

COOPER FARMS
NEIGHBORHOOD PLAN
Somers, Montana



January 2008

Prepared By:
Sands Surveying, Inc

**COOPER FARMS NEIGHBORHOOD PLAN
ADDENDUM TO THE FLATHEAD COUNTY GROWTH POLICY**

Prepared for:
LBO Property LP
500 Palmer Drive
Kalispell, MT 59901

Prepared by:
Sands Surveying, Inc.
2 Village Loop
Kalispell, MT 59901

TABLE OF CONTENTS
COOPER FARMS NEIGHBORHOOD PLAN

1. OVERVIEW	1
1.1 COOPER FARMS TO DATE.....	1
1.2 THE NEIGHBORHOOD PLAN (RATIONAL FOR PLANNING).....	1
1.3 EXISTING CONDITIONS.....	1
2 ELEMENTS OF THE PLAN	3
2.1) AREA ONE – PUBLIC FACILITIES (WETLAND PRESERVES AND PARK)	3
2.2) AREA TWO – RESIDENTIAL LAND (SOMERS PRESERVE SOUTH), LARGE URBAN SCALE HOMESITES.....	4
2.3) AREA THREE – RESIDENTIAL LAND (SOMERS PRESERVE NORTH), LARGE URBAN SCALE HOMESITES.....	4
2.4) AREA THREE – RESIDENTIAL LAND (HIGH DENSITY OPTION).....	4
2.5) AREA FOUR – NEIGHBORHOOD COMMERCIAL	4
2.6) AREA FIVE – RESIDENTIAL LAND, MIXED DENSITY HOUSING	5
2.7) AREA SIX – RESIDENTIAL LAND (NORTH CLUSTER)	5
2.8) NEIGHBORING LANDS.....	6
3 EXISTING CONDITIONS.....	7
3.1 SUMMARY	7
3.2 COMMUNITY SEWER AND WATER SERVICES.....	7
3.2.1 PUBLIC SEWER	7
3.2.2 PUBLIC WATER	7
3.3 WATER QUALITY/SURFACE DRAINAGE.....	7
3.4 STREETS AND CIRCULATION.....	8
3.5 SERVICES.....	9
3.5.1 SCHOOLS	9
3.5.2 SOMERS FIRE DISTRICT.....	10
3.5.3 SHERIFF	10
3.6 PARK DEDICATIONS, WETLAND PRESERVES AND TRAIL SYSTEMS.....	10
3.7 WETLAND/FLOODPLAIN PROTECTION	11
3.8 POPULATION AND HOUSING.....	11
4 GOALS AND POLICIES FOR COOPER FARMS.....	13
4.1 ENVIRONMENTAL QUALITY	13
4.2 LAND USE.....	13
4.3 HOUSING.....	14
4.4 PUBLIC FACILITIES.....	15
4.5 TRANSPORTATION	15

5. IMPLEMENTATION:17

5.1 PHASING/ABANDONMENT17

6 GROWTH POLICY COMPLIANCE.....18

6.1 CONFORMANCE WITH THE FLATHEAD COUNTY GROWTH POLICY, ADOPTED MARCH 19, 200718

6.2 COMPLIANCE WITH THE MONTANA GROWTH POLICY STATUTES.....21

6.2.1 COMMUNITY GOALS AND OBJECTIVES21

6.2.2 COMMUNITY CHARACTERISTICS22

6.2.3 MAPS AND TEXT DESCRIBING THE JURISDICTION.....22

6.2.4 PROJECTED TRENDS OF THE PLAN ELEMENTS22

6.2.5 POLICIES AND IMPLEMENTATION TOOLS.....23

6.2.6 A STRATEGY FOR THE DEVELOPMENT, MAINTENANCE, AND REPLACEMENT OF PUBLIC INFRASTRUCTURE23

6.2.7 A TIMELINE FOR IMPLEMENTATION AND UPDATING OF THE NEIGHBORHOOD PLAN23

6.2.8 A STATEMENT THAT EXPLAINS THE COOPERATION BETWEEN THE DEVELOPERS AND FLATHEAD COUNTY.....24

6.2.9 A STATEMENT THAT DESCRIBES HOW SUBDIVISIONS WILL BE REVIEWED WHAT ARE THE DUE PROCESS RIGHTS.....24

6.3 SUPPORTING INFORMATION26

1. OVERVIEW

1.1 Cooper Farms to Date

The Cooper Farms Neighborhood Plan draft was submitted to the Flathead County Planning and Zoning Office in July of 2005 by Sands Surveying. The plan received approval from the Flathead County Planning Board on March 15, 2006. However, the Board of County Commissioners voted to continue the Cooper Farms Neighborhood Plan until they adopted Flathead County Growth Policy. The Flathead County Growth Policy was adopted on March 19, 2007. As a result, Sands Surveying submitted an additional section of the plan to demonstrate compliance with the Flathead County Growth Policy and began working with the Flathead County Planning and Zoning Office to format the document so that it becomes a working addendum to the new Growth Policy.

1.2 The Neighborhood Plan (Rational for Planning)

The Neighborhood Plan is a tool to coordinate and clarify the development of a specific neighborhood. The Neighborhood Plan focuses in on an area in order to provide clear and detailed direction. The Neighborhood Plan guides land use decision making but is not a zoning instrument. The Plan provides for a range of land use designations but not a particular zoning classification or guarantee for a specific density. The Neighborhood Plan is developed within the overall framework of the Flathead County Growth Policy. The Neighborhood Plan is adopted as a sub-element of that Plan. While the County Master is very broad in its analysis and guidance for the County overall, the Neighborhood Plan serves to refine this overall concept by expanding on the goals and policies and providing guidance at the neighborhood level. As part of the text of the Neighborhood Plan, the document will explain the changes that have occurred within the community of Somers since the last draft of the Master Plan. The changes outlined in the Neighborhood Plan will support the new Goals and Policies. The Cooper Farms Neighborhood Plan will be Growth Policy Compliant.

The Neighborhood Plan embodies the public policy for the area it addresses. Any land use ordinances or regulations, such as zoning or subdivision review shall be based on this plan and where the plan is more restrictive in its policy guidance, the precepts of the Plan shall prevail. It must be understood, however, that the plan is not an engineering, construction, or subdivision document.

1.3 Existing Conditions

The Neighborhood Plan is located near the northeast corner of Highways 93 and 82 in the Somers area. The Plan area has direct access to the Highway 93 bike and pedestrian path and is within easy walking distance of the Somers School and the Somers Townsite. The Lakeside sewer facility borders the project on the north. The Plan recommends annexing into the Lakeside Sewer and Water District and utilizing

the sewer service. The White Oak Lodge, Gas and Convenience Store are located just west of the project site. Currently the property is actively farmed for grain.

In the recent past, the County has approved two subdivisions final plats just south of the proposed Plan area. The Tiebucker Subdivision (39 lots) and the Mackinaw Estates (55 Lots) created a total of 94 new lots in the area. With transportation, sewer and water facilities available, the Somers community is an area suitable for urban growth.

2 ELEMENTS OF THE PLAN

The Neighborhood Plan consists of six separate areas. Each area accomplishes one or more of the neighborhood goals and objectives outline in this Plan. The combination of the six areas creates an overall synergy and balance of features in the neighborhood. A comprehensive combination of roads, paths, housing, parks, recreation, basic services, green space preservation, and employment opportunities within the neighborhood will help meet the future population needs of the community of Somers and of Flathead County. This plan for managed growth will take some pressure off area agricultural lands by providing a compact housing development for future residents of the community.

Appendix A of the Plan shows a map labeled Cooper Farms Neighborhood Plan dated July 12, 2005, which serves as a policy element of the Cooper Farms Neighborhood. The neighborhood sub-areas one through six are labeled according to land use, acreage, and density. With the initial phase of the development the applicants will request zoning and a Master Planned Unit Development for the entire to facilitate the use and density. With each phase will also come a more detailed PUD and preliminary plat application. Overall, the Cooper Farms neighborhood could accommodate up to 700 dwelling units at buildout in fifteen years.

The maps in Appendix A are conceptual in nature as they are our best estimate for development 15 to 20 years into the future. It is likely that the proposed roads locations may move slightly as the project develops over the next 15 years. As is the case with most long range planning documents, the land use descriptions are intentionally broad to provide some flexibility to meet market demands into the future.

Chapter 10, Part 3 of the Flathead County Growth Policy requires that Neighborhood Plans provide a Land Use Category Inventory using a three step process. Step A establishes the existing general land use type using the categories provided in this section. The Cooper Farms Neighborhood Plan falls somewhere between “Rural” and “Semi-Rural” in that the property is currently in active agricultural production with large tracts bordering the property on three sides. However along Highway 82, the density becomes smaller and there are a number of commercial uses along the corridor.

Step B of the Land Use Category identification is providing future land use designations using list provided in this section of the Growth Policy. In each of the land use areas, we have provided the appropriate land use category.

Step C, the last step, is to assign appropriate densities to each land use area. With the exception of Area One, which has no land use density, the land use intensity is described with each area.

2.1) Area One – Public Facilities (Wetland Preserves and Park)

There is approximately 107 acres devoted to open space, wetlands, wildlife preserves, and parks within the neighborhood plan. An extensive trail system will be developed to link the parks and open space area with the residential neighborhoods within the Plan area. The bulk of the wetland and wildlife areas will be left in a natural state incorporating nature trails throughout. There are areas within the Neighborhood Plan that are identified for active park use.

2.2) Area Two – Residential Land (Somers Preserve South), Large Urban Scale Homesites

This area is approximately 94 acres in size. The majority of the use will be in single-family lots with a density range of 2-4 dwelling units per acre and is classified as “Small Lot” by the Growth Policy Classifications. This area will also incorporate townhouse products along the open space preserves to take advantage of the open areas and topography. The intent for this area is to have a high quality of construction with a moderately sized home and monitored by the developer through a set of architectural standards. The density within this area will have approximately two to four dwelling units per acre (Small Lot Intensity).

2.3) Area Three – Residential Land (Somers Preserve North), Large Urban Scale Homesites

This area consists of approximately 71 acres and is similar to Area 2 with regards to use and density. The density within this area will have a density of approximately 2-4 units per acre and is classified as “Small Lot” by the Growth Policy Classifications.. This area has recreational parks within as it is centrally located in the neighborhood. This may be an area that provides a mix of housing products to take advantage of the parks and its central location.

