Design Standards (BSD):

1. One commercial use permitted per gross acre. Multiple commercial uses should cluster development to include both shared parking areas and internal road access. Buildings shall be grouped into localized areas and shall not be developed in a linear fashion.
2. Clustering:
 - A. Clustering of uses includes incorporation of common shared areas such as courtyards to create central nodes of business/development as opposed to linear development.
 - B. Clustering should include shared access, parking, landscaping, with the overall development designed to protect surrounding properties from adverse impacts.
 - C. For the purpose of clustering, the site will be developed as one lot. Property setbacks for commercial uses shall not apply except for separation from residential uses. This allows for cohesive development on multiple properties developed in conjunction with an overall development theme or business park plan.
3. Landscaping:
 - A. Landscape design shall be in accordance with the concept of a business park. A combination of landscape materials should be arranged in a harmonious manner as an integral part of the project design to enhance building design, public view and interior spaces and provide buffers and transitions, as appropriate.
 - B. Landscaping shall comply with Section 5.05 and parking lot landscaping shall comply with Section 6.13.010(2).
 - C. Exposed utilities, storage areas, machinery, installations, service and loading areas and similar accessory areas and structures shall be set back to the primary structure requirements or screened to

minimize the loss of views, privacy and the general aesthetic value of surroundings.

4. Signage:

A combination of natural materials and colors should be arranged in a harmonious manner that complements the overall design of the site and does not create visual clutter, distractions for passing motorists or the obstruction of important architectural or landscaping features.

SECTION 3.49 RR-1 LOW DENSITY RESORT RESIDENTIAL

3.49.010 Definition:

The RR-1 district is intended to be, as nearly as possible, compatible with the zoning ordinance of the City of Whitefish and to provide a low density setting for secondary residential resorts in proximity to the City of Whitefish.

3.49.020 Permitted Uses (RR-1):

1. Bed and breakfast establishment.
2. Class A manufactured home.
3. Day care home.
4. Duplex.
5. Dwelling, multi-family (4 or fewer units).
6. Dwelling, single family.
7. Home occupation (See Chapter V – Performance Standards and Chapter VII – Definitions).
8. Park and publicly owned recreational facility.
9. Public utility service installation (a minimum of five feet of landscaped area shall surround each building or structure).
10. Tourist accommodation units (4 or fewer units).

3.49.030 Conditional Uses (RR-1):

1. Accessory apartments.
2. Boarding house.
3. Boat launching ramp and dock (commercial).
4. Caretaker's facility.*
5. Churches and other place of worship.
6. Community residential facilities, Class I.
7. Convention hall facility.
8. Day care center.
9. Dwellings, cluster development (See Chapter IV – Conditional Use Standards).

10. Dwelling, multi-family (5 or more units).
11. Golf course.
12. Guest house.
13. Health club.
14. Manufactured home park (5 acre minimum size).
15. Marina (commercial).
16. Professional offices.
17. School, primary and secondary.
18. Tourist accommodation units (5 or more units).

*Administrative Conditional Use Permit (See Section 2.06.045)

3.49.040 Bulk and Dimensional Requirements (RR-1):

7. Minimum District Area: 1 acre.
8. Minimum Lot Area: Not Applicable.
9. Minimum Lot Width: Not Applicable.
10. Maximum Density: 10 dwelling units per acre.
11. Setbacks:
 - A. Minimum Yard Requirements for Principal Structures:

Front:	15 feet.
Side:	10 feet each.
Side Corner:	15 feet.
Rear:	20 feet.
 - B. Detached Accessory Structures:

Front:	15 feet.
Side:	6 feet.
Side Corner:	6 feet each.
Rear:	6 feet.
 - C. A 20-foot setback is required from streams, rivers and unprotected lakes, which do not serve as property boundaries.
 - D. Increase yard requirements as follows when property fronts:

MDT Maintained/County collector road:*	25 feet.
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- 12. Maximum Height:
 - Principal Structures: 35 feet.
 - Accessory Structures: 24 feet.
- 13. Permitted Lot Coverage: 35%.
- 14. Maximum Fence Height:
 - Front: 4 feet.
 - Side: 6 feet.
 - Rear: 6 feet.
- 7. Off-Street Parking: See Chapter VI-
Parking and Loading.

The proposal would also include cross referencing in other sections of the FCZR, amending Sections 3.01.020, 3.03.020(10), 4.04, 4.04.010(2), 4.06, 4.08.040, 5.05.010, 5.05.020, 5.11.040(3), 5.11.040(4) and 6.13 FCZR as follows:

3.01.020 For the purpose of applying these regulations to the zoned areas of Flathead County, said areas are hereby divided into the following use districts:

