ASHLEY LAKE

NEIGHBORHOOD PLAN

ASHLEY LAKE NEIGHBORHOOD PLAN

An Element of the Flathead County Growth Policy

Adopted by the Flathead County Board of Commissioners
Resolution No. 1295A
October 29, 1997

Revised by the Flathead County Board of Commissioners
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Acknowledgements

Flathead County Commission

Jim DuPont - Chairman
Pam Holmquist
Dale Lauman

County Administrator

Mike Pence

Planning Board

Marie Hickey-AuClaire - Chairman
Gordon Cross
Frank DeKort
Marc Pitman
Charles Lapp
Gene Shellerud
James Heim
Bob Keenan
Jeff Larsen
Mike Mower (former Board member)

Planning and Zoning Office

B.J. Grieve, AICP, CFM – Director
Andrew Hagemeier, AICP – Planner II
Allison Mouch, AICP – Planner II

Ashley Lake Land Use Advisory Committee

Robert Driscoll – Former committee member/Chairman
Richard Ramos – Former committee member/Chairman
Mark Boardman – Current Chairman
Tim Coleman
Les Hart
Clell Hoffman
Brent Kandarian
Edwin Speelman

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Executive Summary

The Ashley Lake Neighborhood Plan is a non-regulatory document providing guidance on land use within the Ashley Lake planning area. The plan is not zoning; the Ashley Lake area was zoned in 1997. The Ashley Lake zoning regulations can be found in Section 3.38 of the Flathead County Zoning Regulations. This revision does not change in any way the existing zoning in the Ashley Lake area; it only makes recommendations for how the zoning may change in the future. This plan was drafted using the labor and intellect of Ashley Lake residents. It updates and replaces the Ashley Lake Neighborhood Plan of 1997 but strives to keep the original intentions of that plan intact. The Ashley Lake Neighborhood Plan was drafted in accordance with the Flathead County Growth Policy.

The plan is divided into eight chapters. Chapter One identifies the community's vision, an expression of what the community wishes to be in the future. Chapter Two defines and maps the planning area. Chapter Three is a chronicle of existing conditions which will serve as a baseline for planning efforts into the future. Chapter Four identifies issues and opportunities the community faces. Chapter Five lists the goals and polices that should be used as a guide to work towards the community's vision. Chapter Six provides recommendations for the implementation of the plan. Chapter Seven details procedures for amendments and revisions. Chapter Eight is a statement on coordination with other agencies.

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Preface

Authorization

The Ashley Lake Neighborhood Plan was adopted by the Flathead County Board of Commissioners on October 29, 1997 through Resolution No. 1295A. The plan was incorporated as an element of the Flathead County Growth Policy on March 19, 2007 by Resolution No. 2015A. Neighborhood plans consistent with the Growth Policy may be established pursuant to Section 76-1-601 M.C.A.

Regulatory Authority

It is understood the Ashley Lake Neighborhood Plan, an element of the Flathead County Growth Policy, is not a regulatory document and does not confer any authority to regulate its provisions. The goals, policies, and text included herein should be considered a detailed description of the desired land use in the Ashley Lake neighborhood planning area. The plan should also be used as guidance in adopting zoning regulations that would apply to land use in the planning area.

Background

Why a Neighborhood Plan: When the Ashley Lake Neighborhood Plan was adopted in 1997, the Ashley Lake neighborhood lay within the jurisdiction of the Flathead County Master Plan, yet the County Master Plan did not give specific guidance or direction for the Ashley Lake area. Generally speaking, there were no land development codes in effect in this area. The only regulations that existed in relation to development were county and state sanitation regulations, County subdivision regulations, state electrical permits and the County Lake and Lakeshore Protection Regulations. There was a strong desire to protect the amenities and character of this neighborhood through a land development code as evidenced by the 1996 survey results showing 77% of the respondents calling for land use standards that affect the rate, amount or type of development in the area. Yet there was no plan to give specific guidance as to how such regulations should be crafted and what they should address. The 1997 plan was intended to bridge the gap and offer specific direction and guidance for this area.

Development of the Plan: The Ashley Lake Neighborhood Plan was developed by the property owners in the Ashley Lake Neighborhood. Due to neighborhood concerns about the potential sale of substantial reserves of private timber land and future development in the Ashley Lake neighborhood, the property owners in the Ashley Lake neighborhood came together to provide advice to elected and appointed government officials, developers, and existing and future property owners. Through a series of meetings, residents of Ashley Lake expressed concerns about future development of the area,

identified goals (what the community wants to become), developed and discussed alternatives for achieving goals and selected courses of action.

The development of the plan had its beginnings in early 1996. The Ashley Lake Property Owners Association's (ALPOA) Board spent several board meetings discussing the future of the Ashley Lake area relative to the lake level, future fisheries projects, lakeshore setbacks, Plum Creek Land Management practices and the pros and cons of neighborhood planning. In an effort to better gauge the concerns of the neighborhood and determine the views concerning neighborhood planning, ALPOA decided to conduct a mail out survey to every known landowner and ALPOA member. Regardless of the APLPOA's effort to mail a survey to every property owner, some property owners were inadvertently missed. Approximately 64 surveys were returned for a response rate of 40%. The results showed that 92% of the respondents had concerns about future growth in the area, 91% had concerns about future housing densities, and 77% stated that land use standards that affect the rate, amount and type of development were necessary.

ALPOA moved forward and a meeting of all interested landowners was held on June 14, 1996 at the Flathead County Fairgrounds in Kalispell to continue discussion on the topic of developing a neighborhood plan. Approximately 60 people attended. At the end of the meeting a vote was taken of those present and strong support was given to proceed with a neighborhood planning effort. At that point the ALPOA made it clear their role in this effort was over. The ALPOA felt it was appropriate to raise the issue of neighborhood planning, conduct a survey and hold an informational meeting. At that point, ALPOA announced that it had completed its responsibilities, and that while the neighborhood appeared to support developing a plan, it was not appropriate for the ALPOA to take the lead in actually developing the plan. ALPOA recommended that an independent steering committee be formed, that it meet regularly and that it keep the general membership informed.

At the end of the June 14th meeting, volunteers were called to serve on a steering committee. The original steering committee consisted of 10 property owners, and representatives from Plum Creek Timberlands LP (Plum Creek) and F.H. Stoltze Land and Lumber Company (Stoltze). The steering committee met on a monthly basis throughout the entire process. In August 1996, a committee update was presented at the annual ALPOA meeting. Every property owner listed in the County Assessor's records was mailed an invitation. The meeting was attended by over 100 property owners, and during the meeting the steering committee was given direction to continue. The steering committee continued through the fall of 1996 to prepare a draft plan. In May 1997, a final survey along with a copy of the draft plan was sent out to all 255 property owners. There were 100 responses (39%) to the survey. The survey supported a 50 foot setback for primary structures from the high water line of the lake, a stepped density for on and

off lakeshore developments, clarified homeowner park design standards and gave a 76% vote of support for continuing the planning process.

The draft plan was eventually processed by the county for consideration of adoption. The final draft of the Ashley Lake Neighborhood Plan was adopted on October 29, 1997 by the Flathead County Commissioners. The Ashley Lake Zoning District and Development Code were subsequently adopted on December 8, 1997, effectively implementing the neighborhood plan.

When the plan was adopted in 1997, the Ashley Lake Land Use Advisory Committee (ALLUAC) was created to serve as a liaison regarding land use issues between the residents of Ashley Lake and the Flathead County Commissioners. The ALLUAC is a committee appointed by the Board of Commissioners. The primary responsibility of the ALLUAC is to review land use proposals occurring in the Ashley Lake planning area that are subject to county regulations and forward a recommendation on those proposals to the county. The ALLUAC is also responsible for leading revisions and updates to the neighborhood plan.

Need for Revision: When the Flathead County Growth Policy was adopted in 2007, all existing neighborhood plans were incorporated and deemed consistent with the Growth Policy until they could be updated. On September 12, 2007 the Flathead County Planning Board approved a motion to begin work on updating existing neighborhood plans. In response to Flathead County's request to the advisory committees to update their neighborhood plans to nest with the new county growth policy, the ALLUAC started the update process during the summer of 2008.

Revision Background: In the summer of 2008, the ALLUAC began discussions on how to revise the 1997 plan. During the course of this summer, the ALLUAC were in a scoping phase to determine the extent of revisions. The ALLUAC invited a number of speakers to committee meetings to discuss a number of topics ranging from water quality to the development of timber lands. The ALLUAC mailed a survey to all property owners and gave a presentation during the Ashley Lake Property Owners' Association's summer picnic. The committee reviewed the survey, discussed and summarized the responses and utilized this summary throughout the planning revision process [see *Appendix A – Summary of Community Survey*]. In the summer of 2009, the scoping phase evolved into organizing the revision effort.

Beginning in 2009 the ALLUAC met every month for at least two hours throughout the year to start addressing issues and concerns. The ALLUAC decided to begin the revision process by revising the committee's bylaws. With new bylaws adopted in November 2009, the ALLUAC was ready to start revising the neighborhood plan. On December 17, 2009 a representative of the ALLUAC and a member of planning staff met with the

Flathead County Board of Commissioners to inform the commissioners the committee was in the beginning stages of revising the 1997 plan (refer to *Appendix B*).

Throughout the process the ALLUAC made every effort to involve residents in the neighborhood planning area and communicate the update process to the people around the lake. Public notice was posted at each end of the lake, and ads were run in the local newspaper to announce public meetings. A total of 300 surveys were mailed to property owners in the summer of 2008 to determine the needs and opinions of the neighborhood. Technical experts and agency representatives attended numerous meetings and spoke to residents and the ALLUAC to provide information used to make informed decisions in the neighborhood plan update. ALLUAC members were asked to speak at the Ashley Lake Property Owners Association annual meetings to keep residents informed of the status of the plan update process. On August 13, 2010 a letter was sent to agencies requesting comment on the first draft of the neighborhood plan update. On August 26, 2010 a public meeting was held at the Earl Bennett building to gather information and comments from the public on the plan update. Over the course of the following meetings the ALLUAC addressed public input and agency comment and voted to accept a second draft of the plan update on October 7, 2010. On October 13, 2010 the second draft of the plan update was submitted to Flathead County Planning Board members and a workshop was requested to be scheduled for review of the draft in 2011. On March 16, 2011 the Planning Board held a public workshop to review and provide comments on the draft plan to the ALLUAC. Following the Planning Board workshop the ALLUAC spent the following months reviewing and implementing the comments received in order to finalize the Ashley Lake Neighborhood Plan Update and submit the final draft to the County for formal consideration.

The focus of the Ashley Lake Land Use Advisory Committee throughout the entire process was not to make any major changes to the plan, but to update the text and format of the plan to ensure it complied with the requirements of the Flathead County Growth Policy for neighborhood plans. A complete timeline of the revision effort can be found in Appendix B of this document, entitled *"Ashley Lake Neighborhood Plan Update Activity Timeline"*.

Chapter One: Ashley Lake Vision

The vision statement of the Ashley Lake Neighborhood is to provide a safe community and preserve and enhance the unique environment which we have been fortunate to have bestowed upon us. To this end we seek to be strong stewards protecting the water, air quality, maintaining the serenity and improving upon the health of the forest that surrounds Ashley Lake, and maintaining the closeness of the Ashley Lake Community.

Photo taken by Mark Boardman: 7/30/10.

The vision statement is an important component for guiding future land use in the Ashley Lake neighborhood planning area. The goals, policies and implementation of the Ashley Lake Neighborhood Plan should work towards meeting this vision statement. The vision statement has been crafted to both achieve success in planning for the future and making Ashley Lake a wonderful place to live.