2.4) Area Three – Residential Land (High Density Option)

The area at the north edge of the Plan boundary and adjacent to the north pond will have an option for multi-family development and is classified as “High Use” by the Growth Policy Intensity descriptions. This area will most likely be developed in the later phases of the project and if the demand is present in the future this would be an appropriate place for some a condominiums component which can provide common area through clustering that will blend with the wetland preserve. If this multi-family option is exercised the proposal would come through review as a PUD that will allow for public hearing and review by the governing bodies with conditions.

2.5) Area Four – Neighborhood Commercial

The commercial area of the Cooper Farms neighborhood plan is approximately 19 acres in size. However, much of this acreage is in buffer and open space. Of the 19 acres designated commercial approximately 6.8 acres will be devoted to building footprint, parking lot and frontage roadway, the remaining 12.2 acres will be in open

space (a combination of maintained landscaping and natural/rough landscaping). Access to the commercial uses is via a frontage road system with a buffer of 80 to 140-feet in width between the Highway right-of-way and the building envelopes (See Neighborhood Commercial Area Map). The buffer will consist of four foot tall berms that are landscaped with grass, trees, and shrubs. The building pads will sit about six feet below the present grade to further reduce the visual presence of the commercial buildings. Through the use of the frontage road, landscape buffering, design standards and land use selection, this sub-area will not be a strip development. The Land Use intensity is primarily “Light Business” because most of the commercial uses will be less than 10,000 square feet, however, the Plan calls for a medium size grocery store to support the Somers community and this could be approximately 30,000 square feet which would be classified as “Heavy Business”.

The development within this commercial area will be subject to a set of Architectural Standards that will focus on building design and site layout. Outdoor storage will be prohibited except for areas screened by building, fences and/or vegetation. This area is designed to accommodate a mid-size super market to support the Somers community’s need and to provide for other suitable retail or service such as office space or a bank branch. With the proposed frontage road looping through the commercial area, parking would most likely be situated and hidden behind the structures or large buffers as viewed from the Highway.

Along with the landscape buffer described previously, a bike/and pedestrian path will be constructed within the commercial development that could tie in with the Highway 93 bike/pedestrian path if Highway right-of-way can be used at the west end of the project site to get around the pond. The east end of the bike and pedestrian trail will tie in with the new intersection at School Addition Road.

2.6) Area Five – Residential Land, Mixed Density Housing

This area is approximately 53 acres in size. The proposed use will be a mix of single-family residential lots and townhome lots. The single family lots will consist of conventionally designed lots and/or neo-traditional lots (Block and Alley design). The townhouse lots will be clustered to provide open space and buffering along the collector roads within the subdivision. Again, the intent is to provide quality construction, durability and a consistent level of maintenance. Market prices will be dictated through lots size, unit type, and square footage. This area would provide opportunity for moderately priced housing units as compared to similar products around the Valley. This area will have a maximum density of 2-4 units per acre and is classified as “Small Lot” by the Growth Policy Classifications.

2.7) Area Six – Residential Land (North Cluster)

This area is approximately 21 acres in size. The concept is to develop small single family lots and townhouse sublots in an attempt to provide some moderately priced housing products as compared to the valley wide market price. The square footage of

the units will be smaller but a high standard of construction will be the goal. With some clustering of the dwellings, the proposed density would be approximately 4 units per acre and is classified as "Small Lot" by the Growth Policy Classifications.

2.8) Neighboring Lands

This section addresses existing and potential land uses on neighboring properties. The Cooper Farms Neighborhood Plan is not proposing any formal land use designation on these neighboring properties but suggesting a range of uses that would be compatible with this Plan. We anticipate that as Flathead County moves through the Growth Policy Update, the neighboring lands will be given a land use designation with input from the land owners and the community.

North of the Cooper Farms Neighborhood Plan are the properties owned by the Lakeside Sewer and Water District. The 160 acres is devoted to surface application of treated waste water and approximately 60 acres is devoted to treatment systems, holding ponds, and expansion areas.

East of Cooper Farms area is some large acreage holdings. These holding may in the future convert to a residential pattern similar to the Cooper Farms development.

South of Cooper Farms Development consists of a mix of land uses. These land uses are suburban residential, agricultural, and commercial. Future uses could be a mix of residential with some commercial use provided there are design standards to address use compatibility and the highway frontage.

West of the Cooper Farms Plan are large agricultural holdings and some residential/commercial at the intersection of Somers Stage and 93. For the short term, these will most likely stay in their current use. Mid to long term this property directly west may convert to a mix of residential and commercial use similar to Cooper Farms.

3 EXISTING CONDITIONS

3.1 Summary

This section of the Cooper Farms Neighborhood Plan addresses the existing conditions for infrastructure, public services, population, and housing.

3.2 Community Sewer and Water Services.

3.2.1 Public Sewer

The Cooper Farms development proposes annexation into the Lakeside Sewer and Water District to utilize sewer service. Cooper Farms has a written agreement in place with the Lakeside Sewer and Water District for connection of the proposed development. The Lakeside Community Sewer system was established in 1988. In 1994 Somers was added to the Lakeside Sewer District and improvements were made to the treatment facility through the use Community Development Block Grants. The system was developed after the 1987 adoption of the Flathead County Master Plan. The Lakeside Sewer lagoons abut the proposed Neighborhood Plan area on the northeast corner of the project. The surface spray application field lies directly north of the proposed Plan area. According to the Lakeside Sewer and Water District and their Engineer's, the sewer infrastructure has adequate capacity to begin serving the Plan area. As a condition of annexation into the Lakeside Sewer District, the District will require a plant investment fee to pay for any expansion to the sewer facility in the future should capacity dictate. The Lakeside Sewer District has land set aside as reserve for the purpose of expansion.

3.2.2 Public Water

Water will be supplied by a community water system constructed by the developer within the Plan area. Should the Lakeside Sewer and Water District or another qualified entity want to take over the system, this may be an option. The water system will be regulated by the MDEQ for drinking water standards. The water system will also provide the future development with fire suppression. The applicants are working with the Somers Fire District to meet their need for fire suppression.

3.3 Water Quality/Surface Drainage

As part of the Neighborhood Plan the extensive wetland and floodplain areas will be preserved in a natural state for their natural filtration properties and their value to wildlife. . The wetland preserves encompass approximately 102 acres of the 362 acres site or 28% of the property. Surface drainage will be managed through an overall engineered drainage plan for the entire Cooper Farms Neighborhood Plan. The drainage concept will utilize the natural features of the site for stormwater

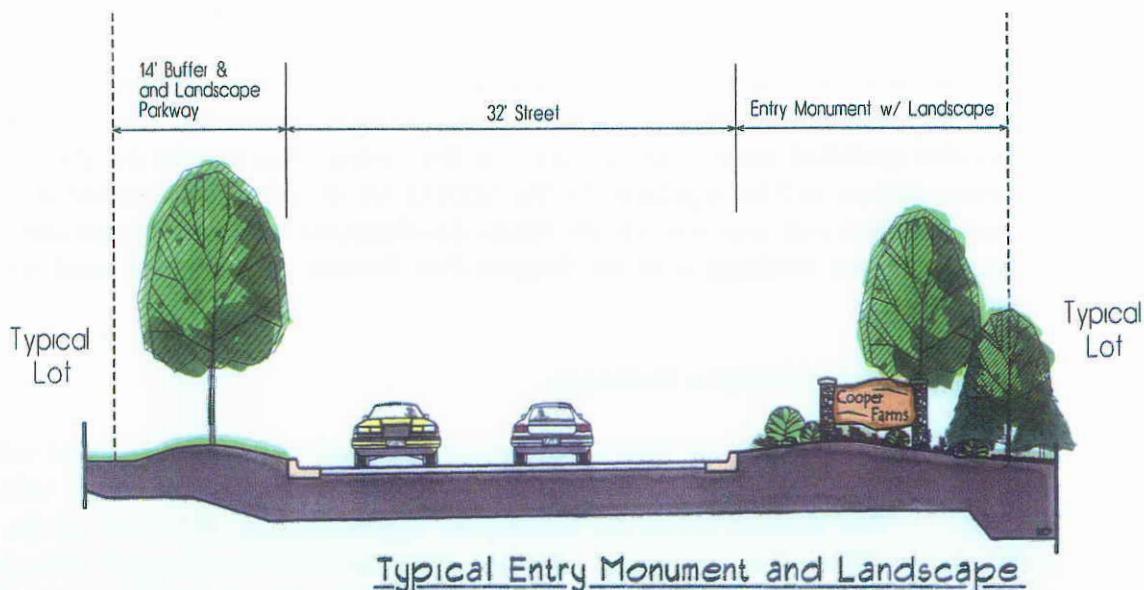
dispersal and infiltration. Done properly, the stormwater could enhance the vegetation and wildlife habitat. The vegetation will reduce the nutrient pollutions associated with the runoff. Areas receiving stormwater will be developed using Best Management Practices for erosion and sediment control. The Engineered Drainage Plan will be part of the Montana Department of Environmental Quality review.

3.4 Streets and Circulation

The primary collector through the project shall run from Highway 93 South on the western edge of the development easterly through the project then turn south and out to Highway 82. A series of minor collector roads will funnel traffic to the primary collector.

There are three points where connections could be made to other roads or adjacent properties. One is at the northwest corner of the project where the connection to Somers Stage road is a short distance away. The second is on the northeast corner of the project where the Plan area abuts the access road to the Lakeside Sewer facility. And the last connect would be to the east and any future development that may occur in that area.

