

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
OCTOBER 10, 2012**

**CALL TO
ORDER**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Marie Hickey-AuClaire, Greg Stevens, Frank DeKort, Gene Shellerud, Jim Heim, Jeff Larsen, Ron Schlegel and Robert Faulkner. Charles Lapp was absent. BJ Grieve and Erick Mack represented the Flathead County Planning & Zoning Office.

There were 9 people in the audience.

**APPROVAL OF
MINUTES**

Schlegel made a motion, seconded by DeKort to approve the August 8, 2012 meeting minutes.

On a roll call vote the motion passed unanimously.

**PUBLIC
COMMENT
(not related to
agenda items)**

None.

**THOMPSON
FARMS, LLC
(FPMA 12-01)**

A request by Thompson Farms, LLC for an amendment to the Kalispell City-County Planning Jurisdiction Master Plan Map Year 2010. The proposed amendment would change the land use designation from "Agricultural/Silvicultural" to "Light Industrial" on 49.5 acres of a 250 plus acre holding that is currently in agricultural production. The property is located at 1883/1885 Whitefish Stage.

STAFF REPORT

Mack reviewed Staff Report FPMA 12-01 for the Board.

**BOARD
QUESTIONS**

Stevens and staff discussed at length the fee for the amendment and the reason for the amendment application instead of just a zone change application.

Heim asked for clarification of the annexation of the property into the Evergreen Water and Sewer District.

**APPLICANT
PRESENTATION**

Eric Mulcahy, Sands Surveying, represented the applicant. He reviewed the reason for the application, how they chose the property, the close proximity of the property to residential development for the convenience of the employees, how the facilities would be positioned on the property, the fact the

applicant had applied for MDOT permits and the status of that process.

**BOARD
QUESTIONS**

None.

**AGENCY
COMMENTS**

Jerry O'Neil represented the citizens of the north east corner of the valley. He said his constituents wanted more clean jobs. The applicant didn't disturb the neighborhood. He was amazed in other places, incentives were provided for businesses to come to cities and the applicant was required to pay a fee in Flathead County. He asked the board to encourage the applicant to go forward with the project.

**PUBLIC
COMMENT**

Brent Hall, 197 Lakeside Blvd, was for the application.

Rick Blake, 3470 Big Mountain Rd, was for the application.

Ray Thompson, 286 Buffalo Hill Dr., applicant, explained his history in the valley and how the application came to be.

Shellerud and Thompson discussed at length what type of work would be performed at the site.

Hickey-AuClaire closed public comment with the statement they had not received any new written public comment before the meeting.

**APPLICANT
REBUTTAL**

None.

**STAFF
REBUTTAL**

None.

**BOARD
DISCUSSION**

None.

**MAIN MOTION
TO ADOPT
F.O.F.
(FPMA 12-01)**

Stevens made a motion seconded by Faulkner to adopt staff report FPMA 12-01 as findings-of-fact.

**BOARD
DISCUSSION**

Stevens commented on the benefits of having Semi Tool and Sykes in the valley. He wanted to have more development on Whitefish Stage Road which would spur an upgrade on the road.

He felt upgrades followed development. He also spoke about the tax base on both agricultural and industrial zoning. He was in favor of the application.

Larsen felt industrial zoning fit in well with agricultural zoning.

Heim brought up a past application which concerned making a portion of West Reserve commercial and the rejection of the board to zoning that area commercial. He felt his opinion at the time that the area was tending toward commercial had now come to fruition.

**ROLL CALL TO
ADOPT F.O.F.
(FPMA 12-01)**

On a roll call vote the motion passed unanimously.

**MAIN MOTION
TO
RECOMMEND
APPROVAL BY
RESOLUTION
(FPMA 12-01)**

Heim made a motion seconded by Schlegel to adopt Staff Report FPMA 12-01 and recommend approval by resolution to the Board of County Commissioners.

**BOARD
DISCUSSION**

The board and Grieve discussed the process which needed to be followed from this point on.

**ROLL CALL TO
RECOMMEND
APPROVAL OF
(FPMA 12-01)**

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION**

The board waited for Grieve to correct a duplicate board member's name on the resolution and return with the correct names for the board to sign.