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Chapter Two: Planning Area

The Ashley Lake neighborhood planning area consists of Sections 5, 6, 7, and 8 of Township 28 North, Range 23 West and Sections 1, 2, 3, 10, 11, 12, 14, 15 and the North ½ of Sections 22 and 23 of Township 28 North, Range 24 West in Flathead County, Montana (Figure 1). These sections generally surround Ashley Lake. The region is situated roughly halfway between Kila and Marion, approximately 15 miles west of Kalispell and 5 miles north of Batavia. The neighborhood plan boundary remains the same as the boundary adopted by the original plan in 1997.

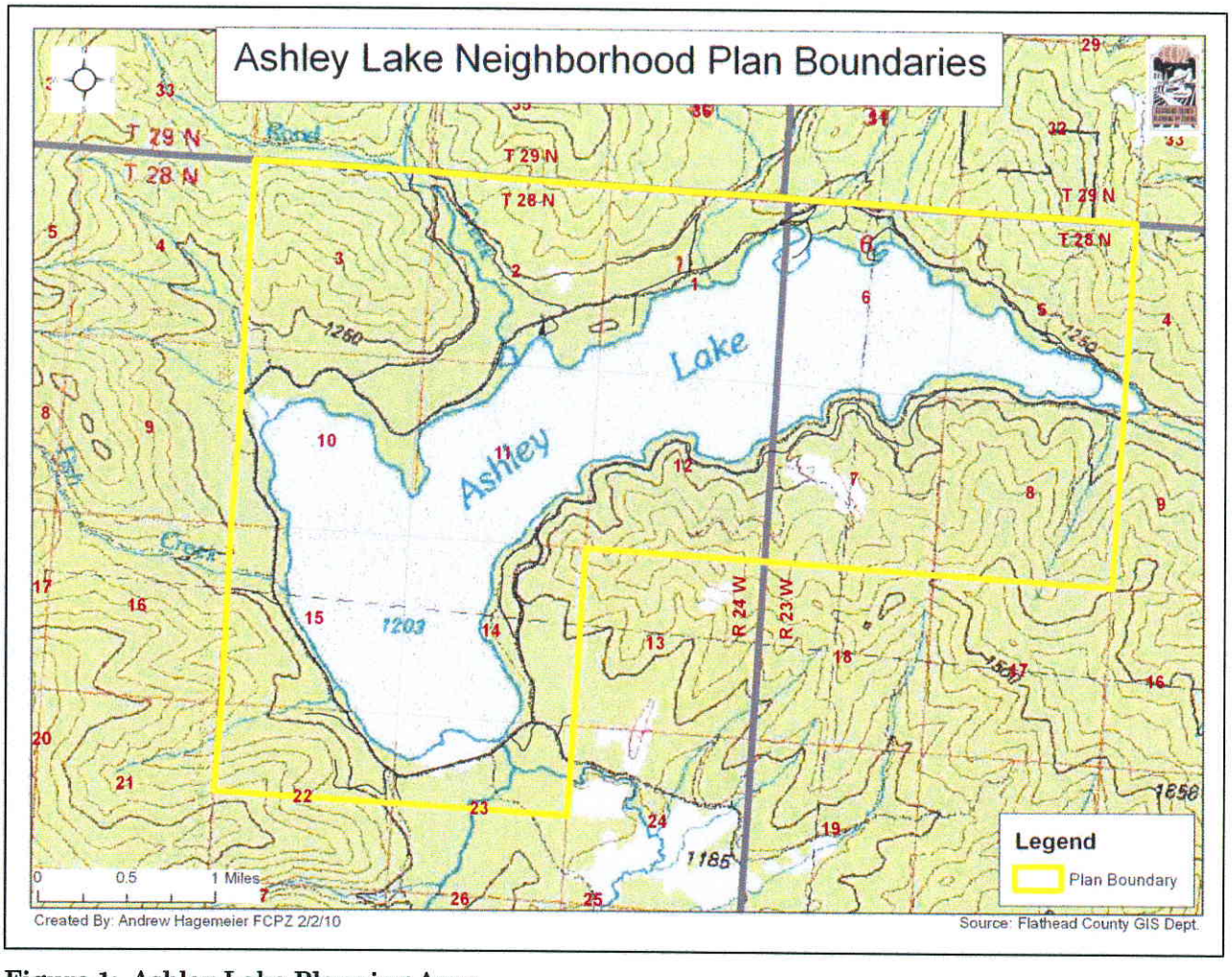

Figure 1: Ashley Lake Planning Area

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Chapter Three: Existing Conditions

The existing conditions discussed in this chapter establish a baseline of community characteristics. Understanding where the community is today is critical when making decisions for the future that are in harmony with the community's vision. This chapter will examine conditions and trends of five general categories that may affect land use in the Ashley Lake planning area.

Natural Resources

The Physical Environment: Ashley Lake is nestled in the Salish Mountains west of Kalispell, MT. Elevations in the planning area range from about 3,950 feet to about 5,000 feet. Precipitation in the area averages between 22 to 34 inches annually. Ashley Lake is situated in the Salish Mountain ecoregion. The Salish Mountain ecoregion is forested and underlain by Precambrian Belt rocks. Crests rarely exceed an elevation of 7,000 feet and lack the alpine zones that occur in higher mountains. The entire Ashley Lake watershed has been glaciated. Landforms are dominated by glacial erosion of bedrock and glacial deposition of overburden. Bedrock geology consists of Late Precambrian Belt metasediments. Planar sedimentary bedding structures have been tilted by mountain building and are inclined downwards toward the east-northeast. Surficial geology consists mainly of various unconsolidated glacial deposits. The most common is glacial till, an unsorted mixture of boulders, cobbles, pebbles, sand and silt. Some glaciofluvial deposits, showing sorting, were laid down from glacial meltwater. Thin volcanic ash deposits are preserved in wetlands.

The Vegetation: Natural vegetation types in the area are Douglas-fir forests and western ponderosa forests. Principal tree species include Douglas-fir, ponderosa pine, lodgepole pine, western hemlock, western larch, cedar, Englemann spruce, alpine fir and grand fir. Wildland fire historically created large openings in the forest canopy which were regenerated with a diversity of tree species. Today, the forest structure (vegetation and composition) of timber stands in the planning area depends upon management goals and activities of the landowner as well as the topography of the land such as slope, aspect and elevation.

The Wildlife: The planning area has potential for a diversity of habitats and numerous wildlife species. According to the Montana Natural Heritage Program, the Township and Range within the Ashley Lake planning area has the potential for 3 mammal species and 5 bird species of special concern. The species are:

- Wolverine
    - The wolverine's habitat is generally boreal and mountain forests, especially in large wilderness areas.

- Canada Lynx
    - Canada Lynx habitat generally occurs in subalpine forest above 4000 feet. The Canada Lynx is listed as "threatened" by the U.S. Fish and Wildlife Service according to the Endangered Species Act.
- Fisher
    - Fisher habitat is generally in dense coniferous or mixed forest in early succession stages. Dense understory is important summer habitat.
- Great Blue Heron
    - Great Blue Heron habitat is generally cottonwood riparian zones preferring separation from roads.
- Black Tern
    - Black Terns spend the summer in Montana's wetlands and marshes. They prefer canary reed-grass, cattails, sedges and rushes.
- Pileated Woodpecker
    - Pileated Woodpecker habitat is generally late succession stage coniferous or deciduous forests and younger forests with scattered large dead trees.
- Common Loon
    - Ashley Lake supports three, if not four nesting pairs of common loons. Only 65 pairs are known to nest in the State of Montana. Loons usually nest on small marshy areas within bays, coves, inlets or backwaters. May and June are the most critical times of the year for nesting loons. Boat traffic in areas with nesting loons can cause loss of eggs or chicks.
- Bald Eagle
    - Bald Eagles prefer riparian areas and forested areas along rivers and lakes. Nesting generally occurs within larger diameter trees in areas along large lakes and rivers.

The Ashley Lake planning area has a wide variety of animal and bird species that are found in Northwestern Montana. According to Montana Fish Wildlife and Parks (FWP), the Ashley Lake planning area is considered general range for black bears, mountain lions, moose, mule deer and whitetail deer. Furthermore, FWP considers the area as winter range for whitetail deer and moose. While the planning area is not considered to

be occupied by grizzly bears or wolves, they may be traveling visitors on occasion. Elk, while not identified by FWP as having winter range in the area, are present.[1]

The Lake: Ashley Lake is a natural water body covering approximately 2,817 surface acres.[2] The maximum depth of the lake is 215 feet. The size and the depth of the lake will fluctuate seasonally. There are approximately 5 streams that flow into Ashley Lake including Bernard, Cottonwood, Fish, Wade and Rand creeks (Figure 2). The outlet to Ashley Lake is Ashley Creek, exiting out the southwest end of the lake. The outlet is controlled by a check dam installed by the Ashley Irrigation District and now maintained by FWP.

The water quality of Ashley Lake has been monitored since 1992 by volunteers. A more intensive study took place from 1996 to 1997. The results of the study show the lake has higher than average total phosphorus concentrations and algal communities compared to other lakes in the Flathead Valley. This may be due to inputs from Rand and Bernard Creek, as well as natural groundwater upwellings (Ellis, et al. 1998)[3]. Dissolved oxygen levels remain good for fish use at most depths but approach the lethal limit at the bottom. The lake seems to fluctuate between low and moderate amounts of basic dissolved nutrients (Ellis, et al. 1998). Monitoring results suggest no downward trend since 1992.

The water has exceptional clarity and quality and is generally classified as oligotrophic (pristine). It may be suitable for domestic consumption without treatment in most situations. There is a real need to maintain a long term water quality testing program to ensure that the water quality maintains its pristine level. According to the Montana Department of Environmental Quality, Fish Creek and Ashley Lake are to be maintained for "beneficial uses." Beneficial Uses are listed as water suitable for drinking, culinary, and food processing purposes, after conventional treatment; bathing, swimming, and recreation; growth and marginal propagation of salmonid fishes and associated aquatic life, waterfowl, and furbearers; and agricultural and industrial water supply.

There are some signs of physical erosion around the lakeshore. A portion of the north shore, especially near Rand Creek, is severely eroded possibly due to natural wave action

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[1] Montana Fish, Wildlife and Parks Natural Heritage Tracker; Elk or Wapiti Range Map, http://mtnhp.org/Tracker/NHTMap.aspx

[2] Flathead County Geographic Information Systems Database ("FlatheadCounty.DBO.Lakes"); National Hydrography Dataset – Waterbody Research Feature (Lakes), compiled by the U.S. Geological Survey in cooperation with the U.S. Environmental Protection Agency, 2000.

[3] Ellis, B.K., J.A. Craft, et al. (1998). *Baseline water quality study of Little Bitterroot, Mary Ronan, Ashley and Lindbergh Lakes, Montana.* Polson, Flathead Lake Biological Station, The University of Montana. Montana: 93 + appendices.

and human use. The operation of the outlet dam keeps the water level about two feet higher than it was historically resulting in fall and winter storms eroding the shore. The banks on national forest lands are also damaged by unregulated camping pressure, foot traffic, and tying boats to the shoreline. The boat ramp near Rand Creek is eroding and users have spread out along the area exposing more shoreline to compaction (Ashley-Herrig Resource Management Project, EA. 2009)[4].

The Ashley Lake planning area does not coincide with the Ashley Lake Watershed (Figure 2). There are five drainages that consistently flow year-round into Ashley Lake: Rand Creek contains approximately 4,320 acres, Wade Creek contains 1,794 acres, Fish Creek contains 1,817 acres; Cottonwood Creek contains 1,233 acres; and Bernard Creek contains 3,160 acres (Ashley-Herrig Resource Management Project, EA. 2009). There are also about ten streams that flow some part of each year, or may only flow during very wet years.

[4] Flathead National Forest. (2009). *Ashley-Herrig Resource Management Project.* Flathead County, Montana. U.S. Department of Agriculture.