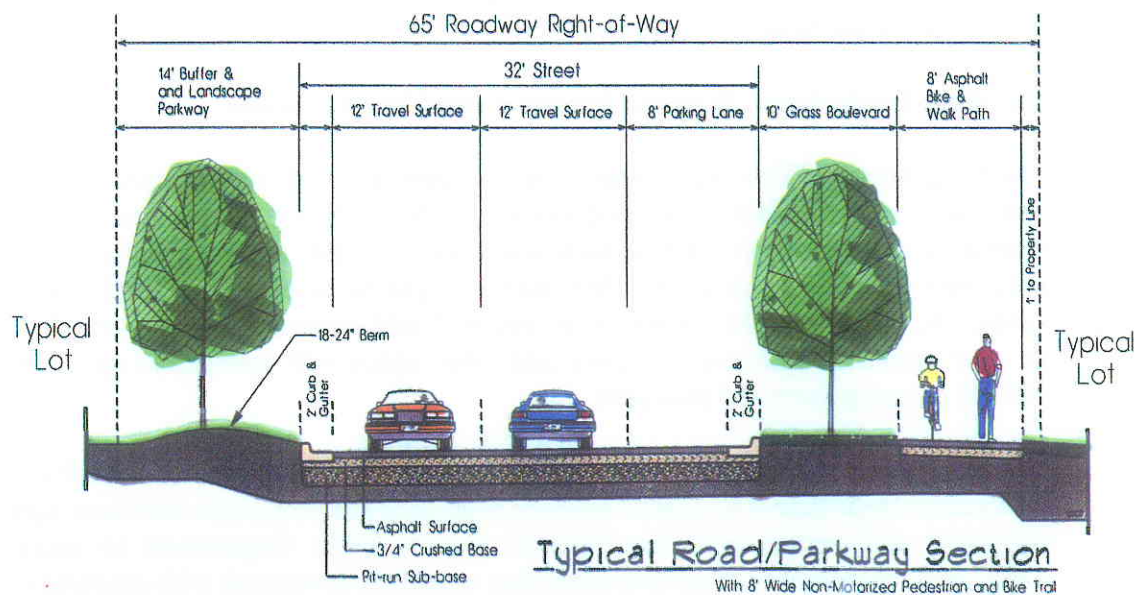
The internal streets will be built to an urban standard to address the needs of future residents. The entrances on Highway 93 and 82 will be subject to design review and approval by the MDOT. The Neighborhood Plan proposes one shared approach onto Highway 93 and two approaches onto Highway 82, the shared approach onto Highway 93 will also provide access to the property southwest of the Cooper Farms holding. Cooper Farms currently has a verbal commitment with the MDOT and the MDOT is working on a formal Memorandum of Understanding that outlines the approach sequencing and conditions of their construction.



The diagram on the previous page is a typical entry at the Highway 93 approach and one of the Highway 82 approaches. The entry monument may differ slightly to reflect the commercial component on the Highway 82 entrances.

Street lights for the neighborhood will incorporate the Dark Skies Principles by reducing pole heights, shielding the light sources to a 15 degree cut-off, reducing bulb wattage and increasing the spacing between light standards. Street lights will be placed along the main collector and at intersections. We will not propose streets lights on the local streets except possibly at the intersections.

Sidewalks or Bike and pedestrian paths will be developed along the main collectors running through the development. In the areas served by local streets a connective pedestrian trail network will be established in lieu of traditional sidewalks. The trails would take advantage of the wetland preserve corridors so as to provide both wildlife viewing opportunities and circulation within the Cooper Farms development. As indicated in the diagram below the road right-of-way is increased to 65-feet along the developments collectors to accommodate large landscape boulevards and a detached bike/pedestrian path.



3.5 Services

3.5.1 Schools

The Cooper Farms development is within the Somers Lakeside School District, which provides K through 8th grades with students attending High School in Kalispell. According to Terry Wing, Superintendent for the School District, the District is seeing growth in the Kindergarten and first grades and has recently added a class for each. The District has a good reputation in the community and they strive to keep class sizes small.

The District anticipates that it can absorb the proposed growth in the community and still preserve a quality education. The Superintendent would like two bus stops concentrated along the major collector within the subdivision with the pedestrian path providing convenient access for the children.

3.5.2 Somers Fire District

The Somers Fire District serves the proposed Cooper Farms development. The Somers Fire Department has reviewed the proposed neighborhood plan and has stated they can serve the development. As the development moves in the preliminary plat stage, Cooper Farms will work closely with the District to meet the fire suppression needs.

3.5.3 Sheriff

The Flathead County Sheriff Office serves the Community of Somers. Undoubtedly at build-out in ten to fifteen years this neighborhood will contribute to the need for more patrolling in the Community of Somers. It is hopeful that the increased property tax revenue from the development will help meet the demand placed on the Sheriffs office.

3.6 Park Dedications, Wetland Preserves and Trail Systems

The Neighborhood Plan will comply with the parkland dedication requirements of the Flathead County Subdivision Regulations. The parkland dedication will be met through a combination of active park areas and wetland conservation areas. Active park area will provide just over five acres for playground, soccer field, community center, etc. The wetland conservation area will add another approximately 102 acres of open space. Combined, the park and open space will amount to approximately 30% of the neighborhood plan area.

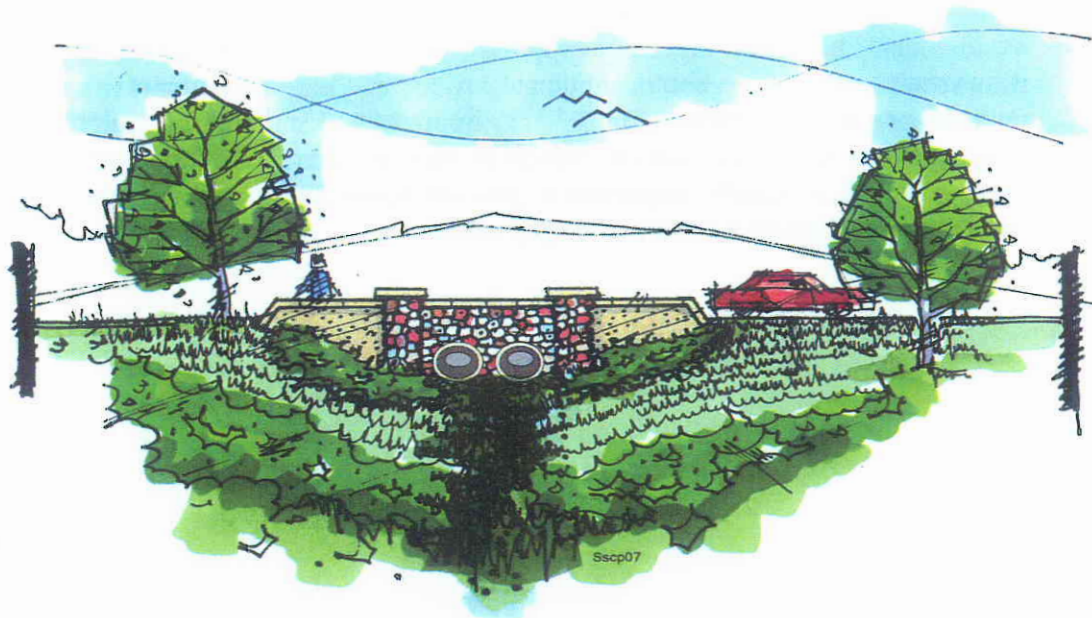
The developers of Cooper Farms have met with the Flathead County Parks and Recreation Department to assess the park land needs for this area and have agreed to cooperate and partner with the Flathead County Parks Department to establish a public park of approximately five acres that would be developed with amenities.

The Neighborhood Plan proposes an extensive bike/pedestrian trail system throughout the project area. The trail system will connect the park and open spaces with the residential uses proposed in this Plan. The trail network will connect to the Bike and Pedestrian trail constructed along the east side of Highway 93 that connects Somers with Kalispell.

3.7 Wetland/Floodplain Protection

There are a series of wetland and floodplain areas that cross the proposed Neighborhood Plan Area and will be preserved in a wetland conservation area. These wetland conservation areas are important for several reasons, they are the natural filters for surface water in the area, they provide substantial habitat for various species of birds, mammals, and reptiles and they provide valued open space for the proposed neighborhood plan area.

With the exceptions of some road crossings, the wetland conservation areas will be left in a natural state to protect water quality and continued habitat for wildlife species. For the most part, the proposed road system will be placed to utilize existing farm crossings through these floodplain areas. For the southern most crossing, the plan proposes a bridge or series of large culverts for the crossing. The developers of Cooper Farms have been working with the Army Corps of Engineers on the crossing and to mitigate the associated wetland disturbance, mitigation is proposed through the creation of two new acres of wetland within the development. No residential structures will encroach into the 100 year floodplain.



The wetland preserve area will be maintained in a way that limits maintenance and preserves bird habitat. One option may be to plant hay in the upland areas that would be cut once or twice a year to provide nesting habitat for pheasants and some duck species. Native shrubs may be planted at the interface between the upland preserves and the wetland areas at the bottom of the coulees (Gael Bissel, Wildlife Biologist, FW&P, 6/1/05 site visit)

3.8 Population and Housing

Flathead County continues to be one of the fastest growing counties in the State of Montana with a 34% increase in population between 1990 and 2003. Although Flathead County ranks second in percentage of growth, the Flathead ranks first in actual numbers of in-migration. (“Residential Construction, Land Subdivision and Annexation Report 2004”, Prepared by Cookie Davies, Tri-City Planning Office). According to the Census information, approximately equal percentages are moving into the rural portions of the County as the urban portions of the County.

With a fast growing population, the Flathead Valley continues to see a high demand for building lots. Between 2000 and 2003 Flathead County saw the median home value increase from \$125,600 to \$158,000, a 26% gain over four years. In Lakeside and Somers, the median home price in 2003 along increased 24.4%. It should be noted that median price is not the same as average price. (Taken from Tri-City Planning Office “Residential Construction Report 2004” and sourced by U.S. Census Bureau; The Center for Applied Economic Research and Montana State University Report “The Price of Housing in Montana, May 15, 2003; “Flathead Real Estate sales takes off in 2003” article by the Associated Press 2/20/04, Northwest Montana Association of Realtors)

With the high demand for housing in the Flathead Valley it is important to place development in areas that are supported by public infrastructure. Where the infrastructure exists we should anticipate a density that will support the continued maintenance of said infrastructure. It is important to maintain a healthy supply of housing types and avoid scarcity which in turn accelerates inflation on the average home price. It is equally important to provide housing for a wide range of residents from the young families to retired empty nesters.

4 GOALS AND POLICIES FOR COOPER FARMS

4.1 Environmental Quality

Goal: Preserve and enhance the natural habitat of the mapped floodplain and wetland areas located within the neighborhood.

Policy: Place Wetlands and upland associated Floodplain within the common area preserves. These preserves will be maintained in a natural state with annual maintenance for noxious weeds and mowing to preserve the existing up-land game bird and water fowl nesting habitat.

