

**LABRANT-LINDSEY LANE
LAND USE ADVISORY COMMITTEE
POLICIES AND PROCEDURES
ADOPTED NOVEMBER 1, 1999
AMENDED JULY 19, 2011**

PREAMBLE:

The LaBrant-Lindsey Lane Land Use Advisory Committee, hereinafter referred to as the Committee, shall be governed by the provisions of all applicable statutes, local laws, ordinances, resolutions and particularly the LaBrant-Lindsey Lane Neighborhood Plan.

JURISDICTION:

The Committee shall have advisory jurisdiction over all those lands within the boundaries of the LaBrant-Lindsey Lane Neighborhood Plan and zoning district.

MEMBERSHIP AND QUALIFICATIONS:

The Committee shall consist of five voting members established by the Board of County Commissioners to advise the Flathead County Planning Board, Flathead County Board of Adjustment and Board of County Commissioners, as appropriate, on all land use applications. There shall be no voting by proxy. The membership shall include a representative from each of the following categories: 2 property owners owning over 20 acres of land, 2 property owners owning 20 acres or less of land and a 5th member-at-large recommended by the committee. Membership should be broad and varied including timber interests, large and small tract owners, lake interests and DNRC public lands ownership.

TERMS AND APPOINTMENTS:

Members shall be appointed by the Commissioners for four-year terms. Terms shall run with the calendar year beginning January 1st and expiring December 31st.

Members may be re-appointed by the Commissioners to successive terms. Service on the Committee shall be voluntary. There shall be no financial remuneration for services.

RESIGNATION OR TERMINATION:

Any Committee member who misses three consecutive meetings, unless excused, or a total of five meetings in a calendar year, may be dismissed and replaced at the discretion of the Committee.

The Committee may forward a recommendation to the county commissioners to replace a vacant committee member position. Replacements will be chosen from within the category, which the member vacating his/her position represented, and appointees will serve for the remainder of the original term.

OFFICERS:

1. Chairman/Secretary:

The chairman shall be elected from within the Committee by the Committee members for a two-year term. The chairman will preside over all meetings, call special meetings from time to time as needed, direct the work of the Committee and serve as a voting member.

2. Vice Chairman/Secretary:

A Vice Chairman shall be elected from within the Committee by the Committee members for a two-year term. The Vice Chairman shall act as chairman in the chairman's absence and serve as a voting member.

MEETINGS:

All meetings shall operate under the most recent edition of Robert's Rules of Order as modified herein and shall be open to the public.

A quorum shall consist of a simple majority of the Committee members. An affirmative vote of a majority of the quorum present at the public meeting is required to act on any business.

The Committee shall meet only as business dictates. The usual meeting date when a regular meeting is called shall be the last Monday of each month at 7:00 p.m. Committee meetings will be scheduled in the conference room of the Flathead County Planning & Zoning Office, (FCPZ), Earl Bennett Building, 1035 First Avenue West in Kalispell.

Special meetings may be called by the chairman or the majority of the Committee at any time provided that the Committee members and the public receive at least 72 hours notice. Public notice will be provided in the form of a public service announcement made to the local newspaper and other media. Committee members may be notified by the public notice procedure, by e-mail or by facsimile.

COMMITTEE DUTIES:

1. Review and give recommendations on all LaBrant-Lindsey Lane Neighborhood applications pending before the Flathead County Planning and Zoning Office, Flathead County Planning Board and the Flathead County Board of Adjustments.
2. Solicit input from the community at large, as well as adjoining landowners, as scales of projects warrant.
3. Forward written recommendations to FCPZ in a timely fashion on all reviewed projects as well as other projects affecting the neighborhood.
4. Review and, from time to time, offer amendments to the LaBrant-Lindsey Lane Neighborhood Plan and any associated regulations, to improve efficiency, and to address problems.
5. Communicate regularly with the citizens of the LaBrant-Lindsey Lane Neighborhood through printed media, neighborhood meetings, and any other means deemed necessary or desirable in order to obtain the opinions, comments, and suggestions regarding issues, which are of concern to the LaBrant-Lindsey Lane Neighborhood.

6. Provide agendas to FCPZ a minimum of five days prior to the meeting date for FCPZ to post on the county website. Provide minutes to FCPZ to keep for their permanent records.

These by-laws may be amended at any time by a majority vote (3 members) of the whole Committee and concurrent approval of the Flathead County Commissioners.

LAND USE APPLICATION PROCEDURES:

Activities that require a public hearing before a public board such as the Flathead County Planning Board, Flathead County Board of Adjustment or Flathead County Commissioners, may follow the procedure described below:

1. Upon receiving an application at FCPZ, a copy of the application and all pertinent information shall be forwarded to each of the Committee members a minimum two weeks prior to the meeting date. The packet shall note the time frame for the Committee's response and provide a list of the names and addresses of the adjoining property owners.
2. If the FCPZ staff report is complete it will be included with the application material. If not, FCPZ staff will present the report at a committee public meeting.
3. FCPZ shall notify all adjoining property owners within 150 feet or as local regulations require and shall note in the notice the time and place of the next Advisory Committee meeting. In addition, FCPZ shall reference the Committee meeting in the legal notice placed in the official County newspaper and post the notice to the county website.
4. The Committee shall place written notice of their public meeting at convenient places throughout the region or within the immediate vicinity of the property in question as deemed appropriate or necessary.
5. The Committee members should review the property in question.
6. The Committee should hold a public advisory committee meeting to air issues and receive input.
7. Based on the Committee site review and input received at the public advisory committee meeting, the Committee shall forward a recommendation to FCPZ.
8. In the case of a conditional use permit, the Committee shall hold a public hearing. The Committee shall recommend approval or denial on an application based on the criteria enumerated in Section 2.06.080 of the Flathead County Zoning Regulations. Criteria include site suitability, appropriateness of design, availability of public services and immediate neighborhood impact.
9. The Committee will then forward their recommendation to the Flathead County Board of Adjustment who will hear the issues and make a final decision concerning the request.

ADOPTION

The foregoing by-laws were adopted by the Committee on June 2, 2011.

Philip D. Linneman, Chair

Robert Carlson, Vice Chair

Mark G. Myron, Member

P.A. Wagner, Member

_____, Member

Approved by the Flathead Board of County Commissioners on

July 19, 2011.

COMMISSIONERS
Flathead County, Montana

James R. Dupont
James R. Dupont, Chairman

Dale W. Lauman
Dale W. Lauman, Member

Pamela J. Holmquist
Pamela J. Holmquist, Member



ATTEST:
Paula Robinson, Flathead County Clerk and Recorder

By Diana Kile Deputy