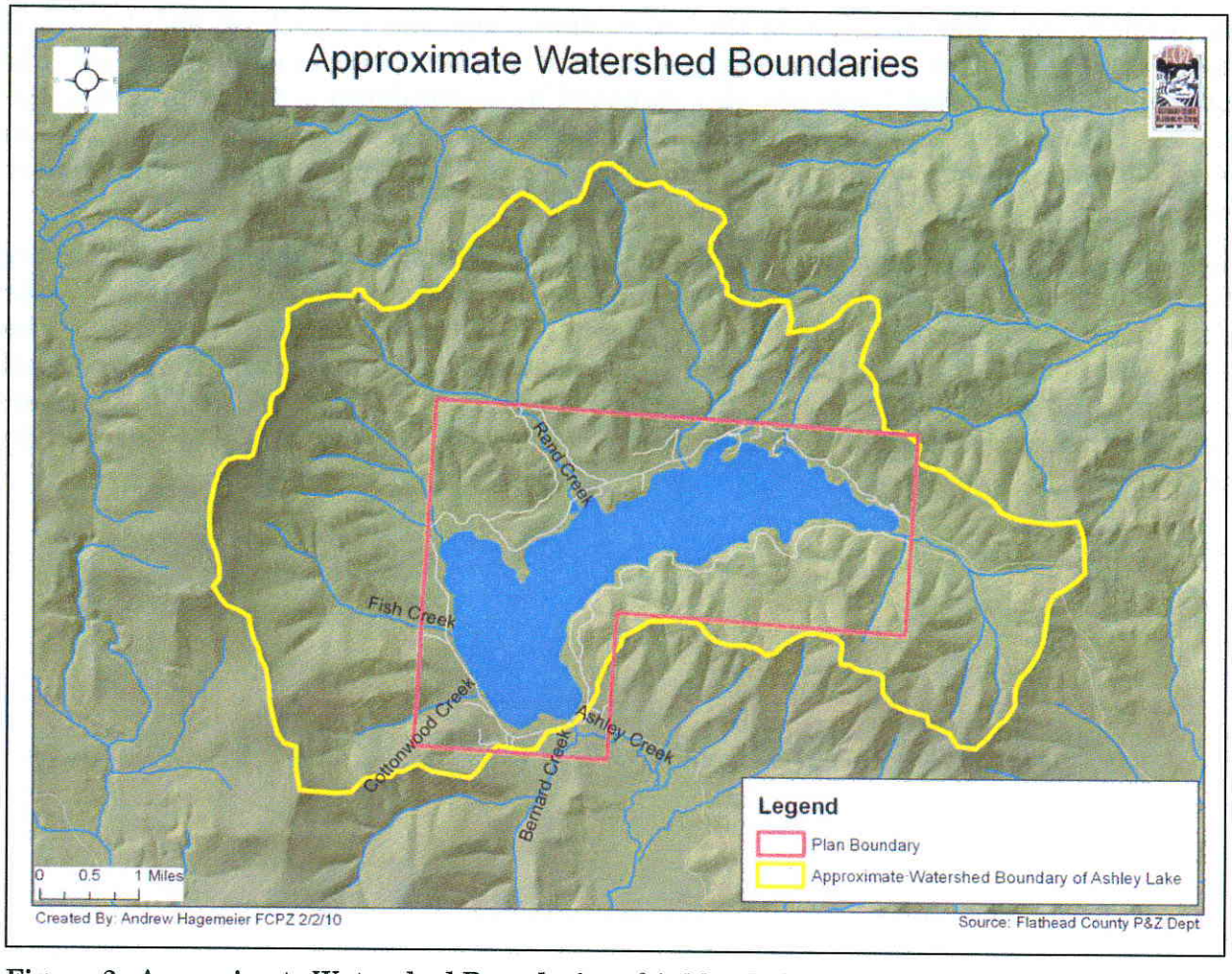

Figure 2: Approximate Watershed Boundaries of Ashley Lake

The Fisheries: Originally a premier native cutthroat fishery, Ashley Lake is now primarily a non-native fishery. Rainbow trout and Cutthroat trout hybrid species are present due to both wild reproduction and artificial stocking. The hybrid fish consist of mostly rainbow trout genes but also contain a small amount of cutthroat trout genes. Montana FWP annually replenishes the lake for recreational fishing. Beginning in 2002 Montana FWP began a program of supplementing about 20,000 trout annually into Ashley Lake. Eggs and sperm are taken from adult trout that are trapped in the spring and raised in a small hatchery on Ashley Lake. All of the resulting fish from this egg take are put back into Ashley Lakes in an attempt to improve the trout fishing of the lake (FWP Salmon Hatchery Staff, pers. com., 2010). Fish Creek, Bernard Creek, and Cottonwood Creek have been observed to support an annual springtime spawning migration. To protect wild reproduction, all inlet streams are closed to fishing year-round (Ashley-Herrig Resource Management Project, EA. 2009). Montana FWP monitors

the fish population of Ashley Lake annually by conducting a creel survey of ice anglers throughout each winter and gill netting every spring. The creel survey is aimed primarily at the kokanee salmon fishery, gathering angler catch rates and fish lengths while the gill net survey helps describe the trend of the fish population of Ashley Lake through time (John Cavigli, MT FWP, per. com 2011).

Ashley Lake also contains non-native species such as yellow perch, Kokanee salmon, and a hybrid trout (westslopeXyellowstoneXrainbow trout cross). Largemouth bass have been observed in small numbers as well (John Cavigli, MT FWP, per. com 2011). Yellow perch have been stocked in the lake and provide a moderate recreational fishery. They only live in the lake and spawn on weed beds, not utilizing the inlet streams. Kokanee salmon does well in lakes, but they do not grow as large as Pacific coast salmon. The salmon seem to do well reproducing in the lake and are not stocked (FWP Salmon Hatchery Staff, pers. com., 2010).

There are native species of fish that live in Ashley Lake. Pygmy whitefish live in the lake near the bottom in deep water. Both native large scale and longnose suckers dwell in the lake. These species spawn in the springtime in tributary streams and some individuals also travel downstream to Ashley Creek to spawn. In recent years, FWP has installed a screen at the outlet of the lake in order to prevent northern pike from invading the lake. This screen is presumably blocking all sucker spawning migration into lower Ashley Creek. The impact of this migration barrier and population trends of suckers is unknown (Ashley-Herrig Resource Management Project, EA. 2009).

Lands with Impediments to Development

Wetlands: According to the National Wetland Inventory, wetlands are present in the Ashley Lake planning area. The two primary types of wetlands are freshwater emergent wetlands and freshwater forested/shrub wetlands. Freshwater emergent wetlands are generally described as an herbaceous march, fen, swale and wet meadow. The largest freshwater emergent wetland is found on the eastern shore of Ashley Lake at the inlet; however, they are also found along Rand Creek and near the outlet of the lake. Forested/shrub wetlands are generally described as a forested swamp, wetland shrub bog or wetland. The largest forested/shrub wetland is found near the outlet of the lake, but are also found along Rand Creek and in other locations both on and off the lake (figure 3).

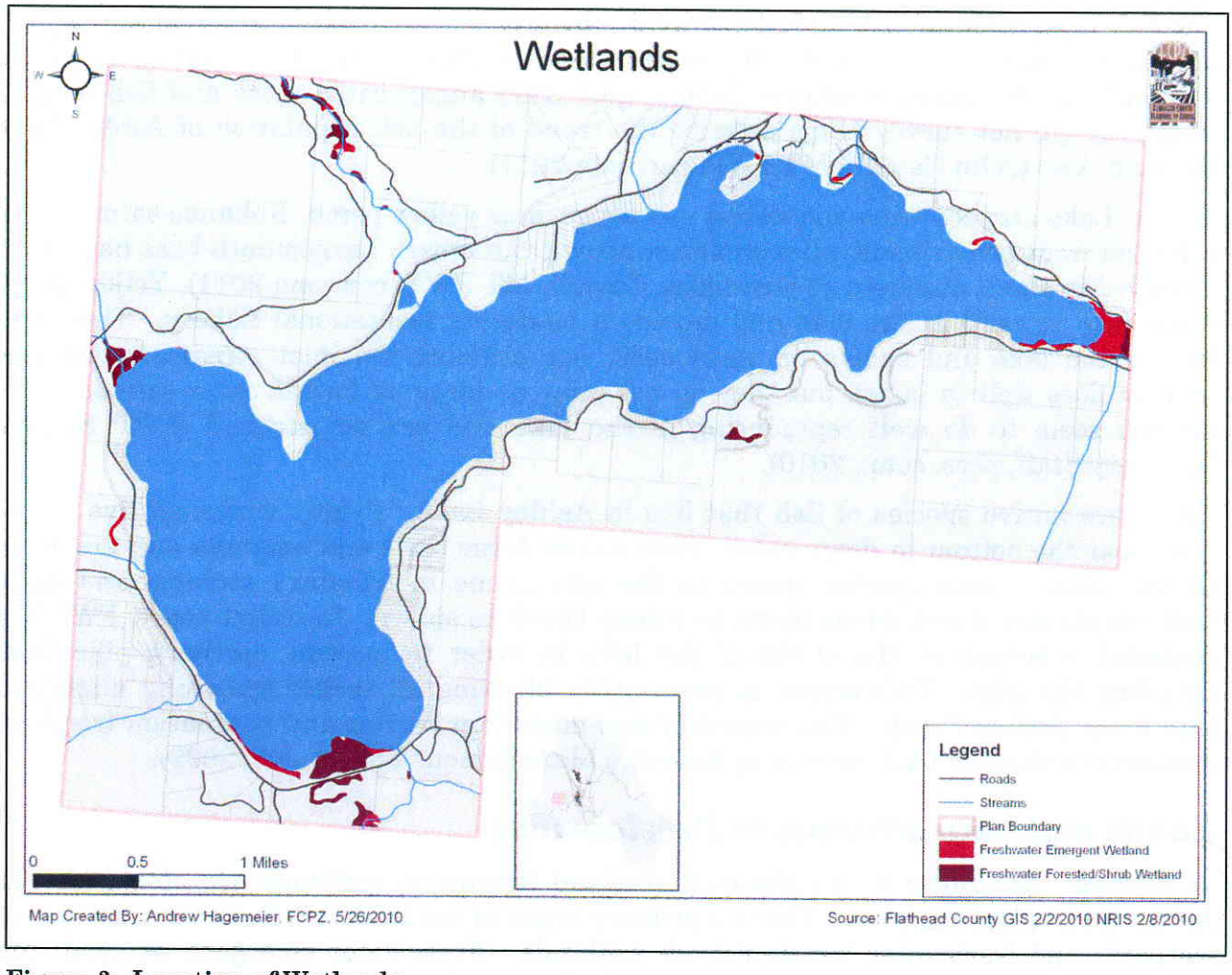

Figure 3: Location of Wetlands

Floodplain: The Federal Emergency Management Agency (FEMA) has mapped areas of flood hazards in parts of Flathead County as part of the National Flood Insurance Program (NFIP). Flathead County administers floodplain regulations regarding construction in areas mapped as floodplain as part of a preventative measure in an effort to reduce flood damage. FEMA has not mapped flood hazards in the Ashley Lake planning area and therefore the floodplain regulations do not apply. That does not mean flood hazards do not exist and it is likely parts of the planning area may be susceptible to flooding. The Flathead City-County Health may require landowners to identify the floodplain to receive a septic system permit if there is a potential for flood hazards on a particular property.

Steep Slopes: Lands with steep slopes may pose challenges for certain types of development. Portions of the planning area have been identified as having the potential

for slopes greater that 30% are identified in figure 4. The locations identified with slopes greater than 30% may require site specific slope analysis in certain situations.

