

FLATHEAD COUNTY PLANNING AND ZONING OFFICE
CONDITIONAL USE PERMIT REPORT (#FCU-20-10)
DONALD SCOTT DAVIS
SEPTEMBER 22, 2020

I. GENERAL INFORMATION

A. Project Description

This is a report to the Flathead County Board of Adjustment regarding a request by Donald Scott Davis, for a Conditional Use Permit for “Mini-storage.” The property is located within the Willow Glen Zoning District and is zoned ‘*R-5 Two-Family Residential.*’

B. Application Personnel

1. Owner/Applicant

Donald Scott Davis
448 5th Ave W
Kalispell, MT 59901

C. Process Overview

1. Land Use Advisory Committee/Council

The proposed land use is not located within the jurisdiction of a Land Use Advisory Committee (LUAC).

2. Board of Adjustment

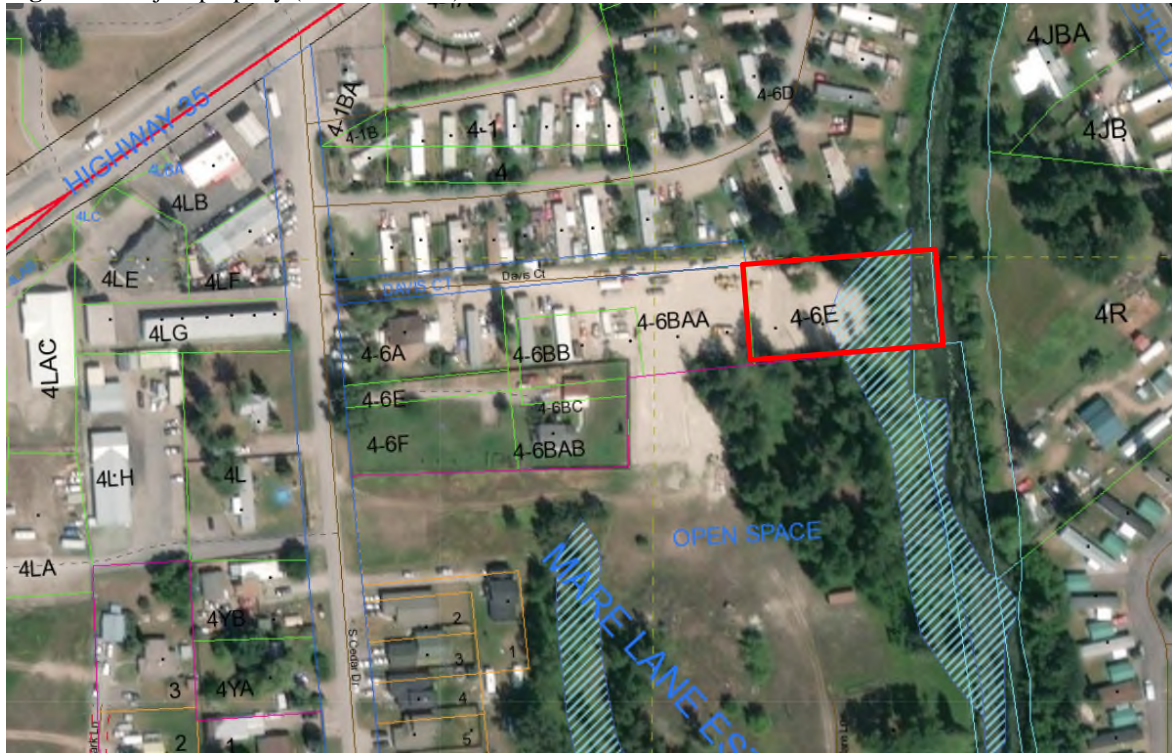
The Flathead County Board of Adjustments will conduct a public hearing on the proposed zoning map amendment on October 6, 2020 at 6:00 P.M. in the Country Kitchen Building at the Flathead County Fairgrounds in Kalispell. Documents pertaining to this file are available for public inspection in the Flathead County Planning and Zoning Office, located on the second floor of the South Campus Building.

