

FLATHEAD COUNTY PLANNING AND ZONING
MAJOR LAND USE PERMIT #FCMU-13-01
McCLURE LLC- WEST GLACIER KOA CAMPGROUND EXPANSION
JUNE 17, 2013

A report to the Flathead County Planning Board and the Board of County Commissioners regarding a request for a Major Land Use Permit for expansion of an existing RV Park on a property within the Middle Canyon Region of the Canyon Area Land Use Regulatory System (CALURS).

This application will be heard at the Flathead County Planning Board meeting on Wednesday July 10, 2013, beginning at 6:00 PM, on the 2nd Floor in the Conference Room of the Earl Bennett Building in Kalispell. Documents pertaining to this application are available for public inspection at the Flathead County Planning and Zoning Office, located in the Earl Bennett Building at 1035 First Avenue West, Kalispell, Montana.

Application Review Updates

- **Land Use Advisory Committee/Council**

The proposed land use is located within the advisory jurisdiction of the Middle Canyon Land Use Advisory Committee (LUAC). The LUAC is scheduled to hold a public meeting at 7:00 pm on May 28, 2013 at the West Glacier Fire Hall to review the proposed land use and make a recommendation to the Flathead County Planning Board. This space is reserved for a summary of the Committee's discussion and recommendation.

UPDATE - June 3, 2013: The Middle Canyon Land Use Advisory Committee was scheduled to hold a public meeting on May 28, 2013 at 7:00 P.M. in the West Glacier Fire Hall to review the major land use permit request. At the meeting there was no quorum of committee members, however five members of the public attended to inform themselves of the proposal details. As there was no quorum, the committee forwarded no recommendation of approval or denial regarding the major land use permit to the Planning Board and County Commissioners.

- **Planning Board**

The Flathead County Planning Board will hold a public hearing on the proposed land use on July 10, 2013 and make a recommendation to the Flathead County Board of Commissioners. This space is reserved for a summary of the Planning Board's discussion and recommendation.

- **Commission**

The Flathead County Board of Commissioners will review this proposal after the public hearing conducted by the Planning Board and prior to August 28, 2013 which is the end of the 60 day review period per Section 3.3 CALURS. This space is reserved for a summary of the Commissioner's discussion and decision.

I. GENERAL INFORMATION

A. Application Personnel

i. Applicant

McClure LLC – Greg McClure
P.O. Box 215
West Glacier, MT 59936

- ii. **Technical assistance**
Sands Surveying
2 Village Loop
Kalispell, MT 59901

B. BACKGROUND INFORMATION

i. Location and Legal Description:

Located ½ mile east of US Highway 2 East at 355 Half Moon Flats Road, approximately 1.5 miles southwest of West Glacier, the subject property is legally described as Tract 2F in Section 12 and Tract 1B in Section 11, Township 31 North, Range 19 West, P.M.M., Flathead County, Montana (see Figure 1 below).

ii. Size of the Property:

The area of the subject properties encompassed by the proposal is approximately 16.24 acres in size. The proposed RV Park expansion would be situated completely within Tract 2F and the planned drainfield system would overlap onto an eastern portion of Tract 1B.

iii. Current Use:

Tract 1B of the subject property is currently developed with the West Glacier KOA Campground and Tract 2F has been vacant forest land (see Figure 2 below).

Figure 1: Location of subject property (highlighted yellow)