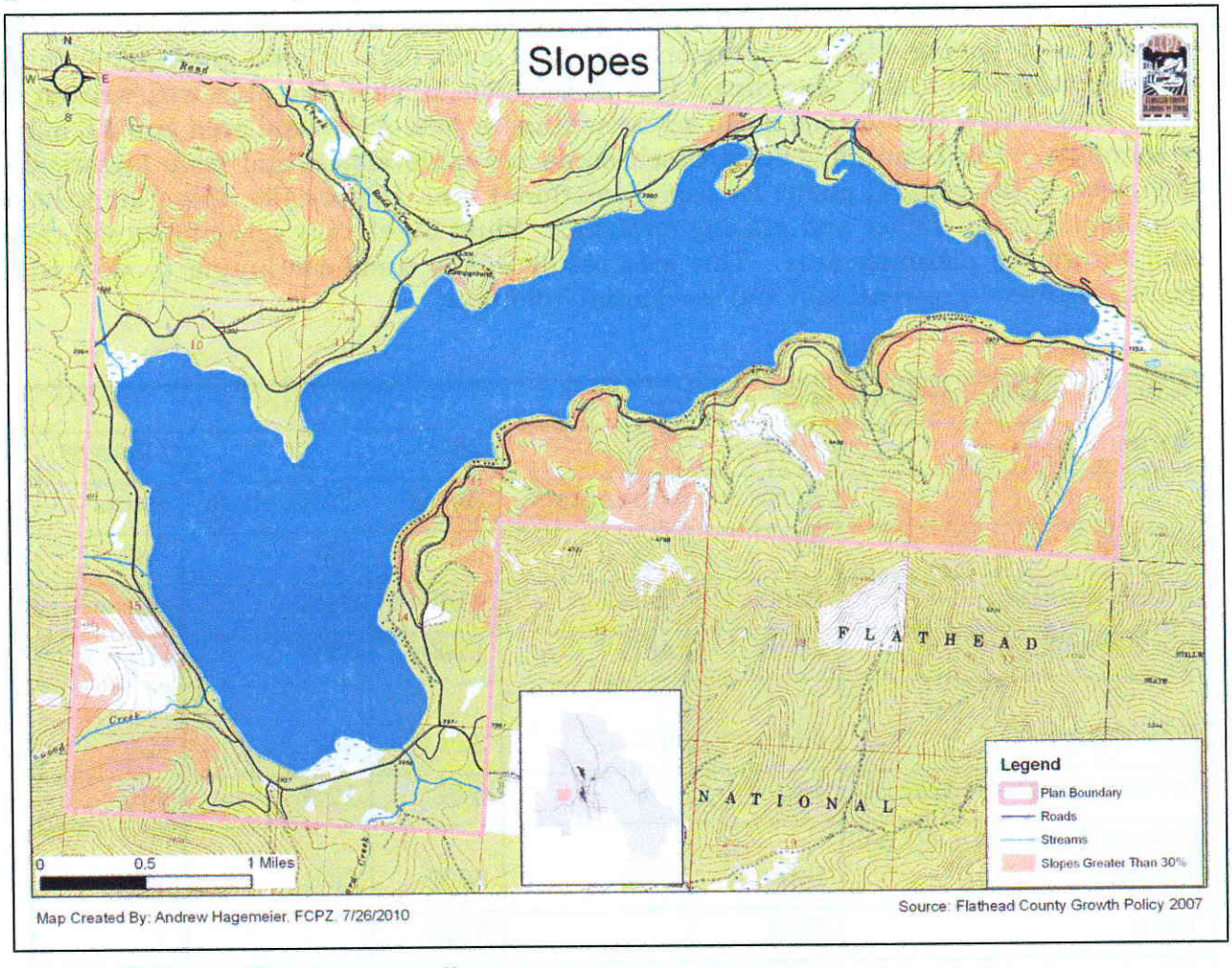

Figure 4: Slopes Greater Than 30 Percent

Areas with Shallow Groundwater: There may be areas with shallow groundwater found within the planning area. Shallow groundwater may pose challenges to development. An accurate representation of where areas of shallow ground water is located is not available. However, localized groundwater depths should be considered when any development occurs in the planning area.

General Land Use Character

Property Ownership: There has been a shift in how land is being used in the Ashley Lake neighborhood since the adoption of the 1997 plan. Historically, the majority of the

area was in timber production. There has been a shift in property ownership from Plum Creek Timber Company, the largest timber lands owner, to private residential uses (Table 1). Plum Creek remains the largest property owner within the boundaries of the planning area having title to approximately 1,793 acres (32% of land area) and owning approximately 650 feet of shoreline. This in contrast to when the plan was written in 1996. Plum Creek then owned 2,540 acres making up 46% of the land area and 3.6 miles of shoreline. The remaining Plum Creek lands are undeveloped and have historically been open to the general public for free recreational use. Historically, these lands have been managed for timber and grazing resources. Plum Creek may continue to sell their land within the planning area. This may result in the trend continuing to shift from traditional uses to recreational and residential land uses.

Table 1: Land Ownership Trends

Ownership	1996		2010		Change
	Acres	Percentage	Acres	Percentage	Acres
MT FWP	32	1%	0	0%	-32
Forest Service	1080	20%	1140	21%	60
Plum Creek	2540	46%	1793	32%	-747
F.H. Stoltze	339	6%	325	6%	-14
Private (40 acre + tracts)	440	8%	676	12%	236
Private (less than 40 ac. Tracts)	1060	19%	1607	29%	547
Total	5491		5529		

All acreages are approximate. Methodology for how the 1996 data is quoted from the 1997 plan. 2010 data was derived using Flathead County GIS Department Data and calculated using ArcGIS software.

Stoltze Land and Lumber Company is the second largest private landowner. They own a total of 325 acres in two areas of the neighborhood. The land is managed for timber production and has also historically been open to the public for outdoor recreational activities.

The U.S. Forest Service manages 1,080 acres of land in the planning area. Forest Service lands are generally managed for multiple uses including, but not limited to, timber production, grazing, wildlife and recreation. Recently, the Forest Service has increased its holdings of shoreline on Ashley Lake. In 2000, approximately 35 acres around the Ashley Lake North Boat Launch area was acquired in a land exchange from the State of Montana.

There are a number of other large private property owners in the neighborhood, other than Plum Creek and Stoltze, who own 40 or more acres of land. This land consists predominately as agriculture grazing areas, timber lands, recreational lands or estate residential uses. This ownership accounts for approximately 676 acres of the neighborhood but encompasses very little actual lake frontage as the tracts lie predominately off the lake.

The remainder of the proposed district contains 1,607 acres, privately owned in small tracts located predominately in the west, south and northeast sides of the lake (figure 5). These properties account for about 8.7 miles of lake frontage. Tracts on the lake vary from 25 to 900 feet in width, with most lakefront properties having approximately 100 feet of frontage. These smaller tracts contain approximately 150 residences which are almost entirely single-family cabins/houses occupied seasonally. There are a few exceptions including an upholstery shop and an excavating firm on the south side of the lake.

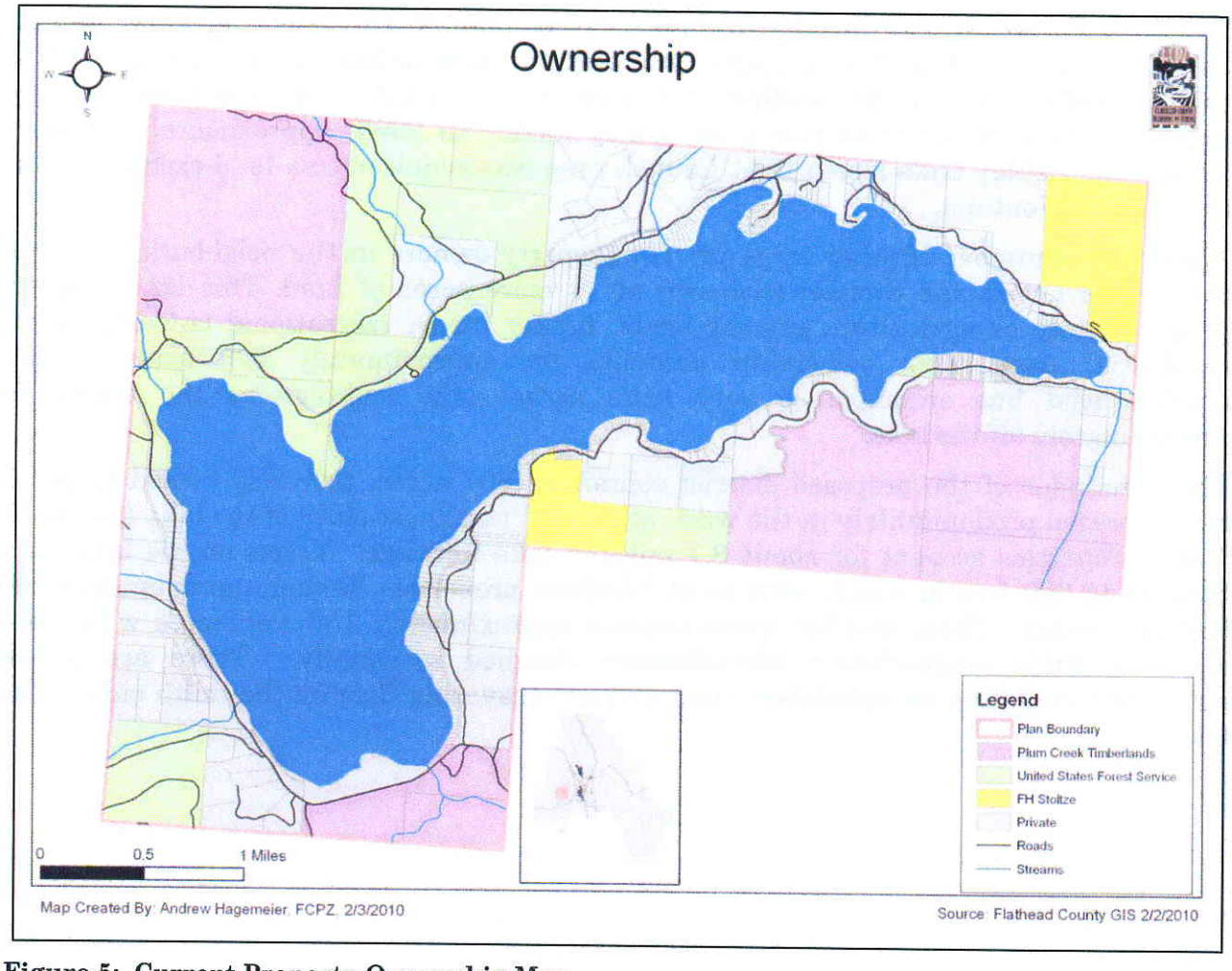

Figure 5: Current Property Ownership Map

Existing Land Use: Existing land use in the Ashley Lake planning area has been examined to establish a baseline for future planning efforts.[5] In terms of acreages, the predominate uses of land in the Ashley Lake planning area are agricultural and federal

[5] Existing land use was determined by examining the State of Montana Cadastral Database to determine how land is being taxed and cross referencing that data with Flathead County GIS structure layer and land ownership data. Lands classified as agricultural and farmsteads by the Montana Cadastral Database were categorized as agricultural. Lands classified as commercial by the Montana Cadastral Database were categorized as commercial. Lands classified as rural residential by the Montana Cadastral Database were categorized as residential. Parcels known to be road easements or road rights of way were categorized as roads. All lands without classification or classified as vacant by the Montana Cadastral Database were cross referenced with the Flathead County GIS structure layer, and if they had a structure present, were classified as residential; if they did not, they were classified as Non-Classified.

(Table 2). Agricultural uses are predominantly related to the harvesting of timber. Residential uses, while having a noticeable presence, only occupy a portion of the planning area (Table 2). In most cases it can be assumed most non-classified lands are vacant lands not in agricultural production.

Table 2: Existing Land Use

Use	Acres	Percentage
Agricultural	3544	64%
Commercial	1.3	0%
Federal	1140	21%
Residential	440	8%
Road	124	2%
Non-Classified	280	5%
Total	5529.3	
All acreages are approximate.		