II. PROPERTY CHARACTERISTICS

A. Property Location and Size

The subject property is located at 36 and 40 Davis Court near Kalispell, MT (see Figure 1 below). The property is 0.75 acres and can legally be described as Tract 2 of COS 21539, located in the SE ¼ of Section 04, Township 28 North, Range 22 West P.M.M., Flathead County, Montana.

Figure 1: Subject property (outlined in red)



B. Existing Land Use(s) and Zoning

The applicant recently completed a family transfer on the property separating the subject property from a single family dwelling and manufactured home parks. The subject property contains trolleys, boats, trailers, cars and other items being stored on the property but no structures or buildings. At the rear of the lot is wetlands, floodplain and a creek. There are also a few trees located on the edges of the property.

The property is zoned ‘R-5 Two-Family Residential.’ R-5 is defined as, “A residential district with minimum lot areas. Development within the district will require all public utilities, and all community facilities. A duplex is allowed in this district.”

C. Adjacent Land Use(s) and Zoning

Land to the north, east, and west of the subject properties are similarly zoned R-5 while the land to the south of the subject properties is zoned R-1/PUD but is in the process of a zone change to R-5. Also in the vicinity of the property is B-2/EEO. The general character of the surrounding area is residential with commercial along the highway.

- Comment: “At this time, BPA does not object to this request, as the property is located 2.27 miles from the nearest BPA transmission lines or structures.” Email dated July 24, 2020.
- Flathead County Solid Waste District
 - Comment: “After reviewing the application, the Solid Waste District views no negative impact with solid waste issues at this time. The District requests that all solid waste generated at the proposed location be hauled by a private hauler. Evergreen Disposal is the licensed (PSC) Public Service Commission Licensed hauler in this area.” Letter dated July 30, 2020
- Flathead County Road and Bridge Department
 - Comment: “At this point the County Road and Bridge Department does not have any comments on this request.” Letter dated July 27, 2020
- Evergreen Fire Rescue
 - Comment: “Evergreen has received the application submitted by Scott Davis and opposes the conditional use permit application based on inaccurate information about Fire water supply and not being able to read the map provided. Please provide accurate engineered map (to scale) and correct current Fire Hydrant locations.” Letter dated July 30, 2020
- Evergreen Water and Sewer District
 - Comment: “We have significant concerns about the incorrect statements in Mr. Davis’ application pertaining to water and sewer services for that property from Flathead County Water District #1 – Evergreen as follows:
 1. On page three C (1) and C (2), Mr. Davis states that sewer and water services are “present and available” on the site for the use as proposed. These statements are not correct. It concerns the District that Mr. Davis has made these statements and sworn on page 5 that they are correct “under penalty of perjury.” In fact, neither water or sewer services are present or available. Mr. Davis has not requested water or sewer services for this proposed use from the District, which provides services in that area. Such request would have to be made pursuant to the District’s applicable rules and regulations. Since services would require both a water and sewer main extension for that property, a plan prepared by a registered professional engineer would have to be submitted in compliance will District and State regulations. Certain review fees must be paid. After review by the Staff and District Engineer, the plans would be submitted to the District’s Board of Directors for approval at a public meeting. Not one of those steps has occurred.
 2. Furthermore, even with a proper application, based on the District’s current information, water flows would not be adequate for the proposed development without construction of significant additional infrastructure within the District’s system but outside of the proposed use area, which would also have to be evaluated and approved by District Staff, the District Engineer and the District Board of Directors.
 3. The District has concerns that several of the current uses of water on the property in question may be in violation of the District’s rules and regulations. An investigation is pending. If such non-compliant uses are confirmed, water service to the property will be discontinued.
 4. In connection with requests for water services, the District works closely with

Evergreen Fire Department to confirm that adequate water supplies are available. In this case, contrary to the representations of Mr. Davis in Paragraph C (4) also certified as correct under the penalty of perjury (page 5), the current water supply from the District would not be adequate to meet the Evergreen Fire Department requirements.

