

TITLE 12: SUBDIVISION REGULATIONS
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ADOPTED by WHITEFISH CITY COUNCIL: Ord. 09-23, November 2, 2009; Amended by Ord. 10-21; Amended by Ord. 11-12; Amended by Ord. 12-04; Amended by Ord. 13-06; updated 1-13-16

**APPENDIX A
PRE-APPLICATION CONFERENCE**

GENERAL INSTRUCTIONS

Prior to submittal of a subdivision application, the subdivider or designated representative shall request a pre-application meeting with a member of the planning staff and the site development review committee. The meeting shall occur within thirty (30) days after a written request for the meeting has been submitted to the planning department.

At the time of the pre-application meeting request, the subdivider shall provide to the planning department a sketch of the proposed subdivision showing the layout of the proposed features in relation to existing site conditions.

A. The sketch may be a freehand sketch drawing that is at a reasonable scale (generally 1 inch to 400 feet) that provides a conceptual plan of the subdivision. The plan must include the following which can be provided as part of the drawing or in a narrative:

1. Information on the current status of the site, including:
 - a. General location of the property;
 - b. Approximate boundaries of the existing lot or tracts of record;
 - c. Description of general terrain;
 - d. Natural features on the land;
 - e. Slopes between 10 and 40 percent;
 - f. Slopes in excess of 40%;
 - g. Wetlands;
 - h. Lakes, river, streams - either perennial or intermittent, and/or stormwater conveyances;
 - i. Areas of 100 year floodplain or floodway;
 - j. Existing driveways or other approaches;
 - k. Existing structures and improvements;
 - l. Existing utility lines and facilities serving the area to be subdivided;
 - m. Existing easements and rights of way;

- n. Current zoning of the property.
2. Information related to the proposed subdivision, including:
- a. Approximately tract and lot boundaries;
 - b. The proposed subdivision layout including the configuration of the lot boundaries and lot sizes;
 - c. Proposed public and/or private improvements such as roadways, water and sewer main extensions;
 - d. Proposed location of new utility lines and facilities;
 - e. Proposed new easements and rights of way;
 - f. Conceptual plan for the management of stormwater on-site;
 - g. Parks and/ or open space within the subdivision;
 - h. Changes to the current zoning, if applicable;
 - i. Whether the subdivision is a major or minor subdivision.
- B. At the pre-application meeting:
- a. Planning department staff shall identify, for informational purposes, the state laws, local regulations and city-county growth policy provisions that may apply to the subdivision review process including, but not limited to, zoning regulations floodplain regulations, lakeshore, building codes and fire codes;
 - b. Planning department staff shall provide the subdivider with a list of utility providers, public agencies and any other entities that have an interest in the proposed subdivision that may be contacted for comment on the subdivision application.
 - c. Planning department staff may identify additional information that might be anticipated to be required for review of the subdivision application. This does not limit the ability of the staff to request additional information at a later time.
 - d. Planning department staff shall review the subdivision process with the subdivider and advise the subdivider with an anticipated time for processing the subdivision request.

- C. Subsequent to the pre-application conference, an application for the subdivision discussed must be submitted within six (6) months of the meeting date otherwise a second pre-application meeting must be requested and held.

APPENDIX B
PRELIMINARY PLAT: SUBMITTAL REQUIREMENTS

I. SUPPLEMENTS TO THE PRELIMINARY PLAT:

- A. A completed and signed subdivision application form.
- B. The required review fee.
- C. One or more vicinity map(s) showing:
 - 1. Ingress and egress to the subdivision from the adjoining or nearest public roads.
 - 2. Any rivers, streams or creeks adjoining or in the vicinity of the proposed subdivision.
 - 3. Names of any adjoining platted subdivisions and/or numbers of adjoining certificates of survey on record in the office of the County Clerk and Recorder.
 - 4. Location of any buildings, railroads, power lines, towers, roads, and other land uses.
 - 5. Any existing or proposed zoning.
- B. Title report, no more than 90 days old.
- C. Any existing covenant and/or deed restrictions.
- D. A preliminary grading plan which includes a weed management plan and a plan for temporary erosion and sedimentation control during development of the site.
- E. A preliminary stormwater management plan for the entire site. See §12-4-25.
- F. Preliminary road and utility layout, which includes water, sewer and stormwater.
- G. Parkland dedication calculations.
- H. If applicable, a Critical Areas Report consistent with the requirements outlined in §11-3-29, Critical Areas, of the Whitefish Zoning Jurisdiction Regulations.
- I. FIRM or FEMA panel map and letter identifying floodplain status.
- J. If applicable, a Geotechnical Review: Site Characterization, §12-4-9.
- K. If applicable, a copy of the draft covenants for the subdivision.
- L. If applicable, a tree preservation plan, §12-4-5.

- M. If applicable, a traffic impact analysis, Section 8.9, Whitefish Engineering Standards.
- N. If any common area is proposed to be part of the subdivision, the subdivider shall submit a plan for long term management of these areas. If common property and/or facilities within the subdivision are to be maintained by an association of the property owners, the subdivider shall submit a draft of the restrictions which will govern the association. These restrictions shall, at a minimum, provide that:
1. The property owners association will be formed prior to sale of any lots within the subdivision;
 2. Membership is mandatory for all property owners in the subdivision; and
 3. The association is responsible for any liability insurance, payment of taxes on common property and maintenance of common use areas and facilities.
- Q. If the subdivision will be phased, a phasing plan as part of the preliminary plat submittal, the subdivider may propose to delineate on the preliminary plat two or more final plat filing phases and establish an estimated schedule for completion.
1. Each phase must be free-standing, that is, fully capable of functioning with all the required improvements in place in the event the future phases are not completed or completed at a much latter time.
 2. If the subdivision is proposed to be phased, a phasing plan must be submitted which includes:
 - a. A preliminary plat that clearly numbers and shows each individual phase,
 - b. A time frame for the development of each phase,
 - c. A street and utility extension plan for each phase. Said plan is premised on the understanding that each phase is intended to be free standing on its on merits should additional phases not occur.
 - i. As such, certain streets and utility extensions may be required to be extended beyond a particular phase for safety and service purposes.
 - ii. Temporary dead end streets are not allowed. Where a street temporarily dead ends, a temporary cul-de-sac may be required. If said street exceeds cul-de-sac standards for length or is critical to the traffic flow of the area, it may be required to be extended beyond the immediate
- R. A community impact report, for both major and minor subdivisions, assessing the anticipated needs of the proposed subdivision for local services, including education

and busing; roads and maintenance; water, sewage, and solid waste facilities; and fire and police protection as outlined in Appendix F.

- S. An environmental assessment, if required.
- T. If the subdivision will be utilizing on-site water and / or sewage treatment, the subdivider shall provide information on the new water supply and / or wastewater facilities that includes information that is provided on the forms and format required by the Montana Department of Environmental Quality for the use of on-site water and waste water facilities, as required under §76-3-622 of the MSPA.
- U. Any other land use applications that may apply to the project such as a: rezone application, planned unit development application, variance request, growth policy amendment (text or map), etc.
- V. Other items identified by the planning director or designee through the pre-application process.

II. CONTENTS OF THE PRELIMINARY PLAT

The preliminary plat may be comprised of one (1) or more sheets. Each sheet shall be either 18" x 24" or 24" x 36" in size and shall be drawn to a scale not less than 200 feet to an inch. The following information shall be shown on the face of the preliminary plat:

- A. Name and location of the subdivision, scale and north point;
- B. Location of all section corners or subdivision corners pertinent to the subdivision boundary;
- C. Exterior boundaries of the tract to be subdivided including bearings and distances sufficient to locate the exact area proposed for subdivision;
- D. All lots and blocks designated by numbers, approximate dimensions scaled to the nearest foot, and the area of each lot estimated to the nearest 0.1 acre;
- E. A table indicating the gross and net acreage of each lot, the total area in lots, the total area in road, total area of parks, common area or open space and the total area of the subdivision.
- F. Ground contours for the tract shall use the North American Vertical Datum (NAVD) 1988 in accordance to the following requirements:

Location of the clearing limits:	Two (2) foot contour intervals
Remainder of parcel:	Five (5) foot contour intervals
Areas with greater than 30% slope:	Shaded or Highlighted

If a uniform contour interval is not practical, the contour interval may be changed for steep areas, if such a change is clearly identifiable through shading or other appropriate graphic technique;

- G. All existing and adjoining streets and alleys, avenues, roads and highway, and width of the right-of-way with existing and proposed street names and access points from the nearest public roads;
- H. Any existing and proposed utilities, utility easements and right-of-way easements located or proposed to be located on or adjacent to the tract, including description of their width and purpose;
- I. Location, boundaries, dimensions and areas of any parks or areas dedicated for common or public use;
- J. Location and size of existing buildings, structures and improvements, if to be retained;
- K. Designated one hundred year (100-year) floodway and/or floodplain area, if any;
- L. Location and size of all natural and environmental features on the site including wetlands, rivers, streams, springs, ponds, and lakes.
- M. Any critical areas as defined by the §11-3-29, Critical Areas, of the Whitefish Zoning Jurisdiction Regulations within the site or within 200-feet of the subdivision boundaries.