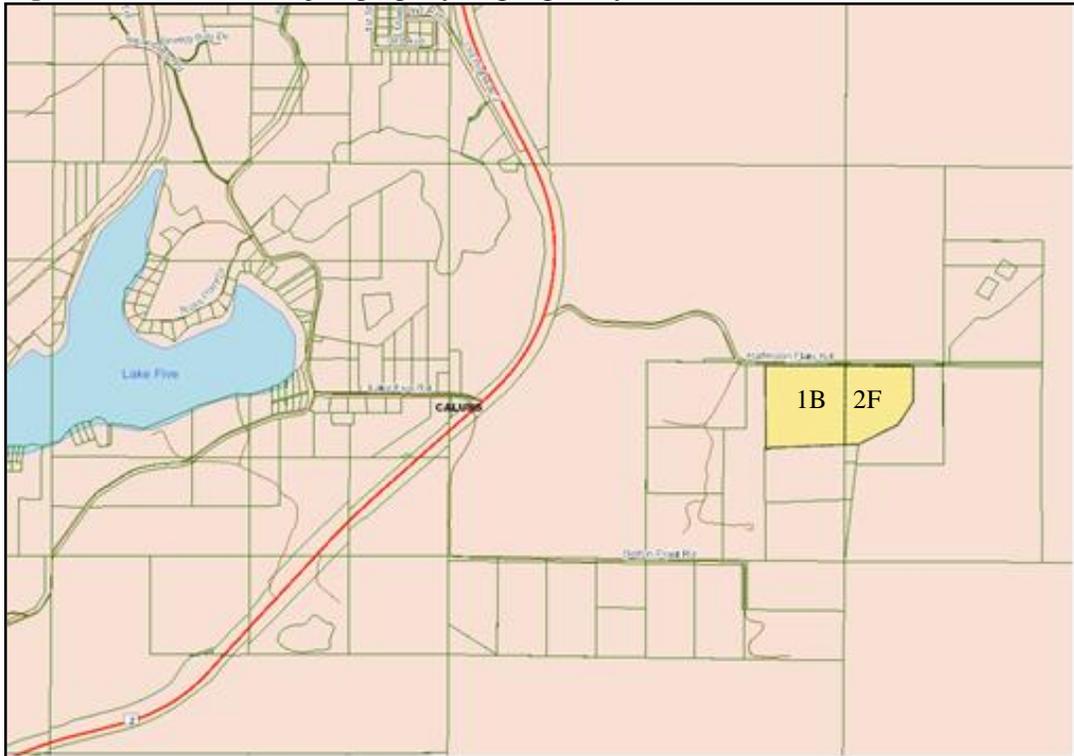


Figure 2: Subject property (outlined white) and project area (outlined yellow)



iv. Existing Zoning:

The subject property is currently zoned “Middle Canyon” under the Canyon Area Land Use Regulatory System (CALURS), and the existing West Glacier KOA Campground and RV Park, which is located outside of a designated service and community center, was established prior to the adoption of the CALURS zoning. While establishment of *new* RV parks on properties located outside of designated service and community centers is prohibited in the CALURS Middle Canyon zoning district, expansion of an existing RV Park within the Middle Canyon zoning district is available subject to review as a ‘Major Land Use’ per CALURS Section 6.2(C)(7).

v. Nature of the Request:

The proposal is a request for a 56- space expansion of the existing West Glacier KOA Campground and RV Park, which would be developed in two phases on approximately 16.24 acres of land. The expanded RV Park would connect to and use the existing KOA public water supply with the addition of a new well, and the facility would use a new proposed public sewer system which would be established on the boundary of Tracts 1B and 2F as shown on the submitted preliminary plat. Each RV space would be equipped with individual water and sewer service connections and a 24’X36’ ‘bath house’ with restrooms and showers would be available to all guests. Access would be from Half Moon Flats Road via US Highway 2 East, and the applicant proposes the internal roadway system not be

required to be paved. In addition to this zoning related ‘major land use review’ the proposal is currently undergoing review as a major ‘subdivision created for lease or rent’ as required under the Montana Subdivision and Platting Act and the Flathead County Subdivision Regulations.

II. EVALUATION OF THE REQUEST

The following is an evaluation of the request relative to the performance standards outlined in *CALURS Chapter 4: Performance Standards Applicable to Proposed Uses*.

A. Outdoor Advertising

The existing KOA Campground pre-dates adoption of the CALURS zoning district, and the facility uses existing off-premises advertising located on Highway 2. The submitted application indicates no new advertising signage or changes to existing signage is proposed. Existing onsite signage is minimal and mainly serves directional and informative purposes for guests. Existing and future advertising signage would be required to continue to comply with the performance standards outlined in Section 4.1(A) of CALURS, as applicable.

Finding #1 – The proposed major land use application is in compliance with the Outdoor Advertising requirements because the existing offsite advertising signage is entitled to non-conforming status and Section 4.1(A)(3) CALURS permits a single off-premise sign erected at the primary access to properties having no direct access and visibility from the highway. Additionally, the applicant is not proposing any new signage.

B. Access and Road Standards

Located approximately 3/4 miles east of US Highway 2 East, the subject property is accessed from Half Moon Flats Road, an existing public road within a 60 foot wide access utility easement. Half Moon Flats Road is paved 24-foot wide to a point 150 east of the facility entrance where the road transitions to a gravel surface. Referring to access and road standards, CALURS Section 4.1(B) defers to the Flathead County Subdivision Regulations (FCSR), and the submitted preliminary plat indicates the internal road network providing traffic circulation within the park meets or exceeds the standards outlined in Section 4.5.7 FCSR for one-way and two-way access lanes within an RV park. The submitted preliminary plat indicates an additional emergency exit in the northeast area of the proposed expansion area which would approach onto Half Moon Flats Road. The existing access appears adequate to accommodate both existing and proposed traffic associated with the operation of the West Glacier KOA Campground and RV Park.