5. It is impossible to tell from the pencil drawing that is attached to the application, but there may also be issues with the Storm Water Drainage that may impact the availability of water and sewer services from the District. A full review of such issues would occur once the District is provided with a proper drawing by a registered professional engineer.
 6. Finally, even though the drawing attached to the application is very difficult to read with certainty, the description of an area for “Trailers,” may allow uses in the future (in addition to the uses identified in #3 above) that are not in compliance with the District’s rules and regulations. The District understands that the County is investigating certain alleged uses of trailers currently on the property that could also be in violation of the District’s rules and regulations.
 - “Thank you for your consideration of these comments. We would strongly urge the Flathead County Board of Adjustment to deny this application.” Email received July 29, 2020
- Flathead County Environmental Health
 - Comment: “This office has reviewed the information provided and submits the following comments:
 1. This project proposes mini-storage units and boats, campers, and horse trail parking/storage. This project is subject to review under the Title 76-4 Part 1 MCA, Sanitation in Subdivisions as it exceeds the limitation of the exemption used on Certificate of Survey No. 21478. This review addresses potable water supply, wastewater treatment and disposal, storm drainage, and solid waste disposal.
 2. This proposed development lies within the Kalispell Air Pollution Control District. In accordance with Flathead County Air Pollution Control Program, Chapter VIII, Sub-Chapter 5, Rule 404,
 - ‘(2) Within the Kalispell Air Pollution Control District, no person shall construct any new parking lot which has a parking area greater than 5000 square feet or private drive through business lane, or a parking capacity greater than 15 vehicle or a traffic volume of more than 50 vehicles per day unless the parking lot is paved.’
 - This proposal most likely meets these parameters. The parking lot and driveways are subject to paving requirements.” Letter dated July 30, 2020.

B. Public Comments

1. Notification was mailed to property owners within 150 feet of the subject property on September 16, 2020, pursuant to Section 2.06.040(3) of the Flathead County Zoning Regulations. Legal notice of the public hearing on this application will be published in the September 20, 2020 edition of the Daily Interlake.
2. Public Comments Received

As of the date of the completion of this staff report, no written public comments have been received regarding the requested conditional use permit. It is anticipated any individual wishing to provide public comment on the proposal will do so during the public hearing

scheduled for August 4, 2020. Any written comments received following the completion of this report will be provided to the Board and summarized during the public hearing.

IV. CRITERIA REQUIRED FOR CONSIDERATION

Per Sections 2.06.080 and 2.06.100 of the Flathead County Zoning Regulations, what follows are criteria required for consideration of a Conditional Use Permit and suggested findings of fact based on review of each criterion.

A. Site Suitability

1. Adequate Usable Space

The lot coverage for the R-5 zone is limited to 40%. The subject property is approximately 0.75 acres in size. The applicant is not proposing to construct any buildings as part of this request. The applicant will need to provide landscape buffer between the mini-storage and the neighboring residential uses. The applicant will also be required to provide one parking space. There appears to be adequate usable space for the mini-storage units as no structures are being built.

2. Adequate Access

The property is accessed from Davis Court via South Cedar Drive. South Cedar Drive is a two lane public road within a 60-foot easement. Davis Court is a private unpaved road within a 30-foot easement. The property has legal and physical access via South Cedar Drive from the Davis Court easement located on property owned by the applicant.

3. Absence of Environmental Constraints

The subject property is located on relatively flat land and according to FEMA FIRM panel 30029C1810J is situated in a Zone AE, which is classified as an area inside the 100-year floodplain. Additionally, there are wetlands and a creek located on the rear of the subject property. The applicant has previously obtained a permit for the placement of fill in the floodplain and open air storage would likely not require a floodplain development permit.

Finding #1 – The site appears suitable for the proposed mini-storage because the property has adequate usable space, legal access from Davis Court via South Cedar, the applicant obtained a permit for the placement of fill in the floodplain and open air storage would likely not require a floodplain development permit.

B. Appropriateness of Design

1. Parking Scheme

The conditional use standards for mini-storage require that temporary parking be located on parking/driving lanes adjacent to storage units. These parking/driving lanes must be 26 feet wide when storage units open to one side of the lane and 30 feet wide when storage units open to both side of the driving lane, pursuant to Section 4.13.060 FCZR. The applicant is not constructing any buildings as part of this request as the storage area will remain open.

Per Section 4.13.050 FCZR the proposed new mini-storage units are required to have one parking space for the on-site manager with two additional spaces for the leasing office. The mini-storage does not have on-site leasing office or an on-site manager so no parking is required.

