

The North Fork Zoning Regulations were passed in 1998, 24 years ago. In the last few years, several issues have arisen which highlighted some ambiguities and vagueness in the regulations. The goal of the text amendment is to clear up ambiguities by adding and/or clarifying definitions and adding performance standards where appropriate and tightening up language which was vague.

HIGHLIGHTS OF WHAT PROPOSED TEXT AMENDMENT DOES AND DOES NOT DO

1. DOES REFLECT GOALS AND POLICIES OF NORTH FORK NEIGHBORHOOD PLAN

Preserve low densities and open spaces in the North Fork
Maintain the remote undeveloped qualities unique to the North Fork
Maintain and enhance the pristine water and air quality found in the North Fork
Preserve and enhance the scenic values of the North Fork

2. DOES ADD HEALTH AND SAFETY-BASED PERFORMANCE STANDARDS FOR *CONDITIONAL USES*

3. DOES PROVIDE ENHANCED ECONOMIC OPPORTUNITIES

We are the **ONLY** zoning district in the county which allows a bed and breakfast as a permitted use
We are the only zoning district which allows rental accommodations as a permitted use
We are the only zoning district which defines a home occupation as a permitted use to include accessory buildings and outbuildings

4. DOES *NOT* CONTAIN ANY OVERALL PERFORMANCE STANDARDS FOR PERMITTED USES

5. DOES *NOT* CONTAIN ANY PERFORMANCE STANDARDS FOR SINGLE-FAMILY DWELLINGS

OVERVIEW OF PROPOSED CHANGES TO THE NORTH FORK ZONING REGULATIONS

A. Section 3.40.020 "**Permitted Uses**". Changes to Permitted Uses are shown below.

- Bed and Breakfast or Hostel has been changed to Bed and Breakfast. Hostel has been moved to a conditional use
- Guest Cabin has been changed to Guest Accommodation.
- Post Office has been changed to U.S. Post Office.
- Recreational Vehicle or Camping (private) has been removed as a separate permitted use and is now included within the Guest Accommodation, permitted use.
- Residential Business with up to 5 non-family employees has been changed to Home-Occupation with no more than one on-site full time equivalent non-family employee consistent with FCZR
- Rental Cabins has been changed to Rental Accommodations; the number limited as a permitted use and the density standard clarified

B. Section 3.40.030 "**Conditional Uses**." The list of Conditional Uses has been modified as follows.

- Convenience Store. Convenience Store and Gift/Souvenir Shop have been combined and specific performance standards have been added.
- Extractive Industries have been removed as a result of the Treaty with Canada and the 2014 North Fork Watershed Protection Act and replaced with Gravel Extraction
- Gift/Souvenir Shop. Gift/Souvenir Shop has been combined with Convenience Store.
- Hostel has been added

- Residential Business with more than five employees has been changed to Home Occupation with more than one on-site FTE non-family employee.
 - Outdoor Recreation Facility has been removed. Activities which are compatible with North Fork performance standards are subsumed under either Camp or Retreat Center or Guest Ranch.
 - Recreational Vehicle Park or Campground (public) has been removed as a separate use and subsumed under Rental Accommodations, conditional use
 - Rental Accommodations has been added as a conditional use for rental accommodations which exceed the numbers allowed under permitted use.
 - Restaurant/Tavern has been combined into a single use rather than separate uses.
 - Work Camp has been added.
- C. Section 3.40.040 “**Development Standards**” are unchanged except for the following:
- Paragraph 3 regarding variances has been corrected in accordance with Flathead County Zoning Regulations Section 2.05.2.
 - Previous Paragraph 6 (now Paragraph 5 as per note above) related to Grandfathered Uses. The last sentence is changed to read: . . . “the owner is free to expand, modify or rebuild it *in compliance with County provisions for nonconforming uses (2.07.040)*”
- D. Section 3.40.050 “**Performance Standards**” has been added because there were none. These performance standards are derived from the Flathead County Zoning Regulations, the Flathead County Growth Policy and the North Fork Neighborhood Plan. There are overall performance standards *for conditional uses* only, as well as performance standards for specific conditional and permitted uses. These include standards to reduce noise, traffic, congestion, dust, garbage and other waste, interference with wildlife, undue health and safety hazards, and fire danger and increased lot size requirements for higher density uses because of the increased risks to public health and safety associated with those uses. **As stated earlier, there are NO overall performance standards for permitted uses and NO performance standards for single-family dwellings.**
- E. Section 3.40.060 “**Definitions**” The following types of changes have been made to Definitions.
- Where there was a county definition but no North Fork definition, the county definition has been amended to conform with the unique North Fork context, the North Fork Neighborhood Plan and the North Fork Zoning Regulations Performance Standards (e.g., Agricultural/Timber Operation.)
 - Where there were no definitions for either the county or the North Fork Zoning District, a definition has been provided (e.g., Convenience Store, Hostel, Restaurant).
 - Where there were North Fork definitions which had caused confusion or were outdated, these have been clarified and updated (e.g, “Cabin” is replaced by “Accommodation” and further defined; Residential Business has been replaced by Home Occupation in keeping with terminology used in other zoning districts in the county).