

LINCOLN COUNTY PLANNING BOARD MINUTES

TUESDAY, FEBRUARY 11TH, 2020 – 5:30PM

LINCOLN COUNTY COURTHOUSE – LIBBY | NORTH ANNEX VIDEO CONFERENCE

- MEETING CALLED TO ORDER: 5:30PM

- BOARD MEMBERS PRESENT:
 - Michael Hobbs, Chair John Damon Kenny Rayome, Jr
 - Ernie Anderson Kate Arpin Robert Haidle
 - Laura Garner Scott Mattheis Tracy McNew

STAFF: Jake Mertes, County Planning / Kristin Smith, KMR consulting

PUBLIC: Steve Lauer, Jennifer Nelson, Logan Sandman

- **AGENDA**
 - Meeting called to order
 - Approval of January 2020 minutes as amended to correct year.
 - Motion to approve by John, seconded by Kate. Approved.
 - Montana Lakes Subdivision
 - Looked over revised covenants.
 - Motion to recommend approval with 17 conditions by Kate. Seconded by John. Approved
 - Subdivision Regulations
 - Discussed the comments provided by the Fire Safe council. (Attached)
 - Kristin will make adopted changes to draft.

- **PUBLIC COMMENT**
 - None.

- **NEXT MEETING** – March 17th, 2020

Meeting adjourned at 8:14pm

General comments:

- Use of the wording “shall” instead of “may” in most cases, including page 28 – L-2 , a-d
- Unspecific requirements, lack of standard procedures, undesignated or obscure entities
- Need a method for enforcement – code enforcement/compliance officer
- Payment-in-lieu of water supply needs further discussion with the county i.e rate schedule, harder standards, how is this determined and decided?

Specific recommendations – information needing updating is in **bold and underlined**, recommendations for addition are in ***bold and italicized***, quotes are added if suggested wording is provided, removal of verbiage is indicated by ~~**bold strike through**~~, **regular font in bold** are questions/concerns/statements.

VI-G-1 Streets and Roads – pg. 36

A Policy of Geometric Design of Highways and Streets, 7th Edition

Table 1. Road Design – pg. 38 – Add the following:

Bridges – ***“Post load limits on both ends of bridges”*** IWUI code 403.2.6

VI-P Fire Protection – pg. 45 - **Who is the “fire protection entity” need consistency/clarification**

Reference Lincoln County Fire Operations Plan - Brent?

VI-P-1. Purpose

- a. In order to reduce threats to life safety, property and resources, these standards for new subdivisions in wildland urban interface areas are intended to:
 - i. Improve access to and defensibility of developments, homes and other property in wildland/urban interface areas;
 - ii. Minimize the potential spread of fire from wildland areas to structures and from structure fires to wildland areas
 - iii. Permit efficient suppression of fires;
 - iv. ~~Insure~~ **Ensure** that new subdivisions in the Wildland Urban Interface (WUI) provide water supply systems with suitable access for firefighting crews and apparatus, with the intent to increase the resources available to such crews and minimize the spread of a wildland or structure fire.
 - v. ***Provide safe and sufficient egress for residents and firefighters.***
 - vi. Educate property owners, residents, and people that they have a responsibility for

prevention of wildland fire on their own property pursuant to §76-13-115 (6), MCA and §76-13-212, MCA.

b. Therefore, all subdivisions must be planned, designed, constructed, and maintained so as to minimize the risk of fire. Measures must include:

i. The design of subdivisions in cooperation ***“and with approval of”*** with the jurisdictional fire protection entity ***using the standards established in these regulations and referenced or attached supporting documents.***

ii. ***A covenant that cannot be changed requiring establishment of defensible space and maintenance of defensible space per Sections 603 and 604 in their entirety of the IWUI code. Appendix XX***

iii. Adequate water supply or approved mitigation

VI-P-2 Fire Risk Assessment – pg 45

Who is doing this? Ron Vizdak – Eureka, Glen Gibson – Troy, **Libby – currently open**

Fire Risk Assessment form needs revision – subjective rating system -FSC would like to revise it, making it less subjective, possibly using IWUI code – Appendix C

VI-P-3. Vegetation Management Plan – **Who is doing these? What is the template? FSC would like to offer to create the template using the IWUI code template possibly**

a. The subdivider shall provide a vegetation management plan, ~~if required by the FRA,~~ for all properties within the subdivision, including any proposed open space.

b. The intent of a vegetation management plan is to provide a strategy for reducing fire potential. The plan should address managing vegetation to meet the following goals:

i. Protect life and property.

ii. Reduce the potential for a fire on improved property from spreading into wildland fuels, and from a fire in wildland fuels from spreading into improved property or structures. This also applies to reducing the potential for a fire spreading to or from lands adjacent to the subdivision.

iii. Provide safe working areas for emergency responders fighting fire.

