

## DEVELOPING YOUR HOME SITE

The following describes some of the steps you should follow when developing your homesite. This list is not all-inclusive and does not replace the contract provisions of your lease. If you have any questions, concerns or doubts about how to proceed with developing your site, please call the Tribal Lands Department before proceeding with any improvements.

- 1. Restrictions.** Upon receipt of a fully signed copy of your homesite lease, you can begin developing your site. Check your lease and site map to see if any specific restrictions or easements would prohibit you from using your entire site. These might include a road easement to another property, a public walkway, utility easements, or buffers to keep excavation away from sensitive cultural or natural resources.
- 2. Fencing and Pets.** If your site is within a grazing lease, fence it as soon as possible. Do not place other improvements on the site unless you have first fenced the livestock out. Your lease contract stipulates that this is your responsibility, and you must maintain the fence to keep out the livestock. If you do not comply, the Tribes can cancel your lease. If your site had a gate for agricultural access, you must provide an alternate gate for the agricultural lessee. Please contact the Tribal Lands Department or the agricultural lessee for placement.

You must contain your pets on your site as dogs can disturb livestock. Pet restrictions also apply in sensitive wildlife areas and clustered homesite areas.

- 3. Solar Orientation and Vegetation Management.** Before clearing the site for development, consider keeping deciduous (leafy) trees for summer shade, or fir trees to block the winter winds. Take advantage of the sun to reduce your winter heating costs by facing most of your windows toward the south. Roofs can be built to overhang just enough to keep out summer sun but allow winter sun. If there are trees on the site, remember to work with Tribal Forestry before clearing or thinning. They are responsible for management of the timber on your site, and any revenue generated from tree harvest. Ask Fire Control if your clearing is large enough to protect you from fire.
- 4. Soils and Drainage.** Consider the topography of your site. Which way would water run in a heavy storm or when the snow is melting? You do not want your house, garage or sewage treatment area to be flooded. Work with an expert on placement of your driveway and foundation. It is best to check the soil properties of your site to determine if there are any special engineering concerns that should be addressed, such as poor soil strength or drainage problems. Check the site map attached to your lease to check where sewer and water services need to be located in relation to the placement of your home.
- 5. Water and Sewer.** Contact the Salish Kootenai Housing Authority (406-675-4491) to see if you are eligible for water and sewage disposal services. If you

are, complete their application for sanitary services and provide them with a copy of your lease. Before you build anything, check your site map included with your lease or with Lubert Jones at the Housing Authority to determine the best location for your sewer and water lines, etc. If you do not have a sketch included in your lease, you should ask him if he could draw one up for you. Be sure he knows if there are any specific restrictions on the property (as mentioned above). Proper placement of your home in relation to sewer and water facilities is very important. The minimum distance between these facilities is legally mandated, and many sewage disposal designs depend on gravity and an area that is not driven on. Housing also requires that you attend an orientation meeting before they provide sewer and water services. If you are not eligible for services from Housing, you must pay for sewage disposal and water improvements to your site.

- 6. Power.** Contact Mission Valley Power for bringing power to your site. This cost is also the Lessee's responsibility and can be expensive. Contact Brit Salois at 883-7950 or 675-7900, ext. 7950, to see if Line Extension Credits are available to help with funding. (The Housing Authority will not provide sewer and water services without power at the site. Housing may also require that a foundation be in place before service. Check with the Housing Authority for possible financial assistance for power installation and other development costs for those who are income-eligible.)
- 7. Call Before You Dig.** Call 1-800-424-5555 at least 48 hours in advance before you or your contractor(s) begin any excavation. If you, or your contractor, accidentally dig up someone's buried phone or other utility line, you could be liable for the costs to repair the line.
- 8. Cultural Concerns.** If historical or cultural artifacts or sites are discovered during construction or at any time, all disturbances to the site of discovery should cease. Contact the Tribal Preservation Office immediately (675-2700, ext. 1075).
- 9. Driveways, Saving Topsoil.** Prepare the driveway into your site, especially before the concrete truck arrives to pour your foundation. Have your excavator strip the topsoil and other organic material and store it to the side of the construction area. You may want to spread a layer of pit run (rounded rock of assorted sizes) on the driveway area to help roadbed drainage and stability prior to adding crushed gravel. Gravel permits can be obtained from the Tribal Lands Department; however, availability is limited in several areas. Gravel can also be purchased from private pit owners and concrete companies. Hauling costs increase with distance to the site. Please note the section below regarding culverts, and additional standards for driveways in the Site and Building Standards attachment.
- 10. Culverts.** Use a culvert for any drainage that could affect your roadbed. Culverts protect a road or driveway from erosion caused by water flowing in a ditch or drainage that intersects the road. Culverts should be laid on a bed of