Action Item: Continue to have PBS&J delineate the wetlands within the Cooper Farms development.

Action Item: Pursue the creation of a Conservation Easement or place a deed restriction on the wetland preserves.

Action Item: Incorporate nature paths and bird viewing platforms in various locations throughout the wetland preserves.

Action Item: Establish strict and clear requirements for the use and management of the open space areas through CC&R's and a open space management plan.

Goal: Where appropriate provide a detailed Floodplain Study to determine the Base Flood Elevations or use the applicable non-detailed elevation information for the Cooper Farms Plan area.

Policy: At present the Cooper Farms Neighborhood is mapped on the FEMA Flood Insurance Rate Maps, however no detail exists as to the elevation of the 100-year flood. The applicants will request a Letter of Map Amendment from FEMA to better define the floodplain for a portion of the property. Any new base flood information will be used to design the subdivisions that will eventually occupy the site and will be shown on all recorded plats.

Action Item: Cooper Farms has hired Carver Engineering to delineate the non-detailed floodplains within Cooper Farms. A delineation and LOMA application are complete for the southernmost slough/wetland and have been submitted to FEMA for review and approval.

4.2 Land Use

Goal: Provide a small area of neighborhood commercial suitable in size to attract a mid-size super market, bank branch, and related uses for the Somers Community.

Policy: The Cooper Farm development will incorporate buffers of 80 to 140-feet consisting with a combination of berms and landscaping along the Highway 93 and Highway 82 frontages to preserve and enhance the visual character of the area. Intensive buffers will be added to the perimeter were needed to preserve the gateway and landscape relief and through the residential landscaping requirements incorporated internal to the subdivision design to enhance the preserves and conceal the proposed neighborhoods.

Action Item: Through the subsequent submittals of the PUD and Preliminary Plats, landscaping plans and buffers will be incorporated into the project. The developer commits to planting boulevard trees, requiring through the PUD and CC&R's the planting of at least five trees per lot of which at least two will be in the back yard.

Policy: The developers of Cooper Farms will work to attract a mid-size super market that will serve the community of Somers. A land use of this type will have multiple benefits by providing the community with a convenient place to shop and by lessening congestion on Highway 93 by reducing travel to Kalispell for groceries.

Action Item: A preliminary phasing plan will be submitted with the first subdivision phase of the development. The phasing plan will include completion of community and public amenities such as parks, play grounds and trail. With each phase the associated infrastructure will go in such as sewer, water, roads, trails and adjacent park.

4.3 Housing

Goal: Provide a quality neighborhood with a mix of housing types to meet different segments of the market.

Policy: The Cooper Farms Neighborhood Plan proposes a maximum of 700 residential dwelling units.

Action Item: The density cap will be incorporated into the proposed zoning and PUD submittals that will follow after the adoption of Neighborhood Plan.

Policy: The developer of Cooper Farms will establish a set of Covenants, Conditions, and Restrictions that includes Architectural Design Standards for all buildings, landscaping and "Dark Skies" compliant lighting within both the residential and commercial development. The Architectural Standards will establish a procedure and review body that implements the standards.

Action Item: Through the implementation process Cooper Farms will work with a consulting Architect to create the Architectural, Landscape and Dark Skies standards to present with subsequent land use applications.

Goal: Provide opportunity for moderately priced housing in the Somers Community.

Policy: The Cooper Farms Neighborhood Plan identifies Area 6, a mixed density/cluster designation, as an area that the applicant will create for development of some moderately priced housing. To off-set the fixed costs of land and infrastructure this area may be slightly denser than the bulk of the Plan Area in order to come in with a moderately priced dwelling unit.

4.4 Public Facilities

Goal: Annex into the Lakeside Sewer District to extend community sewer to the developable areas within the neighborhood.

Policy: Continue to coordinate with the Lakeside Sewer District and enter into an agreement with the District for service of the development. The agreement includes annexation into the district and a schedule for payment of Plant Investment Fees to the District.

Action Item: Cooper Farms has worked with the Lakeside Water and Sewer District to facilitate the compatability of the neighborhood and sewer district.

Goal: Increase recreational opportunities and park space for the neighborhood.

Policy: Cooperate and partner with the Flathead County Parks Department to establish a public park of approximately five acres that would be developed with amenities in phases but at a minimum would be complete with the final plat of the 200th lot.

Action Item: The developers of Cooper Farms have met with the Flathead County Parks and Recreation Department to assess the park land needs for this area and to jointly create this policy. The developers will continue to work with the Parks Department during the PUD and Subdivision Platting process to develop a park plan.

4.5 Transportation

Goal: Facilitate safe traffic movement from the subdivision onto Highway 93 & 82.

Policy: The applicants have contracted with Robert Peccia and Associates for a Traffic Impact Study (TIS). The TIS is completed and accompanies this

neighborhood plan proposal. The TIS is required by the MDOT to determine the impacts of new approaches onto the Highway System. The TIS also identifies mitigations to address projected traffic volumes into the future.

Action Item: Cooper Farms currently has a verbal commitment with the MDOT and the MDOT is working on a formal Memorandum of Understanding that outlines the approach sequencing and conditions of their construction.

Action Item: Cooper Farms will be installing or participating in the installation of a traffic signal at School Addition Road when warrants are met per the conditions of the Memorandum of Understanding that the MDOT is preparing.

Goals: Create a bike and pedestrian path system that connects with the Somers pedestrian system.

Policy: The Cooper Farms Neighborhood Plan provides a backbone pedestrian transportation plan that will be implemented with each phase of the development. The Plan shows pedestrian paths along the collector streets within the project as well as trails along the wetland preserves that will provide recreation and transportation routes.

Policy: The developer will coordinate with the Montana Department of Transportation (MDOT) to construct a bike and pedestrian path along Highway 82 that will connect with the existing pedestrian trail at Highway 93 and extend eastward to the School Addition Road intersection.

5. IMPLEMENTATION:

Implementation of the Plan will come in phases through the submittal of proposed Zoning Classifications, Planned Unit Development (PUD's) and Subdivision Plat applications. The zoning will set the land use as prescribed in this plan; the PUD will set the prescribed densities, landscaping, and design standards; and the subdivision plats will tie the project together with the lot design and transportation network. All three of these application processes will be reviewed for compliance with the Goals and Policies of the Cooper Farms Neighborhood Plan.

5.1 Phasing/Abandonment

The proposed neighborhood plan will be developed in a multi-phase and multi-year (ten to fifteen year) timeframe. The phasing will be accomplished through a Master PUD submittal and series of Phase specific PUD's and preliminary plats within the various Areas of the Neighborhood Plan. Through the preliminary plat process, the infrastructure will be conditioned for continuity of development.

A preliminary phasing plan will be submitted with the first subdivision phase of the development. The phasing plan will include completion of community and public amenities such as parks, play grounds and trail. With each phase the associated infrastructure will go in such as sewer, water, roads, trails and adjacent park. At a minimum however, the large public park and associated infrastructure will go in with the platting of the 200 lot.

It is the developers hope to follow through with this Plan to completion. However, since this is a long range land use Plan there may be the need to revisit this document to match future market conditions that were not envisaged with this Plan.

6 GROWTH POLICY COMPLIANCE

6.1 Conformance with the Flathead County Growth Policy, Adopted March 19, 2007

The Cooper Farms Neighborhood Plan was initiated during the early stages of Flathead County's Growth Policy process. As Cooper Farms moved its way through the County's review process the Growth Policy was also being developed to a point that a draft was available about the time the County Commissioners were considering action on this Neighborhood Plan (May 1, 2006). At the direction of the Commissioner's Cooper Farms was continued so that the County could finish its work on the Growth Policy and Cooper Farms could be reviewed with respect to the Goals and Policies of the new Long Range Planning Document. The Flathead County Commissioner's adopted the Growth Policy on March 19, 2007 and following this the developers met with the Planning Office to discuss amending the proposed plan. At the suggestion of the Planning Office this section is added to the Neighborhood Plan to address compliance with the Flathead County Growth Policy.

The following Goals and Policies were taken from the Flathead County Growth Policy to show how Cooper Farms promotes the long range planning actions of the Growth Policy.

Chapter 2: Land Use

Policy 3.3 Maintain flexibility of land use options to forest and agriculture land owners by focusing on mitigating the negative impacts of development.

Policy 3.4 Develop equitable and predictable impact mitigation for converting rural timber and agricultural lands to residential real estate.

Policy 4.4 Identify and encourage subdivision layouts that retain value of land without negatively impact the rural character and agricultural uses.

Policy 11.2 Identify impacts of development that threatens gateway areas and develop land use guidelines that mitigate these impacts without prohibiting development. Create incentives for developments that consider the scenic settings, incorporate design and construction standards that harmonize and complement the local views, and where possible, provide incentives for excellent architectural design.

Policy 11.5 Develop guidelines to ensure that lighting should not destroy the reasonable enjoyment by all residents of the night skies.

Vegetative Buffers 20 meters are encouraged (page 18 and Figures 2.2 and 2.4 of the Growth Policy)

As stated in the Growth Policy (page 19): “There are a variety of factors contributing to this conversion (Agriculture to residential). Current Landowners are interested in farming as long as it is economically viable but increasing costs of farming (land, machinery, fuel, labor. Etc.) combined with stagnant crop revenues impacts viability. Farmers in Flathead County are also aging, and although there is great interest in agricultural practices among the younger population, none can afford to buy land when competing with residential developers

Chapter 4: Parks and Recreation

Policy 18.2 With the exception of water based parks, subdivision park requirements should be used to create and/or fund dedication of Park sites of optimal size of no less than five acres to accommodate operation and maintenance costs.

Policy 18.6 Flathead County should preserve and increase recreational access to public lands and waterways by procuring necessary land, easements, or rights of way.

Participate with developing partnerships, community civic groups and organizations, private sector building and development industry groups, and others interested in park and recreation activities.

Support “pocket parks” which are owned and maintained by Home Owner groups and Associations.

Riparian buffers should be recognized for their recreational value and their ability to protect the quality of water along major streams and rivers in the County to enhance recreational opportunities, protect water quality of water (reduce erosion; surface runoff containing pesticides, fertilizers, etc.; stream bank depredation/defoliation; etc.) and their ability to protect the natural environment.

Chapter 6: Transportation

Policy 23.10 Restrict access from private properties onto the Montana State highways and require frontage roads where needed and internal vehicle circulation roads for all developments outside urban areas.

