

**SECTION 3.40      NF NORTH FORK**

## 3.40.010      Definition.

The North Fork Flathead River Valley Land Use Plan adopted in 1987 and updated in 1992 begins by stating, “Those who live or own land in the North Fork of the Flathead River face the prospect of making difficult decisions about the future of this beautiful area.” The final statement of the Plan concludes “it is necessary to put into place a system which will protect the rights of all landowners, resident and non-resident, and also preserve those unique values so important to the North Fork: clean air, pure water, open space, freedom from noise and light pollution.” The following standards are intended to bridge those difficult decisions and give guidance to the area we call “the North Fork”.

## 3.40.020      Permitted Uses:

1.      Agriculture/Timber Operation
2.      Bed and Breakfast or Hostel
3.      Church
4.      Community Center Building
5.      Community Residential Facility, Class One
6.      Dwelling, Single-Family (Includes Accessory Structures per Section 5.01.020(1) Flathead County Zoning Regulations.)
7.      Guest Cabin
8.      Post Office
9.      Public School
10.     Public Utilities
11.     Recreational Vehicle or Camping (private).
12.     Residential Business
13.     Rental Cabins

## 3.40.030      Conditional Uses:

1.      Camp or Retreat Center
2.      Coin-Operated Laundry
3.      Convenience Store
4.      Extractive Industry
5.      Gift/Souvenir Shop
6.      Guest Ranch
7.      Residential Business With More Than Five Employees
8.      Private School
9.      Public Showers
10.     Outdoor Recreation Facility (rental Cabins are limited to 1 per 5 acres)
11.     Recreational Vehicle or Camping (public)
12.     Restaurant
13.     Tavern

## 3.40.040      Development Standards

1.      Minimum lot size: No lot or tract smaller than 20 acres can be created.
2.      Setbacks of new buildings from public roadways and waterways:

- a. River, stream or lake (lakes over 20 ac.): 150 ft from high water line
  - b. North Fork Road: 150 ft. from R/W line
  - c. Other public roads: 100 ft. from R/W line
3. Any existing lot or tract which cannot meet these setbacks because of size or topographic limitations will be given a variance.
  4. On-site signs: There are no restrictions on signs advertising a business or activity on the property it is located.
  5. Off-site signs: Signs which advertise anything not on the property they are located (billboards, etc.) are prohibited except that directional signs (signs which state the name of the business and/or use with directional information and being a maximum size of 4 square feet, located on private property) are allowed.
  6. Grandfathered (non-conforming) uses: Any lot, building or sign that legally exists at the time of adoption of these regulations and does not meet the above standards is legally protected and may continue to be used. In addition, if a building that exists at time of adoption of these regulations does not meet the setbacks, the owner is free to expand, modify or rebuild it.
  7. Cellular towers – Administrative Conditional Use Permit (See Section 2.06.045).

3.40.050

Definitions:

The definitions of terms used in these regulations are to be those used in the Flathead County Zoning Regulations except for terms which have a specific definition set forth below. Those definitions stated below shall only apply to this Zoning District.

1. GUEST CABIN: A detached structure being an accessory to a single-family dwelling, which may or may not have cooking facilities and/or bathroom facilities. If a guest cabin is rented, it shall be deemed as a rental cabin and subject to density requirements placed upon rental cabins in this zoning district.
2. RECREATIONAL VEHICLE AND CAMPING (PRIVATE USE): The placement of a recreational vehicle or tent on a parcel of land that may or may not contain an existing residence for the private, non-commercial use of the landowner or a guest.
3. RENTAL CABINS: Rental cabins may be built at a density of one for each five acres of contiguous property owned. For example, a person owning 20 acres can have four rental cabins in addition to the main residence. One rental cabin is allowed per tract of record regardless of acreage (Lots less than 5.0 acres in size). Standards are the same as those outlined for a guest cabin. A deed restriction shall be placed on qualifying property by a landowners when two or more rental cabins are built and placed in service.

The purpose of the deed restriction is to inform future owners of the property of the rental cabin density allocation that has been used or to provide an additional

mechanism to insure compliance with the rental cabin density in the event of subdivision of the parent tract.

4. **RESIDENTIAL BUSINESS:** Any use conducted entirely within the dwelling, accessory buildings or outbuildings and carried on by a landowner, members of the landowner's immediate family and up to five non-family employees.
5. **RESIDENTIAL BUSINESS WITH MORE THAN FIVE EMPLOYEES:** A Residential Business that employs more than five non-family members for its operation.