2. Traffic Circulation

The proposed use will utilize Davis Court which will provide both ingress and egress to the subject property. The internal driving lanes are shown on the site plan as looping around the entire property and in between each storage building eliminating the need for a turnaround.

The driving lanes between storage units are required to be a minimum of 30 feet wide to provide for two-way traffic and temporary parking in front of each storage unit, and as previously stated the driving/parking lanes will be 50 feet. The applicant is not constructing any buildings as part of this request as the storage area will remain open. Since no buildings are proposed the traffic circulation appears adequate.

Finding #2 – The proposal would have adequate traffic circulation and parking because all storage will be open air and no buildings exist and none are proposed and there will be no on-site manager or leasing office.

3. Open Space

The lot coverage for the R-5 zone is limited to 40%. The subject property is approximately 0.75 acres in size. The applicant is not proposing to construct any buildings as part of this request. There appears to be appropriate open space for the mini-storage units as no structures are being built.

Finding #3 – The subject property appears to be appropriately designed to meet open space requirements because over structures exist on the property and the applicant is not proposing any as part of this proposal.

4. Fencing/Screening

The application states, “Privacy fencing is already installed along the portion of the property adjacent to residential use on the South. Vegetation screening is present along the north boundary adjacent to an existing mobile home park.”

Figure 3: Southern Property Line



The mini-storage use has specific landscaping requirements set forth in Section 4.13.030 FCZR. For the portion of the property bordering residentially zoned areas, landscaping that creates sight-obscuring barriers is required and shall consist of trees, shrubs, and ground cover or a combination thereof. The existing trees at the rear of the property and on the north property line would serve as a sight-obscuring barrier to the property across the creek. Staff determined during the site visit that additionally screening would be required on the south property line as the properties to the south are zoned residential and the neighboring property can be seen from the location of the mini-storage (see Figure 3).

5. Landscaping

The application states, “No additional landscaping is proposed. The natural state of the eastern 1/3 of the property is such that additional landscaping is not warranted.”

As previously stated, the mini-storage use has specific landscaping requirements set forth in Section 4.13.030 FCZR. For the portion of the property bordering residentially zoned areas, landscaping that creates sight-obscuring barriers is required and shall consist of trees, shrubs, and ground cover or a combination thereof. The existing trees at the rear of the property and on the north property line would serve as a sight-obscuring barrier to the property across the creek. Staff determined during the site visit that additionally landscaping for screening purposes would be required on the south property line as the properties to the south are zoned residential and the neighboring property can be seen from the location of the mini-storage (see Figure 3).

Finding #4 – The proposed screening, fencing and landscaping does not appear to meet the minimum requirements set forth in Section 4.13.030 because the residentially zoned property to the south is visible from the mini-storage and landscape screening would be required.

6. Signage

The applicant is not proposing any signage as part of this proposal. If any signage is placed on the property it will be required to be in compliance with Section 7.02.010 of the Flathead County Zoning Regulations.

7. Lighting

The applicant is not proposing any additional lighting as part of this project. Any future lighting must comply with performance standards set forth in Section 5.12 FCZR.

Finding #5 – Proposed signage and lighting for the mini-storage would be acceptable because the applicant is not proposing any signage or lighting and any future signage or lighting would need to meet the requirements of Sections 7.02.010 and 5.12 in the Flathead County Zoning Regulations.

C. Availability of Public Services and Facilities

1. Sewer

Comments from Environmental Health indicate, “This project is subject to review under the Title 76-4 Part 1 MCA, Sanitation in Subdivisions as it exceeds the limitation of the exemption used on Certificate of Survey No. 21478. This review addresses potable water supply, wastewater treatment and disposal, storm drainage, and solid waste disposal.” applicant would be required to obtain all applicable permits from Flathead City-County Environmental Health Department and Montana DEQ.

