

What is a Conditional Use?

A conditional use is a use that may be allowed in a zoning district but which, because of size, location, impact, operation requirements, demand on public facilities or necessary improvements, requires a case by case approval process that provides additional guidance and control for the specific location. This additional guidance is established through the conditional use permitting process.

What is an Administrative Permit?

In some cases, the Board of County Commissioners may elect to place certain conditional uses into an administrative review category. These conditional uses still require additional review but are viewed as having less of an impact than other conditional uses. Some common administrative conditional uses include minor amendments to previously approved conditional use permits, uses that are temporary or uses that do not result in increased traffic or environmental impacts.

EASY ACCESS!

Pre-application meeting request forms AND Administrative Conditional Use Permit applications can be found in our office as well as on our website:

http://flathead.mt.gov/planning_zoning

Mission Statement:

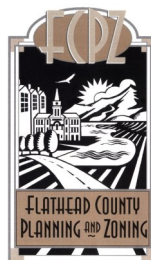
"The Flathead County Planning & Zoning Office is committed to providing the highest level of planning services. We will accomplish this through employees who anticipate public needs, and promote a work environment that encourages creativity, communication and cooperation. The Office will also encourage professional development and training

Administrative Conditional Use Permit

How to Apply for an Administrative Conditional Use Permit



For more information contact:



Flathead County Planning & Zoning
40 11th Street West, Ste 220
Kalispell, MT 59901

Phone: 406-751-8200

E-mail: planning.zoning@flathead.mt.gov

Website: http://flathead.mt.gov/planning_zoning/

An informational brochure on the
Administrative Conditional Use Permit process.

So You'd Like to Apply for a Conditional Use Permit...

The administrative conditional use permit process is very similar to the condition use permit process, with one major exception. Administrative conditional uses do not require approval from the Board of Adjustments. Instead, the Zoning Administrator is given authority to approve or deny an administrative conditional use. The steps below outline the application process for an administrative conditional use permit.

1. Determine Use Category

Administrative conditional uses are typically denoted by an asterisk (*) when listed under conditional uses in the Flathead County Zoning Regulations. Administrative conditional uses may be different depending on the zoning district, so be sure to confirm that an administrative permit is allowed before submitting a formal application.

2. Pre-Application Meeting

A pre-application meeting allows the applicant to discuss the proposal with members of the Flathead County Planning & Zoning staff prior to submitting an official application and associated fee. The pre-application conference is free and provides the applicant insight on how existing zoning, the growth policy, land use maps and neighborhood plans may affect their proposal. Planning staff will also use this time to introduce the applicant to review criteria used to evaluate each conditional use application, and to explain possible conditions of approval that may apply to a request.

Remember, the pre-application conference is for the benefit of the applicant and does not guarantee approval of an application!

3. Application Process

A complete application, site plan, supporting materials and fee should be submitted to the Planning & Zoning Office to be processed and assigned to a member of staff for review. The application fee is non-refundable, regardless of whether or not the permit request is approved. Remember, the more complete the application, the faster and easier it is for Planning Staff to process—it benefits you, the applicant, to answer all questions thoroughly and to the best of your ability.



4. Review Process

The review process is completed by the Planning and Zoning Office staff, and a staff report is prepared addressing criteria regarding site suitability, appropriateness of design, availability of public services and facilities and immediate neighborhood impact. Staff conducts a site visit and contacts local and state agencies for comment when completing a thorough review of the proposal.

Notice is sent to neighboring property owners within 150 feet of the subject property. Interested parties have 15 calendar days to submit comments to the planning office regarding the proposed activity. Within 10 working days following this comment period, staff provides a written determination to approve, conditionally approve or, if warranted, deny the request.

If no written opposition is received, and the project meets all review criteria, the Zoning Administrator will issue a Grant of

Administrative Conditional Use Permit, with or without conditions.

If written opposition is received and the concerns are unable to be addressed by the applicant or through appropriate conditions, the Administrative Conditional Use Permit will be scheduled for the next available Board of Adjustments meeting. Additional information and filing fees may be required in this instance.

If the Administrative Conditional Use Permit is denied by the Zoning Administrator, the applicant has the option to appeal the decision. The appeal shall be made in accordance with Section 2.04 of the Flathead County Zoning Regulations.



Just a reminder...

- Schedule a pre-application meeting to get the facts before submitting an application!
- Pay attention to application due dates and corresponding public meeting dates and timelines
- The more complete the application, the easier it is for the Planning Office to review. Answer **ALL** questions and submit **ALL** documents required to expedite the process!
- Once submitted, the application fee is **NON-REFUNDABLE!**
- There are **NO** guarantees of approval.