Policy 24.3 Require development projects to design local road systems that complement planned land uses and maintain mobility on arterial roads and highways.

Goal 25 Identify and support alternative modes of transportation

Policy 25.1 Encourage developments that provide functional alternative modes of travel such as bicycle and pedestrian paths.

Chapter 7 Public Facilities and Services

Goal 28 Efficient and effective waste water treatment and drinking water delivery.

Policy 28.1 Encourage high density development in areas that will be served by community sewer systems that treat to municipal standards.

Policy 28.5 Work to engage water and sewer districts in the county development process.

Policy 28.9 Land division resulting in residential densities greater than an average of one dwelling unit per five acres should be discouraged in areas of high groundwater of eight feet below ground surface or less which are not served by a public sewer district.

Goal 29 Improve, protect, and maintain drinking water resources.

Policy 29.1 In compliance with state regulations developers should provide evidence that drinking water of sufficient quantity and quality is available in areas of proposed development.

Policy 29.2 Promote the installation of community sewer and/or water systems in areas where the quantity and quality of drinking water resources are threatened.

Policy 29.4 Land use and subdivision activities should not threaten drinking water sources.

Goal 32 Maintain consistently high level of fire, ambulance, and emergency 911 response services in Flathead County.

Policy 32.1 Require new subdivisions to have adequate on-site water capacity and recharge for fire suppression.

Chapter 8: Natural Resources

Goal 36 Protect water quality in lakes, rivers, aquifers, and streams from existing potential pollution sources.

Goal 37 Prevent untreated stormwater from entering into any surface water, stream, river, lake, or shallow aquifer.

Goal 38 Preserve and protect floodplains to ensure the safety of residents from flood hazards and to prevent the degradation of water quality and critical wildlife habitat.

Policy 40.2 Promote development into areas with public facilities or appropriate depth to groundwater to preserve water quality and water supply.

Goal 40 Prevent the degradation of wildlife habitat and the displacement of wildlife species to preserve the areas unique outdoor amenities and quality of life.

6.2 Compliance with the Montana Growth Policy Statutes

The Cooper Farms Neighborhood Plan is adopted as a document compliant with Montana's Growth Policy Statutes (76-1-601). This document is intended to be an addendum to the Flathead County Growth Policy.

Growth Policy compliant neighborhood plans must, at a minimum, provide the following elements:

- Plan area boundaries
- Community Characteristics
- Community Goals and Objectives.
- Land Use Categories
- Land Use Maps
- Maps and Text describing the jurisdictional areas
- Projected trends for each of the neighborhood plan elements
- Policies and implementation tools for the Plan's goals and objectives.
- A strategy for the development, maintenance, and replacement of public infrastructure.
- A timeline for implementation and updating of the Neighborhood Plan.
- A statement that explains the cooperation between the Developer and Flathead County.
- A statement that described how subdivisions will be reviewed and what are the due process rights.
- Support information

The following Section is a description of how the Cooper Farms Neighborhood Plan complies with the Growth Policy Statutes. This overview directs the reader to the sections of the plan that address the required elements.

6.2.1 Community Goals and Objectives

Chapter 4 of the Neighborhood Plan clearly defines the Goals and Policies for the lands within the Plan boundaries. These goals and objectives were developed to provide continuity over the life of the development and insure that the important issues of the neighborhood carry through with each phase

The developers of the Cooper Farm project initiated a neighborhood meeting to share the plan with the public and receive input on the proposal. Invitations were mailed to all neighboring property owners and invitations were posted at the Somers Bay Café and at Sliters Hardware in Somers. The meeting was held at the Somers Fire Hall to solicit neighborhood input.

6.2.2 Community Characteristics

Somers is a small unincorporated community located within Flathead County along the north shore of Flathead Lake. Somers has a close connection to the lake as the Townsite was established as a company town to mill railroad ties for the Great Northern Railroad. Logs for the mill were unloaded in Somers Bay until they were ready to be cut into ties. Remnants of the docks for the tie plant still remain in the Bay. The tie plant closed in the early 1980's and shortly thereafter became a Superfund Site. The community is primarily made up of small single family dwellings with a dense core in the Somers Townsite. The small homes in the Townsite were the residences of the workers for the tie plant and fortunately many of these small historic homes still remain. Because of Somers proximity to Flathead Lake and the availability of public sewer and water infrastructure the Community of Somers has seen a surge of development activity that is changing the scale of the area. With the conclusion of the tie plant clean-up people are moving to the Somers Community for its small town character, good schools, and great view. Cooper Farms is located near the northern edge of Somers. As stated in the policies of this Plan, the goal of Cooper Farms is to fit in the community by providing pedestrian connectivity, space to recreate, low scale buildings reflecting the historical character of the Townsite, and a community grocery store.

6.2.3 Maps and Text Describing the Jurisdiction

The Plan document provides a complete map inventory of the Plan area, Sub-area boundaries, Proposed Land Use Categories, Major Transportation Alignments, Major Pedestrian Linkages and Topography (Appendix A). Descriptions and Classifications of the Sub Areas are found in Section II of the Neighborhood Plan document.

6.2.4 Projected Trends of the Plan Elements

As part of the Neighborhood Plan the sub-area Section gives a brief description of the existing land use, major transportation links, and natural resources located within the sub-area. The Somers area along Highway 82 was historically a strong farming area. Recently with the addition of the Lakeside sewer, the Somers area is beginning to urbanize as witnessed by the Tiebucker and Mackinaw Estates Subdivision. The proposed urban densities of this plan are consistent with the higher densities being developed in this area. Active farming this close to urban services is likely to decline as more residents move into the area. Section 3.8 of the Plan presents trends in population and housing. If the trend of high population growth and accelerated housing values continue, there will be a definite need for housing in the near future.

6.2.5 Policies and Implementation Tools

Chapter 4 of the Neighborhood Plan presents the Goals of the Plan with Policies to implement the Goals. Chapter 2 of the Cooper Farms Neighborhood Plan breaks the lands into sub-areas that provide land use and density strategies for implementation.

6.2.6 A strategy for the development, maintenance, and replacement of public infrastructure

The lands within the proposed Neighborhood Plan are adjacent to the community of Somers. The area is adjacent to and will annex into the Lakeside Sewer District. The existing neighborhood roads such as, Somers Stage Road and School Addition Road are maintained by the Flathead County Road Department. Highways 93 and 82 are maintained by the Montana Department of Transportation (MDOT). To address impacts of the development on the highway system, the MDOT has required the applicants to prepare a Traffic Impact Study (TIS) for the intersection designs. The TIS prepared by Robert Peccia and Associates is a supporting document of this Plan. New roads providing access within the development would be developed to urban standards outlined in the County Subdivision Regulations and be privately constructed and maintained, as is current policy of Flathead County.

As stated above, sewer service will be provided by the Lakeside Sewer District. The developer will design and construct the sewer mains to the specifications required by the district. To address long term demand on the sewer system, the sewer district charges a plant investment fee for each dwelling unit equivalent to fund plant expansions. The developer of the proposal will design and construct a public water system to meet the need of the future residents and emergency services. The water system may be turned over to the Lakeside Water and Sewer District as they have shown interest or maintained by another qualified entity. The Environmental Health Department reviews community sewerage systems for compliance with their adopted rules designed to prevent harmful impacts to the land and water resources.

Overall, the impacts associated with development of the Plan would be addressed when specific applications are presented. For example, subdivisions will go through the Montana Subdivision Act process as adopted by Flathead County. The Subdivision Act requires specific analysis of the project in relation to its impact on public services and the level of service.

6.2.7 A timeline for implementation and updating of the neighborhood Plan

As stated in Section 5.1 of the Plan, the development of this neighborhood plan will be a multi-phase, multi-year project with build out of the subdivision phase

occurring ten to fifteen year out. The long term nature of the development is based on the market absorption and product demands of the future residents of the valley. The intent of this proposal is that the Cooper Farms Neighborhood Plan will be adopted as an Addendum to the Flathead county Master Plan. Up-dates of the Flathead County Master Plan/Growth Policy would incorporate the neighborhood plan into the overall context of the document.

6.2.8 A statement that explains the cooperation between the Developers and Flathead County

The Cooper Farms Neighborhood Plan is founded in cooperation between the Developers and Flathead County officials, and the community at large. The process for adoption of this Plan will require public hearings and community input through the review process by the Flathead County Planning Staff and Flathead County Planning Board. The Planning Board will make a recommendation to the Flathead County Commissioners who will ultimately decide whether or not to amend their Growth Policy to support this project. The guiding principles adopted with this Plan will shape the future of the phased development.

6.2.9 A statement that describes how subdivisions will be reviewed what are the due process rights

Subdivisions will be reviewed per the Montana Subdivision and Platting Act Title 76, Chapter 3 and the Flathead County Subdivision Regulations in effect at the time of Application Submittal. All subdivisions within the Plan will be reviewed for compliance with the adopted Neighborhood Plan.

Title 76-3-608(3)(a) of the Platting Act identifies the six items (Agriculture, Agriculture Water User Facilities, Local Services, the Natural Environment, Wildlife and Wildlife Habitat, and Public Health and Safety) that the governing bodies must evaluate as a result of a subdivision. The Growth Policy Statutes requires that we define the terms of 76-3-608(3)(a).

Agriculture – All aspects of farming, including the practice of cultivating the ground, raising crops and or rearing animals. Any forestry or lumbering operations, timber production and management of forest lands.

Agricultural Water User Facilities – Those facilities which provide water for agricultural lands as part of an irrigation system used in the production of agricultural products on property used for agricultural purposes.

Local Services – All services or facilities that local government entities are authorized to provide.

The Natural Environment – The physical conditions, which exist within a given area including land, air, water, mineral, flora, fauna, noise, and objects of historic or aesthetic consideration.

Wildlife – Living things, which are neither human nor domesticated.

Wildlife Habitat – Place or type of site where wildlife naturally lives and grows.

Public Health and Safety – A condition of optimal well being, free from danger, risk or injury for a community at large, or for all people, not merely for the welfare of a specific individual or small class of persons.