APPENDIX C
FINAL PLAT CONTENTS AND REQUIREMENTS

I. CONTENTS OF THE FINAL PLAT

- A. The final plat submitted for approval shall conform to the preliminary plat previously approved by the City Council and shall incorporate all conditions imposed at the time of conditional approval. The final plat shall conform to the Montana Subdivision and Platting Act and the Montana Uniform Standards for Monumentation, Certificates of Survey, and Final Subdivision Plats.

A final plat may not be approved by the Whitefish City Council nor filed by the Flathead County Clerk and Recorder unless it complies with the following requirements:

1. Final plats shall be legibly drawn with permanent ink or printed or reproduced by a process guaranteeing a permanent record and shall be 24 inches by 36 inches and shall include a 1-1/2 inch margin on the binding side.
 2. Whenever more than one sheet must be used to accurately portray the land subdivided, each sheet must show the number of that sheet and the total number of sheets included. All certifications shall be shown or referenced on one sheet.
- B. The final plat submitted for approval shall show or contain, on its face or on separate sheets, referenced on the plat:
1. A title block indicating the quarter sections, section, township, range, principal meridian and county of the subdivision. The title plat shall contain the words "plat" and "subdivision".
 2. Name(s) of the owner(s) of the land surveyed and the names of any adjoining platted subdivisions and numbers of any adjoining certificates of survey previously recorded and tied thereto.
 3. North point.
 4. Scale bar (scale shall be sufficient to legibly represent the required data on the plat submitted for filing).
 5. All monuments found, set, reset, replaced or removed describing their kind, size, location and giving other data relating thereto.
 6. Witness monuments, basis for bearing, bearings and length of lines.
 7. The bearings, distance and curve data of all perimeter boundary lines shall be indicated. When the subdivision is bounded by an irregular shoreline or body of water, the bearings and distances of a meander traverse shall be given.

8. Data on all curves sufficient to enable the re-establishment of the curves on the ground. This data shall include:
 - a. Radius of curve;
 - b. Arc length;
 - c. Notation of non-tangent curves.
9. Lengths of all lines shall be shown to at least tenths of a foot, and all angles and bearings shown to at least the nearest minute.
10. The location of all section corners or legal subdivision corners of sections pertinent to the subdivision boundary.
11. All lots and blocks in the subdivision, designated by number, the dimensions of each lot and block, the area of each lot (gross and net) and the total acreage of all lots. (excepted parcels marked "Not Included in This Subdivision" or "Not Included in This Plat" as appropriate, and the boundary completely indicated by bearings and distances.
12. All easements, roads, alleys, avenues, and highways; their widths, bearings, the width and purpose of all rights-of-way and the names of all roads and highways.
13. The location, dimensions and areas of all parks, common areas and all other grounds dedicated for public or common use. Where cash has been accepted in lieu of land dedications, it shall be so stated on the final plat.
14. Gross and net acreage of the subdivision.
15. A legal description of the perimeter boundary of the tract surveyed.
16. All monuments to be of record must be adequately described and clearly identified on the plat. Where additional monuments are to be set subsequent to the filing of the plat, the location of such additional monuments shall be shown by a distinct symbol noted on the plat. All monuments or other evidence found during retracements that would influence the positions of any corner or boundary indicated on the plat must be clearly shown.
17. The signature and seal of the registered land surveyor responsible for the survey. The affixing of his/her seal constitutes a certification by the surveyor that the final plat has been prepared in conformance with the Montana Subdivision and Platting Act (§§76-3-101 through 76-3-614, M.C.A.), and these Regulations.

18. Memorandum of oaths administered pursuant to §76-3-405 M.C.A., has been filed with the Flathead County Clerk and Recorder.

19. House numbers (addresses) shall be assigned and shall be so indicated on each lot.

II. CERTIFICATIONS ON THE FINAL PLAT

The following certifications shall appear on the face of the final plat:

- A. Certification by the subdivider dedicating roads, parks or playground, or other public improvements, or stating cash donations in lieu of dedication, when applicable.
- B. Certification by the subdivider allowing usage of the easements for the purpose designated on the plat.
- C. Certification by the licensed land surveyor who prepared the final plat and related documents.
- D. Certification of examining land surveyor where applicable.
- E. Certification by the Whitefish City Council expressly accepting any dedicated land and improvements. Acceptance of dedication shall be ineffective without such certification.
- F. Certification by the City Attorney.
- G. Certification by the Whitefish Planning Director.
- H. Certification by the Director of Public Works / City Engineer.
- I. Certification by the Whitefish City Council that the final subdivision plat is approved, except where the plat shows changes to a filed subdivision plat which are exempt from local government review under §76-3-207(1)(e), M.C.A. Where an amended plat qualifies for such a waiver the plat must contain a statement that pursuant to §76-3-207(1)(e), M.C.A., approval by the local governing body is not required for relocation of common boundary lines or aggregation of lots.
- J. Waiver of right to protest participation in Special Improvement District, if applicable.

III. DOCUMENTS ACCOMPANYING THE FINAL PLAT

The following original documents shall be submitted (signed and notarized where appropriate) when applicable, as part of the final plat application process. Said original documents must accompany the approved final plat when filed with the County Clerk and Recorder:

- A. A cover letter prepared by the subdivider or subdivider's agent listing each condition of preliminary plat approval and a detailed explanation of how conditions are met and supporting documentation where required.
- B. Certification by a licensed title abstractor showing the names of the owners of record of land to be subdivided and the names of any lien holders or certification by a licensed title abstractor showing the names of the owners of record of land to be subdivided and the names of any lien holders or claimants of record against the land and the written consent to the subdivision by the owners of the land, if other than the subdivider, and any lien holders or claimants of record against the land (must not be over 90 days old from the time of final plat application acceptance).
- C. Certification by the Montana Department of Environmental Quality that it has approved the plans and specifications for sanitary facilities.
- D. Certification from a professional engineer licensed in the state of Montana indicating which required public improvements have been installed and a copy of any subdivision improvements agreement securing the future construction of any additional public improvements to be installed.
- E. Copies of covenants, articles of incorporation and by-laws for any property owners' association or maintenance agreements for the ownership and maintenance of common areas.
- F. A letter from the Whitefish Public Works Department / City Engineer stating that copies of final plans, profiles, grades and specifications for improvements, including a complete grading and drainage plan, with the certification of a registered professional engineer that all required improvements which have been installed are in conformance with the attached plans has been received by that department.
- G. Copy of any required approach permits from the City, County or State when a new road or driveway will intersect with a public road or street.
- H. A certification from the County Treasurer's Office stating that all real property taxes and special assessments assessed and levied on the land to be subdivided have been paid.

**APPENDIX D
STANDARD PLAT NOTES**

A. STANDARD PLAT NOTES FOR ALL SUBDIVISIONS:

- All house numbers will be visible from the road, either at the driveway entrance or on the house and shall conform to the current fire code, as adopted by the city council.
- All noxious weeds, as described by Whitefish City Code, shall be removed throughout the life of the development by the recorded property owner.
- The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing or offering to provide telephone, electric power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for the construction, maintenance, repair, and removal of their lines and other facilities, in, over, under, and across each area designated on this plat as "Utility Easement" to have and to hold forever

B. PRIVATE STREETS NOTE:

- The internal roads shown on the final plat are intended to be privately owned and maintained and open to the public, including parking. It is understood and agreed that these internal roadways do not conform to City requirements for public roadways. Because of the road configuration, they are not suitable for all-season maintenance by the public authority. The owners (and successors in interest) of the lots described in this plat will provide for all-season maintenance of the private roadways by creation of a corporation or association to administer and fund the maintenance. This dedication is made with the express understanding that the private roadways will never be maintained by any government agency or public authority. It is understood and agreed that the value of each described lot in this plat is enhanced by the private nature of said roadways. Thus, the area encompassed by said private roadways will not be separately taxed or assessed by any government agency or public authority.