Finding #2 – The proposed use appears to meet access and road standards because the West Glacier KOA Campground and RV Park is accessed by a paved 24 foot wide public roadway and the internal road network has been designed in compliance with applicable standards outlined in the Flathead County Subdivision Regulations.

C. Sanitation

While the current existing facility has a sewer system which is already permitted by the Flathead County Environmental Health Department and Montana Department of Environmental Quality, the proposed 56-RV space expansion is planned to be served by

a new on-site sewer system comprised of two drainfields situated on the western area of the expansion area on portions of Tracts 1B and 2F. Submitted information indicates there is no groundwater within 8 feet of the surface and soils and slope characteristics are suitable for the new drainfields at the planned location. The proposed new sewer services for the facility would be required to be reviewed and approved as applicable by the Flathead County Environmental Health Department and the Montana Department of Environmental Quality.

Solid waste disposal will continue to be managed in an appropriate manner onsite, and shall utilize strategies designed to minimize the attraction of bears pursuant to Section 4.1(C)(2) of CALURS. The property is located outside of the designated community and service centers, and the application to expand the RV Park does not have bearing on the keeping of livestock onsite.

Finding #3 – The planned sanitation services appear adequate for the proposed use because solid waste will continue to be managed and disposed of efficiently and there are suitable soils, slopes and no shallow groundwater at the proposed drainfield location. The new wastewater treatment system to serve the RV park expansion would be required to be reviewed and approved as applicable by the Flathead County Environmental Health Department and Montana Department of Environmental Quality.

D. Flood Hazard

According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 30029C1155G, the subject property is located in “Zone X”. “Zone X” refers to areas determined to be outside the 0.2% annual chance floodplain. In other words, the subject property is not in the floodway, designated 100-year floodplain, or 500-year floodplain.

Finding #4 – The site appears suitable for the proposed use because there are no regulated floodplains located on the subject parcel.

E. Natural Resource Protection

The property does not contain any streams or natural drainages identified in the National Hydrography Dataset (NHD), and does not exhibit any wetland or riparian-type features classified by the National Wetlands Inventory (NWI) database.

Development of the proposed RV Park expansion will require substantial forest thinning and grading work at the site, but will not affect any portion of the subject property outside of the proposed expansion area. The soils onsite are well-drained and the applicant proposes to manage stormwater drainage through swales and absorption into the ground which is assisted through minimizing impervious surface within the expanded RV park area. As the property is currently developed with a well-maintained RV Park, operation of the proposed expansion area would presumably be managed in the same manner and would not significantly impact the natural environment on the subject property or the protection of natural resources in the surrounding area.

Finding #5 - The site appears suitable for the proposed use and will not impact critical natural resources because there are no wetlands, riparian areas, or other sensitive lands on the property, stormwater drainage will be effectively managed

through onsite absorption into the pervious soils onsite, and the proposed use and physical changes are consistent with the current use of the property which appears efficiently operated and well maintained.

F. Site Development

As shown on the submitted preliminary plat, the proposed expanded RV park complies with the applicable bulk and dimensional requirements of the Middle Canyon zoning district in regard to minimum setbacks from the front, rear and side property boundaries. A vegetative buffer of forest exceeding 150-feet would be maintained between the RV spaces and Halfmoon Flats Road, and the site to be developed is gently sloping and there would be no development extending above a ridgeline of a hill as viewed from US Highway 2. Each RV space is sized to accommodate larger RVs and associated vehicular parking typical of modern RV use and the designed space and configuration exceeds the applicable standards for RV parks and campgrounds contained in the FCSR.

Additional site development requirements contained in CALURS Section 4.1(F) are not directly applicable to the proposed RV park expansion because there would be no division of land, the subject property is not part of a clustering development, there is no commercial use requiring a parking lot, and the site is not directly accessed by US Highway 2.

Finding #6 – Site development of the proposed RV park expansion appears compliant with applicable regulations because the use would comply with the bulk and dimensional requirements of the Middle Canyon zoning district, a vegetative buffer of forest exceeding 150-feet would be maintained between the RV spaces and Halfmoon Flats Road, there would be no development extending above a ridgeline of a hill as viewed from US Highway 2 due to the gentle slopes of the subject property, necessary parking would be accommodated within each RV space, and the remaining performance standards aren't applicable to the proposed use because there would be no division of land and the site is not directly accessed by US. Highway 2.