iv. Maintain important native plant communities, the ecological processes that influence them, and consistency with fish and wildlife habitat conservation goals. Consulting with biologists in the preparation and implementation of the vegetation management plan is strongly encouraged.

c. The plan shall include:

i. a map showing the areas that are to be cleared of dead, dying, or severely diseased vegetation;

ii. a map of the areas that are to be thinned or treated for vegetative fuels management;

iii. a map of powerline locations and treatment of same

d. Roadside Fuel Reduction ~~Recommendations~~ shall include:

i. All areas within five (5') feet of each side of the driving surface on a public street or road shall be cleared of all vegetation.

ii. "A 30 ft. shaded fuel break will be established along all public streets or road within the subdivision which provide ingress or egress. The 30 ft distance will be determined from the centerline of the road surface and extend on both sides of the road."

iii. For private streets or roads, the entire width of the private road easement shall be cleared of all dead and down woody debris.

VI-P-4. Gates.

a. If gates are proposed, the locations, dimensions and operations shall be reviewed by the FPA.

b. All gates shall be located such that stopped emergency vehicles do not impede the public right-of-way.

c. "All gates will allow for a minimum of 14' driving surface and be clear of all obstructions (i.e. center posts)"

d. Fire department personnel shall have ready access to locking mechanisms on any gate that restricts access or the gate should be constructed to "break away."

VI-P-XX Addressing

a. "Address markers. Buildings shall have a permanently posted address, which shall be placed at each driveway entrance. The address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.

i. Address numbers shall be at least four inches in height per number, made of reflective material and clearly visible from both directions of travel.

ii. Signs along one-way roads. Address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

ii. Multiple addresses. Where multiple addresses are required at a single driveway, they shall be mounted on a single post, and additional signs shall be posted at locations where driveways divide."

VI-P-5 ~~Miscellaneous~~— “Fire Protection Plan”

“A fire protection plan shall be prepared.”

a. Mapping Fire Protection Features

~~The subdivider should provide a detailed site map, including all fire protection features (i.e., access roads, hydrants systems, water supply points, etc. installed in the development) to the FPA.~~

i. “The plan shall be based on a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

ii. The plan process will include a discussion of the existing and proposed resources available to fight fire within the subdivision including water supply, equipment, facilities and personnel. This discussion must evaluate the potential impacts of the proposed subdivision on the resources of the applicable fire protection authority, and discuss measures proposed by the subdivider to mitigate potential impacts.

iii. Information sources used in the preparation of the plan and the preparer’s qualifications.”

b. ***“Review of the Fire Protection Plan***

i. The Planning and Zoning Office shall forward a copy of the Fire Prevention, Control and Fuels Reduction Plan to the applicable fire protection authority, for evaluation and comment within the permitted time periods pursuant to these regulations.

ii. After considering the Fire Prevention, Control and Fuels Reduction Plan, the comments of the fire protection authority and other agencies, as well as the size, location, density and other factors regarding the subdivision, the Commission may impose additional fire protection requirements in a manner proportionate to the subdivision’s anticipated impacts to public health and safety.

c. ***Implementation of Fire Protection Plan***

i. Prior to final plat filing the subdivider shall provide written correspondence from the local fire protection authority, Flathead County Office of Emergency Services, or other fire management agency, as applicable, verifying the approved Fire Prevention, Control and Fuels Reduction Plan has been implemented.

- d. **Cost**
The cost of fire protection plan preparation and review shall be the responsibility of the applicant.
- e. **Maintenance of Equipment and Features**
Maintenance of fire protection equipment shall be ensured by a mechanism acceptable to the Governing Body.
- f. **Plan retention.** *The fire protection plan shall be retained by the code official."*

VI-P-6 Water Supply Requirements - Replaces part c. and d.

c. Water Source Requirements

"Water sources shall comply with the following:

i. Man-made water sources shall have a minimum usable water volume as determined by the adequate water supply needs in accordance with Section VI-P-6(d). This water source shall be equipped with an approved hydrant. The water level of the water source shall be maintained by rainfall, water pumped from a well, water hauled by a tanker or by seasonal high water of a stream or river. The design, construction, location, water level maintenance, access and access maintenance of man-made water sources shall be approved by the code official.

ii. Natural water sources shall have a minimum annual water level or flow sufficient to meet the adequate water supply needs in accordance with Section VI-P-6(d). This water level or flow shall not be rendered unusable because of freezing. This water source shall have an approved draft site with an approved hydrant. Adequate water flow and rights for access to the water source shall be ensured in a form acceptable to the code official."

d. Adequate water supply.