sand or crushed gravel, and should be a minimum of 18” in diameter so they can be cleaned out periodically. If your driveway accesses your site from a county road, call the county road department to see if you need a culvert for the drainage ditch next to the road, and what size to use if one is needed. If your site is on a Tribal road, contact the Tribal Roads Program at 676-2600. If your driveway is going to cross an irrigation ditch, contact the Flathead Agency Irrigation Division at 745-2661.

- 11. Improvements in Relation to the Surrounding Neighborhood and Your Safety.** Improvements to your site must “be of a nature that will lend themselves to the surrounding neighborhood” (Home Site Lease provision #18). For example, a poorly-sided trailer house does not lend itself to an area that has nicely-sided homes. Windows and doors must all be in place. Your home should have a solid structure with good ventilation, sanitary plumbing, safe electrical wiring, and a safe heating plant.
- 12. Additional Site and Building Standards** are included in the Site and Building Standards for Tribal Homesites handout.

# Site and Building Standards for Tribal Homesites

## Air Quality

- On gravel roads, building setbacks should be at least 100 feet, depending on prevailing winds, vegetation and hillside buffers, to reduce impact from dust on the homesite residents.<sup>1</sup>
- Fireplaces and wood stoves may be restricted from homesites in Ronan or Polson, if necessary, to comply with federal air quality standards.

## Building Codes

To ensure homesite safety, the Tribes recommend that builders follow the Uniform Building Code, the National Electric Code, and other applicable residential codes. Mobile homes manufactured before 1975 may not meet these safety standards. Class A<sup>2</sup> roofing materials are recommended, especially in forested sites. See Fire Control section for additional building standards. Yard light switches are advisable to cut down on impacts from nighttime "light" pollution and energy costs.

## Compatibility with Surrounding Development

Improvements must "be of a nature that will lend themselves to the surrounding neighborhood" (Homesite Lease Provision #18.) For example, a poorly-sided trailer house does not lend itself to an area with well-maintained houses

## Construction Practices

The following would apply when building a road to the house location and when excavating for the foundation and walkways, water line, sewage treatment facilities and other utilities:

- Topsoil should be removed and stored to the side of the construction site before further excavation.
- If there are water bodies down gradient from the construction site, erosion fences should be installed prior to construction. Please work with the Tribal Water Quality Program or Shoreline Protection Office.
- Clean construction vehicles before entering a weed-free site.
- Topsoil should be replaced and re-seeded for desirable vegetation following excavation.
- Dust abatement methods should be applied regularly depending on conditions and surface material. Contact the Tribal Air Quality Program for additional information.

## Driveways

- Driveways should be at least 14 feet wide with 15 feet of vertical clearance.
- Long driveways should have turnaround areas that can accommodate emergency vehicles.
- Maintenance of driveways and sidewalks is the responsibility of the Homesite Lessee, even for snow removal. The Tribal Elders Program provides some assistance with snow plowing for Elders.
- See attachment for additional Driveway Standards and Guidelines.

## Emergencies

- Every room in a home should have two means of escape, by door or window.
- A home should have clearly visible street numbers to allow emergency service personnel to identify the home. If you do not know your street number, obtain one from the county land or surveyor's office.
- See Fire Control section.

## Energy Consumption

Super Good Cents construction standards are recommended for home building. Fire resistant landscaping is encouraged to provide summer shade and allow winter sunlight, and to provide windbreaks, to lower heating and cooling costs.

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<sup>1</sup> Gravel access roads are prioritized for chip sealing or paving by a county or the Tribes according to the number of homes in the area and traffic counts. If a road is not scheduled for paving by the Tribes or county, homeowners can work with the Tribal Roads and Mineral (gravel) Programs and the county road shop to cost-share chip sealing or other dust abatement on roads adjacent to them.

<sup>2</sup> Class A roofing (i.e., metal, terra-cotta tile, A-rated asphalt shingles) is the most fire resistant class of roofing materials.