C. PROJECTS LOCATED ADJACENT TO AGRICULTURE:

- Alerting future property owners to ongoing adjacent agricultural practices.

D. PROJECTS LOCATED IN AREAS FREQUENTED BY WILDLIFE:

- Home owners are advised that they are moving into an area frequented by large and potentially dangerous wild animals. As such, owners are strongly encouraged to contact the Montana Department of Fish, Wildlife and Parks and obtain information on living with wildlife. The feeding of birds or other wildlife is discouraged as it may attract large predatory animals such as mountain lions and bears.

E. PROJECTS LOCATED WITHIN THE WILDLAND URBAN INTERFACE:

- Only Class A and Class B fire-rated roofing materials are allowed.
- Defensible Space Standards shall be incorporated around all primary structures, as described in the Covenants.

F. LOTS THAT REQUIRE ADDITIONAL GEOTECHNICAL REVIEW PRIOR TO CONSTRUCTION:

- Lot(s) *<identify the particular lots here>* were identified through the preliminary platting process to require additional geotechnical review prior to construction. A site stability analysis pursuant to §11-3-29 shall be submitted to the city for review and approval prior to any construction on-site.
- Lot(s) *<identify the particular lots here>* were identified through the preliminary platting process to require additional geological review prior to construction. Either a site screening for potential instability or a geotechnical letter pursuant to §11-3-29 shall be submitted to the city for review and approval prior to any construction on-site.

APPENDIX E
SUBDIVISION IMPROVEMENT AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 20 _____, by and between (Name of Subdivider), hereinafter called the Subdivider, and the City of Whitefish, State of Montana:

WHEREAS, subdivisions are subject to the provisions of Title 76, Chapter 3, Parts 1 through 6, M.C.A., said provisions being known as the "Montana Subdivision and Platting Act," hereinafter referred to as the Act: and,

WHEREAS, the Act requires that Governing Bodies adopt and provide for the enforcement of Subdivision Regulations; and,

WHEREAS, the Governing Body of Whitefish, being the Whitefish City Council, has adopted a body of ordinances entitled "Whitefish Subdivision Regulations" hereinafter referred to as the Regulations; and,

WHEREAS, the regulations provide that:

- A. One of the conditions which must precede approval of the final plat of a subdivision by the Governing Body is an approved guarantee of completion of public improvements which are described and provided for in the subdivision plat.
- B. The Regulations authorize various alternative methods of effecting the necessary and prerequisite guarantees and one such method is a written agreement between the Subdivider and the Governing Body; and,

WHEREAS, it is the intent and purpose of both Subdivider and Whitefish City Council to hereby enter into an agreement which will guarantee the full and satisfactory completion of all public improvements within the subdivision hereinafter described and by this agreement to satisfy the public improvement guarantee conditions for final plat approval.

THEREFORE, it is covenanted and agreed as follows:

This agreement pertains to and includes that proposed subdivision which is designated and identified as the _____ Subdivision.

This agreement specifically includes those improvements described on Exhibit "A" attached hereto and incorporated herein by reference, their projected construction completion date and estimated construction costs. All such improvements shall be done in a workman-like manner and shall be completed by -----, a date at least sixty (60) days prior to the expiration of the collateral held by the City of Whitefish. Exhibit A includes a certification by an engineer licensed in the state of Montana to the effect that it

represents a comprehensive and detailed list of all incomplete items and their actual cost, and that all information contained on it is true and accurate.

As a guarantee of performance to install the above designed improvements, the Subdivider hereby and concurrently with the subscription and execution of this agreement and the City's Subdivision Regulations which require that a subdivider shall provide a financial security of 125% of the estimated total cost of construction of said improvements, provides the City of Whitefish, Montana with a guarantee in collateral in the amount of \$ _____.

The Subdivider does hereby confirm that said guarantee is from a bank or other reputable institution or individual and acceptable to the Whitefish City Council. This guarantee shall be deposited with the City of Whitefish and certify to the following:

- A. That the creditor guarantees funds in an amount equal to the cost, as estimated by the Subdividers, and approved by the governing body, of completing the required improvements.
- B. That if the Subdividers fail to complete the specified improvements within the required time period, the creditor will pay to the City of Whitefish immediately, and without further action, such funds as are necessary to finance the completion of those improvements, up to the limit of credit given in the letter.
- C. That this letter of credit may not be withdrawn, or reduced in any amount, until released by the City of Whitefish, Montana.

Performance by the Subdivider of the covenants set out in this agreement and in conformance with the time schedule set forth in this agreement is the essence; accordingly, the Subdivider expressly understands and agrees that failure to meet the time schedule to the specifications described herein shall be deemed to be a breach to this agreement. The Subdivider hereby waives any notice of breach.

Upon any breach of this agreement as herein defined, the Subdivider shall be subject to the penalties and enforcement outlined in the Regulations.

In consideration of the covenants and acts of the Subdivider, the Whitefish City Council does hereby agree that the public improvement guarantee provision has been satisfied for the Subdivision, which is the subject of this agreement, provided that nothing herein shall be construed to be final plat approval or assurance of final plat approval.

This agreement shall inure to the benefit of and be binding upon any successors in interest, heirs, or assignees.

IN WITNESS WHEREOF, the parties to this agreement have executed the same on the day and year first above written:

(Signature Subdivider / Developer

State of -----)

ss

County of -----)

On this _____ day of _____, 20____, before me, a Notary Public for the State of Montana, personally appeared (Subdivider's Name), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same.

Notary Public for the State of Montana

(Seal) Residing at _____, Montana

My commission expires _____

This agreement is hereby approved and accepted by the City Council, City of Whitefish, Montana, this _____ day of _____, 20____.

MAYOR,
City of Whitefish, Montana

ATTEST:

CITY CLERK, Whitefish, Montana
(Seal)

APPENDIX F ENVIRONMENTAL ASSESSMENT

This Environmental Assessment format shall be used by the applicant in compiling a thorough description of the potential impacts for the proposed subdivision. Each question pertinent to the proposal must be addressed in full (both maps and text); those questions not applicable shall be so stated. Incomplete Environmental Assessments will not be accepted.

The sources of information for each section of the Assessment shall be identified. All Environmental Assessments shall contain the signature, date of signature and mailing address of the owner of the property and the person, or persons, preparing the report

There are three major parts to the Environmental Assessment: Resource Assessment, Impact Criteria Report and Community Impact Report. Any exceptions to these parts must be done by receiving a written waiver from the planning department.

PART 1 – RESOURCE ASSESSMENT

1. Surface Water

Locate on a plat overlay or sketch map:

- a. Any natural water systems such as streams, rivers, intermittent streams, lakes or marshes (also indicate the names and sizes of each).
- b. Any artificial water systems such as canals, ditches, aqueducts, reservoirs, and irrigation systems (also indicate the names, sizes and present uses of each).
- c. Time when water is present (seasonally or all year).
- d. Any areas subject to flood hazard, or in delineated 100 year floodplain.
- e. Describe any existing or proposed streambank alteration from any proposed construction or modification of lake beds or stream channels. Provide information on location, extent, type and purpose of alteration, and permits applied for.

2. Groundwater

Using available data, provide the following information:

- a. The minimum depth to water table and identify dates when depths were determined. What is the location and depth of all aquifers which may be affected by the proposed subdivision? Describe the location of known aquifer recharge areas which may be affected.
- b. Describe any steps necessary to avoid depletion or degradation of groundwater recharge areas.

3. Topography, Geology and Soils

a. Provide a map of the topography of the area to be subdivided, and an evaluation of suitability for the proposed land uses. On the map identify any areas with highly erodible soils or slopes in excess of 15% grade. Identify the lots or areas affected. Address conditions such as:

- i Shallow bedrock
- ii Unstable slopes
- iii Unstable or expansive soils
- iv Excessive slope

b. Locate on an overlay or sketch map:

Any known hazards affecting the development which could result in property damage or personal injury due to:

- A. Falls, slides or slumps -- soil, rock, mud, snow.
- B. Rock outcroppings
- C. Seismic activity.
- D. High water table

c. Describe measures proposed to prevent or reduce these dangers.

d. Describe the location and amount of any cut or fill more than three feet in depth. Indicate these cuts or fills on a plat overlay or sketch map. Where cuts or fills are necessary, describe plans to prevent erosion and to promote vegetation such as replacement of topsoil and grading.