G. Planned Community

The proposed land use does not involve a planned community; this section of CALURS is not applicable to the proposal.

Finding #7 - Planned Community standards are not applicable because the proposal is not a planned community.

H. Dog Day Care Operations

The proposed use is not for a Dog Day Care establishment; this section of CALURS is not applicable to the proposal.

Finding #8 - Dog Day Care Operation standards are not applicable because the proposal is not for a dog day care facility.

III. PERFORMANCE GUIDELINES

The following is an evaluation of the applicable performance guidelines for a major land use permit found in Chapter 5 of CALURS. These guidelines are not mandatory standards.

- A. *5.1 Developments should be designed and constructed to minimize cutting and filling of slopes.*
- The proposal is located on a relatively flat area, and requires little or no cut and fill of slopes.
- B. *5.2 Developments should be designed and constructed to minimize disturbance of trees and other natural vegetation, soils, stream banks, and lakeshores. Disturbed soils should be re-vegetated within the earliest growing season with plant species native to the region.*
- The location of the proposed use necessitates substantial removal of trees and the site has recently undergone significant logging and thinning of the forested cover in preparation of actual site development. Due to location and terrain adverse disturbance of adjacent natural vegetation, soils, stream banks, or lakeshores is not anticipated.
- C. *5.3 New growth is encouraged to locate near existing community centers.*
- The proposal location is located approximately 1.5 miles south of the planned community area boundary of West Glacier.
- D. *5.4 The proposed building, structure, or alteration will not obstruct, hinder, impede, or conflict with road, water, sewer, power, and any other public or utility services presently provided or any reasonable or foreseeable extension thereof.*
- The proposed expanded RV park would be part of an existing facility where utilities for the uses are already established. The proposed expansion and its necessary infrastructure would augment utilities and infrastructure of the existing facility and therefore no conflict with adjacent uses, infrastructure, or the services of public utility providers is anticipated.
- E. *5.5 Expansion of existing commercial uses is preferred over the establishment of new commercial uses outside of established community service centers.*
- The proposed use would occur as an expansion of an existing commercial use.
- F. *5.6 New commercial uses and residential subdivisions should be located within a rural fire district or be able to obtain contract services from a fire fighting agency.*
- The proposal location is within the service boundaries of the Coram/West Glacier Fire District.
- G. *5.7 Use of unpainted metal siding on commercial buildings visible from U.S. Highway 2 is discouraged*
- The proposed use is not visible from US Highway 2.
- H. *5.8 New development should minimize disturbance of forest and other vegetation associations in proximity to the footprints of the structure(s), roads, etc.*
- The proposed use is located within a densely forested area and the applicant has undertaken substantial efforts to clear the land for the proposed RV park expansion. The vegetative clearing would facilitate the establishment of new spaces and interior roads, minimize onsite fire risk, and won't extend beyond the functional areas of the RV park.

- I. *New roads should provide suitable access to serve the intended uses without excessive road width, looping, or fragmentation of habitats. Paving of roads is encouraged especially in close proximity to existing community centers.*
 - The proposed use would be accessed by a new internal road system occupying approximately 3.18 acres of ground and designed for efficient travel of typical large RV's. The site is not within or adjacent to a community center, and as peak usage is limited to a few summer months and the site remains largely vacant the remainder of the year, the applicant wishes to not pave the internal roads in the interest of maintaining a rustic and rural setting in the park.
- J. *Clustering of uses is encouraged so as to minimize the area of actual disturbance or alteration of habitat features.*
 - The proposed use would occur as an adjacent extension to an existing commercial RV park, and as such would centralize park user camping and other activities.
- K. *Site planning should encourage the siting of new structures away from critical habitats including wildlife movement corridors.*
 - The proposed use would be an adjacent extension to an existing commercial RV park on a tract of land currently used by the existing business, and the property contains no known critical habitat or wildlife movement corridors.
- L. *Subdivision approval of additional lots should consider impacts to school enrollment and to other public services.*
 - The proposed use does not entail subdivision or creation of new lots and therefore shouldn't pose impacts to school enrollment, and impacts to other public services appears minimal as the business has a relatively short peak operating season and no public service providers expressed outstanding concerns in submitted comments.