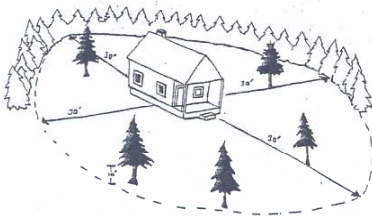
## Fire Control

Protection of life and property from fire damage is dependent on many factors such as an adequate water source, access/escape route, and other precautions. The following standards were recommended in a brochure developed by the Tribes, BIA and State of Montana entitled "Could Your Montana Home Survive a Wildfire?" (Langston, no date):

- If in a rural area, "build a water stand pipe away from your home, and keep a hose available. Develop a water source, such as a small pond, cistern, well or hydrant. If the electricity fails, a gasoline powered water pump could be a home saver."

### YOUR PROPERTY

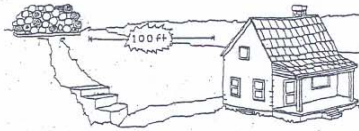
1. Trees should be individually spaced within a perimeter of 30 feet around your home. Keep weeds and debris 10 feet from your house and other structures. Prune trees in this "safety zone" to a height of 10 feet. If your home is on a slope, the "safety zone" should be larger than 30 feet.



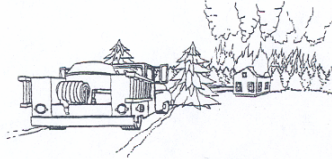
2. Keep tree branches at least 15 feet away from chimneys or stovepipes.



3. Stack firewood on a contour away from buildings and 100 feet from all structures. Keep kindling in a separate place.



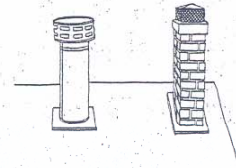
4. Make sure branches are not touching powerlines.
5. Remove forest slash and debris from your property.
6. Display your name and house number in front of your property to assist firefighters in locating your home.
7. Make sure your driveway is spacious enough for fire vehicles.



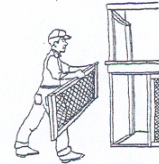
8. Clear a 10 foot area around your barbecue and put a metal screen over the grill.

### YOUR HOUSE

1. Have your shake or wood-shingle roof treated with fire retardant chemicals, or better yet, replace it with one made of fire resistant materials.
2. Keep your roof and gutters clear of pine needles and leaves.
3. Equip your chimney or stovepipe with a mesh spark arrester.



4. Enclose overhanging decks and open foundations to keep out hot embers. Screening is sufficient.



5. Install a fine screen over all vents to keep embers out.
6. Clean your storage area. Keep flammable liquids in unbreakable containers.

Other things to remember:

- Place the home away from any features of the property such as a canyon or saddle that could channel the wind. Make sure the home is set back at least 30 feet from a ridge or cliff
- Building height should not exceed the maximum height reachable by local fire fighting equipment.
- Fire resistant landscaping helps deflect radiant heat during a wildfire.
- Use tempered glass and noncombustible building materials when possible in forested sites.
- Box eaves and decks to keep sparks and embers out. Screen all vents, including those around the attic, under the eaves, and under the floor, with 1/8 inch or smaller wire mesh.
- Check the National Fire Protection Association *NFPA 101 Life Safety Code* for other fire protection-related building standards.

## Home Business

A home business on Tribal land would require a business lease if it creates excessive traffic or is advertised as a business. Business leases must comply with the National Environmental Policy Act. If the business creates conflict with neighbors, it could be prohibited at the homesite.

## **Land Character**

Care should be taken to preserve the character of the site. For example, clearings on forested lots should only be developed for defensible space around the home to protect it from a wildfire; the lot should retain as much native, diverse vegetation as possible.

## **Logging**

Prior to thinning a homesite, the Lessee must contact the Tribal Forestry Department for assistance. Any revenue gained from timber harvested on Tribal lands belongs to the Tribes. This information is included in the "Developing Your Homesite" hand-out (Appendix E).

## **Parking**

Visitor parking areas should not block emergency vehicle access.

## **Roads**

- Roads should not exceed 8% slope to minimize impacts from erosion and to reduce safety risks during icy conditions.
- Street lighting would be provided at intersections and where needed for safety reasons. Light fixtures should have side shields to prevent distraction to motorists, and to discourage "light pollution".
- Road names should be clearly identifiable on reflective street signs.
- Road widths should be at least 20 feet wide with grades less than 8%. Cul-de-sacs need a minimum 40' radius. T-turnarounds are also acceptable and use less land area.
- Bridges should be at least 20 feet wide and be able to withstand the weight of emergency and construction vehicles.
- Maintenance of driveways, sidewalks and some access roads is the responsibility of the Homesite Lessee, even for snow removal. Check with the Tribal Roads Program, the Tribal Lands Department or the appropriate county to determine maintenance needs for your road. The Tribal Elders Program provides some assistance with snow plowing for Elders.