4. Vegetation

a. On a plat overlay or sketch map:

i Indicate the distribution of the major vegetation types, such as marsh, grassland, shrub, coniferous forest, deciduous forest, mixed forest.

ii. Identify the location of critical plant communities such as:

- A. Stream bank or shoreline vegetation
- B. Vegetation on steep, unstable slopes
- C. Vegetation on soils highly susceptible to wind or water erosion
- D. Type and extent of noxious weeds

b. Describe measures to:

i. Preserve trees and other natural vegetation (e.g. locating roads and lot boundaries, planning construction to avoid damaging tree cover).

- ii. Protect critical plant communities (e.g. keeping structural development away from these areas), setting areas aside for open space.
- iii. Prevent and control grass, brush or forest fires (e.g. green strips, water supply, access.)
- iv. Control and prevent growth of noxious weeds

5. Wildlife

- a. Identify species of fish and wildlife use the area affected by the proposed subdivision.
- b. On a copy of the preliminary plat or overlay, identify known critical wildlife areas, such as big game winter range, calving areas and migration routes; riparian habitat and waterfowl nesting areas; habitat for rare or endangered species and wetlands.
- c. Describe proposed measures to protect or enhance wildlife habitat or to minimize degradation (e.g. keeping buildings and roads back from shorelines; setting aside wetlands as undeveloped open space).

PART II - SUMMARY OF PROBABLE IMPACTS

Summarize the effects of the proposed subdivision on each topic below. Provide responses to the following questions and provide reference materials as required:

1. Effects on Agriculture

- a. Is the proposed subdivision or associated improvements located on or near prime farmland or farmland of statewide importance as defined by the Natural Resource Conservation Service? If so, identify each area on a copy of the preliminary plat.
- b. Describe whether the subdivision would remove from production any agricultural or timber land.
- c. Describe possible conflicts with nearby agricultural operations (e.g., residential development creating problems for moving livestock, operating farm machinery, maintaining water supplies, controlling weeds or applying pesticides; agricultural operations suffering from vandalism, uncontrolled pets or damaged fences).
- d. Describe possible nuisance problems which may arise from locating a subdivision near agricultural or timber lands.
- e. Describe effects the subdivision would have on the value of nearby agricultural lands.

2. Effects on Agricultural Water User Facilities

- a. Describe conflicts the subdivision would create with agricultural water user facilities (e.g. residential development creating problems for operating and maintaining

irrigation systems) and whether agricultural water user facilities would be more subject to vandalism or damage because of the subdivision.

b. Describe possible nuisance problems which the subdivision would generate with regard to agricultural water user facilities (e.g. safety hazards to residents or water problems from irrigation ditches, head gates, siphons, sprinkler systems, or other agricultural water user facilities).

3. Effects on Local Services

a. Indicate the proposed use and number of lots or spaces proposed for the subdivision, i.e. single family residential, multi-family residential, commercial, industrial.

b. Describe the additional or expanded public services and facilities that would be demanded of local government or special districts to serve the subdivision.

i. Describe additional costs which would result for services such as roads, bridges, law enforcement, parks and recreation, fire protection, water, sewer and solid waste systems, schools or busing, (including additional personnel, construction, and maintenance costs).

ii. Who would bear these costs (e.g. all taxpayers within the jurisdiction, people within special taxing districts, or users of a service)?

iii. Can the service providers meet the additional costs given legal or other constraints (e.g. statutory ceilings on mill levies or bonded indebtedness)?

iv. Describe off-site costs or costs to other jurisdictions may be incurred (e.g. development of water sources or construction of a sewage treatment plant; costs borne by a nearby municipality).

c. Describe how the subdivision allows existing services, through expanded use, to operate more efficiently, or makes the installation or improvement of services feasible (e.g. allow installation of a central water system, or upgrading a country road).

g. Would any special improvement districts be created which would obligate local government fiscally or administratively? Are any bonding plans proposed which would affect the local government's bonded indebtedness?

4. Effects on the Historic or Natural Environment

a. Describe and locate on a plat overlay or sketch map known or possible historic, paleontological, archaeological or cultural sites, structures, or objects which may be affected by the proposed subdivision.

b. How would the subdivision affect surface and groundwater, soils, slopes, vegetation, historical or archaeological features within the subdivision or on adjacent land? Describe plans to protect these sites.

- i Would any streambanks or lake shorelines be altered, streams rechanneled or any surface water contaminated from sewage treatment systems, run-off carrying sedimentation, or concentration of pesticides or fertilizers?
 - ii Would groundwater supplies likely be contaminated or depleted as a result of the subdivision?
 - iii Would construction of roads or building sites require cuts and fills on steep slopes or cause erosion on unstable, erodible soils? Would soils be contaminated by sewage treatment systems?
 - iv Describe the impacts that removal of vegetation would have on soil erosion, bank, or shoreline instability.
 - v Would the value of significant historical, visual, or open space features be reduced or eliminated?
 - vi Describe possible natural hazards the subdivision be could be subject to (e.g., natural hazards such as flooding, rock, snow or land slides, high winds, severe wildfires, or difficulties such as shallow bedrock, high water table, unstable or expansive soils, or excessive slopes).
- c. How would the subdivision affect visual features within the subdivision or on adjacent land? Describe efforts to visually blend the proposed development with the existing environment (e.g. use of appropriate building materials, colors, road design, underground utilities, and revegetation of earthworks).

5. Effects on Wildlife and Wildlife Habitat

- a. Describe what impacts the subdivision or associated improvements would have on wildlife areas such as big game wintering range, migration routes, nesting areas, wetlands, or important habitat for rare or endangered species.
- b. Describe the effect that pets or human activity would have on wildlife.

6. Effects on the Public Health and Safety

- a. Describe any health or safety hazards on or near the subdivision, such as: natural hazards, lack of water, drainage problems, heavy traffic, dilapidated structures, high pressure gas lines, high voltage power lines, or irrigation ditches. These conditions, proposed or existing should be accurately described with their origin and location identified on a copy of the preliminary plat.
- b. Describe how the subdivision would be subject to hazardous conditions due to high voltage lines, airports, highways, railroads, dilapidated structures, high pressure gas lines, irrigation ditches, and adjacent industrial or mining uses.

c. Describe land uses adjacent to the subdivision and how the subdivision will affect the adjacent land uses. Identify existing uses such as feed lots, processing plants, airports or industrial firms which could be subject to lawsuits or complaints from residents of the subdivision.

d. Describe public health or safety hazards, such as dangerous traffic, fire conditions, or contamination of water supplies which would be created by the subdivision.

PART III - COMMUNITY IMPACT REPORT

Provide a community impact report containing a statement of estimated number of people coming into the area as a result of the subdivision, anticipated needs of the proposed subdivision for public facilities and services, the increased capital and operating cost to each affected unit of local government. Provide responses to each of the following questions and provide reference materials as required.

1. Water, Sewage, and Solid Waste Facilities

a. Briefly describe the water supply and sewage treatment systems to be used in serving the proposed subdivision (e.g. methods, capacities, locations).

b. Provide information on estimated cost of the system, who will bear the costs, and how the system will be financed.

c. Where hook-up to an existing system is proposed, describe estimated impacts on the existing system, and show evidence that permission has been granted to hook up to the existing system.

d. All water supply and sewage treatment plans and specifications will be reviewed and approved by the Department of Environmental Quality (DEQ) and should be submitted using the appropriate DEQ application form.

e. Describe the proposed method of collecting and disposing of solid waste from the development.

f. If use of an existing collection system or disposal facility is proposed indicate the name and location of the facility.

2. Roads and Maintenance

a. Estimate how much daily traffic the subdivision, when fully occupied, will generate on existing streets and arterials.

b. Describe the capability of existing and proposed roads to safely accommodate this increased traffic.

c. Describe increased maintenance problems and increased cost due to this increase in volume.