Residential and non-classified land uses predominantly occupy the area along the shoreline of Ashley Lake. Federal lands are congregated primarily in the northwest portion of the planning area, and occupy a considerable amount of northern lakeshore (Figure 6).

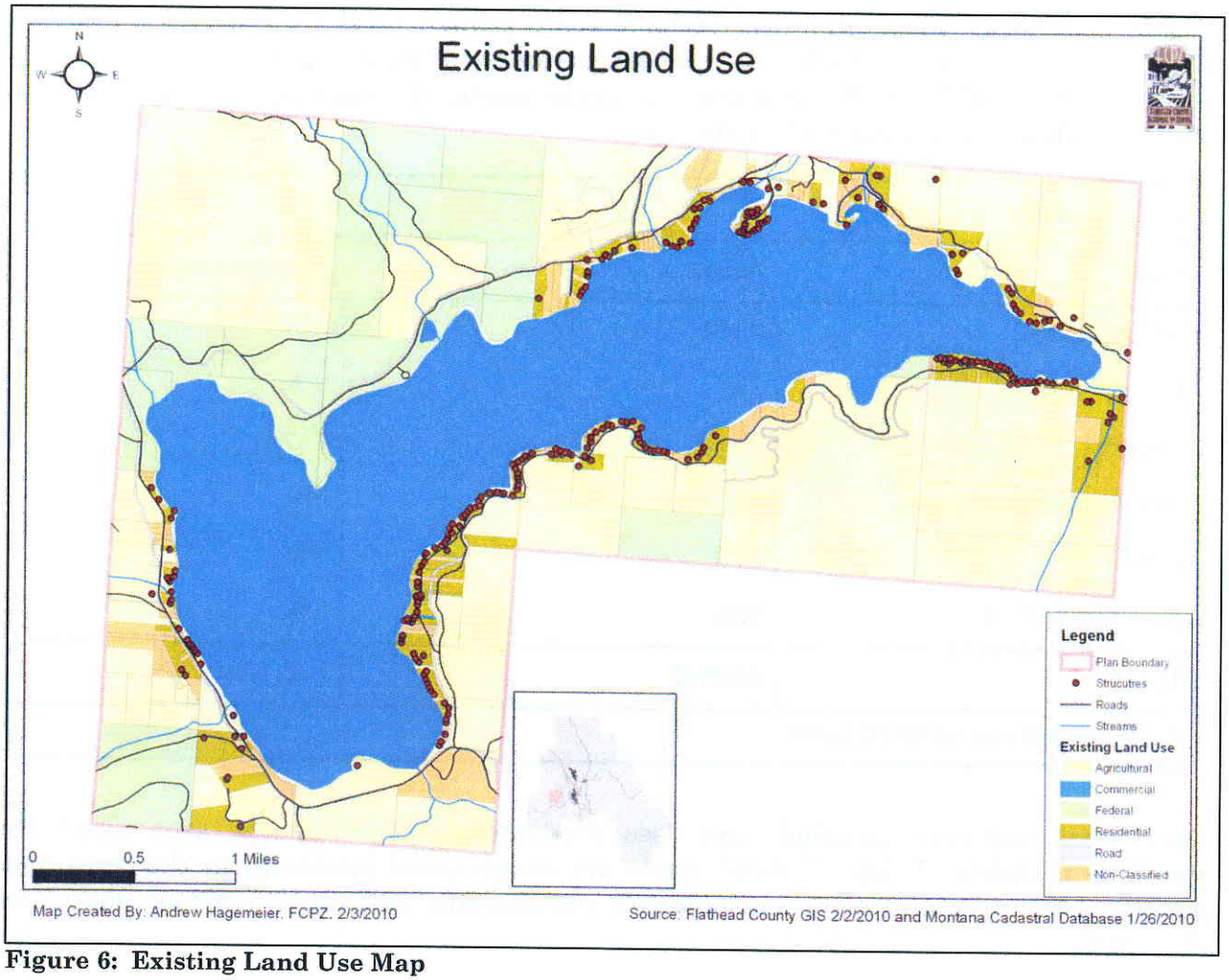

Figure 6: Existing Land Use Map

New Residential Construction: To demonstrate the amount of new growth since the adoption of the plan, the number of septic permits issued per year was researched and separated into two categories; the 13 years before the adoption of the neighborhood plan, and the 13 years post adoption of the neighborhood plan. The issuance of a new septic system does not unequivocally mean a new home was built, but it can be assumed in most cases it is representative of new growth.

During the first 13 year period from 1984 to 1996, 54 septic permits were issued. During the 13 year period from 1997 to 2009, 105 septic permits were issued (one was a replacement). That is a 194% increase in the number of septic permits since the adoption of the plan. Based on the assumption that in most cases new septic permits equate to new development, it is highly likely the amount of development has increased since the adoption of the plan (Table 3).

Table 3: Septic Permits Issued 1984 Through 2009			
1984 to 1996		1997 to 2009	
Year	Septic Permits	Year	Septic Permits
1984	2	1997	2
1985	3	1998	10
1986	3	1999	4
1987	0	2000	5
1988	2	2001	10
1989	3	2002	11
1990	4	2003	12
1991	4	2004	12
1992	6	2005	11
1993	8	2006	6
1994	10	2007	11
1995	4	2008	7
1996	5	2009	4
Total	54	Total	105
Average per year	4	Average per year	8

Infrastructure, Public Services and Utilities

Roads: There are approximately 26.2 miles of roads mapped by the Flathead County GIS department in the Ashley Lake planning area, and an unknown number of unmapped roads. Of the mapped roads, 21.9 miles are managed by either Flathead County or the U.S. Forest Service, 4.3 miles are private (see Figure 7). Roads maintained by Flathead County are open to the public. Access to U.S. Forest Service roads is at the agency's discretion. All roads in the planning area are unpaved. Most of the road referred to as either Ashley Lake Road or North Ashley Lake Road has a 60 foot travel easement that has either been deeded to the county or is in the form of a recorded easement.

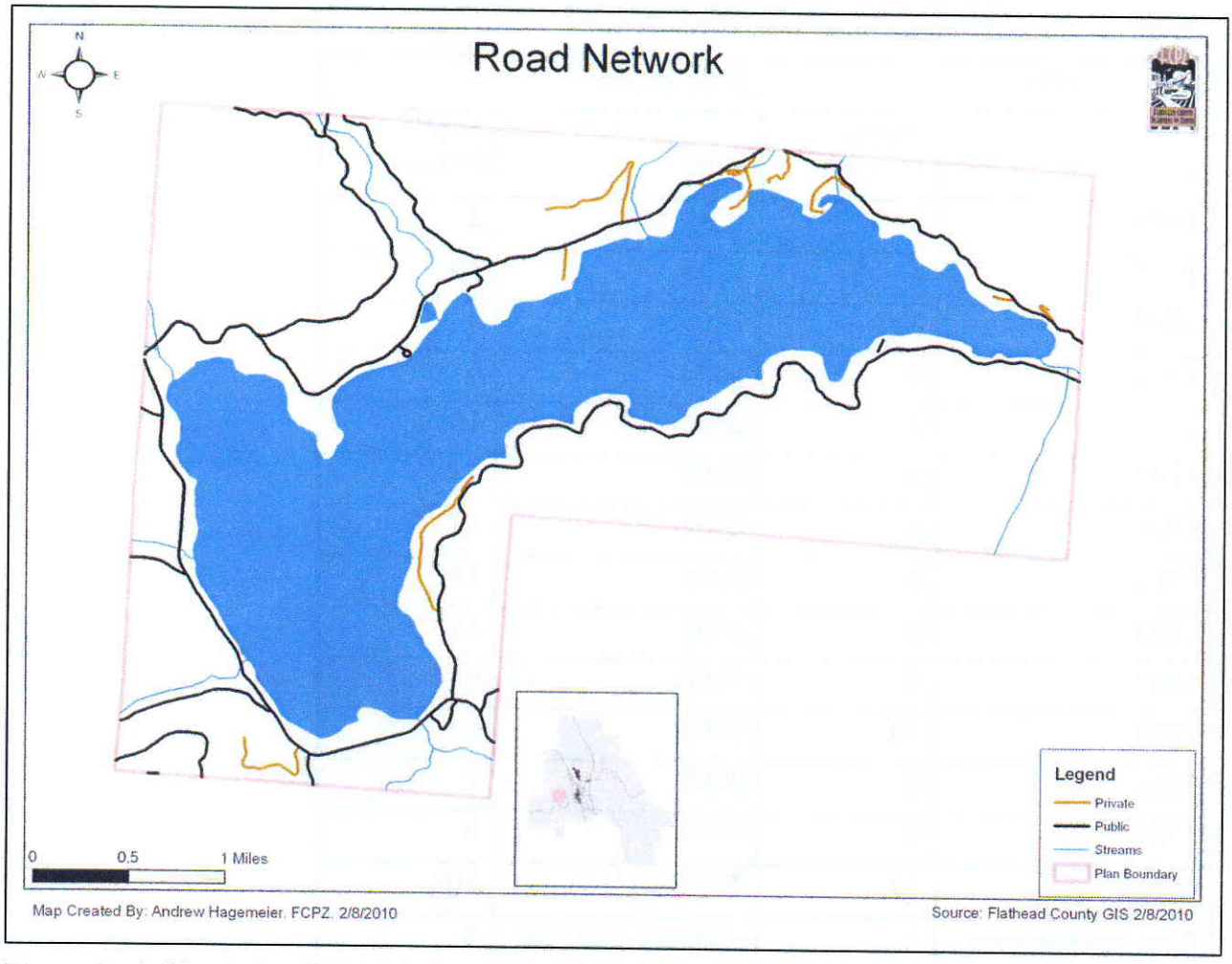

Figure 7: Ashley Lake Planning Area Road Network

The Ashley Lake area is accessed from two different directions. From the east, the Ashley Lake planning area may be accessed from US Highway 2 via Batavia Lane, which turns into Ashley Lake Road at the end of the pavement approximately 5 miles from the intersection with US Highway 2. The remaining 3 miles to Ashley Lake are gravel and vary from reasonably good to poor condition depending on the time of year. The second road extends 8 miles from US Highway 2 to the southwest end of the lake by the Ashley Creek outlet. This road is also gravel and is likewise in fair to poor condition, plagued by washboard conditions and dust. The Flathead County Road and Bridge Department maintains records of current traffic counts on the two Ashley Lake roads.

There is a road system that extends completely around Ashley Lake. The south side road, known as the South Ashley Lake Road, is maintained by the County; winter access is generally available but can be hazardous due to out-slope, grades and ice conditions.

Summer conditions are plagued by narrow travel surfaces, ruts, potholes and dust. Summertime travel is not as hazardous, although one must be constantly aware of the narrow and uneven road surfaces. Roads are typically not graded for much of the summer, in an effort to leave intact the dust suppressing treatments that have been applied in intermittent stretches.

The North Ashley Lake Road is built to County standards for a gravel road from the East Y intersection for approximately 5 miles before it narrows just prior to the U.S. Forest Service boat ramp area. The remainder of North Ashley Lake Road is a mix of fair to poor road surface conditions and is generally rutted and potholed.

Water Supply: The Ashley Lake planning area is not served by a municipal water system like one found in other non-incorporated areas of Flathead County such as Bigfork and Lakeside. However, there are privately owned water systems that serve multiple properties that are considered public by the Montana Department of Environmental Quality (MT DEQ). The lake is still an important source of water for lakeshore residents as well as individual wells serving properties on and off the lake.

