

CHAPTER 11.2: STATEMENT OF COORDINATION

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Introduction

The Growth Policy does not have jurisdiction over all lands within Flathead County. ~~Multiple there are multiple individual~~ planning jurisdictions ~~are~~ present throughout the County. Lands under the jurisdiction of the National Forest Service, National Park Service, Salish-Kootenai Confederated Tribes, or Cities of Whitefish, Columbia Falls and Kalispell are not subject to the goals and policies of the Flathead County Growth Policy. However, growth in one area of Flathead County ~~will may have an impact all on other areas the jurisdictions listed above~~ as people, goods and services travel and live between jurisdictions. It is essential that Flathead County have a plan for coordinating with other jurisdictions on land use issues pertinent to protecting the public health, safety, morals, convenience, order, or general welfare in the process of community development (76-1-106 M.C.A.).

Comment [b1]: Work on rephrasing

Goal

- G.46 Growth and development around Columbia Falls that respects the cultural, geographic and historic heritage of the city while providing essential facilities and services that protect and preserve the health, safety, and welfare of the natural and human environment.

Policies

- P.46.1 ~~Maintain and Uphold~~ ~~continue coordination and review of~~ the provisions of the existing interlocal agreement between Flathead County and the City of Columbia Falls.
- P.46.2 Maintain communication on planning issues adjacent to the interlocal agreement boundary.
- P.46.3 ~~Annually r~~ Review the provisions of the interlocal agreement for adequacy, accuracy and relevancy annually, and revise as necessary.
- P.46.4 Encourage a statement of coordination on planning issues between the County and Columbia Falls.

Goal

- G.47 Growth and development around Kalispell that respects the cultural, geographic and historic heritage of the city while providing essential facilities and services that protect and preserve the health, safety, and welfare of the natural and human environment.

Policies

- P.47.1 ~~Work with the City to Jointly~~ identify areas around Kalispell appropriate for high density, urban development.
- P.47.2 Share plans for guiding growth away from hazardous and/or unhealthy lands.
- P.47.3 Identify areas most appropriate to be served by Kalispell or county sewer and water services. Share plans for extension of sewer and water facilities to increase the predictability of the community development process.
- P.47.4 ~~Jointly~~ ~~Work with the City to~~ identify areas around Kalispell appropriate to preserve through open-space development design incentives or acquisition of land for natural and/or recreation areas.
- P.47.5 ~~Work with the City to~~ ~~Jointly~~ identify areas around Kalispell likely to be annexed and appropriate for development to urban density, service and facility standards.
- P.47.6 Discourage urban-density development that lacks urban services *and* facilities.
- P.47.7 Encourage a statement of coordination on planning issues between the County and Kalispell.

Goal

- G.48 Growth and development around Whitefish that respects the cultural, geographic and historic heritage of the city while providing essential facilities and services that protect and preserve the health, safety, and welfare of the natural and human environment.

Policies

- P.48.1 Promote ~~representation by county officials of~~ ~~County representation of~~ those residents outside the City of Whitefish, while giving consideration to both the interests of those residents as well as the growth needs of the City ~~of Whitefish~~ during county planning processes.
- P.48.2 Request comments from the City of Whitefish agencies on subdivision, zoning and other land use issues within 2 miles of city limits and give consideration to those comments during the county review process.

Comment [a2]: Annexed area or interlocal?

P.48.3 Protect and preserve the many unique opportunities present in the natural and human environment surrounding the City of Whitefish.

P.48.4 Encourage a statement of coordination on planning issues between the County and Whitefish.

Comment [b3]: Need to check – this is not consistent with what is written in published GP

Goal

G.49 Communication and coordination during the development process, where appropriate, that respects the cultural heritage and jurisdictional integrity of the Flathead Indian Reservation and the Confederated Salish and Kootenai Tribes.

Policies

P.49.1 Develop an intergovernmental agreement clarifying and codifying all jurisdiction, communication and coordination issues on lands within both the Flathead Indian Reservation and Flathead County as well as tribally-owned lands outside the Flathead Indian Reservation.

P.49.2 Communicate on development occurring near and/or on lands designated as culturally significant to the Confederated Salish and Kootenai Tribes.

P.49.3 Provide ~~in the intergovernmental agreement~~ for cultural clearance of development sites in Flathead County where defined Indian artifacts are uncovered during development, as part of the intergovernmental agreement.

Goal

G.50 Federal and state land management that considers and respects the custom and culture of Flathead County residents.