## **Setbacks**

- For fire safety reasons, the Resource Planning Office advises Lessees to keep all improvements, except fencing, at least 15 feet from any lot line.
- Setbacks from gravel access roads should be increased to reduce impacts from dust, see Air Quality section.
- Setbacks are required for visual clearance at road intersections.
- A minimum 200-foot setback is recommended for development of homesites near major power transmission lines.
- If a water body or wetland is on or near a site, a 50-100 foot setback is recommended to buffer the water resource from development impacts. It is important to maintain native vegetation within this buffer. Use of pesticides and fertilizers should be minimal. Pesticides must be approved for use near aquatic environments.
- Setbacks are also recommended to keep housing away from noisy or polluting land uses, such as industry, commercial development, agricultural uses, gravel pits, major highways. Vegetative buffers and earth berms may reduce impacts from these adjacent uses.
- Setbacks may be desirable for neighborhood conformity, or to preserve a green belt.

## **Sewage Treatment**

Hook-up to a community sewage-treatment facility is recommended where possible. Sewage treatment methods must meet Tribal water quality standards and comply with federal Indian Health Service standards and Tribal ordinances. See Regulations for Subsurface Sewage Disposal Systems Ordinance 48A for setback and other requirements. Alternative wastewater treatment and building methods are encouraged. The Housing Authority reviews maintenance requirements for individual sewage-treatment facilities with Lessees before installing the facilities.

## **Solid Waste Disposal**

Contact the appropriate county office for waste disposal needs. Flathead Disposal is available to haul garbage for a fee. Lessees are responsible for payment of all utility fees unless they qualify for assistance

from the Housing Authority. Homesites must meet sanitation standards regarding debris or junk. Junk vehicles (those not in operation) may not be stored on Tribal homesites.

### **Stormwater Runoff**

An Environmental Protection Agency (EPA) Stormwater Discharge Permit is required on construction projects that would clear, grade or excavate five acres of land or more.

To reduce the impact of storm water runoff and erosion on smaller lots the following should apply:

- 0-8% Slopes - There should be no more than 45% coverage by improvements on the lot.
- 8-15% Slopes - Coverage should not exceed 10-15% of the lot area, depending on severity of erosion hazard.
- 15-25% Slopes - Should have no more than 5% lot coverage.
- 25-35% Slopes - Development is discouraged. These lots should have no more than 1% coverage by improvements.
- 35% or greater - Considered to be undevelopable.

All roads and driveways should be built to address stormwater flows. (See Developing Your Homesite handout.) The Tribes are developing additional Best Management Practice (BMP) guidelines to address storm water runoff.

### **Utilities**

Sewer, water and telephone utilities are buried on all lots. For safety and aesthetics, the developer should also bury power lines as funding allows.

### **Water Use, Availability and Quality**

The Tribal Housing Authority currently drills wells for domestic water purposes only. The amount of water they are required to provide, according to Indian Health Service standards, does not necessarily allow for yard watering or fire protection.

To protect water quality:

- The Tribes prohibit dumping of pollutants "into any Reservation waters or [the placement of] or cause to be placed any wastes in a location where they are likely to cause pollution of any Reservation waters." (Tribal Water Quality Ordinance 89B, 1990). Please refer to page 6 of the ordinance for a list of these pollutants, which include antifreeze, fertilizers, heavy metals, paints, pesticides, oils and other petroleum products. Use caution near water bodies and on well-drained soils with shallow depth to groundwater.
- See Setbacks section regarding recommendations to reduce water quality impacts from sediments.
- Hook-up to a community sewage treatment system is preferred. If not possible, see Tribal Ordinance 48A and contact the Tribal Housing Authority for federal standards regarding individual sewage treatment systems.
- See Storm Water Runoff section for further information regarding water quality protection.

### **Weed Control**

Mowing is encouraged to control the spread of noxious weeds. As a health precaution, the Tribes recommend that homeowners notify their neighbors before using pesticides.

### **Wildlife**

Tribal Wildlife Management staff can provide information about living with mountain lions, bears and other wildlife. They recommend that attractants be minimized by keeping garbage and pet food in the garage or in bear-proof containers. They discourage apiaries and fruit trees in bear habitat. Pets should be contained in sensitive wildlife areas.

(Updated by J. Camel 2001)