

WEST VALLEY LAND USE ADVISORY COMMITTEE
POLICIES AND PROCEDURES
MAY 27, 1997
UPDATED SEPTEMBER 2010

PREAMBLE:

The West Valley 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 West Valley Neighborhood Plan.

JURISDICTION:

The Committee shall have advisory jurisdiction over all those lands within the boundaries of the West Valley Neighborhood Plan.

MEMBERSHIP AND QUALIFICATIONS:

The Committee shall consist of seven voting members. A citizen land use advisory committee of seven individuals shall be established by the Board of County Commissioners to advise the Flathead County Planning Board, Kalispell City County Planning Board, Flathead County Board of Adjustment, and Board of County Commissioners, as appropriate, on all subdivision and conditional use applications. Said committee shall include representation from both the timber and agricultural industries. All members must be landowners within the district (i.e., West Valley Zoning District or West Valley Overlay Zoning District). In the instance where a landowner holds title to real property through a corporate or business name, the duly appointed representative of the business or corporation will be eligible to be a member of the district.

TERMS AND APPOINTMENTS:

The members shall be appointed by the Flathead County Commissioners for three year terms. The seventh member of the Committee shall be selected by the existing Committee and confirmed by the County Commissioners. Terms shall run with the calendar year beginning January 1 and expiring December 31. Members may be re-appointed by the county 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 by a majority vote of the committee and forwarded to the county commissioners for replacement.

The Committee may forward a recommendation to the county commissioners to replace a vacant committee member position.

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OFFICERS:

1. Chairperson:

The chair shall be elected annually from within the Committee by the committee members. The chair 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 Chairperson:

A vice chair shall be elected annually from within the Committee by the committee members. The vice chair shall act as chair in the chair's absence and serve as a voting member.

3. Secretary:

The Secretary shall be elected annually from within the Committee, shall be responsible for maintenance of files, records and correspondence pertaining to the Advisory Committee business, shall take minutes of meetings and distribute them to committee members prior to the next scheduled meeting, shall post Committee meetings and shall forward Committee minutes to Flathead County Planning & Zoning (FCPZ). The Secretary shall act as Chairperson in the event the Chairman and Vice-Chairman are absent from a meeting.

MEETINGS:

All meetings shall operate under Robert's Rules of Order and shall be open to the public.

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

The Committee shall meet monthly, as business dictates, on the fourth Tuesday of each month, at the Stillwater Grange Hall, 1810 Reserve Drive in Kalispell. All meetings begin at 7:00 P.M. If the time or location of a regular meeting should change, the meeting would be advertised a minimum of 48 hours in advance at the West Valley School, the fire hall, the grange and on the county website.

Special meetings may be called by the chairman at any time provided that the committee members and the public receive at least 48 hours notice. Public notice will be provided at the West Valley School, fire hall and grange.

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DUTIES:

1. Post meeting agendas according to Open Meeting Laws at least 48 hours prior to the meeting. Keep minutes and maintain files pertaining to Advisory Committee business. The public may provide input on individual agenda items. The Committee does not conduct public hearings and is not subject to the 15 day public hearing notice.
2. Review and give recommendations on all West Valley Neighborhood Plan applications pending before the Flathead County Planning Board and the Flathead County Board of Adjustment.
3. Solicit input from the community at large, as well as adjoining landowners, as scales of projects warrant.
4. Forward written recommendations to FCPZ in a timely fashion on all reviewed projects as well as other projects affecting the neighborhood.
5. Review and, from time to time, offer amendments to the West Valley Neighborhood Plan and any associated regulations, to keep them current, to improve efficiency, and to address problems.

Forward reported violations of regulations associated with the plan to the proper authorities (such as FCPZ).
6. Communicate regularly with the citizens of the West Valley 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 West Valley Neighborhood.
7. 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 simple majority vote of the Committee and concurrent approval of the Flathead County Commissioners.

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PROCEDURES:

MAJOR APPLICATIONS:

Activities of such a scale that they require a public hearing before a public Board such as the Flathead County Planning Board, Kalispell City-County Planning Board, Flathead County Board of Adjustment or Flathead County Commissioners. Typical activities would include major subdivisions, conditional uses and amendments to the West Valley Neighborhood Plan or development code.

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 approximately 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. A Staff Report will only be included if the Committee meeting falls within two weeks immediately prior to a Board of Adjustment or Planning Board meeting.
2. 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 post the notice to the county website.
3. The Committee may place written notice at convenient places throughout the region or within the immediate vicinity of the property in question as deemed appropriate or necessary.
4. The Committee members should review the property in question.
5. The Committee may hold a neighborhood meeting to air issues and receive input.
6. Based on the Committee site review and input received at the neighborhood meeting, the Committee shall forward a recommendation to FCPZ
7. The recommendation should, when possible, be forwarded in writing within the time frame established by FCPZ.

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MINOR APPLICATIONS:

Minor applications include those that ultimately require Governing Board approval but do not necessitate a public hearing. Such activities would typically include minor subdivisions but would not include routine administrative permits.

1. Minor Subdivision Applications require only commissioner approval with no notification or public hearing for affected residents. The Committee would like to receive an 'Agency Referral' from the planning office to evaluate any minor subdivision applications.
2. Where possible the committee members may conduct a site review of the property in question.
3. If the scale of the project warrants, the committee may solicit comments from adjoining property owners and/or hold a neighborhood meeting within statutory review periods.
4. The committee shall then meet as a whole, for the purpose of developing a recommendation. An absentee member may vote by phone or email if he/she has been apprised of the information available.
5. Based on the committee site review and input received, the committee may forward a recommendation, approved by a majority of the Committee members, to FCPZ to be included in the packets to the County Commissioners if possible, or directly to the Commission Office.

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ADOPTION

The foregoing by-laws were adopted by the Committee on Aug, 2010.

[Signature], Chairman
Mark Schuger, Vice Chairman
David [Signature], Secretary
[Signature], Member
[Signature], Member
David [Signature], Member
[Signature], Member

Approved by the Flathead Board of County Commissioners on

August 31, 2010.

COMMISSIONERS
Flathead County, Montana

[Signature]
Joe D. Brenneman, Chairman

[Signature]
Dale Lauman, Member

[Signature]
James Dupont, Member

ATTEST:
Paula Robinson, Flathead County Clerk and Recorder

By [Signature] Deputy