- d. Describe proposed new public or private access roads including:
 - i. Measures for disposing of storm run-off from streets and roads.
 - ii. Type of road surface and provisions to be made for dust.
 - iii. Facilities for streams or drainage crossing (e.g. culverts, bridges).
 - iv. Seeding of disturbed areas.
- e. Describe the closing or modification of any existing roads.
- f. Explain why road access was not provided within the subdivision, if access to any individual lot is directly from arterial streets or roads.
- g. Is year-round access by conventional automobile over legal rights-of-way available to the subdivision and to all lots and common facilities within the subdivision? Identify the owners of any private property over which access to the subdivision will be provided.
- h. Estimate the cost and completion date of the system, and indicate who will pay the cost of installation, maintenance and snow removal.

3. Fire, Police Protection and Emergency Services

- a. Describe the fire, police protection and emergency services available to the residents of the proposed subdivision including number of personnel and number of vehicles or type of facilities for:
 - i. Fire protection -- is the proposed subdivision in an existing fire district? If not, will one be formed or extended? Describe what fire protection procedures are planned?
 - ii. Law enforcement protection – Is the proposed subdivision within the jurisdiction of a County Sheriff or municipal police department?
- b. Can the fire and police protection service needs of the proposed subdivision be met by present personnel and facilities? If not, describe the additional expenses that would be necessary to make these services adequate, and who would pay the costs?

4. Education and Busing

- a. Describe the available educational facilities which would serve this subdivision.
- b. Estimate the number of school children that will be added by the proposed subdivision. Provide a statement from the administrator of the affected school system indicating whether the increased enrollment can be accommodated by the present personnel and facilities and by the existing school bus system. If not, estimate the increased expenditures that would be necessary to do so.

5. Payment for extension of Capital Facilities

Indicate how the subdivider will pay for the cost of extending capital facilities resulting from expected impacts directly attributable to the subdivision.

**APPENDIX G
SAMPLE CERTIFICATIONS AND FORMS**

The certificates noted in this section shall be shown on plats and certificates of survey, as appropriate. Certificates other than those shown or in addition to those shown may be required by the City of Whitefish or the Flathead County Clerk and Recorder when deemed appropriate. The proper notary block shall be used as applicable. Other sample forms are provided and are intended to be general in nature.

CERTIFICATE OF DEDICATION

(I) (We), the undersigned property owner(s), do hereby certify that (I) (We) have caused to be surveyed, subdivided and platted into lots, blocks, streets and alleys, as shown by the plat hereto annexed, the following described land in the City of Whitefish, Montana, to-wit:

(Exterior boundary description of area contained in plat and total acreage)

The above described tract of land is to be known and designated as (Name of Subdivision), and the lands included in all streets, avenues, alleys, and parks or public squares shown on said plat are hereby granted and donated to the use of the public forever.

UTILITY EASEMENT CERTIFICATION

The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing or offering to provide telephone, electric power, gas, internet, cable television or other similar utility or service, the right to the joint use of an easement for the construction, maintenance, repair and removal of their lines and other facilities in, over, under and across each area designated on this plat as "Utility Easement" to have and to hold forever.

CERTIFICATE OF FINAL PLAT APPROVAL

The City Council of the City of Whitefish, Montana, does hereby certify that it has examined this subdivision plat and, having found the same to conform to law, approves it, and hereby accepts the dedication to public use of any and all lands shown on this plat as being dedicated to such use.

Date this Day of, 20 .

By (Signature of City Clerk)
 City Clerk

(Signature of Mayor)
Mayor

CERTIFICATE OF CITY ATTORNEY

This plat has been examined by the Office of the City Attorney according to §76-3-612(2), MCA, relying upon Title Report No. _____, and approved based upon information submitted by the developer and / or his agent.

Dated this day of _____, 20_____.

(Signature)

Office of the Whitefish City Attorney

CERTIFICATE OF PUBLIC WORKS DIRECTOR

I, (Director of Public Works / City Engineer) for the City of Whitefish, Montana, do hereby certify that the accompanying subdivision plat has been duly examined and has found the same that the required improvements have been reviewed and approved for compliance with the Whitefish Standards for Design and Construction, and hereby accepts the dedication of those improvements to the City of Whitefish for the public use of any and all lands shown on the plat subject to any and all maintenance warrantees and guarantees.

Dated this ___day of _____, 20_____.

(Signature)

Director of Public Work / City Engineer
City of Whitefish, Montana

CERTIFICATE OF PLANNING DIRECTOR

I, (Planning Director), for the City of Whitefish, Montana do hereby certify that the accompanying (Subdivision, Certificate of Survey or Amended Plat) has been duly reviewed, and has been found to conform to the requirements of the Whitefish Zoning Regulations and the Whitefish Subdivision Regulations.

DATED this ___ day of _____, _____.

(Signature)

Planning Director
City of Whitefish, Montana

CERTIFICATE OF PARKLAND WAIVER – PLANNED UNIT DEVELOPMENT

(We), the undersigned do hereby certify that this plat is subject to the provisions of a Planned Unit Development with land permanently set aside for park use or open space and as such is park land dedication is waived as per §76-3-621(6)(a), MCA.

Dated this ___ day of _____, 20 ____.

(Signature)
Owner / Developer

CERTIFICATE OF PARK LAND DEDICATION WAIVER AND ACCEPTANCE OF CASH IN LIEU THEREOF:

I, (Name of City Clerk), of Whitefish, Montana, do certify that the following order was made by the City Council of Whitefish at a meeting thereof held on the day of , 20 , and entered into the proceedings of said Body to-wit: "Inasmuch as the dedication of park land within the platted area of (Name of Subdivision) is undesirable for the reasons set forth in the minutes of this meeting, it is hereby ordered by the Whitefish City Council that land dedication for park purposes be waived and that cash in lieu of park land, be accepted in accordance with the provisions of §76-3-621, M.C.A."

In witness whereof, I have hereunto affixed the seal of The City of Whitefish, Montana.

Dated this day of , 20 .

(Seal)
Signature of City Clerk)

CERTIFICATE OF EXAMINING LAND SURVEYOR

I, (Name of Examining Land Surveyor), acting as an Examining Land Surveyor for Flathead County, Montana, do hereby certify that I have examined the final plat of (Name of Subdivision) and find that the survey data shown thereon meet the conditions set forth by or pursuant to Title 76, Chapter 3, Part 4, M.C.A.

Dated this day of , 20

(Signature)
(Name of Surveyor)
Seal of Examining Lake Surveyor Registration No. _____

CERTIFICATE OF FILING BY CLERK AND RECORDER:

State of Montana)
County of Flathead) ss

Filed on the _____ day of _____, 20____, at _____ o'clock _____ M,

(Signature of Clerk and Recorder)
County Clerk and Recorder, Montana

CERTIFICATE OF WAIVER OF PROTEST PARTICIPATION IN SPECIAL IMPROVEMENT DISTRICT

Waiver of Protest of Protest
Participation in Special Improvement District

_____ (Owner) hereby waives any and all right to protest which it may have in regards to any attempt to be made by a local governmental entity, to initiate a Special Improvement District which includes _____ Subdivision, shown on the plat therefore, for any of the purposes related to roads, water facilities and systems, and sewer facilities and systems, set forth in §§7-12-2102 and 7-12-4102, M.C.A.; provided however that the owner (s) understands that (he/she/it/they) retains the ability to object to the amount of assessment imposed as a result of the formation of a Special Improvement District, including the right to object on the basis that the property is not benefited by the Special Improvement District. The owner(s) agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for _____ Subdivision.

CERTIFICATE OF EXCLUSION FROM MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY REVIEW

The (Name of Subdivision), Flathead County, Montana, is within the City of Whitefish, Montana, a first-class municipality, and within the planning area of the Whitefish City-County Growth Policy which was adopted pursuant to §76-1-601, MCA, and can be provided with adequate storm water drainage and adequate municipal facilities. Therefore, under the provisions of §76-4-125(2)(d), MCA, this subdivision is excluded from the requirement for Montana Department of Environmental Quality review.

DATED this ___ day of _____, _____.

(Signature),
Director of Public Works / City Engineer
City of Whitefish, Montana

(Letterhead of Lending Institution)

IRREVOCABLE LETTER OF CREDIT

Letter of Credit No.
Dated:
Expiration Date:
Amount:

Whitefish City Council
City of Whitefish
P.O. Box 138
Whitefish, MT 59937

We hereby establish in your favor an irrevocable letter of credit up to the aggregate amount of

\$ _____ at the request of (Name of Subdivider).