For minor subdivision (5 or fewer Lots) in the County, the plats will be submitted to the Flathead County Planning Office for review of the statutory criteria. Public hearings and adjacent landowner notification are not required for minor subdivision. After review by the County Planning Office, the Subdivision Application is sent to the Flathead County Commissioners along with a staff report and recommendation with conditions. The Planning Office will review the proposal for compliance with the Neighborhood Plan as part of the staff report and recommendation. The County Commissioners will hold a meeting that is open to the public but not to public debate. The Commissioners will conditionally approve or deny the subdivision. If approved the developer will have three years to comply with the conditions of approval and make any infrastructure improvements as required. Once the conditions have been met or addressed through a Subdivision Improvements Agreement the County Commissioners will then approve the Final Plat and the subdivision will be recorded.

For major subdivision (6 or more lots) in the County, the plats will be submitted to the Flathead County Planning Office for review of the statutory criteria. A Public hearing and adjacent landowner notification is required for major subdivision. The Planning Office will review the proposal for compliance with the Cooper Farms Neighborhood Plan as part of the staff report and recommendation. After review by the County Planning Office, the Subdivision Application, Environmental Assessment, staff report, and recommended conditions are sent to the Flathead County Planning Board. The Planning Board will hold a public hearing on the subdivision in which the public is invited to comment. The Planning Board will take the staff report and public comment and make a recommendation to approve or deny the subdivision to the County Commissioners. The Flathead County Commissioners will then review the staff report, public comment from the planning board meeting and the planning board recommendation. The County Commissioners will hold a meeting at a regularly scheduled meeting agenda that is open to the public but not to public debate. The Commissioners will conditionally approve or deny the subdivision. If approved the developer will have three years to comply with the conditions of approval and make any infrastructure improvements as required. Once the conditions have

been met or addressed through a Subdivision Improvements Agreement the County Commissioners will than approve the Final Plat and the subdivision will be recorded.

6.3 Supporting Information

Traffic Impact Study – Cooper Farms Mixed Use Development, Somers Montana, prepared by Robert Peccia and Associates, August 2005. The TIS examines existing conditions, proposed development, traffic generation, trip distribution, off-site traffic impacts, traffic impacts within the development and recommendations.

Flood Study, Prepared by Carver Engineering, Inc., April 2007 The associated LOMA has been submitted for review by FEMA. The Flood Study is also included as a part of the Plan.

Cooper Farms Subdivision – Wetland Delineation and Preliminary Plat, Prepared by Post, Buckley, Schuh & Jernigan, January 7, 2008. The plan examines impacts to wetlands at the proposed road crossings.

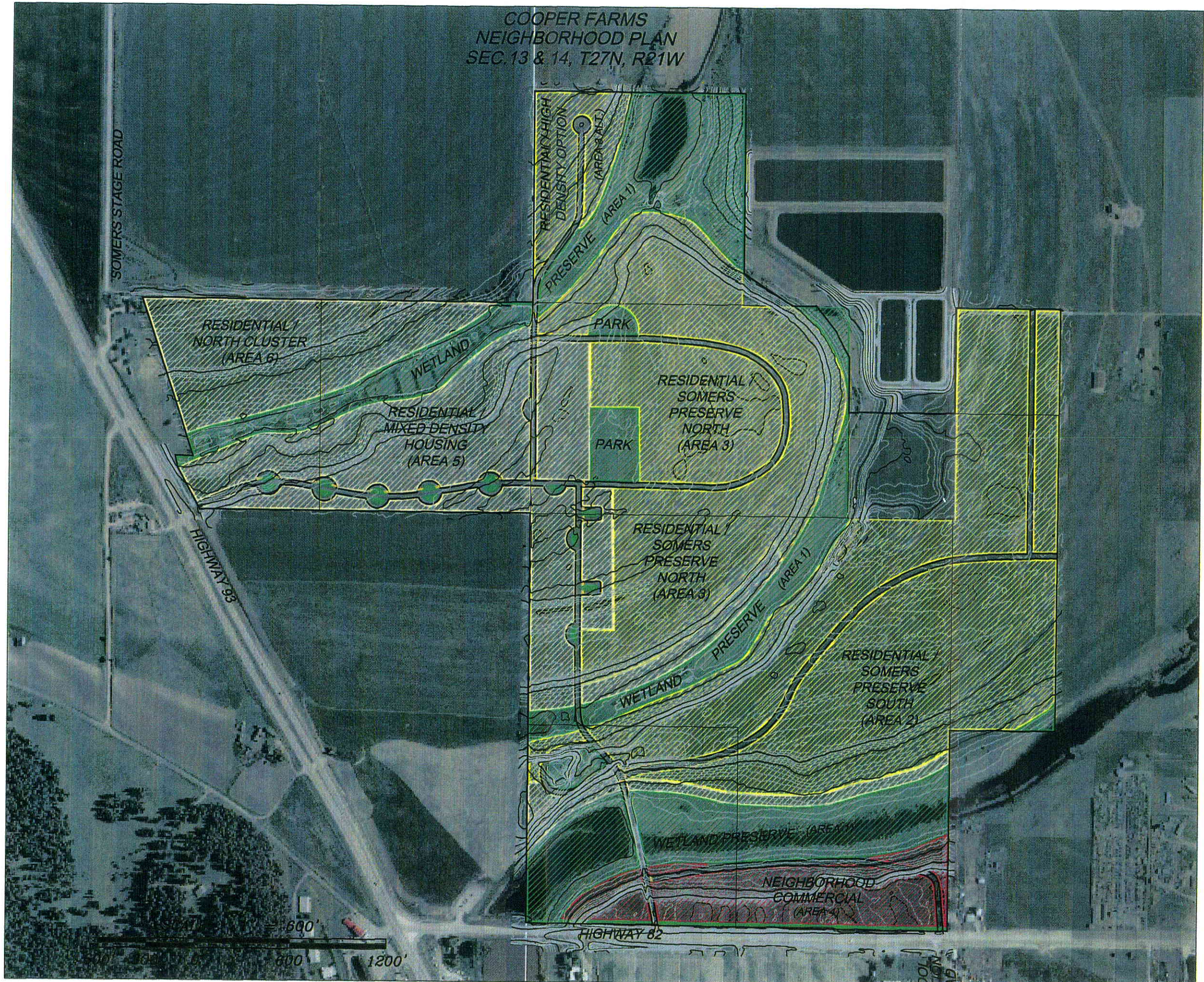
Appendix A Map Inventory

- **Cooper Farms Neighborhood Plan (Land use and Road Network)**
- **Bike and Pedestrian Path Map**
- **Cooper Farms, Bird Eye Perspective**
- **Cooper Farms Tree Planting and Native Revegetation Map**
- **Neighborhood Commercial Area**
- **Cross Section – Neighborhood Commercial Area**
- **Floodplain Map**

BY: SANDS SURVEYING INC.
2 VILLAGE LOOP
KALISPELL, MONTANA 59901
PH: (406) 755-6481

JOB# 235403
FOR: LBO
DATE: JULY 12, 2005

COOPER FARMS
NEIGHBORHOOD PLAN
SEC. 13 & 14, T27N, R21W



LEGEND

-  COMMERCIAL
-  WETLAND PRESERVE
-  SINGLE FAMILY & DUPLEX TOWNHOME
-  MIXED DENSITY

BY: SANDS SURVEYING INC.
2 VILLAGE LOOP
KALISPELL, MONTANA 59901
PH: (406) 755-6481

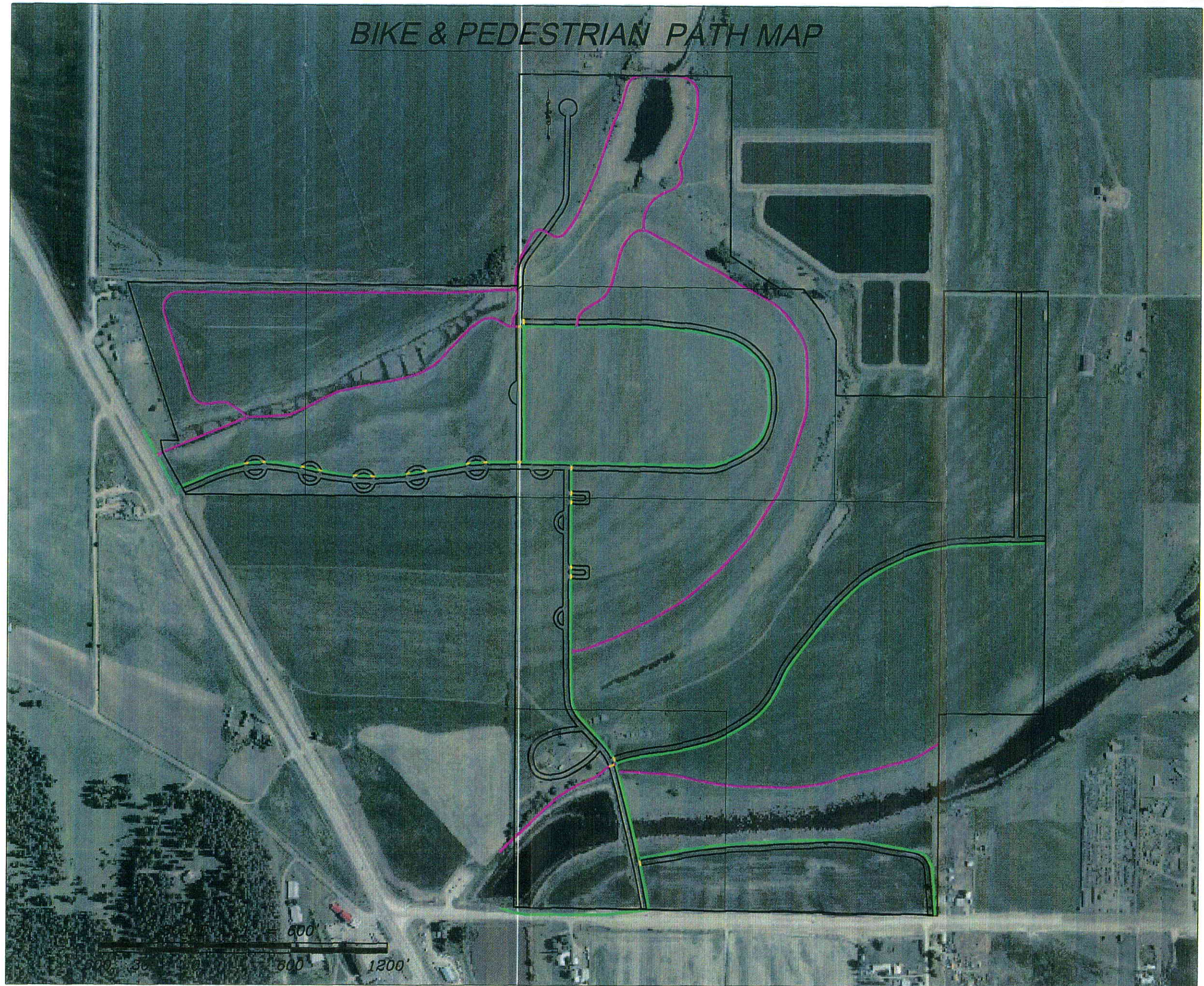
JOB# 235403
FOR: LBO
DATE: JULY 12, 2005