The board signed the resolution.

**THOMPSON
FARMS, LLC
(FZC 12-02)**

A Zone Change request in the Evergreen Zoning District by Thompson Farms, LLC. The proposal would change the zoning on 49.558 acres from AG-80 (Agricultural) to I-1 (Light Industrial). The property is located at 1883/1885 Whitefish Stage Road.

STAFF REPORT Mack reviewed Staff Report FZC 12-02 for the Board.

BOARD QUESTIONS Stevens and Mack briefly discussed what the total amount the applicant paid in fees with the map amendment and zone change.

Heim pointed out a typo in the staff report.

APPLICANT PRESENTATION Eric Mulcahy said his previous comments on the map amendment applied to the zone change and he was available for questions.

BOARD QUESTIONS Heim and Mulcahy briefly discussed where easements could be placed on the property.

AGENCY COMMENTS None.

PUBLIC COMMENT Hickey-AuClaire said there had been no written comments on the application received at the meeting.

Jerry O’Neil, 985 Walsh Road, was for the application.

Rick Blake, 3470 Big Mountain Road, was for the application.

APPLICANT REBUTTAL None.

STAFF REBUTTAL None.

BOARD DISCUSSION Stevens and Grieve quickly touched on the requirements for waste disposal and drainage.

MAIN MOTION TO ADOPT F.O.F. (FZC 12-02) Larsen made a motion seconded by Schlegel and Faulkner to adopt staff report FZC 12-02 as findings-of-fact.

BOARD DISCUSSION Larsen wanted to reiterate how the industrial zone fit into the agricultural zone area and the similarity of uses between the two zones.

Stevens agreed with Larsen’s point and there would be much lower impacts from this application than what could come from

agricultural uses.

Schlegel and Thompson briefly discussed where the property was and Schlegel agreed there would be little impact.

Thompson said the beauty of farmland was beneficial to the presentation of his product when customers were visiting the site.

Shellerud said the city of Kalispell said there would be higher density or intensity in the area where the application was.

**ROLL CALL TO
ADOPT F.O.F.
(FZC 12-02)**

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION**

None.

**MAIN MOTION
TO
RECOMMEND
APPROVAL OF
CONDITIONS
(FZC 12-02)**

Larsen made a motion seconded by Faulkner to adopt Staff Report FZC 12-02 and recommend approval to the Board of County Commissioners.

**BOARD
DISCUSSION**

The board discussed the quality of the staff report.

Heim said he had one citizen call him and ask if it was spot zoning and the staff report addressed that issue.

**ROLL CALL TO
RECOMMEND
APPROVAL OF
(FZC 12-02)**

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION**

Hickey-AuClaire reminded the public in attendance the board still had other business before they adjourned.

OLD BUSINESS

None.

NEW BUSINESS

The board complemented Mack on his work.

Grieve introduced Mack and said he did a great job with the complexity of the two applications.

Grieve and the board discussed the fees associated with the applications tonight, the possible discriminatory nature of the fees, the inability of the office to waive fees and the repercussions for waiving fees, land use regulations and who should pay the fees.

Grieve summarized his monthly report to the commissioners and discussed with the board the topics of application volume, zoning violations, projected revenue, expenditures, violations, enforcement, the new code compliance person, what was involved in code compliance, community decay, MDT's work on urban area boundaries around Kalispell and Whitefish, the floodplain regulations update, the status of CTEP and CTEP projects, and possible upcoming projects. They also briefly discussed the Growth Policy hearing in front of the commissioners and periods for comment.

The board and Grieve discussed if members of the board needed information on the applications on CDs which were included in their packets or simply the staff report, site maps and applications. It was decided the packets would continue to include CDs.

ADJOURNMENT The meeting was adjourned at approximately 7:30 pm. on a motion by Larsen. The next meeting will be held at 6:00 p.m. on December 12, 2012.

Marie Hickey-AuClaire, Chairman

Donna Valade, Recording Secretary

*APPROVED AS SUBMITTED/***CORRECTED***: 12 / 12 / 12*