If (Name of Subdivider) fails to complete the specified improvements in the (Name of Subdivision) within the time period set forth in the Subdivision Improvements Agreement executed between (Name of the Subdivider) and the City of Whitefish, we will pay on demand your draft or drafts for such funds, to the limit of credit set forth herein, as are required to complete said improvements. All drafts must indicate the number and date of this letter of credit and be accompanied by a signed statement of an authorized official that the amount is drawn to install improvements not installed in conformance with the Subdivision Improvements Agreement and specifying the default or defect in question.

All drafts must be presented prior to the expiration date stated above, and this letter of credit must accompany the final draft for payment.

This letter may not be withdrawn or reduced in any amount prior to its expiration date except by your draft or written release.

(Name of Lending Institution)

(Signature and Title of Authorized Official)

Signature:

Printed Name of Notary _____

Notary Public for State of _____

Residing at: _____

My Commission Expires: _____

(Letterhead of Certifying Engineer)

ENGINEER'S CERTIFICATE OF COMPLETION OF IMPROVEMENTS

Date

Whitefish City Council
City of Whitefish
P.O. Box 138
Whitefish, MT 59937

Re: (Name of Subdivision)

I, (Name of Subdivider's Registered Engineer), a registered professional engineer licensed to practice in the State of Montana, hereby certify that the following improvements, required to meet the requirements of this title or as a condition(s) of approval of (Name of Subdivision), have been installed in conformance with the approved plans and specifications, or financially guaranteed and covered by the Subdivision Improvements Agreement accompanying this plat.

The subdivider hereby warrants against defects in these improvements for a period of two years from the date of acceptance by the City of Whitefish. The subdivider grants possession of all public infrastructure improvements to the City of Whitefish, and the City hereby accepts possession of all public infrastructure improvements, subject to the above indicated warranty.

Dated this day of , 20

(Signature)
(Name of Engineer)
Number, and Seal of Engineer

Planning & Building Department
PO Box 158 Whitefish, MT 59937
(406) 863-2410 Fax (406) 863-2409



**APPENDIX H
SUBDIVISION EXEMPTION AFFIDAVIT**

Date

Flathead County Plat Room
800 South Main Street
Kalispell, MT 59901

The City of Whitefish has checked the survey described below and has found it to be in compliance with applicable zoning and subdivision regulations.

Surveyor:

Owner:

Survey: Section Township Range

Purpose: (i.e. family transfer, boundary line adjustment, amended plat, etc.)

The City is also requesting your review of this survey for compliance with established subdivision evasion criteria. Please notify our office if there are any issues related to this survey or if you have any questions.

Sincerely,

Planning Director

Affidavit Statement: It is hereby understood that this Affidavit seeks approval of the use of an exemption to subdivision review to divide property. It is also understood that approval of the use of the exemption is not approval under zoning, health, floodplain or other applicable regulations. Under penalties of perjury, I / We declare that we have examined this form, including the accompanying Certificate of Survey, and to the best of our knowledge and belief, it is true, correct and complete and is in compliance with all Montana State laws and City of Whitefish ordinances and resolutions and the purpose of the survey for that which is stated.

Property Owner Signature

Date

Property Owner Signature

Date

**APPENDIX I
PETITION TO ANNEX**

NOTE: You must attach an Exhibit A that provides a bona fide legal description of the property to be annexed.

Return to:

Whitefish City Clerk
P.O. Box 138
Whitefish, MT 59937

**PETITION TO ANNEX
AND
NOTICE OF WITHDRAWAL FROM RURAL FIRE DISTRICT**

The undersigned hereinafter referred to as Petitioner(s) respectfully petition the City Council of the City of Whitefish for annexation of the real property described below into the City of Whitefish.

The Petitioner(s) requesting City of Whitefish annexation of the property described herein and further described in Exhibit A hereby mutually agree with the City of Whitefish that immediately upon annexation of the land all City of Whitefish municipal services will be provided to the property described herein on substantially the same basis and in the same manner as such services are provided or made available to other properties within the rest of the municipality. Petitioner(s) hereby state that there is no need to prepare a Municipal Annexation Service Plan for this annexation pursuant to §7-2-4610, M.C.A. since the parties are in agreement as to the provision of municipal services to the property requested to be annexed.

The Petitioner(s) further herein express an intent to have the property as herein described withdrawn from the Whitefish Rural Fire District under the provisions of §7-33-2127, Montana Code Annotated; and that incorporated into this Petition to Annex is the Notice requirement pursuant to said Section; and that upon proper adoption of an ordinance or resolution of annexation by the City Council of the City of Whitefish, the property shall be detracted from said district.

In the event the property is not immediately annexed, the Petitioner(s) further agree(s) that this covenant shall run to, with, and be binding upon the title of the said real property, and shall be binding upon our heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the above described property.

This City hereby agrees to allow Petitioner(s) to connect and receive the utilities from the City of Whitefish.

This City hereby agrees to allow Petitioner(s) to connect and receive all available utilities from the City of Whitefish excluding solid waste services. MCA 7-2-4736 prohibits the city from providing solid waste services to this property for a minimum of 5 years from date of annexation.

Petitioner/Owner Date

Petitioner/Owner Date

STATE OF MONTANA)

: ss

County of Flathead County

On this _____ day of _____, _____, before me, the undersigned, a Notary Public for the State of Montana, personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notary Seal the day and year in this certificate first above written.

Notary Public, State of Montana
Printed Name _____
Residing at _____
My Commission expires: _____

STATE OF MONTANA)

: ss

County of Flathead County

On this _____ day of _____, _____, before me, the undersigned, a Notary Public for the State of Montana, personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notary Seal the day and year in this certificate first above written.

Notary Public, State of Montana
Printed Name _____
Residing at _____
My Commission expires: _____

APPENDIX J
STANDARDS FOR FLOOD HAZARD EVALUATION

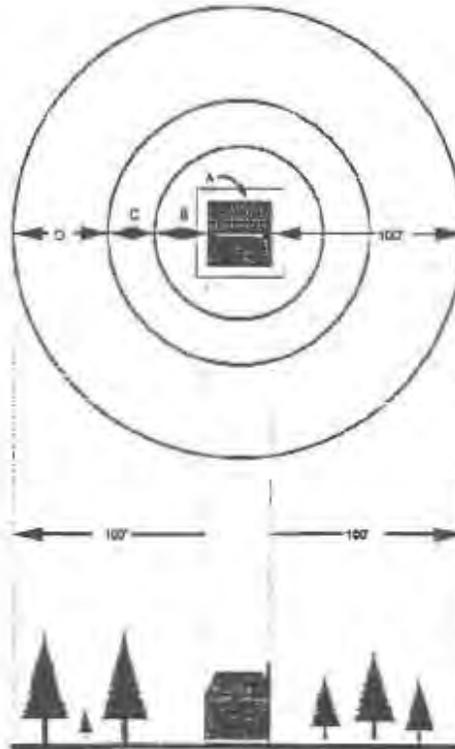
Where the subdivider is required by the governing body to provide data for use in defining the 100 year floodway of a stream subject to flooding, the following information shall be submitted to the Floodplain Management Section of the Water Resources Division, Montana Department of Natural Resources and Conservation.

- A. A copy of the plat showing contour intervals of no greater than five feet.
- B. The location and elevation of a temporary benchmark established with the subdivision and referenced to mean sea level with appropriate elevation adjustment.
- C. A minimum of four surveyed valley cross sections of the stream according to the following requirements:
 - 1. Cross sections shall include the stream channel and floodplain on both banks and shall be normal to direction of flow.
 - 2. At least one cross section shall be taken at a point on the stream from which it could be extended through the subdivision.
 - 3. Three cross sections shall be taken downstream from the subdivision, no more than 1,000 feet apart, but in no case may vertical drop between cross sections exceed 5.0 feet. The cross section farthest downstream should be located at a natural constriction or bridge crossing if possible. Cross sections shall be taken at any location between the subdivision and lowest cross section.
 - 4. Distances between cross sections are to be determined by stadia and these distances and locations of cross sections shall be shown on the location map.
 - 5. The overbank cross sections are to be extended to obtain a vertical rise of 15 feet above the water surface.
- D. If a U.S. Geological Survey gauging station is within the reach of the stream under study, the elevation of any convenient foot mark shall be surveyed and clearly indicated on the location map.
- E. Descriptions and sketches of all bridges within the reach, showing unobstructed waterway opening and elevations.
- F. Color photographs clearly depicting the vegetation of both overbanks and the material composition of the banks and channel bottom shall be submitted for each cross section.