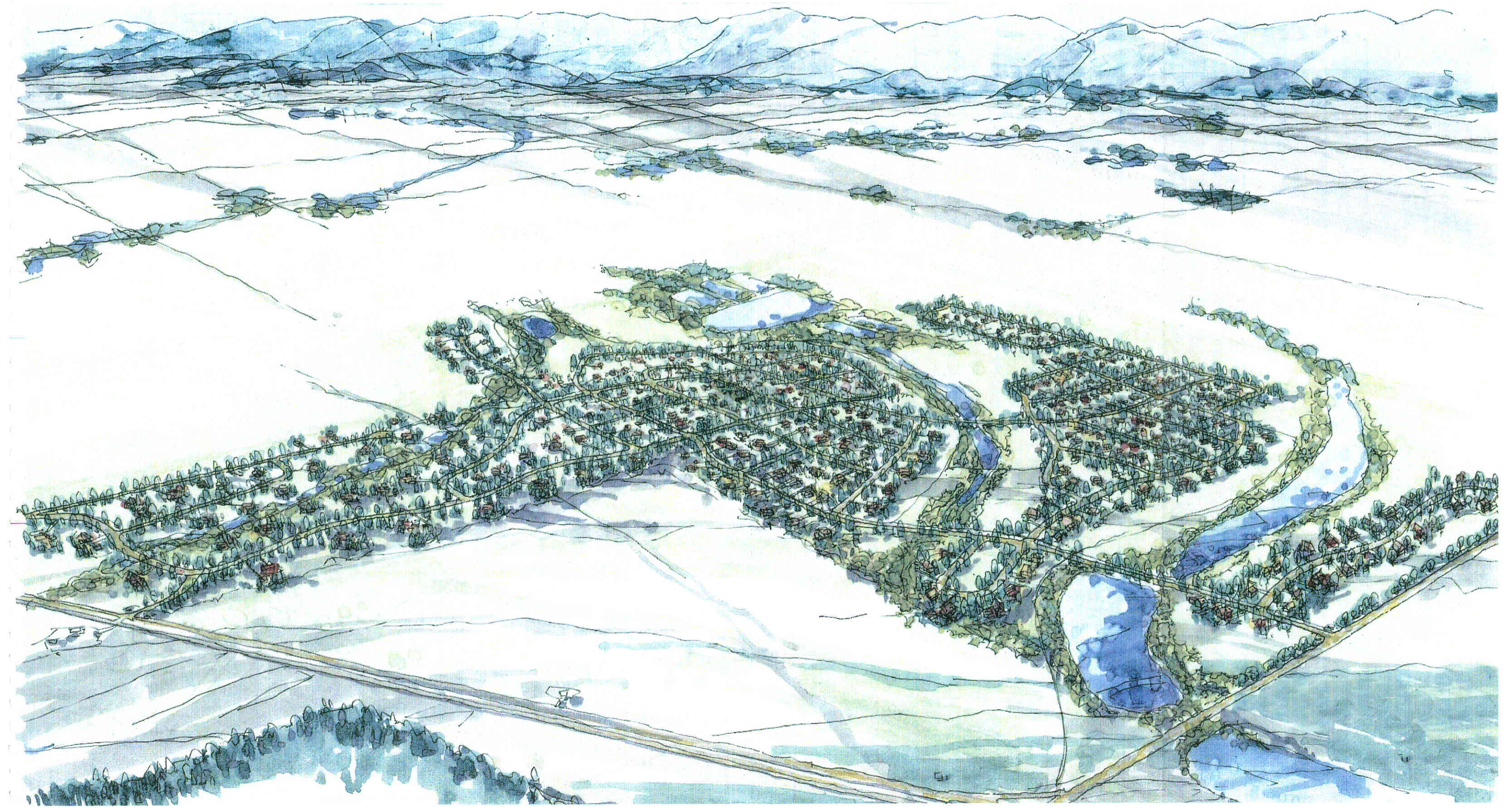
BIKE & PEDESTRIAN PATH MAP



LEGEND

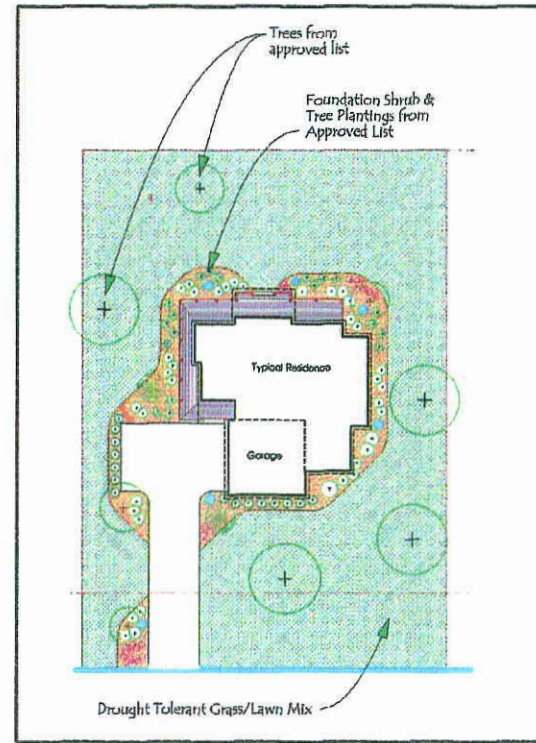
- Primary Trail System
- Secondary and Alternative Trail System



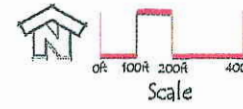


Cooper Farms

Tree Planting & Native Revegetation Plan

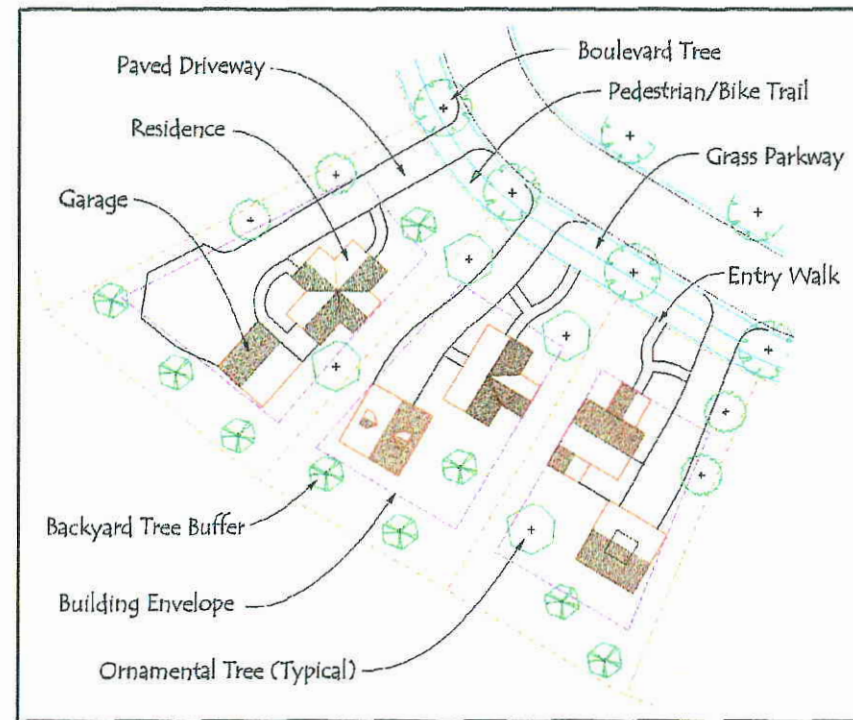
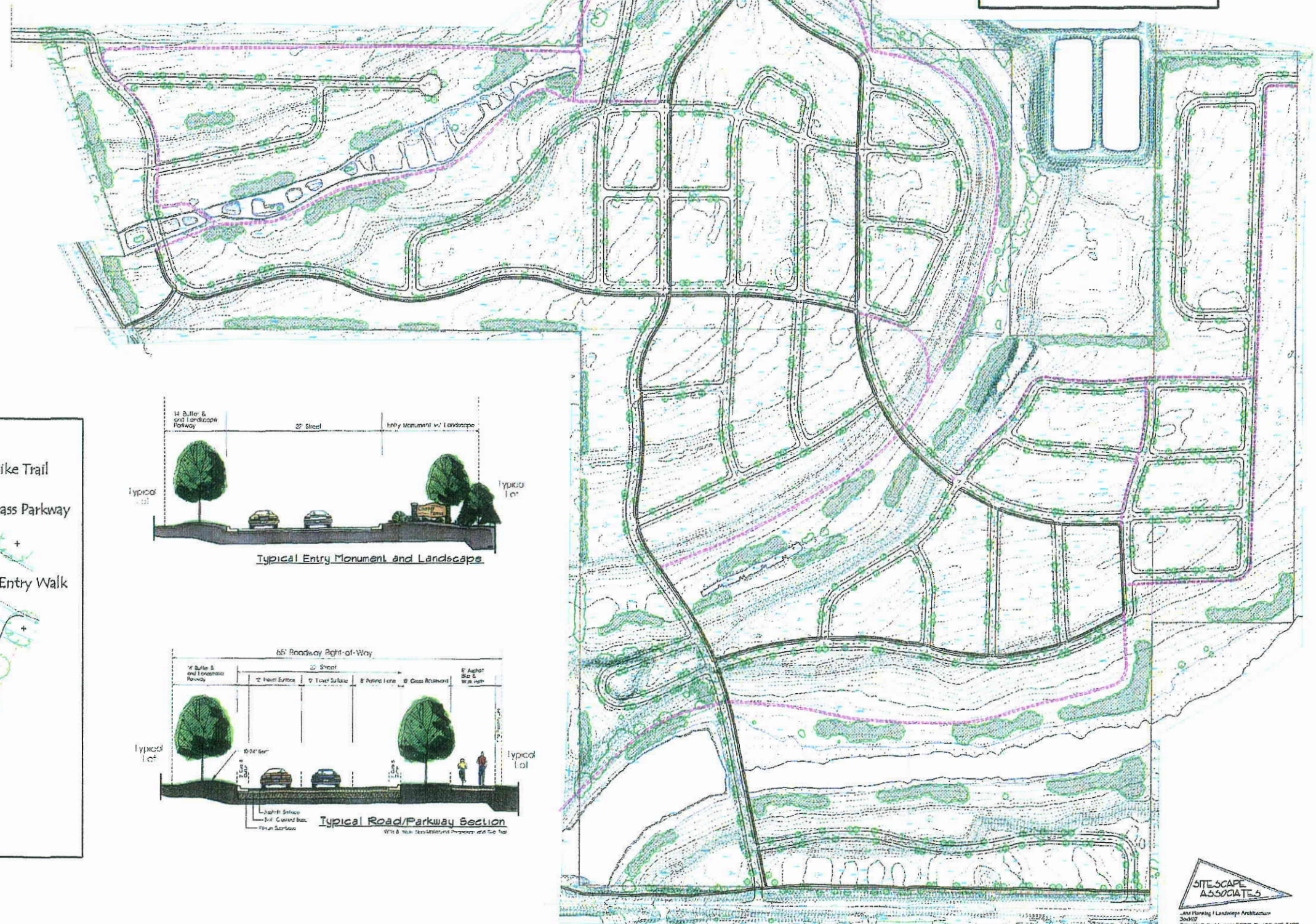


