

**October 5, 2006 Minutes of
Bigfork Land Use Advisory Committee
SPECIAL MEETING**

Members present: Phil Hanson, John Bourquin, Shelley Gonzales, Mary Jo Naïve, Paul Guerrant, Clarice Ryan, Darrel Coverdell

Chairman Bourquin called the meeting to order at 1:30 PM, and called for adoption of the agenda. With no new items added to the agenda, agenda was adopted.

Minutes of the September 28, 2006 meeting were approved as corrected.

OLD BUSINESS:

Bigfork Fire Department:

Rick Trembath, from the Bigfork Fire Department, presented a concept for land use in the Bigfork Zoning District. Trembath noted the Bigfork Fire Department and Bigfork QRU had separated in June 2006, due to space and regulation requirements. Both departments were looking at options to get back together. The present facility, due to growing pains, is not adequate for both departments. Emergency services are looking at replacing the present facility with a facility to provide more room for the Fire Department and QRU as well as parking, and an on-site residence for first responders.

The emergency departments are looking at creating a local hub for emergency services with the possibility of including other entities, such as Flathead County Sheriff Satellite Office, Bigfork Water & Sewer Department, Flathead Library and Swan Valley Search & Rescue to name a few. While the concept is still in the “thinking” stages, the concept of a local hub is considered a logical option. At this time, both the Bigfork Water & Sewer board and the Flathead County Sheriff’s office are exploring a new site in Bigfork. The site, presently being considered, is east of the Post Office where Potoczny Field is located, and the adjoining National Forest Service property. The National Forest Service leases the ball field, consisting of approximately 2.3 acres, to the Flathead County Parks Department. The site would be within the half-mile requirement by insurance companies for faster (and cheaper) fire protection to the commercial areas in Bigfork. The site would also allow a more efficient entry onto Hwy 35 by control of the stoplight at the corner of Hwy 35 and Grand Avenue in emergency situations. The new Hwy 35 proposed improvements would provide wider access at this intersection. Trembath showed the committee a photo of the proposed site, a plat map and aerial photos.

The emergency services departments are soliciting ideas and input on the proposed concept.

Shelley Gonzales: Would the Fire and QRU facility be located on the ballpark area or on the higher area adjacent to the Forest Service facility? Answer: The ballpark area would be preferred. With other parks in the Bigfork area, the park isn’t being used as much.

Mary Jo Naïve: Would you need more property than the ball field? Answer: The park area would be sufficient for emergency services. More property would be needed if other services were to become part of the hub. The Forest Service has been receptive to the concept. The site could also include a community meeting space for public use. This concept would involve a lot of cooperation and help from a number of governmental agencies.

Paul Guerrant: Have you considered other sites? Answer: There are other sites available, but this site is desirable for safety concerns and it is within the half-mile distance required by insurance companies for business in Bigfork.

B.J. Grieve: Suggested the concept would be important to be included in the Bigfork Neighborhood Plan. It might be a good idea to include such a hub area in the Plan.

Mary Jo Naïve: I read an article in the newspaper that stated the QRU was considering a site at the crossroads of Hwy 82 and Hwy 35. Is that still being considered? Answer: The site QRU was looking at is too small to include both the QRU and Fire Department. It's also too far from downtown businesses in Bigfork for economical fire protection by insurance companies.

Leslie Budewitz: Would your present site be appropriate for a library? Answer: There is no legal parking at the present site. The parking area is on a right of way.

Edd Blackler: This might be a good location for Clerk & Recorder for the concept of a new county.

Trembath concluded by saying the emergency services were meeting more purposefully with other entities to explore ideas. He added that many of the volunteers for emergency services were young adults. They have a hard time finding affordable housing in the Bigfork area, which would be closer for emergency response. Most live quite a long way from the Fire Hall. Trembath stated that the departments welcome suggestions and ideas. To contact Rick Trembath, call 837-4590 or email: trembath@centurytel.net.

BLUAC Bylaws:

Secretary Hanson reported the changes discussed at the September 28, 2006 meeting had been made to the Draft with the exception of the item regarding 30-day preview period. Kirsten Holland, Flathead Planning Office, has offered to look into how that process would work, as well as determine how best to follow through with communication regarding the end result of applications heard by BLUAC at the Commission. Committee postponed further work on the Bylaws until the 30-day review period is investigated further.

Draft Bigfork Neighborhood Plan:

The BSC reported that the general membership would have the opportunity to read and comment on the Draft before it is ratified by the BSC membership.

Paul Guerrant: Who will vote to ratify the Draft? Answer: The general BSC membership will vote to ratify and forward the Draft to BLUAC.

Public Comment:

Al Johnson: Presented BLUAC members with written comments by Brett Thuma and himself. He noted the comments on Goals and Policies in the Land Use section were highlighted so BLUAC members may compare the comments to the original document, side-by-side. In regard to the uses of shall/should, Johnson defined shall "to be construed as creating a mandatory provision", and should "to be construed as creating a rebuttable presumption in favor of the stated Goal or Policy." Added to those comments is a section on proposed additional zoning designations.

Darrel Coverdell: There needs to be criteria for the use of shall/should. He suggests we look at what we consider critical, safety would be an example for "shall". We need to go back to the Survey for guidance in this criteria.

Kathy Robertson: The Flathead County Planning Board has tried to use "shall" for impact, but in all but a few occasions it was rebutted. We have used encourage or discourage a lot.

Bill Myers: Sometimes "gentle encouragement" will work better than rigid standards. You may get more cooperation from developers by "encourage" rather than shall/should.

Shelley Gonzales: The Draft of the County Plan had some inconsistencies and I could find argument both ways on some subjects.

Kathy Robertson: We have been working on more specifics in Goals and Policies and providing cross-references throughout the document.

B.J. Grieve: The County Draft was a product of many people developing the document, which accounted for some of the inconsistencies. Much of the public comment pointed out those inconsistencies and we were able to make revisions to correct that. Public comment has been very valuable in this process.

Edd Blackler: Bill Myers' approach is philosophical. The County Growth Plan would defer to Neighborhood Plans. We must delineate plainly incentives to developers that would blend with the Goals and Policies of our Neighborhood Plan.

Clarice Ryan: I think the criteria should delineate between safety issues and personal preference.

Bill Myers: Health and safety, preserving the quality of our water is critical. There should be a balance between what property owners want to do with their property and health, safety and clean water.

Kathy Robertson: I use the guidelines from the Montana Code in my judgments on this issue. Those are public health, safety, morals, convenience, order and general welfare.

Al Johnson: I feel that the addition of Performance Zoning, Density Bonuses and Overlay Zoning, plus the addition of RR2 and RR1 zoning designations, will give developers more flexibility with general guidelines that are not dictatorial and encourage developers to conform to the Goals and Policies. The written comments you have were drawn from information from the Bigfork Survey.

Gwen Sutherland: She presented written comments on the growth plan. Gwen will provide a word.doc file for the Public Comment data file. She also noted that other groups who are in the process of developing their own zoning districts look to Bigfork for guidance and example. We are far ahead of most groups and what we do here is being watched very closely.

Darrel Coverdell: There are a lot of words we can use to encourage flexibility. The Draft definitely needs some “tweaking”.

NEW BUSINESS:

None

Meeting was adjourned at 2:30 PM

Sue Hanson
Secretary