Waste Water Treatment: Ashley Lake is not served by a public or private sewage/sanitation district. Individual septic systems are the preferred method of sewage treatment when approved by the Flathead City/County Environmental Health Department (Environmental Health). Some home owners prefer the electric elimination of wastes as an alternative solution. Two of the newer subdivisions on Ashley Lake utilize a shared septic system to serve their home owners. Today, there are approximately 212 approved septic permits in the Ashley Lake planning area. It is important to note that Environmental Health's records for septic permits only go back to 1973. Septic systems installed before 1973 do not have an associated permit. The number of systems built prior to 1973 on Ashley Lake is unknown.

Appropriate management of wastewater is of particular concern to residents of the Ashley Lake community. While new construction is required to adhere to standards set forth by the Montana Department of Environmental Quality and the Flathead City County Health Department, older existing development may not have adequate septic systems. While this plan does not have the legal authority to require existing systems be updated, it is in the best interest of the Ashley Lake community that all development utilize adequate wastewater treatment systems, to ensure water quality is not degraded.

Electricity: Flathead Electric Cooperative provides electrical service to the planning area. Most service lines are underground, although lines exist above ground for a few miles along the south side of the lake. Most residences are served by a single service meter; however a few residences have multiple meters. Additionally, some newer subdivisions that utilize shared septic systems and wells have separate meters for those systems. In 1997 a total of 172 meters were in and around Ashley Lake, in 2010 that

number grew to 247. That is an increase of 75 new services and relates to just under 6 new services per year during this time period.

Telephone: CenturyLink currently provides telephone service to the Ashley Lake planning area. All service lines are underground, except for approximately 3 miles above ground along the south side of the lake. Cellular phone service is currently not available at Ashley Lake; however, many times cellular service does work in the middle of the lake itself.

Propane: Natural gas service is not available to residents of the Ashley Lake planning area; therefore all appliances and generators are powered by either electricity, propane or other sources. All local propane companies make routine deliveries to Ashley Lake and the surrounding areas.

Emergency Services: The entire neighborhood is outside of an organized rural fire district. Because the area is not within a rural fire district, responsibilities default to the Flathead County Office of Emergency Services (OES). The Ashley Lake Property Owners Association has investigated a more formal arrangement to provide emergency services to the area, although attempts to annex the North Shore into the Smith Valley Fire District have failed due to lack of community support. ALLUAC strongly supports the efforts to include part or all of the planning area in a rural fire district in the future.

Structural fires are addressed on a case by case basis. While the area is not within a rural fire district, Smith Valley Fire Department, Marion Fire Department and others may respond to structure fires in an effort to keep the fire from spreading. The spread of wildfire is a very real threat during summer months for the entire planning area due to the condition of the roads and lack of any organized fire department or equipment within reasonable response time.

Wildland Urban Interface: Large portions of the Ashley Lake planning area are within an area designated as the Wildland Urban Interface (WUI) by the Flathead County Wildfire Fuels Reduction/Mitigation Plan (Figure 8). The WUI is loosely defined as where structures and other human development intermingle with forest land fuels. A detailed study of the risk of wildfire in the Ashley Lake planning area has not been conducted, making it difficult to quantify where the areas of high or extreme hazards exist. Factors that can affect the intensity and severity of wildfires are fuel types, terrain, and weather. Given the forested nature, varying terrain and climate of Western Montana, there is the potential under certain circumstances for a wildfire that threatens life and property in the Ashley Lake planning area.

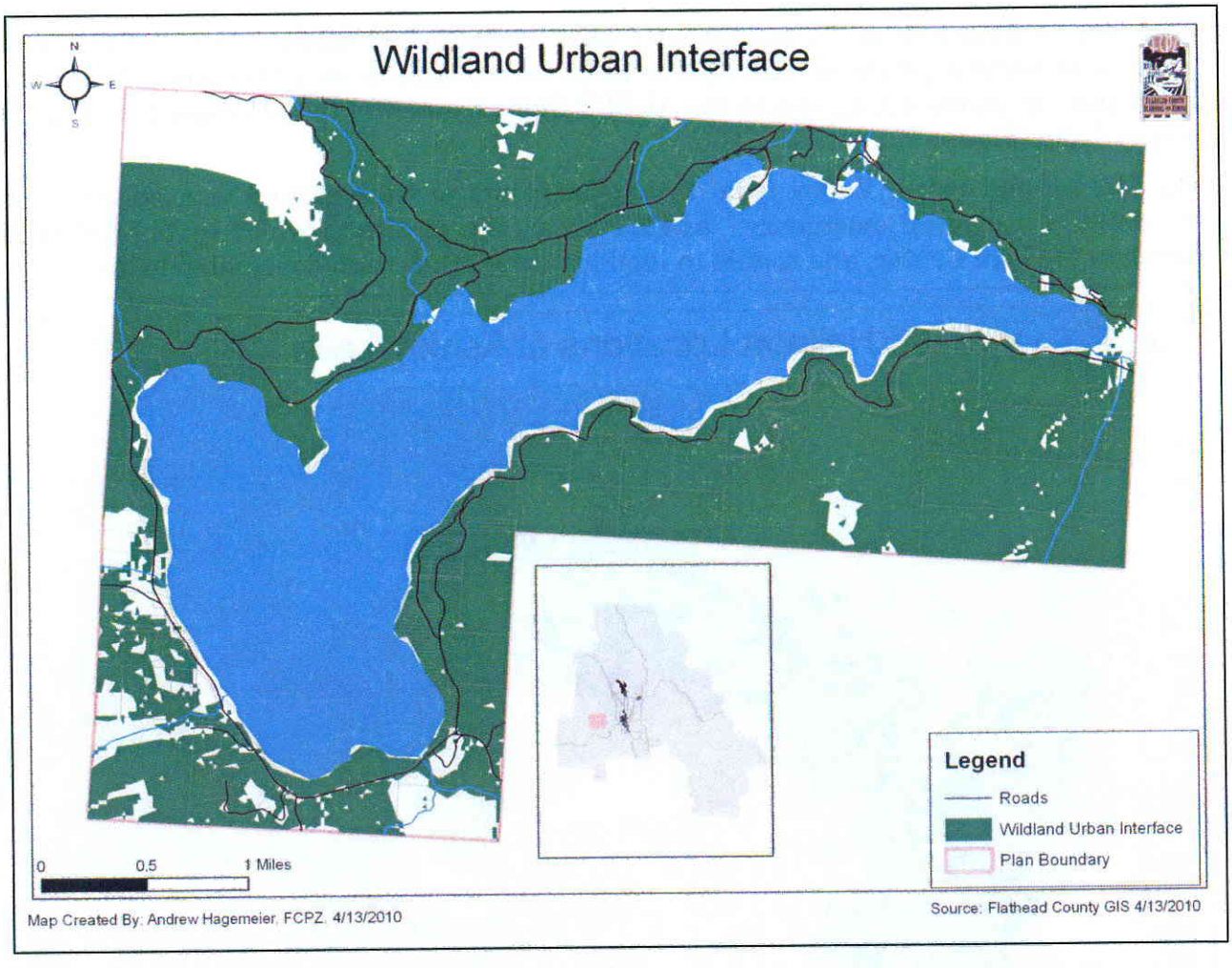

Figure 8: The Identified Wildland Urban Interface

The Montana Department of Natural Resources (DNRC) is the primarily agency responsible for the initial attack of wildfires in the Ashley Lake planning area. However; the agency managing wildfires might change depending upon the size, severity, intensity, or complexity of a given fire situation.

Law Enforcement: The Flathead County Sheriff's Department provides law enforcement for this area. Because of staffing limitations and long response times from Kalispell, routine patrolling in this area is not possible. Insignificant problems may be addressed via the telephone but response times for any significant incident may be lengthy. The U.S. Forest Service is responsible for law enforcement within U.S. Forest Service Boundaries. Other law enforcement agencies that may be present in the Ashley Lake planning area are the Montana Highway Patrol, the U.S. Border Patrol, and game wardens from Montana Fish Wildlife and Parks.

Emergency Transport: There currently exist 5 established emergency helicopter pads situated at various points around Ashley Lake for emergency evacuation of individuals. These pick-up points are known to the ALERT flight crews and to the property owners at Ashley Lake (Figure 9).

The Marion and Smith Valley rural fire departments provide ground transportation in the event of a medical emergency. ALERT air service is also provided by the Kalispell Regional Medical Center, and is able to land in places other than designated heliports.

Figure 9. Approximate Locations of Alert Heliports on Ashley Lake

Newspaper/Mail Service: The Daily Interlake delivers daily newspapers to the end of the paved road surface on Ashley Lake Road. Newspapers are not delivered to the complex at the East Y (the intersection of Ashley Lake Road and North Ashley Lake Road). Residents of the western portion of lake do not receive mail service and pick up

mail at a P.O. Box. Mail delivery is made daily (Monday through Saturday) to the mail box complex at the East Y. If severe road conditions exist, the post office will deliver the mail on the first day severe conditions do not exist as agreed to by the homeowners at Ashley Lake. The Ashley Lake planning area is divided into two zip codes, the northeast portion is 59901 in Kalispell, and the southwest portion of the lake is 59920 in Kila.

Public Parks/Lake Access: There are 3 U.S. Forest Service campground areas at Ashley Lake; Ashley Lake North, Ashley Lake South and the Ashley Lake Boat Ramp. As of 2008, a full time campground host has been in place from Memorial Day to Labor Day at the Ashley Lake North site. The addition of this host has mitigated much of the necessity for calls to the Flathead County Sheriff's Office. This host maintains the campground area on the South shore as well as the day use only campground on the North shore, in addition to the main campground and the boat launch campground area.

Economic Conditions, Demographics and Anticipated Growth

The economic conditions and demographics discussion in the neighborhood plan is intended to establish a baseline of economic activity and population trends within the planning jurisdiction. This information, along with reasonable assumptions about future trends are used to create a forecast for the planning area discussed as anticipated growth. The anticipated growth discussion is necessary to understand the types and intensities of land uses that will be needed within the planning jurisdiction to accommodate the forecasted growth. Understanding what types of growth are anticipated will help define the goals and policies found within the plan, and will also help determine implementation strategies to accommodate that growth.

Economic Conditions: While only about 11 air miles from downtown Kalispell, due to the limited infrastructure such as public water and sewer, cell phone coverage and gravel roads, the Ashley Lake planning area remains economically isolated compared to other parts of Flathead County. The type and intensity of commercial activity occurring in the area is limited. There are a handful of home-based businesses within the planning area, but they generally do not provide services to the local population or draw in customers from outside the planning area. The Ashley Lake planning area does have internet access so it can be assumed a handful of people work remotely from home. Of the people who do live year round in the planning area and are a part of the workforce, it is likely the majority of them commute outside of the planning area for work.

The timber industry is present in the Ashley Lake planning area. Plum Creek and Stoltze both own timber lands and at times may have active timber management activities within the planning area. However, their employment centers are located in the valley and the majority of people working the management units likely commute from other parts of the county or beyond.

Demographics: Data published from the U.S. Census does not have the geographic specificity to be representative of the Ashley Lake planning area; therefore it is difficult to establish firm information about the demographic composition. Because Ashley Lake is a destination for second and summer homes and the majority of people who own property within the Ashley Lake planning area do not live in the area year-round, some basic assumptions of the demographic nature of the population can be made:

- The population likely has a higher percentage of seasonal residencies than Flathead County as a whole;
- The population likely has a higher median income compared to Flathead County as a whole;
- The population likely has a higher median age compared to Flathead County as a whole.

The number of people who live permanently, seasonally or just for short periods of time within the Ashley Lake planning area is also difficult to determine. Based on the data created for the existing land use map (Figure 6), there are 324 parcels categorized as residential, and 14 parcels categorized as agricultural identified with a structure.[6] Assuming that each of these parcels is a household and that the Flathead County average of 2.48 people per household applies to Ashley Lake, there are an estimated 838 people who live full time, seasonally or for short periods of time in the Ashley Lake planning area.