- G. Cross sections plotted on cross section paper of ten divisions to the inch using any convenient, identified scale for vertical and horizontal distance. The water surface at the time of survey shall be plotted on each cross section.
- H. A profile sheet prepared on cross section paper at ten divisions to the inch showing the observed water surface profile, location of cross sections, subdivision boundaries, riverbank profile and thalweg (lowest point of the channel bottom).
- I. A location map, such as U.S. Geological Survey seven and one-half (7-1/2) minute quad or similar map, showing the proposed subdivision, the locations of the valley cross sections and any gauging stations.
- J. These requirements may vary, so the Supervisor of the Floodplain Management Section of the Water Resources Division of the Montana Department of Natural Resources and Conservation should be contacted prior to submittal.

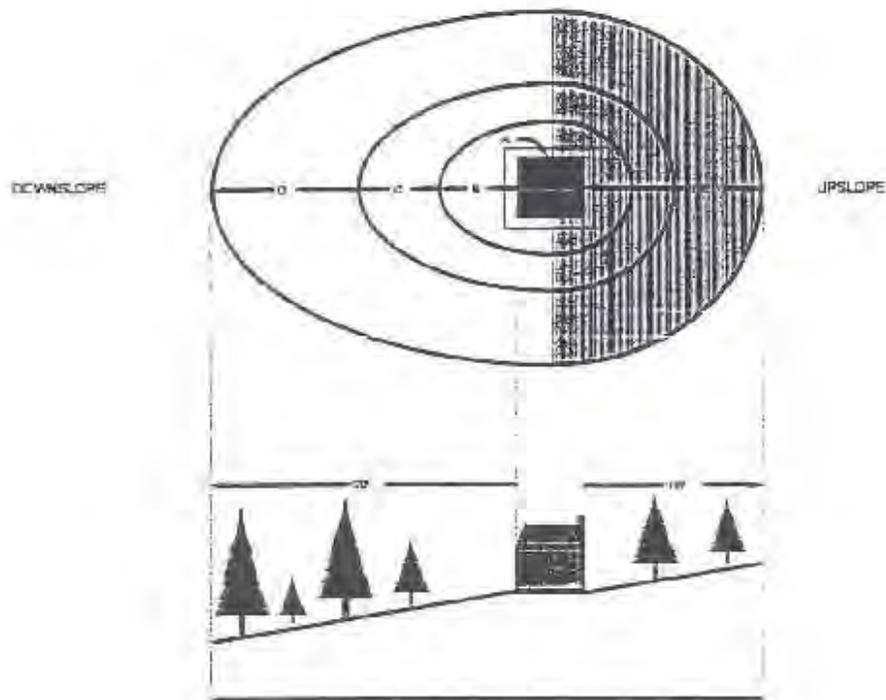
APPENDIX K
DEFENSIBLE SPACE STANDARDS

VEGETATION REDUCTION GUIDELINES
0% TO 10% SLOPE



- A = THE FIRST 2 FEET OF B
Maintain an area of non-combustible material - flowers, plants, concrete, gravel, mineral soil, etc.
- B = 10 FEET
Remove all trees and downed woody fuels.
- C = 20 FEET
Thin trees to 10 feet between crowns.
Prune limbs of all remaining trees to 15 feet or one-third the total live crown height, whichever is less.
Maintain surface vegetation at 3 inches or less.
Remove all downed woody fuels.
- D = 70 FEET
Thin trees to 10 feet between crowns.
Prune limbs of all remaining trees to 15 feet or one-third the total live crown height, whichever is less.
Remove all downed woody fuels more than 3 inches in diameter.

VEGETATION REDUCTION GUIDELINES 10% TO 20% SLOPE



The shaded areas (upslope) of B, C, & D remain a constant distance of 10', 20', and 70' respectively. The shaded area begins from the mid-section of a structure. The unshaded areas (downslope) of B, C, & D increase with slope as detailed below:

A = THE FIRST 3 FEET OF B

Maintain an area of non-combustible material - flowers, plants, concrete, gravel, mineral soil, etc.

B = 15 FEET

Remove all trees and downed woody fuels.

C = 25 FEET

Thin trees to 10 feet between crowns.

Prune limbs of all remaining trees to 15 feet or one-third the total live crown height, whichever is less.

Maintain surface vegetation at 3 inches or less.

Remove all downed woody fuels.

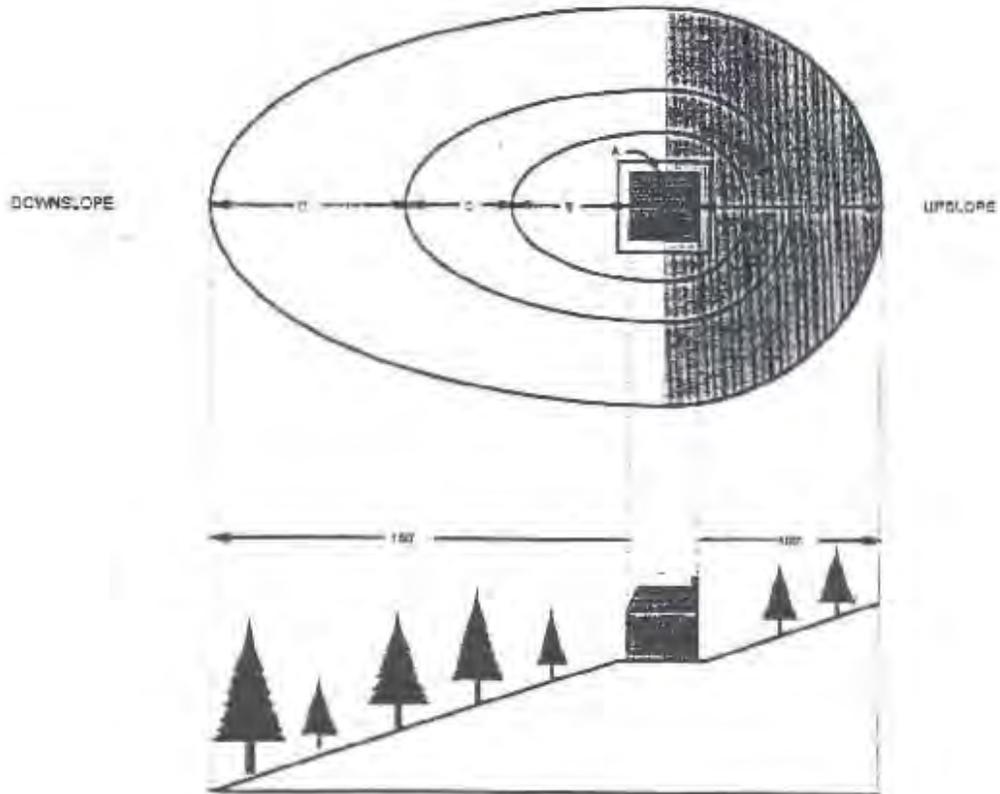
D = 20 FEET

Thin trees to 10 feet between crowns.

Prune limbs of all remaining trees to 15 feet or one-third the total live crown height, whichever is less.

Remove all downed woody fuels more than 3 inches in diameter.

VEGETATION REDUCTION GUIDELINES 20% TO 30% SLOPE



The shaded areas (upslope) of B, C, & D remain a constant distance of 10', 20', and 70' respectively. The shaded area begins from the mid-section of a structure. The unshaded areas (downslope) of B, C, & D increase with slope as detailed below:

A = THE FIRST 3 FEET OF B

Maintain an area of non-combustible material - flowers, plants, concrete, gravel, mineral soil, etc.

B = 20 FEET

Remove all trees and downed woody fuels.

C = 30 FEET

Thin trees to 10 feet between crowns.

Prune limbs of all remaining trees to 15 feet or one-third the total live crown height, whichever is less.

Maintain surface vegetation at 3 inches or less.

Remove all downed woody fuels.