District Size	Title	Minimum Lot
AG-80	Agricultural	80 acres
AG-40	Agricultural	40 acres
AG-20	Agricultural	20 acres
SAG-10	Suburban Agricultural	10 acres
SAG-5	Suburban Agricultural	5 acres
R-2.5	Rural Residential	2.5 acres
R-1	Suburban Residential	1 acre
R-2	One-Family Limited Residential	20,000 sq. ft.
R-3	One-Family Residential	10,000 sq. ft.
R-4	Two-Family Residential:	
	Single-family	6,000 sq. ft.
	Duplex	7,500 sq. ft.
R-5	Two-Family Residential	5,400 sq. ft.
RC-1	Residential Cluster	Max. Density 1 du/acre
	Detached Dwelling Unit	4,500 sq. ft.
	Attached Dwelling Unit	2,500 sq. ft.
RA-1	Residential Apartment	7,500 sq. ft.
RR-1	Low Density Resort Residential	District, Min. 1 acre
B-1	Neighborhood Business	7,500 sq. ft.
B-2	General Business	7,500 sq. ft.
B-2A	Secondary Business	Not applicable
B-2HG 3.44	General Business Highway Greenbelt	See Section
B-3	Community Business	District,

		Min. 10 acres
BR-2	Resort Business	District,
		Min. 20 acres
BR-4	Resort Business	District,
		Min. 10 acres
B-5	Tourist Retail	District,
		Min. 5 acres
B-6	Resort Business	15,000 sq. ft.
B-7	Rural Area Commercial	District,
		Max. 240,000
sq. ft.		
BMRR	Big Mountain Resort Residential	District,
		As prescribe by
		the Big
		Mountain Plan
		Land Use Plan
BMV	Big Mountain Village	District,
		As prescribe by
		the Big
		Mountain Plan
		Land Use Plan
BSD	Business Service District	1 acre
CCC-1	Commercial Country Corner – 1	District,
		Max. 240,000
sq. ft.		
CCC-2	Commercial Country Corner – 2	District,
		Max. 400,000
sq. ft.		
CVR	Commercial Village Resort	2,500 sq. ft.
I-1	Light Industrial	7,500 sq. ft.
I-1H	Light Industrial – Highway	1 acre
I-2	Heavy Industrial	7,500 sq. ft.
P	Public	Not applicable
PUD	Planned Unit Development	See Section
3.31		
SC	Scenic Corridor	See Section 3

3.03.020

10. In R-2.5 (Rural Residential), R-1 (Suburban Residential), R-2 (One Family

Limited Residential), R-3 (One Family Residential), R-4 (Two Family Residential), R-5 (Two Family Residential), RC-1 (Residential Cluster), and RA-1 (Residential Apartment) and RR-1 (Low Density Resort Residential) zoning or use districts, sand and gravel extraction and asphalt and concrete batch plant uses are prohibited. In other residential districts, as defined herein, sand and gravel extraction and asphalt and concrete batch plant uses shall be conditioned under the provisions of Sections 2.06 and 4.10, provided however, that if the negative impacts (including those listed in Section 2.06.080.1.D) on the surrounding area cannot be reasonably mitigated, all sand and gravel extraction and associated operations,

or processing of sand and gravel, or asphalt and/or concrete batch plant uses, may be prohibited.

SECTION 4.04 CARETAKER’S FACILITY IN AG, SAG, ~~AND R-1~~, AND RR-1 DISTRICTS

4.04.010 A caretaker’s facility is a dwelling, which is constructed and designed to provide living quarters for caretakers or servants, and is clearly subordinate to the principal use with regard to size and location. Caretaker’s facilities are allowed as a conditional use in the AG-80, AG-40, AG-20, SAG-10, SAG-5, R-2.5, ~~and~~ R-1 and RR-1 districts subject to the following conditions:

4.04.010 2. In SAG-5, R-2.5, ~~and~~ R-1 and RR-1 districts the parcel on which the caretaker’s facility is located shall be double the size of the underlying district minimum lot size.

SECTION 4.06 COMMERCIAL CARETAKER’S FACILITY IN B-2, B-2HG, B-3, BSD, I-1, I-1H AND I-2 DISTRICTS

4.08.040 In all residential (AG, SAG, R, and RA) and resort (RC, RR, BR, B-5, and B-6) districts:

5.05.010 All sites in a commercial (“B” and “BR” designations) district having a common boundary with a residential district (“R”, “RA”, ~~or~~ “RC”, or “RR” designation) shall erect and maintain a view-obscuring fence or dense coniferous hedge along such common boundary. Fences shall be six (6) feet high. Hedges shall obtain a height of at least six (6) feet within three (3) years. Where the wall of a building is on such common boundary, no separate wall, fence, or hedge is required along the portion of the common boundary occupied by the building.

5.05.020 All sites in an industrial district (“I” designation) having a common boundary with a residential district (“R”, “RA”, ~~or~~ “RC”, or “RR” designation) shall have planted and maintained along such common boundary a view-obscuring coniferous greenbelt of shrubs and trees at least eight (8) feet in height at maturity and at least ten (10) feet in width for screening purposes and controlling access.

5.11.040 3. Permitted signs in BMRR, RC-1, RA-1, RR-1, CVR, and P districts shall be as follows:

4. Permitted signs in B-1, B-2, B-2A, B-2HG, BR-2, B-3, BR-4, B-5, B-6, ~~and~~ B-7, BMV, and BSD districts shall be as follows (see additional requirements for B-2HG in Section 3.44):

SECTION 6.13B, BMV, BMRR, BR, BSD, CVR, CCC, I, ~~AND~~ P, AND RR PARKING REQUIREMENTS SPECIAL CONDITIONS