Anticipated Growth: The greatest factor influencing the type and intensity of growth that may occur within the planning area are the land use regulations in place. The land use regulations were developed to guide growth to meet the goals of the community as defined in the 1997 Ashley Lake Neighborhood Plan. The intent of the regulations was to protect the quality, character and openness of Ashley Lake and the surrounding neighborhood and provide guidance for future development.

Because of the remote location, the high recreational value and natural beauty within the planning area, some trends occurring nationally may have an impact on the type of and intensity of growth that may occur. As more of the baby boomer generation enters retirement age, the duration of seasonal residence stay may increase, and some traditionally seasonal residents may stay year round. The number of people telecommuting is an emerging trend occurring nationally that may have a similar impact.

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[6] Flathead County Geogrpahic Information Systems Database (February 2010) and Montana Cadastral Database (January 2010)

If the duration seasonal residents stay increases and the number of year round residents rise, there may be an increase in the demand for services. Population densities aren't likely to increase enough during the foreseeable future to warrant development of commercial services such as grocery stores or gas stations, but there may be an increased demand for services such as snow plowing, purchasable fire wood and home maintenance. However, this plan may need to be amended over time to reflect emerging social-economic trends affecting the planning area.

Chapter Four: Issues and Opportunities

The issues and opportunities are derived from a compilation of input received through committee meetings, presentations, community surveys, and discussions with neighbors. They represent what is liked and what is not liked about the community as well as developing a possible direction for the future of the Ashley Lake neighborhood. While not everyone in the neighborhood would agree with all the issues and opportunities identified, they are intended to reasonably represent the diversity of views in the neighborhood. The issues and opportunities are one component used to develop the goals and policies supporting the community's vision.

Water Quality: Maintaining or improving the water quality in Ashley Lake is of the upmost importance to residents. People's behavior and how land is used throughout the whole planning area can have an impact on water quality trends. Understanding water quality trends in Ashley Lake and what actions might be related to those trends is needed to make decisions on how to maintain or improve water quality. Providing educational opportunities for property owners on the implementation of best management practices (BMPs) would serve as one mechanism by which to address this issue.

Rural Setting: Quiet, solitude and the presence of wildlife are qualities that define the rural setting in Ashley Lake. Other rural qualities that contribute to the rural setting are the role the lake has in bringing families together, low densities of lakefront and lakeview lots, the limited scope of commercial development and historic uses such as agriculture activities and forestry practices.

Loons: The community has an opportunity to foster the loon-friendly character of Ashley Lake. Impacts to the well-being of the resident loons are an issue because of their inherent low reproductive rate.

Road Maintenance: Road conditions can vary depending upon the time of the year and the location in the planning area. At times travel conditions can be hazardous due to weather, the physical state of the road, the speed at which people travel or dust.

Road Paving: Paving of the Ashley Lake road is a divisive topic with positives and negatives to both sides of the debate. It is likely that as time goes on, the debate will intensify requiring special attention to develop a solution.

Property Rights/Equal Treatment: Regulations can have impacts on individuals who have plans for their property. When considering regulations, it is important to consider how fair the regulations are, and to treat the concerns of all residents equally. Equal treatment is also important for the enforcement of existing regulations.

Septic Systems: The exact number of septic systems on Ashley Lake is not known. Systems put in place prior to the 1970's did not require a permit and are not in county records. Septic systems that fail or are not operating properly may impact the water quality of the lake. Furthermore, it is not known how well the older systems are functioning. While the relationship between the older septic systems and water quality trends in Ashley Lake is not known, this issue is of major concern to the residents of the Ashley Lake community.

Fire and Emergency Services: The Ashley Lake planning area is not within the jurisdiction of a rural fire district. Travel times for emergency services may be delayed when compared to other areas of Flathead County especially areas within a rural fire district.

Address Number Signage: Measures to promote public health and safety in the event of an emergency ensure response should be encouraged and/or required whenever possible for this rural area of the County. Address number signs at driveway entrances are encouraged by Flathead County Road & Bridge Department to aid emergency services response. The signs can be placed anywhere in the road right-of-way that is a "survivable" location. That is, where it will not be hit by a wing plow, will not be covered by snow, and high enough to not be hidden behind a snow-plowing berm. A sizeable tree is one option for a signpost. Size, shape, and style of sign and number lettering on it are at the discretion of the sign-placer.

Land Use Planning: The ALLUAC, the Ashley Lake Neighborhood Plan, Ashley Lake Zoning District/classification and Flathead County Lake and Lakeshore Regulations are still considered important to the community. The ALLUAC are committed to maintaining the key provisions and improving upon the existing development code.

Commercial Development: Commercial development that is out of scale with the surrounding community may impact the character of the area and the water quality of Ashley Lake. However, home-based business and other smaller scaled commercial activities occur in the planning area and are vital to some members of the community.

Lake Access: As the community grows over time, the limited public access on the lake may become overused. Additional opportunities for public access may become necessary.

Lake Level: The mean high water mark (lake level) of Ashley Lake has not been officially established; it is determined subjectively. Land owners with property on the lake may not know exactly where the 20 foot Lake and Lakeshore protection zone sits on their property.

Educational Opportunities for Lakeshore Protection: Everyone who enjoys the lake environment will want to review the well-illustrated Montana Lake Book. Residents may obtain a copy of this manual from the Montana Fish, Wildlife and Parks

Department (Region 1) by contacting them at (406) 751-5501, or from the Flathead Conservation District at (406) 752-4220. As excerpted from the 1st edition of The Montana Lake Book, the document "explains how lakes function, how they are threatened and how they can be protected. It also spells out simple actions residents can take to help protect and preserve lakes" [p. 2, 1st Edition].

Chapter Five: Goals and Policies

The goals and polices of the plan are statements used to describe how the community intends to achieve the vision. Goals are general statements that cover a wide range of topics. Policies are more specific statements on how to achieve the goals. Policies may be long term or short term in duration, are more specific than goals and should be measurable. Actions are specific items that provide measurable steps that may be used to work towards a policy and goal. Of equal importance to the goals and polices are the implementation strategies. Implementation strategies are discussed in Chapter Five.

Goal 1. Maintain the quality, character and openness of the Ashley Lake Neighborhood

Policy 1.1. Allow for agricultural and silvicultural activities

Action 1.1.1. Agricultural and silvicultural activities should be permitted throughout the plan area

Policy 1.2. Promote a single-family residential development pattern

Action 1.2.1. Discourage the future development of multi-family dwellings. Multi-family dwellings include structures such as apartments, condominiums, duplexes and townhouses. Multi-family dwellings do not preclude multiple owners sharing ownership of one parcel

Action 1.2.2. Control the placement and duration of use of recreational vehicles on both developed and undeveloped property

Policy 1.3. Maintain densities consistent with the existing patterns of development

Action 1.3.1. Lakefront properties should not be developed at densities greater than 1 unit per 5 acres

Action 1.3.2. Lakeview properties should not be developed at densities greater than 1 unit per 10 acres

Action 1.3.3. Future lot sizes are recommended to be a minimum of one acre

Action 1.3.4. Lakefront lots should maintain average and minimum lakeshore frontages

Action 1.3.5. Setbacks from property lines should be at least 10 feet

Policy 1.4. Provide for mechanisms to create open space and home owner parks consistent with the community vision

Action 1.4.1. Open space and homeowner parks should have standards for development that maximize usefulness to beneficiaries of the open space or homeowner parks, and minimize impacts to Ashley Lake

Policy 1.5. Maintain the role of the Ashley Lake Land Use Advisory Committee

Action 1.5.1. The ALLUAC should actively maintain bylaws and provide a forum for the public input and discussion related to land use activities

Action 1.5.2. The ALLUAC should continue to operate as a voice of the Ashley Lake community when communicating with the Flathead County Commissioners

Action 1.5.3. The ALLUAC should direct or refer reports of violations of zoning to the Flathead County Planning and Zoning office in writing

Action 1.5.4. The ALLUAC may communicate with state and federal land managers on activities that may affect Ashley Lake

Goal 2. Provide for commercial activities that are in character with the community

Policy 2.1. Promote commercial activities that are consistent with the scale of the community

Action 2.1.1. Allow business that can be run out of a home

Action 2.1.2. Free standing marina's commercial campgrounds, and resorts are not consistent with the scale of the community and should not be allowed

Goal 3. Provide for flexibility for property owners

Policy 3.1. Allow reasonable exceptions to setbacks and density standards

Action 3.1.1. Provide for an exception for reconstruction of existing structures that did not conform to the regulations at the time they were adopted

Action 3.1.2. Allow flexibility in density standards in specific situations

Policy 3.2. Grandfathered uses should be protected

Goal 4. Maintain or improve water quality of Ashley Lake

Policy 4.1. Improve management of the Lake and Lakeshore protection zone

Action 4.1.1. Attempt to determine a process to establish an official high-water mark for Ashley Lake

Policy 4.2. Monitor water quality on Ashley Lake

Action 4.2.1. Support the efforts of volunteers to monitor and record water quality

Policy 4.3. Prevent sewage systems from degrading the water quality of Ashley Lake

Action 4.3.1. Work with public agencies (such as the Environmental Health Department) to estimate the number of homes on Ashley Lake that do not have a permitted septic system

Action 4.3.2. Research the regulations that govern septic systems and the procedure for amending those regulations

Policy 4.4. Indentify floodplain hazards within the planning area

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Chapter Six: Implementation Strategies

Without implementation, the Ashley Lake Neighborhood Plan would not guide the community towards the vision statement in Chapter One. While goals and policies are intended to be statements of policy, the Implementation Strategies are the items with specific direction on how to implement the community vision. The Actions, listed in Chapter 4, are a bridge between the Goals and Policies stating specific steps that can be utilized for implementation. Implementation of the Ashley Lake Neighborhood Plan is intended to occur in three ways: Through actions taken by community members, or the community as a whole, through the leadership of the ALLUAC, or through regulatory actions such as subdivision review, zoning regulations, lakeshore protection regulations, and other state and local regulations that may apply to the Ashley Lake planning area.

Community Actions:

The following implementation strategies are recommendations to the community on how they can help reach the vision in the plan. Community Action implementation strategies are not intended to become regulation or to be conditioned upon individuals. They are intended to assist and educate how community members can voluntarily consider the community vision.

- **Zoning Enforcement:** The Flathead County Planning and Zoning Department enforces zoning in the Ashley Lake planning area through written complaints. Members of the community, who wish to report a violation of zoning, should do so in writing directly to the Planning and Zoning Office. Any complaints forwarded to the ALLUAC should be passed on to the Flathead County Planning and Zoning Office in writing. [Action 1.5.3.]

Land Use Advisory Committee Actions:

The Ashley Lake Land Use Advisory Committee serves as the community's voice on activities affecting land use within the Ashley Lake Neighborhood Plan Boundaries. The following implementation strategies are recommendations of actions the ALLUAC can take to help implement the goals and polices in the neighborhood plan.

- **Serve as a "Voice" for the People of Ashley Lake:** The ALLUAC should continue to act as a voice for the people who reside in the Ashley Lake planning area by providing a forum for comment and forwarding recommendations on land use proposals to the Planning Board and County Commissioners. [Action 1.5.1.]
- **Amendments to the Plan and/or Zoning Regulations:** The ALLUAC should forward request to amend the plan or the zoning regulations to the Flathead

County Planning and Zoning Office and maintain communications with the county throughout any amendment process. [Action 1.5.1. and Action 1.5.2.]

- **Water Quality Monitoring:** The ALLUAC should support the efforts of volunteers to monitor water quality in Ashley Lake and maintain communications with volunteers. [Action 4.2.1.]
- **Septic Issues:** The ALLUAC should work to further understand how septic systems relate to water quality in Ashley Lake. [Action 4.3.1. and Action 4.3.2.]
- **Communication:** The ALLUAC should attempt to be aware of state and federal activities that occur in the Ashley Lake planning area and may provide comment on those activities as appropriate. [Action 1.5.4.]