Typical Landscape Plan

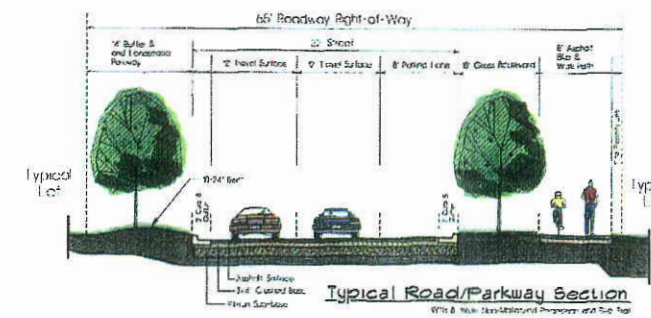
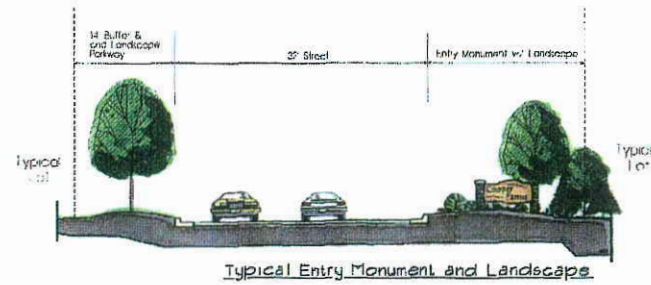


Landscape Legend of Materials

- Deciduous Boulevard Trees
- Native Tree and Shrub Cluster - Conservation & Revegetation Zone
- Existing Trees and Shrubs
- Proposed Ped/Bike Trails
- Future Alternative Ped/Bike Trails



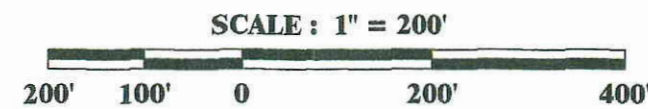
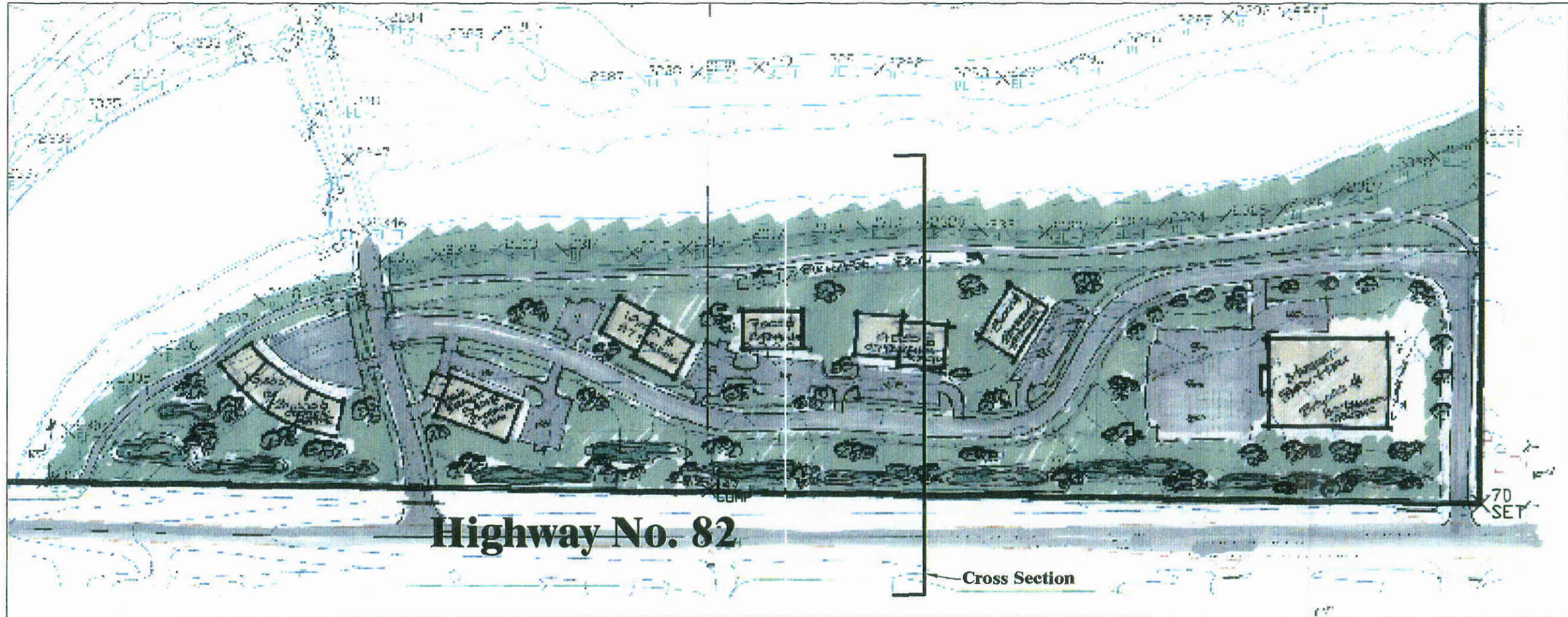
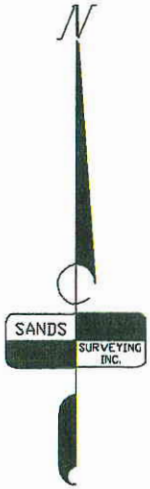
Typical Site Layouts



By: SANDS SURVEYING, Inc.
2 Village Loop
Kalispell, MT 59901
(406) 755-6481

JOB NO: 235403
DATE: February 1, 2008
FOR/OWNER: Cooper Farms

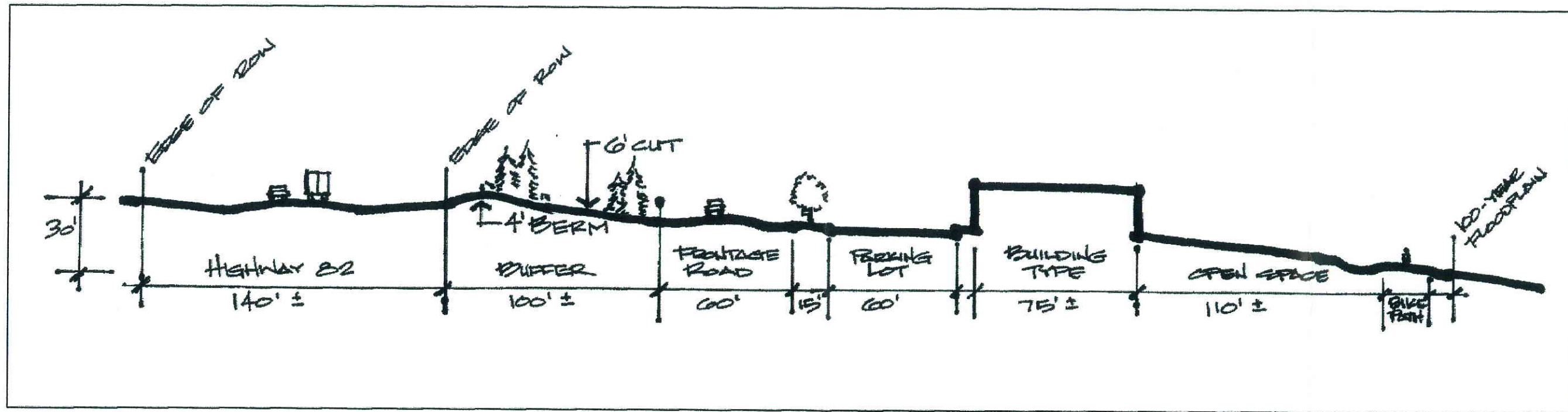
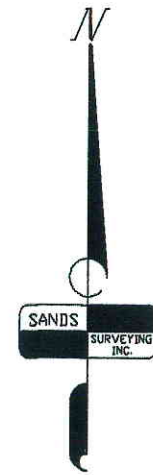
Neighborhood Commercial Area



By: SANDS SURVEYING, Inc.
2 Village Loop
Kalispell, MT 59901
(406) 755-6481

JOB NO: 235403
DATE: February 1, 2008
FOR/OWNER: Cooper Farms

Cross Section Neighborhood Commercial



SCALE: 1" = 50'



BY: SANDS SURVEYING INC.
2 VILLAGE LOOP
KALISPELL, MONTANA 59901
PH: (406) 755-6481

JOB#: 235403
FOR: LBO
DATE: DECEMBER 19, 2007

 100 Year Flood Plain

FLOOD PLAIN MAP