Adequate water supply shall be determined for purposes of initial attack and flame front control as follows:

i. One- and two-family dwellings. The required water supply for one- and two-family dwellings having a fire flow calculation area that does not exceed 3,600 square feet (334 m²) shall be 1,000 gallons per minute (63.1 L/s) for a minimum duration of 30 minutes. The required water supply for one- and two-family dwellings having a fire flow calculation area in excess of 3,600 square feet (334 m²) shall be 1,500 gallons per minute (95 L/s) for a minimum duration of 30 minutes.

Exception: A reduction in required flow rate of 50 percent, as approved by the code official, is allowed where the building is provided with an approved automatic sprinkler system.

Exception: A reduction in required flow rate of up to 50 percent, as approved by the code official, is allowed where the building is provided with an approved automatic sprinkler system.

x. "Obstructions. Access to water sources required by this code shall be unobstructed at all times. The code official shall not be deterred or hindered from gaining immediate access to water source equipment, fire protection equipment or hydrants."

x. "Identification. Water sources, draft sites, hydrants and fire protection equipment and hydrants shall be clearly identified in a manner approved by the code official to identify location and to prevent obstruction by parking and other obstructions".

f. Testing and Maintenance – **Who does this work? What are the standards? Process? Responsibilities?**
Water sources, draft sites, hydrants and other fire protection equipment may be subject to periodic tests as required by the FPA.

i. All such equipment installed under the provisions of these guidelines shall be maintained in an operative condition at all times and should be repaired or replaced where defective. Additions, repairs, alterations, and servicing of such fire protection equipment and resources should be in accordance with standards approved by the FPA.

ii. Defensible space of not less than 30 feet should be provided around water tank structures, water supply pumps and pump houses. Portions of trees and other combustible vegetation within 30 feet of the facilities should be removed.

iii. Water supply facilities in the WUI dependent on electrical power to meet water supply demands should provide standby power systems to ensure that an uninterrupted water supply is provided, ~~unless primary power is underground~~. The standby power source should be capable of providing power for a minimum of two hours. Standby power is not suggested when the water supply facility serves no more than one single family dwelling.

VI-P- XX Miscellaneous

The Commission reserves the right to deny any subdivision application or require further mitigation in the wildland urban interface as determined by proximity to private or government-owned forestlands to provide for public health, safety and protect against property loss.

VI-S Design Standards for Mobile/Manufactured Home Parks- **Why is there no addressing requirement?**

VI-T Design Standards for Recreational Vehicles

VI-T-1. RV Lots/Spaces

(a) Spaces in recreational vehicle parks must be arranged to allow for the safe movement of traffic and access to spaces.

(b) Recreational vehicles must be separated from each other and from other structures by at least ~~15 feet~~ **20 feet**, including slide-outs. Any accessory structures such as attached awnings must, for purposes of this separation requirement, be considered part of the recreational vehicle.

(c) No recreational vehicle space may be located less than 20 feet from any public street or highway right-of-way.

(d) A minimum of two (2) tandem parking spaces shall be provided each RV space/pad.

(e) No On-Street Parking allowed other than emergency vehicles.

(f) The size of RV Lot/Space shall not exceed what is allowable to accommodate for design and flow of water/wastewater of the DEQ Standards

g. "The density of a recreational vehicle park shall not exceed what is allowable by DEQ Standards." (Previously VI-T-3, move to this section)

h. "RV parks with thirty (30) or more spaces/lots/pads are required to have two (2) separated, full-time egress routes. Egress road locations must be approved by the FPA."

VI-T-5 Natural Visual Buffers – needs clarification, how does this work with vegetation plan?

VI-T-11 Roads

Roads, within a recreational Vehicle Park shall meet the following requirements below, in addition to the Standards found in VI-G Table 1:

Roads must be designed to allow safe placement and removal of Recreational Vehicles

Streets must be designed to provide safe access to public roads, safe traffic circulation and parking and to allow safe and practical placement and removal of RV's

One-way roads must have at least a **20-foot** wide driving surface; two-way roads must have at least a 24-foot wide driving surface. **Make this width consistent with mobile home road width, recommendation is that both should be 20 ft**

VI-T-XX

RV parks should be required to meet the same or similar fire protection requirements as residential subdivisions, and mobile home parks should also, i.e. Fire risk assessments, vegetation management plans, water supply, Noxious weed plans etc.

They should also be required to have an evacuation plan if needed, i.e. Blue Mountain RV and Kooacanusa Marina

Recommended additions:

The following statements shall be placed on the Final Plat, CC&R's, or other documents accompanying the Final Plat when the subdivision is located in the WUI:

A. This subdivision is located in the Wildland Urban Interface area where wildfires can and do occur.

B. Only Class A and Class B fire-rated roofing materials are allowed.

C. Firewise defensible space standards shall be incorporated around all primary structures and improvements.

D. House numbers shall be clearly visible from the road. House numbers shall be at least four inches in height per number, made of reflective material and visible from both directions of travel