

NOTICE OF PUBLIC HEARING

The Board of County Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-206(3)(a), M.C.A., that it will hold a public hearing to consider a request by the Evergreen Chamber of Commerce for an interim zoning district to temporarily overlay all existing B-2 General Business or B-3 Community Business zoning along the Evergreen commercial corridor with one additional permitted use. The additional permitted use that is proposed to be overlaid is #25 from the current list of permitted uses in the I-1 Light Industrial zone classification. The proposed interim zoning district overlay will be called the Evergreen Enterprise Zoning Overlay. Interim zoning regulations are allowable under Montana law for up to one year, with up to one extension of one year.

Specifically, the boundary of the proposed interim zoning district overlay is all existing B-2 General Business or B-3 Community Business zoning in the Evergreen and Willow Glen Zoning Districts within 1500' of U.S. Highway 2 East beginning on the west side at Kalispell city limits and extending east and north to the intersection with Rose Crossing, all existing B-2 General Business or B-3 Community Business zoning in the Evergreen and Willow Glen Zoning Districts within 1500' of MT Highway 35 beginning on the west at the intersection with U.S. Highway 2 East and extending east to the intersection with Helena Flats Road, and all existing B-2 General Business or B-3 Community Business zoning in the Evergreen Zoning District within 1500' of MT Highway 548 (West Reserve Drive) beginning on the east side at the intersection with U.S. Highway 2 East and extending west to a point just east of the intersection with Cheery Lynn Road.

Specifically, the general character of the proposed interim zoning district is an overlay of one additional permitted use within the boundary described above. During the effective period of the overlay, the following use, taken from the current I-I Light Industrial zoning classification in the Flathead County Zoning Regulations (Section 3.27), will be classified and regulated as an additional permitted use:

25. *Light assembly and manufacturing, fabrication and processing, repairing, packing, storage facilities, warehousing and distribution of products and equipment provided that such uses do not produce objectionable impacts beyond the lot lines and do not involve materials that are explosive, hazardous or toxic. Examples of such uses would include but are not limited to the following:*
 - A. *Automobile, bus, truck, boat and equipment washing, detailing, repairing, service and storage.*
 - B. *Manufacture of products such as clothing; furniture; fabricated wood, glass, plastic and metal products; leather and leather goods; medical, dental and optical products and equipment; and boat building.*
 - C. *Processing and manufacturing of food such as baked goods, dairy products, alcoholic beverages and beverage manufacturing and bottling.*
 - D. *Repair of equipment and consumer items such as appliances, clocks and watches, lawn and garden equipment, computers, televisions, shoes, and furniture.*
 - E. *Storage and warehousing such as mini-storage, boat and vehicle storage.*

All other permitted uses, conditional uses and bulk and dimensional requirements of the existing B-2 General Business or B-3 Community Business zoning, found in Sections 3.17 and 3.18 (respectively) of the Flathead County Zoning Regulations will remain in place. At the end of the effective period of the overlay, uses that commenced in conformance with the overlay will become non-conforming (grandfathered) uses and may continue in the manner regulated by Section 2.07 of the Flathead County Zoning Regulations.

The specific emergency that is compelling the establishment of the proposed interim zoning is the increasingly rapid shift of retail and shopping land use away from the Evergreen area and into the City of Kalispell. There is a need to quickly expand the economic base of the Evergreen area from a focus primarily on retail and shopping in many areas to a greater diversity of land uses that can utilize existing public infrastructure as well as existing private commercial infrastructure along the Evergreen commercial corridor that is accessible, visible, and relatively affordable. The residents of Evergreen stand to benefit from increased economic activity in the Evergreen commercial corridor as well as the utilization of existing buildings to prevent blight; therefore, the overlay zone helps to protect public safety and promotes the general welfare.

Maps of the existing B-2 General Business or B-3 Community Business zoning which comprise the boundary of the proposed interim zoning district and a copy of both the existing zoning regulations and the proposed interim regulations referenced herein are available for public inspection at the Office of the Clerk and Recorder, Courthouse, located at 800 South Main, Kalispell, MT, the Flathead County Planning and Zoning Office located at 1035 First Avenue West, Kalispell, MT and at the Flathead County Planning and Zoning Office website at http://flathead.mt.gov/planning_zoning/Drafts.php. Those with questions may contact BJ Grieve, Planning Director of the Flathead County Planning and Zoning Office at (406) 751-8200. 1035 First Avenue West, Kalispell, MT.

The public hearing will be held on the 17th day of December, 2013 at 9:30 o'clock a.m., in the Office of the Board of Commissioners of Flathead County, Third Floor Old Courthouse, 800 South Main, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed interim zoning boundaries and/or regulations.

Written comments are encouraged and will be reviewed by the Commissioners prior to the hearing if received by the Flathead County Commissioners' Office at least three business days prior to the hearing.

DATED this 18th day of November, 2013.

ATTEST:
Paula Robinson, Clerk

By: Diana Kelle
Deputy



BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: Pamela J. Holmquist
Pamela J. Holmquist, Chairman

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