Comments from the Evergreen Water and Sewer District indicate “On page three C (1) and C (2), Mr. Davis states that sewer and water services are “present and available” on the site for

the use as proposed. These statements are not correct. It concerns the District that Mr. Davis has made these statements and sworn on page 5 that they are correct “under penalty of perjury.” In fact, neither water or sewer services are present or available. Mr. Davis has not requested water or sewer services for this proposed use from the District, which provides services in that area. Such request would have to be made pursuant to the District’s applicable rules and regulations. Since services would require both a water and sewer main extension for that property, a plan prepared by a registered professional engineer would have to be submitted in compliance with District and State regulations. Certain review fees must be paid. After review by the Staff and District Engineer, the plans would be submitted to the District’s Board of Directors for approval at a public meeting. Not one of those steps has occurred.”

No structures are being built that would utilize waste water services are being built and all storage will occur outside. Since agency referrals were sent out the lot was split and the manufactured homes in the site plan are located on a separate lot.

2. Water

As previously mentioned, comments from Environmental Health indicate, “This project is subject to review under the Title 76-4 Part 1 MCA, Sanitation in Subdivisions as it exceeds the limitation of the exemption used on Certificate of Survey No. 21478. This review addresses potable water supply, wastewater treatment and disposal, storm drainage, and solid waste disposal.” The applicant would be required to obtain all applicable permits from the Flathead County Environmental Health Department and Montana DEQ.

Comments from the Evergreen Water and Sewer District indicate “On page three C (1) and C (2), Mr. Davis states that sewer and water services are “present and available” on the site for the use as proposed. These statements are not correct. It concerns the District that Mr. Davis has made these statements and sworn on page 5 that they are correct “under penalty of perjury.” In fact, neither water or sewer services are present or available. Mr. Davis has not requested water or sewer services for this proposed use from the District, which provides services in that area. Such request would have to be made pursuant to the District’s applicable rules and regulations. Since services would require both a water and sewer main extension for that property, a plan prepared by a registered professional engineer would have to be submitted in compliance with District and State regulations. Certain review fees must be paid. After review by the Staff and District Engineer, the plans would be submitted to the District’s Board of Directors for approval at a public meeting. Not one of those steps has occurred.

“Furthermore, even with a proper application, based on the District’s current information, water flows would not be adequate for the proposed development without construction of significant additional infrastructure within the District’s system but outside of the proposed use area, which would also have to be evaluated and approved by District Staff, the District Engineer and the District Board of Directors.

“The District has concerns that several of the current uses of water on the property in question may be in violation of the District’s rules and regulations. An investigation is pending. If such non-compliant uses are confirmed, water service to the property will be discontinued.”

No structures are being built that would utilize water services are being built and all storage will occur outside. Since agency referrals were sent out, the lot was split and the manufactured homes in the site plan are located on a separate lot.

3. Storm Water Drainage

The applicant states, the storm water will drain into the existing wetlands on the property. According to Environmental Health the property would need to be reviewed in Sanitation and Subdivision for storm water drainage on the property.

Comments from the Evergreen Water and Sewer District state, “It is impossible to tell from the pencil drawing that is attached to the application, but there may also be issues with the Storm Water Drainage that may impact the availability of water and sewer services from the District. A full review of such issues would occur once the District is provided with a proper drawing by a registered professional engineer.”

Finding #6 – The proposed mini-storage would have minimal impact on public water, sewer and storm drainage because no structures are being built on the property so there is no need for public water and sewer the storm water will be managed through on-site storm water retention areas and must comply with DEQ requirements.

4. Fire Protection

The subject property is not located in the Wildlife Urban Interface and County Wide Priority Area. The aerial imagery show that the trees around the edges of the property and the applicant is not proposing to construct any new buildings. The subject property is currently served by the Evergreen Fire Department, and is located approximately 1.3 miles southeast of the nearest fire station.

The applicant stated that fire hydrants are adjacent to the site. The Evergreen Fire Department commented, “Evergreen has received the application submitted by Scott Davis and opposes the conditional use permit application based on inaccurate information about Fire water supply and not being able to read the map provided.”

Comments from Evergreen Water and Sewer state, “In connection with requests for water services, the District works closely with Evergreen Fire Department to confirm that adequate water supplies are available. In this case, contrary to the representations of Mr. Davis in Paragraph C (4) also certified as correct under the penalty of perjury (page 5), the current water supply from the District would not be adequate to meet the Evergreen Fire Department requirements.”