Policies

P.50.1 Actively participate in the process of planning for federal and state lands- ~~This includes, communicating regularly-regular communication~~ on issues of importance to Flathead County residents and ~~-providing input to state and federal agencies on the commentary on~~ effectiveness of existing plans.

P.50.2 Regularly review and update the accuracy and relevance of the “Flathead County Natural Resource Use Policy, Custom and Culture Document.”

- Check Mark’s email for date, look at CoCo minutes – check with Jim DuPont

Comment [a4]: Does anyone know what this document is, where it lives or who created it?

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P.50.3 Pursue a “statement of coordination” with state and federal land management agencies, clarifying and codifying relevant jurisdictional

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issues including, but not limited to, fire response, fuel reduction, emergency services, road usage and access, water resources, timber, agriculture, noxious weeds and recreation access.

- P.50.4 Consider relevant state and federal planning documents when reviewing development proposals that will impact federal or state lands.

PART 1: Municipal Jurisdictions (see Goals 46 through 48)

Columbia Falls

~~2005 was the first year on record in which median home values in Columbia Falls exceeded those in Kalispell¹.~~ Columbia Falls is a ~~rapidly growing and changing~~ community facing many challenges and opportunities ~~in the years ahead~~. Many changes are occurring adjacent to city limits in areas that culturally and geographically identify with the City of Columbia Falls. It is appropriate that the City of Columbia Falls act to protect the public health, safety, morals, convenience, order, or general welfare in the process of community development (76-1-106 M.C.A.) in these areas. ~~On January 12, 2005,~~ ~~u~~Under authorization by the Interlocal Cooperation Act (7-11-104 M.C.A.), the Flathead County Commissioners signed an interlocal agreement ~~on January 12th, 2005,~~ granting the City of Columbia Falls planning jurisdiction over an ~~designated~~ area adjacent to the ~~existing~~ city limits. The interlocal agreement contains provisions for future cooperation, coordination and communication between parties and an annual meeting to review ~~the~~ boundaries of the agreement.

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Kalispell

~~Kalispell is continues to be~~ one of the fastest growing communities in Flathead County, ~~having experienced population growth nearing 40% between 2000 and 2010.² Between 2000 and 2005 developments within the City of Kalispell added 19 miles of water lines, 24 miles of sewer lines and 19 miles of roads.³~~ With a large portion of that growth taking place through annexations, the City of Kalispell is rapidly expanding into formerly rural areas of Flathead County. ~~Change-This transition~~ from rural or suburban to urban land uses has ~~many impacts on~~ affected both the City of Kalispell and Flathead County. ~~Kalispell may annex and~~Following annexation, the City may immediately provide urban services such as law enforcement, rapid emergency response, street cleaning, solid waste pickup, public sewer and water facilities, parks, and building safety oversight. However, many residents of Flathead County are not interested in ~~becoming quickly being~~ enveloped ~~so quickly~~ by a rapidly growing city. Conversion to high density residential or commercial land uses ~~brings a results in a~~ variety of ~~undesirable~~ impacts and additional needs of residents. Annexing and/or developing lands ~~simply~~ because sewer and water lines can be engineered to reach them does not always serve the health, safety and welfare of both new and existing residents. ~~Kalispell is growing rapidly, primarily~~

Comment [b5]: Elaborate on annexation policy currently adopted

Comment [b6]: Need to get some facts on how many acres Kalispell has added in past 10 years – have some perspective to back this up?

¹The Daily Interlake, 04/02/06

²U.S. Census Bureau, Census 2010 PL 94-171, March 2011; Census 2000 Summary File 1, 2001.

³The Daily Interlake, 04/02/06

through annexation – use statistics. Takes away from County. Coordination is desirable.

It is essential that the City of Kalispell and Flathead County coordinate and cooperate on issues of growth into rural areas. Some development that occurs under the jurisdiction of Flathead County should meet urban standards to prepare for inevitable annexation. Other development in rural areas should preserve rural character, ~~even if it is whether~~ annexed ~~or not~~, to provide a healthy, natural environment for future generations of ~~both city and county and Kalispell~~ residents. Coordination and cooperation between Kalispell and Flathead County would lead to easier identification of lands ~~on which the impacts to health and safety dictate~~ appropriate for certain types and densities of development, ~~both~~ now and in the future.