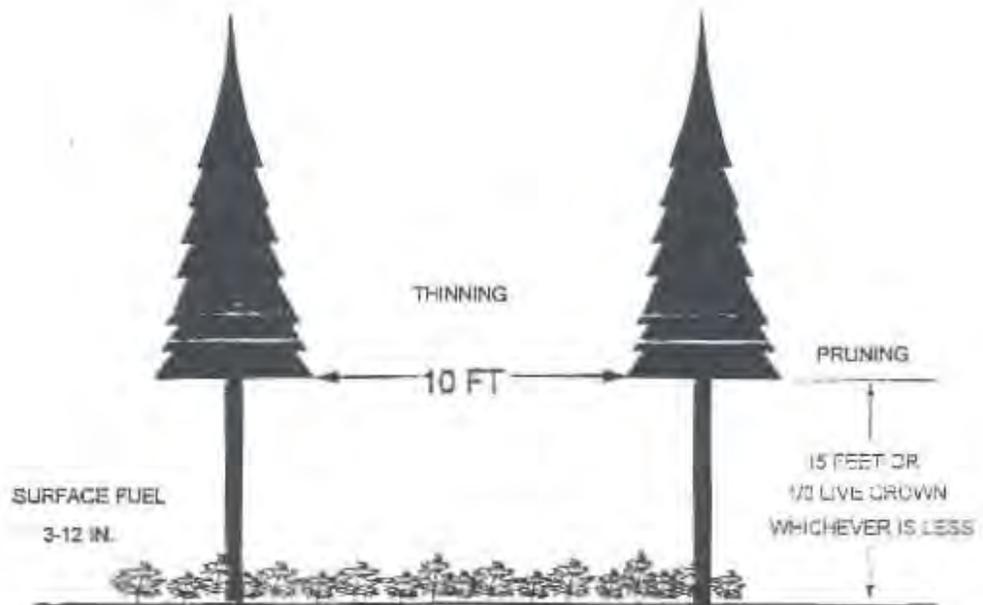
D = 100 FEET

Thin trees to 10 feet between crowns.

Prune limbs of all remaining trees to 15 feet or one-third the total live crown height, whichever is less.

Remove all downed woody fuels more than 3 inches in diameter.

VEGETATION REDUCTION GUIDELINES THINNING AND PRUNING



In areas where vegetation modification is prescribed, use the following guidelines:

- A. **THINNING**
Thin trees to 10 feet between crowns.
- B. **PRUNING**
Prune the limbs of all remaining trees to 15 feet or one-third the total live crown height, whichever is less.
- C. **SURFACE VEGETATION**
Maintain surface vegetation at 3" to 12" as detailed.

Roadside Vegetation:

Maintain roadside vegetation to protect roads from radiant heat, so they can be used both as escape routes and fire breaks (Figure 1). Local conditions will dictate how much vegetation to clear. It is suggested that developers, landowners, and local officials:

- a. Thin trees to 10 feet between crowns.
- b. Remove ladder fuels and prune tree limbs up to 15 feet, or one-third of the live crown of the tree, whichever is less.
- c. Remove dead vegetation, logs, snags, etc. Remove snags to a distance that prevents them from falling into cleared right-of-way or on roads.
- d. In the clear zone and where practical, reduce brush, grass, and other vegetation and maintain it at a maximum of 12 inches high.

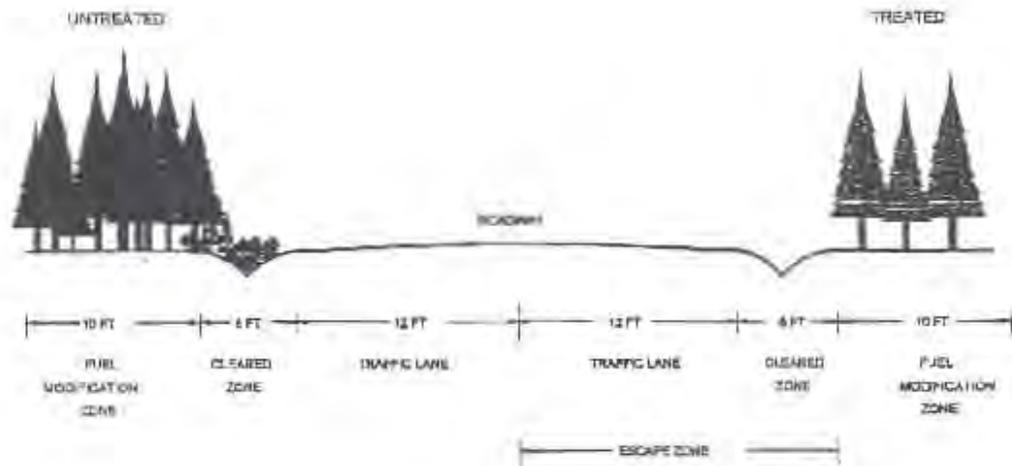
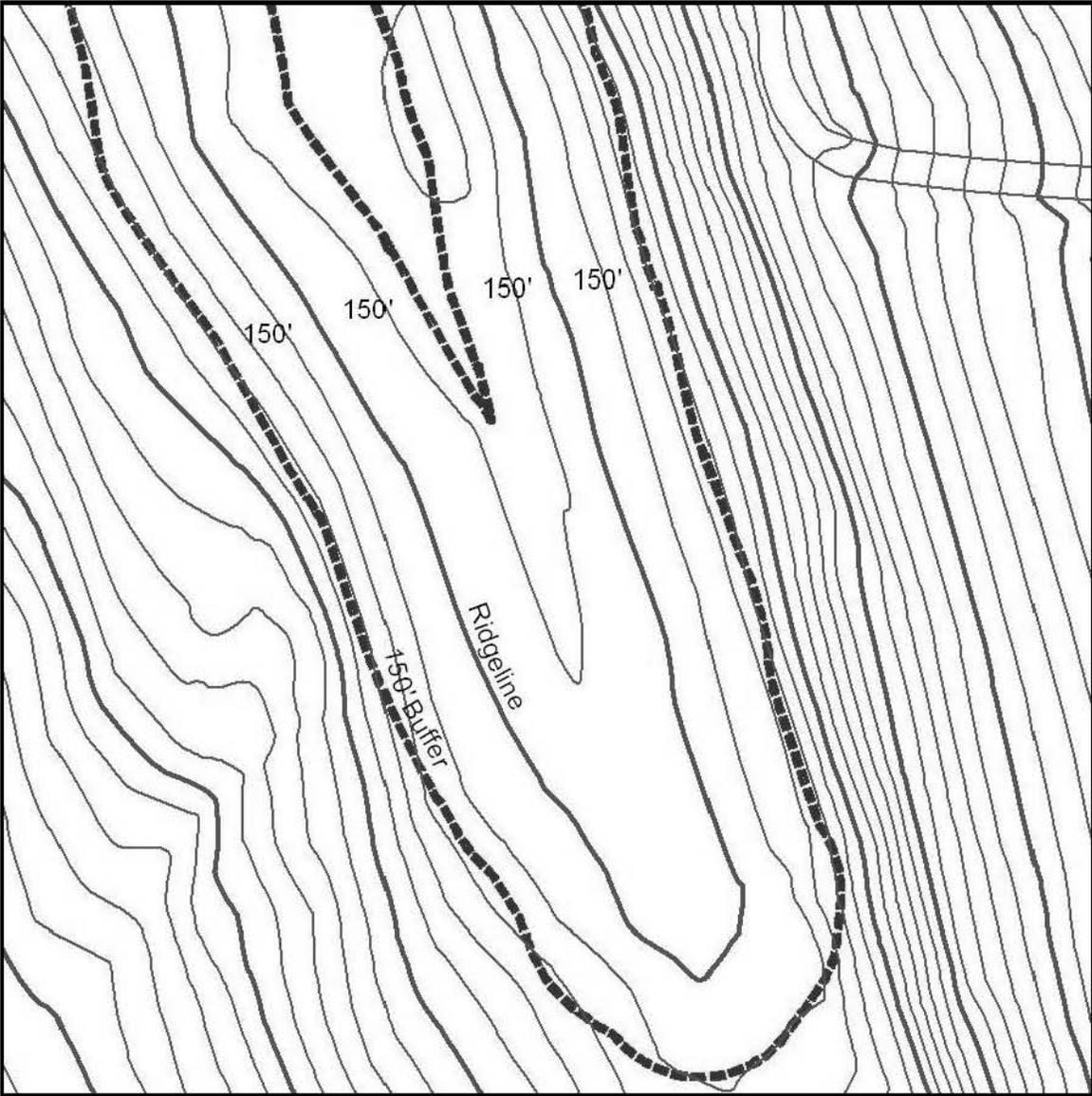


Figure 1 - Recommended treatment for roadside vegetation.

**APPENDIX L
RIDGELINE PROTECTION ZONE**



**APPENDIX M
CLEARING LIMITS**