Since agency referrals were sent out, the lot was split and the manufactured homes in the site plan are located on a separate lot and no structures will be built with the mini-storage proposal.

Finding #7 – The proposed used could have an impact on fire protection because Evergreen Fire Department is opposed to the proposal and the applicant provided inaccurate information about Fire water supply.

5. Police Protection

The property would be served by the Flathead County Sheriff’s Department. It is anticipated response times in emergency would be acceptable given the property’s location in an urbanized area of the county.

6. Streets

The property is accessed from Davis Court via South Cedar Drive. South Cedar Drive is a two lane public road within a 60-foot easement. Davis Court is a private unpaved road within a 30-foot easement.

Finding #8 – The proposed mini-storage appears to have minimal impact on police protection and streets because the Flathead County Sheriff currently provides service to the subject property, and the property is accessed by Davis Court via South Cedar Drive.

D. Immediate Neighborhood Impact

1. Excessive Traffic Generation

The property is accessed from Davis Court via South Cedar Drive. South Cedar Drive is a two lane public road within a 60-foot easement. Davis Court is a private unpaved road within a 30-foot easement.

Staff has determined based on the Institute of Transportation Engineering Trip Generation Manual indicates the average daily trips per acre is 0.25. Based on the 0.25 average daily trips (ADT) generated per unit the 0 total units would generate approximately 0 ADT. The actual traffic generated would be more than 0 ADT but it would be very low given the nature of the mini-storage use.

Finding #9 – Traffic associated with the proposed use is not anticipated to generate excessive traffic which would adversely impact the immediate neighborhood or adjacent roads because would lead to a minimal increase in traffic.

2. Noise or Vibration

It is not anticipated that the mini-storage would generate any excess noise or vibrations. Any noise generated would likely be minimally audible to adjacent properties due to the nature of the proposed use and the requirement for modest landscaping.

3. Dust, Glare or Heat

According to Environmental Health, “This proposed development lies within the Kalispell Air Pollution Control District. In accordance with Flathead County Air Pollution Control Program, Chapter VIII, Sub-Chapter 5, Rule 404, ‘(2) Within the Kalispell Air Pollution Control District, no person shall construct any new parking lot which has a parking area greater than 5000 square feet or private drive through business lane, or a parking capacity greater than 15 vehicle or a traffic volume of more than 50 vehicles per day unless the parking lot is paved.’ This proposal most likely meets these parameters. The parking lot and driveways are subject to paving requirements.”

The property is 32,670 square feet, and part of it will be used for the storage of vehicles, boats, camper trailers, etc. Based on the site visit and aerial imagery it appears approximately 10,000 square feet would be used for storage. It is possible that paving would be required of the parking lot and the private road. The application does not discuss paving parking, driving lanes or the approaches onto South Cedar. If the parking, and private drive are paved, excessive dust, glare or heat would not be anticipated as a result of the mini-storage facility.

Finding #10 – The mini-storage would have minimal impact from dust, glare or heat because the proposal would not generate heat or glare, if the parking and private drive are paved, excessive dust would not be anticipated and the proposal would generate low traffic volumes.

4. Smoke, Fumes, Gas, or Odors

The applicant is proposing to utilize the mini-storage for the storage of vehicles, including gasoline engines. These vehicles and engines could potential leak gas which causes odors and gas fumes. It is not anticipated that any smoke would be generated as a result of this proposal.

Finding #11 – The proposed use is not anticipated to have an impact on the neighborhood because the mini-storage would generate minimal smoke, fumes, gas and odors.

5. Inappropriate Hours of Operation

The application state, “Standard hours of operation will be limited to 7am-8pm. Occasional and infrequent parking of trolleys may occur outside the standard hours.”

There are no specific standards for hours of operation for mini-storage established in the Flathead County Zoning Regulations.

Finding #12 – The proposed hours of operation would be acceptable and would likely have minimal impact on the neighborhood because activity levels associated with normal operation of the mini-storage would primarily occur during daytime and early evening hours.