Whitefish

The City of Whitefish has a unique character and economy based on a history of railroading and tourism. Over the past decade ~~R~~real estate and construction have emerged as additional drivers of the Whitefish economy, although their influence has been tempered following the economic downturn beginning in 2008. As the city continues to grow and expand, the Whitefish economy ~~Whitefish is a rapidly expanding municipality with an economy that~~ depends in part on maintaining ~~the-it's~~ unique “mountain ski resort” character. However, some of the major drivers of the Whitefish economy that are closely linked to the character of the town are actually located just outside the city limits ~~(such as, including the~~ Whitefish Mountain Resort, Lost Coon Lake, Blanchard Lake and many of the lakefront properties along ~~on~~ Whitefish Lake itself). When economic success is inextricably linked to preserving and maintaining the unique character of a municipality and its immediate surroundings ~~adjacent areas~~, it is important for county planning and use planning and implementation efforts in the County to give consideration to ~~both~~ the municipality’s growth planning as well as the desires of residents living within those areas.

During the process of planning for lands adjacent to the City of Whitefish, it is imperative Flathead County representatives should both the City and the County work with local residents as well as representatives of the City of Whitefish together to protect the quality of life of current residents while anticipating e-future growth patterns of the city and the ability accommodate the needs of County government to provide services and facilities to accommodate these needs. Pursuant to the Interlocal Cooperation Act (7-11-104 M.C.A.), the Flathead County Commissioners signed an interlocal agreement with the City of Whitefish in January 2005, identifying a designated area adjacent to the existing city limits that would fall under the City’s jurisdiction. The interlocal agreement contains provisions for future cooperation, coordination and communication between parties and an annual meeting to review the boundaries of the agreement.

Is it worth discussing the issues that have resulted because of the interlocal agreement? Good history or too much information...

PART 2: Tribal Jurisdictions (see Goal 49)

Comment [b7]: Again, check on language – why does this not match GP? PB thinks this was amended sometime around 2009 to reflect changes in interlocal – really all of this is still pending legal decisions that may or may not be decided by the time the update has been passed.

The Flathead Indian Reservation contributes approximately ~~29,864~~28,296 acres to Flathead County.⁴ Approximately 24,315 acres of this total are owned by the Confederated Salish and Kootenai Tribes and are not under the jurisdiction of the Flathead County Growth Policy. Fee lands owned privately by a member of any tribe are not under the jurisdiction of the Flathead County Growth Policy. During the writing of the 2006 Growth Policy, Flathead County Planning and Zoning staff met with planners from the Confederated Salish and Kootenai Tribes. Much of the discussion centered on understanding jurisdictional issues pertaining to tribal lands. It was obvious during that meeting that both Flathead County and the Confederated Salish and Kootenai Tribes would ~~both~~ benefit from an intergovernmental agreement codifying jurisdictional issues.

The Confederated Salish and Kootenai Tribes are interested in protecting and preserving their rich heritage, and Flathead County is in a position to aid that interest. Opportunities are available for coordination and cooperation during the development process on issues such as wetlands, floodplains, cultural protection, subdivision, road naming etc. on non-tribal owned lands within the Flathead Indian Reservation and Flathead County. Growing development pressures throughout Flathead County ~~will~~may eventually impact the small percentage of lands held by tribal interests. Given this likelihood, it is better to be prepared with knowledge and understanding rather than ~~sort through issues at the last minute~~.wait to address the issues piecemeal as they arise.

PART 3: Federal and State Jurisdictions (see Goal 50)

Federal and state lands contribute a substantial percentage of the overall acreage of Flathead County (see Chapter 2: Land Uses). Land use planning on federal and state lands is the jurisdiction of the federal and state government, respectively. Plans created to manage federal or state lands for the best interest of all citizens have the potential to impact local ~~natural and human~~ environment and economy in a variety of ways. While residents of one county or ~~local~~ area may not dictate ~~solely~~ management practices on public lands ~~owned by everyone in the state~~, it is essential that local residents communicate the local consequences of federal and state management practices. Flathead County's role should be to ~~familiarize and~~ educate federal and state planners and decision makers about ~~local consequences of local impacts related to~~ land management practices on public lands. ~~A document created to fulfill this role was created by~~ Flathead County created a document to fulfill this roll in the summer of 2005. Entitled the The "Flathead County Natural Resource Use Policy, Custom and Culture Document", it was written to explain the importance of natural resources to the residents of Flathead County and be used ~~in consideration of local needs~~ by federal and state planners in consideration of local needs. By communicating these local needs ~~for federal and state lands~~, Flathead County ~~will~~can actively protect the public health, safety, morals, convenience, order, or general welfare (~~76-1-106 M.C.A.~~) of its residents, pursuant to 76-1-106 M.C.A.

Comment [b8]: Need to check Mark's email, call Jim DuPont to see what status is, if anything was ever sent by CoCo

⁴ Natural Resources Information System, February 2011. Tribal & BLA land ownership.