Regulatory Recommendations:

This neighborhood plan is not a regulatory document; however, some of the goals and policies in the Ashley Lake Neighborhood Plan may be implemented through regulations. The implementation strategies in this section are recommendations on how to implement the plan through the use of regulations. Regulations adopted and administered by Flathead County in the Ashley Lake Planning Jurisdiction are: zoning regulations, subdivision regulations, floodplain regulations, and lakeshore regulations.

Zoning Regulations: The Ashley Lake Zoning District and development code, adopted in 1997, is the primary tool used to implement the Ashley Lake Neighborhood Plan. Any amendments to the Ashley Lake Zoning District must be consistent with the goals and policies of the Ashley Lake Neighborhood Plan, and with the goals and policies in the Flathead County Growth Policy.

- **Amendments to the Zoning:** Certain sections in the zoning regulations have been determined not to be compatible with the Vision in the Neighborhood Plan. A text amendment should be discussed by the ALLUAC and Flathead County Planning and Zoning Office and should be processed sometime in the future. The following are items recommended to be amended:
    - Multi-family dwellings: Multi-family dwellings, such as condominiums, townhomes and apartment complexes are recommended to be removed from the list of conditional uses. This does not refer to properties owned by multiple families. [Action 1.2.1.]
    - Resort, commercial campgrounds and Marina's: Resorts, commercial campgrounds and marinas are recommended to be removed from the list of Planned Unit Development uses. [Action 2.1.3.]

- **Clarifications:** The definitions of Lakefront and Lakeview lots could be interpreted by different parties in different ways and may need clarification through a text amendment to eliminate gray areas. [Action 1.3.1 and1.3.2]
- **Current Zoning:** Sections not specifically recommended for amendments are supported by the neighborhood plan. [Actions 1.1.1., 1.2.2., 1.3.3., 1.3.4., 1.3.5., 1.4.1., 2.1.1., 2.1.2., 3.1.1. and 3.1.2.]

Subdivision Regulations: The Flathead County Subdivision Regulations are an implementation of the Flathead County Growth Policy. They are universal to all areas within the Flathead County Planning Jurisdiction. The primary mode of implementation of this neighborhood plan through the subdivision regulations is through the subdivision review process. State statutes currently prohibit basing a denial of a subdivision solely on the provisions of a growth policy or neighborhood plan. However, it is recommended the goals and policies of the plan are considered as guidance during the subdivision review process.

Floodplain Regulations: Floodplain Regulations are required to participate in the National Flood Insurance Program (NFIP) administered by the U.S. Federal Emergency Management Agency. This program is available to communities that acknowledge that flood prone areas pose a significant health hazard and have met the NFIP criteria and program requirements. Floodplain regulations govern land uses and development in areas mapped as flood hazards. Flood hazards within the Ashley Lake Neighborhood Planning area have not been mapped as part of this program.

Lakeshore Regulations: The Flathead County Lake and Lakeshore Protection Regulations are universal to most lakes in the Flathead County Planning Jurisdiction with a surface area of at least twenty (20) acres for at least six (6) months a year in a year of average precipitation. The Lake and Lakeshore Protection regulations are applicable to certain activities that occur within 20 feet of the high-water mark. Ashley Lake is regulated by the Lake and Lakeshore Regulations.

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Chapter Seven: Revision and Amendment Procedures

Adoption

The impetus behind developing the Ashley Lake Neighborhood Plan is to provide local guidance to the overall pattern of growth in the Neighborhood. Neighborhood plans become official public policy under the umbrella of the County Growth Policy.

Application

The Ashley Lake Neighborhood Plan is adopted as an element of the Flathead County Growth Policy and thus provides much more specific detail and guidance for the neighborhood. Because the neighborhood plan in its entirety is more specific in its application to the Ashley Lake Neighborhood, each provision provided for in the Plan is therefore more specific and will take precedence over the broad statements contained within the more general Flathead County Growth Policy.

Amendment Process

From time to time, it may be appropriate to amend the text and/or maps contained within the Ashley Lake Neighborhood Plan. Amendments shall be processed in the following manner:

1. A reasonable effort shall be made by the applicant to communicate the nature and purpose of the amendment request to the ALLUAC. Early communication increases the likelihood that all interested parties can consider and respond to each other's needs and constraints. This communication also increases the likelihood that an applicant can respect the integrity and intent of the plan while accomplishing the purpose of the amendment(s). However, the consent of the ALLUAC is not required prior to proceeding to Step 2 of this process.
2. The applicant shall submit an Application for Neighborhood Plan Amendment to the Flathead County Planning and Zoning Office (FCPZ). The application for amendment shall address the following criteria (adapted directly from Chapter 9 of the Flathead County Growth Policy):
    1. Does the amendment affect overall compliance of the Ashley Lake Neighborhood Plan with 76-1-601, MCA?
    2. Is the amendment based on existing characteristics and/or projected trends that are substantially different from those presented in the most recent update?
    3. Does the amendment create inconsistencies within the document?

4. Does the amendment further protect and comply with the seven elements of the public's vision for the future of Flathead County (found in Chapter 1 of the Flathead County Growth Policy) and the vision statement of the Ashley Lake Neighborhood Plan?
5. Has the proposed amendment undergone a sufficient process of public participation and review?

3. FCPZ shall notify the ALLUAC that an application for amendment has been submitted and communicate the nature of the requested amendment. FCPZ will review the requested amendment for compliance with the criteria above and prepare a report to the Flathead County Planning Board.
4. FCPZ will present the application to ALLUAC prior to the Planning Board public hearing and seek a recommendation from the Committee to the Planning Board on the proposed amendment(s).
5. FCPZ will present the application, report and the ALLUAC's recommendation to the Planning Board and the Planning Board will hold a public hearing in conformance with 76-1-602, MCA and the Board's own bylaws regarding public hearings.
6. The Planning Board will forward, by resolution, a recommendation on the proposed amendment(s) to the Flathead County Commissioners.

Mandatory Review

The neighborhood plan and any development standards adopted pursuant to this neighborhood plan should be reviewed for effectiveness and appropriateness on a regular basis. The ALLUAC, as provided for in this neighborhood plan should convene, at a minimum of every five years from the date of adoption of this plan to review the plan and ensure it complies with the provisions of the Flathead County Growth Policy, specifically Chapter 10 regarding neighborhood plans. The Committee should review the regulations and neighborhood plan in light of development activity that has occurred to date and forward a report to the Flathead County Planning Board and County Commissioners recommending changes as deemed appropriate to: ensure the smooth administration of the plan, ensure that any implementation strategy (i.e. zoning) meet the desired goals of the plan; and to address any unforeseen issues or circumstances not originally or adequately addressed by the existing plan and regulations.

Chapter Eight: Coordination Statement

Between Forest Service lands and the water body of Ashley Lake, the federal government and State of Montana have a substantial management presence in the Ashley Lake Neighborhood planning boundaries. Land use planning on federal and state lands is in the jurisdiction of the respective federal and state governments but the actions taken by these government bodies can have direct impacts on residents of Ashley Lake. Residents in the Ashley Lake planning boundaries should be aware this planning document does not have bearing on federal and state actions. Being involved in the state or federal agencies planning process is an appropriate course of action. The ALLUAC may serve as a community voice to coordinate with federal and state agencies expressing how agencies actions may be consistent or inconsistent with the goals and polices of the Ashley Lake Neighborhood Plan.

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APPENDICES

APPENDIX A: SUMMARY OF COMMUNITY SURVEY

Land Use Advisory Board Ashley Lake

Summary of 2008 Community Survey

Every ten years we conduct a survey to determine the needs and priorities for our community. This year two assessments were filled out by members of the Ashley Lake Community. Thank you to all that took the time to share your facts, opinions and emotions.

Results so far:

- 300 surveys sent... 57 short form returned and 85 long forms
- Over 25 individuals volunteered to work on special projects, water wuality or campground host committee
- One third believe we are "growing too fast", one third "growing rapidly" and one third suggested we have "acceptable growth".
- Two thirds of respondents live on lakefront
- Majority feel the Neighborhood Plan boundaries should not be expanded
- Majority do not see a need for carpools in the near future
- Mail services and trash removal a priority

Major Concerns and Important Issues

- Maintaining solitude, quiet, wildlife and rural
- Maintaining water quality
- Road conditions
- Dust
- Fire and emergency services
- Speeds on roads
- Native wildlife
- Unenforced zoning
- Enforced zoning
- Threat of zoning
- Property rights
- Community rights
- Noise
- Family oriented
- Density
- Dredging
- Impact fees to developers
- Pave the road
- Do not pave the road
- Septic
- Boat education and enforcement of laws

Other Feedback from Surveys:

- Most do not want commercial development or resorts. Although the following areas all received some attention: pharmacy, community center, church, gas pump and a liquor store.
- Strong support for septic regulations (upon sale of property, new owners must comply with County/State requirements for septic.
- Strong support for maintaining water quality – support for Ashley Lake community gathering detailed research and data on the effects of dust, silt, and septic; however, mixed comments on whether we have enough research and most not wanting to pay for research.
- Strong support for continuing to restrict seaplanes.
- Two thirds indicated interest in more research and road conditions. Some wish for more information on the issue.
- Split feedback on the following areas: research and education for septic and sanitation, and research and education for fisheries and wildlife. Again, paying for research and education in these areas stated as a concern.
- Majority agree ALPOA and the Land Use Advisory Committee are needed as a continued interface between Ashley Lake community and Flathead County.
- Many individuals requested more information on topics, stating they "juts do not know".
- Over two thirds use the internet and express it is a viable means to communicate. Majority want communication to continue through ALPOA newsletter and bulletin boards.

APPENDIX B: ASHLEY LAKE NEIGHBORHOOD PLAN UPDATE

ACTIVITY TIMELINE

- Summer 2008 – ALLUAC sends community surveys (short and long forms) to 300 residents/families within the Ashley Lake neighborhood plan area, to gather information on residents' issues and concerns in preparation for neighborhood plan update
- March/April 2009 - Update of Ashley Lake Neighborhood Plan identified in FY 2010 Work Plan
- Land Use Advisory Committee Meetings held to discuss and work on neighborhood plan update:
  - July 30, 2009
  - August 17, 2009
  - August 27, 2009
  - October 29, 2009
  - November 19, 2009
- December 17, 2009 – Andrew Hagemeier meets with Flathead County Commissioners to discuss progress on the Ashley Lake Neighborhood Plan update
- Land Use Advisory Committee Meetings held to discuss and work on neighborhood plan update:
  - January 28, 2010
  - March 18, 2010
  - April 15, 2010
  - May 20, 2010
  - June 3, 2010
  - June 17, 2010
  - July 1, 2010
  - July 29, 2010
- August 10, 2010 – Letter sent to agencies requesting comment on the Draft Neighborhood Plan Update, in preparation for August LUAC meeting
- Land Use Advisory Committee Meetings held to discuss work on neighborhood plan update:
  - August 26, 2010
  - September 9, 2010
  - October 7, 2010
- October 13, 2010 – Planner Andrew Hagemeier provides Draft II of the Ashley Lake Neighborhood Plan Update to Planning Board members during new business portion of their regularly scheduled meeting; discusses update process thus far and requests Planning Board workshop be scheduled to review draft in 2011
- Land Use Advisory Committee Meetings held to discuss and work on neighborhood plan update:
  - November 18, 2010
  - December 16, 2010
  - February 24, 2011

- March 16, 2011 - Flathead County Planning Board Workshop to review Draft II of Ashley Lake Neighborhood Plan Update.
- Land Use Advisory Committee Meetings held to discuss and work on neighborhood plan update:
  - March 31, 2011
  - April 28, 2011
- April 28, 2011 - Ashley Lake Land Use Advisory Committee motions and approves unanimously the submittal of the final draft of the Ashley Lake Neighborhood Plan Update to the Flathead County Planning and Zoning Office for formal processing of the neighborhood plan update.