V. SUMMARY OF FINDINGS

1. The site appears suitable for the proposed mini-storage because the property has adequate usable space, legal access from Davis Court via South Cedar, the applicant obtained a permit for the placement of fill in the floodplain and open air storage would likely not require a floodplain development permit.
2. The proposal would have adequate traffic circulation and parking because all storage will be open air and no buildings exist and none are proposed and there will be no on-site manager or leasing office.
3. The subject property appears to be appropriately designed to meet open space requirements because over structures exist on the property and the applicant is not proposing any as part of this proposal.
4. The proposed screening, fencing and landscaping does not appear to meet the minimum requirements set forth in Section 4.13.030 because the residentially zoned property to the south is visible from the mini-storage and landscape screening would be required.
5. Proposed signage and lighting for the mini-storage would be acceptable because the applicant is not proposing any signage or lighting and any future signage or lighting would need to meet the requirements of Sections 7.02.010 and 5.12 in the Flathead County Zoning Regulations.
6. The proposed mini-storage would have minimal impact on public water, sewer and storm drainage because no structures are being built on the property so there is no need for public water and sewer the storm water will be managed through on-site storm water retention areas and must comply with DEQ requirements.
7. The proposed use could have an impact on fire protection because Evergreen Fire Department is opposed to the proposal and the applicant provided inaccurate information about Fire water supply.
8. The proposed mini-storage appears to have minimal impact on police protection and streets because the Flathead County Sheriff currently provides service to the subject property, and the property is accessed by Davis Court via South Cedar Drive
9. Traffic associated with the proposed use is not anticipated to generate excessive traffic which would adversely impact the immediate neighborhood or adjacent roads because would lead to a minimal increase in traffic.
10. The mini-storage would have minimal impact from dust, glare or heat because the proposal would not generate heat or glare, if the parking and private drive are paved, excessive dust would not be anticipated and the proposal would generate low traffic volumes.

11. The proposed use is not anticipated to have an impact on the neighborhood because the mini-storage would generate minimal smoke, fumes, gas and odors.
12. The proposed hours of operation would be acceptable and would likely have minimal impact on the neighborhood because activity levels associated with normal operation of the mini-storage would primarily occur during daytime and early evening hours.

VI. CONCLUSION

Upon review of this application, the request to allow for a mini-storage on the subject property is generally supported by all of the review criteria and the Findings of Fact listed above. Should the Flathead County Board of Adjustment choose to adopt staff report as Findings of Fact and approve the conditional use permit, the following conditions would ensure compliance with the review criteria and appropriate measures to mitigate impacts:

VII. CONDITIONS OF APPROVAL

1. The operation of the 'mini-storage' on the subject property shall be in substantial conformance with the application materials and site plan as submitted and approved by the Board of Adjustment and modified by the conditions below [FCZR Section 2.06.010].
2. Changes or modifications to the approved use or the site plan shall not be affected unless specifically approved in writing by the Flathead County Board of Adjustment [FCZR Section(s) 2.06.010 and 2.06.020].
3. The mini-storage shall comply with standards defined in Section 4.13 of the Flathead County Zoning Regulations.
4. The mini-storage shall be located in accordance with the minimum setback requirements of the R-5 Zoning District, pursuant to Section 3.14.040 of the Flathead County Zoning Regulations.
5. Vegetation must be planted and alive at the time of the 12 month inspection, pursuant to Section 4.13.030 FCZR.
6. All signage on the subject property shall comply with applicable standards and guidelines set forth under Section 6.02 of the Flathead County Zoning Regulations.
7. All lighting on the subject property shall adhere to the performance standards set forth in Section 5.12 of the Flathead County Zoning Regulations, with exterior lighting specifically being side-shielded in a manner that the light source is not directly visible as viewed from a horizontal plane at or above the source's elevation above the ground.
8. The proposed water and sewer systems, storm water drainage and dust control plan for the facility shall be submitted for review and approval by the Flathead County Environmental Health Department and the Montana Department of Environmental Quality, as applicable, prior to construction.
9. The operation of the expanded mini-storage shall commence within one year from the date of issuance of the conditional use permit. The permit may be extended for one additional year if the permittee requests additional time prior to expiration date.
10. At the end of twelve (12) months from the date of authorization of this permit staff will inspect to verify compliance [FZCR Section 2.06.060].

Planner: EKM