Finding #9 - The proposed expanded RV park appears to comply with the CALURS performance guidelines because the proposed use would occur as an adjacent extension to an existing commercial RV park relatively close to a planned community center, the use would not require offsite development of new roads or other infrastructure, and the proposal would have minimal impact on natural resources as the site contains no sensitive vegetation, soils, stream banks, lakeshores, or wetlands.

C. MAJOR LAND USE APPLICATION REQUIREMENTS

Pre-application Conference: March 5, 2013
Application Date: April 8, 2013
Review & Evaluation: Completed June 17, 2013

IV. SUMMARY OF FINDINGS

Finding #1 – The proposed major land use application is in compliance with the Outdoor Advertising requirements because the existing offsite advertising signage is entitled to non-conforming status and Section 4.1(A)(3) CALURS permits a single off-premise sign erected at the primary access to properties having no direct access and visibility from the highway. Additionally, the applicant is not proposing any new signage.

Finding #2 – The proposed use appears to meet access and road standards because the West Glacier KOA Campground and RV Park is accessed by a paved 24 foot wide public roadway and the internal road network has been designed in compliance with applicable standards outlined in the Flathead County Subdivision Regulations.

Finding #3 – The planned sanitation services appear adequate for the proposed use because solid waste will continue to be managed and disposed of efficiently and there are suitable soils, slopes and no shallow groundwater at the proposed drainfield location. The new wastewater treatment system to serve the RV park expansion would be required to be reviewed and approved as applicable by the Flathead County Environmental Health Department and Montana Department of Environmental Quality.

Finding #4 – The site appears suitable for the proposed use because there are no regulated floodplains located on the subject parcel.

Finding #5 - The site appears suitable for the proposed use and will not impact critical natural resources because there are no wetlands, riparian areas, or other sensitive lands on the property, stormwater drainage will be effectively managed through onsite absorption into the pervious soils onsite, and the proposed use and physical changes are consistent with the current use of the property which appears efficiently operated and well maintained.

Finding #6 – Site development of the proposed RV park expansion appears compliant with applicable regulations because the use would comply with the bulk and dimensional requirements of the Middle Canyon zoning district, a vegetative buffer of forest exceeding 150-feet would be maintained between the RV spaces and Halfmoon Flats Road, there would be no development extending above a ridgeline of a hill as viewed from US Highway 2 due to the gentle slopes of the subject property, necessary parking would be accommodated within each RV space, and the remaining performance standards aren't applicable to the proposed use because there would be no division of land and the site is not directly accessed by US. Highway 2.

Finding #7 - Planned Community standards are not applicable because the proposal is not a planned community.

Finding #8 - Dog Day Care Operation standards are not applicable because the proposal is not for a dog day care facility.

Finding #9 - The proposed expanded RV park appears to comply with the CALURS performance guidelines because the proposed use would occur as an adjacent extension to an existing commercial RV park relatively close to a planned community center, the use would not require offsite development of new roads or other infrastructure, and the proposal would have minimal impact on natural resources as the site contains no sensitive vegetation, soils, stream banks, lakeshores, or wetlands.

V. CONCLUSION

In accordance with the provisions of Chapter 3 of the Canyon Area Land Use Regulatory System (CALURS), a review and evaluation of the Major Land Use application for 'Expansion of existing RV park' has been completed. In consideration of the nine (9) Findings of Fact summarized above the proposal appears to generally comply with the applicable criteria found in Chapters 4 and 5 of CALURS. Should the Planning Board forward a recommendation of approval of this proposed land use to the Flathead County Commissioners, the following conditions should be considered to supplement that recommendation.

VI. CONDITIONS OF APPROVAL

1. This major land use permit allows for the expansion of the existing West Glacier KOA Campground and RV Park to include 56 new RV spaces to be established in two phases on the subject property as shown on the submitted preliminary plat.
2. The proposed water and sewage treatment systems and storm drainage systems for the major land use proposal shall be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. The written approval(s) shall be available to the Flathead County Planning and Zoning Office upon request.
3. All signage on the subject property shall comply with Section 4.1(A) of the Canyon Area Land Use Regulatory System (CALURS).
4. Any new electrical and telephone utilities required of the establishment shall be extended underground.
5. Solid waste removal shall be conducted in a manner approved by the director of the Flathead County Solid Waste District. Solid waste stored outside shall be stored in bear-proof containers to minimize the attraction of bears.
6. The proposed RV park expansion shall be in substantial conformance with the site plan and materials submitted with this application and on file in the Flathead County Planning and Zoning Office.
7. Within one year from the date of issuance of this permit, Planning and Zoning Department staff may perform an inspection to ensure compliance with the conditions of approval.